

**4917- 4975 Yonge Street, 23 Hollywood Avenue and  
18 Spring Garden Avenue - Official Plan Amendment,  
Zoning By-law Amendment and Site Plan Control  
Applications – Final Report**

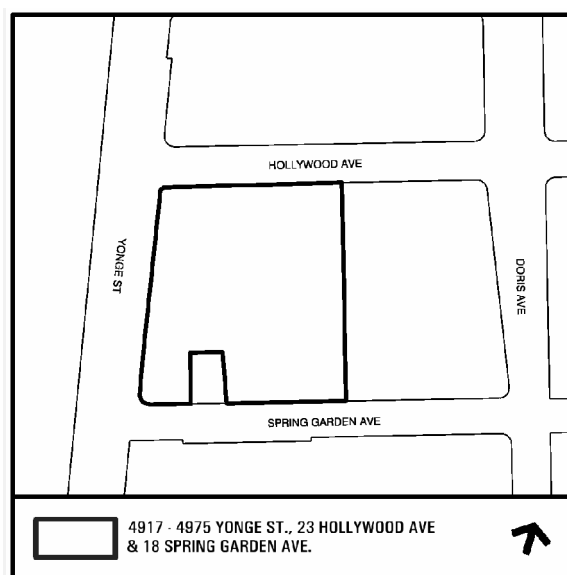
<b>Date:</b>	May 28, 2014
<b>To:</b>	North York Community Council
<b>From:</b>	Director, Community Planning, North York District
<b>Wards:</b>	Ward 23 – Willowdale
<b>Reference Number:</b>	11 330487 NNY 23 OZ and 10 108155 NNY 23 SA

## SUMMARY

The application proposes amendments to the the North York Centre Secondary Plan and Zoning By-law 7625 to permit a revised design for the previously approved 34-storey mixed-use building at 4917 to 4975 Yonge Street. The site extends the full block between Hollywood Avenue and Spring Garden Avenue and is the last site to be developed within the comprehensive development plan approved by the Ontario Municipal Board in 2005 for the block bounded by Yonge Street, Doris Avenue, Spring Garden Avenue and Hollywood Avenue.

The proposal includes a 34-storey mixed-use building (114 metres high), with 431 dwelling units and 8,523.4 square metres of non-residential gross floor area consisting of ground floor retail uses and commercial uses on the 2<sup>nd</sup> and 3<sup>rd</sup> floors. Five levels of underground parking with 622 parking spaces are proposed.

The proposal provides for a mix of uses that will increase the diversity, vitality and interest of the North York Centre consistent with the objectives of the North York Centre Secondary Plan. The proposed development reinforces



the existing and planned built form context along Yonge Street in the Centre, and the building design and proposed landscape plazas along Yonge Street at the intersections of Hollywood Avenue and Spring Garden Avenue will contribute to and enhance the public realm.

This report reviews and recommends approval of the application to amend the Official Plan and Zoning By-law and the approval in principle of the Site Plan application subject to the conditions outlined in this report.

## **RECOMMENDATIONS**

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### **The City Planning Division recommends that:**

1. City Council amend the Official Plan, for the lands at 4917 – 4975 Yonge Street, substantially in accordance with the draft Official Plan Amendment attached as Attachment No. 12 to report from the Director, Community Planning, North York District dated May 28, 2014.
2. City Council amend Zoning By-law 7625, for the lands at 4917 – 4975 Yonge Street, 23 Hollywood Avenue and 18 Spring Garden Avenue substantially in accordance with the draft Zoning By-law Amendment attached as Attachment No. 13 to report from the Director, Community Planning, North York District dated May 28, 2014.
3. City Council authorize the City Solicitor to make such stylistic and technical changes to the draft Official Plan Amendment and/or draft Zoning By-law Amendment as may be required.
4. City Council approve in principle the Site Plan application for the mixed-use building at 4917 – 4975 Yonge Street as indicated on the drawings in Attachment No. 14, subject to the draft conditions of Site Plan Approval listed in Attachment No. 14.
5. City Council delegate back to the Chief Planner and Executive Director, City Planning or her designate the authority to issue final Site Plan Approval.

### **Financial Impact**

The recommendations in this report have no financial impact.

## **DECISION HISTORY**

In 2005, the Ontario Municipal Board (OMB) approved a comprehensive development plan for the block bounded by Yonge Street, Hollywood Avenue, Doris Avenue and Spring Garden Avenue (Attachment 1). The implementing Official Plan Amendment and Zoning By-law Amendment (Site Specific By-law 459-2005) permitted three residential buildings including; two 36-storey apartment buildings at 23 Hollywood Avenue and 18 Spring Garden Avenue and one 24-storey apartment building at 35 Hollywood Avenue, the new Claude Watson School for the Arts fronting Doris Avenue, and a 34-storey mixed-use building at 4917-4975 Yonge Street. The existing Royal Canadian Legion at 6 Spring Garden Avenue was also identified as a Social

Facility through the comprehensive development plan and density incentives were approved to permit density from the Royal Canadian Legion to be transferred to facilitate the development of the two 36-storey apartment buildings at 23 Hollywood Avenue and 18 Spring Garden Avenue. The Royal Canadian Legion site was also covered by a site specific zoning C1 (103). All of the sites with the exception of the mixed-use building at 4917-4975 Yonge Street have been developed.

In January 2010 a site plan application was submitted for the proposed 34-storey mixed use building at 4917-4975 Yonge Street. A minor variance application was also submitted (File A0221/10NY) and approved by the Committee of Adjustment on June 23, 2010. The minor variance application was appealed by the City. At its meeting of August 25, 26, and 27, 2010 City Council after considering a report from the Director, Community Planning, North York District on the minor variance application authorized the City Solicitor to withdraw the appeal to the OMB regarding the Committee of Adjustment decision on 4917-4975 Yonge Street.

The report is available on the City's website at:

<http://www.toronto.ca/legdocs/mmis/2010/ny/reports/2010-08-17-ny36-cr.htm#NY36.65>

In December 2011 the applicant applied for an Official Plan and Zoning By-law Amendment that is subject of this Final Report. At its meeting of March 20, 2012 North York Community Council (NYCC) considered a preliminary report on the Official Plan and Zoning Amendment application. NYCC directed that staff hold a community consultation meeting with landowners and residents within 120 metres of the site.

The preliminary report is available on the City's website at:

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2012.NY14.25>

## **ISSUE BACKGROUND**

### **Proposal**

The proposal includes a 34-storey (114 metres high) mixed-use building with 431 dwelling units and 8,523.4 m<sup>2</sup> of non-residential gross floor area (Attachments 2, 3, 4, 5, and 6). The building consists of a 3 and 4-storey base building (12 to 22 metres high) with a centrally located 30-storey tower above. Retail uses are proposed on the ground floor and commercial uses are proposed on the second and third floors of the building. The mix of dwelling units includes 198 one-bedroom, 179 two-bedroom and 54 three-bedroom units. All proposed residential units are to be residential condominium.

Five levels of underground parking with 622 parking spaces for residents (431) resident visitors (43), the Royal Canadian Legion (40) and non-residential uses (108) are proposed. Bicycle parking is proposed on all levels of the underground parking garage (431 spaces). Access to the underground parking and an enclosed loading area is proposed from an existing 6.1 metre wide driveway that extends along the east boundary of the site between Hollywood Avenue and Spring Garden Avenue. This driveway was constructed with the two adjacent 36-storey residential

buildings and will continue to provide access to the existing residential buildings, the Royal Canadian Legion and the new mixed-use building proposed on the subject site.

Proposed residential amenity space includes 923 m<sup>2</sup> of indoor amenity space centrally located on the 4<sup>th</sup> floor. The indoor amenity space consists of a games area, theatre, exercise rooms, swimming pool, and dining and entertainment rooms. The indoor amenity space is connected to two outdoor terraces at the north (355.17 m<sup>2</sup>) and south (291.83 m<sup>2</sup>) ends of the building for a total outdoor amenity space of 647 m<sup>2</sup>. Landscaped open space plazas are proposed along Yonge Street at the intersections of Hollywood Avenue (268.44 m<sup>2</sup>) and Spring Garden Avenue (183.52 m<sup>2</sup>). These landscaped plazas are proposed to include pedestrian amenities, such as seating, decorative paving, and landscaping and also provide opportunities for spill out areas for the adjacent retail uses in the building. A public art installation is also proposed in the north plaza. Additional site and development statistics are outlined in the application data sheet; Attachment 7.

## **Site and Surrounding Area**

The site is located on the east side of Yonge Street and extends the full block between Hollywood Avenue and Spring Garden Avenue. The site is 4,713 m<sup>2</sup> in size and has a frontage of approximately 118.4 metres along Yonge Street, 30 metres along Hollywood Avenue and 24.5 metres on Spring Garden Avenue. The site is currently occupied with 2 and 3-storey commercial buildings, an interim park and surface parking lot, and a temporary sales office. There are 9 trees on the site that are subject to the City's Private Tree By-law that are proposed to be removed to facilitate the development.

Surrounding uses include:

- North: There are retail and commercial uses in the RBC office building opposite the site on the north side of Hollywood Avenue. Further north along Yonge Street are 2 and 3-storey commercial and retail buildings.
- South: There are 1 to 3-storey commercial and retail buildings along Yonge Street south of Spring Garden Avenue. The large Sheppard Centre office (19-storey), retail and residential complex (three 29-storey residential buildings) is further south at the northeast corner of Sheppard Avenue and Yonge Street. There is currently a zoning amendment application proposing a new 39-storey apartment building and an 8-storey office building at the Sheppard Centre that is under review (File 13 171700 NNY 23 OZ). The Hullmark Centre office, retail and residential complex that includes two residential towers (35 and 45-storeys) is under construction on the southeast corner of Yonge Street and Sheppard Avenue.
- West: There are high-rise mixed-use residential and commercial buildings, as well a 1 to 3-storey commercial and retail buildings on the west side of Yonge Street opposite the site.
- East: The lands to the east extending to Doris Avenue were included in the comprehensive development plan for this block. Adjacent to the east are two 36-storey residential

buildings at 23 Hollywood Avenue and 18 Spring Garden Avenue and the 2-storey Royal Canadian Legion at 6 Spring Garden Avenue. Further east within the block is a 24-storey residential building at 35 Hollywood Avenue and the Claude Watson School for the Arts fronting on Doris 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.

## **Official Plan**

The site is located in a *Centre* and in the North York Centre Secondary Plan Area. The site is designated *Mixed Use Area* in the Official Plan and *Mixed Use Area A* in the North York Centre Secondary Plan (Attachment 8).

The Official Plan identifies four *Centres* within the City. The *Centres* are areas where growth is anticipated and encouraged to support various levels of both commercial office job growth and residential growth outside of the *Downtown*.

The North York Centre, focused on three subway stations, is recognized as one of the City's major concentrations of commercial office space and as a vibrant residential and cultural centre. The policies of Section 2.2.2 of the Official Plan provide that a framework for new development in each *Centre* be set out in a Secondary Plan. Secondary Plans are intended to set out local goals and establish policies for managing change tailored to the individual circumstances of each *Centre*. Among other matters, Secondary Plans are intended to create a positive climate for economic growth, and support residential development and a full range of housing opportunities while protecting adjacent *Neighbourhoods* from encroachment of large scale development.

### **North York Centre Secondary Plan**

Recognizing its important role in achieving the City's strategic growth objectives, the policies of the North York Centre Secondary Plan (NYCSP) encourage redevelopment with a focus on transit-based employment and residential growth, while ensuring that existing *Neighbourhoods* outside the *Centre* are protected, preserved and enhanced. In order to achieve these aims the Secondary Plan includes policies regarding the type and distribution of land uses, the density of

development and height of buildings, along with environment and urban design policies that promote high quality design, and that seek to strengthen and enhance the pedestrian environment.

Section 1.1.4 provides that in considering site specific amendments to the Secondary Plan, the City will be satisfied that the proposed amendment is minor in nature and local in scope and that it does not materially alter provisions of the Secondary Plan dealing with boundaries, land use, density, and building height or form. Further, the City will be satisfied that the traffic certification requirements of the Secondary Plan are satisfied and that the amendments do no adversely impact stable residential areas.

The site is situated within the North York Centre South sub-area. The North York Centre South is a mixed-use area providing for a range of residential and non-residential uses.

Section 5 of the NYCSP sets out the urban design objectives for the North York Centre and includes policies and guidelines to address the built form for new development, the public realm including streets, parks and open spaces and the interface with surrounding neighbourhoods.

Section 5.4.1 provides that maximum building heights will be established in order to implement the goals and objectives of the Secondary Plan and more specifically to protect stable residential areas adjacent to the Centre, provide for appropriate transitions in height between the highest intensity areas along Yonge Street and the residential communities outside the *Centre*, encourage the highest intensity development along Yonge Street and in the vicinity of the subway stations, and to achieve a comfortable human scale and sense of spatial enclosure along the primary pedestrian streets in the *Centre*. On this site a maximum building height of 100 metres is permitted (Attachment 9).

Section 5.4.2 of the Secondary Plan discourages site specific amendments to the height limits, but provides criteria for considering such applications. It provides that when considering an application, the City will be satisfied that the contemplated increase in height is necessary to provide for desirable flexibility in built form, would have no appreciable impact on the residential amenity of properties within the stable residential area and meets the urban design objectives of Section 5 the Secondary Plan.

The site is subject to Site Specific Policy 12.27 established through the comprehensive development plan for the block approved by the OMB in 2005 (Attachment 10). Within *Mixed-Use Area A*, commercial, institutional, public parks and recreation uses and transit terminals are permitted. On this site, Site Specific Policy 12.27 permits residential uses to a maximum of 36,800 m<sup>2</sup> provided a minimum of 9000 m<sup>2</sup> of non-residential gross floor area is also provided. Site Specific Policy 12.27 also requires that the first three floors of the building be occupied with non-residential uses except for residential lobbies.

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

[http://www1.toronto.ca/static\\_files/CityPlanning/PDF/chapters1\\_5\\_dec2010.pdf](http://www1.toronto.ca/static_files/CityPlanning/PDF/chapters1_5_dec2010.pdf)

## **Zoning**

The lands are zoned RM6 (155) and RM6 (107) in the former City of North York Zoning By-law 7625 (Attachment 11). A site specific zoning by-law (459-2005) was approved by the OMB for the site through the comprehensive development plan for the block. The site specific by-law includes requirements for individual sites within the block related to gross floor area, the mix of uses, density incentives and transfers and performance standards for development such as; building envelopes, setbacks and coverage, parking and loading requirements, landscaped open space and amenity space.

Within the RM6 (155) zone, an apartment use as well as a wide range of commercial and retail uses are permitted. A maximum building height of 34 storeys and 100 metres is permitted. The zoning by-law requires a minimum of 8,428 m<sup>2</sup> of non-residential uses and requires that the first three floors of the building, with the exception of the residential lobby be limited to non-residential uses.

The east portion of the site is zoned RM6 (107). Within this zone there is an existing driveway that currently services the adjacent residential buildings that are also within the RM6 (107) zone, as well as underground parking (64 parking spaces) intended for the proposed mixed-use building on the subject site. The RM6 (107) zone permits the 64 underground parking spaces for the use of the proposed mixed-use building at 4917-4975 Yonge Street in the adjacent RM (155) zone.

The zoning has been varied by the Committee of Adjustment respecting the number of units, base building height, parking space dimensions, canopy and roof projections and landscape area as noted in the decision history section.

## **Site Plan Control**

The proposed development is subject to site plan control. A site plan application has been submitted (File # 10 108155 NNY 23 SA) and reviewed with the Official Plan and Zoning By-law amendment application.

## **Reasons for Application**

An Official Plan amendment is required as the proposed mixed-use building with a height of 114 metres exceeds the maximum permitted height of 100 metres. Site Specific Policy 12.27 in the NYCSP permits only non-residential uses on the first three floors of the building with the exception of residential lobbies and the application proposes that residential support uses such as the mail room, garbage room, mechanical area and exit stairs be permitted on the first three floors in addition to the residential lobbies and non-residential uses.

The Official Plan amendment also proposes to change the mix of residential and non-residential gross floor area requirements. Currently the OMB approved Official Plan amendment and site specific Zoning By-law (459-2005) for the site are not consistent in relation to gross floor area requirements for residential and non-residential uses. The Official Plan provides for a maximum of 36,800 m<sup>2</sup> of residential gross floor area and a minimum of 9,000 m<sup>2</sup> of non-residential gross floor area. The Zoning By-law however, requires a minimum of 8,428 m<sup>2</sup> of non-residential gross floor area, approximately 600 m<sup>2</sup> less than is required in the Official Plan. The application

proposes to amend the Official Plan to allow for a reduction of 600 m<sup>2</sup> in the required non-residential gross floor area and provide for this gross floor area to be added to the permitted maximum residential gross floor area increasing it from 36,800 to 37,400 m<sup>2</sup>.

A zoning by-law amendment is required as the current zoning does not permit a building height of 114 metres. As well changes are proposed to the height of the podium. A zoning by-law amendment is also proposed to incorporate the minor variances previously approved by the Committee of Adjustment related to the number of dwelling units, canopy and roof projections, and parking space sizes. As well, the zoning amendment is needed to include new performance standards related to building coverage, building envelope, landscaping, parking, the location of residential support uses, and the driveway to address revisions to the design of the building.

### **Community Consultation**

A community consultation meeting was held on June 19, 2012 to consider the proposal. Planning Staff, the Ward councillor and approximately 120 people attended. Comments and issues raised included: concern about traffic congestion in the area, concern with the proposed increase in the height of the tower and potential impacts on views from the adjacent apartment buildings, tree protection, the unenclosed loading area and the limited parkland within the area. Participants also inquired if the applicant would be landscaping the adjacent Royal Canadian Legion property, providing a walkway along the driveway, the nature of the glass and quality systems in the proposed building, as well as the nature of the proposed retail uses and whether there would be larger stores.

### **Design Review Panel**

The proposal was considered by the City's Design Review Panel (DRP) on November 22, 2007 prior to the submission of the current planning applications. The Panel suggested that the podium building design be further articulated along Yonge Street to break down the long façade, that entrances to the retail and residential components of the building be placed along Yonge Street, that a street corner concept be developed to ensure attractive civic open spaces, particularly at the intersection of Yonge Street and Spring Garden Avenue, and that the landscape treatment along the street frontages be of high quality given the prominence of the site. The Panel noted that there was a high quality in the materials proposed in the base building and this should be maintained and secured in the design when the development applications were submitted.

### **COMMENTS**

The application was circulated to all appropriate agencies and City divisions. Responses received have been used to assist in evaluating the application and to formulate appropriate by-law standards and conditions of site plan approval.

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

The Provincial Policy Statement (PPS) promotes intensification and redevelopment opportunities through compact building form, mix of uses and densities that allow for the efficient use of land, infrastructure and public service facilities. The proposal is consistent with the PPS.

The proposal also conforms and does not conflict with the Growth Plan for the Greater Golden Horseshoe and is in keeping with the policy direction for the North York Centre as one of 25 Urban Growth Centres in the Greater Golden Horseshoe.

## **Land Use**

The application proposes a mixed-use building with retail, commercial and residential uses and these uses are permitted in Site Specific Policy 27 of the NYCSP and the Zoning By-law approved by the OMB in 2005 to implement the comprehensive development plan for the site and larger block. The OMB approval also established floor area requirements for the mix of uses and there are discrepancies between Site Specific Policy 27 and the Zoning By-law with respect to the gross floor area requirements in each.

Site Specific Policy 27 permits a maximum of 36,800 m<sup>2</sup> of residential gross floor area on the site, provided the development incorporates a minimum of 9,000 m<sup>2</sup> of non-residential gross floor area. The policy also requires that the first three floors of the building be used for non-residential uses with the exception of residential lobbies. The Zoning By-law provides for a maximum combined gross floor area of 45,860 m<sup>2</sup> of which a minimum of 8,428 m<sup>2</sup> is required as non-residential gross floor area, a difference in the non-residential requirement required in the Site Specific Policy 27 of approximately 600 square metres. Under the Zoning By-law a maximum of 37,432 m<sup>2</sup> of residential gross floor area is achievable on the site.

The applicant is requesting that the minimum non-residential gross floor area requirement in Site Specific Policy 27 be reduced by 600 m<sup>2</sup> to 8,400 m<sup>2</sup> and that the permitted maximum residential gross floor area requirement be increased by an equivalent amount to 37,400 m<sup>2</sup>. As well, the applicant is requesting that residential support uses such as the mail room, garbage rooms, loading corridors and mechanical rooms be permitted on the first three floors of the building, in addition to the residential lobbies and non-residential uses.

The application currently proposes 8,523.40 m<sup>2</sup> of non-residential gross floor area and 37,192.5 m<sup>2</sup> of residential gross floor area for a combined total of 45,715.9 m<sup>2</sup> of gross floor area. Planning Staff consider it appropriate to permit the changes in the mix of residential and non-residential gross floor area as proposed by the application, as they more accurately reflect the Zoning By-law approval granted by the OMB in 2005 for this site. The changes would not impact the overall combined gross floor area permitted on the site, and the current proposal falls within the maximum gross floor area requirement. The changes would also ensure that the Site Specific Policy 27 in the NYCSP and the Zoning By-law for the site are consistent. Planning Staff also consider it appropriate to permit the additional residential support uses as proposed on the first three floors of the building as these uses are needed to support the future residents in the building.

## **Height and Massing**

The NYCSP provides that the greatest height, massing and intensity of buildings will generally be focussed along Yonge Street and requires that in considering amendments for increases in height that the City be satisfied that the increase is necessary to provide for desirable flexibility in built form, would have no appreciable impact on the residential amenity within the stable residential area and meets the urban design objectives of the Plan.

The application proposes an increase in the overall height of the building from 100 to 114 metres and changes in the design of the base building. The current zoning by-law permits a 3 and 6-storey base building with a minimum height of 12 metres and a maximum height of 16 metres for the 3-storey portion, and a maximum height of 23 metres for the 6-storey portion. The proposed building design includes a 3 and 4-storey base building (17.1 to 21.9 metres).

Although an increase in building height is proposed, the number of storeys will remain unchanged at 34 storeys. The increase in height is proposed to accommodate higher floor to ceiling heights within the base building including providing for 4.8 and 6.0 metre floor to ceiling heights for the non-residential floors, and to accommodate higher floor to ceiling heights for the upper 6 residential floors from 2.95 to 3.25 metres.

The Secondary Plan provides that buildings of the greatest heights should be generally focused along Yonge Street. The NYCSP also provides that in order to achieve a pedestrian scale street wall condition along Yonge Street that a base building between 8 and 25 metres high is required.

There are currently two 36-storey apartment buildings each approximately 100 metres high adjacent to the east of the subject site at 23 Hollywood Avenue and 18 Spring Garden Avenue. These apartment buildings were constructed in the earlier phases of the master plan development for the larger block.

The proposed amendment to increase the height of the building from 100 to 114 metres is consistent with the planned built form context along Yonge Street and for the larger block. The proposed increase in height provides for desirable flexibility in built form, would have no appreciable impact on the residential amenity within the stable residential area and meets the urban design objectives of the plan. The proposed base building height of 17 and 22 metres is also consistent with the requirements of the NYCSP and meets design objectives to create a pedestrian scale street wall condition for development along Yonge Street.

The shadow study submitted with the application indicates that the shadow cast from the building will extend beyond the boundary of the Secondary Plan area east of Doris Avenue extending into Willowdale Park in the late afternoon and early evening during the spring and fall equinoxes. However, the shadow impacts from the existing apartment buildings on this block also extend into the park and the shadows from the proposed building are not significantly different than the shadows from the existing buildings. Planning staff are satisfied that the shadow impacts are acceptable.

Residents in the adjacent 36-storey apartment buildings to the east expressed concern at the community consultation meeting that the increased height would negatively impact views from these buildings. The towers of the adjacent apartment buildings are situated close to the streets, at the north end of the property at 23 Hollywood Avenue and the south end of the property at 18 Spring Garden Avenue. The two apartment buildings are connected by a 2-storey recreation complex that sits between them and the towers are separated by approximately 35.6 metres. The application does not change the separation distance.

The tower on the proposed mixed-use building along Yonge Street is proposed to be centrally located on the base building, generally falling in the area between the two adjacent apartment towers. The new tower would be separated approximately 29.5 metres from the tower at 23 Hollywood Avenue and 39.5 to 41.3 metres from the tower at 18 Spring Garden Avenue. The tower floorplate for the new building is proposed to be approximately 1140 m<sup>2</sup> up to the 28<sup>th</sup> floor and approximately 850 m<sup>2</sup> for the upper 6 floors.

The City's Tall Building Design Guidelines recommend tower floorplates of 750 m<sup>2</sup> or less, and a minimum tower separation of 25 metres to ensure that tall buildings fit within their context and minimize local impacts, such as shadowing, diminished sky view, loss of privacy, and limited interior daylighting. In this case the building envelopes for the proposed building and the existing buildings within the larger block were determined through a comprehensive development plan before the City Tall Building Design Guidelines were adopted and the tower floorplates for the existing apartment buildings and the proposed new tower exceed the current recommended tower floorplates. The separation distances between the towers exceed the 25 metre separation distance noted in the Guidelines. Planning staff are satisfied with the overall design and massing of the building.

### **Streetscape Enhancements and Landscape Area**

The provision of an attractive and convenient pedestrian environment is an important objective of the NYCSP. The design of developments along Yonge Street are to support its role as the main street for the *Centre* and as a primary promenade for the City. Buildings are required to be setback approximately 4 metres from Yonge Street in order to create a 10 metre wide pedestrian sidewalk and promote an active and pedestrian friendly streetscape. To reflect the primacy of Yonge Street, retail uses are required at grade in this area and are encouraged to wrap around onto side streets.

The proposal includes an enhanced streetscape design for Yonge Street, Spring Garden Avenue and Hollywood Avenue, with amenities such as, Council approved sidewalk paving, street trees and bicycle parking. A 2.5 metre wide canopy is proposed along Yonge Street wrapping the corners of the building along the flanking streets. The canopy will provide continuous weather protection enhancing pedestrian comfort. The setbacks along Yonge Street and the side streets provide appropriate space for amenities and uses to animate the street, consistent with the objectives of the NYCSP and the tall buildings design guidelines.

The application also proposes to create two landscape plazas at the north and south ends of the site along Yonge Street at the intersections of Spring Garden Avenue and Hollywood Avenue. High quality designs are proposed for these plazas incorporating amenities such as lighting, seating, plantings, decorative paving and decorative screens. Public art will also be located in the north plaza at Hollywood Avenue. The plazas will animate the street, provide new open spaces opportunities for pedestrians and future residents of the building, and provide opportunities for spill out activities in association with the retail uses in the building. The streetscape and plazas designs will be secured through the site plan process.

The proposal includes retail uses at grade along Yonge Street as well along the Spring Garden Avenue and Hollywood Avenue frontages of the site consistent with the objectives of the Secondary Plan. Commercial uses are also proposed on the second and third floors of the building. The building has a ground floor setback of 4 metres along Yonge Street, 6 to 8 metres along Spring Garden Avenue and 10 to 13 metres along Hollywood Avenue.

Although the application proposes to reduce the required landscape area from 900 to 500 square metres, the reduction is technical in nature as approximately 981 m<sup>2</sup> of common outdoor area at grade is proposed in the development. The reduction is proposed as portions of the outdoor landscape area have canopies to provide for weather protection which is not recognized in the current zoning by-law.

## **Access and Site Circulation, Parking, Loading**

### **Access and Site Circulation**

Access to the parking garage and loading area is proposed from the existing driveway along the east boundary of the site that extends from Hollywood Avenue to Spring Garden Avenue. The driveway was constructed in association with the apartment buildings on the adjacent sites but is situated on the subject property and provides access for the two adjacent apartment buildings as well as the Royal Canadian Legion at 6 Spring Garden Avenue.

The shared access arrangement through a single continuous driveway between Spring Garden Avenue and Hollywood Avenue was determined through the comprehensive development plan for the block to reduce curb cuts and vehicular accesses from the local streets and promote public realm improvements on the block. There are currently easements in favour of the adjacent properties over the driveway to provide access. With the proposed development the driveway will provide access for both commercial and residential uses and the Royal Canadian Legion.

The draft zoning by-law amendment includes provisions to provide for the commercial and residential use of the driveway and to recognize its location in relation to the existing apartment buildings within the RM6 (107) zone and the proposed mixed-use building at 4917-4975 Yonge Street. A walkway along the east side of the building from the loading area to Hollywood Avenue has also been included to provide a pedestrian connection to the street. This will be secured in the site plan approval process.

### **Parking**

The original approvals for the comprehensive development plan included provisions that 40 parking spaces be made available for the use of the Royal Canadian Legion/Social Facility on the subject site at 4917 – 4975 Yonge Street. To provide for the Royal Canadian Legion parking, a temporary parking lot was constructed on the site with 40 parking spaces, and the zoning by-law included provisions to enable the future use of the commercial and residential parking spaces within the new building by the Royal Canadian Legion.

The current application proposes to provide 40 parking spaces in the underground garage that may be used by the Royal Canadian Legion. The application also proposes to permit sharing parking between the Royal Canadian Legion, non-residential and visitor parking spaces, as well as to

permit charging for this parking. Currently the by-law permits a fee for the non-residential parking spaces only.

The current zoning by-law permits a minimum of 507 and a maximum of 625 parking spaces for the development. The application proposes 622 parking spaces including the 40 parking spaces proposed for the Royal Canadian Legion. The 40 parking spaces are proposed to be located at the south end of the first level of the underground parking garage near the Royal Canadian Legion property. The overall parking proposed is below the overall maximum permitted by the zoning by-law, and commingling of parking between uses within the building and providing for the public use of non-residential and visitor parking along with a fee for these spaces is common in new developments within the North York Centre. The proposed parking for the Royal Canadian Legion will also be secured through the site plan process.

A traffic study update submitted in support of the application assessed the impacts of the development on traffic operations in the area and included a Traffic Certification as required by the NYCSP. Transportation Services Staff have reviewed the study and find the Traffic Certification to be acceptable.

#### **Loading**

When the application was initially submitted the loading area along the east side of the building was uncovered. At the community consultation meeting residents from the adjacent apartment buildings expressed concern with potential impacts from the loading area on the existing adjacent residential uses. To reduce impacts, the applicant has enclosed the loading area resulting in an increase in the coverage of the building on the site. To enhance the view into this area from the adjacent apartment buildings a green roof is proposed on the roof of the loading area, and landscaped beds are proposed adjacent to the south loading area. These will be secured through the site plan approval process.

#### **Previous Minor Variances**

The applicant is proposing to incorporate three minor variances (A0221/10 NY) that were approved by the Committee of Adjustment into the Zoning By-law. These include an increase the number of dwellings units from 420 to 431, a building envelope projection of 2.5 metres to provide for the proposed canopy and roof overhang along Yonge Street, and changes in the dimensions of 44 parking spaces. Planning Staff consider this to be appropriate.

#### **Site Plan**

The site plan control application for the proposed development is included in this final report. Staff recommends approval of the site plan application in principle subject to the revisions and conditions outlined in Attachment 14.

#### **Open Space/Parkland**

The Official Plan contains policies to ensure that Toronto's system of parks and open spaces are maintained, enhanced and expanded. Map 8B of the Toronto Official Plan shows local parkland provisions across the City. The lands which are the subject of this application are in an area with 0-0.42 hectares of local parkland per 1,000 people. The site is in the lowest quintile of current

provision of parkland. The site is in a parkland priority area, as per Alternative Parkland Dedication By-law 1420-2007.

The applicant has proposed 431 residential units and 8,523.4 m<sup>2</sup> of non-residential floor area on the 0.5774 hectares (5,774m<sup>2</sup>) site. The current parkland dedication rate within the North York Centre Secondary Plan is 0.6 hectares per 560 dwelling units or portion thereof. A parkland dedication of 0.4617 hectares or 80% of the site area is calculated. Therefore based on the cap, an on-site parkland dedication will result in a 10% conveyance for the residential portion and a 2% parkland dedication for the non-residential component equivalent to the value of 491m<sup>2</sup>.

Given that on-site parkland dedication is not feasible due the constraints of the site, if the development application is approved, Parks, Forestry and Recreation will be seeking an off-site parkland dedication as per the North York Centre Secondary Plan. The parkland dedication shall be unencumbered table land, in uniform shape and topography in order to optimize the function and programming of the public space. The off-site parkland will be in a location acceptable to the General Manager, Parks, Forestry and Recreation.

In 2005, the applicant provided a letter of credit to be held for the parkland dedication. As an off-site parkland dedication is recommended, this letter of credit will be returned to the applicant prior to the issuance of the first above grade building permit.

## **Tree Removal**

An arborist report was submitted with the application and proposes that the 9 trees on the site that are subject to the City's Private Tree Protection By-law be removed to accommodate the development. There is a large Sugar Maple located on the adjacent Royal Canadian Legion property along Spring Garden Avenue near the property line that is proposed to be preserved. Forestry Staff have reviewed the arborist report and have advised that an application for tree removal, a letter of credit for the street tree planting and a cash-in-lieu payment for 27 replacement trees that cannot be accommodated on site will be required and these have been submitted by the applicant. These will also be secured in the site plan approval process.

The applicant is proposing to plant 19 trees along the Yonge Street (15), Spring Garden Avenue (2) and Hollywood Avenue (2) frontages of the site. Development Engineering Services staff have advised that the two street trees proposed along the Spring Garden Avenue frontage cannot be accommodated due to conflicts with the City's watermain in this area. Planters are proposed in the adjacent plaza along Spring Garden Avenue with serviceberry, yews, grasses and other perennial plantings to provide landscaping in this area. These will be secured through the site plan application process.

## **Toronto Green Standard**

The site plan application was submitted prior to January 31, 2010 and as a result the Toronto Green Standard is applied on a voluntary basis. The application does not propose to meet Tier 1 of the TGS. However, the application proposes 431 bicycle parking spaces for the residential units in the underground parking garage, meeting the occupant parking space requirement (0.8 spaces per unit) of the TGS and the overall requirement of 1 space per unit. Although no

commercial or retail bicycle parking spaces are proposed on the site, bicycle parking will be provided along Yonge Street through the enhanced streetscape design proposed in this area, and this parking which will be available for the non-residential uses in the building and for visitors. These will be secured through the site plan process. The application includes approximately 1558 m<sup>2</sup> of green roof areas representing approximately 41% of the total roof area and grey water is proposed to be used for irrigation of landscape areas. These measures are intended to address storm water management requirement to meet the City's Wet Weather Flow objectives.

## **Conclusions**

City Planning recommends that Council approve the Official Plan and Zoning By-law Amendment application, and approve the Site Plan application in principle. The proposed 34-storey mixed use building on the subject site will be the last building to be constructed within the comprehensive development plan approved by the OMB in 2005 for the block bounded by Yonge Street, Doris Avenue, Spring Garden Avenue and Hollywood Avenue. The proposal is consistent with the objectives of the North York Centre Secondary Plan. The proposal provides a mix of uses including commercial uses in the North York Centre helping to maintain the Centre as an important employment area. The building design reinforces the existing and planned built form context and will create an enhanced public realm along this section of Yonge Street.

The recommended Official Plan Amendment is included in Attachment 12. The recommended Zoning By-law Amendment is included in Attachment 13. The recommended Site Plan approval conditions are included in Attachment 14.

## **CONTACT**

Susan McAlpine, Senior Planner  
Tel. No. (416) 395-7110  
Fax No. (416) 395-7155  
E-mail: smcalpin@toronto.ca

## **SIGNATURE**

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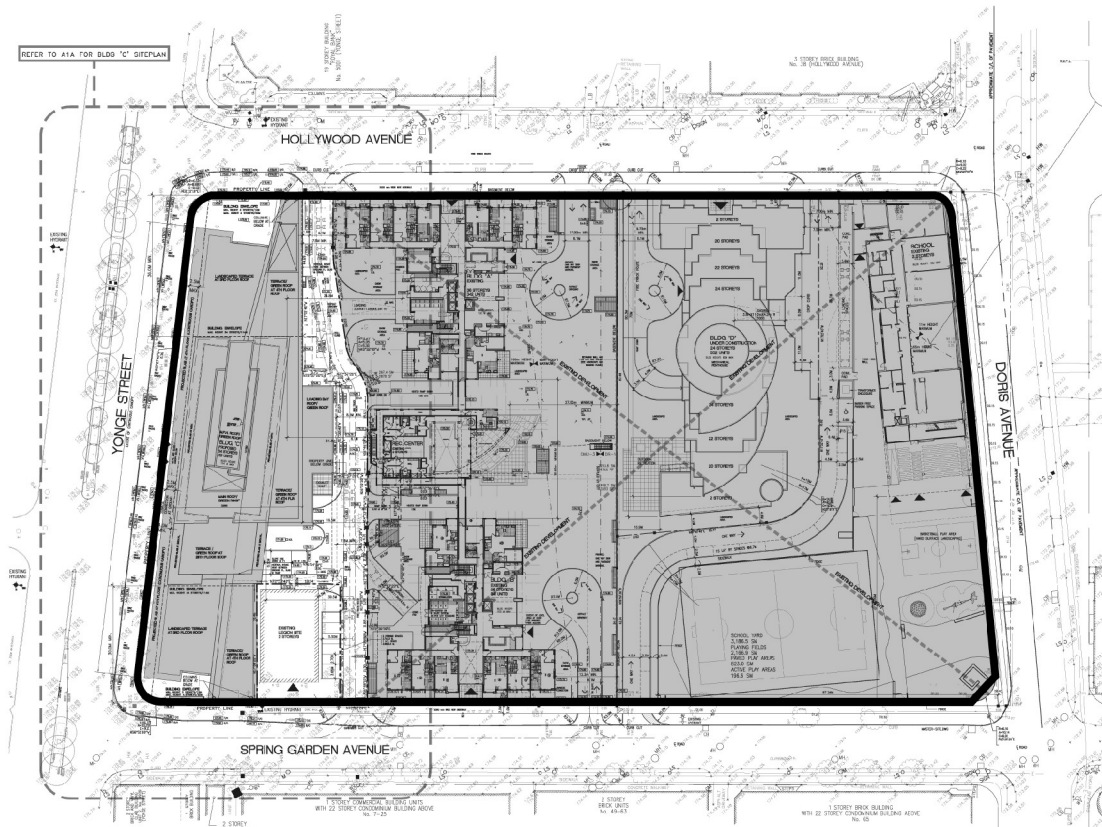
Allen Appleby, Director  
Community Planning, North York District

## **ATTACHMENTS**

Attachment 1: Master Site Plan  
Attachment 2 Site Plan  
Attachment 3: North Elevation  
Attachment 4: West Elevation

Attachment 5: South Elevation  
Attachment 6: East Elevation  
Attachment 7: Application Data Sheet  
Attachment 8: North York Centre Secondary Plan – Land Use  
Attachment 9: North York Centre Secondary Plan – Height  
Attachment 10: North York Centre Secondary Plan – Site Specific Policy  
Attachment 11: Zoning  
Attachment 12: Draft Official Plan Amendment  
Attachment 13: Draft Zoning By-law Amendment  
Attachment 14: Draft Conditions of Site Plan Approval

## Attachment 1: Master Site Plan



### Master Site Plan

Applicant's Submitted Drawing

Not to Scale  
04/03/2014



4917 - 4975 Yonge St, 23 Hollywood Ave. &  
18 Spring Garden Ave.

File # 11 330487 NNY 23

## Attachment 2: Site Plan



### Site Plan

Applicant's Submitted Drawing

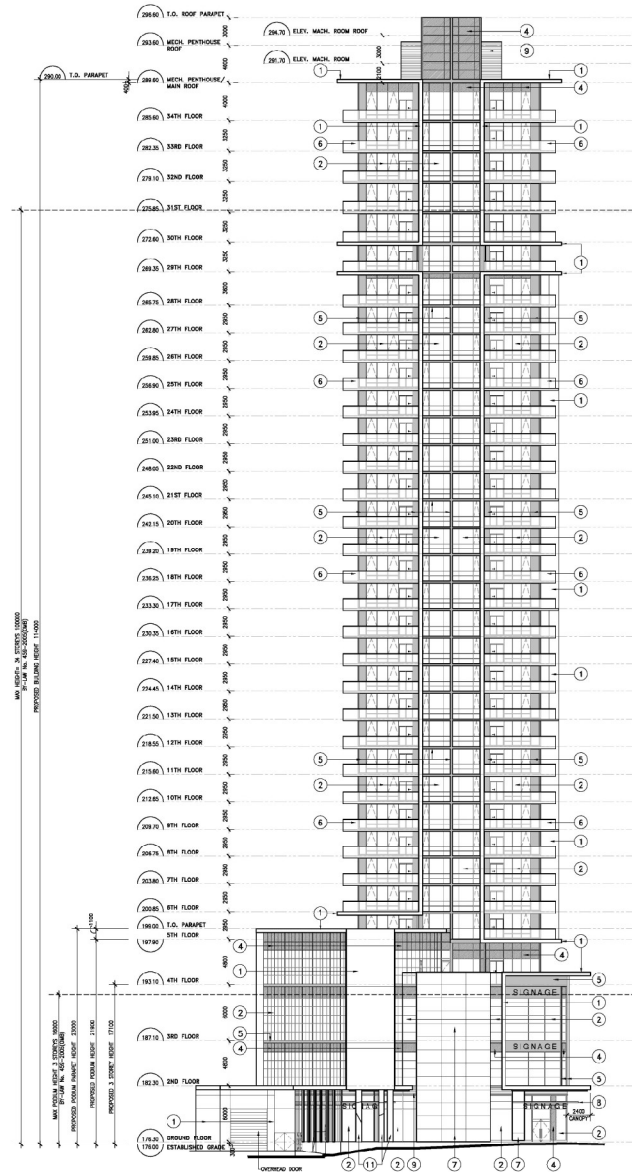
Not to Scale  
04/03/2014



4917 - 4975 Yonge St, 23 Hollywood Ave. &  
18 Spring Garden Ave.

File # 11 330487 NNY 23

### Attachment 3: North Elevation



North Elevation

## Elevations

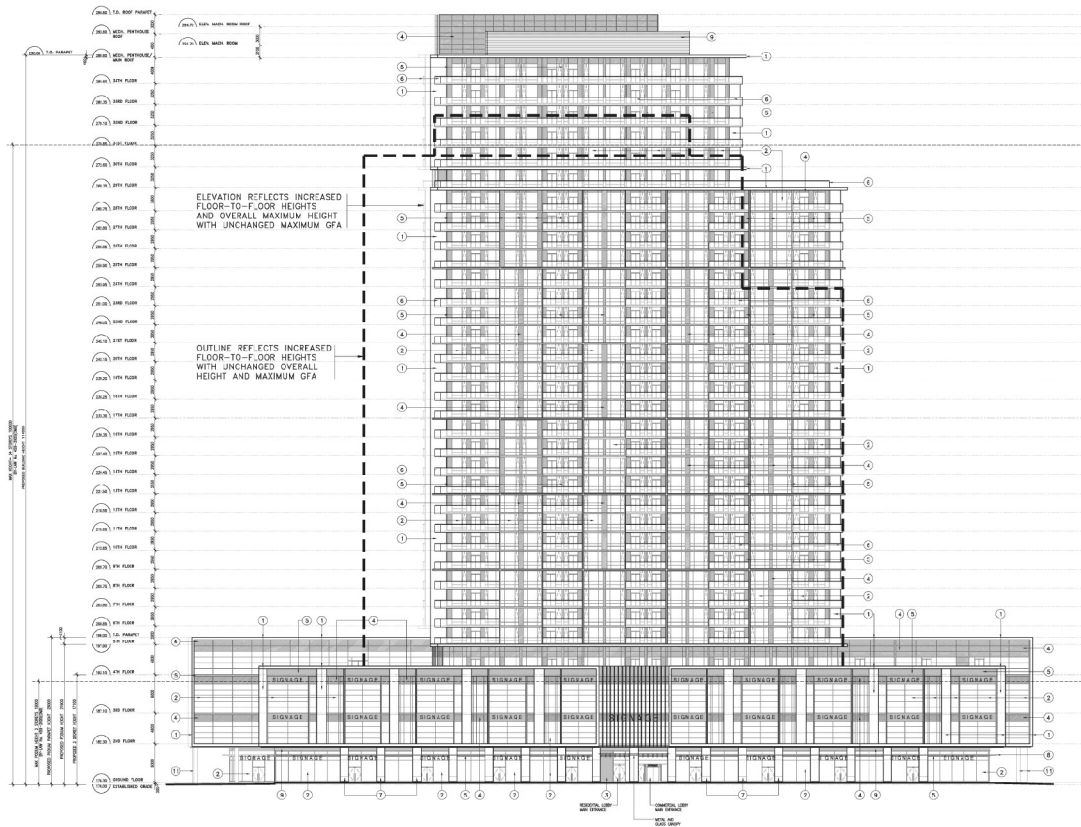
Applicant's Submitted Drawing

Not to Scale  
04/03/2014

4917 - 4975 Yonge St, 23 Hollywood Ave. &  
18 Spring Garden Ave.

File # 11 330487 NNY 23

## Attachment 4: West Elevation



West Elevation

### Elevations

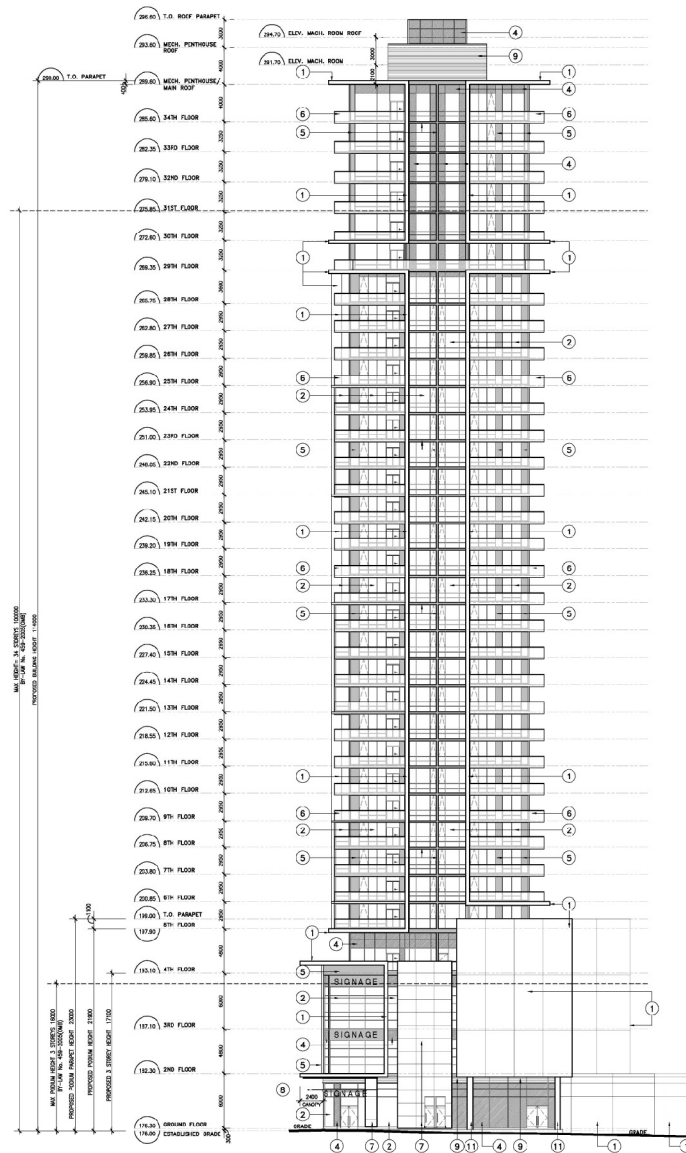
Applicant's Submitted Drawing

Not to Scale  
04/03/2014

4917 - 4975 Yonge St, 23 Hollywood Ave. &  
18 Spring Garden Ave.

File # 11 330487 NNY 23

## Attachment 5: South Elevation



South Elevation

### Elevations

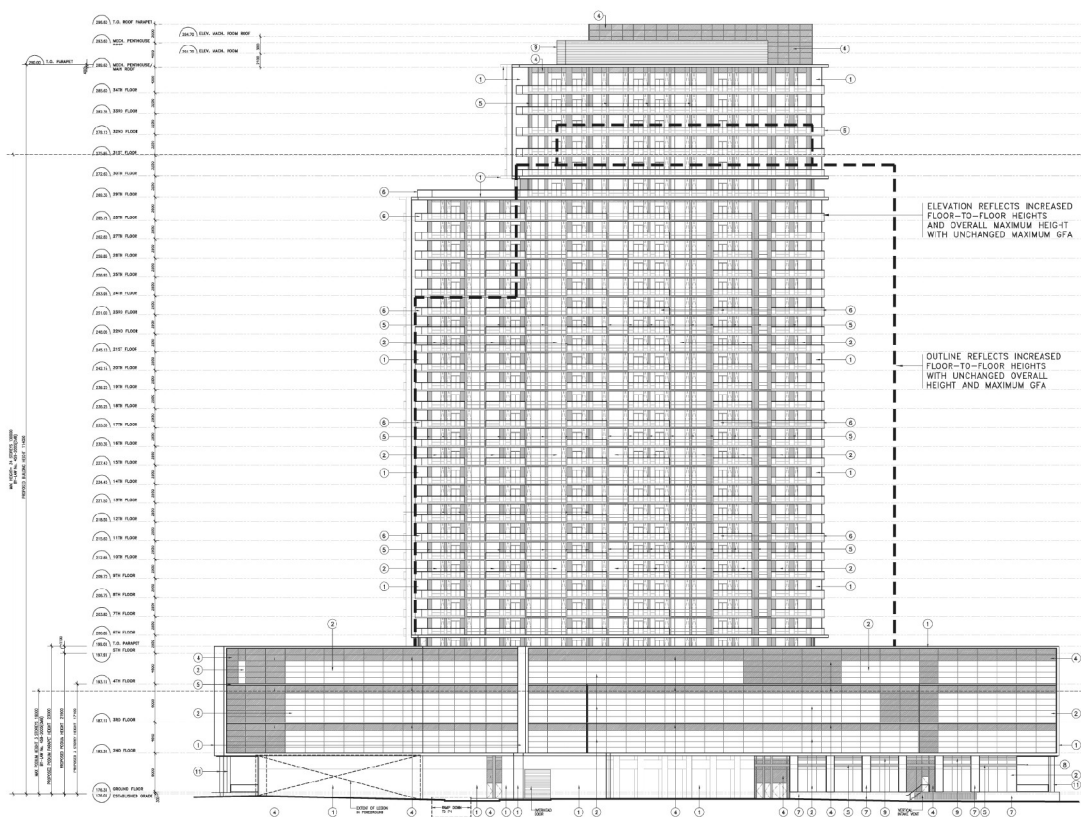
Applicant's Submitted Drawing

Not to Scale  
04/03/2014

4917 - 4975 Yonge St, 23 Hollywood Ave. &  
18 Spring Garden Ave.

File # 11 330487 NNY 23

## Attachment 6: East Elevation



East Elevation

### Elevations

Applicant's Submitted Drawing

Not to Scale  
04/03/2014

4917 - 4975 Yonge St, 23 Hollywood Ave. &  
18 Spring Garden Ave.

File # 11 330487 NNY 23

## Attachment 7: Application Data Sheet

Application Type	Official Plan & Zoning Amendment	Application Number:	11 330487 NNY 23 OZ
	Site Plan Application		10 108155 NNY 23 SA
Details	OPA & Rezoning, Standard	Application Date:	December 23, 2011
			January 22, 2010

Municipal Address: 4917-4975 Yonge Street, 23 Hollywood Avenue and 18 Spring Garden Avenue

Location Description: York Con 1 Eys Pt Lot 16 Plan 1801 Pt Lots 10 to 13 Pt Lane Plan 3976 Pt Lots 1,2,3 Pt Lane RP 66R16423 Parts 20 23 26 RP 66R 22134 \*\*GRID N2304

Project Description: The proposal is for a 34-storey mixed-use building (114 m), with 431 dwelling units and 8,523.4 m<sup>2</sup> of non-residential gross floor area. Five levels of underground parking with 622 parking spaces.

<b>Applicant:</b>	<b>Agent:</b>	<b>Architect:</b>	<b>Owner:</b>
Davies Howe Partners LLP 99 Spadina Ave., 5 <sup>th</sup> Fl Toronto, ON M5V 3P8	Rosedale Developments Inc. 90 Tiverton Court, Suite 200 Markham ON L3R 9V2	Zeilder Partnership Architects 315 Queen St. W Toronto, ON M5V 2X2 Richmond Architects Ltd 243 College St. 2 <sup>nd</sup> Fl Toronto, ON m5T 1R5	Rosedale Developments Inc. 90 Tiverton Court, Suite 200 Markham ON L3R 9V2

### PLANNING CONTROLS

Official Plan Designation:	Mixed Use Areas	Site Specific Provision:	NYCSP 12.27
Zoning:	RM6(155) & RM6 (107)	Historical Status:	N
Height Limit (m):	100	Site Plan Control Area:	Y

### PROJECT INFORMATION

Site Area (sq. m):	4713	Height:	Storeys:	34
Frontage (m):	127.4		Metres:	114
Depth (m):	106.1			
Total Ground Floor Area (sq. m):	2920.7			<b>Total</b>
Total Residential GFA (sq. m):	37192.5		Parking Spaces:	622
Total Non-Residential GFA (sq. m):	8523.4		Loading Docks	2
Total GFA (sq. m):	45735.15			
Lot Coverage Ratio (%):	80.3			
Floor Space Index:	7.92			

### DWELLING UNITS

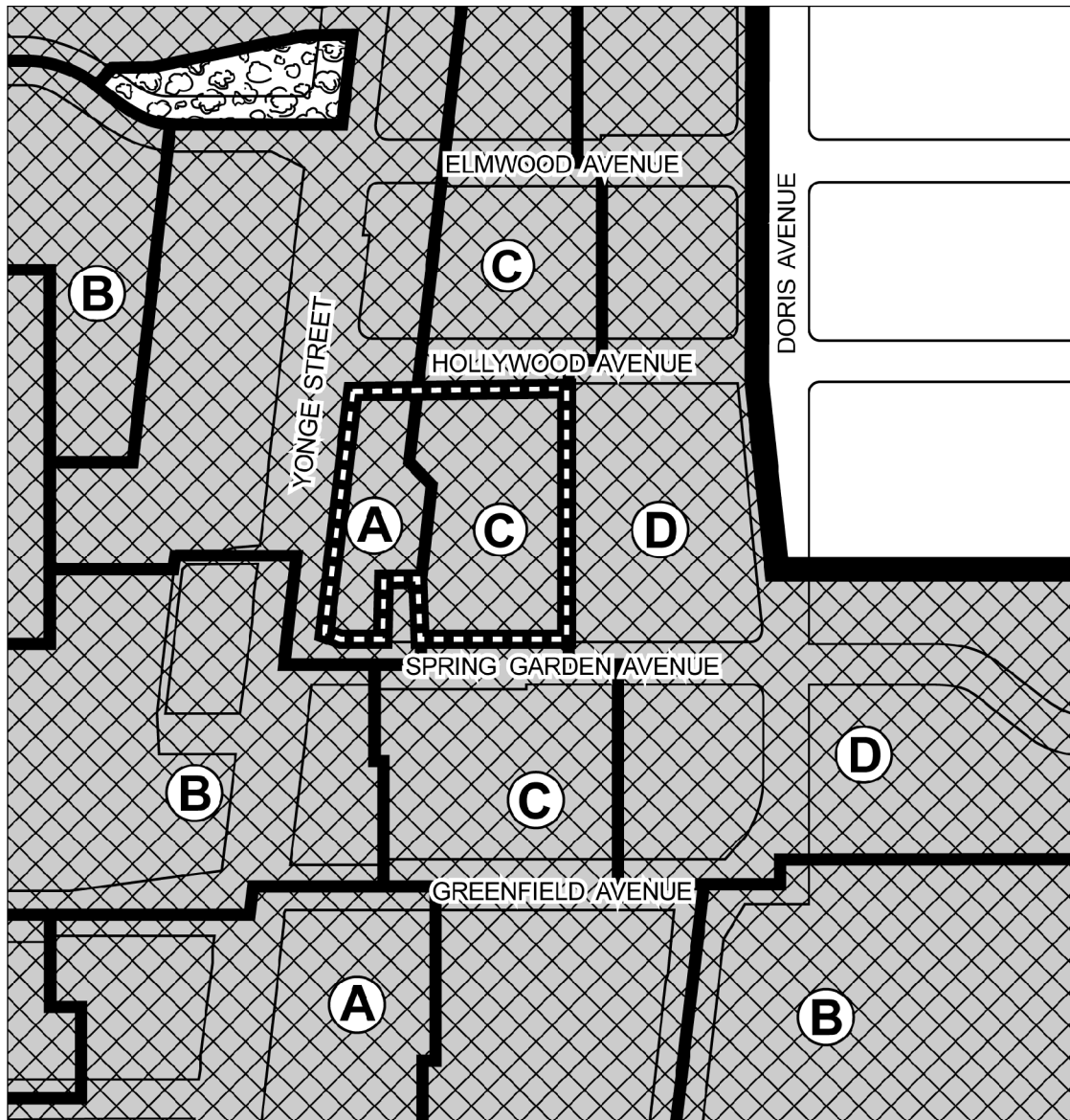
Tenure Type:	Condo
Rooms:	0
Bachelor:	0
1 Bedroom:	198(46%)
2 Bedroom:	179 (41.5%)
3 + Bedroom:	54 (12.5%)
Total Units:	431

### FLOOR AREA BREAKDOWN

	Above Grade	Below Grade
Residential GFA (sq. m):	37192.5	0
Retail GFA (sq. m):	2543.9	0
Office GFA (sq. m):	5979.5	0
Industrial GFA (sq. m):	0	0
Institutional/Other GFA (sq. m):	0	0

**CONTACT:** **PLANNER NAME:** Susan McAlpine, Senior Planner Telephone (416) 397-7110  
smcalpin@toronto.ca

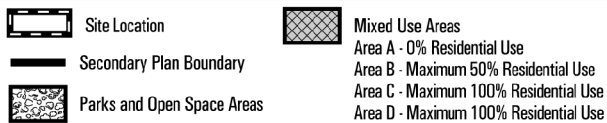
## Attachment 8: North York Centre Secondary Plan - Land Use



**Toronto** City Planning  
**Official Plan**  
 North York Centre South Land Use Areas

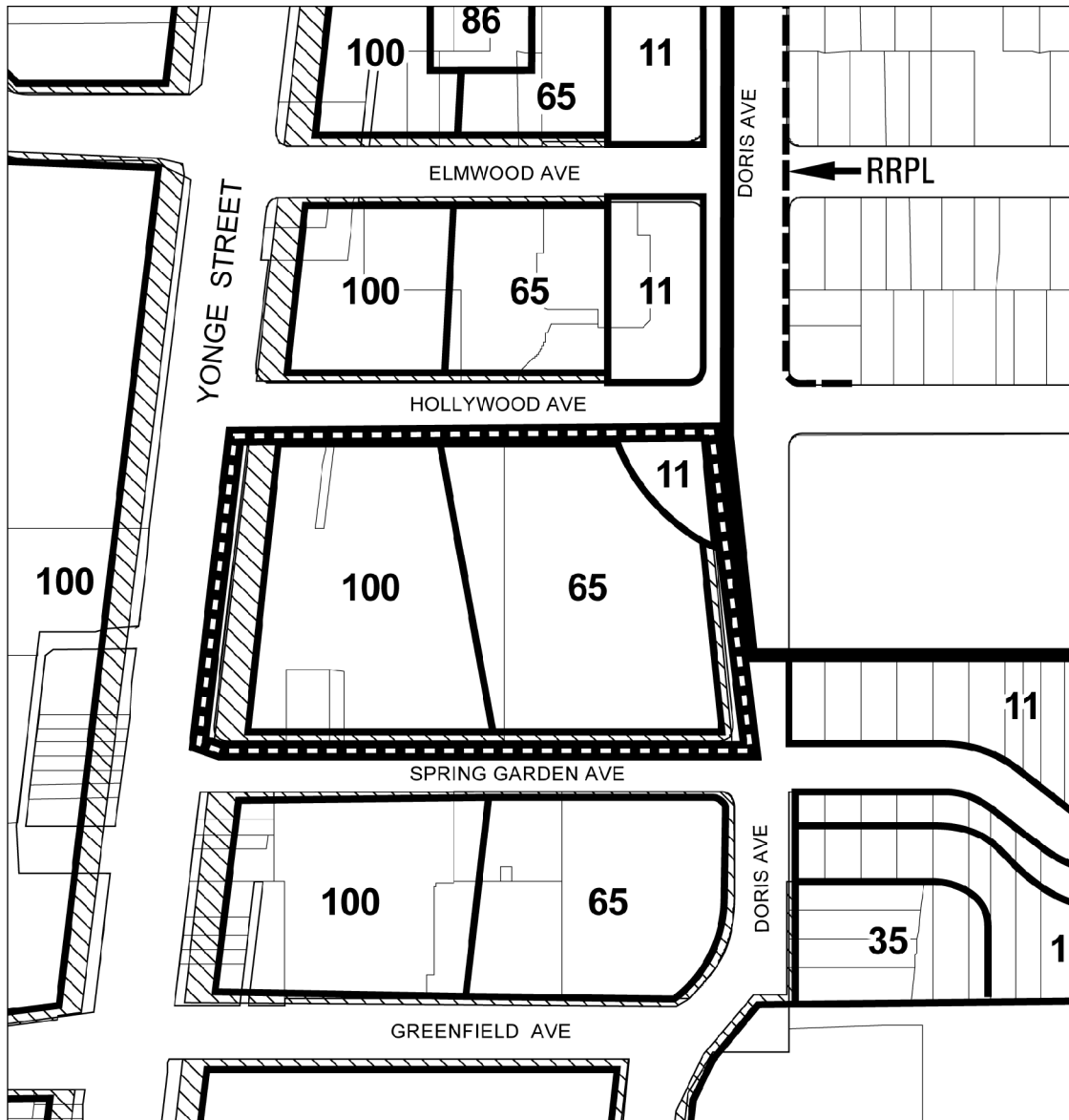
4917 - 4975 Yonge St., 23 Hollywood Ave  
 & 18 Spring Garden Ave.

File # 11 330487 NNY 23



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 Not to Scale  
 02/17/2012

## Attachment 9: North York Centre Secondary Plan - Height



**TORONTO** City Planning

### North York Centre Secondary Plan

MAP 8-8c Maximum Height Limits

4917 - 4975 Yonge St., 23 Hollywood Ave  
& 18 Spring Garden Ave.

File # 11 330487 NNY 23

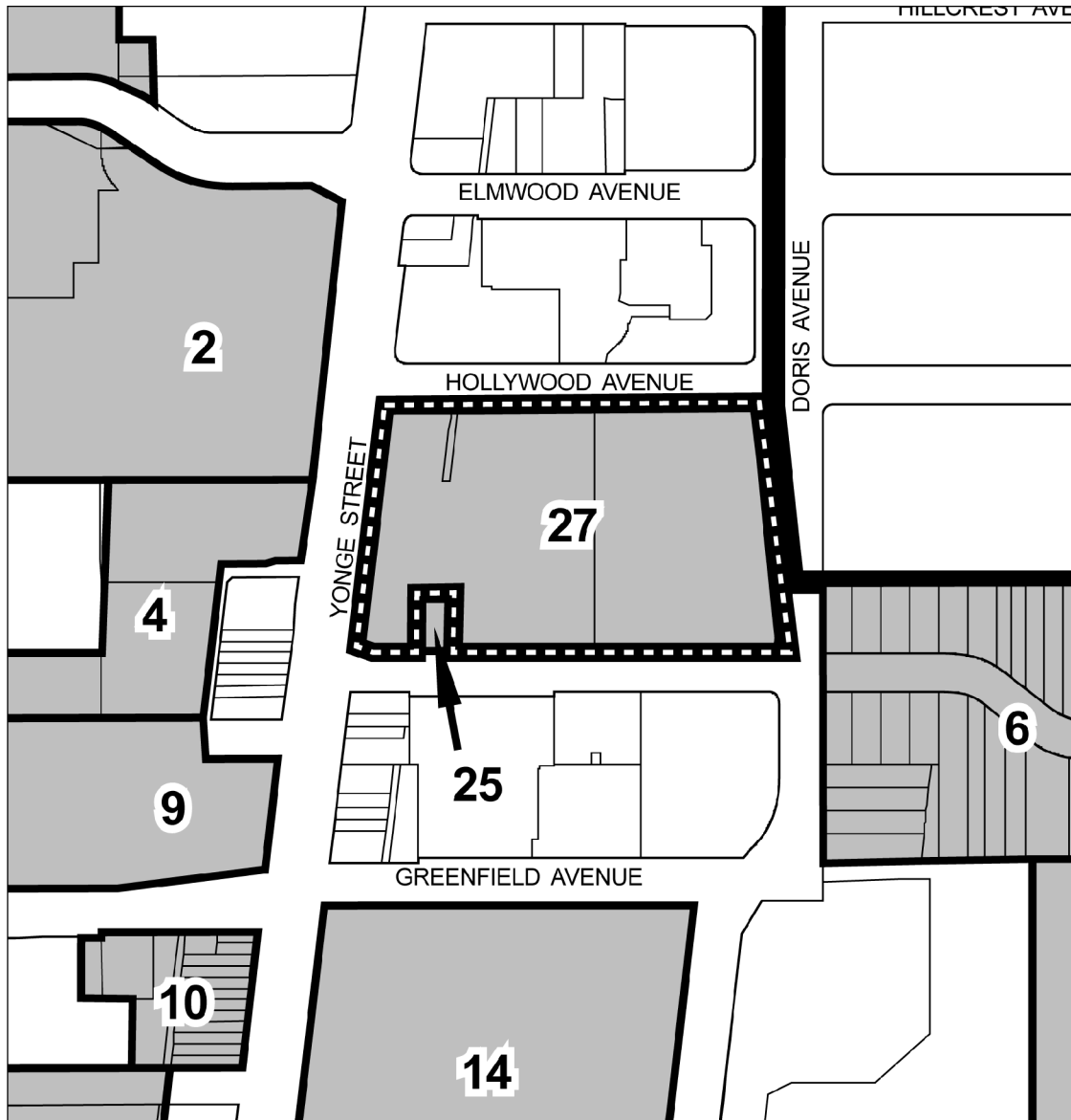
	Site Location
	Secondary Plan Boundary
	Relevant Residential Property Line (RRPL)
	11 The Lesser of 11m or 3 Storeys

	18 The Lesser of 18m or 6 Storeys
	24 The Lesser of 24m or 7 Storeys
	35 The Lesser of 35m or 12 Storeys
	65 Maximum 65m Above Grade

	86 Maximum 86m Above Grade
	100 Maximum 100m Above Grade
	50% Maximum 50% Horizontal Distance from RRPL
	Street Facade Limit as per Section 5.3 of this Secondary Plan

Not to Scale  
02/17/2012

## Attachment 10: North York Centre Secondary Plan – Site Specific Policy



**North York Centre Secondary Plan**  
**MAP 8-12** North York Centre South Site Specific Policies

**4917 - 4975 Yonge St., 23 Hollywood Ave  
 & 18 Spring Garden Ave.**

File # 11 330487 NNY 23

- Site Location
- Secondary Plan Boundary
- Site Specific Policy Areas

Not to Scale  
 02/17/2012

The map displays a residential area with the following features:

- Streets:**
  - ELMWOOD AVE** (top)
  - HOLLYWOOD AVE** (second from top)
  - SPRING GARDEN AVE** (third from top)
  - GREENFIELD AVE** (bottom)
  - YONGE ST** (left side, running vertically)
  - UPPER MADISON AVE** (left side, running vertically)
  - DORIS AVE** (right side, running vertically)
- Zoning Districts:**
  - C1 (Neighborhood Center):** Located along Elmwood Ave, Hollywood Ave, Spring Garden Ave, and Greenfield Ave. Includes lots 5000, 4978, 4990, 4968, 4984, 4960, 4956, 4954, 4936, 4924, 4922A, 4922, 4920, 4918A, 4918, 4916A, 4916, 4914A, 4914, 4910, 4909, 4907A, 4907, 4905A, 4905, 4903, 4901A, 4901, 4897, 4899, 4895, 4893, 4891, 4890, 4888A, 4888, 4886, 4884, 4882, 4880, 4878, 4876, 4874, 4872, 4870, 4868, 4866, 4864, 4862, 4860, 4858, 4856, 4854, 4852, 4850, 4848, 4846, 4844, 4842, 4840, 4838, 4836, 4834, 4832, 4830, 4828, 4826, 4824, 4822, 4820, 4818, 4816, 4814, 4812, 4810, 4808, 4806, 4804, 4802, 4800, 4798, 4796, 4794, 4792, 4790, 4788, 4786, 4784, 4782, 4780, 4778, 4776, 4774, 4772, 4770, 4768, 4766, 4764, 4762, 4760, 4758, 4756, 4754, 4752, 4750, 4748, 4746, 4744, 4742, 4740, 4738, 4736, 4734, 4732, 4730, 4728, 4726, 4724, 4722, 4720, 4718, 4716, 4714, 4712, 4710, 4708, 4706, 4704, 4702, 4700, 4698, 4696, 4694, 4692, 4690, 4688, 4686, 4684, 4682, 4680, 4678, 4676, 4674, 4672, 4670, 4668, 4666, 4664, 4662, 4660, 4658, 4656, 4654, 4652, 4650, 4648, 4646, 4644, 4642, 4640, 4638, 4636, 4634, 4632, 4630, 4628, 4626, 4624, 4622, 4620, 4618, 4616, 4614, 4612, 4610, 4608, 4606, 4604, 4602, 4600, 4598, 4596, 4594, 4592, 4590, 4588, 4586, 4584, 4582, 4580, 4578, 4576, 4574, 4572, 4570, 4568, 4566, 4564, 4562, 4560, 4558, 4556, 4554, 4552, 4550, 4548, 4546, 4544, 4542, 4540, 4538, 4536, 4534, 4532, 4530, 4528, 4526, 4524, 4522, 4520, 4518, 4516, 4514, 4512, 4510, 4508, 4506, 4504, 4502, 4500.
  - RM6 (Residential Medium Density):** Located along Hollywood Ave, Spring Garden Ave, and Greenfield Ave. Includes lots 7, 9, 18, 36, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100, 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 135, 136, 137, 138, 139, 140, 141, 142, 143, 144, 145, 146, 147, 148, 149, 150, 151, 152, 153, 154, 155, 156, 157, 158, 159, 160, 161, 162, 163, 164, 165, 166, 167, 168, 169, 170, 171, 172, 173, 174, 175, 176, 177, 178, 179, 180, 181, 182, 183, 184, 185, 186, 187, 188, 189, 190, 191, 192, 193, 194, 195, 196, 197, 198, 199, 200, 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216, 217, 218, 219, 220, 221, 222, 223, 224, 225, 226, 227, 228, 229, 230, 231, 232, 233, 234, 235, 236, 237, 238, 239, 240, 241, 242, 243, 244, 245, 246, 247, 248, 249, 250, 251, 252, 253, 254, 255, 256, 257, 258, 259, 260, 261, 262, 263, 264, 265, 266, 267, 268, 269, 270, 271, 272, 273, 274, 275, 276, 277, 278, 279, 280, 281, 282, 283, 284, 285, 286, 287, 288, 289, 290, 291, 292, 293, 294, 295, 296, 297, 298, 299, 300, 301, 302, 303, 304, 305, 306, 307, 308, 309, 310, 311, 312, 313, 314, 315, 316, 317, 318, 319, 320, 321, 322, 323, 324, 325, 326, 327, 328, 329, 330, 331, 332, 333, 334, 335, 336, 337, 338, 339, 340, 341, 342, 343, 344, 345, 346, 347, 348, 349, 350, 351, 352, 353, 354, 355, 356, 357, 358, 359, 360, 361, 362, 363, 364, 365, 366, 367, 368, 369, 370, 371, 372, 373, 374, 375, 376, 377, 378, 379, 380, 381, 382, 383, 384, 385, 386, 387, 388, 389, 390, 391, 392, 393, 394, 395, 396, 397, 398, 399, 400, 401, 402, 403, 404, 405, 406, 407, 408, 409, 410, 411, 412, 413, 414, 415, 416, 417, 418, 419, 420, 421, 422, 423, 424, 425, 426, 427, 428, 429, 430, 431, 432, 433, 434, 435, 436, 437, 438, 439, 440, 441, 442, 443, 444, 445, 446, 447, 448, 449, 450, 451, 452, 453, 454, 455, 456, 457, 458, 459, 460, 461, 462, 463, 464, 465, 466, 467, 468, 469, 470, 471, 472, 473, 474, 475, 476, 477, 478, 479, 480, 481, 482, 483, 484, 485, 486, 487, 488, 489, 490, 491, 492, 493, 494, 495, 496, 497, 498, 499, 500, 501, 502, 503, 504, 505, 506, 507, 508, 509, 510, 511, 512, 513, 514, 515, 516, 517, 518, 519, 520, 521

Not to Scale  
Zoning By-law 7625  
Extracted 02/18/2012

**Attachment 12: Draft Official Plan Amendment**

**CITY OF TORONTO**

**BY-LAW No. ~ -2014**

**To adopt Amendment No. 58 to the Official Plan of the City of Toronto in respect of lands fronting onto Yonge Street between Spring Garden Avenue and Hollywood Avenue, municipally known as 4917-4975 Yonge Street**

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

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

The Council of the City of Toronto HEREBY ENACTS as follows:

1. Amendment No. 58 to the Official Plan of the City of Toronto in respect of lands fronting onto Yonge Street between Spring Garden Avenue and Hollywood Avenue, municipally known as 4917-4975 Yonge Street, consisting of the attached text and the map designated as Schedule '1', is hereby adopted.

ENACTED AND PASSED this ~ day of ~, A.D. 2014.

ROB FORD  
WATKISS  
Mayor  
Clerk

ULLI S.  
City

(Corporate Seal)

## **AMENDMENT NO. 58 TO THE OFFICIAL PLAN**

### **IN RESPECT OF LANDS FRONTING ONTO YONGE STREET BETWEEN SPRING GARDEN AVENUE AND HOLLYWOOD AVENUE, MUNICIPALLY KNOWN AS 4917-4975 YONGE STREET**

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

#### **Clause 1**

Chapter Six, Section 8 (North York Centre Secondary Plan) is amended by modifying Section 12, North York Centre South Site Specific Policy 27 as follows:

1. Section 12.27, paragraph (a) is revised by replacing "36,800" with "37,400" and "9,000" with "8,400" and by inserting the words "and other supportive residential uses" after the words "Except for residential lobbies".
2. Section 12.27 is revised by adding the following subsection after subsection (c):  
  
    "(d) Pursuant to Section 5.4.2 of this Secondary Plan, a maximum building height of 114 metres is permitted at the location identified on Map 8-8c."

#### **Clause 2**

Figure 4.3.1 of Chapter Six (North York Centre Secondary Plan ) titled "Long Range Development Levels" is amended to increase the North York Centre South Residential Gross Floor Area (and relevant totals) by 600 m<sup>2</sup> and to decrease the North York Centre South Non-Residential Gross Floor Area (and relevant totals) by 600 m<sup>2</sup>.

#### **Clause 3**

Map 8-8c of Chapter Six, Section 8 (North York Centre Secondary Plan) titled "Maximum Height Limits", is amended in accordance with Schedule '1' attached.

# SCHEDULE 1



## **Attachment 13: Draft Zoning By-law Amendment**

**Bill No. ~**

### **CITY OF TORONTO**

**BY-LAW No. ~**

**To amend the former City of North York By-law No. 7625, as amended,  
with respect to lands known municipally as  
4917-4975 Yonge Street, 23 Hollywood Avenue and 18 Spring Garden Avenue**

WHEREAS authority is given to the Council of the City of Toronto by Section 34 of the *Planning Act*, R.S.O. 1990, c. P. 13, as amended, to pass this By-law; and

WHEREAS Council has determined that the minor variances granted by the Committee of Adjustment on June 23, 2010 in File No. A0221/10NY are to be superseded by amending Section 64.20-A(155)RM6(155) in Zoning By-law No. 7625 for the former City of North York; and

WHEREAS Council has decided to also otherwise amend Sections 64.20-A(155)RM6(155) and 64.20-A(107)RM6(107) of By-law No. 7625; and

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

The Council of the City of Toronto HEREBY ENACTS as follows:

#### **64.20-A(155)RM6(155)**

- 1.1 Subsection 64.20-A(155)RM6(155)(e) of By-law No. 7625, headed “GROSS FLOOR AREA”, is amended by replacing

"(ii) below grade space used exclusively for motor vehicle parking; and"

with

“(ii) below grade space used exclusively for motor vehicle or bicycle parking and access thereto, and at grade space used exclusively for motor vehicle loading; and”

- 1.2 Subsection 64.20-A(155)RM6(155)(h) of By-law No. 7625, headed “PERMITTED USES” is amended as follows:

- (a) by replacing “retail stores” in the list of permitted uses with “retail stores (including grocery stores, supermarkets and pharmacies)”;
  - (b) by replacing the first sentence in the second paragraph “Only non-residential uses, except for residential lobby space, shall be contained in the first three floors of the building.” with “Only non-residential uses shall be contained in the first three floors of the building, except for accessory residential uses (including but not limited to residential lobby space, mail rooms, garbage/recycling rooms, mechanical rooms, utility rooms, exit stairs and corridors).”;
  - (c) by replacing the second sentence in the second paragraph “No non-residential uses shall be permitted in the remainder of the building.” with “No non-residential uses shall be permitted in the remaining floors of the building.”; and
  - (d) by deleting the last sentence in the third paragraph “All other ground floor uses shall be subject to a maximum frontage width of 14 metres.”
- 1.3 Subsection 64.20-A(155)RM6(155)(j) of By-law No. 7625, headed “NUMBER OF DWELLING UNITS”, is amended by replacing “420” therein with “431”.
- 1.4 Subsection 64.20-A(155)RM6(155)(l) of By-law No. 7625, headed “BUILDING ENVELOPE”, is amended by replacing the entire subsection as follows:
- “BUILDING ENVELOPE
- (l) No portion of any building or structure erected and used above established grade shall be located otherwise than wholly within the building envelope identified on Schedule “RM6(155)” except for a canopy and a three storey roof element along the Yonge Street frontage, which may project a maximum of 2.5 m into the yard setback.”
- 1.5 Subsection 64.20-A(155)RM6(155)(m) of By-law No. 7625, headed “PARKING”, is amended by replacing the entire subsection as follows:
- “PARKING
- (m) Parking spaces shall be provided within the net site in accordance with the following requirements and conditions:
    - (i) A minimum of 1.00 parking spaces per dwelling unit, including 0.10 parking spaces per dwelling unit allocated for residential visitor use.
    - (ii) A maximum of 1.20 parking spaces per dwelling unit, including 0.10

parking spaces per dwelling unit allocated for residential visitor use

- (iii) A minimum of 0.90 parking spaces per 100 m<sup>2</sup> of gross floor area devoted to retail, service commercial and office uses.
- (iv) A maximum of 1.26 parking spaces per 100 m<sup>2</sup> of gross floor area devoted to retail, service commercial and office uses.
- (v) Up to 40 additional parking spaces may be provided for the use of the social facility located on the lands zoned C1(103) and known municipally as 6 Spring Garden Avenue, provided that the overall number of parking spaces does not exceed the sum of the maximum limits specified in (ii) plus (iv) above.
- (vi) Residential visitor parking spaces and social facility parking spaces may be commingled with commercial parking spaces. Non-residential and residential visitor parking spaces may be made available to the general public and a charge may be imposed for the use of such spaces.
- (vii) Notwithstanding the requirement that parking spaces are to be provided within the net site, a maximum of 64 parking spaces may be contained, in whole or in part, in a directly accessible, underground parking garage located, in whole or in part, on abutting lands zoned RM6(107).
- (viii) No surface parking spaces shall be permitted other than a maximum of 40 temporary spaces on an interim basis for the use of the social facility located on the lands zoned C1(103) and known municipally as 6 Spring Garden Avenue, pending completion of the building to be located on lands zoned RM6(155).
- (ix) A maximum of 64 parking spaces, located in the first four levels of the underground garage, shall have a minimum width of 2.7 metres and a minimum length of 5.5 metres, irrespective of any side obstructions.”

- 1.6 Subsection 64.20-A(155)RM6(155)(o) of By-law No. 7625, headed “LOT COVERAGE”, is amended by replacing “74 per cent” with “82 per cent”.
- 1.7 Subsection 64.20-A(155)RM6(155)(p) of By-law No. 7625, headed “LANDSCAPING”, is amended by replacing “900 m<sup>2</sup>” with “500 m<sup>2</sup>”.
- 1.8 Subsection 64.20-A(155)RM6(155)(t) of By-law No. 7625, headed “PROVISIONS NOT APPLICABLE”, is amended by adding 6A(3)(d)(ii) to the list specified therein.
- 1.9 Schedule “RM6(155)” to By-law No. 7625 is replaced with Schedule “RM6(155)”

attached to this By-law.

**64.20-A(107)RM6(107)**

- 2.1 Subsection 64.20-A(107)RM6(107)(h) of By-law No. 7625, headed “PERMITTED USES”, is amended by deleting the word “and” at the end of the first item in the list of permitted uses, replacing the period at the end of the second item with a semi-colon followed by the word “and”, and adding to the list of permitted uses the following uses:

“a commercial/residential driveway and related uses (including but not limited to loading bays, pedestrian walkways, surface parking spaces associated with the abutting lands zoned C1(103), and parking garage ramps and entrances) within the area so identified on Schedule “RM6(107)”, serving the buildings located on the abutting lands zoned C1(103) and RM6(155) in addition to serving the buildings located on the lands zoned RM6(107)”.

- 2.2 Schedule “RM6(107)” to By-law No. 7625 is replaced with Schedule “RM6(107)” attached to this By-law.

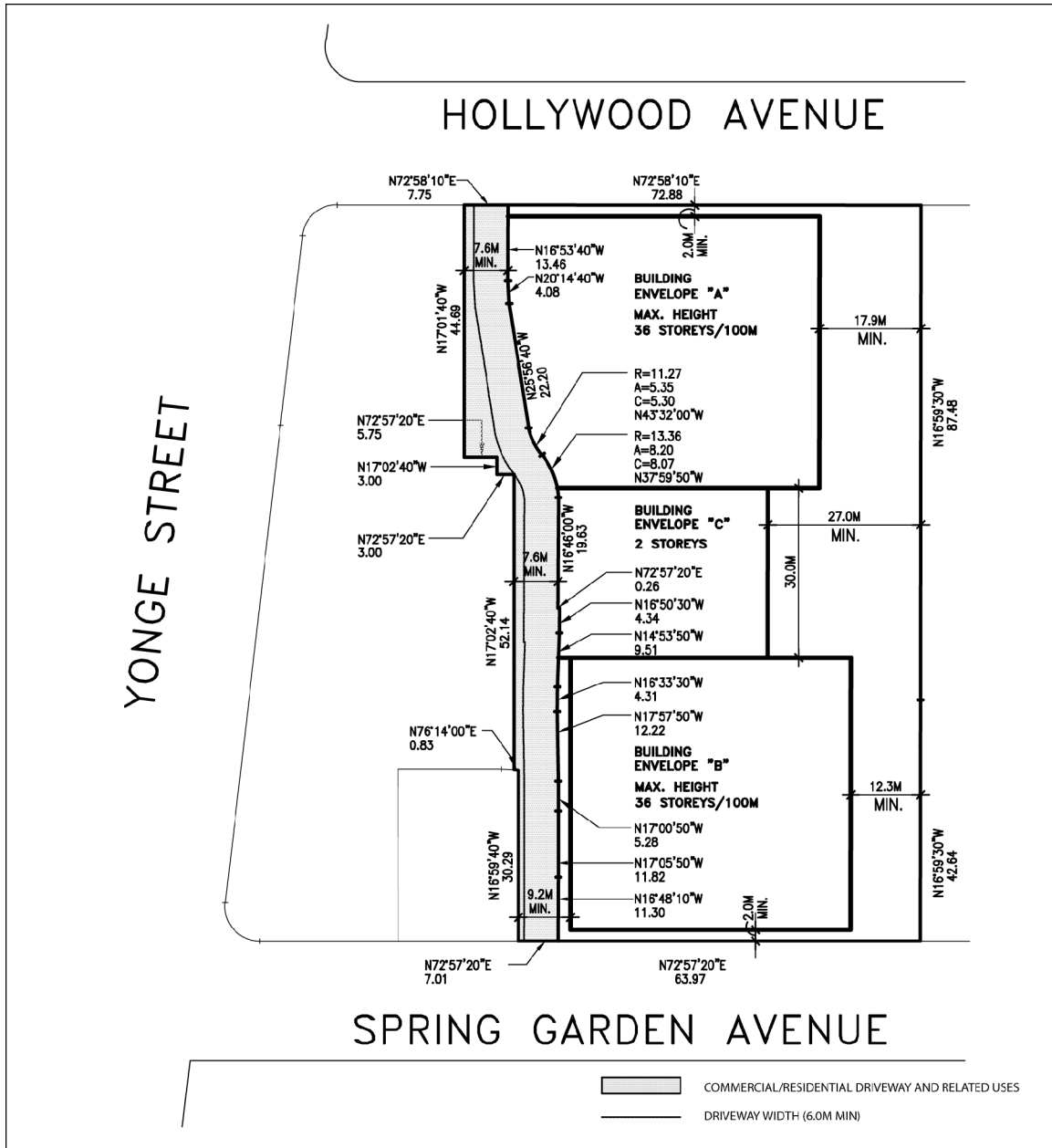
ENACTED AND PASSED this ~ day of ~ , A.D. ~.

ROB FORD  
Mayor

ULLI S. WATKISS  
City Clerk

(Corporate Seal)





## **Attachment 14: Draft Conditions of Site Plan Approval**

### **Site Plan Application File No.: 11 330487 NNY 23 SA Mixed-Use Development – 4917- 4975 Yonge Street**

Proposal for a mixed-use building including 431 dwelling units and 8,523.4 m<sup>2</sup> of non-residential gross floor area.

**Architectural Plans prepared by Zeidler Partnership Architects and Richmond Architects Ltd.**

**Landscape Plans prepared by Alexander Budrevics and Associates Limited**

<b>PLAN NAME AND NO.</b>	<b>REVISION DATE</b>
A0 - Statistics	Rev 5 dated 3/11/2014
A1 - Master Site Plan	Rev 11 dated 3/11/2014
A1A - Site Plan Bldg C	Rev 11 dated 3/11/2014
A2 - Parking Level P5	Rev 10 dated 3/11/2014
A3 - Parking Level P4	Rev 10 dated 3/11/2014
A4 - Parking Level P3	Rev 10 dated 3/11/2014
A5 - Parking Level P2	Rev 10 dated 3/11/2014
A6 - Parking Level P1	Rev 10 dated 3/11/2014
A7 - Ground, 2 <sup>nd</sup> & 3 <sup>rd</sup> Floor Plans	Rev 10 dated 3/11/2014
A8 - Floors 4 - 8	Rev 10 dated 3/11/2014
A9 - Floors 9 - 20	Rev 10 dated 3/11/2014
A10 - Floors 21- 28	Rev 10 dated 3/11/2014
A11 - Floors 29 - 34	Rev 10 dated 3/11/2014
A12 - Mechanical Penthouse and Roof Plan	Rev 9 dated 3/11/2014
A13 - West Elevation	Rev 12 dated 3/11/2014
A14 - North and South Elevations	Rev 12 dated 3/11/2014
A15 - East Elevation	Rev 12 dated 3/11/2014
A16 - Building Section	Rev 12 dated 3/11/2014
A17 - Coloured West Elevation	Rev 4 dated 3/11/2014
A18 - Coloured North Elevation	Rev 4 dated 3/11/2014
A19 - Coloured South Elevation	Rev 4 dated 3/11/2014
L-1 (C) - Landscape Plan	Rev 16 dated 3/12/2014
L-2 (C) - Planting Plan	Rev 16 dated 3/12/2014
L-3 (C) - 3 <sup>rd</sup> Floor Roof Terrace Plan	Rev 16 dated 3/12/2014
L-4 (C) - Green Roof Plans	Rev 16 dated 3/12/2014
D-1(C), D-2(C), D-3(C), D-4(C) - Landscape Details	Rev 16 dated 3/12/2014
IRR1 - Ground Floor Irrigation Plan	Rev 16 dated 3/12/2014
IRR2 - Loading Bay Roof Irrigation Plan	Rev 16 dated 3/12/2014
IRR3 - 3rd Floor Roof Irrigation Plan	Rev 16 dated 3/12/2014
IRR4 - 4 <sup>th</sup> & 28 <sup>th</sup> Floor Roof Irrigation Plan	Rev 16 dated 3/12/2014
IRR5 - MPH + Main Green Roof Irrigation Plan	Rev 16 dated 3/12/2014
UTIL -1 and UTIL - 2 - Composite Utility Plans	Rev 4 dated 3/12/2014

## **SECTION A - REQUIREMENTS PRIOR TO THE ISSUANCE OF THE NOTICE OF APPROVAL CONDITIONS**

DEVELOPMENT ENGINEERING – Yelena Akselrod, Development Engineer (416) 395-6282

1. The applicant shall address, to the satisfaction of Development Engineering, the comments regarding revisions and additional information referenced in the Development Engineering Division comments dated April 22, 2014.

## **SECTION B - DRAFT PRE-APPROVAL CONDITIONS**

LEGAL SERVICES – Stephanie Morrow, Supervisor of Law Clerks, 397-5379

1. The Owner shall enter into the City's standard site plan agreement to and including registration of the site plan agreement on title to the subject lands by the City at the Owner's expense.

CITY PLANNING - Community Planning, Sue McAlpine, Senior Planner, 395-7110

2. The Owner shall submit a cost estimate for on-site landscaping to the satisfaction of the Director, Community Planning, North York District and submit to the Chief Financial Officer and Treasurer as a deposit a letter of credit or certified cheque for 75% of the value of the on-site landscaping.

The letter of credit shall be in a form satisfactory to the City Treasurer in accordance with its standard format for letters of credit as of the date of submission of the letter of credit to the City, and which shall provide for automatic renewal rights at the end of term, to complete all outstanding work required by these conditions. The deposit shall be returned to the Owner at such time as the Director, Community Planning, North York District is satisfied that the property has been developed in accordance with the approved drawings and the conditions of approval.

DEVELOPMENT ENGINEERING – Yelena Akselrod, Development Engineer (416) 395-6282

3. Facilities to Provide Access to and from the Land
  - a) Mutual access and parking, agreements and easements, with provisions for maintenance will be required between the appropriate parties for use of the driveway, surface parking and loading, and underground parking. This agreement must be registered on title.

- b) Make satisfactory arrangements with Engineering and Construction Services for Work on the City's Right of Way to provide access to and from the land and provide financial security (amount to be determined upon approval of the proposed boulevard design). Submit 5% engineering and inspection fee (amount to be determined) and insurance as required.
- c) Obtain an encroachment agreement from Right-of-Way Management for the irrigation infrastructure located in the right-of-way.

TORONTO TRANSIT COMMISSION– Mary-Ann George, Senior Transportation Planner, (416) 397-8045

- 4. Prior to starting any demolition or construction or the issuance of the first or any building permit, the owner shall complete the Toronto Transit Commission ("TTC") Level 2 Technical Review of the proposed development as applicable to the particular permit under application, and obtain the TTC's written acknowledgement that the owner has satisfied all of the conditions arising out of the review. As part of the review process, the owner shall provided the requisite information, and pay the associated review fee to the TTC.
- 5. Enter into a construction agreement with the TTC for monitoring and stop work order provisions relating to construction adjacent to the subway structure, to the satisfaction of the TTC.
- 6. The owner is required to provide a copy of all applicable parcel registers for the subject property and a copy of any instrument registers, and not discharges, on any applicable parcel resister for the subject property to which the City or TTC is a party.

PARKS FORESTRY & RECREATION, Bruce Gordon, Forestry (416) 395-6686

- 7. The development proposes the removal of 9 privately-owned trees, each having diameters of 30 cm or greater, situated on the subject site, as indicated in the Arborist Report. Under the provision of Section 813-16 (B), of the City of Toronto Municipal Code, Chapter 813, Trees, Article III, the subject trees meet the criteria for protection under the City of Toronto's Private Tree By-law.

An "Application to Injure or Destroy Trees on Private Property" and an application fee in the amount of \$2,700.00 (\$300 per tree) must be submitted to the attention of the Supervisor of Urban Forestry, Tree Protection & Plan Review.

Once a completed application is received, a notice of application is to be posted at the property for a period of 14 days. This provides the community with an opportunity to submit comments on the application. Any written objections received from the community may require Urban Forestry to report to Community

Council for the application to be considered further. Submission of an application does not guarantee that a permit will be issued.

8. Provide a payment of \$15,741.00 (\$583.00 per tree) in the form of a certified cheque payable to the Treasurer, City of Toronto, as cash-in-lieu for the value of twenty-seven (27) replacement trees.
9. Provide a tree planting security deposit in the amount of \$9,911.00, in the form of an irrevocable Letter of Credit or certified cheque payable to the Treasurer, City of Toronto as security for seventeen (17) new City trees.

TORONTO DISTRICT SCHOOL BOARD – Mario Silva, Land Use Planning Officer  
(416) 394-3944

10. The owner shall enter into an agreement with the Toronto District School Board, to erect and maintain signs, at points of egress and ingress of the development site, and insert warning clauses in Agreement of Purchase and Sale, or lease, with respect to the availability of school accommodation to the satisfaction of the Toronto District School Board.

### **SECTION C - DRAFT POST APPROVAL CONDITIONS**

DEVELOPMENT ENGINEERING – Yelena Akselrod, Development Engineer (416)  
395-6282

1. Facilities to Provide Access to and from the Land
  - a) Remove all existing accesses, curb cuts, traffic control sign, etc. along the development site frontage that are no longer required and reinstate the boulevard within the right-of-way, in accordance with City standards and to the satisfaction of the Executive Director of Engineering and Construction Services.
2. Off-street Vehicular Loading and Parking Facilities and Access/Driveways
  - a) Provide and maintain off-street vehicular loading and parking facilities and access driveways in accordance with the approved plans and drawings, to the satisfaction of the Executive Director, Engineering and Construction Services;
  - b) The owner must install and maintain appropriate signage and pavement markings on-site directing such as but not limited to: vehicle stopping and circulation, designated disabled parking, loading, and pedestrian walkways, to the satisfaction of the Executive Director, Engineering and Construction Services.

3. Facilities for the Landscaping of the Lands or the Protection of Adjoining Lands
  - a) Any landscaping within the Yonge Street, Hollywood Avenue and Spring Garden Avenue boulevards must be approved by the Transportation Services Division prior to site plan approval.
  - b) The owner shall arrange for the installation of the standard Yonge Street boulevard treatment, including a 3.0 metre wide concrete sidewalk and special pattern of granite pavers across the entire Yonge Street, Hollywood Avenue and Spring Garden Avenue frontages of the site in accordance with Council Policy, Resolution No. 90-44.
4. Facilities for the Storage of Garbage and Other Waste Material
  - a) Construct and maintain all facilities necessary to permit City to collect solid waste and recyclable materials.
  - b) Advise all owners and tenants/future purchasers of the commercial/retail units that refuse and recyclable materials generated by this building must be collected by a private refuse collection firm.
  - c) Provide and maintain tri-sorter waste diversion system for multiple household residential buildings.
  - d) On-site custodial staff must be present during collection for jockeying of bins in the collection staging area and also act as a flagman when the truck is reversing. In the event the on-site staff member is unavailable at the time the City collection vehicles arrival at the site, the collection vehicle will leave the site and not return until the next scheduled collection day.
5. Grading and Provision for the Disposal of Storm, Surface and Wastewater from the Land
  - a) Construct and maintain stormwater management measures/facilities and site grading as recommended in the accepted Functional Servicing and Stormwater Management Report, prepared by Masongsong Associates Engineering Limited, and dated February, 2014, and Site Servicing and Grading Plan, Drawing No. SS-1, prepared by Masongsong Associates Engineering Limited, revision No. 4, and dated February 26, 2014.
  - b) Construct and maintain site servicing indicated on the accepted Site Servicing and Grading Plan, Drawing No. SS-1, prepared by Masongsong Associates Engineering Limited, revision No. 4, and dated February 26, 2014.
  - c) Provide certification to the Executive Director of Engineering and Construction Services by the Professional Engineer who designed and supervised the construction that the stormwater management facilities and

site grading have been constructed in accordance with the accepted Stormwater Management Report and the accepted Grading Plans.

- d) Provide certification to the Executive Director of Engineering and Construction Services by the Professional Engineer who designed and supervised the construction, that the site servicing facilities have been constructed in accordance with the accepted drawings.

6. Other Conditions

- a) This application has been reviewed and assessed under the consideration that this development is under two condominium registrations. If an application is submitted in the future to create additional ownerships, the owner will be required to make an application to the City to provide the necessary service connections in order to comply with the City of Toronto Water Supply By-Law and Sewer By-Law in effect at the time of application.
- b) The applicant must enter into an easement agreement with all parties involved for reciprocal access and maintenance of the shared driveway. This easement agreement must be registered on title for all parties involved.
- c) The owner is responsible for maintenance of the irrigation system within the City's right-of-way.

TORONTO TRANSIT COMMISSION– Mary-Ann George, Senior Transportation Planner, (416) 397-8045

7. Subway Operations Interference Warnings

By way of the City of Toronto Site Plan agreement, the owner acknowledges and agrees that:

- a) The proximity of the proposed development of the lands municipally known as 4917-4975 Yonge Street (the Development) to the TTC subway right-of-way may result in noise, vibration, electromagnetic interference, stray current, smoke and particulate matter transmissions (collectively referred to as "Interferences") to the Development;
- b) The City of the Toronto and the Toronto Transit Commission will not accept responsibility for such affects on any of the Development and/or its occupants;
- c) It has been advised by the Commission to apply reasonable attenuation/mitigation measures with respect to the level of Interferences on and in the Development;

- d) a TTC Interferences warning clause, as provided below and satisfactory to the TTC, has been, or shall be inserted into all rental agreement(s), and/or offers of purchase and sale or lease and condominium declarations(s) for each unit.

The Purchaser and/or Lessee specifically acknowledges and agrees that the proximity of the development of the lands municipally known as 4917-4975 Yonge Street (the Development) to TTC transit operations may result in transmission of noise, vibration, electromagnetic interferences, stray current, smoke and particulate matter (collectively referred to as "Interferences") to the Development and despite the inclusion of control features within the Development, Interferences from transit operations may continue to be of concern, occasionally interfering with some activities of the occupants in the Development. Notwithstanding the above, the Purchaser and/or Lessee agrees to release and save harmless the City of Toronto and the Toronto Transit Commission from all claims, losses, judgments or actions arising, or resulting from any and all Interferences. Further the Purchaser and/or Lessee acknowledges and agrees that an electromagnetic, stray current and noise-warning clause, similar to the one contained herein, shall be inserted into any succeeding lease, sublease or sales agreement, and that this requirement shall be binding not only on the parties hereto, but also their respective successors and assigns, and shall not die with the closing of the transaction.

CITY PLANNING - Heritage Preservation Services – Susan Hughes (416) 338-1096

8. In the event that buried archaeological remains are encountered on the property during the construction activities, the owner should immediately notify the Heritage Operations Units of the Ministry of Culture (416) 314-7146 as well as the City of Toronto, City Planning Division, Policy and Research Section, Heritage Preservation Services Unit (416) 338-1096.
9. In the event that human remains are encountered during construction, the Owner should immediately contact both the Ministry of Culture, and the Registrar or Deputy Registrar of Cemeteries at the Cemeteries Regulation Unit, Ministry of Government Services, (416) 326-8404.
10. If any expansions to the boundaries of the site are proposed, further archaeological assessment work may be required.