

## **1-7 Yonge Street – Draft Plan of Subdivision – Final Report**

Date: December 14, 2020

To: Toronto and East York Community Council

From: Director, Community Planning, Toronto and East York District

Ward 10 - Spadina-Fort York

**Planning Application Number:** 16 126393 STE 28 SB

**Related Applications:** 20 152435 STE 10, 20 152435 STE 10, 16 269114 STE 28 SA, 17 108913 STE 28 SA

**Notice of Complete Application Issued:** March 21, 2016

**Current Uses on Site:** 25 storey office tower on south block, construction on north block

### **SUMMARY**

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This application for a Draft Plan of Subdivision proposes to create two development blocks and a new public street (referred to as the Harbour Street extension throughout this Report). The north block (Block 1) is 1.203 hectares and will be developed with three tall residential towers with commercial and community uses in the podium. The south block (Block 2) is 1.084 hectares and is planned for commercial uses. The proposed new street would have a right of way width of 27 metres and will facilitate the reconfiguration and extension of Harbour Street as anticipated by the Lower Yonge Precinct Plan.

The Draft Plan of Subdivision application includes appropriate land dedications to the City to support the new development. A new public road is proposed, and an agreement between the City, the applicant and the adjacent landowner securing parkland off-site within the Lower Yonge Precinct Plan has been executed and registered on title. Affordable Rental Housing Units (10% of the total residential gross floor area) will be provided on the north block in accordance with the registered Section 37 agreement for this site. Contributions to transportation infrastructure improvements identified as required to support development in the Lower Yonge Precinct Area were also secured in the Section 37 Agreement. The proposed Draft Plan of Subdivision is consistent with the Lower Yonge Precinct Plan, The Lower Yonge Precinct Environmental Assessment Study, the site's site and area specific official plan policies and the site-specific official plan and zoning settlement approved by the Local Planning Appeal Tribunal (LPAT) in March 2017.

The proposed development is consistent with the Provincial Policy Statement (2020), in conformity with the Growth Plan for the Greater Golden Horseshoe (2020) and has regard for the criteria set out in Section 51(24) of the planning Act with regards to the subdivision of lands. This report advises that the Chief Planner intends to approve the Draft Plan of Subdivision.

## **RECOMMENDATIONS**

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The City Planning Division recommends:

1. In accordance with the delegated approval under By-law 229-2000, as amended, City Council be advised that the Chief Planner and Executive Director, City Planning intends to approve the Draft Plan of Subdivision as generally illustrated on Attachment 12 subject to:

- a) The conditions, as generally listed in Attachment 11 which, except as otherwise noted, must be fulfilled prior to final approval and the release of the Plan of Subdivision for registration; and
- b) Any such revisions to the proposed subdivision plan or any such additional or modified conditions as the Chief Planner and Executive Director, City Planning may deem to be appropriate to address matters arising from the on-going technical review of this development.

## **FINANCIAL IMPACT**

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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**

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The Central Waterfront Secondary Plan (CWSP) was passed as Official Plan Amendment No. 257 by City Council on April 16, 2003 as an amendment to the former City of Toronto Official Plan.

The Lower Yonge Precinct Plan and implementing draft OPA was endorsed by City Council on June 7, 2016. The Precinct Plan provides the comprehensive framework intended to guide development in the Precinct. The Council decision is located at the following link:

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2016.TE16.4>

The Lower Yonge Precinct Municipal Class Environmental Assessment (MCEA) was adopted by City Council in July 2017.

The Council decision can be located at the following link:

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2017.PW22.7>

A Zoning By-law Amendment application was submitted by Pinnacle International for the subject site in March 2013. In consultation with City Staff, the applicant later determined that an Official Plan Amendment to the former City of Toronto Official Plan was required, as the proposal did not conform to some of the policies within this Plan that are still in force for portions of the waterfront area. The Official Plan Amendment application was submitted in November 2013. Both applications were subsequently appealed to the Local Planning Appeals Tribunal (formerly Ontario Municipal Board) due to Council's lack of decision on the application. The Preliminary Reports for both those applications are located at the following links:

Zoning By-law Amendment:

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2013.TE25.64>

Official Plan Amendment:

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2014.TE30.53>

In June 2016, Council endorsed a Report from Community Planning recommending the City proceed to a Settlement based on merits of the improved proposal. The Request for Directions report for this application is located at the following link:

Request for Direction:

<https://www.toronto.ca/legdocs/mmis/2016/te/bgrd/backgroundfile-93840.pdf>

The Local Planning Appeals Tribunal (LPAT) approved a settlement (PL140008) between Pinnacle and the City of Toronto in March 2017, and subsequently issued an order in April 2019. The settlement allows for a mixed-use residential and commercial development to include buildings ranging in heights from 65 storeys (204.2 metres) to 95 storeys (294.2 metres) for the mixed use residential buildings on the north block, and 22 storeys (92.2 metres) to 35 storeys (144 metres) for the commercial development on the south block. It also requires that Pinnacle satisfy its parkland dedication requirements through an off-site contribution to the Lower Yonge Park, which will be located on the neighbouring LCBO lands.

On January 30, 2019 a Three Party Agreement between the City, the owner and Redpath was entered into dealing with matters respecting noise and odour studies to be undertaken in accordance with the LPAT settlement.

The settlement also includes a number of holding provisions within the approved By-law to address technical matters, which may be lifted through a phased-approach.

A related zoning by-law amendment application filed by Pinnacle Inc. was adopted by City Council on November 25, 2020. This removed the holding symbol (H) from Phase 2 of the development, a portion of the lands on the north block of this subdivision application. The Council decision is located at the following link:

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2020.TE20.2>

An application to revise the approved site specific Official Plan and Zoning By-law provisions as they relate to the south block, to allow for the inclusion of a hotel use, was submitted on June 4, 2020. The preliminary report for this application is located at the following link:

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2020.TE18.34>

## **PROPOSAL**

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This application for a Draft Plan of Subdivision proposes to create two development blocks bisected by a new public street. The north block (Block 1) is 1.203 hectares and will be developed with three tall residential towers with commercial and community uses in the podium. The south block (Block 2) is 1.084 hectares and is planned for commercial uses. The proposed new street would have a right of way width of 27 metres and will facilitate the reconfiguration and extension of Harbour Street as anticipated by the Lower Yonge Precinct Plan and MCEA.

Detailed project information can be found on the City's application Information Centre at: <https://www.toronto.ca/city-government/planning-development/application-information-centre/>

The 1-7 Yonge Street site is 23,393 square metres in area and is located at the northeast corner of Yonge Street and Queens Quay East within the Lower Yonge Precinct Area. The site is bounded by Lake Shore Boulevard East to the north, Freeland Street to the east, Queens Quay East to the south and Yonge Street to the west. Currently on the south portion of the site is a 25 storey office building and a 5 storey podium, built in 1971. The site has been planned comprehensively and will be implemented in 5 phases. Phases 1, 2 and 3 are north of the Harbour Street extension, and will be developed with a mix of residential, retail and community uses. Phases 4 and 5 are south of the Harbour Street extension and will be developed with commercial uses only. Phases 1 and 2 of the approved redevelopment are under construction on the north portion of the site.

See attachment 8 for a phasing plan and attachment 12 for the proposed Draft Plan of Subdivision.

### **Reasons for Application**

An application for a Plan of Subdivision is required under Section 51 of the Planning Act to create a new public street and two development blocks. This application facilitates the development approved by the LPAT. This Plan of Subdivision application (16 126 3939 STE SB) was submitted on March 11, 2016.

## **APPLICATION BACKGROUND**

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### **Application Submission Requirements**

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

- Civil and Engineering Drawings
- Functional Servicing and Stage 1 Stormwater Management Report
- Lower Yonge Master Functional Servicing Plan
- Tree Preservation Report and Preservation Plan

Information for this application can be viewed at the Application Information Centre (AIC)

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

### **Agency Circulation Outcomes**

The application, together with the applicable reports noted above, has been circulated to all appropriate agencies and City Divisions. Responses received have been used to assist in evaluating the application and to formulate appropriate conditions of Draft Plan of Subdivision approval.

### **Statutory Public Meeting Comments**

In making their decision with regard to this application, Council members will be given an opportunity to view the oral submissions made at meeting held by the Toronto and East York Community Council.

## **POLICY CONSIDERATIONS**

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### **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:

- Infrastructure and public service facilities shall be provided in an efficient manner that prepares for the impacts of a changing climate while accommodating projected needs
- Planning for sewage and water services shall accommodate forecasted growth in a manner that promotes the efficient use and optimization of existing municipal sewage and water services
- Promoting efficient development and land use patterns which sustain the financial wellbeing of the Province and municipalities over the long term;
- Promoting the integration of land-use planning, growth management, transit-supportive development, intensification and infrastructure planning to achieve cost effective development patterns, optimization of transit investments, and standards to minimize land consumption and servicing costs;
- Providing for an appropriate mix and range of employment, institutional and broader mixes to meet long-term needs;
- 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 4.7 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 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) 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 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;
- 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 (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).

Staff have reviewed the proposed development for consistency with the PPS (2020) 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 Policies and Planning Studies**

The amalgamated City of Toronto Official Plan was adopted by Council in 2002 and approved by the Ontario Municipal Board (OMB) in 2006. The 2006 OMB Order omitted areas covered by the Central Waterfront Secondary Plan (CWSP), which was an amendment to the former City of Toronto Official Plan. The CWSP was brought partially into force within the amalgamated City of Toronto Official Plan by the Local Planning Appeal Tribunal (LPAT) on August 16, 2018, although not for the Lower Yonge Precinct Lands. The former City of Toronto Official Plan remains in force and effect for the 1-7 Yonge Street property. Although the amalgamated City of Toronto Official Plan is not in force for this site, it sets out the overall vision for the City's urban structure and future growth and is considered when reviewing Waterfront planning and development.

The former City of Toronto Official Plan sets out a policy framework, including goals and objectives, for the waterfront in Chapter 14. The subject site is within the Central Bayfront area. A set of planning and urban design principles for development in both the Central Bayfront and East Bayfront is set out in Policy 14.28. These principles set out the need for further planning and development to address land use, open space, built form and infrastructure. Development is directed to be phased at an appropriate pace. Planning and urban design principles in Policy 14.28 specify that new development in the Central Bayfront will develop at moderate to high intensity. Development is to step down in height to the water and preserve expansive views from the City to the water.

Within the amalgamated City of Toronto Official Plan, the current application is located on lands shown as Downtown and Central Waterfront on Map 2 of the Official Plan; and Regeneration Areas, with the exception of a strip of land along Yonge Street which is shown as Parks, on Map 18.

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

See Attachment 3 of this report for a where the site is situated within the Official Plan.

### **Central Waterfront Secondary Plan**

The Central Waterfront Secondary Plan (CWSP) was adopted by City Council on April 16, 2003 as an amendment to the former City of Toronto Official Plan. It was appealed in its entirety, although large parts of the Plan, including the portions pertaining to 1-7 Yonge Street, have now been approved by the LPAT.

The purpose of the CWSP is to identify key public priorities and opportunities, as well as an implementation process for waterfront revitalization. The document is based on four core principles:

- A. Removing Barriers/Making Connections;
- B. Building a Network of Spectacular Waterfront Parks and Public Spaces;
- C. Promoting a Clean and Green Environment; and
- D. Creating Dynamic and Diverse New Communities.



Prior to the preparation of zoning by-laws or development permit by-laws within Regeneration Areas, the CWSP requires Precinct Implementation Strategies to be prepared in accordance with the policies contained in Section 2.2.

Similar to the Toronto Official Plan, the CWSP split-designates the site to Regeneration Areas, Regeneration Areas (Qualified), and Parks and Open Space Areas. The Regeneration Areas (Qualified) designation applies to the South Block, and prohibits residential land uses as well as any commercial, institutional or community service uses that may be analogous to residential in that they involve overnight accommodation or sleeping facilities of any kind.

As noted above, the CWSP was appealed by several private land owners, the LPAT Minutes of Settlement provided new policies P51 and P55 which apply to the subject site.

### **Policy 51**

Secondary Plan Policy P51 was proposed as an addition to the Central Waterfront Secondary Plan in relation to development compatibility with the existing Redpath facility. Among other matters, Policy P51 recognizes the Redpath facility as an important feature of the Toronto Waterfront that should be maintained, and that future developments should ensure that there are no undue negative impacts on Redpath's activities

Although the site is subject to its own site-specific amendment (referenced below), the application will be reviewed against the CWSP to ensure compatibility. The Central Waterfront Secondary Plan can be found here: [https://www.toronto.ca/wp-content/uploads/2019/02/8e22-CityPlanning\\_2006-OP\\_CWSP\\_Final.pdf](https://www.toronto.ca/wp-content/uploads/2019/02/8e22-CityPlanning_2006-OP_CWSP_Final.pdf)

See Attachment 4 of this report for a depiction of where the site is situated on Map E – Land Use Plan 2-3 of the Central Waterfront Secondary Plan.

### **Lower Yonge Precinct Plan and Official Plan Amendment**

The Lower Yonge Precinct Plan and implementing draft OPA was endorsed by City Council on June 7, 2016. The Precinct Plan provides the comprehensive planning framework intended to guide development in the Precinct and establishes a common vision for the redevelopment of the Lower Yonge Precinct.

The Lower Yonge Precinct is envisioned to be a vibrant, mixed-use, complete community that derives its character from its waterfront context and the large central park at its heart. It will be a home and workplace for people of all incomes, as well as a destination to visit. Lower Yonge will be a green, sustainable neighbourhood with streets and sidewalks that are inviting to both pedestrians and cyclists. The area will be characterized by mid-rise base buildings framing the public realm at a human scale, and broadly spaced towers ensuring sunlight, comfortable wind conditions and ample views of the sky from all streets and the park.

The OPA establishes a set of planning policies intended to guide future private and public investment, under the general themes of public realm, infrastructure, development and implementation. The Precinct Plan provides the background and rationale for the OPA, as well as additional measures and details for each of the elements in the OPA. Large scale re-development will not proceed within the Precinct without the submission of a draft plan of subdivision and will be in conformity with the Precinct Plan. Registration of the subdivision may occur in a phased manner. The Lower Precinct Plan establishes a street and block network and establishes a central public park consolidated in a single block. The subject site is designated as Regeneration Areas and Regeneration Areas Qualified through the CWSP, and planned for mixed use on the block north of the Harbour Street extension and Office/Commercial south of the Harbour Street extension through the Lower Yonge Precinct Plan.

The Precinct Plan and OPA can be found here:

<https://www.toronto.ca/legdocs/mmis/2016/te/bgrd/backgroundfile-92511.pdf>

The Lower Yonge OPA is a modification of the CWSP, which is in force for 1-7 Yonge Street via site-specific amendment, but not yet in force for the overall Lower Yonge Precinct. It is anticipated that the CWSP, amended to include the Lower Yonge OPA, will be brought into force for Lower Yonge as part of the CWSP LPAT Process. The Draft Plan of Subdivision proposed by the Applicant will be reviewed in the context of the Lower Yonge Precinct Plan and the draft OPA, as well as the CWSP, to ensure compatibility.

### **Site-specific Official Plan Amendment 487**

The application is subject to Official Plan Amendment 487 which amends the Central Waterfront Secondary Plan to accommodate the 1-7 Yonge Street development, and is the outcome of the LPAT settlement which took place in March 2017, with a final decision issued in April 2019.

The settlement also introduced a policy stating that Holding (H) provisions will be used for the lands at 1-7 Yonge Street, with the exception of the lands identified as Phase 1, to ensure the provision of certain matters before development proceeds. These matters include:

- the provision of existing and planned transportation networks;
- the sufficiency of municipal infrastructure;
- the submission and securing of acceptable streetscape plans;
- confirmation of the securing the required parkland, the provision of affordable rental housing and the submission of a Master Functioning Servicing Plan for the Lower Yonge Precinct.

The above matters have been secured through the registration on title of a Section 37 Agreement and are included in the site specific zoning.

The Official Plan amendment is located at the following link:

<https://www.toronto.ca/legdocs/bylaws/2020/law0248.pdf>

See Attachments 5, 6, and 7 of this report for a depiction of where the site is situated on Maps J2 – Streets and Blocks Plan, J4 - Public Realm Plan - Parks, Open Space, POPS and Promenades, and J8 - Land Use and Number of Towers within OPA 487.

The outcomes of staff analysis and review of relevant policies are summarized in the Comments section of the Report.

## **Zoning**

The site is subject to site-specific By-law 249-2020, which amends By-law 438-86, and is the outcome of the LPAT settlement which took place March 2017, with a final decision issued in April 2019. The subject site is zoned Commercial Residential (CR) with a holding provision (H) which addresses a series of technical matters. Site-specific provisions allow up for a total combined gross floor area (GFA) of 386,200 square metres on the subject lands, of which 238,600 square metres are permitted on the north block. A minimum of 6,300 square metres of GFA on the north block shall be non-residential and a minimum of 4,772 square metres shall be a community centre to be located in Phase 1. A total GFA of 147,600 square metres of non-residential space is permitted on the south block, and no residential GFA is permitted on the south block. By-law 249-2020 also sets out specific built form standards including heights and setbacks for the 1-7 Yonge Street development.

By-law 249-2020 may be found here:

<https://www.toronto.ca/legdocs/bylaws/2020/law0249.pdf>

See Attachment 8 for a phasing plan and attachments 9 and 10 of this report for Maps 2A and 2B within By-law 249-2020

## **Other Considerations**

### **The Lower Yonge Precinct Environmental Assessment Study**

In July 2017 City Council endorsed the preferred designs for the Lower Yonge Precinct Municipal Class Environmental Assessment Study (MCEA) which continues the transportation infrastructure work undertaken as part of the planning framework for the Lower Yonge Precinct. Key improvements in transportation infrastructure required to support the Lower Yonge Precinct Plan were identified. The transportation network internal to the Lower Yonge Precinct was identified as being constructed by landowners and secured through development approvals. Landowners are also required to contribute towards the provision of transportation infrastructure outside of the Lower Yonge Precinct.

The Lower Yonge Precinct Environmental Assessment Study can be located at the following link: <https://www.toronto.ca/legdocs/mmis/2017/pw/bgrd/backgroundfile-104653.pdf>

## **Lower Yonge Precinct Area Public Realm Concept Plan**

The Application will implement other initiatives within the Lower Yonge Precinct Area including the Lower Yonge Public Realm Concept Plan and the Queens Quay Revitalization Project.

The Lower Yonge Public Realm Concept Plan can be located at the following link:

<https://www.toronto.ca/legdocs/mmis/2018/te/bgrd/backgroundfile-115462.pdf>

## **Site Plan Control**

Related Site Plan Control applications have been submitted to the City for review. Application No. 16 269114 STE 28 SA related to a portion of Block 1 (Phase 1) was submitted on December 20, 2016. A Notice of Approval Conditions has been issued for a portion of this site. Application No. 17 108913 STE 28 SA related to another portion of Block 1 (Phases 2 and 3) was submitted on January 25, 2017 and is currently under review. Detailed project information can be found on the City's application Information Centre at:

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

See attachment 8 for a phasing plan for the subject site.

## **COMMENTS**

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

The proposal has been reviewed and evaluated against the PPS (2020) and the Growth Plan (2020). Staff have determined that the proposal is consistent with the PPS and conforms with the Growth Plan (2020).

The PPS provides for appropriate development while protecting matters of provincial interest, public health and safety, and the quality of the natural and built environment. The PPS states that infrastructure and public services shall be provided in an efficient manner that prepares for the impacts of climate change and shall accommodate forecasted growth. The PPS also states that healthy and active communities should be promoted by planning public roads, and open spaces that are safe, meet the needs of pedestrians, create community connectivity, and foster social interaction. In addition, residential intensification and redevelopment should promote densities for a range of new housing types that efficiently make wise use of land, resources, infrastructure and public services.

The CWSP states that precinct implementation strategies are intended to provide for comprehensive and orderly development. This requirement was fulfilled through the Lower Yonge Precinct Planning exercise.

The proposed Draft Plan of Subdivision conforms to the Lower Yonge Precinct Plan and the Lower Yonge Precinct MCEA. A Master Functional Servicing Plan has been prepared by the Owner and is acceptable to the City. The block pattern supports a

complete and compact community. The north block is to be developed with three tall residential buildings with commercial and community uses in the podium; the south block is planned for commercial uses. The Harbour Street extension supports and extends the existing transportation network and conforms to the street and block network anticipated by the Lower Yonge Precinct Plan.

The proposed Draft Plan of Subdivision will facilitate orderly development of the land that supports the key objectives of the PPS for an integrated approach to planning, the wise use and management of land, infrastructure, public services and public investments. The Draft Plan of Subdivision is consistent with the PPS.

The Growth Plan (2020) encourages intensification by promoting compact and complete communities. The proposed Draft Plan of Subdivision supports Growth Plan (2020) objectives by providing new development blocks to facilitate the development of high density residential and commercial development. The creation of a new road improves access and travel options to surrounding public facilities, transit and the natural environment.

## **Land Use**

This application has been reviewed against the Official Plan policies described in the Issue Background section of this report as well as the policies of the Toronto Official Plan as a whole. The proposed division of land, and block and street network as well as the proposed development is consistent with the existing and the planned context for the subject property and the surrounding area. The proposed Plan of Subdivision conforms with the Official Plan and complies with the Zoning By-law.

## **Draft Plan of Subdivision**

Draft Plan of Subdivision Section 51(24) of the Planning Act outlines the criteria for determining whether or not a proposed subdivision is appropriate. These criteria include:

- conformity to provincial plans;
- whether the plan conforms to the Official Plan and adjacent plans of subdivision;
- the appropriateness of the proposed land use;
- the dimensions and shapes of the proposed lots and blocks; and
- the adequacy of utilities and municipal services.

The proposed Draft Plan of Subdivision complies with provincial policies and Toronto's Official Plan policies. The proposed block pattern and the extension of Harbour Street are consistent with the planning framework established in the Lower Precinct Plan and the site and area specific policy for the subject site. Affordable rental housing in the north block has been secured in a Section 37 Agreement registered on title. The required parkland has been secured in an agreement registered on title. The proposed conditions of Draft Plan of Subdivision approval would address the technical requirements of the development, including among other matters:

- The creation of the proposed development blocks;
- The form and function of the new public road;
- Securing conveyance of lands necessary to construct the new public road; and
- The construction of services required

### **The Lower Yonge Precinct MCEA**

The provision of the Harbour Street extension and the development blocks in the proposed Draft Plan of Subdivision are in line with the preferred design shown in the Lower Yonge Precinct MCEA. The Section 37 Agreement registered on title for the subject lands include provisions requiring cash contributions towards transportation infrastructure improvements outside of the Lower Yonge Precinct. The proposed Draft Plan of Subdivision is in line with the MCEA.

### **Proposed Public Road**

The Draft Plan of Subdivision provides for a new public road across the middle of the site between the two development blocks. Road widening blocks along Yonge Street and Queens Quay East are also identified on the Draft Plan. The new street has a right of way width of 27 metres, which conforms to the block and street network plan for the area, and the Lower Yonge Precinct Municipal Class Environmental Assessment (MCEA) which assessed the transportation networks for the Lower Yonge Precinct Area.

The conditions of Draft Plan of Subdivision approval, as outlined in Attachment 11, will ensure that the Harbour Street extension is conveyed and constructed in accordance with the Lower Yonge MCEA and the Lower Yonge Precinct Area Public Realm Concept Plan. The Draft Plan conditions also ensure the proposed road design and services for the Harbour Street extension are in accordance with the improvement works identified in the Lower Yonge Precinct Planning process, now being implemented by Transportation Services. A landscaping and tree planting plan within the public right of way has been included as a Draft Plan Condition to ensure the landscaping is in keeping with the public realm plan for the site, articulated through the Lower Yonge Precinct Public Realm Concept Plan.

### **Servicing**

The applicant submitted a Master Functional Servicing Plan for the Lower Yonge Precinct Area and a site specific Functional Servicing Report in support of the application. The servicing plan finds that existing sewers and water servicing are adequate for all of Pinnacle's proposed development Blocks within the Lower Yonge Precinct Area. Each development Block will be able to independently achieve the City Stormwater management criteria. Further detailed review of the servicing for each block will be conducted in the review of the site plan control applications.

### **Housing Issues**

An important policy of the Central Waterfront Secondary Plan is the provision of a full range of housing opportunities including affordable housing. The Section 37 agreement

registered on title for this site requires that affordable rental units shall comprise at least 10% of the total residential floor area of the development and will be located on floors 3-10 of the buildings on the north block. These affordable rental housing units are being provided in Phases 1 and 3 of north development block and will be reviewed as part of the site plan control application process for these phases.

### **Open Space/Parkland**

The applicant has agreed to work with the abutting land owner in the Lower Yonge Precinct to provide an off-site parkland dedication that will contribute to the assembly of a 1 hectare centralized park at 55 Lake Shore Boulevard East. The contributions to the off-site park by the applicant has been secured through a Multiple-Party Agreement for Dedication of Land within the Lower Yonge Precinct for Park Purposes' between the applicant, Menkes Developments Ltd., and the City. This agreement was executed on January 28, 2019 and registered on title to the future park site on April 18, 2019. The applicant has therefore met the parkland dedication requirement for this application.

### **Tree Preservation**

The development is subject to the provisions of the City of Toronto Municipal Code, Chapter 813 Articles II (Street Trees by-law) and III (Private Tree by-law). An Arborist Report dated August 23, 2019 was submitted for the development and details trees that would remain on site and which are to be removed. The applicant proposed to remove 1 tree on private property and 28 City owned trees.

Removal of or injury to protected City or private trees may occur only upon receipt of a "Tree Removal/Injury Permit" issued by the General Manager of Parks, Forestry and Recreation and provided that building and/or demolition permits have been obtained and the permitted construction and/or demolition related activities associated with this project warrant the removal of or injury to the trees involved. The acceptance of a Composite Utility Plan has been included as a condition of Draft Plan approval to ensure the appropriate landscaping within the public realm is provided, in accordance with the Lower Yonge Precinct Public Realm Concept Plan. The detailed landscape plan, tree planting deposit and securities will be reviewed further and secured through the Site Plan Approval process.

### **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 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. The applicant is encouraged to achieve Tier 2 or higher to advance the City's objectives for resilience and to achieve net-zero emissions by 2050 or sooner. Performance measures for the Tier 1

development features to be secured through subdivision include stormwater management measures. Performance measures to be secured through Site Plan will include energy efficient building design.

### **Toronto Transit Commission (TTC)**

The transit routes currently servicing this area are to be reconfigured. The proposed bus stops have been laid out with regards to the planned routing changes and their feasibility has been assessed by the TTC. There are four stops within the subject area. The detailed design of the roads and the streetscape will accommodate the provision of these stops.

### **Toronto Catholic District School Board**

The Toronto District Catholic School Board (TCDSB) has advised that the capacities of the local schools are insufficient to accommodate the students anticipated from this development. Under the Education Development Charges (EDC) By-Law No. 194, as amended, the TCDSB is eligible to levy EDC's in this area (CS02) towards the acquisition of approximately 3 acres of land or alternate accommodation opportunities for a secondary school. The TCDSB will continue to monitor development growth in this area as it relates to cumulative impact on local schools.

### **Noise and Emissions**

As stated above, the Redpath facility located south of the subject site has been identified in the CWSP as an important feature of the Toronto Waterfront and should be maintained. When considering development approval applications regard shall be had to ensure compatibility will be achieved and maintained with regard to noise, dust odour and air quality. In accordance with the Section 37 agreement on title for the subject site the applicant has entered into a Three Party Agreement with the City and Redpath registered on title detailing the requirements with respect to matters respecting noise and odour studies. These studies will be submitted and reviewed as part of the site plan control application process.

### **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 LPAT settlement for these lands included a number of community benefits including the development of a Community Centre within Phase 1, 10% affordable rental housing to be located within Phase 1 and Phase 3, and the securing of off-site parkland detailed in the Open Space/Parkland section of this report. These benefits have been secured within a registered Section 37 Agreement and are in accordance with the Lower Yonge Precinct Plan policies for the subject lands.



## **Community Consultation**

Under the Planning Act, for Subdivision applications, a community consultation meeting is not required. Deputations, however, may be made at the Public Meeting at Toronto & East York Community Council

## **Conclusion**

The proposal has been reviewed against the policies of the PPS (2020), the Growth Plan (2020), Section 51(24) of the Planning Act, the Toronto Official Plan, the CWSP, the site and area specific OPA 487 and the final LPAT order. Staff are of the opinion that the proposal is consistent with the PPS (2020) and does not conflict with the Growth Plan (2020). Furthermore, the proposal is in keeping with the intent of the Toronto Official Plan, particularly as it relates to the orderly development of the lands and provides appropriate infrastructure and City services. The development blocks and the Harbour Street extension shown on the proposed Draft Plan of Subdivision is consistent with the division of land anticipated by the site specific OPA and the LPAT settlement. Staff recommend that Council support approval of the application.

## **CONTACT**

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E-mail: Seanna.Kerr@toronto.ca

## **SIGNATURE**

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Lynda H. Macdonald, MCIP, RPP, OALA, FCSLA, Director  
Community Planning, Toronto and East York District

## **ATTACHMENTS**

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### **City of Toronto Data/Drawings**

Attachment 1: Application Data Sheet

Attachment 2: Location Map

Attachment 3: Official Plan Land Use Map 18

Attachment 4: Central Waterfront Secondary Plan Land Use Map

Attachment 5: OPA 487: Map J2 Streets and Block Plan

Attachment 6: OPA 487: Map J4 Public Realm Plan - Parks Open Space, POPS and Promenades

Attachment 7: OPA 487 Map J8 Land Use

Attachment 8: OPA 487 Map J11 Phasing Plan

Attachment 9: Zoning By-law Amendment Map 2A

Attachment 10: Zoning By-law Amendment Map 2B

Attachment 11: Conditions of Draft Plan of Subdivision

### **Applicant Submitted Drawings**

Attachment 12: Draft Plan of Subdivision

Attachment 1: Application Data Sheet

Municipal Address: 1-7 YONGE ST Date Received: March 11, 2016

Application Number: 16 126393 STE 28 SB

Application Type: Subdivision Approval

Project Description: Draft Plan of Subdivision to create two lots separated by a public road (extension of Harbour Street).

Applicant

LOUIS  
TINKER,  
BOUSFIELDS  
ltinker@bousfields.  
ca  
416 947 9744

Owner

1428501 ONTARIO  
LIMITED

EXISTING PLANNING CONTROLS

Official Plan Designation: Regeneration Areas Site Specific Provision: Central Waterfront Secondary Plan; 12(2) 297 -1995-0545

Zoning: CR T6.0 C6.0 R0 Heritage Designation:

Height Limit (m): 85, 60, 44 Site Plan Control Area: Y

PROJECT INFORMATION

Site Area (sq m): 23,393 Frontage (m): 225 Depth (m): 130

Building Data	Existing	Retained	Proposed	Total
Ground Floor Area (sq m):	1,025	1,025	11,902	12,927
Residential GFA (sq m):			215,668	215,668
Non-Residential GFA (sq m):	29,235	29,235	141,175	170,410
Total GFA (sq m):	29,235	29,235	356,843	386,078
Height - Storeys:	25	25	95	95
Height - Metres:	102	102	294	294

Lot Coverage Ratio (%): 55.3 Floor Space Index: 16.5

Floor Area Breakdown Above Grade (sq m) Below Grade (sq m)

Residential GFA: 215,668

Retail GFA: 16,351  
 Office GFA: 137,561  
 Industrial GFA:  
 Institutional/Other GFA: 16,498

Residential Units by Tenure	Existing	Retained	Proposed	Total
Rental:				
Freehold:				
Condominium:			2,864	2,864
Other:				
Total Units:			2,864	2,864

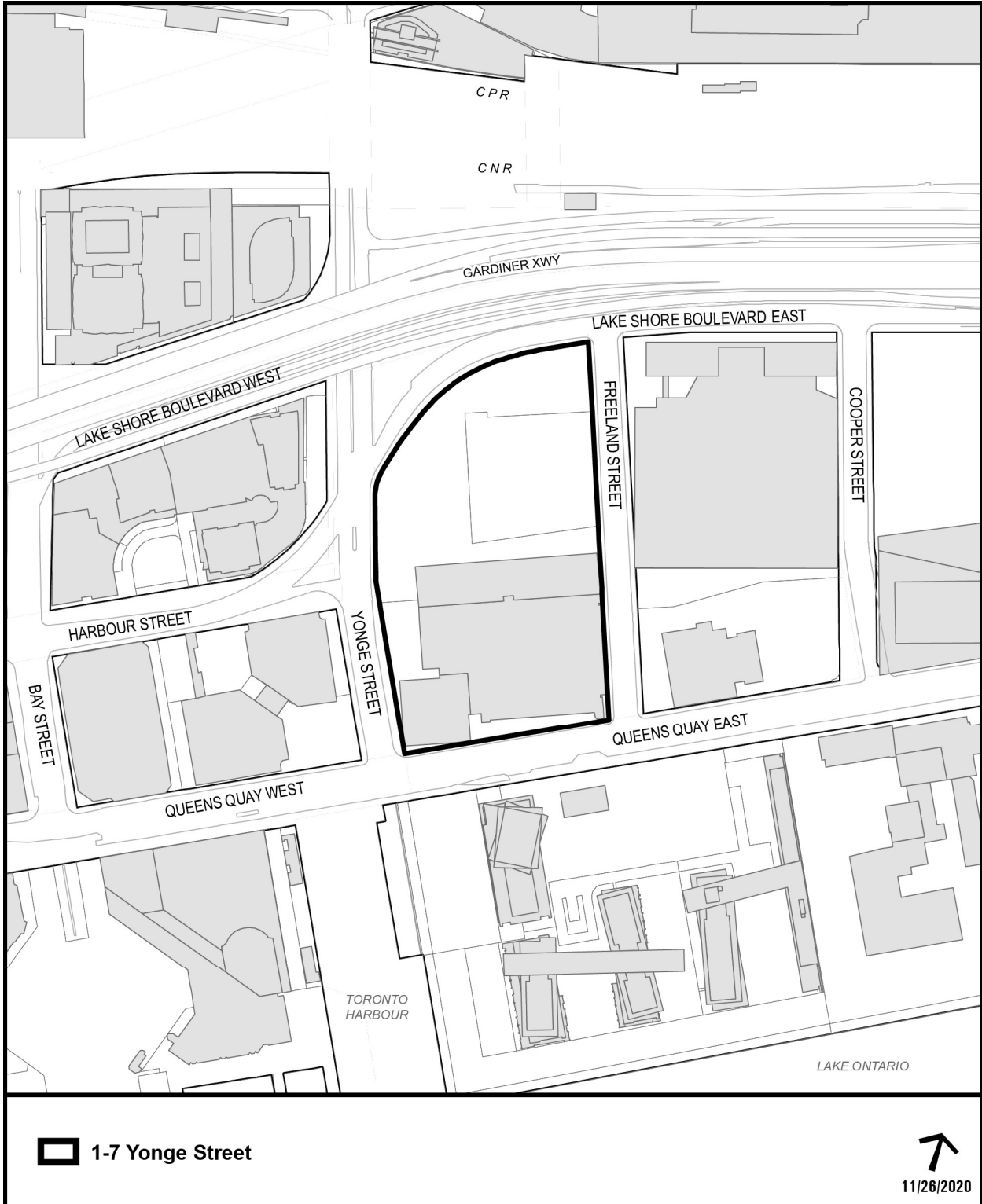
Total Residential Units by Size

	Rooms	Bachelor	1 Bedroom	2 Bedroom	3+ Bedroom
Retained:					
Proposed:			2,148	424	292
Total Units:			2,148	424	292

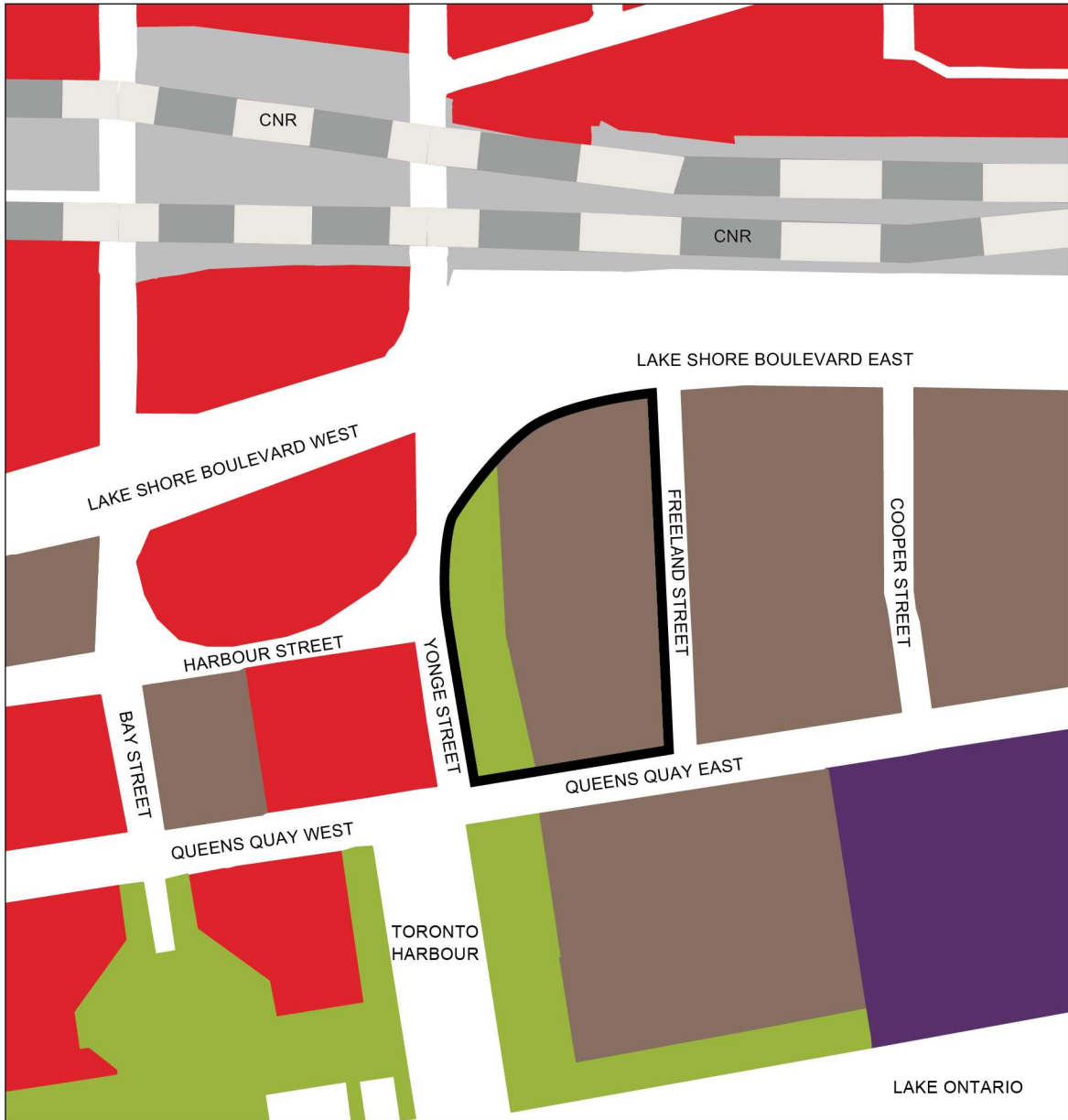
Parking and Loading

Parking Spaces: 1,867      Bicycle Parking Spaces: 4,051      Loading Docks: 11

Attachment 2: Location Map



Attachment 3: Official Plan Land Use Map 18



1-7 Yonge Street

Official Plan Land Use Map #18

File # 16 126393 STE SB

 Location of Application  
 Mixed Use Areas

 Parks

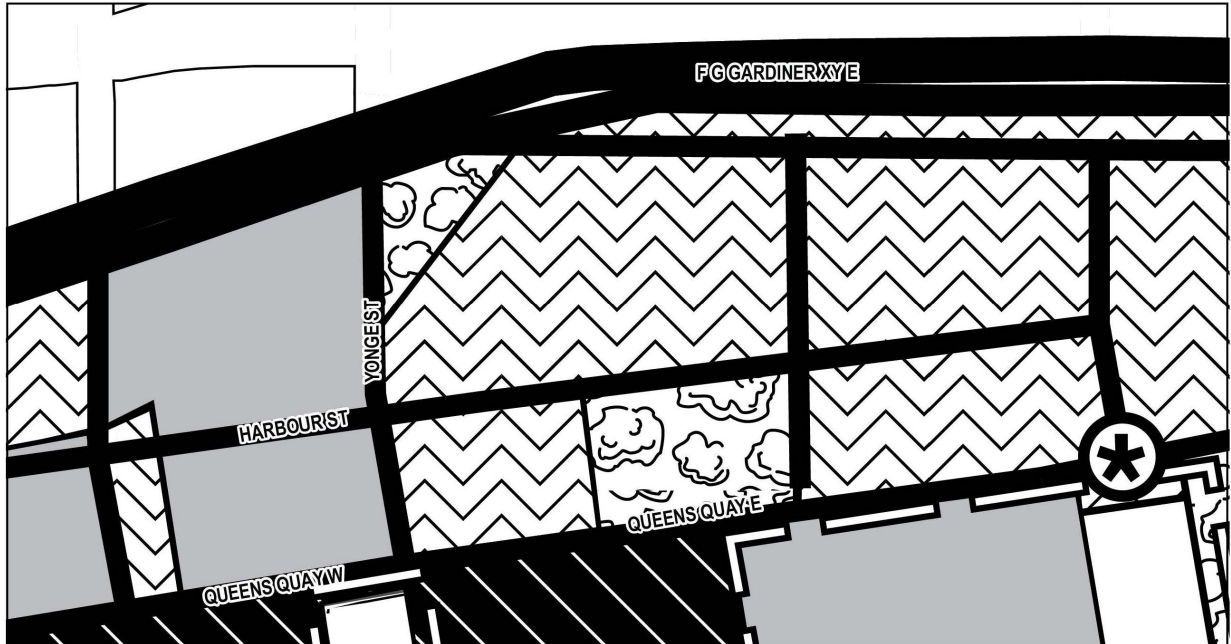
 Regeneration Areas

 Utility Corridors

 Core Employment Areas

  
 Not to Scale  
 12/01/2020

Attachment 4: Central Waterfront Secondary Plan: Map E Land Use Plan



1-7 Yonge Street

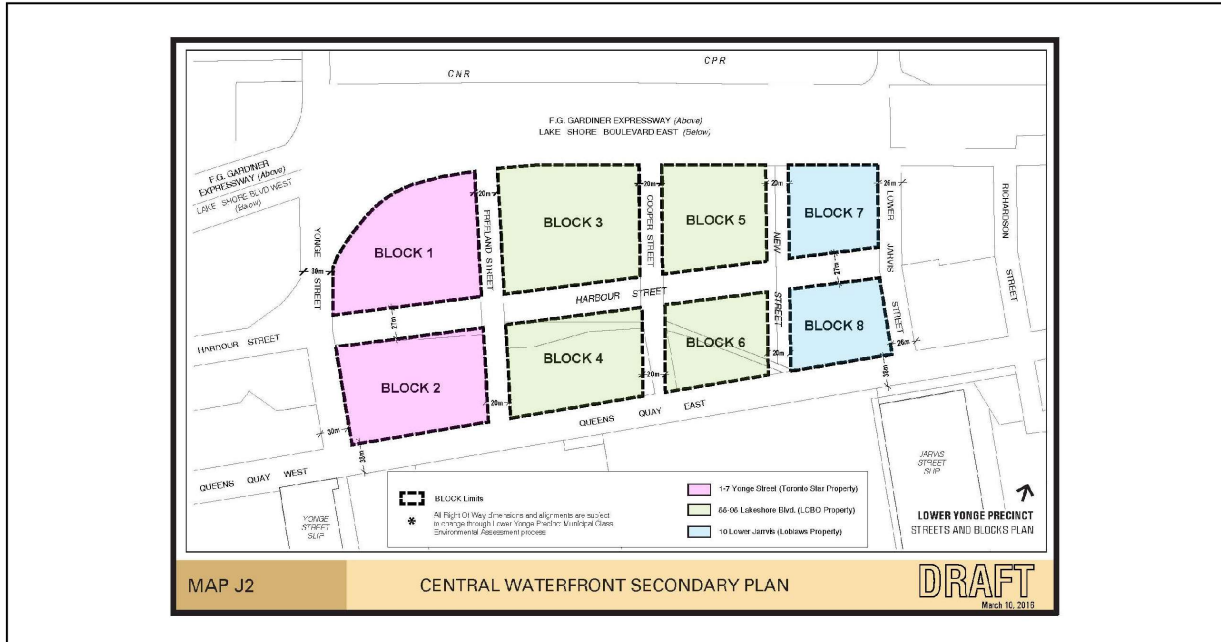
Central Waterfront Area Secondary Plan - MAP E - Land Use Plan

File # 16 126393 STE SB

- Secondary Plan Boundary
- Parks and Open Space Areas
- Regeneration Areas
- Existing Use Areas
- Foot of Yonge Special Study Area
- Public Promenade (Dockwall/Water's Edge)
- Inner Harbour Special Places

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Not to Scale  
11/26/2020

Attachment 5: OPA 487 Map J2: Streets and Blocks Plan



OPA 487 - Map J2

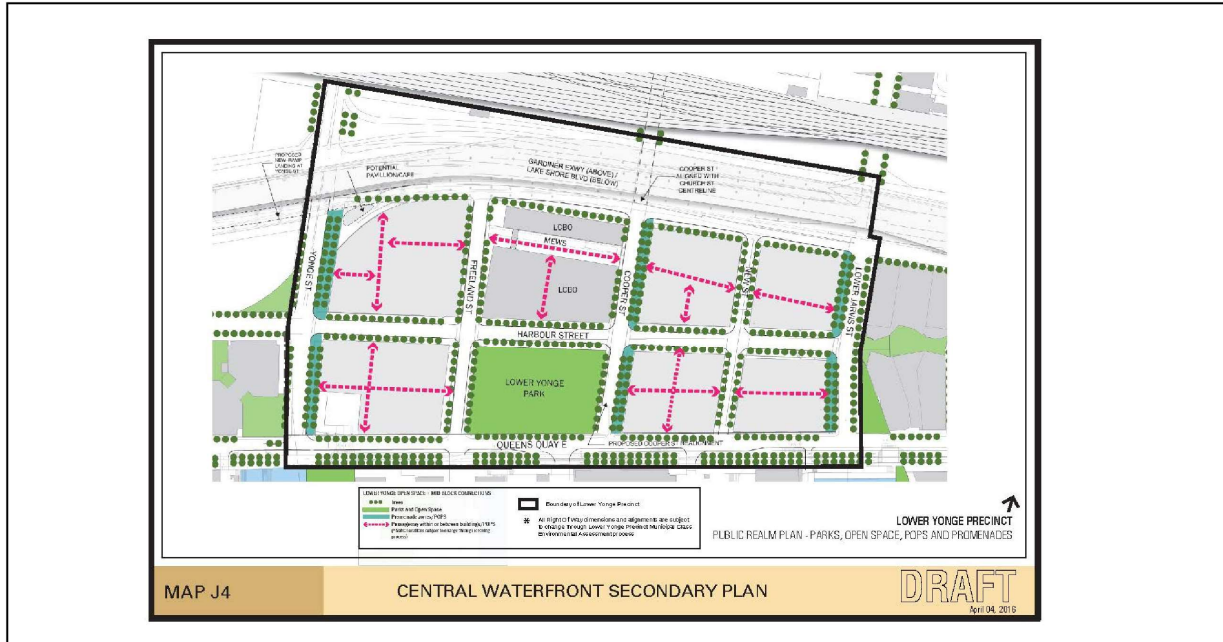
1-7 Yonge Street

File # 16 126393 STE SB

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11/26/2020



Attachment 6: OPA 487 Map J4 Parks Open Space, POPS and Promenades



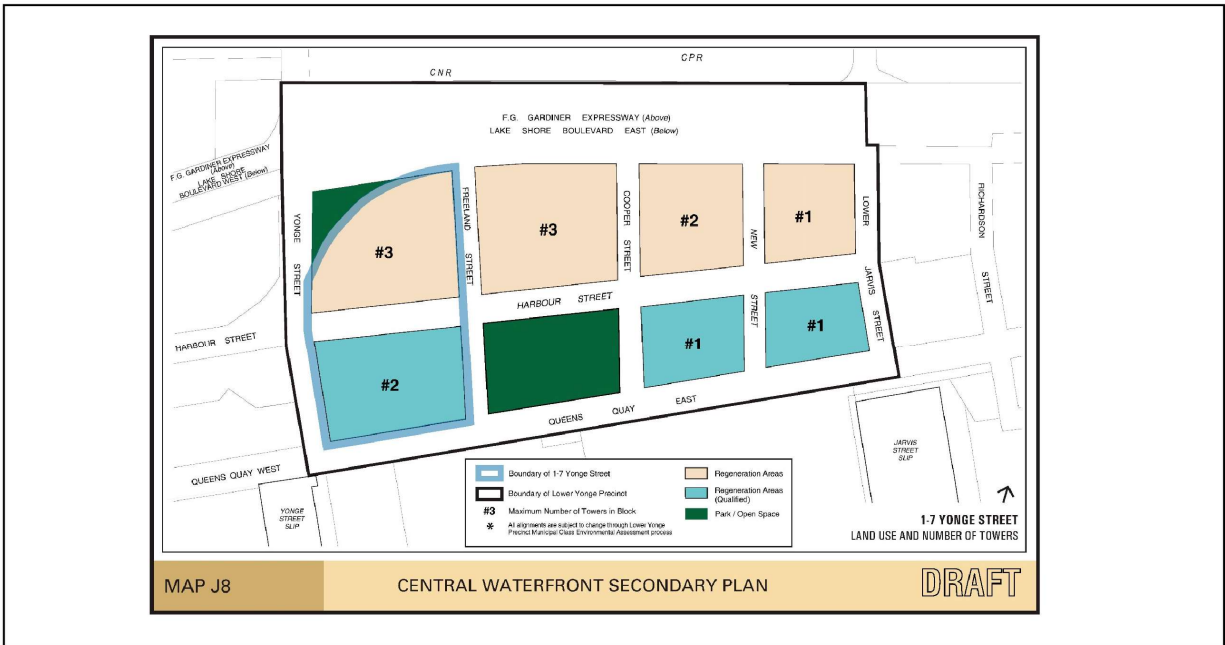
OPA 487 - Map J4

1-7 Yonge Street

File # 16 126393 STE SB

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11/26/2020

# Attachment 7: OPA 487 Map J8 Land Use Plan



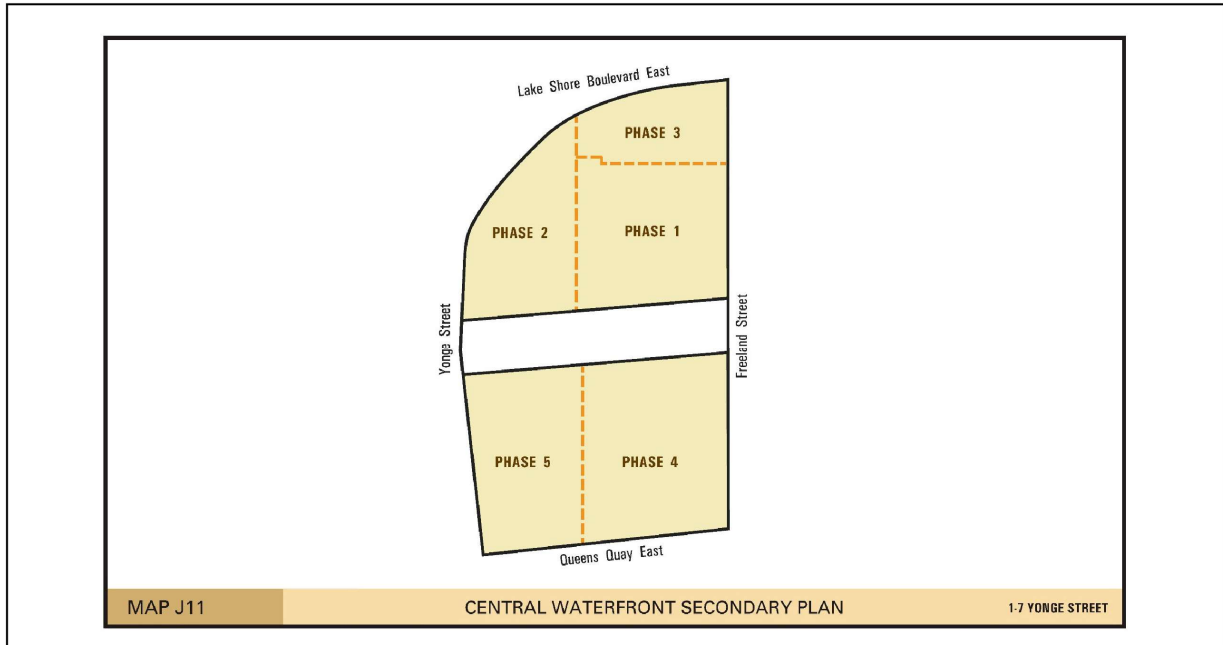
OPA 487 - Map J8

1-7 Yonge Street

File # 16 126393 STE SB

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08/06/2020

Attachment 8: OPA 487 Map J11 - Phasing Plan



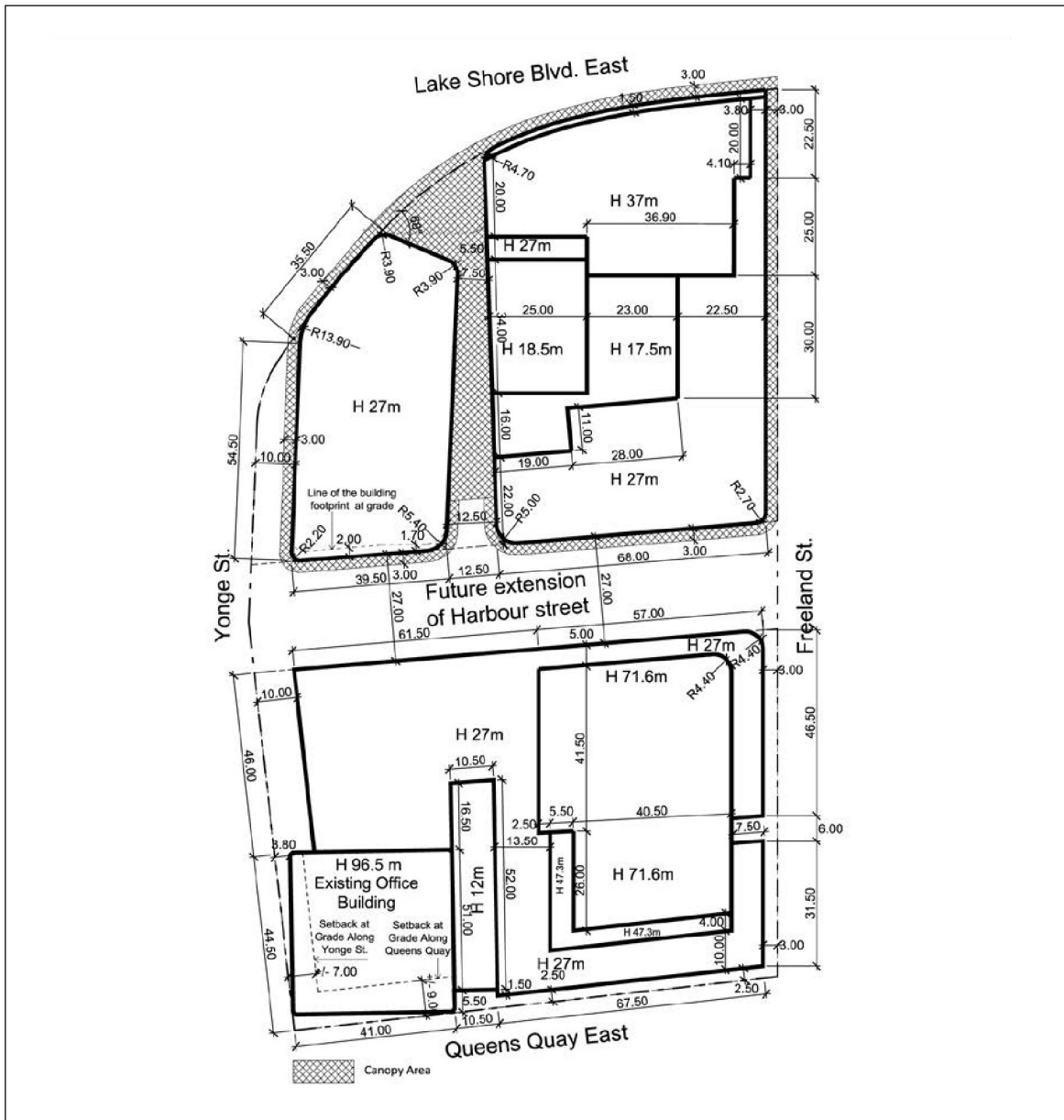
OPA 487 - Map J11

1-7 Yonge Street

File # 16 126393 STE SB



Attachment 9: Existing Zoning By-law Map 2A



BY-LAW 249-2020 - Map 2A

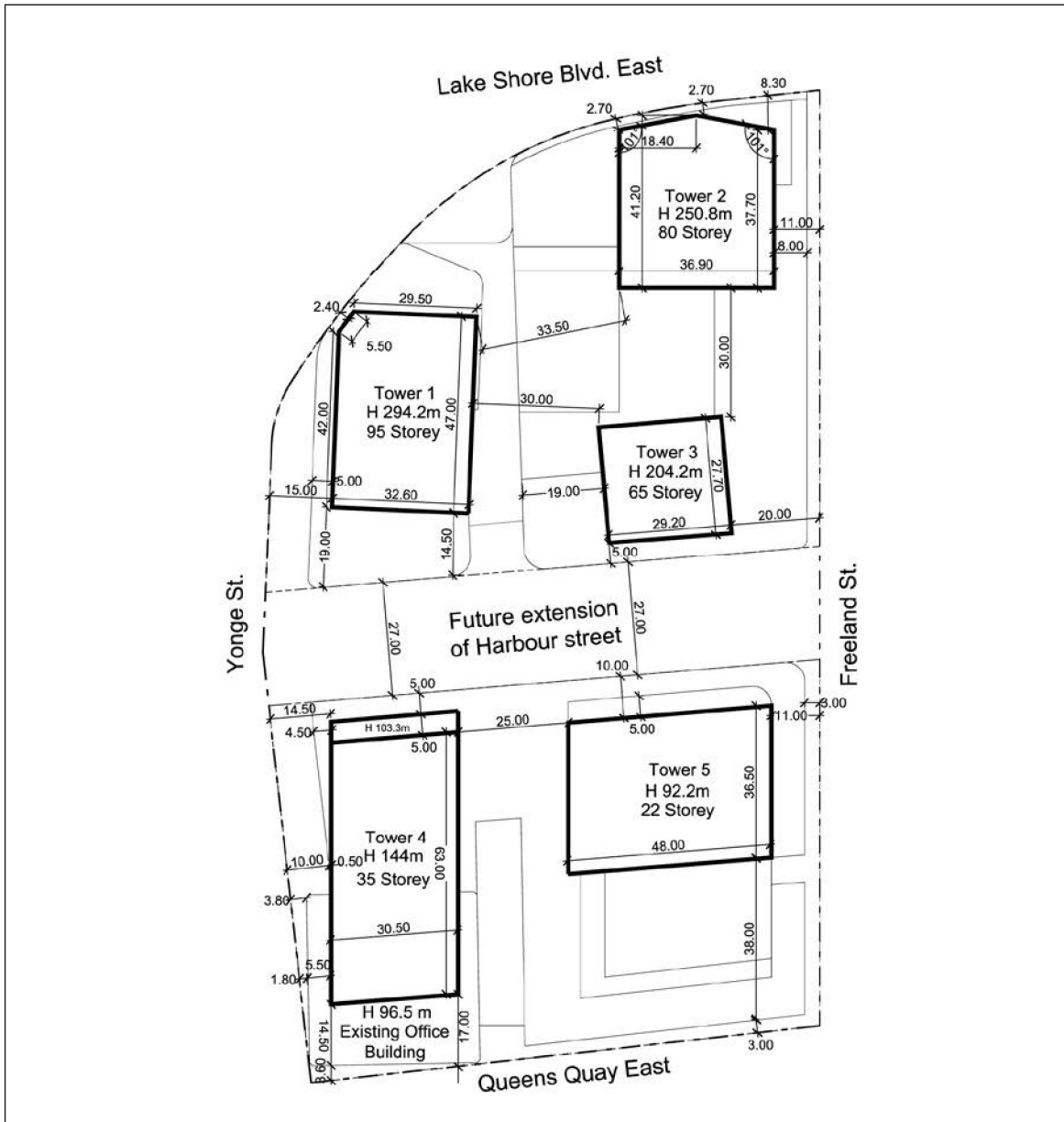
1-7 Yonge Street

File # 16 126393 STE SB



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11/26/2020

Attachment 10: Existing Zoning By-law Map 2B



BY-LAW 249-2020 - Map 2B

1-7 Yonge Street

File # 16 126393 STE SB

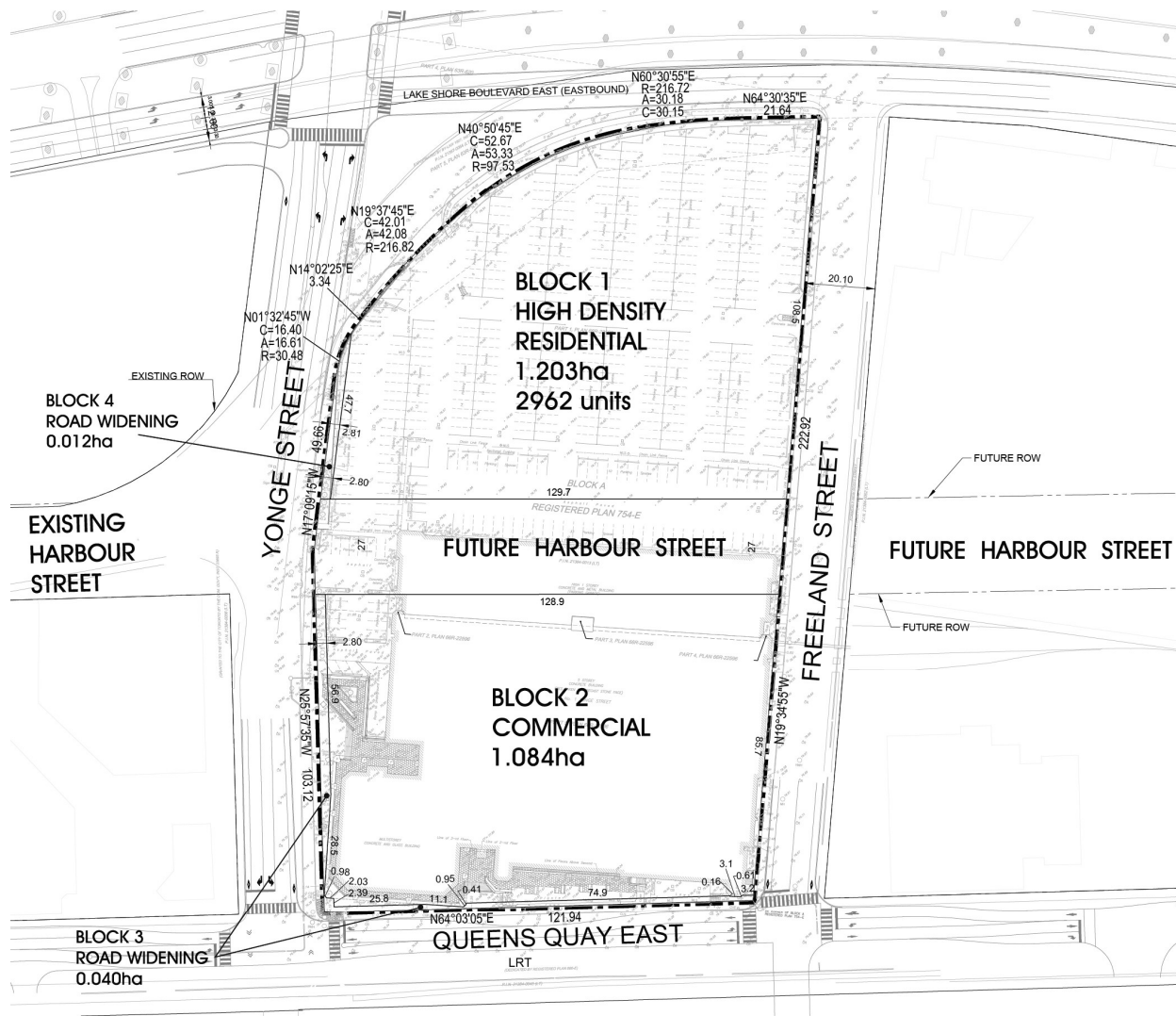


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## Attachment 11: Conditions of Draft Plan of Subdivision

To be provided separately.

Attachment 12: Draft Plan of Subdivision



Plan of Subdivision

