

1913-1951 Yonge Street, 17-21 Millwood Road and 22 Davisville Avenue – Zoning By-law Amendment Application – Preliminary Report

Date: October 16, 2020

To: Toronto and East York, Community Council

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

Ward: 12 - Toronto-St. Paul's

Planning Application Number: 20 191099 STE 12 OZ

Heritage Buildings on Site: Yes

Current Uses on Site: A commercial surface parking lot and six 2-storey mixed retail-residential buildings fronting on Yonge Street. There are two vacant 2-storey detached dwellings fronting on Millwood Road.

SUMMARY

This report provides information and identifies a preliminary set of issues regarding the development application for 1913-1951 Yonge Street, 17-21 Millwood Road and 22 Davisville Avenue.

This Zoning By-law Amendment Application supersedes an earlier Zoning By-law Amendment Application that was withdrawn on September 23, 2019. However, the Official Plan Amendment which accompanied the initial Zoning By-law Amendment Application, was appealed by the applicant and is awaiting a hearing at the Local Planning Appeal Tribunal (“LPAT”).

City staff are reviewing the Zoning By-law Amendment Application for a 30 and 45-storey tower mixed use development with a shared 8-storey base building. The application has been circulated to all appropriate agencies and City divisions for comment. City Planning staff will proceed to schedule a community consultation meeting for the application with the Ward Councillor.

RECOMMENDATIONS

The City Planning Division recommends that:

1. City Planning staff schedule a community consultation meeting for the development application for 1913-1951 Yonge Street, 17-21 Millwood Road and 22 Davisville Avenue 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 March 29, 2017 an Official Plan and Zoning By-law Amendment Application (File No. 17 136251 STE 22 OZ) was submitted to permit a 34 and 25-storey mixed use development linked by a 9 and 3-storey base building and a 392 square metre on-site park. The application applied to 1925-1951 Yonge Street, 17-21 Millwood Road and 22 Davisville Avenue.

On November 2, 2017, the application was appealed to the LPAT.

On April 24, 2018 City Council adopted a Request for Direction Report to authorize the City Solicitor, together with appropriate City staff, to attend to the LPAT hearing to oppose the appeal. The report can be found at the following link:

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2018.TE31.14>

On September 23, 2019 the applicant withdrew the Zoning By-law Amendment component of the original application (File No. 17 136251 STE 22 OZ) but not the Official Plan Amendment component of the original application which remains under appeal at the LPAT. The Official Plan Amendment application is required to re-designate the northeast portion of the subject site from *Neighbourhoods* to *Mixed Use Areas*, as the proposed development does not conform to the Official Plan policies for development within a Neighbourhood.

THE APPLICATION

Complete Application Submission Date: September 8, 2020

Description

This application proposes two-towers at 30 and 45-storeys (102.0 and 148.5 metres, plus mechanical penthouse respectively), on a shared podium of 8-storeys, containing 821 dwelling units and 3,000 square metres of retail at-grade, with a 4-level underground parking garage for 92 commercial/visitor and 350 resident vehicular parking spaces. The application site area is larger than the previous application and includes the addition of five properties: 1913, 1915, 1919, 1921 and 1923 Yonge Street.

Detailed project information including all plans and reports submitted as part of the application can be found on the City's Application Information Centre at: <https://www.toronto.ca/city-government/planning-development/application-information-centre/>

See Attachments 1, 3 and 6 of this report, for a three dimensional representation of the project in context, a site plan of the proposal, and the Application Data Sheet, respectively. The Application Data Sheet contains additional details about the proposal including: site area and dimensions; floor area; unit breakdowns; and parking counts.

Reasons for the Application

The Zoning By-law Application is required to vary performance standards including: building height; floor space index; building setbacks; landscaped open space; and parking requirements. Additional amendments to the Zoning By-law may be identified as part of the application review. City Planning staff will continue to assess the application for areas of nonconformity with the Official Plan.

POLICY CONSIDERATIONS/PLANNING FRAMEWORK

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 (2020) (the "Growth Plan") 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.

Planning for Major Transit Station Areas

The Growth Plan as amended 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 MTSA's are planned for the prescribed densities.

Official Plan Policies and Planning Studies

The City of Toronto Official Plan (the "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 "*Planning Act*"). The PPS recognizes the Official Plan as the most important document for its implementation.

The Official Plan contains policies related to building complete communities, heritage preservation, community services, transportation, and environmental stewardship.

The Official Plan also 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 of community benefits in the form of capital facilities and local improvements.

The site is located on land shown as *Avenues* on Map 2 of the Official Plan and *Mixed Use Areas* and *Neighbourhoods* on Land Use Map 17. Most of the site is designated *Mixed Use Areas*, with the exception of 17 and 21 Millwood Road, which is designated *Neighbourhoods*.

See Attachment 4 of this report for the Official Plan Land Use Map.

Yonge-Eglinton Official Plan Amendment (OPA 405)

The site is located within the Yonge-Eglinton Secondary Plan area. On July 23, 2018, City Council adopted Official Plan Amendment ("OPA 405") to replace in its entirety the former Yonge-Eglinton Secondary Plan. The Minister of Municipal Affairs and Housing modified and approved OPA 405 on June 5, 2019.

The Secondary Plan designates the site as Mixed Use Areas "A" and is located in the Davisville Station Character Area. The Davisville Station Character Area is a retail and office node centred around the Davisville subway station. The area is to transform into a vibrant mixed use, transit-oriented node with new and improved squares and plazas as part of the sequence of squares along Yonge Street. New tall buildings will frame the Yonge Street and Davisville Avenue intersection with an anticipated height range of 30 - 45 storeys for the tower portion and 8 storeys for base buildings.

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

The Yonge-Eglinton Secondary Plan (OPA 405) can be found here: https://www.toronto.ca/wp-content/uploads/2019/07/96a5-CityPlanning_OPA405.pdf

Heritage

The properties municipally known as 1913, 1917, 1919, 1919A, 1921 and 1923 Yonge Street are on the Toronto Heritage Register. The properties were listed by City Council on October 2, 2017.

The site is also adjacent to properties on the Heritage Register, which include 1909 Yonge Street, and 2 and 2A Davisville Avenue. The building at these addresses known as the J.J Davis's Davisville General Store and Post Office was constructed in 1894. The properties 1909 Yonge Street, and 2 and 2A Davisville Avenue were listed by City Council on November 21 and 23, 1973.

The Toronto Heritage Register can be found at: <https://www.toronto.ca/city-government/planning-development/heritage-preservation/heritage-register/>

Zoning By-laws

The northeast corner of the site, 17 and 21 Millwood Road, is zoned Residential (R (d0.6) (x931)), with a height limit of 9.0 metres under Zoning By-law 569-2013.

The central portion of the site, 1925-1951 Yonge Street is zoned Mainstreet Commercial Residential (MCR T3.0 C2.0 R2.5), with a height limit of 16.0 metres, and the northeast corner of the site, 17 and 21 Millwood Road, is zoned Residential (R2 Z0.6) with a height limit of 9.0 metres under Zoning By-law 438-86.

The southern portion of the site, 1913-1923 Yonge Street, and 22 Davisville Avenue is zoned Commercial Residential (CR 3.0 (c2.0; r2.5) SS2 (x2424)), with a height limit of 16.0 metres under Zoning By-law 569-2013.

See Attachment 5 of this report for the existing Zoning By-law Map.

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

Midtown Zoning Review

As part of the approval of The Yonge-Eglinton Secondary Plan (OPA 405), City Planning staff was directed by Council to initiate a zoning review for the 22 defined Character Areas to implement the directions of the Secondary Plan. The intent of the zoning review is to establish specific heights in the Zoning By-law as set out in Policy 5.4.3 of the Secondary Plan. It will also provide clarity on the location, scale and form of appropriate development within each Character Area and implement other policy directions within the approved Secondary Plan.

Such a review, as provided for in Policy 2.3.1.4 of the Official Plan, will be used to create an area specific zoning by-law. It is to be determined whether the area specific zoning by-law will apply to this block or a broader geography.

Urban Forestry/Ravine/Environment

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).

Design Guidelines

The following design guidelines will be used in the evaluation of this application:

- Tall Building Design Guidelines;
- Growing Up Guidelines Planning for Children in New Vertical Communities; and
- Pet Friendly Design Guidelines.

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

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 intended to advance the City's objectives for resilience and to achieve net-zero emissions by 2050 or sooner. Tier 1 performance measures are secured on site plan drawings and through a Site Plan Agreement or Registered Plan of Subdivision.

Applications must use the documentation required for the version of the Toronto Green Standard in effect at the time of the initial application. TGS Version 1.0 is no longer in effect. Older applications must be upgraded. TGS Version 2.0 applies to new applications received between January 1, 2010 and April 30, 2018. TGS Version 3.0 applies new applications submitted on or after May 1, 2018.

The TGS can be found here: <https://www.toronto.ca/city-government/planning-development/official-plan-guidelines/toronto-green-standard/tier-1-planning-application-requirements/>

Site Plan Control

The application is subject to Site Plan Control. A Site Plan Control application has not been submitted to date.

COMMENTS

ISSUES TO BE RESOLVED

City Planning staff have identified a number of preliminary issues with the proposed development and will work with the applicant to address these concerns and achieve a proposal which is more compatible with its surrounding context.

Consistency/Conformity with the Official Plan, and Provincial Policies and Plans

Revisions may be required to ensure that the proposed development conforms with the Official Plan, conforms with the Growth Plan, and is consistent with the PPS.

Height and Transition

The proposed building height and massing will require further assessment with respect to the area's existing and planned built form context, including the relationship between the Davisville School, Community Hub and existing low rise residential neighbourhoods to the east. In addition, the proposal does not provide appropriate transition between the *Mixed Use Areas* and *Neighbourhoods* designations as required in the Official Plan.

Shadow

The proposal has significant shadow impacts on the adjacent Davisville Public School yard at 50 Davisville Avenue, *Neighbourhoods* designated lands to the east and the public realm. Further study is required to identify opportunities to minimize shadow impacts on these spaces.

Site Arrangement

Further study is required to analyze the proposed driveway, parking and loading access, and potential pedestrian walkway on the east side of the site in relation to the adjacent Davisville School and the planned community hub.

Heritage

Heritage Planning staff have identified concerns with the extent of the stepback above the heritage building at 1909 Yonge Street, and 2 and 2A Davisville Avenue, and the demolition of the heritage buildings at 1913, 1917, 1919, 1919A, 1921 and 1923 Yonge Street. Further considerations and discussions will be required.

Rental Housing Demolition and Conversion By-law

The applicant will be required to submit an application for a Section 111 permit pursuant to Chapter 667 of the City of Toronto Municipal Code for the demolition of the existing rental housing units, as the lands subject to the application contain six or more residential units, of which at least one is rental. As per Chapter 667-14, a tenant consultation meeting will be held to review the impact of the proposal on tenants of the residential rental property and matters under Section 111.

Toronto Green Standard

The applicant has identified that they intend to meet Tier 2 of the TGS. City staff will review the TGS Checklist submitted by the applicant for compliance with the Tier 2 performance measures. Staff will encourage the applicant to pursue Tier 3 or 4.

ADDITIONAL ISSUES

The application has been circulated to City divisions and public agencies for comment. Additional issues may be identified through the review of the application, agency comments and the community consultation process.

NEXT STEPS

The applicant must submit an application for a Section 111 permit related to the existing rental housing units. City Planning staff will host a tenant consultation meeting.

City Planning staff will host a Community Consultation Meeting.

City staff will work to resolve the issues raised in this report and additional issues that may be identified by other City staff and the public. City Planning staff will report back at the appropriate time in the review of the application. If a Final Report is prepared, then the report will proceed to the Toronto and East York Community Council meeting which will serve as the Statutory Public Meeting as required by the *Planning Act*. A separate report on the heritage designation and alteration will be considered at the Toronto Preservation Board.

CONTACT

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SIGNATURE

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: Location Map

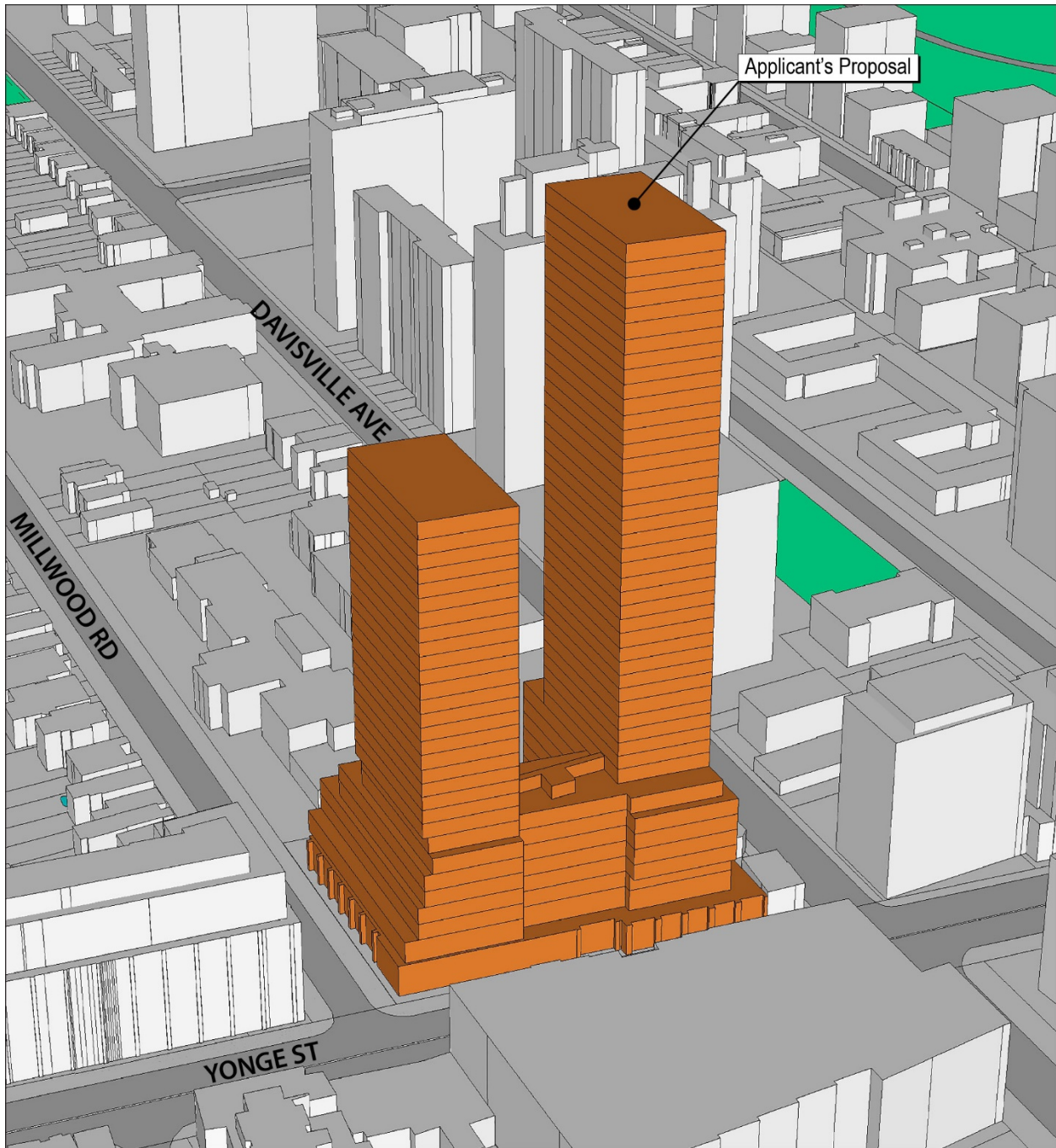
Attachment 3: Site Plan

Attachment 4: Official Plan Map

Attachment 5: Zoning By-law Map

Attachment 6: Application Data Sheet

Attachment 1: 3D Model of Proposal in Context



View of Applicant's Proposal Looking Southeast



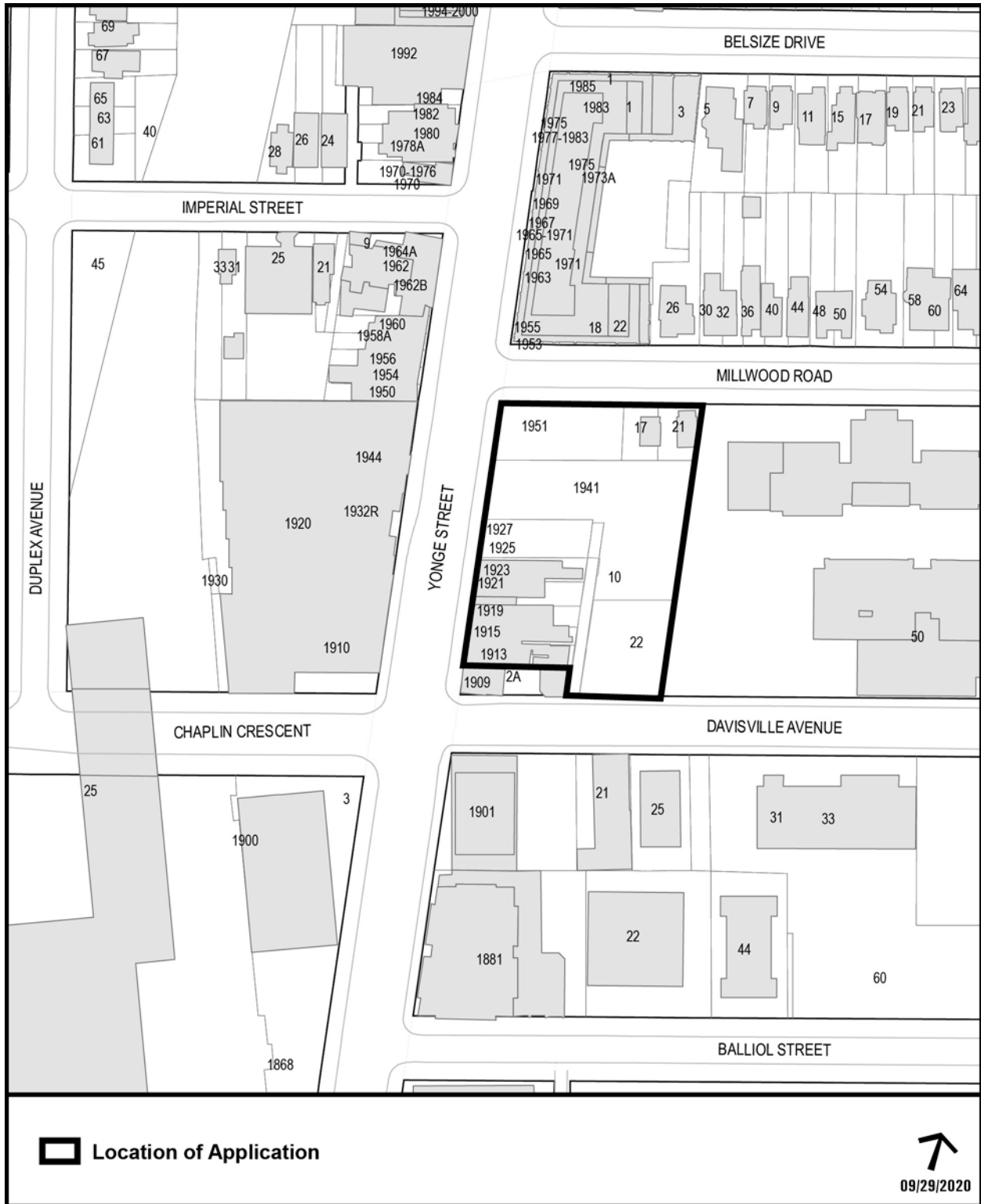
09/06/2020



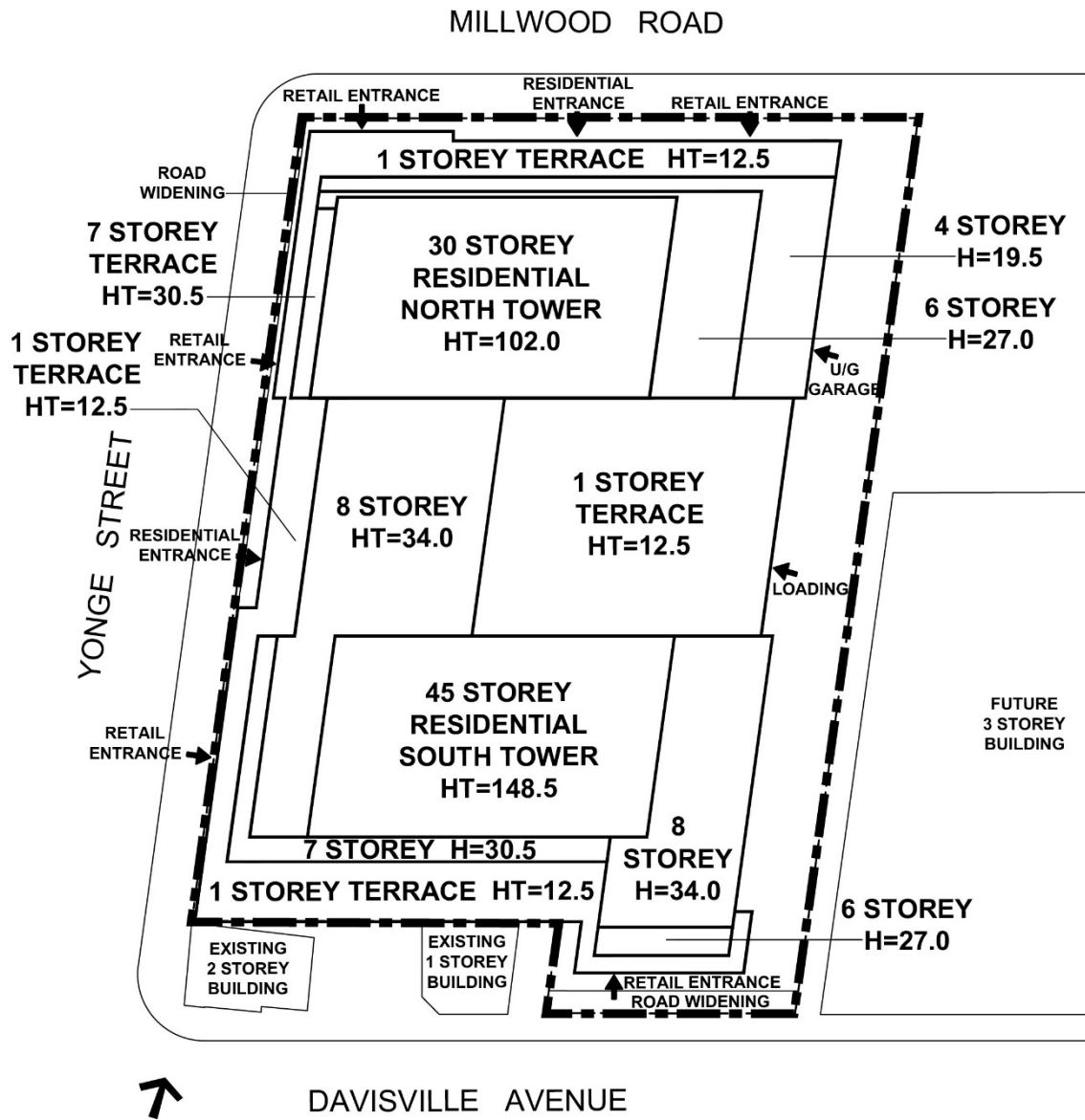
View of Applicant's Proposal Looking Northeast


09/06/2020

Attachment 2: Location Map



Attachment 3: Site Plan



Attachment 4: Official Plan Map



Official Plan Land Use Map #17

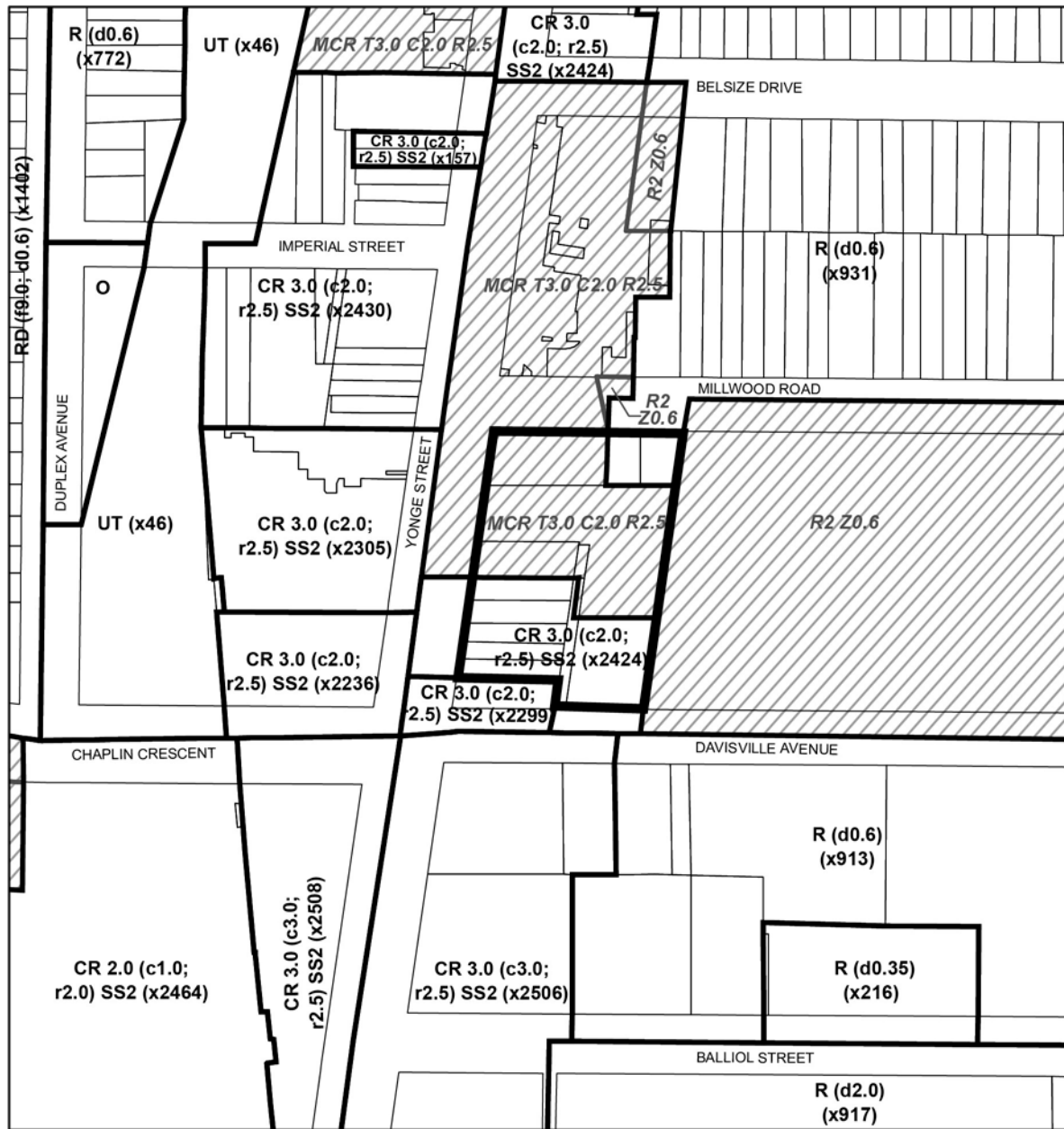
1913-1951 Yonge St, 17-21 Millwood Rd
and 22 Davisville Ave

File # 20 191099 STE 12 0Z

-  Location of Application
-  Neighbourhoods
-  Apartment Neighbourhoods
-  Mixed Use Areas
-  Parks


Not to Scale
09/29/2020

Attachment 5: Zoning By-law Map



Zoning By-law 569-2013

1913-1951 Yonge St, 17-21 Millwood Rd and
22 Davisville Ave

File # 20 191099 STE 12 0Z

Location of Application

- R Residential
- RD Residential Detached
- CR Commercial Residential
- O Open Space
- UT Utility and Transportation

See Former City of Toronto By-law No. 438-86

- R1 Residential District
- R2 Residential District
- CR Mixed-Use District
- MCR Mixed-Use District



Not to Scale
Extracted: 09/29/2020

Attachment 6: Application Data Sheet

Municipal Address: 1913-1951 Yonge Street, 17-21 Millwood Road and 22 Davisville Avenue
Date Received: September 8, 2020

Application Number: 20 191099 STE 12 OZ

Application Type: OPA / Rezoning

Project Description: Two-tower mixed use building with a 4-level underground parking garage.

Applicant

Bousfields Inc.

Architect

Core Architects Inc.

Owner

1644137 Ontario Inc.

EXISTING PLANNING CONTROLS

Official Plan Designation: *Mixed Use Areas, Neighbourhoods*

Zoning:	MCR T3.0 C2.0 R2.5; R2 Z0.6; R (d0.6) (x931); CR 3.0 (c2.0; r2.5) SS2 (x2424)	Heritage Designation:	Y
Height Limit (m):	16 (MCR & CR) 9.0 (R & R2)	Site Plan Control Area:	Y

PROJECT INFORMATION

Site Area (sq m): 5,726 Frontage along Yonge St. (m): 85 Depth (m): 64.7

Building Data	Existing	Retained	Proposed	Total
Ground Floor Area (sq m):			1,469	1,469
Residential GFA (sq m):			62,000	62,000
Non-Residential GFA (sq m):			3,000	3,000
Total GFA (sq m):			65,000	65,000
Height - Storeys:			45, 30	45, 30
Height - Metres:			148, 102	148, 102

Lot Coverage Ratio (%): 1,135.17

Floor Space Index: 11.35

Floor Area Breakdown	Above Grade (sq m)	Below Grade (sq m)
Residential GFA:	62,000	1, 026
Retail GFA:	3,000	
Office GFA:		
Industrial GFA:		
Institutional/Other GFA:		

Residential Units by Tenure	Existing	Retained	Proposed	Total
Rental:	4			4
Freehold:				
Condominium:			821	821
Other:				
Total Units:			821	821

Total Residential Units by Size

	Rooms	Bachelor	1 Bedroom	2 Bedroom	3+ Bedroom
Retained:					
Proposed:		46	403	273	99
Total Units:		46	403	273	99

Parking and Loading

Parking Spaces:	442	Bicycle Parking Spaces:	1,008	Loading Docks:	2
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