

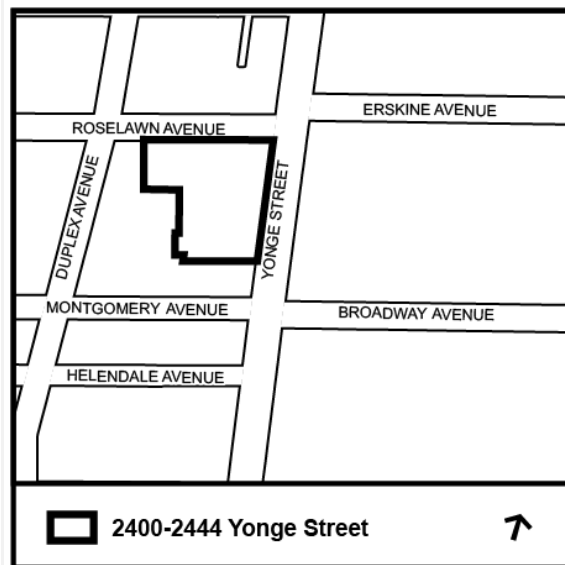
**2400, 2430, 2440 and 2444 Yonge Street – Official Plan and Zoning Amendment Applications – Refusal Report**

<b>Date:</b>	November 8, 2017
<b>To:</b>	North York Community Council
<b>From:</b>	Director, Community Planning, North York District
<b>Wards:</b>	Ward 16 – Eglinton-Lawrence
<b>Reference Number:</b>	17 190823 NNY 16 OZ

**SUMMARY**

This application proposes amend the City’s Official Plan, Zoning By-law 569-2013 and Zoning By-law 438-86 for the former City of Toronto to permit development of the lands at 2400, 2430, 2440 and 2444 Yonge Street for a mixed-use building with a 27-storey (90.85 metre high plus 7 metre high mechanical penthouse) south tower and 23-storey (80.95 metre high plus 7 metre high mechanical penthouse) north tower fronting on Yonge Street, connected by a 2 to 9-storey (13 to 36.1 metre high) base building, and six 3-storey (9.4 metre high) townhouses at the west end of the property fronting onto Roselawn Avenue. The proposal includes 637 residential units (44,594 square metres of residential gross floor area) and 7,902 square metres of commercial space gross floor area. The proposed total floor area of 52,496 square metres would result in a density of 6.34 times the lot area. The proposal would incorporate a 3 level below grade garage and have a total of 438 parking spaces. A total of 720 bicycle parking spaces are proposed.

This report recommends that the applications be refused as they are not consistent with the Provincial Policy Statement, do not conform with the Growth Plan, do not implement Official Plan and Yonge-Eglinton Secondary Plan policies, do not reflect acceptable conservation of the two heritage designated



building on the site and do not represent good planning.

## **RECOMMENDATIONS**

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### **The City Planning Division recommends that:**

1. City Council refuse the applications for Official Plan Amendment and Zoning By-law Amendments at 2400, 2430, 2440 and 2444 Yonge Street for the following reasons:
  - a. the proposal conflicts with the Growth Plan for the Greater Golden Horseshoe;
  - b. the proposal is inconsistent with the PPS;
  - c. the proposal does not conform to the Official Plan and Yonge-Eglinton Secondary Plan; and
  - d. the proposal is inconsistent with Council-approved guidelines/policies for tall, mid-rise and townhouse buildings.
2. Should the application be appealed to the Ontario Municipal Board, the City Solicitor and appropriate City staff be authorized to appear before the Ontario Municipal Board in support of Council's refusal of the Official Plan Amendment and Zoning By-law Amendments.
3. Should the application be approved by the Ontario Municipal Board, the City Solicitor be authorized to have Section 37 Community Benefits, a heritage designation of the properties at 2430 and 2434 Yonge Street, and a heritage easement secured.

### **Financial Impact**

The recommendations in this report have no financial impact.

### **DECISION HISTORY**

At its meeting of August 12, 2014 North York Community Council (NYCC) considered a preliminary report on a Zoning By-law Amendment application for 2444 Yonge Street for a five storey commercial building (File No. 14 158892 NNY 16 OZ). NYCC directed that staff hold a community consultation meeting with landowners and residents within 120 metres of the site.

The preliminary report is on the City's website at:

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2014.NY34.67>

A community meeting was held on January 6, 2015. The application was withdrawn by the applicant and the file was closed.

A demolition permit for 2444 Yonge Street was issued on January 18, 2017 and the building was demolished shortly afterwards.

### **Pre-Application Consultation**

A pre-application consultation meeting was held on June 22, 2017 with the applicant to discuss complete application submission requirements. Issues discussed included:

- Conformity with Official Plan and Yonge-Eglinton Secondary Plan policies;
- Provision for on-site parkland dedication;
- Heritage building potential;
- Sunlight protection on Yonge Street;
- Proposed tower location on lands within the *Neighbourhoods* land use designation;
- Mid-rise and Tall Building guidelines and how they would apply to the proposal;
- Vehicular access and parking including bicycle parking;
- Yonge Street right-of-way width and associated required road widening;
- Angular planes and impact on neighbouring residential lands; and
- Need for a publicly accessible north south lane/midblock connection.

The applications were submitted on June 30, 2017.

## ISSUE BACKGROUND

### Proposal

The applicant is proposing to develop the south-west corner of Yonge Street and Roselawn Avenue for a mixed-use building with a 27-storey (90.85 metre high plus 7 metre high mechanical penthouse) south tower and 23-storey (80.95 metre high plus 7 metre high mechanical penthouse) north tower fronting on Yonge Street, connected by a 2 to 9 storey (13 metre to 36.1 metre high) base building, and six 3-storey (9.4 metre high) townhouses at the west end of the property fronting onto Roselawn Avenue. The proposal includes 637 residential units (44,594 square metres of residential gross floor area) and 7,902 square metres of commercial space gross floor area. The proposed total floor area of 52,496 square metres would result in a density of 6.34 times the lot area. The proposal would incorporate a 3 common level below grade garage and have a total of 438 parking spaces, which includes 295 resident spaces, 64 visitor spaces and 79 commercial spaces. A total of 720 bicycle parking spaces are proposed. Also proposed is a 0.40 metre right-of-way widening along Yonge Street.

The residential tower building entrances would be along Roselawn Avenue (north tower) and at the southwest corner of the site at the north-south driveway (south tower). Retail entrances would be located along Yonge Street and Roselawn Avenue. The townhouse entrances would be along Roselawn Avenue. Vehicular access for both residential and commercial uses would be via a 6 metre wide driveway from Roselawn Avenue. This route would provide access to the four loading spaces at the rear of the building. The loading spaces are proposed to be located inside the building.

Site and proposal statistics are found in Attachment 8: Application Data Sheet and below.

### Site Statistics

Residential Gross Floor Area	44,594 m <sup>2</sup>
Commercial Gross Floor Area (levels 1 & 2)	7,902 m <sup>2</sup>
<b>Total Gross Floor Area</b>	<b>52,496 m<sup>2</sup></b>
Land Area	8,281 m <sup>2</sup>

Floor Space Index	6.34
Lot Coverage Ratio	64.5
Height – ground floor	6.5 m
Total	90.85
Typical upper floor floorplate Floors 10 to 27	750 m <sup>2</sup>
Tower Separation	28m
Residential Units – (condominium tenure)	
Studio	107 (16.8%)
1 Bedroom	312 (49%)
2 Bedroom	139 (21.8%)
3 Bedroom	79 (12.4%)
<b>Total</b>	<b>637 units</b>
Indoor Amenity Space:	
3 <sup>rd</sup> floor	1,093.38m <sup>2</sup>
8 <sup>th</sup> and 9 <sup>th</sup>	219.8 m <sup>2</sup>
<b>Total</b>	<b>1,313.18 m<sup>2</sup></b>
Outdoor Amenity Space:	
Ground floor	718.44 m <sup>2</sup>
Third floor	1,128.78 m <sup>2</sup>
<b>Total</b>	<b>1,847.22 m<sup>2</sup></b>
Vehicular Parking: residential	295
residential visitor	64
commercial	79
<b>Total</b>	<b>438</b>
Bicycle Parking: residential	612
residential visitor	65
commercial	16
commercial visitor	27
<b>Total</b>	<b>720</b>

### Building Setbacks and Stepbacks

Building Setbacks	North: 5 m South: it ranges from 0 m to 1.05 m East: 1.5 m West: it ranges from 12.1 m to 41.43 m
North Tower Setbacks	North: 10.8 m South: 28 m (facing distance to south tower) East: 10 m West: 89.23 m
South Tower Setbacks	North: 28 m (facing distance to north tower) South: 7.1 m East: 10 m West: 29.5 m

Base Building Stepbacks	North: 1.8 m 2 <sup>nd</sup> to 7 <sup>th</sup> storeys, 4 m 7 <sup>th</sup> to north tower, 5.2 m 7 <sup>th</sup> to 9 <sup>th</sup> storeys South: 1.05 m 2 <sup>nd</sup> to 7 <sup>th</sup> storeys, 3.11 m 7 <sup>th</sup> to 9 <sup>th</sup> storeys, 3.01 m from 9 <sup>th</sup> storey to the south tower East: it ranges from 0.80 m to 5 m on 2 <sup>nd</sup> storey West: 2.16 m 2 <sup>nd</sup> storey, 5.9 m 6 <sup>th</sup> storey, 14 m on 7 <sup>th</sup> storey to north tower West: a range from 0 m to 17 m on 2 <sup>nd</sup> storey to south tower
Townhouse Setbacks	North: 5 m South: 21.06 m East: 77.01 m West: 0.97 m

Green roof areas are proposed on top of the 7th and roof levels of the 23-storey tower and on the roof of the 27-storey tower at a minimum of 60 per cent of the overall roof areas. The applicant has not provided the proposed area in square metres in the submission.

The residential units would be comprised of 107 studio, 312 1-bedroom, 139 2-bedroom, 73 3-bedroom and 6 townhouses. The proposed total indoor amenity area would be 1,313.2 square metres located on the third, eighth and ninth floors. The proposed total outdoor amenity space would be 1,847.2 square metres located at ground level, and on the third floor.

### Site and Surrounding Area

The site is located on the west side of Yonge Street and extends the majority of the block from Roselawn Avenue south to the Anne Johnston Health Station at the north-west corner of Yonge Street and Montgomery Avenue and Fire Station 134 on Montgomery Avenue, and along the majority of the frontage on the south side of Roselawn Avenue to Duplex Avenue save and except 47, 49 and 57 Roselawn Avenue. The site is 8,281 square metres in area, L shaped and generally flat. It has a frontage of approximately 100.56 metres along Yonge Street and 106.23 metres along Roselawn Avenue. The property fronting onto Yonge Street is occupied 1 and 2 storey commercial buildings including a Best Buy store, FedEx office, Yoga Centre Toronto, vacant former Restoration Hardware, and Beddingtons store. There is a vacant property at 2444 Yonge Street that is the site of the demolished Bank of Montreal building. Along Roselawn Avenue is a laneway and commercial parking lot.

Surrounding uses include:

West: Three 2-storey single detached dwellings fronting onto Roselawn Avenue, and south are two 3-storey rental apartment buildings located at 487 Duplex Avenue and a 2-storey residential building at 481 Duplex Avenue.

East: Yonge Street and beyond are 3 to 5-storey commercial buildings.

North: Roselawn Avenue and beyond are a 2-storey commercial building at the northwest corner of Yonge Street, 3 storey apartment building, and 2 storey single and semi-detached dwellings fronting onto Roselawn Avenue.

South: Adjacent and south of the site are two heritage properties. At 2398 Yonge Street (former Police Station #12; now Division 53) and designated under Part IV of the Ontario Heritage Act and the second is located at 16 Montgomery Avenue and is listed on the City's Heritage Register (Firehall #28). Further west are semi-detached dwellings fronting onto the north side of Montgomery Avenue. On the south side of Montgomery, located at 2384-2388 Yonge Street and 31 Montgomery Avenue is Postal Station K, also listed on the City's Heritage Register. Under construction is a 27-storey tower and civic square/municipal park (see File Nos. 13 127993 NNY 16 OZ and 14 164280 16 SA).

### **Provincial Policy Statement and Provincial Plans**

The Provincial Policy Statement (2014) provides policy direction Province wide on land use planning and development to promote strong communities, a strong economy, and a clean and healthy environment. It includes policies on key issues that affect communities, such as:

- The efficient and wise use and management of land and infrastructure over the long term in order to minimize impacts on air, water and other resources;
- Protection of the natural and built environment;
- Building strong, sustainable and resilient communities that enhance health and social well-being by ensuring opportunities exist locally for employment;
- The conservation of significant built heritage resources and significant cultural heritage landscapes;
- Residential development promoting a mix of housing; recreation, parks and open space; and transportation choices that increase the use of active transportation and transit; and
- Encouraging a sense of place in communities, by promoting well-designed built form and by conserving features that help define local character.

The City of Toronto uses the PPS to guide its Official Plan and to inform decisions on other planning and development matters. The PPS is issued under Section 3 of the Planning Act and all decisions of Council affecting land use planning matters "shall be consistent with" the Provincial Policy Statement.

The Growth Plan for the Greater Golden Horseshoe (2017) provides a strategic framework for managing growth in the Greater Golden Horseshoe region including:

- Setting minimum density targets within settlement areas and related policies directing municipalities to make more efficient use of land, resources and infrastructure to reduce sprawl, cultivate a culture of conservation and promote compact built form and better-designed communities with high quality built form and an attractive and vibrant public realm established through site design and urban design standards;
- Directing municipalities to engage in an integrated approach to infrastructure planning and investment optimization as part of the land use planning process;

- Building complete communities with a diverse range of housing options, public service facilities, recreation and green space that better connect transit to where people live and work;
- Retaining viable employment lands and encouraging municipalities to develop employment strategies to attract and retain jobs;
- Conservation of *cultural heritage resources* in order to foster a sense of place and benefit communities, particularly in *strategic growth areas*;
- Minimizing the negative impacts of climate change by undertaking stormwater management planning that assesses the impacts of extreme weather events and incorporates green infrastructure; and
- Recognizing the importance of watershed planning for the protection of the quality and quantity of water and hydrologic features and areas.

Like other provincial plans, the Growth Plan for the Greater Golden Horseshoe (2017) builds upon the policy foundation provided by the Provincial Policy Statement (2014) and provides more specific land use planning policies to address issues facing the GGH region. The policies of the Growth Plan take precedence over the policies of the PPS to the extent of any conflict, except where the relevant legislation provides otherwise. All decisions by Council affecting land use planning matters are required by the *Planning Act*, to conform, or not conflict, as the case may be, with the Growth Plan.

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

## **Official Plan**

The east portion of the site is located on an *Avenue* (Attachment 4) and is designated *Mixed Use Areas* in the Official Plan. The west part is in a *Neighbourhoods* designation (Attachment 5). The site is also located in the Yonge-Eglinton Secondary Plan area (Attachment 6).

The lands opposite the site on the east side of Yonge Street are designated *Mixed Use Areas* and are within the Yonge-Eglinton Centre. The Yonge-Eglinton Centre is also one of five Provincial Urban Growth Centres within Toronto. While the site subject to this application is in the Yonge-Eglinton Secondary Plan Area it is not within the Urban Growth Centre. Lands adjacent to the west are within the *Neighbourhoods* designation.

The growth management strategy for the City steers growth and change to some parts of the City, while protecting neighbourhoods and green spaces from development pressures. Section 2.2.2 of the Official Plan identifies five areas that can best accommodate growth including the *Downtown, Central Waterfront, Centres, Avenues* and *Employment Districts*. The Official Plan directs growth to these areas in order to achieve multiple City objectives. Among other things, it promotes the efficient use of municipal services and infrastructure, concentrates jobs and people in areas well served by transit, promotes mixed-use development to increase opportunities for living close to work and to encourage walking and cycling, and protects neighbourhoods, green spaces and natural heritage features and functions from the effects of nearby development.

### ***Avenues and Centres Policies***

The Official Plan recognizes the strategic mid-town location of the Yonge-Eglinton Centre and its continuing role as both an office centre and a desirable living area. The Plan promotes new development within the Yonge-Eglinton Centre and identifies where and how this should occur including through infill development and redevelopment of key sites near the Yonge-Eglinton intersection and along Eglinton Avenue East. The subject site, located on the west side of Yonge Street is outside of the *Centre*.

The policies of Section 2.2.2 of the Official Plan provide that each *Centre* will have a Secondary Plan that sets out the local goals and a development framework consistent with the Plan, and among other things, the location, mix and intensity of land uses within the *Centre*. The Yonge-Eglinton Secondary Plan Area encompasses lands beyond the *Centre* and provides a development framework for the *Centre* as well as the larger area.

*Avenues* are considered important corridors along major streets where reurbanization is anticipated and encouraged to create new housing and job opportunities while improving the pedestrian environment, the look of the street, shopping opportunities and transit service for community residents. The Plan recognizes that the *Avenues* will be transformed incrementally, that each is different and that there is no one size fits all approach to reurbanizing them. Reurbanization of the *Avenues* is subject to the policies of the Official Plan, including in particular the neighbourhood protection policies.

Section 2.2.3.1 of the Official Plan provides that reurbanizing the *Avenues* will be achieved through the preparation of *Avenue* Studies for strategic mixed use segments. An *Avenue* Study has not been prepared for this mixed use segment of Yonge Street. Section 2.2.3.3 of the Official Plan provides for development on an *Avenue* prior to an *Avenue* Study subject to certain requirements. As development prior to an *Avenue* Study which is not consistent with the Secondary Plan has the potential to set a precedent for the intensity, form and scale of reurbanization, in addition to addressing the policies of the Plan for *Mixed Use Areas*, Section 2.2.3.3 requires that proponents of proposals also address the larger context and examine the implications for the segment of the *Avenue* in which the proposed development is located.

Further, the Plan provides that development requiring a rezoning will not be allowed to proceed prior to completion of an *Avenue* Study unless the review demonstrates to Council's satisfaction that subsequent development of the entire *Avenue* segment will have no adverse impacts within the context and parameters of the review.

For development within a *Mixed Use Area* that precedes an *Avenue* Study, Section 2.2.3.3c) outlines requirements that must be satisfied in addition to all other policies of the Plan including in particular the neighbourhood protection policies.

### **Public Realm and Built Form Policies**

The public realm policies of Section 3.1.1 of the Official Plan recognize the essential role of our streets open spaces, parks and other key shared public assets in creating a great City. These policies aim to ensure that a high level of quality is achieved in landscaping, urban design and



architecture in public works and private developments to ensure that the public realm is beautiful, comfortable, safe and accessible.

The Official Plan recognizes that most of the City's future development will be infill and as such will need to fit in, respect and improve the character of the surrounding area. As a result, the built form policies of Section 3.1.2.2 seek to ensure that new development is located, organized and massed to fit harmoniously with the existing and/or planned context and will limit its impacts on neighbouring streets, parks, open spaces and properties. Among other things this harmony is achieved by: massing new buildings to frame adjacent streets in a way that respects the existing and/or planned street proportion; creating appropriate transitions in scale to neighbouring or existing planned buildings, providing for adequate light and privacy and adequately limiting any resulting shadowing of, and uncomfortable wind conditions, on neighbouring streets and properties.

Due to the larger civic responsibility and obligations associated with tall buildings, the built form policies of Section 3.1 provide additional design direction to ensure that they fit into the existing and planned context and limit local impacts. The Plan states that although tall buildings are desirable in the right places they do not belong everywhere and are only one form of intensification. Policy 3.1.3.2 requires new tall building developments to address key urban design considerations set out in the Plan.

### **Heritage Policies**

The Official Plan Section 3.1.5 contains a number of policies related to the conservation and protection of cultural heritage:

- Policy 3.1.5.2 states that properties of potential cultural heritage value or interest will be identified and evaluated to determine their cultural heritage value or interest consistent with provincial regulations, where applicable, and will include the consideration of cultural heritage values including design or physical value, historical or associative value and contextual value.
- Policy 3.1.5.3 states that Heritage properties of cultural heritage value or interest properties will be protected by being designated under the Ontario Heritage Act and/or included on the Heritage Register.
- Policy 3.1.5.4 states that Properties on the Heritage Register (listed and designated under the Ontario Heritage Act) will be conserved and maintained consistent with the Standards and Guidelines for the Conservation of Historic Places in Canada (adopted by Toronto City Council in 2008 as the official framework for planning, stewardship and conservation of heritage resources within the City of Toronto).
- Policy 3.1.5.5 requires that any proposed development adjacent to designated heritage properties will ensure that the integrity of the heritage property's cultural heritage value and attributes is retained and is to the satisfaction of the City.
- Policy 3.1.5.26 identifies that new construction on, or adjacent to, a property on the Heritage Register will be designed to conserve the cultural heritage values, attributes and character of that property and will mitigate visual and physical impacts with respect to the heritage property.

### ***Mixed Use Areas Policies***

A broad range of commercial, residential and institutional uses in single use or mixed-use buildings, as well as parks and open spaces and utilities are permitted within the *Mixed Use Areas* designation. The Official Plan recognizes that *Mixed Use Areas* achieve a number of planning objectives by combining a broad array of uses. The Plan notes that not all *Mixed Use Areas* will experience the same scale or intensity of development. Development in the *Mixed Use Areas* along the *Avenues* will generally be at a much lower scale than in the *Downtown* and most often at a lower scale than in the *Centres*.

Section 4.5.2 includes criteria for development in *Mixed Use Areas* to ensure, among other things, that the location and massing for new buildings achieves transitions between areas of different development intensity and scale, adequately limits shadow impacts on adjacent *Neighbourhoods*, and frames 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.

### **Healthy Neighbourhoods**

The Official Plan's Healthy Neighbourhoods policies recognize that established neighbourhoods can benefit from directing growth to areas such as the *Avenue* with improved services, amenities and other enhancements while preserving the shape and feel of the neighbourhood. At the boundary points between the neighbourhoods and the growth areas, development in the *Mixed Use Areas* will have to demonstrate a transition in height, scale and intensity to ensure that the stability and general amenity of the adjacent residential area are not adversely affected. To protect *Neighbourhoods* and limit development impacts Section 2.3.1.2 provides that development in *Mixed Use Areas* that are adjacent or close to *Neighbourhoods* will be compatible with those *Neighbourhoods*. Section 2.3.1.2(a-d) contains policies for development in *Mixed Use Areas* to:

- be compatible with the *Neighbourhood*;
- provide a gradual transition of scale and density;
- maintain adequate light and privacy for residents; and
- attenuate resulting traffic and parking impacts.

### **Neighbourhoods Policies**

*Neighbourhoods* are considered physically stable areas made of lower scale residential uses. The Official Plan provides that development in *Neighbourhoods* will respect and reinforce the existing physical character of the neighbourhood including among other criteria the pattern of streets, block and lanes, parks and public building sites, heights, massing and scale of nearby residential properties, the prevailing pattern of rear and side yard setbacks and the conservation of heritage buildings structures and landscapes. The Official Plan requires that proposals for intensification on major streets in *Neighbourhoods* be reviewed with respect to these development criteria having regard to both the form of the development along the street and its relationship to adjacent development in the *Neighbourhood*.

The Official Plan is available on the City's website at:  
[http://www.toronto.ca/planning/official\\_plan/introduction.htm](http://www.toronto.ca/planning/official_plan/introduction.htm)

## **Section 37**

Policy 5.1.1 of the Official Plan allows for an increase in height and/or density in return for the provision of community benefits for a proposed development, in accordance with Section 37 of the *Planning Act*. The proposed density meets the Official Plan's threshold for Section 37 considerations, therefore this development proposal would be subject to the Section 37 policies of the Official Plan should City Council or the Ontario Municipal Board approve the application.

## **Official Plan Right-of-Way Policies**

The Official Plan's right-of-way widths associated with the existing major streets, Map 3 planned road width requires a 27 metre right-of-way for this section of Yonge Street.

All other relevant Official Plan and Secondary Plan policies will be considered in the evaluation of this development proposal. The Toronto Official Plan can be found here:  
[www.toronto.ca/planning/official\\_plan/introduction.htm](http://www.toronto.ca/planning/official_plan/introduction.htm)

## **Official Plan Amendment 320**

As part of the City's ongoing Official Plan Five Year Review, City Council adopted Official Plan Amendment (OPA) No. 320 on December 10, 2015. OPA 320 strengthens and refines the Healthy Neighbourhoods, *Neighbourhoods* and *Apartment Neighbourhoods* policies to support Council's goals to protect and enhance existing neighbourhoods and to allow limited infill on underutilized apartment sites in *Apartment Neighbourhoods*. OPA 320, as approved by Council, is available on the City's website at: <http://www.toronto.ca/legdocs/bylaws/2015/law1297.pdf>

The Minister of Municipal Affairs approved and modified OPA 320 on July 4, 2016. The Ministry received 57 appeals to OPA 320 and it has been appealed in its entirety. As a result, OPA 320 as approved and modified by the Minister is relevant but not determinative in terms of the Official Plan policy framework.

The Minister's approval and modification can be found at:  
<http://www1.toronto.ca/City%20Of%20Toronto/City%20Planning/SIPA/Files/pdf/N/MMA%20Notice%20of%20Decision.OPA%20320.July%204%202016.pdf>

## **Yonge-Eglinton Secondary Plan**

The Yonge-Eglinton Secondary Plan provides a locally focussed policy framework for guiding growth and change in the Secondary Plan area. The general policies of Section 2 establish objectives in relation to land use, the nature and scale of development, transportation, urban form and public realm, community services, and parks and open spaces.

It is a primary objective of the Secondary Plan to maintain and reinforce the stability of *Neighbourhoods* and to minimize conflicts among uses in *Mixed Use Areas*, *Neighbourhoods*, *Apartment Neighbourhoods* and *Parks and Open Space Areas* in terms of land use, scale and vehicular movement. Section 2.5 provides that the development of mixed use buildings in *Mixed Use Areas* will be encouraged to increase active pedestrian circulation at street level, and to increase housing opportunities for family and other households.

Section 2.7 outlines objectives aimed to ensure that the form of buildings promotes a compatible physical and land use relationship between development within the various land use designations and between sites in abutting land use designations, and that all buildings form a positive visual relationship to the street. Among other things it is the objective of the Secondary Plan, to maintain the existing scale of development within stable *Neighbourhoods* and protect such areas from overshadowing from buildings located in abutting *Mixed Use Areas* and to secure a transition in height and scale from developments in *Mixed Use Areas* to *Neighbourhoods* and in particular to those sites which abut a *Neighbourhood*.

The Secondary Plan recognizes the importance of higher order transit, existing and planned for Yonge-Eglinton, and Section 2.10 provides opportunity to consider reduced parking requirements for development in *Mixed Use Areas* which are in close proximity to subway and light rapid transit access. Improvements to the public realm are encouraged in association with all development and the *Parks and Open Space Areas* policies of Section 2.21 encourage the creation of interesting and engaging parks and opens spaces that are safe, comfortable and accommodate people of all ages and abilities.

The policies of Section 4 of the Secondary Plan for Mixed Use Areas seek to ensure a compatible relationship of uses in *Mixed Use Areas* and residential uses in adjacent residential areas and that access points, the relationship of development to the sidewalk, and the location of walls, fences and trees enhance the quality of the streetscape.

Section 5 of the Secondary Plan includes policies for the Yonge-Eglinton Centre. Section 5.1 confirms the intent that the Yonge-Eglinton Centre satisfy the requirement of an 'Urban Growth Centre' within the meaning of the Growth Plan for the Great Golden Horseshoe. In recognition of this status more detailed policies to guide development in the Centre are included. Section 5.2 and 5.3 provides for the highest heights, densities and scale of development within *Mixed-Use Area A* at the four quadrants of the intersection of Yonge Street and Eglinton Avenue and that the heights, densities and scale of development will decrease along Eglinton Avenue East with increasing distance from this intersection. The built form typology and building heights along segments of Yonge Street and Mount Pleasant Road that are within the *Centre* are also further defined. For Yonge Street, Section 5.5 provides that development along the east side of Yonge Street north of Roehampton Avenue will be mid-rise buildings with a scale in the range of 8 to 12 storeys with retail uses at grade.

The Yonge-Eglinton Secondary Plan is available on the City's website at:

[http://www.toronto.ca/planning/official\\_plan/pdf\\_secondary/21\\_yonge\\_eglinton\\_dec2010.pdf](http://www.toronto.ca/planning/official_plan/pdf_secondary/21_yonge_eglinton_dec2010.pdf)

### **Midtown in Focus: Parks, Open Space and Streetscape Plan and OPA 289**

On August 25, 2014, City Council adopted the Midtown in Focus – Parks, Open Space and Streetscape Plan ("Public Realm Plan") for the Yonge-Eglinton Area.

<http://www1.toronto.ca/wps/portal/contentonly?vgnextoid=d421bf26585a2410VgnVCM10000071d60f89RCRD>

The Midtown in Focus Public Realm Plan is a framework for improvements within the Yonge-Eglinton area to the network of parks, open spaces, streets and public buildings to create an

attractive, safe, and comfortable network of public spaces. The Public Realm Plan recognized that the study area has a distinct quality and character, consisting of a vibrant mixed use community with an open and green landscaped character. The Plan also has five Place-Making Moves that, together with other streetscape improvements and the enhancement and expansion of parkland in the area, will form a thriving system of parks, open spaces and streets.

On June 10, 11, 12, 2015, City Council adopted Official Plan amendments to the Yonge-Eglinton Secondary Plan (OPA 289) that incorporate, among other matters, the urban design and public realm policies of the Midtown in Focus Public Realm Plan.

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2015.PG4.2>

The adopted Secondary Plan amendments outline a comprehensive public realm strategy and a system of improvements that will be implemented as part of any new development in the Yonge Eglinton Secondary Plan Area. Section 2.16 requires that improvements be made to both the private and public realm as part of any new development including but not limited to: enhancements to streetscapes; provision of wider sidewalks and the establishment of multi-purpose promenades; and the integration, extension and enhancement of existing and proposed landscaped open spaces. Another objective of the amendments is to maintain and enhance the open, green, landscaped character of the area, improve and expand the network of parks, open spaces, and streetscapes, respect, reinforce and extend the landscaped open space setbacks of buildings from the streets that are prevalent in the area and create a high-quality public realm to ensure the continued vitality and quality of life in the area.

The five Place-Making Moves include the Yonge Street Squares. The Yonge-Eglinton study area lacks a great urban square. To address this, a series of unique, connected open spaces have the potential to weave old and new public space in to the neighbourhood fabric. The transformed public space network provides an integrated balance between urban intimacy and lush green, articulated through both scale and location to foster community gathering, activate street life and sustain local commerce.

The subject site is identified as within the Yonge Street Squares as a 'Roselawn Sun Terrace'. This would be a new square that promotes high quality retail and café spill out space.

The Midtown In Focus Study identifies Streets and Blocks strategies given that there is significant potential for Yonge-Eglinton's street network to be social spaces and public destinations. Streets can be re-imagined as a distinct alternative to traditional urban squares or plazas – with the infrastructure required to support a diverse range of activities in the public realm. Midtown's streets can adopt park-like characteristics – central to the experience of Midtown life. To perform this role, on certain streets, development and redevelopment needs to maintain generous front yard setbacks. This will provide opportunities for landscaped areas that are integrated with the streetscape design to complement the basic sidewalks and street trees on the public boulevard. Specifically, Section 5.1.3 Make New Midblock Connections addresses the need to develop a pedestrian-scaled distribution of lanes and walkways to break-up the large blocks, to provide through pedestrian and cyclist passage as well as additional landscaped areas and accessible open spaces. The subject site is considered to be part of a large block that would benefit from a mid-block connection from Roselawn Avenue running south to Montgomery Avenue.

Official Plan Amendment 289 has been appealed to the Ontario Municipal Board. OPA 289 is relevant but not determinative in terms of the Official Plan policy framework. It represents the latest planning directions of City Council and of City Planning and is part of the emerging policy context.

Pre-Hearing conferences were held on July 12, 2016 and February 24, 2017 to identify parties to the hearing. A third pre-hearing is scheduled for November 7, 2017. The latest Board Order issued on March 22, 2017 arising from the February 27, 2017 Pre-Hearing conference can be found here:

<http://www.omb.gov.on.ca/e-decisions/pl150678-Mar-22-2017.pdf>

### **Midtown in Focus: Growth, Built Form and Infrastructure Review**

The City Planning Division is leading an inter-divisional review of growth, built form and infrastructure issues in the Yonge-Eglinton Secondary Plan area, referred to as Midtown in Focus: Growth, Built Form and Infrastructure Review (the Review). The Review builds on the Midtown in Focus Public Realm Plan and its response to the rapid intensification and change underway in parts of the Yonge-Eglinton Secondary Plan area. The objective of the Review is to ensure that growth positively contributes to Midtown's continued livability and vitality by establishing a clear and up-to-date planning framework and ensuring that local transportation, municipal servicing and community infrastructure keeps pace with development.

The Review began in late 2015, based on City Council's direction, and includes the following activities:

- **Growth Analysis**, including development of near, medium and long term growth estimates to inform the infrastructure assessments.
- **A Built Form Study** to document area character and development trends, develop built form principles and a built form vision, undertake built form testing, visualize a future built form concept and identify policy directions to better guide the area's evolution.
- **A Cultural Heritage Resource Assessment** to document the area's archaeological and development history, identify properties of cultural heritage value or interest for listings and designations and identify additional recommendations for conservation and further study.
- **A Community Services and Facilities Study** to inventory existing services and facilities, assess needs and opportunities in the context of future growth and demographic change and outline an implementation strategy for priority community infrastructure projects.
- **Transportation and Municipal Servicing Assessments** to document the performance and capacity of existing transportation and municipal servicing infrastructure, evaluate priority areas and identify potential capital upgrades required to support continued growth in the Secondary Plan area.
- An area-wide **Parks Plan** and **Public Realm Strategy for the Davisville area** to complement the 2014 Public Realm Plan for lands in and around the Yonge-Eglinton Centre.

On July 12, 2016, City Council adopted the recommendations in the report from the Chief Planner titled: "Midtown in Focus: Growth, Built Form and Infrastructure Review – Status Report". The report provided Council with an update on the overall progress of the study, and included recommended draft built form principles as well as a draft character area structure that organizes subareas of Midtown according to common physical attributes, development histories and policy directions. The recommendations adopted by Council direct staff to:

- Consider and review applications within the context of the Review, in light of both the Avenue policies and in force policy 2.3.1.3 of the Official Plan;
- Consider the draft built form principles contained in the report in the review of the development applications in the Yonge-Eglinton Secondary Plan Area. The recommendation also directed staff to continue to refine the principles in consultation with landowners and the community; and
- To identify opportunities on City-owned lands for new community infrastructure and secure community infrastructure space, as appropriate, as part of the development application review process.

Within the context of the Review, the subject property is in an area identified as being the Montgomery Character Area, within the Yonge Street Squares. Development in this area will be enhanced and a series of distinctive landscaped, publicly-accessible squares will be secured. (Refer to Attachment 7: Montgomery Character Area Map).

The draft built form principles developed for the Review, and endorsed by Council, are organized into four categories: Area Structure, Public Realm and Open Space, Walkability and Comfort, and Heritage and Landmarks. Principles that are applicable to the review of this application include:

#### **Area Structure**

- Organize growth to achieve a hierarchy of intensity of use, building heights, densities and scale tied to proximity of rapid transit service, with greatest heights and densities located at the Yonge-Eglinton Crossroads where two rapid transit lines intersect.

#### **Public Realm and Open Space**

- Support active street life and informal surveillance by ensuring the built form frames and animates streets, parks, squares and open spaces with active uses at grade.

#### **Walkability and Comfort**

- Locate, design and mass buildings to preserve sky view, allow daylight and sunlight to penetrate to the street and lower building levels and ensure good wind conditions in all seasons, with enhanced standards along the Midtown Villages, Park Street Loop, Eglinton Green Line, major pedestrian routes and parks and open spaces;
- Create a human-scaled public realm where buildings define and support streetscapes; and
- Ensure fine-grained pedestrian circulation between and through sites and blocks through the placement and orientation of buildings.

City staff anticipates reporting to City Council on November 15, 2017, to the Planning, and Growth Management Committee with a Proposals Report that identifies proposed policy

amendments that will result in an updated Yonge-Eglinton Secondary Plan as well as other emerging directions related to the infrastructure assessments and strategies.

## **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 on the City's website at:

<http://www1.toronto.ca/wps/portal/contentonly?vgnextoid=80a70621f3161410VgnVCM10000071d60f89RCRD>

Policy 1 in Section 5.3.2 Implementation Plans and Strategies for City-Building of the Official Plan states that Guidelines will be adopted to advance the vision, objectives, and policies of the Plan. Urban Design Guidelines specifically are intended "to provide a more detailed framework for built form and public improvements in growth areas". The Tall Building Design Guidelines serve this policy intent, helping to implement Chapter 3.1 The Built Environment and other policies within the Plan related to the design and development of tall buildings in Toronto.

## **Mid-Rise Guidelines**

Toronto City Council, at its meeting of July 8, 2010, adopted the recommendations contained in the staff report prepared by City Planning entitled "Avenues and Mid-Rise Buildings Study", with modifications. The main objective of the Avenues and Mid-Rise Buildings Study is to encourage future intensification along Toronto's Avenues that is compatible with the adjacent neighbourhoods through appropriately scaled and designed mid-rise buildings. Mid-Rise Building Guidelines identify a list of best practices, categorizes the Avenues based on historic, cultural and built form characteristics, establishes a set of performance standards for new mid-rise buildings, and identifies areas where the performance standards should be applied.

## **Mid-Rise Building Performance Standards Addendum**

In June 2016, City Council approved the Mid-Rise Building Performance Standards Addendum. The Addendum is to be used by City Staff together with the 2010 approved Mid-Rise Building Performance Standards during the evaluation of development applications where mid-rise buildings are proposed and the Performance Standards are applicable. The Performance Standards and Addendum may also be used to help inform the preparation or review of area studies and policies involving mid-rise buildings. The Addendum is approved as an interim supplement to the 2010 Performance Standards until such time as Council considers and adopts updated Mid-Rise Building Design Guidelines, which is targeted for the fourth quarter of 2017. Council's decision can be found here:

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2016.PG12.7>

Mid-Rise Building Performance Standards Addendum may be found here:

<http://www.toronto.ca/legdocs/mmis/2016/pg/bgrd/backgroundfile-92537.pdf>



## **Urban Design Guidelines for Infill Townhouses (2003)**

The City of Toronto Urban Design Guidelines for Infill Townhouses (2003) articulate and clarify the City's interest in addressing townhouse development impacts, with a focus on protecting streetscapes and adjacent properties and integrating new development into existing neighbourhoods. The Guidelines provide a framework for site design and built form to achieve liveable spaces with an appropriate scale and form of development by detailing how new development should be organized to fit within the existing context and minimize local impacts. The Guidelines can be viewed at:

<https://web.toronto.ca/city-government/planning-development/official-plan-guidelines/design-guidelines/infill-townhouses/>

The Guidelines also speak to the important role of streetscapes in improving the quality and safety of the public street experience for pedestrians, cyclists and motorists. New development should improve the City boulevards and sidewalks by incorporating pedestrian lighting, street trees, decorative paving, and soft landscaping. The amount of soft landscaping should be maximized with landscaped areas between adjacent uses such as between laneways and back yards, and natural features and existing topography should be incorporated into the new development.

## **Townhouse and Low-rise Apartment Guidelines (2017)**

A comprehensive update to the Townhouse Guidelines is currently underway. Updated Townhouse and Low-Rise Apartment Guidelines further clarify and expand upon the Council-approved 2006 Guidelines to reflect a broader range of multi-dwelling development up to four storeys in height. The latest draft of the Townhouse and Low-Rise Apartment Guidelines can be viewed online at:

<http://www1.toronto.ca/wps/portal/contentonly?vgnextoid=f3064af89de0c410VgnVCM10000071d60f89RCRD>.

Prior to presenting a finalized version of these Guidelines for Council consideration and adoption later this year, City Staff are currently refining and consulting upon the draft Guidelines, in part through their use during the review of Development Applications.

The updated Guidelines continue to assist with implementing and evaluating proposals in relation to the intent of the Official Plan by detailing how new development should be organized and structured. Relevant concerns within the updated Guidelines are providing private outdoor amenity spaces that are sunlit, comfortable, and afford a level of privacy. The revised Guidelines also stress the need for private outdoor amenity areas for families with children and accommodating pets when a development is not large enough to accommodate shared outdoor amenity areas on site. Also relevant is providing sufficient setbacks distances between primary living spaces (living rooms and dining rooms) and sides of adjacent buildings to ensure adequate sunlight and sky views, and to reduce overlook between buildings and neighbouring properties.

Building location and organization policies within section 2 are relevant, specifically 2.1 speaking to setbacks from public roadways which should be consistent with neighbouring properties to properly frame the street. The Guidelines state that light, view and privacy are three concerns which are interrelated but must be evaluated separately. Specifically, townhouse sites

must be designed with sufficient rear yard setbacks to achieve a 45 degree angular plane to allow natural light to penetrate inside a dwelling to reach the main living space for part of the day, dwelling units must have reasonable views beyond the nearest outside facing walls, and residential windows, balconies and amenity areas should not face or overlook each other. Additionally, memorable and distinctive corner buildings should be provided to become landmarks and memorable places within the neighbourhood.

## **Zoning**

The portion of the site at 2400, 2430, 2440 and 2444 Yonge Street is zoned in a Mixed-Use (MCR) zone in former City of Toronto Zoning By-law 438-86. A wide range of residential, retail and commercial uses are permitted on the site. A maximum overall density of 3 times the area of the lot is permitted. For residential uses the maximum density permitted is 2 times the area of the lot and the maximum density for commercial and retail uses is 2.5 times the area of the lot. The maximum building height permitted is 16 metres. The west portion of the site is zoned Residential (R2). A range of residential uses from single detached dwellings to apartment buildings are permitted on the lot. The maximum density permitted is 1.0 times the area of the lot and the maximum permitted building height is 9 metres.

The east portion of the site at 2400, 2430, 2440 and 2444 Yonge Street is zoned in a Commercial Residential (CR) zone in the City of Toronto Zoning By-law 569-2013. A wide range of residential, retail and commercial uses are permitted on the site. The west portion of the site is zoned Residential (R) in City of Toronto Zoning By-law 569-2013.

## **Site Plan Control**

The proposal is subject to Site Plan Control. An application for Site Plan Control has not been submitted.

## **Reasons for Application**

An amendment to the Official Plan is required to permit a highrise residential building in a *Neighbourhoods* designation and to permit a below grade parking garage and servicing area in a *Neighbourhoods* designation.

Amendments to Zoning By-law Nos. 438-86 and 569-2013 are required to permit the proposed height and density on the lands and to develop appropriate development standards for the proposed development.

## **Community Consultation**

Staff held a community consultation meeting on October 30, 2017 at the Marshall McLuhan Catholic School Secondary School. Planning staff gave a presentation highlighting the policy framework and details of the application. The applicant provided further details with respect to the proposed building design and its planning rationale. Approximately 64 members of the public attended along with the Ward Councillor. Generally the public were opposed to the proposal and raised a number of concerns as follows:

### **Built Form**

- the proposed built form does not respect the in-force policy documents including the Provincial Growth Plan, the Official Plan and the Midtown In Focus Study;
- the proposal is too tall, too big and too dense and is out of scale with adjacent single family dwellings to the west, particularly for a property located outside of the Urban Growth Centre;
- the proposal should respect the scale and character of the Yonge Eglinton centre; it looks like a development that would be more suitable downtown and the proposal will have a negative impact on the area;
- the proposal should be revised to a mid-rise building development as the proposed towers would set a precedent for future development to the west and north; and
- consideration should be given to orient the south tower foyer to face directly on a street.

### **Land Use**

- the establishment of a family-oriented vertical community is desirable and the proposal should incorporate more family-sized and/or rental units;
- there is uncertainty how the proposed unit mix will impact on existing demographics in the neighbourhood;
- the area is going through a retail transition so there is a concern for the future type, provision and requirement of retail/business space;
- some residents felt that the online shopping trend means that the provision of retail space is not necessary while other residents felt that there is inadequate provision of
- there is a desire for independent retail uses at-grade; retail space in the area, particularly specific types of retail such as hardware stores; and
- consideration should be given to the inclusion of a ground floor public school, a community centre, a daycare and green space, all for the benefit of, and use by, the community.

### **Public Realm, Streetscape**

- the sidewalk network in the area is already congested and is not sufficient to accommodate the additional population that would result from the proposed development;
- the site circulation needs to be integrated with the adjacent sites; and
- the required parkland should be on-site and at the south-west corner of Yonge Street and Roselawn Avenue.

### **Sunlight, Shadow, Wind**

- concern about reduced sunlight resulting from the development casting shadows on the residential properties to the north and west;
- concern about the effect of reduced sunlight on existing vegetation including trees in the neighbourhood;
- concern was expressed about the development creating wind tunnel effects at street level and affecting the proposed outdoor amenity space; and
- residents want assurance that appropriate wind modelling studies have been done.

## **Heritage**

- the retention of the Bank of Montreal (BMO) building might have been incorporated into the development scheme or consideration should be given to incorporate the legacy of the BMO site into the proposal; and
- consider the retention of 2430 Yonge Street and 2434 Yonge Street buildings which have been Listed but not Designated.

## **Transportation**

- concern was expressed on the validity of the traffic impact study submitted with the application;
- there is a concern with the increased traffic on Roselawn Avenue, Duplex Avenue and Yonge Street that would be generated by the development in an area that is already perceived to be experiencing high traffic volumes;
- the nearby Ann Johnston Health Care Station requires the presence of Wheel Trans vehicles and buses, creating a safety concern for pedestrians. Increased traffic volumes from the proposed development would pose a further hazard for pedestrian safety in the area, particularly for children;
- provide a secure bike storage strategy in the building;
- consider including a residential entry with a bike oriented vertical lift;
- some residents feel there is a need for additional parking spaces along Yonge Street while other residents feel that vehicular usage should be discouraged;
- residents requested more clarity regarding the on-site commercial and residential movements including cars, bicycles and pedestrian circulation; and
- consider realigning the driveway which runs south to the west side of the Firehall Station.

## **Infrastructure**

- residents expressed concern that existing infrastructure such as public transit, emergency services including fire and police, health care services, and community facilities such as the North Toronto Recreation Centre will not be able to support future residents; and
- there is a concern with whether the area has the servicing capacity (sewer, water and sanitary services) to accommodate such a large development.

## **Site and Building Amenities**

- facilities related to pet care should be provided in the building; and
- the at-grade vehicular corridor between Roselawn Avenue and Montgomery Avenue includes loading and servicing areas and vehicular access to the underground garage resulting in noise, exhaust fumes, and safety issues and should not be incorporated with proposed residential amenity areas.

## **Other Matters**

- Some residents opined that the City should not allow construction to commence on this site until all construction is completed going south to Eglinton Avenue, and preferably not until the Light Rail Transit line is completed; and
- there has been a lack of transparency in process and residents are not being heard.

Written comments received by staff raise many of the issues expressed at the community meeting.

## **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**

The Provincial Policy Statement (PPS) 2014 and the Growth Plan for the Greater Golden Horseshoe (2017) are high-level and broad reaching documents. The City is a development area and infill is encouraged under these policies. The proposal promotes intensification through a 27 and 23-storey tall building form and provides for a mix of residential and retail uses adjacent to the Yonge transit line and a row of six 3-storey townhouses along Roselawn Avenue.

However, the tenor of both the PPS and the Growth Plan is that planning authorities are responsible for identifying appropriate locations for growth. Intensification and redevelopment is to be provided in areas that take into account the existing building stock or area and availability of infrastructure and public service facilities that meet projected needs.

The Growth Plan (2017) 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. The Growth Plan strives, among other things, to direct growth to areas of urban intensification. It requires municipalities to set clear targets for population and employment growth. The Growth Plan also directs growth to *urban growth centres, intensification corridors, major transit station areas, brownfield sites* and *greyfields* to provide a key focus for transit and infrastructure investments to support future growth.

Within this framework, the PPS and the Growth Plan recognize that the Official Plan is the most important vehicle for implementing PPS requirements and that comprehensive, integrated and long term planning is best achieved through municipal official plans. Although intensification on this transit corridor is encouraged, the proposal in its current form does not comply with Official Plan policies related to matters such as: built form, transition, scale, compatibility and neighbourhood fit. The scale of development is not appropriate at this location considering the area context and does not achieve an appropriate transition of built form to adjacent residential and mixed-use areas.

The City's Official Plan meets the requirements of the PPS and the Growth Plan however the proposal does not conform to the policies of the Official Plan as discussed below. Therefore, the proposal is not consistent with the PPS and does not conform with the Growth Plan.

## Land Use

The portion of the site fronting onto Yonge Street is designated *Mixed Use Areas* and the rear portion of the site is designated *Neighbourhoods* under the Official Plan.

*Mixed Use Areas* are expected to absorb most of the anticipated new housing in the City however, not all *Mixed Use Areas* will experience the same scale or intensity of development, with the highest densities found in the *Downtown*, followed by the sites in the *Centres* and along the *Avenues*. Furthermore, *Neighbourhoods* are considered physically stable areas made up of lower scale buildings where new development must respect and reinforce the general physical character of these areas.

The applicant has proposed a 27 and 23-storey built form in the *Mixed Use Areas* designation with retail on the ground and second floors fronting onto Yonge Street. The rear portion of the 7-storey base building and associated loading, servicing, driveway and townhouse uses are sited within the *Neighbourhoods*.

Staff do not take issue with a proposed base form along the *Mixed Use Areas* portion of the site fronting along Yonge Street which is designated as an *Avenue* in the Official Plan. However, the built form should take into consideration the existing and planned context of the surrounding area and Mid-Rise Performance Standards. Staff have issues with the height and massing of the proposed 7-storey portion of the base building on both the Yonge Street and Roselawn Avenue frontages.

The proposed building would also have six 3-storey townhouses at the west end of the site in the *Neighbourhoods* designation. The *Neighbourhoods* designation permits buildings up to 4-storeys, and of a townhouse typology but the townhouse building typology is not the prevailing built form in the *Neighbourhoods* to the west and north. An Official Plan Amendment is required to permit the townhouse typology. Staff support this use.

Staff object to the placement of the base for the proposed 23-storey tower building is partially in a *Neighbourhoods* designation.

The applicant has proposed access, loading and parking access in the *Neighbourhoods* designation. This access is not in conformance with the Official Plan, as vehicle access is not permitted in a *Neighbourhoods* designation. Staff do not take issue with access being provided at the rear of the site however, an Official Plan Amendment is required to permit the location of access, loading and the parking ramp proposed within *Neighbourhoods*. Staff support this aspect of the Official Plan Amendment.

## Building Location and Site Organization

A 23 and 27-storey mixed-use development is proposed to front onto Yonge Street with a 9-storey base building, two levels of commercial uses on the ground and second levels with retail frontages along Yonge Street and wrapping around on to Roselawn Avenue. The 27-storey building would be adjacent to the existing Anne Johnston Health Care Station heritage building and the 23-storey tower would be sited at the south-west corner of Yonge Street and Roselawn

Avenue. A six unit 3-storey townhouse block fronting onto Roselawn Avenue is located in the north-west corner of the site.

Two residential entrances are proposed, one entrance would front onto Roselawn Avenue at the west end of the building and the other would be at the rear and south end of the building, adjacent to the underground parking ramp area. Eight retail entrances are proposed along Yonge Street.

The width of the public boulevard along Yonge Street and Roselawn Avenue would be 5 metres. The proposed building on Yonge Street would be setback 1.5 metres to provide a total 6.5 metres of sidewalk width. The building on Roselawn Avenue would be setback 5 metres from the property line and there are six trees proposed to be planted in this area. The pedestrian clearway proposed on Yonge Street would be 4.1 metres and 3.99 metres on Roselawn Avenue adjacent to the 23 and 27-storey buildings and would be on public and private lands. The pedestrian clearway proposed in front of the townhouse units would be 3 metres on the public boulevard.

At the rear of the tall building development would be loading and servicing uses adjacent and south of the Roselawn Avenue residential lobby entrance. Further south would be access to the underground parking garage via a 6 metre wide ramp and a second residential lobby entrance. Adjacent to the aforementioned uses would be a 6 metre wide driveway proposed to provide a mid-block connection from Roselawn Avenue running south towards Montgomery Avenue with soft landscaping on both sides. Given that the property boundary does not extend south to Montgomery Avenue, easement access would need to be granted from the adjacent landowners in order to facilitate a connection to Montgomery Avenue in the future. Both the Fire Station and the Anne Johnston Health Care Station are City-owned lands. On the south-west end of the site west of the driveway, would be a second landscaped outdoor amenity area.

Staff are not satisfied with the proposed site organization. The north-south driveway must be sited west to connect to Montgomery Avenue and an on-site parkland dedication is required at the south-west corner of Yonge Street and Roselawn Avenue of approximately 27 metre by 27 metres in a square shape for a total of 728 square metres in area.

## **Height, Massing, Transition, Density**

### **Height, Transition in Height & Scale**

The policies of the Official Plan and Yonge-Eglinton Secondary Plan seek to maintain the stability of Neighbourhoods and minimize conflicts among uses in the *Mixed Use Areas* and *Neighbourhoods*. As well, the built form policies of the Plan promote compatible physical and land use relationships between developments within the various land use designations and between sites in abutting land use designations. In order to achieve this, the use of angular planes, stepbacks and setbacks in building design are encouraged. The conservation of important heritage resources is also a key objective of the Official Plan.

The site is located on an *Avenue* outside of the *Centre*. The Yonge-Eglinton Secondary Plan Policy Section 5(5) provides that buildings of 8-12 storeys are appropriate along the east side of Yonge Street within the Centre opposite this site. As a result, typically a mid-rise built form would be considered appropriate on this site in keeping with this planning framework. In

addition, Policy 5(7) stipulates that new development in the Yonge-Eglinton Centre will be compatible with maintaining the character of surrounding *Neighbourhoods*.

In review of the submission, planning staff do not support the proposed two tall buildings on the site and potential impacts on the lower scale *Neighbourhoods* proposed built form and associated uses within the site and beyond to the north and west.

The Mid-Rise Building Performance Standards give guidance in regard to building height, massing and transition on *Mixed Use Areas* designations on the *Avenues* to achieve Official Plan Policies including Land Use and Built Form Policies. New development along *Avenues*, designated *Mixed Use Areas*, are generally envisioned to be mid-rise where the building is no taller than the width of the right-of-way as recommended in the Mid-Rise Performance Standards. The ability to realize the maximum height is tempered by angular planes applied to the front (north) of the site and the rear (west) of the site. Not all sites on *Avenues* will be able to achieve the maximum height, as some properties are physically constrained.

In addition, the Mid-Rise Performance Standards state that if a building lot depth is greater than 41 metres and with a right-of-way width of 27 metres, it is considered to be a deep lot. The subject site has a lot depth that ranges from approximately 67.6 to 106 metres at its widest point therefore, it is on a deep lot. The appropriate application of a front 45 degree angular plane (21.7 metres up from the property line) based on the Yonge Street planned right-of-way of 27 metres, and a rear 45 degree angular plane from the *Neighbourhoods* designation is required. The Mid-Rise Building performance standards speak to the maximum height for midrise buildings proposed along the *Avenues*. The height of buildings on *Avenues* should be no taller than the street right-of-way to achieve a moderately scaled building that ensures a comfortable and sunlit pedestrian main street.

The planned right-of-way for this segment of Yonge Street is 27 metres resulting in a maximum building height on site of 27 metres or approximately 8-storeys. The current proposal illustrates a building height of 90.85 metres and 27-storeys, excluding mechanical penthouse with a 9-storey (36.01 metre high) base building.

The applicant has not provided an appropriate transition to the existing *Neighbourhoods* as described by an angular plane or other means. Transition is proposed through building setbacks described in the Building Setback section below.

Revisions to the building height are recommended to adhere to a maximum 27 metre height limit.

### **Massing**

The proposal is for a tall building consisting of two towers located on top of a tiered base building. A separate six unit, 3-storey townhouse block is also being proposed. The site is not an appropriate location for a tall building. With respect to the proposed building massing, the tall buildings base building component is equivalent to a mid-rise in its massing and scale. This portion of Yonge Street has a right-of-way width of 27 metres. At 36.01 metres in height, the 9-storey base building exceeds the maximum height for a tall building base building, as well as



exceeding the maximum height for a mid-rise building in this location. The base building does not fit harmoniously within the context of the neighbouring buildings or streets or respect the scale.

The tower floor plates proposed both exceed the 750 square metre maximum size. The south tower floor plate would be 788.09 square metres and the north tower floor plate would be 787.23 square metres. This measurement is the gross construction area measured from the outer wall to outer wall. The Tall Building Design Guidelines require a tower floor plate size of 750 square metres or less per typical floor, including all built area with the building, but excluding balconies. The slender towers are encouraged to create smaller, faster moving shadows, improve access to sky view, permit better views and contribute to a more attractive sky line. The balconies are proposed at 1.8 metres in depth. The balcony arrangement adds to the visual massing of the building.

A mid-rise building would be appropriate on this site. The Mid-rise Performance Standards 19D (Character Area: Fine Grain Fabric) and 19E (Character Area: Consistent Cornice line) speak to the importance of new mid-rise buildings in Character Areas, that have a fine grain, main street fabric and be designed to reflect a similar rhythm of entrances and multiple retail units and should maintain a consistent front façade cornice line for the first step-back by establishing a "datum line" or an average of the existing cornice line. Given the Montgomery Character Area classification along this stretch of Yonge Street, it is required that the applicant submit a streetwall study of the proposed building and its relationship within the immediate block to determine an appropriate streetwall height for the proposed building along Yonge Street.

The overall building massing is out of scale with the existing and planned context in this area. Both the tower and the base building are over-sized and together result in a disproportionately over-scaled building that is taller and bulkier than the surrounding buildings, street proportions and open spaces. Staff do not support the proposed tall building development.

### **Building Setbacks**

The proposed building setbacks for the 23 and 27-storey tall building are approximately as follows; 5 metres to the north, a range from 0 to 1.05 metres the south, 1.5 metres to the east and a range of 12.1 to 41.43 metres to the west. In general, staff are satisfied with the proposed 1.5 metre Yonge Street setback and the proposed 5 metre Roselawn Avenue setback, however, staff anticipate that the setbacks will change given that the required on-site parkland dedication is not included in the proposal, which would alter the site layout and organization significantly. As a result, staff are unable to provide a determination on the appropriate setback.

### **Building Stepbacks**

The proposed building stepbacks for the 23 and 27-storey base building from the north side would be approximately 1.8 metres from the 2nd to 7th storeys, 4 metres on the 7th storey to north tower, and 5.2 metres from the 7th to 9th storeys. Proposed on the south side would 1.05 metres from the 2nd to the 7th storeys, 3.11 metres from the 7th to 9th storeys and 3.01 metres from the 9th to the south tower. Proposed building setbacks on the east side would be a range from 0.80 to 5 metres on the 2nd storey.

Proposed building setbacks on the west side related to the north tower would be 2.16 metres from the 2nd to the 6th storeys, 5.9 metres on the 6th storey and 14 metres on the 7th storey to the north tower. Proposed building setbacks on the west related to the south tower would be a range from zero to 17 metres on the 2nd storey to the south tower. Given staff's concerns with the proposed height of the base building, massing and the building typology, these issues need to be resolved prior to the appropriate setbacks being determined by staff.

Refer to the Building Setbacks and Stepbacks Table earlier in the report for dimensions related to the overall building as well as the north and south towers, and the base building in relation to the west boundary.

### **Townhouses**

Six 3-storey townhouses are proposed fronting along Roselawn Avenue, west of proposed driveway. Setbacks proposed are approximately a 5 metre front yard setback from Roselawn Avenue, a 0.97 metre west side lot line setback, 3 metres to the edge of the proposed driveway, and 21.06 metres from the rear building face to the south property line. The applicant proposes townhouses an approximate building depth of 14.61 metres, and a height of 9.4 metres. The widths of the townhouses are approximately 5 metres.

Six trees are proposed along Roselawn Avenue, on-site, with additional soft landscaping to the rear of the townhouses. A landscaped outdoor playground amenity area is proposed adjacent to and south of the townhouses.

The built form relationship between the proposed 23-storey tall building fronting onto Roselawn Avenue proposes a 2-storey streetwall height of 13 metres, as compared with the adjacent townhouses proposed at 9.4 metre height. Staff request that the design of the 23-storey base building streetwall be revised to provide a cohesive relationship between the two buildings.

The proposed townhouse block generally satisfies the Townhouse Infill Design Guidelines but this is only one component of a larger proposal on site. A comprehensive site planning approach is required to resolve the significant issues prior to staff's determination of the proposed townhouses.

### **Density**

The proposed development site is located three blocks north of the Urban Growth Centre boundary located on the west side of Yonge Street. The proposed density is 6.34 times the area of the lot. Given the large area of the site at 8,281 square metres, this size affords the development the ability to appear lower in density as compared with the two tall building sites to the south given their significantly smaller properties.

With respect to tall building proposals in the immediate context along Yonge Street, at 2384-2388 Yonge Street is under construction for a 27-storey mixed-use residential rental development (Postal Station 'K') located on the south side of Montgomery Avenue, and is located two blocks north of the Urban Growth Centre boundary. It was City Council approved with a density of 7.27 times the area of the lot with a property area of 2,835.3 square metres. This development is distinguished from the subject site because of the conservation of heritage

resources, the provision of on-site parkland, a publicly accessible, privately owned (POPS), a rear mid-block connection, and the provision of rental housing that permitted the opportunity for increased building height and/or density. In addition, the tower provides a generous setback a minimum of 19.7 to 23 metres from the Yonge Street property line and 20 metres from abutting lands in a *Neighbourhoods* designation.

At 2360-2378 Yonge Street and 31-37 Helendale Avenue on the south-west corner is the approved 29-storey mixed-use residential development (Whitehaus) which is adjacent to the Urban Growth Centre boundary on the block to the south. This development was a result of an Ontario Municipal Board settlement with a density of 10.83 times the area of the lot with a property area of 2,835 square metres. Given this close proximity to the growth centre, it would be expected that it would be a greater building in scale and density than the proposed development.

The current policy framework contemplates that the greatest of development intensity be within the Yonge-Eglinton Centre's *Mixed Use Areas Zone A*. As discussed above in the height section, the heights of the proposed development, Postal Station 'K' and Whitehaus developments are similar in total height (exclusive of mechanical equipment), but the latter two developments are substantially less in overall gross floor area, they are closer to the Yonge-Eglinton Centre.

Given that the subject site is the furthest away from the Yonge-Eglinton Growth Centre, it should have a significantly lower density as development should be decreasing in height, density and scale going away from the Centre.

## **Sun, Shadow, Wind**

### **Sun and Shadow**

The Mid-Rise Building Performance Standards also speak to the importance of building envelopes for mid-rise buildings along the *Avenues* allowing for a minimum of 5 hours of sunlight on the opposite street sidewalk to create comfortable, sunlit *Avenue* main streets between the equinoxes from March 21st to September 21st.

Typically, midrise buildings on north-south streets demonstrate sunlight on the opposite sidewalk for 5 hours from 9:18 a.m. to 2:18 p.m. The proposal illustrates shadow impacts at the March and September equinoxes on the opposite Yonge Street sidewalk commencing after 1:18 p.m. to 2:18 p.m. In addition, there is shadowing from 10:18 a.m. to almost 12:00 p.m. where the shadows alter from two independent 'tower' forms and merge into one block formation creating a wall of shadows that moves across the *Neighbourhoods* to the north.

Revisions to the building massing are required to ensure a 5 hour sunlight window on the opposite Yonge Street sidewalk. To achieve a minimum of 5 hours of sunlight on the *Avenue* sidewalk between the March 21st to September 21st equinoxes, adherence to the 45 degree front angular plane, a reduction in height and changes to building massing would be required.

In addition the proposal creates shadow impacts on the adjacent *Neighbourhoods* designation, to the west and north of the site, occur from 9:18 a.m. to 1:18 p.m. on the March 21st to September 21st equinoxes. Shadowing occurs on the proposed six townhouse units from 9:18 a.m. to

sometime after 11:18 a.m. Changes to building massing are required to reduce shadow impact on the *Neighbourhoods* to the west and north and for the east side of the Yonge Street sidewalk.

Staff are not satisfied with the proposal given that it creates unacceptable shadow impacts onto the Yonge Street east sidewalk and onto the designated *Neighbourhoods* to the north and west.

## **Wind**

The applicant has submitted a Qualitative Pedestrian Level Wind Assessment by Gradient Wind Engineering Inc., dated June 30, 2017. The consultant assessed wind conditions along the Roselawn Avenue and Yonge Street pedestrian streetscapes, the proposed residential and commercial buildings, parking garage entrances, outdoor amenity areas, driveway access and surrounding sites.

The report indicates that the wind conditions along the Yonge Street sidewalk would be suitable for a standing condition during the summer and autumn and a walking condition for the colder months, and that the retail entrances will be comfortable for standing throughout the year. Staff accept the retail entrance condition and the condition along the sidewalk however, the proposal must be revised to include a standing condition for the spring season along the sidewalk.

The report states that the Roselawn Avenue sidewalk is expected to be comfortable for standing during the spring, summer and autumn and suitable for walking during the winter, and the building entrances are expected to be comfortable for standing, or better throughout the year. Staff are satisfied with the proposed standing sidewalk condition however, revisions are required to the proposal to provide for the potential of an outdoor café with seating adjacent to the 23-storey building entrance(s) with a sitting condition in the spring, summer and autumn.

The report concludes that the playground area proposed south of the townhouses would be suitable for sitting during the summer and standing during the spring and autumn and walking during the winter. Staff require that the proposal be revised to ensure that a sitting condition is proposed during the spring and autumn seasons to make it appropriate for children's playground uses.

The consultant did not provide a review of the proposed landscaped outdoor amenity area proposed at the southern end of the site. Staff require that this area be reviewed by the consultant to ensure that the appropriate seasonal conditions would occur.

The report states that the rear pedestrian and vehicle driveway would be suitable for a standing condition throughout the year and the lobby entrance at the base of the west façade, would be a sitting condition during the summer and autumn, and standing during the winter. Staff accept the condition for the rear pedestrian and vehicle driveway area, however staff require that the lobby entrance have a sitting condition for the spring season.

The third floor amenity area is proposed to provide a standing condition during the summer and autumn and a walking condition during the spring and winter. The consultant recommends mitigation of a 1.8 metre wind screen be installed along the western side of the area and additional wind barriers interior to the space and/or landscaping. Staff require that the proposal

be revised to reflect a sitting condition for the spring, summer and autumn seasons given that it would be desirable for residents and visitors to have the ability for passive recreation such as lounging or reading.

The consultant states generally that the proposed development would not significantly influence the pedestrian wind comfort over neighbouring ground level areas. Staff require that detailed analysis be provided to understand what testing has been completed.

Staff do not accept the report given that there are several unacceptable proposed wind conditions and staff require that a wind tunnel analysis would need to be completed with additional sensor areas, as determined by staff, within and beyond the site to provide a fulsome review of potential wind conditions.

### **Midtown in Focus: Public Realm**

The proposal does not adequately respond to the Midtown In Focus Study related to the provision of a mid-block connection from Roselawn Avenue south to Montgomery Avenue because it does not consider the provision of cycling and pedestrian activities, the driveway does not fully connect south through to Montgomery Avenue, and the proposed future connection south would be between two City owned properties at 16 Montgomery Avenue (Fire Station) and 2398 Yonge Street (the Anne Johnston Health Service Station). In addition, the proposal does not adequately address the provision of the Yonge Street Squares, Roselawn Sun Terrace to allow for retail and café spill out space. Staff conclude that further work is required in order to properly address these conditions.

### **Midtown in Focus: Cultural Heritage Resource Assessment (CHRA)**

Midtown in Focus, an inter-divisional initiative led by City Planning, is a response to the rapid intensification and change underway in parts of the Yonge-Eglinton Secondary Plan area. The study seeks to ensure that growth positively contributes to the vitality and quality of life in one of Toronto's most dynamic neighbourhoods. In September 2015, City staff along with its consultants Taylor Hazel Architects and Timmins Martelle Heritage Consultants, initiated the CHRA, a comprehensive assessment and documentation of cultural heritage resources, including built heritage, cultural heritage landscapes and archaeological resources, in the Apartment Neighbourhoods and Mixed-Use Areas within the Midtown in Focus Study Area.

The CHRA includes a historical overview for Midtown, provides a Stage I archaeological assessment and, applying provincial criteria, identifies potential cultural heritage resources for the Heritage Register, including individual properties, Heritage Conservation Districts, and Cultural Heritage Landscapes. For the purpose of identification of properties with potential cultural heritage value or interest, the scope of work was limited to the boundaries of the growth centre, which includes the areas designated in the Official Plan as *Apartment Neighbourhoods* and *Mixed Use Areas*. The City's consultants completed the CHRA in April 2017. City Staff conducted further analysis and requested revisions were made where appropriate.

With the completion of the CHRA and in preparing this report, City staff conducted a further field survey of the growth centre and identified additional properties for inclusion on the City's

Heritage Register. In total 331 properties in the Midtown in Focus study area have been identified as properties with potential cultural heritage value.

City staff will bring forward future listing and designation reports in late 2017 for the additional properties identified as having potential heritage value in the Midtown in Focus study area.

## **Heritage Conservation**

A Heritage Impact Assessment prepared by GBCA Architects, dated June 30, 2017, was submitted with the application for review by Heritage Preservation Services staff.

At its meeting of July 4, 2017, City Council approved the inclusion of the properties at 2430 Yonge Street and 2434 Yonge Street on the City's Heritage Register. Council also stated its intention to Designate both properties under Part IV of the Ontario Heritage Act.

Heritage Preservation Services staff review of the application identifies that the proposal does not conserve the two heritage properties on the development site subject to the Intention to Designate under the Ontario Heritage Act, located at 2430 and 2434 Yonge Street.

Heritage Preservation Services staff review of the application identifies that the development proposal does not conserve the two designated heritage buildings located at 2430 and 2434 Yonge Street on the development site.

As such, the application does not conform to the Provincial Growth Plan, the heritage policies of the Planning Act or the Provincial Policy Statement on matters concerning heritage conservation. The proposal also does not support the City's Official Plan heritage policies. Specifically, Policy 3.1.5.4 states that Properties on the Heritage Register (listed and designated under the Ontario Heritage Act) will be conserved and maintained consistent with the Standards and Guidelines for the Conservation of Historic Places in Canada.

Furthermore, there are two heritage properties that are situated adjacent to the site. The first property is located at 2398 Yonge Street (former Police Station #12; now Division 53) and designated under Part IV of the Ontario Heritage Act. The second is located at 16 Montgomery Avenue and is listed on the City's Heritage Register (Firehall #28). As adjacencies, Official Plan heritage policy 3.1.5.5 requires that any proposed development adjacent to designated heritage properties will ensure that the integrity of the heritage property's cultural heritage value and attributes is retained and is to the satisfaction of the City.

In addition, policy 3.1.5.2 identifies that new construction on, or adjacent to, a property on the Heritage Register will be designed to conserve the cultural heritage values, attributes and character of that property and will mitigate visual and physical impacts with respect to the heritage property.

Heritage Preservation Services staff have reviewed this proposal and have concerns that the proposal does not conserve the two heritage designated properties as part of the development nor the heritage properties that are adjacent to the site in accordance with heritage policies.

Heritage Preservation Services staff have reviewed this proposal and have concerns that the proposal does not conserve the two heritage properties subject to Notice of Intention to Designate under the Ontario Heritage Act on the site as part of the development scheme. Furthermore, HPS staff also have concerns respecting the inappropriate scale and built-form relationships relative to the heritage buildings adjacent to the site.

## **Streetscape**

Widening of the streetscape along Yonge Street and Roselawn Avenue is desirable for improved pedestrian movement and streetscape improvements such as tree planting and street furniture. The applicant has shown a 5 metre wide sidewalk on Yonge Street and on Roselawn Avenue. (Detailed discussion is above in Building Location section). A total of 13 trees are proposed on Yonge Street and 12 trees are proposed on Roselawn Avenue on the public boulevard. In addition, six trees are proposed on-site adjacent to the 23-storey building on Roselawn Avenue.

The applicant has also proposed canopies shown on their elevation drawings along commercial entrances fronting onto Yonge Street and the residential entrance along Roselawn Avenue, however, the canopies are not dimensioned. Submitted architectural plans should be revised to include the location of canopies and their dimensions. The application should be revised to provide entrance canopies along Yonge Street and Roselawn Avenue at a minimum depth of 3 metres.

## **Avenue Segment Study**

As an Avenue Study has not been prepared by the City for this *Avenue*, an *Avenue Segment Study* was submitted by Goldberg Group dated July 27, 2017. The Study is an amendment to the Avenue Segment Review Study as prepared by Bousfields in February 2013. The Study assessed the proposal in the context of the segment of the Yonge Street *Avenue* extending from Orchard View Road north to Lytton Boulevard on the west side of Yonge Street and from Blythwood Avenue south to the boundary of the Centre (south of Keewatin Avenue) on the west side of Yonge Street.

*Avenue Segment Studies* are intended to examine the implications of the incremental development of the entire *Avenue* segment at a similar form, scale and intensity of the proposed development. This examination includes considering all of the policies of the Official Plan including the policies for *Mixed Use Areas*.

The *Avenue Segment Study* identified nine soft sites; two potential tall building sites and seven potential mid-rise building sites. The tall sites included a consolidated site to the south of the subject site at the north-west corner of Orchard View Boulevard and Yonge Street, and the subject site. The Study concluded approximately that 2,574 residential units and 28,716 square metres of commercial gross floor area would be achievable within the *Avenue* segment.

Planning staff do not agree that the subject site identified within the segment is appropriate for tall buildings given the size and configuration of the property and the existing and planned context along Yonge Street in this area that provides for mid-rise buildings. As discussed earlier, the property is distinguished from 2384-2388 (Postal Station 'K') given the heritage retention, provision of on-site parkland, a POPS, a mid-block connection, and tower setback of

approximately 20 metres to the neighbourhood to the west and Yonge Street to the east, and 2360-2378 and 31-37 Helendale Avenue (Whitehaus) given its adjacent proximity to the Urban Growth Centre. Given these considerations, planning staff do believe that the proposal if approved would set a precedent for additional tall buildings along this segment of the *Avenue*.

## **Traffic Impact, Access, Parking**

### **Traffic Impact**

The applicant submitted a Transportation Study, prepared by R.J. Burnside 7 Associates Ltd., dated June 30, 2017, that included an assessment of parking requirements and this has been reviewed by Transportation Services staff. Transportation Services staff concur with the conclusions of the report that the new site related traffic can be accommodated at the study area intersections.

### **Parking**

Zoning By-law 438-86 requires that a total of 644 vehicular parking spaces be provided; 406 residential spaces, 159 residential visitor spaces, and 79 commercial spaces. However, Zoning By-law 569-2013 was developed by City staff in order to update the parking requirements for developments. This By-law was adopted by City Council in April 2013. The parking provisions contained in this By-law have been accepted by staff on recent development projects, where appropriate. As a result, staff require that parking for this project be provided in accordance with Zoning By-law 569-2013, as outlined in Policy Area 3. Zoning By-law 569-2013 requires that a minimum total of 628 spaces be provided; 486 residential, 63 residential visitor and 79 commercial spaces.

The application proposes a total of 438 parking spaces, 295 for residents and 64 for residential visitors, 79 commercial spaces. Given the proposed provisions, Transportation Services staff advise that the on-site parking supply does not satisfy the requirements.

### **Access**

A driveway running in a north-south orientation from Roselawn Avenue towards Montgomery Avenue is proposed to have a future access connection in between the properties to the south at 2398 Yonge Street, The Anne Johnston Health Care Station building and the Fire Station at 16 Montgomery Avenue. The proposed connection from south of the subject site to Montgomery Avenue is not acceptable without a mutual access agreement. Transportation Services staff do not support the proposed access. The driveway should connect to Montgomery Avenue west of the Fire Station at 16 Montgomery Avenue.

The Midtown In Focus Study contemplates a future street realignment from the site's driveway at Roselawn Avenue, connecting across Yonge Street over to Erskine Avenue. Transportation Services staff require that the owner provide a preliminary design and cost estimate for the realignment of Roselawn Avenue and Erskine Avenue, and a potential future traffic signal at their intersections with Yonge Street, for review and comment.

Transportation Services staff require that the plans delineate a 6 metre corner rounding required at the north-east end of the site (south-west corner of Yonge Street and Roselawn Avenue) for review and potential acceptance.



## **Bicycle Parking**

Zoning By-law 569-2013 requires that a total of 681 bicycle parking spaces; 574 residential, 64 residential visitor, 27 short-term commercial and, 16 long-term commercial spaces. Zoning By-law 438-86 requires a total of 207 bicycle parking spaces be provided; 160 residential, 40 residential visitor and 7 commercial spaces. A total of 720 bicycle parking spaces are proposed; 612 residential spaces, 65 residential visitor spaces, 16 commercial occupant spaces, and 27 commercial visitor parking spaces. Staff are satisfied with the proposed provision of bicycle parking spaces.

## **Servicing**

The applicant has submitted engineering reports however, Engineer and Construction Services staff have requested additional information on a number of issues in their memo dated September 8, 2017. Some of the issues are related to; the revision of the Functional Servicing Report to address groundwater matters, stormwater and a revised landscape plan, among other matters.

## **Loading**

Under Zoning By-law 569-2013, the site requires the provision of three type 'B', one type 'G' and one type 'C' loading spaces. The by-law requires that the residential component requires one type 'G' and one type 'C' space and the retail component requires three type 'B' spaces. The applicant has submitted a Street Parking and Loading Review Report prepared by R.J. Burnside and Associates Ltd., dated June 30, 2017. The report proposes that the type 'C' would be shared with one of the proposed type 'B' spaces. Also, all loading spaces would be sited at the rear of the 23 and 27-storey buildings. In general, Transportation Services staff are satisfied with this proposed provision of loading spaces.

## **Amenity Space**

Section 3.1.2.6 of the Official Plan states that every significant new multi-unit residential development will provide indoor and outdoor amenity space for residents. Also, By-laws 569-2013 and 438-86 require that a minimum of 2 square metres per dwelling unit of indoor and outdoor amenity space be provided.

Zoning By-laws 569-2013 and 438-86 require a total of both indoor and outdoor amenity space for a total of 1,262 square metres. A total proposed indoor amenity area would be 1,313.2 square metres; 1,093.4 square metres on the third floor, and on the eighth and ninth floors, each containing an area of 109.9 square metres. The total proposed outdoor amenity space would be 1,847.2 square metres; 416.2 square metres at ground level south of the townhouses, 302.3 square metres also at ground further south, and 1,128.8 square metres on the third floor. Both indoor and outdoor amenity areas proposed on the third level would be in a contiguous layout. Staff are satisfied with the total proposed square metres of amenity space however, the proposed locations require further review in conjunction with the overall built form and site organization to achieve a desirable layout.

## **Tree Preservation**

City of Toronto By-laws provide for the protection of trees situated on both private and City lands. An Arborist Report was submitted from Urban Forest Associates Inc., dated June 30, 2017. The report proposes the removal of nine privately owned trees and fourteen city-owned trees.

Urban Forestry staff have concluded that based on the standard requirement, a total of twenty-seven new trees to replace the nine private trees proposed for removal at a replacement ratio of 3 to 1. The Landscape Plan L100 indicates that the planting of forty-two new private trees. The proposed planting satisfies the required tree replacement. With respect to the proposed removal of the fourteen city-owned trees, staff have determined that since eight trees are healthy and they are outside of the construction excavation area, they will not be supported for removal. As such, a revised landscape plan is required for the retained trees.

## **TDSB**

The Toronto District School Board has advised that there is insufficient space at the local elementary school to accommodate students anticipated from this proposed development. They advise that the students from the new development will not displace existing students at local schools and that alternative arrangements will be identified consistent with optimizing enrolment levels at all schools across the Toronto District School Board. The School Board indicates that at this time, the schools anticipated to serve the development are unknown.

The School Board has requested that as a condition of approval, the applicant enter into an agreement to put up signs on the site advising that students may be accommodated in schools outside of the area until space in local schools becomes available and also include warning clauses in all offers of purchase and sale of residential units, to the effect that students may be accommodated in facilities outside of the area, and that students may later be transferred.

The Catholic District School Board has not provided any comments.

## **Community Facilities & Services**

The applicant has submitted a Community Services and Facilities (CS&F) Study, Appendix A attached to the Planning & Urban Design Rationale Report dated, July 2017, prepared by Bousfields Incorporated. The report does not respond to the emerging community infrastructure priorities endorsed by Council or the detailed findings of the Yonge-Eglinton Community Services and Facilities Assessment (October 2016) completed as part of the Midtown In Focus Review. However, the report relies on outdated census data and fails to provide a full assessment of the current capacity of each sector to respond to the proposed growth. The report concludes that the proposed development would be well serviced by existing community service facilities and will not place an undue burden on the existing community services and facilities within the surrounding area.

Staff cannot support this conclusion and it is recommended that the following contributions towards CS&F priorities be considered in review of this application:

- Secure between 10,000 ft<sup>2</sup> to 15,000 ft<sup>2</sup> of flexible multi-purpose community agency space in an accessible and visible location at the ground floor of the proposed development in accordance with the City's Below Market Rent terms; or
- Secure financial contributions towards public realm improvements at Northern District Library; or
- Secure financial contributions towards playground improvements and building upgrades at the Upper Yonge Village Day Care Centre.

### **Mix of Unit Types and Tenure**

A total of 631 residential units are proposed with the following unit type breakdown; 107 studio (16.8%), 312 1-bedroom (49%), 139 2-bedroom (21.8%), and 73 3-bedrooms (12.4%). Staff are satisfied with the number of larger family-sized units in the building. The proposed tenure of the dwellings units is condominium ownership. In addition, 6 townhouses are proposed.

### **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 0.80 to 1.56 hectares of local parkland per 1,000 people. The site is in the middle quintile of current provision of parkland. The site is in a parkland acquisition priority area, as per Chapter 415, Article III, of the Toronto Municipal Code. The site is also located within the boundaries of the Midtown in Focus – Parks, Open Space and Streetscape Plan for the Yonge-Eglinton Area.

The proposal is for two new residential towers of 27 and 23-storeys on a 2 to 9-storey base building having a ground floor commercial uses, and 6 townhouses on a site area of 8,281 square metres. The residential portion of this proposal is subject to a 10% parkland dedication. The non-residential portion of this proposal is subject to a 2% parkland dedication. In total, the parkland dedication requirement is 728 square metres of 8.79% of the net site area. In accordance with Chapter 415, Article III of the Toronto Municipal Code, the applicant is required to satisfy the parkland dedication requirement through on site dedication. The 2444 Yonge Street property at south-west corner of Yonge Street and Roselawn Avenue is vacant and an unencumbered public park is required with a square shape approximately 27 metres by 27 metres fronting onto Yonge Street and Roselawn Avenue.

The applicant is also expected to provide on-site dog off-leash amenities with proper disposal facilities for the building residents or dog relief stations within the building. This will help in alleviating pressures on the existing neighbourhood parks.

### **Toronto Green Standard**

In 2013 City Council updated the two-tiered Toronto Green Standard (TGS) that was adopted by City Council on October 27, 2009. 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. Other applicable TGS performance measures will be secured through the Site Plan Approval process.

### **Section 37**

The Official Plan contains policies pertaining to the provision of community benefits in exchange for an increase in height and/or density pursuant to Section 37 of the *Planning Act*. As the application is seeking a significant increase in height and density, a Section 37 contribution would be warranted if this application were approved.

In the event that the OMB considers granting additional density and/or height beyond that which is permitted by the by-law, the City will request that the OMB not approve the Official Plan Amendment and the Zoning By-law Amendments without the provision of such community benefits as are appropriate.

### **Conclusion**

The proposal for two tall buildings is not appropriate for this site. The proposal is not consistent with the PPS and does not conform with the Growth Plan. The proposal does not implement the Official Plan and the Yonge-Eglinton Secondary Plan policies. The proposal does not represent good planning.

The proposed built form does not adequately address the existing and planned context and does not provide an appropriate relationship to Yonge Street, Roselawn Avenue or to the adjacent *Neighbourhoods* designation to the west and north. It would also create adverse shadow impacts to the north and west *Neighbourhoods* and reduce the provision of sunlight on the Yonge Street east sidewalk. The proposal also does not conserve the two designated heritage properties on the development site located at 2430 and 2434 Yonge Street or respect the two designated heritage properties to the south. The proposal would result in an inappropriate development with unacceptable impacts which would form a negative precedent for the area.

It is recommended that City Council authorize the City Solicitor and appropriate staff to attend any Ontario Municipal Board hearing in opposition to the current proposal. It is also recommended that City Council direct staff to continue discussions with the applicant to address issues raised in this report including an appropriate Section 37 contribution for a revised proposal.

### **CONTACT**

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Fax No. (416) 395-7155  
E-mail: Diane.Silver@toronto.ca

## **SIGNATURE**

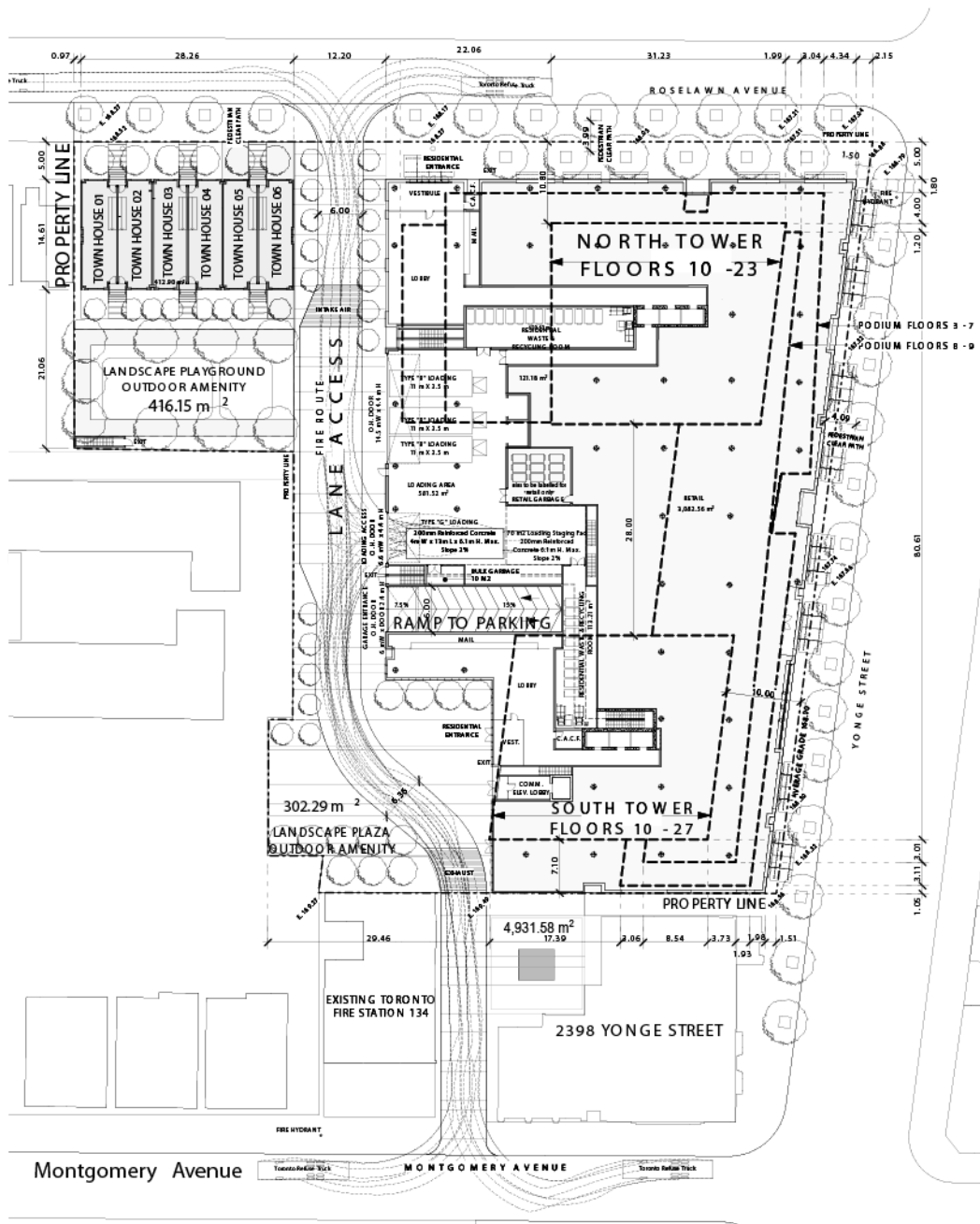
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Joe Nanos, Director  
Community Planning, North York District

## **ATTACHMENTS**

Attachment 1: Site Plan  
Attachment 2a: North Elevation  
Attachment 2b: South Elevation  
Attachment 2c: East Elevation  
Attachment 2d: West Elevation  
Attachment 2e: East & West Townhouse Elevations  
Attachment 3a: Zoning By-law 569-2013  
Attachment 3b: Zoning By-law 438-86  
Attachment 4: Official Plan – Urban Structure Map  
Attachment 5: Official Plan – Land Use Map  
Attachment 6: Yonge-Eglinton Secondary Plan  
Attachment 7: Montgomery Character Area  
Attachment 8: Application Data Sheet

# Attachment 1: Site Plan



## Site Plan

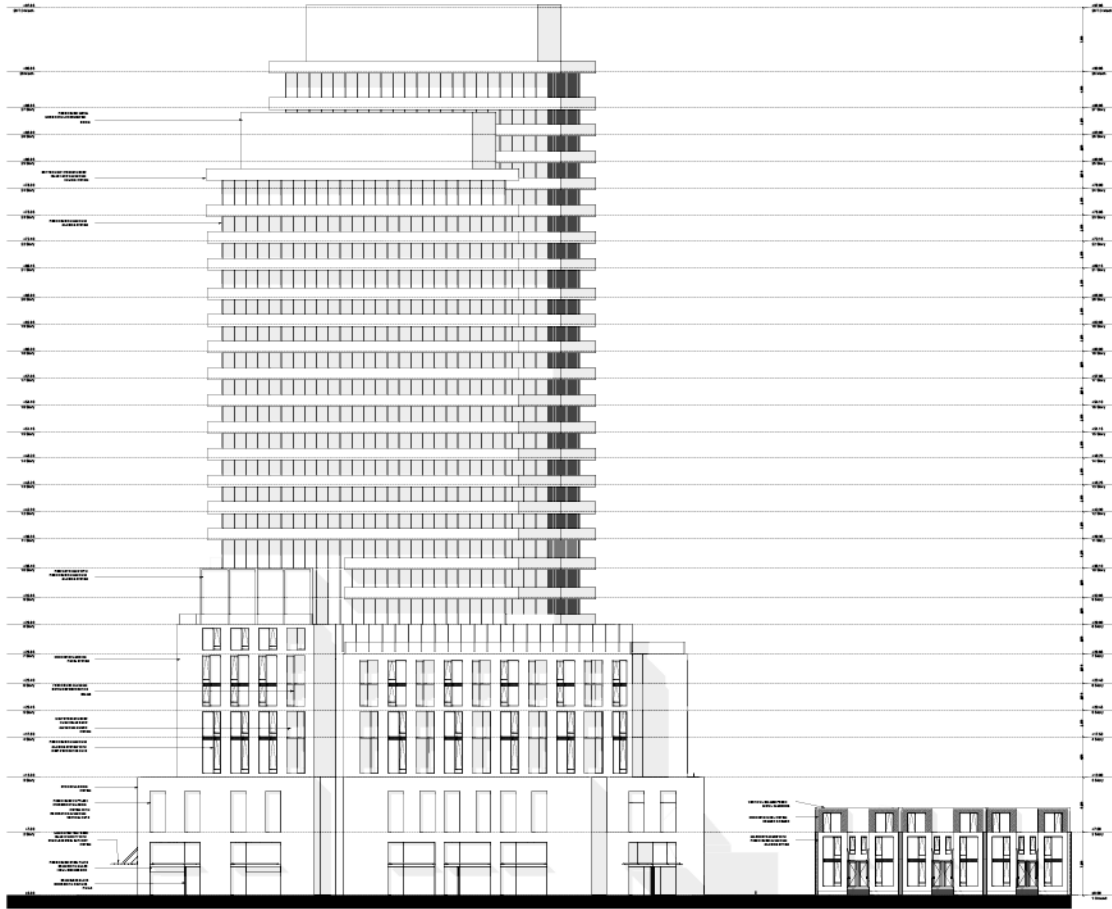
2400-2444 Yonge Street

Applicant's Submitted Drawing

Not to Scale 

File # 17 190823 NNY 16 0Z

## Attachment 2a: North Elevation



NORTH ELEVATION

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### Elevations

Applicant's Submitted Drawing

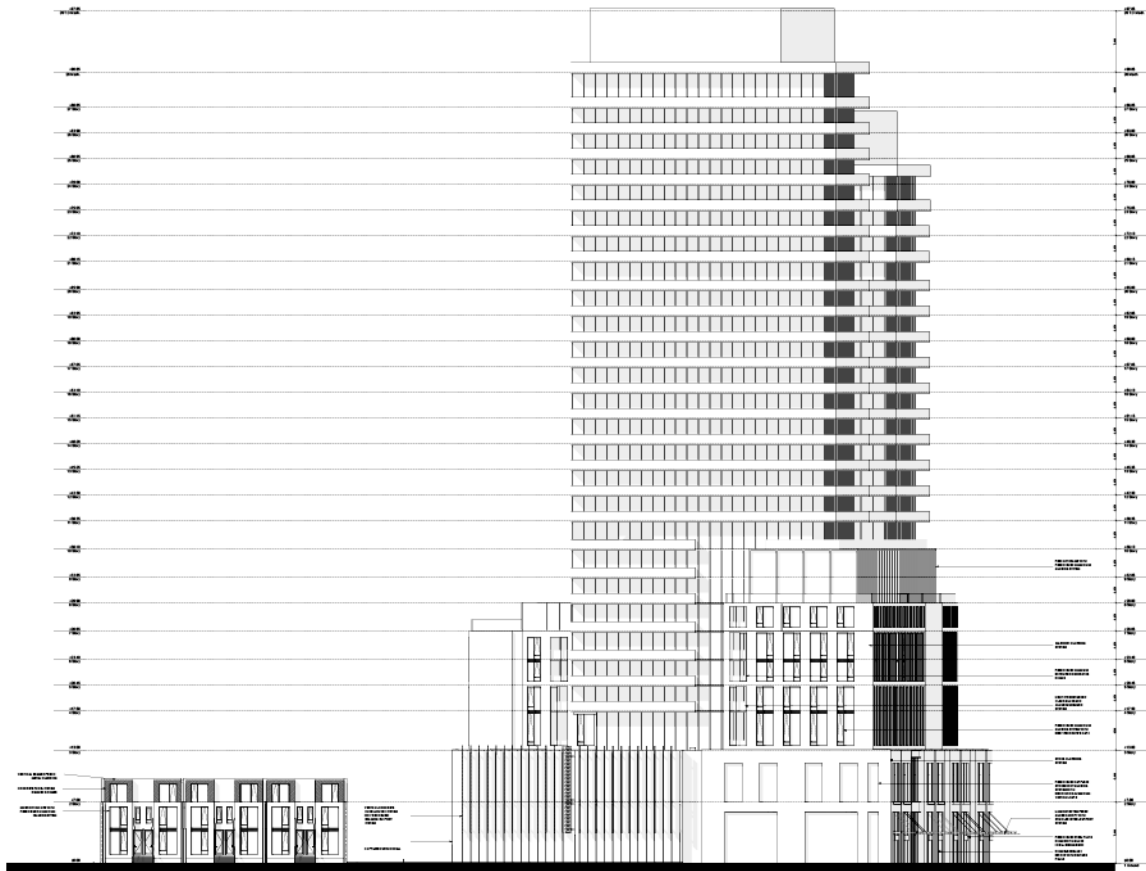
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08/28/2017

2400-2444 Yonge Street

File # 17 190823 NNY 16 0Z

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## Attachment 2b: South Elevation



SOUTH ELEVATION

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### Elevations

2400-2444 Yonge Street

Applicant's Submitted Drawing

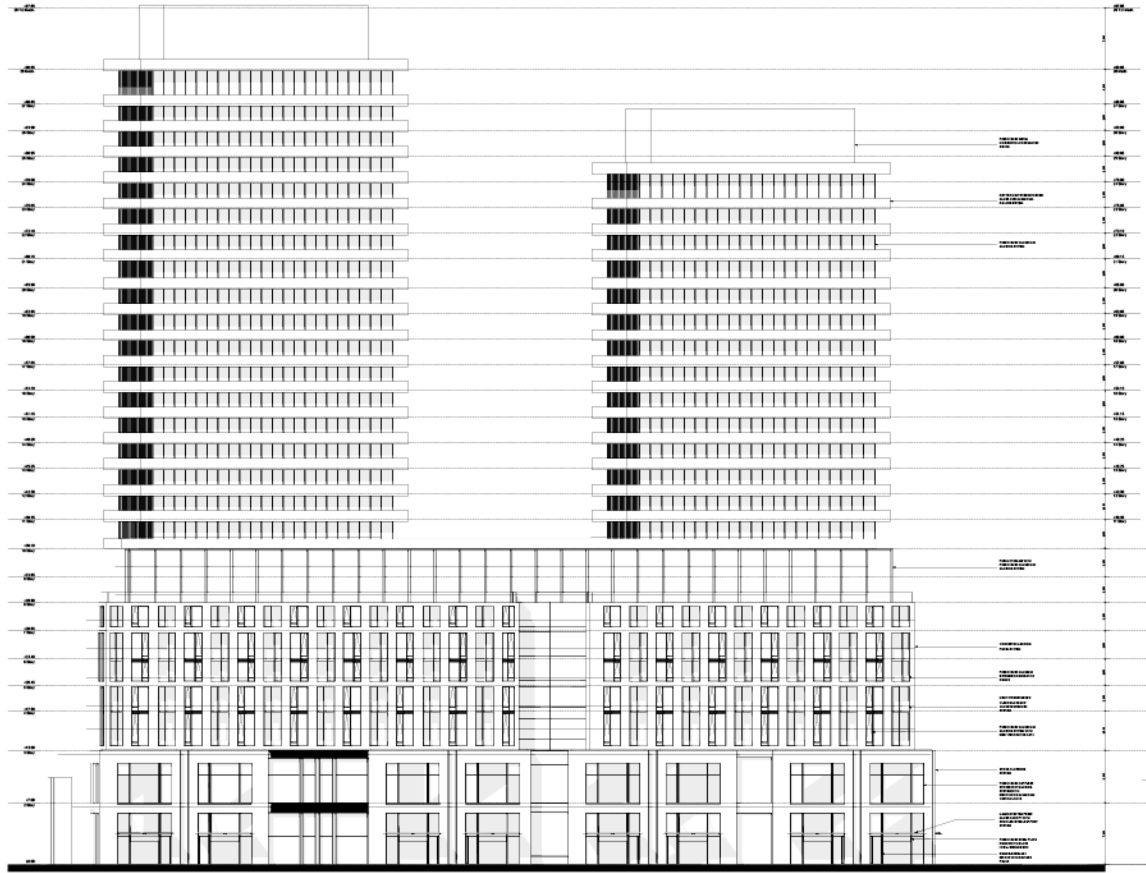
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## Attachment 2c: East Elevation



EAST ELEVATION

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### Elevations

Applicant's Submitted Drawing

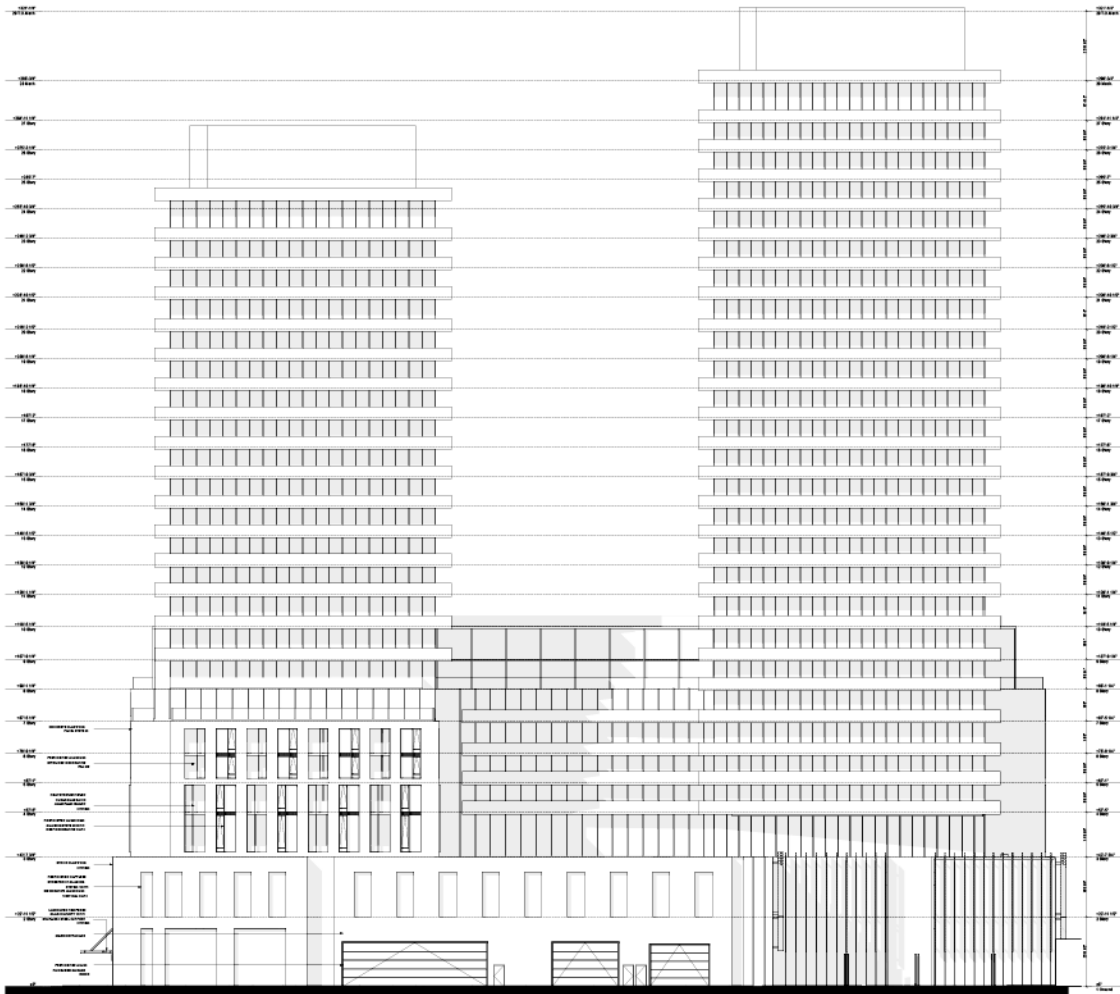
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08/28/2017

2400-2444 Yonge Street

File # 17 190823 NNY 16 0Z

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## Attachment 2d: West Elevation



WEST ELEVATION

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### Elevations

Applicant's Submitted Drawing

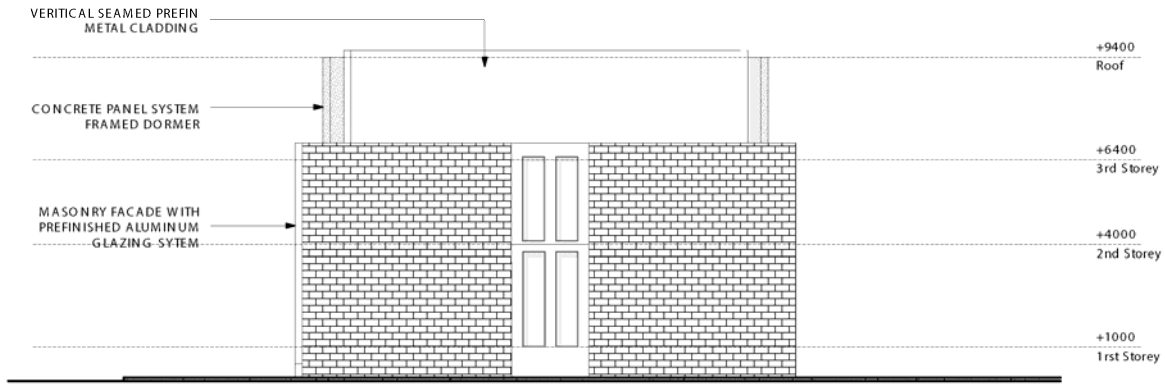
Not to Scale  
08/28/2017

2400-2444 Yonge Street

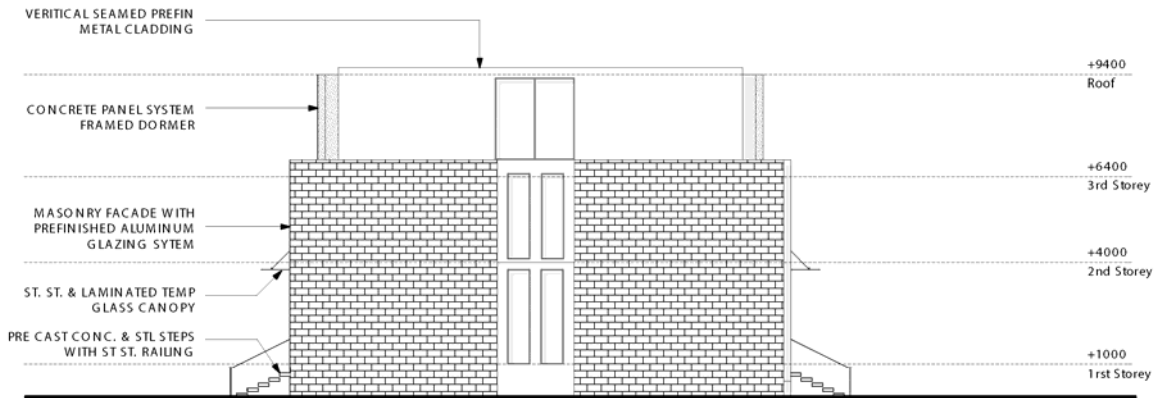
File # 17 190823 NNY 16 0Z

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## Attachment 2e: East & West Townhouse Elevations



TOWNHOUSE WEST ELEVATION



TOWNHOUSE EAST ELEVATION

### Elevations

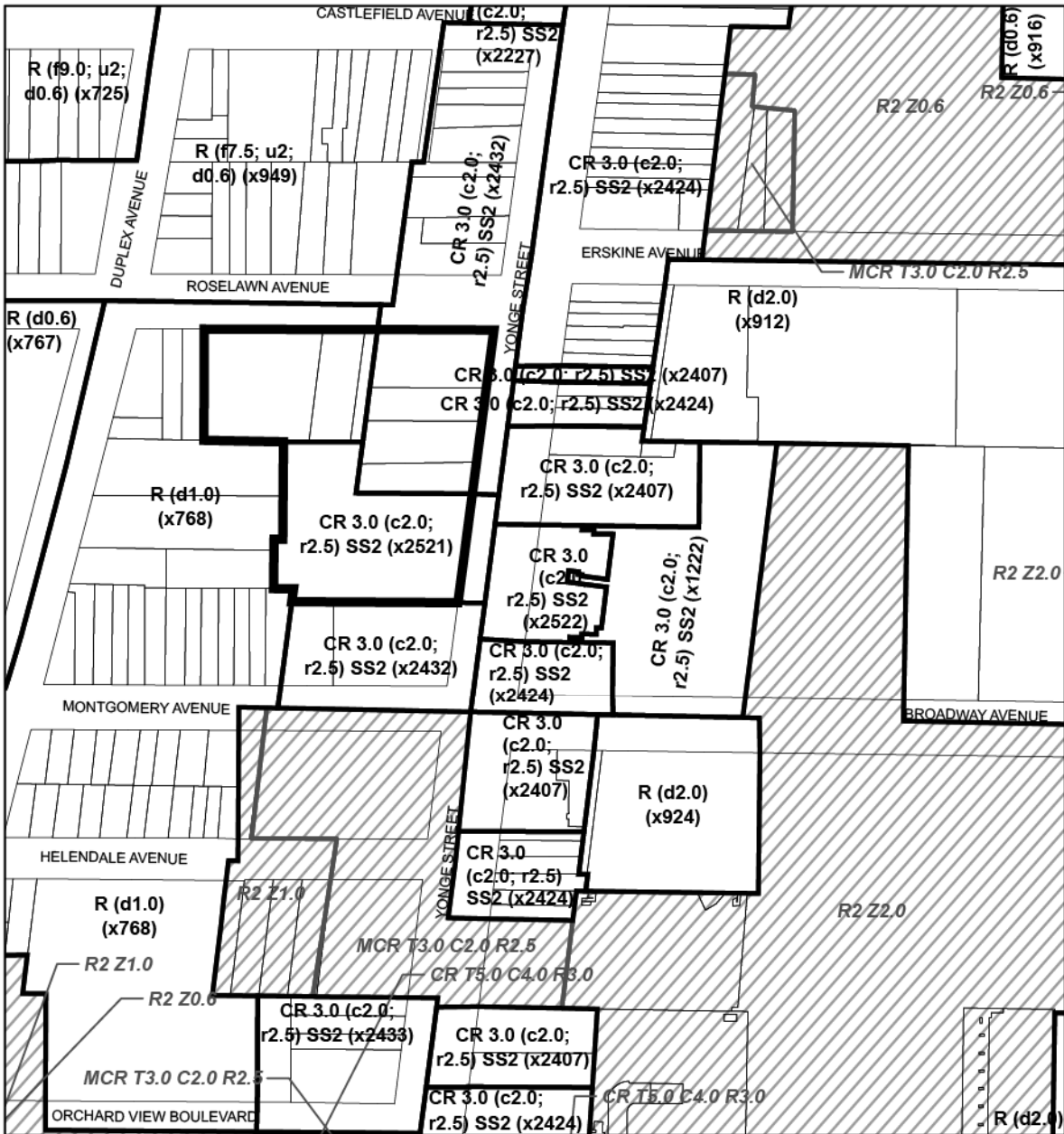
Applicant's Submitted Drawing

Not to Scale  
11/02/2017

2400-2444 Yonge Street

File # 17 190823 NNY 16 0Z

### Attachment 3: Zoning By-law 569-2013



**Zoning By-Law No. 569-2013**

**2400-2444 Yonge Street**

File # 17 190823 NNY 16 OZ



Location of Application

R Residential CR Commercial Residential



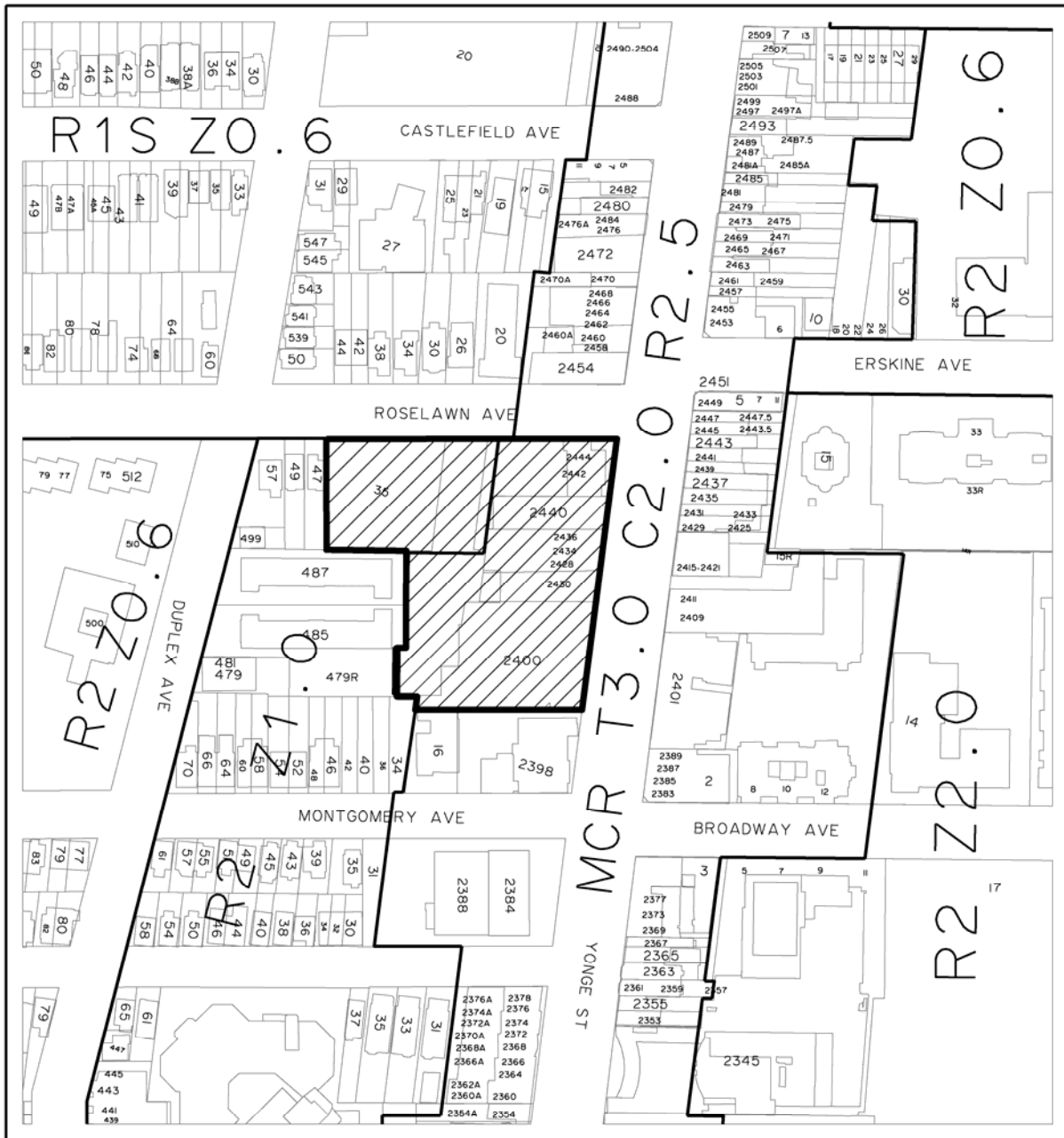
See Former City of Toronto By-Law No. 438-86

R2 Residential District  
MCR Mixed-Use District



Not to Scale  
Extracted: 08/25/2017

Attachment 3b: Zoning By-law 438-86



Zoning By-Law No. 438-86

2400 - 2444 Yonge Street

File # 17 190823 NNY 16 0Z

Location of Application

- R1 Residential District
- R2 Residential District
- MCR Mixed-Use District



Not to Scale  
Extracted 11/06/2017

### Attachment 4: Official Plan Urban Structure Map



 **Toronto**  
Extract from Official Plan

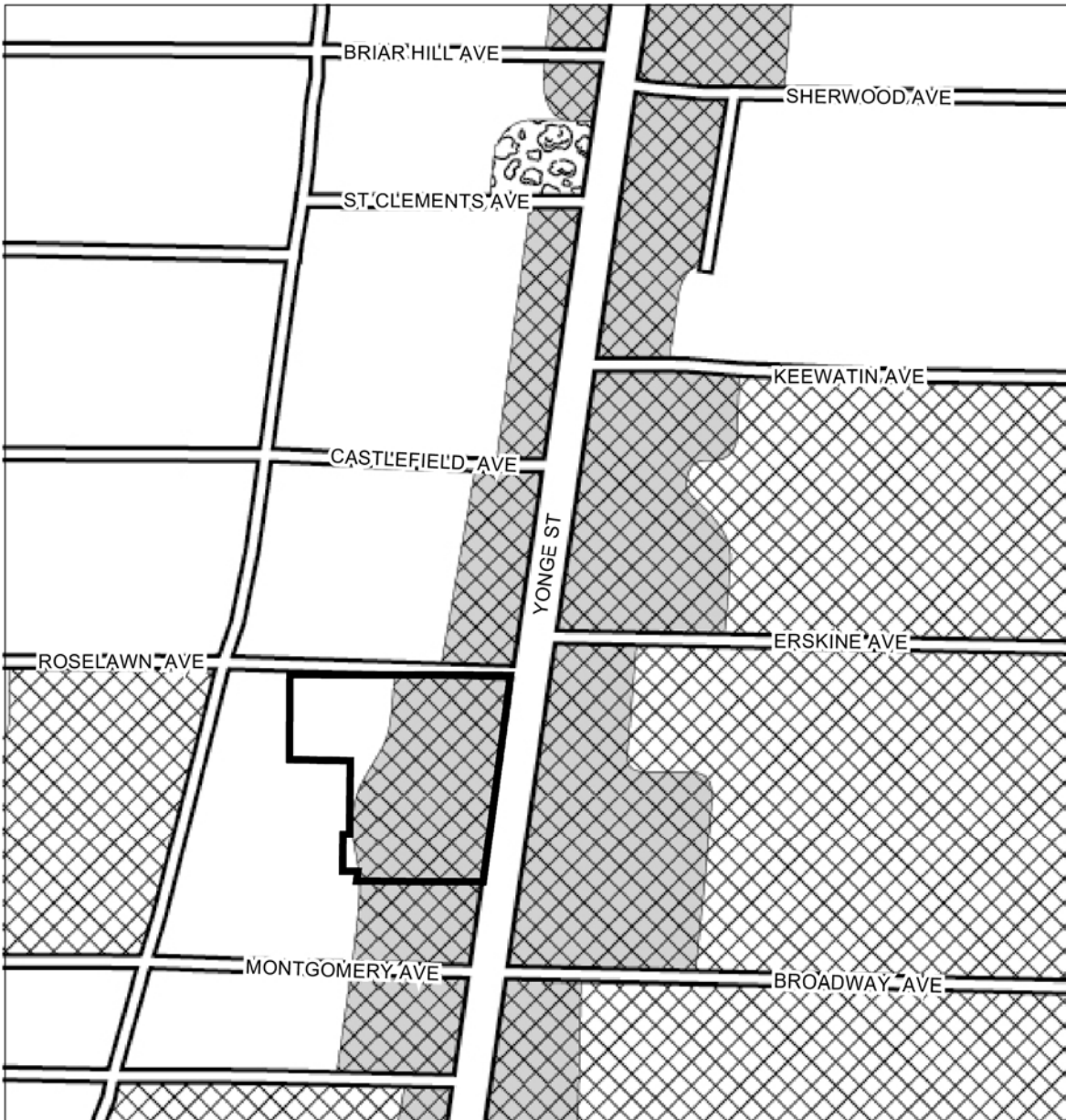
2400-2444 Yonge Street

File # 17 190823 NNY 16 02

-  Avenues
-  Centres
-  Green Space System
-  Subject Site

  
Not to Scale  
10/25/2017







**Attachment 5: Official Plan – Land Use Map**



**Extract from Official Plan**

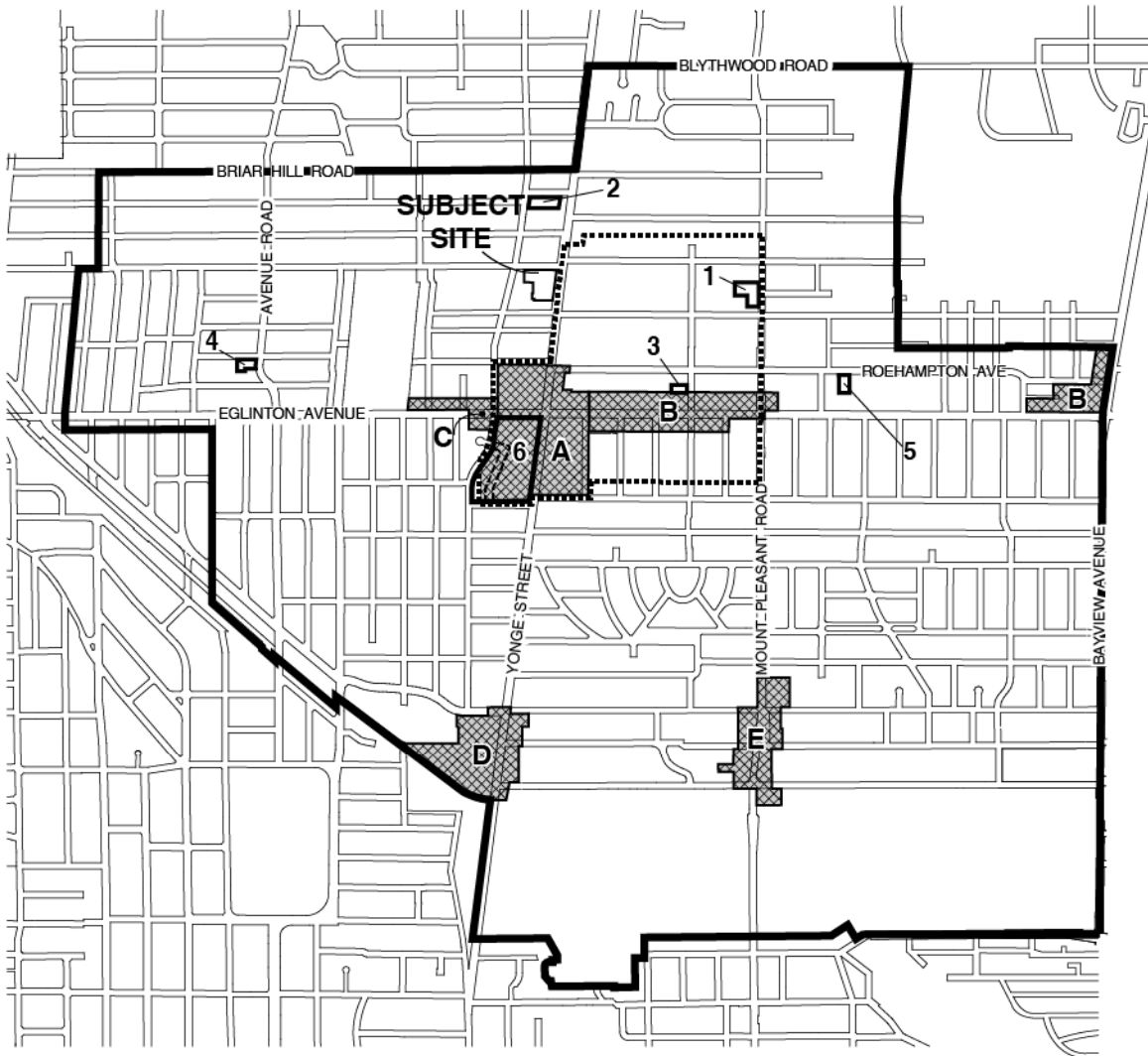
**2400-2444 Yonge Street**

File # 17 190823 NNY 16 0Z

-  Site Location
-  Neighbourhoods
-  Apartment Neighbourhoods
-  Mixed Use Areas
-  Parks & Open Space Areas
-  Parks

  
Not to Scale  
10/25/2017

## Attachment 6: Yonge-Eglinton Secondary Plan



December 2010

- |                          |                                 |
|--------------------------|---------------------------------|
| 2400 - 2444 Yonge Street | Mixed Use Areas                 |
| Secondary Plan Boundary  | Site and Area Specific Policies |
| Yonge-Eglinton Centre    | Proposed Road                   |

Yonge-Eglinton Secondary Plan - MAP 21-1 Land Use Plan

2400 - 2444 Yonge Street

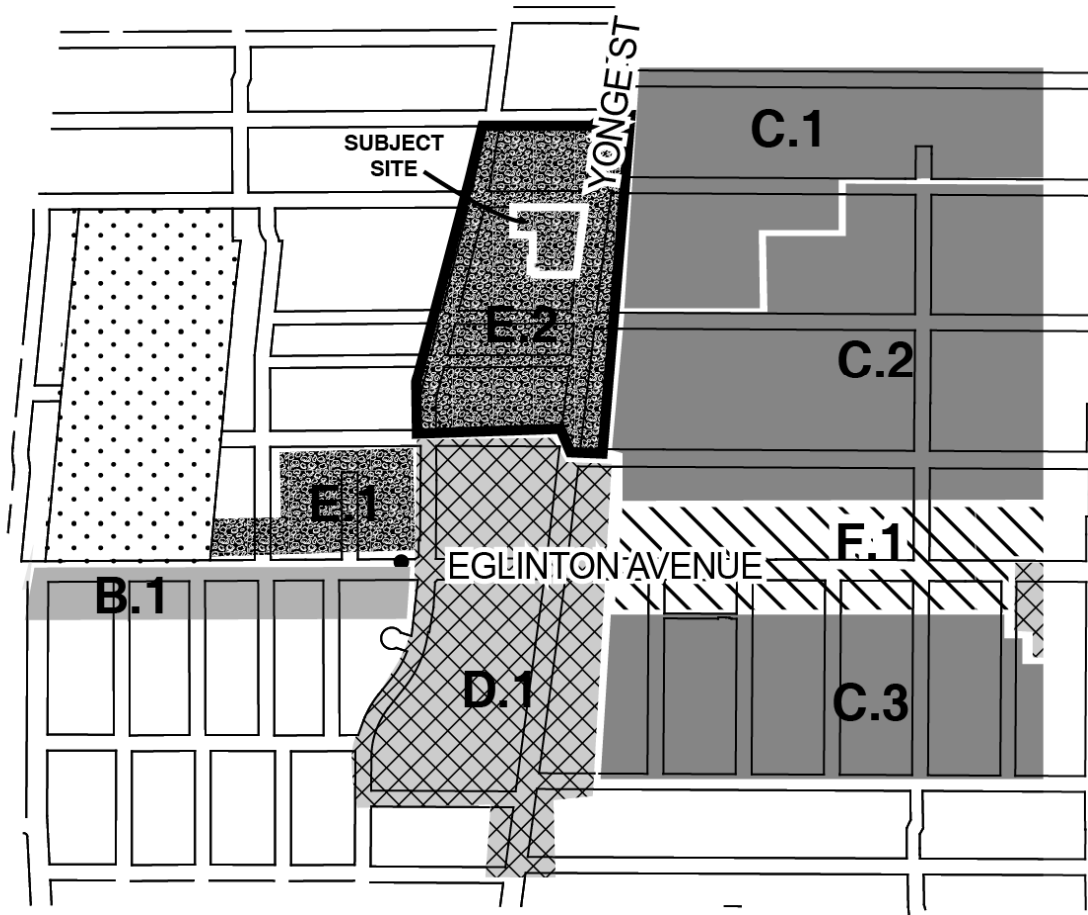
Not to Scale  
10/25/2017

File # 17 190823 NNY 16 0Z

Att










## Attachment 7: Montgomery Character Area Map



Not to Scale 



### Montgomery Character Area

- |  |  |                                    |
|--|--|------------------------------------|
|  Character Area                   |  Midtown Fringes        | B.1 Eglinton Park                  |
|  Apartment High Streets           |  Midtown Special Places | C.1 Erskine and Keewatin           |
|  Midtown Apartment Neighbourhoods |  Parks and Open Spaces  | C.2 Redpath and Park Street Loop   |
|  Midtown Cores                    |  | C.3 Soudan Apartment Neighbourhood |
|  |  | D.1 Yonge-Eglinton Crossroads      |
|  |  | E.1 Henning Fringe                 |
|  |  | E.2 Montgomery Square              |
|  |  | F.1 Eglinton Green Line            |

October 2017

## Attachment 8: Application Data Sheet

Application Type	Official Plan Amendment & Rezoning	Application Number:	17 190823 NNY 16 OZ
Details	OPA & Rezoning, Standard	Application Date:	June 30, 2017

Municipal Address: 2440, 2430, 2440 and 2444 Yonge Street

Location Description: \*\*GRID N1606

Project Description: Mixed-use development consisting of two residential towers of 27 and 23 storeys connected by a 9 storey base building consisting of ground floor commercial uses fronting onto Yonge Street with residential units above, and six, 3-storey townhouses fronting onto Roselawn Avenue, with a total of 438 vehicular parking spaces on 3 levels underground.

<b>Applicant:</b>	<b>Agent:</b>	<b>Architect:</b>	<b>Owner:</b>
Goldberg Group 2098 Avenue Road Toronto, ON M5M 4A8	Same as Applicant	Architects Alliance 205-317 Adelaide Street W. Toronto, ON M5V 1P9	24 Rose & Main Urban Properties Inc. 302B- 109 Atlantic Ave. Toronto, ON M6K 1X4

### PLANNING CONTROLS

Official Plan Designation:	Mixed Use Areas & Neighbourhoods	Site Specific Provision:	N
Zoning:	CR 3.0 (c2.0; r2.5) SS2 (x2432)	Historical Status:	Y
Height Limit (m):	16 & 9	Site Plan Control Area:	Y

### PROJECT INFORMATION

Site Area (sq. m):	8,281	Height: Storeys:	23, 27 & 3
Frontage (m):	100.56	Metres:	87.95, 97.85 & 9.4
Depth (m):	106.23		
Total Ground Floor Area (sq. m):	5,344.4		<b>Total</b>
Total Residential GFA (sq. m):	44,614.24	Parking Spaces:	438
Total Non-Residential GFA (sq. m):	7,916.23	Loading Docks	4
Total GFA (sq. m):	52,530.47		
Lot Coverage Ratio (%):	64.5		
Floor Space Index:	6.34		

### DWELLING UNITS

### FLOOR AREA BREAKDOWN (upon project completion)

	Condo		Above Grade	Below Grade
Rooms:	0	Residential GFA (sq. m):	44,614.24	0
Studio:	107 (16.8%)	Retail GFA (sq. m):	7,916.23	0
1 Bedroom:	312 (49%)	Office GFA (sq. m):	0	0
2 Bedroom:	139 (21.8%)	Industrial GFA (sq. m):	0	0
3 + Bedroom:	73 (12.4%)	Institutional/Other GFA (sq. m):	0	0
Total Units:	643 (100%)			

**CONTACT: PLANNER NAME:** Diane Silver, Planner  
**TELEPHONE:** (416) 395-7150 **Email:** Diane.Silver@toronto.ca