

5800 Yonge Street – Official Plan Amendment, Zoning By-law Amendment, and Draft Plan of Subdivision Applications – Preliminary Report

Date: June 25, 2020

To: North York Community Council

From: Acting Director, Community Planning, North York District

Wards: Ward 18 - Willowdale

Planning Application Number: 20 110947 NNY 18 OZ, 20 110960 NNY 18 SB

Notice of Complete Application Issued: February 25, 2020

Current Use(s) on Site: Two storey office building containing 8,520 square metres of gross floor area, currently being used as a Municipal Shelter with surface parking at the rear.

SUMMARY

This report provides information and identifies a preliminary set of issues regarding the application located at 5800 Yonge 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

The City Planning Division recommends that:

1. Staff schedule a community consultation meeting for the application located at 5800 Yonge 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

The City Planning Division confirms that there are no financial implications resulting from the recommendations included in the report in the current budget year or in future years.

DECISION HISTORY

On October 8, 2013 City Council adopted a motion to request that prior to entering into any sales agreements for the subject site that Toronto Hydro collaborate with the Chief Planner and Executive Director, City Planning to create a comprehensive redevelopment land use concept plan for the site that is in keeping with the vision emerging in the Yonge Street North Planning Study. The motion can be found at: <http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2013.MM39.39>

On December 5, 2017 City Council deferred consideration of a motion requesting Council oppose the sale of the lands until a mechanism to ensure the Official Plan was complied with was in place to either the January 31, February 1 and 2, 2018 meeting of City Council, or a special meeting to be called by the Mayor. The decision can be found at: <http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2017.MM35.46>

On January 31, 2018 City Council adopted a motion directing the City Manager and the Chief Planner and Executive Director, City Planning to report to the March 26, 27 and 28, 2018 City Council meeting on measures in place to ensure Toronto Hydro will fulfill its commitments to comply with the North York Centre Secondary Plan with particular regard for the maximum density. The motion can be found at: <http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2018.MM36.1>

On March 26, 2018 City Council adopted Confidential Instructions to Staff from the City Solicitor and Acting Chief Planner and Executive Director, City Planning with respect to the site and ensuring Toronto Hydro's commitment to comply with the North York Centre Secondary Plan. City Council's decision and the non-confidential portion of the staff report can be found at: <http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2018.MM38.34>

ISSUE BACKGROUND

Application Description

This application proposes to demolish the existing two storey office building and amend the North York Centre Secondary Plan to permit increased height and density and amend former North York Zoning By-law 7625 to permit residential uses and to provide development standards for four proposed mixed use buildings on the property at 5800

Yonge Street. The application proposes the development of 34 and 37 storey residential towers on individual base buildings, and 37 and 44 storey residential towers linked by a 2 and 4 storey base building containing residential, retail and office uses. The application proposes to provide two new public streets, a portion of a north-south extension of Beecroft Road, and a new east-west street linking Yonge Street and the future Beecroft Road extension. The application proposes a total gross floor area of 117,826.9 square metres (111,188.0 square metres of residential, 4,601.7 square metres of office, 1,255.6 square metres of retail, and 781.5 square metres of not for profit daycare) with a Floor Space Index of 3.6 times the area of the lot. The eastern buildings fronting Yonge Street are proposed to contain retail uses at grade and office uses in the podium with residential uses above. The western buildings are proposed to be residential with the daycare space on the ground floor of the southern building. The application proposes 1,496 residential units with 1,638 parking spaces all contained in underground parking structures. A total of 1,156 bicycle parking spaces for both long and short term users is proposed. Vehicular access is proposed from an east-west private street that connects Yonge Street to the Beecroft Road extension, and a new north-south private street midway through the block connecting the east-west private street and the new east-west public street. A vehicular and pedestrian courtyard is also proposed in-between the western two buildings. A 4,675 square metre public park is proposed fronting the west side of the Beecroft Road extension.

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 1A and 1B of this report, for a three dimensional representation of the project in context. See Attachment 3 of this report for a site plan.

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 (2020) (the "PPS"), and to conform with applicable Provincial Plans which, in the case of the City of Toronto, include: A Place to Grow: Growth Plan for the Greater Golden Horseshoe (2019). The PPS and all Provincial Plans may be found on the Ministry of Municipal Affairs and Housing website.

The Growth Plan (2019) contains policies pertaining to population and employment densities that should be planned for in major transit station areas (MTSAs) along priority transit corridors or subway lines. MTSAs are generally defined as the area within an approximately 500 to 800 metre radius of a transit station, representing about a 10-minute walk. The Growth Plan requires that, at the time of the next municipal comprehensive review (MCR), the City update its Official Plan to delineate MTSA boundaries and demonstrate how the MTSAs achieve appropriate densities.

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 current application is located on lands shown as Centres on Map 2 of the Official Plan and Mixed Use Areas on Land Use Plan Map 16. See Attachment 4 of this report for the Official Plan Land Use Plan.

The subject site is also located within the North York Centre Secondary Plan (NYCSP) and is designated Mixed Use Area F which permits commercial, institutional, residential, public parks and recreational uses, and transit terminals. The NYCSP permits a floor space index of 2.6 times the lot area, however, density incentives of no more than 33 percent of the base density may be permitted subject to the provision of specific uses and facilities in accordance with the Plan. For the subject site, a maximum floor space index of 3.46 including the 33 percent increase for the provision of incentives is permitted. The NYCSP permits a maximum height of 87 metres above grade for the site.

The North York Centre Secondary Plan may be found here:

<https://www.toronto.ca/wp-content/uploads/2017/11/8fe9-cp-official-plan-SP-8-North-York-Centre.pdf>

Yonge Street North Planning Study

The City initiated the Yonge Street North Planning Study in June 2011. The subject site is located within the study area. A Draft Implementation Plan was released for consultation in 2014 with the Community. Staff held a Community Consultation on May 22, 2019 to re-launch the Study given the gap in time since the previous consultation, and obtain feedback from the community on the work undertaken for the study. The Draft Implementation Plan considered alternative densities for sites within the study area, including the subject site which have not been reported to City Council for consideration. Staff are working on the study and will be presenting a final report and draft Official Plan Policies to City Council. A date for this report has not been scheduled as public consultations on the study have been delayed by the state of emergency.

Zoning By-laws

The subject site is zoned Semi-Public Open Space Zone (O3) under the former City of North York Zoning By-law 7625. This zone permits any station, yard, building, park or

parkway, operated or used by the various levels of Government, Agencies, Boards, Commissions, Institutions and Utilities. The zone requires any building to be set back a minimum distance from any lot line equal to the height of the building or structure.

Design Guidelines

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

- City-Wide Tall Building Design Guidelines;
- Growing Up: Planning for Children in New Vertical Communities;
- Complete Streets Guidelines;
- Pet Friendly Design Guidelines and Best Practices for New Multi-Unit Buildings;
- Design Guidelines for Privately Owned Publicly-Accessible Space; and,
- Bird-Friendly Guidelines.

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.

COMMENTS

Reasons for the Application

The application to amend the Official Plan is required as the proposed height and density exceed the permissions in the North York Centre Secondary Plan. The application to amend the Zoning By-law is required as residential uses on the site are not permitted by former North York Zoning By-law 7625. The proposal also requires amendments to the zoning, including but not limited to height, density, setbacks, parking provisions and other performance standards. The associated Draft Plan of Subdivision application would create blocks for the development, new public streets and new public park.

A Draft Plan of Subdivision approval is required to create the new public streets and public park blocks. A Draft Plan of Subdivision application has been submitted.

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 reviewing the application to determine its conformity to the Official Plan. Key Official Plan policies that will be used to evaluate this application include, but are not limited to: *Urban Structure policies in Chapter 2*; Built Form, Public Realm, and Parks and Open Space policies in Chapter 3; and the development criteria for *Mixed Use Areas* in Chapter 4.

Office Replacement in accordance with Council adopted, but not in force, Policy 3.5.1.9 at 100 percent of the existing space has been requested by Staff. The applicant is currently proposing to provide office replacement of approximately 57 percent, or 4,601.7 square metres where 7,990 square metres currently exist. Staff are reviewing the applicants submissions with respect to the appropriateness of this amount of office replacement and if modifications to the proposed Official Plan amendment to permit this are required.

North York Centre Secondary Plan

Staff are reviewing the application to determine its conformity to the NYCSP. Map 8-7 North York Centre North Density Limits of the NYCSP permits a maximum density of 2.6 times the site area for the subject site. The NYCSP does provide some flexibility on the permitted density by allowing applicants to increase the density beyond that shown on Map 8-7 of the Plan. Section 3.3 provides for density incentives above the maximum permitted densities, however, Section 3.2 sets a maximum increase above those limits to 33 percent. Section 3.2(b)(i) of the NYCSP states that in no event will the City approve a development proposal that exceeds this limit. The application proposes a density of 3.6 times the lot area whereas the maximum permitted density, inclusive of density incentives, is 3.46 times the lot area.

Map 8-8a Maximum Height Limits of the NYCSP permits a maximum height of 87 metres for the portion of the site where the towers are proposed to be constructed. The applicants submitted plans show building heights of 141.25 metres, 118.25 metres, 117.25 metres and 109.25 metres excluding the mechanical penthouses. The applicants submitted draft Official Plan Amendment does not include an amendment to the height provisions of the NYCSP. Section 5.1 of the NYCSP states that building heights provide appropriate scale and massing of buildings in relation to the specific context and edge condition of each development or redevelopment. Staff will assess the appropriateness of the proposed height including its shadow on the proposed public park located west of the Beecroft Road extension. Staff will also assess the requirement for the Official Plan Amendment to include an amendment to the permitted maximum height for the subject site.

Built Form, Public Realm, Planned and Built Context

Staff are assessing the suitability of the proposed site organization, building placement and setbacks, height, massing, and transition 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, Built Form - Tall Buildings 3.1.3 and Mixed Use Areas Section 4.5.

Staff will also be assessing the proposal against the City-Wide Tall Building Design Guidelines and requirements of the NYCSP. The proposed setbacks and stepbacks, including the relationship to Yonge Street, the future Beecroft Road extension, the future east-west public street, proposed private streets/driveways and abutting properties will be evaluated through the processing of the application.

On a preliminary basis, issues of concern with regards to site organization and built form include:

- Demonstrating how the proposed buildings and site design relate to the existing and/or planned context, including the proposed density and scale of development;
- Whether the heights, density and massing of the proposed buildings are appropriate;
- Alignment of the 26 metre wide Beecroft Road extension with adjacent approved developments and impacts on the proposed built form;
- Configuration of the required new 20 metre east-west public street and related public realm;
- Configuration of the intersection of the Beecroft Road extension and the new public east-west street;
- The appropriateness of the east-west private street and courtyard area;
- Organization of the site at grade including:
 - locations and width of private streets;
 - location and size of open space on site;
 - location and configuration of ground floor uses including retail units along Yonge Street; office and residential lobbies; potential community facilities; and, amenity areas;
 - relationship of the proposed buildings, ground floor uses, and private driveway to the 3m wide pedestrian easement on the adjacent property to the north;
 - the need for a midblock connection linking Yonge Street with the western towers;
 - location and configuration of loading and underground parking accesses;
 - building base configuration, setbacks and relationship to adjacent public streets and open spaces; and,

- Streetscape design for new public and private streets.

The applicant has submitted a Sun/Shadow Study and a Pedestrian Level Wind Study in support of the application that are currently being reviewed by City staff.

Growing Up: Planning for Children in New Vertical Communities

In July 2017, Toronto City Council adopted the Growing Up Draft Urban Design Guidelines, and directed City Planning staff to apply the "Growing Up Guidelines" in the evaluation of new and under review multi-unit residential development proposals. The objective of the Growing Up Draft Urban Design Guidelines is that developments deliver tangible outcomes to increase liveability for larger households, including families with children at the neighbourhood, building and unit scale.

The proposed two-bedroom and three-bedroom unit mix would support the unit mix objectives of the Growing Up Draft Urban Design Guidelines. The applicant is proposing to provide a unit mix as follows:

- 96 Studio units (6.4%)
- 715 1-bedroom units (47.8%)
- 528 2-bedroom units (35.3%)
- 157 3-bedroom units (10.5%)

The applicant has not provided detailed information on the sizes of the units within the building. The Growing Up Guidelines recommend minimum unit sizes for each bedroom unit type. Staff will be requesting the applicant to provide additional information regarding the unit sizes for review against the Growing Up Guidelines. Other matters of the Growing Up Guidelines will be considered in the review of this proposal.

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 45 private trees and remove one city tree which require permits for removal.

The applicant has submitted an Arborist Report/Tree Preservation plan which is currently under review by City staff.

Archaeological Assessment

The applicant has submitted a Stage 1 & Stage 2 Archaeological Assessment for the site. This is being reviewed by staff to determine if further investigation is required prior to any redevelopment of the site occurring.

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 communities. 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.

The Toronto Catholic District School Board has identified the north Yonge Street area as a priority for a new elementary school facility. The subject site has the potential to accommodate an elementary school within the base of one of the buildings, or as a stand-alone structure adjacent to the proposed public parkland. The applicant will be encouraged to discuss opportunities for the provision of a school with the board. The provision of a school is a density incentive under the NYCSP for the purposes of the applicant's Density Incentives.

A CS&F Study was not required as part of this application as City Staff have an up-to-date assessment of the community services and facilities in this area through the Yonge Street North Planning Study. CS&F priorities in the area include the provision of a new non-profit child care facility; financial contributions toward enhancing the design and construction of the Newtonbrook Community Recreation Centre, securing financial contributions towards needed park-based facilities in the Parks and Recreation Facilities Master plan; and/or Securing 465 square metres to 929 square metres of visible and accessible community space on the ground floor of the subject site for human service and/or community agencies

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.

The site is located within the NYCSP which specifies a maximum increase in density of 33 percent above the permitted base density in exchange for the provision of facilities within the development or the Centre, or if facilities are not provided, the additional density may be purchased in accordance with the plan. The proposal is seeking to exceed the base density, and the additional density will be required to be provided via incentive uses/floor areas or through the purchase of the density in accordance with the NYCSP policies.

Infrastructure/Servicing Capacity

The applicant submitted a Functional Servicing and Stormwater Management Report, a Hydrogeological Assessment and a Geotechnical Investigation report. 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.

Transportation Impacts and Parking

The applicant submitted a Transportation Impact Study, 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.

The applicant has identified that Transportation Demand Management (TDM) measures will be provided to support the proposed reduced parking supply. The nature of these measures is not clearly identified in the Transportation Impact Study, and will need to be identified to be secured as appropriate through the implementing By-laws, Section 37 Agreement and future Site Plan Control Agreements.

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.

The applicant has indicated that they plan to achieve Tier 1 of the Performance Levels. Staff are reviewing the submitted checklist and materials for compliance with Tier 1 performance standards of the TGS.

Other Matters

Staff have identified the additional following issues:

- Conformity with the Restrictive Covenant registered on title when the property was sold by Toronto Hydro which states that the maximum permitted building height is 102 metres and the maximum permitted FSI is 3.6.
- Phasing of Development. The applicant proposes to construct the western two towers first, using the future park and eastern half of the site adjacent to Yonge Street for construction staging and interim landscaping. The appropriateness of this phasing is being reviewed by staff and will be discussed with the applicant through the review of the application.

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

CONTACT

Stephen Gardiner, Senior Planner, Community Planning
Tel. No. (416) 392-5460
E-mail: Stephen.Gardiner@toronto.ca

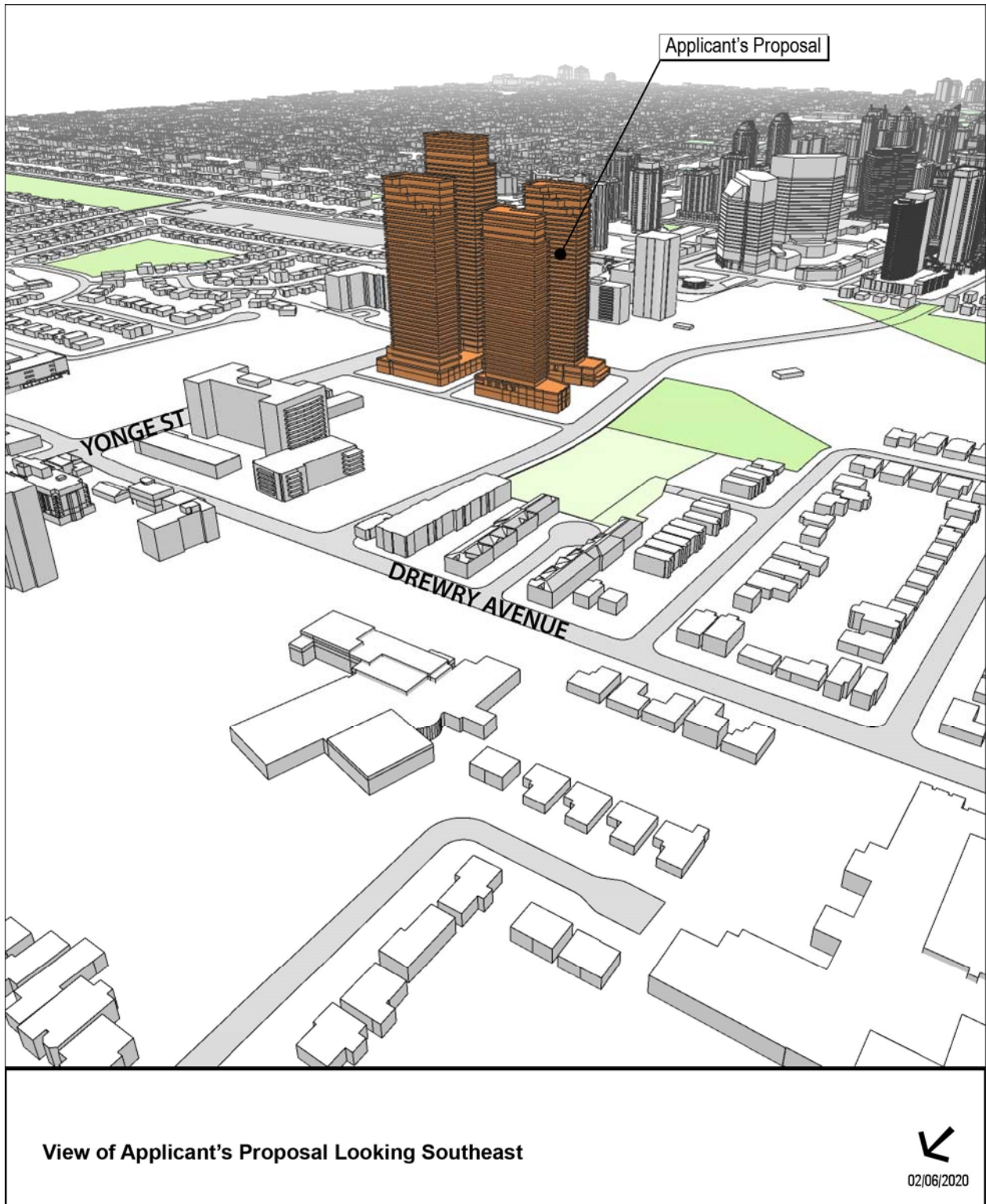
SIGNATURE

John Andreevski , Acting Director
Community Planning, North York District

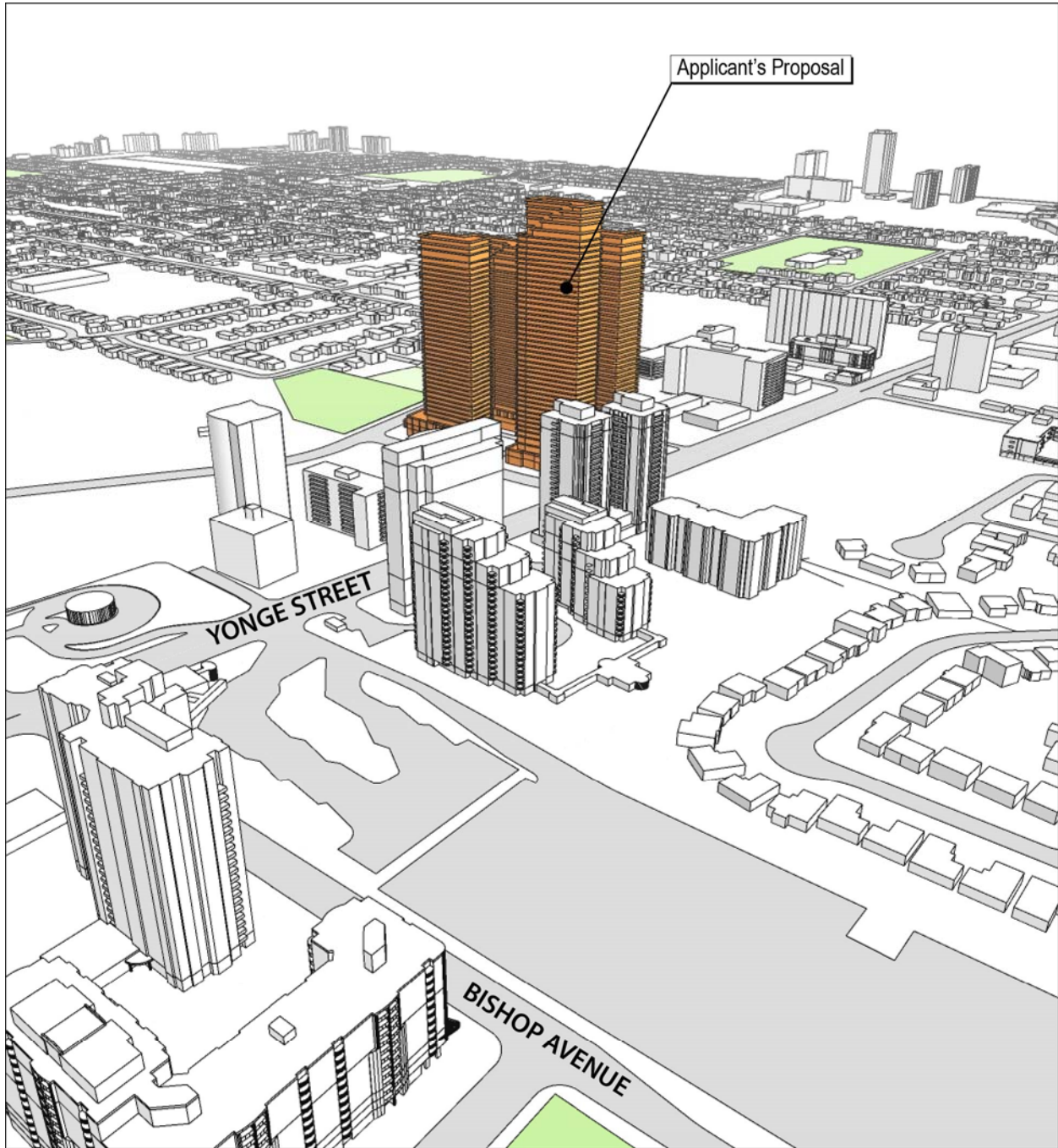
ATTACHMENTS

Attachment 1A and 1B: 3D Model of Proposal in Context
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

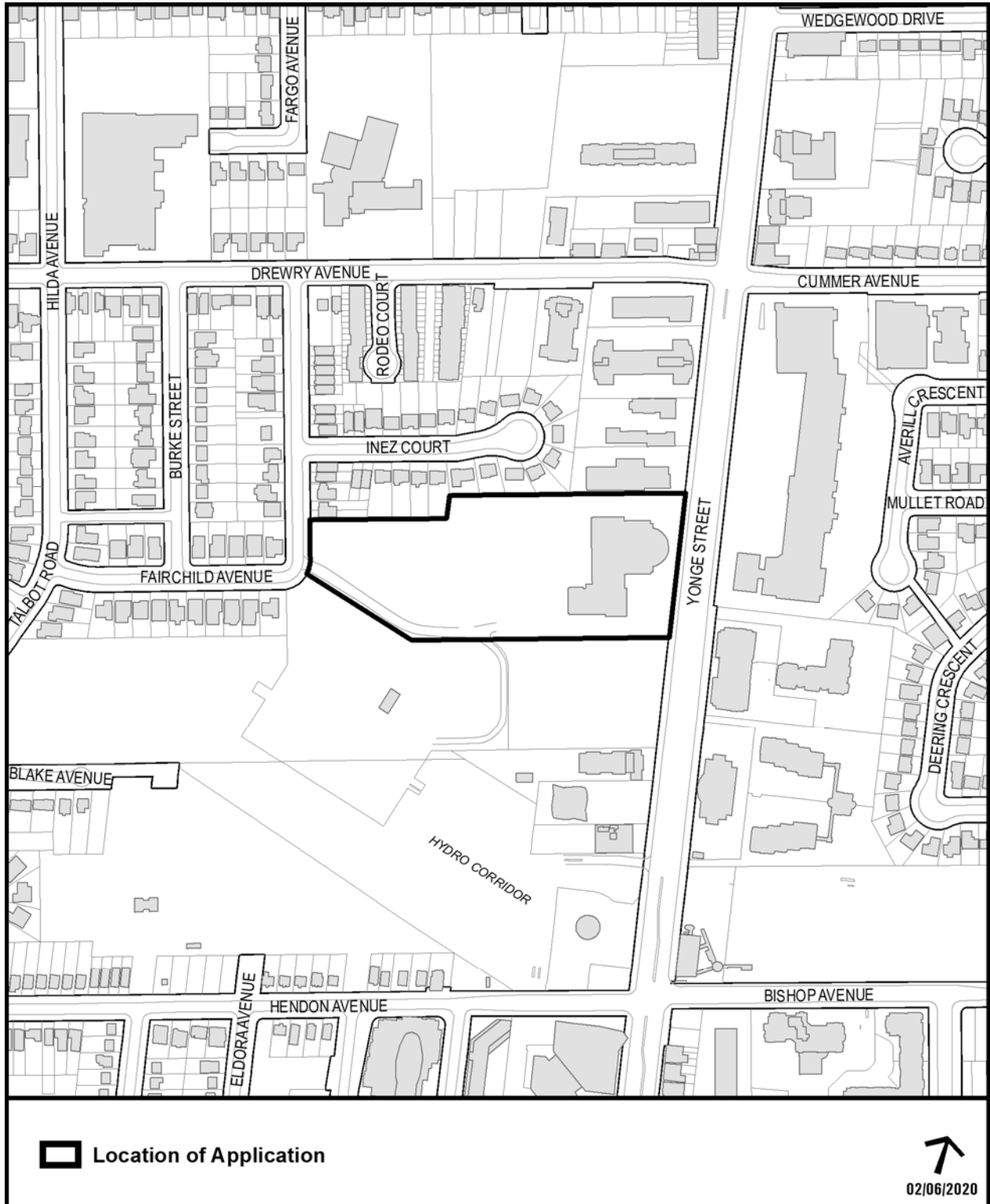


View of Applicant's Proposal Looking Northwest

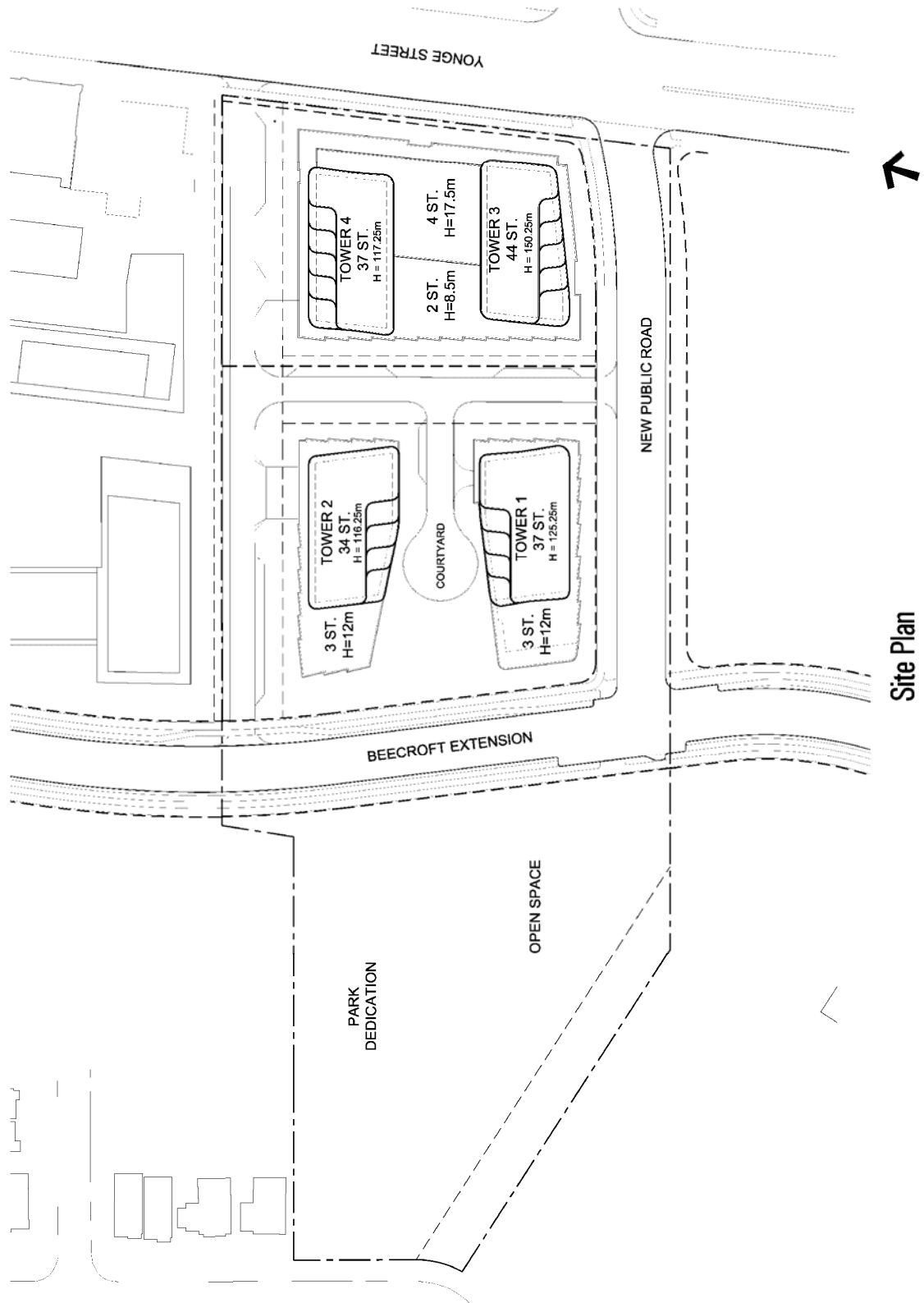


02/06/2020

Attachment 2: Location Map



Attachment 3: Site Plan



Site Plan

Attachment 4: Official Plan Map



5800 Yonge Street

Official Plan Land Use Map #16

File # 20 110947 NNY 18 0Z



↑
Not to Scale
02/06/2020