



STAFF REPORT ACTION REQUIRED

1925-1951 Yonge Street, 17-21 Millwood Road, and 22 Davisville Avenue - Official Plan Amendment and Zoning Amendment Applications - Preliminary Report

Date:	August 15, 2017
To:	Toronto and East York Community Council
From:	Director, Community Planning, Toronto and East York District
Wards:	Ward 22 – St. Paul's
Reference Number:	17-136251 STE 22 OZ

SUMMARY

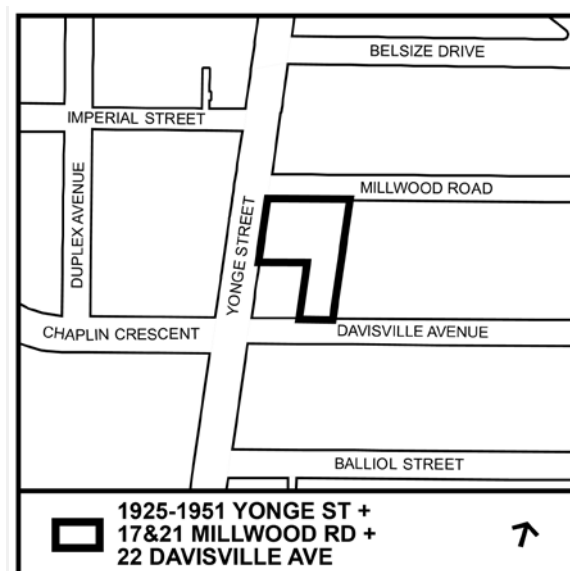
This application proposes a mixed-use development comprised of two towers linked by a base building. The north tower is 25 storeys, while the south tower is 34 storeys. The north and south towers have 9 and 3-storey base buildings, respectively.

The proposed development has 450 dwelling units, and 8,232 square metres of commercial space located on floors 1-3. A total of 268 parking spaces are proposed in a 4-level underground garage.

This report provides preliminary information on the application, identifies issues to be resolved, and seeks Community Council direction on further processing of the application and on the community consultation process.

The proposal constitutes overdevelopment of the subject site.

The proposed buildings do not fit within the planned context along Yonge Street nor meet the Healthy Neighbourhoods, Built Form and *Mixed Use Areas* policies of the Official Plan. Further, the proposed development does not adequately address the City's Tall Building



Design Guidelines, or the intent of those guidelines.

The proposal is not acceptable in its current form. The application is premature and should await the completion of the Midtown in Focus: Growth, Built Form and Infrastructure Review.

RECOMMENDATIONS

The City Planning Division recommends that:

1. Toronto and East York Community Council direct City Planning not to bring forward a Final Report until the completion of the Midtown in Focus: Growth, Built Form and Infrastructure Review.
2. Staff be directed to schedule a community consultation meeting for the lands at 1925-1951 Yonge Street, 17-21 Millwood Road, and 22 Davisville Avenue together with the Ward Councillor.
3. Notice for the community consultation meeting be given to landowners and residents within 120 metres of the site.
4. Notice for the public meeting under the Planning Act be given according to the regulations of the Planning Act.

Financial Impact

The recommendations in this report have no financial impact.

DECISION HISTORY

On August 25, 2014, City Council adopted Midtown in Focus- Parks, Open Space and Streetscape Plan for the Yonge-Eglinton Area ("Public Realm Plan").

<http://www1.toronto.ca/wps/portal/contentonly?vgnextoid=d421bf26585a2410VgnVCM10000071d60f89RCRD>

On June 10, 11, 12, 2015, City Council adopted Official Plan amendments to the Yonge-Eglinton Secondary Plan (OPA 289) that incorporate, among other matters, the urban design and public realm policies of the Midtown in Focus Public Realm Plan. As OPA 289 is under appeal to the Ontario Municipal Board (OMB), it is relevant but not determinative in terms of the Official Plan policy framework.

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2015.PG4.2>

On December 10, 2015, City Council adopted Official Plan Amendment No. 320. OPA 320 strengthens and refines the Healthy Neighbourhoods, *Neighbourhoods* and *Apartment Neighbourhoods* policies to support Council's goals to protect and enhance existing neighbourhoods and to allow limited infill on underutilized apartment sites in *Apartment Neighbourhoods*.

On July 4, 2016, the Minister of Municipal Affairs approved and modified OPA 320. OPA 320 has been appealed in its entirety to the OMB. OPA 320 as approved and modified by the Minister is relevant but not determinative in terms of the Official Plan policy framework.

On July 12, 2016 City Council adopted the recommendations in the report from the Chief Planner titled: "Midtown in Focus: Growth, Built Form and Infrastructure Review – Status Report". The recommendations direct staff to use the draft built form principles in the report in the review of the development applications in the Yonge-Eglinton Secondary Plan Area. Planning staff were also directed to use the emerging community infrastructure priorities that have been identified, as part of the development application review process.
<http://www.toronto.ca/legdocs/mmis/2016/pg/bgrd/backgroundfile-93903.pdf>

Pre-Application Consultation

A pre-application consultation meeting was held on December 12, 2016 with the applicant to discuss complete application submission requirements. Additional meetings with the applicant were held on January 10, May 18, and July 12, 2017. The applicant was informed that Planning staff have significant concerns with the height, density, setbacks and shadow impacts of the proposed development as well as issues regarding on-site parkland dedication.

ISSUE BACKGROUND

Proposal

This application proposes a mixed-use development comprised of two towers linked by a base building. The north tower is 25 storeys in height, while the south tower is 34 storeys. The north and south towers have 9 and 3-storey base buildings, respectively. An on-site park of 392 square metres is proposed at the northeast corner of the site.

The proposed development has 450 dwelling units, and 8,232 square metres of commercial space located on floors 1-3. The residential lobby of the north tower will be on Millwood Road, and of the south tower will be on Davisville Avenue. The commercial space on floors 2 and 3 will be accessed by a lobby on Yonge Street.

A total of 268 parking spaces are proposed in a 4-level underground garage on the site. The garage and loading spaces will be accessed from a driveway with ingress and egress on both Millwood Road and Davisville Avenue.

Refer to the chart below and Attachments 1, 2 and 6 of this report for further information.

Category	First Submission August 15, 2016
Site Area	4,399.72 square metres

Category	First Submission August 15, 2016
Building Height North Tower South Tower	24-storeys /86.8 metres (plus 3.0 metre mechanical penthouse) 34-storeys/113.8 metres (plus 4.0 metre mechanical penthouse)
Proposed Tower Setbacks North Tower Millwood Road Yonge Street East Property Line South Tower West Property Line East Property Line Davisville Avenue	3.0 metres 7.0 metres 23.2 metres 3.7 metres 5.5 metres 3.0 metres
Tower Separation	25.0 metres
Proposed Base Setback on Ground Floor Davisville Avenue East Property Line Yonge Street Millwood Road	1.2 metres 0.0 metres 2.46 metres 2.0 metres
Gross Floor Area Total Residential Non-Residential Total	39,710 square metres 8,232 square metres 47,942 square metres
Floor Space Index	10.9 (per By-law 569-2013)
Number of Units Studio 1 Bedroom 2 Bedroom 3 Bedroom Total	16 (4%) 185 (41%) 155 (34%) 94 (21%) 450
Proposed Vehicular Parking (residential:commercial)	(216:52) includes 2 car share spaces
Proposed Bicycle Parking	656
Loading Spaces Description	1 Type G space and 2 Type B space
Amenity Space Indoor Outdoor Total	903.4 square metres (900 required) 990.25 square metres (900 required) 1,893.65 square metres (1,800 required)

Site and Surrounding Area

The subject site is located on the east side of Yonge Street between Davisville Avenue and Millwood Road. The site is irregular in shape and 4,399 square metres in size, with 50 metres of frontage on Yonge Street, 26 metres on Davisville Avenue and 64 metres on Millwood Road. The site is mostly vacant with a surface parking lot and two vacant single detached dwellings, containing two units, at 17 and 21 Millwood Road.

The subject site does not include several commercial properties at 1909-1923 Yonge Street, located at the northeast corner of Yonge Street and Davisville Avenue. These properties are occupied by a series of one to two-storey mixed-use buildings. The building directly at the northeast corner of Yonge Street and Davisville Avenue (1909 Yonge Street), is a listed heritage building.

Surrounding the site:

East:

Davisville Junior Public School which is proposed to be demolished and replaced with a new 3-storey school on the south side of the school property along Davisville Avenue. A new City of Toronto aquatic centre is also proposed in the southwest corner of the school property. Along the west edge of the school site, a north-south midblock pedestrian connection is proposed. East of the school property is a low-rise residential *Neighbourhood*.

West:

A series of mixed-use office buildings of 5 to 9 storeys, and a 7-storey residential building, on the west side of Yonge Street. Further north along the west side of Yonge Street are a series of 2-3 storey mixed-use buildings and a new 10-storey mixed-use building at the southwest corner of Yonge Street and Glebe Road West. Further west is the TTC Yonge subway corridor.

North:

A series of 2-3 storey mixed-use buildings fronting on Yonge Street. The Site Plan application for a proposed 9-storey mixed-use building (1955-1985 Yonge Street, 3 Belsize Drive) has been referred to the OMB. Further north across Millwood Road and to the northeast is a low-rise residential *Neighbourhood*.

South:

On the south side of Davisville Avenue is a one-storey commercial building and a three-storey residential building. At the southeast corner of Yonge Street and Davisville Avenue is a 10-storey mixed-use office building. Commercial buildings ranging from 8 to 11 storeys front on the east side of Yonge Street further to the south. Southeast of the site is an *Apartment Neighbourhood* consisting of low and high-rise residential buildings. The apartment buildings between Davisville Avenue, Balliol Street, and Pailton Crescent range in height from 3 to 30 storeys. To the southwest of the subject site, on the west side of Yonge Street, is Davisville subway station and a 7-storey commercial building that is the administrative headquarters of the TTC.

Provincial Policy Statement and Provincial Plans

The Provincial Policy Statement (2014) provides policy direction Province wide on land use planning and development to promote strong communities, a strong economy, and a clean and healthy environment. It includes policies on key issues that affect communities, such as:

- The efficient and wise use and management of land and infrastructure over the long term in order to minimize impacts on air, water and other resources;
- Protection of the natural and built environment;
- Building strong, sustainable and resilient communities that enhance health and social well-being by ensuring opportunities exist locally for employment;
- Residential development promoting a mix of housing; recreation, parks and open space; and transportation choices that increase the use of active transportation and transit; and,
- Encouraging a sense of place in communities, by promoting well-designed built form and by conserving features that help define local character.

The City of Toronto uses the PPS to guide its official plan and to inform decisions on other planning and development matters. Policy 4.7 states that the Official Plan is the most important vehicle for implementing the PPS. The PPS is issued under Section 3 of the *Planning Act* and all decisions of Council affecting land use planning matters "shall be consistent with" the Provincial Policy Statement.

The Growth Plan for the Greater Golden Horseshoe (2017) provides a strategic framework for managing growth in the Greater Golden Horseshoe (GGH) region including:

- Setting minimum density targets within settlement areas and related policies directing municipalities to make more efficient use of land, resources and infrastructure to reduce sprawl, cultivate a culture of conservation and promote compact built form and better-designed communities with high quality built form and an attractive and vibrant public realm established through site design and urban design standards;
- Directing municipalities to engage in an integrated approach to infrastructure planning and investment optimization as part of the land use planning process;
- Building complete communities with a diverse range of housing options, public service facilities, recreation and green space that better connect transit to where people live and work;
- Retaining viable employment lands and encouraging municipalities to develop employment strategies to attract and retain jobs;
- Minimizing the negative impacts of climate change by undertaking stormwater management planning that assesses the impacts of extreme weather events and incorporates green infrastructure; and,
- Recognizing the importance of watershed planning for the protection of the quality and quantity of water and hydrologic features and areas.

The Growth Plan also requires the City to prioritize planning and investment in infrastructure and public facilities that will support intensification within delineated built up areas, and is explicit in its policy direction that "applying the policies of this Plan will support the achievement of complete communities..."

Like other provincial plans, the Growth Plan for the Greater Golden Horseshoe (2017) builds upon the policy foundation provided by the PPS and provides more specific land use planning policies to address issues facing the GGH region. The policies of the Growth Plan take precedence over the policies of the PPS to the extent of any conflict, except where relevant legislation provides otherwise. All decisions by Council affecting land use planning matters are required by the *Planning Act*, to conform, or not conflict, as the case may be, with the Growth Plan.

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

Official Plan

Chapter 2 – Shaping the City

Section 2.2.3 Avenues: Re-urbanizing Arterial Corridors

The site is identified within an *Avenue* on the Urban Structure Map (Map 2) of the City's Official Plan. *Avenues* are important corridors along major streets where reurbanization is anticipated. The Official Plan states that not all lands that fall within an *Avenue* are designated for growth. Where lands within an *Avenue* are designated as *Neighbourhoods*, the neighbourhood protection policies prevail. Reurbanization on the *Avenues* is intended to occur incrementally and after the preparation of *Avenue* studies for strategic mixed-use segments of the corridors. In the preparation of *Avenue* studies, local residents and stakeholders are to be engaged in determining appropriate community improvements, contextually appropriate zoning and built form performance standards.

Development may be permitted on an *Avenue* prior to an *Avenue* Study based on applicable policies of the Official Plan. Development prior to an *Avenue Study* has the potential to set a precedent for future development on an *Avenue*.

Proponents of such proposals must also address the larger context and examine the implications for the segment of the *Avenue* in which the proposed development is located. The segment study will include an assessment of the impacts of the incremental development, consider whether the development is supportable by available infrastructure and can be considered together with any amendment to the Official Plan or Zoning By-law.

Development requiring a rezoning will not be allowed to proceed prior to completion of an *Avenue* Study unless the *Avenue* segment review demonstrates to Council's satisfaction that subsequent development of the entire *Avenue* segment will have no adverse impacts. As part of the application, an *Avenue* segment study was submitted.

Through the Midtown in Focus: Growth, Built Form, and Infrastructure Review, the City is satisfying the Official Plan requirements for *Avenue* Studies for this portion of Yonge Street, as well as other street segments identified as *Avenues* within the Yonge-Eglinton Secondary Plan Area.

Section 2.3.1 Healthy Neighbourhoods

The Official Plan considers *Neighbourhoods* to be physically stable areas that are not designated for growth. The preamble to the Healthy Neighbourhoods policies states that "a cornerstone policy is to

ensure that new development in our neighbourhoods respects the existing physical character of the area, reinforcing the stability of the neighbourhood".

The Official Plan requires that developments in *Mixed Use Areas* adjacent to *Neighbourhoods* will:

- be compatible with those *Neighbourhoods*;
- provide a gradual transition of scale and density, as necessary to achieve the objectives of this Plan through the stepping down of buildings towards and setbacks from those *Neighbourhoods*;
- maintain adequate light and privacy for residents in those *Neighbourhoods*.

The Healthy Neighbourhoods policies require that "intensification of land adjacent to neighbourhoods will be carefully controlled so that neighbourhoods are protected from negative impact". It further states that "where significant intensification adjacent to a *Neighbourhood* or *Apartment Neighbourhood* is proposed, Council will determine, at the earliest point in the process, whether or not a Secondary Plan, area specific zoning by-law or area specific policy will be created in consultation with the local community following an *Avenue Study*, or area based study."

The ongoing Midtown in Focus: Growth, Built Form and Infrastructure Review will satisfy the Official Plan requirements for an area based study for this portion of the Yonge-Eglinton Secondary Plan area.

As part of the City's ongoing Official Plan Five Year Review, City Council adopted Official Plan Amendment No. 320 on December 10, 2015. OPA 320 strengthens and refines the Healthy Neighbourhoods, *Neighbourhoods* and *Apartment Neighbourhoods* policies to support Council's goals to protect and enhance existing neighbourhoods.

The Minister of Municipal Affairs approved and modified OPA 320 on July 4, 2016, OPA 320 and it has been appealed in its entirety. OPA 320 as approved and modified by the Minister is relevant but not determinative in terms of the Official Plan policy framework.

The revised Policy pursuant to OPA 320 in Section 2.3.1.3, Healthy Neighbourhoods, of the Official Plan states that development within *Mixed Use Areas* that is adjacent or close to *Neighbourhoods* will:

- a) be compatible with those *Neighbourhoods*;
- b) provide a gradual transition of scale and density, as necessary to achieve the objectives of this Plan through the stepping down of buildings towards and setbacks from those *Neighbourhoods*;
- c) maintain adequate light and privacy for residents in those *Neighbourhoods*;
- d) orient and screen lighting and amenity areas so as to minimize impacts on adjacent properties in those *Neighbourhoods*;

- e) locate and screen service areas and access to underground parking, locate any surface parking so as to minimize impacts on adjacent properties in those *Neighbourhoods*, and enclose service and access areas where distancing and screening do not sufficiently mitigate visual and noise impacts upon adjacent properties in those *Neighbourhoods*; and
- f) attenuate resulting traffic and parking impacts on adjacent neighbourhood streets so as not to significantly diminish the residential amenity of those *Neighbourhoods*.

OPA 320 as adopted by City Council is available on the City's website at:

<http://www.toronto.ca/legdocs/bylaws/2015/law1297.pdf>

Chapter 3 – Built Form

Section 3.1.2 Built Form

The Official Plan states that architects and developers have a civic responsibility to create buildings that not only meet the needs of their clients, tenants and customers, but also the needs of the people who live and work in the area who will encounter the building in their daily lives.

New development in Toronto will be located and organized to fit with its existing and/or planned context. It will do this by: generally locating buildings parallel to the street or along the edge of a park or open space, having a consistent front yard setback, acknowledging the prominence of corner sites, locating entrances so they are clearly visible and providing ground floor uses that have views into and access from streets. New development will also locate and organize vehicle parking and vehicular access to minimize their impacts on the public realm. Furthermore, new development will create appropriate transitions in scale to neighbouring existing and/or planned buildings, limit shadowing on streets, properties and open spaces and minimize any additional shadowing and uncomfortable wind conditions on neighbouring parks to preserve their utility.

New development will be massed to define the edges of streets, parks and open spaces to ensure adequate access to sky view for the proposed and future uses. New development will also provide public amenity, enhance the public realm through streetscape improvements and ensure that significant new multi-unit residential development provides indoor and outdoor amenity space for its residents.

Section 3.1.3 Built Form – Tall Buildings

The application proposes two tall buildings on the subject site. Policy 3.1.3 states that tall buildings come with larger civic responsibilities than buildings of a smaller scale. In addition to specific built form characteristics, the policy states that proposals for tall buildings should clearly demonstrate how they relate to the existing and planned context, take into account their relationship with the topography and other tall buildings and how they meet the other objectives of the Official Plan.

Chapter 4 – Land Use Designations

The subject site is designated *Mixed Use Areas* and *Neighbourhoods* in the Official Plan.

Section 4.5 Mixed Use Areas

The properties at 1925-1951 Yonge Street and 22 Davisville Avenue are designated *Mixed Use Areas* on Map 17 - Land Use Plan of the City's Official Plan (see Attachment 4). The *Mixed Use Areas* designation permits a broad range of commercial, residential and institutional uses, in single or mixed use buildings, as well as parks and open spaces. *Mixed Use Areas* will absorb most of the anticipated increase in retail, office and service employment in the coming decades and provide much of the new housing.

Development proposals in *Mixed Use Areas* are evaluated to ensure they:

- provide a transition between areas of different development intensity and scale through means such as providing appropriate setbacks and/or stepping down of height, particularly toward lower scale *Neighbourhoods*;
- locate and mass buildings so as to adequately limit shadow impacts on adjacent *Neighbourhoods*, particularly during the spring and fall equinoxes;
- locate and mass new buildings to frame the edges of streets and parks with good proportion and maintain sunlight and comfortable wind conditions for pedestrians on adjacent streets, parks and open spaces;
- provide an attractive and safe pedestrian environment;
- have access to schools, parks, community centres, libraries and childcare;
- take advantage of nearby transit services;
- locate and screen service areas, ramps and garbage storage to minimize the impact on adjacent streets and residences; and
- provide indoor and outdoor recreation space for building residents.

Section 4.1 Neighbourhoods

The northeast portion of the site (17-22 Millwood Road) is designated *Neighbourhoods* in the in force Official Plan (see Attachment No. 7). *Neighbourhoods* are considered to be physically stable areas made up of residential uses in lower scale buildings. No buildings larger than four storeys are permitted in a *Neighbourhood*. The in force *Neighbourhood* policies require that new development "will respect and reinforce the existing physical character of the neighbourhood, including in particular:

- a. patterns of streets, blocks and lanes, parks and public building sites;
- b. size and configuration of lots;
- c. heights, massing, scale and dwelling type of nearby residential properties;
- d. prevailing building type(s);
- e. setbacks of buildings from the street or streets;
- f. prevailing patterns of rear and side yard setbacks and landscaped open spaces;
- g. continuation of special landscape or built-form features that contribute to the unique physical character of the neighbourhood; and
- h. conservation of heritage buildings, structures and landscapes."

Where a more intense form of development than the prevailing building type has been approved, it will not be considered as a precedent when reviewing new applications. Small-scale retail, service and office uses are permitted on properties in *Neighbourhoods* that front onto major streets or that legally contained such uses prior to the approval of the Official Plan. New small scale retail, service and office uses may be permitted through re-zoning where it can be demonstrated that there will be no adverse impacts.

OPA 320 strengthens and refines the *Neighbourhoods* policies to support Council's goals to protect and enhance existing neighbourhoods. The revised *Neighbourhoods* policies provide clearer direction for delineating the neighbourhood and its existing physical character.

Yonge-Eglinton Secondary Plan

The proposed development is located in the Yonge-Eglinton Secondary Plan Area. A primary objective of the Yonge-Eglinton Secondary Plan is to maintain and reinforce the stability of *Neighbourhoods* and to minimize conflicts among *Mixed Use Areas*, *Apartment Neighbourhoods*, *Neighbourhoods* and *Parks and Open Space Areas* in terms of land use, scale and vehicular movement. The Secondary Plan also requires a full range of housing options (form, tenure) suitable for family and other households in that manner that is: "contextually appropriate and compatible with existing residential uses and residential built form".

New development in the Yonge-Eglinton Secondary Plan Area will protect the scale of development in *Neighbourhoods* while minimizing impacts (shadowing, overlook, loss of skyview) on lower scale built form in *Neighbourhoods*. New development will transition in height and scale from developments in *Mixed Use Areas* and *Apartment Neighbourhoods* to *Neighbourhoods*, particularly when higher density designations abut a *Neighbourhood*. Commercial development will be strengthened within existing commercial areas by encouraging pedestrian oriented street-related retail and service uses to locate within established shopping areas.

The Yonge-Eglinton Secondary Plan identifies key *Mixed Use Areas* containing a mix of retail, service commercial, office, and residential uses. The Plan states that the highest densities will be located in *Mixed Use Area 'A'*, with developments of a lesser scale that are contextually appropriate will be located in *Mixed Use Areas 'B', 'C', and 'D'*.

The subject site is located to the north and outside of *Mixed Use Area 'D'*. *Mixed Use Areas 'D'* is regarded as a commercial focal point for the southern portion of the Yonge-Eglinton Secondary Plan area centred on the Yonge-Davisville subway station. The area is intended to develop primarily as a commercial area, within which residential and institutional uses are permitted.

Higher density development is permitted in *Apartment Neighbourhoods* with nearby subway station access. Reduced parking requirements are permitted in the Yonge-Eglinton Secondary Plan area where it can be demonstrated that projected travel can be accommodated by means other than the automobile. Bicycle linkages, facilities and new pedestrian connections will also be encouraged.

New development will promote architectural excellence while also providing for improvements in the public realm. New, flexible, community services facilities and social infrastructure will be provided in a timely manner in the Yonge-Eglinton Secondary Plan Area. New parks and open spaces will be secured in the Yonge-Eglinton Secondary Plan Area along with improvements to the existing parks and open spaces as well as the public realm.

Development within the Yonge-Eglinton Secondary Plan Area will satisfy the requirement of the Growth Plan for the Greater Golden Horseshoe, transition down in height from Yonge Street and Eglinton Avenue east towards Mount Pleasant Avenue, be compatible with the character of existing *Neighbourhoods* and maintain a high quality of residential amenity. Investment in public transit infrastructure will be a priority in the Yonge-Eglinton *Centre*.

Midtown in Focus: Parks, Open Space and Streetscape Plan and OPA 289

On August 25, 2014, City Council adopted the Midtown in Focus – the Parks, Open Space and Streetscape Plan ("Public Realm Plan") for the Yonge-Eglinton area.

<http://www1.toronto.ca/wps/portal/contentonly?vgnextoid=d421bf26585a2410VgnVCM10000071d60f89RCRD>

The Midtown in Focus Public Realm Plan is a framework for improvements within the Yonge-Eglinton area to the network of parks, open spaces, streets and public buildings to create an attractive, safe, and comfortable network of public spaces. The Public Realm Plan recognizes that the study area has a distinct quality and character, consisting of a vibrant mixed use community with an open and green landscaped character. The Plan also has five Place-Making Moves that, together with other streetscape improvements and the enhancement and expansion of parkland in the area, will form a thriving system of parks, open spaces and streets. The Midtown in Focus Public Realm Plan supports the public realm policies of the Official Plan as well as the Yonge-Eglinton Secondary Plan.

On June 10, 11, 12, 2015, City Council adopted Official Plan amendments to the Yonge Eglinton Secondary Plan (OPA 289) that incorporate, among other matters, the urban design and public realm policies of the Midtown in Focus Public Realm Plan. The proposed Secondary Plan amendments are currently under appeal at the OMB.

OPA 289 is relevant but not determinative in terms of the Official Plan policy framework. It represents the latest planning direction of City Council and of City Planning and is part of the emerging policy context.

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2015.PG4.2>

OPA 289 outlines a comprehensive public realm strategy and a system of improvements that will be implemented as part of any new development in the Yonge-Eglinton Secondary Plan Area. Section 2.16 requires that improvements be made to both the private and public realm as part of any new development including: enhancements to streetscapes and the provision of wider sidewalks and the establishment of multi-purpose promenades. Another objective of OPA 289 is to maintain and enhance the open, green, landscaped character of the area, improve and expand the network of parks, open spaces and streetscapes and create a high-quality public realm to ensure the continued vitality and quality of life in the area.

Midtown in Focus: Growth, Built Form and Infrastructure Review

The City Planning Division is leading an inter-divisional review of growth, built form and infrastructure issues in the Yonge-Eglinton Secondary Plan Area that builds on the Midtown in Focus Public Realm Plan. The Review is a response to the rapid intensification and change underway in parts of the Yonge-Eglinton Secondary Plan Area. The objective of the Review is to ensure that growth positively contributes to Midtown's continued livability and vitality by establishing a clear and up-to-date planning framework and ensuring that local transportation, municipal servicing and community infrastructure keeps pace with development.

The Review began in late 2015, based on City Council's direction, and includes the following activities:

- **Growth Analysis**, including development of near, medium and long term growth estimates to inform the infrastructure assessments;
- A **Built Form Study** to document area character and development trends, develop built form principles and a built form vision, undertake built form testing, visualize a future built form concept and identify policy directions to better guide the area's evolution;
- A **Cultural Heritage Resource Assessment** to document the area's archaeological and development history, identify properties of cultural heritage value or interest for listings and designations and identify additional recommendations for conservation and further study;
- A **Community Services and Facilities Study** to inventory existing services and facilities, assess needs and opportunities in the context of future growth and demographic change and outline an implementation strategy for priority community infrastructure projects; and
- **Transportation and Municipal Servicing Assessments** to document the performance and capacity of existing transportation and municipal servicing infrastructure, evaluate priority areas and identify potential capital upgrades required to support continued growth in the Secondary Plan Area.
- An area-wide **Parks Plan** and **public realm strategy for the Davisville area** to complement the 2014 Public Realm Plan for lands in and around the Yonge-Eglinton Centre.

City staff anticipates reporting to City Council in late 2017 with a Proposals Report that identifies proposed policy amendments that will result in an updated Yonge-Eglinton Secondary Plan as well as other emerging directions related to the infrastructure assessments and strategies.

On July 12, 2016, City Council adopted the recommendations in the report from the Chief Planner titled: "Midtown in Focus: Growth, Built Form and Infrastructure Review – Status Report". The report provided Council with an update on the overall progress of the study, and included recommended draft built form principles as well as draft character area structure that organizes subareas of Midtown according to common physical attributes, development histories and policy directions. The recommendations adopted by Council direct staff to:

- Consider and review applications within the context of the on-going review;
- Consider the draft built form principles contained in the report in the review of the development applications in the Yonge-Eglinton Secondary Plan Area. The recommendation also directed staff to continue to refine the principles in consultation with landowners and the community; and
- Identify opportunities on City-owned lands for new community infrastructure and secure community infrastructure space, as appropriate, as part of the development application review process.

In the draft character area structure of the Review, the subject site spans two character areas: the Davisville Station Core, part of a hierarchy of four mixed-use core areas centred around existing and under-construction transit stations; and, the Yonge Street South Village, one of six historic main street villages characterised by sunny, walkable streetscapes, consistent with low-scaled streetwalls and a vibrant, finely-grained mix of retail, commercial and residential uses.

The draft built form principles of the Review, endorsed by City Council, are organized in four categories: Area Structure, Public Realm and Open Space, Walkability and Comfort, and Heritage and Landmarks. The principles that specifically apply to the review of this application include:

Area Structure

- Organize growth to achieve a hierarchy of intensity of use, building heights, densities and scale tied to proximity of rapid transit service, with greatest heights and densities located at the Yonge-Eglinton Crossroads where two rapid transit lines intersect.
- Maintain and reinforce the stability of low-rise neighbourhoods through the use of different approaches to transition in growth areas that reflect prevailing character and minimize shadow and privacy impacts.

Public Realm and Open Space

- Support active street life and informal surveillance by ensuring the built form frames and animates streets, parks, squares and open spaces with active uses at grade.

Walkability and Comfort

- Locate, design and mass buildings to preserve sky view, allow daylight and sunlight to penetrate to the street and lower building levels and ensure good wind conditions in all seasons, with enhanced standards along the Midtown Villages, Park Street Loop, Eglinton Green Line, major pedestrian routes and parks and open spaces;
- Create a human-scaled public realm where buildings define and support streetscapes; and

- Ensure fine-grained pedestrian circulation between and through sites and blocks through the placement and orientation of buildings.

Heritage and Landmarks

- Reinforce the scale, character, form and setting of heritage resources and heritage conservation districts through sensitive massing and placement of new buildings to lend prominence to these resources as symbols of the area's rich history.
- Frame, conserve and accentuate views to key heritage resources, landmarks and other important sites through the massing and articulation of development.

Zoning

The properties at 1925-1951 Yonge Street are zoned MCR T3.0 C2.0 R2.5 in former City of Toronto Zoning By-law 438-86. The zoning permits a mix of residential and non-residential uses in a building with a maximum density of 3.0 times the area of the lot, and a maximum height of 16 metres. The zoning requires a minimum rear yard setback of 7.5 metres and a rear 45 degree angular plane.

The properties at 17-21 Millwood Road are zoned R(d.06)(x931) in Zoning By-law 569-2013. The zoning permits residential units in a range of buildings including detached and semi-detached dwellings, townhouses, duplex, triplex, and fourplex. The maximum permitted density for this portion of the site is 0.6 times the area of the lot, and the maximum permitted height is 9 metres.

The property at 22 Davisville Avenue is zoned CR 3.0 (c2.0; r2.5)SS2(x2424) in Zoning By-law 569-2013. The zoning permits a mix of residential and non-residential uses in a building with a maximum density of 3.0 times the area of the lot and a maximum height of 16 metres. The zoning requires a minimum rear yard setback of 7.5 metres.

See Attachment 3 for Zoning map.

Site Plan Control

The proposed development is subject to site plan control. A site plan control application has not been submitted but will be required.

Tall Building Design Guidelines

In May 2013, City Council adopted the updated city-wide Tall Building Design Guidelines and directed City Planning staff to use them in the evaluation of tall building development applications. The Guidelines establish a unified set of performance measures for the evaluation of tall building proposals to ensure they fit within their context and minimize their local impacts. The Guidelines are available at <http://www.toronto.ca/planning/tallbuildingdesign.htm>

Reasons for the Application

An Official Plan Amendment application is required to re-designate the northeast portion of the subject site from *Neighbourhoods* to *Mixed Use Areas*, as the proposed development does not conform to the Official Plan policies for development within a *Neighbourhood*. An application to amend the Zoning

By-law is also required to allow the proposed uses and to accommodate the proposed height, density, and setbacks.

COMMENTS

Application Submission

The following reports/studies were submitted with the application:

- Planning and Urban Design Rationale Report;
- Heritage Impact Statement;
- Community Services and Facilities Report;
- Computer Generated Building Mass Model;
- Public Consultation Strategy;
- Qualitative Pedestrian-Level Wind Assessment;
- Shadow Study;
- Arborist Report;
- Archaeological Assessment;
- Traffic Impact, Parking and Loading Study;
- Geotechnical Investigation and Engineering Design Report;
- Hydrogeological Investigation Report;
- Functional Servicing and Stormwater Management Report;
- Green Development Standards Checklist and Statistics;
- Energy Strategy Report; and
- Toronto Green Standards Checklist.

A Notification of Complete Application was issued on May 19, 2017.

Issues to be Resolved

Prematurity of the Application

New and proposed development in the Yonge-Eglinton area is occurring at a rate, scale and intensity that exceeds the City's projections made in the previous decade, and is not currently directed in sufficient detail by the City's existing local planning framework or the provincial Growth Plan. The updated policies and infrastructure strategies resulting from Midtown in Focus Review will address and provide more direction in the Yonge-Eglinton Secondary Plan for this unprecedented development pressure.

The Midtown in Focus Review has involved extensive consultation and detailed analysis of existing conditions, area character, development trends, infrastructure capacity and more to establish a clear and up-to-date planning framework for the Yonge-Eglinton area. This framework will include a built form vision and principles for entire the Secondary Plan area as well as for specific character areas, and identify a structure plan to inform and shape decisions on land use, density and heights of buildings, and provide enhanced direction for transition between areas. In addition, the plan will provide detailed direction in terms of priorities for parkland improvement and expansion, public realm improvements and community, transportation and servicing infrastructure.

The Healthy Neighbourhoods policies of the in force Official Plan state that "where significant intensification adjacent to a *Neighbourhood* or *Apartment Neighbourhood* is proposed, Council will determine, at the earliest point in the process, whether or not a Secondary Plan, area specific zoning by-law or area specific policy will be created in consultation with the local community following an *Avenue Study*, or area based study."

The City is undertaking a review of the Yonge-Eglinton Secondary Plan Area since any changes to the planned context of the area are best addressed comprehensively, rather than on a site-specific basis. City Planning is planning to report in the fourth quarter of 2017 to City Council on the draft amendments to the Yonge-Eglinton Secondary Plan, as well as updates on ongoing infrastructure studies.

As the Midtown in Focus Review addresses the area character, urban structure, land use, built form and other matters affecting the potential redevelopment of the subject site, and given the significant intensification proposed by the application well beyond permissions in the existing planning framework and adjacent to a *Neighbourhood*, Staff are not in a position to report on the application until the Review has been sufficiently advanced.

Avenue Study

The applicant's Avenue segment study contains assumptions not supported by City Planning staff, or the emerging directions of the Midtown in Focus Review. The submitted Avenue segment study is inconsistent in its methodology, including the application of parameters used to determine the appropriate building typology for the various soft sites that it identifies. The Avenue Segment Study is also inconsistent in the application of angular planes and setbacks, with insufficient explanation provided.

The *Avenue* segment study submitted by the applicant is not satisfactory, and subsequent development of the *Avenue* segment as it proposes will have negative impacts on the character of this portion of Yonge Street and the surrounding area.

Land Use

The northeast portion of the subject site is currently designated *Neighbourhoods* in the Official Plan, where tall buildings are not permitted. The applicant has filed an Official Plan Amendment application to re-designate that portion of the subject site to *Mixed Use Areas*, to permit a greater scale of development and broader range of commercial uses.

The proposed re-designation to *Mixed Use Areas* requires further review by City Planning staff due the potential impact on the adjacent *Neighbourhood*. The unnecessary expansion of *Mixed Use Areas* negatively impacts the stability of *Neighbourhoods*. The proposed redesignation could establish a precedent in other areas of the *Avenue* and broader city and, in particular, utilizing and redesignating lands designated as *Neighbourhoods* to satisfy appropriate transition in built form is contrary to the Official Plan.

The Official Plan requires that rezoning applications on an *Avenue* (such as this portion of Yonge Street) are required to submit an *Avenue* segment study when a development: "in a *Mixed Use Areas* on

Avenues, prior to an Avenue Study, has the potential to set a precedent for the form and scale of reurbanization along the *Avenue*." The segment study will address: "the larger context and examine the implications for the segment of the *Avenue* in which the proposed development is located."

Any changes to the planned context of the area are best addressed comprehensively through the Midtown in Focus Review and in accordance with in-force Official Plan policy respecting *Avenues*, rather than on a site-specific basis prior to the completion of the Review.

Height, Massing, and Transition

The Built Form policies in section 3.1.2 of the Official Plan require that "new development will be massed and its exterior façade will be designed to fit harmoniously into its existing and/or planned context". The Built Form and *Mixed Use Areas* policies require that new buildings frame the edge of streets with good proportion.

The Healthy Neighbourhoods policies of the Official Plan require that development adjacent to *Neighbourhoods* will provide a gradual transition of scale and density through stepping down of buildings and setbacks from those *Neighbourhoods*. The Built Form policies require that new development create appropriate transitions in scale to neighbouring existing and planned buildings.

Mixed Use Areas policy 4.5.2(c) further states that new development is to locate and mass new buildings to provide transition between areas of different development intensity and scale, through means such as setbacks, and stepping down of heights, particularly towards lower-scale *Neighbourhoods*.

A primary objective of the in force Yonge-Eglinton Secondary Plan is to maintain and reinforce the stability of *Neighbourhoods* and to minimize conflicts among *Mixed Use Areas*, *Apartment Neighbourhoods*, *Neighbourhoods* and *Parks and Open Space Areas* in terms of land use, scale and vehicular movement.

The proposed development, consisting of two towers of 25 and 34-storeys in height, does not respond appropriately to, and does not fit harmoniously into, the planned context along this segment of Yonge Street. The planned context set out in the policies of the in force Official Plan does not support the proposed increase in height. The approved and existing buildings to the north and south of the subject site within this segment of the *Avenue* are 9 storeys and 10 storeys, respectively. The Midtown in Focus Review will provide further direction regarding the planned context for this portion of Yonge Street as discussed earlier in this report.

The proposed 34-storey tower will be set back 5.5 metres, with its base building set back 0.0 metres, from the east property line bounding the adjacent Davisville Junior Public School site. The proposed development does not provide adequate transition and setbacks to the adjacent *Neighbourhood* and Davisville Junior Public School.

Under the Tall Building Design Guidelines, the proposed 34-storey south tower has inadequate setbacks. The tower is set back only 5.5 metres from the east and 3.7 metres from the west

property lines, whereas the Tall Building Design Guidelines recommend a minimum setback of 12.5 metres.

The proposed building does not comply with the Healthy Neighbourhoods, Built Form, or *Mixed Use Areas* policies of the Official Plan and does not adequately address the City's Tall Building Design Guidelines, or the intent of those guidelines.

Sun/Shadow

The Built Form policies require new development to adequately limit any resulting shadowing of neighbouring streets, properties, and open spaces. The *Mixed Use Areas* policies require that new buildings are massed to adequately limit shadow impacts on adjacent *Neighbourhoods*.

The proposed buildings would cast significant afternoon shadows, during the spring and fall equinox, on the adjacent *Neighbourhood*. In particular, the proposed development would significantly reduce the amount of afternoon sunlight on the adjacent Davisville Junior Public School and its outdoor play area.

Given that the subject site is in an area that is in the lowest quintile of parkland provision in the City, access to sunlight on adjacent open spaces, particularly in the *Neighbourhoods*, should be protected. The proposed building does not meet the Built Form or *Mixed Use Areas* policies of the Official Plan.

Other Issues:

The application has been circulated to City divisions and public agencies for comment. Additional preliminary issues to be addressed include the following:

- consistency with the Midtown in Focus Public Realm Plan and OPA 289;
- consistency with the Provincial Policy Statement and conformity with the Growth Plan;
- consistency with the draft built form principles of the Midtown in Focus: Growth, Built Form and Infrastructure Review;
- consistency with other provisions of the Tall Building Design Guidelines;
- overall height and density of the proposal and the height of the base building;
- appropriateness of the proposed base building setbacks on Davisville Avenue, Millwood Road, the east property line, and to the adjacent buildings on Yonge Street;
- provision of on-site parkland dedication, or alternatively, off-site parkland dedication within 500 metres of the site;
- shadow impacts resulting from the proposed development;
- adequacy of vehicular parking supply;
- adequacy of loading spaces;
- appropriateness of driveways and impacts on adjacent uses;
- sufficient infrastructure capacity, specifically water, sanitary, and storm water capacity;
- north-south midblock pedestrian connection on the east side of the site;
- impact on Davisville Junior Public School and the future aquatic centre; and
- impact on adjacent heritage buildings.

Additional issues may be identified through the review of the application, agency comments and the community consultation process.

Conclusion

The proposal constitutes overdevelopment of the subject site. The proposed building does not fit within the planned context along Yonge Street and does not meet the Healthy Neighbourhoods, Built Form and *Mixed Use Areas* policies of the Official Plan. Further, the proposed development does not adequately address the City's Tall Building Design Guidelines, or the intent of those guidelines.

The proposal is not acceptable in its current form. The application is premature prior to completion of the Midtown in Focus: Growth, Built Form and Infrastructure Review of the Yonge-Eglinton Secondary Plan.

CONTACT

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Fax No. 416-392-1330
E-mail: david.driedger@toronto.ca

SIGNATURE

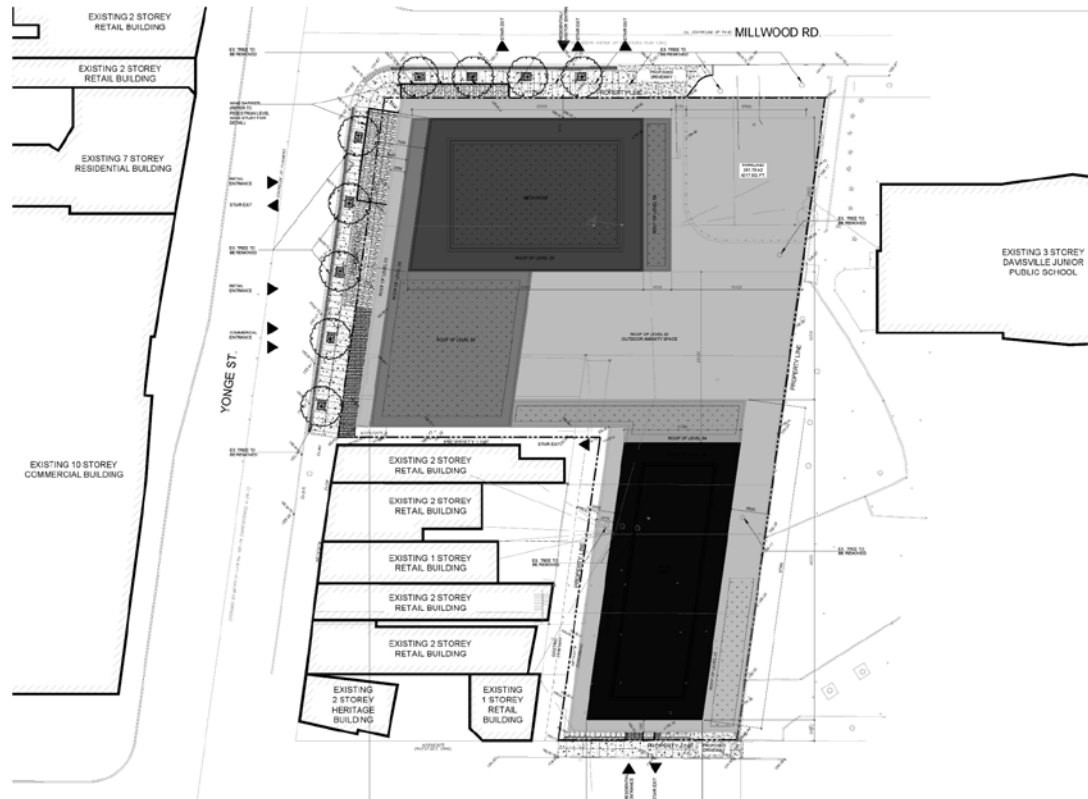
Gregg Lintern, MCIP, RPP
Director, Community Planning
Toronto and East York District

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ATTACHMENTS

Attachment 1: Site Plan
Attachment 2: Elevations
Attachment 3: Zoning
Attachment 4: Official Plan
Attachment 5: Yonge-Eglinton Secondary Plan
Attachment 6: Application Data Sheet

Attachment 1: Site Plan



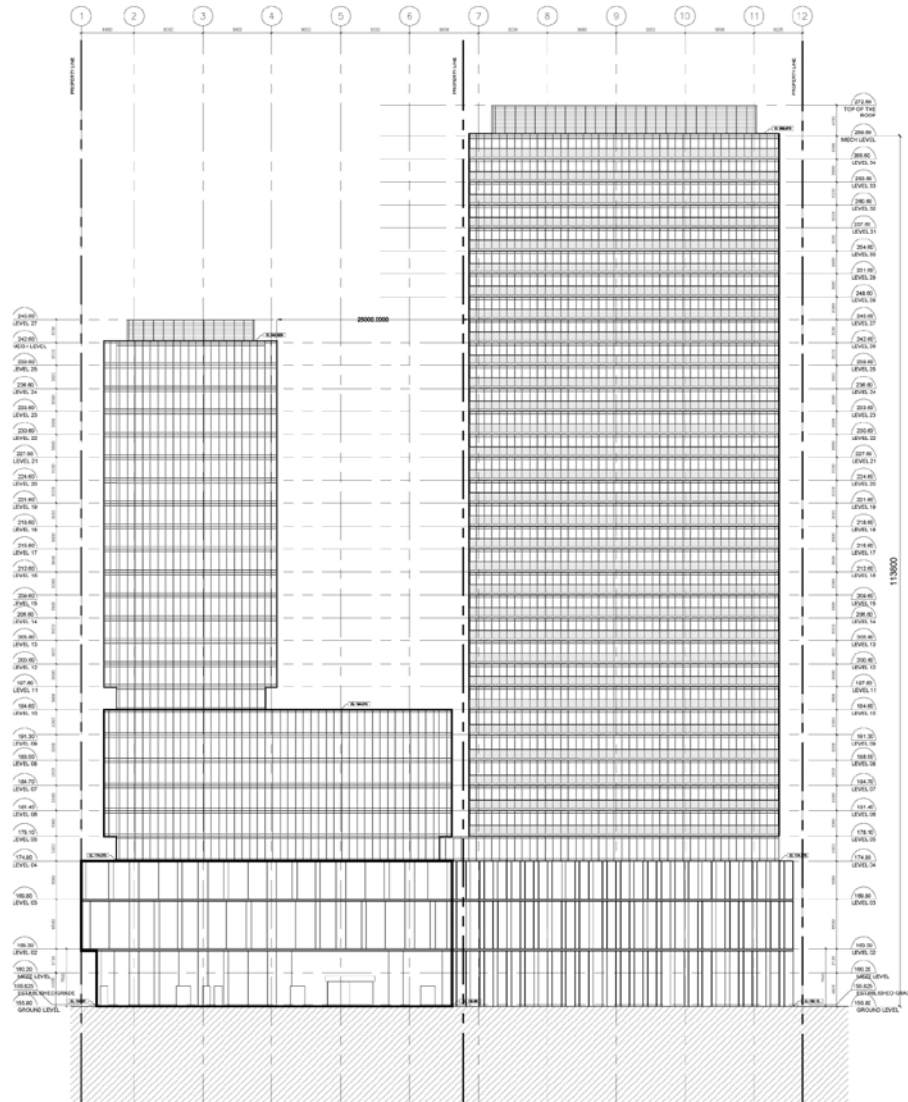
Site Plan **1925-1951 Yonge St + 17&21 Millwood Rd + 22 Davisville Ave**

Applicant's Submitted Drawing

Not to Scale 
07/21/2017

File # 17 136251 STE 22 0Z

Attachment 2: Elevations

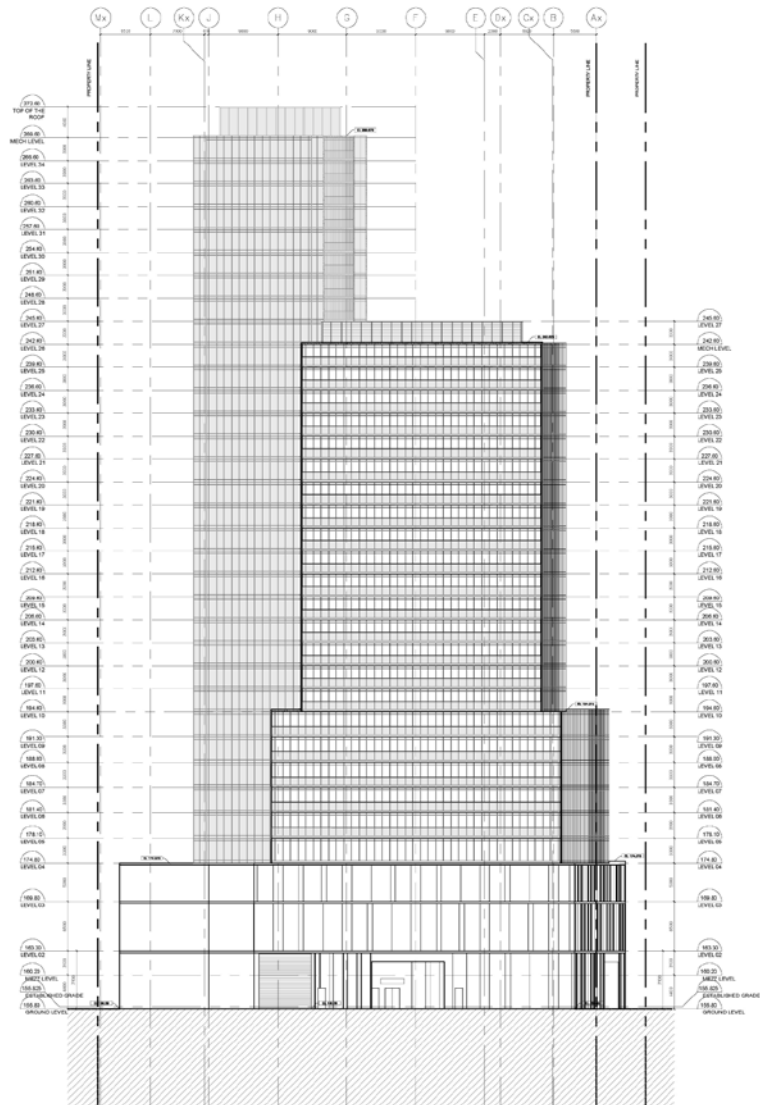


West Elevation

Elevations **1925-1951 Yonge St + 17&21 Millwood Rd + 22 Davisville Ave**
Applicant's Submitted Drawing

Not to Scale
07/21/2017

File # 17 136251 STE 22 02



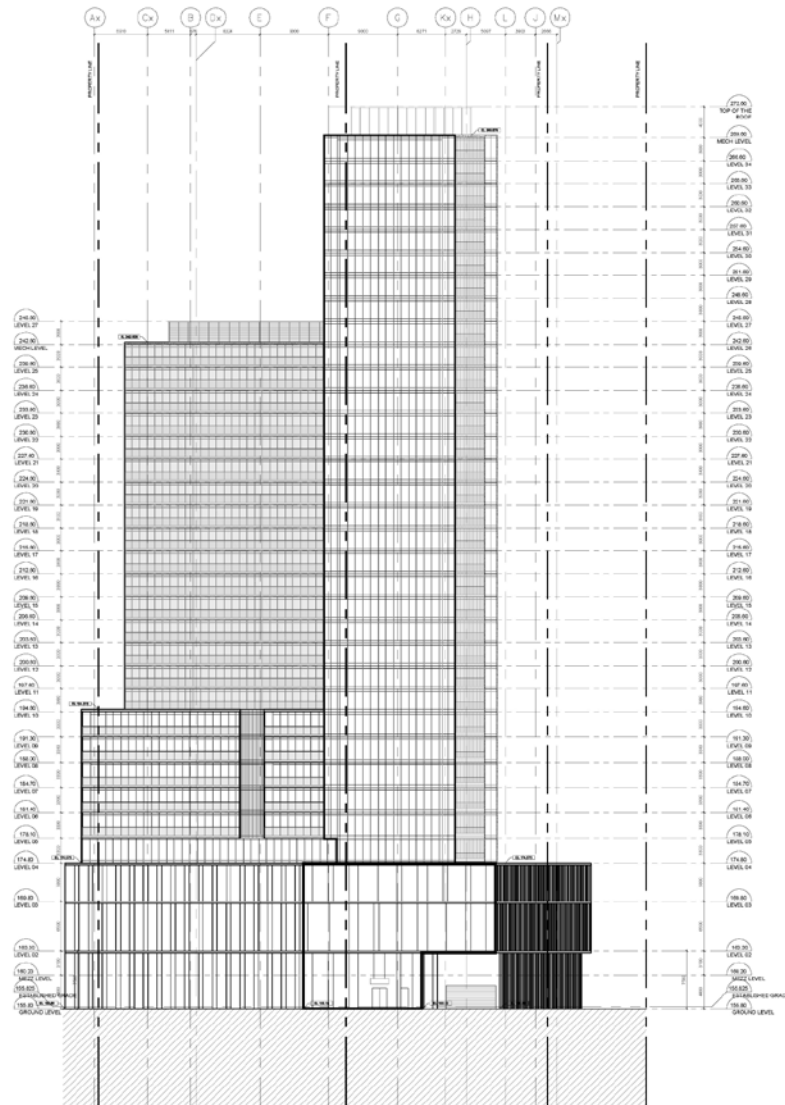
North Elevation

Elevations 1925-1951 Yonge St + 17&21 Millwood Rd + 22 Davisville Ave

Applicant's Submitted Drawing

Not to Scale
07/21/2017

File # 17 136251 STE 22 0Z

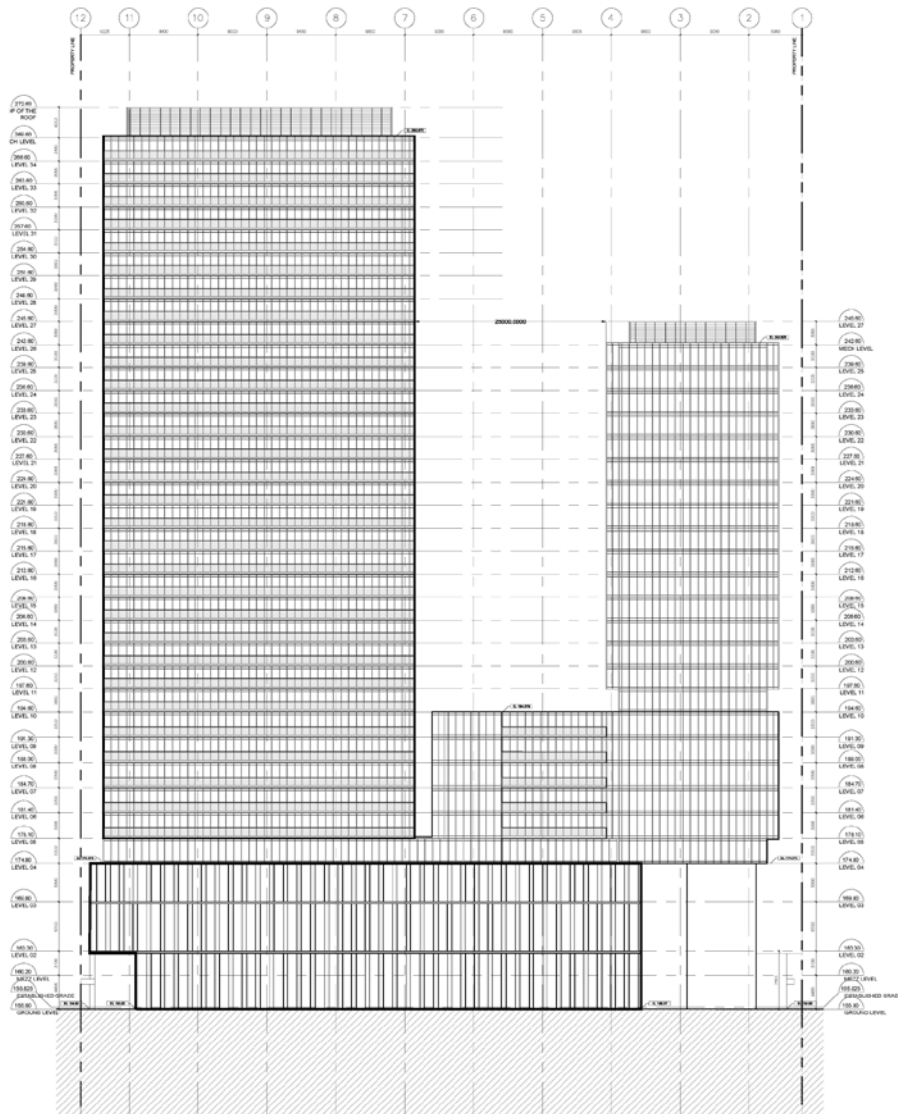


South Elevation

Elevations 1925-1951 Yonge St + 17&21 Millwood Rd + 22 Davisville Ave
Applicant's Submitted Drawing

Not to Scale
 07/21/2017

File # 17 136251 STE 22 02



East Elevation

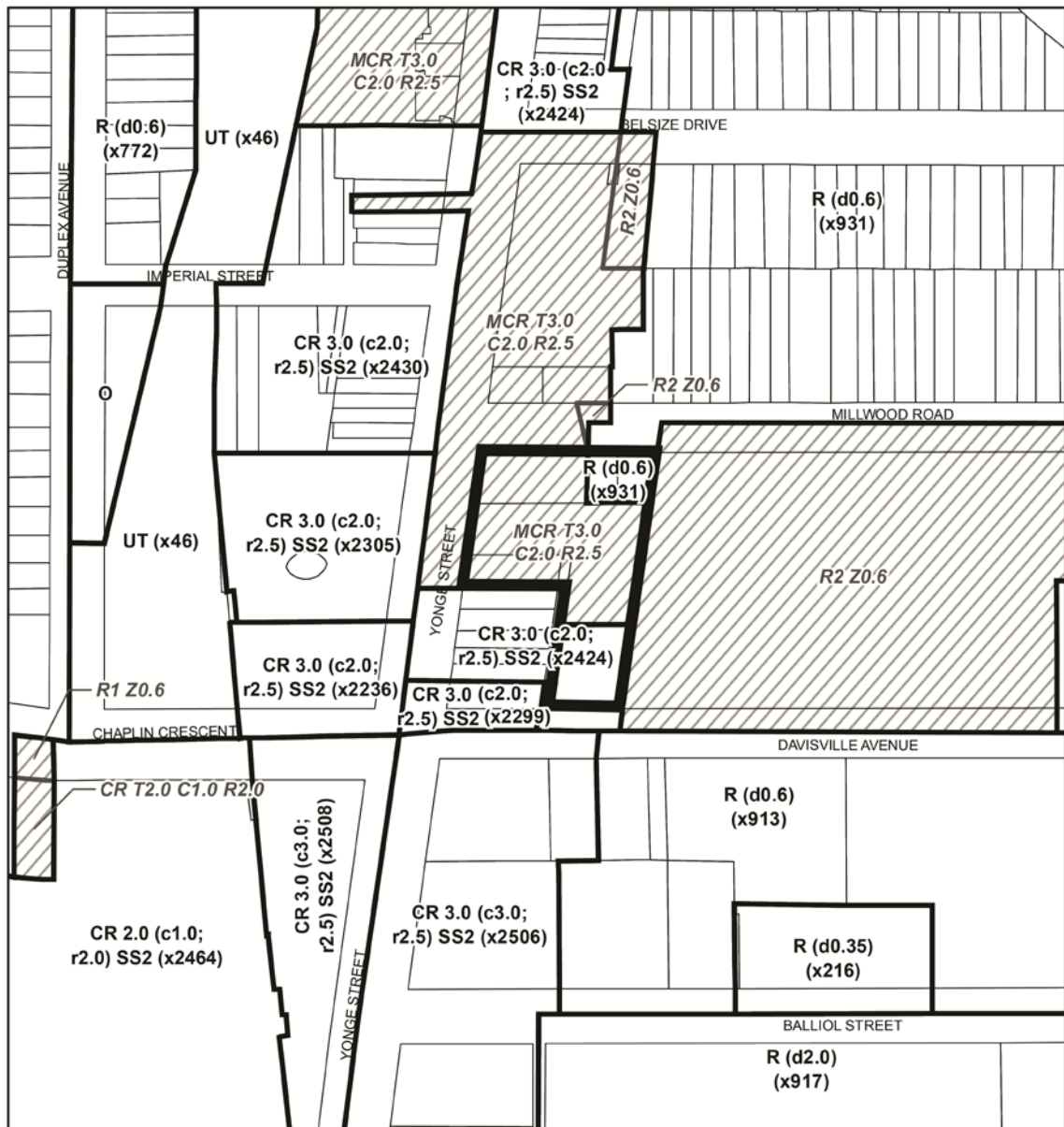
Elevations 1925-1951 Yonge St + 17&21 Millwood Rd + 22 Davisville Ave

Applicant's Submitted Drawing

Not to Scale
07/21/2017

File # 17 136251 STE 22 OZ

Attachment 3: Zoning



1925-1951 Yonge St + 17&21 Millwood Rd + 22 Davisville Ave
Zoning By-Law No. 569-2013

File # 17 136251 STE 22 0Z



Location of Application

R
RD

Residential
Residential Detached

CR
O
UT

Commercial Residential
Open Space
Utility and Transportation



See Former City of Toronto By-Law No. 438-86

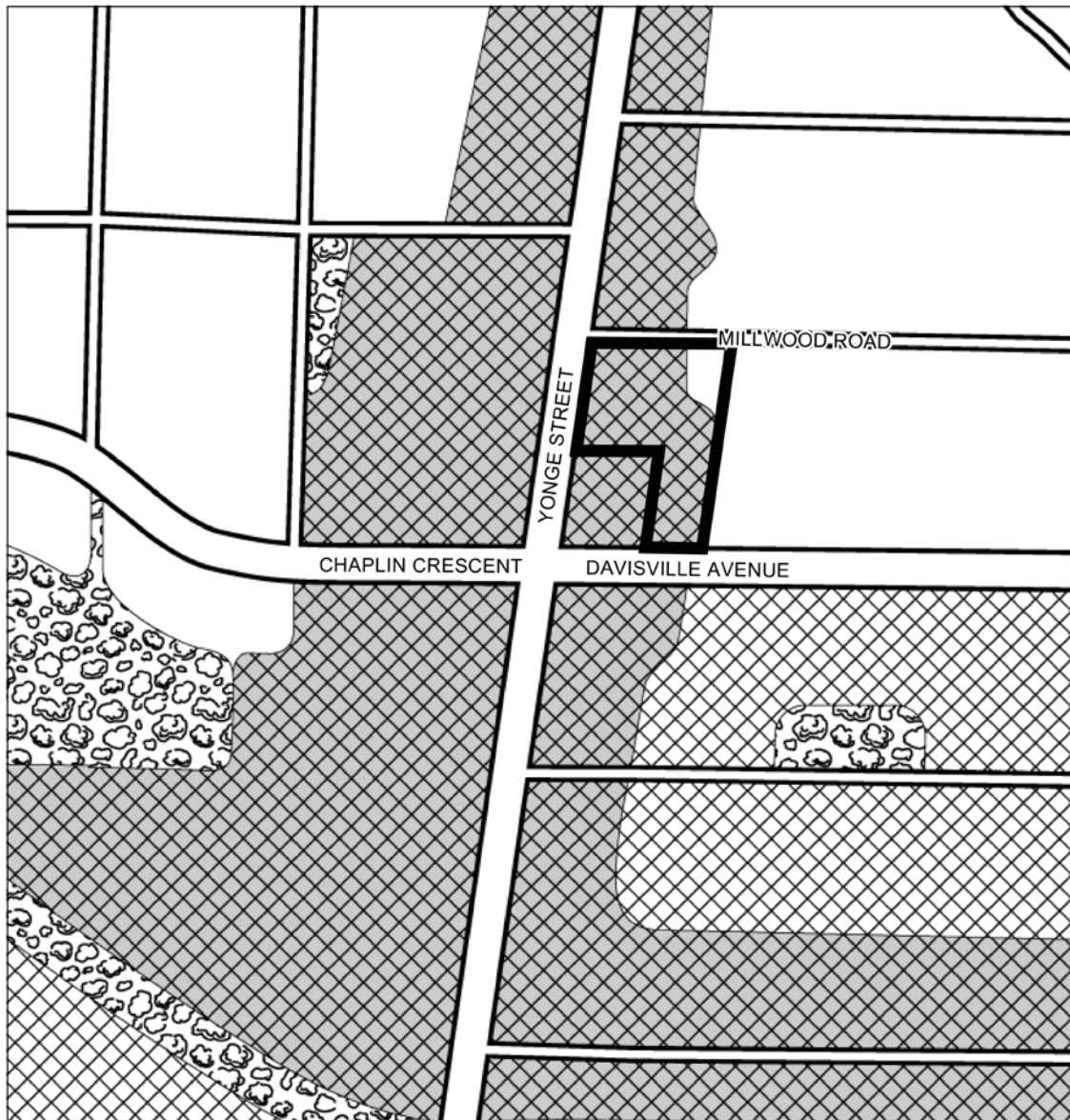
R1
R2
CR
MCR

Residential District
Residential District
Mixed-Use District
Mixed-Use District









Not to Scale
Extracted: 08/10/2017

Attachment 4: Official Plan



Toronto City Planning
Extract from Official Plan

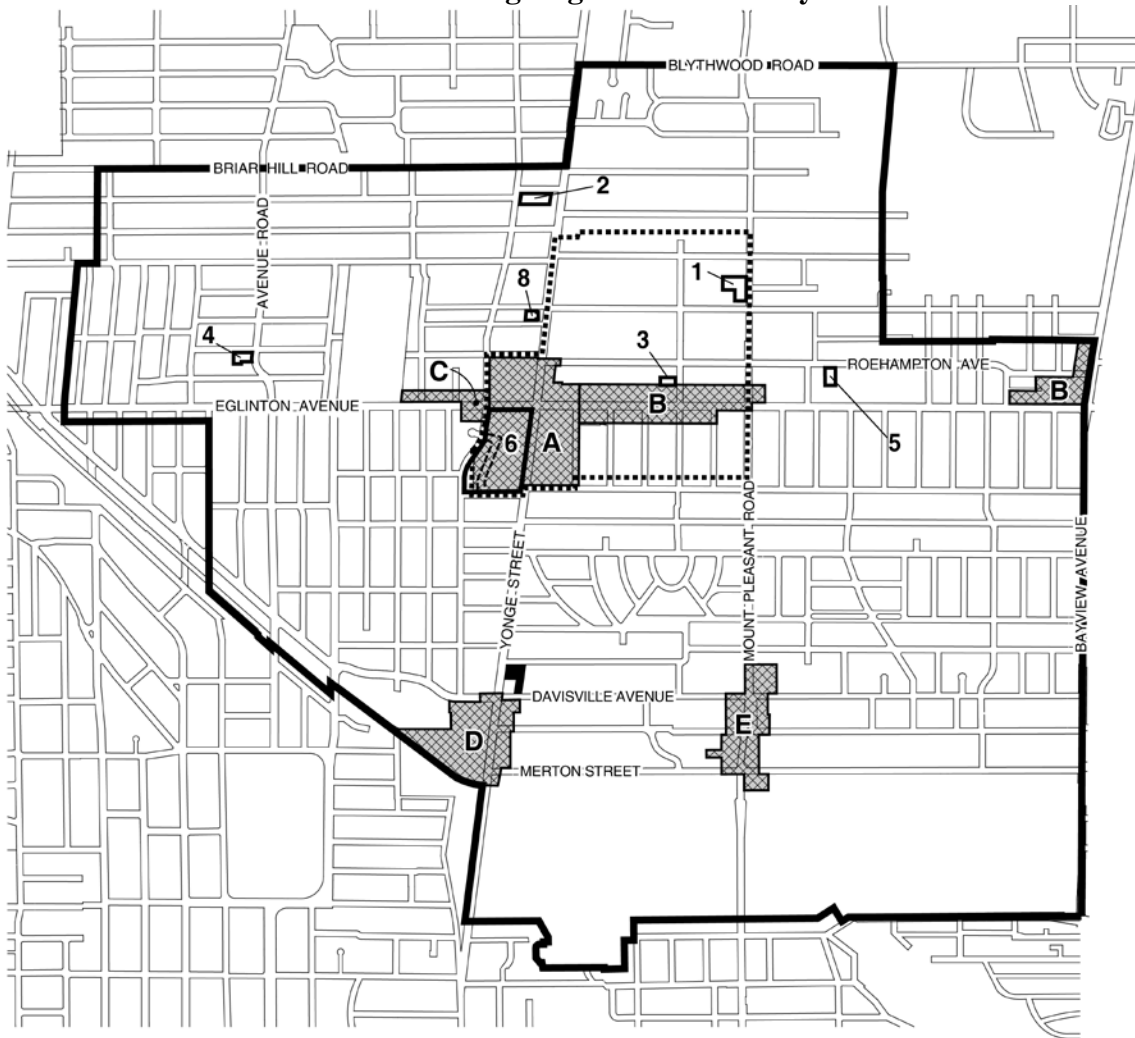
1925-1951 Yonge St + 17&21 Millwood Rd
+ 22 Davisville Ave
File # 17 136251 STE 22 0Z

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



Not to Scale
08/10/2017

Attachment 5: Yonge-Eglinton Secondary Plan



Not to Scale



Yonge-Eglinton Secondary Plan

MAP 21-1 Land Use Plan

- Secondary Plan Boundary
- Yonge-Eglinton Centre
- Mixed Use Areas
- Site and Area Specific Policies
- Proposed Road
- Subject Site

July 2014

Attachment 6: Application Data Sheet

Application Type	Official Plan Amendment & Rezoning	Application Number:	17 136251 STE 22 OZ
Details	OPA & Rezoning, Standard	Application Date:	March 29, 2017
Municipal Address:	1951 YONGE ST		
Location Description:	PLAN 1387 PT LOT 4 **GRID S2208		
Project Description:	Two 25 and 34 storey towers, containing 450 residential units and approximately 8,232 square metres of commercial space on the ground, 2nd and 3rd floors. An on-site park at the northeast corner of the site is also proposed.		

Applicant:	Agent:	Architect:	Owner:
Bousfields Inc	Bousfields Inc	Core Architects Inc	2457182 Ontario Inc.

PLANNING CONTROLS

Official Plan Designation:	Mixed Use Areas, Neighbourhoods	Site Specific Provision:	SS2 (x2424)
Zoning:	CR 3.0 (c2.0; r2.5)	Historical Status:	TBD
Height Limit (m):	16	Site Plan Control Area:	Y

PROJECT INFORMATION

Site Area (sq. m):	4399.72	Height:	Storeys:	34
Frontage (m):	50.4		Metres:	113.8
Depth (m):	64.7			
Total Ground Floor Area (sq. m):	3547			Total
Total Residential GFA (sq. m):	39710		Parking Spaces:	268
Total Non-Residential GFA (sq. m):	8232		Loading Docks	2
Total GFA (sq. m):	47942			
Lot Coverage Ratio (%):	80.6			
Floor Space Index:	10.9			

DWELLING UNITS

FLOOR AREA BREAKDOWN (upon project completion)

Tenure Type:	Condo		Above Grade	Below Grade
Rooms:	0	Residential GFA (sq. m):	39710	0
Bachelor:	16	Retail GFA (sq. m):	8232	0
1 Bedroom:	185	Office GFA (sq. m):	0	0
2 Bedroom:	155	Industrial GFA (sq. m):	0	0
3 + Bedroom:	94	Institutional/Other GFA (sq. m):	0	0
Total Units:	450			

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EMAIL: david.driedger@toronto.ca