

2490-2514 Yonge Street, 10-12 Castlefield Avenue, and portions of 20 Castlefield Avenue and 567 Duplex Avenue – Official Plan Amendment and Zoning Amendment Applications – Final Report

Date: January 3, 2020

To: North York Community Council

From: Director, Community Planning, North York District

Wards: Ward 8 - Eglinton-Lawrence

Planning Application Number: 18 186858 NNY 16 OZ

SUMMARY

This application proposes to amend the Official Plan and Zoning By-law for the properties at 2490-2514 Yonge Street, 10-12 Castlefield Avenue, and portions of 20 Castlefield Avenue and 567 Duplex Avenue to permit a 14-storey (50.4 metres - excluding mechanical penthouse) mixed use building containing 150 dwelling units and retail uses at grade along Yonge Street. Portions of the existing heritage building (Capitol Theatre) located at 2490-2506 Yonge St are proposed to be conserved. The Capitol Theatre façade, and existing canopy structure, are proposed to be incorporated into the development. The Capitol Theatre would be commemorated by replication of its volume on the ground floor, and the vestibule space would be rebuilt to a similar footprint.

A total of 191 vehicular parking spaces are proposed that would be accessed from a driveway off of Castlefield Avenue. The proposal has an overall gross floor area of 18,675 square metres, of which 1,403 square metres are proposed to be dedicated to non-residential uses at grade, with the remaining 17,271 square metres of gross floor area dedicated to residential uses. An overall floor space index (FSI) of 6.21 is proposed. A total of 162 bicycle parking spaces are proposed for the development, of which 24 are proposed to be located at grade, with the remaining 138 bicycle parking spaces located within the first level of underground parking.

The proposal includes a proposed land exchange with the City, where approximately 650 square metres of Toronto Parking Authority (TPA) lands with frontage on Castlefield Avenue would be acquired by the applicant to be incorporated in the proposed development proposal in exchange for an equivalent or nearly equivalent area of land with frontage on Duplex Avenue to be conveyed to the City (see Attachment 7).

The proposed development is consistent with the Provincial Policy Statement (2014) and conforms with the Growth Plan for the Greater Golden Horseshoe (2019). The proposal is in keeping with the intent of the Toronto Official Plan, particularly as it relates to intensifying a *Mixed Use Areas* site within close proximity to higher order transit and providing a range of housing types. The proposal provides an appropriate separation to the existing neighbourhoods to the west and provides an improved public realm along both street frontages with new sidewalks and landscaping. In addition, the proposal conserves a heritage resource on site (Capitol Theatre), and provides improved views to the Orange Hall, an adjacent listed heritage building. The proposed Section 37 benefits will include improvements to Northern District Library.

This report reviews and recommends approval of the applications to amend the Official Plan and Zoning By-law.

RECOMMENDATIONS

The City Planning Division recommends that:

1. City Council amend the Official Plan, for the lands at portions of 20 Castlefield Avenue and 567 Duplex Avenue substantially in accordance with the draft Official Plan Amendment attached as Attachment No. 8 to this report.
2. City Council amend Zoning By-law 438-86 for the lands at 2490-2514 Yonge Street, 10-12 Castlefield Avenue, and portions of 20 Castlefield Avenue and 567 Duplex Avenue substantially in accordance with the draft Zoning By-law Amendment attached as Attachment No. 9b to this report.
3. City Council amend City of Toronto Zoning By-law 569-2013 for the lands at 2490-2514 Yonge Street, 10-12 Castlefield Avenue, and portions of 20 Castlefield Avenue and 567 Duplex Avenue substantially in accordance with the draft Zoning By-law Amendment attached as Attachment No. 9a to this report.
4. City Council authorizes the City Solicitor to make such stylistic and technical changes to the draft Official Plan Amendment and draft Zoning By-law Amendments as may be required.
5. Before introducing the necessary Bills to City Council for enactment, require the Owner to enter into an Agreement pursuant to Section 37 of the Planning Act as follows:
 - a. Prior to the issuance of the first building permit, cash contribution of \$1,500,000.00 of which:
 - i. \$1,000,000 will be allocated to the acquisition and/or improvement of public parks in the immediate vicinity; and

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ii. \$500,000 will be allocated to the Toronto Public Library for Northern District Branch improvements.

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

i. The Owner shall enter into a Heritage Easement Agreement with the City for the property at 2490-2506 Yonge Street in accordance with the plans and drawings dated November 1, 2019, prepared by Turner Fleischer Architects, and on file with the Senior Manager, Heritage Preservation Services, the Heritage Impact Assessment prepared by GBCA Architects, October 31, 2019, and in accordance with the Conservation Plan required to the satisfaction of the Senior Manager, Heritage Preservation Services including registration of such agreement to the satisfaction of the City Solicitor;

ii. The owner shall provide a detailed Conservation Plan, prepared by a qualified heritage consultant, that is consistent with the conservation strategy set out in the Heritage Impact Assessment prepared by GBCA Architects, October 31, 2019, to the satisfaction of the Senior Manager, Heritage Preservation Services;

iii. The owner shall provide an Interpretation Plan for the heritage property, to the satisfaction of the Senior Manager, Heritage Preservation Services, and thereafter shall implement such Plan to the satisfaction of the Senior Manager, Heritage Preservation Services;

iv. The owner shall incorporate in the construction of the building, the exterior materials as shown on 1:50 scale drawings and a heritage plaque for the Capitol Theatre as approved by the Chief Planner and Executive Director, City Planning Division, and submitted as part of the Site Plan Control process; and

v. The owner shall construct and maintain the development in accordance with Tier 1 performance measures of the TGS.

6. Before introducing the necessary Bills to City Council for enactment, the owner is required to:

a. Submit to the Chief Engineer & Executive Director of Engineering and Construction Services for review and acceptance, a revised Functional Servicing Report to determine the storm water runoff, sanitary flow and water supply demand resulting from this development and whether there is adequate capacity in the existing municipal infrastructure to accommodate the proposed development; and

b. Make satisfactory arrangements with Engineering and Construction Services and enter into the appropriate agreement with the City for the design and construction of any improvements to the municipal infrastructure at no cost to the City, should it be determined that upgrades are required to the infrastructure to support this development, according to the accepted Functional Servicing Report accepted by the Chief Engineer & Executive Director of Engineering and Construction Services.

7. City Council direct the Chief Planner and Executive Director, City Planning Division, to initiate an Official Plan Amendment application to redesignate the lands currently utilized by the Toronto Parking Authority at 20 Castlefield Avenue and 565 Duplex Avenue, save and except the lands subject to the proposed land exchange, to Parks and Open Space Areas in consultation with the General Manager, Parks, Forestry and Recreation.

FINANCIAL IMPACT

The recommendations in this report have no financial impact.

DECISION HISTORY

An application for a 21-storey mixed-use building, containing 377 residential dwelling units, was submitted to the City on June 29, 2018 and deemed to be a complete application. Staff did not submit a Preliminary Report to Community Council or hold a Community Consultation Meeting on the June 2018 submission due to the Council recess for the municipal election in 2018. Since the original application in June 2018, and following discussions with Planning staff, the applicant revised their proposal reducing the height of the proposed building to 14-storeys (containing 150 dwelling units), as well as the site area subject to the application.

A portion of the subject site consists of lands currently owned by the City and operated by the Toronto Parking Authority (TPA) for a 163 space surface parking lot. A report regarding the proposed sale of 20 Castlefield Avenue and 565 Duplex Avenue was before City Council on June 26, 2018. The staff report with Confidential Attachment was adopted by City Council.

The report can be found at:

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2018.CC43.20>

A Preliminary Report was before North York Community Council at its meeting of September 16, 2019. The report sought direction to schedule a community consultation meeting for the lands. The Staff Report can be found at:

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2019.NY8.5>

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An Alterations to Heritage Property at 2490-2506 Yonge St, Intention to Designate 2490-2506 Yonge Street under Part IV, Section 29 of the Ontario Heritage Act, and Authority to Enter into a Heritage Easement Agreement at 2490-2506 Yonge Street report dated November 18, 2019, from Heritage Preservation Services was before the Toronto Preservation Board at its meeting of December 2, 2019. The report sought to designate the properties and permit alterations. The Toronto Preservation Board recommended that City Council adopt the recommendations contained within the report. The Staff Report can be found at:

<https://www.toronto.ca/legdocs/mmis/2019/pb/bgrd/backgroundfile-140649.pdf>

PROPOSAL

This application proposes to amend the Official Plan and Zoning By-law for the properties at 2490-2514 Yonge Street, 10-12 Castlefield Avenue, and portions of 20 Castlefield Avenue and 567 Duplex Avenue to permit a 14-storey (50.4 metres - excluding mechanical penthouse) mixed use building containing 150 dwelling units and retail uses at grade along Yonge Street. Portions of the existing heritage building (Capitol Theatre) located at 2490-2506 Yonge St are proposed to be preserved. The Capitol Theatre east and south elevations, and existing canopy structure, are proposed to be incorporated into the development. The Capitol Theatre would be commemorated by replication of its volume on the ground floor with interpretive material, and the vestibule space would be rebuilt to a similar footprint.

A total of 191 vehicular parking spaces are proposed that would be accessed from a driveway off of Castlefield Avenue. The proposal has an overall gross floor area of 18,675 square metres, of which 1,403 square metres are proposed to be dedicated to non-residential uses at grade, with the remaining 17,271 square metres of gross floor area dedicated to residential uses. An overall floor space index (FSI) of 6.21 is proposed. A total of 162 bicycle parking spaces are proposed for the development, of which 24 are proposed to be located at grade, with the remaining 138 bicycle parking spaces located within the first level of underground parking.

The proposal includes a proposed land exchange with the City, where approximately 650 square metres of Toronto Parking Authority (TPA) lands with frontage on Castlefield Avenue would be acquired by the applicant to be incorporated in the proposed development proposal in exchange for an equivalent or nearly equivalent area of land with frontage on Duplex Avenue to be conveyed to the City (see Attachment 7).

The tables below identify the changes between the original submission and the latest November 2019 resubmission.

Site Statistics

	June 2018 Submission	November 2019 Re-submission
Lot Area	6,742.0 square metres	3,009.3 square metres
Residential Gross Floor Area	31,438.6 square metres	17,271.2 square metres
Non-Residential Gross Floor Area	8,872.7 square metres	1,402.7 square metres
Total Gross Floor Area	40,311.3 square metres	18,675.4 square metres
Floor Space Index	5.98	6.21
Overall Building Height	73.60 metres (21 storeys)	50.40 metres (14 storeys)

Residential Unit Breakdown

	June 2018 Submission	November 2019 Re-submission
Studio	0 (0%)	0 (0%)
1-Bedroom	66 (17.5%)	16 (11%)
1-Bedroom + Den	44 (12%)	24 (16%)
2-Bedroom	94 (25%)	19 (13%)
2-Bedroom + Den	135 (36%)	46 (31%)
3-Bedroom	32 (8.5%)	8 (5%)
3-Bedroom + Den	6 (1 %)	37 (24%)
Total Number of Units Proposed	377 (100%)	150 (100%)

Vehicular Parking Breakdown

	June 2018 Submission	November 2019 Re-submission
Residential	147	131
Non-residential	176	60
Total Parking Provided	323	191

Bicycle Parking Breakdown

	June 2018 Submission	November 2019 Re-submission
Residential Long-term spaces	340	135
Residential Short-term spaces	38	16
Total Residential Bicycle spaces	378	151
Non-Residential Long-term spaces	18	3
Non-Residential Short-term spaces	30	8
Total Non-Residential Bicycle spaces	48	11
Total Number of Bicycle Spaces	426	162

Detailed project information is found on the City's Application Information Centre at:

<https://www.toronto.ca/city-government/planning-development/application-information-centre/>

See Attachment 10 of this report for the proposed site plan, and Attachments 11(a) through 11(d) for proposed building elevations.

Site and Surrounding Area

The site is comprised of 2490-2514 Yonge Street, 10-12 Castlefield Avenue, and portions of 20 Castlefield Avenue and 567 Duplex Avenue. The site is irregular in shape, and has a lot area of approximately 3,009 square metres. The subject site is currently occupied with three-storey commercial buildings with a variety of at grade commercial uses, including the Capitol Theatre. The properties at 2490 Yonge Street and 2506 Yonge Street are listed properties on the City of Toronto Heritage Register. The portion of the site that is along Castlefield Avenue behind the Capitol Theatre is currently occupied by a surface parking lot that is operated by the Toronto Parking Authority.

Development in the vicinity of the site is as follows:

Immediately north of the site are a number of two to three-storey commercial and mixed use buildings that front onto Yonge Street. To the northwest of the site are the Orange Hall, a building on Toronto's Heritage Register, as well as St. Clement's School. The Orange Hall is a one-storey building, accessed by a private driveway from St. Clements Avenue. St. Clements School fronts onto St. Clements Avenue and Duplex Avenue, and ranges in height from 2 to 4-storeys.

The east side of Yonge Street, is comprised of commercial mixed-use buildings ranging in height from 1 to 3-storeys. Further east, the area is residential, comprised of low, mid, and high rise developments. Heights within this area range from 2-storey dwellings up to 32-storey mixed use buildings.

The area south of the site consists of residential dwellings which front onto Castlefield Avenue as well as a place of worship at 27 Castlefield Avenue. Yonge Street south of the subject site is commercial mixed use in nature, similar to the subject site. Further south along Yonge Street has seen an increased amount of high rise development occur, with heights ranging from 27 to 34 storeys.

Immediately west of the subject site is a surface parking lot operated by the Toronto Parking Authority. Further west of Duplex Avenue, the area is predominately residential, in the form of single detached dwellings and semi detached dwellings.

Reasons for Application

An amendment to the Official Plan is required to redesignate the western portion of the site that is currently owned by the City of Toronto and operated by the Toronto Parking Authority from *Neighbourhoods* to *Mixed Use Areas*.

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

APPLICATION BACKGROUND

Application Submission Requirements

The following reports/studies were submitted in support of the application:

- Arborist/Tree Preservation Report;
- Planning Rationale;
- Avenue Segment Study and Addendum;
- Public Consultation Plan;
- Community Services and Facilities Study;
- Green Development Standards Checklists;
- Sun/Shadow Study;
- Heritage Impact Assessment;
- Archaeology Report;
- Pedestrian Level Wind Study;
- Energy Strategy Report;
- Transportation Impact Study;
- Stormwater Management and Servicing Report;
- Geotechnical Study;
- Hydrogeological Review;
- Phase 2 Environmental Site Assessment; and
- Noise Impact Study and Vibration Study.

All plans and studies, excluding the Archaeology Report, are available on the City's Application Information Centre:

<https://www.toronto.ca/city-government/planning-development/application-information-centre>

The application was deemed complete June 29, 2018.

Agency Circulation Outcomes

The application together with the applicable reports noted above, have been circulated to all appropriate agencies and City Divisions. Responses received have been used to assist in evaluating the application and to formulate appropriate Official Plan amendments and Zoning By-law standards.

Statutory Public Meeting Comments

In making their decision with regard to this application, Council members have been given an opportunity to view the oral submissions made at the statutory public meeting held by the North York Community Council for this application, as these submissions are broadcast live over the internet and recorded for review.

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Community Consultation

A Community Consultation meeting was held on September 25, 2019 at the Glenview Presbyterian Church from 7:00-9:00 pm. An Open House was held prior to the consultation meeting from 6:30-7:00 pm. Approximately 50 members of the public were in attendance at the Community Consultation meeting.

The issues raised at the meeting included:

- **Building Height and Scale-** A building of 14-storeys is out of context for the area and the height of the building should not exceed 6 or 8-storeys. The building at 14-storeys would set a precedent for Yonge Street all the way up to Lawrence Avenue.
- **The Capitol Theatre-** Not satisfied with just façade retention of the Capitol Theatre.
- **Redesignation of lands to Neighbourhoods-** Concerns the precedent this proposal will have on the *Neighbourhoods* designation, in particular the impact on blocks deeper within the neighbourhood.
- **Relationship of the building to any future parkland on the TPA lot-** Concerns about the relationship between the west elevation of the proposed building and any future park located on the TPA lot including shadows and overlook from the building to any future park.
- **Parking Supply-** Concerned about loss of TPA lot and impact on street parking.
- **Midtown in Focus Implementation-** the proposal should comply with the Council approved document.
- **Pedestrian Safety-** Concerns about the number of developments happening in the area, the number of large trucks and construction vehicles that are cutting through the neighbourhood and parking on sidewalks.
- **Adequacy of Social Infrastructure-** whether enough social infrastructure exists in the area to accommodate all the new development.
- **Project Timing-** timing of the project and when construction would start.

POLICY CONSIDERATIONS

Provincial Land-Use Policies: Provincial Policy Statement and Provincial Plans

Provincial Policy Statements and geographically specific Provincial Plans, along with municipal Official Plans, provide a policy framework for planning and development in the Province. This framework is implemented through a range of land use controls such as zoning by-laws, plans of subdivision and site plans.

Provincial Policy Statement (2014)

The Provincial Policy Statement (2014) (the "PPS") 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;
- 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 provincial policy-led planning system recognizes and addresses the complex inter-relationships among environmental, economic and social factors in land use planning. The PPS supports a comprehensive, integrated and long-term approach to planning, and recognizes linkages among policy areas.

The PPS is issued under Section 3 of the *Planning Act* and all decisions of Council in respect of the exercise of any authority that affects a planning matter shall be consistent with the PPS. Comments, submissions or advice affecting a planning matter that is provided by Council shall also be consistent with the PPS.

The PPS recognizes and acknowledges the Official Plan as an important document for implementing the policies within the PPS. Policy 4.7 of the PPS states that, "The official plan is the most important vehicle for implementation of this Provincial Policy Statement. Comprehensive, integrated and long-term planning is best achieved through official plans."

Provincial Plans

Provincial Plans are intended to be read in their entirety and relevant policies are to be applied to each situation. The policies of the Plans represent minimum standards. Council may go beyond these minimum standards to address matters of local importance, unless doing so would conflict with any policies of the Plans.

All decisions of Council in respect of the exercise of any authority that affects a planning matter shall be consistent with the PPS and shall conform with Provincial Plans. All comments, submissions or advice affecting a planning matter that is provided by Council shall also be consistent with the PPS and conform with Provincial Plans.

A Place to Grow: Growth Plan for the Greater Golden Horseshoe (2019)

A Place to Grow: Growth Plan for the Greater Golden Horseshoe (2019) (the "Growth Plan (2019)") came into effect on May 16, 2019. This new plan replaces the previous Growth Plan for the Greater Golden Horseshoe, 2017. The Growth Plan (2019) continues to provide a strategic framework for managing growth and environmental protection in the Greater Golden Horseshoe region, of which the City forms an integral part. The Growth Plan, 2019 establishes policies that require implementation through a Municipal Comprehensive Review (MCR), which is a requirement pursuant to Section 26 of the Planning Act that comprehensively applies the policies and schedules of the Growth Plan (2019), including the establishment of minimum density targets for and the delineation of strategic growth areas.

Policies not expressly linked to a MCR can be applied as part of the review process for development applications, in advance of the next MCR. These policies include:

- Directing municipalities to make more efficient use of land, resources and infrastructure to reduce sprawl, contribute to environmental sustainability and provide for a more compact built form and a vibrant public realm;
- Directing municipalities to engage in an integrated approach to infrastructure planning and investment optimization as part of the land use planning process;
- Achieving complete communities with access to a diverse range of housing options, protected employment zones, public service facilities, and recreation and green space that better connect transit to where people live and work;
- Retaining viable lands designated as employment areas and ensuring redevelopment of lands outside of employment areas retain space for jobs to be accommodated on site;
- 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.

The Growth Plan (2019) builds upon the policy foundation provided by the PPS and provides more specific land use planning policies to address issues facing the GGH region. The policies of the Growth Plan (2019) take precedence over the policies of the PPS to the extent of any conflict, except where the relevant legislation provides otherwise.

In accordance with Section 3 of the *Planning Act* all decisions of Council in respect of the exercise of any authority that affects a planning matter shall conform to the Growth Plan. Comments, submissions or advice affecting a planning matter that is provided by Council shall also conform to the Growth Plan.

All decisions of Council in respect of the exercise of any authority that affects a planning matter shall be consistent with the PPS and shall conform to Provincial Plans. All comments, submissions or advice affecting a planning matter that is provided by Council shall also be consistent with the PPS and conform to Provincial Plans.

Section 5.1 of the Growth Plan states that where a municipality must decide on a planning matter before its official plan has been amended to conform with this Plan, or before other applicable planning instruments have been updated accordingly, it must still consider the impact of its decision as it relates to the policies of the Growth Plan which require comprehensive municipal implementation.

Staff has reviewed the proposed development for consistency with the PPS (2014) and for conformity with the Growth Plan (2019). The outcome of staff analysis and review are summarized in the Comments section of the Report.

Toronto Official Plan

City Planning staff have reviewed the application against the policies of the Official Plan, a number of which are noted below.

Chapter 2 - Shaping the City

Section 2.2.3 Avenues: Reurbanizing Arterial Corridors

The subject site is located on lands shown as *Avenues* on Map 2 of the Official Plan. *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.

Section 2.3.1: Healthy Neighbourhoods

This section of the Official Plan contains policies that specifically address the relationship between *Neighbourhoods* and areas with other Official Plan designations in order to ensure development is sensitive to the physically stable areas within the *Neighbourhoods* designation. Policies in this section require development in *Mixed Use Areas, Regeneration Areas and Apartment Neighbourhoods* that are adjacent or close to *Neighbourhoods* to be: compatible with those *Neighbourhoods*; provide a gradual transition of scale and density, as necessary to achieve the objective of the Official Plan through the stepping down of buildings towards and setbacks from those

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Neighbourhoods; and, maintain adequate light and privacy for residents in those *Neighbourhoods*.

Chapter 3 – Building a Successful City

Section 3 of the Official Plan contains policies that guide growth by integrating social, economic and environmental perspectives in decision making to create an attractive Toronto with a strong economy and complete communities. The policies focus on the built environment, the human environment, the natural environment, economic health and new neighbourhoods.

Section 3.1.1: The Public Realm

Section 3.1.1 of the Official Plan includes policies on the public realm. The policies encourage development that improves the public realm (streets, sidewalks and open spaces) for pedestrians. This section speaks to the importance of views from the public realm to prominent, buildings, structures, landscapes and natural features. Parks and open spaces will be located and designed to connect and extend, wherever possible, to existing parks, natural areas and other open spaces.

New development lots within city blocks will be designed to have an appropriate size and configuration for the proposed land use, scale of development and intended form of buildings and open space, and will promote street-oriented development with buildings fronting onto street and park edges.

Section 3.1.2: Built Form

Section 3.1.2 of the Official Plan speaks to built form. The policies stress that infill and redevelopment sites will need to "fit in", respecting and improving the character of the surrounding area. Developments must be conceived not only in terms of the individual building site and program, but also in terms of how that site, building and its facades fit within the existing and/or planned context of the neighbourhood and the City.

Section 3.1.2 policies provide guidance pertaining to the massing of new buildings to frame adjacent streets in a way that respects the existing and/or planned street proportion, incorporating exterior design elements, form, scale, proportion, pattern and materials, and sustainable design. This is done in order to influence the character, scale and appearance of the development, creating appropriate transitions in scale to neighbouring existing and/or planned buildings for the purpose of achieving the objectives of the Official Plan.

Further, Section 3.1.2 requires new development to be massed to define the edges of streets at good proportion and provide amenity for adjacent streets to make these areas attractive, interesting, comfortable and functional for pedestrians. This can be achieved by, amongst other things, the provision of adequate amenity and landscaped open space, coordinated landscape improvements in setbacks to create attractive transitions from the private to public realms and landscaped open space within the development

itself. The intention is to enable new developments to "fit" within its existing context, while also improving the character of the surrounding area.

Section 3.1.5 - Heritage Conservation

Section 3.1.5 of the Official Plan provides policy direction on the conservation of heritage properties in the City's Heritage Register and on development adjacent to heritage properties. Policy 5 states that proposed alterations or development on or adjacent to a property on the Heritage Register will ensure that the integrity of the heritage property's cultural heritage value and attributes will be retained. Policy 26 requires new construction on, or adjacent to a property on the Heritage Register be designed to conserve the cultural heritage values, attributes and character of the property and to mitigate the visual and physical impact on it, including considerations such as scale, massing, materials, height, building orientation and location relative to the heritage property. Policy 27 encourages the conservation of buildings and structures on the Heritage Register.

Chapter 4 - Land Use Designations

The subject site has a split designation, with the portion of the site fronting onto Yonge Street being designated *Mixed Use Areas*, and portions of 20 Castlefield Avenue and 567 Duplex Avenue designated *Neighbourhoods* on Map 17- Land Use Plan.

Section 4.1 - Neighbourhoods

Neighbourhoods are considered physically stable areas made of lower scale residential uses. *Neighbourhoods* are made up of residential uses in lower scale buildings such as detached houses, semi-detached houses, duplexes, triplexes and townhouses, as well as interspersed walk-up apartments that are no higher than four storeys.

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, blocks 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. Special infill criteria guide the integration of new development on those properties within *Neighbourhoods* which differ from the prevailing patterns in terms of lot size, configuration and orientation.

Section 4.5: Mixed Use Areas

Section 4.5.1 of the Official Plan states that *Mixed Use Areas* are intended to provide a broad range of commercial, residential and institutional uses in single-use or mixed-use buildings.

Per Section 4.5.2(b) of the Official Plan states that development within *Mixed Use Areas* should provide for new jobs and homes on underutilized lands, while locating and

massing new buildings to provide a transition between areas of different development intensity and scale. Furthermore, Section 4.5.2(e) states that development in *Mixed Use Areas* should be located and massed to frame the edges of streets and parks with good proportion and maintain sunlight and comfortable wind conditions for pedestrians on adjacent streets, parks and open spaces.

Sections 4.5.2(f) and (g) state that development in *Mixed Use Areas* should also provide attractive, comfortable and safe pedestrian environments; have access to schools, parks and community centres as well as libraries and childcare.

Sections 4.5.2 (h), (i), (j) and (k) state that development in *Mixed Use Areas* should also take advantage of nearby transit services; provide good site access and circulation as well as an adequate supply of both visitor and resident parking. In addition, service areas should be located to minimize impacts on adjacent streets, and any new multi-unit residential development should provide indoor and outdoor amenity space for residents.

Chapter 5 – Implementation

Section 5.2.1 - Secondary Plans

The site is within the Yonge-Eglinton Secondary Plan area. In June 2015, City Council directed staff to undertake a further review of the Yonge-Eglinton Secondary Plan as part of the Midtown in Focus: Growth Built Form and Infrastructure Review. City Council adopted the update to the Yonge-Eglinton Secondary Plan through Official Plan Amendment 405 (OPA 405) with amendments on July 23, 2018. It was subsequently submitted to the Ministry of Municipal Affairs and Housing for review and approval.

On June 5, 2019, the Minister of Municipal Affairs and Housing issued his decision on OPA 405 with modifications. OPA 405 is now in force, however, the Province introduced a transition policy in the Secondary Plan. This policy states that the Secondary Plan does not apply to complete applications submitted prior to the Plan's approval that are not withdrawn. This application was deemed complete prior to the approval of the Secondary Plan. Nonetheless, the Secondary Plan is informative to the review of this application as it establishes the planned context for the area.

The City of Toronto Official Plan can be found here: <https://www.toronto.ca/city-government/planning-development/official-plan-guidelines/official-plan/>.

Yonge-Eglinton Secondary Plan as amended by OPA 289

The Yonge-Eglinton Secondary Plan provides a locally focussed policy framework for guiding growth and change in the Secondary Plan area. 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 families and other households.

The Yonge-Eglinton Secondary Plan also identifies that in order 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 new buildings within the Yonge-Eglinton Secondary Plan area form a positive visual relationship to the street, it is an objective of the Secondary Plan to:

- maintain the existing scale of developments within stable *Neighbourhoods* and protect such areas from overshadowing from buildings located in abutting *Mixed Use Areas* and *Apartment Neighbourhoods*;
- secure a transition in height and scale from developments in *Mixed Use Areas* and *Apartment Neighbourhoods* to *Neighbourhoods* and, in particular, to those sites which abut a *Neighbourhood*;
- require that development on those portions of land which project into adjacent *Neighbourhoods* will be designed in a manner so as to be of a height and scale consistent with the abutting residential uses; and
- ensure that development of the greatest height, density and scale are situated within *Mixed Use Area A*, and that developments of a lesser scale that are contextually appropriate and compatible with adjacent areas will occur in *Mixed Use Areas B, C and D*.

The subject site is not located within *Mixed Use Areas A through D* (Attachment 4).

The Yonge-Eglinton Secondary Plan also indicates those lands which are subject to the Yonge-Eglinton Centre and which satisfy the Urban Growth Centre requirements of the Province's Growth Plan (Attachment 4). The Secondary Plan provides direction respecting heights, densities and scale of development in different areas of the Yonge-Eglinton Centre, with the highest heights, densities and scale of development planned at the four quadrants of the intersection of Yonge Street and Eglinton Avenue. The subject site is not located within the Yonge-Eglinton Centre.

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.

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. The link to the report can be found at:

<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 multipurpose 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. The policies relate to streetscape upgrades on Yonge Street and how they combine with other Yonge Street Squares.

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. It would benefit from a mid-block connection from Yonge Street to the Orange Hall.

Policy 2.27 addresses the need for parks and open space and to improve the quantity, quality, form and distribution of parks and publicly-accessible open spaces within the Yonge-Eglinton Secondary Plan area.

Official Plan Amendment 405 (Midtown in Focus)

Midtown in Focus was an inter-divisional response to the rapid intensification and change underway in parts of the Yonge-Eglinton area. Building on the 2014 Midtown in Focus: Parks, Open Space and Streetscape Plan, City Council adopted Official Plan Amendment 405 and a series of infrastructure strategies and plans in July 2018. OPA 405 included a new Secondary Plan for the area.

Adopted OPA 405 was submitted to the Province for approval in August 2018. It was approved with modifications by the Minister of Municipal Affairs and housing on June 5, 2019. The approved Secondary Plan sets out a long-term vision for Midtown that emphasizes the importance of complete communities and the diversity of Midtown's character areas. It envisions Midtown as a green, resilient, connected and prosperous place, and where growth is directed near transit. The approved Secondary Plan provides guidance on the appropriate scale and location of future growth and links growth with the provision of infrastructure.

The policy directions in the approved Secondary Plan that are informative to the review of this application include policies related to: land use, character areas, built form, public realm, and retail streets.

Land Use and Character Area:

As part of OPA 405, the property at 10 and 12 Castlefield Avenue were redesignated from Neighbourhoods to Mixed Use Areas on Map 17 of the Official Plan. Mixed Use Areas are commercial main streets characterized by continuous at-grade narrow-frontage retail, service and institutional uses with office, other commercial and residential uses above.

The lands are located in the Yonge Street North Character Area, a Midtown Village, as noted on Map 21-2 of OPA 405. The Midtown Villages are historic main streets that will continue to be vital retail and service destinations for residents, workers and visitors. These areas will accommodate a mix of uses in well-proportioned buildings that appropriately conserve heritage resources. Buildings will reinforce the local character of these main streets by providing narrow retail frontages, frequent entrances and active uses at grade. The Yonge Street North Character area is distinguished by widened sidewalks and a series of public squares.

Built Form:

Policy 5.3.18 of OPA 405 states that midtown mid-rise buildings are buildings with a range of permitted building heights of generally between five to twelve storeys depending on the Character Area and in consideration of public realm objectives, the

space between buildings and street proportion, sunlight conditions on the public realm, transition to low-rise areas, and fit with the desired character for the respective Character Area. The anticipated height range for the Yonge Street North Character Area is 8 to 15 storeys.

Policy 5.3.20 also speaks to step backs along all street frontages to be compatible with existing character and to achieve a continuous and consistent street wall or rhythm of buildings and open spaces along the street edge, provide good proportion between buildings and provide for adequate sunlight on sidewalks. Mid-rise buildings will generally provide step backs above the seventh storey in the Yonge Street North Character Area.

Per Policy 5.3.26, mid-rise buildings will provide for a stepping down of heights to the rear setback line for properties that abut lands designated *Neighbourhoods*, inclusive of any existing public laneways.

Retail Streets and Public Realm:

Map 21-5 of OPA 405 identifies this portion of Yonge Street as a priority retail street. Per Policy 2.6.1, development on priority retail streets will include, amongst other things: a continuous frontage of at-grade, pedestrian-oriented retail and service uses; design for retail stores and service uses with frequent entrances and architectural detailing; provide prominent entrances with direct access from public sidewalks; and provide a high degree of visibility to allow for a two-way visual exchange.

The public realm in Midtown supports a vibrant mixed-use community with a green landscaped character. Primary public realm objectives of this Plan are to maintain and enhance the green, landscaped character of the area, improve and expand the network of parks, open spaces and create a high-quality public realm and streetscapes to ensure the continued vitality and quality of life in the area. The public realm comprises public and private spaces to which the public has physical and visual access, including streets, parks, open spaces, laneways, walkways, publicly-accessible pedestrian connections and adjacent setbacks.

Heritage Preservation

Per Policy 5.2, development will conserve attributes of properties designated under the Ontario Heritage Act.

Zoning

The Subject Site is zoned MCR T3.0, C2.0, R2.5 and R1S Z0.6 in the Former City of Toronto Zoning Bylaw 438-86 (Attachment 5). The MCR zoning category permits a wide range of residential, retail and commercial uses. A maximum overall density of 3 times the lot area is permitted, with a maximum building height of 16.0 metres. The western portion of the site is zoned Residential (R1S) and permits a range of residential uses in

a variety of forms. The maximum density permitted is 0.6 times the lot area with a maximum permitted height of 9.0 metres.

The Subject Site is zoned CR 3.0 (c2.0; r2.5) SS2 (x2227), CR 3.0 (c2.0; r2.5) SS2 (x2432) and the western portion of the site is zoned R (f7.5; u2; d0.6) (x949) in the City of Toronto Zoning By-law 569-2013 (Attachment 6). The portion designated *Mixed Use Areas* is zoned C2.0 and R2.5, indicating a permitted Floor Space Index of 2 times the site area for commercial and 2.5x the site for residential uses (to a total maximum of 3 times the site area for all these uses combined).

The City's Zoning By-law 569-2013 may be found here:

<https://www.toronto.ca/city-government/planning-development/zoning-by-law-preliminary-zoning-reviews/zoning-by-law-569-2013-2/>

Design Guidelines

The following design guideline(s) will be used in the evaluation of this application:

- Mid-Rise Guidelines and Mid-Rise Building Performance Standards Addendum
- Draft Growing Up: Planning for Children in New Vertical Communities
- Bird-Friendly Guidelines

The City's Design Guidelines may be found here: <https://www.toronto.ca/city-government/planning-development/official-plan-guidelines/design-guidelines/>

Draft Growing Up: Planning for Children in New Vertical Communities

In July 2017, Toronto City Council adopted the Draft Growing Up: Planning for Children in New Vertical Communities Urban Design Guidelines. City Planning staff were directed to apply the "Growing Up Guidelines" in the evaluation of new and under review multi-unit residential development proposals. The objective of the Growing Up Guidelines is for developments to increase liveability for larger households, including families with children, at the neighbourhood, building and unit scale.

The draft Growing Up Guidelines are available at:

www.toronto.ca/city-government/planning-development/planning-studies-initiatives/growing-up-planning-for-children-in-new-vertical-communities

Avenues and Mid-rise Buildings Study and Performance Standards

City Council adopted the Avenues and Mid-rise Buildings Study and an addendum containing performance standards for mid-rise buildings. They identify a list of best practices and establish a set of performance standards for new mid-rise buildings. Key issues addressed include maximum allowable building heights, setbacks and step

backs, sunlight and skyview, pedestrian realm conditions, transition to Neighbourhoods and Parks and Open Space Areas and corner sites. The link to the guidelines can be found at:

[https://www.toronto.ca/city-government/planning-development/official-plan-guidelines/design-guidelines/mid-rise-buildings/.](https://www.toronto.ca/city-government/planning-development/official-plan-guidelines/design-guidelines/mid-rise-buildings/)

City Council also adopted a revised Mid-Rise Building Performance Standards Addendum, for staff to use together with the 2010 approved Mid-Rise Building Performance Standards in the preparation of area studies or during the evaluation of development applications, where mid-rise buildings are proposed and Performance Standards are applicable, until such time as City Council adopts updated Mid-Rise Building Design Guidelines. The link to the Addendum can be found at:

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2016.PG12.7> and <http://www.toronto.ca/legdocs/mmis/2016/pg/bgrd/backgroundfile-92537.pdf>.

Site Plan Control

The subject site and the development proposal are subject to Site Plan Control. A Site Plan Control application has not been submitted to date.

COMMENTS

Provincial Policy Statement and Provincial Plans

The Provincial Policy Statement, 2014 (PPS) provides for a coordinated and integrated approach to planning matters within municipalities. Speaking to sustaining the health, livability, and safety of communities, Policy 1.1.1 states that land use should accommodate an appropriate range and mix of uses to meet long-term needs, avoid development which may cause environmental or public health and safety concerns, and that promote development that conserves biodiversity and considers the impacts of a changing climate. The applicant's proposal is consistent with the PPS in that it promotes efficient development and land use patterns by providing for a mix of uses on the site that includes retail and residential uses.

Policy 1.1.3.3 requires planning authorities to identify appropriate locations and promote opportunities for intensification and redevelopment where this can be accommodated taking into account existing building stock or areas, and the availability of suitable existing and planned infrastructure and public service facilities to meet projected needs, and shall be directed in accordance with the policies dealing with Resource Management (Section 2) and Public Health and Safety (Section 3). These locations and areas are to be identified in the official plan and zoning by-laws in accordance with policies 4.7 and 4.8 of the PPS. The applicant proposes intensification on lands designated *Mixed Use Areas* in the Official Plan within the Yonge-Eglinton Secondary

Plan boundaries and in close proximity to higher order transit. In addition, the proposed building heights and massing are consistent with the existing and planned built form of the area and can be accommodated on the site with minimal impacts upon the surrounding lands.

Policy 2.6.1 of the PPS directs that “Significant built heritage resources and significant cultural heritage landscapes shall be conserved.” Properties included on the City’s Heritage Register are considered to be significant in this context. “Conserved” is defined in the PPS as “the identification, protection, use and/or management of built heritage resources in a manner that ensures their cultural heritage value or interest is retained under the *Ontario Heritage Act*.” Portions of the existing heritage building (Capitol Theatre) located at 2490-2506 Yonge St including the Capitol Theatre façade, and existing canopy structure, are proposed to be incorporated into the development proposal. The Capitol Theatre would be commemorated by replication of its volume on the ground floor, and the vestibule space would be rebuilt to a similar footprint. The proposed conservation of the heritage resource is consistent with the PPS.

The PPS and the Growth Plan encourage intensification and redevelopment in urban areas and direct planning authorities to identify 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 City through its Official Plan has identified that *Avenues* are 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 residents. The subject site is located along Yonge Street, an *Avenue*, where growth is anticipated and directed. The proposed mixed use building on the subject site is appropriate and is consistent with the policies of the PPS.

A Place to Grow: Growth Plan for the Greater Golden Horseshoe (2019)

The guiding principles of the Growth Plan, Policy 1.2.1 supports the achievement of complete communities that are designed to support healthy and active living and meet people's daily needs throughout an entire lifetime. The policies encourage a range and mix of housing options to serve all sizes, incomes, and ages of households.

Policy 2.2.1.4 of the Growth Plan identifies that the policies of the Growth Plan are to be applied to support the achievement of complete communities that feature a diverse mix of land uses, including residential and employment uses, and convenient access to local stores, services, and public service facilities; provide a diverse range and mix of housing options to accommodate people at all stages of life; and ensure the development of high quality compact built form, an attractive and vibrant public realm, including public open spaces, through site design and urban design standards. Compact built forms within complete communities can be achieved at different densities, heights, and building typologies that take the planned local context into account. The proposed mixed use development, with retail uses at grade and a mix of

dwelling sizes contributes to creating a complete community in this area in a compact built form compatible with the surrounding area.

The Growth Plan indicates that complete communities provide a diverse range and mix of housing options to accommodate households of all sizes and incomes. Policy 2.2.6.3 identifies that to support the achievement of complete communities, municipalities will consider the use of available tools to require that multi-unit residential developments incorporate a mix of unit sizes to accommodate a diverse range of household sizes and incomes. The proposed development will provide an additional mid-rise housing form in this neighbourhood, and will include a range of dwelling types and sizes which conforms with the Growth Plan policies.

Policy 2.2.1.4 (d) of the Growth Plan indicates that complete communities will expand convenient access to a range of transportation options, including options for the safe, comfortable and convenient use of active transportation. The proposed development provides convenient access to a range of transportation options, including transit and cycling infrastructure. The design of the project will also promote a vibrant public realm along both the Yonge Street and the Castlefield Avenue frontages.

The development supports the Growth Plan's directive to achieve complete communities by contributing to a mix of housing, and providing a pedestrian-friendly environment in an area with convenient access to local stores and businesses, public service facilities, and existing public transportation. The proposal conforms to the Growth Plan policies.

Land Use

The portion of the site fronting onto Yonge Street is designated *Mixed Use Areas* and the western portion of the site owned by the City and operated by the TPA is designated *Neighbourhoods* under the Official Plan. OPA 405 amended the 10 and 12 Castlefield Avenue portion of the property from *Neighbourhoods* to *Mixed Use Areas*.

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 proposal seeks the redesignation of the western portion of the site from *Neighbourhoods* to *Mixed Use Areas* in order to accommodate the proposed development of the site. The inclusion of the lands that are designated *Neighbourhoods*, and the proposed redesignation to *Mixed Use Areas*, is appropriate in this instance, as it will not destabilize the existing residential character west of Duplex Avenue. The block bound by Yonge Street, Duplex Avenue, Castlefield Avenue, and St. Clements Avenue primarily contains non-residential uses, with no low-density

dwellings in the form of singles or semis, which is common on adjacent blocks in the immediate area.

The lands subject to the redesignation are currently owned by the City of Toronto and operated by the Toronto Parking Authority (TPA) and would be exchanged with the City for lands of similar size adjacent to St. Clement's school. In addition, the base of the building is setback 3 metres from the proposed western property limit which allows for a landscape buffer and a pedestrian connection through the site, as well as a building setback from the property line.

Staff also recommend, through this report, that the remaining TPA lands be considered for redesignation to *Parks and Open Space Areas* in order to allow those lands to be utilized as a public park in the future.

Site Organization and Building Location

Built form Policy 3.1.2 requires new development to be located and organized to fit with its existing and/or planned context. Development should frame and support adjacent streets, parks and open spaces to improve the safety, pedestrian interest and causal views to these spaces. Main building entrances are to be located so they are clearly visible and directly accessible from the public sidewalk. Vehicle parking and vehicular access should be located to minimize their impact on the property and surrounding properties. All multi-unit residential developments will provide indoor and outdoor amenity space for residents of the new building.

Policy 2.16 of OPA 289 requires improvements to the public realm on public and private lands to enhance streetscapes, provide wider sidewalks and mid block connections. Policy 6.5 relates to Yonge Street and its Squares. Specifically it requires along Yonge Street the enhancement of the pedestrian environment and a series of distinctively landscaped, publicly-accessible squares. Map 21-5 requires a north south mid-block connection through the site.

The proposed development would be parallel to all adjacent street frontages, giving prominence to the corner of Yonge Street and Castlefield Avenue by means of preserving the existing façade of the Capitol Theatre. All building entrances are proposed to be clearly visible and accessible to the public streets with entrances providing animation and overlook to the streets. The at-grade units proposed along the western property line are setback 3.0 metres from the west property line, and a pedestrian walkway between the property and the City of Toronto property operated by the TPA will be provided. In addition, a pedestrian colonnade is proposed off Yonge Street, which provides pedestrian connections through the site, while at the same time providing a view corridor to the Orange Hall, a listed heritage building.

All vehicle parking would be provided underground accessed from a driveway from Castlefield Avenue. All loading and garbage storage would be internalized within the building.

Staff are satisfied with the siting and organization of the building. Additional details regarding materials and treatments will be secured as part of the Site Plan Control Application.

Height, Massing and Density

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.

Official Plan Section 2.3.1 - Healthy Neighbourhoods provides policy direction on development in *Mixed Use Areas* that are adjacent or close to *Neighbourhoods*. Policy 2.2.1.2 (b) states that development will provide a gradual transition of scale and density, as necessary to achieve the objectives of the Plan through the stepping down of buildings towards and setbacks from those neighbourhoods. The performance standards of the Mid Rise Guidelines provide guidance pertaining to building size, shape and quality that are intended to implement this section of the Official Plan.

The site is located on an *Avenue* outside of the Centre, and is an appropriate location for a building with a mid-rise typology. The Mid-Rise Building Performance Standards give guidance with regards to building height, massing and transition on *Mixed Use Areas* sites 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 planned right-of-way for this portion of Yonge Street is 33 metres. When applying the 1:1 ratio as prescribed by the Mid-Rise Building Performance Standards, the resulting building would have a maximum height of 33 metres (or 11-storeys). The existing Capitol Theatre has an existing overall height of 12 metres which will be repurposed into the first two storeys of the development including ground floor commercial uses. The twelve additional residential storeys above the Capitol Theatre will have average floor-to-ceiling heights of 3.25 metres, resulting in the proposed overall building height of height of 50.4 metres (or 14-storeys).

The Mid-rise Guidelines also recommend that buildings meet a 45-degree angular plane along the front façade, measured at a height of 80% of the right of way width in order to ensure a building envelope that allows for 5 hours of sunlight on the opposite sidewalk as well as ensuring the street wall is in proportion to the planned right of way width of the street. The proposal complies with the 45-degree angular plane from Yonge Street, with the entire building contained within the angular plane including the 13th and 14th storeys.

The tallest elements of the building are proposed at the Yonge Street and Castlefield Avenue intersection, transitioning down as one moves north along the site. The building has been terraced back from Yonge Street to comply with the 45 degree angular plane requirements. The tallest elements of the building between the twelfth through fourteenth storeys, have been set back over 15 metres from Yonge Street and 10 metres from Castlefield Avenue. In addition to the significant setback, these storeys have been sculpted with small floor plates of 597 square metres, 510 square metres, and 397 square metres for levels 12, 13 and 14 respectively. The portions of the building closest to St. Clement's School would be 9-storeys in height, with stepping back above the sixth, seventh, and eighth storeys. The additional terracing down as one moves north along the site, meets angular plane requirements from Yonge Street, while also providing an appropriate transition along the block. The sculpting and setback of the taller elements of the building minimize the impact of the proposed building on adjacent areas, and will ensure that the building massing is not overwhelming on Yonge Street.

As previously noted, the tallest elements of the proposal are located along the western portions of the site, adjacent to the remaining City of Toronto owned property operated by the Toronto Parking Authority and the rear angular plane of 45-degrees has not been applied in this instance. The proposed building will be located approximately 100 metres from the first residential property west of Duplex Avenue. Due to the distance from the rear of the proposal to the residential properties to the west, there will not be issues with regards to privacy or overlook.

Staff have reviewed the applicant's shadow studies, and the proposal in its current form will not shadow the TPA lands or potential future park after 12:18 am during the spring and fall equinoxes. Angular planes are used to ensure minimal shadow, privacy and overlook impacts onto adjacent Neighbourhoods. In this instance, application of an angular plan is not necessary as the shadow impacts on any future park will be limited, and any overlook onto a future park will be a desirable attribute for safety reasons. The shadows are similar upon St. Clement's School during the same periods. In order to mitigate the impact of the building mass along the west elevation, staff recommend that balconies be partially inset in order to provide a stepback of the building to the western property line above the second floor.

The proposed building at 14-storeys (50.4 metres excluding mechanical penthouse) with the proposed built form typology is appropriate for the site. The recent Minister approved OPA 405, identifies a height range of 8-15-storeys for the block between Castlefield Avenue and St. Clements Avenue. In addition, OPA 405 policy 5.3.36 does not require an angular plane when a proposal abuts lands designated Neighbourhoods.

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, that have a fine grain, main street fabric. With the incorporation of the Capitol Theatre façade as part of the base building design, the application has been able to meet the performance standards as it relates to streetwall height along Yonge Street. The applicant proposes fine grade retail uses at grade, with widths ranging from 5.2

metres to 11 metres, reflective the existing rhythm of entrances and multiple retail units that currently exists along Yonge Street. In addition, the ground floor is proposed to have floor-to-ceiling heights of approximately 7.5 metres, but will maintain the existing floor-to-ceiling heights and cornice lines that are established by the Capitol Theatre façade when viewed from Yonge Street. The proposed incorporation of the façade and the treatment at grade is acceptable to staff.

The applicant's revised proposal has a resulting density of 6.21 times the area of the lot. Staff are of the opinion that this density is acceptable for this site given the surrounding context.

Sun, Shadow, Wind

Section 4.2.2(b) and (c) of the Official Plan require that new development in *Mixed Use Areas* be located and massed so as to adequately limit shadows on properties in lower-scale Neighbourhoods particularly during the spring and fall equinoxes; and that new buildings be located and massed to frame the edges of streets and parks to maintain sunlight and comfortable wind conditions for pedestrians on adjacent streets, parks and open spaces.

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 and 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 applicant's shadow studies illustrate that they are able to comply with this requirement during the spring, summer, and fall equinoxes.

The proposal casts limited shadow on the adjacent *Neighbourhoods* designation upon the City of Toronto property operated by the TPA and St. Clements School, to the west and north of the site, between 9:18 a.m. to 12:18 p.m. on the March 21st and September 21st equinoxes. The mid-rise typology and stepping down of heights as you go north on this site mitigates the shadow impacts on the adjacent *Neighbourhoods* designation. Staff are satisfied with the proposal given that it has minimal shadow impacts onto the Yonge Street public realm and onto the adjacent *Neighbourhoods* to the west. There are no shadow impacts on the stable residential neighbourhood to the west of Duplex Avenue.

The applicant has submitted a Qualitative Pedestrian Level Wind Assessment by Gradient Wind Engineering Inc., dated June 3, 2019. The consultant assessed wind conditions for the noted site, which included considering existing and approved future surrounding buildings. The assessment found that wind comfort at all grade-level pedestrian sensitive locations across the study area are expected to be suitable for their anticipated uses without mitigations. These areas include nearby sidewalks, walkways, patios, transit stops, parking lots, playgrounds, and building access points.

The assessment also found that the wind conditions over the amenity terrace located at the 10th floor are expected to be windy if left unmitigated. In order to achieve conditions that are suitable for sitting the consultant has recommended that tall perimeter guards or targeted wind barriers be installed. Once the mitigation measures have been installed, the conditions will be suitable for sitting on the outdoor amenity space terrace.

For the areas beyond the site, the consultant finds that there is no significant influence to pedestrian wind comfort at neighbouring areas such as nearby entrances, sidewalks, laneways, St. Clement's School playground, or other pedestrian sensitive areas beyond the site. The conditions for those areas will continue to be the same as those that currently exist.

A detailed Pedestrian Level Wind Study will be required as part of the Site Plan Control application. That study will require a wind tunnel analysis with additional sensor areas, within and beyond the site to provide a fulsome review of potential wind conditions as well as necessary mitigation measures that will be implemented through detailed design.

Amenity Space

The proposed development would provide 258 square metres of outdoor amenity space and 343 square metres of indoor amenity space. The amount of indoor amenity space proposed conforms to the standards in the City of Toronto Zoning By-law 569-2013. The outdoor amenity space is proposed to be located on the 10th floor, directly adjacent to an 83 metre indoor amenity space area. Additional indoor amenity space is proposed to be located on the second and ninth floors. Staff have reviewed the amount and locations of amenity space proposed, and are satisfied. Staff will secure the locations of the amenity space on drawings which will form part of the Site Plan Control application.

Site Servicing

The applicant submitted a Functional Servicing & Stormwater Management Report, dated July 10, 2019. Engineering and Construction Services has required that revisions be made to the study to determine that the storm water runoff, sanitary flow and water supply demand resulting from this development is adequate, and whether there is adequate capacity in the existing municipal infrastructure to accommodate the proposed development. In addition, the applicant is required to make satisfactory arrangements with Engineering and Construction Services and enter into the appropriate agreement with the City for the design and construction of any improvements to the municipal infrastructure, should it be determined that upgrades are required to the infrastructure to support this development, according to the accepted Functional Servicing Report accepted by the Chief Engineer & Executive Director of Engineering and Construction Services. Staff recommend that Zoning Bills be held until such time as the Chief Engineer & Executive Director of Engineering and Construction Services has reviewed and accepted the Functional Servicing and Stormwater Management Report and that the applicant has entered into the necessary agreements.

The applicant proposes that site access would to be provided via an all-moves driveway connection onto Castlefield Avenue at the west end of the site. The driveway connection will provide north-south laneway access to the site's proposed loading facilities and a ramp to the underground parking garage. The proposed residential component of the development will be provided with standard municipal garbage pick-up. The retail component of the development will be required to provide garbage private pick-up in accordance with the Municipal Code. Engineering and Construction Services has accepted the proposed garbage servicing.

Traffic Impact and Access

The applicant submitted a Traffic Impact Study (TIS) as part of this application. The applicant's TIS estimated that the subject property will generate approximately 27 and 50 two-way trips during the weekday a.m. and p.m. peak hours, respectively. The consultant concludes that the traffic generated by the proposed development can be accommodated by the adjacent street system without the need for intersection improvements. Transportation Services accepts the findings of the applicant's TIS. The subject site is well served by higher order transit with Eglinton Subway Station and the future Eglinton LRT station located approximately 585 metres to the south.

The proposed site access is to be provided via an all-moves driveway connection onto Castlefield Avenue at the west end of the site. The driveway connection will provide north-south laneway access to the site's proposed loading facilities and a ramp to the underground parking garage. Engineering and Construction Services has identified that the dimensions of the proposed access onto Castlefield Avenue does not comply with Engineering and Construction Services standards, and will require that the applicant revise the access width to a maximum of 8 metres. This requirement along with other details will be reviewed as part of a Site Plan Control application.

Parking

Staff require that parking for this project be provided in accordance with Zoning By-law No. 569-2013, as outlined in Policy Area 3. A summary of the parking requirements for this project are provided in the following table.

	Minimum Parking Rate	Maximum Parking Rate	Minimum No. of Parking Spaces Required	Maximum No. of Parking Spaces Required
1 bedroom unit	0.7 space/unit	1.0 space/unit	28	40
2 bedroom unit	0.9 space/unit	1.3 space/unit	59	85
3+ bedroom unit	1.0 space/unit	1.5 space/unit	45	68
Visitor parking	0.1 space/unit	N/A	15	N/A

	Minimum Parking Rate	Maximum Parking Rate	Minimum No. of Parking Spaces Required	Maximum No. of Parking Spaces Required
Retail use parking	1.0 space/100m ²	4.0 space/100 m ²	14	56

The applicant is proposing to provide a total of 191 parking spaces, including 131 residential spaces and 60 shared spaces for visitors and commercial/retail use, which satisfies the minimum bylaw requirement.

Zoning By-Law No. 579-2017 requires a minimum of five accessible parking spaces for the first 100 required parking spaces, plus one space per additional 50 spaces above 100 spaces. Based on the above, five accessible parking spaces are required. The applicant satisfies the requirement, and is proposing to provide 8 accessible parking spaces.

The applicant is proposing to provide a total of 162 bicycle parking spaces, of which, 151 will be for residential use, with an additional 11 secured for non-residential use. The number of bicycle parking spaces complies with the minimum requirement and is satisfactory to staff. The bicycle parking spaces are located at grade and within the first level of the underground parking garage. Staff will secure the location of the spaces on approved drawings as part of the Site Plan Control application.

Loading

Under Zoning By-law 569-2013, the subject site requires one Type G loading space and one Type B loading space. According to the By-law, the residential component of the site requires a Type G space, while the retail component requires the balance of one Type B space. Under the By-law, sharing of loading spaces in mixed-use buildings is permitted, which in this case, one Type G space that is proposed will satisfy the loading space requirement.

The loading configuration will be reviewed in further detail as part of the Site Plan Control application.

Streetscape

In order to satisfy the Official Plan requirement of a 33 metre right-of-way for this segment of Yonge Street a land conveyance of 3.44 metres would be required along Yonge Street. However, due to the location of the existing Capitol Theatre which is proposed to be retained, Engineering and Construction Services have identified that

the road widening will not be required as part of this application in order to maintain the heritage resource on the site.

The Official Plan Public Realm policies in Section 3.1.1(6) require that sidewalks and boulevards be designed to provide safe, attractive and comfortable spaces for pedestrians.

The Capitol Theatre is proposed to be incorporated within the new development, and as such, the building location will remain in place, which results in a 4.87 metre clear width of sidewalk along the Yonge Street frontage, increasing to 6.5 metres where there is no heritage resource on site. The Castlefield Avenue streetscape is proposed to have a 5.77 to 5.99 metre clear width from building face to sidewalk curb. All new sidewalks will be required to have a minimum width of 2.1 metres. New street trees will be planted along both street frontages. The proposed streetscape improves pedestrian accessibility, safety and comfort in the area adjacent to the proposed development. Details regarding tree planting location will be secured as part of the Site Plan Control application.

Open Space/Parkland

Parks are essential to making Toronto an attractive place to live, work, and visit. They offer a broad range of outdoor leisure and recreation opportunities, transportation routes, and places for residents to interact with nature and with each other. Public parks and open spaces perform a variety of critical functions that improve and maintain our city's health including helping mitigate the effects of climate change. In the context of a rapidly growing city, it is imperative to enhance and expand the amount of public parkland provided to residents and visitors alike.

The site is located within the boundaries of the Yonge Eglinton Secondary Plan. This area has been identified as an area of rapid population growth, thus increasing the demand and use on the existing public open space. As part of the Secondary Plan, parkland has been identified as a priority to be achieved within the area.

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 hectare 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 residential component of this proposal is subject to a cap of 10% parkland dedication while the non-residential component is subject to a 2% parkland dedication. In accordance with Chapter 415, Article III of the Toronto Municipal Code, the applicant is required to satisfy the parkland dedication requirement through cash-in-lieu.

The property is located immediately east of a city-owned Toronto Parking Authority (TPA) operated lot at 20 Castlefield Avenue and 565 Duplex Avenue. Staff recommend that the city consider redesignating the Toronto Parking Authority lot immediately to the west of the site, save and except for that portion of the site subject to the land exchange, *Parks and Open Space Areas* to establish the future use of these lands. If directed by City Council, staff will undertake the City-Initiated Official Plan Amendment in Spring 2020 and report back to Community Council on the matter later in 2020.

Heritage Impact & Conservation Strategy

The *Planning Act* and the associated Provincial Policy Statement guide development in the Province. The *Act* states that municipalities must have regard for matters of provincial interest. Section 2(d) specifically refers to “the conservation of features of significant architectural, cultural, historical, archaeological or scientific interest.”

Policy 2.6.1 of the PPS directs that “Significant built heritage resources and significant cultural heritage landscapes shall be conserved.” Properties included on the City’s Heritage Register are considered to be significant in this context. “Conserved” is defined in the PPS as “the identification, protection, use and/or management of built heritage resources in a manner that ensures their cultural heritage value or interest is retained under the *Ontario Heritage Act*.”

Policy 4.2.7.1 of the Growth Plan states that “Cultural Heritage Resources will be conserved in order to foster a sense of place and benefit communities, particularly in strategic growth areas.”

Section 3.1.5 of the Official Plan provides policy direction on the conservation of heritage properties in the City’s Heritage Register and on development adjacent to heritage properties. Policy 5 states that proposed alterations or development on or adjacent to a property on the Heritage Register will ensure that the integrity of the heritage property’s cultural heritage value and attributes will be retained. Section 3.1.5 Policy 26 requires new construction on, or adjacent to a property on the Heritage Register be designed to conserve the cultural heritage values, attributes and character of the property and to mitigate the visual and physical impact on it, including considerations such as scale, massing, materials, height, building orientation and location relative to the heritage property. Section 3.1.5 Policy 27 encourages the conservation of buildings and structures on the Heritage Register.

The proposed development site includes properties on the city’s heritage register. On November 8, 2016, the property at 2490 Yonge Street, former Capitol Theatre, and a portion of the property at 2506 Yonge Street (including the entrance address 2510 Yonge Street) were included on the City of Toronto’s Heritage Register by City Council. A link to the staff report can be found via:

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2016.NY17.27>

The subject site is adjacent to 2512R Yonge Street, Orange Hall, located directly behind 2512 Yonge Street with the former Consumer's Gas Showroom located at the north end of the block at 2532 Yonge Street, and Designated under Part IV of the Ontario Heritage Act in 1976. The site is in close proximity to several properties included on the City of Toronto's Heritage Register by City Council as part of Midtown in Focus- Phase 1 Study, which can be found here:

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2017.PG22.5>

As part of the applicant's submission, a Heritage Impact Assessment (HIA) prepared by heritage consultants GBCA Architects, along with architectural drawings prepared by Turner Fleischer Architects Inc have been submitted and reviewed by Heritage Preservation Services. The applicant proposes that the Capitol Theatre east and south elevations, and existing canopy structure be incorporated into the development. The proposal also commemorates the Capitol Theatre by replication of its volume on the ground floor with interpretive material, and the vestibule space will be rebuilt to a similar footprint. A three metre wide pedestrian colonnade is also proposed, which will visually link Yonge Street to the existing adjacent heritage building, the 1880's Orange Hall building located at 2512R Yonge Street. The Orange Hall building has been isolated from Yonge Street behind a streetwall since approximately 1915.

Heritage Preservation Services submitted a report to Toronto Preservation Board, for its meeting of December 2, 2019. The report recommends that City Council endorse the conservation strategy for the listed properties subject to this development, and that the properties be designated under Part IV, Section 29, of the Ontario Heritage Act, and authorize the entering into of Heritage Easement Agreements. The Toronto Preservation Board adopted the recommendations contained within the report. The report from Heritage Preservation Services will be on the same North York Community Council Agenda as this Final Report regarding the development application. The report can be found at:

<https://www.toronto.ca/legdocs/mmis/2019/pb/bqrd/backgroundfile-140649.pdf>

City Planning will secure in the Section 37 provisions a heritage plaque on the exterior of the new building to commemorate the Capitol Theatre.

Tree Preservation

Toronto's urban forest plays an important role in making Toronto a clean and beautiful city. Trees significantly enhance all new development and renewal projects, enhancing both the quality and value of our environment.

The city's Official Plan recommends policies that have been adopted by City Council that call for an increase in the amount of tree canopy coverage. City Council has adopted the objective of increasing the existing 17 percent tree canopy coverage to between 30 to 40 percent. As such the preservation of existing trees and planting of

large growing shade trees on both public and private lands should be an important objective for all development projects.

The early co-ordination of utilities and other infrastructure elements with the soil volume and air space required to permit the growth of large growing trees is particularly important. The conditions for tree preservation and planting must be considered integral to the design, planning and construction of projects.

There are no trees on the subject site. There are four (4) City owned trees located adjacent to the subject site that will be impacted by the proposed development. One tree will require removal.

Under the provision of Section 813-16 (B), of the City of Toronto Municipal Code, Chapter 813, Trees, Article III, the subject trees affected by this application meet the criteria for protection under the City of Toronto's Private Tree By-law. An Application to Injure and or Remove Trees will be required during the Site Plan Control application process.

The applicant proposes 5 new street trees along the Yonge Street frontage and 4 new street trees along the Castlefield Avenue frontage as part of this application. The location and tree species will be secured as part of the future Site Plan Control Application for the lands.

Toronto Transit Commission (TTC)

The proposed development is located within the 60 metre development review zone of the Yonge-University Subway (Line 1). The TTC has reviewed the proposal and indicated that a minimum 3 metre clearance is required between the development and all existing TTC infrastructure, both above and below grade. This includes subway tunnels, stations, bus loops, and vent shafts.

The TTC has indicated that prior to the issuance of any demolition or below grade permit, the owner is required to complete a TTC Technical Review of the proposed development as applicable, and obtain TTC's written acknowledgement that the owner has satisfied all of the conditions arising out of the review. Staff will secure this requirement within the Site Plan Control Agreement.

The TTC has also indicated that prior to starting any construction, or the issuance of the first below grade permit, the owner will be required to enter into a construction agreement with the TTC, which will include a detailed Construction Management Plan. The Construction Management Plan will include a construction schedule, hoarding plans, shoring and excavation plans, crane swing plans, sequence and methodology, consideration surveys, and any other matters that arise from the TTC's technical review.

Toronto Green Standard

Council has adopted the four-tier Toronto Green Standard (TGS). The TGS is a set of performance measures for green development. Applications for Zoning By-law Amendments, Draft Plans of Subdivision and Site Plan Control are required to meet and demonstrate compliance with Tier 1 of the Toronto Green Standard. Tiers 2, 3 and 4 are voluntary, higher levels of performance with financial incentives. Tier 1 performance measures are secured in Zoning By-law Amendments, on site plan drawings, and through a Site Plan Agreement or Registered Plan of Subdivision.

The applicant is required to meet Tier 1 of the TGS. Performance measures for the Tier 1 development features will be secured through the Zoning By-law standards, on approved plans, and within the Site Plan Control Agreement. They will include matters such as, but not limited to, the number and location of bicycle parking spaces, electric vehicle infrastructure, weather protected walkways, exterior lighting, landscape treatments and plantings.

Community Services Assessment

Community Services and Facilities (CS&F) are an essential part of vibrant, strong and complete communities. CS&F are the lands, buildings and structures for the provision of programs and services provided or subsidized by the City or other public agencies, boards and commissions, such as recreation, libraries, childcare, schools, public health, human services, cultural services and employment services.

The timely provision of community services and facilities is as important to the livability of the City's neighbourhoods as "hard" services like sewer, water, roads and transit. The City's Official Plan establishes and recognizes that the provision of and investment in community services and facilities supports healthy, safe, liveable, and accessible communities. Providing for a full range of community services and facilities in areas experiencing major or incremental growth, is a responsibility shared by the City, public agencies and the development community.

The City's Official Plan Policy 2.3.1.6 identifies that community and neighbourhood amenities will be enhanced where needed by improving and expanding facilities, creating new facilities and adapting existing services to changes in the needs of the neighbourhood. Section 3.2.2 of the Official Plan calls for adequate and equitable access to community services and local institutions, and sets out a policy framework that, among other things, encourages the inclusion of community service facilities as part of private development.

The Midtown CS&F Strategy identifies the need to advance interior renovations at Northern District Library to expand available service area and explore opportunities to relocate Mount Pleasant Library to expand available service area in order to meet the needs of growth. Five hundred thousand dollars of the Section 37 contribution for this site is proposed to be allocated to improvements to the Northern District Library. This

improvement will serve the immediate area in which the proposal is located and will be secured in the Section 37 Agreement.

Housing

Section 3.2.1 of the City's Official Plan states that a full range of housing will be provided and maintained to meet the needs of current and future residents. The Growth Plan for the Greater Golden Horseshoe, 2019 also contains policies 2.2.1.4, 2.2.4.9 and 2.2.6.4 to support the development of affordable housing and a range of housing to accommodate the needs of all household sizes and incomes. A range of unit types and sizes are proposed.

The Council-adopted Growing Up: Planning for Children in New Vertical Communities draft urban design guidelines provide guidance on the proportion and size of larger units recommended in new multi-unit residential developments. Through the Growing Up Guidelines, the City seeks to secure a minimum of 10% of the proposed units having three or more bedrooms and a critical mass of both two and three-bedroom units. The applicant is proposing to provide 65 two-bedroom units (44%), and 45 three-bedroom units (30%). The proposed unit type breakdown is in keeping with the City's Growing Up Guidelines.

School Boards

The application was circulated to both the Catholic and Public school boards.

The Toronto Catholic District School Board (TCDSB) has identified that the proposal falls within the fixed attendance boundary of St. Monica Catholic School, as well as Marshall McLuhan Catholic Secondary School and St. Patrick Catholic Secondary School. The TCDSB has indicated that at this time, the local elementary and secondary schools are operating at capacity and cannot accommodate additional students from the development. The TCDSB has identified that they have concerns with school accommodation in the area. The TCDSB has advised that warning clauses be included in the Site Plan Control Agreement, as well as within agreements of purchase and sale for the units proposed for this development.

The TCDSB has also indicated that under the Education Development Charges (EDC) By-law 194, as amended, the TCDSB is eligible to levy EDC's in this area towards the acquisition of up to 2 hectares (5 acres) of land for an elementary school.

The Toronto District School Board (TDSB) has reviewed the proposed development. The TDSB indicates that they do not support the development application at this time and they indicate that the area is experiencing residential intensification and population growth that is presenting a challenge to accommodate future students. The TDSB has determined that there is insufficient space at the local schools to accommodate the students anticipated from the proposed development. The TDSB has indicated that should the City recommend the approval of the application, warning clauses that inform potential purchasers and the local community that sufficient accommodation may not be

locally available for all students anticipated from the development area be included within agreements of purchase and sale for the units proposed for this development, and that students may be accommodated in facilities outside the area.

Incorporation of City Owned Lands into the Development Site

A portion of the site consists of lands owned by the City of Toronto and operated by the Toronto Parking Authority as a surface parking lot. A land exchange between the applicant and the City will be required to facilitate the proposal. The proposed land exchange with the City would involve approximately 650 square metres of City of Toronto property operated by the TPA with frontage on Castlefield Avenue which would be acquired by the applicant to be incorporated in the proposed development proposal in exchange for an equivalent or nearly equivalent area of land with frontage on Duplex Avenue to be conveyed to the City (see Attachment 7). The City-owned lands, and any proposed land exchange, will be subject to a report from Real Estate Services and will require City Council approval. The report from Real Estate Services will be considered by City Council at its meeting in January of 2020.

Construction Management

The Owner will be required to provide the City with a Construction Management Plan, for any work within the public right of way, outlining the following:

- a) Dust/mud control on and offsite;
- b) Location of truck loading points, trailer parking;
- c) Location of temporary material storage areas;
- d) Access/truck routing;
- e) Provision of hoarding, temporary fencing & covered walkways;
- f) Location and extent of aerial crane operations; and
- g) Parking for construction trades;

The Construction Management Plan will be required as part of the Site Plan Control application.

Section 37

The Official Plan contains policies pertaining to the provision of community benefits in exchange for increases in height and/or density pursuant to Section 37 of the Planning Act. While the proposed development exceeds the height and density limits of the existing Zoning By-law, the application is consistent with the objectives and policies of the Official Plan, and thus constitutes good planning.

The community benefits recommended to be secured in the Section 37 Agreement are as follows:

- i) a cash contribution of \$1,500,000.00 of which:

a. \$1,000,000 will be allocated to the acquisition and/or improvement of public parks in the immediate vicinity; and

b. \$500,000 will be allocated to the Toronto Public Library - Northern District Branch improvements.

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

i. The Owner shall enter into a Heritage Easement Agreement with the City for the property at 2490-2506 Yonge Street in accordance with the plans and drawings dated November 1, 2019, prepared by Turner Fleischer Architects, and on file with the Senior Manager, Heritage Preservation Services, the Heritage Impact Assessment prepared by GBCA Architects, October 31, 2019, and in accordance with the Conservation Plan required in the recommendation below to the satisfaction of the Senior Manager, Heritage Preservation Services including registration of such agreement to the satisfaction of the City Solicitor;

ii. The owner shall provide a detailed Conservation Plan, prepared by a qualified heritage consultant, that is consistent with the conservation strategy set out in the Heritage Impact Assessment prepared by GBCA Architects, October 31, 2019, to the satisfaction of the Senior Manager, Heritage Preservation Services;

iii. The owner shall provide an Interpretation Plan for the heritage property, to the satisfaction of the Senior Manager, Heritage Preservation Services, and thereafter shall implement such Plan to the satisfaction of the Senior Manager, Heritage Preservation Services;

iv. The owner shall incorporate in the construction of the building, the exterior materials and heritage plaque for the Capitol Theatre as shown on 1:50 scale drawings as approved by the Chief Planner and Executive Director, City Planning Division, and submitted as part of the Site Plan Control process; and

v. The owner shall construct and maintain the development in accordance with Tier 1 performance measures of the Toronto Green Standards.

Site Plan Control

A site plan control application has not been submitted to date. A Site Plan Control application is required and will examine the design and technical aspects of the proposed development. Features such as building materials, site access and servicing, waste storage, loading, servicing, and landscaping will be reviewed in greater detail as part of the Site Plan Control application.

2490-2514 Yonge Street, 10-12 Castlefield Avenue, and portions of 20 Castlefield Avenue and 567 Duplex Avenue – Official Plan Amendment and Zoning Amendment Applications – Final Report

Conclusion

The proposal has been reviewed against the policies of the PPS (2014), the Growth Plan (2019), and the Toronto Official Plan. Staff are of the opinion that the proposal is consistent with the PPS (2014) and does not conflict with the Growth Plan (2019). Furthermore, the proposal is in keeping with the intent of the Toronto Official Plan, particularly as it relates to the policies of the *Mixed Use Areas* designation.

The proposed development is consistent with the Provincial Policy Statement (2014) and conforms with the Growth Plan for the Greater Golden Horseshoe (2019). The proposal is in keeping with the intent of the Toronto Official Plan, particularly as it relates to intensifying a *Mixed Use Areas* site within close proximity to higher order subway transit and providing a range of housing types. The proposal provides an appropriate separation to the existing neighbourhoods to the west and provides an improved public realm along both street frontages with new sidewalks and landscaping. In addition, the proposal conserves a heritage resource on site (Capitol Theatre), and provides improved views to the Orange Hall, an adjacent listed heritage building.

This report reviews and recommends approval of the applications to amend the Official Plan and Zoning By-law.

CONTACT

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E-mail: Marian.Prejel@toronto.ca

SIGNATURE

Joe Nanos, Director
Community Planning, North York District

ATTACHMENTS

City of Toronto Data/Drawings

Attachment 1: Application Data Sheet

Attachment 2: Location Map

Attachment 3: Official Plan Land Use Map

Attachment 4: Yonge-Eglinton Secondary Plan Map 21-1 Land Use Plan

2490-2514 Yonge Street, 10-12 Castlefield Avenue, and portions of 20 Castlefield Avenue and 567 Duplex Avenue – Official Plan Amendment and Zoning Amendment Applications – Final Report

Attachment 5: Zoning By-law 438-86 Map
Attachment 6: Zoning By-law 569-2013 Map
Attachment 7: Land Exchange Map
Attachment 8: Draft Official Plan Amendment
Attachment 9a: Draft Zoning By-law Amendment 569-2013
Attachment 9b: Draft Zoning By-law Amendment 468-86

Applicant Submitted Drawings

Attachment 10: Site Plan
Attachment 11a: East Elevation
Attachment 11b: North Elevation
Attachment 11c: South Elevation
Attachment 11d: West Elevation

Attachment 1: Application Data Sheet

Municipal Address: 2490-2514 Yonge Street, 10-12 Castlefield Avenue, and portions of 20 Castlefield Avenue and 567 Duplex Avenue

Date Received: June 29, 2018

Application Number: 18 186858 NNY 16 OZ

Application Type: OPA / Rezoning, OPA & Rezoning

Project Description: Revised proposal for a 14-storey mixed use building containing 150 dwelling units (17,272 square metres) and retail uses (1,402 square metres) at grade. The proposal includes 3 levels of underground parking containing a total of 160 parking spaces.

Applicant	Agent	Architect	Owner
2500 YONGE STREET LIMITED 369 Rimrock Road Toronto, ON M3J 3G2	WND Associates 90 Eglinton Avenue East, Suite 970, Toronto, Ontario, M4P 2Y3	Turner Fleischer Architects 67 Lesmill Road Toronto, Ontario, M3B 2T8	2500 YONGE STREET LIMITED 369 Rimrock Road Toronto, ON M3J 3G2

EXISTING PLANNING CONTROLS

Official Plan Designation:	Mixed Use Areas and Neighbourhoods CR 3.0 (c2.0; r2.5) SS2 (x2227); CR 3.0 (c2.0; r2.5) SS2 (x2432); R (f7.5; u2; d0.6) (x949)	Site Specific Provision:	N
Zoning:		Heritage Designation:	Y
Height Limit (m):	16	Site Plan Control Area:	Y

PROJECT INFORMATION

Site Area (sq m): 3,009 Frontage (m): 68 Depth (m): 48

Building Data	Existing	Retained	Proposed	Total
Ground Floor Area (sq m):			1,759	1,759

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Residential GFA (sq m):		17,273	17,273
Non-Residential GFA (sq m):		1,403	1,403
Total GFA (sq m):		18,675	18,675
Height - Storeys:	3	14	14
Height - Metres:	12	56	56

Lot Coverage Ratio (%) : 58.44 Floor Space Index: 6.21

Floor Area Breakdown	Above Grade (sq m)	Below Grade (sq m)
Residential GFA:	17,180	92
Retail GFA:	1,280	123
Office GFA:		
Industrial GFA:		
Institutional/Other GFA:		

Residential Units by Tenure	Existing	Retained	Proposed	Total
Rental:				
Freehold:				
Condominium:			150	150
Other:				
Total Units:			150	150

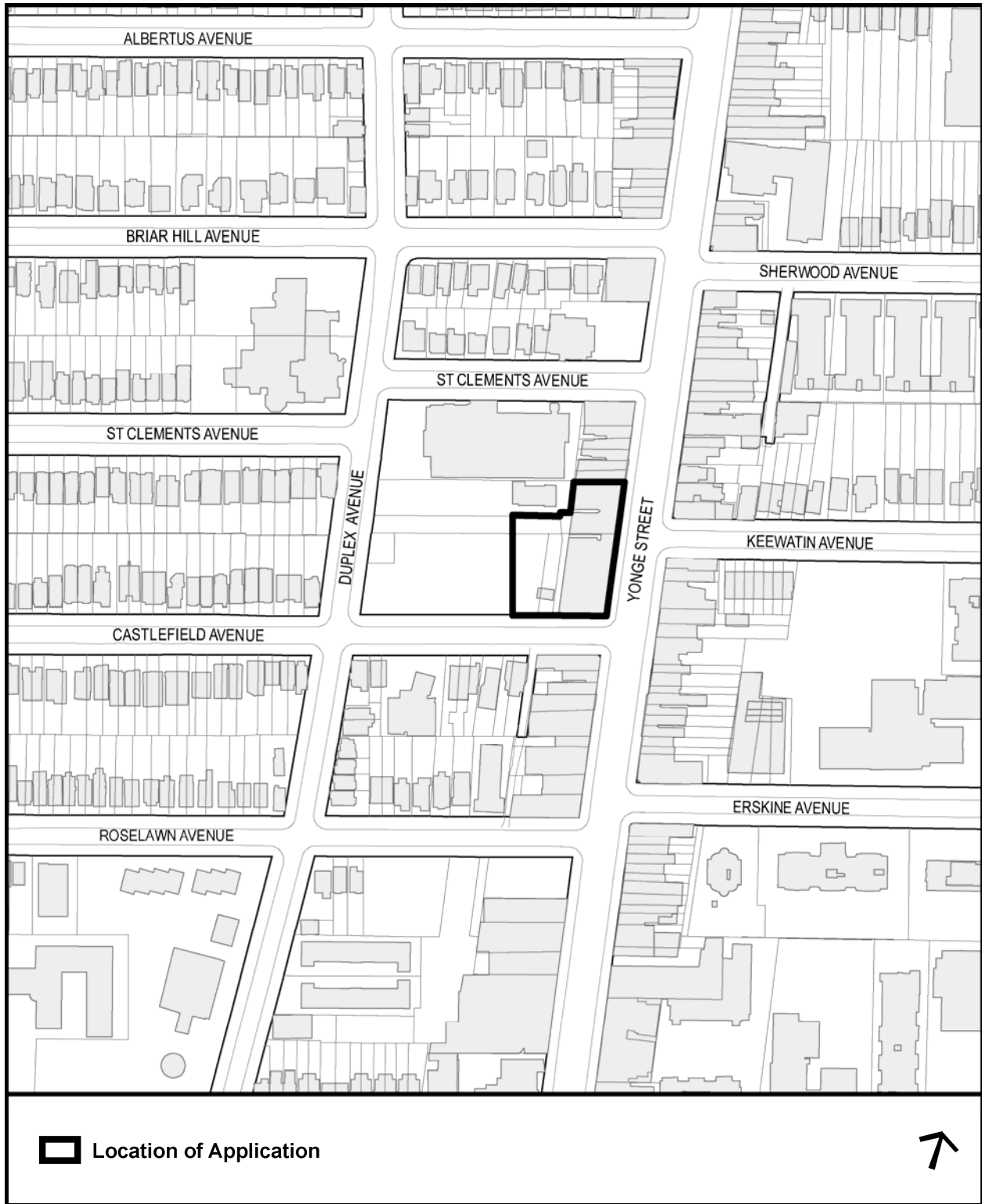
Total Residential Units by Size

	Rooms	Bachelor	1 Bedroom	2 Bedroom	3+ Bedroom
Retained:					
Proposed:			40 (27%)	65 (43%)	45 (30%)
Total Units:			40 (27%)	65 (43%)	45 (30%)

Parking and Loading

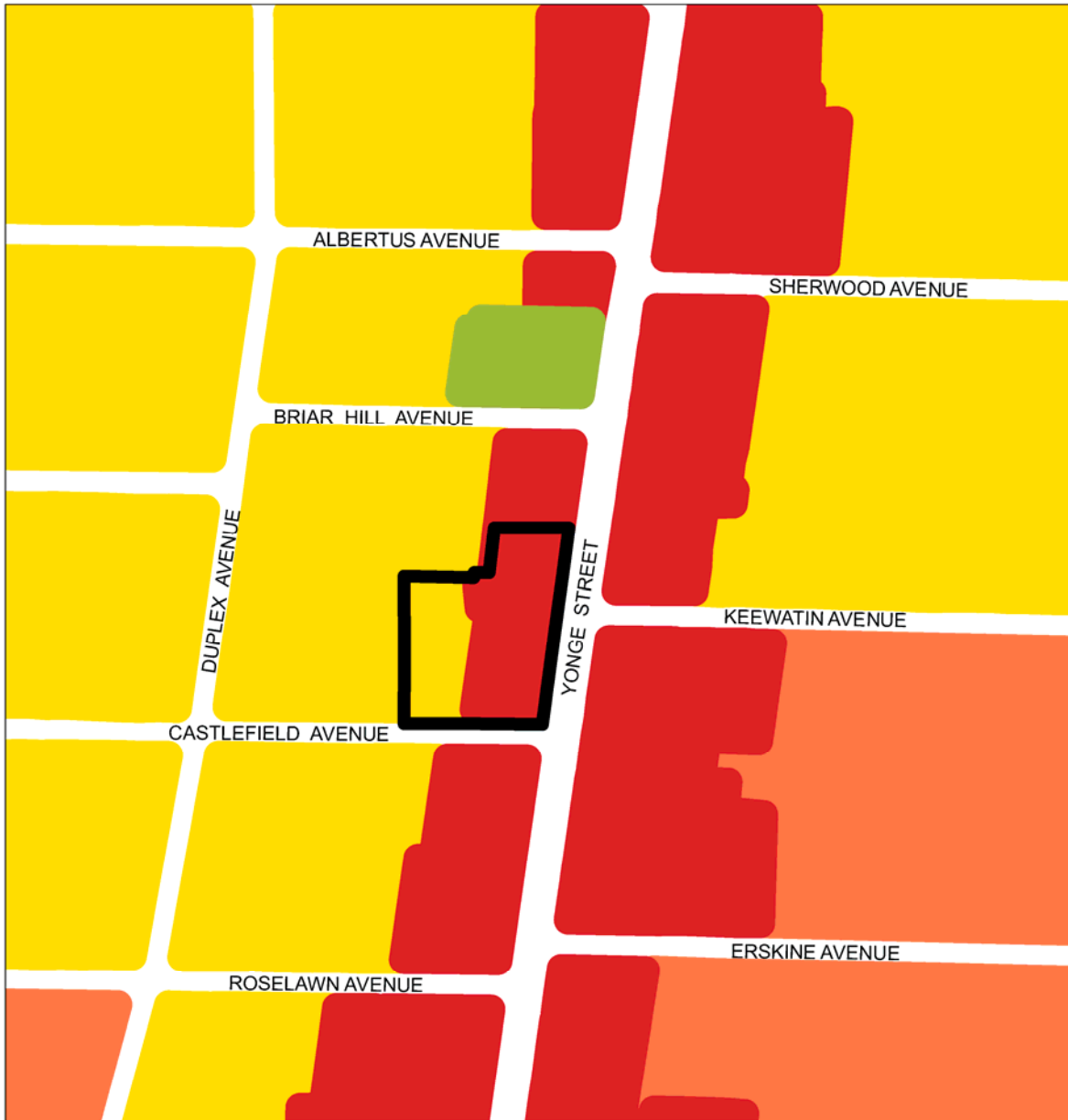
Parking Spaces:	191	Bicycle Parking Spaces:	162	Loading Docks:	1
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Attachment 2: Location Map



2490-2514 Yonge Street, 10-12 Castlefield Avenue, and portions of 20 Castlefield Avenue and 567 Duplex Avenue – Official Plan Amendment and Zoning Amendment Applications – Final Report

Attachment 3: Official Plan Land Use Map (Pre-OPA 405)



Official Plan Land Use Map #17

2490-2514 Yonge Street, 10-12 Castlefield Avenues and portions of
20 Castlefield Avenue and 567 Duplex Avenue

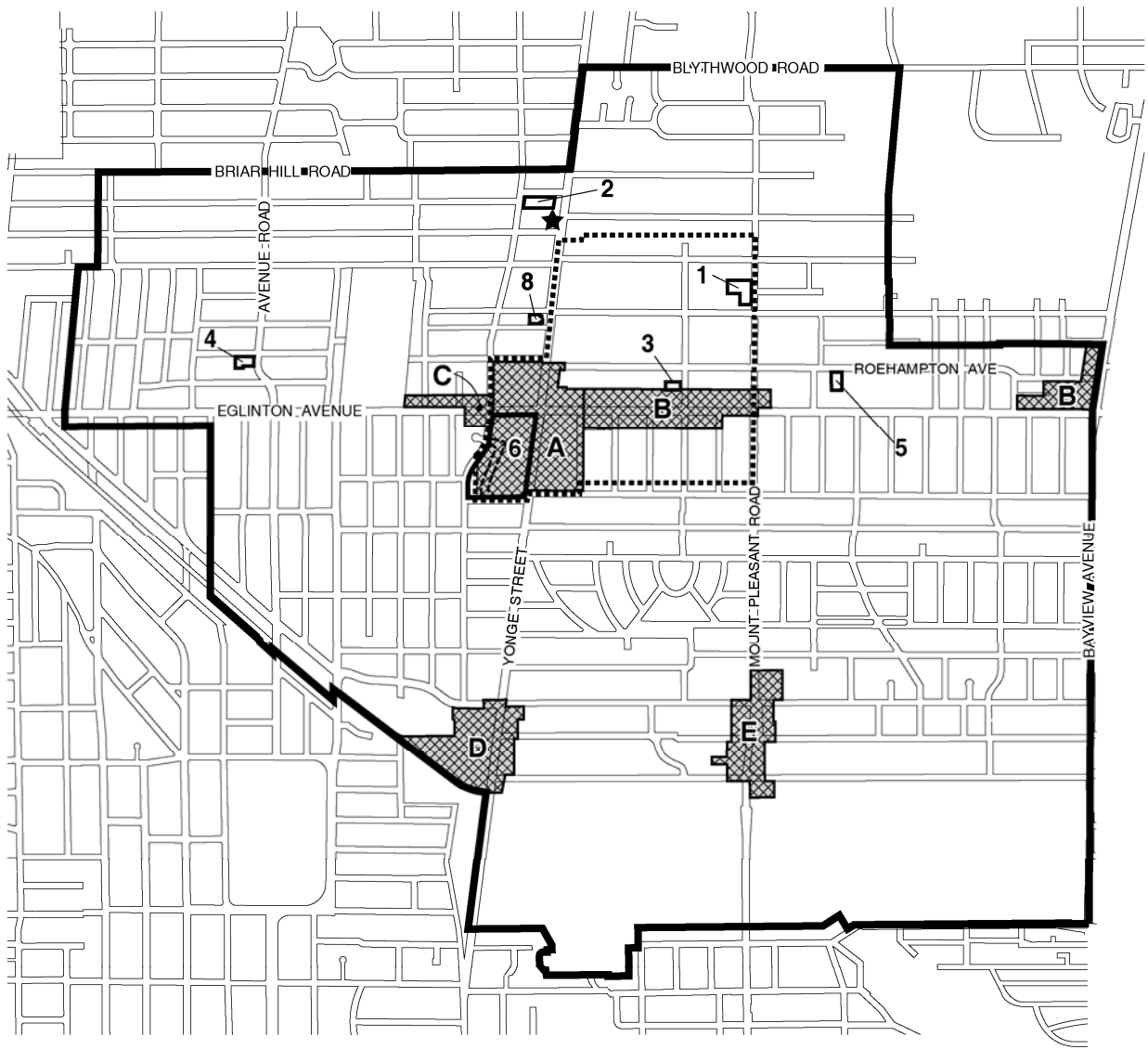
File # 18 186585 NNY 16 0Z

- | | |
|--------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------|
|  Location of Application |  Parks & Open Space Areas |
|  Neighbourhoods |  Parks |
|  Apartment Neighbourhoods | |
|  Mixed Use Areas | |

↑
Not to Scale
09/03/2019

2490-2514 Yonge Street, 10-12 Castlefield Avenue, and portions of 20 Castlefield Avenue and 567 Duplex Avenue – Official Plan Amendment and Zoning Amendment Applications – Final Report

Attachment 4: Yonge-Eglinton Secondary Plan Map 21-1 Land Use Plan (Pre-OPA 405)





Not to Scale 



Yonge-Eglinton Secondary Plan

MAP 21-1 Land Use Plan

-  Secondary Plan Boundary
-  Location of Application
-  Yonge-Eglinton Centre
-  Mixed Use Areas
-  Site and Area Specific Policies
-  Proposed Road

July 2014


2490-2514 Yonge Street, 10-12 Castlefield Avenue, and portions of 20 Castlefield Avenue and 567 Duplex Avenue – Official Plan Amendment and Zoning Amendment Applications – Final Report

Attachment 5: Zoning By-law 438-86 Map



2490-2514 Yonge Street, 10-12 Castlefield Avenues and portions of
20 Castlefield Avenue and 567 Duplex Avenue
File # 18 186585 NNY 16 0Z

Zoning By-law 438-86

 Location of Application

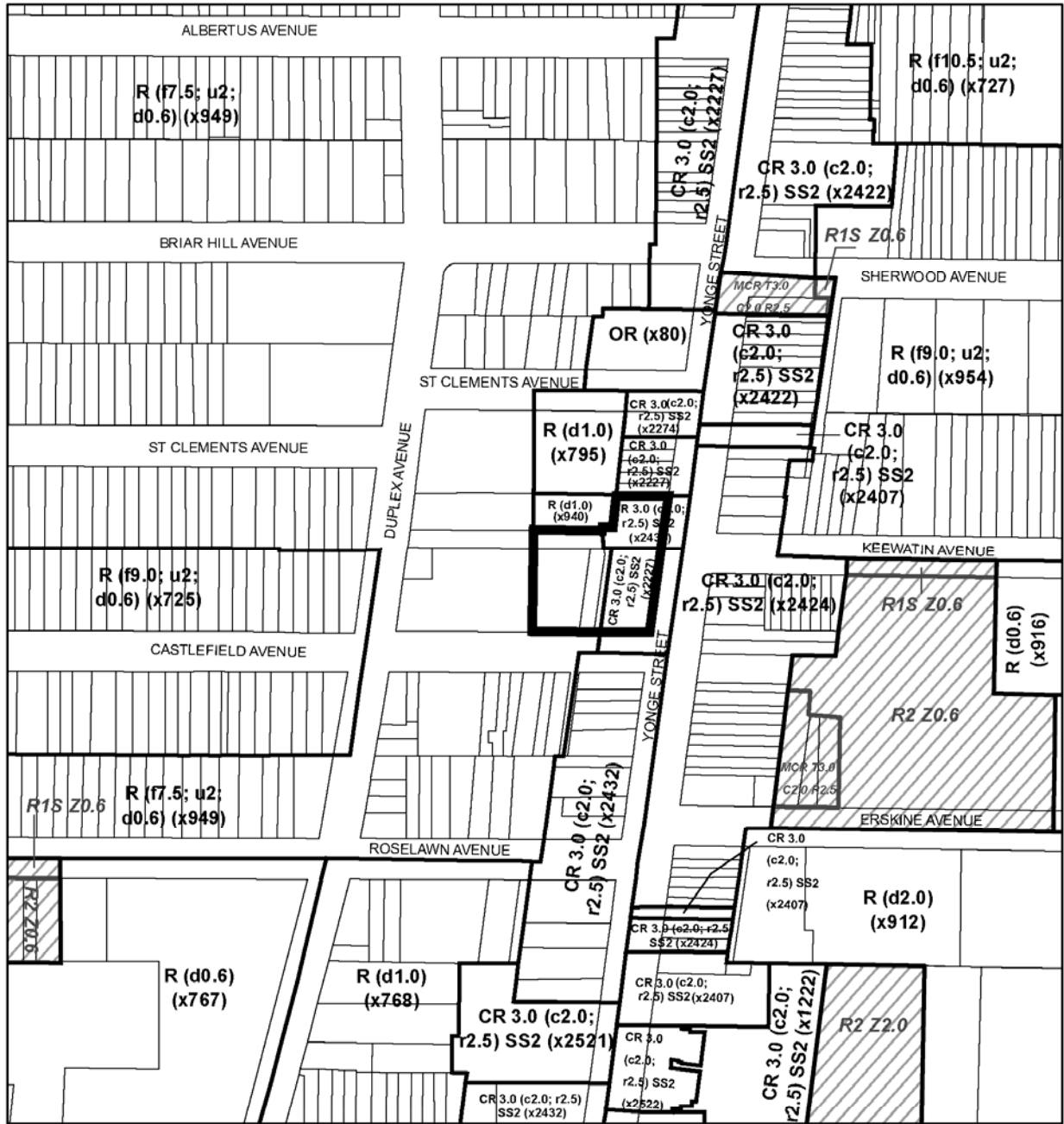
R1S Residential District **R4A** Residential District
R2 Residential District **MCR** Mixed-Use District
G Parks District



Not to Scale
Extracted: 08/29/2019

2490-2514 Yonge Street, 10-12 Castlefield Avenue, and portions of 20 Castlefield Avenue and 567 Duplex Avenue – Official Plan Amendment and Zoning Amendment Applications – Final Report

Attachment 6: Zoning By-law 569-2013



2490-2514 Yonge Street, 10-12 Castlefield Avenues and portions of 20 Castlefield Avenue and 567 Duplex Avenue
 File # 18 186585 NNY 16 0Z

Zoning By-law 569-2013

Location of Application

R Residential CR Commercial Residential
 OR Open Space Recreation

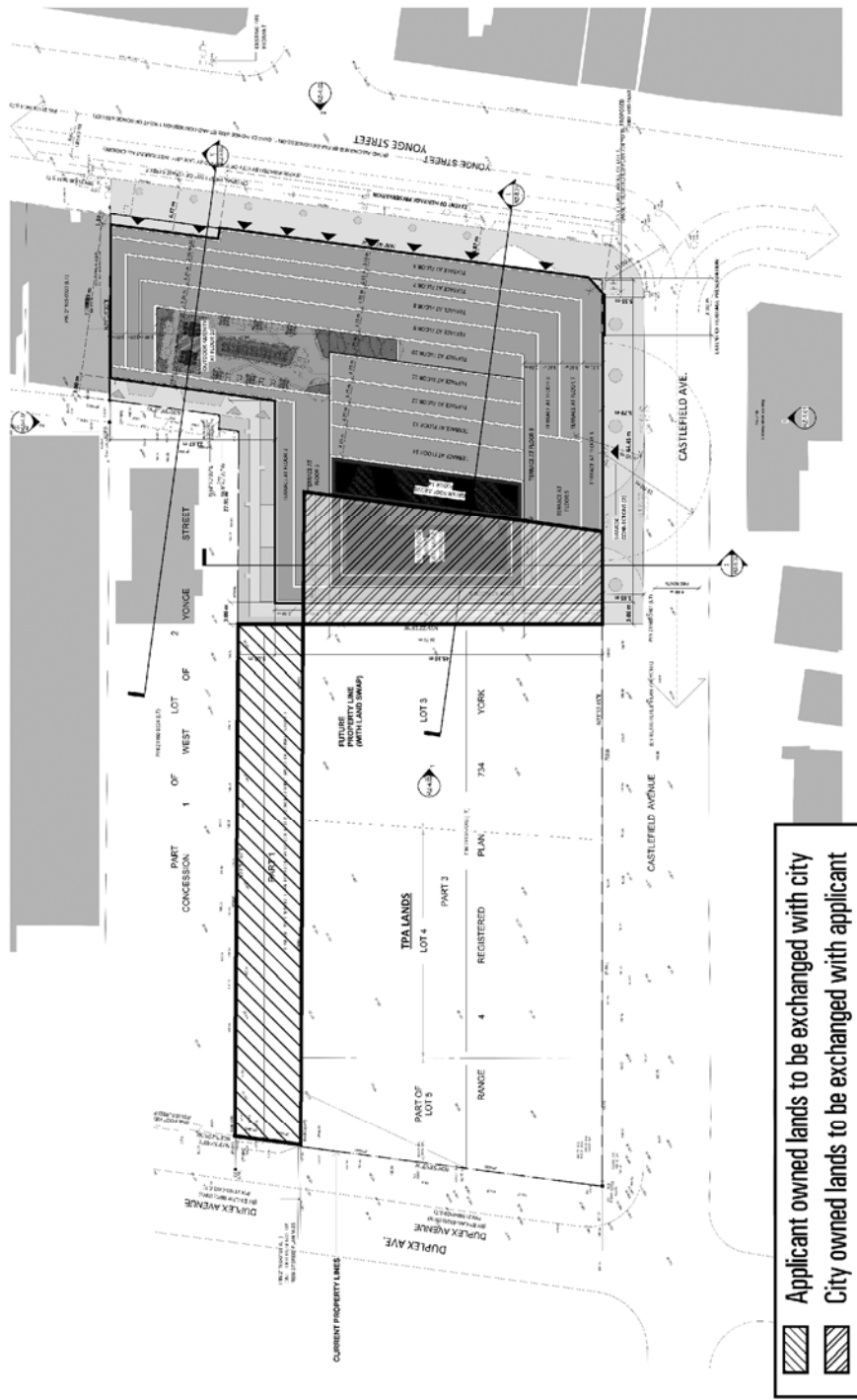
See Former City of Toronto By-Law No. 438-86



R1S Residential District
 R2 Residential District
 MCR Mixed-Use District



Not to Scale
 Extracted: 07/29/2019

2490-2514 Yonge Street, 10-12 Castlefield Avenue, and portions of 20 Castlefield Avenue and 567 Duplex Avenue – Official Plan Amendment and Zoning Amendment Applications – Final Report



-  Applicant owned lands to be exchanged with city
-  City owned lands to be exchanged with applicant

Site Plan **2490-2514 Yonge Street, 10-12 Castlefield Avenues and portions of 20 Castlefield Avenue and 567 Duplex Avenue**

Applicant's Submitted Drawing

Not to Scale
08/28/2019

File # 18 186858 NNY 16 0Z

To adopt an amendment to the Official Plan for the City of Toronto respecting the lands known municipally in the year 2019, as portions of 20 Castlefield Avenue and 567 Duplex Avenue

Whereas authority is given to Council under the Planning Act, R.S.O. 1990, c.P. 13, as amended, to pass this By-law;

Whereas Council of the City of Toronto has provided adequate information to the public and has held at least one public meeting in accordance with the Planning Act;

The Council of the City of Toronto enacts:

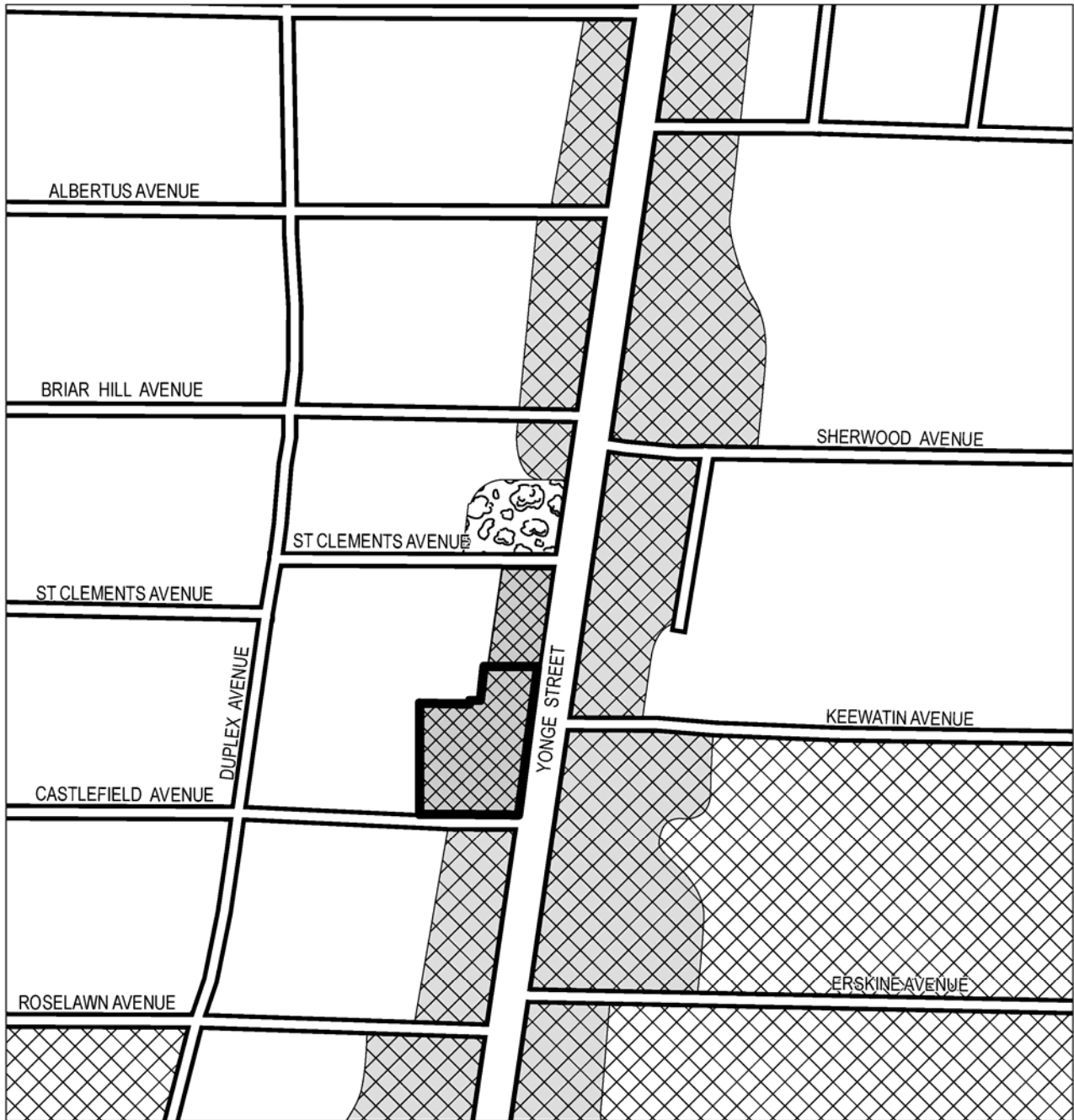
1. The attached Amendment No. 477 to the Official Plan is hereby adopted pursuant to the Planning Act, as amended.

AMENDMENT NO. 477 TO THE OFFICIAL PLAN

LANDS MUNICIPALLY KNOWN IN THE YEAR 2019 AS PORTIONS OF 20 CASTLEFEILD AVENUE and 567 DUPLEX AVENUE

The Official Plan of the City of Toronto is amended as follows:

Map 17, Land Use Plan, is amended by re-designating Part of Lot 2 Concession 1 West of Yonge Street; Part of Lots 1, 2, and 3, Range 4, Registered Plan 734 York; City of Toronto, from *Neighbourhoods* to *Mixed Use Areas*, as indicated on the attached Schedule A, so that all the lands shown thereon are designated *Mixed Use Areas*.

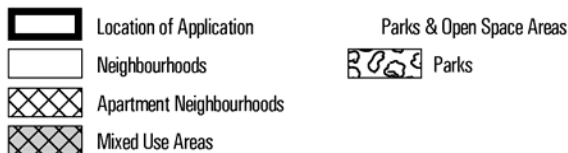


Official Plan Amendment #477

2490-2514 Yonge Street, 10-12 Castlefield Avenue and portions of
20 Castlefield Avenue and 567 Duplex Avenue

Revisions to Land Use Map 17 to Redesignate lands from Neighbourhoods to Mixed Use Areas

File # 18 186585 NNY 16 OZ



2490-2514 Yonge Street, 10-12 Castlefield Avenue, and portions of 20 Castlefield Avenue and 567 Duplex Avenue – Official Plan Amendment and Zoning Amendment Applications – Final Report

CITY OF TORONTO

Bill No. ~

BY-LAW No. XXXX-2014

To amend Zoning By-law No. 569-2013, as amended, with respect to the lands municipally known in the year 2019 as, 2490-2514 Yonge Street, Part of 567 Duplex Avenue, and 10-12 and Part of 20 Castlefield Avenue.

Whereas Council of the City of Toronto has the authority to pursuant to Section 34 of the Planning Act, R.S.O. 1990, c. P. 13, as amended, to pass this By-law; and

Whereas Council of the City of Toronto has provided adequate information to the public and has held at least one public meeting in accordance with the Planning Act;

Whereas the Official Plan for the City of Toronto contains provisions relating to the authorization of increases in height and density of development;

Whereas pursuant to Section 37 of the Planning Act, a by-law under Section 34 of the Planning Act, may authorize increases in the height and density of development beyond those otherwise permitted by the by-law and that will be permitted in return for the provision of such facilities, services or matters as are set out in the by-law; and

Whereas subsection 37(3) of the Planning Act provides that where an owner of land elects to provide facilities, services and matters in return for an increase in the height or density of development, the municipality may require the owner to enter into one or more agreements with the municipality dealing with the facilities, services and matters; and

Whereas the owner of the aforesaid lands has elected to provide the facilities, services and matters hereinafter set out; and

Whereas the increase in height and density permitted beyond that otherwise permitted on the aforesaid lands by By-law No. 569-2013 as amended, is permitted in return for the provision of the facilities, services and matters set out in this By-law which is secured by one or more agreements between the owner of the land and the City of Toronto;

The Council of the City of Toronto enacts:

2490-2514 Yonge Street, 10-12 Castlefield Avenue, and portions of 20 Castlefield Avenue and 567 Duplex Avenue – Official Plan Amendment and Zoning Amendment Applications – Final Report

1. The lands subject to this By-law are outlined by heavy black lines on Diagram 1 attached to this By-law.
2. The words highlighted in bold type in this By-law have the meaning provided in Zoning By-law No. 569-2013, Chapter 800 Definitions.
3. Zoning By-law No. 569-2013, as amended, is further amended by amending the zone label on the Zoning By-law Map in Section 990.10 respecting the lands outlined by heavy black lines to lines to CR 3.0 (c2.0; r2.5) SS2 (x____), as shown on Diagram 2, attached hereto and forming part of this By-law.
4. Zoning By-law No. 569 -2013, as amended, is further amended by amending the Height Overlay Map in Section 995.20.1 for the lands subject to this By-law, from a height and storey label of HT [xx], ST [xx], to HT [yy], ST [yy], as shown on Diagram [--] attached to this By-law.
5. Zoning By-law No. 569-2013, as amended, is further amended by amending the Lot Coverage Overlay Map in Section 995.30.1 for the lands subject to this By-law, from a lot coverage label of [XX] % to [YY] %) as shown on Diagram [--] attached to this By-law.
6. Zoning By-law No. 569-2013, as amended, is further amended by adding Article 900.11.10 Exception Number [###] so that it reads:

(##)Exception CR [####]

The lands, or a portion thereof as noted below, are subject to the following Site-Specific Provisions, Prevailing By-laws and Prevailing Sections.

Site Specific Provisions

A. On 2490-2514 Yonge Street, Part of 567 Duplex Avenue, and 10-12 and Part of 20 Castlefield Avenue, if the requirements of by-law [Clerks to supply by-law ##] are complied with, none of the requirements of Sections 40.5.40.10, 40.10.40.10, 40.10.20.100(8), 40.10.50.10.(3), 40.10.90.10, 40.10.90.40.(2), 40.10.100.10.(2), 230.5.1.10.(9) and prevailing Sections 12(2) 118, 12(2)119, 12(2)269 and 12(2)270(a) of By-law 438-86, and City of Toronto By-law 20669 shall apply to prevent the use or erection of a mixed-use building and ancillary uses thereto, including an underground public parking garage, on the lot in accordance with Sections B. to T. below;

B. Regulations 40.5.1.10 (3) and (4), 40.10.40.10 (5), 40.10.50.10 (2) and (3), 40.10.90.1, 40.10.100.10 (1)(a), 40.10.100.10 (2), 40.10.20.100 (1), (33), (21), (20), (46), (17), (24) and (21), 40.10.40.1 (1), 40.10.40.1(6), 40.10.40.1 (1), (2) and (6), do not apply;

2490-2514 Yonge Street, 10-12 Castlefield Avenue, and portions of 20 Castlefield Avenue and 567 Duplex Avenue – Official Plan Amendment and Zoning Amendment Applications – Final Report

C. Despite regulations 5.10.40.70(1), 40.5.40.60, 40.10.40.60, and 40.10.40.70 the above grade portion of a building or structure must be located entirely within the area delineated by heavy lines shown on Diagram 3 of By-law [insert by-law #];

D. Despite regulations 40.10.40.10(2) and (5) the permitted maximum height of a building or structure is the height in metres specified by the numbers following the symbol HT on Diagram 3 of this By-law [insert by-law #];

E. Despite regulation 40.5.40.10(1) the height of the building or structure is the distance between Canadian Geodetic Datum elevation of 166.40 metres and the elevation of the highest point of the building or structure;

F. Notwithstanding regulation 40.5.40.40(3) any area used for public parking shall not be used for the calculation of gross floor area for a mixed use building;

G. Despite regulation 40.10.40.40(1) the permitted maximum building gross floor area will be 20,000 square metres;

H. Nothing in Section 3(B) shall prevent the following elements from projecting beyond the heavy lines shown on Diagram 3:

(i) Balconies, cornices, lighting fixtures, window washing equipment, awnings, canopies, finials, parapets, terraces, terrace guards, platforms, ornamental or architectural elements, trellises, eaves, window sills, bay windows, canopies, guardrails, balustrades, railings, wind mitigation screens and features, piers, planters, monuments, arbours, patios, decorative features, stairs, stair enclosures, stair landings, supportive columns, wheel chair ramps, vents, stacks, wind screens and features, acoustic screens and features, underground garage ramps and their associated structures, underground garage stair enclosures, retaining walls, fences, screens, weather protection canopies, and landscape and public art features, to a maximum of 3.0 metres;

I. Nothing in Section 3(C) shall prevent the following elements from projecting above the heights specified by the numbers following the symbol HT on Diagram 3:

(i) A parapet, roof drainage, thermal insulation or roof ballast, and roof construction assembly elements, located at each of the roof levels of the building, provided the maximum vertical distance of any such structure does not exceed 1.8 metres;

(ii) Safety railings and fences at each of the roof levels of the building, provided the maximum vertical dimension of any such structure does not exceed 1.8 metres, and having a maximum combined vertical dimension with (i) above of 2.75 metres above the height of each roof level of the building;

(iii) Structures on the roof of any part of the building used for outside or open air recreation, green roof elements, wind mitigation elements, landscape features, architectural elements, elevator overruns, public art features, telecommunications equipment and antennae, window washing equipment, stair towers, stair enclosures,

partitions dividing outdoor recreation areas, trellises or a fence, planters, landscape features, walls or structures enclosing such elements, lightning rods and exhaust flues, swimming pools (elevated or otherwise), structures housing pool or spa maintenance or operational equipment, provided the maximum vertical distance of such does not exceed 4.0 metres.

J. Despite regulation 40.10.40.50(1)(A) a minimum of a combined 4.0 square metres of indoor amenity space and of outdoor amenity space per dwelling unit must be provided;

K. Despite clause 220.5.10.1 loading spaces must be provided as follows: (i) 1 Type "G";

L. Despite clause 200.5.10.1 the minimum number of required parking spaces may be reduced as follows: (i) For each car-share parking space provided, the minimum number of parking spaces required shall be reduced by 4 parking spaces;

M. Despite regulation 40.5.80.1(1) required non-residential and residential visitor parking spaces above may be located within a public parking garage and may be available on a first-come-first-serve basis and available for and marketed to the general public, as long as 5 spaces will be reserved for the exclusive use of visitors;

N. Despite regulation 200.5.1.10(2) 10 parking spaces may have a minimum width of 2.4 m, a minimum length of 5.4 m, and a minimum height of 1.7 m with or without obstructions;

O. Bicycle parking spaces may be provided, within or outside of a parking stacker - bicycle, and maintained on the lot;

P. Despite regulation 230.5.10.1, the minimum number of required bicycle parking spaces is as follows:

(i) A minimum of 0.9 bicycle parking space per dwelling unit for residential uses; and

(ii) A minimum of 0.1 bicycle parking space per dwelling unit for non-residential and visitor uses;

Q. Despite regulation 230.5.1.10(4) the platform of a stacked bicycle parking space may have dimensions of not less than 0.5 metre by 1.6 metres and a minimum vertical clearance for each space of 1.2 metres;

R. Despite the provisions of By-law 569-2013, as amended, and By-law ### [NTD: City Clerk to provide By-law #], a temporary sales office shall be permitted on the lot;

S. A minimum of 29% of the dwelling units shall be 3-bedroom or larger;

T. The maximum number of floors shall be 14.

2490-2514 Yonge Street, 10-12 Castlefield Avenue, and portions of 20 Castlefield Avenue and 567 Duplex Avenue – Official Plan Amendment and Zoning Amendment Applications – Final Report

U. For the purposes of this By-law, the words highlighted in bold type have the meaning provided in By-law No. 569-2013, Chapter 800 Definitions, as amended, with the exception of the following terms:

(i) parking stacker - bicycle means a mechanical bicycle parking facility with bicycle parking spaces which;

(a) are positioned above each other;

(b) the platform of such bicycle parking space may have dimensions of not less than 0.37 metre by 1.80 metres and a height allowance of 1.2 metres; and

(c) may not be readily accessible at all times without manoeuvring another bicycle or device;

(ii) car-share means the practice where a number of people share the use of one or more motor vehicles that are owned by a profit or non-profit car-sharing organization, such car-share motor vehicles to be made available for short term rental, including hourly rental. Car-share organizations may require that the car-share motor vehicles be reserved in advance, charge fees based on time and/or kilometres driven, and set membership requirements of the car-sharing organization, including the payment of a membership fee that may or may not be refundable; and

(iii) car-share parking space means a parking space that is reserved for car-sharing.

V. Prevailing Sections: None apply.

7. Section 37 Provisions

A. Pursuant to Section 37 of the Planning Act, and subject to compliance with this By-law, the increase in height and density of the development is permitted beyond that otherwise permitted on the lands shown on Diagram [--] in return for the provision by the owner, at the owner's expense of the facilities, services and matters set out in Schedule A hereof and which are secured by one or more agreements pursuant to Section 37(3) of the Planning Act that are in a form and registered on title to the lands, to the satisfaction of the City Solicitor.

B. Where Schedule A of this By-law requires the owner to provide certain facilities, services or matters prior to the issuance of a building permit, the issuance of such permit shall be dependent on satisfaction of the same.

C. The owner shall not use, or permit the use of, a building or structure erected with an increase in height and density pursuant to this By-law unless all provisions of Schedule A are satisfied.

Enacted and passed on month ##, 20##.

Name, Ulli S. Watkiss,
Speaker City Clerk

(Seal of the City)

SCHEDULE A
Section 37 Provisions

The facilities, services and matters set out below are required to be provided to the City at the owner's expense in return for the increase in height and density of the proposed development on the lands as shown in Diagram [--] in this By-law and secured in an agreement or agreements under Section 37(3) of the Planning Act whereby the owner agrees as follows:

(1) Prior to issuance of a foundation permit the owner shall:

Provide a cash contribution of \$1,500,00 of which:

- a. \$1,000,000 will be allocated to the acquisition and/or improvement of public parks in the immediate vicinity; and
- b. \$500,000 will be allocated to the Toronto Public Library - Northern District Branch improvements.

such amount to be indexed upwardly in accordance with the Statistics Canada [Non-Residential or Apartment Building-] Construction Price Index for Toronto, calculated from the date of the Section 37 Agreement to the date the payment is made.

(2) The owner shall provide and maintain the following:

- i. The Owner shall enter into a Heritage Easement Agreement with the City for the property at 2490-2506 Yonge Street in accordance with the plans and drawings dated November 1, 2019, prepared by Turner Fleischer Architects, and on file with the Senior Manager, Heritage Preservation Services, the Heritage Impact Assessment prepared by GBCA Architects, October 31, 2019, and in accordance with the Conservation Plan required to the satisfaction of the Senior Manager, Heritage Preservation Services including registration of such agreement to the satisfaction of the City Solicitor;
- ii. The owner shall provide a detailed Conservation Plan, prepared by a qualified heritage consultant, that is consistent with the conservation strategy set out in the Heritage Impact Assessment prepared by GBCA Architects, October 31, 2019, to the satisfaction of the Senior Manager, Heritage Preservation Services;
- iii. The owner shall incorporate in the construction of the building, the exterior materials as shown on 1:50 scale drawings as approved by the Chief Planner and Executive Director, City Planning Division, and submitted as part of the Site Plan Control process;
- iv. The owner shall construct and maintain the development in accordance with Tier 1 performance measures of the TGS; and
- v. The owner shall submit a Construction Management Plan for review and acceptance to the satisfaction of the Chief Planner and Executive Director, City Planning Division, and the Chief Building Official.

2490-2514 Yonge Street, 10-12 Castlefield Avenue, and portions of 20 Castlefield Avenue and 567 Duplex Avenue – Official Plan Amendment and Zoning Amendment Applications – Final Report

(3) In the event the cash contribution(s) referred to in Section(1) has not been used for the intended purpose within three (3) years of this By-law coming into full force and effect, the cash contribution may be redirected for another purpose, at the discretion of the Chief Planner and Executive Director of City Planning, in consultation with the local Councillor, provided that the purpose(s) are identified in the Toronto Official Plan and will benefit the community in the vicinity of the lands.

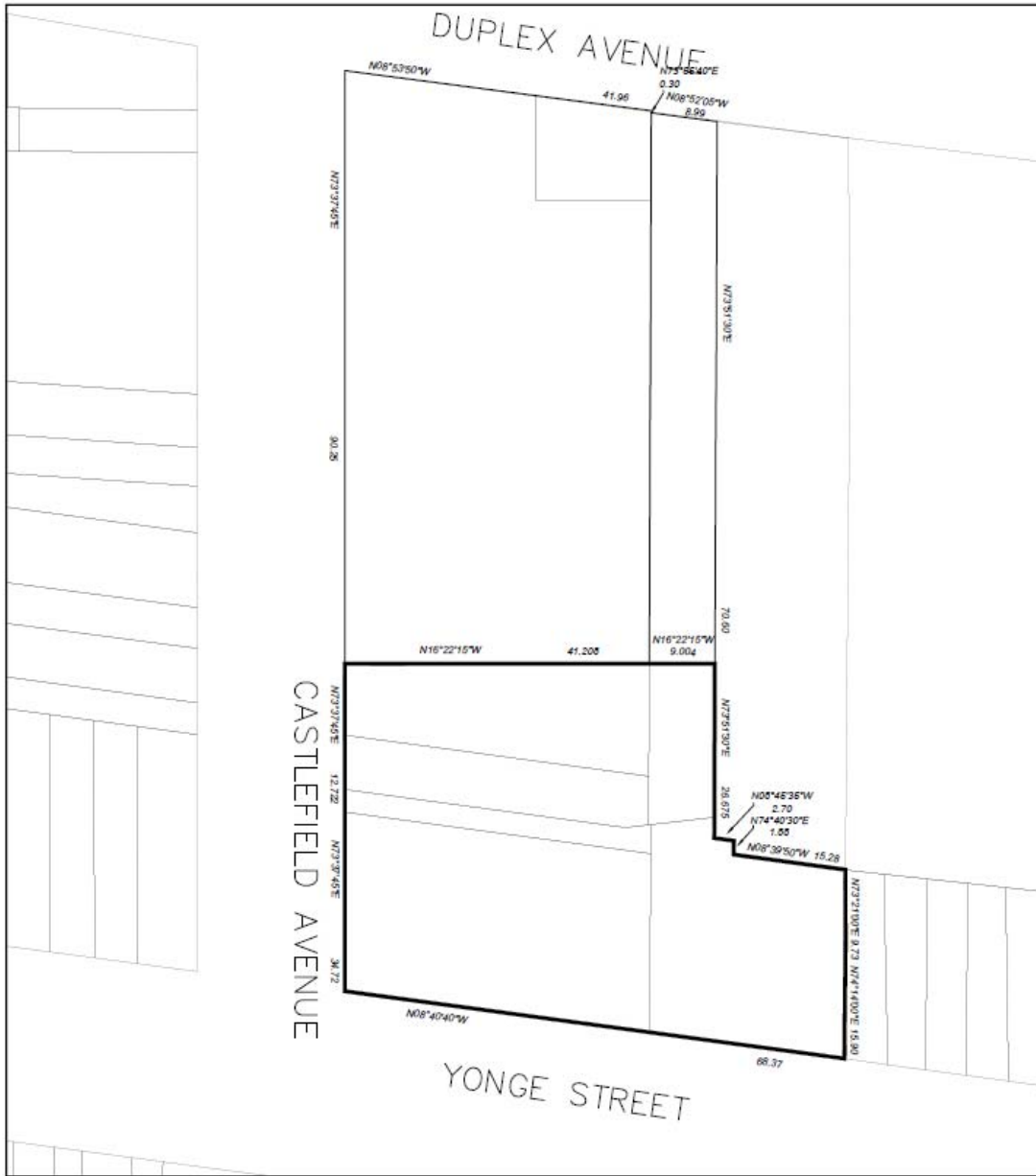



Diagram 1

2490-2514 Yonge Street, Part of 567 Duplex Avenue, and 10-12 and Part of 20 Castlefield Avenue

 Area affected by this By-law


Not to Scale

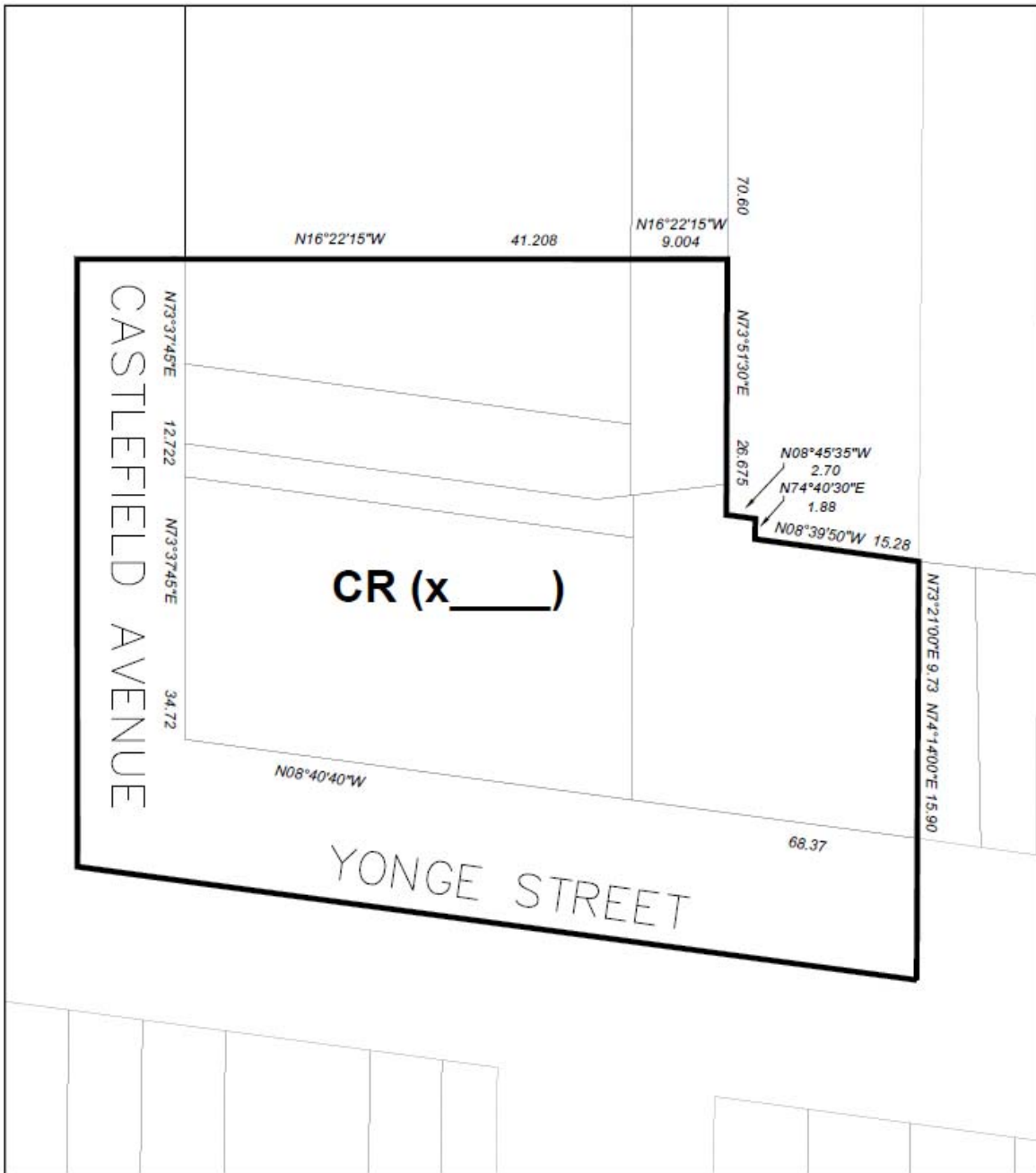



Diagram 2

2490-2514 Yonge Street, Part of 567 Duplex Avenue, and 10-12 and Part of 20 Castlefield Avenue

 Area affected by this By-law


Not to Scale

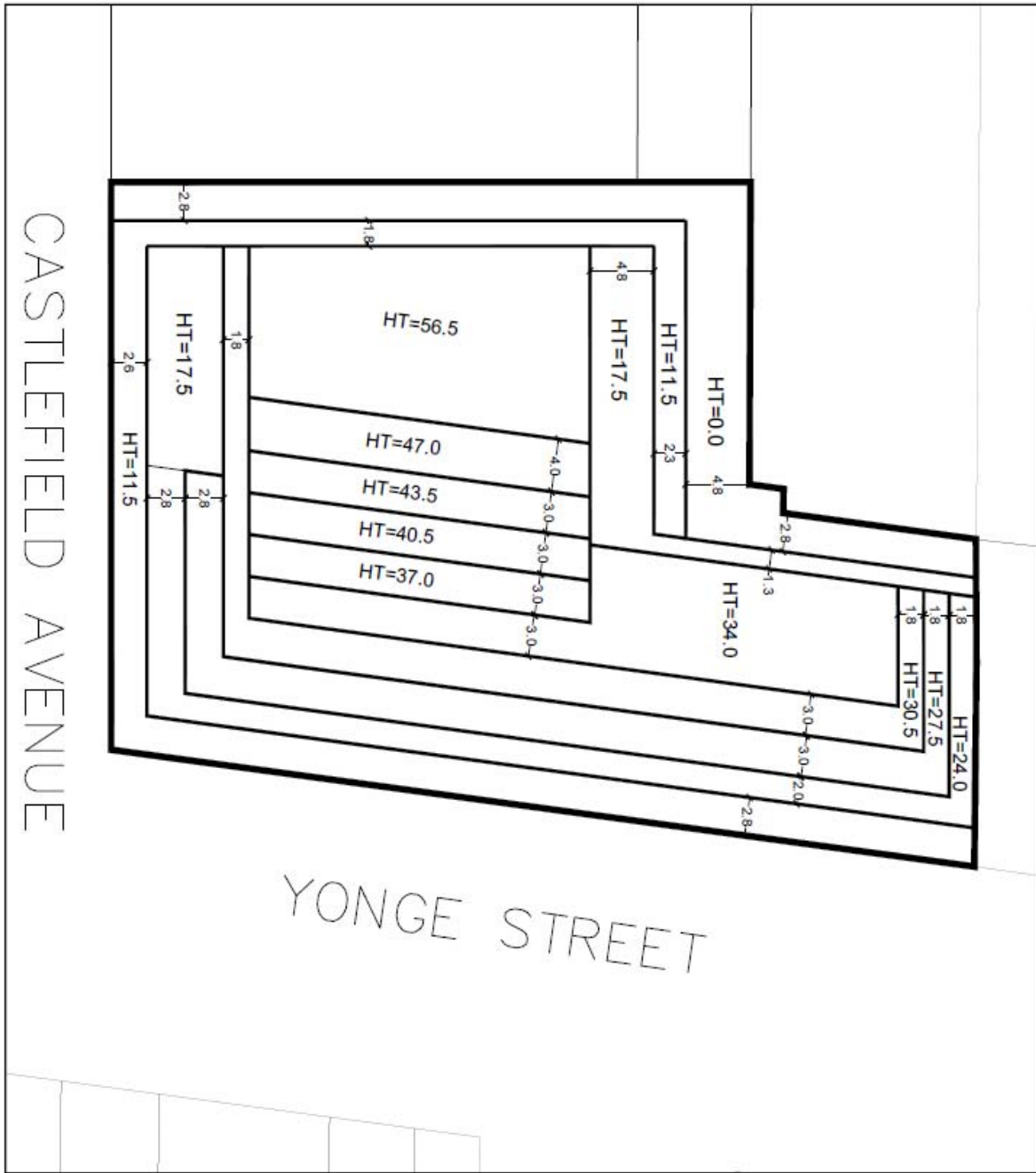


Diagram 3 2490-2514 Yonge Street, Part of 567 Duplex Avenue, and 10-12 and Part of 20 Castlefield Avenue

 Area affected by this By-law


Not to Scale

CITY OF TORONTO

BY-LAW - 2019

To amend Zoning By-law No. 438-86, as amended, with respect to the lands known municipally in the year 2019 as 2490-2514 Yonge Street, Part of 567 Duplex Avenue, and 10-12 and Part of 20 Castlefield Avenue.

WHEREAS the Council of the City of Toronto has been requested to amend its Zoning By-law pursuant to Section 34 of the Planning Act, R.S.O. 1990, c P. 13, as amended, with respect to lands known municipally in the year 2019 as 2490-2514 Yonge Street, Part of 567 Duplex Avenue, and 10-12 and Part of 20 Castlefield Avenue; and

WHEREAS Council has provided adequate information to the public and has held at least one public meeting in accordance with the Planning Act;

The Council of the City of Toronto enacts:

1. The lands subject to this By-law are outlined by heavy lines on Map 1, attached to and forming part of this By-law.

2. None of the provisions of Section 2 with respect to the definitions of lot, grade, bicycle parking space-occupant, bicycle parking space-visitor, temporary sales office, residential gross floor area, height and Sections 4(2), 4(3), 4(4), 4(6), 4(10), 4(12),4(13), 4(16), 8(2), 8(3) PART 1, 8(3) PART II, 8(3) PART IV, 8(3) PART XI, 12(2)118, 12(2)119, 12(2)270, 12(2)269, and 12(2)112 of By-law No. 438-86 of the former City of Toronto, being, "A By-law to regulate the use of land and the erection, use, bulk, height, spacing of and other matters relating to buildings and structures and to prohibit certain uses of lands and the erection and use of certain buildings and structures in various areas of the City of Toronto", as amended, shall apply to prevent the erection and use of a mixed use building and ancillary uses thereto, including a below-grade commercial parking garage on the lands municipally known in the year 2019 as 2490-2514 Yonge Street, Part of 567 Duplex Avenue, and 10-12 and Part of 20 Castlefield Avenue (hereafter referred to as the lot) provided:

(a) The total combined residential gross floor area and non-residential gross floor area of the building does not exceed 20,000 square metres;

(b) In addition to those uses permitted on the lot, permitted uses shall include those contained within Sections 6(1) and 8(1);

(c) No part of any building or structure on the lot erected or used above grade shall exceed the height limits shown in metres as indicated by the numbers following the letter "H" in the areas delineated by heavy lines on Map 2, attached to and forming part of this By-law;

2490-2514 Yonge Street, 10-12 Castlefield Avenue, and portions of 20 Castlefield Avenue and 567 Duplex Avenue – Official Plan Amendment and Zoning Amendment Applications – Final Report

(d) Nothing in Section 2(c) above shall prevent the following elements from projecting above the height limits shown on Map 2, as follows:

(i) A parapet, roof drainage, thermal insulation or roof ballast, and roof construction assembly elements located at each of the roof levels of the building, provided the maximum vertical distance of any such railing does not exceed 1.8 metres;

(ii) Safety railings and fences at each of the roof levels of the building, provided the maximum vertical dimension of any such parapet does not exceed 1.8 metres, and having a maximum combined vertical dimension with (i) above of 2.75 metres above the height of each roof level of the building;

(iii) Structures on the roof of any part of the building used for outside or open air recreation, green roof elements, wind mitigation elements, landscape features, architectural elements, elevator overruns, public art features, private art features, telecommunications equipment and antennae, window washing equipment, stair towers, stair enclosures, partitions dividing outdoor recreation areas, trellises or a fence, planters, landscape features, walls or structures enclosing such elements, lightning rods and exhaust flues, swimming pools (elevated or otherwise), structures housing pool or spa maintenance or operational equipment, provided the maximum vertical distance of such does not exceed 4.0 metres.

(e) No portion of any building, erected on the lot above grade shall be located otherwise than wholly within the areas delineated by heavy lines and building envelopes shown on Map 2, except for the following:

(i) Balconies, cornices, lighting fixtures, window washing equipment, awnings, canopies, finials, parapets, terraces, terrace guards, platforms ornamental or architectural elements, trellises, eaves, window sills, bay windows, canopies, guardrails, balustrades, railings, wind mitigation screens and features, planters, monuments, arbours, patios, piers, decorative features, stairs, stair enclosures, stair landings, supportive columns, wheel chair ramps, vents, stacks, wind screens and features, acoustic screens and features, underground garage ramps and their associated structures, underground garage stair enclosures, retaining walls, fences, screens, weather protection canopies, and landscape and public art features, to a maximum of 3.0 metres;

(f) A minimum of a combined 4.0 square metres of indoor residential amenity space and outdoor residential amenity space per dwelling unit shall be provided on the lot.

(g) Parking spaces shall be provided and maintained on the lot in accordance with the following requirements:

- (i) A minimum of 0.7 parking space for a one-bedroom dwelling unit;
- (ii) A minimum of 0.9 parking space for each two-bedroom dwelling unit;
- (iii) A minimum of 1.0 parking space for each three-bedroom dwelling unit;
- (iv) A minimum of 0.1 parking space for each dwelling unit for residential visitors;
- (v) A minimum of 1 parking space for each 100 square metres of non-residential gross floor area;
- (vi) For each car-share parking space provided on the lot, the minimum number of parking spaces required by 2(g)(i) and (ii) above shall be reduced by 4 parking spaces; and
- (vii) In the event that the calculation of the number of required parking spaces results in a number with a fraction, the number is rounded down to the nearest whole number;

(h) Notwithstanding Section 4(17) of By-law 438-86, a maximum of 10 parking spaces may have a minimum width of 2.4 metres, a minimum length of 5.4 metres, and a minimum height of 1.7 metres, with or without obstructions.

(i) Parking spaces required by this By-law for residential visitor and non-residential uses may be located within a commercial parking garage and may be available on a first-come-first-serve basis and available for and marketed to the general public, as long as 5 spaces will be reserved for the exclusive use of visitors.

(j) Bicycle parking spaces shall be provided and maintained on the lot in accordance with the following requirements:

- (i) A minimum of 0.9 bicycle parking spaces- occupant per dwelling unit for residential uses; and
- (ii) A minimum of 0.1 bicycle parking spaces - visitor per dwelling unit for residential visitors and non-residential uses.

(k) Despite the definitions of bicycle parking space – visitor and bicycle parking space-occupant of Section 2(1) of by-law 438-86, the required bicycle parking spaces may be provided in a stacked position with a minimum vertical clearance of 1.2 metres or within or outside of a parking stacker – bicycle , maintained on the lot.

(l) Loading spaces shall be provided and maintained on the lot in accordance with the following requirements:

(i) One loading space-type G shall be provided.

(m) None of the provisions of By-law 438-86, as amended, or this By-law shall apply to prevent a temporary sales office on the lot as of the date of passing of this By-law.

(n) None of the provisions of By-law 438-86, as amended, or this By-law shall apply to prevent a commercial parking garage on the lot as of the date of passing of this By-law.

(o) A minimum of 29% of the dwelling units shall be 3-bedroom or larger;

(p) The maximum number of floors shall be 14.

3. For the purposes of this by-law: all words, terms and phrases appearing in italics shall have the same meaning as they have for the purpose of the aforesaid By-law No. 438-86, as amended, except as herein provided:

(a) Bicycle parking space-occupant shall mean an area that is equipped with a bicycle rack or locker for the purpose of parking and securing bicycles:

(i) Where the bicycles are to be parked on a horizontal surface, has horizontal dimensions of at least 0.5 metre by 1.8 metres and a vertical dimension of at least 1.9 metres; and

(ii) Where bicycles are to be parked in a vertical position, has horizontal dimensions of at least 0.5 metre by 1.2 metres and a vertical dimension of at least 1.9 metres.

(b) parking stacker - bicycle means a mechanical bicycle parking facility with bicycle parking spaces which:

(i) are positioned above each other;

(ii) the platform of such bicycle parking space may have dimensions of not less than 0.37 metre by 1.8 metres and a height allowance of 1.2 metres; and

(iii) may not be readily accessible at all times without manoeuvring another bicycle or device.

(c) Bicycle parking space-visitor shall mean an area that is equipped with a bicycle rack or locker for the purpose of parking and securing bicycles and maybe within a secured room and/or within a parking stacker - bicycle:

(i) Where the bicycles are to be parked on a horizontal surface, has horizontal dimensions of at least 0.5 metre by 1.8 metres;

(ii) Where bicycles are to be parked in a vertical position, has horizontal dimensions of at least 0.5 metre by 1.2 metres; and

(iii) May be located indoors or outdoors including within a secured room or enclosure.

(d) car-share shall mean the practice where a number of people share the use of one or more cars that are owned by a profit or non-profit car-sharing organization and where such organization may require that use of cars be reserved in advance, charge fees based on time and/or kilometres driven, and set membership requirements of the car-sharing organization, including the payment of a membership fee that may or not be refundable.

(e) commercial parking garage means a building or a portion of a building used for the temporary parking of motor vehicles.

(f) car-share parking space shall mean a parking space that is reserved and actively used for car-sharing.

(g) grade shall mean an elevation of 166.40 metres Canadian Geodetic Datum.

(h) height shall be measured from "grade" to the highest point of the building.

(i) non-residential gross floor area shall mean the sum of the total areas of each floor level of a building, above grade, measured from the exterior of the main wall of each floor level, reduced by the area of the building used for:

(i) Parking, loading and bicycle parking below ground;

(ii) Commercial Parking Garage;

(iii) Required loading spaces at the ground level and required bicycle parking spaces at or above ground;

(iv) Storage rooms, washrooms, electrical, utility, mechanical and ventilation rooms in the basement;

(v) Shower and change facilities required by this By-law for required bicycle parking spaces;

(vi) Amenity space required by this By-law ;

(vii) Elevator shafts;

- (viii) Garbage shafts;
- (ix) Mechanical penthouse; and
- (x) Exit stairwells in the building.

(j) residential gross floor area shall mean the sum of the total areas of each floor level of a building, above and below the ground, measured from the exterior of the main wall of each floor level, reduced by the area of the building used for:

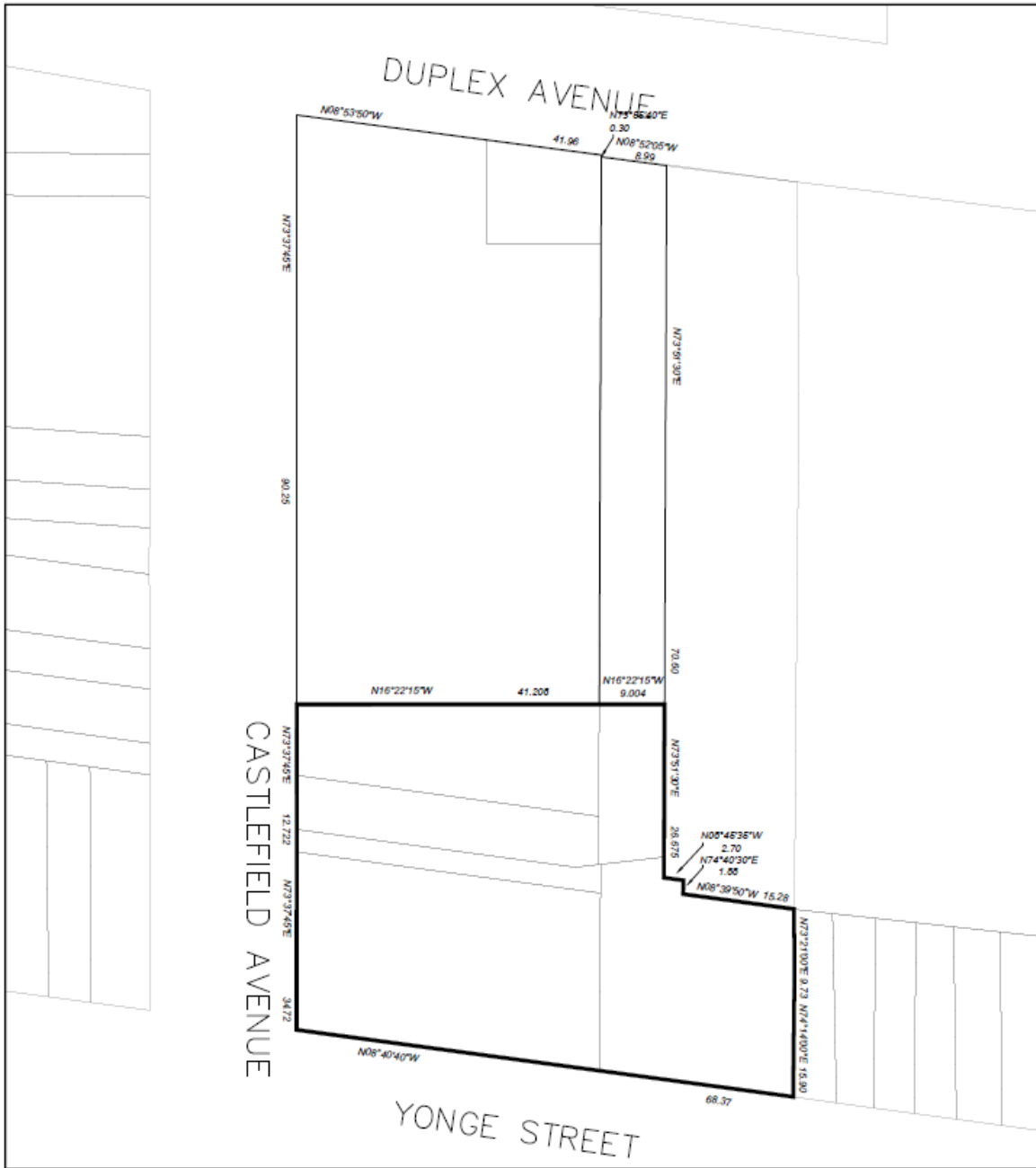
- (i) Parking, loading and bicycle parking below ground;
- (ii) Required loading spaces at the ground level and required bicycle parking spaces at or above ground;
- (iii) Storage rooms, washrooms, electrical, utility, mechanical and ventilation rooms in the basement;
- (iv) Shower and change facilities required by this By-law for required bicycle parking spaces;
- (v) Amenity space required by this By-law;
- (vi) Elevator shafts;
- (vii) Garbage shafts;
- (viii) Mechanical penthouse; and
- (ix) Exit stairwells in the building.

(k) temporary sales office shall mean a building, structure, trailer or facility on the lot used exclusively for the sales, marketing, display and promotion of dwelling units or the leasing, sale, marketing of non-residential gross floor area.

4. Prevailing By-laws, Sections and Exceptions: None Apply.


5. Despite any existing or future severance, partition, or division of the lot, the provisions of this by-law shall apply to the whole of the lot as if no severance, partition or division occurred.


ENACTED AND PASSED this _____ day of _____, A.D. 2020.



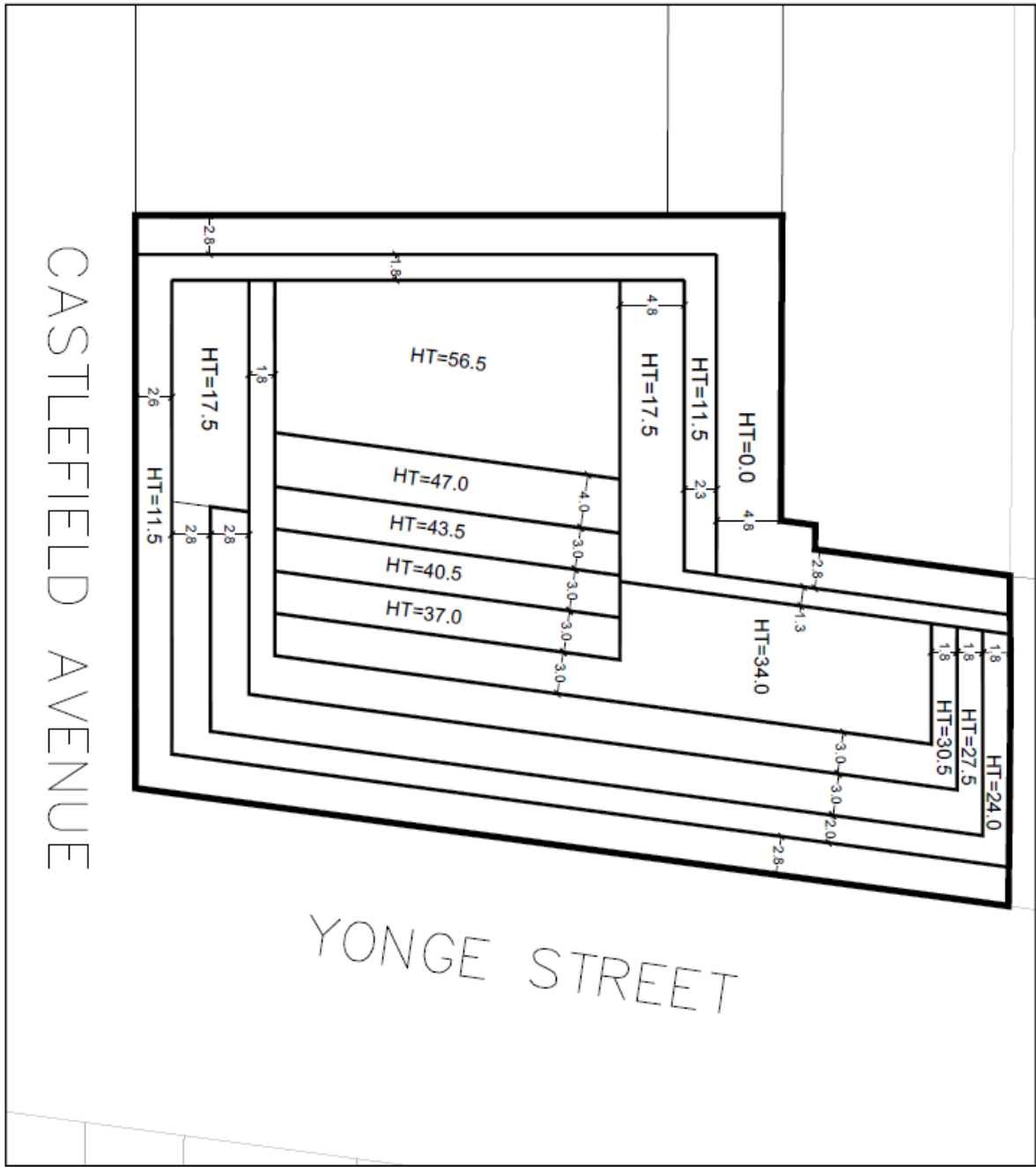
Map 1

2490-2514 Yonge Street, Part of 567 Duplex Avenue, and 10-12 and Part of 20 Castlefield Avenue

 Area affected by this By-law



Not to Scale


2490-2514 Yonge Street, 10-12 Castlefield Avenue, and portions of 20 Castlefield Avenue and 567 Duplex Avenue – Official Plan Amendment and Zoning Amendment Applications – Final Report



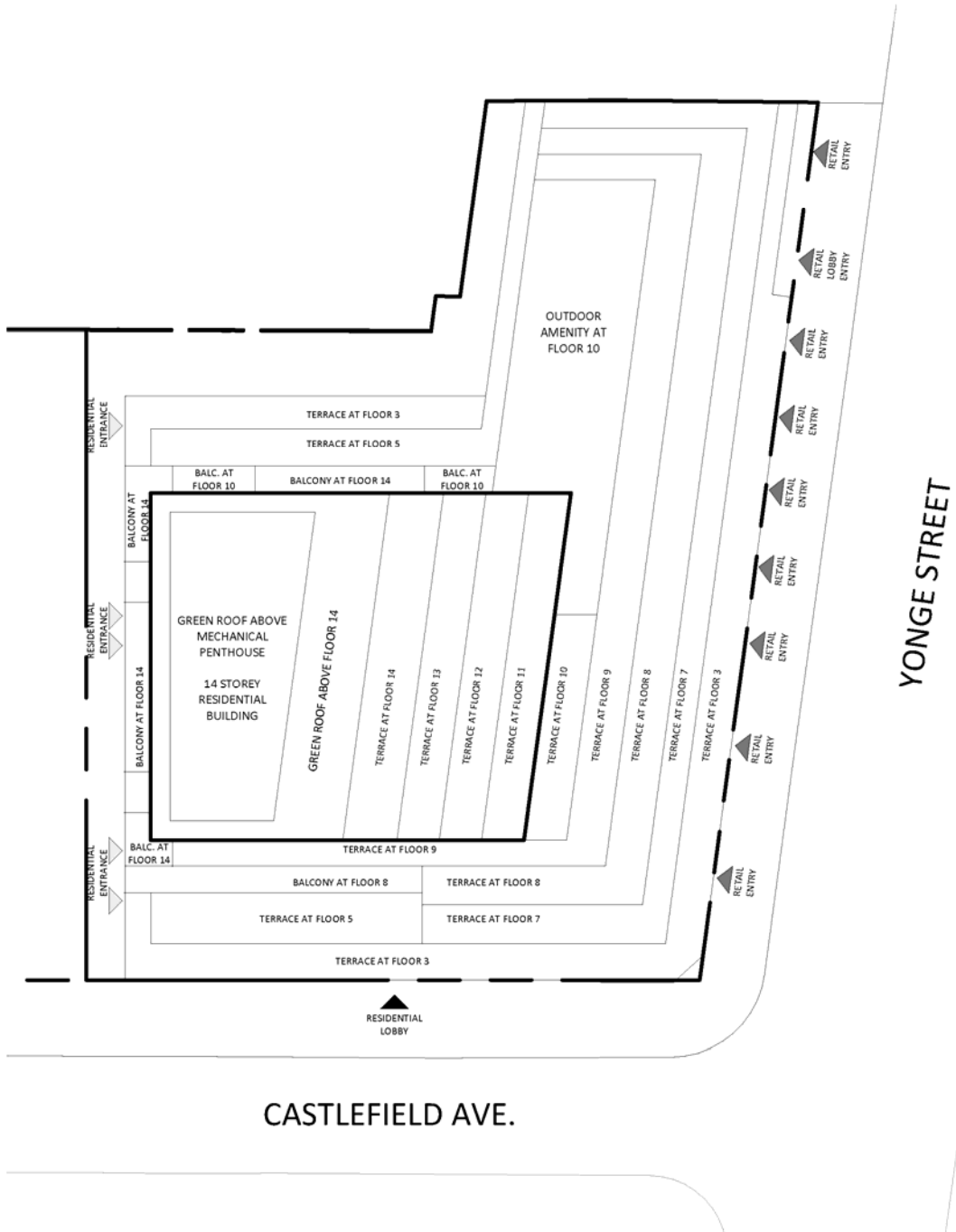
Map 2

2490-2514 Yonge Street, Part of 567 Duplex Avenue, and 10-12 and Part of 20 Castlefield Avenue

 Area affected by this By-law


Not to Scale

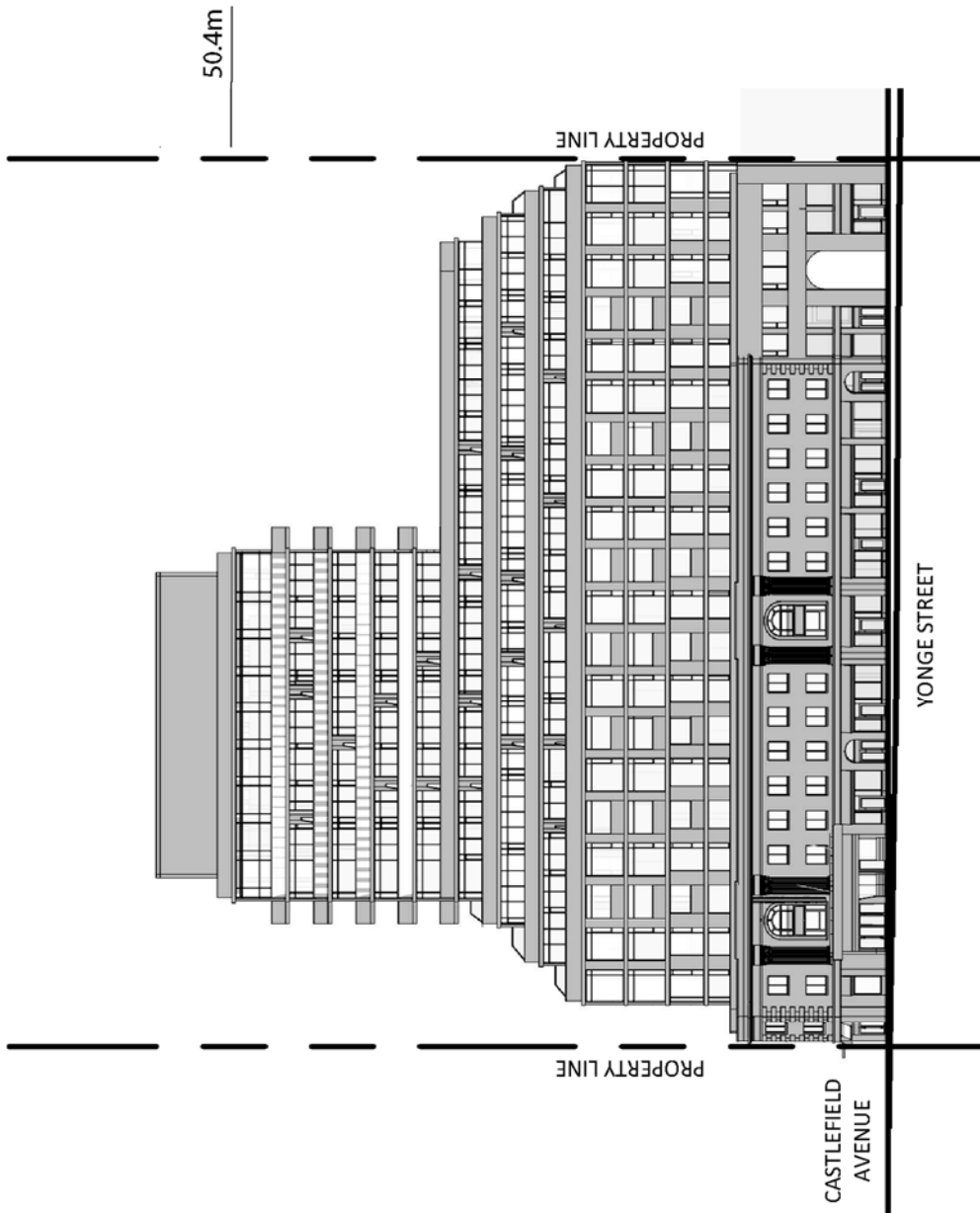
Attachment 10: Site Plan



Site Plan



2490-2514 Yonge Street, 10-12 Castlefield Avenue, and portions of 20 Castlefield Avenue and 567 Duplex Avenue – Official Plan Amendment and Zoning Amendment Applications – Final Report



East Elevation
Applicant's Submitted Drawing

**2490-2514 Yonge Street, 10-12 Castlefield Avenue and portions of
20 Castlefield Avenue and 567 Duplex Avenue**

Not to Scale
12/04/2019

File # 18 186858 NNY 16 0Z



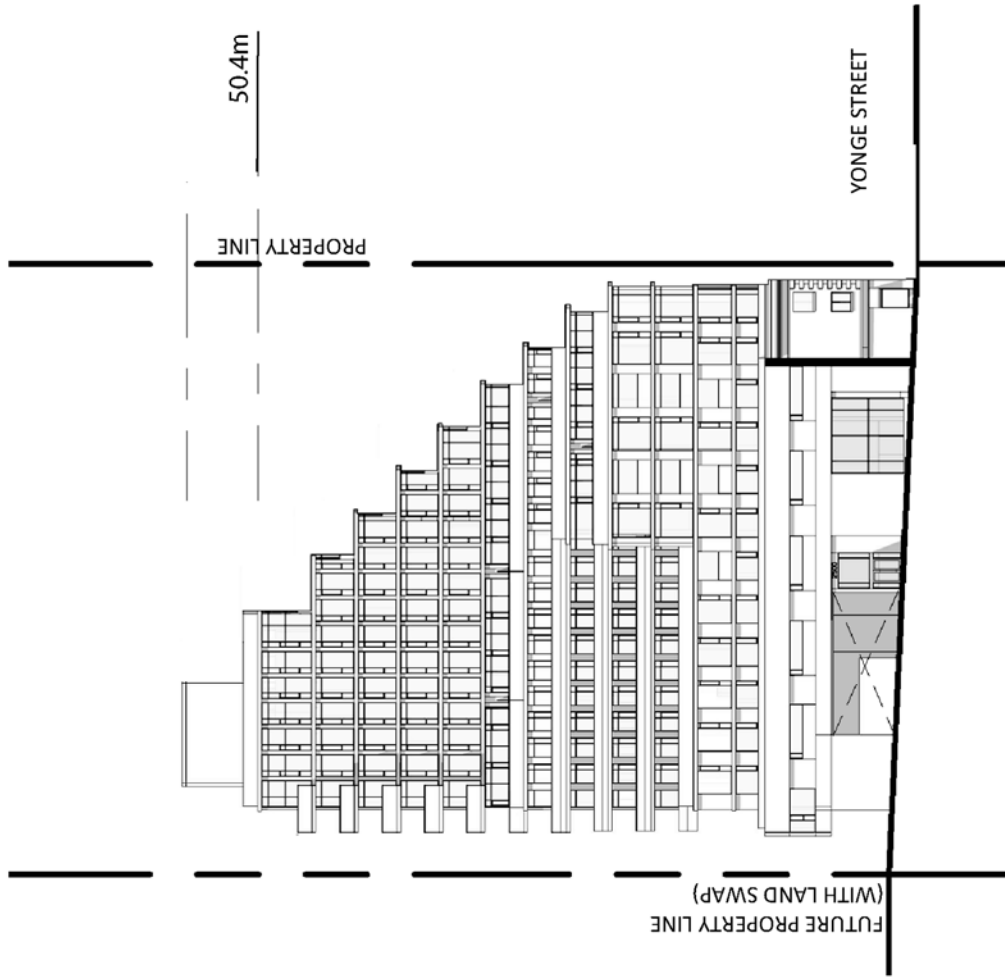
North Elevation **2490-2514 Yonge Street, 10-12 Castlefield Avenue and portions of
20 Castlefield Avenue and 567 Duplex Avenue**

Applicant's Submitted Drawing

Not to Scale
12/04/2019

File # 18 186858 NNY 16 0Z

Attachment 11c: South Elevation



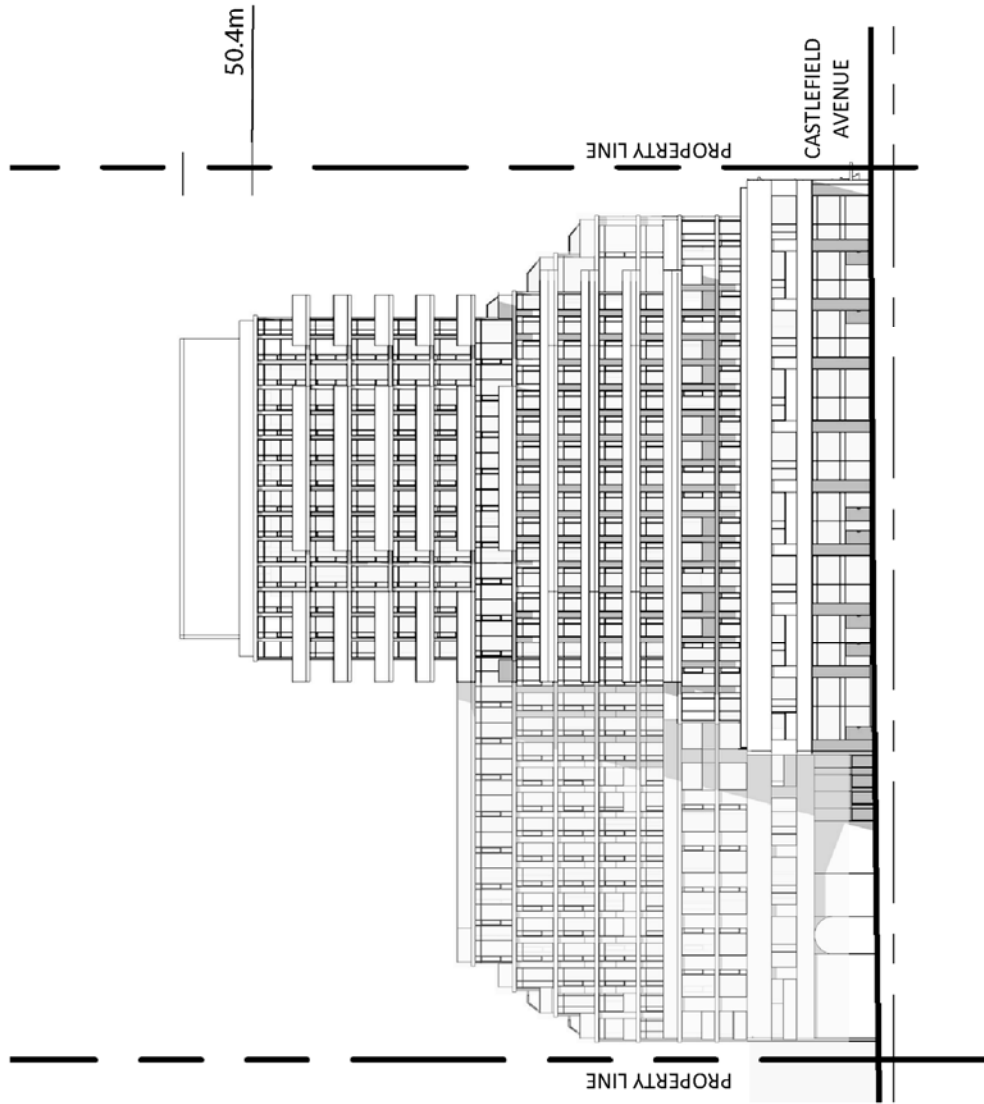
South Elevation

Applicant's Submitted Drawing

Not to Scale
12/04/2019

**2490-2514 Yonge Street, 10-12 Castlefield Avenue and portions of
20 Castlefield Avenue and 567 Duplex Avenue**

File # 18 186858 NNY 16.0Z



West Elevation
Applicant's Submitted Drawing
Not to Scale
12/04/2019

**2490-2514 Yonge Street, 10-12 Castlefield Avenue and portions of
20 Castlefield Avenue and 567 Duplex Avenue**

File # 18 186858 NNY 16.0Z