REPORT FOR ACTION

DA TORONTO

1-7 Yonge Street – Official Plan Amendment and Zoning Amendment Applications, Phases 4 and 5, south of Harbour Street – Preliminary Report

Date: August 24, 2020 To: Toronto and East York Community Council From: Director, Community Planning, Toronto and East York District Wards: Ward 10 - Spadina-Fort York

Planning Application Number: 20 152435 STE 10 OZ

Related Applications: 2016 126393 STE 28 SB

Notice of Complete Application Issued: June 9, 2020

Anticipated City Council Meeting Date: September 30, 2020

Current Use(s) on Site: Existing "Toronto Star" Office Tower (25 storeys) as well as surface parking.

SUMMARY

This report provides information and identifies a preliminary set of issues regarding the application located at 1-7 Yonge Street, for the south block bound by Queens Quay East to the south, Yonge Street to the west, Freeland Street to the east, and the future Harbour Street extension to the north (the "South Block"). The Applicant is proposing to modify LPAT-approved plans to include hotel uses in the planned mixed-use commercial development.

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 1-7 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

A Zoning By-law Amendment application was submitted by Pinnacle International for the subject site in March 2013. In consultation with City Staff, the applicant later determined that an Official Plan Amendment to the former City of Toronto Official Plan was required, as the proposal did not confirm to some of the policies within this Plan that are still in force for portions of the waterfront area. The Official Plan Amendment application was submitted in November 2013. Both applications were subsequently appealed to the Local Planning Appeals Tribunal (formerly Ontario Municipal Board) due to Council's lack of decision on the application. The Preliminary Reports for both those applications are located at the following links:

Zoning By-law Amendment: <u>http://app.toronto.ca/tmmis/viewAgendaltemHistory.do?item=2013.TE25.64</u>

Official Plan Amendment: http://app.toronto.ca/tmmis/viewAgendaltemHistory.do?item=2014.TE30.53

In June 2016, Council endorsed a Report from Community Planning recommending the City proceed to a Settlement based on merits of the improved proposal. The Request for Directions report for this application is located at the following link:

Request for Direction: <u>https://www.toronto.ca/legdocs/mmis/2016/te/bgrd/backgroundfile-93840.pdf</u>

The LPAT approved a settlement (PL140008) between Pinnacle and the City of Toronto in July 2018, and subsequently issued an order in April 2019. The settlement allows for a mixed-use residential and commercial development to include buildings ranging in heights from 65 storeys (204.2 metres) to 95 storeys (294.2 metres) for the mixed use residential buildings on the north block, and 22 storeys (92.2 metres) to 35 storeys (144 metres) for the commercial development on the South Block. It also requires that Pinnacle satisfy its parkland dedication requirements through an off-site contribution to the Lower Yonge Park, which will be located on the neighbouring LCBO lands.

The settlement includes a number of community benefits including the development of a Community Centre within the Phase 1 mixed use residential building (under

construction), 10% affordable rental housing to be located within the Phase 1 and the Phase 3 mixed use residential buildings, the development of a corner plaza on a remnant of City-owned right-of-way made available through the regularization of Harbour Street through the Lower Yonge Precinct, , and a financial contribution to the Jack Layton Ferry Terminal.

The settlement also includes a number of holding provisions within the approved By-law to address a technical matters, which may be lifted through a phased-approach. For example, prior to the development of the South Block (also referred to as Phases 4 and 5 of the development), the Harbour Street extension must be conveyed to the City. The present application is seeking to amend the LPAT approval in regard to the South Block only.

ISSUE BACKGROUND

Application Description

This application proposes to amend the LPAT-approved site specific Official Plan Amendment (OPA 487) and Zoning By-law (249-2020) for the South Block at 1-7 Yonge Street to modify existing permissions for two mixed-use commercial buildings, referred to as Phases 4 and 5 of the overall development.

Existing approvals were achieved by way of LPAT Settlement in July 2018, with a final LPAT order being issued in April 2019. The new application continues to propose two commercial buildings, however at increased height and with a hotel included. Phase 4 is proposed at 40 storeys (171.25 metres including the mechanical penthouse) and Phase 5 is proposed at 22 storeys (115.25 metres including the mechanical penthouse). Collectively, the two buildings would contain 106,476 square metres of office uses, 36,169 square metres of hotel uses, 2,194 square metres of retail, and 2,762 square metres of non-residential uses including the PATH connection and the proposed food hall.

While the overall heights of the buildings have changed, the total of 147,600 square metres of GFA is consistent with the Applicant's prior approvals for the Phases 4 and 5 buildings. The development also includes 1,112 vehicular parking spaces below-grade, with the proposed parking area expanding into the future Harbour Street right of way; 230 long term bicycle parking spaces; and 219 short term bicycle parking spaces. The floor space index (FSI) for the development would be 13.3 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-informationcentre/

See Attachments 1 and 2 of this report for a three dimensional representation of the project in context, Attachments 3 and 4 for the Location Map and 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.

A Place to Grow: 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) 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 amalgamated City of Toronto Official Plan was adopted by Council in 2002 and approved by the Ontario Municipal Board (OMB) in 2006. The 2006 OMB Order omitted areas covered by the Central Waterfront Secondary Plan (CWSP), which was an amendment to the former City of Toronto Official Plan. The CWSP was brought partially into force within the amalgamated City of Toronto Official Plan by the Local Planning Appeal Tribunal (LPAT) on August 16, 2018, although not for the Lower Yonge Precinct Lands. The former City of Toronto Official Plan remains in force and effect for the 1-7 Yonge Street property. Although the amalgamated City of Toronto Official Plan is not in force for this site, it sets out the overall vision for the City's urban structure and future growth and is considered when reviewing Waterfront planning and development.

The former City of Toronto Official Plan sets out a policy framework, including goals and objectives, for the waterfront in Chapter 14. The subject site is within the Central Bayfront area. A set of planning and urban design principles for development in both the Central Bayfront and East Bayfront is set out in Policy 14.28. These principles set out the need for further planning and development to address land use, open space, built form and infrastructure. Development is directed to be phased at an appropriate pace. Planning and urban design principles in Policy 14.28 specify that new development in the Central Bayfront will develop at moderate to high intensity. Development is to step down in height to the water and preserve expansive views from the City to the water.

Within the amalgamated City of Toronto Official Plan, the current application is located on lands shown as Downtown and Central Waterfront on Map 2 of the Official Plan; and Regeneration Areas, with the exception of a strip of land along Yonge Street which is shown as Parks, on Map 18.

The amalgamated Toronto Official Plan policies may be found here: <u>https://www.toronto.ca/city-government/planning-development/official-plan-guidelines/official-plan/</u>

See Attachment 5 of this report for a where the site is situated within the Official Plan.

Central Waterfront Secondary Plan

The Central Waterfront Secondary Plan (CWSP) was adopted by City Council on April 16, 2003 as an amendment to the former City of Toronto Official Plan. It was appealed in its entirety, and although large parts of the Plan, including the portions pertaining to 1-7 Yonge Street, have now been approved by the LPAT.

Notwithstanding the above, the CWSP has been used as the guiding policy document for waterfront redevelopment and policy implementation.

The purpose of the CWSP is to identify key public priorities and opportunities, as well as an implementation process for waterfront revitalization. The document is based on four core principles:

- A. Removing Barriers/Making Connections;
- B. Building a Network of Spectacular Waterfront Parks and Public Spaces;
- C. Promoting a Clean and Green Environment; and
- D. Creating Dynamic and Diverse New Communities.

Prior to the preparation of zoning by-laws or development permit by-laws within Regeneration Areas, the CWSP requires Precinct Implementation Strategies to be prepared in accordance with the policies contained in Section 2.2.

Similar to the Toronto Official Plan, the CWSP split-designates the site to Regeneration Areas, Regeneration Areas (Qualified), and Parks and Open Space Areas. The Regeneration Areas (Qualified) designation applies to the South Block, and prohibits residential land uses as well as any commercial, institutional or community service uses that may be analogous to residential in that they involve overnight accommodation or sleeping facilities of any kind.

Although the site is subject to its own site-specific amendment (referenced below), the application will be reviewed against the CWSP to ensure compatibility. The Central Waterfront Secondary Plan can be found here:

https://www.toronto.ca/wp-content/uploads/2019/02/8e22-CityPlanning_2006-OP_CWSP_Final.pdf

See Attachment 6 of this report for a depiction of where the site is situated on Map E – Land Use Plan 2-3 of the Central Waterfront Secondary Plan.

Lower Yonge Precinct Plan and Official Plan Amendment

The Lower Yonge Precinct Plan and implementing draft OPA was endorsed by City Council on June 7, 2016. The Precinct Plan provides the comprehensive planning framework intended to guide development in the Precinct and establishes a common vision for the redevelopment of the Lower Yonge Precinct.

The Lower Yonge Precinct is envisioned to be a vibrant, mixed-use, complete community that derives its character from its waterfront context and the large central park at its heart. It will be a home and workplace for people of all incomes, as well as a destination to visit. Lower Yonge will be a green, sustainable neighbourhood with streets and sidewalks that are inviting to both pedestrians and cyclists. The area will be characterized by mid-rise base buildings framing the public realm at a human scale, and broadly spaced towers ensuring sunlight, comfortable wind conditions and ample views of the sky from all streets and the park.

The OPA establishes a set of planning policies intended to guide future private and public investment, under the general themes of public realm, infrastructure, development and implementation. The Precinct Plan provides the background and rationale for the OPA, as well as additional measures and details for each of the elements in the OPA.

The Precinct Plan and draft OPA can be found here: <u>https://www.toronto.ca/legdocs/mmis/2016/te/bgrd/backgroundfile-92511.pdf</u>

The Lower Yonge OPA is a modification of the CWSP, which is in force for 1-7 Yonge Street via site-specific amendment, but not yet in force for the overall Lower Yonge Precinct. It is anticipated that the CWSP, amended to include the Lower Yonge OPA, will be brought into force for Lower Yonge as part of the CWSP LPAT Process. Changes proposed by the Applicant will be reviewed in the context of the Lower Yonge Precinct Plan and the draft OPA, as well as the CWSP, to ensure compatibility.

Site-specific Official Plan Amendment 487

The application is subject to Official Plan Amendment 487 which amends the Central Waterfront Secondary Plan to accommodate the 1-7 Yonge Street development, and is the outcome of the LPAT settlement which took place in July 2018, with a final decision issued in April 2019.

Details of this amendment are located here: https://www.toronto.ca/legdocs/bylaws/2020/law0248.pdf

See Attachments 7, 8, and 9 of this report for a depiction of where the site is situated on Maps J2 – Streets and Blocks Plan, J4 - Public Realm Plan - Parks, Open Space, POPS and Promenades, and J8 - Land Use and Number of Towers within OPA 487.

Zoning By-laws

The site is subject to site-specific By-law 249-2020, which amends By-law 438-86, and is the outcome of the LPAT settlement which took place in July 2018, with a final decision issued in April 2019. The subject site is zoned Commercial Residential (CR) with a Hold (H) which addresses a series of technical matters. Site-specific provisions allow up to 147,600 square metres of Gross Floor Area for the south block, but limit uses to non-residential uses including office and retail uses, but prohibiting hotel uses. By-law 249-2020 also sets out specific built form standards including heights and setbacks for the 1-7 Yonge Street development.

By-law 249-2020 may be found here: https://www.toronto.ca/legdocs/bylaws/2020/law0249.pdf

See Attachments 10 and 11 of this report for Maps 2A and 2B within Bylaw 249-2020.

Design Guidelines

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

- City-wide Tall Building Design Guidelines
- Retail Design Guidelines

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

Other Considerations

The Application will implement other initiatives within the Lower Yonge Precinct Area including the Lower Yonge Public Realm Concept Plan and the Queens Quay Revitalization Project.

The Lower Yonge Public Realm Concept Plan may be found here: <u>https://www.toronto.ca/legdocs/mmis/2018/te/bgrd/backgroundfile-115462.pdf</u>

Site Plan Control

The application is subject to Site Plan Control. A Site Plan Control application for the applicable Phases of this development has not been submitted.

Reasons for the Application

The Official Plan Amendment and Zoning By-law Amendment applications are required to permit the hotel use and changes to the built form proposed by the Applicant for the South Block.

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 evaluate these planning applications to determine their consistency with the PPS (2020) and conformity with the Growth Plan (2019). Given the explicit link between Provincial Policy and the Official Plan, consistency with the PPS and conformity with the Growth Plan will largely be determined by conformity with the Official Plan.

Official Plan Conformity

Staff will continue to evaluate this planning application to determine its conformity to the Official Plan, taking into consideration applicable site-specific policy, as well as more recent developments with the Central Waterfront Secondary Plan and Lower Yonge Precinct Plan LPAT processes.

Land Use, Built Form, and 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 d), j), p) and r) of the Planning Act; the PPS 2020, the Growth Plan (2019), the City's Official Plan policies and the City's Tall Building Design Guidelines and the Retail Design Guidelines.

Staff will continue to assess matters including:

- The appropriateness of the hotel use on the subject site relative to land use compatibility criteria set out within the applicable policy documents;
- The suitability of the proposed height and massing, including setbacks and stepbacks, in relation to the area's existing and planned built form character and scale;
- The appropriateness of the tower floor plate dimensions and tower setbacks and separation distances;
- Understanding the relationship of the proposed towers to the public realm and private spaces, ensuring that the revised public realm will connect to and contribute to the planned network;
- The suitability of a bridge connection between the Phase 4 and 5 buildings;

- The suitability of the above-grade PATH connection relative to the City's public realm objectives for the waterfront area;
- The suitability of proposed cycling and vehicular accesses and circulation and their impact on the public realm;
- The impacts of new shadowing on the public realm, existing and planned parks, and private open spaces. A Sun-Shadow Study was submitted and is currently under review by City staff;
- The impacts of any changes to the pedestrian level wind conditions within the public realm, existing and planned parks, and private open spaces. A Pedestrian Wind Assessment was submitted and is currently under review by City staff;
- The suitability of the proposed landscape plan, including the strategy to replace any existing trees proposed to be removed; and,
- The impacts of parking below Harbour Street, presently slated to be conveyed to the City free of encumbrances.

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 a Tree Inventory and Preservation Plan Report which outlines that there are 15 trees on and within 6 metres of the site, of which are proposed to be removed. The application has been circulated to Urban Forestry for review and comment.

Archaeological Assessment

Archaeologically, the subject property housed the former RCAF equipment depot which is considered a Grade 3 archaeological resource and of no further concern. Archeological monitoring will be required during construction, indicating whether the site has archaeological resource potential and whether an archaeological assessment needs to be completed.

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.

For the Lower Yonge Precinct, a master planned approach to Community Services and Facilities was taken to ensure that the community provides future residents and workers with adequate services. In the case of 1-7 Yonge Street, as noted earlier in this report, the Applicant is providing a Community Centre in the first building of the development, currently under construction north of future Harbour Street, a financial contribution to the Jack Layton Ferry Terminal, and is designing and building a corner plaza for a remnant piece of land owned by Transportation Services following the realignment of Harbour Street, in addition to several other contributions listed with the Section 37 Agreement.

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 development at 1-7 Yonge Street is subject to an existing Section 37 Agreement. Through review of the current proposal on the South Block, further Section 37 obligations may be identified.

Infrastructure/Servicing Capacity

Staff is reviewing the application to determine if there is sufficient infrastructure capacity (roads, transit, water, sewage, hydro) to accommodate the proposed development. The applicant has submitted the following studies and reports which are being reviewed by Engineering and Construction Services staff: a Functional Servicing and Stormwater Management Report; Hydrogeological Investigation; Geotechnical Investigation; and Traffic Impact 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 report submitted by the applicant, to evaluate the effects of the development on the transportation system including impacts to parking, and to identify any transportation improvements that are necessary to accommodate the travel demands and impacts generated by the development.

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 Application is being reviewed by staff for compliance with Tier 2 performance standards, as proposed by the Applicant. Achievement of Tier 2 or greater of the TGS is desirable for this commercial development, and should continue to be pursued.

Other Matters

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

CONTACT

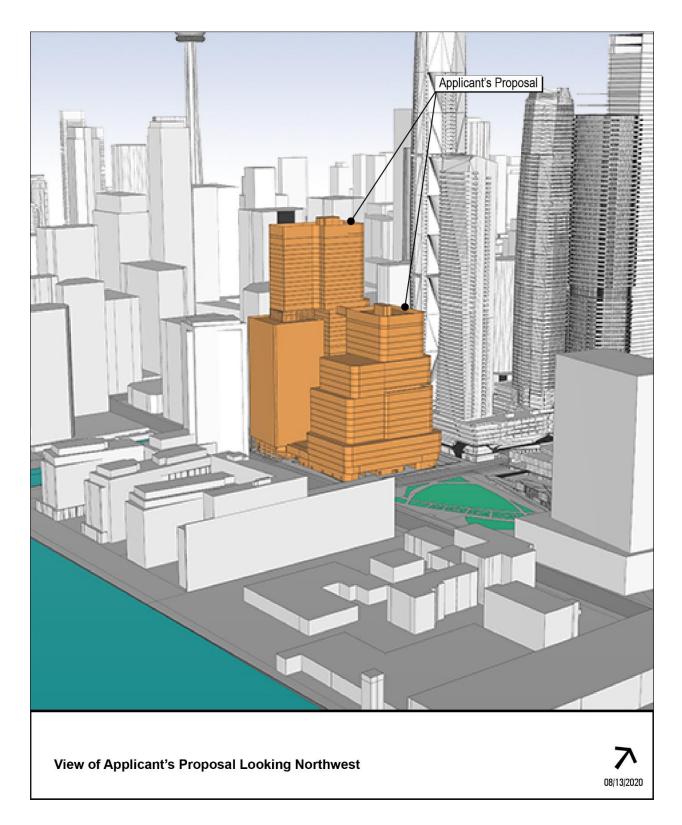
Nader Kadri, Planner Tel. No. (416) 338-5324 E-mail: Nader.Kadri@toronto.ca

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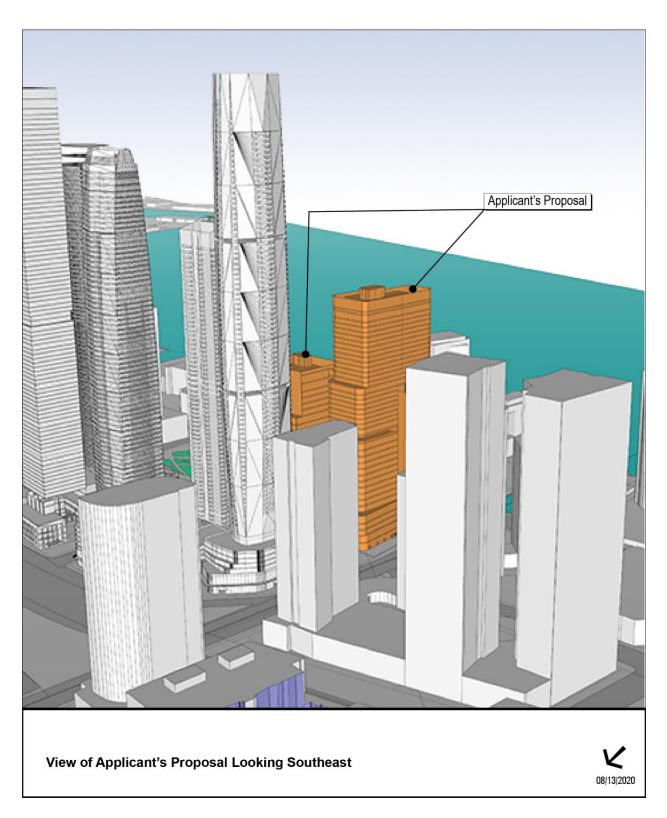
Lynda H. Macdonald, MCIP, RPP, OALA, FCSLA, Director, Community Planning, Toronto and East York District

ATTACHMENTS

City of Toronto Drawings Attachment 1: 3D Model of Proposal in Context Attachment 2: 3D Model of Proposal in Context Attachment 3: Location Map Attachment 4: Site Plan Attachment 5: Official Plan Land Use Map 18 Attachment 6: Central Waterfront Secondary Plan – Map E – Land Use Plan Attachment 7: OPA 487 – Map J2 Attachment 8: OPA 487 – Map J4 Attachment 9: OPA 487 – Map J8 Attachment 10: By-law 249-2020 – Map 2A Attachment 11: By-law 249-2020 – Map 2B Attachment 12: Application Data Sheet

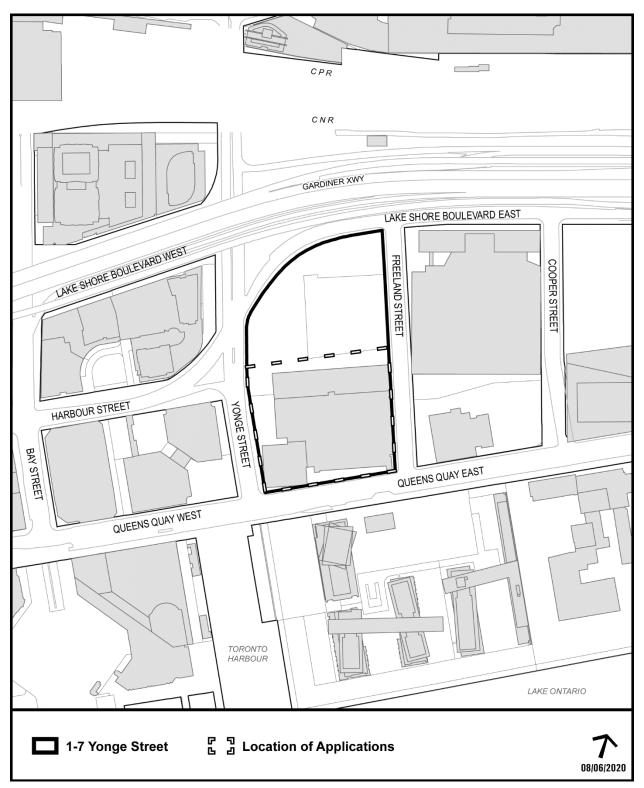


Attachment 1: 3D Model of Proposal in Context

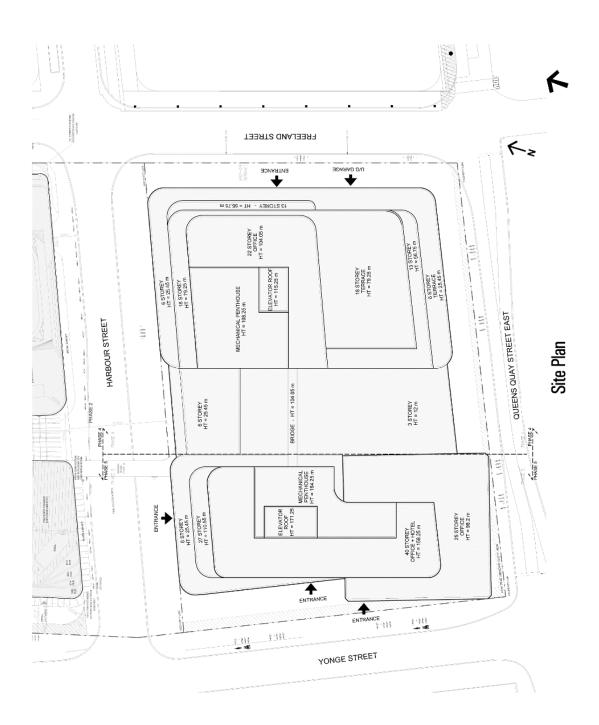


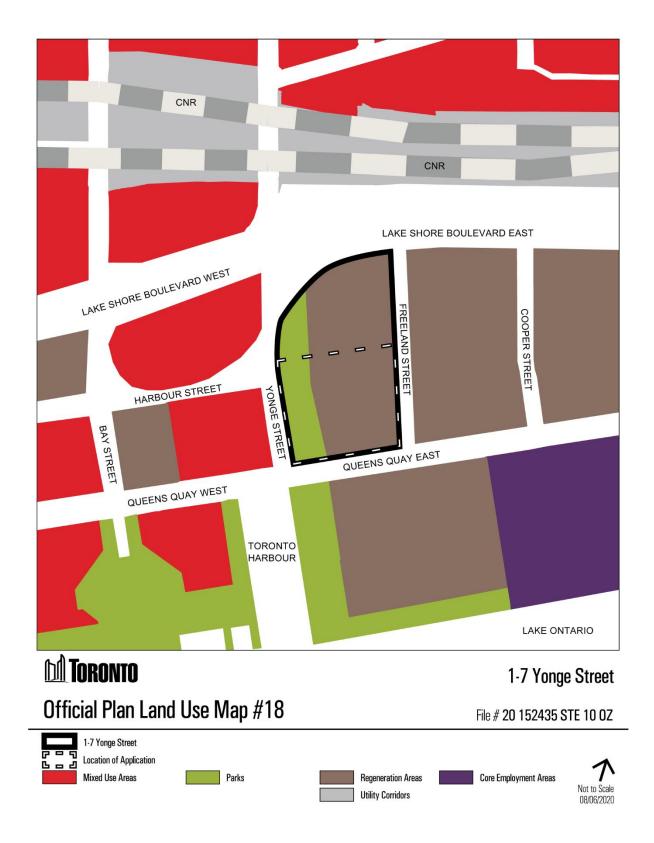
Attachment 2: 3D Model of Proposal in Context

Attachment 3: Location Map

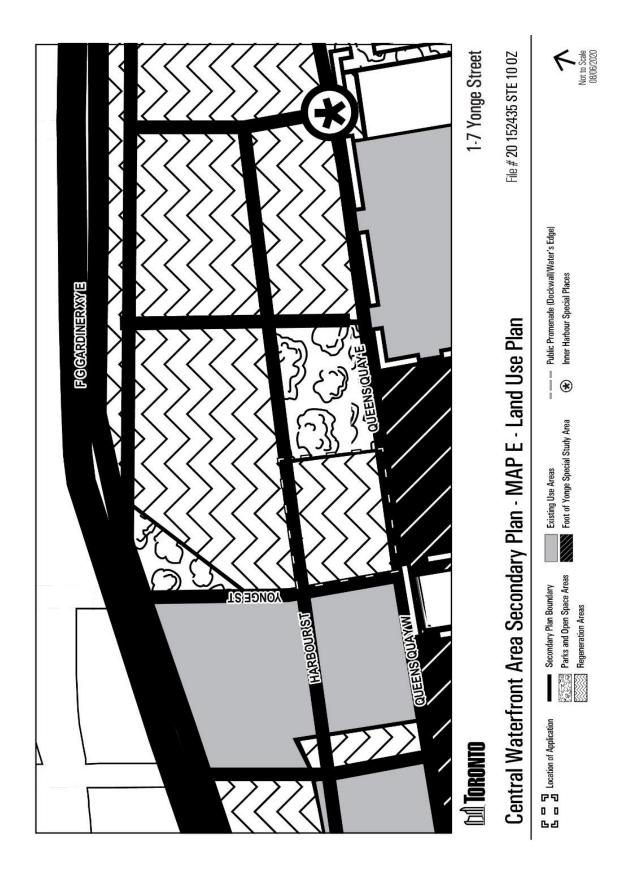


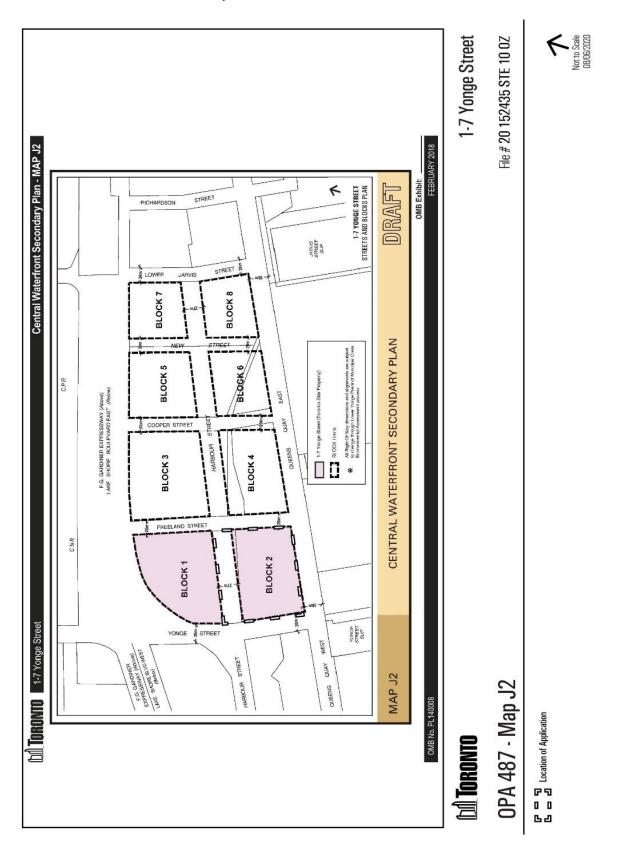
Attachment 4: Site Plan

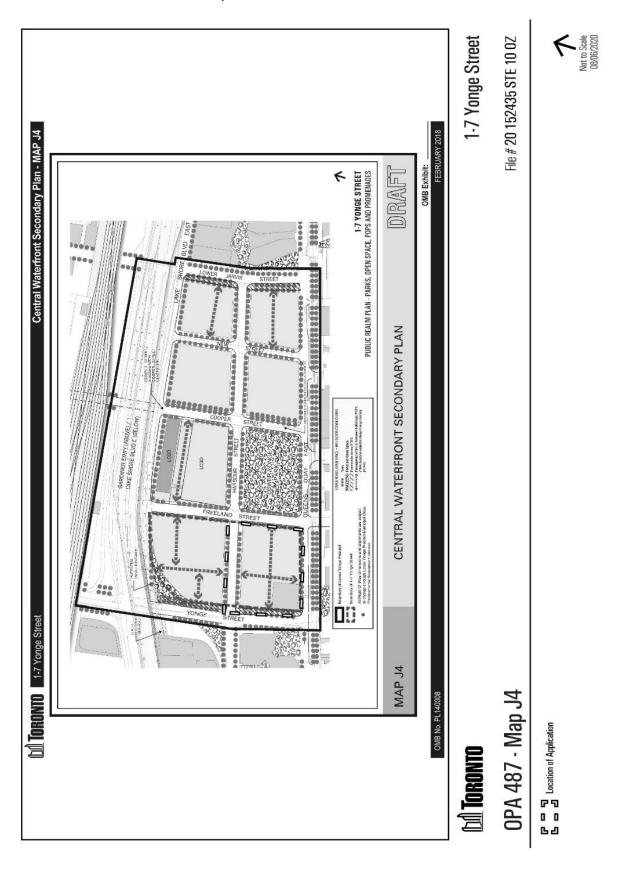


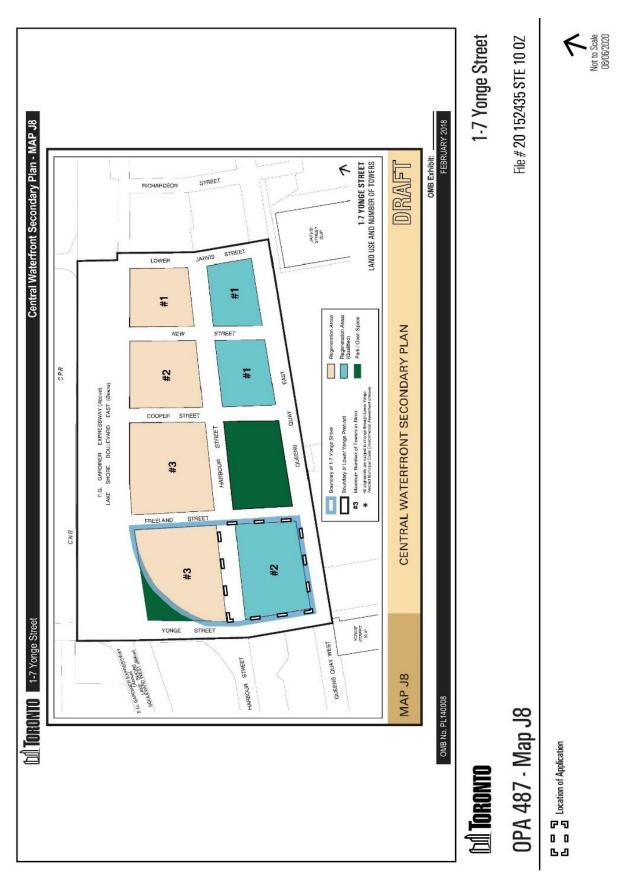


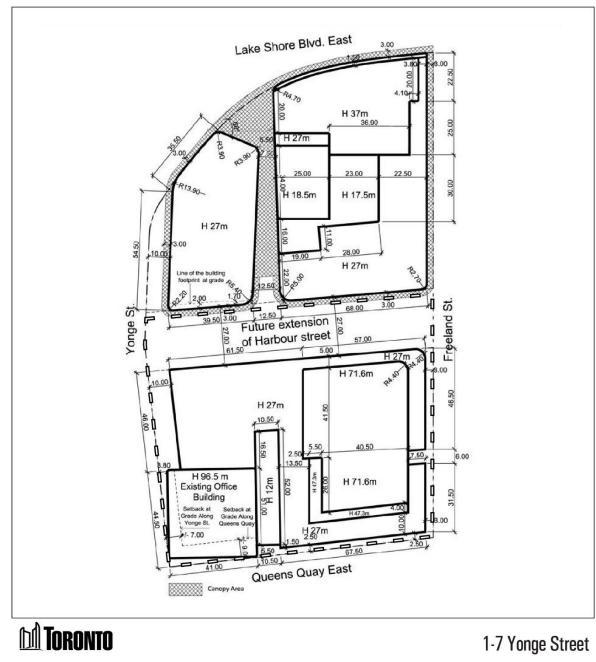
Attachment 5: Official Plan Land Use Map 18











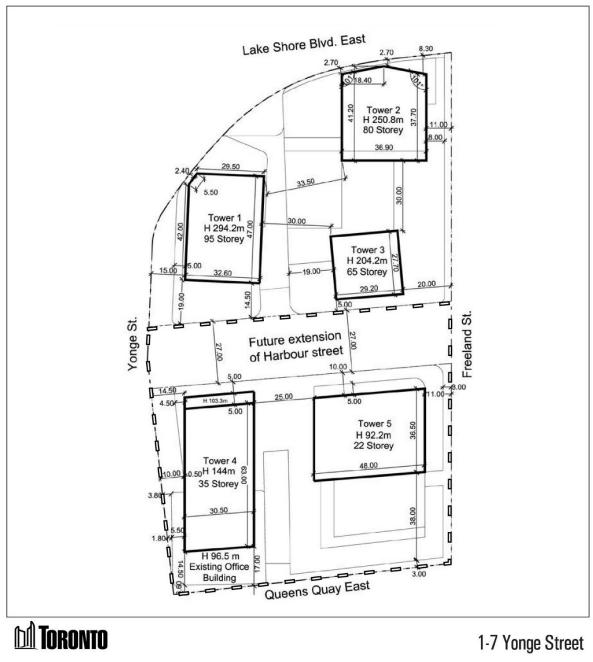
Attachment 10: By-law 249-2020 - Map 2A

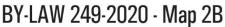
BY-LAW 249-2020 - Map 2A

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File # 20 152435 STE 10 OZ





File # 20 152435 STE 10 OZ

C C C Location of Application



Attachment 12: Application Data Sheet

APPLICATION DATA SHEET

Municipal Address:	1 YONG	E ST	Date Receiv	ed : Jun	e 4, 2020	
Application Number:	20 152435 STE 10 OZ					
Application Type:	OPA / Rezoning					
Project Description:	Proposal to revise the approved OPA and ZBA as it relates to the South Block (Phases 4 and 5) to allow for the inclusion of a hotel use as well as changes to the built form including the addition of a pedestrian bridge between Phases 4 and 5.					
Applicant PINNACLE INTERNATIONAL (ONE YONGE) LTD	Agent		Architect HARRIRI PONTARI ARCHITECTS	PIN INT	Owner PINNACLE INTERNATIONAL (ONE YONGE) LTD	
EXISTING PLANNING CONTROLS						
Official Plan Designatio	on: Rege Areas	neration	Site Specific P	Provision:	Central Waterfront Secondary Plan, Lower Yonge OPA, and OPA 487	
Zoning:	Site-specific: By- law 249-2020		Heritage Designation:		Ν	
Height Limit (m):	144, 92.2		Site Plan Control Area: Y		Y	
PROJECT INFORMATION						
Site Area (sq m): 11,	237	Frontage	e (m): 122	Dept	h (m): 79	
Project Data		Existing	Retained	Propose	ed Total	
Ground Floor Area (sq m):		8,989	827	4,0	97 4,924	
Non-Residential GFA (sq m):		61,780	36,298	111,3	02 147,600	
Total GFA (sq m):		61,780	36,298	111,30		
Height - Storeys:		25	25		40 40	
Height - Metres:		98	98	1:	58 158	
Lot Coverage Ratio (%	Index: 13	3.14				

Floor Area Breakdown	Above Grade (sq m)
Retail GFA:	2,194
Office GFA:	106,476
Institutional/Other GFA:	38,931

Parking and Loading

Parking Spaces: 1,112 Bicycle Parking Spaces: 449 Loading Docks: 6

CONTACT:

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