

5203 to 5215 Yonge Street and 11 Parkview Avenue – Official Plan Amendment and Zoning By-law Amendment Application – Request for Directions

Date: November 1, 2021

To: North York Community Council

From: Director, Community Planning, North York District

Ward 18 - Willowdale

Planning Application Number: 20 227227 NNY 18 OZ

SUMMARY

This application proposes to amend the Official Plan and former City of North York Zoning By-law 7625 for the property at 5203 to 5215 Yonge Street and 11 Parkview Avenue to permit a thirty-two storey (105.1 metres) mixed use building.

The applicant has appealed the application to the Ontario Land Tribunal (the "OLT") due to City Council's failure to make a decision within the timeframe prescribed in the *Planning Act*. A second Case Management Conference has been scheduled for January 26, 2022.

This report recommends that the City Solicitor, together with City Planning and other appropriate staff, attend the OLT hearing in opposition to the application. It also recommends that staff continue to have discussions with the applicant in an effort to resolve the issues outlined in this report and to report back to City Council on the outcome, as appropriate.

RECOMMENDATIONS

The City Planning Division recommends that:

1. City Council direct the City Solicitor, together with appropriate staff, to oppose the application at the Ontario Land Tribunal in its current form.
2. City Council authorize the City Solicitor and appropriate City staff to continue discussions with the applicant, to address the issues outlined in the report (October 28, 2021) from the Director, Community Planning, North York District and to report back to City Council on the outcome of those discussions, including with regard to community benefits to be secured pursuant to Section 37 in connection with any revised proposal, as appropriate.

3. Should the Ontario Land Tribunal approve the Official Plan and zoning by-law amendments, City Council authorize the City Solicitor to request that the Ontario Land Tribunal withhold its Final Order approving the application until such time as:

a. The Ontario Land Tribunal has been advised by the City Solicitor that the proposed Official Plan and zoning by-law amendments are in a form satisfactory to the City;

b. The City Solicitor confirms that a Section 37 Agreement satisfactory to the City Solicitor and Chief Planner and Executive Director, City Planning has been executed and registered to secure appropriate community benefits and other matters in support of the development;

c. The City Solicitor confirms that the owner has addressed the outstanding issues identified in the memorandum dated February 3, 2021 from the Manager, Development Engineering, Engineering and Construction Services, including an updated Functional Servicing and Stormwater Management Report that addresses staff's concerns;

d. The City Solicitor confirms that the owner has designed and provided financial securities for any upgrades or required improvements to the existing municipal infrastructure identified in the accepted Functional Servicing and Stormwater Management Report, and Geohydrology Report to support the development, all to the satisfaction of the Chief Engineer and Executive Director, Engineering and Construction Services, should it be determined that improvements or upgrades are required to support the development, according to the Functional Servicing and Stormwater Management Report, and Geohydrology Report, accepted by the Chief Engineer and Executive Director, Engineering and Construction Services; and

e. The City Solicitor confirms that the implementation of the Functional Servicing and Stormwater Management Report and Geohydrology Report accepted by the Chief Engineer and Executive Director, Engineering and Construction Services either does not require changes to the proposed amending by-laws or any such required changes have been made to the proposed amending by-laws to the satisfaction of the Chief Planner and Executive Director, City Planning, the City Solicitor and the Chief Engineer and Executive Director, Engineering and Construction Services.

4. Should the Ontario Land Tribunal approve the application, City Council approve a development charge credit against the Parks and Recreation component of the Development Charges for the design and construction by the applicant of the Above Base Park Improvements to the satisfaction of the General Manager, Parks, Forestry & Recreation (PFR). The development charge credit shall be in an amount that is the lesser of the cost to the applicant of designing and constructing the Above Base Park Improvements, as approved by the General Manager, PFR, and the Parks and Recreation component of development charges payable for the development in accordance with the City's Development Charges By-law, as may be amended from time to time.

FINANCIAL IMPACT

The City Planning Division confirms that there are no financial implications resulting from the recommendations included in this report in the current budget year or in future years.

DECISION HISTORY

At City Council's meeting of June 29, 2020, Council approved staff's recommended approach and work plan regarding the Growth Plan Conformity and Municipal Comprehensive Review outlined in a staff report. This includes the phased Major Transit Station Area ("MTSA") Prioritization Approach which is discussed in Attachment 2 to the report. The area surrounding Sheppard-Yonge subway station is identified as being within Phase 1 of the work plan. City Council's decision and the staff report may be found on the City's website:

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2020.PH14.4>.

On December 16, 2020, City Council considered a report from the Director of Project Design and Management, Transportation Services regarding the Reimagining Yonge Municipal Class Environmental Assessment Study. City Council endorsed the recommended design for the reconstruction of Yonge Street from Florence Avenue/Avondale Avenue to the Finch Hydro Corridor as generally shown in Attachment 1 to the report and the refinements shown in Attachment 2 to the report. City Council's decision and the staff report may be found on the City's website:

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2020.IE18.1>.

At its meeting of January 19, 2021, Planning and Housing Committee considered a report from the Chief Planner and Executive Director, City Planning on the division's study work plan. One of the directions made by the Committee was to direct City Planning to initiate the focused review of the North York Centre Secondary Plan. Committee's decision and the staff report may be found on the City's website:

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2021.PH20.2>.

At its meeting of March 1, 2021, North York Community Council considered a Preliminary Report on the subject application and directed staff to hold a community consultation meeting. A copy of the Preliminary Report and Community Council's decision may be found on the City's website:

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2021.NY22.13>.

PROPOSAL

This application proposes to amend the North York Centre Secondary Plan and former City of North York Zoning By-law 7625 for the property at 5203 to 5215 Yonge Street and 11 Parkview Avenue to permit a thirty-two storey building including a two-storey base building with a total of 329 dwelling units. The base building would include retail

uses along Yonge Street and a residential lobby along Parkview Avenue. The unit breakdown is as follows:

- 30 Studio (9%)
- 179 One-bedroom (55%)
- 90 Two-bedroom (27%)
- 30 Three-bedroom (9%)

A total of 132 parking spaces are proposed in a below grade parking garage and 325 bicycle parking spaces for residents, all accessed from the rear public laneway. Also accessed from the lane would be one Type "G" loading space.

The property known as 11 Parkview Avenue is proposed as a parkland dedication to the City of 564.3 square metres. Including the lands at 11 Parkview Avenue, the proposed Floor Space Index (the "FSI") is 10.47 and not including it results in a FSI of 14.82.

See Attachment 1 of this report, for a three dimensional representation of the project in context and Attachment 5 for the proposed site plan.

Reasons for Application

The application to amend the Official Plan is required as the proposed height and density are in excess of what the North York Centre Secondary Plan permits. The Secondary Plan also limits the amount of residential to fifty percent of the overall gross floor area, which the application proposes to exceed.

The application to amend the Zoning By-law is required in order to create performance standards that would facilitate the proposed development.

APPLICATION BACKGROUND

Application Submission Requirements

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

- Arborist Report
- Community Services and Facilities Study
- Energy Efficiency Report
- Geotechnical Study
- Hydrogeological Report
- Noise Impact Study
- Pedestrian Level Wind Study
- Planning Rationale
- Public Consultation Strategy
- Servicing Report
- Sun and Shadow Study

- Toronto Green Standards Checklist
- Transportation Impact Study

Detailed project information is found on the City's Application Information Centre at: <http://app.toronto.ca/AIC/index.do?folderRsn=orVAhBH9ST991WR8R0MESw%3D%3D>

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.

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.

The Provincial Policy Statement (2020)

The Provincial Policy Statement (2020) (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 use and management of land and infrastructure;
- ensuring the sufficient provision of housing to meet changing needs including affordable housing;
- ensuring opportunities for job creation;
- ensuring the appropriate transportation, water, sewer and other infrastructure is available to accommodate current and future needs; and
- protecting people, property and community resources by directing development away from natural or human-made hazards.

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 are 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 4.6 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 are 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 (2020)

A Place to Grow: Growth Plan for the Greater Golden Horseshoe (2020) (the "Growth Plan (2020)") came into effect on August 28, 2020. This was an amendment to the Growth Plan for the Greater Golden Horseshoe, 2019. The Growth Plan (2020) continues to provide a strategic framework for managing growth and environmental protection in the Greater Golden Horseshoe (the "GGH") region, of which the City forms an integral part. The Growth Plan (2020), establishes policies that require implementation through a Municipal Comprehensive Review ("MCR"), which is a requirement pursuant to Section 26 of the *Planning Act*.

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, recreation and green space, and better connected 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; and
- Minimizing the negative impacts of climate change by undertaking stormwater management planning that assesses the impacts of extreme weather events and incorporates green infrastructure.

The Growth Plan (2020), 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 (2020), 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 with the Growth Plan (2020). Comments, submissions or advice affecting a planning matter that are provided by Council shall also conform with the Growth Plan (2020).

Planning for Major Transit Station Areas

The Growth Plan (2020) contains policies pertaining to population and employment densities that should be planned for in major transit station areas ("MTSAs") along priority transit corridors or subway lines. MTSAs are generally defined as the area within an approximately 500 to 800 metre radius of a transit station, representing about a 10-minute walk. The Growth Plan (2020) requires that, at the time of the next MCR, the City update its Official Plan to delineate MTSA boundaries and demonstrate how the MTSAs plan for the prescribed densities. While the City has not yet delineated the MTSA for North York Centre subway station on the TTC's Line 1, the site is approximately 200 metres north of the station.

Staff have reviewed the proposed development for consistency with the PPS and for conformity with the Growth Plan (2020). The outcome of staff analysis and review are summarized in the Comments section of the Report.

Toronto Official Plan

The City of Toronto Official Plan is a comprehensive policy document that guides development in the City, providing direction for managing the size, location, and built form compatibility of different land uses and the provision of municipal services and facilities. Authority for the Official Plan derives from the *Planning Act* of Ontario. The PPS recognizes the Official Plan as the most important document for its implementation. Toronto Official Plan policies related to building complete communities, including heritage preservation and environmental stewardship may be applicable to any application.

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

The Built Form policies of the Official Plan require new development to be located and organize to fit with its existing and/or planned context. Buildings should generally be located parallel to the street and locate main building entrances so that they are clearly visible and directly accessible from the public sidewalk. Vehicular parking, access and service areas should be located and screened to minimize their impact and provide parking underground when possible. In order to fit harmoniously into the existing and/or planned context, buildings should create transitions in scale to neighbouring existing and/or planned buildings and to provide adequate light and privacy.

The subject lands are designated *Mixed Use Areas* on Map 16 of the Official Plan. These areas are expected to absorb most of the anticipated increase in retail, office and service employment in the Toronto, as well as much of the new housing. Development in these areas should locate and mass new buildings to provide a transition between areas of different development intensity and scale, through means such as providing appropriate setbacks and/or a stepping down of heights, particularly towards lower scale Neighbourhoods. Development in these areas should provide an attractive, comfortable and safe pedestrian environment and take advantage of nearby transit services which providing good site access and circulation and an adequate supply of parking for both residents and visitors.

North York Centre Secondary Plan

The application is also located within the North York Centre Secondary Plan ("NYCSP") and is designated Mixed Use Area B which permits commercial, institutional, public parks and recreational uses. Residential uses are permitted but only to a maximum of fifty percent of the overall density. The NYCSP permits a maximum FSI of 4.5 times the lot area, however, the density incentive policies of the NYCSP allow an application to increase this by a maximum of thirty-three percent in conformity with those policies. For the subject site, a maximum FSI of 5.99 including the 33 percent increase for the provision of incentives is permitted.

Of the permitted density, the NYCSP limits the amount of residential density to fifty percent of the total.

The NYCSP permits a maximum height of 100 metres above grade for the lands along Yonge Street and a maximum height of sixty-five metres for 11 Parkview Avenue.

The North York Centre Secondary Plan can be found here: <https://www.toronto.ca/wp-content/uploads/2017/11/8fe9-cp-official-plan-SP-8-North-York-Centre.pdf>.

Zoning

The site is subject to former City of North York Zoning By-law 7625 which zones the lands on Yonge Street as General Commercial Zone (C1) and 11 Parkview Avenue as One-Family Detached Dwelling Fourth Density Zone (R4). The C1 zone permits residential uses but only in a detached dwelling and retail uses. The R4 zone permits residential and recreational uses including parks.

The site is not subject to the City-wide Zoning By-law 569-2013.

City-Wide Tall Building Design Guidelines

City Council has adopted City-wide Tall Building Design Guidelines and directed City Planning staff to use these Guidelines in the evaluation of tall building development applications. The Guidelines establish a unified set of performance measures for the evaluation of tall building proposals to ensure they fit within their context and minimize their local impacts.

Tall buildings should respect the scale of the local context and display an appropriate transition in height and intensity especially when adjacent to areas of differing land use and lower scale built form. In general, appropriate fit and transition is achieved when tall buildings respect and integrate with the height, scale and character of neighbouring buildings, reinforce the broader city structure, provide horizontal separation and transition down to lower-scale buildings and open space, and maintain access to sunlight and sky view for surrounding streets, parks, public or private open space, and neighbouring properties. Such appropriate fit of the tall building is determined by the regulatory framework, including the planned intensity of use and scale of development for the site.

The Guidelines are available here:

<https://www.toronto.ca/legdocs/mmis/2013/pg/bgrd/backgroundfile-57177.pdf>.

Growing Up: Planning for Children in New Vertical Communities

The Growing Up Guidelines are the result of a two year study and two year period of implementation and monitoring, focused on how new mid-rise and tall buildings can be developed as vertical communities to support social interaction and better accommodate the needs of all households, including those with children. They apply to all new multi-residential mid-rise and tall building development application with twenty or more units. The link to the guidelines and the background staff reports is available here: <https://www.toronto.ca/city-government/planning-development/planning-studies-initiatives/growing-up-planning-for-children-in-new-vertical-communities/>

Other applicable guidelines which were used in the evaluation of the application include:

- Bird-Friendly Guidelines;
- Toronto Green Standards;
- Complete Streets; and
- Pet Friendly Design Guidelines and Best Practices for New Multi-Unit Buildings.

Site Plan Control

The application is subject to Site Plan Control however an application has not yet been filed.

COMMENTS

Provincial Policy Statement and Provincial Plans

The PPS and the Growth Plan are high-level and broad reaching documents. The City is a development area, the site is within an urban growth centre and infill is encouraged under these policies. Intensification and redevelopment is to be provided in areas that take into account the existing building stock and availability of infrastructure and public service facilities that meet projected needs. Both the PPS and Growth Plan identify official plans as the way to implement the broad policy goals of building complete

communities, appropriate mix of uses and efficient land use and development patterns to support sustainability by promoting strong, livable, healthy and resilient communities.

The Growth Plan, in Policy 2.2.2.3, directs municipalities to develop a strategy to meet the minimum intensification target and intensification in delineated built up areas. This strategy is to include identifying "the appropriate type and scale of development in *strategic growth areas* and transition of built form to adjacent areas." The City has identified an appropriate land use mix, height and density for the site and the surrounding area through the NYCSP, all elements of which the proposal proposes to amend.

While the proposed development does intensify lands within an urban growth centre and within close proximity of a subway station, it does so in a way that does not support and improve the local infrastructure (laneway). Provincial policy also talks about the importance of official plans in guiding growth and how that should occur; a discussion of how the proposal is massed in such a way that represents an overdevelopment of the site follows in the next sections of this report.

Official Plan/North York Centre Secondary Plan

The role of a Secondary Plan is to provide a more detailed planning framework to implement the PPS, Growth Plan (2020) and the objectives of the Official Plan. The applicant is proposing a height and density in excess of that permitted in the NYCSP.

The applicant is seeking a greater height and density than what is permitted in the NYCSP. Site-specific amendments to the height permissions in the NYCSP are discouraged by the plan. However, the NYCSP does allow for heights beyond those contained in the policy when the City will be satisfied that the increase in height:

- is necessary to provide for desirable flexibility in built form;
- would have no appreciable impact on the residential amenity of properties within the stable residential area defined in Section 1.17 of the NYCSP; and
- meets the urban design objectives of the NYCSP.

With regards to the maximum density permitted on a site, the Secondary Plan also allows for some flexibility by allowing applicants to increase the density beyond that shown on Map 8-6 and 8-7 of the Plan. Section 3.3 provides for Density Incentives above the maximum densities permitted, providing opportunities to achieve greater densities.

Considering Council's direction to study the MTSA boundaries and densities, the addition of a review of the NYCSP to the City Planning work program and changes to the *provincial policy regime since the NYCSP was approved*, some level of intensification beyond that contained in the NYCSP may be appropriate, but not to the scale currently being proposed. Any increase would need also provide for an appropriate amount of amenity space for residents and meet other policies of the Official Plan and NYCSP including built form and public realm.

The Secondary Plan also limits the amount of residential GFA to fifty percent of the overall density on the site. The application proposes to amend this provision of the NYCSP to allow a predominantly residential building. The applicant has not provided a rationale for why this is appropriate for the site, the submitted planning rationale only mentions that the amendment is required.

Built Form and Public Realm

The NYCSP requires buildings along Yonge Street to be set back approximately four metres in order to create a publicly accessible boulevard that is 10 metres in width from the roadway. While the building provides this setback at the ground floor, it cantilevers 5.01 metres into this boulevard space at a height of six metres, encroaching into the public realm.

Furthermore, Policy 5.3.2 of the NYCSP contains policies with regards to how base buildings and tall buildings are to be designed along Yonge Street:

l) In order to achieve a pedestrian-scale street wall condition along Yonge Street, any buildings within ten metres of the build-to line are required to be constructed between eight and twenty-five metres in height; and

m) Along approximately two-thirds of the street frontage of the lot, higher buildings will be set back ten metres above that height.

The proposed tall building does not meet the 10 metre tall building stepback for two-thirds of the frontage requirements of the Secondary Plan along Yonge Street. The proposed podium has a height of approximately nine metres, meeting the podium height in the NYCSP.

Along Parkview Avenue, the proposed building has no set back and the residential lobby doors open directly onto the public right-of-way. The NYCSP, in Policy 5.3.5, requires buildings to provide a setback along a side street of between 1.5 and three metres.

The tall building element of the proposal has a 2.5 metre stepback from the base building along Parkview Avenue and the proposed continuous balconies project into this stepback. This does not meet the intent of the City-wide Tall Building Design Guidelines.

In order to mitigate visual and wind impacts to the surrounding public realm, including the public laneway, the tower should provide a stepback whereas the proposed tall building element has a setback zero metres from the public laneway.

The proposed building, which is twice the permitted density, does not meet all of the Tall Building standards, does not provide appropriate setbacks and stepbacks. Further, as discussed in more detail below, the proposed building does not provide a widening of the public laneway to the rear of the site; As designed, the proposed building represents an overdevelopment of the site as it does not achieve these important building elements.

Growing Up: Planning for Children in New Vertical Communities

The intent of the Growing Up Guidelines is to ensure that a range of unit types and sizes are provided as part of a new development, including larger family sized units. The Guidelines recommend that a minimum of twenty-five percent of a building's units are large units: ten percent as three-bedroom units and fifteen percent as two bedroom units.

The proposal includes twenty-seven percent of the units as two-bedroom and nine percent as three-bedrooms. While they meet the spirit of the guidelines, an increase of three-bedroom units would be preferred to meet the Guideline's direction of ten percent of the overall units.

However, the proposed two- and three-bedroom units do not meet the unit sizes contained in the Guidelines. None of the proposed two bedroom units are larger than 87 square metres and none of the proposed three-bedroom units are larger than 100 square metres. The proposed units do not support the unit size objectives of the Growing Up Guidelines to accommodate a broad range of households, including families with children within new development.

Open Space/Parkland

Public parks and open spaces perform a variety of critical functions that improve and maintain community and environmental health. They offer recreational opportunities which support active lifestyles, host spaces for social events and organizations, and accommodate natural infrastructure which provide vital ecosystem services and help 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 City of Toronto Parkland Strategy is a 20-year strategic city-wide plan that guides long-term planning for new parks, park expansions and improvements, and improved access to existing parks. The Strategy includes a new methodology to measure and assess parkland provision, using the baseline of residential population against the area of parkland available across the city. According to the Strategy's methodology, the development site is currently in an area with four to twelve square metres of parkland per person, which is below the city-wide average provision of twenty-eight square metres of parkland per person in 2016.

The development site is also within an Areas of Parkland Need per Figure 18 of the Parkland Strategy, which highlights areas where the City will focus and prioritize parks planning and acquisitions. Given the future expected growth both on the development site itself and surrounding sites, a parkland deficit will be generated if no new parks are created. This anticipated parkland deficit must be addressed through the creation of a new park to serve the future population.

At the alternative rate of 0.4 hectares per 300 units specified in Chapter 415, Article III of the Toronto Municipal Code, the parkland dedication requirement is 4,386.70 square

metres or 231.11 percent of the site area. However, for sites that are less than one hectare in size, a cap of 10 percent of the development site is applied to the residential use while the non-residential use is subject to a two percent parkland dedication. In total, the parkland dedication requirement is 190.29 square metres.

The property known as 11 Parkview Avenue, which is not contiguous with the rest of the lands but is part of the application, is proposed as a parkland dedication to the City of 564.3 square metres. This represents an over dedication of the required amount of parkland as required by the Toronto Municipal Code.

Laneway Widening

Policy 2.2.3(c) of the Official Plan states that through development applications the City will acquire lands to ensure that public lanes which serve mixed commercial-residential on at least one side will be at least six metres wide. To the rear of the site is an existing public laneway and Transportation Services have indicated the need for a widening as it is less than six metres wide. The applicant is showing the entire widening off of their lands, instead relying on the adjacent landowner to make up the shortfall. When rights-of-way are not the required width, half of the shortfall is to be made up by each of the landowners as the sites redevelop. As such, the proposal needs to be amended to accommodate an additional 1.17 metre-wide lane widening from the applicant's property.

Infrastructure/Service Capacity

As part of the submitted materials, the applicant submitted engineering reports and drawings which were reviewed by staff. Engineering and Construction Services provided comments in their memorandum of February 3, 2021, which identified the need for additional information and changes including an updated Functional Servicing and Stormwater Management Report.

Should the OLT decide to approve the proposal, it is appropriate for the final Order to be held until such time as the applicant has addressed the City's outstanding concerns and any required infrastructure upgrades identified have been secured.

Parking

Transportation Services have reviewed the submitted materials and do not support the proposed parking supply based on the information provided. Transportation Services require the development to comply with the Policy Area 3 requirements contained in Zoning By-law 569-2013. A reduced parking supply may be deemed acceptable provided the applicant supply acceptable justification and support of that rate, including a comprehensive Transportation Demand Management Plan, which has not occurred to date.

Community Services and Facilities

Community Services and Facilities ("CS&F") contribute to the social, economic and cultural development of the city and are vital in supporting liveable communities. CS&F

are publically accessible, non-profit facilities and places where City Divisions, agencies and boards, and school boards deliver programs and services. This includes child care centres, libraries, recreation facilities, schools and community space for human services. CS&F support a strong network of programs and services that are essential to building community capacity as well as the fostering of complete communities.

The PPS uses the term public service facilities and identifies that such facilities will be coordinated and integrated with land use planning so that they are financially viable and available to meet current and projected needs. The PPS supports the optimization and adaptive re-use of existing facilities.

The Growth Plan (2020) reinforces the PPS and further identifies that public service facilities form part of the achievement of complete communities and improve social equity and overall quality of life. The Growth Plan (2020) calls for facilities to be co-located where possible with preference given to locations in or near strategic growth areas easily accessible by active transportation and transit.

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.

Section 10.5 of the NYCSP requires an applicant to enter into an agreement under Section 37 of the *Planning Act* concerning the transfer of density and for the provision of matters qualifying for incentives as described in Section 3.3 of the Secondary Plan. The NYCSP contains density incentives for the provision of specific uses and facilities. Providing density incentives in accordance with the NYCSP would permit a density greater than would otherwise be permitted in accordance with Maps 8-6 and 8-7.

These incentives, outlined in Policy 3.3, include things such as bicycle parking, pedestrian connections to a transit terminal, common amenity area and street related retail.

The applicant has submitted a Community Services and Facilities Study which concludes that "with the current constraints placed on childcare facilities and schools in the neighbourhood, the proposal will not place an undue burden on existing community services and facilities" as "the overutilization of schools and capacity issues at childcare centres are indicative of a city-wide problem". Further, the report states that the proposed building will "not place an undue burden on existing community services".

In consultation with the Toronto District School Board, Toronto Lands Corporation has determined there is insufficient capacity at the local schools to accommodate students anticipated from this development, due to the cumulative impact of residential intensification in this area. Therefore, students from new residential developments in this area are being directed to other schools. The Toronto Catholic District School Board

has also identified strain on local schools in the area due to enrollment pressures triggered by the intensity and scale of development applications in the area.

The following CS&F matters have been identified for consideration in the review of this development:

- Securing financial contributions towards the North York Central Library Revitalization; and/or
- Securing financial contributions towards the provision of needed park-based facilities as identified in the Parks and Recreation Facilities Master Plan Implementation Strategy.

Should the OLT choose to approve this application in some form, it is recommended that the City Solicitor ask the Tribunal to withhold its final Order until such time as appropriate community benefits are secured through Section 37 of the *Planning Act*.

Conclusion

Staff have reviewed the proposal against the PPS, the Growth Plan (2020) and the Official Plan and have identified a number of concerns as identified above. These concerns include density, built form and public realm objectives, parking and a laneway widening. Together, the lack of appropriate setbacks and stepbacks, together with not providing an appropriate laneway widening illustrate how the proposal represents an overdevelopment of the site.

Should the OLT approve the development in some form, staff recommend that the final Order be withheld until such time as other issues are addressed such as servicing and appropriate community benefits.

CONTACT

Guy Matthew, MCIP, RPP, Acting Manager
Tel. No. (416) 395-7102
E-mail: Guy.Matthew@toronto.ca

SIGNATURE

David Sit, MCIP RPP
Director, Community Planning,
North York District

ATTACHMENTS

City of Toronto Data/Drawings

Attachment 1: 3D Model of Proposal in Context Looking Northwest

Attachment 2: Location Map

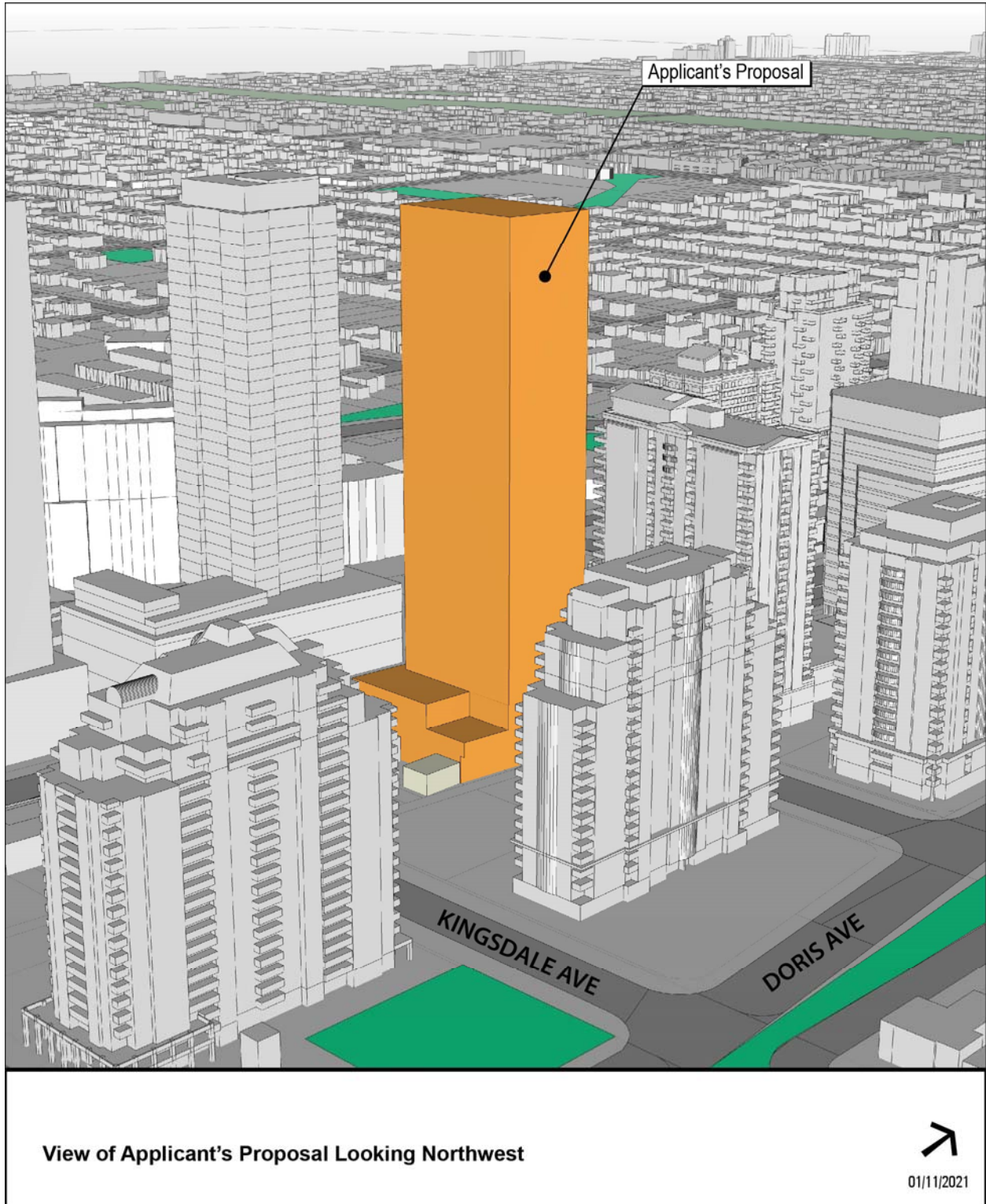
Attachment 3: Official Plan Land Use Map

Attachment 4: North York Centre Secondary Plan

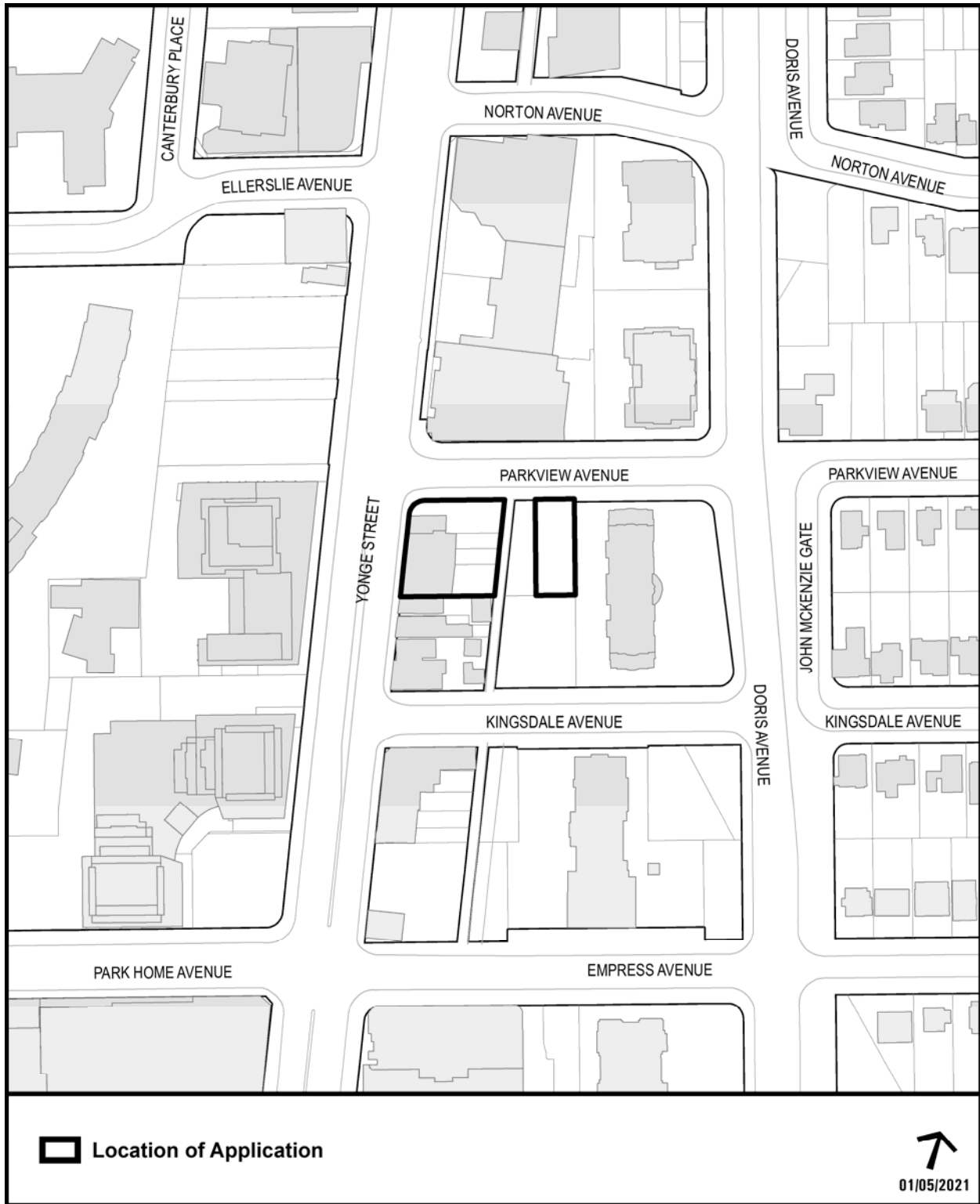
Applicant Submitted Drawings

Attachment 5: Site Plan

Attachment 1: 3D Model of Proposal in Context Looking Northwest



Attachment 2: Location Map



Attachment 3: Official Plan Land Use Map



5203-5215 Yonge Street & 11 Parkview Avenue

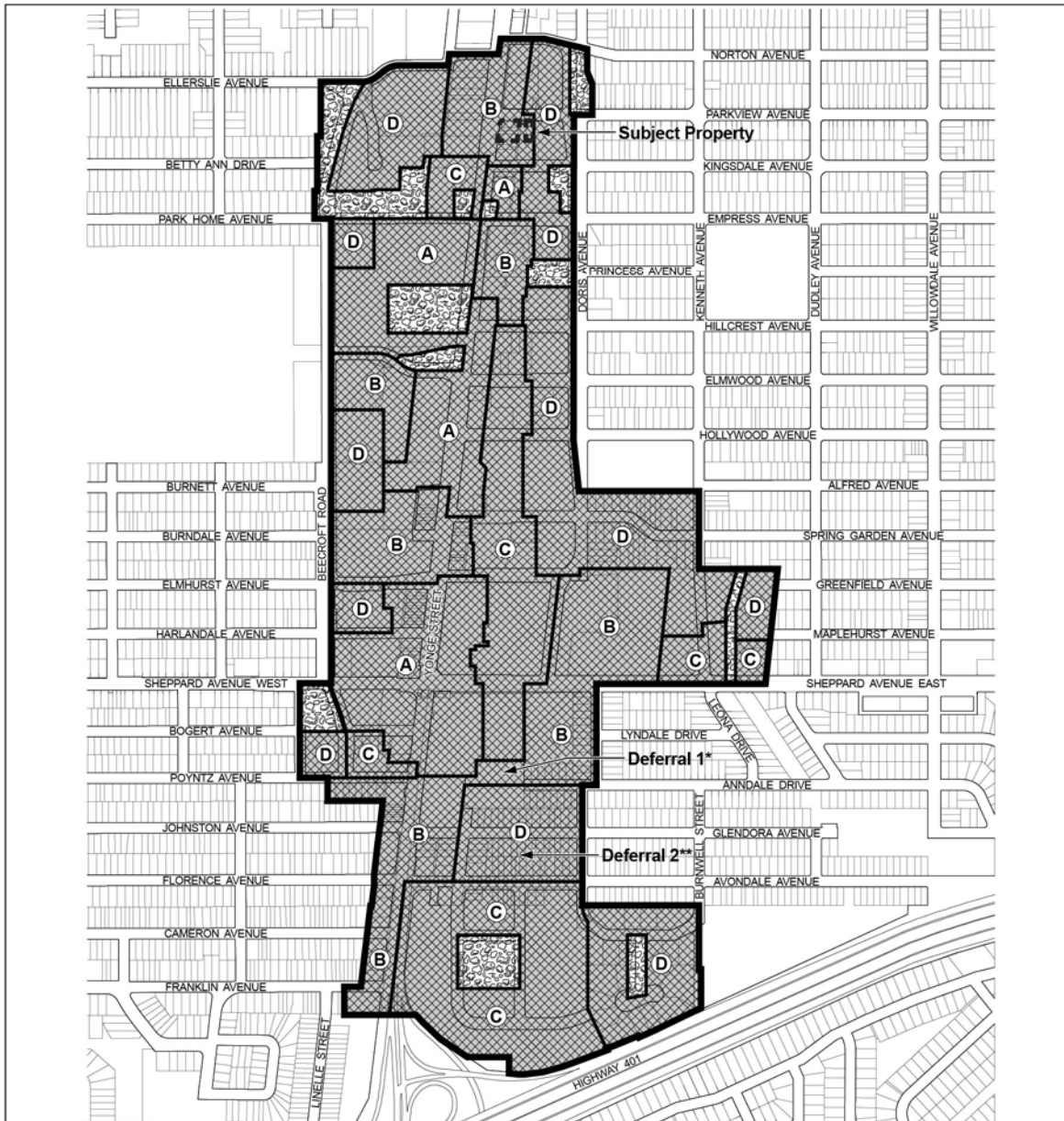
Official Plan Land Use Map #16

File # 20 227227 NNY 18 0Z

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

↑
Not to Scale
01/05/2021

Attachment 4: North York Centre Secondary Plan






North York Centre Secondary Plan

5203-5215 Yonge Street & 11 Parkview Avenue

MAP 8-3 NY Centre South Land Use Areas

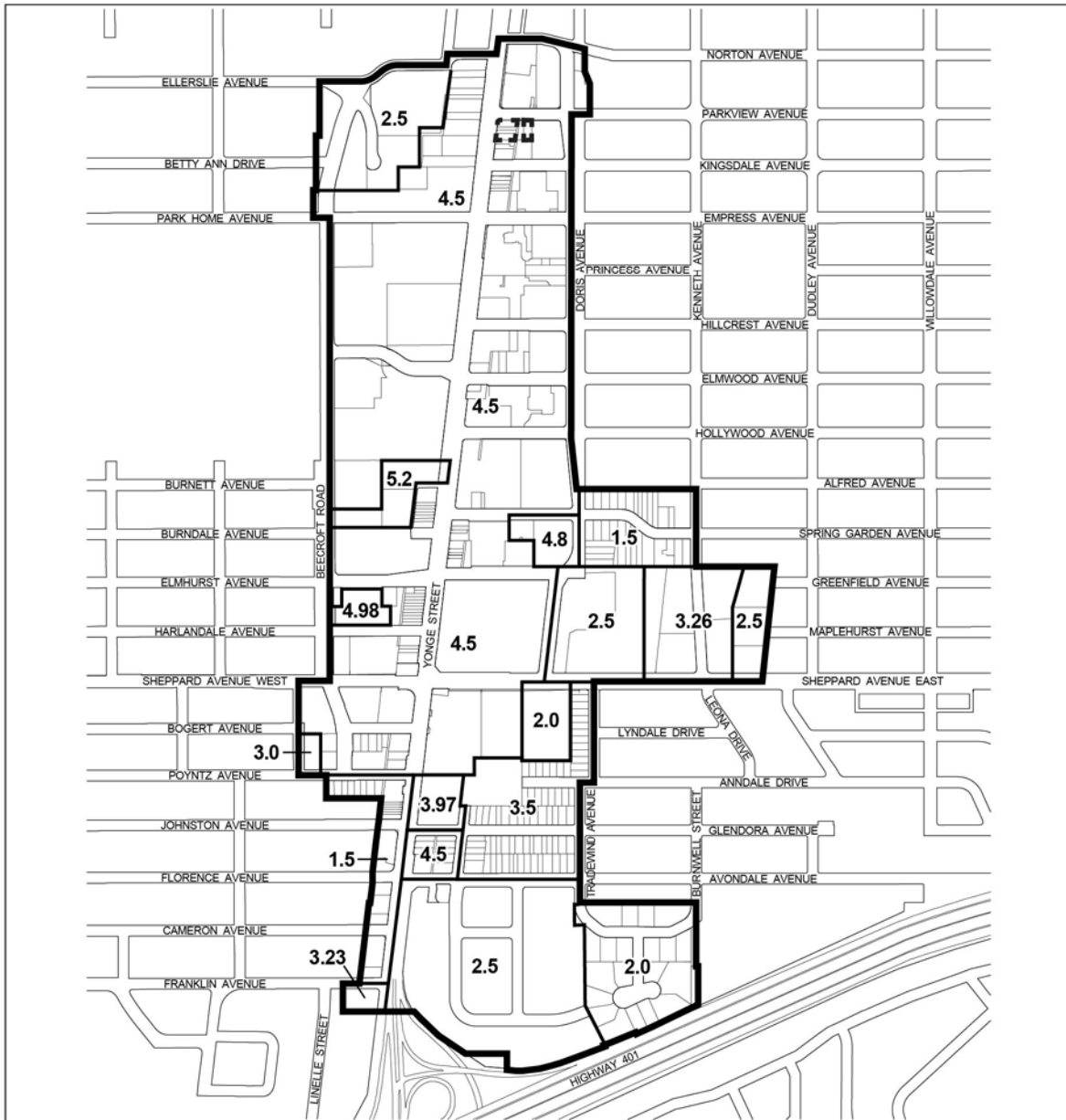
File # 20 227227 NNY 18 0Z

-  Subject Property
-  Secondary Plan Boundary
-  Mixed Use Areas
 - Area A - 0% Residential Use
 - Area B - Maximum 50% Residential Use
 - Area C - Maximum 100% Residential Use
 - Area D - Maximum 100% Residential Use

 Parks and Open Space Areas

*Deferral 1 No decision made by Ministry on lands identified as Deferral 1
 **Deferral 2 Lands identified as Deferral 2 have not yet received approval from the OMB


 Not to Scale
 01/06/2021



North York Centre Secondary Plan

5203-5215 Yonge Street & 11 Parkview Avenue

MAP 8-6 NY Centre South Density Limits

File # 20 227227 NNY 18 0Z

-  Subject Property
-  Secondary Plan Boundary

Note: Density Limits are exclusive of density incentives and transfers



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01/06/2021



North York Centre Secondary Plan

5203-5215 Yonge Street & 11 Parkview Avenue

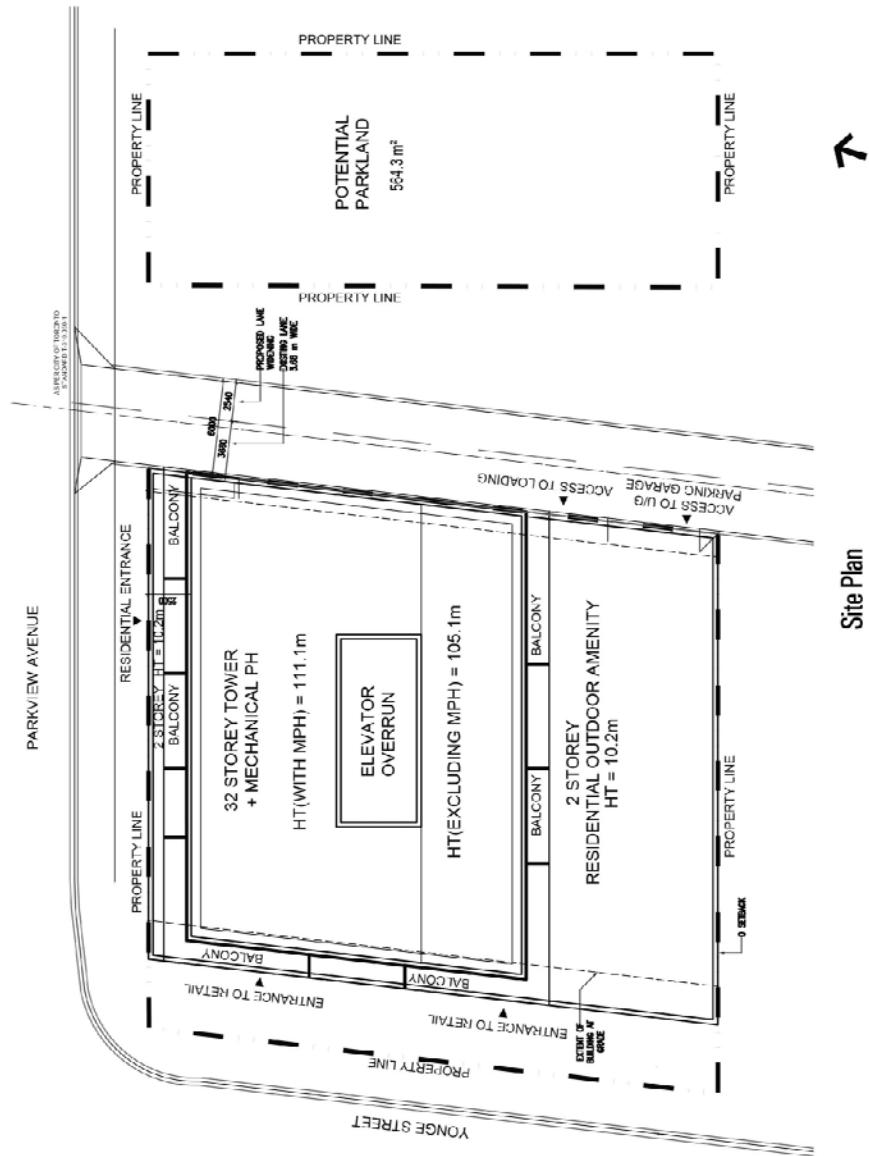
MAP 8-8c Maximum Height Limits

File # 20 227227 NNY 18 0Z

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



Not to Scale
01/06/2021



Attachment 5: Site Plan