

1365-1375 Yonge Street – Zoning By-law Amendment Application – Preliminary Report

Date: January 28, 2019

To: Toronto and East York Community Council

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

Ward: 12 - St. Paul's

Planning Application Number: 18 151554 STE 22 OZ

Date Complete Application Submitted: May 1, 2018

Current Use(s) on Site: 2-storey commercial building

SUMMARY

This report provides information and identifies a preliminary set of issues regarding the application located at 1365-1375 Yonge Street. Staff is currently reviewing the application. It has been circulated to all appropriate agencies and City divisions for comment. A community consultation meeting was held on January 24, 2019.

RECOMMENDATIONS

The City Planning Division recommends that:

1. Additional mailing costs resulting from an expanded notification area for the community consultation meeting held on January 24, 2019 beyond 120 metres of the site be borne by the applicant.

FINANCIAL IMPACT

The recommendations in this report have no financial impact.

ISSUE BACKGROUND

Proposal Description

A 17-storey (69.45 metres, including mechanical penthouse) mixed-use building containing a total of 310 seniors living suites (123 memory care suites and 187 assisted living suites), 621.2 square metres of retail on the ground floor, and 93 parking spaces for residents, staff and visitors. The floor space index (FSI) for the development is 10.1 times the area of the lot.

Detailed project information is found on the City's Application Information Centre at:

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

See Attachment 1 of this report, for a three dimensional representation of the project in context.

Provincial Policy Statement and Provincial Plans

Land use planning in the Province of Ontario is a policy led system. Any decision of Council related to this application is required to be consistent with the Provincial Policy Statement (2014) (the "PPS"), and to conform with the Growth Plan for the Greater Golden Horseshoe (2017). The PPS and all Provincial Plans may be found on the Ministry of Municipal Affairs and Housing website.

Toronto Official Plan Policies and Planning Studies

The City of Toronto Official Plan is a comprehensive policy document that guides development in the City, providing direction for managing the size, location, and built form compatibility of different land uses and the provision of municipal services and facilities. Authority for the Official Plan derives from The *Planning Act* of Ontario. The PPS recognizes the Official Plan as the most important document for its implementation. Toronto Official Plan policies related to building complete communities, including heritage preservation and environmental stewardship may be applicable to any application. Toronto Official Plan policies may be found here:

<https://www.toronto.ca/city-government/planning-development/official-plan-guidelines/official-plan/>

The site is located on lands shown as *Mixed Use Areas* on Land Use Map 17 of the Official Plan. The application is also located within the Yonge-St. Clair Secondary Plan and is located in Mixed Use Area B.

Zoning By-laws

The property is zoned CR T4.25 C2.0 R3.0 under Zoning By-law 438-86, as amended, and CR (d4.25; c2.0; r3.0) SS2 (x2538) under Zoning By-law 569-2013. These zones permit a range of commercial and residential uses. The site has a maximum permitted height of 30 metres and a maximum permitted density of 4.25 times the area of the lot.

The City's Zoning By-law 569-2013 may be found here: <https://www.toronto.ca/city-government/planning-development/zoning-by-law-preliminary-zoning-reviews/zoning-by-law-569-2013-2/>

Design Guidelines

The following design guideline(s) will be used in the evaluation of this application:

- Avenues and Mid-rise Building Study Performance Standards;
- Tall Building Urban Design Guidelines; and
- Growing Up: Planning for Children in New Vertical Communities.

The City's Design Guidelines may be found here: <https://www.toronto.ca/city-government/planning-development/official-plan-guidelines/design-guidelines/>

Site Plan Control

The application is subject to Site Plan Control. A Site Plan Control application has been submitted and is under review.

Community Consultation

A community meeting was held on January 24, 2019 at 1585 Yonge Street (Yorkminster Park Baptist Church) and attended by 60 members of the public. At the meeting City staff and the applicant's team gave presentations on the site and surrounding area, the existing planning framework, and the proposed 17-storey building. Following the presentations, City staff led a town hall format question and answer period.

The attendees asked questions and expressed a number of comments, issues and concerns, including:

- traffic and congestion along Yonge Street and Rosehill Avenue as a result of the proposed development;
- the height, scale and massing of the proposed building is not appropriate for this portion of Yonge Street and should be reduced significantly;
- the proposed building lacks the main street character that the Secondary Plan prescribes;
- the proposed massing will result in unacceptable shadow impacts on adjacent properties and the public realm;
- the laneway is too narrow to service a building of this scale;
- the 3 metre setback from the Yonge Street lot line is insufficient; and
- the Yonge Street setback and street tree planting plan should be rethought to allow for future right-of-way reconfiguration including separated bikes lanes.

COMMENTS

Reasons for the Application

The application proposes to amend Zoning By-laws 438-86 and 569-2013 for the property at 1365-1375 Yonge Street to vary performance standards including: building height; density; building setbacks; angular planes; parking; and loading.

ISSUES TO BE RESOLVED

The application has been circulated to City divisions and public agencies for comment. At this stage in the review, the following preliminary issues have been identified:

Provincial Policies and Plans Consistency/Conformity

Staff will continue to evaluate this planning application against the PPS (2014) and the applicable Provincial Plans (2017) to establish the application's consistency with the PPS (2014) and conformity with the Growth Plan (2017).

- Given the explicit link between Provincial Policy and the Official Plan, conformity with the PPS and the Growth Plan will be largely determined by conformity with the Official Plan.

Official Plan Conformity

Staff will continue to evaluate this planning application to determine the application's conformity to the Official Plan and the Yonge-St. Clair Secondary Plan. The proposal in its current form does not conform to the Official Plan as explained below.

Built Form, Planned and Built Context

Staff will continue to assess the suitability of the proposed height, massing, and other built form issues based on Section 2 q. and r. of the *Planning Act*, the PPS, the Growth Plan (2017), the City's Official Plan policies and the City's Design Guidelines including the Townhouse and Lowrise Apartment Guidelines.

Staff have assessed the application and have identified the following issues:

- the height and massing of the current proposal at 17-storeys is too tall for the existing and planned context;
- the floor plate sizes ranging from 1,372 to 925 square metres above the fifth floor exceeds the 750 square metres provided in the Tall Building Urban Design Guidelines;
- the proposed tower does not provide 12.5-metre setbacks from the north property line nor the mid-point of the public lane to the east;
- the setback from Rosehill Avenue is insufficient and does not appropriately transition to and fit with the deeper front setback character of the *Apartment Neighbourhood* to the east;
- the tower setbacks above the base building are insufficient for both the Yonge Street and Rosehill Avenue frontages;
- the shadow impacts on the public realm and St. Michael's Cemetery resulting from the proposal should be reduced; and
- the applicant has not sufficiently demonstrated that this is a tall building site and staff is of the opinion that a mid-rise typology would be more appropriate as called for in the Secondary Plan.

Staff will continue to assess:

- the appropriate setbacks from Yonge Street and Rosehill Avenue, including the potential for a Privately Owned Publically-Accessible Open Space (POPS);
- the appropriate building step-backs and streetwall heights along Yonge Street and Rosehill Avenue;

- the appropriate floor plate sizes; and
- the wind impacts of the development and the appropriate mitigation measures.

Additional issues may be identified through the review of the application including further review from City divisions and agencies and the public consultation process.

Tree Preservation

The application is subject to the provisions of the City of Toronto Municipal Code, Chapter 813 Articles II (Street Trees By-law) and III (Private Tree By-law). The applicant has submitted an Arborist Report and a Tree Inventory and Preservation Plan, as prepared by The MTBW Group.

Staff will continue to assess:

- the appropriateness of the applicant's tree replacement plan which proposes to remove three City-owned street trees and to be replaced with eight new street trees and one new on-site tree.

Infrastructure/Servicing Capacity

Staff is reviewing the application to determine if there is sufficient infrastructure capacity (roads, transit, water, sewage, hydro, community services and facilities, etc.) to accommodate the proposed development. The applicant has submitted the following studies and reports which have been reviewed by Engineering and Construction Services staff: a Functional Servicing and Stormwater Management Report; Hydrogeological Investigation; Geotechnical Investigation; and Traffic Impact and Parking Study.

Staff will continue to assess:

- the Servicing Report provided by the applicant, to evaluate the effects of the development on the City's municipal servicing infrastructure and identify and provide the rationale for any new infrastructure and upgrades to existing infrastructure, necessary to provide adequate servicing to the proposed development; and
- the Transportation Impact Study submitted by the applicant, to evaluate the effects of the development on the transportation system, and to identify any transportation improvements that are necessary to accommodate the travel demands and impacts generated by the development.

Revisions and additional details have been requested of the applicant to satisfy Engineering Construction and Servicing staff. Further information is also required at the site plan control stage of the application.

Community Services and Facilities

Community Services and Facilities (CS&F) are an essential part of vibrant, strong and complete communities. CS&F are the lands, buildings and structures used for the

provision of programs and services provided or subsidized by the City or other public agencies, boards and commissions. They include recreation, libraries, childcare, schools, public health, human services, cultural services and employment services, etc.

The timely provision of community services and facilities is as important to the livability of the City's neighbourhoods as "hard" services like sewer, water, roads and transit. The City's Official Plan establishes and recognizes that the provision of and investment in community services and facilities supports healthy, safe, liveable, and accessible. Providing for a full range of community services and facilities in areas experiencing major or incremental growth, is a responsibility shared by the City, public agencies and the development community.

A CS&F Study was submitted with the application and is currently under review by City staff. Staff will continue to assess:

- the impact of the proposed development and local development activity on community services and facilities, including assessment of existing capacity to support proposed future population;
- Secondary Plan CS&F policies, site specific policies and growth related studies that apply to the application; and
- whether any capital improvements or expansion of facilities opportunities were identified by the applicant or by staff and following up Study deficiencies to identify other issues that need to be addressed.

Section 37 Community Benefits

The Official Plan provides for the use of Section 37 of the *Planning Act* to pass by-laws for increases in height and/or density not otherwise permitted by the Zoning By-law in return for the provision by the applicant of community benefits in the form of capital facilities. It is standard to secure community benefits in a Section 37 Agreement which is then registered on title.

- Further discussion with the Ward Councillor, City staff, residents, and the applicant will be required to determine the extent and nature of the required Section 37 community benefits should the application be approved in some form.

Toronto Green Standard

Council has adopted the four-tier Toronto Green Standard (TGS). The TGS is a set of performance measures for green development. Applications for Zoning By-law Amendments, Draft Plans of Subdivision and Site Plan Control are required to meet and demonstrate compliance with Tier 1 of the Toronto Green Standard. Tiers 2, 3 and 4 are voluntary, higher levels of performance with financial incentives. Tier 1 performance measures are secured on site plan drawings and through a Site Plan Agreement or Registered Plan of Subdivision.

Staff will continue to assess:

- the TGS Checklist submitted by the applicant for compliance with the Tier 1 performance measures.

Other Matters

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

CONTACT

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SIGNATURE

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

ATTACHMENTS

City of Toronto Drawings

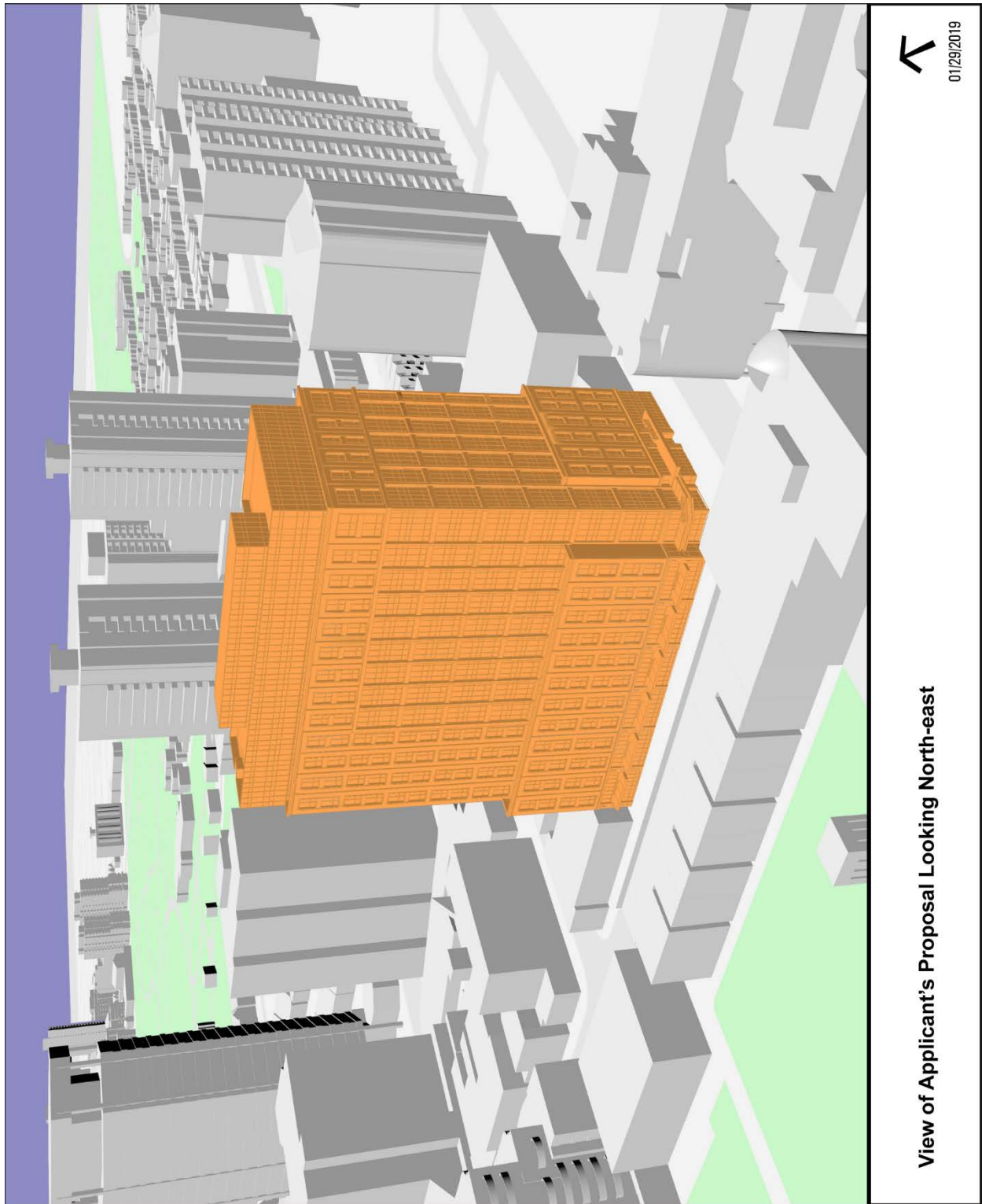
Attachment 1: 3D Model of Proposal in Context

Attachment 2: Location Map

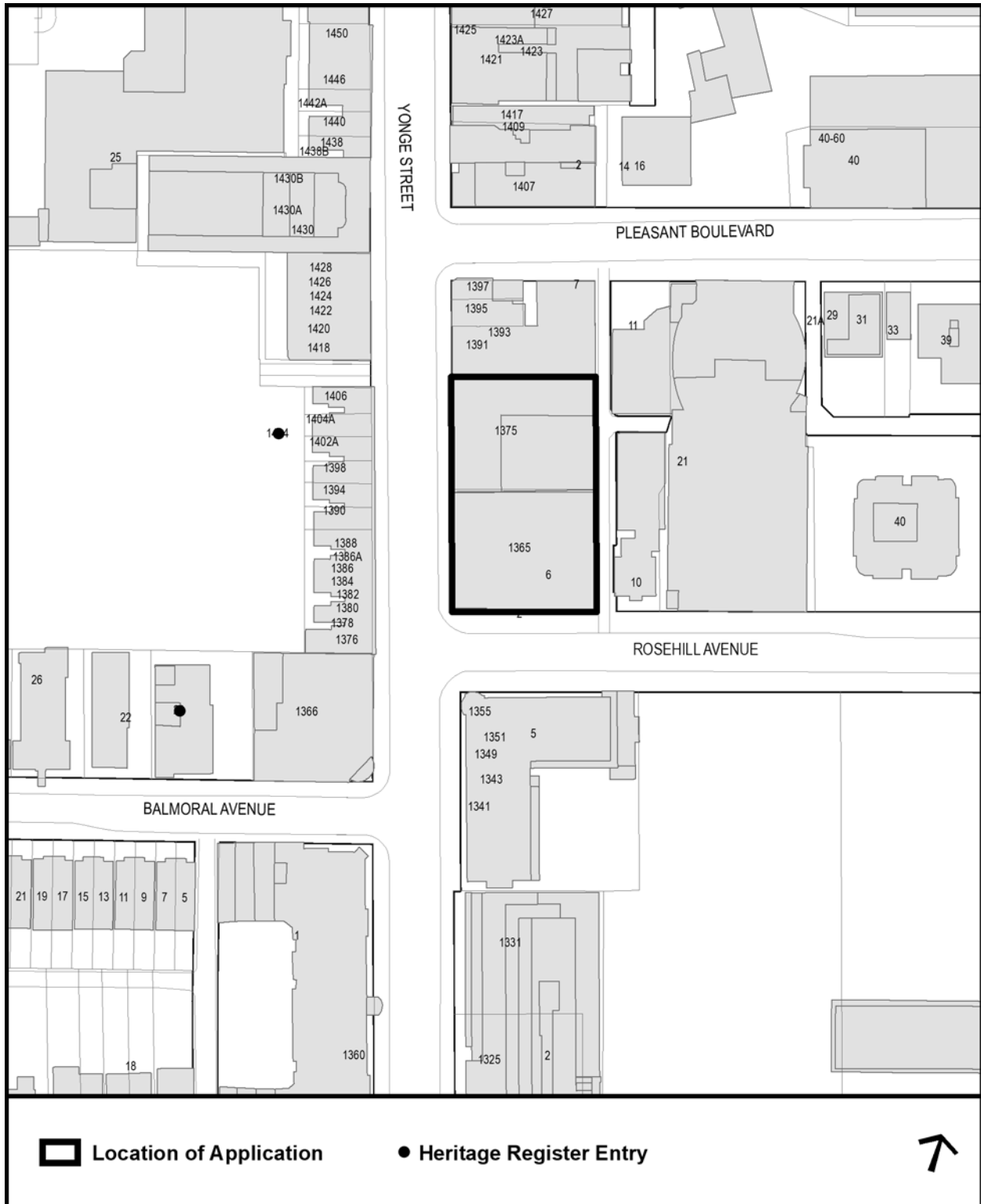
Attachment 3: Site Plan

Attachment 4: Official Plan Map

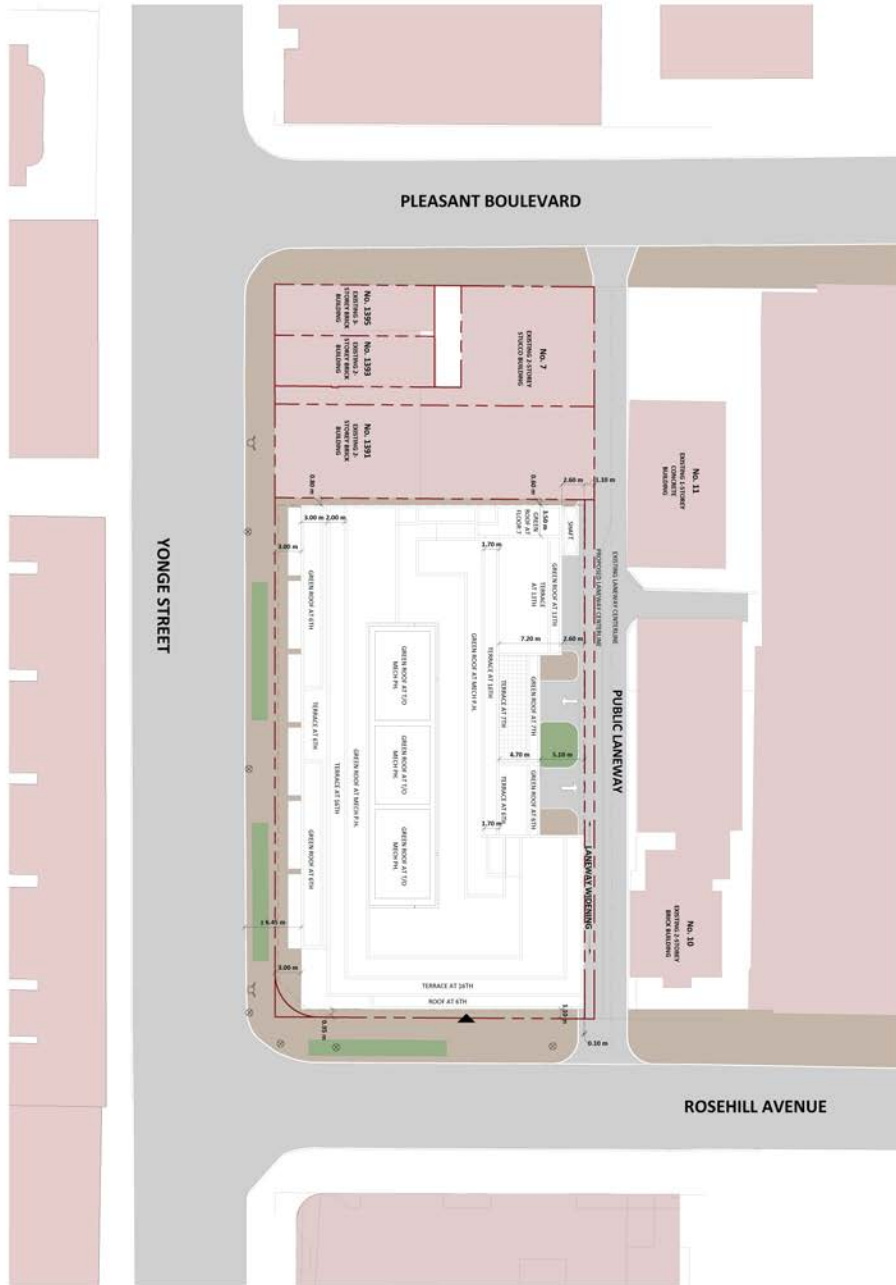
Attachment 1: 3D Model of Proposal in Context



Attachment 2: Location Map



Attachment 3: Site Plan



Site Plan

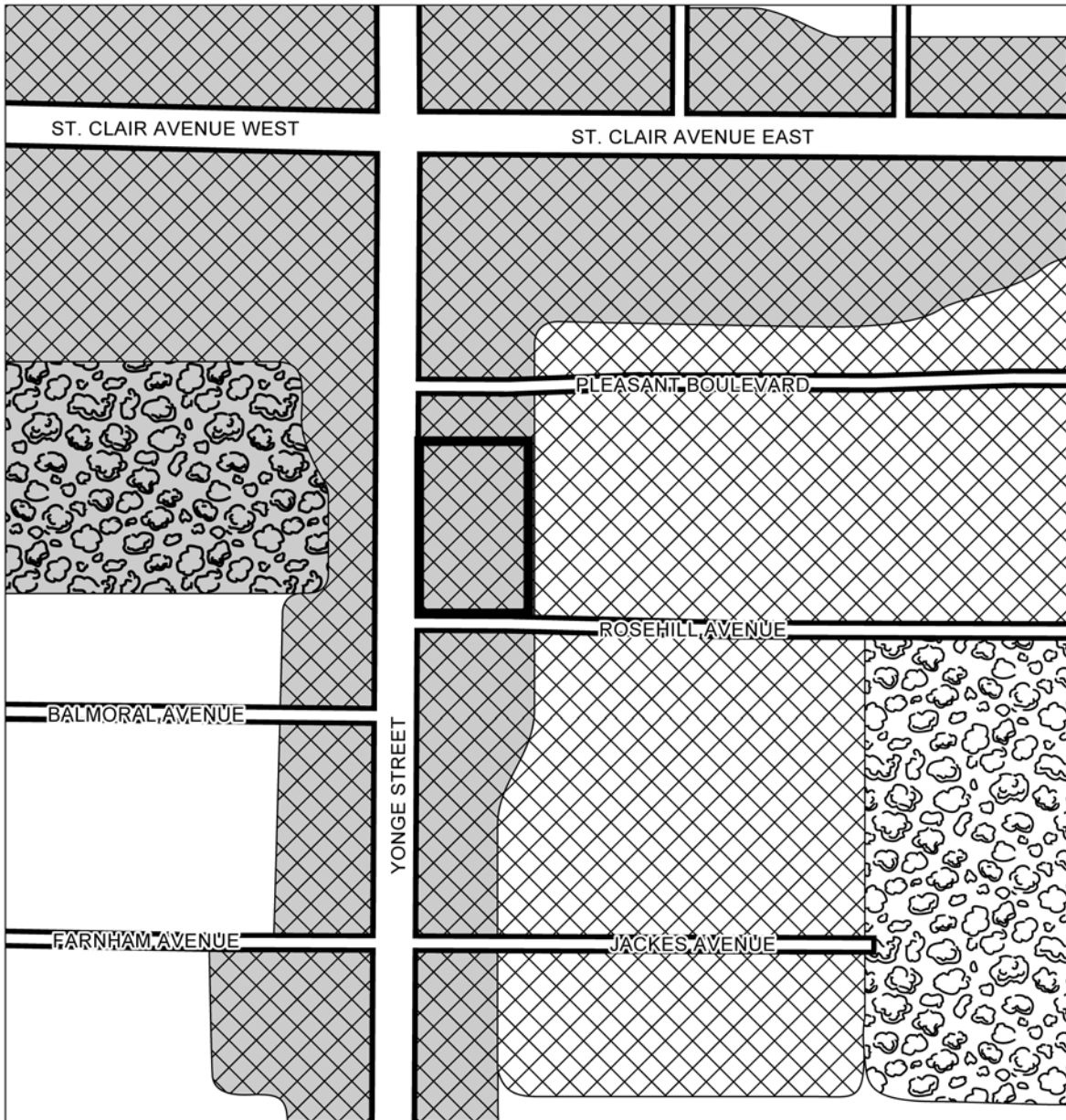
Applicant's Submitted Drawing

Not to Scale 

1365 -1375 Yonge Street

File # 18 155154 STE 22 0Z








Attachment 4: Official Plan Map



TORONTO
Official Plan Land Use Map

1365-1375 Yonge Street

File # 18 151554 STE 22 0Z

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|---|--------------------------|---|--------------------------|
|  | Location of Application |  | Parks & Open Space Areas |
|  | Neighbourhoods |  | Parks |
|  | Apartment Neighbourhoods |  | Other Open Space Areas |
|  | Mixed Use Areas | | |


 Not to Scale
 11/26/2018