

717, 719, 723 and 733 Mount Pleasant Road - Zoning By-law Amendment Application – Request for Direction Report

Date: December 14, 2020

To: North York Community Council

From: Acting Director, Community Planning, North York District

Ward: Ward 15 - Don Valley West

Planning Application Number: 19 263788 NNY 15 OZ

SUMMARY

On December 20, 2019, an application to amend the Zoning By-law was submitted for 717, 719, 723 and 733 Mount Pleasant Road which proposes to amend City of Toronto Zoning By-law Nos. 438-86 and 569-2013 to permit a 27-storey (86 metre) high residential building with retail at grade with a 5-storey base building measuring 18 metres in height. The proposed density (floor space index) of the building is 6.68 times the area of the lot.

On July 30, 2020, the applicant (Rockport MPE Inc.) appealed the Zoning By-law Amendment application to the Local Planning Appeal Tribunal (LPAT). The appeal was made without revisions to the original proposal and citing Council's failure to make a decision on the application within the timeframe prescribed by the *Planning Act*. A Case Management Conference (CMC) was held on November 5, 2020. A further CMC is scheduled for March 3, 2021.

As part of the approval of Midtown in Focus and the Yonge-Eglinton Secondary Plan (the "Secondary Plan") in July 2018, City Planning was directed by Council to initiate a zoning review for Midtown's 22 Character Areas to implement the directions of the Secondary Plan (the "Midtown Zoning Review"). The intent of the zoning review is to establish specific heights in the Zoning By-law as set out in Policy 5.4.3 of the Secondary Plan. It will also provide clarity on the location, scale and form of appropriate development within each Character Area and implement other policy directions within the approved Secondary Plan. The outcome of the Midtown Zoning Review would guide the review of this application and future redevelopment of other sites within the block. Phase 1 of the Zoning Review is underway and it is anticipated that there will be a community consultation meeting held in early 2021.

As part of City Council's adoption of the Preliminary Report for this application, City Planning Staff were directed to evaluate this application as part of the Council-directed Midtown Zoning Review. While the proposed building is within the height range of 20 to

35 storeys as identified by Policy 5.4.3(p) of the Secondary Plan, it has not yet been determined how the height range will be applied through the City-initiated Zoning By-law Amendment.

This report reviews and recommends that the City Solicitor together with City Planning staff and other appropriate staff be directed to oppose the Zoning By-law Amendment application, in its current form, at the LPAT. The proposed development is not providing appropriate transition to the *Neighbourhoods* to the east, the lower-scale Mount Pleasant South Character Area to the south and does not respect the existing area context. Amongst other matters, the proposed tower does not minimize shadowing on the *Neighbourhoods* designated lands to the east of the site; lacks sufficient non-residential gross floor area; is not meeting the intent of the City's Tall Building Design Guidelines; is not providing an adequate amount of large units per the Growing Up guidelines; is not providing an adequate amount of vehicular parking; and is not providing a public laneway at the rear of the site. In addition, the application does not have a satisfactory Functional Servicing Report to address servicing issues.

This report also recommends that despite the applicant's appeal of the Zoning By-law Amendment application to the LPAT, City Planning staff continue to work with the applicant's team on revisions to the application to bring forward a proposal, within the context of the ongoing Midtown Zoning Review that represents a supportable development of the site.

In its current form, the proposed development is not consistent with the Provincial Policy Statement (2020) and does not conform with A Place to Grow: Growth Plan for the Greater Golden Horseshoe (2020). Additionally, it does not conform to the Yonge-Eglinton Secondary Plan.

RECOMMENDATIONS

The City Planning Division recommends that:

1. City Council direct the City Solicitor and appropriate City Staff to attend the Local Planning Appeal Tribunal (LPAT) to oppose the Zoning By-law Amendment application for 717, 719, 723 and 733 Mount Pleasant Road in its current form for reasons set out in the report (December 14, 2020), from the Acting Director, Community Planning, North York District.
2. City Council authorize the City Solicitor and appropriate staff to continue discussions with the applicant in an attempt to resolve issues outlined in the report (December 14, 2020) and within the context of the ongoing Midtown Zoning Review, consistent with Official Plan Amendment No. 405, from the Acting Director, Community Planning, North York District, to the satisfaction of the Chief Planner and Executive Director, City Planning.

3. In the event that the Local Planning Appeal Tribunal allows the appeals in whole or in part, City Council direct the City Solicitor to request that the Tribunal withhold its Order until such time as the Tribunal has been advised by the City Solicitor that:
 - a. The proposed form and content of the Zoning By-law Amendments are satisfactory to the Acting Director, Community Planning, North York District and City Solicitor;
 - b. The owner has entered into and registered a Section 37 Agreement with the City incorporating language securing the above all to the satisfaction of the Chief Planner and Executive Director City Planning, and the City Solicitor; and
 - c. The owner has addressed the comments in the Engineering and Construction Services memo dated February 24, 2020, as applicable, to the satisfaction of the Chief Engineer and Executive Director, Engineering and Construction Services; and any additional comments arising from the technical review of the November 6, 2020 resubmission to the satisfaction of the Chief Planner and Executive Director, City Planning, in consultation with appropriate City Staff.
4. City Council authorize the City Solicitor and necessary City staff to take such necessary steps, as required, to implement the foregoing.

FINANCIAL IMPACT

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

DECISION HISTORY

Midtown in Focus was an inter-divisional response to the rapid intensification and change underway in parts of the Yonge-Eglinton area. Building on the 2014 Midtown in Focus: Parks, Open Space and Streetscape Plan, City Council adopted Official Plan Amendment 405 and a series of infrastructure strategies and plans in July 2018. OPA 405 included a new Secondary Plan for the area. As part of City Council's adoption of OPA 405, City Council also directed staff to complete a zoning review for the Yonge-Eglinton Secondary Plan Area. Work is currently underway and, when complete, will set out area specific requirements for height, setbacks, stepbacks, and landscaped open space to implement the objectives and policies of the new Secondary Plan.

City Planning staff's Final Report and City Council's decision to approve Midtown in Focus and OPA 405 can be found here:

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2018.PG31.7>

Adopted OPA 405 was submitted to the Province for approval in August 2018. It was approved with modifications by the Minister of Municipal Affairs and Housing on June 5,

2019. The approved Secondary Plan sets out a long-term vision for Midtown that emphasizes the importance of complete communities and the diversity of Midtown's character areas. It envisions Midtown as a green, resilient, connected and prosperous place, and where growth is directed near transit. The approved Secondary Plan provides guidance on the appropriate scale and location of future growth and links growth with the provision of infrastructure.

The in-force Secondary Plan, as modified and approved by the Minister of Municipal Affairs and Housing, can be found here:

https://www.toronto.ca/wp-content/uploads/2019/07/96a5-CityPlanning_OPA405.pdf

With respect to the subject site, complete applications for Official Plan and Zoning By-law Amendments were submitted prior to Ministerial approval of OPA 405 on November 8, 2018 for a 9-storey, 58 unit mixed-use building with 196 square metres of ground floor retail space on the 733 Mount Pleasant Road portion of the site (File No. 18 254194 STE 22 OZ). OPA 405 had not yet come into full force and effect and, as such, did not apply to the previous application.

A Preliminary Report was considered by North York Community Council on April 24, 2019 and was adopted without amendment. A Community Consultation Meeting was never held. The previous application was withdrawn and closed at the applicant's request on December 19, 2019.

North York Community Council's decision and City Planning staff's Preliminary Report regarding the previous application can be found here:

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2019.NY5.5>

The current application at 717, 719, 723 and 733 Mount Pleasant Road was submitted and deemed complete as of December 20, 2019. A Preliminary Report on the application was adopted by North York Community Council on March 12, 2020 authorizing staff to conduct a community consultation meeting.

In assessing the applications, Planning staff considered the proposal to represent significant intensification. In accordance with the Healthy Neighbourhoods policies of the Official Plan, City Planning Staff were directed to evaluate this application as part of the Council-directed Midtown Zoning Review, which will result in an area-specific Zoning By-law for the block formed by: Taunton Road to the east, Soudan Avenue to the south, Mount Pleasant Road to the west and Eglinton Avenue East to the north or for the Character Area as a whole.

North York Community Council's decision and the Preliminary Report is available at:

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2020.NY14.7>

ISSUE BACKGROUND

Proposal

The original application submitted proposed to amend City of Toronto Zoning By-law Nos. 438-86 and 569-2013 for the lands at 717, 719, 723 and 733 Mount Pleasant Road to permit a 27-storey (86 metre) residential building with retail at grade with a 5-storey base building that would measure 18 metres in height. The proposed density (floor space index) of the building would be 6.68 times the area of the lot.

On November 6, 2020, a revised application submission was made to City Planning. Details of the application and revisions are outlined in the chart below and in Attachment 14 – Application Data Sheet.

Category	December 20, 2019 Submission		November 6, 2020 Submission
Site Area	2,969 square metres		No Change
Base Building Setbacks from Property Line (excluding balconies)	North	0.2 m	0.18 m
	South	0.6 m 3.0 m (storeys 3-5)	0.66 m (first 2 storeys) 3.06 m (storeys 3-5)
	East	7.5 m (first 3 storeys) 15 m (storeys 4-5)	7.5 m (first 3 storeys) 15.1 m (storeys 4-5)
	West	1.5 m (first 2 storeys) 3 m (storeys 3-5)	3 m (ground floor) 3.27 m (2nd storey) 2.87 m* (storeys 3-5) <i>*note: balconies cantilever 1.9 m over the first two storeys</i>
Proposed Tower Setbacks from Property Line	North	12.5 m	12.49 m
	South	11.95 m	12.59 m
	East	20 m	20.125 m
	West	4.5 m	4.5 m
Proposed Tower Stepbacks from Base Building (Excluding Balconies)	North	6.2 m (at the 6th storey)	9.635 m (at the 6th storey)
		6.3 m (at the 7th storey)	2.675 m (at the 7th storey)
	South	6.05 m (at the 6th storey)	6.64 m (at the 6th storey)
		3 m (at the 7th storey)	2.89 m (at the 7th storey)
East	5.05 m (at the 6th storey)	3 m (at the 6th storey) 2 m (at the 7th storey)	
West	1.5 m (at the 6th storey)	1.5 m (at the 6th storey)	

Gross Floor Area (GFA)		
Residential	19,254 square metres	19,334 square metres
Non-Residential	587 square metres	281 square metres
Total	19,841 square metres	19,615 square metres
Floor Space Index (FSI)	6.68 times the lot area	6.61 times the lot area
Base Building Height	18 metres	No change
Tower Height	86 metres (excluding MPH) 92 metres (including MPH)	No change
Tower Floor Plate	687 square metres	No change
Residential Units		
Studio	38 (14%)	36 (14%)
1 Bedroom	91 (35%)	119 (45%)
2 Bedroom	93 (35%)	58 (22%)
3 Bedroom	42 (16%)	49 (19%)
Total	264	262
Amenity Area		
Indoor	528 square metres	524 square metres
Outdoor	715 square metres	704 square metres
Total	1,243 square metres	1,228 square metres
Vehicular Parking (residential: visitor/retail)	126 spaces (99:27)	131 spaces (103:28)
Loading Spaces	1 Type 'G'	1 Type 'G'
Bicycle Parking (long-term:short-term)	272 spaces (239:33)	270 spaces (237:33)
Parkland Dedication	None	None

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 the attachments in this report for three dimensional representations of the application in context (Attachments 1a and 1b), location map (Attachment 2), site plan (Attachment 3) and building elevations (Attachments 10-13).

Site and Surrounding Area

The site is located on the east side of Mount Pleasant Road, south of Eglinton Avenue East. Mount Pleasant Road has a right-of-way of 27 metres. The site is generally rectangular in shape, with a frontage of 63 metres along Mount Pleasant Road, a depth of approximately 43 metres and a site area of 2,969 square metres. The site is generally flat, with a slight downward slope from the west side of the site to the east.

The site is currently occupied by three 2-storey commercial buildings and a temporary surface parking lot. The existing commercial buildings have tenants in two of the three buildings.

The surrounding development and land uses are as follows:

North: Immediately north of the subject site is a 4-storey medical office building at 737 Mount Pleasant Road. Further north is a 3-storey mixed-use building with office uses above and commercial uses at grade. Continuing north, a single-storey building (Shoppers Drug Mart) and 4-storey building with a mix of office and commercial uses can be found on the east side of Mount Pleasant Road, south of Eglinton Avenue East. Along the west side of Mount Pleasant Road moving north towards Eglinton Avenue East are a series of one-storey commercial uses with front yard parking.

South: To the immediate south of the site are two-storey buildings with office, commercial and residential uses. These buildings (693-711 Mount Pleasant Road) are accessed via a 3 metre laneway extending north from Soudan Avenue. A number of these properties have been included on the Heritage Register by City Council, including 252-258A Soudan Avenue and 695-711 Mount Pleasant Road.

Further south along Mount Pleasant Road are two to three-storey commercial buildings.

East: Two and three-storey detached and semi-detached dwellings in a *Neighbourhoods* designation.

West: To the immediate west of the subject site, on the west side of Mount Pleasant Road, is a single-storey commercial building (Dollarama) and an existing 12-storey retirement home with retail at grade at 700-720 Mount Pleasant Road. That site is the subject of a Zoning By-law Amendment application which proposes a 25-storey tower atop a 7-storey base building. The proposal would add 123 retirement dwelling units and 133 assisted nursing rooms to the existing retirement centre (File No. 17 25719 STE 22 OZ).

Reasons for Application

A Zoning By-law Amendment is required as the application proposes to exceed the maximum building height and density permitted by the existing Zoning By-laws as amended, and to establish new development standards related to amongst other things: parking, loading, and building setbacks and stepbacks.

APPLICATION BACKGROUND

Application Submission

The following reports, studies and plans were submitted in support of the application:

- Arborist Report
- Architectural Plans
- Civil and Utilities Plans
- Coloured Concept Plan
- Community Services and Facilities Study
- Draft Zoning Bylaw Amendments for Zoning By-law Nos. 438-86 and 569-2013
- Energy Efficiency Report

- Geotechnical Study
- Groundwater Review Form
- Heritage Impact Statement
- Hydrogeological Report
- Hydrogeological Review Summary
- Landscape and Lighting Plans
- Pedestrian Level Wind Study
- Planning Rationale
- Project Data Sheet
- Public Consultation Strategy Report
- Servicing Report
- Survey Plans
- Toronto Green Standards Checklist
- Transportation Impact Study and
- Tree Preservation Plan.

The Zoning By-law Amendment Application was deemed complete as of December 20, 2019. Supporting documentation can be viewed at the City's Application Information Centre: <http://app.toronto.ca/AIC/index.do>

Agency Circulation Outcomes

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 application.

POLICY CONSIDERATIONS

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 "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 is more than a set of individual policies. It is to be read in its entirety and the relevant policies are to be applied to each situation.

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."

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

A Place to Grow: Growth Plan for the Greater Golden Horseshoe (2020) came into effect on May 16, 2019. This new plan replaced the previous Growth Plan for the Greater Golden Horseshoe, 2017. On August 28, 2020, the Province brought into force Amendment 1 (2020) to the A Place to Grow: Growth Plan for the Greater Golden Horseshoe (2020) (the "Growth Plan (2020)"). The Growth Plan (2020) 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 (2020) establishes policies that require implementation through a Municipal Comprehensive Review (MCR), which is a requirement pursuant to Section 26 of the *Planning Act* that comprehensively applies the policies and schedules of the Growth Plan (2020), including the establishment of minimum density targets for and the delineation of strategic growth areas, the conversion of employment areas, and others.

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 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 (2020) 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.

The Growth Plan (2020) 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 (2020) requires that, at the time of the next municipal comprehensive review (MCR), the City will update its Official Plan to delineate MTSA boundaries and demonstrate how the MTSAs will achieve appropriate densities and built form at that time, and this approval does not impact this matter that will require a MCR.

Staff has reviewed the proposed development for consistency with the PPS (2020) and for conformity with the Growth Plan (2020). The outcome of staff analysis and review are summarized in the Comments section of the Report.

City of Toronto Official Plan

City Planning staff have reviewed the application against the policies of the Official Plan, a number of which are noted below. The subject site is designated *Mixed Use Areas* per Map 17 (Land Use Plan) of the Official Plan.

Chapter 2 - Shaping the City

The Official Plan recognizes the strategic mid-town location of the Yonge-Eglinton Centre and its continuing role as both an office centre and a desirable living area. The Plan promotes new development within the Yonge-Eglinton Centre and identifies where and how this should occur including through infill development and redevelopment. The subject site, located on the east side of Mount Pleasant Road, is outside of the Centre per Map 2 (Urban Structure).

The policies of Section 2.2.2 of the Official Plan provide that each Centre will have a Secondary Plan that sets out the local goals and a development framework consistent with the Plan, and among other things, the location, mix and intensity of land uses within the Centre. The Yonge-Eglinton Secondary Plan Area encompasses lands beyond the Centre, including the subject site, and provides a development framework for the Centre, as well as the larger area.

Section 2.2.3: Avenues

The *Avenues* are important corridors along major streets where reurbanization is anticipated and encouraged to create new housing and job opportunities while improving the pedestrian environment, the look of the street, shopping opportunities and transit service for community residents. Such reurbanization is subject to the policies contained in the Official Plan, including in particular the neighbourhood protection policies.

Section 2.3.1: Healthy Neighbourhoods

This section of the Official Plan contains policies that specifically address the relationship between *Neighbourhoods* and areas with other Official Plan designations in order to ensure development is sensitive to the physically stable areas within the *Neighbourhoods* designation.

The proposed development is immediately adjacent to an area designated *Neighbourhoods* in the Official Plan. Section 2.3.1 of the Official Plan states that: "the diversity of Toronto's neighbourhoods, in terms of scale, amenities, local culture, retail services and demographic makeup, offers options within communities to match every stage of life". *Neighbourhoods* are where people connect and by focusing development into the *Centres* and *Avenues* we preserve the character of those neighbourhoods. Whether low-rise or apartment buildings, the policies in the Official Plan are intended to apply equally to both. Policies 2.3.1.1 and 2.3.1.2 state that *Neighbourhoods* and *Apartment Neighbourhoods* are considered to be physically stable.

Policy 2.3.1.3 states that developments in *Mixed Use Areas*, *Regeneration Areas* and *Apartment Neighbourhoods* that are adjacent or close to *Neighbourhoods* will: "a) be compatible with those *Neighbourhoods*; b) provide a gradual transition of scale and density, as necessary to achieve the objectives of this Plan through the stepping down of buildings towards and setbacks from those *Neighbourhoods*; c) maintain adequate light and privacy for residents in those *Neighbourhoods* ...and f) attenuate resulting traffic and parking impacts on adjacent neighbourhood streets so as not to significantly diminish the residential amenity of those *Neighbourhoods*."

Policy 2.3.1.4 states that intensification of land adjacent to neighbourhoods will be carefully controlled so that neighbourhoods are protected from negative impact. Where significant intensification of land adjacent to a *Neighbourhood* or *Apartment Neighbourhood* is proposed, Council will determine, at the earliest point in the process, whether or not a Secondary Plan, area specific zoning by-law or area specific policy will be created in consultation with the local community following an Avenue Study, or area based study.

Chapter 3 – Building a Successful City

Section 3 of the Official Plan contains policies that guide growth by integrating social, economic and environmental perspectives in decision making to create an attractive Toronto with a strong economy and complete communities. The policies focus on the built environment, the human environment, the natural environment, economic health and new neighbourhoods.

Section 3.1.1: The Public Realm

Section 3.1.1 of the Official Plan includes policies on the public realm. The policies encourage development that improves the public realm (streets, sidewalks and open spaces) for pedestrians. This section speaks to the importance of views from the public realm to prominent buildings, structures, landscapes and natural features. Parks and open spaces will be located and designed to connect and extend, wherever possible, to existing parks, natural areas and other open spaces.

New development lots within city blocks will be designed to have an appropriate size and configuration for the proposed land use, scale of development and intended form of buildings and open space, and will promote street-oriented development with buildings fronting onto street and park edges.

Section 3.1.2: Built Form

Section 3.1.2 of the Official Plan speaks to built form. The policies stress that infill and redevelopment sites will need to "fit in", respecting and improving the character of the surrounding area. Developments must be conceived not only in terms of the individual building site and program, but also in terms of how that site, building and its facades fit within the existing and/or planned context of the neighbourhood and the City.

The policies of Section 3.1.2 provide guidance pertaining to the massing of new buildings to frame adjacent streets in a way that respects the existing and/or planned street proportion, incorporating exterior design elements, form, scale, proportion, pattern and materials, and sustainable design. This is done in order 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 the Official Plan.

Further, Section 3.1.2 requires new development to be massed to define the edges of streets at good proportion and provide amenity for adjacent streets to make these areas attractive, interesting, comfortable and functional for pedestrians. This can be achieved by, amongst other things, the provision of adequate amenity and landscaped open space, coordinated landscape improvements in setbacks to create attractive transitions from the private to public realms and landscaped open space within the development itself. The intention is to enable new developments to "fit" within its existing context, while also improving the character of the surrounding area.

Section 3.1.3: Built Form – Tall Buildings

Section 3.1.3 provides policy direction for tall buildings. Policy 2 requires tall building proposals to address key urban design considerations that includes: demonstrating how the proposal 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 topography and other tall buildings; and providing high quality, comfortable and usable publicly accessible open space areas.

Section 3.1.5: Heritage Conservation

Section 3.1.5 provides policy direction on the conservation of heritage properties in the City's Heritage Register and on development adjacent to heritage properties. Section 3.1.5.5 requires proposed alterations or development on, or adjacent to, a property on the Heritage Register to ensure that the integrity of the heritage property's cultural heritage value and attributes will be retained.

Section 3.1.5.26 requires new construction on, or adjacent to, a property on the Heritage Register be designed to conserve the cultural heritage values, attributes and character of the property, and to mitigate the visual and physical impact on it, including consideration such as scale, massing, materials, height, building orientation and location relative to the heritage property.

Chapter 4 – Land Use Designations

Section 4.5: Mixed Use Areas

The subject lands are designated *Mixed Use Areas* on Map 17 of the Official Plan (Attachment 4). Section 4.5.1 of the Official Plan states that *Mixed Use Areas* are made up of a broad range of commercial, residential and institutional uses in single use or mixed use buildings.

Per Section 4.5.2(b) of the Official Plan, development within *Mixed Use Areas* should provide for new jobs and homes on underutilized lands. Section 4.5.2(c) states that development should locate and mass new buildings to provide a transition between areas of different development intensity and scale, as necessary to achieve the objectives of the Plan, through means such as providing appropriate setbacks and/or a stepping down of heights, particularly towards lower scale *Neighbourhoods*.

Section 4.5.2(d) states that development shall locate and mass new buildings so as to adequately limit shadow impacts on adjacent *Neighbourhoods*, particularly during the spring and fall equinoxes. Furthermore, Section 4.5.2(e) states that development in *Mixed Use Areas* should be located and massed to frame the edges of streets and parks with good proportion and maintain sunlight and comfortable wind conditions for pedestrians on adjacent streets, parks and open spaces.

Sections 4.5.2(f) and (g) state that development in *Mixed Use Areas* should also provide attractive, comfortable and safe pedestrian environments; have access to schools, parks and community centres as well as libraries and childcare.

Sections 4.5.2 (h), (i), (j) and (k) state that development in *Mixed Use Areas* should also take advantage of nearby transit services, provide good site access and circulation, as well as an adequate supply of both visitor and resident parking. In addition, service areas should be located to minimize impacts on adjacent streets, and any new multi-unit residential development should provide indoor and outdoor amenity space for residents.

Chapter 5 – Implementation

Section 5.1.1: Height and/or Density Incentives

Policy 5.1.1 of the Official Plan allows for an increase in height and/or density in return for the provision of community benefits for a proposed development, in accordance with Section 37 of the *Planning Act*. The proposed density for this development meets the Official Plan's threshold for Section 37 considerations.

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

Official Plan Amendments 479 and 480 - Public Realm and Built Form

On September 21, 2020, Official Plan Amendments 479 (Public Realm) and 480 (Built Form) were approved with modifications by the Minister of Municipal Affairs and Housing. While this application was not reviewed against OPA 479 and 480, they are informative to the review of this application as it establishes the emerging policy direction for the public realm and built form in the City of Toronto.

Yonge-Eglinton Secondary Plan

The site is within the Yonge-Eglinton Secondary Plan Area (see Attachment 5). The Yonge-Eglinton Secondary Plan sets out a long-term vision for Midtown that emphasizes the importance of complete communities and the diversity of Midtown's character areas. It envisions Midtown as a green, resilient, connected and prosperous place, and where growth is directed near transit. The Secondary Plan provides guidance on the appropriate scale and location of future growth and links growth with the provision of infrastructure.

This application was submitted and deemed complete on December 20, 2019, after final approval of the Secondary Plan on June 5, 2019 and the Secondary Plan is applicable to this application. City Planning staff have reviewed the application against the policies of the provincially-approved Yonge-Eglinton Secondary Plan, a number of which are noted below. The Secondary Plan is intended to be read and interpreted as a comprehensive whole.

Section 1 - Vision, Goals and Character Area Designations

Section 1.1 of the Yonge-Eglinton Secondary Plan provides a vision statement about the Yonge-Eglinton Area. This vision builds on the qualities that define Midtown's identity and its liveability, including the importance of a complete community and the complementary relationship between mixed-use nodes, historic main streets, low-rise

and high-rise communities, parks and open spaces. New buildings are to be compatible with the character and varied scale of Midtown's different character areas, conserve heritage attributes and contribute to a high-quality public realm.

As Midtown continues to grow and evolve, the elements of a liveable and complete community will be provided in parallel with growth. Residents and workers will be served by new, improved and expanded community service facilities and resilient physical and green infrastructure. An enhanced, safe and connected public realm will be created that complements Midtown's green, landscaped setting.

Section 1.2 of the Plan sets out five goals that will guide public works and development in the Secondary Plan, which include: complete community, green and resilient, connected, prosperous and transit optimization. Midtown will be defined by its green, landscaped setting, expanded network of parks and well-designed communities that support energy and water conservation, which together will reduce vulnerability to a changing climate.

Section 1.3 of the Plan sets out the development objectives for the various Character Areas based on land use and the desired long-term vision for each Character Area. The site is in a Midtown Core and is within the Mount Pleasant Station Character Area. Policy 1.3.5(c) provides that Midtown Cores are vibrant mixed-use areas centred around Midtown's transit stations. The Cores will continue to function as mixed-use nodes, including office, institutional, residential and cultural uses. While development is anticipated within the Cores, the intensity of development will differ between these areas.

The Mount Pleasant Station Character Area will emerge as a new focal point in Midtown. The area will be enlivened by the new transit station and the foot traffic this will generate. The area will transform into a pleasant and attractive living and working environment. There will be new mid-rise buildings and tall buildings that contribute to a well-established mix of housing. Mount Pleasant Road will be improved and have a unified streetscape with the improvements contemplated further south in the Mount Pleasant South Character Area.

Section 2 - Area Structure

Section 2 of the Plan defines Midtown's urban structure and includes policy directions to direct and shape growth in Midtown over the long-term. Not all areas in Midtown will experience the same levels of intensification and development and infrastructure will be planned in tandem. Infrastructure refers to physical infrastructure, community service facilities and green infrastructure including public parks. It ensures that Midtown is a complete community with transit-supportive development in a compact urban form, recognizing that transit-supportive development does not require or mean tall buildings on every site.

Section 2.4 of the Secondary Plan contains policies with respect to Midtown Transit Station Areas. Policy 2.3.1.4 states that the highest density of development shall be located in close proximity to existing or proposed higher order transit stations.

The subject site is designated *Mixed Use Areas "B"* per Map 21-4 of the Plan. Policy 2.5.6 states that *Mixed Use Areas "B"* consist of residential, office and civic clusters around transit stations and along Yonge Street, Eglinton Avenue East and Merton Street. A mix of residential, retail and service, office, institutional, entertainment and cultural uses will be permitted.

The subject site is located on a Priority Retail Street. Per Policy 2.6.1, development on Priority Retail Streets will: include a continuous frontage of at-grade, pedestrian-oriented retail and service uses and/or community service facilities; provide frequent entrances and architectural detailing; be required to have retail stores at grade with a minimum depth of generally 15 metres along the frontage of a building; generally provide a minimum floor-to-ceiling height of 4.5 metres except where the historic character of a block includes a lesser prevailing floor-to-ceiling height; only include retail above or below grade when a retail store(s) is provided on the ground floor; provide prominent entrances with direct access from public sidewalks; limit the width of residential lobbies; and provide a high degree of visibility to allow for a two-way visual exchange.

Section 3 - Parks and Public Realm

The public realm in Midtown is to support a vibrant mixed-use community with a green landscaped character. Primary public realm objectives of the Secondary Plan are to maintain and enhance the green, landscaped character of the area, improve and expand the network of parks, open spaces and create a high-quality public realm and streetscapes to ensure the continued vitality and quality of life in the area. Development will reduce the impact of vehicular, loading and servicing activities on the public realm.

Policy 3.1.4 of the Yonge-Eglinton Secondary Plan states that pedestrian and public realm improvements will be prioritized to support the Priority and Secondary Retail Streets identified on Map 21-5 and the Public Realm Moves identified on Map 21-6. The extension and enhancement of existing and proposed parks; the creation of privately-owned publicly-accessible spaces (POPS); the provision of additional street trees, understorey plantings and street furniture within streets and adjacent setbacks; re-allocating space within public streets to prioritize pedestrians, cyclists and public transit; and the provision of public art will be prioritized, in accordance with the applicable legislative framework for the provision of community benefits. Policy 3.1.5 requires that public realm improvements improve pedestrian movement and safety.

Policy 3.1.7 speaks to reducing the impact of vehicular, loading and servicing activities on the public realm. Per Policy 3.1.7(g), where technically feasible, providing separate pedestrian clearways and adequate lighting where laneways can also serve as mid-block pedestrian connections.

The site is located along the Mount Pleasant Road Arboretum. Policy 3.2.9 states that Mount Pleasant Road is a significant north-south street linking Midtown to the downtown core and providing access to parks, ravines and significant open spaces. Pedestrian and cycling improvements and additional street tree plantings will be undertaken to: accommodate wide sidewalks and the potential for dedicated cycling infrastructure; create a variegated streetscape with a variety of native tree species and other

landscape treatments along its length; and create a continuous green corridor linking the Mount Pleasant Cemetery to the Mount Pleasant Station Character Area.

Section 4 - Mobility

The Midtown Mobility Network shown on Map 21-9 is intended to be a well-connected and integrated network of streets, laneways, mid-block connections and multi-use trails that will provide a variety of safe and sustainable travel choices to: improve mobility and accessibility for people of all ages and abilities; enable the continued movement of goods and services; accommodate a range of activities, including transit service, goods delivery, service vehicles and first responder vehicles; and balance the essential role of streets as movement corridors with their equally important role as civic spaces that provide a setting for community life (see Appendix 6).

Mount Pleasant Road is a Major Street in the Yonge-Eglinton Secondary Plan. Policy 4.2 speaks to a complete streets approach to support pedestrians, cyclists and transit, while Policy 4.3 provides that Major Streets are important main streets that provide direct and continuous transportation routes that will provide direct and continuous walking and cycling routes to destinations and transit stations with wide, generous sidewalks and unobstructed clearways to accommodate the highest intensity of pedestrian and cycling movement and activity.

Map 21-9 of the Secondary Plan identifies the locations of existing and potential new laneways which could provide important access to properties primarily located adjacent to Midtown's Major Streets. The subject site is identified as a location for a new laneway.

Policies 4.8 through 4.12 provide direction on new and existing laneways and state that the locations of existing and potential new laneways could provide important access to properties primarily located adjacent to Midtown's Major Streets, and could also contribute to additional pedestrian and cyclist connectivity. Further, Policy 4.11 states that laneways will primarily support vehicular and servicing access to buildings to reduce the need for direct driveway accesses from Major Streets and to reduce conflicts with pedestrians and cyclists on the street and sidewalk. Policy 4.12 states that new and improved laneways will be designed to: slow auto vehicle speeds; discourage cut-through motor vehicle traffic; prioritize safety of pedestrians and cyclists by ensuring the laneways are well-lit with good sight lines; and be attractive and contribute to sustainability.

Section 5 - Built Form

Growth and intensification will be accommodated in a variety of building types and scales suitable and appropriate to the existing and planned context of the character areas that comprise Midtown while enhancing the livability of a building's surroundings and the spaces within the building. To achieve this, all development within the Secondary Plan area will generally reflect the built form principles in Section 5.1 of the Secondary Plan.

Policy 5.1.1(b) requires development to provide transition from *Mixed Use Areas* to *Neighbourhoods* through a variety of context-appropriate approaches that adequately limit shadow and privacy impacts, such as transitioning building heights, inclusive of base buildings, placing buildings in landscaped settings with building setbacks, or a combination thereof.

Policy 5.1.1(e) with respect to public realm, open space and walkability states that development is to promote active street life and “eyes on the street” by ensuring buildings frame and animate streets, parks and open spaces, with active uses at grade, windows to allow for a two-way visual exchange, ensuring clearly defined and visible entrances from the public realm, and encouraging the highest quality of architecture and landscape architecture.

Policies 5.1.1(h) and (i) speak to achieving liveable and comfortable spaces by locating, designing and massing buildings to mitigate the cumulative impact of multiple tall buildings, adequate access to sky view from the public realm, adequate sunlight and good wind conditions.

Policies 5.2.1 and 5.2.2 state that development will conserve heritage attributes of properties designated under the *Ontario Heritage Act* and that development may be required to provide additional setbacks, stepbacks and stepping down of building height over and above the minimum site and urban design standards identified in the Plan in order to complement the scale and character of a cultural heritage resource on the City’s Heritage Register.

Policy 5.3.5 addresses a diversity of building types and forms. Development will harmonize with neighbouring development to create a compatible pattern and rhythm along a street and/or contribute to the open space setting and character of an area.

Policy 5.3.5(a), states that development fronting a major street in the Midtown Villages, Midtown Cores and the Eglinton Greenline, Henning and Montgomery Square will contribute to creating a consistent and continuous street wall in the respective Character Area.

The policies in 5.3.31 state that the siting and placement of tall buildings will take into account other adjacent sites; provide adequate access to sunlight and sky view from the public realm; and take into account the comfort of sidewalks, parks and open spaces and outdoor areas associated with community service facilities and schools.

Per Policy 5.3.45, in order to achieve good sky view and sunlight, as well as to contribute to the desired character of an area, the minimum tower separation distances between residential tall buildings will be specified in an implementing zoning by-law.

Policy 5.4.3 sets out anticipated height ranges for Character Areas and states that specific heights will be determined through rezoning or a City initiated zoning by-law amendment. Policy 5.4.3(p) of OPA 405 provides height guidance for each Character Area and identifies a height range of 20 to 35 storeys for the Mount Pleasant Station Character Area.

Section 6 - Community Services and Facilities

Community service facilities provide a foundation for a diverse range of programs and services that build communities, contribute to quality of life and act as neighbourhood focal points where people gather, learn, socialize and access services. These facilities and the services they provide are an essential part of creating and sustaining vibrant, inclusive and complete communities. Community services facilities include non-profit child care, community and recreation centres, libraries, public schools and human service agencies.

Section 7 - Housing

The Secondary Plan highlights the need for a full range of housing to meet the needs of all household sizes and income levels and contribute to diverse, inclusive and liveable communities. A range of unit types and sizes not only supports households with children but also a variety of households at different life stages. Midtown, including its vertical communities, should be designed for all people.

The outcome of staff analysis and review of the relevant Official Plan policies and designations and the Yonge-Eglinton Secondary Plan is summarized in the Comments section of the Report.

The Yonge-Eglinton Secondary Plan is available on the City's website at:
https://www.toronto.ca/wp-content/uploads/2019/07/96a5-CityPlanning_OPA405.pdf

Zoning

The site is subject to both former City of Toronto Zoning By-law 438-86 and City-wide Zoning By-law 569-2013. Under Zoning By-law 438-86, as amended, the site is zoned Mixed Use Districts (MCR T3.0 C2.0 R2.5). Under Zoning By-law 569-2013, as amended, the site is zoned Commercial Residential CR 3.0 (c2.0; r2.5) SS2 (x2417).

Both the MCR and CR zones permit a range of commercial and residential uses, a maximum density of 3.0 times the lot area and a maximum height of 16 metres.

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

Midtown Zoning Review

As part of the approval of Midtown in Focus in July 2018, City Planning was directed by Council to initiate a zoning review for Midtown's 22 Character Areas to implement the directions of the Secondary Plan.

The zoning review involves a comprehensive evaluation of current zoning regulations and identifies where further study or amendments are needed to ensure conformity with the policies of the Secondary Plan. This review will be informed by an updated built form study and infrastructure assessment which reflect the in force Secondary Plan. Based on findings from the built form study, the zoning review will recommend specific

heights and generally be consistent with the height guidance set out in Policy 5.4.3 of the Secondary Plan. It will also provide direction on permitted uses, density, and other performance standards such as setbacks at grade, tower separation and lot coverage.

The built form study will also provide updated population and employment estimates which will be input into the infrastructure assessment. The zoning review will consider application of holding provisions where it has been demonstrated that additional infrastructure is needed to support anticipated growth. Such a review, as provided for in Policy 2.3.1.4 of the Official Plan, will inform a comprehensive, City-led zoning by-law amendment for Midtown's 22 Character Areas.

Areas that demonstrate high development pressure and inconsistency between current regulations and Secondary Plan policies will be prioritized for amendment. The site is located within a high-priority Character Area and will be assessed as part of Phase 1 of the Zoning Review.

A Community Consultation Meeting for the Midtown Zoning Review is being targeted for the first quarter of 2021.

Design Guidelines

Official Plan Policy 5.3.2.1 states that Guidelines will be adopted to advance the vision, objectives, and policies of the Plan. Urban design guidelines are intended to provide a more detailed framework for built form and public realm improvements. This application was reviewed using the City-Wide Tall Building Design Guidelines, Growing Up Guidelines: Planning for Children in New Vertical Communities (2020), the Pet Friendly Design Guidelines and Best Practices for New Multi-Unit Buildings.

City-Wide Tall Building Design Guidelines

In May 2013, Toronto City Council adopted the updated city-wide Tall Building Design Guidelines and directed City Planning staff to use these Guidelines in the evaluation of all new and current tall building development applications. The Guidelines establish a unified set of performance measures for the evaluation of tall building proposals to ensure that they fit within their context and minimize their local impacts.

Urban Design guidelines specifically are intended "to provide a more detailed framework for built form and public improvements in growth areas." The Tall Building Design Guidelines serve this policy intent, helping to implement Chapter 3.1, The Built Environment, and other policies within the Official Plan related to the design and development of tall buildings in Toronto.

The City-Wide Tall Building Design Guidelines are available at:

<https://www.toronto.ca/wp-content/uploads/2018/01/96ea-cityplanning-tall-buildings-may2013-final-AODA.pdf>

Growing Up: Planning for Children in New Vertical Communities

In July 2020, Toronto City Council adopted the Growing Up: Planning for Children in New Vertical Communities Urban Design Guidelines, and directed City Planning staff to

apply the "Growing Up Guidelines" in the evaluation of new and under review multi-unit residential development proposals of 20 or more residential units. The objective of the Growing Up Guidelines is to consider the needs of children and youth in the design and planning of vertical neighbourhoods which in turn, will enhance the range and provision of housing for households across Toronto. Implementation of the Guidelines also presents the opportunity to address housing needs for other groups, including roommates forming non-family households, multi-generational households and seniors who wish to age-in-place. This will increase liveability for larger households, including families with children, at the neighbourhood, building and unit scale.

The Report from the Chief Planner on the Growing Up Guidelines can be found here: <https://www.toronto.ca/legdocs/mmis/2020/ph/bgrd/backgroundfile-148361.pdf>

The Growing Up Guidelines (2020) are available at: <https://www.toronto.ca/legdocs/mmis/2020/ph/bgrd/backgroundfile-148362.pdf>

Pet Friendly Design Guidelines and Best Practices for New Multi-Unit Buildings

The City of Toronto has completed the Pet Friendly Design Guidelines and Best Practices for New Multi-Unit Buildings. The purpose of this document is to guide new developments in a direction that is more supportive of a growing pet population, considering opportunities to reduce the current burden on the public realm, and provide needed pet amenities for high density residential communities. These Guidelines are to be used by the development industry in the preparation of development applications, by architects to inform the size, location and layout of pet friendly facilities, and by city staff in the various stages of development application review to identify best practices and help inform decisions that will support pet friendly environments.

The Guidelines are to be used in conjunction with other policies and guidelines. They are not intended to be prescriptive, but rather are intended to provide an additional degree of information. All residents, both pet-owners and non-pet-owners, will benefit from the Guidelines as they encourage design that demonstrate considerations for pets and reduces the impact that they have on our parks, open spaces and the environment.

The Pet Friendly Design Guidelines and Best Practices for New Multi-Unit Buildings are available at: <https://www.toronto.ca/city-government/planning-development/planningstudies-initiatives/pet-friendly-design-guidelines-for-high-density-communities/>

Site Plan Control

The site is subject to Site Plan Control. A Site Plan Control application (File No. 20 211784 NNY 15 SA) was submitted on October 29, 2020 and is currently under review.

Community Consultation

A virtual community consultation meeting was held by City Planning on September 29, 2020 which was attended by 112 members of the public, City Staff, the applicant and their team and the local Ward Councillor. E-mail correspondence from interested

residents were also received by City Staff in advance and following the community meeting.

The following was raised at the community consultation meeting and in written correspondence to staff:

- Concerns that the height, density and location of the proposed building are inappropriate for the area;
- That the transition being provided from the proposed building in the *Mixed Use Areas* designation to the *Neighbourhoods* designation east of the site, as well as the sites to the north and south is inadequate;
- Whether the long term use and protection of *Neighbourhoods* designated lands in the area was being adhered to by the proposal;
- The location, use, design and resultant traffic concerns with respect to the laneway and access at the easterly boundary of the *Mixed Use Areas* designation;
- The amount of construction and resultant safety and noise issues;
- The need for protecting existing businesses and heritage-designated buildings in the area as this site proposes the demolition of existing businesses;
- The lack of affordable residential units being provided by the development and in the Yonge-Eglinton Area as a whole;
- Lack of parks and open space being provided on the site and in the Yonge-Eglinton Secondary Plan area;
- Shadow impacts on neighbouring properties to the north and east;
- The adequacy of the public realm and the need for wider sidewalks along Mount Pleasant Road;
- The availability of space in local schools to serve the development;
- Adequacy of the parking supply being proposed;
- Adequacy of the proposed visitor parking supply; and
- The anticipated timing of the City's completion of the Midtown Zoning Review.

COMMENTS

Provincial Policy Statement and Provincial Plans

The Provincial Policy Statement (2020) (the PPS), and the Growth Plan for the Greater Golden Horseshoe (2020) are high-level and broad reaching policy documents. The PPS and the Growth Plan (2020) encourage intensification and redevelopment in urban areas and direct planning authorities to identify appropriate locations for growth. Intensification and redevelopment is to be provided in areas that take into account the existing building stock or area, and availability of infrastructure and public service facilities that meet projected needs.

Within this framework, Policy 4.6 of the PPS recognizes that the Official Plan is the most important vehicle for the implementation of the PPS and assists in implementing the Growth Plan by setting out appropriate land use designations and policies. The City of Toronto Official Plan establishes areas for intensification and includes policies to

encourage intensification, provided that this can occur in the context of other applicable policies.

The City's Official Plan contains clear, reasonable and attainable policies that protect provincial interests and direct development to suitable areas while taking into account the existing building stock and protects the character of the area consistent with the direction of the PPS. Although the site's location on an *Avenue* within the Yonge-Eglinton Secondary Plan Area contemplates growth, the proposal does not address other relevant matters of the Official Plan, as discussed in this report.

Staff have determined that the proposal in its current form is not consistent with the PPS (2020) and does not conform to the Growth Plan (2020) for reasons outlined below.

Provincial Policy Statement (2020)

The PPS provides for a coordinated and integrated approach to planning matters within municipalities. Staff have determined that the proposal, in its current form, is not consistent with the PPS (2020).

Relevant PPS (2020) policies applicable to this development include:

- Policy 1.1.3.3 which states planning authorities shall identify appropriate locations and promote opportunities for transit-supportive development, accommodating a significant supply and range of housing options through intensification and redevelopment;
- Policy 1.1.3.4 which states that appropriate development standards should be promoted which facilitate intensification, redevelopment and compact form, while avoiding or mitigating risks to public health and safety;
- Policies 1.2.1 a) and g) which state that a coordinated, integrated and comprehensive approach should be used when dealing with planning matters, including: managing and/or promoting growth and development that is integrated with infrastructure planning;
- Policy 1.5.1 a) which states that healthy, active communities should be promoted by planning public streets, spaces and facilities to be safe, meet the needs of pedestrians, foster social interaction and facilitate active transportation and community connectivity; and
- Policies 1.7.1 a), d) and e) which speak to long-term economic prosperity being supported by: promoting opportunities for economic development and community investment-readiness; maintaining and, where possible, enhancing the vitality and viability of downtowns and mainstreets; and encouraging a sense of place, by promoting well-designed built form and cultural planning, and by conserving features that help define character, including built heritage resources and cultural heritage landscapes.

The proposal's inconsistency with the PPS relates to the scale, intensity and form of development being proposed and the inappropriate regard for Yonge-Eglinton Secondary Plan's direction with respect to these matters.

Policies of the PPS (2020) promote the formulation of appropriate development standards, while providing for safe, active streets and public spaces and an equitable distribution of publicly-accessible settings for recreation, including facilities, parklands, public spaces, open space areas and well-designed built form.

Policy 4.6 of the PPS states that the Official Plan is the most important vehicle for implementation of the PPS. As a result, the City of Toronto has established a vision and policy framework for this area through Midtown in Focus and the subsequent Yonge-Eglinton Secondary Plan adopted through OPA 405 and approved by the Province.

The intent of this policy exercise was to provide policy direction to ensure Midtown develops as a complete community, maintain the diversity of Midtown's neighbourhoods and integrate land use and infrastructure planning while informing and guiding the provision of new and improved parks and community service facilities.

The proposed 27-storey tower does not promote a well-designed built form due to the massing and scale of the building. The analysis of the proposed built form in the context of the aforementioned Official Plan policies, as assessed later in this report, indicates that the proposed tower does not adhere to appropriate development standards for intensification, particularly those concerning appropriate form of tower development and transition.

It is the opinion of City Planning that, in its current form, the proposed development and Zoning By-law Amendment application is not consistent with the Provincial Policy Statement (2020). The proposal does not conform to the intensification direction and standards that are set out in the Official Plan and Guidelines, as directed through the PPS as being a responsibility of the City.

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

The guiding principles of the Growth Plan (2020) support, amongst other matters, the achievement of complete communities that are designed to support healthy and active living and meet people's daily living throughout an entire lifetime and to provide intensification and higher densities in strategic growth areas.

Relevant Growth Plan (2020) policies applicable to this development include:

- Policy 2.2.1.4 d) which states that applying the policies of this Plan will support the achievement of complete communities that, amongst other matters: expand convenient access to a range of transportation options, including options for the safe, comfortable and convenient use of active transportation; and an appropriate supply of safe, publicly-accessible open spaces, parks, trails, and other recreational facilities;

- Policy 2.2.1.4 e) which provides for a more compact built form and a vibrant public realm, including public open spaces;
- Policies 2.2.2.3 b), d) and f) of the Growth Plan speak to delineated built-up areas and state that all municipalities will develop a strategy to achieve the minimum intensification target and intensification throughout delineated built-up areas, which will: identify the appropriate type and scale of development in strategic growth areas and transition of built form to adjacent areas; ensure lands are zoned and development is designed in a manner that supports the achievement of complete communities; and be implemented through official plan policies and designations, updated zoning and other supporting documents.
- Policy 2.2.4.10 which states that lands adjacent to or near to existing and planned frequent transit should be planned to be transit-supportive and supportive of active transportation and a range and mix of uses and activities;
- Policy 2.2.5.3 which states that retail and office uses will be directed to locations that support active transportation and have existing or planned transit; and
- Policy 2.2.6.3 which refers to multi-unit residential developments to incorporate a mix of unit sizes and incomes.

With respect to Policies 2.2.2.3 b), d) and f), the proposal contemplates the intensification of a site within a delineated built-up area. While it is recognized that intensification is generally encouraged by the Growth Plan, it must achieve the policy goals as outlined above. In this regard, the City has developed a strategy to achieve the minimum density targets through the City of Toronto Official Plan, in conjunction with the Yonge-Eglinton Secondary Plan, which provides a greater level of detail and specificity on matters such as built form, massing, scale and location of development within this area. These policies are further informed by the City's Tall Buildings Guidelines, which apply to this application as a tall building is being proposed.

Policy 5.2.5.6 of the Growth Plan states municipalities are to develop and implement urban design and site design official plan policies and other supporting documents that direct the development of a high quality public realm and compact built form in order to achieve the minimum intensification and density targets in the Growth Plan. The City has done this through its Official Plan policies and supporting guidelines discussed in this report. Together, the policies and guidelines provide a planning framework that enables new development and intensification on the site in a manner that achieves a number of city building objectives and positively contributes to the surrounding context.

In the opinion of City Planning, the proposed intensity and scale of the development does not conform with the policy direction of the Growth Plan for the Greater Golden Horseshoe (2020) which directs intensification to be implemented through the Official Plan. The review of the proposed built form in relation to applicable Official Plan policies and relevant guidelines and their link in assessing PPS consistency and Growth Plan conformity is further examined below.

City of Toronto Official Plan and Yonge-Eglinton Secondary Plan

This application has been reviewed against the relevant policies of the Official Plan and Yonge-Eglinton Secondary Plan described in the Policy Considerations Section of the Report.

Land Use and Character Area

The lands are designated as *Mixed Use Areas* in the Official Plan (see Attachment 4). It is intended that *Mixed Use Areas* will absorb most of the anticipated increase in retail, office and service employment in Toronto in the coming decades, as well as much of the new housing.

The subject site is designated *Mixed Use Areas "B"* per Map 21-4 of the Yonge-Eglinton Secondary Plan. *Mixed Use Areas "B"* consist of residential, office and civic clusters around transit stations and along Yonge Street, Eglinton Avenue and Merton Street. A mix of residential, retail and service, office, institutional, entertainment and cultural uses will be permitted.

The subject site is located within the Mount Pleasant Station Character Area, which will be enlivened by the new transit station and the foot traffic this will generate. The area will transform into a pleasant and attractive living and working environment.

Policy 1.3.5(c) provides that Midtown Cores are vibrant mixed-use areas centred around Midtown's transit stations. The Cores will continue to function as mixed-use nodes, including office, institutional, residential and cultural uses. The site is also located on a Priority Retail Street in the Secondary Plan.

The policy framework supports a mix of land uses in this area. The Growth Plan (2020) directs retail and office uses to locations that support active transportation and have existing or planned transit, such as the subject site. The current application proposes a single retail store with an area of 281 square metres, reduced from the 587 square metres of retail space proposed as part of the initial application submission.

Planning Staff recommends an increase in the non-residential gross floor area that achieves the design objectives as noted in Policy 2.6.1 of the Secondary Plan. Staff also recommend the incorporation of office uses within the proposed development. In its current form, the proposal does not meet the policy objectives of the Secondary Plan with respect to the incorporation of retail and office uses.

Built Form - Height, Transition and Massing

The proposed building is massed as a tower with base building form and is located at the centre of the site along Mount Pleasant Road. The proposed building is 27-storeys (86 metres) with a 5-storey base building (18 metres). The proposal does not meet several policy objectives related to tall buildings in both the Official Plan and Yonge-Eglinton Secondary Plan.

The Built Form policies in Section 3.1.2 of the Official Plan require that new development be located and organized to fit within its existing and/or planned context

and be massed to fit harmoniously into its context. Section 3.1.2.3 (c) of the Official Plan refers to limiting impact by creating appropriate transitions in scale to neighbouring existing and/or planned buildings. Section 3.1.3 specifically addresses tall buildings and requires that they are planned to fit within their existing and/or planned context and to limit local impacts. This is consistent with *Mixed Use Areas* Policy 4.5.2 (c) that requires a transition between areas of different development intensity and the stepping down of heights, particularly towards lower scale *Neighbourhoods*.

The Secondary Plan also addresses transition from *Mixed Use Areas* to *Neighbourhoods* and states that transition from *Mixed Use Areas* will be provided through a variety of context-appropriate approaches that adequately limit shadow and privacy impacts, such as transitioning building heights, inclusive of base buildings, placing buildings in landscaped settings with building setbacks, or a combination thereof.

The planned context is specifically established in the Yonge-Eglinton Secondary Plan through the identified Character Areas, building heights, transition and built form direction for the subject site and adjacent lands. This site, being within the Mount Pleasant Station Character Area, is located in a block where there is the possibility for intensification in the form of mid-rise or tall buildings. The Secondary Plan anticipates buildings in the height range of 20 to 35 storeys in the Mount Pleasant Station Character Area.

However, the edges of the Cores will be designed to ensure connectivity and transition in scale and intensity to surrounding areas. This site is located at the easternmost edge of the Mount Pleasant Station Character Area. The lands immediately east of the site are designated *Neighbourhoods*.

The Built Form policies of the Official Plan and Yonge-Eglinton Secondary Plan are implemented in part through the Tall Building Design Guidelines. Relevant Guidelines in this case include Guideline 1.1 (Context Analysis), 1.3 (Fit and Transition in Scale), 1.4 (Sunlight and Skyview), 2.1 (Building Placement), 2.2 (Building Address and Entrances), 2.3 (Site Servicing, Access and Parking), and 3.2.2 (Tower Placement).

Guideline 1.1 requires a walkable and block context analysis be provided to inform the placement, height and character of base buildings, the location, shape, general height, and spacing of towers, as well as the relationship in scale between tall building components and to neighbours.

Guideline 1.3 states that tall buildings should fit within the existing or planned context and provide an appropriate transition in scale down to lower-scaled buildings, parks and open space. This can be achieved by applying angular planes, minimum horizontal separation distances and other building envelope controls. Tall buildings should respect the scale of the local context.

Guideline 2.1 provides that base buildings be located to frame the edges of streets, parks, and open space, to fit harmoniously with the existing context, and to provide opportunities for high-quality landscaped open space on-site.

Guideline 3.2.2 states that towers be placed away from streets, parks, open space, and neighbouring properties to reduce visual and physical impacts of the tower and allow the base building to be the primary defining element for the site and adjacent public realm.

The intent of the City's Official Plan, the Yonge-Eglinton Secondary Plan and the City's Tall Building Design Guidelines has not been met by the proposal for the following reasons:

- The context plan provided as part of the application submission fails to take into account the existing and planned context of the site (Attachment 8). The existing context is that of two-to-three storey listed heritage commercial buildings to the south, two-to-three storey residential dwellings to the east, three-to-four storey buildings to the north and a mixture of two-to-three storey retail and taller buildings to the west in an *Apartment Neighbourhoods* designation. The context plan provided only illustrates tall buildings in the immediate area of the site and does not have regard for the existing context or the *Neighbourhoods* designated lands to the east. The Character Area is planned to support both mid-rise and tall buildings, not exclusively tall buildings.
- The submitted Context Plan suggests tall buildings on either side of Mount Pleasant Road, with 25 metre tower separation as a standard. The Context Plan does not assess the cumulative shadow impacts of these multiple towers on the public realm and other properties, which are anticipated to be significant. It also does not account for the need for increased tower separation as building height increases.
- It has not been sufficiently demonstrated that the placement, height and character of the base building at 5-storeys in height, and the location, shape, general height of the tower at 27-storeys is appropriate in relation to the surrounding area context.
- The Secondary Plan speaks to the edges of the Cores being designed to ensure connectivity and transition in scale and intensity to surrounding areas. The site is located at the easterly edge of the Mount Pleasant Station Character Area, directly abutting *Neighbourhoods* designated lands to the east. The site is also located in the southern portion of the Character Area. The Mount Pleasant South Character Area, a Midtown Village, is directly south of Soudan Avenue with an anticipated height range of 8-storeys. With a proposed height of 27-storeys, the proposed building does not provide appropriate transition in scale within the development site to the south and east.
- The proposed building does not effectively frame Mount Pleasant Road. The proposed base-building measures 5-storeys (18 metres) in height, which is significantly taller than the existing 2-3 storey historic context. While the revised proposal increases the setbacks on the ground floor, the balconies of residential dwelling units on Levels 3-5 will cantilever over the lower levels by approximately 1.9 metres. The base building does not respect the urban grain, scale, setbacks,

proportions, visual relationships, topography and materials of the area context. With regard to scale, the base building and tower, at a combined height of 27-stories overwhelms the sites to the south and does not respect the existing context.

The proposed tower does not provide for an appropriate transition in height and does not fit within the existing context as required by the policies in Sections 3.1.2 and Policy 4.5.2(c) of the City's Official Plan. Further, while informative but not determinative, OPA 480 requires that development provide good transition in scale between areas of different building heights and/or intensity of use in consideration of both the existing and planned contexts of neighbouring properties and the public realm. Transition in scale should be provided within the development site and be measured from shared and adjacent property lines.

The proposal in its current form is not acceptable with respect to height, transition and massing to both the *Neighbourhoods* designated sites to the east and the lower-scale Mount Pleasant South Character Area. The proposed building does not meet the intent of the design guidelines set out in the City's Tall Building Design Guidelines relating to context and transition.

Sun, Shadow, Wind

Shadow and Sky View

The shadow impacts resulting from the proposed development are not acceptable. In its current form, there is a particular impact on the private outdoor amenity areas on the properties to the east in mid-to-late afternoon at all times of the year. The applicant has submitted studies illustrating the extent of shadowing in one-hour increments that would result from the proposed development from 9:18 am to 6:18 pm for March 21st, June 21st and September 21st.

The submitted shadow studies illustrate shadowing impacts at various times throughout the day on March 21st and September 21st on the *Neighbourhoods* to the east of Mount Pleasant Road between 2:18 pm and 6:18 pm, which would impact the amenity of the properties to the east on Taunton Road and Falcon Street. The shadow study also demonstrates incremental shadow on the Eglinton Junior Public School site, located at 223 Eglinton Avenue East, in the morning between 9:18 AM and 11:18 AM on March 21st and September 21st.

Official Plan Built Form Policies 3.1.2.3 (e) and (f) require that new development provide adequate light and limit shadows on streets, properties and open spaces. Healthy Neighbourhoods Policy 2.3.1.2(c) states that developments close to *Neighbourhoods* will maintain adequate light for residents in those *Neighbourhoods*. *Mixed Use Areas* Policy 4.5.2(d) also refers to limiting shadows on adjacent *Neighbourhoods*. The adjacent lands to the east are designated *Neighbourhoods*. While informative but not determinative, Built Form Policy 3.1.2.10(b) of OPA 480 requires that the tower portion of a tall building should be designed to limit shadow impacts on the public realm and surrounding properties.

Further, Policies 5.1.1(h) and (i) of the Yonge-Eglinton Secondary Plan speak to achieving liveable and comfortable spaces by locating, designing and massing buildings to mitigate the cumulative impact of multiple tall buildings, adequate access to sky view from the public realm, adequate sunlight and suitable wind conditions.

Tall Building Design Guidelines 1.3 (Fit and Transition in Scale) and Guideline 1.4 (Sunlight and Sky View) are also applicable to the proposal. Guideline 1.3 (a) recommends maintaining access to sunlight and sky view for surrounding streets, parks, open space and neighbouring properties. Guideline 1.4 (a) and (b) recommends protecting access to sunlight and sky views including maintaining at least 5 hours of sunlight on the opposite side of the street.

The current proposal would create significant shadow onto adjacent sites. There is a particular impact on the private outdoor amenity areas on the properties to the east in mid-to-late afternoon. Shadow impacts are not adequately limited and considerable shadow impacts would result within the *Neighbourhoods* designation.

It is important to note that shadow impacts in this area will not be exclusive to this proposal. Shadows from buildings approved and under construction in the *Apartment Neighbourhoods* in the area to the west of Mount Pleasant Road will also extend throughout the day. The cumulative shadow impact of a number of tall buildings in close proximity within the Mount Pleasant Station Character Area and the applicant's submitted context plan must also be taken into consideration. A cumulative shadow study has not been provided with the application.

The Built Form policies of the Official Plan and related Tall Building Design Guidelines specifically state the need to minimize and limit shadows. A reduction in the building height and floorplate is recommended to reduce or eliminate shadow impacts on surrounding properties.

The proposed development results in shadow impacts that are not acceptable and do not conform with the policies of the Official Plan.

Wind Impacts

A Pedestrian Wind Assessment from Novus Environmental (SLR), dated December 4, 2019 was submitted with the application to detail the potential wind impacts resulting from the massing of the proposed building.

The preliminary assessment concludes that wind conditions are anticipated to be suitable for sitting at entrances and exits, and walkways for sitting or standing throughout the year. On the sidewalks surrounding the proposed development, wind conditions are similar between the existing and proposed development.

Policy 5.7.2 of the Secondary Plan requires wind conditions for amenity spaces to be generally suitable for the use of the amenity space. On the sixth storey, wind conditions on the amenity terraces are windier than desired. To improve wind conditions to support sitting and standing and extend usage in the spring and fall seasons, vertical wind screens are recommended to be installed around the perimeter of the terrace.

However, the first mitigation response should be sought through changes to the massing of the building to improve wind conditions.

City Planning requires an updated wind study that includes a wind tunnel analysis and will secure any mitigation measures through the Section 37 Agreement and the Site Plan Control process.

Public Realm and Mount Pleasant Road Arboretum

The public realm in Midtown is to support a vibrant mixed-use community with a green landscaped character. Primary public realm objectives of the Secondary Plan are to maintain and enhance the green, landscaped character of the area, improve and expand the network of parks, open spaces and create a high-quality public realm and streetscapes to ensure the continued vitality and quality of life in the area.

Public Realm Policies 3.1.1.5 and 3.1.1.6 of the Official Plan refer to, among other things, safe and efficient movement of pedestrians, provision of space for trees and landscaping and sidewalks being designed to provide safe, attractive, interesting and comfortable spaces for pedestrians.

The Secondary Plan provides that pedestrian and public realm improvements will be prioritized to support the Priority and Secondary Retail Streets and Public Realm Moves prioritizing the provision of additional street trees, understory plantings and street furniture within streets and adjacent setbacks; and re-allocating space within public streets to prioritize pedestrians, cyclists and public transit. Policy 3.1.7 of the Secondary Plan also speaks to reducing the impact of vehicular, loading and servicing activities on the public realm.

Mount Pleasant Road is a Major Street per Map 21-9 of the Secondary Plan (Attachment 6). Wide boulevards are necessary to achieve the intended purposes of a Major Street, while providing space for additional street trees, understory plantings and street furniture within streets and adjacent setbacks. A minimum boulevard of 6 metres is to be provided between the curb and the front face of the building to achieve an enhanced public realm within the context of the Mount Pleasant Road Arboretum Public Realm Move.

The proposal does not adequately respond to the Official Plan and Secondary Plan policies related to the provision of a laneway at the east end of the site. As noted in the "Site Access, Organization and Laneway Requirement" section of this report, a new publically-owned laneway is not being provided through the site which would contribute to re-allocating space within public streets to prioritize pedestrians, cyclists and public transit, as well as limit conflicts between vehicular traffic, pedestrians and cyclists. As noted in the "Sun, Shadow, Wind" and "Midtown Zoning Review" sections of this report, the compounding shadow and massing effects of a series of taller buildings on the Mount Pleasant Road public realm has not been considered by the proposal.

The proposal requires refinement to the built form along Mount Pleasant Road to reduce massing impacts on the public realm, as well as a laneway dedication to re-allocate

space within public streets to prioritize pedestrians, cyclists and public transit; and improve pedestrian movement and safety.

Midtown Zoning Review

The City Planning Division, at the direction of Toronto City Council, is undertaking a comprehensive, City-initiated zoning review for Midtown's 22 Character Areas. The purpose of the Zoning Review is to align the zoning in the area to the recently approved Secondary Plan and to proactively plan for intensification and facilitate a faster and more streamlined development approvals process. This will allow housing to get to market quicker without the need for individual development approvals.

One of the intended outcomes of the zoning review is to establish specific heights in the Zoning By-law, as set out in Policy 5.4.3 of the Secondary Plan. It will also provide clarity on the location, scale and form of appropriate development within each Character Area and implement other policy directions within the approved Secondary Plan. Such a review, as provided for in Policy 2.3.1.4 of the Official Plan, will be used to create an area specific zoning by-law. It is to be determined whether the area specific zoning by-law will apply to the block or a broader geography. The review of this application within the context of the Midtown Zoning Review will allow for a comprehensive and informed process.

Policy 1.3.5(c) of the Secondary Plan provides that Midtown Cores are vibrant mixed-use areas centred around Midtown's transit stations. The Cores will continue to function as mixed-use nodes, including office, institutional, residential and cultural uses. The Mount Pleasant Station Character Area will emerge as a new focal point in Midtown. The area will be enlivened by the new transit station and the foot traffic this will generate. The area will transform into a pleasant and attractive living and working environment. There will be new mid-rise buildings and tall buildings that contribute to a well-established mix of housing. Mount Pleasant Road will be improved and have a unified streetscape with the improvements contemplated further south, which includes wider sidewalks and the potential for dedicated cycling infrastructure; a variegated streetscape with a variety of native tree species and other landscape treatments along its length; and a continuous green corridor linking the Mount Pleasant Cemetery to the Mount Pleasant Station Character Area.

A context plan has been provided subsequent to the initial application submission, which shows exclusively tall buildings in the immediate context of the site (see Attachment 8). The submitted context plan suggests tall buildings on either side of Mount Pleasant Road, generally with 25 metre tower separation. The context plan provided with the application does not assess the cumulative shadow impacts of these multiple towers on the public realm and adjacent sites which are anticipated to be significant. Potential wind impacts on the public realm will likewise be reviewed.

As part of the ongoing Midtown Zoning Review and associated Built Form Study, staff have completed a preliminary assessment of the shadow and massing impacts on the Mount Pleasant Road public realm based on the scenario of the construction of a series of tall buildings, as outlined in the applicant's submitted context plan (Attachment 8).

The views, as shown in Attachment 9 of this report, demonstrate the compounding shadow and massing effects of a series of taller buildings on the Mount Pleasant Road public realm. This does not account for the cumulative shadow and massing impacts on the *Neighbourhoods* to the east and the Mount Pleasant South Village Character Area to the south, which are anticipated to be significant assuming a series of tall buildings along Mount Pleasant Road.

The Context Plan provided fails to appropriately address built form concerns related to the development of a tall building at this site and does not give consideration to other types of built form in the area, as it exclusively illustrates tall buildings.

This site is located in a block where there is the possibility of applications for intensification in the form of mid-rise or tall buildings and height guidance that would permit tall buildings within the range of 20 to 35 storeys in the Secondary Plan. Making a decision on this application without studying and evaluating potential proposals within the context of the surrounding block and area could negatively impact the surrounding neighbourhood, contrary to the objectives of the Official Plan. The Mount Pleasant Station Character Area will be planned to support both mid-rise and tall buildings, not exclusively tall buildings.

The Midtown Zoning Review will cumulatively assess the impacts of this proposal while considering the potential for other tall buildings in the area to ensure adequate access to sky view from the public realm, adequate sunlight and suitable wind conditions. As such, it is important to coordinate the review of this application with the Council-directed Midtown Zoning Review.

Site Access, Organization and Laneway Requirement

Vehicular access to the site is proposed via a single 7.1 metre wide driveway running east-west at the north end of the site, which would meet with a 7.5 metre wide proposed north-south driveway. Access to the underground parking ramp would be via a 6 metre wide entrance at the rear of the proposed building at the south end of the site. Also, this area would include fire exit doors and an entrance to the loading area. The primary pedestrian entrance to the residential lobby and retail areas would be located at the front of the proposed building along Mount Pleasant Road. The proposed vehicular access from Mount Pleasant Road is intended to be temporary until such time as the north-south laneway network is constructed.

Map 21-9 of the Secondary Plan identifies the locations of existing and potential new public laneways which would provide important access to properties primarily located adjacent to Midtown's Major Streets (Attachment 6). The subject site is identified as a location for a new laneway, which would run north-south through the site at its east end, eventually connecting with Soudan Avenue at the southern terminus and to the rear of the properties fronting Eglinton Avenue East to the north. The location of the new laneway on Map 21-9 is entirely within the *Mixed Use Areas* designation, adjacent to Mount Pleasant Road.

The current proposal does not provide a required laneway dedication per the Secondary Plan policies, but rather a 6 metre wide "temporary driveway" plus an additional 1.2

metre wide planter along the easterly boundary of the site. With the exception of the 1.2 metre wide planter, the area shown on Map 21-9 of the Secondary Plan for the location of the new laneway would be encumbered by two-levels of underground parking.

The introduction and expansion of publically-owned laneways in Midtown is a vital transportation initiative. Not only do laneways provide important service functions, but they are often used as mid-block connections. In Midtown, there is potential for laneways to function as shared streets, whereby pedestrians, cyclists and drivers are able to utilize them safely. A public lane also provides the opportunity for laneway housing. In addition, laneways can often provide transition and access between higher and lower density uses.

An unencumbered laneway dedication to the City of Toronto that will necessitate revisions to the location of the proposed underground parking is required. The appropriate configuration and width of the laneway, including landscaping is to be determined.

Heritage Impact & Conservation

The properties to the south of the site within the block from Soudan Avenue to the southern boundary of the site (693-711 Mount Pleasant Road and 252-258A Soudan Avenue) are listed heritage sites and were included on the Heritage Register by City Council on October 2, 2017 as part of Phase 1 of Midtown in Focus.

An updated Heritage Impact Assessment (HIA) was submitted with the application, prepared by GBCA Architects and dated October 28, 2020 that evaluated the cultural heritage value of the subject site and heritage adjacencies in accordance with Ontario Regulation 9/06.

Heritage Planning staff has reviewed the revised application and have no further comments with respect to the proposal's impact on adjacent heritage properties.

Open Space/Parkland

The City of Toronto Parkland Strategy is a 20-year strategic city-wide plan that guides long-term planning for new parks, park expansions and improvements, and improved access to existing parks. The Strategy includes a new methodology to measure and assess parkland provision, using the baseline of residential population against the area of parkland available across the city. According to the Strategy's methodology, the development site is currently in an area with 0 to 4 square metres of parkland per person, which is well below the city-wide average provision of 28 square metres of parkland per person in 2016.

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 non-residential component of this proposal is subject to a 2% parkland dedication while the residential component is subject to a cap of 10% parkland dedication.

The value of the cash-in-lieu of parkland dedication will be appraised through Real Estate Services. The appraisal will be conducted upon the submission of an application for the first above ground building permit and is valid for six months. Payment will be required prior to the issuance of said permit.

Housing - Unit Mix and Size

The PPS (2020) and the Growth Plan (2020) acknowledge the importance of providing a full range of housing and identify affordable housing as a matter of Provincial interest. The provision of affordable, secure and diverse housing stock to meet housing needs for a wide range of people throughout their life cycle is essential to the creation of complete communities.

Further to this policy direction, Official Plan Policy 3.2.1.1 states that a full range of housing, in terms of form, tenure and affordability will be provided and maintained to meet the current and future needs of residents. A full range of housing includes affordable rental housing and shared and/or congregate-living housing.

Section 7.1 of the Secondary Plan states that in order to achieve a balanced mix of unit types and sizes, and to support the creation of housing suitable for families, development containing more than 80 new residential units will include:

- a minimum of 15 per cent of the total number of units as 2-bedroom units;
- a minimum of 10 per cent of the total number of units as 3-bedroom units; and
- an additional 15 per cent of the total number of units will be a combination of 2-bedroom and 3-bedroom units, or units that can be converted to 2-bedroom and 3-bedroom units through the use of adaptable design measures.

The Council-adopted Growing Up Urban Design Guidelines (2020) provide guidance on the proportion and size of larger units recommended in new multi-unit residential developments. Guideline 2.1 of the Growing Up guidelines states that a residential building should provide a minimum of 25% large units. Specifically, the guidelines state that a minimum of 10% of the total residential units should be three-bedroom units and a minimum of 15% should be two-bedroom units.

Guideline 3.0 states that the ideal unit size for large units, based on the sum of the unit elements, is 90 square metres for two-bedroom units and 106 square metres for three-bedroom units, with ranges of 87-90 square metres and 100-106 square metres representing an acceptable diversity of sizes for such bedroom types while maintaining the integrity of common spaces to ensure their functionality.

The unit breakdown for the proposed residential portion of this development is as follows:

Table 1 – Proposed Residential Unit Mix and Size

	Studio	1 bedroom	2 bedroom	3 bedroom	Total
# of units	36	119	58	49	262
% of units	14%	45%	22%	19%	100%
Size range (m²)			65.1-94.0	82.1-121.1	
Total % 2-bdrm ≥ 87 m² & 3-bdrm ≥ 100 m²			7 (2.7%)	7 (2.7%)	

In total, 7 of the proposed two-bedroom units out of 262 total units (2.7%) are larger than 87 square metres and 7 of the proposed three-bedroom units (2.7%) are units larger than 100 square metres.

The proportion of proposed two and three bedroom units that are larger than 87 square metres and 100 square metres, respectively, of the entire development do not adequately support the unit size objectives of the Growing Up guidelines to accommodate within new development a broad range of households, including families with children.

Amenity Space

Every significant new multi-unit residential development will provide indoor and outdoor amenity space for residents of the development. Zoning By-law 438-86 requires a minimum of 2 square metres per unit each of indoor and outdoor amenity space and By-law 569-2013 requires a combined amenity space of 4.0 square metres per unit. The proposal provides for a total combined indoor and outdoor amenity space of 1,228 square metres (4.69 square metres per unit).

A total of 524 square metres (2 square metres per unit) of indoor amenity space is proposed on the sixth and seventh storeys, adjacent to the outdoor amenity terrace. A total of 704 square metres (2.69 square metres per unit) of outdoor amenity space is proposed on the sixth and seventh storeys, adjacent to the indoor amenity space.

While the amount of indoor and outdoor amenity space being provided is sufficient, appropriate design measures for amenity areas including indoor and outdoor play areas for children and youth, flexible spaces for use by any age group and hobby rooms is required.

Pet Friendly Design

No pet amenity is proposed. For a building with more than 20 units, pet amenity should be 10% of the required amenity space and include an outdoor pet relief area at least 5 square metres in size. An indoor pet washing station is recommended. Per Policy 5.7.5 of the Secondary Plan, development that includes residential units will be encouraged to include pet amenity areas that include facilities for the disposal of pet waste.

Given the current rise in dog-owning populations, the applicant is strongly encouraged to provide dog amenities on-site with proper disposal facilities such as dog relief stations to accommodate their future residents' needs in accordance with the Pet

Friendly Design Guidelines and Best Practices for New Multi-Unit Buildings. This will help alleviate pressure on neighbourhood parks.

Traffic Impact

A Transportation Considerations Report, prepared by BA Group and dated December 2019, was submitted in support of the proposed development and was revised in response to staff comments with the November 6, 2020 submission. The proposal is expected to generate in the order of 43 two-way vehicle trips during the weekday morning peak hour and 41 two-way vehicle trips during the weekday afternoon peak hour. The net new site traffic volume on the road network, compared to existing conditions, represents an increase of 39 two-way vehicle trips during the weekday morning peak hour and 30 two-way vehicle trips during the weekday afternoon peak hour.

Transportation Services reviewed the Transportation Considerations Report provided with the initial submission and provided comments to the applicant. Staff recommend the LPAT withhold the issuance of any Orders until such time as the owner has provided a Transportation Considerations Report satisfactory to the Chief Engineer and Executive Director, Engineering and Construction Services, and the General Manager, Transportation Services.

Parking

The parking requirements for the project are governed by the applicable parking provisions contained in the former City of Toronto Zoning By-law 438-86 and Zoning Bylaw 569-2013. The latter was developed by City staff in order to update the parking requirements for developments. The parking provisions contained in this By-law have been accepted by staff on recent development projects, where appropriate, as the associated parking standards are based on more recent information when compared to the former City of Toronto Zoning By-law.

As a result, parking is to be provided in accordance with Zoning By-law 569-2013, Chapter 900 – Site Specific Exceptions, Section 11.10 - Exceptions for CR Zone, Sub-section 2(B).

The revised plans propose to provide 103 resident spaces and 28 visitor spaces, for a total of 131 parking spaces in a two-level underground garage and at-grade.

A summary of the parking requirements for this project are provided in the following table.

Table 2 – Parking Requirements as per Zoning By-law No. 569-2013

Use	Scale	Parking Rate	No. of Spaces Required
Residential Condominium			
Studio	36 units	0.5	18
1 Bedroom	119 units	0.5	59
2 Bedrooms	58 units	0.75	43
3 Bedrooms or More	49 units	0.75	36
Visitors	262 units	0.06	15
Retail	281 m ²	1.0/100m ²	2
Sub-Total Residents			156
Sub-Total Visitors			15
Sub-Total Retail			2
Grand Total			173

The number of parking spaces proposed does not meet the site-specific minimum by-law requirement for total residential or retail parking spaces. As such, the parking supply must be revised to include a minimum of 156 residential spaces, 15 visitor spaces and 2 retail spaces. Transportation Services considers a 42 space shortfall to be a substantial reduction and does not agree with the conclusions of the Transportation Considerations Report.

By-law 579-2017 requires a minimum of one accessible parking space for every 20 parking spaces up to the first 100 spaces, plus one space per additional 50 spaces above 100 spaces, for a total of 6 accessible parking spaces. A total of 5 accessible spaces are being provided. The number of accessible parking spaces must be provided as per the By-law 579-2017 requirement.

Staff from Transportation Services are reviewing the November 6, 2020 submission. In the event that there are still outstanding issues with the submission and the Local Planning Appeal Tribunal allows the appeals in whole or in part, staff recommend the LPAT withhold the issuance of any Orders until such time as the owner has provided a Transportation Considerations Report satisfactory to the Chief Engineer and Executive Director, Engineering and Construction Services, and the General Manager, Transportation Services, as outlined in Recommendation 3c of this report.

Bicycle Parking

A total of 270 bicycle parking spaces are proposed, including 237 long-term spaces which are located on the second storey and 33 short term spaces located on the ground floor. The proposed bicycle parking is satisfactory.

Loading

A minimum of one (1) Type G loading space with minimum dimensions of 4 metres in width by 13 metres in length must be provided, with a required vertical clearance of 6.1

metres. One (1) Type G loading space is proposed. Vehicle Maneuvering Diagrams (VMDs) have been submitted and reviewed by Transportation Services.

Transportation Services accepts the location and configuration of the proposed loading space.

Travel Demand Management (TDM)

Travel Demand Management (TDM) measures are aimed at encouraging people to take fewer and shorter single occupancy vehicle trips to reduce congestion, energy consumption and pollution. In the past, transportation planning has often focused on supply-side solutions by identifying where additional transportation capacity is needed to satisfy forecasted travel demands. TDM in contrast, puts the emphasis on changing travel behaviour to modify and reduce our demand for vehicular travel in cities. TDM measures are most effective when supported by complementary actions in the key areas of land use planning and public transit improvements.

Typical TDM policies and programs include, but are not limited to: parking supply management strategies such as reduced parking provision; car sharing/bike sharing; school/trip planning; development-related transit initiatives; and cycling programs and citywide cycling networks.

In the event that the LPAT approves the application in some form, Transportation Planning staff have indicated that a contribution to the expansion of the City's bike share system in the area is a key consideration to meet the Toronto Green Standard Version 3 requirements, as well as providing a dedicated, publicly accessible car share vehicle space and services on site.

Servicing

The applicant submitted a Functional Servicing and Stormwater Management Report dated November 15, 2019 by Cole Engineering Group Ltd with their initial submission. Engineering and Construction Services reviewed the submitted materials and require a number of revisions, as stated in their memorandum dated February 24, 2020. Updated Functional Servicing and Stormwater Management Reports were provided with the November 6, 2020 submission.

Engineering and Construction Services staff are reviewing the November 6, 2020 submission. In the event that there are still outstanding issues with the submission and the Local Planning Appeal Tribunal allows the appeals in whole or in part, staff recommend the LPAT withhold the issuance of any Orders until such time as the owner has provided a Functional Servicing and Stormwater Management Report satisfactory to the Chief Engineer and Executive Director, Engineering and Construction Services, and the General Manager, Toronto Water, as outlined in Recommendation 3c of this report.

Construction Management

A Construction Management Report has not been submitted with the application. Per Policy 9.7.1 of the Secondary Plan, in order to ensure minimal disruptions to the surrounding area and good communications with neighbours of the development site during the construction period, Construction Management Plans will be required as part of the site plan control process for development in *Mixed Use Areas*.

A construction management plan is required by City Planning and Transportation Services as part of a Site Plan Control Application. A Construction Management Plan has not been submitted.

Tree Preservation

An Arborist Report, prepared by Kuntz Forestry Consulting Inc. and dated May 1, 2019, was submitted in support of the proposed development. The Arborist Report submitted concludes that there are a total of 37 trees on and within six metres of the subject property. The removal of 13 trees is required to accommodate the proposed development, with 17 trees already having been removed. A total of 7 trees have been identified for preservation.

Urban Forestry staff have indicated that the applicant is to submit a revised landscape plan showing soil volumes for each continuous tree pit individually on the City owned right of way. As well, the revised landscape plan is to provide for additional private tree planting and soil volume areas on the subject site and provide soil volumes for all private planting areas. A fully-scaled tree protection plan is required to illustrate all hoarding to be constructed on site. These comments were outlined in a memorandum dated February 24, 2020. A revised landscape plan was submitted on November 6, 2020 and is being reviewed by Urban Forestry.

The applicant will be required to address any further outstanding matters arising from the November 6, 2020 submission. The City will secure the planting of new trees on the site and on adjacent public rights-of-way through Site Plan Approval.

Community Services Assessment

Community Services and Facilities (CS&F) are an essential part of vibrant, strong and complete communities. CS&F are the lands, buildings and structures for the provision of programs and services provided or subsidized by the City or other public agencies, boards and commissions, such as recreation, libraries, childcare, schools, public health, human services, cultural services and employment services.

The timely provision of community services and facilities is as important to the livability of the City's neighbourhoods as services like sewer, water, roads and transit. The City's Official Plan establishes and recognizes that the provision of and investment in community services and facilities supports healthy, safe, liveable, and accessible communities. Providing for a full range of community services and facilities in areas experiencing major or incremental growth, is a responsibility shared by the City, public agencies and the development community.

One of the major objectives of the Yonge-Eglinton Secondary Plan is the provision of community services and facilities. The Secondary Plan states that Midtown will continue to prosper by maintaining and expanding community service facilities. Creating new community spaces will be essential to supporting a prosperous local economy, fostering innovation and broadening opportunities for stable employment.

Based on the CS&F policies of the Council-adopted Yonge-Eglinton Secondary Plan and identified priorities of the Midtown CS&F Strategy (2018), CS&F contributions may include: consultation with the Toronto District School Board and/or its subsidiary Toronto Land Corporation (TLC) regarding partnership opportunities on the subject site; expansion of the proposed non-residential gross floor area (approximately 929 square metres or 10,000 square feet) to secure space for the relocation and expansion of the Mount Pleasant Library or an on-site child care facility; and/or a financial contribution towards capital improvements to expanding the service capacity of the existing libraries and/or recreation facilities within the Secondary Plan Area.

School Boards

The application was circulated to the both the Toronto Catholic District School Board (TCDSB) and the Toronto District School Board (TDSB). The TCDSB has identified that the proposal falls within the fixed attendance boundary of St. Monica Catholic School, as well as Marshall McLuhan Catholic Secondary School and Dante Alighieri Academy.

The TCDSB has indicated that the local elementary and secondary schools are operating at capacity and cannot accommodate additional students from the development. The TCDSB has identified that they have concerns with school accommodation in the area. The TCDSB has also indicated that under the Education Development Charges (EDC) By-law 194, as amended, the TCDSB is eligible to levy EDC's in this area towards the acquisition of approximately 2 hectares (5 acres) of land or alternate accommodation opportunities for an elementary school.

The TDSB has indicated that they do not support the development application at this time. The TDSB is of the position that the timing of development should be aligned with the provision of pupil accommodation at local schools, with occupancy no earlier than September 2024, in line with the TDSB's Midtown area accommodation strategy.

Section 37

Section 37 of the *Planning Act* allows the City to require community benefits in situations where increased density and/or height are permitted. Community benefits are specific capital facilities or cash contributions for specific capital facilities and can include: affordable housing; parkland and/or park improvements above and beyond the required Section 42 *Planning Act* parkland dedication; public art; streetscape improvements on the public boulevard not abutting the site; and other works detailed in Section 5.1.1.6 of the Official Plan.

City Planning staff recommend that the City Solicitor be directed to request the LPAT, in the event it determines to allow the appeals in whole or in part, to withhold any order

until a Section 37 Agreement has been entered into between the City and the owner and registered on title, all to the satisfaction of the City of Toronto.

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. City Planning and Engineering and Construction Services staff will work towards securing a development that meets a high standard of environmental sustainability and resiliency.

Conclusion

The proposal has been reviewed against the policies of the PPS (2020), the Growth Plan (2020), the City of Toronto Official Plan and the Yonge-Eglinton Secondary Plan.

Staff are of the opinion that the proposal is not consistent with the PPS (2020) and does not conform to the Growth Plan (2020). Further, the proposal does not conform with the Toronto Official Plan and Yonge-Eglinton Secondary Plan. The proposed development is not providing appropriate transition to the *Neighbourhoods* to the east, the lower-scale Mount Pleasant South Character Area to the south and does not respect the existing area context. Additionally, amongst other matters, the proposed tower does not minimize shadowing on the *Neighbourhoods* designated lands to the east of the site; lacks sufficient non-residential gross floor area; is not meeting the intent of the City's Tall Building Design Guidelines; is not providing an adequate amount of large units per the Growing Up guidelines; is not providing an adequate amount of vehicular parking; and is not providing a public laneway at the rear of the site.

The proposed Zoning By-law Amendment application, in its current form, is not supported by City Planning staff. The proposal, in its current form is not good planning and does not represent the public interest.

Staff recommend that City Council direct City Staff to continue to negotiate with the applicant in an attempt to resolve the outstanding issues detailed in this report. In the event that the application is not revised to propose an appropriate form of development

on this site, City Planning recommends that City Council direct the City Solicitor and appropriate City staff to attend the Local Planning Appeal Tribunal (LPAT) in opposition to the proposal.

CONTACT

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Tel. No. (416) 395-7126
E-mail: Jason.Brande@toronto.ca

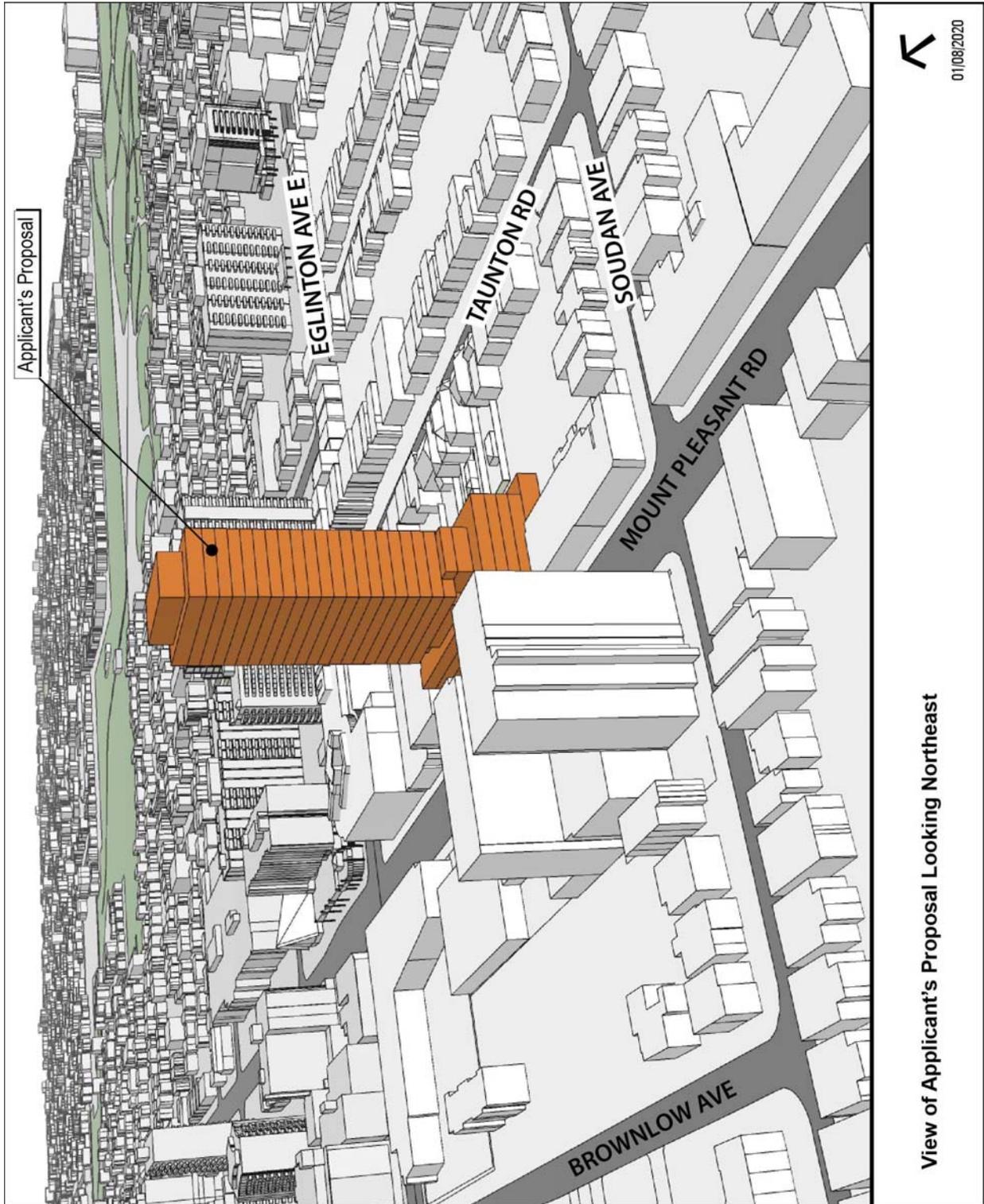
SIGNATURE

John Andreevski, Acting Director
Community Planning, North York District

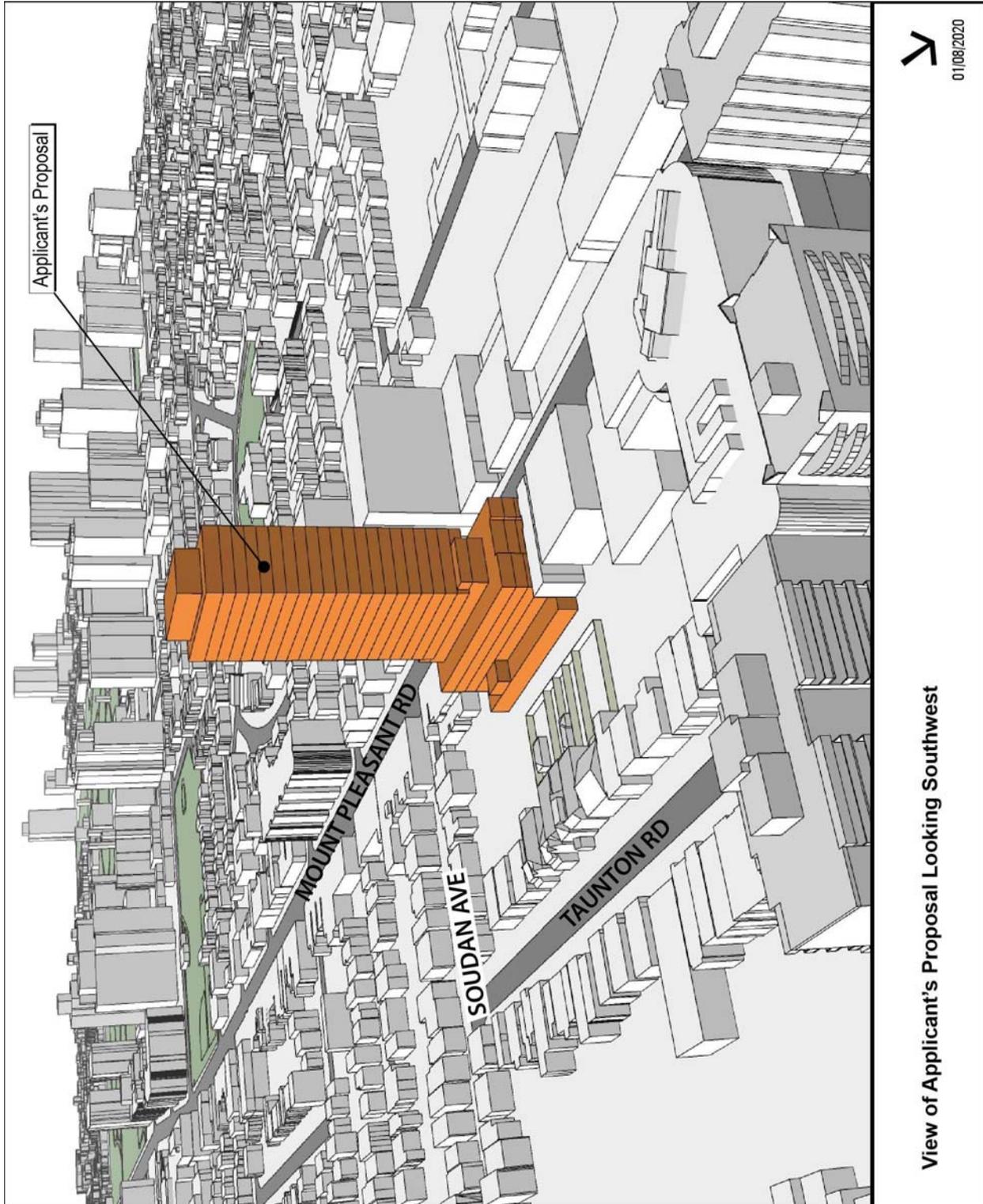
ATTACHMENTS

Attachment 1a: 3D Model of Proposal in Context - Looking Northeast
Attachment 1b: 3D Model of Proposal in Context - Looking Southwest
Attachment 2: Location Map
Attachment 3: Site Plan
Attachment 4: Official Plan Map
Attachment 5: Yonge-Eglinton Secondary Plan Land Use Map
Attachment 6: Midtown Mobility Network - Location of New Laneways
Attachment 7: Existing Zoning By-law Map
Attachment 8: Applicant's Submitted Context Plan
Attachment 9: Built Form Study - Mount Pleasant Station Core Character Area
Attachment 10: North Elevation
Attachment 11: South Elevation
Attachment 12: East Elevation
Attachment 13: West Elevation
Attachment 14: Application Data Sheet

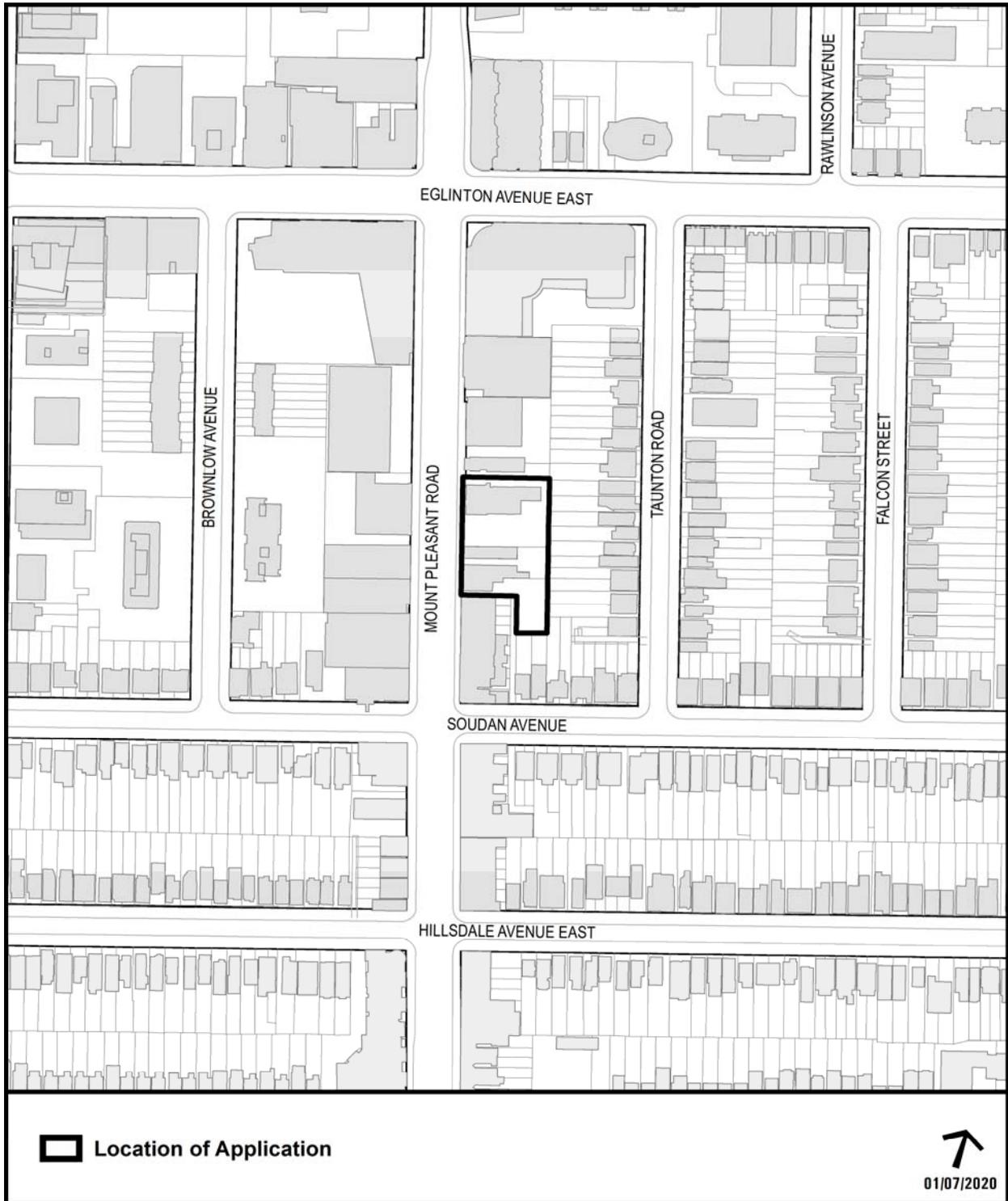
Attachment 1a: 3D Model of Proposal in Context - Looking Northeast



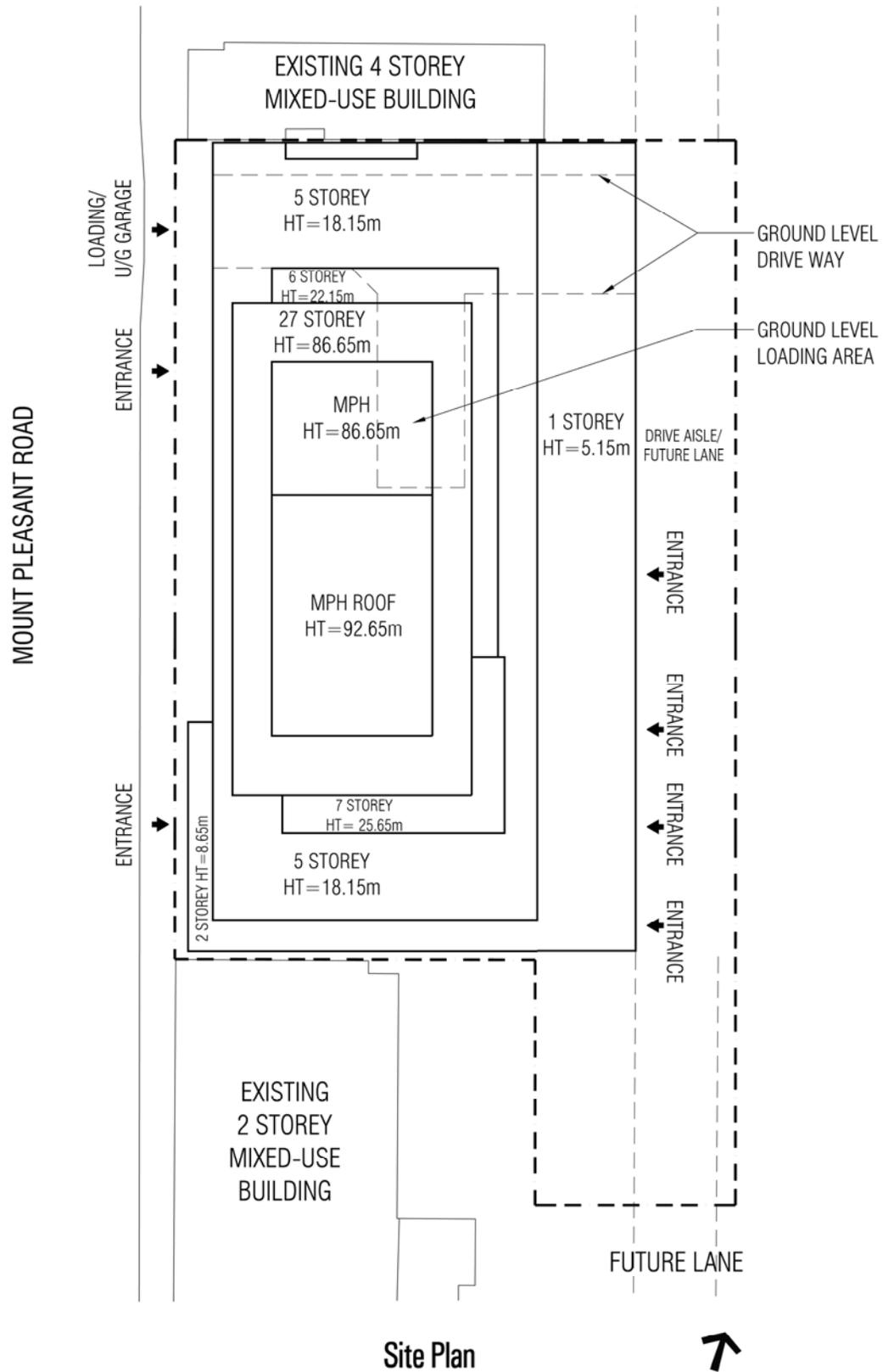
Attachment 1b: 3D Model of Proposal in Context - Looking Southwest



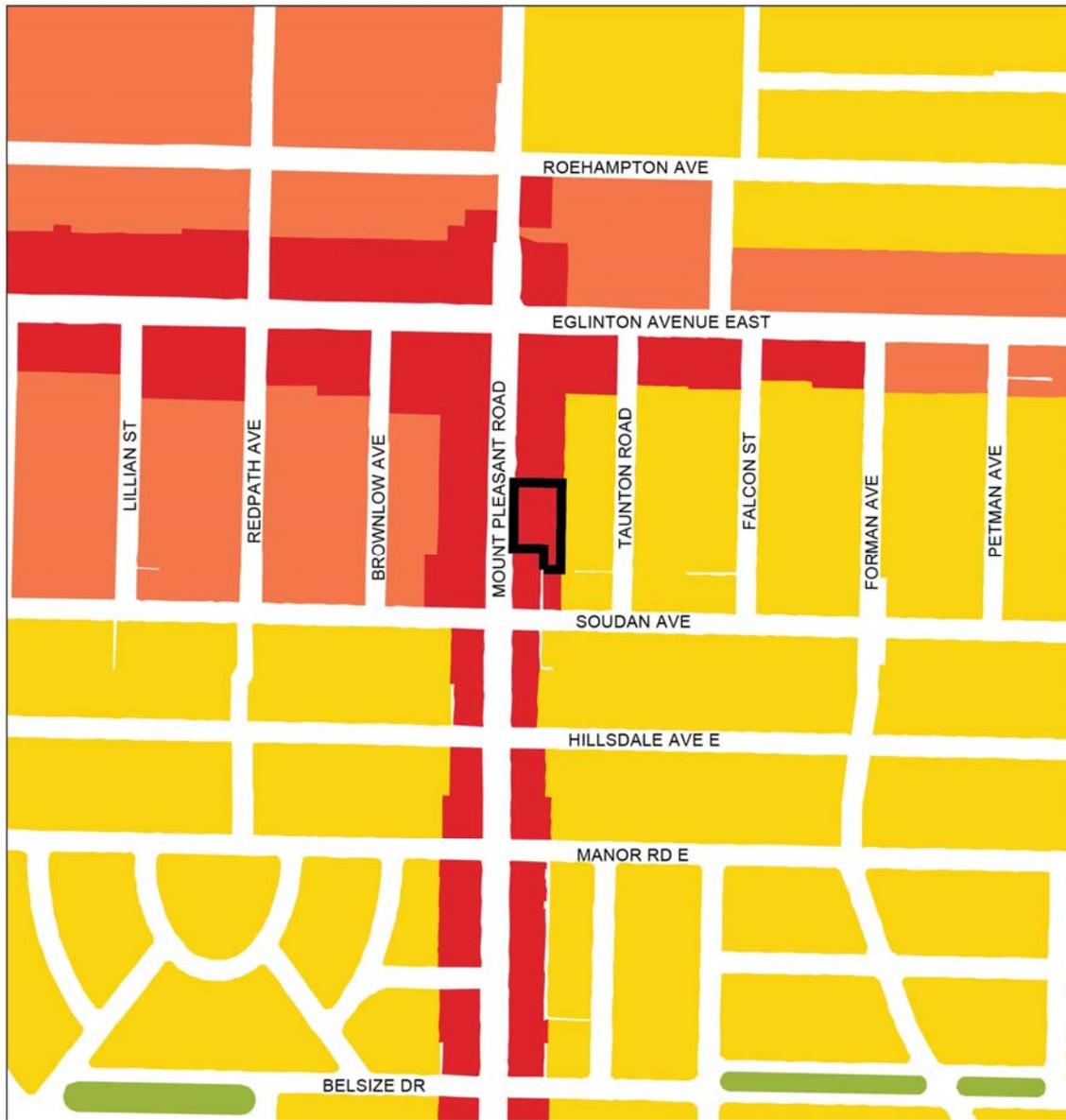
Attachment 2: Location Map



Attachment 3: Site Plan



Attachment 4: Official Plan Map



717, 719, 723 and 733 Mount Pleasant Road

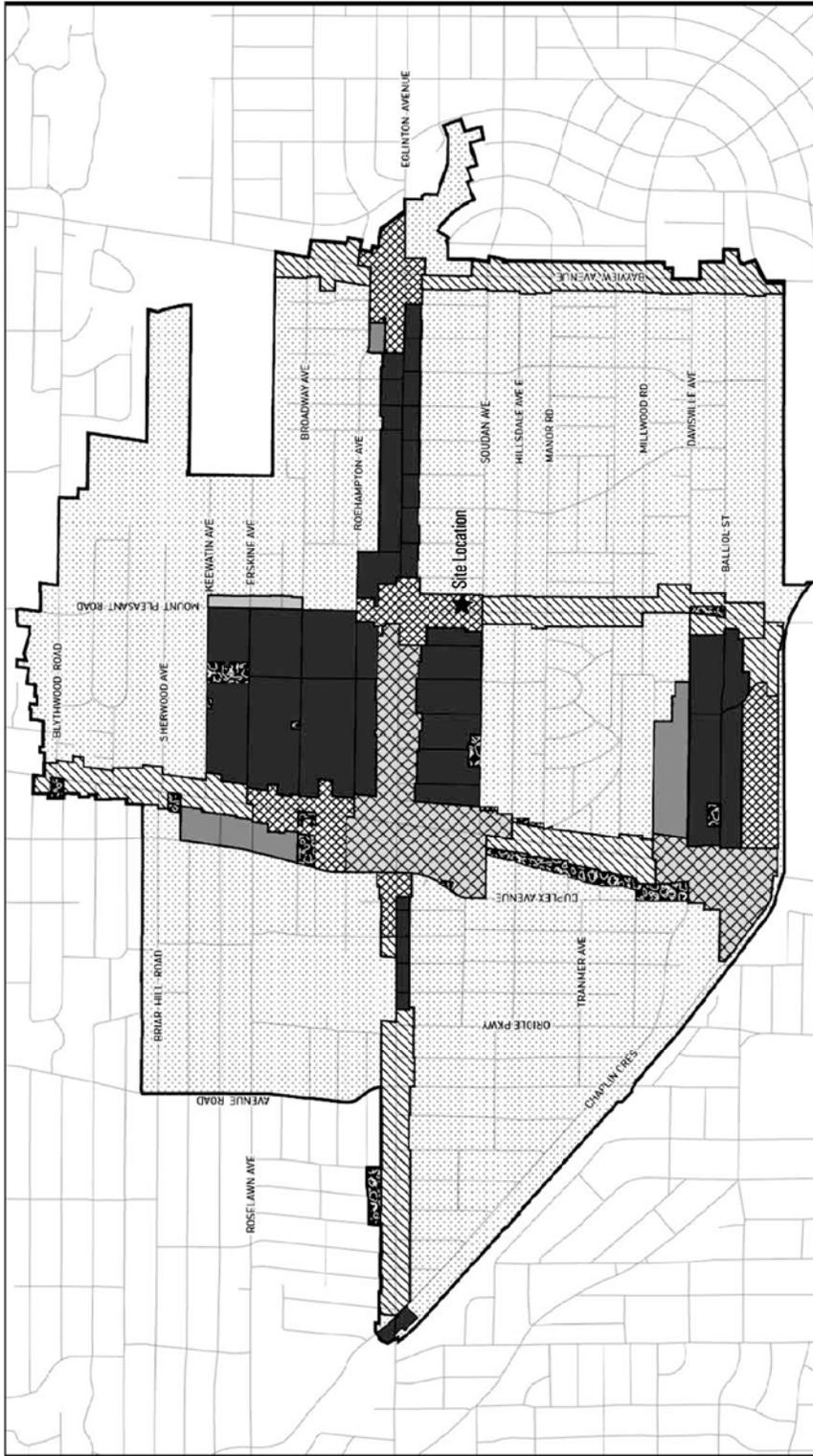
Official Plan Land Use Map #17

File # 19 263788 NNY 15 0Z

- | | |
|--|--|
|  Location of Application |  Parks & Open Space Areas |
|  Neighbourhoods |  Parks |
|  Apartment Neighbourhoods | |
|  Mixed Use Areas | |

↑
Not to Scale
01/07/2020

Attachment 5: Yonge-Eglinton Secondary Plan Land Use Map



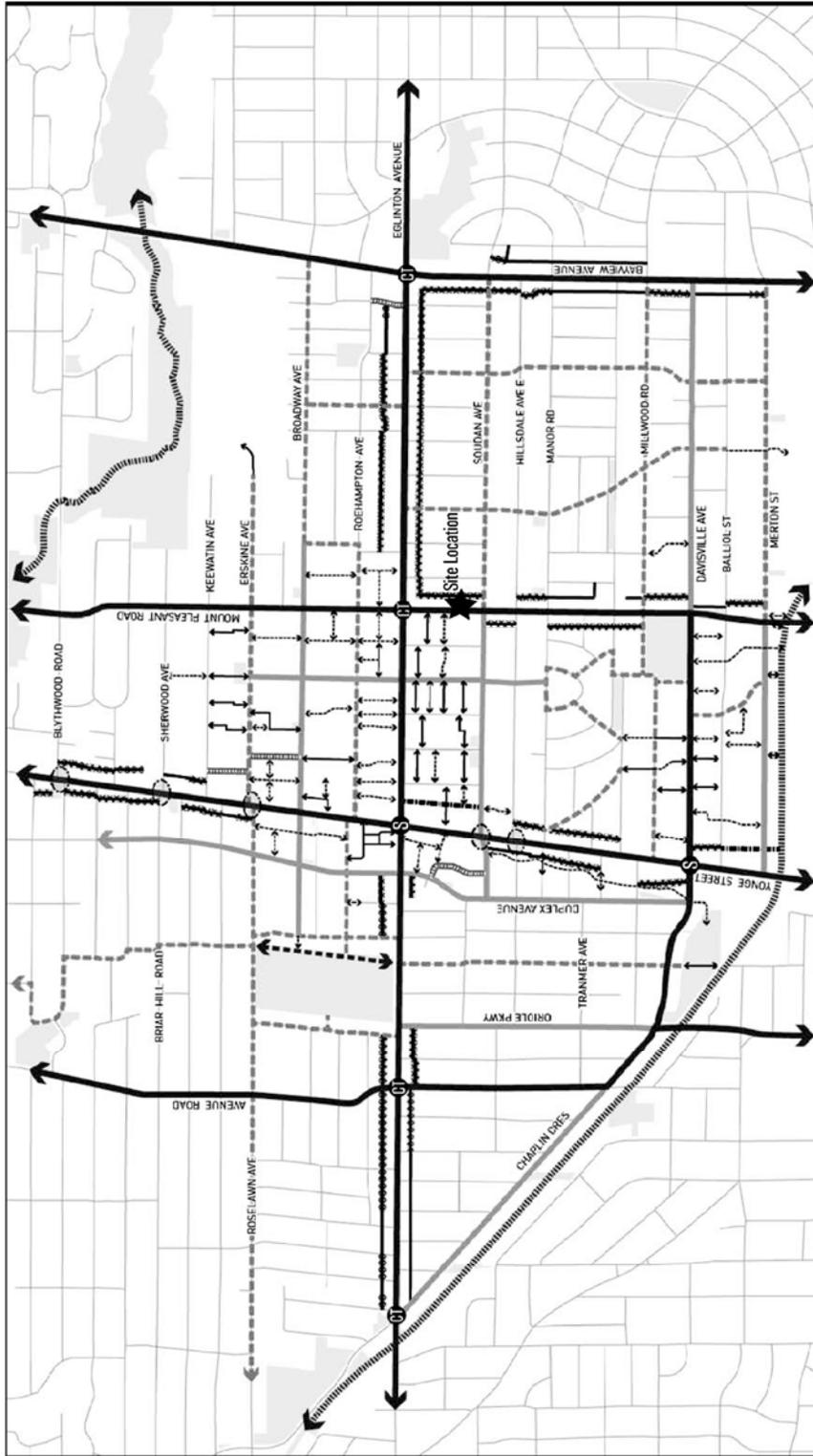
Toronto
Yonge-Eglinton Secondary Plan Land Use Map - OPA 405
717, 719, 723 and 733 Mount Pleasant Road

File # 19 263788 NNY 15 0Z

	Secondary Plan Boundary		Apartment Neighbourhoods		Land Use Designations per the Official Plan
	Mixed Use Areas "A"		Neighbourhoods "A"		Site Location
	Mixed Use Areas "B"		Neighbourhoods "B"		
	Mixed Use Areas "C"		Parks and Open Space Areas - Parks		

↑
 Not to Scale
 10/27/2020

Attachment 6: Midtown Mobility Network - Location of New Laneways



TORONTO
 717, 719, 723 and 733 Mount Pleasant Road

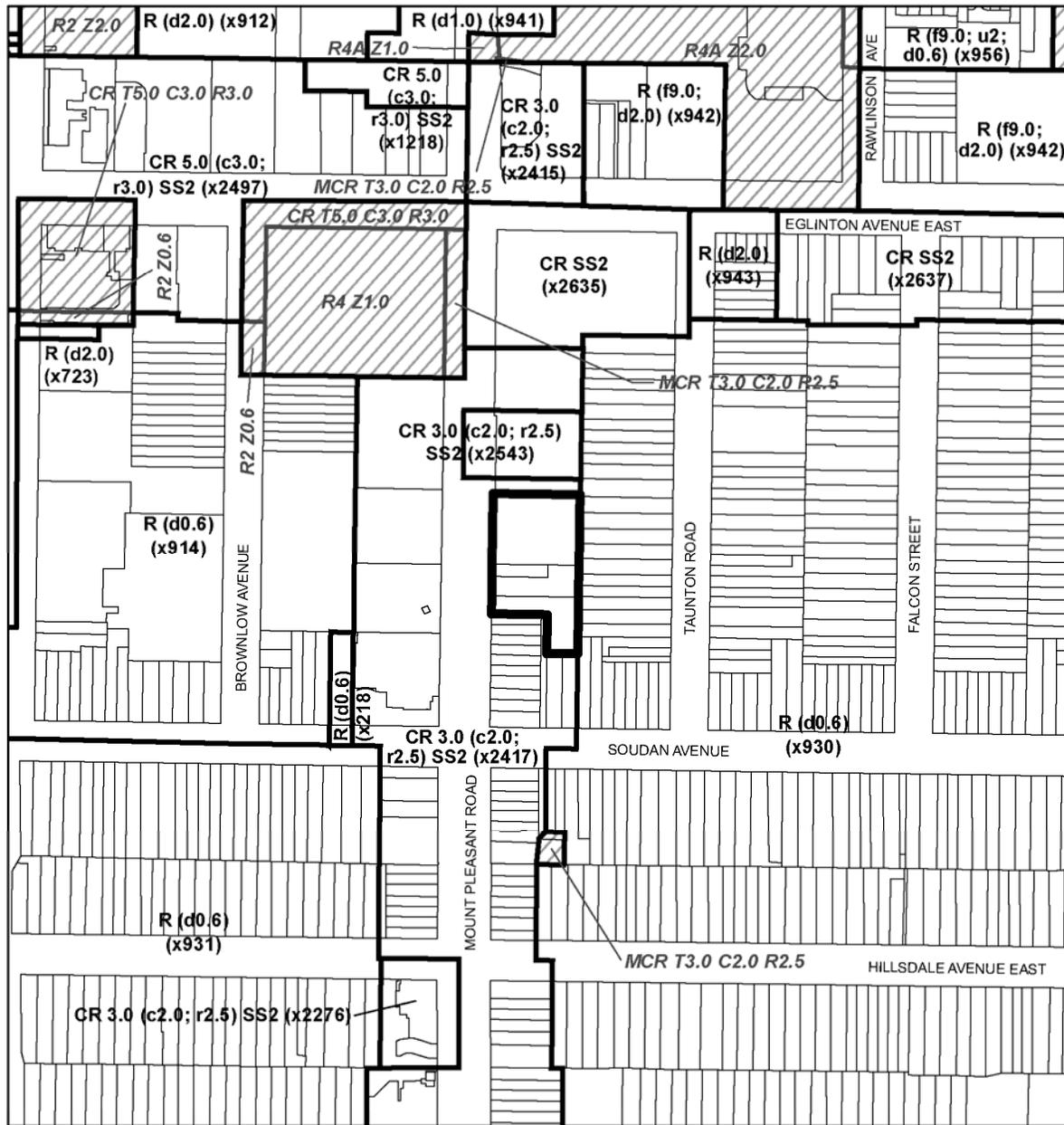
Midtown Mobility Network - Location of New Laneways

File # 19 263788 NNY 15 0Z

- Existing Laneway
- Laneway Requiring Improvement
- New Laneway
- Priority Local Street
- New Local Public Street
- Existing Midblock Connection
- New Midblock Connection (Conceptual)
- Existing Multi-Use Trails
- New/Reconfigured Multi-Use Trails
- Proposed Street Realignment
- Subway Station
- Eglinton Crosstown Station
- Site Location

Not to Scale
 10/27/2020

Attachment 7: Existing Zoning By-law Map



Zoning By-law 569-2013

717, 719, 723 and 733 Mount Pleasant Road

File # 19 263788 NNY 15 0Z



Location of Application

R Residential CR Commercial Residential



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

- R1S Residential District
- R2 Residential District
- R4 Residential District
- R4A Residential District
- CR Mixed-Use District
- MCR Mixed-Use District



Not to Scale
Extracted: 01/08/2020

Attachment 9: Built Form Study - Mount Pleasant Station Character Area



D2 – Mount Pleasant looking north east past Soudan



D3 – Mt Pleasant looking north west

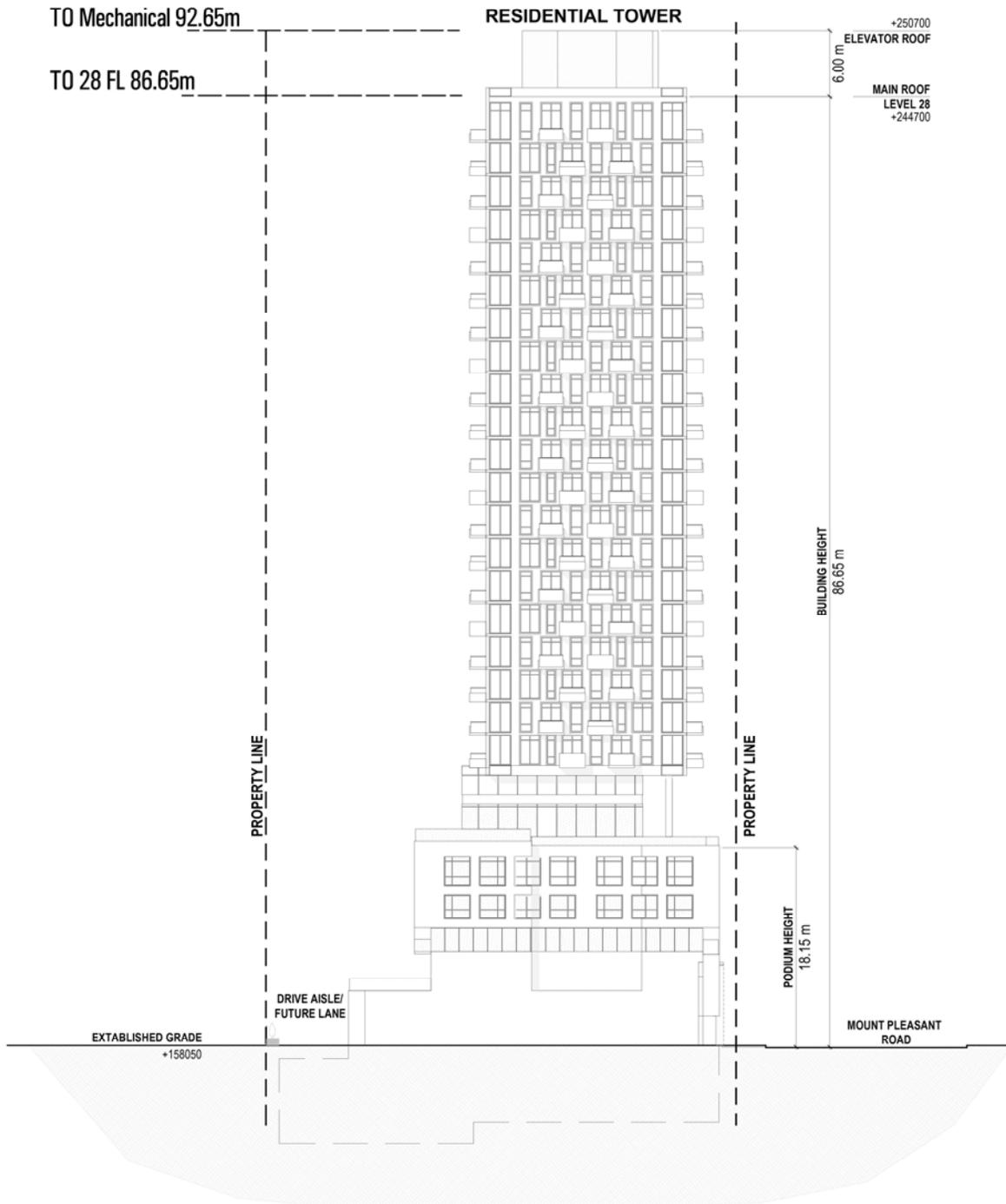


D3 Mount Pleasant looking north



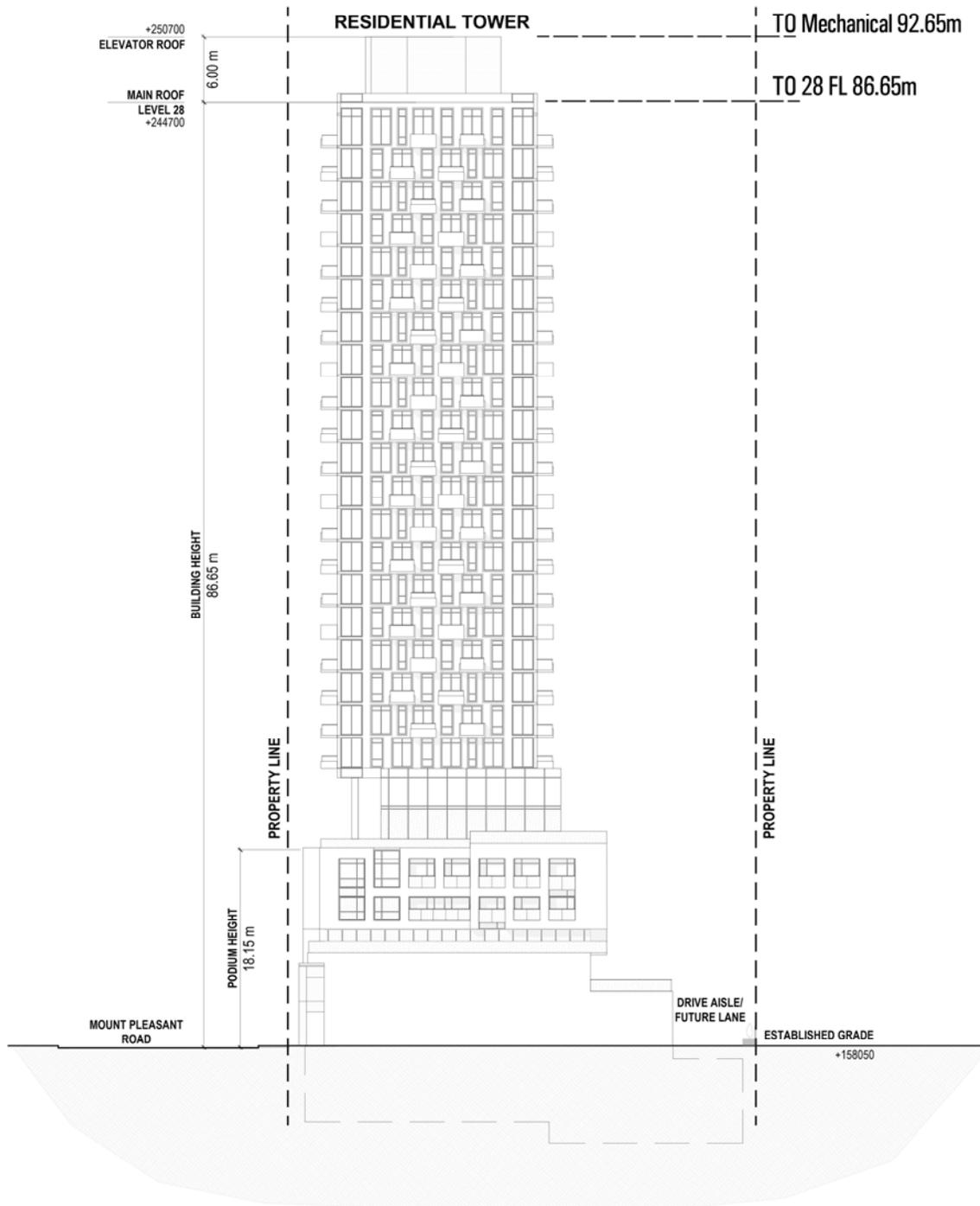
D3 – Mount Pleasant looking south

Attachment 10: North Elevation



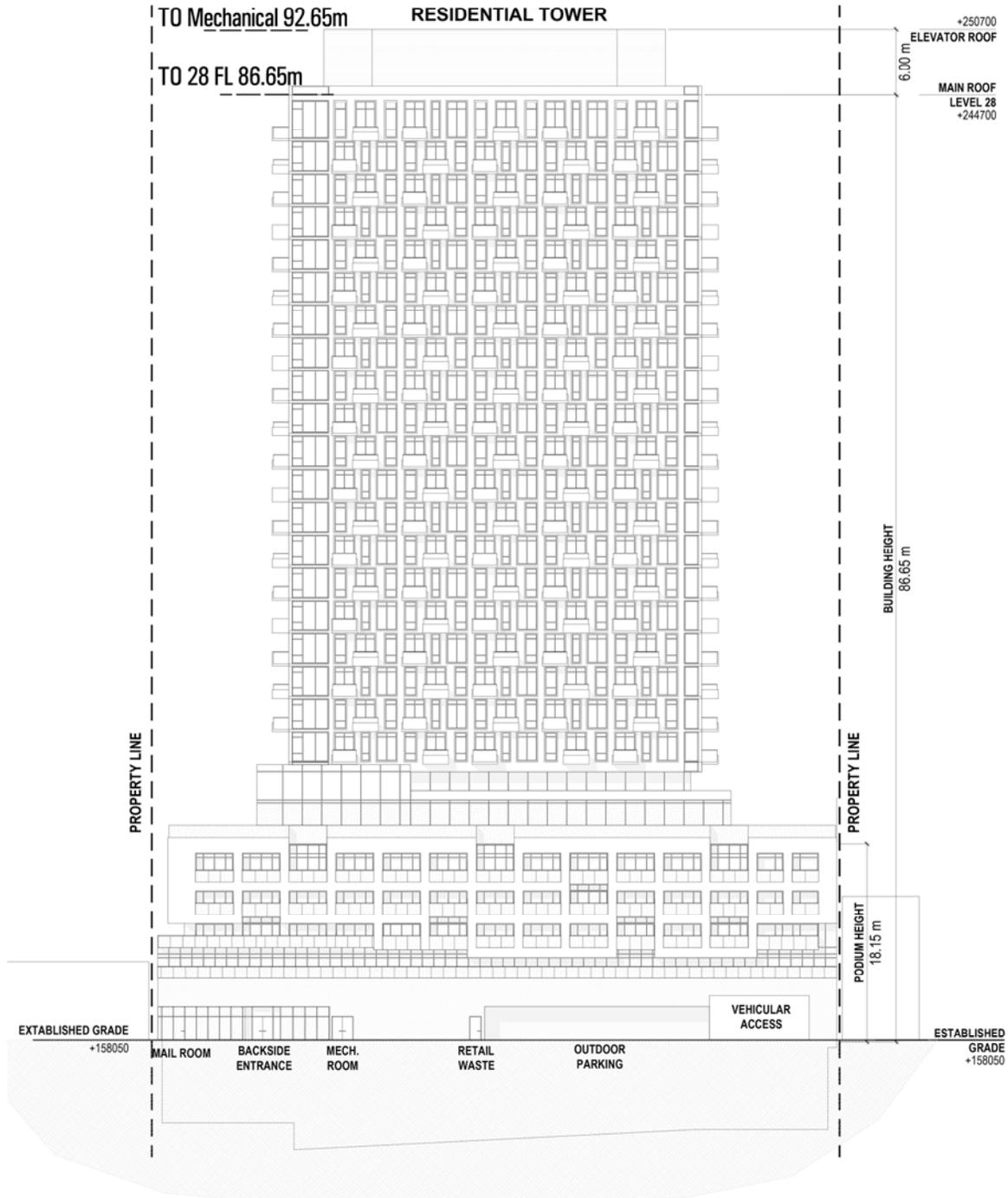
North Elevation

Attachment 11: South Elevation



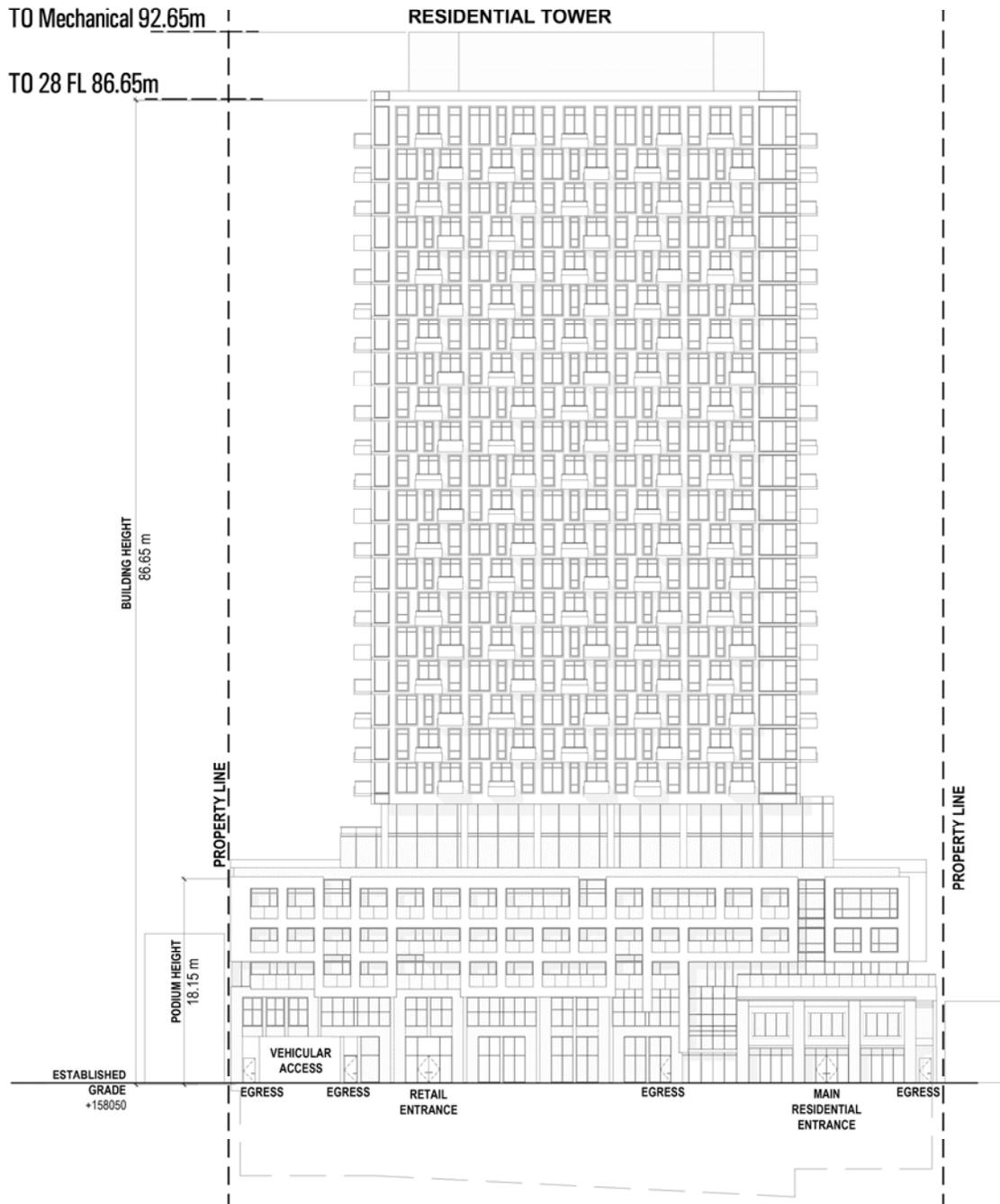
South Elevation

Attachment 12: East Elevation



East Elevation

Attachment 13: West Elevation



West Elevation

Attachment 14: Application Data Sheet

Municipal Address: 717, 719, 723 and 733 MOUNT PLEASANT RD Date Received: December 20, 2019
Application Number: 19 263788 NNY 15 OZ
Application Type: OPA / Rezoning, Rezoning

Project Description: This application proposes to amend Zoning By-law Nos. 438-86 and 569-2013 to permit the redevelopment of the subject lands for a 27-storey mixed use building containing 262 residential units and 281 square metres of retail gross floor area on the ground floor resulting in an overall density of 6.61 times the lot area

Applicant/Agent/Owner:
Rockport (MPE) Inc.
170 The Donway W, Unit 307
Toronto, ON
M3C 2G3

Architect:
Wallman Architects
117 Peter Street, Suite 208
Toronto, ON
M5V 0M3

EXISTING PLANNING CONTROLS

Official Plan Designation:	Mixed Use Areas	Site Specific Provision:	N
Zoning:	CR 3.0 (c2.0; r2.5) SS2 (x2417)	Heritage Designation:	N
Height Limit (m):	16	Site Plan Control Area:	Y

PROJECT INFORMATION

Site Area (sq m): 2,969 Frontage (m): 63 Depth (m): 43

Building Data	Existing	Retained	Proposed	Total
Ground Floor Area (sq m):	729		1,601	1,601
Residential GFA (sq m):	0		19,334	19,334
Non-Residential GFA (sq m):	1,068		281	281
Total GFA (sq m):	1,068		19,615	19,615
Height - Storeys:	2		27	27
Height - Metres:	10		86	86
Lot Coverage Ratio (%)	53.91		Floor Space Index:	6.61

Floor Area Breakdown	Above Grade (sq m)	Below Grade (sq m)
Residential GFA:	19,334	
Retail GFA:	281	
Office GFA:		
Industrial GFA:		
Institutional/Other GFA:		

Residential Units by Tenure	Existing	Retained	Proposed	Total
Rental:	0	0	262	262
Freehold:	0	0		
Condominium:	0	0		
Other:	0	0		
Total Units:	0	0	262	262

Total Residential Units by Size

	Rooms	Studio	1 Bedroom	2 Bedroom	3+ Bedroom
Retained:					
Proposed:		36 (14%)	119 (45%)	58 (22%)	49 (19%)
Total Units:		36 (14%)	119 (45%)	58 (22%)	49 (19%)

Parking and Loading

Parking Spaces:	131	Bicycle Parking Spaces:	270	Loading Docks:	1
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