

2221 Yonge St - Zoning Amendment Application - Preliminary Report

Date:	April 22, 2013
To:	Toronto and East York Community Council
From:	Director, Community Planning, Toronto and East York District
Wards:	Ward 22 – St. Paul's
Reference Number:	12 296517 STE 22 OZ

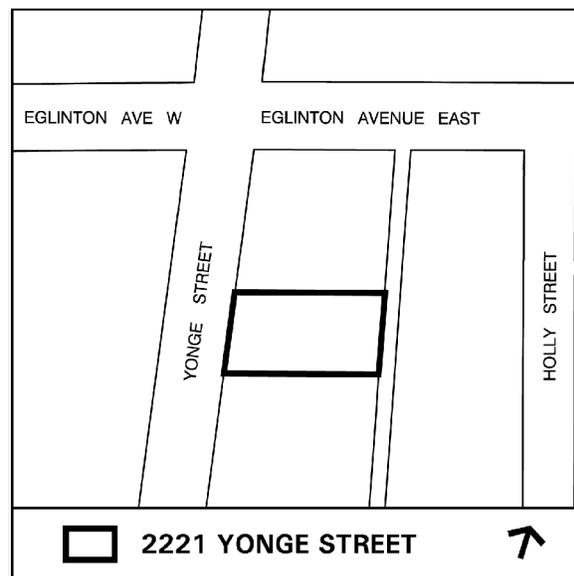
SUMMARY

This application proposes to redevelop the subject site at 2221 Yonge Street. The site is currently occupied by a 6-storey office building which is proposed to be demolished to allow construction of a 56-storey condominium with commercial uses at grade. A total of 560 residential units are proposed with an 8-level underground garage containing 306 parking spaces. All vehicular access for cars and loading is proposed to occur from the existing public lane to the east at the rear of the site.

The total gross mixed use floor area is 40,387 square metres which is approximated 20.4 times the lot area.

This report provides preliminary information on the above-noted application and seeks Community Council's directions on further processing of the application and on the community consultation process.

In the opinion of staff, the tower component (particularly the tower setbacks to the north property line) does not comply with the intent of the Design Criteria for the Review of Tall Buildings Proposals. However, staff recommend holding a community consultation meeting to seek input from the local community on the proposal. Issues raised at that meeting and



discussions with adjacent property owners will assist staff in determining the nature and the extent of revisions that would be required for this application to fit within its existing and planned local context.

If the applicant submits revised plans (in a timely manner), which are better suited for this site, a final report could be targeted for a Public Meeting in the final quarter of 2013.

RECOMMENDATIONS

The City Planning Division recommends that:

1. Staff be directed to schedule a community consultation meeting for the lands at 2221 Yonge Street together with the Ward Councillor.
2. Notice for the community consultation meeting be given to landowners and residents within 120 metres of the site.
3. Notice for the public meeting under the Planning Act be given according to the regulations under the Planning Act.

Financial Impact

The recommendations in this report have no financial impact.

Pre-Application Consultation

A pre-application consultation meeting was held to discuss the proposed redevelopment concept on November 26, 2012 by the Ward Councillor with the applicant, representatives of local resident's associations and City Planning Division staff.

ISSUE BACKGROUND

Proposal

This is an application for amendments to the Zoning By-law to permit the construction of a 56-storey (173 metres not including the mechanical penthouse) mixed-use building. The building, as designed, has a 6-storey podium which includes approximately 338 square metres of commercial space at grade on Yonge Street.

The proposed development contains 560 residential units and 306 parking spaces in an 8-level underground garage. Parking and loading are accessed from the public lane at the rear (east) of the lot. (refer to Attachment 9: Application Data Sheet).

Site and Surrounding Area

The site at 2221 Yonge Street is located on the east side of Yonge Street just south of Eglinton Avenue. It is currently occupied by a 6-storey office building.

Surrounding uses are as follows:

North: there are 3 properties to the north on the east side of Yonge Street between the site and Eglinton Avenue East. Immediately to the north of the subject site is a 5-storey office building, followed by a 4-storey commercial building and an 8-storey office building at the southeast corner of Yonge Street and Eglinton Avenue East.

South: immediately to the south of the site are the 'Minto Midtown' residential towers of 54 and 39 storeys. South of the Minto towers but north of Soudan Avenue is an 8-storey office building. South of Soudan Avenue, Yonge Street is developed in a main street, low to mid-rise, mixed use character.

One of the most prominent retail buildings south of Soudan Avenue is the Art Shoppe which is located on the east side of Yonge Street between Soudan and Hillsdale Avenues. The Art Shoppe site is subject of a rezoning application to permit a 38-storey and a 29-storey tower within a *Mixed-Use Areas* designation backing onto a *Neighbourhoods* designation.

West: to the west of the site (across Yonge Street) is the Canada Square complex of buildings which is comprised of an 18-storey office building, a 6-storey office building and a 17-storey office building. Canada Square includes a shopping concourse, a movie theatre and an access to the TTC Yonge-Eglinton subway station.

East: the site is bounded by a public lane to the east and beyond that are apartment buildings, residential condominiums and office buildings ranging in height from 13 to 16 storeys.

Provincial Policy Statement and Provincial Plans

The Provincial Policy Statement (PPS) provides policy direction on matters of provincial interest related to land use planning and development. The PPS sets the policy foundation for regulating the development and use of land. The key objectives include: building strong communities; wise use and management of resources; and, protecting public health and safety. City Council's planning decisions are required to be consistent with the PPS.

The Growth Plan for the Greater Golden Horseshoe provides a framework for managing growth in the Greater Golden Horseshoe including: directions for where and how to grow; the provision of infrastructure to support growth; and protecting natural systems and cultivating a culture of conservation. City Council's planning decisions are required to conform, or not conflict, with the Growth Plan for the Greater Golden Horseshoe.

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

Official Plan

The site is designated *Mixed Use Areas* under the Official Plan. (Refer to Attachment 6: Official Plan).

i) Mixed Use Areas

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

- locate and mass new buildings to provide a transition between areas of different development intensity and scale, as necessary to achieve the objectives of this Plan, through means such as providing appropriate setbacks and/or a stepping down of heights;
- locate and mass new buildings so as to adequately limit shadow impacts on adjacent *Neighbourhoods*, particularly during the spring and fall equinoxes;
- locate and mass new buildings to frame the edges of streets and parks with good proportion and maintain sunlight and comfortable wind conditions for pedestrians on adjacent streets, parks and open spaces;
- provide an attractive, comfortable and safe pedestrian environment;
- take advantage of nearby transit services;
- provide good site access and circulation and an adequate supply of parking for residents and their visitors;
- locate and screen service areas, ramps and garbage storage to minimize the impact on adjacent streets and residences; and
- provide indoor and outdoor recreation space for building residents in every significant multi-unit residential development.

ii) Built Form

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

- New development is to be located and organized to fit within its existing and/or planned context and will limit its impacts on neighbouring streets, parks, open spaces and properties by:

- i. Creating appropriate transitions in scale to neighbouring existing and/or planned buildings;
 - ii. Providing for adequate light and privacy; and
 - iii. Adequately limiting any resulting shadowing of and uncomfortable wind conditions on, neighbouring streets, properties and open spaces.
- Taller buildings will be located to ensure adequate access to sky view for the proposed and future use of bordering streets, parks and open spaces.

All other relevant Official Plan policies will be taken into consideration. To review these and all sections of the Toronto Official Plan refer to the City's website at:

www.toronto.ca/planning/official_plan/introduction.htm.

Yonge-Eglinton Secondary Plan

The site is also within the boundaries of the Yonge-Eglinton Secondary Plan. (Refer to Attachment 7: Yonge-Eglinton Secondary Plan). The Secondary Plan generally defers to the Official Plan with respect to providing policy guidance for this site. However, some specific Secondary Plan policies apply to this site. These policies include:

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

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

Section 5.0 Yonge-Eglinton Centre

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

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

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

Midtown Planning Initiative

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

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

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

The overall objective of the study is to develop a parks, open space and streetscape master plan which identifies the distinct character of the study area; provides a public realm framework that links the diverse user groups and neighbourhoods; provides amenities that support pedestrian, bicycle and vehicular circulation; and offers site specific block-by-block recommendations for open space.

The Master Plan will act as a guide for public open space initiatives in the study area and will inform developers of the City's expectations with respect to the design and construction of parks, open spaces and streetscapes.

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

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

Design Criteria for the Review of Tall Buildings Proposals

A tall building is generally defined as a building that is taller than the road right-of-way adjacent to the site.

The Design Criteria provide policy recommendations for tall buildings on issues of transition, building placement and orientation, entrances, massing of base buildings, tower floor plate sizes, tower setbacks and separation distances, pedestrian realm considerations and sustainable design. The Design Criteria (2006) or its successor will be used in the evaluation of the proposed development.

Zoning

The site is zoned CR T5.0 C4.0 R3.0. The CR zoning classification permits a range of commercial and residential uses in single purpose or mixed use buildings. The total permitted mixed use density is 5 times the lot area. The height restriction is 61 metres or approximately 20 storeys (Refer to Attachment 8: Zoning).

Site Plan Control

The proposed development is subject to site plan control. An application will be submitted.

Tree Preservation

The applicant has submitted a declaration indicating that there are no private or public trees currently on site.

Reasons for the Application

The applicant seeks to amend the provisions of By-law 438-86 to permit the proposed height of 173 metres (180 metres including mechanical penthouse) where 61 metres is permitted.

The applicant would also need zoning amendments to permit a total density of approximately 20 times the lot area where a total mixed use density of 5.0 times the lot area is permitted. Other areas of non-compliance (i.e., parking) will be determined by Toronto Building through their zoning review of the application.

COMMENTS

Application Submission

The following reports/studies were submitted with the application:

- architectural drawings
- planning rationale including community services and facilities report
- survey
- landscape drawings
- transportation impact study
- shadow study
- arborist report - declaration
- Toronto Green Standard Checklist
- geotechnical soil investigation
- environmental phase 1 & 2 reports
- pedestrian level wind study
- noise and vibration study
- functional site servicing report
- storm water management report
- draft zoning by-law

A Notification of Complete Application was issued on February 14, 2013.

Issues to be Resolved

Prior to submitting a Final Report to Toronto and East York Community Council, the following issues as well as any others which may be identified throughout the application review, agency circulation and public process will need to be reviewed and satisfactorily addressed to allow Community Planning to consider approval:

- i) Consistency with the Provincial Policy Statement and the Growth Plan for the Greater Golden Horseshoe.
 - particularly but not exclusively with those policies which are related to Urban Growth Centres (UGC's).

- ii) Conformity with the Official Plan and Yonge-Eglinton Secondary Plan Policies.
 - particularly but not exclusively with those policies of the Official Plan pertaining to *Mixed Use Areas* and *Built Form*.

With respect to building height and density, the Yonge-Eglinton Secondary Plan and the UGC policies require the highest heights and densities within the Yonge-Eglinton UGC to be located at the 4 corners of Yonge Street and Eglinton Avenue within the *Mixed Use Area 'A'*.

Existing and planned building heights and densities in *Mixed Use Area 'A'* include: the existing 54 and 39-storey condominiums to the south with a density of approximately 10 times their lot area; a planned, rezoned area that allows approximately 40 storeys and 9 times the lot area at the southwest corner of Yonge Street and Eglinton Avenue; and an approved height of 37 commercial storeys and a density of 8.7 times the lot area on the northwest corner of Yonge Street and Eglinton Avenue (Yonge-Eglinton Centre). These existing and approved heights and densities are currently considered to establish the height and density context for the intersection.

The proposed 56-storey building has a density of approximately 20 times the lot area and is within *Mixed Use Area 'A.'* It is considered to be in a location which is appropriate for the highest heights and densities in the Secondary Plan/UGC area. However, this application is proposing approximately twice the density of the Minto towers (to the south of the site) and approximately 6 times the lot area more density than is proposed for the "E Condos" development proposed at the northeast corner of Yonge Street and Eglinton Avenue East.

The proposed height and density will be evaluated on the basis of the developments': fit within the built and planned context of the four corners of Yonge Street and Eglinton Avenue; the relevant Official Plan and Secondary Plan policies.

- iii) Conformity with the Design Criteria for the Review of Tall Building Proposals.
 - particularly but not exclusively with those criteria pertaining to: tower floor plate size; shadowing; setbacks and separating distances between the proposed development and any existing towers or potential tall buildings sites.
- iv) The replacement of all or a significant amount of the office space of the existing 6-storey building within the proposed development. New office space would continue the potential for employment uses to be located on the site.

With respect to tower setbacks and separating distances, the Design Criteria recommend a setback of 12.5 metres to a property line (which is not a street line). A 12.5 metre setback on a development site assumes that a matching setback is or would be provided on an adjacent site if it contains or could be redeveloped as a tall building. With matching setbacks, the minimum total tower separation is 25 metres. Twenty-five metres is considered an acceptable distance between towers to ensure adequate light, view and privacy.

In this case, the applicant has proposed an approximately 5.3 metre tower setback to the north property line and a variable setback (due to the irregular shape of the south wall) to the south property line ranging from approximately 8.0 to 10.4 metres from the lot line.

The proposed 5.3 metre tower setback to the north property line suggests that if a tall building were proposed on the site(s) to the north of the subject lands, that redevelopment would need to provide a setback of 19.7 metres from its tower to the lot line separating it from the subject lands in order to comply with the minimum 25 metre separation distance which is recommended to meet light, view and privacy standards by the Design Criteria. A 19.7 metre setback would mean that the site(s) to the north would be asked to provide approximately 79% of the recommended 25-metre separation between the two towers. As a result, a 19.7 metre setback could limit the tower redevelopment potential of the site(s) to the north of the subject lands.

The setback to the south property line ranges from 8 to 10.4 metres. This establishes a separation distance between the proposed tower and the north Minto tower to the south of approximately 21 to 28 metres.

If appropriate setbacks and separating distances cannot be provided, tower separation agreement(s) with adjacent property owners may be required. A preferred alternative that planning staff are willing to discuss would be the comprehensive redevelopment of the subject lands plus any of the remaining 3 consecutive lots north to Eglinton Avenue.

The TGS Checklist has been submitted by the applicant and is currently under review by City staff for compliance with the Tier 1 performance measures.

SECTION 37

The Official Plan includes policies pertaining to the exchange of public benefits for increased height and density for new developments pursuant to Section 37 of the Planning Act. The applicant is aware that the City intends to apply the Section 37 policies of the Planning Act to this proposal. Details of a Section 37 Agreement between the applicant and the City will be established if a development is recommended for approval.

CONTACT

Tim Burkholder, Senior Planner
Tel. No. (416) 392-0412
Fax No. (416) 392-1330
E-mail: tburk@toronto.ca

SIGNATURE

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

ATTACHMENTS

Attachment 1: Site Plan

Attachment 2: North Elevation (all elevations as provided by applicant)

Attachment 3: South Elevation

Attachment 4: East Elevation

Attachment 5: West Elevation

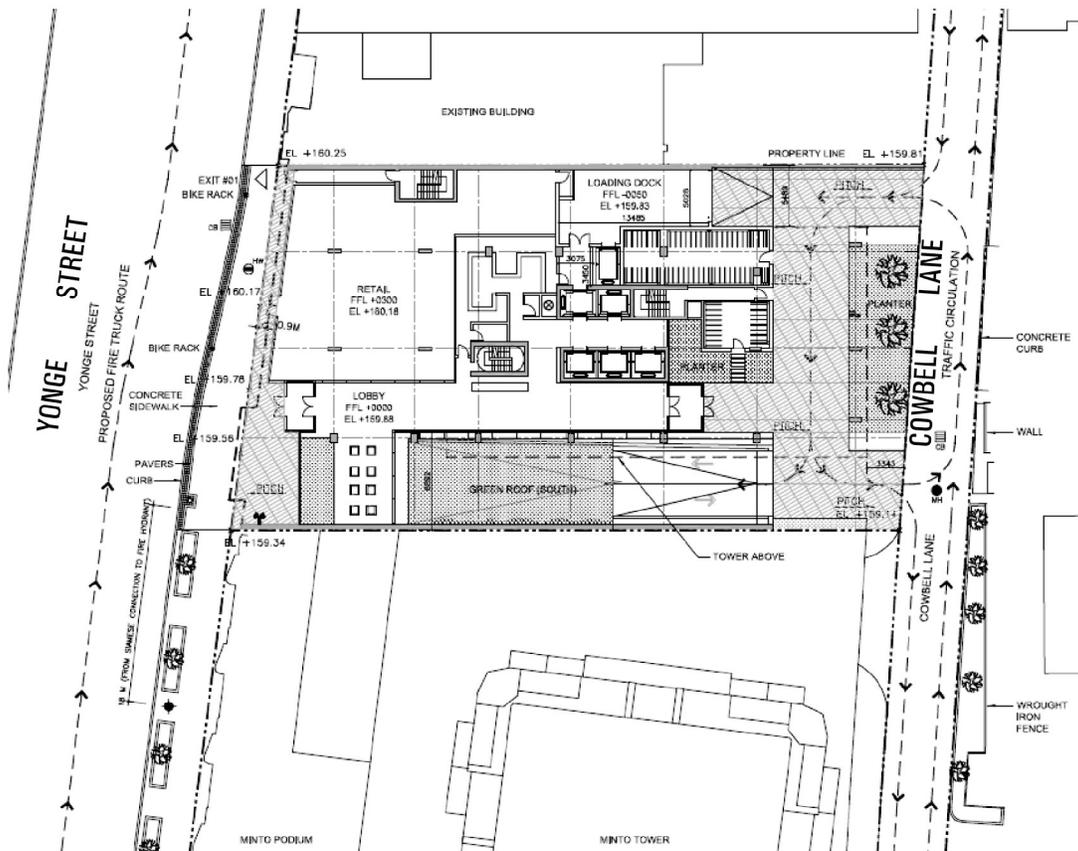
Attachment 6: Official Plan

Attachment 7: Yonge-Eglinton Secondary Plan

Attachment 8: Zoning

Attachment 9: Application Data Sheet

Attachment 1: Site Plan



Site Plan

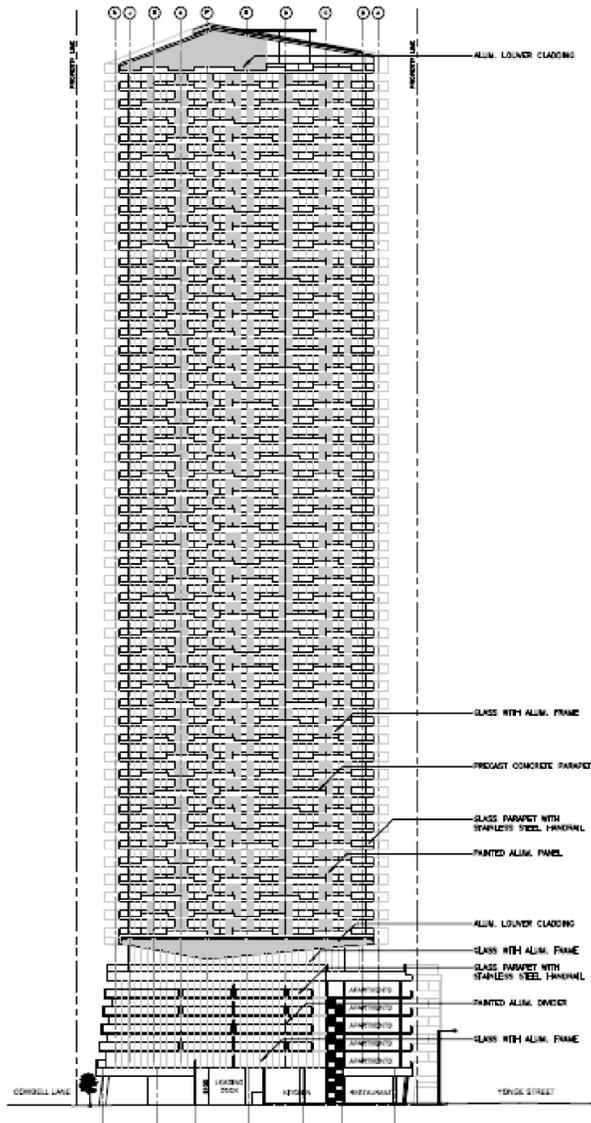
2221 Yonge Street

Applicant's Submitted Drawing

Not to Scale 

File # 12_296517_02

Attachment 2: North Elevation



North Elevation

North Elevation

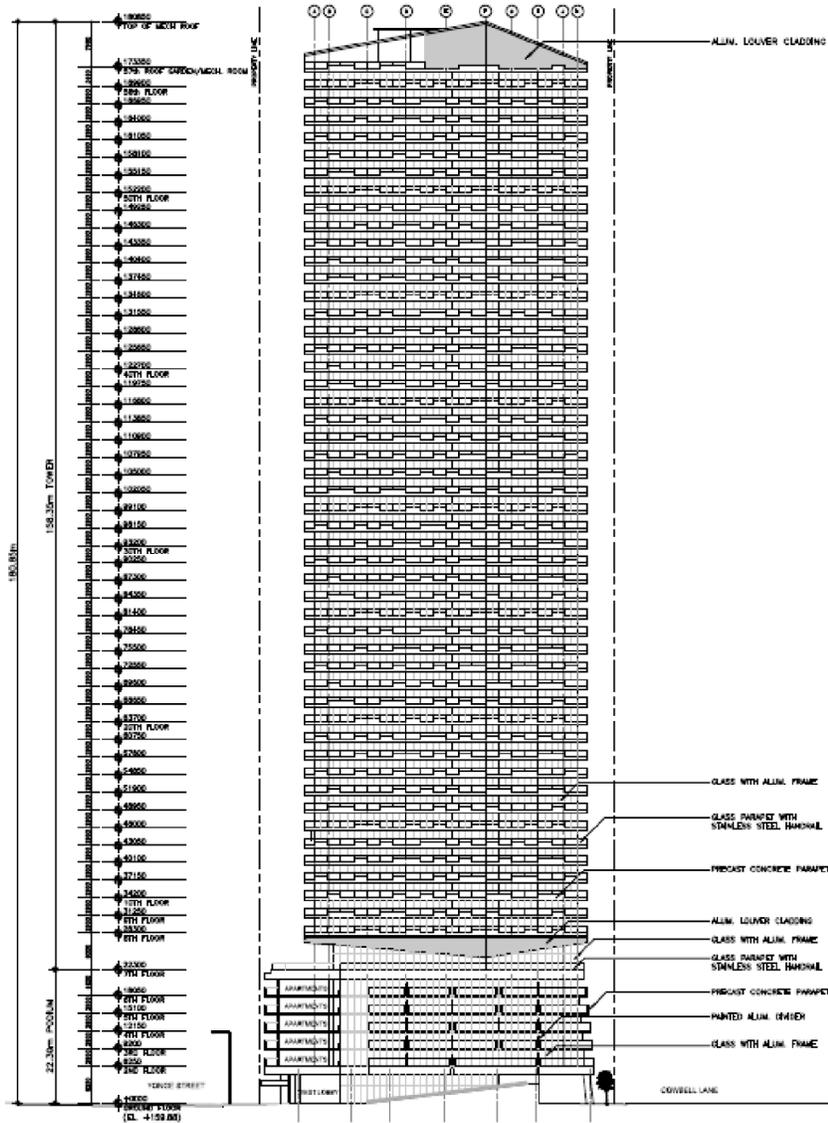
Applicant's Submitted Drawing

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2221 Yonge Street

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Attachment 3: South Elevation



South Elevation

South Elevation

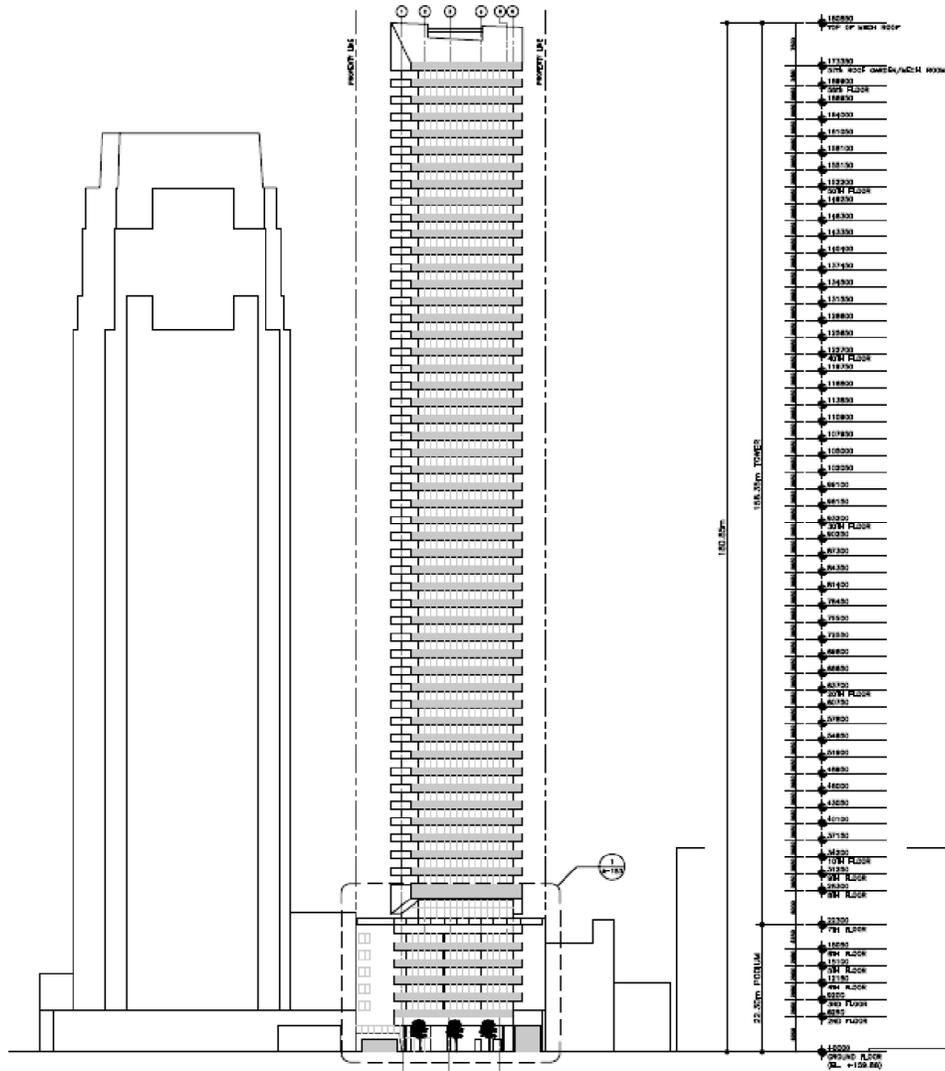
Applicant's Submitted Drawing

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2221 Yonge Street

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Attachment 4: East Elevation



East Elevation

East Elevation

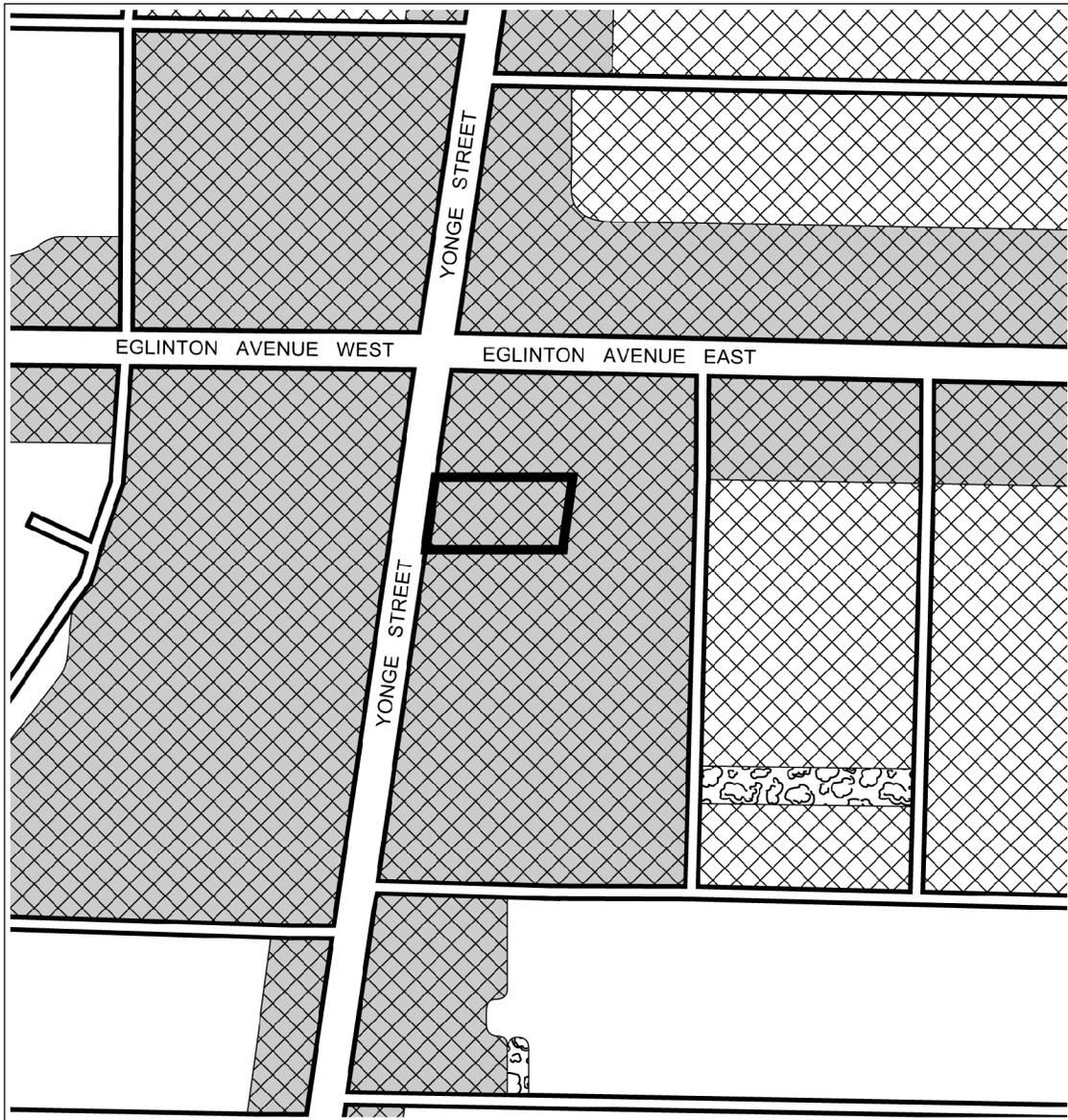
Applicant's Submitted Drawing

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2221 Yonge Street

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Attachment 6: Official Plan



TORONTO City Planning
Official Plan

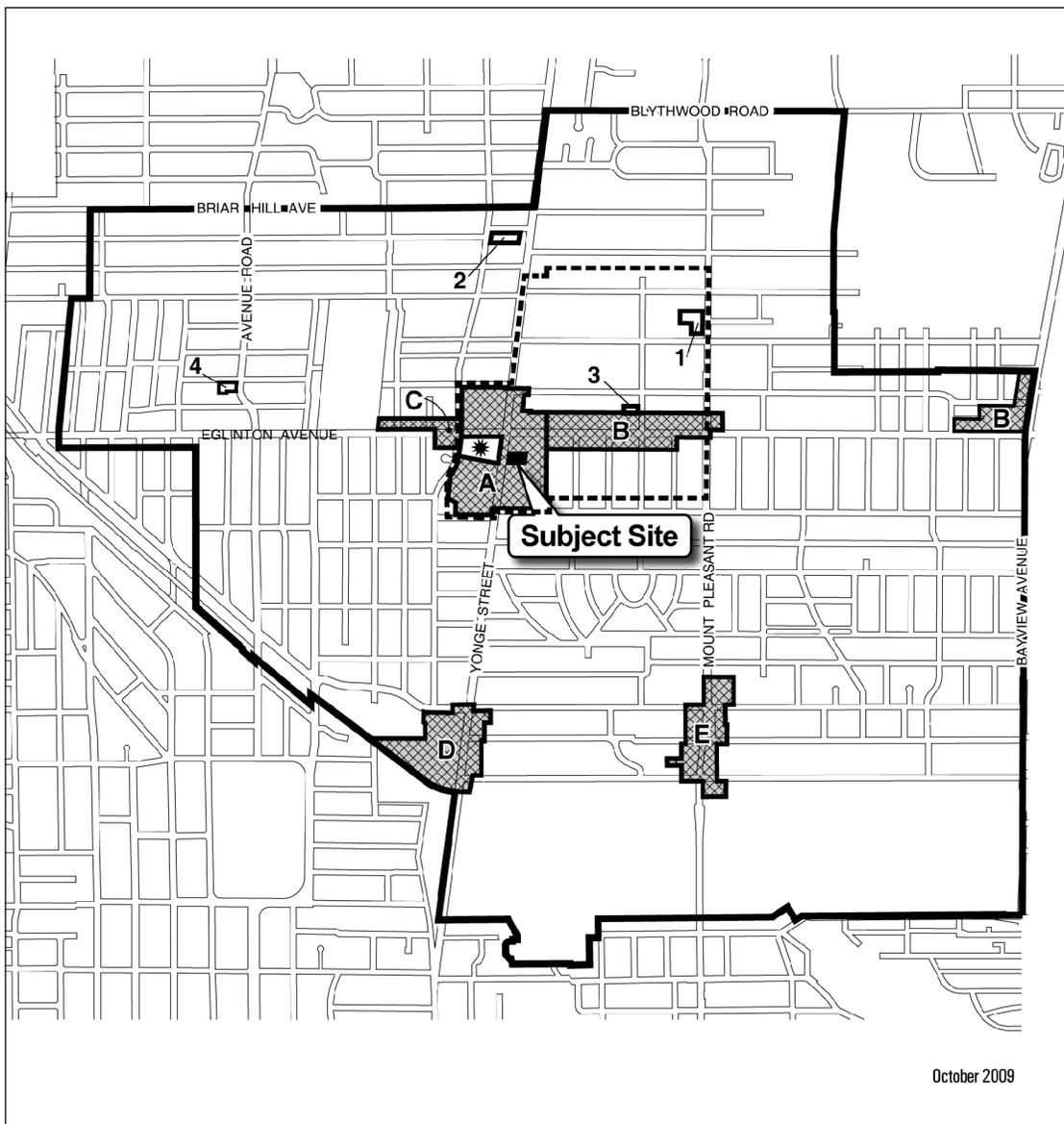
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Attachment 7: Yonge-Eglinton Secondary Plan



October 2009



Yonge-Eglinton Secondary Plan

MAP 21-1 Land Use Plan

2221 Yonge Street

File # 12_296517_02

- Site Location
- Secondary Plan Boundary
- YONGE- EGLINTON URBAN GROWTH CENTRE Boundary
- Mixed Use Areas
- 1 Site and Area Specific Policies
- * Special Study Area

Not to Scale

 04/10/13

Attachment 9: Data Sheet

Application Type	Rezoning	Application Number:	12 296517 STE 22 OZ
Details	Rezoning, Standard	Application Date:	December 20, 2012

Municipal Address: 2221 YONGE ST
 Location Description: PLAN 653 BLK B LOT 14 & 15 PT LOT 16 **GRID S2204
 Project Description: Proposed 56 storey mixed used building with 560 dwelling units, and provide for eight levels of underground parking with 306 parking spaces. A total of 591 bicycle parking spaces will be provided.

Applicant:	Agent:	Architect:	Owner:
GOODMANS LLP			2221 YONGE HOLDINGS INC

PLANNING CONTROLS

Official Plan Designation:	Mixed Use Areas	Site Specific Provision:
Zoning:	CR T5.0 C4.0 R3.0	Historical Status:
Height Limit (m):	61	Site Plan Control Area:

PROJECT INFORMATION

Site Area (sq. m):	1965	Height:	Storeys:	56
Frontage (m):	33.3		Metres:	180.85
Depth (m):	60.45			
Total Ground Floor Area (sq. m):	818			Total
Total Residential GFA (sq. m):	40049		Parking Spaces:	306
Total Non-Residential GFA (sq. m):	338		Loading Docks	1
Total GFA (sq. m):	40387			
Lot Coverage Ratio (%):	41.6			
Floor Space Index:	20.6			

DWELLING UNITS

Tenure Type:	Condo
Rooms:	0
Bachelor:	0
1 Bedroom:	349
2 Bedroom:	157
3 + Bedroom:	54
Total Units:	560

FLOOR AREA BREAKDOWN (upon project completion)

		Above Grade	Below Grade
Residential GFA (sq. m):	40049	0	0
Retail GFA (sq. m):	338	0	0
Office GFA (sq. m):	0	0	0
Industrial GFA (sq. m):	0	0	0
Institutional/Other GFA (sq. m):	0	0	0

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