

Lower Yonge Official Plan Amendment - Supplemental Report

Date: March 12, 2019

To: Toronto and East York Community Council

From: Lynda H. Macdonald, Director, Community Planning, Toronto and East York District

Wards: Ward 10-Spadina-Fort York

Planning Application Number: 12 253083 STE 28 OZ

SUMMARY

This Report is supplemental to the Community Planning Report of February 28, 2019 (Item TE4.18) regarding a request for direction in advance of the pending Local Planning Appeal Tribunal (LPAT) pre-hearing on the Lower Yonge Official Plan Amendment as adopted by City Council at their June 7, 8 and 9, 2016 meeting (the Lower Yonge OPA).

The purpose of this report is to report on further modification to the Lower Yonge OPA that resolves all outstanding issues. The recommendations in this Supplemental Report are in addition to the recommendation included with the Community Planning Report of February 28, 2019 (Item TE4.18).

The City has reached agreement on modifications to the Lower Yonge OPA with the three landowners of the Lower Yonge Precinct. As these site-specific settlement negotiations have been ongoing since the Lower Yonge OPA was adopted in 2016, staff have not had an opportunity to present Council with a consolidated version of the OPA. Accordingly, a consolidated Lower Yonge OPA, as amended by the settlements for 1-7 Yonge Street (Pinnacle Site); 55 to 59 Lake Shore Boulevard East, 33 to 53 Freeland Street and 2 and 15 Cooper Street (Menkes Site); and 10 Lower Jarvis Street and 125 Lake Shore Boulevard East (ChoiceREIT site) is attached to this Report as Attachment 1 (the "Draft Consolidated Lower Yonge OPA with Maps L1 to L11").

It is recommended that City Council authorize the City Solicitor, together with City Planning staff and any other appropriate staff, to present the Draft Consolidated Lower Yonge OPA at the LPAT pre-hearing conference scheduled for April 11, 2019.

In addition, Community Planning recommend that City Council authorize the City Solicitor and other City staff to take such actions, to make further non-substantive changes to the Lower Yonge OPA as may be required.

RECOMMENDATIONS

The City Planning Division recommends that:

1. City Council authorize the City Solicitor to present the Draft Consolidated Lower Yonge OPA, as set out in Attachment 1 to this report, at the LPAT pre-hearing conference scheduled for April 11, 2019; and,
2. City Council authorize the City Solicitor to make such further stylistic and technical changes to the Lower Yonge Official Plan Amendment as may be required and to take such further actions, as may be required, to give effect to City Council's decision.

FINANCIAL IMPACT

The recommendations in this report have no financial impact.

COMMENTS

The Lower Yonge OPA is a modification of the Central Waterfront Secondary Plan, which is currently not in force for the Lower Yonge Precinct. The City has been working with the three landowners on settlement of their appeals of the Lower Yonge OPA in advance of the April 11, 2019 LPAT Pre-Hearing Conference.

Pinnacle International is the owner of 1 and 7 Yonge Street and submitted applications to amend the Official Plan and Zoning By-law in March 2013 to redevelop the site. The application was appealed to the LPAT and a settlement was approved by City Council at its meeting on July 12, 13 and 14, 2016.

Menkes is the owner of 55 to 59 Lake Shore Boulevard East, 33 to 53 Freeland Street and 2 and 15 Cooper Street, and applied for an Official Plan Amendment, a Rezoning, and a Draft Plan of Subdivision in May 2016. The OPA and Rezoning applications were appealed to the LPAT and a settlement was approved by City Council at its meeting on April 24, 2018.

ChoiceREIT is the owner of 10 Lower Jarvis Street and 125 Lake Shore Boulevard East and is a party to the Lower Yonge OPA proceedings. ChoiceREIT has expressed its intent to redevelop 10 Lower Jarvis Street and 125 Lake Shore Boulevard East at some point in the future. The City has been working with ChoiceREIT on built form approaches, consistent with City policies and guidelines, to accommodate the 12.5 times density that was previously approved by City Council in the Lower Yonge OPA. Community Planning staff support the policy changes as discussed in the February 28, 2019 Request for Direction Report (Item TE4.19) to permit two towers on Block 7.

City staff have conducted lengthy ongoing negotiations with the appellants in an effort to find mutually acceptable solutions. After several years of discussions and several pre-hearing conferences, the Lower Yonge OPA, as amended by the approved and proposed settlements, is scheduled to be presented to the LPAT on April 11, 2019.

It is the City's intent to request that the LPAT amend the CWSP to include the Lower Yonge OPA and bring the CWSP into force for Lower Yonge within the former City of Toronto Official Plan. Staff have been working with the three Lower Yonge landowners to finalize any required changes to the OPA to make it consistent with the site-specific settlements.

Community Planning staff have not had an opportunity to provide Council with the Draft Consolidated Lower Yonge OPA until now. The Draft Consolidated Lower Yonge OPA, attached as Attachment 1, is the result of the site-specific settlements with the three landowners. Community Planning supports these modifications and recommends that City Council direct the City Solicitor and appropriate staff to support the Draft Consolidated Lower Yonge OPA at the LPAT proceedings.

CONTACT

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SIGNATURE

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ATTACHMENTS

Attachment 1: Consolidated Lower Yonge Official Plan Amendment, dated March 12, 2019