

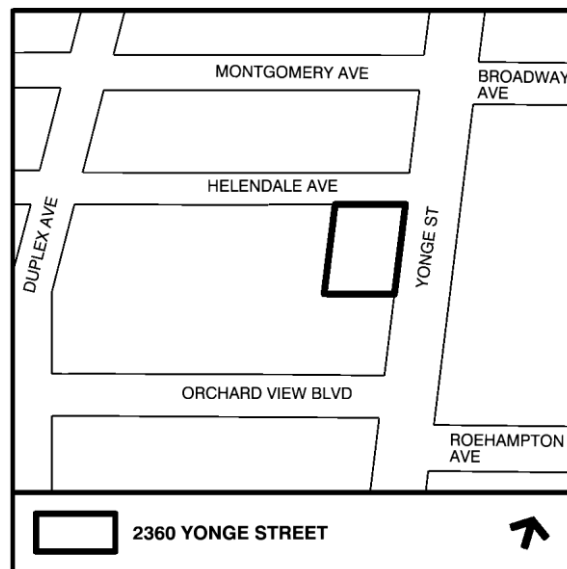
**2360-2378 Yonge Street - Zoning By-law Amendment
Application – Request for Direction Report**

Date:	April 23, 2014
To:	North York Community Council
From:	Director, Community Planning, North York District
Wards:	Ward 16 – Eglinton-Lawrence
Reference Number:	12 168197 NNY 16 OZ

SUMMARY

This application proposes a 28-storey mixed-use building (89.6 metres excluding mechanicals) with 234 dwelling units and 2,695 square metres of commercial floor space at 2360 to 2378 Yonge Street. The building design includes a 6-storey base building with a 22-storey tower above. A total of 147 parking spaces are proposed in five levels of below grade parking. The residential gross floor area proposed for the building is 18,042 m², resulting in a proposed density of 12.6 times the area of the lot. The applicant has appealed the application to the Ontario Municipal Board due to Council’s failure to make a decision within the prescribed time period under the *Planning Act*. A prehearing conference was held on October 25, 2013. A second prehearing conference was held on March 17, 2014. A further prehearing conference is scheduled for July 17 and 18, 2014 and a full hearing has been scheduled for November 12 to November 26, 2014.

This report seeks Council’s direction to oppose the proposed development at the Ontario Municipal Board. The application proposes a tall building along an *Avenue* where mid-rise buildings are appropriate. The application is contrary to the Official Plan and Yonge-Eglinton Secondary Plan. The height, scale and density of the development are not consistent with the existing and planned context. The height and massing of the proposed building would have unacceptable impacts on the public realm and abutting and nearby properties. The proposal represents



overdevelopment of the site and does not adequately address the Council approved Mid-rise Performance Standards and the Yonge, Duplex, Helendale and Orchard View Urban Design Guidelines prepared in association with the Planning Study for this block. Its approval would negatively impact the future development along the Yonge Street *Avenue*.

RECOMMENDATIONS

The City Planning Division recommends that:

1. City Council authorize the City Solicitor, together with City Planning staff and other staff as appropriate, to oppose the applicant's appeal respecting Zoning By-law Amendment application No. 12 168197 NNY 16 OZ at 2360 to 2378 Yonge Street and attend any Ontario Municipal Board hearings in opposition to such appeal, for the reasons discussed in this report including:
 - a) the proposal does not conform to the Official Plan and the Yonge-Eglinton Secondary Plan, including, but not limited to, policies related to built form, public realm, healthy neighbourhoods, heritage resources, *Avenues*, and *Mixed Use Areas*;
 - b) the proposal does not adequately address Council approved guidelines including the Mid-Rise Building Performance Standards and the Urban Design Guidelines for the Yonge, Duplex, Helendale, Orchard View Planning Study;
 - c) the height, scale and density of the development are not consistent with the existing and planned context;
 - d) the height and massing of the proposed building would have negative impacts on the public realm and abutting and nearby properties;
 - e) the proposal represents overdevelopment of the site; and
 - f) the proposal would adversely impact the future development on the Yonge Street *Avenue*.
2. City Council authorize City staff to continue discussions with the applicant on a revised proposal which addresses the issues set out in this report.
3. In the event that the Ontario Municipal Board allows the appeal in whole or in part, City Council direct staff to request that the Board withhold any order to approve a Zoning By-law Amendment for the subject lands until such time as the City and the owner have presented a draft by-law to the Board that secures community benefits through a Section 37 Agreement.
4. In the event that the Ontario Municipal Board allows the appeal in whole or in part, City Council direct staff to request that the Board withhold any order to approve a Zoning By-law Amendment for the subject lands until such time as a site plan agreement has been entered into between the City and the owner and any preconditions to site plan approval are fulfilled including addressing servicing issues as outlined in the memo from the Manager, Development Engineering, North York District dated November 19, 2013.

5. City Council direct the City Solicitor to advise the OMB that the zoning by-law should not be approved without the provision of such services, facilities or matters pursuant to Section 37 of the Planning Act, as may be considered appropriate by the Chief Planner in consultation with the applicant and the ward councillor.
6. City Council not accept the Avenue Segment Study submitted for the application for 2360 to 2378 Yonge Street as the proposal would change the character of Yonge Street adversely impacting the form, scale and intensity of reurbanization along this Avenue, contrary to the Official Plan.

Financial Impact

The recommendations in this report have no financial impact.

DECISION HISTORY

On May 11, 2010, City Council adopted amendments to the Official Plan and Yonge-Eglinton Secondary Plan to implement the policies of the Provincial Growth Plan for the Greater Golden Horseshoe for the Yonge-Eglinton Urban Growth Centre. The Official Plan Amendment established appropriate boundaries for this Urban Growth Centre and these are reflected in the current Official Plan and Yonge-Eglinton Secondary Plan. The subject site is not included in the Yonge-Eglinton Urban Growth Centre.

New policies were also introduced with respect to the Yonge-Eglinton *Centre* to reinforce the underlying land use designations and the intent of the existing Secondary Plan including policies in relation to appropriate height, density and scale of development in different areas of the *Centre*. This included adding a policy that requires that development on the lands on the east side of Yonge Street, north of Roehampton Avenue will be mid-rise buildings with a scale in the range of 8 to 12-storeys with retail uses at grade.

The report for the City initiated Official Plan Amendment for the Yonge-Eglinton Urban Growth Centre is available on the City's website at:

<http://www.toronto.ca/legdocs/mmis/2010/pg/bgrd/backgroundfile-28933.pdf>.

At its meeting on June 13, 2012 North York Community Council (NYCC) considered Preliminary Reports on two Zoning By-law Amendment applications; one on the subject property at 2360 to 2378 Yonge Street and the other on the site adjacent to the west at 31 to 37 Helendale Avenue (Attachment 1). In assessing the applications, Planning staff considered the two proposals to represent significant intensification. In accordance with the Healthy Neighbourhoods policies of the Official Plan, Planning staff recommended that a study be undertaken that included an evaluation of the applications, other potential development sites and existing development within the block bounded by Yonge Street, Duplex Avenue, Helendale Avenue and Orchard View Boulevard, and determine if an Area Specific Policy was needed. NYCC adopted staff's recommendation and the Yonge, Duplex, Helendale, Orchard View Planning Study was initiated.

The Preliminary Reports for the two applications are available on the City's website at:

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2012.NY17.41> and
<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2012.NY17.40>

Both applications have been appealed to the Ontario Municipal Board (OMB) by the applicants due to Council's failure to make a decision on the applications within the prescribed period under the *Planning Act*. A Request for Direction Report for the appeal of the application at 31 to 37 Helendale Avenue is included as a separate report on the agenda for the May 13, 2014 NYCC meeting. A prehearing conference for the application at 2360 to 2378 Yonge Street was held on October 25, 2013. A further prehearing conference that consolidated the two appeals was held on March 17, 2014 and a further consolidated prehearing conference is scheduled for July 17 and 18, 2014. A full hearing for both applications has been scheduled for November 12 to November 26, 2014.

At its meeting on September 10, 2013 NYCC considered a Status Report on the Yonge, Duplex, Helendale and Orchard View Planning Study. NYCC directed that staff schedule a community consultation meeting to update the broader community on the status of the Study, seek further input on a draft Area Specific Policy and Urban Design Guidelines for the block and report back to NYCC on the results of the community consultation process including any required statutory notice.

The Status Report is available on the City's website at:

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2013.NY26.53>

At its meeting on November 19, 2013, NYCC considered a Final Report on the Planning Study. The Final Report includes an amendment to the Yonge-Eglinton Secondary Plan to introduce an Area Specific Policy for the block and the adoption of Urban Design Guidelines. The Official Plan Amendment to the Yonge-Eglinton Secondary Plan was enacted by City Council at its meeting on December 16 and 17, 2013. The Official Plan amendment was appealed to the OMB by the applicant for 2360-2378 Yonge Street. A prehearing date has not yet been scheduled by the OMB.

The Final Report is available on the City's website at:

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2013.NY28.31>

ISSUE BACKGROUND

Proposal

The application proposes a 28-storey mixed-use building (89.6 metres, excluding mechanical) with 234 dwelling units and 2,695 m² of commercial floor area (Attachments 2, 3 and 4). The mix of dwelling units includes 4 studio units, 204 one-bedroom units and 26 two-bedroom units. All proposed residential units are to be residential condominium. A gross floor area of 18,042 m² is proposed resulting in a density of 12.6 times the area of the lot.

The proposed building consists of a 6-storey base building (23.6 metres) with a 22-storey tower above. There are 3 levels of retail space proposed in the basement and on the ground and 2nd floors. A single retail space is proposed for the full ground floor along Yonge Street. Access to the three retail levels is proposed through one main entrance situated at the northeast corner of the building at the intersection of Yonge Street and Helendale Avenue. The entrance to the residential lobby is proposed from Helendale Avenue midway along the north side of the building. There are dwelling units proposed in the upper 4 floors of the base building. The floorplate of the proposed tower is 557 m² for the 7th floor and 532 m² for the 8th to 28th floors.

A 0.4 metre road widening metres is required along Yonge Street and a corner rounding of 6.1 metres at the southwest corner of Helendale Avenue and Yonge Street. The ground floor of the base building is proposed to be situated at the new street line along Helendale Avenue and Yonge Street, and at the property line along the south boundary. Portions of the base building as well as the underground garage are proposed to encroach into the area of the road widening and corner rounding required at the intersection of Yonge Street and Helendale Avenue with portions of parking space, retail space and dwelling units situated within the widening area. Along the west property line, the base building is proposed to be setback 5.2 metres for the first two floors for the service driveway and access ramp, with the upper four floors stepping back to 10 metres from the property boundary.

The tower is proposed to be setback generally 2.4 metres from Yonge Street and 3 metres along Helendale Avenue with portions setback approximately 1 metre from the widened right-of-way at the intersection of Yonge Street and Helendale Avenue. The proposed tower setback from the south property line is 10 metres. A 10 metre tower setback is also proposed in the application at 31 to 37 Helendale Avenue on the site adjacent to the west, resulting in a proposed tower separation of 20 metres between the two tall buildings.

Proposed common residential amenity space includes 168.5 square metres of indoor amenity space on the 7th floor at the south end of the building and 103 square metres of outdoor amenity space on an adjacent terrace, representing 1.16 m² of amenity space per dwelling unit in total. The allocation of amenity space is approximately 1.4 m² of indoor space and 0.44 m² of outdoor space per dwelling unit.

Five levels of underground parking with 147 parking spaces are proposed for residents (122), visitors (23) and 2 auto share spaces. Site related passenger pick-up and drop-off activity is proposed to be accommodated on the street along the south side of Helendale Avenue. No parking spaces are proposed for the retail uses. A total of 186 bicycle parking spaces are proposed within the basement and on the ground floor. Of these 140 are proposed for residents, 35 for resident visitors, 7 for retail staff and 4 for retail visitors. Two loading spaces are proposed. Access to loading and parking is proposed off Helendale Avenue from a shared driveway along the west side of the site with a combined width of 11.19 metres, with 5.19 metres of this driveway located on the subject site.

The proposal has been revised since the initial submission. The overall gross floor area has been increased by 498m², from 17,544 m² to 18,042 m² resulting in an increase in density from 12.2 to 12.6 times the area of the lot. This is mainly related to an increase of 425 m² in the retail floor area with the residential floor area increasing by 73 m². Other revisions include a minor reduction in the amenity space from 273 m² to 271.5 m² and a slight increase in the number of parking spaces from 145 to 147 spaces.

Additional site and development statistics are included in the Application Data Sheet: Attachment 5.

Site and Surrounding Area

The site is located on the southwest corner of Yonge Street and Helendale Avenue. The site is 1,437 m² in area, rectangular in shape with a grade change of approximately 1 metre from the north to the south boundary of the site. The site has a frontage of 33.6 metres along Helendale Avenue and 43.2 metres along Yonge Street. The site is occupied by a 2-storey retail building divided into smaller units with retail units located partially below grade along Yonge Street. There is currently a 4.5 metre wide right-

of-way on the west side of the site that is combined with a 1.5 metre right-of-way on the adjacent property to the west to form a 6.0 metre wide private laneway that currently provides access from Helendale Avenue for both properties as well as commercial properties to the south that also front on Yonge Street.

Surrounding land uses include:

North: Postal Station K (1 and 2-storeys) is situated on the property fronting Yonge Street north of Helendale Avenue opposite the site. This site is listed on the City's *Inventory of Heritage Properties* and is a National Historic Site. An Official Plan and Zoning By-law Amendment application (File # 13 127993 NNY 16 OZ) that proposes a 27-storey mixed-use building on the site is currently under review. There is a low-rise residential neighbourhood to the west of Postal Station K. Further north, at the northwest corner of Yonge Street and Montgomery Avenue is the 2-storey Anne Johnston Health Station designated as historically significant under the *Ontario Heritage Act* and to the west Fire Station #134 (2 storeys) also an historic building that is listed on the City's *Inventory of Heritage Properties*. Further north along Yonge Street are 2 and 3-storey mixed-use buildings.

South: To the south extending to Orchard View Boulevard are 2 and 3-storey retail/commercial buildings fronting Yonge Street. Further south, on the south side of Orchard View Boulevard extending to Eglinton Avenue, is the large Rio Can Yonge Eglinton Centre office and retail complex (22 and 30-storey office buildings) and two high-rise apartment buildings (17 and 22 storeys). In April 2010, City Council approved an application to amend the Zoning By-law to permit an additional 4,000m² of retail space and additions of 5 and 7 storeys of office space above the existing office buildings, bringing the permitted height of the office buildings to 27 and 37 storeys.

East: To the east opposite the site on the east side of Yonge Street are 1 to 4-storey mixed-use buildings. There is an 8-storey office building on the northeast corner of Roehampton Avenue and Yonge Street. Further east is an apartment neighbourhood with a number of high-rise apartment buildings.

West: There are three 3-storey apartment buildings and a single detached dwelling on the site adjacent to the west. This site is subject to a Zoning By-law Amendment application that proposes a 24-storey apartment building (File # 12 141927 NNY 16 OZ). The application has been appealed to the OMB by the applicant. Further west is the 17-storey Toronto Public Library and Stanley Knowles Cooperative building. The building consists of a 2-storey base, occupied by the Northern District Toronto Public Library with a 15-storey apartment building above. Further west along Helendale Avenue are three single-detached dwellings on small lots. To the south of these dwellings is a 20-storey apartment building approved by the OMB in 2011 (File # 08 182458 NNY 16 OZ) under construction at the northeast corner of Orchard View Boulevard and Duplex Avenue.

Provincial Policy Statement and Provincial Plans

The Provincial Policy Statement (PPS), 2014 provides policy direction on matters of provincial interest related to land use planning and development. These policies support the goal of enhancing

the quality of life for all Ontarians. Key policy objectives include: building strong healthy communities; wise use and management of resources and protecting public health and safety. The PPS recognizes that local context and character is important. Policies are outcome-oriented, and some policies provide flexibility in their implementation provided that provincial interests are upheld. 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.

The *Yonge-Eglinton Centre* is one of five Provincial Urban Growth Centres within Toronto. As noted previously, in May 2010 City Council approved an Official Plan Amendment, including amendments to the Yonge-Eglinton Secondary Plan, to implement the policies of the Provincial Growth Plan for the Greater Golden Horseshoe for the Yonge-Eglinton Urban Growth Centre. Among other matters, the Official Plan Amendment established appropriate boundaries for this Urban Growth Centre and these are reflected in the current Official Plan and Yonge-Eglinton Secondary Plan.

City Council's planning decisions are required by the Planning Act, to conform, or not conflict, with the Growth Plan for the Greater Golden Horseshoe.

Official Plan

The site is located on an *Avenue* (Attachment 6) and is designated *Mixed-Use Areas* in the Official Plan (Attachment 7). It is also located in the Yonge-Eglinton Secondary Plan area (Attachment 8).

Properties to the north and south on the west side of Yonge Street, including Postal Station K and the commercial properties south of the site extending to Orchard View Boulevard are also designated *Mixed-Use Areas* and are within the *Avenue*. The boundary of the *Centre* extends along Orchard View Boulevard to the south and Yonge Street to the east, with properties on the east side of Yonge Street and the south side of Orchard View Boulevard designated *Mixed-Use Areas* within the *Centre*. Properties to the west extending to Duplex Avenue, including the adjacent site where the 24-storey apartment building is proposed are designated *Apartment Neighbourhoods*. The low-scale residential uses on the north side of Helendale Avenue west of Postal Station K are in a *Neighbourhoods* designation.

Centres and Avenues Policies

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

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

The policies of Section 2.2.2 of the Official Plan provide that each *Centre* will have a Secondary Plan that sets out the local goals and a development framework consistent with the Plan, and among other matters, the location, mix and intensity of land uses within the *Centre*.

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

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

Further, the Plan provides that development requiring a rezoning will not be allowed to proceed prior to completion of an *Avenue* Study unless the review demonstrates to Council's satisfaction that subsequent development of the entire *Avenue* segment will have no adverse impacts within the context and parameters of the review. For development within a *Mixed-Use Area* that precedes an *Avenue* Study, Section 2.2.3.3c) outlines requirements that must be satisfied in addition to all other policies of the Plan including in particular the neighbourhood protection policies. An *Avenue* Segment Study was submitted with the application and has been reviewed by City staff.

Healthy Neighbourhoods Policies

The Healthy Neighbourhoods policies of the Official Plan provide that development in *Mixed Use Areas* that are adjacent or close to *Neighbourhoods* will:

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

Policy 2.3.1.3 requires that intensification of land adjacent to neighbourhoods will be carefully controlled to protect these stable areas from negative impact. The policy provides the opportunity to determine, through the review of applications involving significant intensification adjacent to *Neighbourhoods* or *Apartment Neighbourhoods*, whether a Secondary Plan, area specific zoning by-law or area specific policy should be created in consultation with the local community following an *Avenue Study* or area based study. The Yonge, Duplex, Helendale, Orchard View Planning Study was initiated in accordance with this policy.

Public Realm and Built Form Policies

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

The Official Plan recognizes that most of the City's future development will be infill and as such will need to fit in, respect and improve the character of the surrounding area. As a result, the built form policies of Section 3.1.2.1 seek to ensure that new development is located, organized and massed to fit harmoniously with the existing and/or planned context and will limit its impacts on neighbouring streets, parks, open spaces and properties. Among other things this harmony is achieved by: massing new buildings to frame adjacent streets in a way that respects the existing and/or planned street proportion; creating appropriate transitions in scale to neighbouring or existing planned buildings, providing for adequate light and privacy and adequately limiting any resulting shadowing of, and uncomfortable wind conditions, on neighbouring streets and properties.

To minimize impacts on the property and on surrounding properties, and improve the safety and attractiveness of adjacent streets, Section 3.1.2.2 provides that new development use shared service areas where possible within development blocks, consolidate and minimize the width of driveways and curb cuts across the public sidewalks, and integrate services and utility functions within buildings where possible. Section 3.1.2.4 of the Plan requires that new development provide amenity to adjacent streets and open spaces to make these areas attractive, interesting, comfortable and functional for pedestrians.

The Official Plan identifies tall buildings as those whose height are typically greater than the width of the adjacent road allowance. The right-of-way width of Yonge Street in proximity to the proposal is approximately 27 metres. As such, the proposed building is considered to be a tall building.

Due to the larger civic responsibility and obligations associated with tall buildings, the built form policies of Section 3.1.3 provide additional design direction to ensure that they fit into the existing and planned context and limit local impacts. The Official Plan states that although tall buildings are desirable in the right places they don't belong everywhere and are only one form of intensification. Most of the proposed intensification in the Plan is anticipated to be achieved with street oriented, grade related or mid-rise building types that define and support sunny, comfortable and vital streets, parks and open spaces. Tall buildings are generally limited to parts of the *Downtown*, *Centres* and others areas in which they are permitted by a Secondary Plan, an area specific policy, or a zoning by-law. Policy 3.1.3.2 requires new tall building developments to address key urban design considerations set out in the Plan.

Heritage Resource Policies

The Postal Station K property on the north side of Helendale Avenue opposite the site is listed on the City's *Inventory of Heritage Properties*. Section 3.2.5.2 provides that development adjacent to properties on the City's *Inventory of Heritage Properties* will respect the scale, character and form of the heritage buildings and landscapes.

Mixed Use Areas Policies

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

Where there is new development proposed in *Mixed-Use Areas*, proposals are assessed against development criteria included in Section 4.5.2 of the Official Plan. These criteria include among other matters:

- locating and massing new buildings to provide a transition between areas of differing development intensity and scale, as necessary to achieve the objectives of the Plan, through means such as providing setbacks from and/or stepping down of heights toward lower scale *Neighbourhoods*;
- locating and massing new buildings so as to adequately limit shadow impacts on properties in adjacent lower-scale *Neighbourhoods* particularly during the spring and fall equinoxes;
- locating and massing new buildings to frame the edge of streets and parks with good proportion and maintain sunlight and comfortable wind conditions for pedestrians on adjacent streets, parks and open spaces;
- locating and screening service areas, ramps, and garbage storage to minimize the impact on adjacent streets and residents; and
- providing indoor and outdoor recreational space for building residents in every significant multi-unit residential development.

The Official Plan is available on the City's website at:

http://www1.toronto.ca/staticfiles/city_of_toronto/city_planning/developing_toronto/files/pdf/chapters1_5_dec2010.pdf

Yonge-Eglinton Secondary Plan

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

encompasses lands within the Yonge-Eglinton *Centre* and provides a development framework for the *Centre* as well as the larger Secondary Plan area including these lands.

It is a primary objective of the Secondary Plan to maintain and reinforce the stability of *Neighbourhoods* and to minimize conflicts among uses in *Mixed-Use Areas*, *Neighbourhoods*, *Apartment Neighbourhoods* and *Parks and Open Space Areas* in terms of land use, scale and vehicular movement. Section 2.5 provides that the development of mixed use buildings in *Mixed Use Areas* will be encouraged to increase active pedestrian circulation at street level, and to increase housing opportunities for family and other households. Secondary Plan objectives also seek to ensure that the form of buildings promotes a compatible physical and land use relationship between development within the various land use designations and between sites in abutting land use designations, and that all buildings form a positive visual relationship to the street.

Among other matters, it is the objective of the Secondary Plan to maintain the existing scale of development within stable *Neighbourhoods* and protect such areas from impacts including overshadowing from buildings located in abutting *Mixed Use Areas* and *Apartment Neighbourhoods*, and to secure a transition in height and scale from developments in *Mixed Use Areas* and *Apartment Neighbourhoods* to *Neighbourhoods* and in particular to those sites which abut a *Neighbourhood*.

The Secondary Plan provides for development of the greatest height, density and scale to be situated in *Mixed Use Area "A"*, and development of a lesser scale that is contextually appropriate and compatible with adjacent areas to be located in *Mixed Use Areas "B", "C", and "D"*. Higher density residential development proposals within *Apartment Neighbourhoods* are directed to sites with nearby subway station access.

The Secondary Plan recognizes the importance of higher order transit, existing and planned for Yonge-Eglinton, and Section 2.10 provides opportunity to consider reduced parking requirements for development in *Mixed-Use Areas* which are in close proximity to subway and light rapid transit access. Improvements to the public realm are encouraged in association with all development and Section 2.16 provides that when a new development is proposed on a major street, such as Yonge Street and Eglinton Avenue, the possibility of a building setback to provide a wider sidewalk will be considered. The *Parks and Open Space Areas* policies of Section 2.21 encourage the creation of interesting and engaging parks and opens spaces that are safe, comfortable and accommodate people of all ages and abilities.

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

Section 5 of the Secondary Plan includes policies for the *Yonge-Eglinton Centre*. Section 5.1 confirms the intent that the *Yonge-Eglinton Centre* satisfy the requirement of an Urban Growth Centre within the meaning of the Growth Plan for the Greater Golden Horseshoe. In recognition of this status detailed policies to guide development in the *Centre* are included. Sections 5.2 and 5.3 provide for the highest heights, densities and scale of development within *Mixed-Use Areas A* at the four quadrants of the intersection of Yonge Street and Eglinton Avenue and that the heights, densities and scale of development will decrease along Eglinton Avenue East with increasing distance from this intersection.

The built form typology and building heights along segments of Yonge Street and Mount Pleasant Road that are within the *Centre* are also further defined. For Yonge Street, Section 5.5 provides that development along the east side of Yonge Street north of Roehampton Avenue will be mid-rise buildings with a scale in the range of 8 to 12-storeys with retail uses at grade.

The Yonge-Eglinton Secondary Plan is available on the City's website at:
http://www1.toronto.ca/static_files/CityPlanning/PDF/21_yonge_eglinton_dec2010.pdf

Zoning

The site is zoned in a Mixed-Use (MCR) zone in former City of Toronto Zoning By-law 438-86 (Attachment 9). A wide range of residential, retail and commercial uses are permitted on the site. A maximum overall density of 3 times the area of the lot is permitted. For residential uses the maximum density permitted is 2 times the area of the lot and the maximum density for commercial and retail uses is 2.5 times the area of the lot. The maximum building height permitted is 16 metres (Attachment 10). In addition building envelope controls are included in the Zoning By-law along Yonge Street and along the west boundary of the site adjacent to the residential zone. The By-law requires that buildings may not extend beyond a 60 degree angular plane projected over the lot from a distance 10 metres from the street line of Yonge Street and from boundary to the residential zone to the west.

Performance Standards for Mid-rise Buildings

Adopted by Council in July 2010, the *Avenues and Mid-rise Building Study* includes a set of performance standards to guide the design of mid-rise buildings in a manner appropriate to the *Avenues*. Guided by the objectives to create healthy, liveable and vibrant main streets while protecting the stability and integrity of adjacent neighbourhoods, the mid-rise performance standards generally apply to segments of the *Avenues* that are designated for reurbanization and targeted for growth such as *Mixed Use Areas* with some exceptions, including portions of *Avenues* within Secondary Plan areas.

The *Avenues and Mid-rise Building Study* identifies a number of character areas along *Avenues*, throughout the City based in part on their historical evolution. Yonge Street, fundamental in the planning and layout of Toronto and Ontario, is often considered to be Toronto's main street and three character areas are identified in the Study along Yonge Street including one at Yonge and Eglinton that encompasses the subject site. Yonge/Eglinton was once part of the old Town of North Toronto and is home to a variety of small retail stores, restaurants, larger stores and a mall/movie theatre complex. As a result, the Study suggests that mid-rise performance standards related to the fine grain main street fabric found here and to maintaining consistent cornice lines with existing buildings be referenced for new mid-rise buildings to reflect and strengthen the existing character along Yonge Street in this area.

Planning staff consider the site to be appropriate for mid-rise buildings in keeping with the planning framework for the area. As a result, the proposal has been assessed using the Performance Standards for Mid-Rise Buildings discussed in more detail below under the comments section of this report.

The *Avenues and Mid-rise Buildings Study* is available on the City's website at:
<http://www1.toronto.ca/wps/portal/contentonly?vgnextoid=7238036318061410VgnVCM10000071d60f89RCRD>

Tall Building Design Guidelines

In May 2013, Toronto City Council adopted the updated city-wide Tall Building Design Guidelines and directed City Planning staff to use these Guidelines in the evaluation of all new and current tall building development applications. The guidelines establish a unified set of performance measures for the evaluation of tall building proposals to ensure that they fit within their context and minimize their local impacts. The city-wide Guidelines are available on the City's website at: <http://www1.toronto.ca/wps/portal/contentonly?vnextoid=80a70621f3161410VgnVCM10000071d60f89RCRD>

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

Planning staff have determined that the site is not a tall building site. As a result, a detailed discussion of the proposal in relation to the Tall Building Design Guidelines is not included in this report. However, it is noted that the proposal does not meet the key requirements of the Tall Building Design Guidelines with respect to; site context, site organization, tall building design, and the pedestrian realm.

Yonge, Duplex, Helendale and Orchard View Planning Study

The Yonge, Duplex, Helendale, Orchard View Planning Study was completed in November 2013 after extensive community consultation including an open house held in November 2012, three working group meetings held on January 23, February 26 and April 15, 2013 and a broader community consultation meeting held June 18, 2013. The study provided an opportunity to consider future development on the block bounded by Yonge Street, Duplex Avenue, Helendale Avenue and Orchard View Boulevard in a comprehensive fashion in relation to built form and public realm, while addressing the unique characteristics of each site. The Final Report on the study included amendments to the Yonge-Eglinton Secondary Plan to introduce an Area Specific Policy for the block and Urban Design Guidelines to implement the results of the Study.

Guiding Principles

Guiding principles were prepared by City staff that address the main themes and priorities that emerged through the community engagement process for the Planning Study. The Guiding Principles include:

1. *Create a strong sense of place centred around the Northern District Library and Postal Station K sites.*
2. *Enhance the existing and planned character of Yonge Street.*
3. *Create walkable, safe, comfortable and inviting streets, pedestrian connections and open spaces.*
4. *Develop at an appropriate scale consistent with the Official Plan and sensitive to community context and character.*

5. *Promote consolidated accesses and servicing functions within development sites.*

Area Specific Policy

The Area Specific Policy builds on the existing planning framework for the block, and seeks to ensure the new development is consistent with the existing and planned context, and positively contributes to the streets, open spaces and surrounding properties. Within the *Mixed-Use Areas* along Yonge Street, mid-rise buildings are considered appropriate in keeping with the existing and planned context for this *Avenue*. Lower scale base building heights along Yonge Street and Helendale Avenue that respect the scale and character of the historic Postal Station K building and the low-rise character of Helendale Avenue are appropriate.

Within the *Apartment Neighbourhoods* a range of building types including low-scale, mid-rise and tall building forms are considered appropriate. Building forms should respect the context of the site within the block and the surrounding area, the unique characteristics of the site, and ensure consistency with City policies and guidelines, such as the Tall Building Design Guidelines. As well, in keeping with the planning framework building heights should step down toward the north and west to maintain compatibility and provide a transition to the lower scale neighbourhood north of Helendale Avenue and west of Duplex Avenue.

Urban Design Guidelines

The Urban Design Guidelines reflect the planning framework for the block, and guiding principles from the Planning Study. They outline and illustrate how the urban design goals and objectives of the Official Plan, Yonge-Eglinton Secondary Plan and City guidelines could be implemented. The Guidelines include a Concept Plan that illustrates key principles and priorities for improvements (Attachment 11). The Concept Plan reflects the overarching idea of Placemaking expressed through the study process and the creation of a community focal point and gathering place centred on the Northern District Library and Postal Station K sites. Enhancements along the streets and to the pedestrian connections and open spaces on the Northern District Library site are also illustrated. Consolidating accesses and intersection improvements on Orchard View Boulevard at Yonge Street and Duplex Avenue are priorities.

The Urban Design Guidelines address three main areas: the public realm; site organization; and built form:

1. *Public Realm*

Guidelines for the revitalization of the open spaces on the Northern District Library site and the creation of a new square along Yonge Street between Helendale Avenue and Montgomery Avenue including the historic Postal Station K site, (Montgomery Square) were prepared to ensure that designs for these spaces reflect their civic importance. Guidelines for the streets that surround the block, and the open spaces and pedestrian connections are also included to ensure that enhancements address the unique characteristic of each while creating a unified, connected and pedestrian friendly public realm. Public art to enhance streetscapes, open spaces and development sites are promoted.

2. *Site Organization*

Guidelines for site servicing and access were prepared to ensure that the number of accesses is limited and that the impacts of loading, parking and service areas on the public realm are minimized through high quality landscape treatments, screening and/or integrating them into the built form.

3. *Built Form*

Built form guidelines were prepared to ensure that the design of new buildings on the block balance the need to fit in and unify the open spaces on the Northern District Library site and Montgomery Square, while expressing the individual character of each building. Guidelines for building envelopes that maintain the sunlight condition on Yonge Street and Montgomery Square and respect the scale and character of the existing and planned built form context of the block and surrounding area are included.

Additional information about the Yonge, Duplex, Helendale, Orchard View Planning Study is available on the City's website at:

<http://www1.toronto.ca/wps/portal/contentonly?vnextoid=7578be4436161410VgnVCM10000071d60f89RCRD&vnextchannel=490452cc66061410VgnVCM10000071d60f89RCRD>

Parks, Open Space and Streetscape Master Plan Study for Yonge-Eglinton

The City has initiated a Parks, Open Space and Streetscape Master Plan Study for the area, now called Midtown in Focus. The study area is generally focussed on the *Centre* in the Yonge-Eglinton Secondary Plan area, but 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, and provides a public realm framework for the study area including guidelines for amenities that support pedestrians and block-by-block guidelines for open space. It is anticipated that the study will be completed by the 2nd quarter of 2014.

The study area block is located within the Master Plan Study Area. The results of the Planning Study for the block have been used to inform the Midtown in Focus study.

Site Plan Control

A Site Plan application (File # 12 165842 NNY 16 SA) has been submitted and has been reviewed concurrently with the Zoning By-law Amendment application. The Site Plan application has not been appealed to the Ontario Municipal Board. Should the applicant appeal the Site Plan Application, Planning staff are recommending that City Council authorize the City Solicitor, together with City Planning staff and other appropriate staff, to oppose the application in its current form, and attend any Ontario Municipal Board hearings related to the application.

Reasons for Application

A Zoning By-law amendment is required as the Zoning By-law permits a maximum building height of 16 metres and the proposed building would have a height of about 89.6 metres (excluding mechanicals). As well, a maximum overall density of 3 times the area of the lot is permitted in the current Zoning By-law and a density of 12.6 times the area of the lot is proposed. A Zoning By-law amendment is also

required to establish development standards such as parking and loading requirements, building setbacks and required landscaping and amenity space for the proposed development.

Community Consultation

A joint community consultation meeting for the subject application as well as the application on the property adjacent to the west was held on June 18, 2013. Planning staff, the Ward Councillor and approximately 100 people attended the meeting. Main issues raised included concerns with the proposed height, density and coverage of the building, whether office uses could be provided in the building, the lack of commercial parking, the width of the proposed sidewalk along Yonge Street, maintaining sunlight along Yonge Street, providing for retail access at grade along Yonge Street, potential impacts of the development on traffic in the area, the small size of dwelling units, the setback of the building from the street, the capacity of the subway to accommodate new residents, and the potential wind impacts of the building.

The applicant also participated in the Yonge, Duplex, Helendale, Orchard View Planning Study and attended the working group and larger community consultation meetings held for the study. The applicant presented and discussed the development proposal and provided ideas and comments and participated in discussions about built form and public realm improvements at the working group meetings.

Agency Circulation

The application was circulated to all appropriate agencies and City divisions. Responses received have been used to assist in evaluating the application.

COMMENTS

This proposal is not consistent with the way in which the Official Plan and Secondary Plan implement the Provincial Policy Statement and the Growth Plan for the Greater Golden Horseshoe. It fails to comply with the planning framework for this area of the City established by the Official Plan and the Yonge Eglinton Secondary Plan that sets out the desired type and form of physical development for the area. The provincial and municipal planning policies include an Urban Growth Centre that has a boundary that was established to separate larger scale and higher intensity development from the lower scale and less intense development in areas outside the *Centre*.

Provincial Policy Statement and Provincial Plans

The Provincial Policy Statement (PPS) contains policies related to managing and directing development. It requires that sufficient land be made available for intensification and redevelopment, that planning authorities identify and promote opportunities for intensification and redevelopment where this can be accommodated taking into account, among other things, the existing building stock and areas, and that they establish and implement minimum targets for intensification and redevelopment within built up areas.

Within this framework, the PPS recognizes that the Official Plan is the most important vehicle for implementing PPS requirements and that comprehensive, integrated and long term planning is best achieved through municipal official plans. The City's Official Plan and Yonge Eglinton Secondary Plan, that includes the recent amendment to implement the Growth Plan for the Yonge-Eglinton *Centre* meets the requirements of the PPS. The Official Plan and Yonge-Eglinton Secondary Plan contain

clear, reasonable and attainable policies that protect provincial interest and direct development and intensification to suitable areas. In this area intensification is promoted through development that respects and reinforces the existing and planned context for mid-rise buildings along Yonge Street. The proposal does not conform to the Official Plan and Yonge-Eglinton Secondary Plan and is not consistent with the way in which the Official Plan and Secondary Plan implement the Provincial Policy Statement.

The Growth Plan for the Greater Golden Horseshoe identifies the *Yonge Eglinton Centre* as an Urban Growth Area, to which intensification should be directed. It requires that Official Plans provide a strategy and policies to achieve intensification and to identify the appropriate type and scale of development in intensification areas. The Growth Plan for the Greater Golden Horseshoe also requires that these areas be planned to achieve an appropriate transition of built form to adjacent areas.

The Yonge-Eglinton Secondary Plan Area is currently experiencing significant growth. The minimum growth targets required by the Growth Plan for the Greater Golden Horseshoe for each Urban Growth Centre in the City, including the Yonge-Eglinton Urban Growth Centre is 400 residents and jobs combined per hectare by the year 2031 or sooner. The Growth Plan for the Greater Golden Horseshoe states that if this minimum target is exceeded, the new levels of resident and job growth will become the minimum targets for the Centre. As of the 2006 City of Toronto Employment Survey and the 2006 Statistics Canada Census, the Yonge-Eglinton area had exceeded the initial minimum target and had approximately 475 residents and jobs per hectare.

The subject property is outside the *Yonge-Eglinton Centre* on an *Avenue* which provides opportunity for reurbanization and intensification in a mid-rise built form, consistent with the Growth Plan for the Greater Golden Horseshoe. This is not an area where the scale of intensification and built form proposed, is anticipated or appropriate. The proposal is not consistent with the way in which the Official Plan and Secondary Plan implement the Growth Plan for the Greater Golden Horseshoe.

Built Form and Massing

The application proposes a mixed-use tall building with retail and residential uses. The *Mixed-Use Areas* designation on the site provides for these uses. The Official Plan also provides for the reurbanization of the *Avenues* through redevelopment including intensification. However, the built form for redevelopment and intensification on this *Avenue* should be mid-rise buildings in keeping with the planned context for Yonge Street in this area.

The Official Plan and Secondary Plan policies for the *Yonge-Eglinton Centre* require that development along the east side of Yonge Street north of Roehampton Avenue within the *Centre* be mid-rise building in the range of 8 to 12-storeys with retail uses at grade. The lands on the east side of the street are designated *Mixed-Use Areas*, and prior to the Official Plan Amendment for the Yonge-Eglinton Urban Growth Centre were part of the same *Avenue* area as the lands on the west side of Yonge Street. The built form policies introduced for the Yonge-Eglinton Urban Growth Centre were aimed to reaffirm the *Avenue* mid-rise built form typology desired along this portion of Yonge Street. In keeping with these policies, a mid-rise built form would be appropriate on the subject property. The site is not a tall building site and as noted previously a detailed discussion of the proposal in relation to the Tall Building Design Guidelines is not included in this report. However, it is noted that the proposal does not meet the key requirements of the Tall Building Design Guidelines with respect to; site context, site organization, tall building design and pedestrian realm.

The Official Plan recognizes that development in *Mixed-Use Areas* along the *Avenues* will most often be at a lower scale than in the *Mixed-Use Areas* within the *Centres*. Approving the proposed development on the *Avenue*, would negatively impact lands within the *Centre* encouraging applications for tall building development along the east side of Yonge Street where 8 to 12-storey mid-rise buildings are planned.

The built form policies of the Official Plan also provide that new development should fit harmoniously within its existing and/or planned context, and the *Mixed-Use Areas* policies of the Official Plan and Secondary Plan seek to ensure a compatible physical relationship with new development. A mid-rise character is planned along this portion of Yonge Street and new development should fit harmoniously within this planned context. The proposed development is not consistent with these policies.

Avenue Segment Study

As an *Avenue* Study has not been prepared by the City for this *Avenue*, an *Avenue* Segment Study was submitted by the applicant in accordance with the Official Plan. The *Avenue* Segment Study assessed the proposal in the context of the segment of the Yonge Street *Avenue* extending from Orchard View Boulevard north to Lytton Boulevard on the west side of Yonge Street and from Blythwood Avenue south to the boundary of the *Centre* (south of Keewatin Avenue) on the east side of Yonge Street.

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

The *Avenue* Segment Study identified ten soft sites; two potential tall building sites and eight potential mid-rise building sites. The tall building sites included;

- up to 32 storeys and a density of 12.4 times the site area on a consolidated site adjacent to the south of the subject property, at the northwest corner of Orchard View Boulevard and Yonge Street; and
- up to 20 storeys and a density of 8.5 times the site area on a consolidated site at the southeast corner of Keewatin Avenue and Yonge Street, north of the *Centre* boundary.

The study concluded that approximately 985 residential units and 19,650 square metres of commercial floor area would be achievable within the segment overall.

The *Avenue* Segment study has not properly considered the strategy for intensification along this *Avenue* as required by the Official Plan. Sites with potential for tall buildings and higher densities outside the *Centre* are identified opposite lands within the *Centre* that are planned for intensification in the form of mid-rise buildings, at a lower height, scale and density. The Segment Study did not examine the relationship of the mid-rise built form planned for the east side of Yonge Street within the *Centre* to the sites opposite on the *Avenue* on the west of Yonge Street where tall building soft sites were identified, as required in the Official Plan.

The subject property is a small corner site with 43.2 metres of frontage along Yonge Street and a depth of 33.6 metres along Helendale Avenue. A number of the identified soft sites are also small corner sites with similar or larger lot areas and similar configurations to the subject site. The approval of the proposed tall building would encourage tall building proposals to be considered on other soft sites of similar size and configuration to the subject site contrary to the Official Plan.

The Study did not identify soft sites along full blocks on both the east and west sides of Yonge Street, where there are potential sites for incremental reurbanization. The Study indicated that these blocks have no potential for redevelopment due to the number of smaller properties requiring consolidation or had rental units. The consolidation of small properties for development including rental replacement is common in the Yonge-Eglinton Secondary Plan area. The approval of the proposal would result in the incremental development of these *Avenue* properties for tall buildings, at a similar form, scale and intensity as the proposed development. This is contrary to the Official Plan vision for Yonge Street.

Planning staff do not agree with the Avenue Segment Study conclusions. The Avenue Segment Study has not adequately considered the policies related to *Mixed-Use Areas*, the larger context of the site or the implications of the impacts of the incremental development of the entire Avenue segment at a similar form scale an intensity of development as required by the Official Plan. The proposal would change the character of Yonge Street adversely impacting the form, scale and intensity of reurbanization along this *Avenue*, contrary to the Official Plan.

Yonge Street Frontage

Yonge Street adjacent to the Centre has very busy sidewalks. To provide appropriate space for street tree planting, wider sidewalks, and continuous weather protection, increased setbacks have been secured in recent developments on Yonge Street.

The planned right-of-way width for Yonge Street through this area is 27 metres. An Official Plan road widening of 0.4 metres is required along the Yonge Street frontage of the site and a corner rounding of 6.1 metres is required at the intersection of Helendale Avenue and Yonge Street to meet right-of-way requirements.

Section 2.16 of the Yonge-Eglinton Secondary Plan provides for building setbacks along major streets, including Yonge Street to promote streetscape enhancements and wider sidewalks. The Area Specific Policy and Urban Design Guidelines provide for a minimum ground floor building setback of 1.5 metres along Yonge Street. A minimum ground floor setback of 1.5 metres along Yonge Street promotes integrated designs for the boulevard and the setback area, and encourages pedestrian amenities, including landscaping, trees and wider sidewalk, continuous pedestrian weather protection such as canopies or building overhangs and seating to promote pedestrian activity and comfort.

The application proposes no building setback along the Yonge Street frontage and is not acceptable. As well, the base building above the ground floor encroaches within the corner rounding area required at Yonge Street and Helendale Avenue and the road widening area required along Yonge Street. Transportation Services staff have advised that no encroachments are permitted within the corner rounding or the widening areas.

Planning staff recommend a minimum ground floor building setback of 1.5 metres along Yonge Street taken from the widened right-of-way. This is consistent with the Official Plan, Yonge-Eglinton Secondary plan and City design guidelines. This setback will achieve an appropriately scaled public realm which can incorporate a wider sidewalk, continuous weather protection and street trees.

Helendale Avenue Frontage

Helendale Avenue is a local street with a narrow right-of-way approximately 15 metres wide. The boulevards are small approximately 2.8 metres wide and the sidewalks are narrow less than 1.5 metres wide. In this area, Helendale Avenue is characterized with low-rise buildings ranging from 1 to 3 storeys. The building setbacks vary between the north and south sides of the streets with larger setbacks generally along the south side. On the site adjacent to the west the existing buildings are setback from 3 to 6.5 metres. The Northern District Library is setback 6 to 13 metres, and the houses further west are setback from 3 to 7 metres. Postal Station K on the north side of the street opposite the site has a setback of approximately 4 metres.

Building setbacks along a side street from an *Avenue* are often required in order to ensure that there is an appropriate fit from the *Avenue* development to the adjacent residential properties that have front yard setbacks. The development proposed on the property adjacent to the west includes grade related dwelling units along Helendale Avenue that have front yards and accesses to the street with setbacks from 1.7 to 2.9 metres. Additional space is needed for a wider sidewalk, street trees and other pedestrian amenities including continuous weather protection, such as canopies and overhangs associated with retail entrances and frontages as well as the residential lobby and to support the creation of the larger pedestrian space at this intersection.

No setback is proposed along the Helendale Avenue frontage of the site except for the entrance to the residential lobby that is located in a small alcove midway along the north wall. The entrance alcove is proposed to be setback 2 metres from Helendale Avenue. As well, as noted previously, the base building above the ground floor encroaches within the widened right-of way at the intersection of Helendale Avenue and Yonge Street with portions of dwelling units and retail floor space situated within the widened right-of-way. Transportation Services staff have advised that no encroachments are permitted within the corner rounding or the road widening areas.

A minimum building setback of 3 metres along Helendale Avenue will provide for an appropriate fit to the residential uses to the west and ensure that the new develops fits harmoniously into the existing and planned context. This setback will provide space for trees, sidewalks and pedestrian amenities.

Planning staff recommend a minimum building setback of 3 metres along Helendale Avenue taken from the widened right-of-way. This is consistent with the Official Plan, Yonge-Eglinton Secondary Plan and City design guidelines.

Built Form – Yonge Street and Helendale Avenue Corner Site

The Official Plan and Secondary Plan policies seek to ensure that new development is located, organized and massed to fit harmoniously within its existing and/or planned context and limit its impacts on neighbouring streets, parks, open spaces and properties. Corner buildings need to respect the role and character of both streets. Where there are heritage buildings the Plan provides that new development

adjacent to the heritage sites will respect, the scale, character and form of the heritage building and landscape.

The Mid-rise Building Performance Standards provide for minimum building heights and step backs within the building mass to create buildings at the street that are at a comfortable pedestrian scale. A minimum building height of 10.5 metres is recommended in the guidelines with a minimum setback dimension of 1.5 metres to achieve a pedestrian scale. The Mid-rise Building Performance Standards also identify this area of Yonge Street as a Character Area, based in part on its historical evolution. Postal Station K, as well as the other heritage buildings north of Montgomery Avenue contribute to the character of Yonge Street in this area. The Mid-rise performance standards related to the fine grain main street fabric and to maintaining consistent cornice lines with existing buildings are identified as appropriate for new mid-rise buildings to reflect and strengthen the character along Yonge Street in this area.

The application proposes a 6-storey (23.6 metres) base building with a tall building above. As noted previously, the base building encroaches within the area of the widened right-of-way at the corner of Yonge Street and Helendale Avenue. There are stepbacks proposed above the 2nd floor at a height of approximately 12 metres along the west side (5.2 metre stepback), and along a portion of the north side of the building (3 metre stepback). The tower is generally proposed to stepback above the base building 2.4 metres along Yonge Street. Along Helendale Avenue the tower is proposed to stepback 3 metres above the east portion of the base building. It is noted that due to the proposed encroachment of the base building into the area of the required corner rounding and road widening, the northeast corner of the tower will be setback approximately 1 metre at the intersection Yonge Street and Helendale Avenue.

The Postal Station K and its open spaces together with the public boulevards of Yonge Street, Helendale Avenue and Montgomery Avenue create a larger civic gathering space. This space is framed in part by lower scale heritage buildings; along its north edge by the Anne-Johnston Health Station, and Fire Station #134, both 2 storeys, and along its western edge by the 2-storey Postal Station K building. The new building on the subject site needs to fit harmoniously into this lower scale context as it will frame the southern edge of this civic space.

The proposed 6-storey base building (23.6 metres) does not respect the scale and form of development along Yonge Street or the historic Postal Station K building and is out of scale with the civic space north of this site. The encroachment of the building into the widened-right-of-way at the intersection of Yonge Street and Helendale Avenue negatively impacts the streetscape and opportunities for pedestrian amenities in association with development and the new civic square north of the site.

Planning staff recommend that the building design be revised to set the building back from the right-of-way, reduce the height of the base building to 12.5 metres and include stepbacks above the base building. The building materials should also be integrated with the architectural character of the surrounding buildings to support the creation of this new civic space with a focus on the historically significant Postal Station K building in the centre.

Ground Floor Retail

Public realm and built form objectives of the Official Plan and design guidelines seek to ensure that new buildings form a positive visual relationship to the street, that new development animates the street and

contributes to an attractive, safe and comfortable pedestrian environment that encourages walking, and strengthens local retailing. The Mid-Rise Building Performance Standards identified Yonge Street in this area as a Character Area in part because of the existing fine grain pattern of retail units. This fine grain pattern of retail stores contributes to the vitality of Yonge Street in this area, important to the identity of the larger district.

The applicant's proposal with one retail entrance servicing approximately 2,695 m² of retail space is not acceptable. The existing pattern of retail development along Yonge Street creates a highly animated streetscape with multiple smaller retail units with doors every 5 to 19 metres along the street. The single retail space is proposed to occupy the ground floor level fronting onto Yonge Street with only one access proposed for all three levels of retail space at the corner of the building at Yonge Street and Helendale Avenue. Exit stairs for the retail spaces are proposed at the south end of the building on Yonge Street and the north side of the building on Helendale Avenue close to the street line. As a result of Yonge Street grading windows will be situated above the street level along the south portion of the building creating an inappropriate relationship between the retail level and the street level through this area.

Planning staff recommend that new buildings within this Character Area along Yonge Street be designed to reflect a similar rhythm of entrances and that the ground floor retail space be broken into smaller segments with direct accesses at grade along the Yonge Street sidewalk.

Site Servicing and Access

The built form policies of the Official Plan require that new development locate and organize vehicle parking, vehicle access and service areas, and utilities to minimize their impact on the property and surrounding properties, and to improve the safety and attractiveness of adjacent streets, parks and open spaces. These objectives can be achieved by using shared services areas, including public and private lanes, driveways and service courts, consolidating and minimizing the width of driveways and curb cuts across the public sidewalks and integrating services and utility functions within buildings.

Two development proposals on adjacent sites provide a significant opportunity for consolidating access and servicing functions to the benefit of both sites, by minimizing curb cuts and the extent of the site areas dedicated to servicing and vehicular access by the use of shared infrastructure and efficient layouts. It also provides a longer term opportunity to create a continuous shared driveway through the block between Helendale Avenue and Orchard View Boulevard that could be completed in association with future development on properties along Yonge Street south of the site, or on the Northern District Library site. Helendale Avenue also has an important role in achieving the larger public realm objective to create a community centre for the broader Yonge-Eglinton community that integrates the Northern District Library and the Postal Station K sites, and development along this street should contribute to this larger goal.

The subject site and the property adjacent to the west currently share a driveway that straddles the property line between the two sites. The driveway is 6 metres wide along most of its extent narrowing to 3 metres near the southern boundary of the properties.

The applications propose new vehicular access and loading configurations for the developments. On the subject site, an independent 5.19 metre wide driveway is proposed along the west side of the property.

An entrance to the underground parking for this development is proposed at the south end of the driveway with a surface loading area on the east side of the driveway north of the garage entrance. Site related pick-up and drop-off activity for this development is proposed to be accommodated on the street along the south side of Helendale Avenue. For the adjacent property, where a 24-storey apartment building is proposed, an additional independent 6.0 metre wide driveway is proposed along the east side of the property. This driveway provides access to a separate entrance and ramp to the underground parking garage is proposed at the south end of the building and a surface loading area on the west side of the driveway north of the garage entrance.

Planning staff have significant concerns with the access and servicing corridor proposed for these two developments. If constructed as proposed, a new driveway totalling 11.19 metres in width would be created off Helendale Avenue. A driveway width of 11.19 metres is excessive, wider than the paved portion of Helendale Avenue that services it, and well above the driveway width of 6.0 metres typically associated with this type of development. The wide curb cut would negatively impact pedestrians and reduce opportunities for landscape improvements along Helendale Avenue. The large gap created between this new building and the proposed building to the west would result in an undesirable streetwall condition along Helendale Avenue contrary to the Official Plan public realm and built form policies and City design guidelines.

New development on Helendale Avenue should contribute to the civic gathering spaces around Postal Station K by setting the building back extending and enhancing the public realm on this narrow street. This civic open space currently contains markets and street festivals. In the future temporary closures between the proposed driveway and Yonge Street could enhance these civic functions.

Transportation Services staff have requested that the applicant investigate securing a mutual driveway access arrangement with the adjacent property at 31 to 37 Helendale Avenue in the interest of reducing the width of the proposed site access to 6 metres and provide a vehicle pick-up and drop-off facility on site rather than on Helendale Avenue. The proposal should be revised to reflect the reduced service driveway and Planning staff recommend that this driveway be integrated into appropriately scale buildings on both properties.

Sun, Shadow

Section 4.2.2(b) & (c) of the Official Plan requires that: new developments in *Mixed Use Areas* be located and massed so as to adequately limit shadow impacts on properties in adjacent lower-scale *Neighbourhoods* particularly during the spring and fall equinoxes; and that new buildings be located and massed to frame the edge of streets and parks with good proportion and maintain sunlight and comfortable wind conditions for pedestrians on adjacent streets parks and open spaces.

The shadow study submitted with the application indicates that the shadow cast by the proposed tall building and its base will extend into the *Neighbourhoods* north of Helendale Avenue and slightly to the west of Duplex Avenue in the morning during the spring and fall equinoxes, reaching to the rear yards of the houses that front along the north side of Montgomery Avenue. The shadow will have moved beyond the neighbourhood by 1:00 p.m. Although the shadow cast by the building will impact this *Neighbourhood*, shadow impacts in this area of the neighbourhood will not be exclusive to this proposal. Shadows from buildings approved and under construction in the *Apartment Neighbourhoods* on the east

side of Yonge street within the *Centre* will also extend into this *Neighbourhood* during the morning hours reaching the houses north of Montgomery Avenue and west of Duplex Avenue.

Maintaining the existing afternoon sunlight on the open space forecourt on the Postal Station K site and the adjacent sidewalks along Yonge Street in this area is important to promote the use of these civic open spaces and maintain and enhance the character of Yonge Street. Staff recommend that the building envelope for new development on the Block be designed to ensure that existing sunlight conditions are maintained between 12:18 and 3:18 p.m. on March 21st and September 21st in these areas. The current building proposal case unacceptable shadows on the Postal Station K open spaces and the Montgomery Avenue and Yonge Street boulevards.

Vehicle and Bicycle Parking

The application proposes 147 parking spaces, 122 for residents, 23 for resident visitors and 2 car share parking spaces. No commercial parking spaces are proposed. The current zoning by-law for the Yonge-Eglinton Secondary Plan area requires a minimum of 184 parking spaces, 126 for residents and 58 for visitors. No commercial parking is required.

The Yonge-Eglinton Secondary Plan provides for reductions in parking requirements for development in *Mixed Use Areas* which are in close proximity to subway and light rapid transit access. The subject site is approximately 300 metres from the Eglinton subway station. The parking assessment submitted with the application proposed to apply the parking rates included in the City's new Zoning By-law (569-2010) which provide for a lower visitor parking rate than the current Yonge-Eglinton By-law and allow a parking reduction of 4 spaces for each car share space proposed. The new Zoning By-law recognizes areas near transit. Using these provisions 143 parking spaces are required; 118 for residents and 23 for resident visitors. Staff find the proposed parking number to be acceptable. However, the below grade parking garage encroaches within the area of the widened right-of-way at the corner of Helendale Avenue and Yonge Street with portions of resident and visitor parking on all levels of the underground garage situated within the area of the widened right-of-way. Transportation Services staff have advised that no encroachments are permitted within the corner rounding or the widening areas. The underground parking garage should be redesigned to remove the encroachment from the area of the widened right-of-way.

Based on the data submitted, the application proposes a total of 186 bicycle parking space for; residents (140), resident visitors (35), retail uses (4), and retail visitors (7). The Toronto Green Standard required 185 bicycle parking spaces. Although the number of bicycle parking spaces is consistent with the Toronto Green Standard requirements, only 60 bicycle parking spaces are shown on the drawings submitted with the application. These are in the basement level and there is a visitor bicycle parking room of 11 m² indicated on the ground floor. Revisions to the proposal are needed to provide space for all bicycle parking spaces required in accordance with the Toronto Green Standard.

Amenity Space

The built form and *Mixed-Use Areas* policies of the Official Plan require that every significant multi-unit residential development provide indoor and outdoor recreation space for building residents. The policies also provide that each resident have access to outdoor amenity spaces such as balconies, terraces, courtyard, rooftop gardens and other types of outdoor spaces.

Zoning By-law No. 438-86 requires a minimum of two square metres per unit each of common outdoor and indoor amenity space for exclusive use of residents. For the 234 dwelling units proposed, a minimum of 936 square metres of indoor and outdoor residential amenity space is required. The application is proposing a total of 271.5 square metres of residential amenity space, a shortfall of 664.5 square metres. The amenity space consists of an indoor amenity room 168.5 square metres in area on the 7th floor and an adjacent outdoor amenity space of 103 square metres in size.

Planning staff have significant concerns with the amount of amenity space proposed as it is well below the standard that is required to meet the needs of future residents. Planning staff recommend that additional amenity space be provided in keeping with the Zoning By-law standard of a minimum of 2 square metres per unit for indoor and outdoor amenity space.

Open Space/Parkland

The proposed uses are to be mixed use residential and commercial. The Official Plan contains policies to ensure that Toronto's system of parks and open spaces are maintained, enhanced and expanded. The lands which are the subject of this application are in an area with 0 – 0.42 hectares of local parkland per 1,000 people as per Map 8B/C of the Official Plan and is located within the Yonge-Eglinton Secondary Plan area and Avenue urban structure. The site is subject to the alternative parkland dedication rate through the City Wide Parkland Dedication By-law 1020-2010.

The applicant has submitted an application to construct a 28-storey mixed use residential and commercial building with 234 dwelling units and 2695m² of commercial space within a site area of 1437m²/0.1437 ha. At the alternative rate of 0.4 hectares per 300 units specified in By-law 1020-2010, the parkland dedication would be 0.312ha (3120m²). The development site is less than 1 hectare (the parkland dedication will not exceed 10% of the development site) therefore a parkland dedication at the alternative rate for residential and commercial components will generate a parkland requirement of 131m²/0.0131 hectares.

The applicant is required to satisfy the parkland dedication through a cash-in-lieu payment. The parkland dedication for the subject site is too small to be functional. The actual amount of cash-in-lieu to be paid will be determined at the time of issuance of the building permit. This parkland payment is required under Section 42 of the *Planning Act*, and is required as a condition of the building permit application process.

Servicing

Functional servicing and stormwater management reports were submitted with the application and these have been reviewed by Engineering and Construction Services staff. Revisions are needed to the site servicing proposed for the development to address City requirements with respect to water service, sanitary sewer service and storm water management.

Toronto Green Standard

On October 27, 2009 City Council adopted the two-tiered Toronto Green Standard (TGS). The TGS is a set of performance measures for green development. Tier 1 is required for new development. Tier 2 is a voluntary, higher level of performance with financial incentives. Achieving the Toronto Green Standard will improve air and water quality, reduce green house gas emissions and enhance the natural

environment. Should the proposed development be approved by the OMB, the proposal would be required to meet Tier 1 of the TGS.

Section 37

Section 37 of the Planning Act empowers the approval authority to refuse a proposed zoning by-law seeking an increase in height and/or density, (over and above that permitted by the Zoning By-law) without the provision of community benefits by the applicant. Since this application was not considered to be good planning, discussions with the applicant about the nature and quantum of the community benefits haven't taken place with the applicant. Those discussions will begin now that it is clear the applicant is intent on approval of this zoning by-law without further revision. In the event that the OMB considers granting additional density and/or height beyond that which is permitted in Zoning By-law 438-86, the City will request that the OMB not approve the zoning by-law without the provision of such community benefits as are appropriate in the opinion of the Chief Planner in consultation with the applicant and the ward councillor. Such benefits could include contributions for open space improvements on the Northern District Library site and/or neighbourhood improvements to the Yonge-Eglinton area as recommended by the Parks and Open Space and Streetscape Master Plan (currently under study) such as special sidewalk paving and/or special paving treatment in the roadway of Helendale Avenue.

Conclusions

The application does not represent an appropriate redevelopment of the site and does not represent good planning for the reasons discussed in this report including:

- a) the proposal does not conform to the Official Plan and the Yonge-Eglinton Secondary Plan, including, but not limited to, policies related to built form, public realm, healthy neighbourhoods, heritage resources, Avenues, and Mixed Use Areas;
- b) the proposal does not adequately address Council approved guidelines including the Mid-Rise Building Performance Standards and the Urban Design Guidelines for the Yonge, Duplex, Helendale, Orchard View Planning Study;
- c) the height, scale and density of the development are not consistent with the existing and planned context;
- d) the height and massing of the proposed building would have negative impacts on the public realm and abutting and nearby properties;
- e) the proposal represents overdevelopment of the site;
- f) the proposal would adversely impact the future development on the Yonge Street Avenue.

This report recommends that staff oppose the applicant's appeal of the application at the OMB and that staff be authorized to continue discussions on a revised proposal and its integration with the abutting proposed development to the west.

CONTACT

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

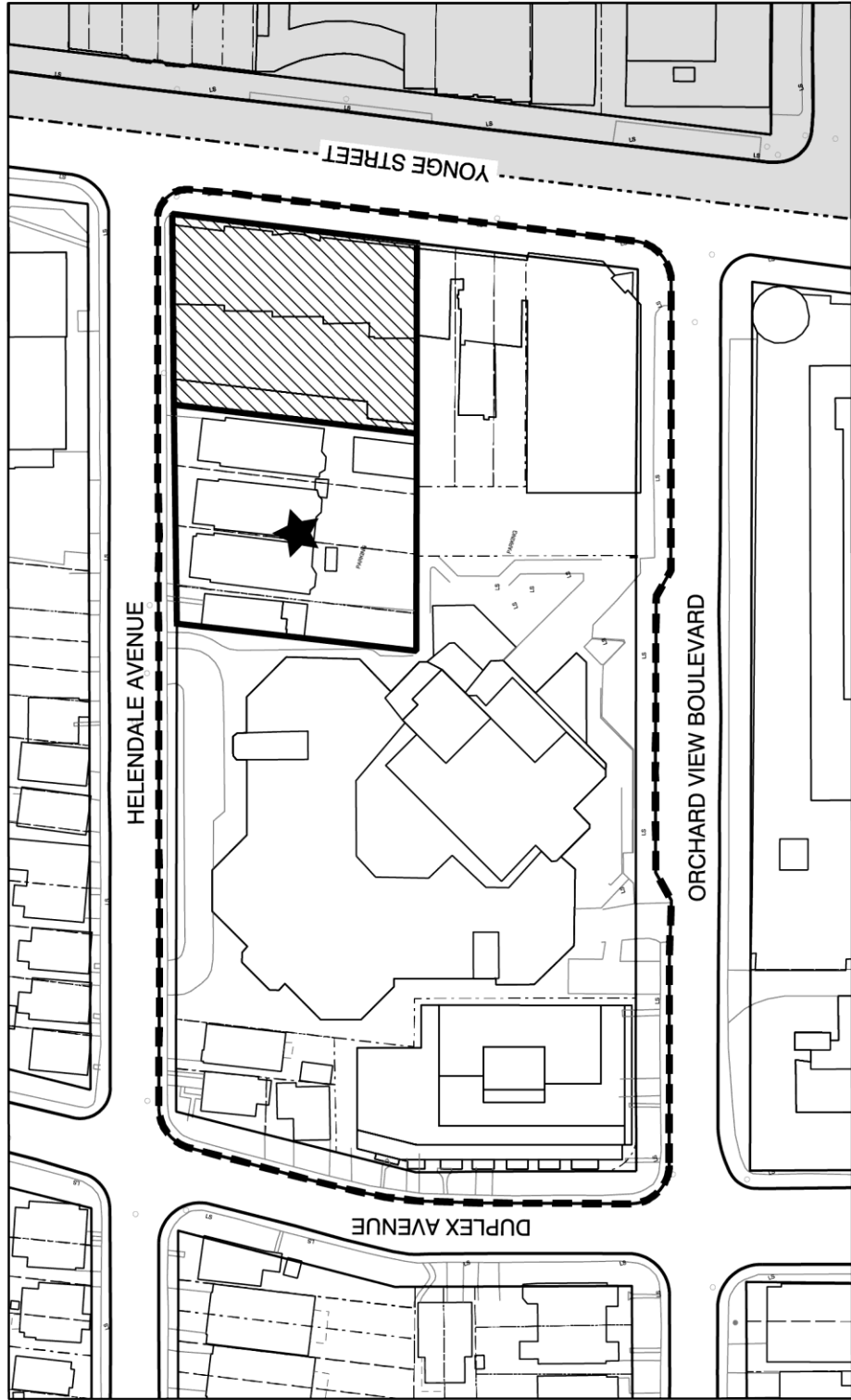
SIGNATURE

Allen Appleby, Director
Community Planning, North York District

ATTACHMENTS

Attachment 1: Yonge Duplex, Helendale, Orchard View Planning Study
Attachment 2: Site Plan
Attachment 3: North and South Elevations
Attachment 4: East and West Elevations
Attachment 5: Application Data Sheet
Attachment 6: Official Plan – Urban Structure
Attachment 7: Official Plan – Land Use
Attachment 8: Yonge Eglinton Secondary Plan
Attachment 9: Zoning – Land Use
Attachment 10: Zoning – Height
Attachment 11: Concept Plan: Yonge, Duplex, Helendale, Orchard View Planning Study

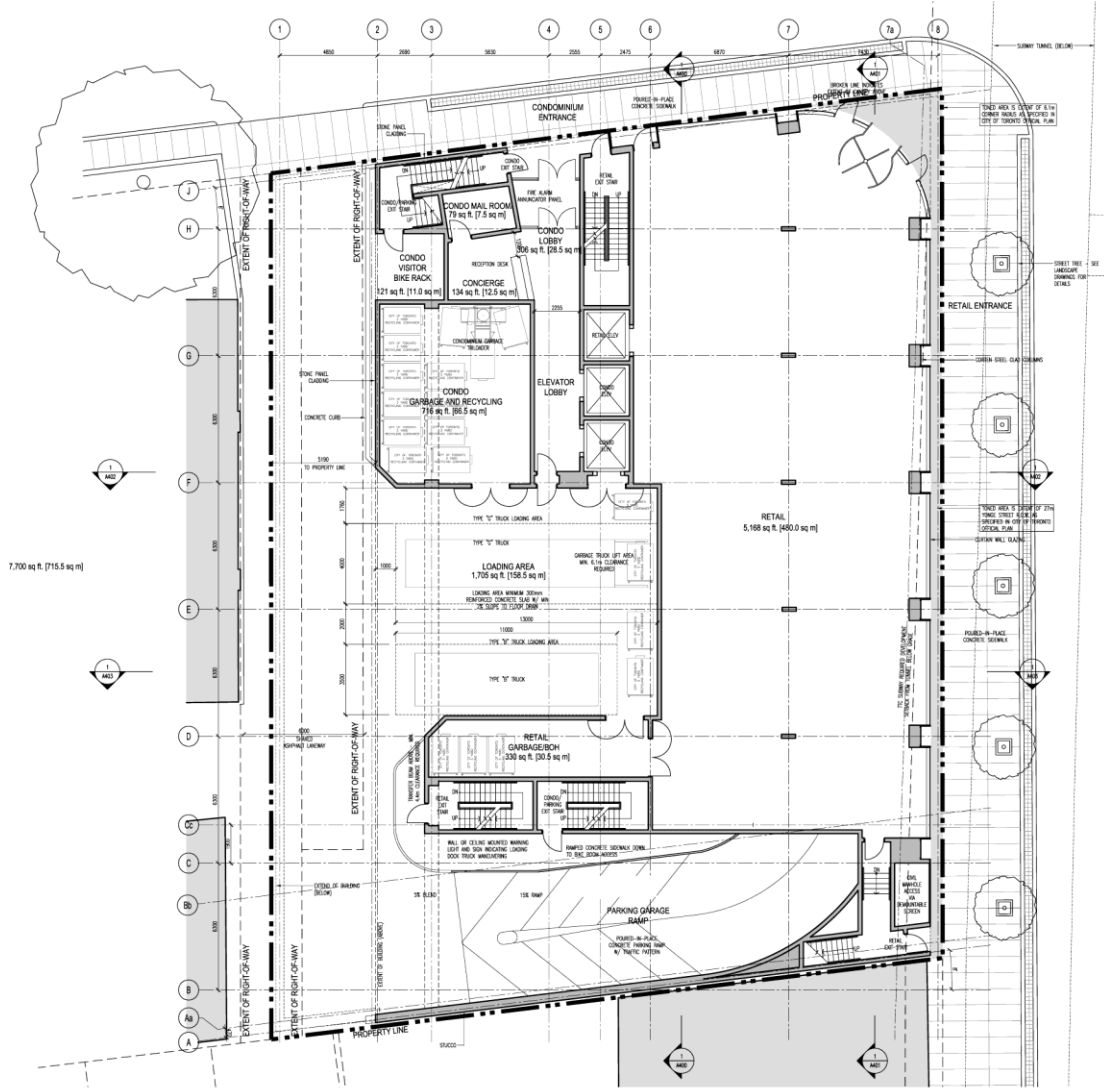
Attachment 1 – Yonge, Duplex, Helendale, Orchard View Planning Study



Yonge, Duplex, Helendale & Orchard View Block Study 2360-2378 Yonge Street

Not to Scale 12/05/2013     File # 12 168197 NMY 16 0Z

Attachment 2: Site Plan



Ground Floor Plan

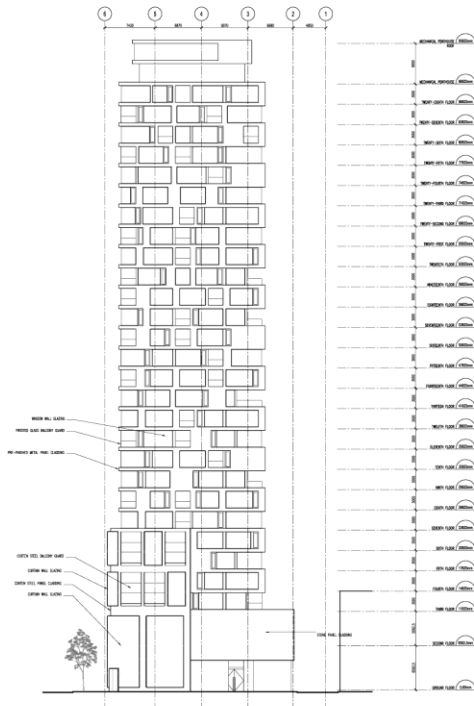
2360-2378 Yonge Street

Applicant's Submitted Drawing

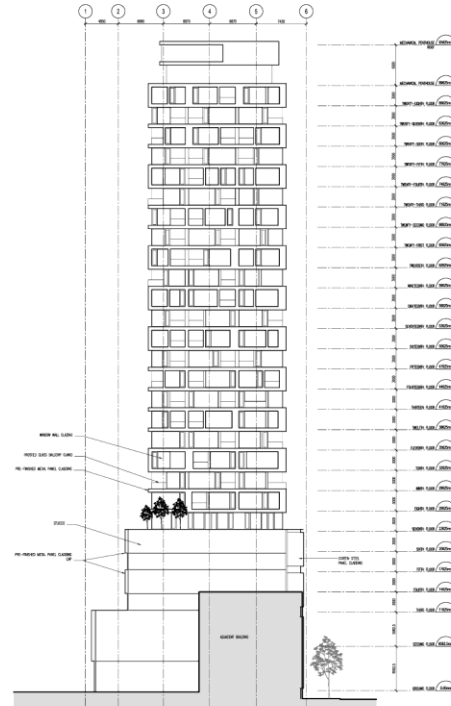
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Attachment 3: North and South Elevations



NORTH ELEVATION



SOUTH ELEVATION

Elevations

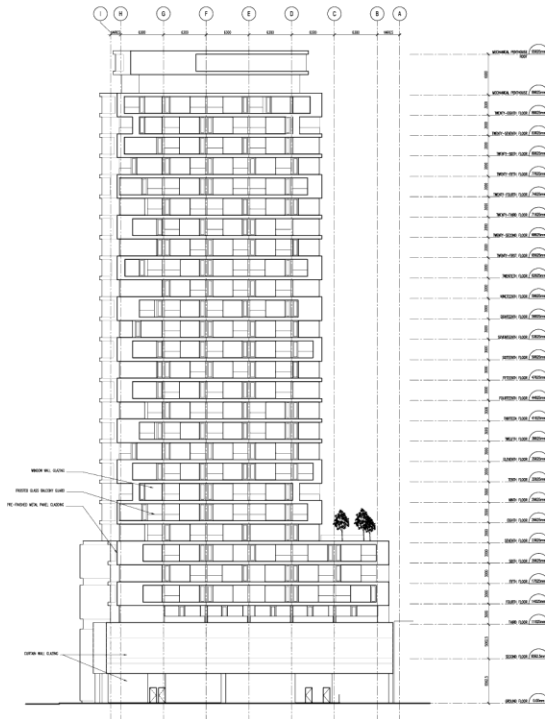
Applicant's Submitted Drawing

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08/06/2013

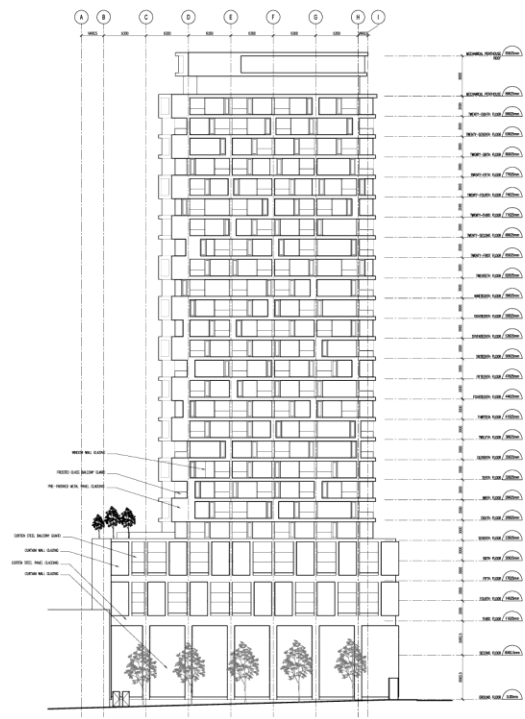
2360-2378 Yonge Street

File # 12 168197 NNY 16 0Z

Attachment 4: East and West Elevations



WEST ELEVATION



EAST ELEVATION

Elevations

Applicant's Submitted Drawing

Not to Scale
08/06/2013

2360-2378 Yonge Street

File # 12 168197 NNY 16 02

Attachment 5: Application Data Sheet

Application Type	Rezoning	Application Number:	12 168197 NNY 16 OZ
Details	Rezoning, Standard	Application Date:	May 7, 2012
Municipal Address:	2360 – 2378 Yonge Street		
Location Description:	PLAN 563 PT LOTS 20 AND 21 PLAN 702 PT LOT B **GRID N1606		
Project Description:	A 28 - storey mixed-use building with 234 dwelling units and 2,695 m ² of commercial gross floor area. The proposed building consists of a 6-storey base building with a 22-storey tower above. 147 parking spaces are proposed in five levels of below grade parking.		

Applicant:	Agent:	Architect:	Owner:
David Bronskill Goodmans, LLP 333 Bay St., Suite 3400 Toronto, ON M5H 2S7		Diamond Schmitt Architect 384 Adelaide St. W. Toronto, ON M5V 1R7	KCAP Helenale Inc. 45 St. Clair Ave. W, Suite 1001 Toronto, ON M4V 1K9

PLANNING CONTROLS

Official Plan Designation:	Mixed Use Areas	Site Specific Provision: N
Zoning:	MCR T3.0 C2.0 R2.5	Historical Status: N
Height Limit (m):	16	Site Plan Control Area: Y

PROJECT INFORMATION

Site Area (sq. m):	1437	Height:	Storeys:	28
Frontage (m):	43.2		Metres:	89.62
Depth (m):	32.7			
Total Ground Floor Area (sq. m):	715.5			Total
Total Residential GFA (sq. m):	15347		Parking Spaces:	147
Total Non-Residential GFA (sq. m):	2695		Loading Docks	2
Total GFA (sq. m):	18042			
Lot Coverage Ratio (%):	82			
Floor Space Index:	12.6			

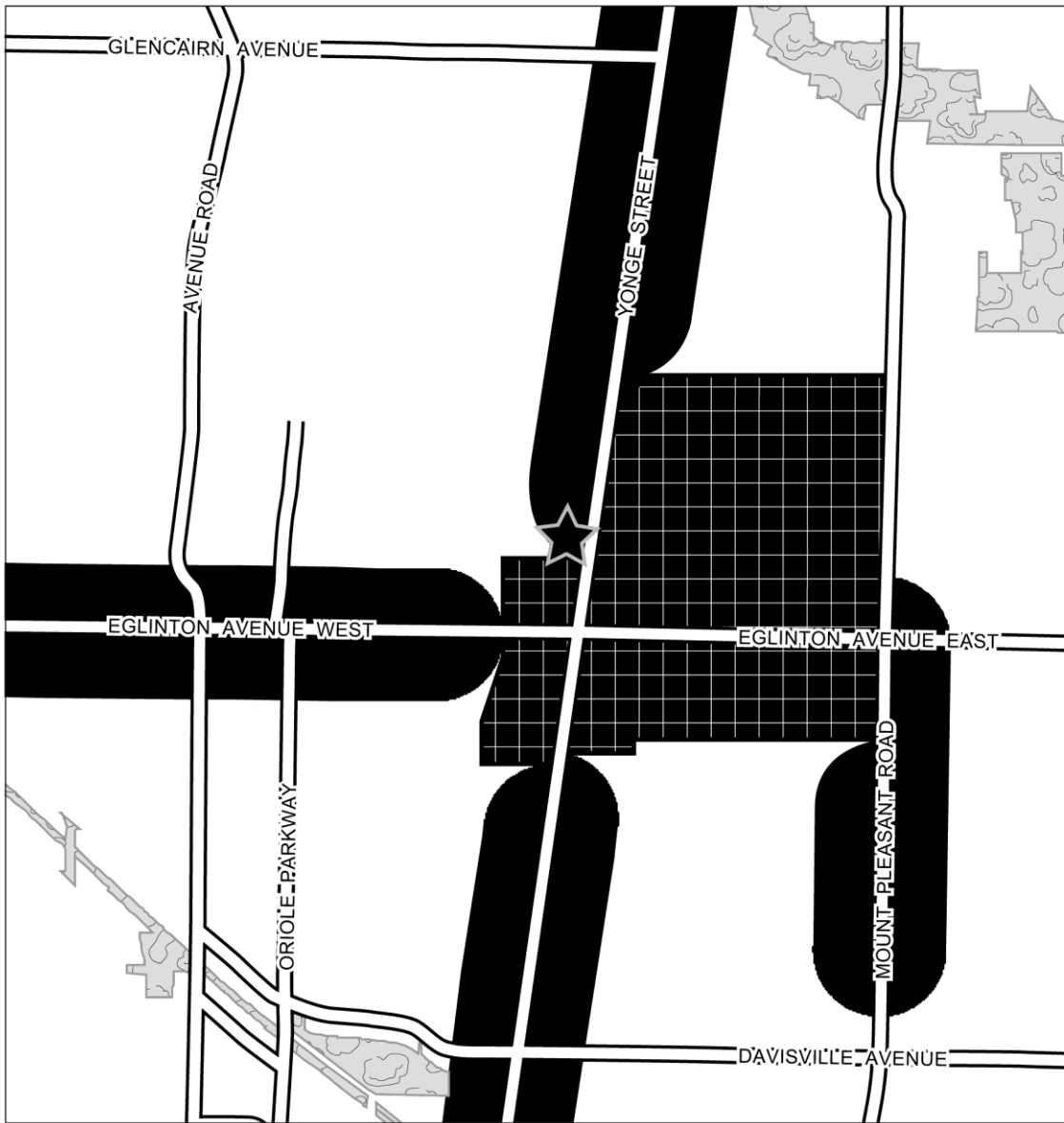
DWELLING UNITS

FLOOR AREA BREAKDOWN (upon project completion)

Tenure Type:	Condo		Above Grade	Below Grade
Rooms:	0	Residential GFA (sq. m):	15347	0
Studio:	4 (2%)	Retail GFA (sq. m):	2695	0
1 Bedroom:	204 (87%)	Office GFA (sq. m):	0	0
2 Bedroom:	26 (11%)	Industrial GFA (sq. m):	0	0
3 + Bedroom:	0	Institutional/Other GFA (sq. m):	0	0
Total Units:	234			

CONTACT:	PLANNER NAME:	Susan McAlpine, Senior Planner
	TELEPHONE:	(416) 395-7110 Email: smcalpin@toronto.ca

Attachment 6 – Official Plan – Urban Structure



TORONTO City Planning

2360-2378 Yonge Street

Extract from Official Plan Map 2 - Urban Structure

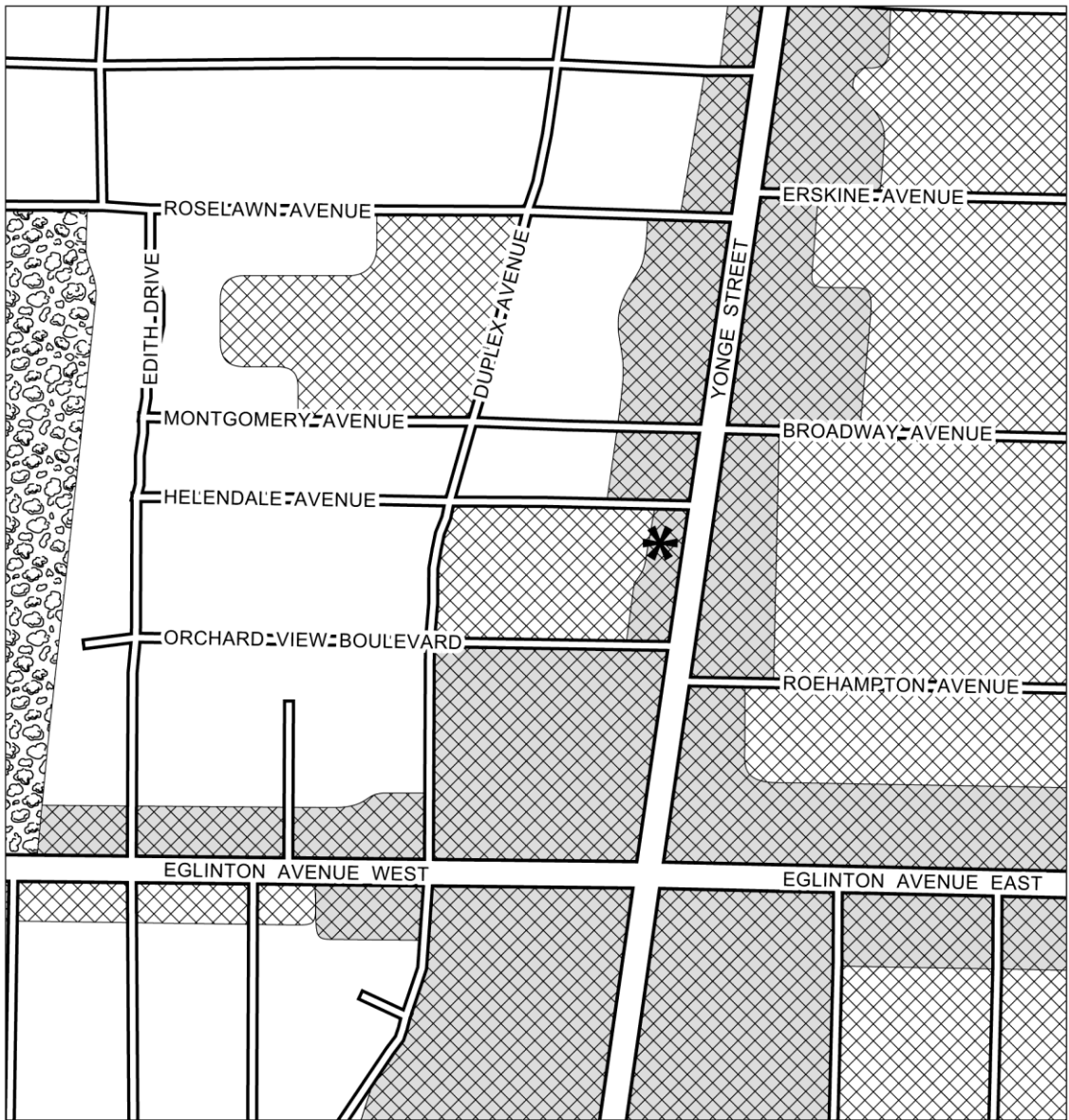
File # 12 168197 NNY 16 02

-  Site Location
-  Avenues
-  Centres
-  Green Space System



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08/06/2013







Attachment 7: Official Plan – Land Use



Toronto City Planning
Official Plan

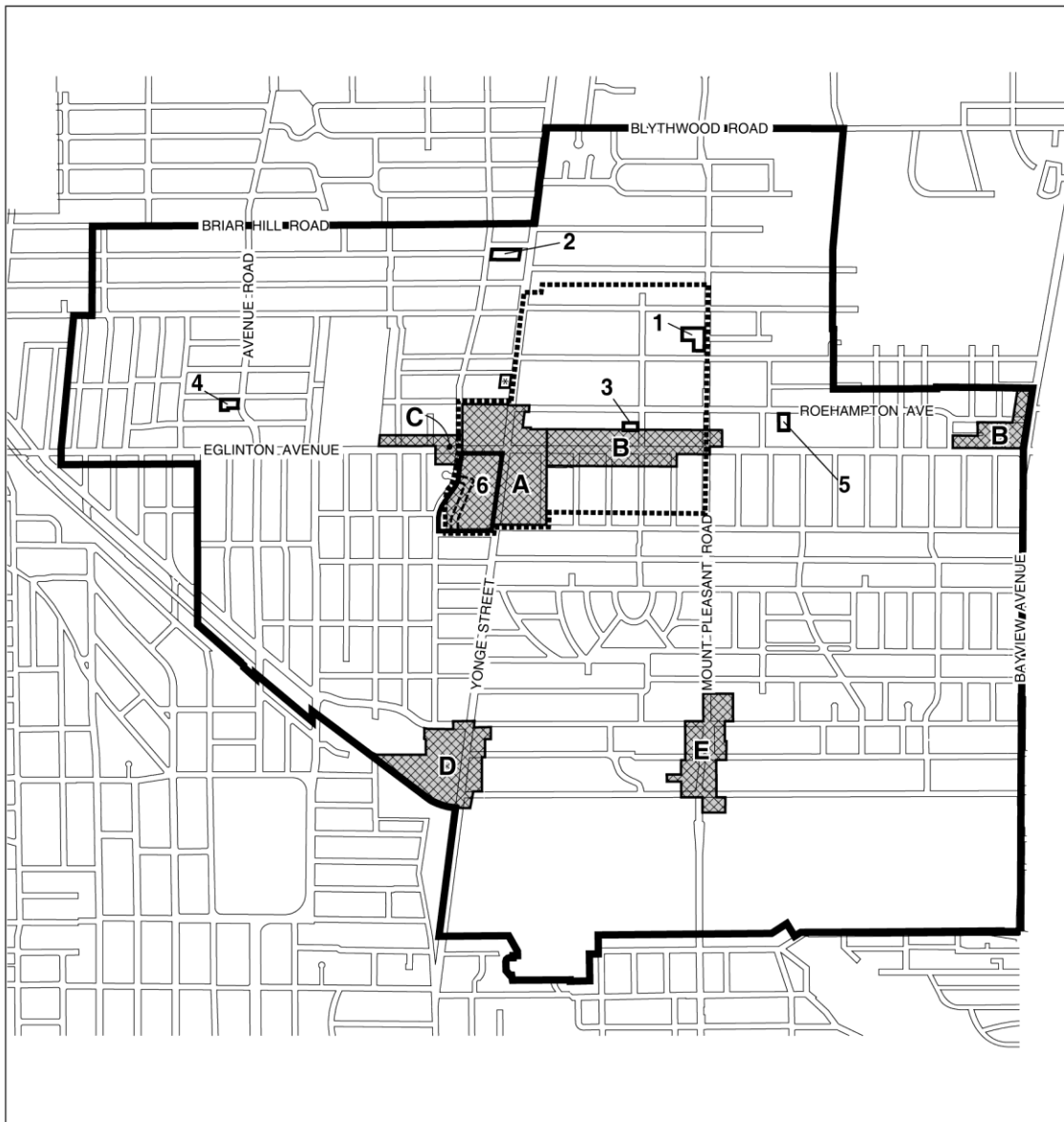
2360-2378 Yonge Street

File # 12 168197 NNY 16 02

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


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Attachment 8: Yonge-Eglinton Secondary Plan








TORONTO City Planning

2360-2378 Yonge Street

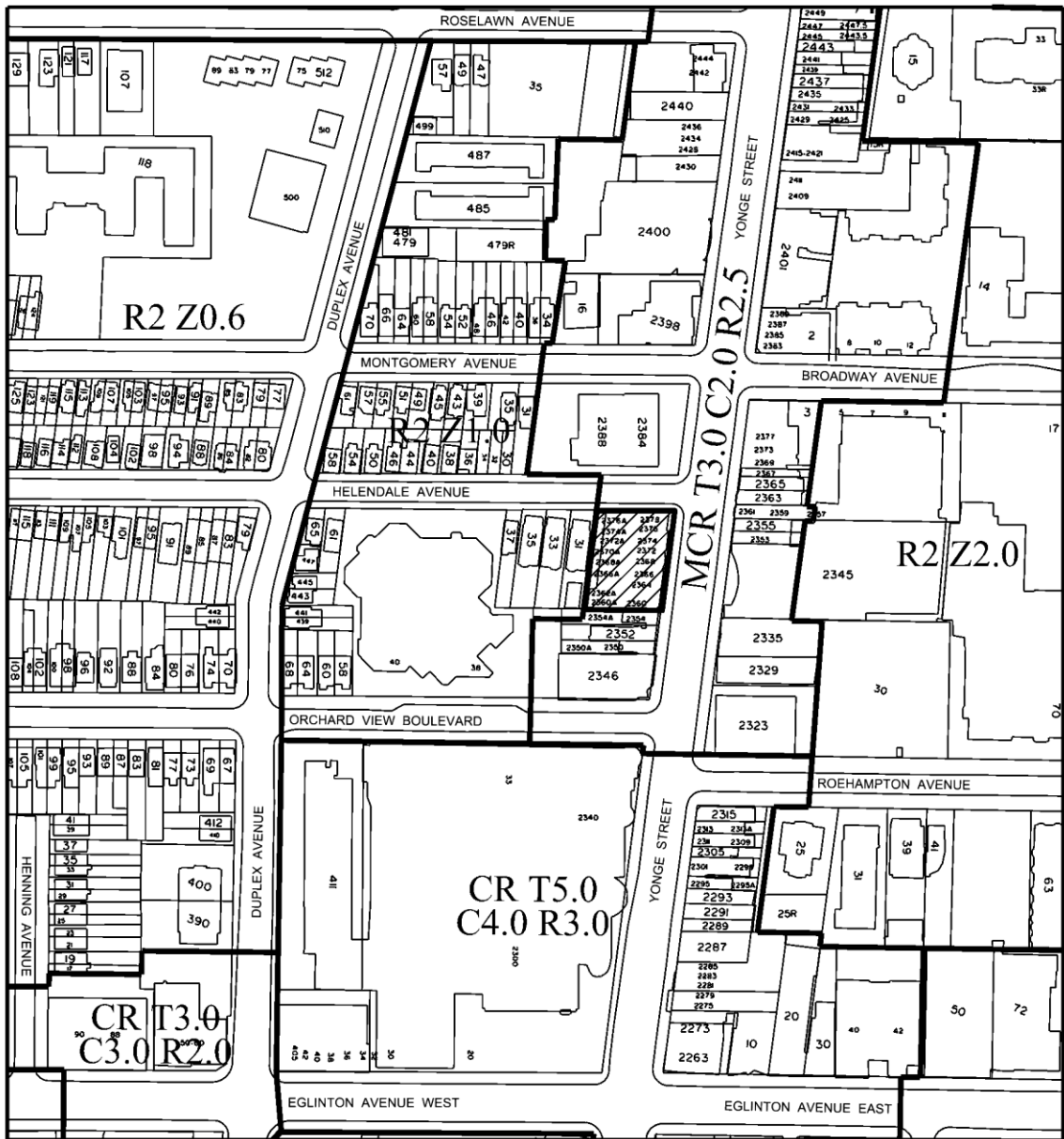
Extract from Yonge-Eglinton Secondary Plan MAP 21-1

File # 12 168197 NNY 16 0Z

-  Site Location
-  Yonge-Eglinton Centre
-  Mixed Use Areas
-  Site and Area Specific Policies
-  Proposed Road



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 11/19/2013

Attachment 9: Zoning – Land Use

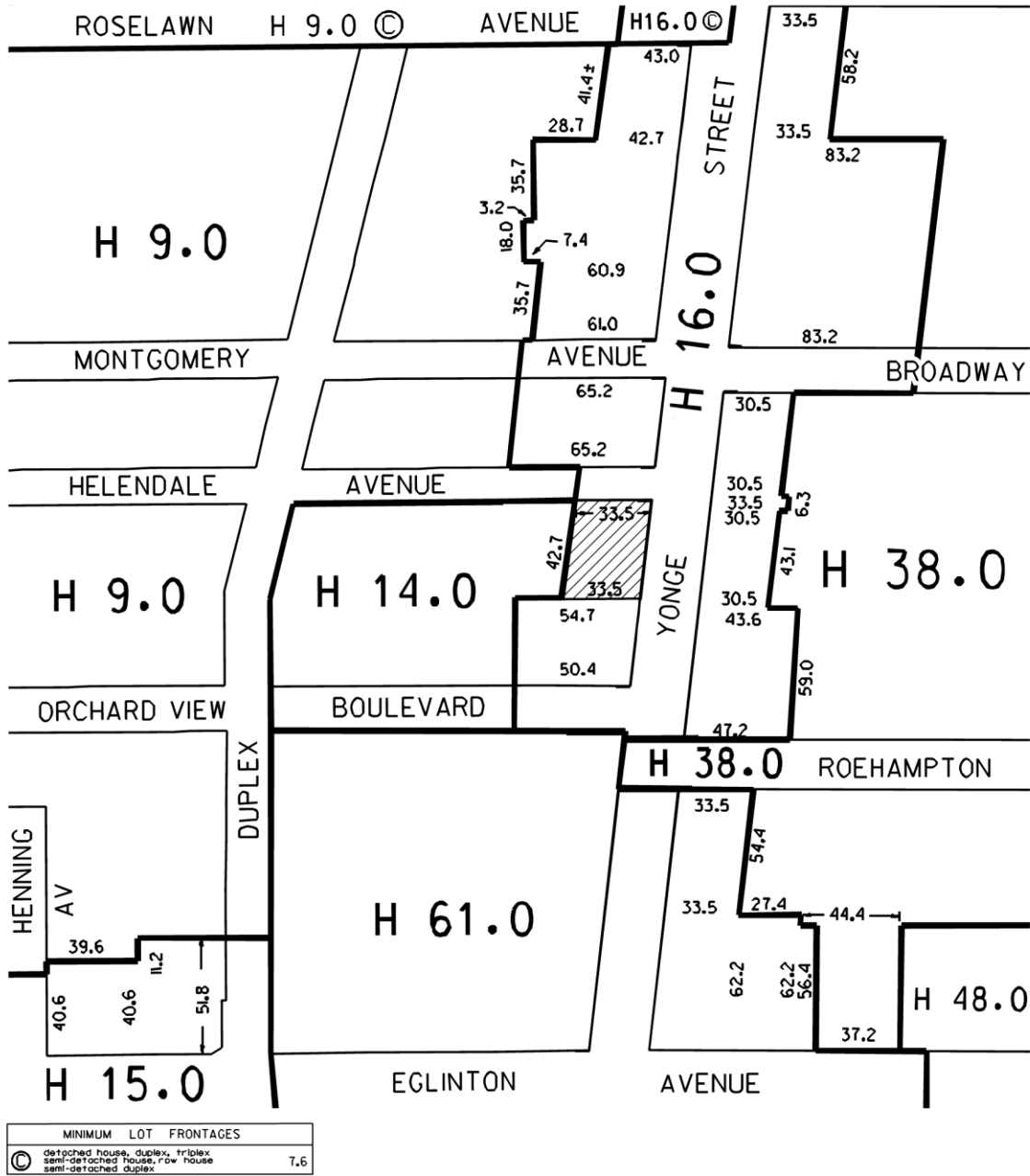


2360-2378 Yonge Street
 File # 12 168197 NNY 16 0Z

- R2 Residential District
- CR Mixed-Use District
- MCR Mixed-Use District


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 Zoning By-law 438-86 (as amended)
 Extracted 08/06/2013

Attachment 10: Zoning By-law Height



Height and Minimum Lot Frontage

2360-2378 Yonge Street

City of Toronto Zoning By-law No. 438-89 Appendix "B"

Not to Scale 08/06/2013

File # 12 168197 NNY 16 0Z

Attachment 11: Concept Plan: Yonge, Duplex, Helendale, Orchard View Planning Study

