

## **1365-1375 Yonge Street – Official Plan and Zoning By-law Amendment Application – Final Report**

Date: November 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: 18 151554 STE 22 OZ**

### **SUMMARY**

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This report reviews and recommends approval of the application to amend the Official Plan and Zoning By-law to permit a nursing home for seniors in a 17-storey (64.5 metres plus a 5-metre mechanical penthouse) mixed use building. A total of 239 bed-sitting rooms (123 assisted living and 116 memory care rooms), 463 square metres of non-residential floor area, and 75 vehicle parking spaces are proposed.

The proposed development is consistent with the Provincial Policy Statement (2020), conforms with the Growth Plan for the Greater Golden Horseshoe (2020), conforms with all relevant policies of the Official Plan and the Yonge-St. Clair Secondary Plan, and is consistent with the Yonge-St. Clair Planning Framework and Tall Building Guidelines.

### **RECOMMENDATIONS**

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The City Planning Division recommends that:

1. City Council amend the Official Plan, for the lands at 1365-1375 Yonge Street substantially in accordance with the draft Official Plan Amendment attached as Attachment No. 8 to the report (November 16, 2020) from the Director, Community Planning, Toronto and East York District.
2. City Council amend Zoning By-law 438-86, for the lands at 1365-1375 Yonge Street substantially in accordance with the draft Zoning By-law Amendment attached as Attachment No. 9 to the report (November 16, 2020) from the Director, Community Planning, Toronto and East York District.
3. City Council amend City of Toronto Zoning By-law 569-2013 for the lands at 1365-1375 Yonge Street substantially in accordance with the draft Zoning By-law Amendment attached as Attachment No. 10 to the report (November 16, 2020) from the Director, Community Planning, Toronto and East York District.

4. City Council authorize the City Solicitor to make such stylistic and technical changes to the draft Official Plan and Zoning By-law Amendments as may be required.

5. Before introducing the necessary Bills to City Council for enactment, the owner be required to enter into an Agreement pursuant to Section 37 of the *Planning Act*, and any other necessary agreement(s), satisfactory to the Chief Planner and Executive Director, City Planning and the City Solicitor, with such Agreement to be registered on title to the lands at 1365-1375 Yonge Street in a manner satisfactory to the City Solicitor to secure the following community benefits at the owner's expense, including:

a. a financial contribution in the amount of \$2,500,000.00 payable to the City which is paid or secured prior to issuance of the first above-grade building permit, with such amount to be indexed upwardly in accordance with Statistics Canada Non-Residential Building Construction Price Index for the Toronto Census Metropolitan Area, reported by Statistics Canada in the Building Construction Price Indexes Table: 18-10-0135-01, or its successor, calculated from the date of the execution of the Section 37 Agreement, or any other necessary agreement, to the date of payment. The funds shall be directed at the discretion of the Chief Planner and Executive Director, City Planning Division in consultation with the Ward Councillor for the following:

i. a cash contribution for one or more the following: capital improvements for new or existing Toronto Community Housing and/or affordable housing in Ward Toronto-St. Paul's; capital improvements for new or existing cultural and/or community space in Ward Toronto-St. Paul's; and/or local area park or streetscape improvements in Ward Toronto-St. Paul's;

ii. \$750,000.00 towards public art, in accordance with the City of Toronto Public Art Program; and

iii. above base improvements to the public lane east of the site between Pleasant Boulevard and Rosehill Avenue, the details (including, as a minimum, a mural and improvements to paving, lighting and curbing) of which shall be secured as part of and through the Site Plan Approval process for the Development to the satisfaction of the Chief Planner and Executive Director, City Planning in consultation with the Ward Councillor;

d. in the event the cash contribution referred to in Recommendation 5.a. above has not been used for the intended purpose within three (3) years of the implementing Zoning By-law Amendment coming into full force and effect, the cash contribution may be redirected for another purpose, at the discretion of the Chief Planner and Executive Director, City Planning, in consultation with the ward Councillor, provided that the purposes are identified in Toronto's Official Plan and will benefit the local community;

e. the following matters are also recommended to be secured in the Section 37 Agreement as a legal convenience to support development:

i. the owner shall provide and maintain a publicly-accessible pedestrian walkway along the east side lot line of the site with the specific size, configuration and design secured in a Site Plan Agreement with the City to the satisfaction of the City Solicitor, pursuant to Section 114 of the City of Toronto Act, 2006, as amended and as applicable, Section 41 of the Planning Act, as amended;

ii. the owner shall pay for and construct any improvements to the municipal infrastructure in connection with the Functional Servicing Report, to be resubmitted for review and acceptance by the Chief Engineer and Executive Director, Engineering & Construction Services, should it be determined that improvements to such infrastructure are required to support this development;

iii. prior to the issuance of Site Plan Approval, the owner shall submit a Construction Management Plan and Neighbourhood Communication Strategy to the satisfaction of the Chief Planner and Executive Director, City Planning Division in consultation with the Executive Director, Engineering and Construction Services and the Ward Councillor;

6. Before introducing the necessary Bills to City Council for enactment, require the owner to:

a. revise the Functional Servicing Report prepared by GHD, dated January 17, 2020 to address the comments in the memorandum from Engineering and Construction Services dated August 10, 2020, and re-submit to the City for review and acceptance to the satisfaction of the Chief Engineer and Executive Director, Engineering and Construction Services.

## **FINANCIAL IMPACT**

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City Planning 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**

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A Preliminary Report (dated January 28, 2019) on the application was adopted by Toronto and East York Community Council on February 14, 2019. The report can be found at the following link:

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2019.TE3.69>

## **CONSULTATION WITH APPLICANT**

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A pre-application meeting was held on March 1, 2018. The focus of discussion at the meeting was the proposal's conformity with the Official Plan, including the Yonge-St. Clair Secondary Plan, and general concerns related to built form and public realm.

After the submission of the complete application, consultation meetings with the applicant were held throughout 2018, 2019 and 2020 to discuss concerns and resolve issues identified during the review of the application.

## **SITE AND SURROUNDING AREA**

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The subject site is located on the northeast corner of Yonge Street and Rosehill Avenue, two blocks south of the intersection of Yonge Street and St. Clair Avenue. The rectangular-shaped site is 2,176.2 square metres in size, has a frontage of 59.5 metres on Yonge Street and a frontage of 36.6 metres along Rosehill Avenue.

The site consists of 2-storey commercial buildings which contain a variety of non-residential uses, including: a place of assembly; personal service shops; retail stores; pet services; a day nursery; and offices.

Land uses surrounding the site include:

**North:** of the site are three 2-storey commercial buildings at 1391-1397 Yonge Street. To the north of these buildings is Pleasant Boulevard, which has an entrance to St. Clair subway station and consists primarily of residential uses east of its intersection with Yonge Street.

Farther north is the intersection of Yonge Street and St. Clair Avenue with tall buildings situated on each of the four corners. Within the southeast block of Yonge Street and St. Clair Avenue East is a 10-storey (42.7 metres) office building at 1 St. Clair Avenue East and a recent LPAT approval to permit a 34-storey building (128 metres) at 1417-1431 Yonge Street. Within the southwest block is a 12-storey (41.9 metres) office building at 1 St. Clair Avenue West. Within the northwest block is a 21-storey (74.2 metres) commercial building at 2 St. Clair Avenue West. Within the northeast block is a 14-storey (52.9 metres) office building at 2 St. Clair Avenue East with a 21-storey (91.1 metres) office building just to the east.

Also within the northeast block, at 1481-1501 Yonge Street, 25-29 Heath Street East and 30 Alvin Avenue (By-law 810-2008) is an approval for: a 16-storey (53.5 metres) residential building terraced from and oriented to Heath Street; a 37-storey (129 metres) residential building central to the block; a 15-storey (53.5 metres) mixed use building fronting onto Yonge Street; two groups of townhouses fronting onto Alvin Avenue; and a mid-block linear park and open space linking Yonge Street to Alvin Avenue.

In 2019, an application was filed for the block at 1485-1525 Yonge Street, 1-31 Heath Street East, and 30-36 Alvin Avenue (File no. 19 134851 STE 12 OZ) proposing a mixed-use development consisting of three towers. The application is currently under review.

**East:** of the 3.7-metre wide public lane are: The Linden School, a 3-storey houseform building at 10 Rosehill Avenue; a 1-storey retail building at 11 Pleasant Boulevard; a 7-storey parking garage operated by the Toronto Parking Authority ("TPA") at 21 Pleasant Boulevard; residential condominium and rental buildings ranging in height from 10 to 28-storeys; and David A. Balfour Park.

**South:** of Rosehill Avenue consists primarily of residential uses east of its intersection with Yonge Street. South of Rosehill Avenue is a 7-storey mixed-use building at 5 Rosehill Avenue and an 11-storey mixed-use building at 1331 Yonge Street. Farther south are low-rise and mid-rise mixed-use buildings along both the east and west sides of Yonge Street.

**West:** of Yonge Street consists of an eclectic mix of low and mid-rise commercial and mixed-use buildings, ranging from 2 to 14 storeys.

See Attachment No. 2: Location Map.

## **PROPOSAL**

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The application proposes a 17-storey (64.5 metres plus a 5-metre mechanical penthouse) mixed-use building with 463 square metres of ground floor retail and a nursing home for seniors consisting of 239 bed-sitting rooms, with a room breakdown of 123 assisted living and 116 memory care rooms, and 4,198.1 square metres of amenity space. The total proposed gross floor area is 19,778.7 which represents a density of 9.4 times the area of the subject lands.

Assisted living rooms will be located on floors 2, 3 and 11 to 17. Residents in assisted living rooms will be provided with specialized services, including food preparation and medical care, and will have access to amenities throughout the building. Memory care rooms will be located on floors 4 to 10 for individuals living with Alzheimer's, dementia, and other forms of memory loss. Memory care floors, or "Reminiscence Neighbourhoods", are designed so that all of the elements of home and a neighbourhood are found on the floor, including but not limited to: large, secure outdoor spaces; living rooms designed for relaxation, visits with family, and participation in group activities; communal kitchens; reflection and wellness rooms; and activity areas for group creative and cognitive activities.

The base building is predominantly 6-storeys (approximately 25 metres) in height. The base is set back 3.0 metres from both the Yonge Street and Rosehill Avenue property lines, 0.1 to 0.4 metres from the north lot line, and 1.0 to 5.4 metres from the rear public lane. The ground floor is set back approximately 4.2 to 12.7 metres along the public lane to allow for a pick-up/drop-off area for vehicles and a publicly-accessible pedestrian walkway, the size and location of which will be determined through the Site Plan Control application.

Above the 6th floor the building steps back 3.0 metres along the Yonge Street façade, 2.0 metres along the Rosehill Avenue façade, and 1.5 metres along the southern portion of the lane façade. Above the 10th floor the building steps back 5.1 to 5.4 metres along the north façade and an additional 7.25 metres along the lane façade.

The tower portion of the building is setback 6.0 metres from the Yonge Street property line, 5.0 metres from the Rosehill Avenue property line, 12.5 metres from the centre line of the lane and 5.5 metres from the north side lot line. The tower has a floor plate area of 960 square metres.

A total of 75 vehicle parking spaces are located in a two-level underground garage accessed via a public lane. No parking is proposed for the retail uses. A total of 34 bicycle parking spaces are proposed. All servicing vehicles will access the site via the public lane. The proposal provides for a widening of the existing 4.3 metre wide lane to 5.4 metres. Enclosed Type 'G' and 'B' loading spaces are proposed on the ground floor, visible from the lane.

The current proposal incorporates numerous revisions from the original application as summarized below:

- Reduced density from 10.4 to 9.4 times the lot area;
- Reduced residential and non-residential gross floor area;
- Improved pedestrian access along the public lane to the east;
- Reduced tower floor plate from 1,350 to 960 square metres;
- Improved Rosehill Avenue setback from 0.8 to 3.0 metres;
- Improved tower setbacks and stepbacks on all four sides; and
- Improved amenity space from 15.7 to 17.6 square metres per bed-sitting room.

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 Nos. 1 and 11-17 for the Application Data Sheet, three dimensional representation of the current proposal in context, site plan, and elevations.

### **Reasons for Application**

A Zoning By-law amendment is required for non-compliance with the proposed height, density and a number of other performance measures in both Zoning by-laws.

An Official Plan Amendment is proposed to create a Site and Area Specific Policy within the Yonge-St. Clair Secondary Plan to permit a 17-storey building that casts shadow on the Yonge Street public realm and has a minimum building setback of 3.0 metres from the Rosehill Avenue property line, provided it contains a nursing home for seniors.

## **APPLICATION BACKGROUND**

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### **Application Submission Requirements**

The following reports/studies were submitted in support of the applications:

- Survey Plan;
- Architectural Plans, Elevations and Sections;
- Landscape Plans;
- Tree Preservation Plan;
- Civil Plans;
- Planning and Urban Design Rationale;
- Pedestrian Level Wind Study;

- Sun/Shadow Study;
- Arborist Report;
- Functional Servicing Report;
- Stormwater Management Report;
- Hydrogeological Assessment;
- Geotechnical Engineering Review;
- Phase I Environmental Site Assessment;
- Transportation Impact Study;
- Noise and Vibration Impact Study;
- Energy Strategy Report;
- Public Consultation Plan;
- Draft Zoning By-law Amendments;
- Draft Official Plan Amendment;
- Toronto Green Standards Checklist; and
- Digital copy of the Building Massing Model.

All application submission materials can be found at the following link:

<http://app.toronto.ca/AIC/index.do?folderRsn=wIF4cp6zCanjWGd7QiZDeg%3D%3D>

### **Agency Circulation**

The application together with the applicable reports noted above, have been circulated to all appropriate agencies and City Divisions. Responses received have been used to assist in evaluating the applications and to formulate appropriate Zoning By-law standards.

### **Statutory Public Meeting Comments**

In making their decision with regard to the applications, City Council members have an opportunity to consider the submissions received prior to and at the statutory public meeting held by the Toronto and East York Community Council for the applications. Oral submissions made at the meeting are broadcast live over the internet and recorded for review.

## **POLICY CONSIDERATIONS**

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### **Provincial Land-Use Policies: Provincial Policy Statement and Provincial Plans**

Provincial Policy Statements and geographically specific Provincial Plans, along with municipal Official Plans, provide a policy framework for planning and development in the Province. This framework is implemented through a range of land use controls such as zoning by-laws, plans of subdivision and site plans.

### **The Provincial Policy Statement (2020)**

The Provincial Policy Statement (2020) ("PPS") provides policy direction province-wide on land use planning and development to promote strong communities, a strong economy, and a clean and healthy environment. It includes policies on key issues that affect communities, such as:

- the efficient use and management of land and infrastructure;
- ensuring the sufficient provision of housing to meet changing needs including affordable housing;
- ensuring opportunities for job creation;
- ensuring the appropriate transportation, water, sewer and other infrastructure is available to accommodate current and future needs; and
- protecting people, property and community resources by directing development away from natural or human-made hazards.

The provincial policy-led planning system recognizes and addresses the complex inter-relationships among environmental, economic and social factors in land use planning. The PPS supports a comprehensive, integrated and long-term approach to planning, and recognizes linkages among policy areas.

The PPS is issued under Section 3 of the *Planning Act* and all decisions of Council in respect of the exercise of any authority that affects a planning matter shall be consistent with the PPS. Comments, submissions or advice affecting a planning matter that are provided by Council shall also be consistent with the PPS.

The PPS recognizes and acknowledges the Official Plan as an important document for implementing the policies within the PPS. Policy 4.6 of the PPS states that, "The official plan is the most important vehicle for implementation of this Provincial Policy Statement. Comprehensive, integrated and long-term planning is best achieved through official plans."

## **Provincial Plans**

Provincial Plans are intended to be read in their entirety and relevant policies are to be applied to each situation. The policies of the Plans represent minimum standards. Council may go beyond these minimum standards to address matters of local importance, unless doing so would conflict with any policies of the Plans.

All decisions of Council in respect of the exercise of any authority that affects a planning matter shall be consistent with the PPS and shall conform with Provincial Plans. All comments, submissions or advice affecting a planning matter that are provided by Council shall also be consistent with the PPS and conform with Provincial Plans.

## **A Place to Grow: Growth Plan for the Greater Golden Horseshoe (2020)**

A Place to Grow: Growth Plan for the Greater Golden Horseshoe (2020) ("Growth Plan" came into effect on August 28, 2020. This was an amendment to the 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 *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 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 MTSAs plan for the prescribed densities.

### **Toronto Official Plan**

This application has been reviewed against the policies of the City of Toronto Official Plan. The site is located on lands shown as *Avenues* on Map 2 - Urban Structure of the Official Plan. The City's Official Plan designates the subject site as *Mixed Use Areas*, as shown on Map 17- Land Use Plan. See Attachment 3 of this report for the Official Plan Land Use Map.

## **Chapter 2 - Shaping the City**

### **Section 2.2.3 Avenues: Reurbanizing Arterial Corridors**

*Avenues* are important corridors along major streets where re-urbanization is anticipated and encouraged to create new housing and job opportunities. The *Avenues*

will be transformed incrementally. They will change building-by-building over a number of years. The growth and redevelopment of *Avenues* should be supported by high quality transit services, urban design and traffic engineering practices that promote a street that is safe, comfortable, and attractive for pedestrians and cyclists.

## **Chapter 3 - Building a Successful City**

### **Section 3.1.1 The Public Realm**

Section 3.1.1 of the Official Plan provides direction to the importance of the public realm including streets, sidewalks, boulevards, open space areas, parks, and public buildings.

Policy 3.1.1.5 states city streets are significant public open spaces. Design of streets require: balancing the needs and priorities of the various users and uses; improving the quality and convenience of active transportation; providing sky view and sunlight; and providing community destinations and public gathering places.

### **Section 3.1.2 The Built Form**

Section 3.1.2 of the Official Plan states that development will be located, organized and massed to fit harmoniously with the existing and/or planned context. Development will limit its impacts on neighbouring properties and the public realm by respecting street proportions, creating appropriate transitions in scale, providing for adequate light and privacy, limiting impacts of servicing and vehicular access on the property and neighbouring properties; and limiting shadow and wind impacts.

Policy 3.1.2.1 provides further details, outlining how development is expected to frame and support adjacent streets, parks and open spaces. New development is expected to do the following:

- Generally locate buildings parallel to the street or along the edge of a park or open space using a consistent front yard setback;
- Locate main building entrances so that they are clearly visible and directly accessible from the public sidewalk; and
- Provide ground floor uses that have views into, and where possible, access to, adjacent streets, parks and open spaces.

Policy 3.1.2.2 states that new development will locate and organize vehicle parking, vehicular access, service areas and utilities to minimize their impact on the property and on surrounding properties and to improve the safety and attractiveness of adjacent streets, parks and open spaces by:

- Using shared service areas including driveways;
- Consolidating and minimizing the width of driveways and curb cuts across the public sidewalk; and
- Providing underground parking where appropriate.

Policy 3.1.2.3 states that new development will be massed and its exterior façade will be designed to fit harmoniously into its existing and/or planned context, and will limit its impact on neighbouring streets, parks, open spaces and properties by:

- Massing new buildings to frame adjacent streets and open spaces in a way that respects the existing and/or planned street proportion;
- Incorporating exterior design elements, their form, scale, proportion, pattern and materials, and their sustainable design, to influence the character, scale and appearance of the development;
- Creating appropriate transitions in scale to neighbouring existing and/or planned buildings for the purpose of achieving the objectives of this Plan;
- Providing for adequate light and privacy;
- Adequately limiting any resulting shadowing of, and uncomfortable wind conditions on, neighbouring streets, properties and open spaces, having regard for the varied nature of such areas; and
- Minimizing any additional shadowing and uncomfortable wind conditions on neighbouring parks as necessary to preserve their utility.

### **Section 3.1.3 Built Form - Tall Buildings**

Section 3.1.3 of the Official Plan states tall buildings come with larger civic responsibilities and obligations. Tall buildings are generally defined as those buildings taller than the width of the right-of-way abutting the site.

Policy 3.1.3.1 states that tall buildings should be designed to consist of three parts, carefully integrated into a single whole: base building, middle (shaft), and top.

Policy 3.1.3.2 requires tall building proposals to address key urban design considerations that include: demonstrating how the proposed building and site design will contribute to and reinforce the overall City structure; demonstrating how the proposed building and site design relate to the existing and/or planned context; taking into account the relationship of the site to the topography and other tall buildings; and providing high quality, comfortable and usable publicly accessible open space areas.

### **3.2.1 Housing**

Policy 3.2.1 of the Official Plan requires a full range of housing, in terms of form, tenure and affordability across the City and within neighbourhoods, to be provided and maintained to meet the current and future needs of residents. A full range includes housing such as: ownership and rental housing, affordable and mid-range rental and ownership housing, social housing, housing that meets the needs of people with physical disabilities and housing that makes more efficient use of the existing housing stock.

## **Chapter 4 - Land Use**

### **Section 4.5 Mixed Use Areas**

The subject site is designated *Mixed Use Areas* on Map 17 of the Official Plan. *Mixed Use Areas* designation in the Official Plan provides for a broad range of commercial, residential and institutional uses, in single or mixed-use buildings, as well as parks and open spaces and utilities.

Policy 4.5.2 states development in *Mixed Use Areas* will: locate and mass new buildings to provide a transition between areas of different development intensity and scale; provide appropriate setbacks and/or stepping down of heights, particularly towards

lower scale *Neighbourhoods*; locate and mass new buildings so as to adequately limit shadow impacts on adjacent *Neighbourhoods* particularly during the spring and fall equinoxes; provide good site access and circulation and an adequate supply of parking for residents and visitors; provide an attractive, comfortable and safe pedestrian environment; locate and screen service areas, ramps and garbage storage to minimize the impact on adjacent streets and residences; and provide indoor and outdoor recreation space for building residents in every significant multi-unit residential development.

## **Chapter 5 - Implementation: Making Things Happen**

### **Section 5.1.1 Height and/or Density Incentives**

Section 37 of the *Planning Act* allows the City to enter into an agreement with an applicant to grant a height and/or density increase for a project that is greater than the zoning by-law would otherwise permit in return for community benefits. The Official Plan Policy 1 in Section 5.1.1 and City Council's approved Section 37 protocol requires that the proposed development represent good planning and meet a minimum size requirement of 10,000 square metres and an increase in density of at least 1,500 square metres.

Details of a Section 37 Agreement between the applicant and the City are determined, in consultation with the Ward Councillor, if the project is ultimately considered to be good planning and recommended for approval.

### **Section 5.6 Interpretation**

Section 5.6 provides guidance as to the understanding and interpretation of the Official Plan. Policy 1 in Section 5.6 indicates the Official Plan should be read as a whole to understand its comprehensive and integrative intent as a policy framework for priority setting and decision making. Further, Section 5 of Chapter 1 – "How to Read the Plan" indicates the Official Plan is a comprehensive and cohesive whole. This proposal has been reviewed against the policies described above as well as the policies of the Official Plan as a whole.

### **Yonge-St. Clair Secondary Plan**

The site is located within the Yonge-St. Clair Secondary Plan area, which is generally bound by Avenue Road to the west, Mount Pleasant Cemetery/Kay Gardiner Beltline to the north, the Moore Park Ravine/Beltline Trail to the east and the CP rail corridor to the south.

The purpose of the Secondary Plan is to:

- Protect, promote and enhance the existing type of quality of *Neighbourhoods* and *Apartment Neighbourhoods* and maintain their stability;
- Require that redevelopment in *Mixed Use Areas* on Yonge Street and St. Clair Avenue is compatible with the maintenance of adjacent *Neighbourhoods* and *Apartment Neighbourhoods* and improves Yonge Street and St. Clair Avenue as public spaces;
- Retain, protect and enhance the special physical character and public spaces of the Yonge-St. Clair Secondary Plan area; and

- Ensure that new development meets high urban design standards which contribute to achieving public areas which are attractive, inviting, comfortable and safe.

Section 2.1 of the Secondary Plan outlines an urban structure for the area consisting of, but not limited to:

- A node of mixed use development at the intersection of Yonge Street and St. Clair Avenue, shown as *Mixed Use Area 'A'* on Map 6-3, at a higher density and scale;
- *Apartment Neighbourhoods* and *Mixed Use Areas* at a medium density and scale extending from the node west along St. Clair Avenue West to Avenue Road and east along St. Clair Avenue East to David Balfour Park; and
- Lower density and scale “main street type” development extending from the node north and south along Yonge Street.

The site is designated *Mixed Use Areas 'B'* within the medium density area south of the node. See Attachment 4: Yonge-St. Clair Secondary Plan Map.

Section 3.2(b) and (c), Built Form and Public Amenity, states that buildings will achieve a harmonious relationship to their built form context through building height, massing, setback, stepbacks, roof line and profile, architectural expression and vehicle access and loading. It also states that development will provide high quality, co-ordinated streetscape and open space improvements to promote pedestrian amenity, orientation, access, greening and confidence in personal safety.

Section 5.1, Mixed Use Areas, states that in addition to the development criteria in the Official Plan, the following objectives will be met:

- Provide animated, landscaped and comfortable publicly accessible spaces on properties fronting Yonge Street and St. Clair Avenue;
- Create a visual impression of Yonge Street and St. Clair Avenue as comfortable and spacious, not crowded and cramped, through the location and massing of buildings;
- Integrate development well, with adjacent *Neighbourhoods* by ensuring appropriate transitions in building height and separation distances; and
- Encourage and support healthy retail businesses, especially on Yonge Street.

Section 5.2 requires that new development be set back approximately 3 metres from the Yonge Street property line in order to accommodate wide sidewalks, landscaped and pedestrian space in front of buildings and to increase the spacious feeling of Yonge Street. Similarly Section 5.7 requires that new development be set back 3 metres from the flanking street property line for the first 30 metres from the Yonge Street property line, and 6 metres from the flanking street property line for parts of the building more than 30 metres from the Yonge Street property line.

Section 5.3 requires new development within *Mixed Use Areas 'B'* to maintain a minimum of 5 hours of sunlight on the opposing sidewalk on Yonge Street during the period of March 21st to September 21st.

Section 5.4 requires that new development on properties with frontage on Yonge Street within *Mixed Use Area 'B'* will be stepped back from the flanking street so as to minimize visual impacts of the new development when viewed from adjacent *Neighbourhoods*.

The Toronto Official Plan may be found here: <https://www.toronto.ca/official-plan/>

### **Yonge-St. Clair Planning Framework**

City Council endorsed the Yonge-St. Clair Planning Framework at its meeting on January 29, 2020. The Planning Framework applies to properties within the *Mixed Use Areas 'A' and 'B'* in the Yonge-St. Clair Secondary Plan near the intersection of Yonge Street and St. Clair Avenue, and some additional lands to the east including properties on the west side of Alvin Avenue and the north side of St. Clair Avenue West. The Framework provides direction on how to accommodate changes to the existing built form while maintaining and creating new important public realm areas that support the livability of this mixed-use neighbourhood.

The Planning Framework area outlines a vision for the Yonge-St. Clair area as a vibrant and walkable area with a diverse mix of uses, commercial opportunities, and community destinations located within a system of open spaces and parks. Yonge-St. Clair is a community where residents, workers and visitors can explore various settings such as lively urban intersections, quiet residential streets, and heavily treed ravines all within close proximity to each other. The Yonge-St. Clair area consists of a dense core at the intersection of two major streets, each with a distinct character, and buildings that transition down at the intersection to lower scale *Neighbourhoods*.

New buildings will respect the surrounding area context, limit shadow impact, preserve sky views, protect views to local landmarks, and contribute to the creation of new open spaces. The pedestrian realm will be designed to ensure a beautiful, animated and comfortable pedestrian experience year-round. Open spaces will be designed with seating, public art and include family friendly areas.

The Goals of the Planning Framework focus on:

- Accommodating future growth for the area in a form that is compatible with and respects the unique character of the Yonge-St. Clair area;
- Ensuring all existing, approved, and proposed buildings are sited, massed and designed to provide open space and public realm improvements, maximize pedestrian comfort, minimize shadow and wind impacts, and protect privacy and sky view;
- Appropriately transitioning tall building heights from a 'Height Peak' around the Yonge-St. Clair intersection downward to lower-scaled areas, designated *Neighbourhoods, Parks and Other Open Space Areas*;
- Creating place-making opportunities by designing and constructing high-quality, creative and publicly accessible open spaces, parks and streetscapes;
- Improving mobility and connectivity to important destinations throughout the area by securing permanent, publicly-accessible, safe and well-designed pedestrian

connections to transit stations, schools, community facilities, parks, open spaces, ravines, and commercial/retail areas; and

- Improving pedestrian safety by providing public spaces that are visible and well-lit, and new signalized intersections for safe street crossing.

The Framework outlines Seven 'Big Moves' to collectively assist in creating a complete community, and maintain livability while allowing for future growth to occur (see Attachment No. 6). The Big Moves are public realm improvements that focus on: the improvement and expansion of existing parks, open spaces and pedestrian walkways; the creation of new parks, open spaces and mid-block connections; the enhancement of existing laneway systems and intersections; the installation of new signalized intersections; and the redesign of public streets to improve pedestrian safety and traffic flow.

The subject site is required to contribute to the following 'Big Moves':

#### *Laneway Link*

- New development will improve pedestrian safety and comfort along the lane with lighting and setbacks to allow for a separated pedestrian walkway, where possible;
- Provide well-designed areas for entrances and/or access to buildings;
- Include landscaped areas and planters to enhance the pedestrian experience, where possible;
- Explore options to allow east-west pedestrian crossings on the south side of the Yonge-Rosehill signalized intersection; and
- Secure public access easements where necessary to complete the link.

The Planning Framework also outlines the following Street Character and Built Form objectives applicable to the subject site:

- Minimum public sidewalk widths of 6.0 metres or more from curb to building face on all frontages;
- New development on Yonge Street will maintain narrow retail unit frontages in a rhythm and scale that respects the existing character of the street;
- New development on Yonge Street will provide a low-rise streetwall height along Yonge Street to maintain the main street character;
- New development with frontage on 'Green Streets' (i.e. Rosehill Avenue) will provide increased public sidewalk widths to improve pedestrian amenity and support the continuation and expansion of the landscaped setbacks, characteristic of the adjacent residential streets, to Yonge Street;
- Provide an adequate tower stepback from Yonge Street;
- Minimum 12.5-metre tower setback to centre line of rear lane; and
- Minimum 5.5-metre tower setback to north property line (no primary windows).

The outcome of staff analysis and review of relevant Official Plan policies and designations, Secondary plans, and planning studies noted above, are summarized in the Comments section of the report.

## **Zoning**

The site is zoned CR T4.25 C2.0 R3.0 under Zoning By-law 438-86, as amended, and CR (d4.25; c2.0; r3.0) SS2 (x2538) under Zoning By-law 569-2013. These zones permit a range of commercial and residential uses. The site has a maximum permitted height of 30 metres and a maximum permitted density of 4.25 times the area of the lot. See Attachment No. 7: Existing Zoning By-law Map.

The By-laws also contain a number of exceptions that apply to the site: Section 12(2)260 related to maximum base building height and angular planes; Section 12(2)262 related to permitted non-residential uses; Section 12(2)267 related to size and location of retail uses; Section 12(2)270 providing a maximum non-residential gross floor area; and, Section 12(2)324 requiring any portion of a building to be setback a minimum of 3.0 metres from Yonge Street.

## **City-Wide Tall Building Design Guidelines**

City Council has adopted city-wide Tall Building Design Guidelines and directed City Planning staff to use these Guidelines in the evaluation of tall building development applications. The Guidelines establish a unified set of performance measures for the evaluation of tall building proposals to ensure they fit within their context and minimize their local impacts. The link to the guidelines is here:

<https://www.toronto.ca/legdocs/mmis/2013/pg/bgrd/backgroundfile-57177.pdf>.

## **Site Plan Control**

The application is subject to Site Plan Control. A Site Plan Control application was submitted on June 30, 2020 and is currently under review.

## **COMMUNITY CONSULTATION**

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### **Community Consultation Meeting**

A community meeting was held on January 24, 2019 at 1585 Yonge Street (Yorkminster Park Baptist Church) and attended by 60 members of the public. At the meeting City staff and the applicant's team gave presentations on the site and surrounding area, the existing planning framework, and the original proposal. Following the presentations, City staff led a town hall format question and answer period.

The attendees asked questions and expressed a number of comments, issues and concerns, including:

- Building height is too tall and out of keeping with the scale of the neighbourhood;
- The scale of the proposed development – prefer developments that respond to the existing neighbourhood scale.
- Explore potential for expanding the lane as it is inadequate to accommodate the level of planned traffic. If not possible, convert to one way;
- Traffic and congestion along Yonge Street and Rosehill Avenue will be worsened as a result of the proposed development;



- Additional density will create a strain on infrastructure (i.e. roads, transit, sewers) which already seem at, or over, capacity;
- Nursing homes should locate on larger lots to accommodate greater amenity space;
- Location next to school is not appropriate;
- Project reflects an overdevelopment of the property;
- Lengthy and disruptive construction (i.e. noise, dust, lane and sidewalk closures);
- Insufficient setback along Yonge Street;
- Ensure that units are designed to improve quality of life for residents;
- Residents were concerned about the costs of these units – if higher-end it will not cater to the larger aging population in the community;
- Streetscape along Yonge Street needs to be improved - look beyond the sidewalk in this one particular segment of Yonge Street;
- Mass the building differently to mitigate adverse impacts on the public (pedestrian) realm;
- Retailers are being kicked out as a result of development. Rising retail rates make it impossible to return to neighbourhood; and
- Need for improvements to pedestrian safety along public lane.

## **Working Group**

Following the community consultation meeting, several meetings were held by the local councillor's office with Planning staff and the applicants' team in attendance and included members of the public including: representatives from the Deer Park Residents' Group; representatives from the Linden School; and residents of 40 Rosehill Avenue, 60 Rosehill Avenue and 20 Avoca Avenue. The topics discussed at the meetings related to:

- Tower height;
- Tower scale and massing;
- Tower setbacks;
- Building design and materiality;
- Traffic impacts;
- Public lane improvements;
- Pedestrian comfort and safety;
- Ground floor uses and layout; and
- Construction mitigation.

## **Design Review Panel**

The application was also before the City's Design Review Panel ("DRP") on February 13, 2020. While the Panel agreed that allowing exception to City's built form rules/guidelines makes sense given functional programme requirements unique to this type of project, they thought further development was required to resolve several issues including the following: simplifying the architectural expression to a single podium and an upper portion with a lighter treatment; reducing the tower floor plates; and introducing a strong cornice element to help attenuate the volume and size by creating a termination for the building at a human level.

The minutes of the DRP meeting are available at: <https://www.toronto.ca/city-government/planning-development/outreach-engagement/design-review-panel/meeting-schedule/>

In response to the issues raised through community and City staff feedback, the above issues have been considered through the review of the application and responses are addressed in the comments section below.

## **COMMENTS**

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Staff are recommending approval of Official Plan and Zoning By-law amendments for the site and is of the opinion that they represent good planning. The applicant participated in the Yonge-St. Clair Planning Framework design workshops following their original submission. The applicant has responded to concerns raised by City Staff and the community to redesign the proposal to fit within the urban structure and open space plan for the area.

### **Planning Act**

It is staff's opinion that the proposed development has regard for the relevant matters of provincial interest, including: the orderly development of safe and healthy communities; the adequate provision of a full range of housing; the appropriate location of growth and development; the adequate provision and efficient use of communication, transportation, sewage and water services and waste management systems; and the promotion of a built form that is well designed, encourages a sense of place, and provides for public spaces that are of high quality, safe, accessible, attractive and vibrant.

These provincial interests are further articulated through the PPS and the Growth Plan.

### **Provincial Policy Statement and Provincial Plans**

The proposal has been reviewed and evaluated against the PPS and the Growth Plan. The proposal is consistent with the PPS and conforms with the Growth Plan.

### **Provincial Policy Statement (2020)**

The PPS (2020) came into effect on May 1, 2020 and provides policy direction on matters of provincial interest related to land use planning and development. City Council's planning decisions are required to be consistent with the PPS.

The PPS is to be read in its entirety. The language in each policy, including the Implementation and Interpretation policies assists decision makers in understanding how the policies are to be implemented. The PPS contains minimum standards and municipalities can go beyond these standards unless doing so would conflict with other policies of the PPS.

Key policies applicable to this application include:

Policy 1.1.1 states that healthy, livable and safe communities are sustained by: promoting efficient development and land use patterns; and accommodating an appropriate range and mix of residential uses, including second units, affordable housing and housing for older persons.

Policy 1.1.3.1 states that settlement areas shall be the focus of growth and development, and their vitality and regeneration shall be promoted.

Policy 1.1.3.2 states that land use patterns within settlement areas shall be based on densities and a mix of land uses which: efficiently use land and resources; are appropriate for, and efficiently use, the infrastructure and public service facilities which are planned or available; support active transportation; and are transit-supportive.

Policy 1.1.3.3 states that planning authorities shall identify appropriate locations and promote opportunities for intensification and redevelopment.

Policy 1.1.3.4 states that development standards should be promoted which facilitate intensification, redevelopment and compact form, while avoiding or mitigating risks to public health and safety.

Policy 1.4.3 directs planning authorities to provide a range of housing types and densities to meet projected requirements of current and future residents. This policy directs planning authorities to permit and facilitate all forms of housing required to meet the social, health and well-being requirements of current and future residents, and all forms of residential intensification and redevelopment where existing or planned infrastructure can accommodate projected needs. This policy further directs planning authorities to promote densities for new housing which efficiently use land, resources, infrastructure and public service facilities, and support the use of active transportation and transit in areas where it exists or is to be developed. Planning authorities are also directed to establish development standards for residential intensification which minimize the cost of housing and facilitate compact form.

Policy 1.6.7.4 promotes a land use pattern, density and mix of uses that minimizes the length and number of vehicle trips and supports current and future use of transit and active transportation.

Policy 4.6 states that the official plan is the most important vehicle for implementation of the PPS and that official plans shall identify provincial interests, as identified in Section 2 of the *Planning Act*, which includes the promotion of a well-designed built form.

The proposed development is consistent with the above noted housing, intensification, land use and built form policies as it provides a needed form of housing, intensification and redevelopment in an appropriate location in close proximity to a subway line and dedicated streetcar right-of-way, and a well-designed built form that has respect for its local context. Further, the proposal is consistent with the policy that states the Official Plan is the most important vehicle for the implementation of the PPS (Policy 4.6) as the proposal conforms with all relevant Official Plan policies including those regarding built form and development within *Mixed Use Areas*.

## **Growth Plan (2020)**

The Growth Plan provides a framework for managing growth in the Greater Golden Horseshoe. City Council's planning decisions are required to conform with the Growth Plan.

The key Growth Plan policies applicable to this application are:

Policy 2.2.1.3 c) directs municipalities to undertake integrated planning to manage forecasted growth which will provide for an urban form that will optimize infrastructure, particularly along transit and transportation corridors, to support the achievement of complete communities through a more compact built form.

Policy 2.2.1.4 c), d) and e) state that applying the policies of the Growth Plan will support the achievement of complete communities that: provide a diverse range and mix of housing options to accommodate people at all stages of life, and to accommodate the needs of all household sizes and incomes; expand convenient access to transportation options and open space; and provide for a more compact built form and a vibrant public realm.

Policy 2.2.2.3 c) states that all municipalities will develop a strategy to achieve the minimum intensification target and intensification throughout delineated built-up areas, which will encourage intensification generally throughout the delineated built-up area.

Policy 2.2.6.3 states that to support the achievement of complete communities, municipalities will consider the use of available tools to require that multi-unit residential developments incorporate a mix of unit sizes to accommodate a diverse range of household sizes and incomes.

The proposed development conforms with the above noted policies by: contributing to a range of housing options; promoting sensitive intensification within a built-up area; providing a compact built form in close proximity to public transit and a variety of public parks; providing public realm improvements; and contributing to the overall achievement of a complete community.

## **Yonge-St. Clair Planning Framework**

The proposal is consistent with the objectives of the Yonge-St. Clair Planning Framework. Shown as Development Site 5 in Map 1 of the Yonge-St. Clair Planning Framework, the subject site is required to fulfill the objectives of: the Laneway Link 'Big Move'; the Yonge Street and Rosehill Avenue (Green Street) street character; and a number of built form principles.

The applicant was involved in the design charrette that kicked off the Yonge-St. Clair Planning Framework process, was involved at key stages of the Framework's evolution, and has been working collaboratively with staff and the community to address concerns with their proposal.

## Land Use

The Official Plan designates the site as *Mixed Use Areas*. The Yonge-St. Clair Secondary Plan designates the site *Mixed Use Areas 'B'*. The Official Plan Amendment proposes to add a Site and Area Specific Policy in the Yonge-St. Clair Secondary Plan to permit the 17-storey building with retail and a nursing home within the *Mixed Use Area 'B'* designation.

The applications have been reviewed against the Official Plan policies described in the Policy Considerations section of this report as well as the policies of the Toronto Official Plan as a whole, the Yonge-St. Clair Secondary Plan, and the Yonge-St. Clair Planning Framework. The proposed uses are permitted within the *Mixed Use Areas* of the Official Plan and in the CR zone of both Zoning By-laws. Further, Section 3.2.1 of the Official Plan states that a wide range of housing should be provided to address the needs of the local population.

The development will create a balance of high quality commercial and nursing home uses that reduce automobile dependency by providing at-grade retail commercial and meet the needs of the local community as anticipated in the Official Plan for *Mixed Use Areas*, the Tall Building Guidelines, and the Yonge-St. Clair Planning Framework.

Given the existing and the planned context for the subject property and the surrounding area, Planning staff are of the opinion that the proposed mix of nursing home and retail uses are appropriate for site. Staff are supportive of the proposed Official Plan Amendment to facilitate the proposed development.

## Height and Density

The Yonge and St. Clair area is an important commercial, residential and transit hub along the Yonge Street corridor. The Yonge-St. Clair Planning Framework requires future development to fit within the planned context of both the local area and the Yonge Street corridor which links two Growth Centres, the Downtown and Yonge-Eglinton Centre, each with their own Secondary Plan. The Framework outlines an Urban Structure centered around higher order transit that allows for growth, while seeing sensitive transition between areas of differing intensities, scales and heights.

In order to achieve the required transition, the Framework outlines an Urban Structure comprised of a 'Height Peak' around the intersection of Yonge Street and St. Clair Avenue and 'Transition Zones' generally located between the 'Height Peak' and the surrounding areas. The proposed 17-storey (64.5 metres tall plus a 5.0-metre mechanical penthouse) building is located within the *Mixed Use Areas 'B'* designation of the Yonge-St. Clair Secondary Plan, which is anticipated to have medium densities and building scales, and entirely within a 'Transition Zone' of the Yonge-St. Clair Planning Framework.

The proposed building height represents a meaningful step down in height from the approved tall building in the block to the north at 34-storeys (128 metres, including mechanical penthouse) and adequately transitions to the *Mixed Use Areas 'C'* area to the south where lower density and 'main street' scale, or mid-rise, development is anticipated.

The Yonge-St. Clair Planning Framework states that tall buildings will be located on sites that are large enough to accommodate considerable expanded and improved public realm. In this instance, the application is achieving the public realm and street character objectives of the Planning Framework, including: wider sidewalks on Yonge Street and Rosehill Avenue, and a publicly-accessible pedestrian walkway along the rear public lane.

Planning staff are of the opinion that the proposal fits within the planned height context of both the Yonge-St. Clair area and along the Yonge Street corridor. Further, the proposed density of 9.4 times the lot area is appropriate for the site that is located within *Mixed Use Areas 'B'* and the 'Transition Zone' of the Yonge-St. Clair Secondary Plan and Yonge-St. Clair Planning Framework, respectively.

## **Massing**

### *Base Building*

Planning staff are satisfied with the massing and design of the base building portion of the proposed tower. The Official Plan states that base buildings shall be massed to support the appropriate scale of adjacent streets, parks and open spaces, and to minimize the impacts of parking and servicing uses.

The 6-storey (approximately 25 metres) base building creates a contextually appropriate streetwall for this portion of Yonge Street which is predominantly characterized by 5 to 6 storeys.

The base building is set back 3.0 metres from the Yonge Street property line resulting in a curb to building face distance of approximately 6.5 metres. Retail units with narrow frontages are proposed along Yonge Street.

The base building is also set back 3.0 metres from the Rosehill Avenue property line resulting in a curb to building distance of approximately 8.2 metres. The main entrance to the residential lobby will be located on the Rosehill Street frontage, accessible from the sidewalk. Vehicular access to the below-ground garage, loading space and pick-up/drop-off area will be from the rear public lane.

The design of the base building fits into the streetwall character of Yonge Street, appropriately transitions to the scale and generous setback character of the *Apartment Neighbourhood* to the east, creates a comfortable scale for pedestrians, and helps to mitigate the perceived height of the tower.

### *Middle Portion of the Tower*

Planning staff are satisfied with the massing and design of the middle portion of the proposed tower. The Official Plan states that the design, floor plate size and shape of the middle component of a tower shall have appropriate dimensions for the site. Towers shall be located and oriented in relation to the base building and adjacent buildings to fit within the existing and planned context.

Above the base building, the tower is set back a minimum of 6.0 metres from Yonge Street property line, a minimum of 5.0 metres from Rosehill Avenue property line, and a

minimum of 12.5 metres from the centreline of the rear public lane to the west, meeting the site's requirement for half of a 25-metre tower separation distance in the event that the properties to the east redevelop with tall buildings. The proposed tower features a 5.5-metre setback to the neighbouring 1391-1397 Yonge Street properties to the north. While this is less than the recommended 12.5-metre setback, it is appropriate. Given the small size of the property, there is no potential to develop a tall building at 1391-1397 Yonge Street.

The abovementioned setbacks result in stepbacks that are consistent with the Tall Building Guidelines and the Yonge-St. Clair Planning Framework.

Section 3.2.1 of the Tall Building Guidelines states that the tower floor plate should be limited to 750 square metres or less per floor, including all built area within the building, but excluding balconies. However, the guidelines also state that on a site-specific basis where adequate tower separation, setbacks, and stepbacks are achieved, flexibility in the maximum floor plate size may be considered for the tower or a portion thereof to make the interior layout of institutional buildings economically viable.

Planning staff is of the opinion that the proposed floor plate of 960 square metres is acceptable in this instance for the following reasons: the tower is meeting the setbacks and stepbacks required in the Tall Building Guidelines and Yonge-St. Clair Planning Framework on all four sides; the tower has been designed with a narrow 19.6-metre tower face along Rosehill Avenue; the building code includes a number of challenging requirements for the nursing home use (i.e. wider hallways, no dead-end corridors, wider stairwells) which make it difficult for the building to meet the 750 square metre tower floor plate; and the building includes a significant amount of indoor amenity space on each floor to provide residents with a high quality of life and limit their need to travel between floors.

#### *Tower Top*

Planning staff are satisfied with the top portion of the proposed tower. An appropriate design for the top of a tall building is influenced by many factors, which may include location, height, built form composition, architectural expression, and overall 'fit' within the existing context of the city skyline.

The top of the proposed tower is appropriate. The proposed top of the tower is a simple design, which suits the overall architecture of the tower and fits within the Yonge-St. Clair area and city skyline. The mechanical penthouse is well designed and integrated into the overall design and massing of the tower.

### **Public Realm**

The Yonge-St. Clair Planning Framework outlines seven 'Big Moves' that will collectively assist in creating a complete community, and maintain livability while allowing for future growth to occur. The Big Moves are public realm improvements that focus on: the improvement and expansion of existing parks, open spaces and pedestrian walkways; the creation of new parks, open spaces and mid-block connections; the enhancement of existing laneway systems and intersections; the installation of new signalized

intersections; and the redesign of public streets to improve pedestrian safety and traffic flow.

Shown as Development Site 5 in Map 1 of the Yonge-St. Clair Planning Framework, the subject site is required to fulfill the objectives of: the Laneway Link 'Big Move'; and the Yonge Street and Rosehill Avenue (Green Street) street character.

The proposal successfully provides the following public realm contributions:

#### *Laneway Link*

- Providing a 5.0-metre ground floor setback to allow for a separated publicly-accessible pedestrian walkway along the lane;
- Improving pedestrian safety and comfort;
- Providing well-designed entrances with connections to the sidewalk with seating; and
- Providing landscaped areas and planters to enhance the pedestrian experience.

Planning staff will continue to work with the applicant on details related to the laneway improvements such as paving materials and lighting through the review of the Site Plan Control application.

#### *Street Character*

- Provision of an approximately 6.5-metre sidewalk along Yonge Street;
- Provision of an approximately 8.2-metre sidewalk along Rosehill Avenue;
- Provision of narrow retail unit frontages in a rhythm and scale that respects the existing character of Yonge Street; and
- Provision of a streetwall height along Yonge Street that maintain the main street character and fits within the existing physical character.

Staff are satisfied with the proposed public realm improvements related to the development.

### **Sun, Shadow**

Planning staff have assessed the proposed development in terms of the incremental impact resulting from the 17-storey building and are satisfied that it adequately limits shadow on the *Neighbourhoods*, the public realm, parks and open spaces, and shadow protected areas. The shadow impact resulting from the proposal is acceptable.

### **Wind**

The applicant submitted a Pedestrian Level Wind Study, dated April 30, 2018, and addendums dated December 19, 2019 and September 2, 2020, prepared by Rowan Williams Davies & Irwin Inc. (RWDI) to assess pedestrian comfort and safety at key areas within and surrounding the development site. The pedestrian areas of interest included building entrances, public sidewalks, and terraces at Levels 2 through 16.



Based on the wind tunnel test results, and experience with similar developments in Toronto, the study finds the wind conditions within and surrounding the full study site will be acceptable for the intended pedestrian uses on a seasonal basis.

Planning staff are satisfied with the wind conditions resulting from the proposed development, subject to further assessment during the Site Plan Control process for additional mitigation strategies.

## **Parkland**

The Official Plan contains policies to ensure that Toronto's system of parks and open spaces are maintained, enhanced and expanded. Map 8B of the Toronto Official Plan shows local parkland provisions across the City. The subject lands are in an area with 0 to 0.42 hectares of local parkland per 1,000 people, which is in the lowest quintile of current provision of parkland. The site is in a parkland priority area, as per Alternative Parkland Dedication By-law 1420-2007.

In accordance with Chapter 415, Article III of the Toronto Municipal Code, the applicant is required to satisfy the parkland dedication requirement through cash-in-lieu. The assisted living and memory care component of this proposal is subject to a cap of 5% parkland dedication while the non-residential component is subject to a 2% parkland dedication.

The amount of cash-in-lieu to be paid will be determined at the time of issuance of the building permit.

## **Tree Preservation**

The applicant submitted an Arborist Report, prepared by The MBTW Group and dated April 2, 2018, in support of their application.

There are four City-owned street trees within close proximity of the development which are protected under the provisions of the City's Street Tree By-law. The applicant is proposing to remove three of the trees and preserve and protect the fourth. Urban Forestry staff is concerned with the removal of one tree, located in front of the building at 10 Rosehill Avenue. While Urban Forestry staff do not object to the Official Plan and Zoning By-law Amendments, they have requested additional information on the health of the tree and any impact to the tree during construction as part of the Site Plan Control review.

Based on the standard compensation ratio of 1:1 for the removal of each City-owned street tree, Urban Forestry requires a total of two new large-growing shade trees to be planted within the City road allowance in compensation for the removal of two existing street trees. Should staff determine that the third tree mentioned above be suitable for removal, an additional tree would be required for replacement. The applicant's Landscape Layout Plan shows the planting of six new trees within the adjacent road allowances along Yonge Street and Rosehill Avenue, which satisfies the compensation planting requirements for City-owned street trees to be removed.

## **Traffic Impact**

The applicant submitted a Transportation Impact Study dated April 27, 2018, and an addendum dated January 17, 2020, both prepared by LEA Consulting Ltd. The study finds that the proposed development is estimated to generate 22 and 34 two-way site trips for the weekday AM and PM peak hours, respectively. The transit site trip estimate is 38 and 60 for the AM and PM peak hours, respectively. Transportation Services have no objection to the traffic impact related to the proposed development.

## **Roadways and Laneways**

To the east of the site is an undersized public lane which extends south from Rosehill Avenue to Pleasant Boulevard. The segment of lane that abuts the site is generally 4.3 metres wide. The applicant is conveying 1.1 metres to widen the public lane to 5.4 metres.

## **Parking**

The proposal includes 75 parking spaces for the nursing home and no parking for the retail use. As per Zoning By-law 569-2013 a minimum rate of 0.3 vehicle parking spaces per bed-sitting room and 1.0 parking space per 100 square metres of retail floor area is required. At 239 bed-sitting rooms, 71 parking spaces are required for the nursing home. At 463 square metres, 5 parking spaces are required for the retail use.

Zoning By-law 569-2013 does not require bicycle parking for nursing homes. However, the proposal includes 34 bicycle parking spaces. 16 long-term spaces will be provided in the first level of the below-ground garage and 18 short-term spaces will be provided at street level.

Transportation Services staff have reviewed the proposed parking supply and find it acceptable.

Additional comments related to the parking supply layout, access to the parking spaces and other site design matters related to the parking will be provided during the review of the Site Plan Control application.

## **Access and Circulation**

Vehicular access to the loading spaces, below-ground garage and pick-up/drop-off area is proposed from the widened public lane abutting the rear of the property.

Transportation Services staff are generally satisfied with the proposed access and site circulation.

Additional comments related to site access arrangement, site circulation and layout and the design of the proposed site entrance driveways will be provided during the review of the Site Plan Control application.

## **Loading**

As per Zoning By-law 569-2013, a minimum of one Type-G loading space is required to serve the residential component of the building and one Type-B loading space is required to serve the retail portion of the building. The proposed development will provide one of each Type-G and Type-B loading spaces.

Transportation Services has reviewed the proposed loading including manoeuvring diagrams and have determined that the proposal meets the loading requirements of Zoning By-law 569-2013 and is acceptable.

Additional comments and/or requirements pertaining to the location and layout of the proposed loading space supply, and access thereto, will be provided during the review of the Site Plan Control application.

## **Solid Waste**

Based on the information provided, the City of Toronto does not provide service to large non-residential, commercial and institutional developments. Therefore this development is ineligible for City of Toronto waste collection services and as such all garbage and recyclables must be collected privately. Garbage and other waste materials are not to be placed on public property. Proper loading/storage facilities located on private property are required and must meet all applicable by-laws and legislation including Chapter 841 of the Municipal Code.

The commercial component of this development being ineligible for City of Toronto collection, must store, transport and make arrangements for collection of all waste materials separately from the residential component. Collection of wastes from the commercial sector of this site will be in accordance with Chapter 841, Solid Waste of the Municipal Code. Separate waste and recycling containers are to be utilised and it will be necessary for the retail sector to have these bins identified.

Additional comments and/or requirements related to Solid Waste Management Services may be provided during the review of the Site Plan Control application.

## **Servicing and Stormwater Management**

The applicant has submitted Functional Servicing and Stormwater Management Reports dated May 1, 2018 and January 17, 2020, by GHD. Engineering Construction Services staff have reviewed the submitted materials and require a number of revisions. Prior to the enactment of bills, revisions are required as stated in the memorandum from Engineering and Construction Services dated August 10, 2020.

The provision of any improvements to the municipal infrastructure in connection with the site servicing assessment, should it be determined that upgrades are required to the infrastructure to support this development, will be at the cost of the applicant. Detailed functional servicing and stormwater management plans, and agreements, as necessary, will be entered into as part of the Site Plan Control application.

## **Indoor/Outdoor Amenity Space**

The proposal includes 3,562.7 square metres of indoor amenity space (14.9 square metres per bed-sitting room) which will be programmed for uses including, but not limited to, dining rooms, lounges, libraries, cinemas, art studios, games rooms and wellness rooms. The proposal also includes 635.4 square metres of outdoor amenity space (2.7 square metres per bed-sitting room) with outdoor space connected to floors 2 to 11. The total amenity space proposed is 4,198.1 square metres (17.6 square metres per unit). Planning staff are satisfied with the amenity space proposed.

## **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 is required to meet Tier 1 of the TGS. The applicant is encouraged to achieve Tier 2 or higher to advance the City's objectives for resilience and to achieve net-zero emissions by 2050 or sooner.

## **Section 37**

The Official Plan contains policies pertaining to the provision of community benefits in exchange for increases in height and/or density pursuant to Section 37 of the *Planning Act*. While the proposed development exceeds the height and density limits of the existing Zoning By-law, the application is consistent with the PPS, conforms with the Growth Plan, is generally consistent with the objectives and policies of the Official Plan, and thus constitutes good planning.

The following community benefits to be secured in the Section 37 Agreement:

- a \$2,500,000.00 cash contribution to be distributed towards the following: capital improvements for new or existing Toronto Community Housing and/or affordable housing in Ward Toronto-St. Paul's; capital improvements for new or existing cultural and/or community space in Ward Toronto-St. Paul's; local area park or streetscape improvements in Ward Toronto-St. Paul's; public art; and/or above base improvements to the public lane east of the site between Pleasant Boulevard and Rosehill Avenue.

The following matters of legal convenience are also to be secured in the Section 37 Agreement:

- a publicly-accessible pedestrian walkway along the east side lot line of the site with the specific size, configuration and design secured in a Site Plan Agreement;

- a Construction Management Plan and Neighbourhood Communication Strategy; and
- the owner shall pay for and construct any improvements to the municipal infrastructure should it be determined that improvements to such infrastructure are required to support this development.

## **Conclusion**

The application is consistent with the PPS and conforms with the Growth Plan. Furthermore, the proposal conforms with the applicable policies of the Official Plan and is consistent with the objectives outlines in the Yonge-St. Clair Planning Framework. Staff find that this proposal fits in with the existing and planned context and that the proposal is appropriate. City Planning recommends that Council approve the draft Official Plan and Zoning By-law Amendments subject to conditions.

## **CONTACT**

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

## **SIGNATURE**

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

## **ATTACHMENTS**

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### **City of Toronto Data/Drawings**

Attachment 1: Application Data Sheet  
 Attachment 2: Location Map  
 Attachment 3: Official Plan Land Use Map  
 Attachment 4: Yonge-St. Clair Secondary Plan Map  
 Attachment 5: Yonge-St. Clair Planning Framework - Urban Structure Map  
 Attachment 6: Yonge-St. Clair Planning Framework - Public Realm Map  
 Attachment 7: Existing Zoning By-law Map  
 Attachment 8: Draft Official Plan Amendment  
 Attachment 9: Draft Zoning By-law Amendment 438-86  
 Attachment 10: Draft Zoning By-law Amendment 569-2013

### **Applicant Submitted Drawings**

Attachment 11: 3D Model - View 1  
 Attachment 12: 3D Model - View 2  
 Attachment 13: Site Plan

Attachment 14: West Elevation  
Attachment 15: East Elevation  
Attachment 16: South Elevation  
Attachment 17: North Elevation

## Attachment 1: Application Data Sheet

**Municipal Address:** 1365-1375 Yonge Street      **Date Received:** May 1, 2018

**Application Number:** 18 151554 STE 22 OZ

**Application Type:** OPA & Rezoning

**Project Description:** A 17-storey (64.5 metres plus a 5-metre mechanical penthouse) building with ground floor retail and a nursing home.

<b>Applicant</b>	<b>Agent</b>	<b>Architect</b>	<b>Owner</b>
HCN (Rosehill) Property Inc.	Daniels Group Inc.	Turner Fleischer Architects Inc.	HCN (Rosehill) Property Inc.

### EXISTING PLANNING CONTROLS

Official Plan Designation:	Mixed Use Areas	Site Specific Provision:	N
Zoning:	CR (d4.25; c2.0; r3.0) SS2 (x2538)	Heritage Designation:	N
Height Limit (m):	30	Site Plan Control Area:	Y

### PROJECT INFORMATION

Site Area (sq m): 2,176      Frontage (m): 60      Depth (m): 37

<b>Building Data</b>	<b>Existing</b>	<b>Retained</b>	<b>Proposed</b>	<b>Total</b>
Ground Floor Area (sq m):	2,176		1,070	<b>1,070</b>
Residential GFA (sq m):			19,315	19,315
Non-Residential GFA (sq m):	3,975		463	<b>463</b>
<b>Total GFA (sq m):</b>	<b>3,975</b>		<b>19,779</b>	<b>19,779</b>
Height - Storeys:	2		17	<b>17</b>
Height - Metres:			70	<b>70</b>

Lot Coverage Ratio (%): 49.17      Floor Space Index: 9.09

**Floor Area Breakdown    Above Grade (sq m)    Below Grade (sq m)**

Residential GFA: 19,315

Retail GFA: 463

Office GFA:

Industrial GFA:

Institutional/Other GFA:

**Residential Units  
by Tenure                      Existing                      Retained                      Proposed                      Total**

Rental:

Freehold:

Condominium:

Other:

Total Units/Rooms: 239 239

**Total Residential Units by Size**

	Rooms	Bachelor	1 Bedroom	2 Bedroom	3+ Bedroom
Retained:					
Proposed:	239				
<b>Total Units:</b>	<b>239</b>				

**Parking and Loading**

Parking Spaces:	75	Bicycle Parking Spaces:	34	Loading Docks:	2
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**CONTACT:**

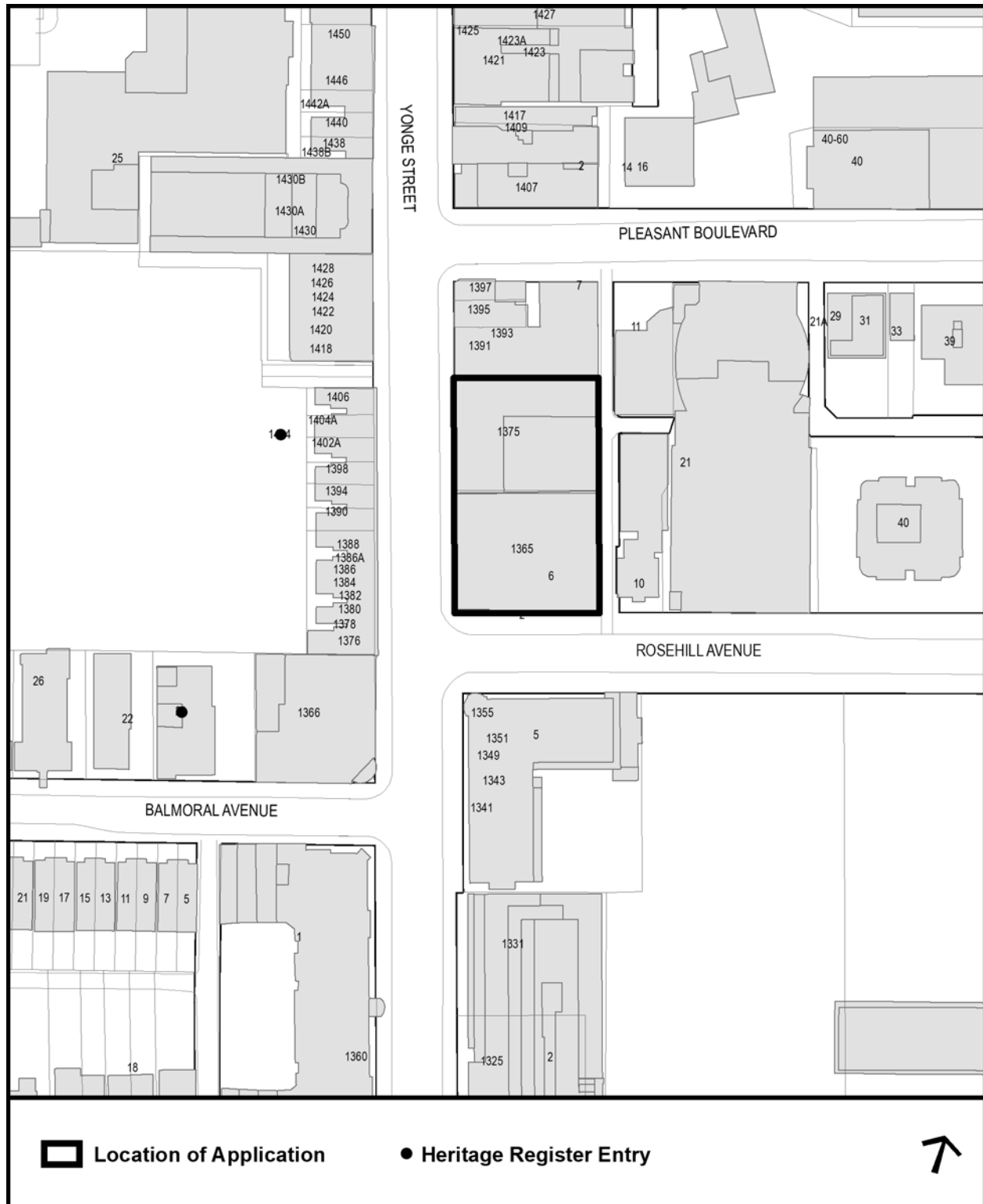
Kevin Friedrich, Senior Planner

(416) 338-5740

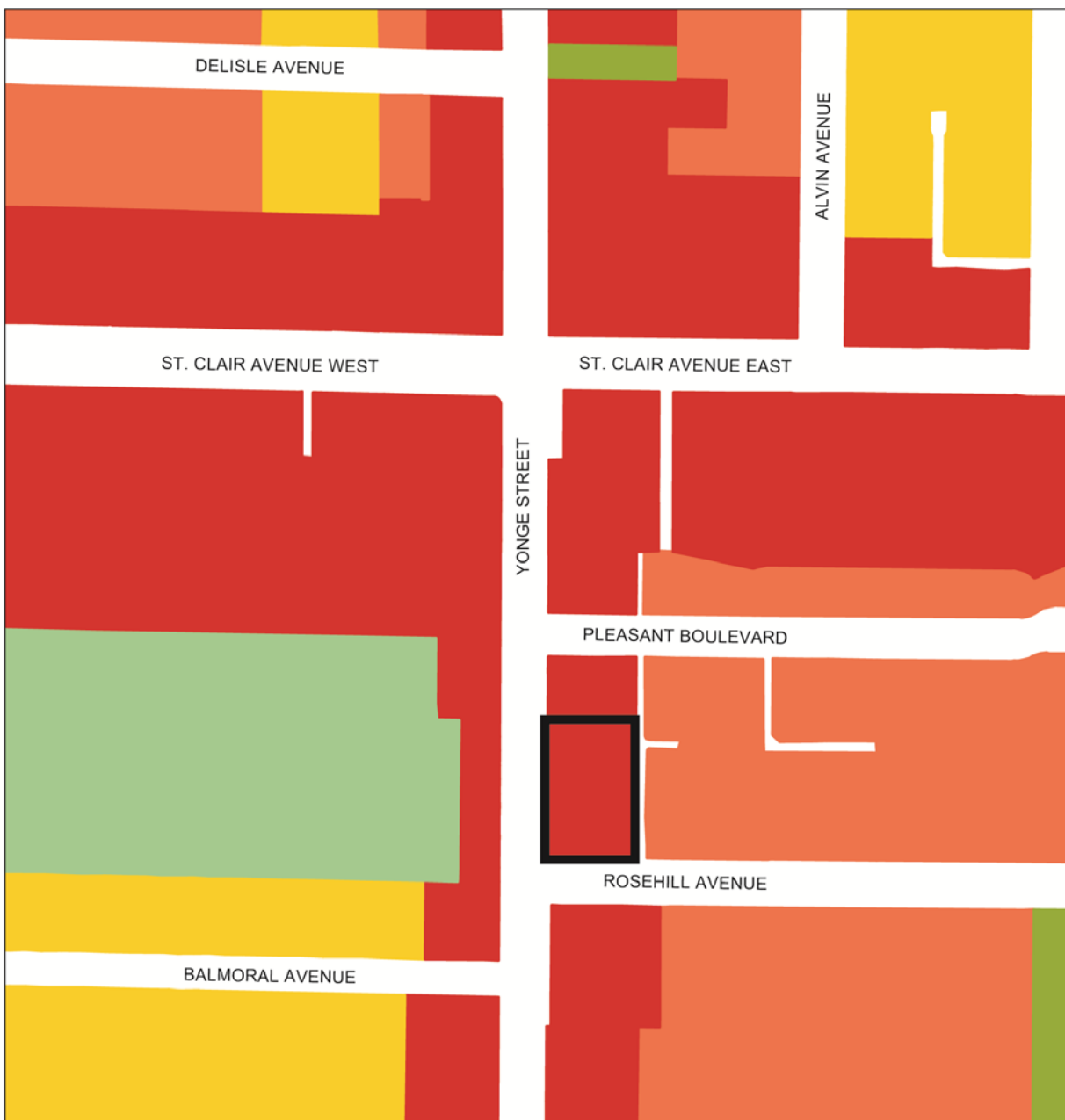
Kevin.Friedrich@toronto.ca



## Attachment 2: Location Map



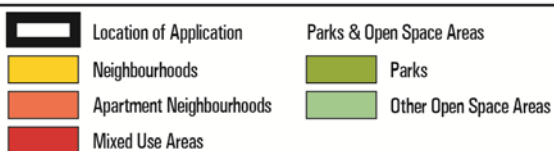
## Attachment 3: Official Plan Land Use Map



1365-1375 Yonge Street

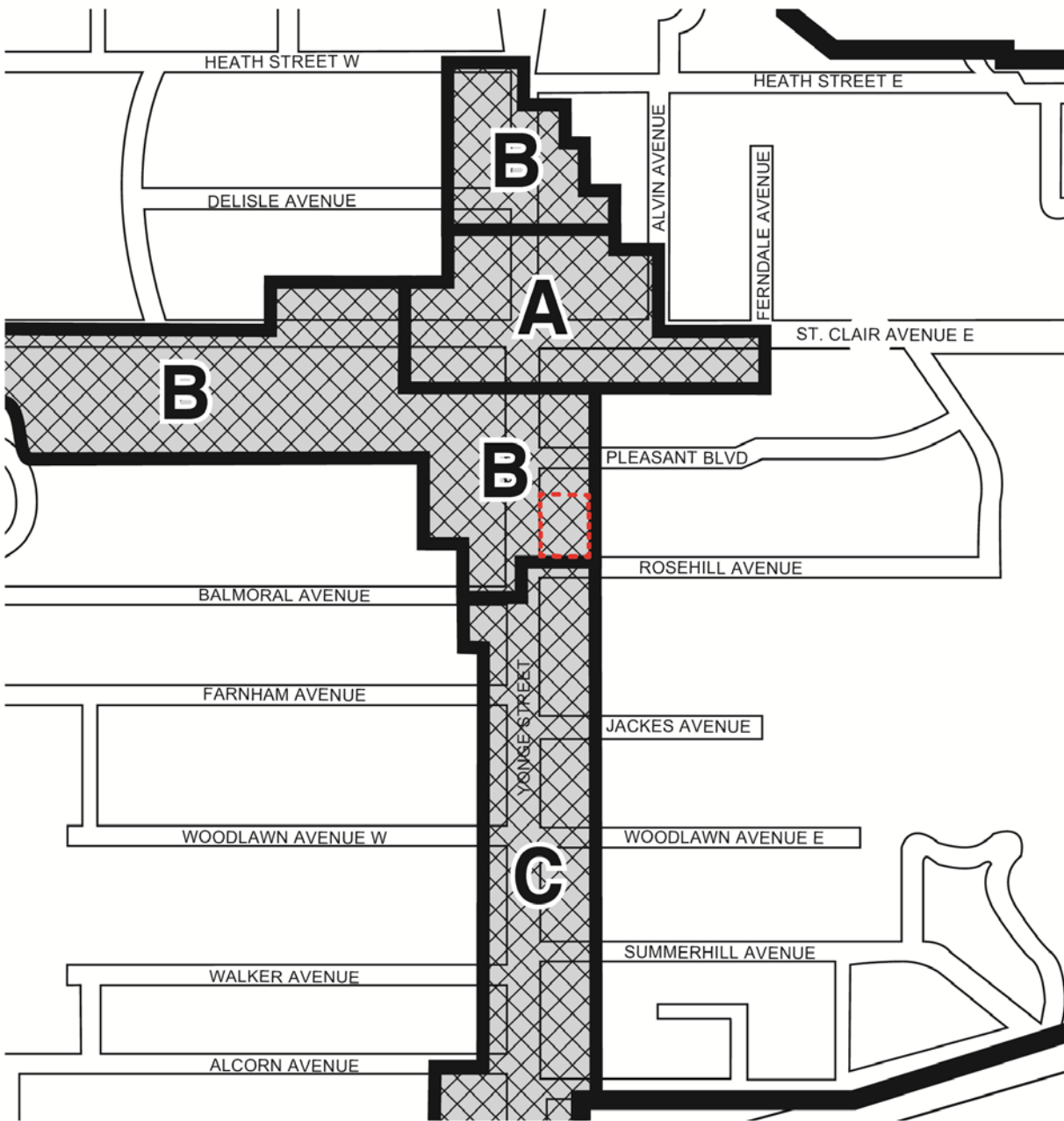
### Official Plan Land Use Map

File # 18 151554 STE 22 0Z



  
 Not to Scale  
 10/26/2020

## Attachment 4: Yonge-St. Clair Secondary Plan Map



1365-1375 Yonge Street

Yonge-St. Clair Secondary Plan (Site and Area Specific Policies)

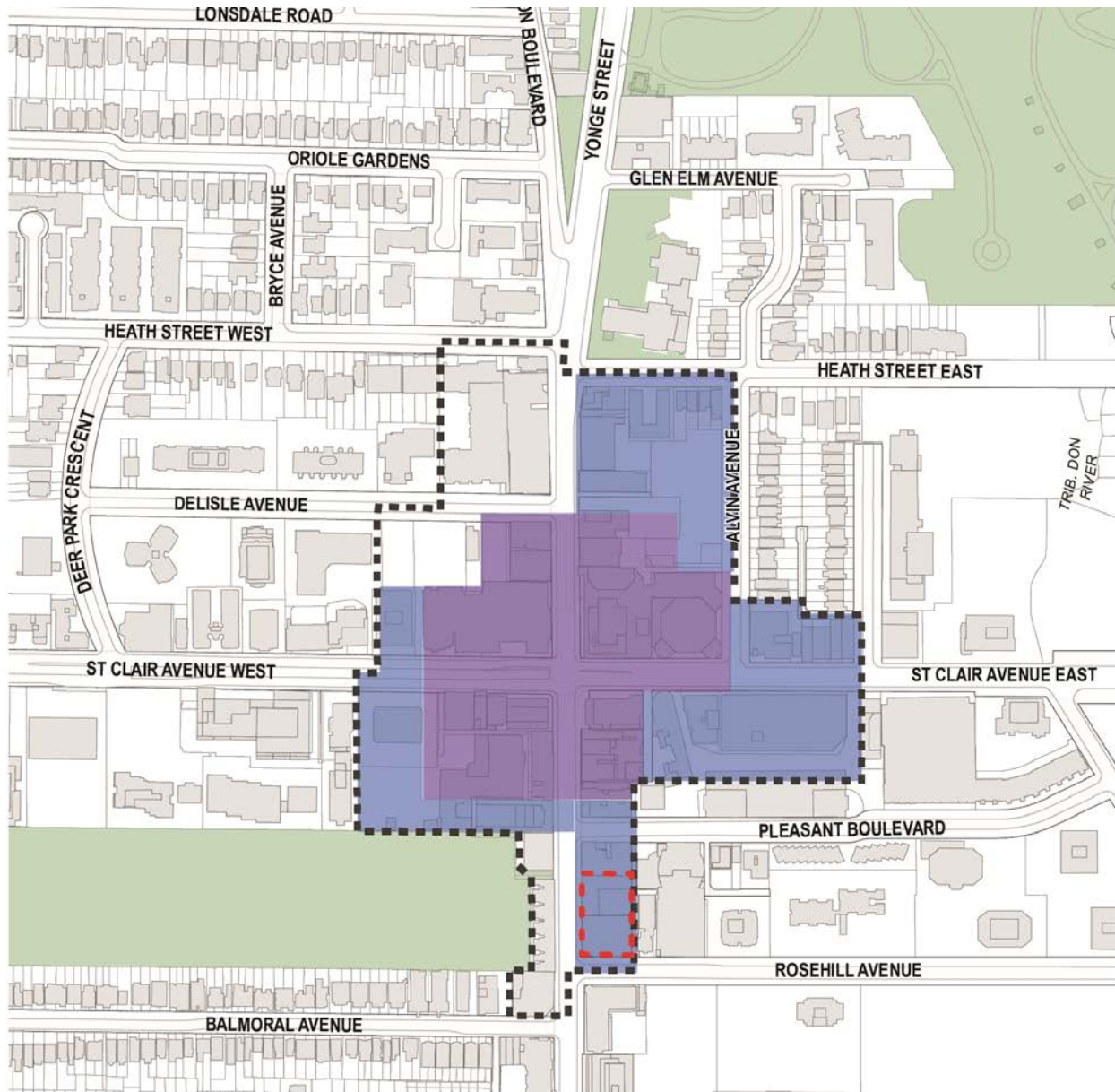
File # 18 151554 STE 22 OZ

 Location of Application

 Mixed Use Areas

  
Not to Scale  
11/09/2020

## Attachment 5: Yonge-St. Clair Planning Framework - Urban Structure Map



1365-1375 Yonge Street

City-Initiated Yonge-St. Clair Planning Framework: Big Moves (Map 2)

File # 18 151554 STE 22 0Z



Area Boundary

Subject Site



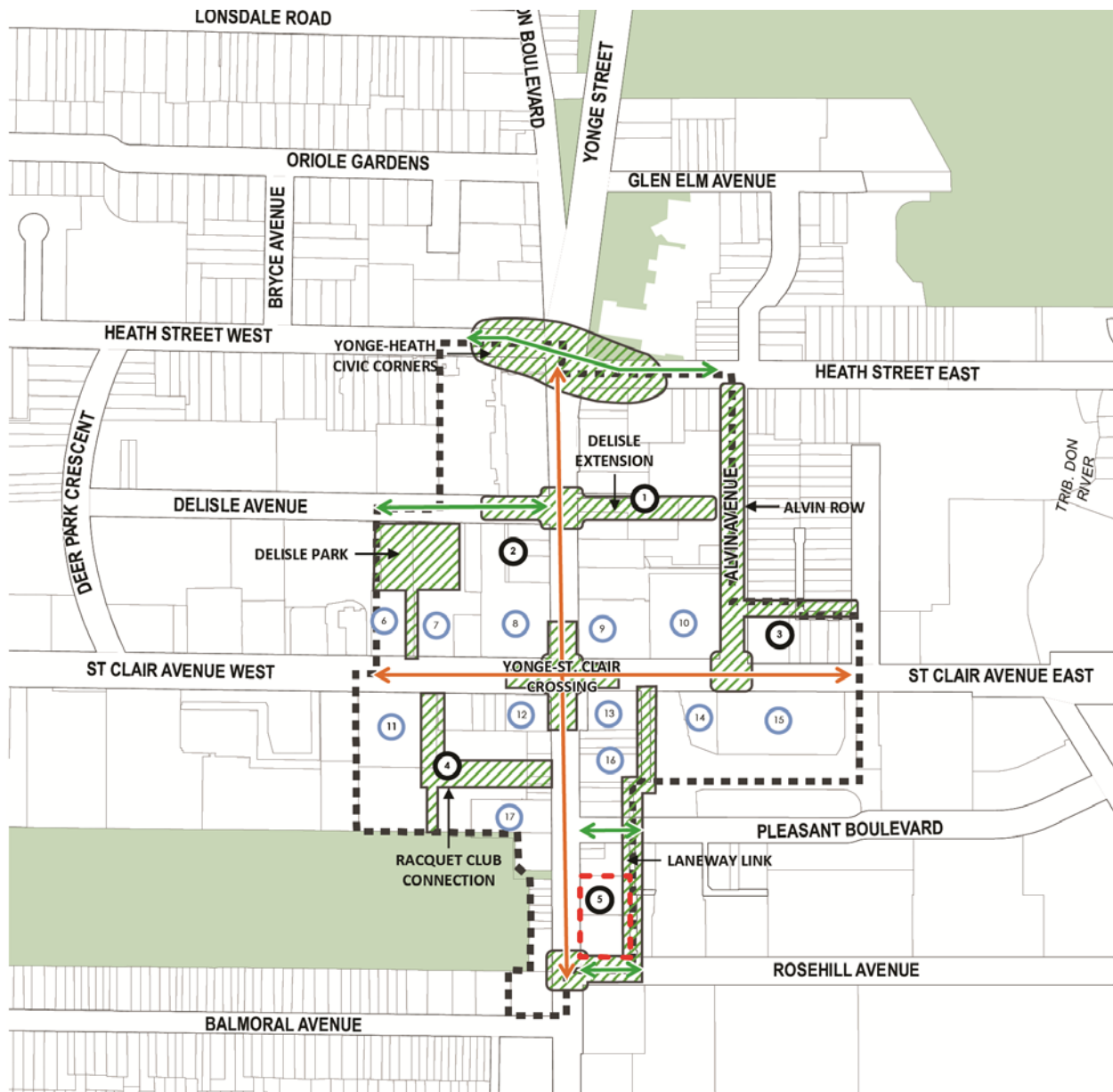
Height Peak  
(See Section 5.1 Urban Structure)

Transition Zone  
(See Section 5.1 Urban Structure)

Not to Scale  
10/26/2020



## Attachment 6: Yonge-St. Clair Planning Framework - Public Realm Map



1365-1375 Yonge Street

City-Initiated Yonge-St. Clair Planning Framework: Big Moves (Map 1)

File # 18 151554 STE 22 0Z



Subject Site



Area Boundary



"Big Moves"  
(See Section 3. Big Moves)



Arterial Streets  
(See Section 4. Street Character)



Green Streets  
(See 4. Street Character)



1-5 Proposed/Potential Tall Building Site  
(See Section 5.2 Proposed and Potential Development)

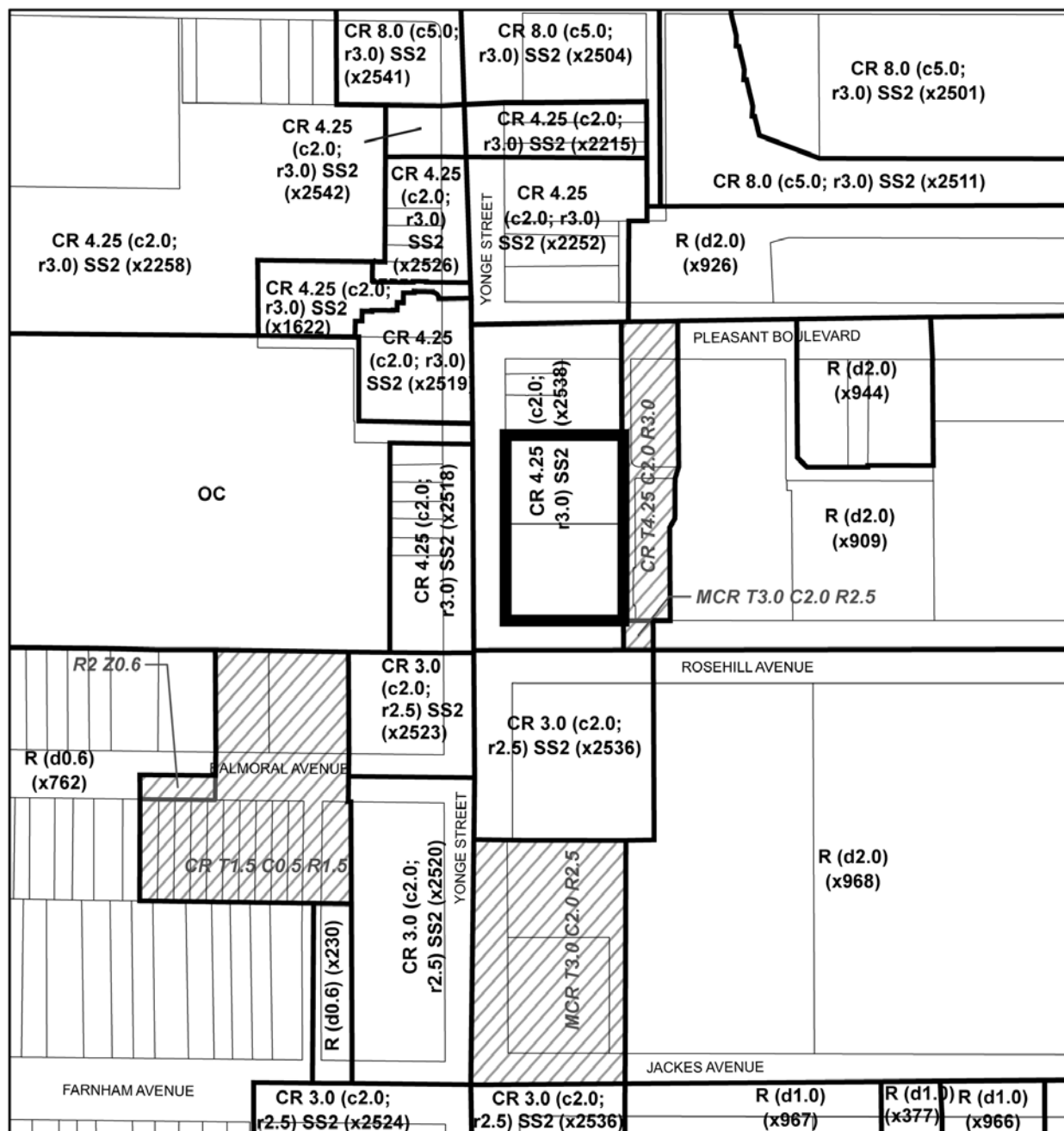


6-17 Existing/Approved Tall Building Site  
(See Section 5.3 Existing and Approved Development)

Not to Scale  
10/26/2020



## Attachment 7: Existing Zoning By-law Map



## Attachment 8: Draft Official Plan Amendment

Authority: Toronto and East York Community Council Item ~ as adopted by City of Toronto Council on ~, 20~  
Enacted by Council: ~, 20~

### CITY OF TORONTO

**Bill No. ~**

### **BY-LAW ~ -20~**

To adopt Amendment No. ● to the Official Plan for the City of Toronto respecting the lands known municipally in the year 2020 at 1365-1375 Yonge Street.

Whereas authority is given to Council under the *Planning Act*, R.S.O. 1990, c.P.13, as amended, to pass this By-law; and

Whereas Council of the City of Toronto has provided adequate information to the public and has held at least one public meeting in accordance with the *Planning Act*;

The Council of the City of Toronto enacts:

1. The attached Amendment No. ● to the Official Plan is adopted pursuant to the *Planning Act*, as amended.

ENACTED AND PASSED this ~ day of ~, A.D. 20~.

JOHN TORY,  
Mayor

ULLI S. WATKISS,  
City Clerk

(Corporate Seal)

## AMENDMENT NO. • TO THE OFFICIAL PLAN

### LANDS MUNICIPALLY KNOWN IN THE YEAR 2020 AS 1365-1375 YONGE STREET

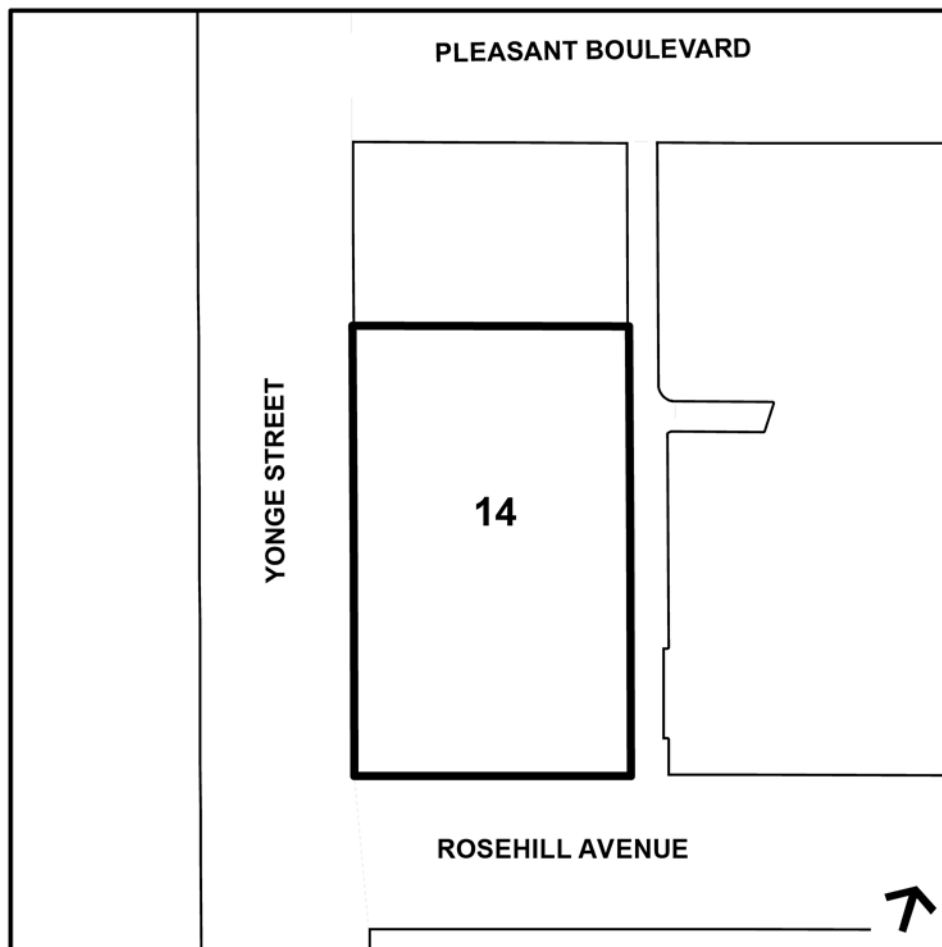
The Official Plan of the City of Toronto is amended as follows:

1. Chapter 6, Section 6, Yonge-St. Clair Secondary Plan is amended as follows:

2.1. Section 8, Site and Area Specific Policies, is amended by adding the following Site and Area Specific Policy 14, together with the key map as shown on the attached Schedule 2, as follows:

#### 14. 1365-1375 Yonge Street

For the lands shown as Area 14 on Map 6-2, a maximum building height of 70.0 metres to the top of the mechanical penthouse and a minimum building setback of 3.0 metres from the Rosehill Avenue property line is permitted for a mixed use building containing a retirement home, nursing home and/or residential care home and ground floor non-residential uses.





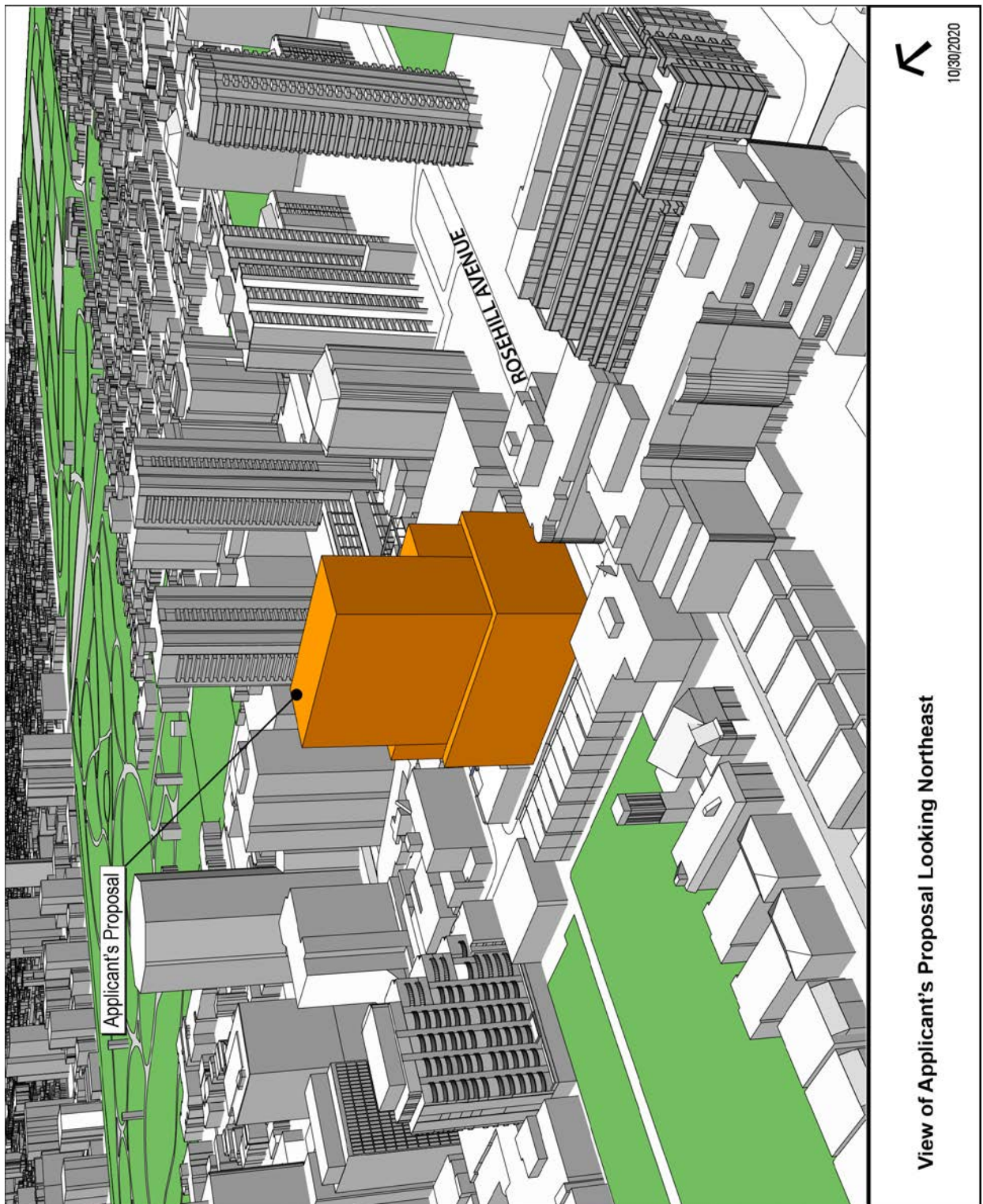
## **Attachment 9: Draft Zoning By-law Amendment 438-86**

To be provided prior to the December 2, 2020 Community Council meeting

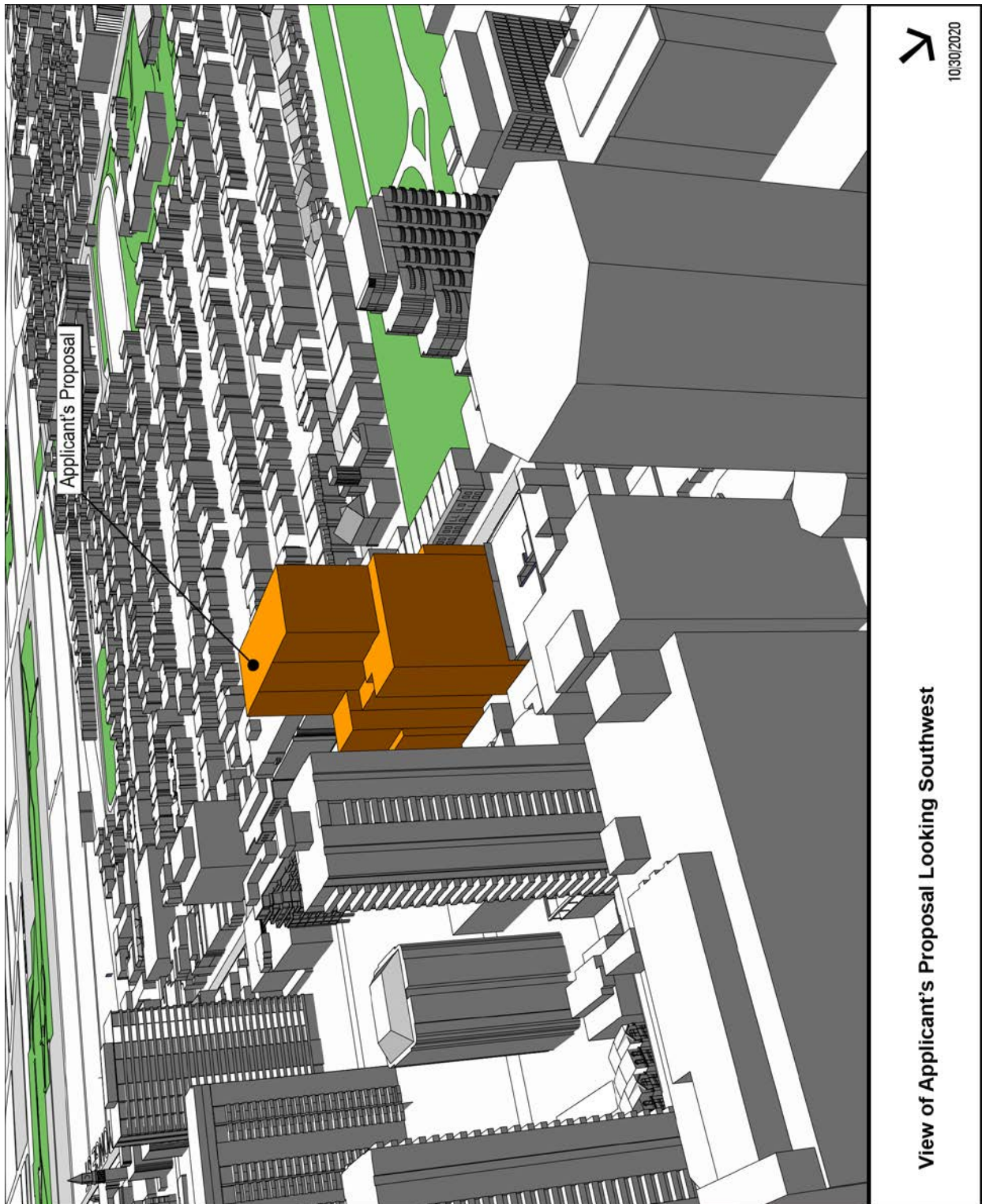
## **Attachment 10: Draft Zoning By-law Amendment 569-2013**

To be provided prior to the December 2, 2020 Community Council meeting

## Attachment 11: 3D Model - View 1



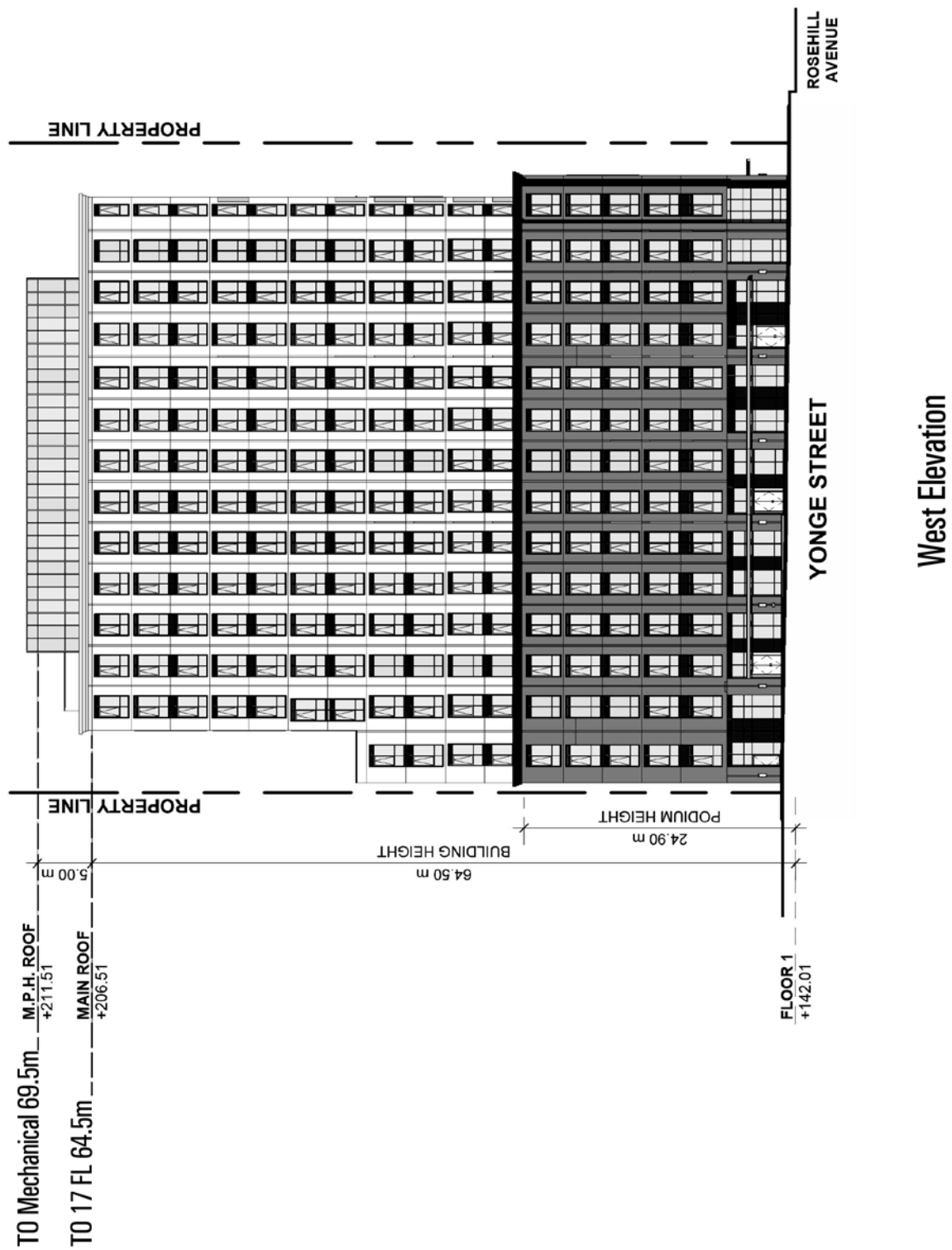
## Attachment 12: 3D Model - View 2



Report for Action - Final Report - 1365-1375 Yonge Street

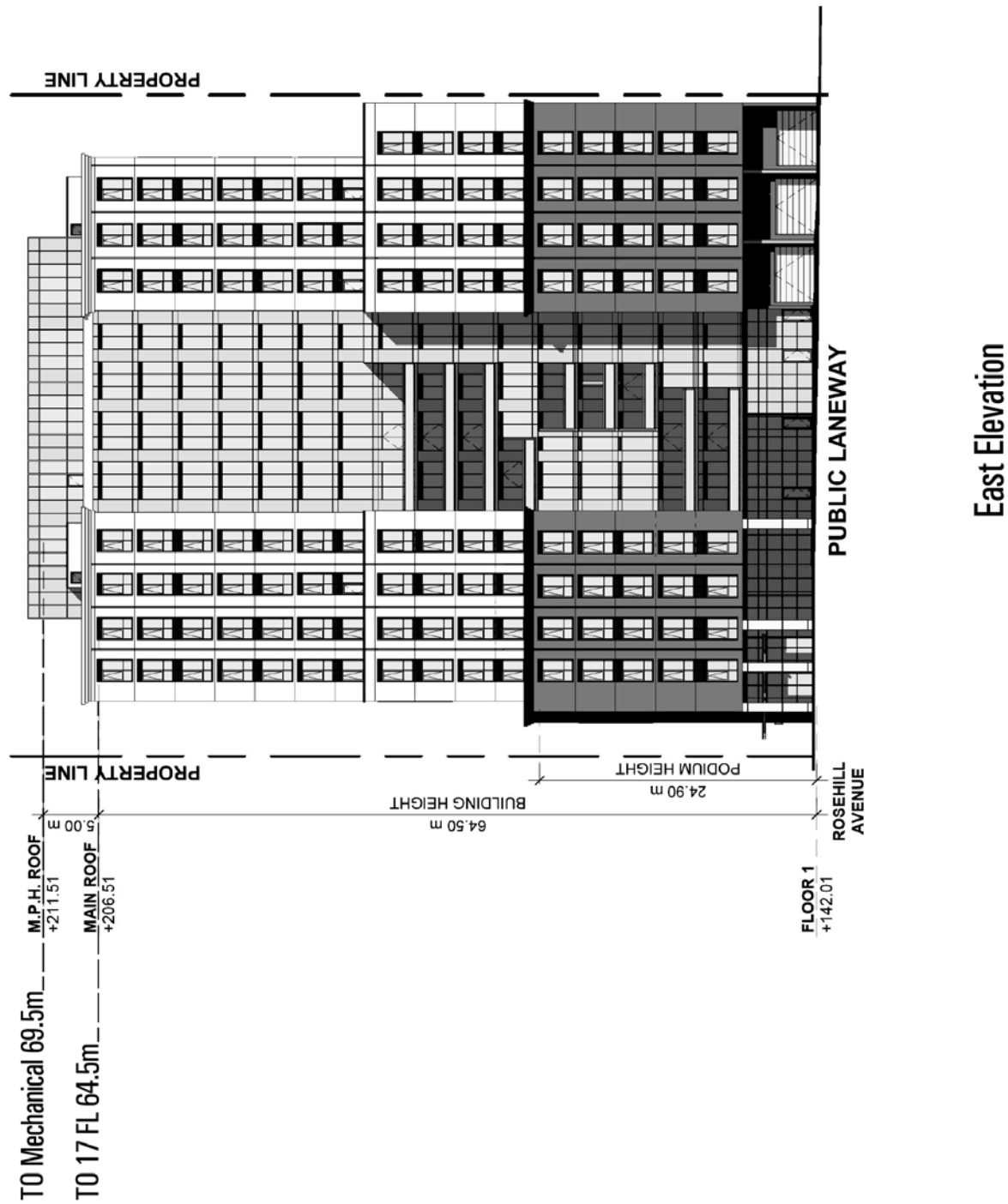


Attachment 14: West Elevation

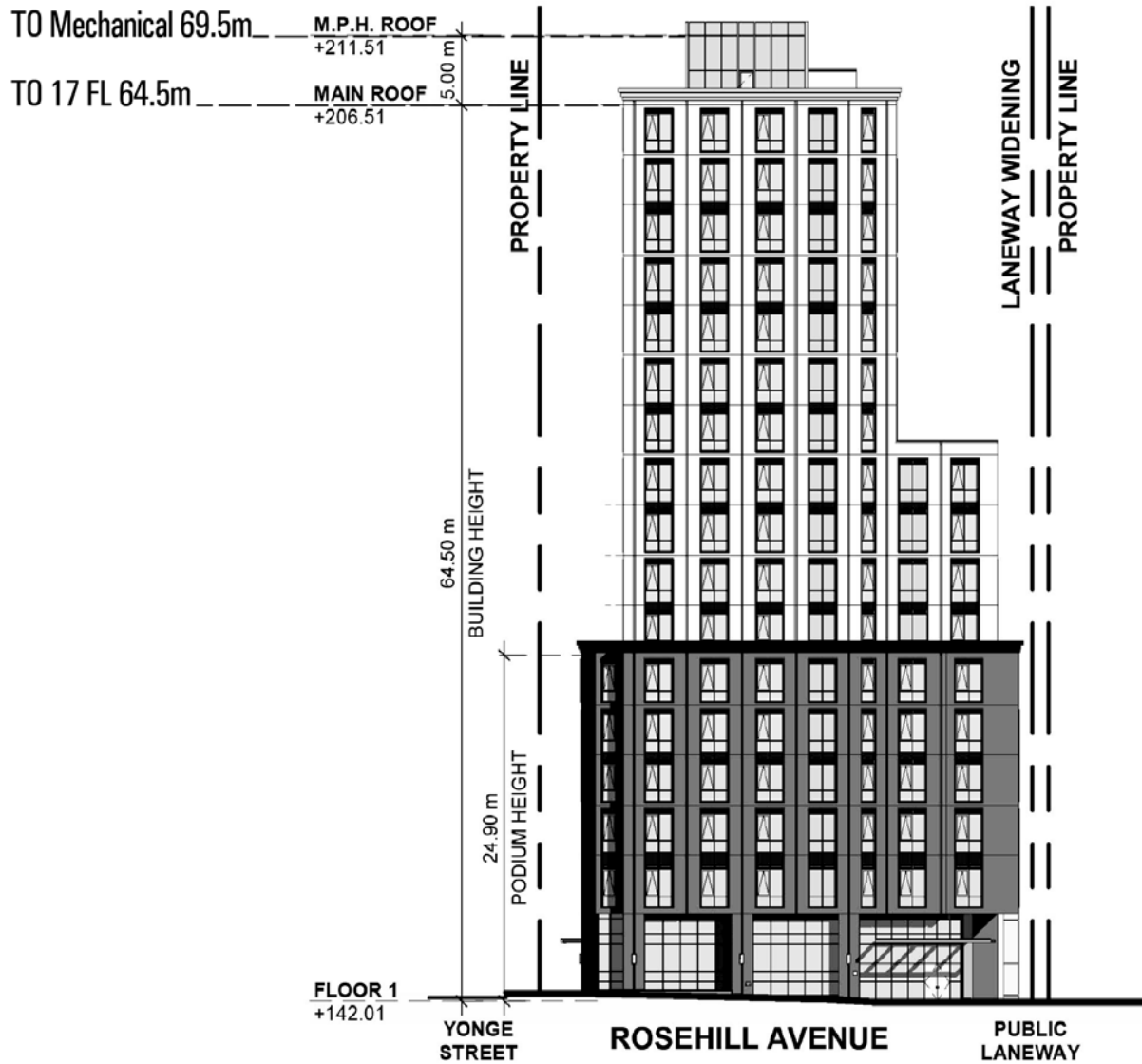




Attachment 15: East Elevation



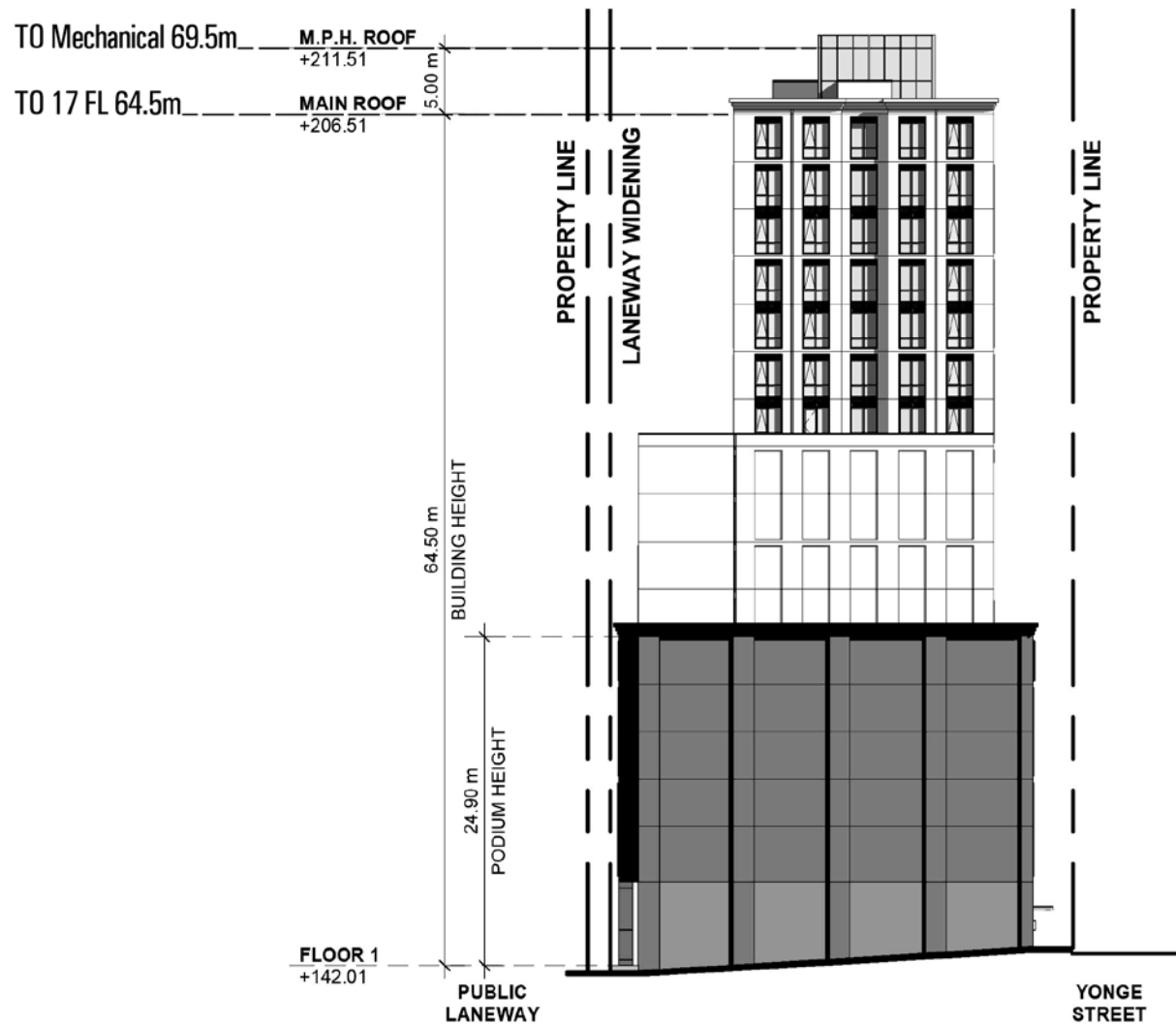
## Attachment 16: South Elevation



South Elevation



## Attachment 17: North Elevation



North Elevation