

1134-1140 Yonge Street – Official Plan and 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: 11 - Toronto Centre-Rosedale

Planning Application Number: 20 189124 STE 11 OZ

Heritage Building(s) on Site: Yes

Current Use(s) on Site: 1-storey commercial building with surface parking at 1140 Yonge Street and 3-storey commercial building at 1134 Yonge Street

SUMMARY

This report provides information and identifies a preliminary set of issues regarding the application located at 1134-1140 Yonge Street. The application proposes a 13-storey mixed-use building containing 66 dwelling units and 1,520.4 square metres of non-residential floor area. The proposal includes the alteration of the existing heritage building at 1140 Yonge Street.

Staff are currently reviewing the application. It has been circulated to all appropriate agencies and City divisions for comment. A community consultation meeting is scheduled for November 17, 2020.

RECOMMENDATIONS

The City Planning Division recommends that:

1. Staff schedule a community consultation meeting for the application located at 1134-1140 Yonge Street together with the Ward Councillor.
2. Notice for the community consultation meeting for the application located at 1134-1140 Yonge Street 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.

THE APPLICATION

Complete Application Submission Date: September 2, 2020

Description

The application proposes a 13-storey (52 metres plus a 5-metre mechanical penthouse) mixed-use building containing a total of 66 dwelling units (11 one-bedroom units, 43 two-bedroom units and 12 three-bedroom units), 1,520.4 square metres of non-residential floor area, 106 resident parking spaces, 6 visitor parking spaces, and 14 commercial parking spaces are proposed. The proposed building steps down in height from east to west, with the westernmost portion of the building being 4 storeys (14.5 metres) in height and containing three grade-related townhouse units. Access to the garage, loading spaces, and pick-up/drop-off area would be from Marlborough Avenue. The floor space index ("FSI") for the development is 6.1 times the area of the lot. The proposal includes alteration of the existing heritage building at 1140 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 three dimensional representations of the project in context, a site plan of the proposal, and the Application Data Sheet, respectively. The Application Data Sheet contains additional details on the proposal including: site area and dimensions; floor area; unit breakdowns; and parking counts.

Reasons for the Application

The combined Official Plan and Zoning By-law application proposes to amend Zoning By-laws 438-86 and 569-2013 to vary performance standards including: building height, gross floor area, and building setbacks. The draft amendment to the Official Plan, as proposed, is to permit a portion of the below ground garage within the lands designated *Neighbourhoods*. Staff will continue to assess the application for other areas of nonconformity with the Official Plan.

POLICY CONSIDERATIONS/PLANNING FRAMEWORK

Provincial Policy Statement and Provincial Plans

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 PPS and all Provincial Plans may be found on the Ministry of Municipal Affairs and Housing website.

Growth Plan for the Greater Golden Horseshoe (2020)

A Place to Grow: Growth Plan for the Greater Golden Horseshoe, 2020 (the "Growth Plan") came into effect on August 28, 2020. This new plan replaces the previous Growth Plan for the Greater Golden Horseshoe, 2019. The Growth Plan 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 establishes policies that require implementation through a Municipal Comprehensive Review ("MCR"), which is a requirement pursuant to Section 26 of the Ontario *Planning Act* (the "*Planning Act*").

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, 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 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.

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 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*. 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.

The site is located on lands shown as *Downtown and Central Waterfront* on Map 2 of the Official Plan. The front portion of the site along Yonge Street is designated *Mixed Use Areas* and the rear portion is designated *Neighbourhoods* as shown on Land Use Map 17. See Attachment 4 of this report for the Official Plan Land Use Map.

The site is subject to Site and Area Specific Policy 211 and the *Downtown Plan*. The *Downtown Plan* designates the *Mixed Use Areas* portion of the site as *Mixed Use Areas 3 - Main Street*.

The site is also located within the boundary of the ongoing Bloor-Yorkville Secondary Plan study and the Bloor-Yorkville/North Midtown: Planning Framework & Implementation Strategy (August 2015).

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

Heritage

The property at 1140 Yonge Street, known as the Pierce-Arrow Automobile Showroom, was constructed in 1930 and, subsequently used for many years by the Canadian Broadcast Company ("CBC"). The property was listed on the City's Heritage Register on September 25, 1978.

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

Zoning By-laws

The site is split between two zoning categories. The eastern portion of the site, along Yonge Street, is zoned CR T2.5 C2.0 R2.0 under Zoning By-law 438-86, as amended, and CR 2.5 (c2.0; r2.0) SS2 (x1796) under Zoning By-law 569-2013. The CR zone

permits a range of commercial and residential uses. This portion of the site has a maximum permitted height of 14 metres and a maximum permitted density of 2.5 times the area of the lot.

The western portion of the site, within the *Neighbourhoods* designation, is zoned R2 Z0.6 under Zoning By-law 438-86, as amended, and R (f5.0; d0.6) (x128) under Zoning By-law 569-2013. This zone permits a range of residential building types including detached houses, semi-detached houses, townhouses, duplexes, triplexes, fourplexes and apartments. This portion of the site has a maximum permitted height of 12 metres and a maximum permitted density of 0.6 times the area of the lot.

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

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

Urban Forest/Ravines/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:

- Bloor-Yorkville/North Midtown Urban Design Guidelines;
- Avenues and Mid-Rise Buildings Study Performance Standards;
- Townhouse and Low-Rise Apartment Guidelines;
- Growing Up: Planning for Children in New Vertical Communities; and
- Pet-Friendly Design Guidelines.

The City's Design Guidelines may be found at: <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: no longer in effect. Older applications must be upgraded. TGS Version 2.0: new applications received between January 1, 2010 and April 30, 2018. TGS Version 3.0: new

applications submitted on or after May 1, 2018. Visit <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.

COMMENTS

ISSUES TO BE RESOLVED

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

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

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

Height and Transition

The proposed building height of 13-storeys (52 metres plus a 5-metre mechanical penthouse) does not fit within the height context of this portion of Yonge Street and does not conform with Official Plan built form policies, specifically those set out in the *Downtown Plan*.

The proposal does not provide appropriate transition between the *Mixed Use Areas* and *Neighbourhoods* designations as required in the Official Plan.

Shadow

The proposal does not adequately limit shadow impacts on the nearby shadow sensitive *Neighbourhoods* and the public realm.

Heritage

Heritage Planning staff have indicated that the property at 1140 Yonge Street, which is currently listed on the Heritage Register, is a significant heritage resource that should be conserved.

Heritage Planning staff have identified concerns with the limited setback above the heritage resource. Further discussion is required.

Toronto Green Standard

Staff will review the TGS Checklist submitted by the applicant for compliance with the Tier 1 performance measures. Staff will encourage the applicant to pursue Tier 2, 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

Staff will host a Community Consultation Meeting.

Staff will work with the applicant to resolve the issues raised in this report and additional issues that may be identified by staff and the public. 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* before being considered at City Council for a decision.

However, should the applicant appeal the application after December 31, 2020 (120 days since the Complete Application Date) and prior to City Council rendering a decision, Staff will prepare a Request for Direction Report with a complete assessment and recommendations on how to proceed at the Local Planning Appeal Tribunal.

A separate report on the heritage designation and alteration will be considered at the Toronto Preservation Board and Toronto and East York Community Council before being considered at City Council for a decision.

CONTACT

Kevin Friedrich, Planner
Tel. No.: 416-338-5740
E-mail: Kevin.Friedrich@toronto.ca

SIGNATURE

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

ATTACHMENTS

City of Toronto Drawings

Attachment 1: 3D Models of Proposal in Context

Attachment 2: Location Map

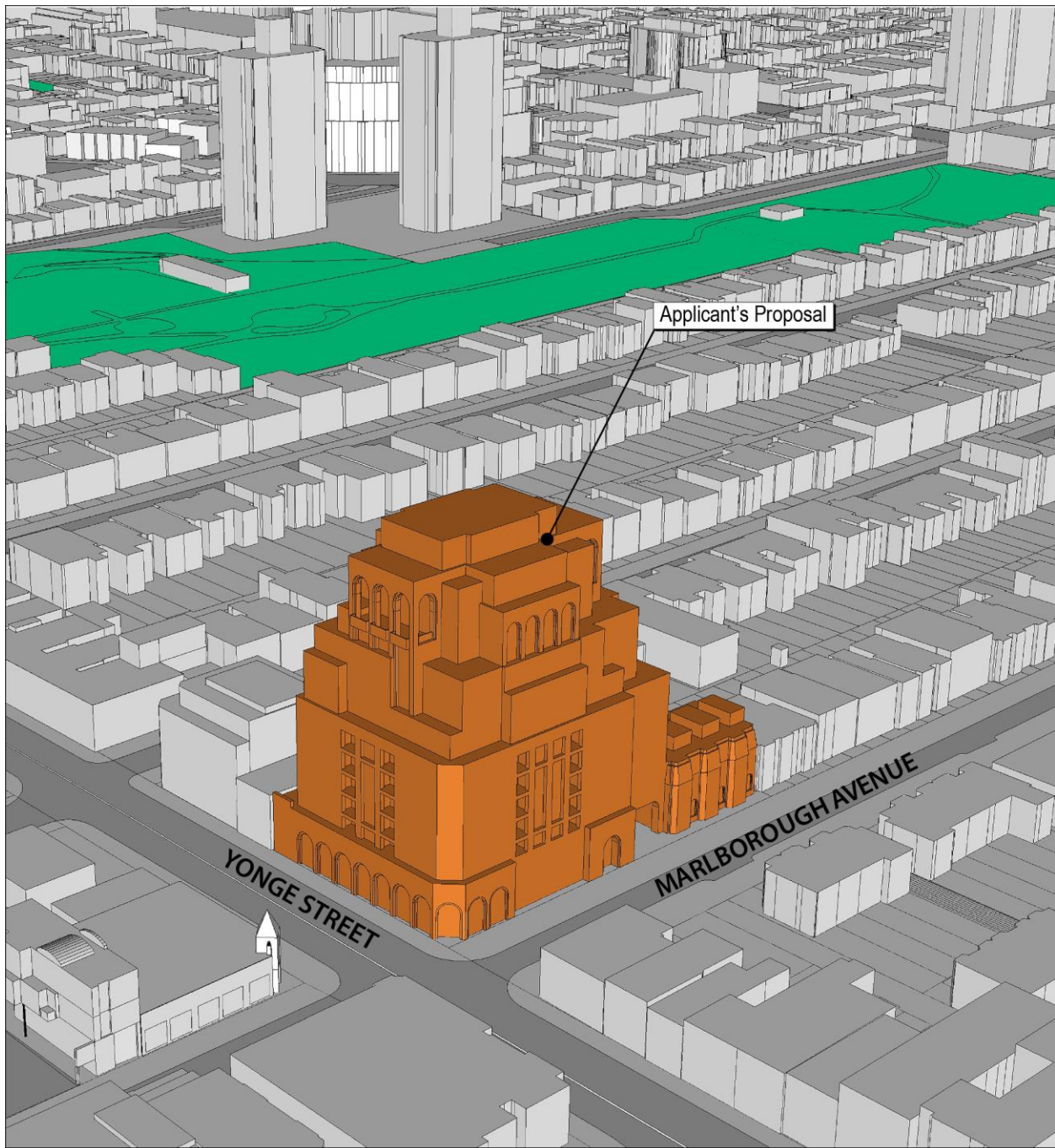
Attachment 3: Site Plan

Attachment 4: Official Plan Map

Attachment 5: Zoning By-law Map

Attachment 6: Application Data Sheet

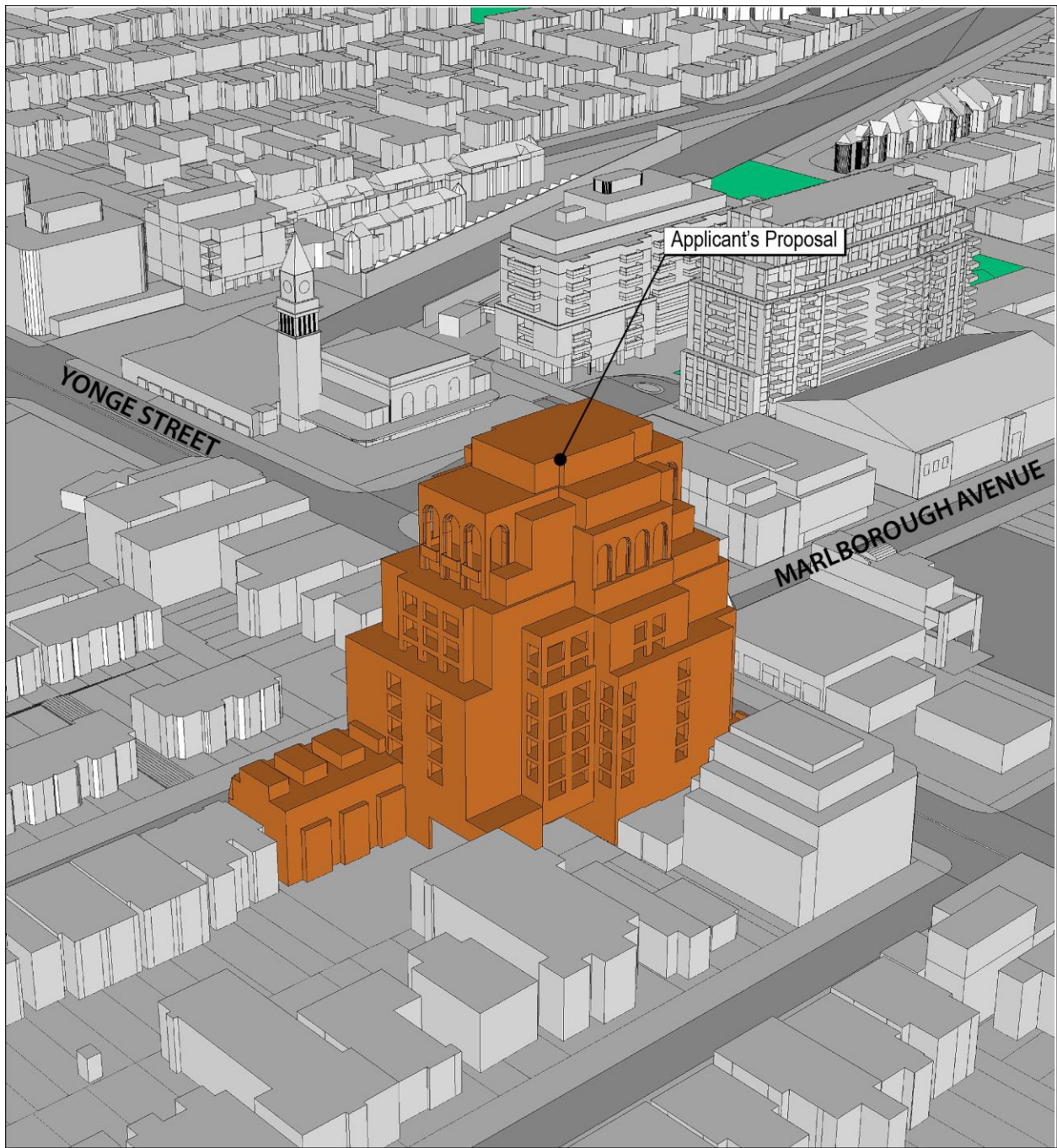
Attachment 1: 3D Models of Proposal in Context



View of Applicant's Proposal Looking Southwest



10/02/2020

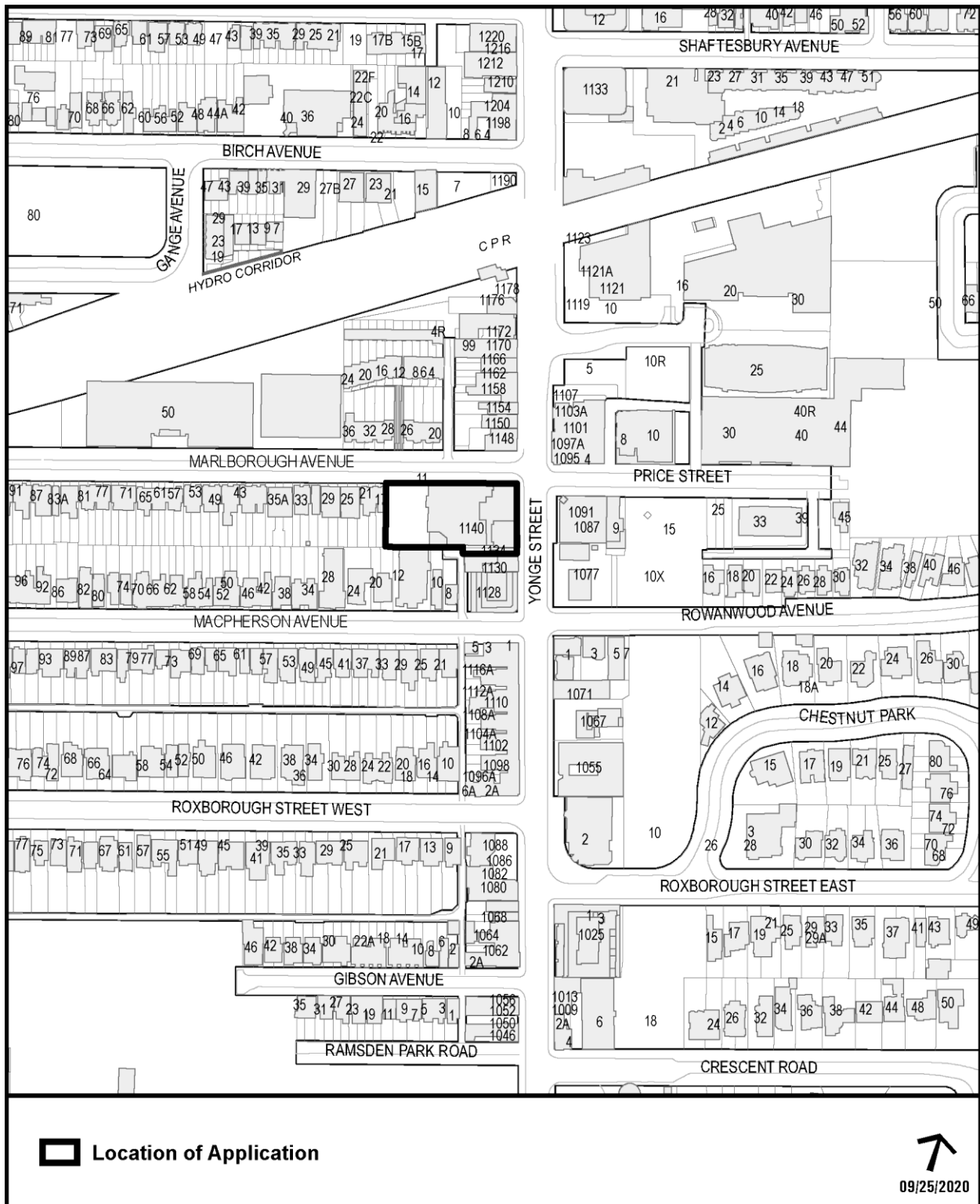


View of Applicant's Proposal Looking Northeast

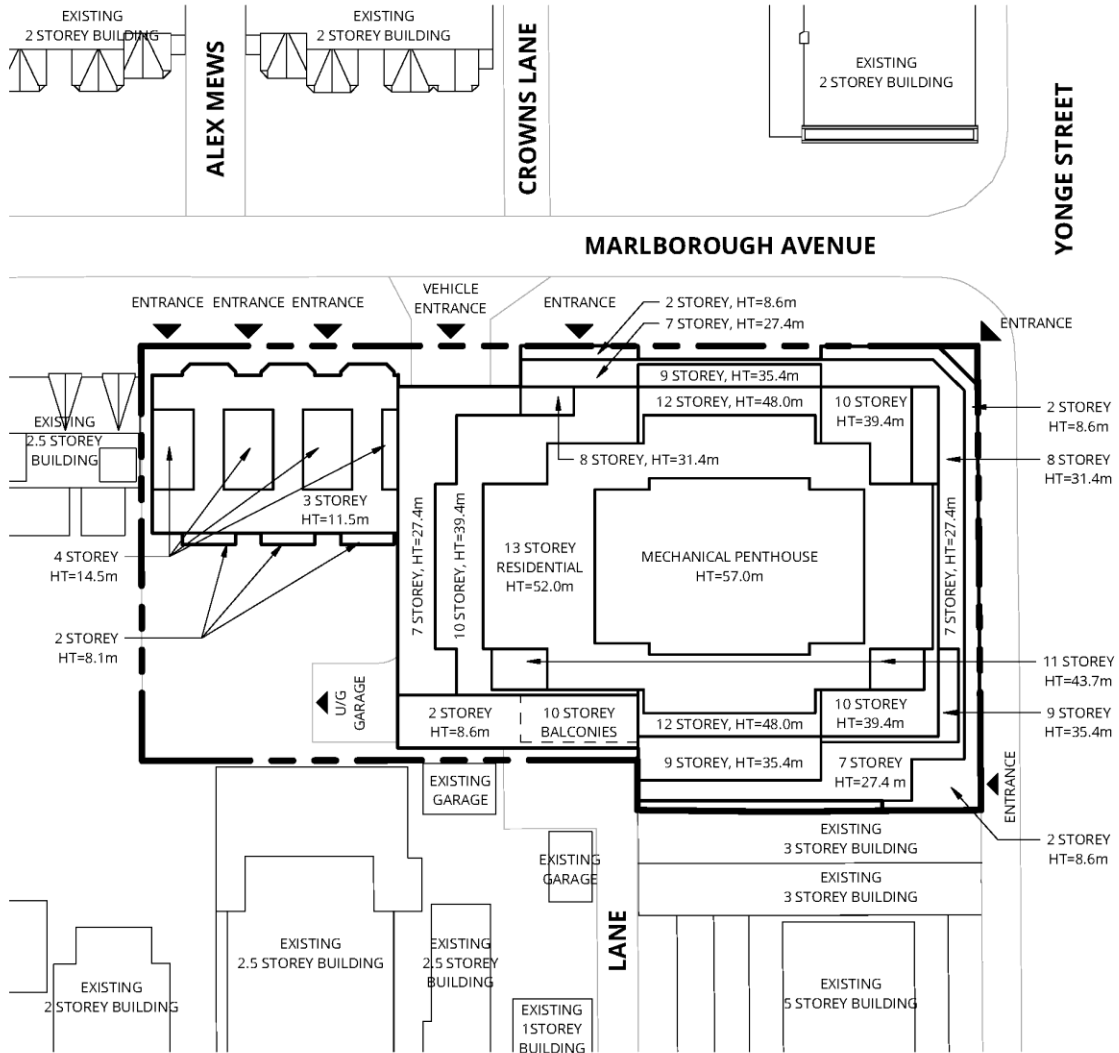


10/02/2020

Attachment 2: Location Map



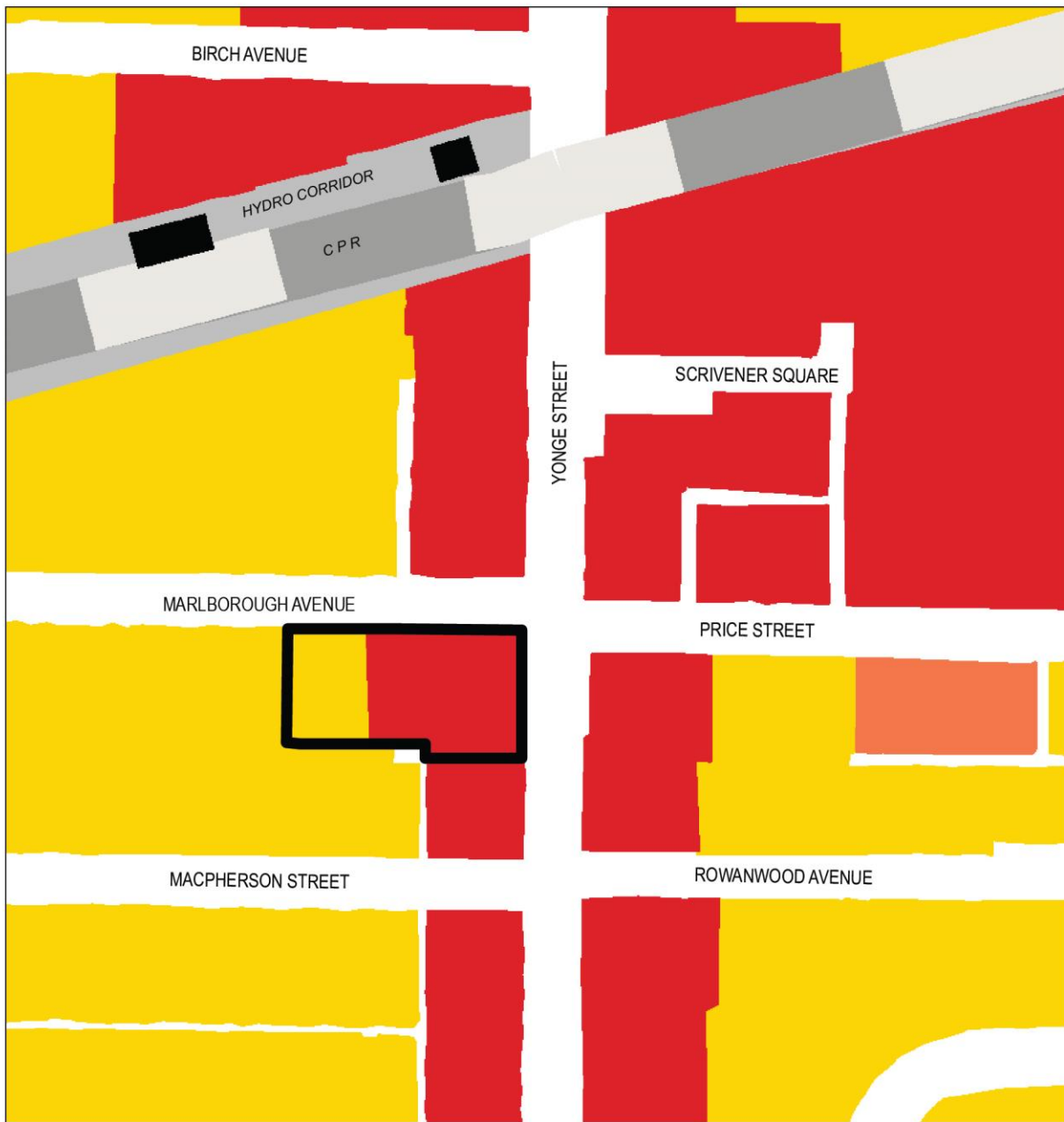
Attachment 3: Site Plan



Site Plan



Revised Attachment 4: Official Plan Map



1134-1140 Yonge Street

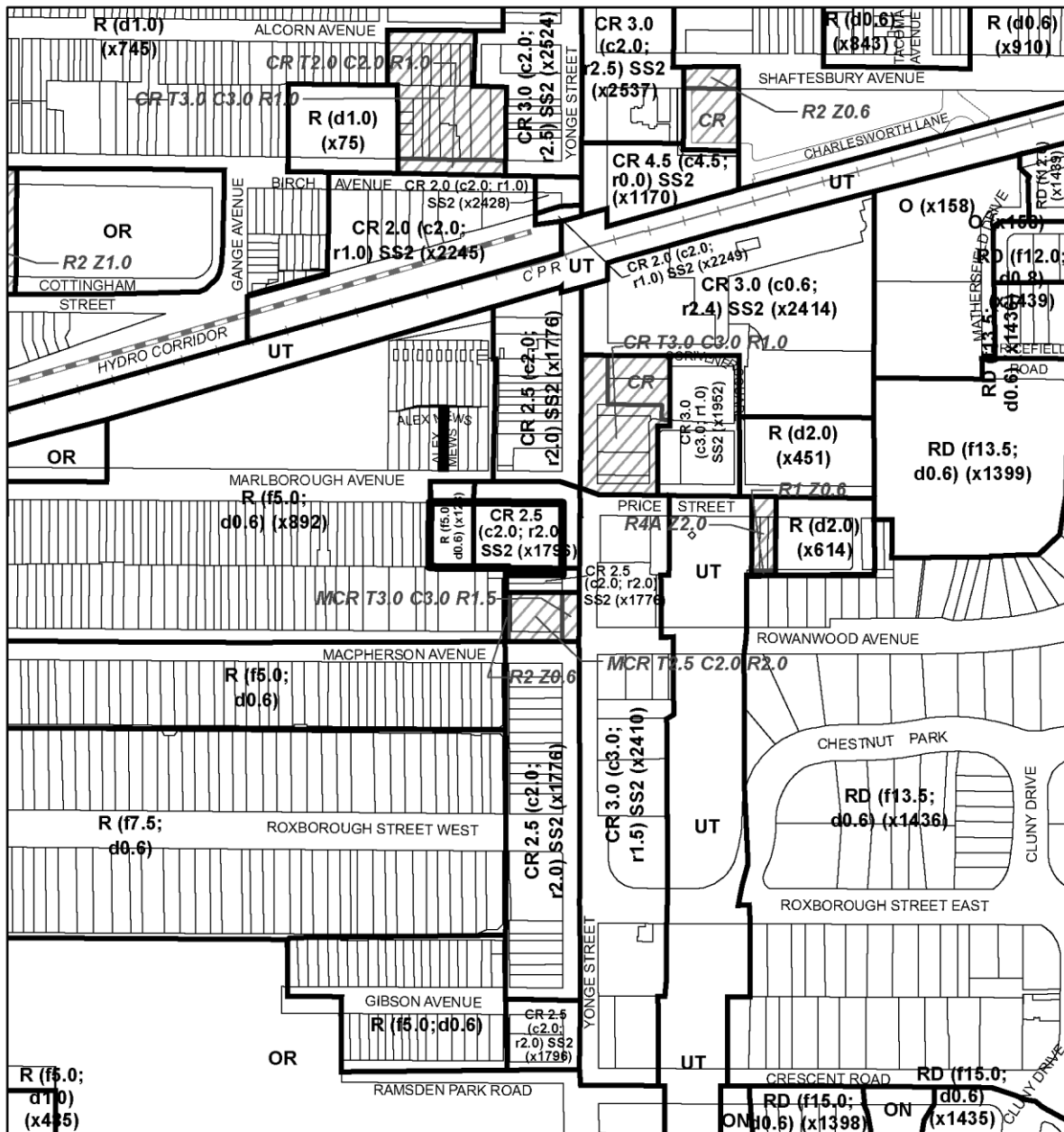
Official Plan Land Use Map #17

File # 20 189124 STE 11 OZ

- Location of Application
- Neighbourhoods
- Apartment Neighbourhoods
- Mixed Use Areas
- Utility Corridors



Attachment 5: Zoning By-law Map



Zoning By-law 569-2013

1134-1140 Yonge Street

File # 20 189124 STE 11 0Z

Location of Application

- R Residential
- RD Residential Detached
- CR Commercial Residential
- O Open Space
- ON Open Space Natural
- OR Open Space Recreation
- UT Utility and Transportation

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

- R1 Residential District
- R2 Residential District
- R4A Residential District
- CR Mixed-Use District
- MCR Mixed-Use District



Not to Scale
Extracted: 09/25/2020

Attachment 6: Application Data Sheet

Municipal Address: 1134-1140 Yonge St **Date Received:** September 2, 2020

Application Number: 20 189124 STE 11 OZ

Application Type: OPA / Rezoning

Project Description: 13-storey mixed-use building

Applicant	Agent	Architect	Owner
Devron Developments	Devron Developments	Audax Architects	1140 Yonge Inc

Existing Planning Controls

Official Plan Designation: Mixed Use Areas Site Specific Provision: SASP 211

Zoning: CR2.5 (c2.0; r2.0) SS2 (x1796) Heritage Designation: Y

Height Limit (m): 14, 12 Site Plan Control Area: Y

Project Information

Site Area (sq m): 2,870 Frontage (m): 41 Depth (m): 74

Building Data	Existing	Retained	Proposed	Total
Ground Floor Area (sq m):	1,860		1,732	1,732
Residential GFA (sq m):			15,985	15,985
Non-Residential GFA (sq m):	1,978		1,520	1,520
Total GFA (sq m):	1,978		17,506	17,506
Height - Storeys:	3		13	13
Height - Metres:	11		52	52

Lot Coverage Ratio (%): 60.36 Floor Space Index: 6.1

Floor Area Breakdown	Above Grade (sq m)	Below Grade (sq m)
Residential GFA:	15,513	472
Retail GFA:	1,481	40
Office GFA:		
Industrial GFA:		
Institutional/Other GFA:		

Residential Units by Tenure	Existing	Retained	Proposed	Total
Rental:				
Freehold:				
Condominium:			66	66
Other:				
Total Units:			66	66

Total Residential Units by Size

	Rooms	Bachelor	1 Bedroom	2 Bedroom	3+ Bedroom
Retained:					
Proposed:			11	43	12
Total Units:			11	43	12

Parking and Loading

Parking Spaces: 126 Bicycle Parking Spaces: 78 Loading Docks: 1

Contact:

Kevin Friedrich, Planner
(416) 338-5740
Kevin.Friedrich@toronto.ca