

5203 to 5215 Yonge Street and 11 Parkview Avenue – Official Plan Amendment and Zoning By-law Amendment Applications – Preliminary Report

Date: February 1, 2021

To: North York Community Council

From: Acting Director, Community Planning, North York District

Wards: Willowdale

Planning Application Number: 20 227227 NNY 18 OZ

Notice of Complete Application Issued: December 31, 2020

Current Use(s) on Site: One- and two-storey retail buildings including restaurants and empty units and a detached dwelling.

SUMMARY

This report provides information and identifies a preliminary set of issues regarding the application located at 5203 to 5215 Yonge Street and 11 Parkview Avenue. Proposed is a thirty-two storey building including a two-storey base building with a total of 329 dwelling units. The base building would include retail uses along Yonge Street and a residential lobby along Parkview Avenue. The property known as 11 Parkview Avenue is proposed as a parkland dedication to the City of 564.3 square metres. Including the lands at 11 Parkview Avenue the proposed Floor Space Index (the "FSI") is 10.47 and not including it results in a FSI of 14.82. The site is currently developed with one- and two-storey retail buildings along Yonge Street and 11 Parkview Avenue contains a detached dwelling. Staff are currently reviewing the application. It has been circulated to all appropriate agencies and City divisions for comment. Staff will proceed to schedule a community consultation meeting for the application with the Ward Councillor.

RECOMMENDATIONS

The City Planning Division recommends that:

1. Staff schedule a community consultation meeting for the application located at 5203 to 5215 Yonge Street and 11 Parkview Avenue together with the Ward Councillor.
2. Notice for the community consultation meeting be given to landowners and residents within 120 metres of the application site, and to additional residents, institutions and owners to be determined in consultation with the Ward Councillor, with any additional mailing costs to be borne by the applicant.

FINANCIAL IMPACT

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

DECISION HISTORY

At City Council's meeting of June 29, 2020, Council [approved staff's recommended approach and work plan](#) regarding the Growth Plan Conformity and Municipal Comprehensive Review outlined in a [staff report](#). This includes the phased Major Transit Station Area ("MTSA") Prioritization Approach which is discussed in Attachment 2 to the report. The area surrounding Sheppard-Yonge subway station is identified as being within Phase 1 of the work plan.

On December 16, 2020, City Council considered a [report](#) from the Director of Project Design and Management, Transportation Services regarding the Reimagining Yonge Municipal Class Environmental Assessment Study. [City Council endorsed the recommended design](#) for the reconstruction of Yonge Street from Florence Avenue/Avondale Avenue to the Finch Hydro Corridor as generally shown in Attachment 1 to the report and the refinements shown in Attachment 2 to the report.

At its meeting of January 19, 2021, Planning and Housing Committee considered a [report](#) from the Chief Planner and Executive Director, City Planning on the division's study work plan. One of the [directions](#) made by the Committee was to direct City Planning to initiate the focused review of the North York Centre Secondary Plan.

ISSUE BACKGROUND

Application Description

This application proposes to amend the North York Centre Secondary Plan and former City of North York Zoning By-law 7625 for the property at 5203 - 5215 Yonge Street and 11 Parkview Avenue to permit a thirty-two storey building including a two-storey base building with a total of 329 dwelling units. The base building would include retail uses along Yonge Street and a residential lobby along Parkview Avenue. The unit breakdown is as follows:

- 30 Studio (9%)
- 179 One-bedroom (55%)
- 90 Two-bedroom (27%)
- 30 Three-bedroom (9%)

A total of 132 parking spaces are proposed in a below grade parking garage and 325 bicycle parking spaces for residents, all accessed from the rear public laneway. Also accessed from the lane would be one Type "G" loading space.

The property known as 11 Parkview Avenue is proposed as a parkland dedication to the City of 564.3 square metres. Including the lands at 11 Parkview Avenue the proposed Floor Space Index (the "FSI") is 10.47 and not including it results in a FSI of 14.82.

Detailed project information is found on the City's Application Information Centre at:

<https://www.toronto.ca/city-government/planning-development/application-information-centre/>

See Attachment 1 of this report, for a three dimensional representation of the project in context.

Provincial Policy Statement and Provincial Plans

Any decision of Council related to this application is required to be consistent with the Provincial Policy Statement (2020) (the "PPS"), and to conform with applicable Provincial Plans which, in the case of the City of Toronto, include: A Place to Grow: Growth Plan for the Greater Golden Horseshoe (2020). The PPS and all Provincial Plans may be found on the Ministry of Municipal Affairs and Housing website.

Growth Plan for the Greater Golden Horseshoe (2020)

A Place to Grow: Growth Plan for the Greater Golden Horseshoe (2020) (the "Growth Plan (2020)") came into effect on August 28, 2020. This new plan replaces the previous Growth Plan for the Greater Golden Horseshoe, 2019. 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.

Policies not expressly linked to a MCR can be applied as part of the review process for development applications, in advance of the next MCR. These policies include:

- Directing municipalities to make more efficient use of land, resources and infrastructure to reduce sprawl, contribute to environmental sustainability and provide for a more compact built form and a vibrant public realm;
- Directing municipalities to engage in an integrated approach to infrastructure planning and investment optimization as part of the land use planning process;
- Achieving complete communities with access to a diverse range of housing options, protected employment zones, public service facilities, recreation and green space, and better connected transit to where people live and work;
- Retaining viable lands designated as employment areas and ensuring redevelopment of lands outside of employment areas retain space for jobs to be accommodated on site;

- Minimizing the negative impacts of climate change by undertaking stormwater management planning that assesses the impacts of extreme weather events and incorporates green infrastructure; and
- Recognizing the importance of watershed planning for the protection of the quality and quantity of water and hydrologic features and areas.

The Growth Plan (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 (2020) 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 (2020). Comments, submissions or advice affecting a planning matter that are provided by Council shall also conform with the Growth Plan (2020).

Planning for Major Transit Station Areas

The Growth Plan (2020) as amended contains policies pertaining to population and employment densities that should be planned for in major transit station areas (MTSAs) along priority transit corridors or subway lines. MTSAs are generally defined as the area within an approximately 500 to 800 metre radius of a transit station, representing about a 10-minute walk. The Growth Plan (2020) requires that, at the time of the next municipal comprehensive review (MCR), the City update its Official Plan to delineate MTSA boundaries and demonstrate how the MTSAs are planned for the prescribed densities. The property is within approximately 250 metres of the North York Centre TTC subway station.

Toronto Official Plan Policies and Planning Studies

The City of Toronto Official Plan is a comprehensive policy document that guides development in the City, providing direction for managing the size, location, and built form compatibility of different land uses and the provision of municipal services and facilities. Authority for the Official Plan derives from the *Planning Act* of Ontario. The PPS recognizes the Official Plan as the most important document for its implementation. Toronto Official Plan policies related to building complete communities, including heritage preservation and environmental stewardship may be applicable to any application. Toronto Official Plan policies may be found here: <https://www.toronto.ca/city-government/planning-development/official-plan-guidelines/official-plan/>

The current application is located on lands shown as Centres on [Map 2](#) of the Official Plan and *Mixed Use Areas* on [Map 16](#) (see Attachment 4).

On September 11, 2020, Official Plan Amendments 479 (Public Realm) and 480 (Built Form) came into force. There are new or revised policies regarding building types (including midrise buildings), building design and massing, parks, POPs (privately owned, publicly accessible spaces), and trees and natural areas, among other policies. The proposal will be evaluated against these policies.

The application is also located within the [North York Centre Secondary Plan](#) (NYCSP) and is designated Mixed Use Area B which permits commercial, institutional, public parks and recreational uses. Residential uses are permitted but only to a maximum of fifty percent of the overall density. The NYCSP permits a maximum Floor Space Index ("FSI") of 4.5 times the lot area, however, the density incentive policies of the NYCSP allow an application to increase this by a maximum of thirty-three percent in conformity with those policies. For the subject site, a maximum FSI of 5.99 including the 33 percent increase for the provision of incentives is permitted. The NYCSP permits a maximum height of 100 metres above grade for the lands along Yonge Street and a maximum height of sixty-five metres for 11 Parkview Avenue.

Zoning By-laws

The site is subject to former City of North York Zoning By-law 7625 which zones the lands on Yonge Street as General Commercial Zone (C1) and 11 Parkview Avenue as One-Family Detached Dwelling Fourth Density Zone (R4). The C1 zone permits residential uses but only in a detached dwelling and retail uses. The R4 zone permits residential and recreational uses including parks.

The site is not subject to the City's Zoning By-law 569-2019.

Design Guidelines

The following city-wide design [guidelines](#) will be used in the evaluation of this application:

- Tall Buildings;
- Bird-Friendly Guidelines;
- Growing Up: Planning for Children in New Vertical Communities;
- Complete Streets; and
- Pet Friendly Design Guidelines and Best Practices for New Multi-Unit Buildings.

Site Plan Control

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

COMMENTS

Reasons for the Application

The application to amend the Official Plan is required as the proposed height and density are in excess of what the North York Centre Secondary Plan permits. The Secondary Plan also limits the amount of residential to fifty percent of the overall gross floor area of the which the application proposes to exceed.

ISSUES TO BE RESOLVED

The application has been circulated to City divisions and public agencies for comment.

Provincial Policies and Plans Consistency/Conformity

The PPS and the Growth Plan are high-level and broad reaching documents. The City is a development area, the site is within an urban growth centre and infill is encouraged under these policies. 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.

Both the PPS and Growth Plan identify official plans as the way to implement the broad policy goals of building complete communities, appropriate mix of uses and efficient land use and development patterns to support sustainability by promoting strong, livable, healthy and resilient communities. Staff are reviewing the application against the applicable provincial policies.

Official Plan Conformity

The role of a Secondary Plan is to provide a more detailed planning framework to implement the PPS, Growth Plan and the objectives of the Official Plan. The applicant is proposing densities and heights of a scale not contemplated for the site by the NYCSP.

The applicant is seeking a greater height and density than what is permitted in the NYCSP. Site-specific amendments to the height permissions in the NYCSP are discouraged by the plan. When an application to amend the height provisions is made, the City will be satisfied that the increase in height:

- is necessary to provide for desirable flexibility in built form;
- would have no appreciable impact on the residential amenity of properties within the stable residential area defined in Section 1.17 of the NYCSP; and
- meets the urban design objectives of the NYCSP.

With regards to the maximum density permitted on a site, the Secondary Plan states, in Policy 3.2(b), that the City will in no event approve a development proposal that:

- exceeds the amount of actual floor space that can reasonably be accommodated in conformity with applicable policies of this Secondary Plan; and
- exceeds the maximum permitted gross floor area as set out in Section 3.2(a) by more than 33 per cent through density incentives and density transfers combined as set out in Sections 3.3 and 3.4, except where and to the extent specifically provided for in Figure 3.3.1.

The Secondary Plan does provide some flexibility on permitted density by allowing applicants to increase the density beyond that shown on Map 8-6 and 8-7 of the Plan. Section 3.3 provides for Density Incentives above the maximum densities permitted, however Section 3.2 sets a maximum increase above those limits of thirty-three percent. The Secondary Plan specifically states that "in no event will the City approve a

development proposal" that exceeds this limit. The applicant is proposing a density of 9.61 times the area of the lot rather than the permitted 3.75 times the area of the lot plus incentives, to a maximum of 4.98, while other towers in the area comply with the density permissions. Introducing densities of this level not contemplated by the NYCSP may have negative cumulative impacts on the City's infrastructure.

Furthermore, Section 1.13 of the Secondary Plan states that any general changes to the heights, densities and boundaries of the secondary plan will only be done within the context of a comprehensive review and that ad hoc or site specific amendments of this plan that are not consistent with its goals, will not be approved.

Considering Council's direction to study the MTSA boundaries and densities, the addition of a review of the North York Centre Secondary Plan to the City Planning work program and changes to the *Planning Act*, Staff are reviewing the proposal and the appropriateness of the proposed amendments to the Secondary Plan as the current language of the plan clearly discourages this approach.

Built Form and Public Realm

Staff are reviewing the proposed site organization, building placement and setbacks, height, massing and transition based on the City's Official Plan, the North York Centre Secondary Plan and the Tall Building Guidelines.

On a preliminary basis, the following issues have been identified:

- how the proposal fits with the existing and/or planned context;
- whether the proposed setbacks and stepbacks are appropriate, including along Yonge Street and Parkview Avenue;
- appropriate relationship to the public laneway to the rear;
- the appropriateness of the proposed height, massing and density; and
- the proposed streetscape design along Yonge Street and Parkview Avenue.

The applicant has submitted a Sun/Shadow Study and a Pedestrian Level Wind Study in support of the application. These are currently being reviewed by City staff.

Open Space/Parkland

The Official Plan contains policies to ensure that Toronto's system of parks and open spaces are maintained, enhanced and expanded. Map 8B of the Official Plan shows local parkland provisions across the City. The lands which are the subject of this application are in an area with 0 to 0.42 hectares of local parkland per 1000 people.

The applicant has proposed 11 Parkview Avenue as to be conveyed to the City to satisfy the parkland provision requirements of the application. Staff are reviewing the appropriateness of this proposed dedication.

Growing Up: Planning for Children in New Vertical Communities

The City's Growing Up: Planning for Children in New Vertical Communities provide guidelines on the amount of family sized units that should be provided as part of new residential buildings. The applicant is proposing a unit breakdown as follows:

- 30 Studio (9%)
- 179 One-bedroom (55%)
- 90 Two-bedroom (27%)
- 30 Three-bedroom (9%).

The City is reviewing this breakdown and the proposed units sizes as they relate to providing an appropriate range of housing for families.

Archaeological Assessment

An archaeological resource assessment identifies and evaluates the presence of archaeological resources also known as archaeological sites. The site is located within the area that belonged to the historic village of Willowdale in the 1800s. As such, the applicant has submitted a Stage 1 Archaeological Resource Assessment as part of the complete application.

The submitted study concludes that "it is very likely that any pre-contact archaeological potential that may have been present on the study lands has been completely removed". The study then states that in the consultant's opinion a Stage 2 archaeological assessment is not recommended. City staff are reviewing the report and its conclusions.

Toronto Transit Commission

The subject site is located along Yonge Street between North York Centre and Finch subway stations. The application materials have been circulated to the Toronto Transit Commission for their review to determine, in part, if there are any negative impacts on the existing subway tunnel.

Community Services and Facilities

Community Services and Facilities (CS&F) are an essential part of vibrant, strong and complete communities. CS&F are the lands, buildings and structures used for the provision of programs and services provided or subsidized by the City or other public agencies, boards and commissions. They include recreation, libraries, childcare, schools, public health, human services, cultural services and employment services, etc. The timely provision of community services and facilities is as important to the livability of the City's neighbourhoods as "hard" services like sewer, water, roads and transit. The City's Official Plan establishes and recognizes that the provision of and investment in community services and facilities supports healthy, safe, liveable, and accessible communities. Providing for a full range of community services and facilities in areas experiencing major or incremental growth, is a responsibility shared by the City, public agencies and the development community.

Section 10.5 of the NYCSP requires an applicant to enter into an agreement under Section 37 of the *Planning Act* concerning the transfer of density described in Section 3.4 of the Secondary Plan and for the provision of matters qualifying for incentives as described in Section 3.3 of the Secondary Plan. As per Section 10.5 of the NYCSP, the policies of the Official Plan are not to be interpreted as encouraging site specific amendments to exceed the height and density limits of the prevailing NYCSP. The NYCSP contains density incentives for the provision of specific uses and facilities similar to Section 37 of the *Planning Act*. This would permit a density greater than would otherwise be permitted in accordance with Maps 8-6 and 8-7. These incentives, outlined in Policy 3.3, include things such as bicycle parking, pedestrian connections to a transit terminal and street related retail. However, this is capped at an increase of 33 percent over what is shown on Maps 8-6 and 8-7.

The applicant has submitted a Community Services and Facilities Study which concludes that "with the current constraints placed on childcare facilities and schools in the neighbourhood, the proposal will not place an undue burden on existing community services and facilities" as "the overutilization of schools and capacity issues at childcare centres are indicative of a city-wide problem". Further, the report states that the proposed building will "not place an undue burden on existing community services". Staff are reviewing the submitted report and its conclusions.

Lane Widening

To the rear of the site is an existing public laneway and Transportation Services have indicated the need for a widening as it is less than six metres wide. The applicant is showing the entire widening off of their lands, instead relying on the adjacent landowner to make up the shortfall. When rights-of-way are not the required width, half of the shortfall is to be made up by each of the landowners as the sites redevelop. As such, the applicant needs to provide half of the required widening.

Tree Preservation

The applicant has submitted a Tree Inventory and Preservation Plan Report which identifies five protected trees which need to be removed in order to facilitate the proposed development. The report has been circulated internally to Urban Forestry for review and comment.

Infrastructure/Servicing Capacity

A Functional Servicing and Stormwater Management report has been submitted by the applicant to determine the storm water runoff, sanitary flow and water supply demand resulting from this development and whether there is adequate capacity in the existing municipal infrastructure to accommodate the proposed development. In addition, determining the potential cumulative impact of all proposed applications in the area of similar scale and intensity should also be reviewed by staff.

A Transportation Impact Study was submitted by the applicant, the purpose of which is to evaluate the effects of a development on the transportation system, but also to

suggest any transportation improvements that are necessary to accommodate the travel demands and impacts generated by the development. The report identifies several TDM measures to reduce single-occupant vehicle trips and concludes that the amount of parking provided is sufficient given the site's location.

Section 37 Community Benefits

The Official Plan authorizes the City to apply Section 37 of the Planning Act to pass by-laws to allow for increases in height and/or density that are not otherwise permitted by the Zoning By-law in return for the provision, by the applicant, of community benefits in the form of capital facilities. It is standard to secure community benefits in a Section 37 Agreement which is then registered on title for projects that meet the development thresholds identified in the Official Plan.

This site is located within the North York Centre Secondary Plan which specifies a maximum increase in density of thirty-three percent above the permitted base density in exchange for the provision of facilities within the development or the North York Centre, or if facilities are not provided, the additional density may be purchased in accordance with the plan. The proposal is seeking to exceed the base density, and the additional density will be required to be provided via incentive uses/floor areas or through the purchase of the density in accordance with the NYCSP policies.

Further discussion with the Ward Councillor, City staff, residents and the applicant will be required to determine the extent and nature of the Section 37 community benefits that the applicant would be required to provide, should the proposal proceed to approval in some form.

Toronto Green Standard

Council has adopted the four-tier Toronto Green Standard (TGS). The TGS is a set of performance measures for green development. Applications for Zoning By-law Amendments, Draft Plans of Subdivision and Site Plan Control are required to meet and demonstrate compliance with Tier 1 of the Toronto Green Standard. Tiers 2, 3 and 4 are voluntary, higher levels of performance with financial incentives intended to advance the City's objectives for resilience and to achieve net-zero emissions by 2050 or sooner. Tier 1 performance measures are secured on site plan drawings and through a Site Plan Agreement or Registered Plan of Subdivision.

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

CONTACT

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SIGNATURE

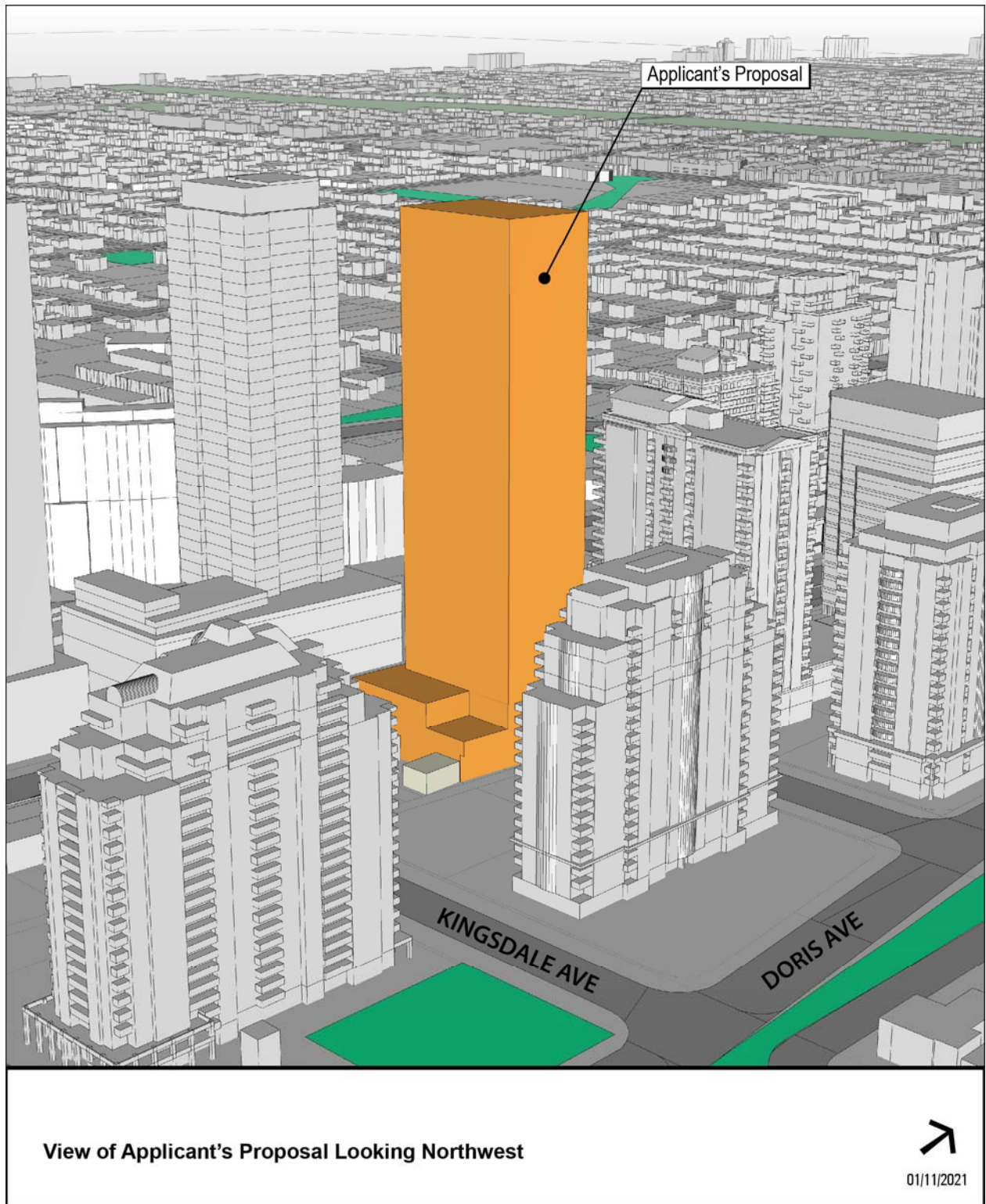
Al Rezoski, AICP
Acting Director
Community Planning, North York District

ATTACHMENTS

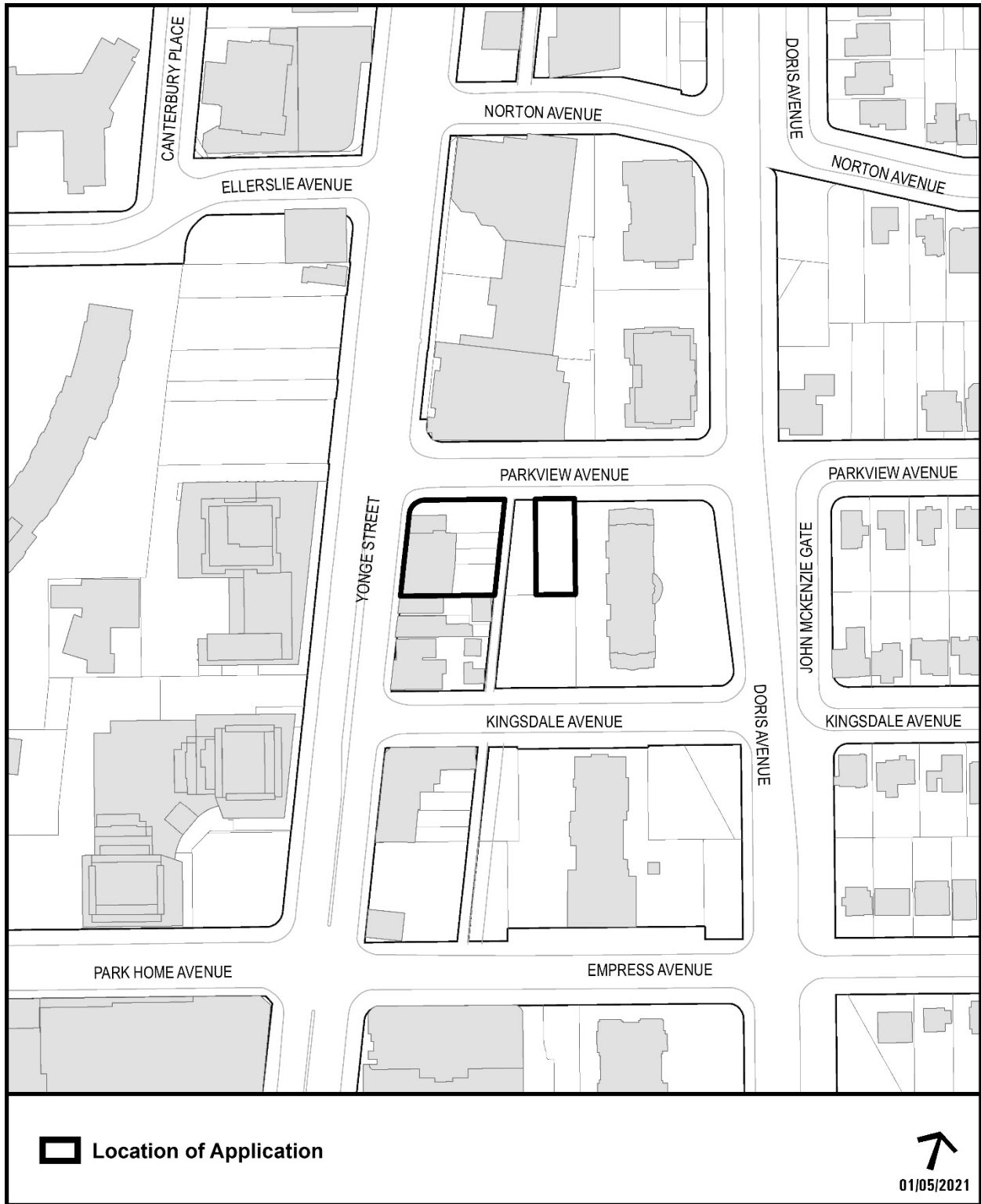
City of Toronto Drawings

- Attachment 1: 3D Model of Proposal in Context Looking Northwest
- Attachment 2: Location Map
- Attachment 3: Site Plan
- Attachment 4: Official Plan Map
- Attachment 5: North York Centre Secondary Plan

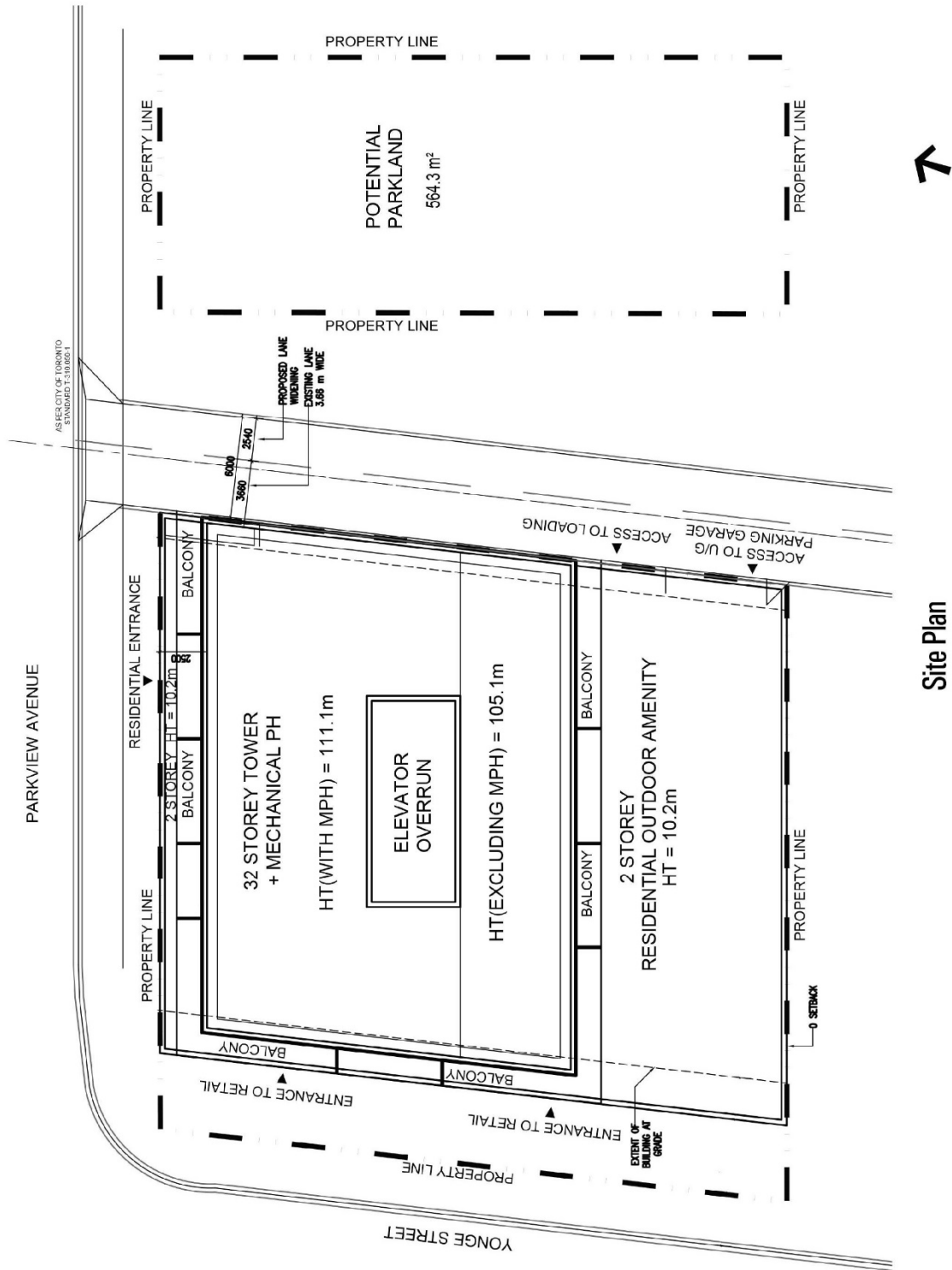
Attachment 1: 3D Model of Proposal in Context Looking Northwest



Attachment 2: Location Map



Attachment 3: Site Plan



Site Plan

Attachment 4: Official Plan Map



5203-5215 Yonge Street & 11 Parkview Avenue

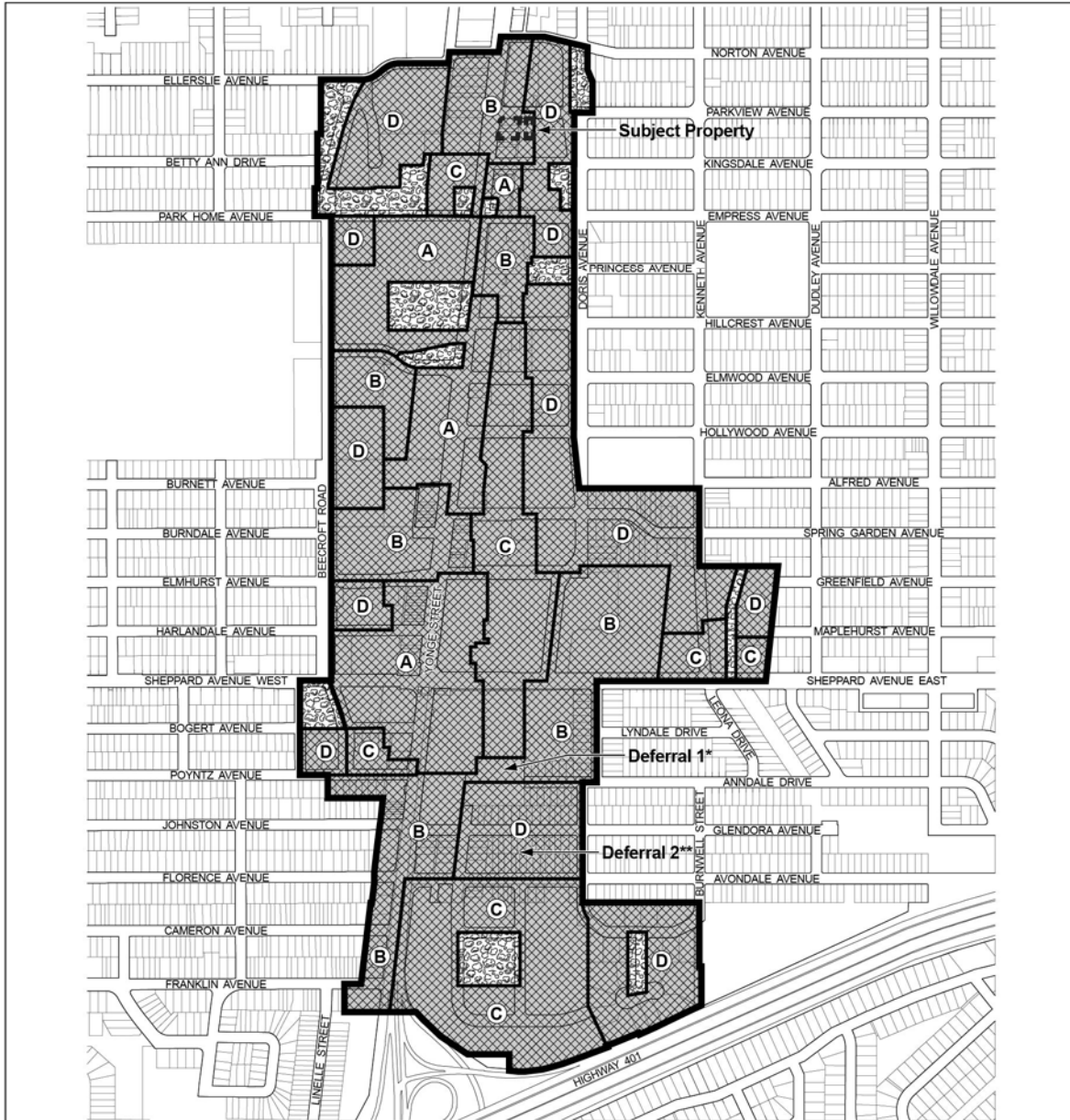
Official Plan Land Use Map #16

File # 20 227227 NNY 18 0Z

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

↑
Not to Scale
01/05/2021

Attachment 5: North York Centre Secondary Plan



North York Centre Secondary Plan

5203-5215 Yonge Street & 11 Parkview Avenue

MAP 8-3 NY Centre South Land Use Areas

File # 20 227227 NNY 18 0Z



Subject Property



Secondary Plan Boundary



Mixed Use Areas

Area A - 0% Residential Use

Area B - Maximum 50% Residential Use

Area C - Maximum 100% Residential Use

Area D - Maximum 100% Residential Use



Parks and Open Space Areas

*Deferral 1 No decision made by Ministry on lands identified as Deferral 1

**Deferral 2 Lands identified as Deferral 2 have not yet received approval from the OMB



Not to Scale
01/06/2021