

## **801 York Mills Road and 1855 Leslie Street - Zoning Amendment Application – Preliminary Report**

Date: January 14, 2020

To: North York Community Council

From: Director, Community Planning, North York District

Wards: Ward 16 - Don Valley East

**Planning Application Number:** 19 244758 NNY 16 OZ

**Notice of Complete Application Issued:** November 29, 2019

**Current Use(s) on Site:** One-storey stand alone restaurant, three-storey office building with retail on the ground floor, and a one-storey veterinary clinic (now demolished).

### **SUMMARY**

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This report provides information and identifies a preliminary set of issues regarding the application located at 801 York Mills Road and 1855 Leslie Street. Staff are currently reviewing the application. It has been circulated to all appropriate agencies and City divisions for comment. Staff will proceed to schedule a community consultation meeting for the application with the Ward Councillor.

### **RECOMMENDATIONS**

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The City Planning Division recommends that:

1. Staff schedule a community consultation meeting for the application located at 801 York Mills Road and 1855 Leslie Street together with the Ward Councillor.
2. Notice for the community consultation meeting be given to landowners and residents within 120 metres of the application site, and to additional residents, institutions and owners to be determined in consultation with the Ward Councillor, with any additional mailing costs to be borne by the applicant.

### **FINANCIAL IMPACT**

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The recommendations in this report have no financial impact.

## ISSUE BACKGROUND

### Application Description

The subject site is located on the southeast quadrant of York Mills Road and Leslie Street but does not include the property at the corner of the intersection (799 York Mills Road). The subject lands have a 118.4 metre frontage on York Mills Road and a 25.9 metre frontage on Leslie Street. See Attachment 2 for a location map of the subject lands.

The application proposes two, 21-storey towers (Towers A and B), and a 9-storey mid-rise building (Building C). The proposal includes 636 residential units, 2,015 square metres of at grade retail space oriented along York Mills Road, and 652 parking spaces. The proposed development would have a total gross floor area of 51,745.8 square metres, a resulting floor space index of 4.62 times the area of the lot, and a building coverage of 62%. Building C contains residential gross floor area only.

The proposed height of the two towers (Towers A and B) is 69 metres and the mid-rise building (Building C) is 31.9 metres. The two towers are joined by a 6-storey base building along York Mills Road. The proposed setbacks are as follows: York Mills Road - 3.0 metres, Scarsdale Road - 2.3 metres, and a rear yard setback to the south - 15.1 metres. Building C is oriented east/west with frontage onto Leslie Street. The proposed setback to Leslie Street is 2.0 metres and the setback to the residential neighbourhood is 8.6 metres. The proposed development includes a four-storey underground parking structure. See Attachments 1a and 1b of this report, for a three dimensional representation of the project in context.

The proposed development includes a 561.5 square metre public park fronting on Scarsdale Road. Vehicular access is off York Mills Road and Scarsdale Road. A total of 27 surface parking spaces and 625 underground parking spaces are proposed for the development. Each of the three proposed buildings will have separate solid waste storage areas but loading will be shared between a large type G loading area in Building C and a smaller type C loading area in Tower A. See Attachment 3 for a site plan of the proposed development.

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

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

### 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 applicable Provincial Plans which, in the case of the City of Toronto, include: the Growth Plan for the Greater Golden Horseshoe (2019) and, where applicable, the Greenbelt Plan (2017). The PPS and all Provincial Plans may be found on the Ministry of Municipal Affairs and Housing website.

## **Growth Plan for the Greater Golden Horseshoe (2019)**

A Place to Grow: Growth Plan for the Greater Golden Horseshoe (2019) (the "Growth Plan (2019)") came into effect on May 16, 2019. This new plan replaces the previous Growth Plan for the Greater Golden Horseshoe, 2017. The Growth Plan (2019) continues to provide a strategic framework for managing growth and environmental protection in the Greater Golden Horseshoe region, of which the City forms an integral part. The Growth Plan, 2019 establishes policies that require implementation through a Municipal Comprehensive Review (MCR), which is a requirement pursuant to Section 26 of the Planning Act that comprehensively applies the policies and schedules of the Growth Plan (2019), including the establishment of minimum density targets for and the delineation of strategic growth areas, the conversion of provincially significant employment zones, and others.

Policies not expressly linked to a MCR can be applied as part of the review process for development applications, in advance of the next MCR. These policies include:

- Directing municipalities to make more efficient use of land, resources and infrastructure to reduce sprawl, contribute to environmental sustainability and provide for a more compact built form and a vibrant public realm;
- Directing municipalities to engage in an integrated approach to infrastructure planning and investment optimization as part of the land use planning process;
- Achieving complete communities with access to a diverse range of housing options, protected employment zones, public service facilities, recreation and green space, and better connected transit to where people live and work;
- Retaining viable lands designated as employment areas and ensuring redevelopment of lands outside of employment areas retain space for jobs to be accommodated on site;
- 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 (2019) 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 (2019) take precedence over the policies of the PPS to the extent of any conflict, except where the relevant legislation provides otherwise.

In accordance with Section 3 of the Planning Act all decisions of Council in respect of the exercise of any authority that affects a planning matter shall conform with the Growth Plan. Comments, submissions or advice affecting a planning matter that are provided by Council shall also conform with the Growth Plan.

## **Toronto Official Plan Policies**

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.

The current application is located on lands shown as Mixed Use Areas on map 19 in the Official Plan's Land use maps. Mixed Use Areas are made up of a broad range of commercial, residential and institutional uses, in single use or mixed use buildings, as well as parks and open spaces and utilities. See Attachment 4: Official Plan Map.

The Official Plan contains policies for assessing development in Mixed Use Areas. Development in Mixed Use Areas will, amongst other matters:

- create a balance of high quality commercial, residential, institutional and open space uses that reduces automobile dependency and meets the needs of the local community;
- locate and mass new buildings to provide a transition between areas of different development intensity and scale, as necessary to achieve the objectives of this Plan, through means such as providing setbacks and/or a stepping down of heights, particularly towards lower scale Neighbourhoods;
- 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, comfortable and safe pedestrian environment;
- provide good site access and circulation and an adequate supply of parking for residents and visitors; and
- locate and screen service areas, ramps and garbage storage to minimize the impact on adjacent streets and residences.

Staff will evaluate the proposed development against the policies of the City of Toronto Official Plan. Toronto Official Plan policies may be found here:

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

## **Zoning By-laws**

The development site is subject to two Zoning By-laws. Under former City of North York Zoning By-law 7625, the subject lands are zoned both Local Shopping Centres C2 and C2(2). The C2 zone is generally where the podium for the two towers are proposed and allows for commercial uses and Shopping Centres. The C2(2) zone is generally located where the mid-rise building (Tower C) is proposed and permits commercial uses as well as a veterinary hospital.

Under the City-wide Zoning By-law 569-2013, the subject lands are zoned Commercial Residential CR 1.0(c1.0; r0.0) SS3. The CR zone permits a variety of commercial and residential uses with a maximum height restriction of 11 metres and a maximum lot coverage of 50% of the lot area. Commercial uses have a maximum floor space index of up to 1.0 times the area of the lot and residential uses have a maximum floor space index of 0 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 guidelines will be used in the evaluation of this application:

- Tall Buildings Guidelines
- Mid-rise Buildings Performance Standards
- Bird Friendly Guidelines
- 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 not been submitted to date.

## **COMMENTS**

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### **Reasons for the Application**

A Zoning By-law amendment is required because the proposed development does not comply with the provisions of the Local Shopping Centres C2 and C2(2) zones in the former City of North York Zoning By-law 7625, as amended. A Zoning By-law amendment is required to permit 49,730.2 square metres of residential gross floor area, two 69 metre and one 31.9 metre high buildings, a density of 4.62 times the lot area, and other zoning standards.

A Zoning By-law amendment is also required for the City wide Zoning By-law 569-2013. The proposed development does not comply with the provisions of the CR 1.0(c1.0; r0.0) SS3 in Zoning By-law 569-2013, as amended. The CR 1.0(c1.0; r0.0) SS3 zone permits non-residential uses up to 1.0 times the lot area and no density for residential uses. The total permitted density for all uses is 1.0 times the lot area and the maximum permitted height is 11 metres. A Zoning By-law amendment is required to permit 49,730.2 square metres of residential gross floor area, two 69 metre high and one 31.9 metre high buildings, a density of 4.62 times the lot area, and other zoning standards.

## 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 are reviewing this application against the PPS and the applicable Provincial Plans to establish the application's consistency with the PPS and conformity with the Growth Plan.

### Official Plan Conformity

Staff are assessing the suitability of the proposed site organization, building placement and setbacks, height, massing, and transition based on Sections 2(q) and (r) of the Planning Act. Additionally, these matters will be assessed based on the City's Official Plan including Healthy Neighbourhoods Section 2.3.1, Public Realm Section 3.1.1, Built Form Section 3.1.2, and *Mixed Use Areas* Section 4.5. Staff will also be assessing the proposal against the Tall Building and the Mid-Rise Building Performance Standards and Addendum which includes guidelines related to height, streetwall, building setbacks and stepbacks, front angular planes and rear angular planes, and transition towards the stable residential neighbourhood. Staff will review the appropriateness of two 69 metre and one 31.9 metre high buildings and a floor space index of 4.62 times the area of the lot. Staff will assess the appropriateness of the proposed height and density of the development at the subject location which is neither located in a Centre or on an Avenue as identified in the City's Urban Structures map.

The Official Plan contains policies that require development in *Mixed Use Areas* be compatible with adjacent and nearby *Neighbourhoods* by providing a transition in scale and density towards *Neighbourhoods* through the stepping down of buildings, setbacks, and an angular plane. The site abuts a stable, low-rise residential neighbourhood to the south which is designated *Neighbourhoods*. The two 69 metre high buildings (Towers A and B) will be located 52.4 metres to the residential neighbourhood and the proposed setback to the base building will be 15.1 metres. The proposed towers do not fit underneath a 45 degree angular plane from the neighbourhood which is a typical benchmark, however, staff will review the appropriateness of the setback and stepback transition between the towers with the associated base building and the residential neighbourhood to the south. The applicant has submitted a Sun/Shadow Study in support of the application.

The proposed development includes a 9-storey mid-rise building (Building C) located 8.6 metres to the residential neighbourhood to the south. Staff are reviewing the application to determine if a mid-rise building at this location is appropriate and the suitability of the transition between Building C and the residential neighbourhood to the south. This building also does not fit underneath a 45 degree angular plane from the neighbourhood which may also result in issues related to overlook and privacy.

City Planning staff will review the appropriateness of the proposed streetscape on York Mills Road, Leslie Street, and Scarsdale Road and other features of the public realm including landscaping, driveway locations, access, and pedestrian connections. Staff will also assess pedestrian connections through the site and to the public park.

### **Context Plan**

The property located at the southeast corner of York Mills Road and Leslie Street known municipally as 799 York Mills Road is not part of the current proposal. Similar to the subject site, 799 York Mills Road is designated *Mixed Use Areas*.

The subject proposal contemplates a 9-storey mid-rise building (Building C) between 799 York Mills Road and the residential neighbourhood to the south, and proposes a vehicular driveway and access onto York Mills Road. Staff will review the appropriateness of developing the subject lands in the absence of consolidating the lands at 799 York Mills Road. The applicant should, however, provide a context plan illustrating the potential development of the entire southeast corner and consider a consolidated access and driveway.

### **Green Space and Amenity**

Staff will review the appropriateness of the amount of indoor and outdoor amenity areas, as well as the suitability and configuration of amenity spaces. Furthermore, staff will review the amount and location of open space, green space, and surface parking.

### **Parkland**

Parks, Forestry and Recreation division has identified the subject lands to be in a parkland acquisition priority area, as identified in Map A-7 of Chapter 415, Article III of the Toronto Municipal Code. The proposal includes a 561.5 square metre public park at the southeast corner of the subject site of which 32 square metres is encumbered by an easement. The total parkland dedication requirement is 1,642 square metres of unencumbered parkland. Staff have concerns as a portion of the parkland dedication is encumbered and is significantly less than the required dedication. Staff will review the proposed size, location, and configuration of the proposed on-site public park.

### **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 proposes to remove twenty three (23) trees on the subject lands and nineteen (19) City owned trees on all three public street frontages. Additionally, the proponent requires permission to injure five (5) privately owned trees that are either bordering abutting property lines or on adjacent properties. The applicant submitted an Arborist Report and Tree Preservation Plan, both of which are currently under review by City staff.

## **Full Range of Housing**

Section 3.2.1 of the City's Official Plan states that a full range of housing will be provided and maintained to meet the needs of current and future residents. The Growth Plan (2019) also contains policies 2.2.1.4, 2.2.4.9 and 2.2.6.3 to support the development of affordable housing and a range of housing to accommodate the needs of all household sizes and incomes.

The Council-adopted Growing Up: Planning for Children in New Vertical Communities draft urban design guidelines provide guidance on the proportion and size of larger units recommended in new multi-unit residential developments. The proposed development will provide 289 (45.4%) one-bedroom units, 282 (44.3%) two-bedroom units, and 65 (10.2%) three-bedroom units. Staff will work with the applicant to examine opportunities for appropriately sized family units and affordable housing units as part of the development proposal.

## **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 Policy 2.3.1.6 identifies that community and neighbourhood amenities will be enhanced where needed by improving and expanding facilities, creating new facilities and adapting existing services to changes in the needs of the neighbourhood. Section 3.2.2 of the Official Plan calls for adequate and equitable access to community services and local institutions, and sets out a policy framework that, among other things, encourages the inclusion of community service facilities as part of private development.

Staff will be evaluating the impact of the proposed development and local development activity on community services and facilities, including an assessment of existing capacity to support proposed future population.

## **Section 37 Community Benefits**

The proposed development is greater than 10,000 square metres and meets the threshold for Section 37 benefits under the Planning Act. Should the proposed development be recommended for approval staff will recommend an appropriate package of benefits.



## **Infrastructure/Servicing Capacity**

The applicant submitted a number of technical reports including a Functional Servicing and Stormwater Management Report, a Hydrogeological Report, and a Geotechnical Report for review by City Divisions. The Functional Servicing Report is intended to evaluate the effects of the development on the City's municipal servicing infrastructure and watercourses and to identify the need for any new infrastructure and upgrades to existing infrastructure necessary to provide for adequate servicing for the proposed development. Staff are reviewing the application to determine if there is sufficient infrastructure capacity to accommodate the proposed development, in addition to the potential cumulative impact of all proposed applications in the area of this application.

The applicant also submitted a Transportation Impact Study with their application. The purpose of which is to evaluate the effects of the proposed development on the transportation system, but also to suggest any transportation improvements that are necessary to accommodate the travel demands and impacts generated by the development. Staff are reviewing the Transportation Impact Study.

## **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, Zoning By-laws, and through a Site Plan Agreement.

Staff are reviewing the TGS Checklist submitted by the applicant for compliance with the Tier 1 performance measures.

## **Other Matters**

Additional issues identified on a preliminary basis include:

- The existing building at 801 York Mills Road has two storeys of office space above ground floor retail. The current plans do not show any office space. The City is interested in maintaining office space in the proposed development.

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

## **CONTACT**

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## **SIGNATURE**

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Giulio Cescato MCIP RPP, Acting Director  
Community Planning, North York District

## **ATTACHMENTS**

### **City of Toronto Drawings**

Attachment 1a: 3D Model of Proposal in Context (Southwest view)

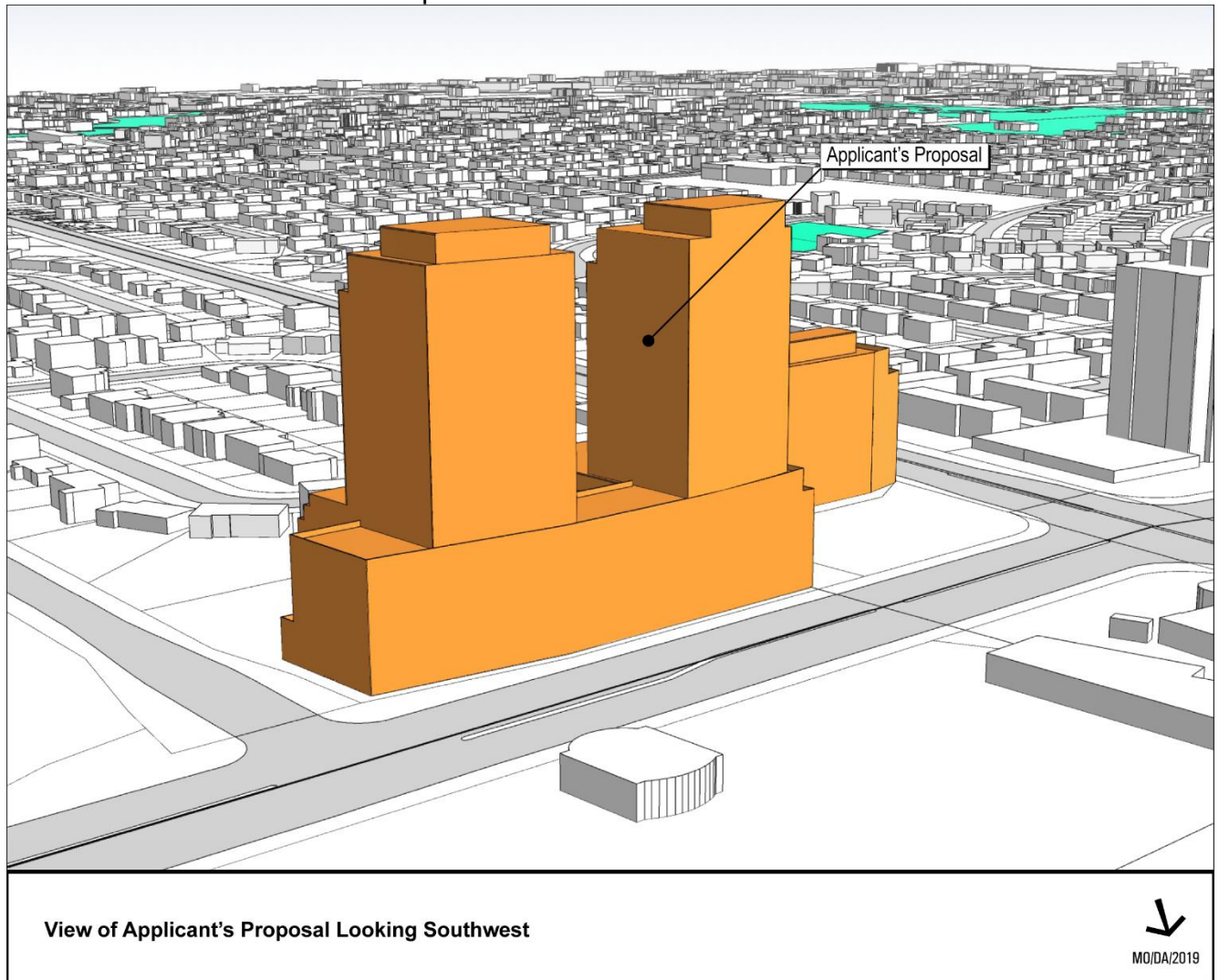
Attachment 1b: 3D Model of Proposal in Context (Northeast view)

Attachment 2: Location Map

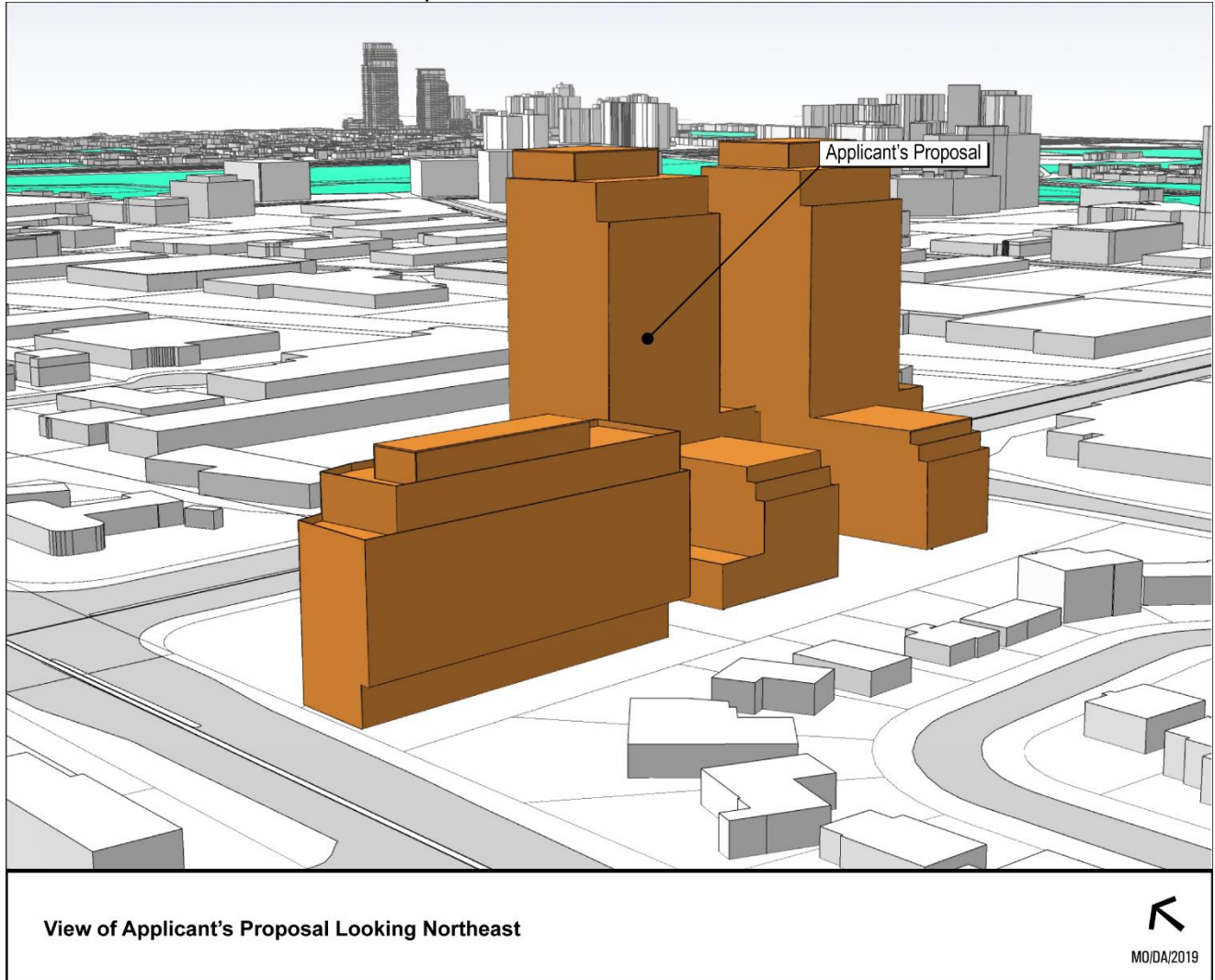
Attachment 3: Site Plan

Attachment 4: Official Plan Map

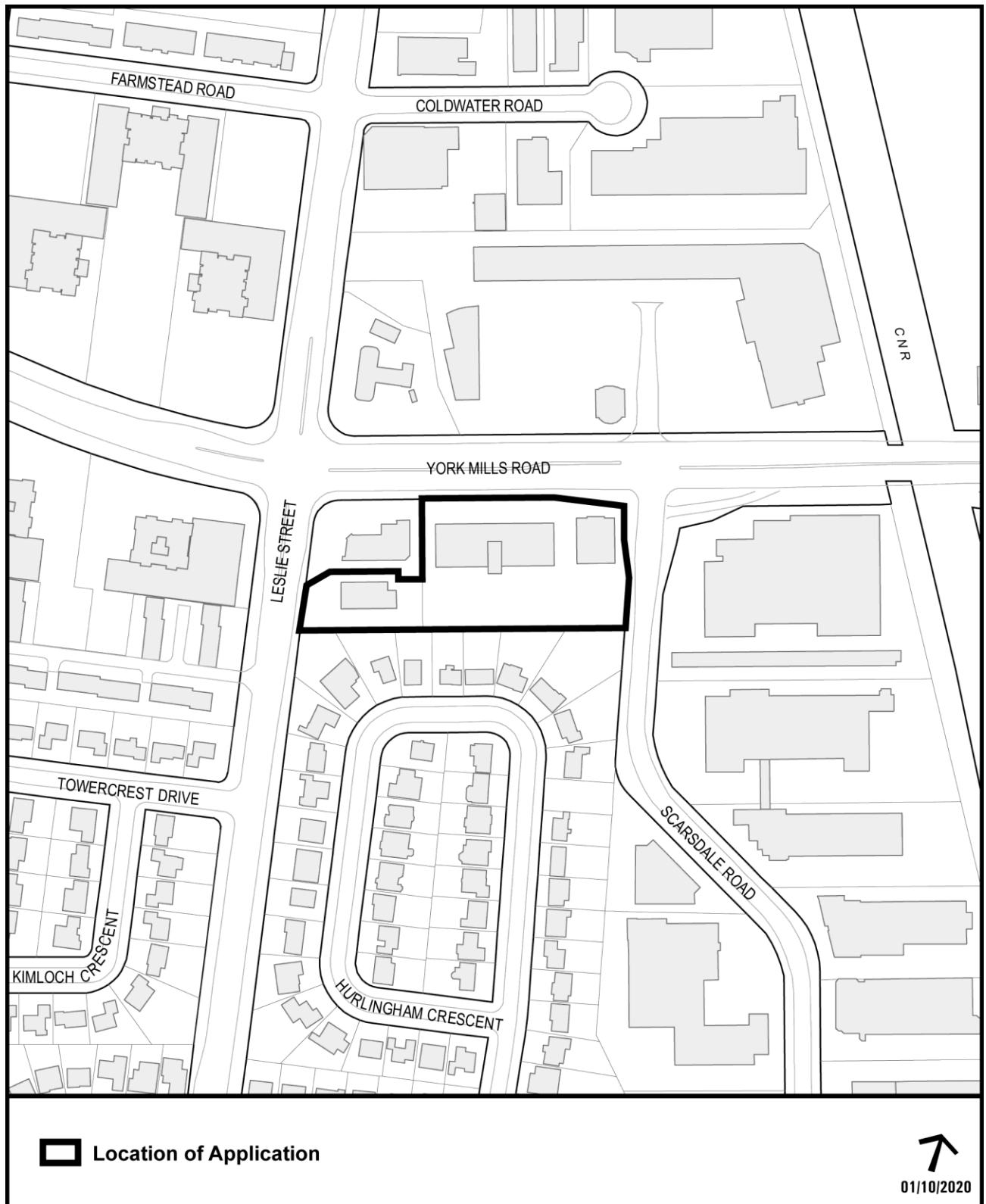
## Attachment 1a: 3D Model of Proposal in Context



## Attachment 1b: 3D Model of Proposal in Context



## Attachment 2: Location Map











## Attachment 4: Official Plan Map



801 York Mills Road & 1855 Leslie Street

### Official Plan Land Use Map #19

File # 19 244758 NNY 16 02

	Location of Application		General Employment Areas
	Neighbourhoods		Utility Corridors
	Apartment Neighbourhoods		
	Mixed Use Areas		



Not to Scale  
01/10/2020