

3180, 3182, 3184, 3186, 3188, 3190, 3192, 3194, 3196, 3198, 3200 and 3202 Yonge Street Zoning By-law Amendment and Rental Housing Demolition Applications – Request for Direction Report

Date: September 20, 2021

To: North York Community Council

From: Acting Director, Community Planning, North York District

Ward: 8 - Eglinton-Lawrence

Planning Application Number: 20 214204 NNY 08 OZ and 20 225871 NNY 08 RH

SUMMARY

On November 3, 2020, an application to amend Zoning By-laws 438-86 and 569-2013 was submitted to permit a 12-storey mixed-use building at 3180, 3182, 3184, 3186, 3188, 3190, 3192, 3194, 3196, 3198, 3200 and 3202 Yonge Street. The proposal included 109 residential units with an overall gross floor area of 12,554.3 square metres.

The applicant appealed their Zoning By-law Amendment application to the Ontario Land Tribunal (OLT) on June 4, 2021 citing Council's failure to make a decision on the application within the time frame prescribed under the *Planning Act*. A Case Management Conference has not yet been scheduled.

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). The proposal does not conform to the Official Plan, in particular the policies for *Avenues*, *Mixed Use Areas*, *Public Realm* and *Built Form*. Further, the proposed development does not meet the intent of the performance standards of the *Avenues & Mid-Rise Buildings Study* and Addendum.

This report reviews and recommends that City Council instruct the City Solicitor and appropriate City staff to attend the Ontario Land Tribunal (OLT) to oppose the application in its current form and to continue discussions with the applicant to resolve outstanding issues raised in this report.

RECOMMENDATIONS

The City Planning Division recommends that:

1. City Council direct the City Solicitor, together with appropriate staff, to attend the Ontario Land Tribunal (OLT) to oppose the Zoning By-law Amendment application (File No. 20 214204 NNY 08 OZ) in its current form for the lands at 3180, 3182, 3184, 3186, 3188, 3190, 3192, 3194, 3196, 3198, 3200 and 3202 Yonge Street.

2. In the event the Ontario Land Tribunal (OLT) allows the appeal in whole or in part, City Council authorize the City Solicitor to request the Ontario Land Tribunal (OLT) to withhold the issuance of any Order(s) on the Zoning By-law Amendment appeal for the subject lands until such time as the Ontario Land Tribunal (OLT) has been advised by the City Solicitor that:

a) The final form and content of the Zoning By-law Amendments are satisfactory to the Chief Planner and Executive Director, City Planning and the City Solicitor;

b) The Owner has addressed all outstanding issues raised by Engineering and Construction Services as they relate to the Zoning By-law Amendment application as set out in their memo dated July 5, 2021, or as may be updated, in response to further submissions filed by the owner, to the satisfaction of the Chief Engineer and Executive Director, Engineering and Construction Services;

c) The Owner has provided a revised Functional Servicing Report, Stormwater Management Report, Hydrogeological Report, Groundwater Report, Municipal Servicing Report and Grading Plan, and any other reports necessary in support of the development to the City to the satisfaction of the Chief Engineer and Executive Director, Engineering and Construction Services to ensure the municipal water, sanitary and storm sewer systems can support the proposed development and to identify any required upgrades or improvements to existing municipal infrastructure;

d) The Owner has entered into an agreement(s) with the City requiring the Owner, prior to the issuance of any above grade building permit, and at no cost to the City, to design, financially secure, construct and make operational, any upgrades or required improvements to the existing municipal infrastructure identified in the accepted Functional Servicing Report, Groundwater Report, Stormwater Management Report, and Hydrogeological Report to support the development, all to the satisfaction of the Chief Engineer and Executive Director, Engineering and Construction Services;

e) The Owner has submitted a tenant relocation and assistance plan, and if required, rental replacement plan, to the satisfaction of the Chief Planner and Executive Director, City Planning and the City Solicitor, and City Council, or the Chief Planner and Executive Director, City Planning where authorized to do so, has approved the Rental Housing Demolition Application, and the Owner has entered into, and registered on title to the lands, one or more agreements with the City, to the satisfaction of the Chief Planner and Executive Director, City Planning and the City Solicitor, securing all rental housing-related matters necessary to implement City Council's decision; and

f) Community benefits and other matters in support of the development have been secured in a Section 37 Agreement executed by the owner and registered on title to the satisfaction of the Chief Planner and Executive Director, City Planning and the City Solicitor, in consultation with the Ward Councillor.

3. City Council authorize the City Solicitor and appropriate City Staff to continue discussions with the applicant and resolve the issues outlined in this report.

4. City Council authorize the City Solicitor and City staff to take any necessary steps to implement City Council's decision.

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

The application for Zoning By-law Amendment was submitted on November 3, 2020 and deemed complete on January 5, 2021. A Preliminary Report was adopted by North York Community Council on March 1, 2021 authorizing staff to conduct a community consultation meeting with an expanded notification area. The decision of the North York Community Council can be found here:

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2021.NY22.9>

SITE AND SURROUNDING AREA

The subject site is a rectangular shaped parcel 1,927 square metres in size with a frontage of 64.0 metres on Yonge Street to the east and 30 metres along Woburn Avenue to the north. The site includes a private driveway along its west side which abuts Blessed Sacrament Catholic School property. The proposal spans the entire block between Woburn Avenue to Bedford Park Avenue with the exception of the bank located at the northwest corner of Yonge Street and Bedford Park Avenue at 3174 Yonge Street.

The lands contain 12 attached two-storey buildings. The ground floor of the buildings consist of a variety of retail, commercial and restaurant uses. The Housing Issues Report indicates that the upper floors consist of six residential units: four units with three bedrooms, one unit with two bedrooms and a den, and one unit with two bedrooms. In addition to the residential units, some of the buildings contain office and commercial uses on the second floor.

Surrounding uses include:

North: Along both sides of Yonge Street are 2- and 3-storey mixed use buildings typically with ground floor commercial uses and office or residential units above.

South: A branch of the TD Bank (3174 Yonge Street) is located immediately south of the site at the northwest corner of Yonge Street and Bedford Park Avenue along with a secondary access to the Lawrence subway station. Further south, along the west side of Yonge Street are mid-rise buildings including a 6-storey mixed use building at 3130 Yonge Street, and a 4-storey apartment building at 3110 Yonge Street.

East: Across Yonge Street, the buildings are predominantly 2- and 3-storey mixed use buildings. There is a 7-storey mixed use building located at the northeast corner of Wanless Avenue (3143-3151 Yonge Street/10-18 Wanless Avenue) and a Fire Station (3135 Yonge Street) and a trio of 4-storey apartment buildings (2, 5 and 3 Du Maurier Boulevard) are located to the south of Wanless Avenue.

West: To the west of the southern portion of the subject site is the Blessed Sacrament Catholic School (TCDSB) property. Along its east property line, on the school board lands, is a private driveway and school parking area. The 3-storey school is located to the west of the driveway/parking area. The school play area and playfield are located west of the academic building. Abutting the north portion of the subject site are low-rise residential dwellings consisting mostly of detached and semi-detached dwellings along with interspersed low-rise apartment buildings including the 3-storey walk-up apartment at 15 Bedford Park Avenue.

THE APPLICATION

Description

The applicant originally proposed to demolish the 12 attached two-storey buildings on site, which generally contained non-residential uses on the ground floor and 6 residential units and non-residential uses on the second floor, and redevelop the lands with a 12-storey (41.1 metre high) building containing 11,939.4 square metres of residential gross floor area and 614.9 square metres of commercial gross floor area. The residential component of the proposed building included 109 dwelling units with the following unit breakdown: 15 1-bedroom (14%), 82 2-bedroom (75%) and 12 3-bedroom (11.0%). The total gross floor area of the proposed development would be 12,554.3 square metres, which represents a floor space index (FSI) of 6.51 times the lot area.

On May 31, 2021, the applicant made a revised submission for the Zoning By-law Amendment application to propose a 12-storey (41.1 metre high) mixed use building comprised of 11,622.5 square metres of residential gross floor area and 613.3 square metres of at-grade commercial space. The residential component of the revised proposal would contain 109 dwelling units with the same unit breakdown as the original proposal. With a total gross floor area of 12,235.8 square metres, the floor space index of the revised proposal would be 6.35 times the lot area. The proposed ground floor height would be 4.5 metres.

An application for Site Plan Control Approval was also submitted on June 2, 2021.

The built form of the revised proposal consists of a streetwall ranging up to 12-storeys along Yonge Street, up to 9 storeys along Woburn Avenue and the northwest corner of the building, and ranging up to 12 storeys along the south end of the building. The 5 metre high mechanical penthouse and elevator overrun are not included in the building height provided above.

Table 1 provides a comparison between the original submission and the May 31, 2021 revised proposal:

Table 1 - Comparison between Original Proposal and Revised Proposal

| | November 3, 2020 Submission | May 31, 2021 Submission |
|---|--|--|
| Building Setbacks from Property Lines (at grade) | North (Woburn Avenue) - 0 metre South - 0 metre East - (Yonge Street) - 0 metre West - 7.5 metres up to 3rd level at which point the building encroaches into the 7.5 metre setback an unspecified amount | North (Woburn Avenue) - 0 metre South - 0 metre East (Yonge Street) - 0 metre West - 7.5 metres up to 3rd level at which point the building encroaches into the 7.5 metre setback an unspecified amount |
| Building Stepbacks along Yonge Street | 1.2 metres (floors 6 - 8 inclusive) 2.013 metres (floors 9 - 12 inclusive) | 1.5 metres (floors 6 - 8 inclusive) 1.713 metres (floors 9 - 12 inclusive) |
| Building Stepbacks along Woburn Avenue | 1.0 metre (floors 5 - 8 inclusive) 3.633 metres (floor 9) 16.496 metres (floor 10) 4.519 metres (floor 11) 4.532 metres (floor 12) | 1.5 metres (floors 6 - 8 inclusive) 3.133 metres (floor 9) 16.495 metres (floor 10) 4.519 metres (floor 11) 4.532 metres (floor 12) |
| Building Stepbacks along west property line | 0 metre (floors 3- 12 inclusive) at the south end of the building Note: a portion of the north end of the building steps back above the 6th floor (1.982 metres) and above the 7th floor (3.217 metres) | 1.5 metres (floors 9 - 12 inclusive) at south end of building 1.982 metres (floor 6) at the north end of the building 3.217 metres (floors 7 - 12 inclusive) at the north end of the building |

| | November 3, 2020 Submission | May 31, 2021 Submission |
|---|---|---|
| Building Stepbacks along south property line | No stepbacks - blank wall at property line | 1.5 metres (floors 9 - 12 inclusive) |

The building proposes a 7.5 metre building setback at grade from the west property line, above the 2nd floor, however the building encroaches into this 7.5 metre setback area and overhangs the shared driveway below with a number of balconies along the west elevation of the building. Balconies are also proposed to encroach into stepbacks along both the east and west sides of the building.

The proposal includes two levels of underground parking with 91 vehicular parking spaces (78 resident, 12 residential and commercial visitor, and 1 intended for car share). Four of the parking spaces are proposed to be accessible. Parking in the underground garage would be accessed from a 6 metre wide driveway located along the west of the site, which connects to Woburn Avenue in the north, and Bedford Park Avenue in the south. Loading and servicing, located in the southwest corner of the building, would also be accessed via the driveway, where one Type-G loading space is proposed. A total of 83 bicycle parking spaces are proposed, of which 75 are long term spaces and 8 are short term spaces.

Amenity space is proposed on the 10th floor, consisting of 207 square metres of indoor amenity adjacent 232 square metres of outdoor amenity on the roof. A 23 square metre lounge area is located adjacent the entrance lobby on the ground floor.

Detailed project information, including all plans and reports submitted as part of the application can be found on the City's Application Information Centre at:

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

See Attachments 1-7 of this report, for a location map, Application Data Sheet, a site plan of the proposal and elevations. The Application Data Sheet contains additional details on the proposal including: site area and dimensions, floor area, unit breakdowns, and parking counts.

Reasons for Application

The proposal requires an amendment to Zoning By-laws 438-86 and 569-2013 to vary performance standards, including: maximum permitted building height, maximum permitted floor space index, minimum building setbacks, and a reduction or elimination of required angular planes, among others.

An associated application for Rental Housing Demolition seeks approval to demolish 6 dwelling units located on the second floor of the existing buildings. The applicant has

submitted an application for a Section 111 permit pursuant to Chapter 667 of the City of Toronto Municipal Code for the demolition of the existing rental housing units, as the subject lands contain six or more residential units, of which at least one is rental.

Site Plan Control

The application is subject to Site Plan Control Approval. A Site Plan Control application (21 162972 NNY 08 SA) was submitted on June 2, 2021.

POLICY CONSIDERATIONS

The site is located along an identified *Avenue* in the Official Plan, on Yonge Street, which has a planned right-of-way of 27 metres. The site is designated *Mixed Use Areas* by Land Use Map 17 in the Official Plan, as are the parcels located along Yonge Street to the north and south of the site, as well as immediately to the east (across Yonge Street). Low-rise houses, and a school are located to the west of the site and are designated *Neighbourhoods*.

The site is zoned Commercial Residential (CR) Zone by Zoning By-law 569-2013 and Mixed Use Commercial Residential (MCR) Zone by former City of Toronto Zoning By-law 438-86. Both zones permit a mix of commercial and residential uses, including office and retail uses, dwelling units within an apartment building and mixed use buildings, with a maximum height of 16 metres and a permitted floor space index of 3.0 times the lot area. Both zoning by-laws set out 45 degree angular plane requirements for both the front and back property lines.

Additional information on applicable policy documents can be found in Attachment 8.

COMMUNITY CONSULTATION

City staff hosted a Community Consultation Meeting on May 3, 2021. Members of the public and the Office of the Ward Councillor and abutting Ward Councillor participated. Community members made the following comments on the proposed development prior to and after a presentation by the applicant:

- Proposed building is too tall and out of scale with existing context;
- Insufficient transition to surrounding low- and mid-rise buildings;
- Insufficient green space, on-site and in the neighbourhood to accommodate new residents in a building of this scale;
- Increased traffic on Woburn Avenue specifically and in the area generally;
- The loss of existing affordable housing on site to be replaced with expensive apartment units;
- The loss of the existing retail stores that give character to the neighbourhood; and
- A general lack of community services and facilities in the neighbourhood to serve additional new residents.

COMMENTS

Planning Act

The review of this application and this report's recommendations have had regard for the relevant matters of provincial interest set out under Section 2 of the Planning Act.

Provincial Policy Statement (PPS)(2020)

Planning Staff have reviewed the current proposal against the policies of the PPS, as described in the Policy Considerations Section in this report and find the proposal is consistent with some, but not all of the policies of the PPS. For example, Policy 1.1.3.3. requires that planning authorities identify appropriate locations for intensification and redevelopment where it can be accommodated taking into consideration existing building stock or areas. The City of Toronto Official Plan has responded by establishing areas for intensification and includes policies to encourage intensification, provided that this can occur in the context of other applicable policies. Importantly, the City of Toronto Official Plan and supporting documents such as the Avenues and Mid-Rise Buildings Study recognizes that context is important. The height and scale of the proposed development is not appropriate for the area context and not consistent with Policy 1.1.3.3 of the PPS.

Growth Plan (2020)

Planning Staff have reviewed the current proposal against the policies of the Growth Plan, as described in the Policy Considerations Section in this report and find the proposal conforms with some but not all of the policies of the Growth Plan. For example, Policy 2.2.1 of the Growth Plan suggests that applying the policies of the Plan will support the achievement of complete communities that, among other things, e) ensures the development of high quality compact built form and a vibrant public realm. The lack of adherence to the Council-endorsed Mid-Rise Guidelines on the proposed development creates a situation where shadows will be cast on abutting public streets and neighbouring properties for longer time periods than acceptable based on Official Plan policies and anticipated in the Guidelines.

Land Use

The site is designated *Mixed Use Areas* in the City of Toronto Official Plan.

The proposed land use is a mixed-use building with retail at grade and residential units above, which conforms with the Official Plan designation of *Mixed Use Areas* for the site, and are permitted uses in the CR zone of Zoning By-law 569-2013 and the MCR zone of By-law 438-86.

The existing commercial space is 2,400 square metres whereas 613 square metres is proposed. Planning staff encourage an increase in the commercial floor area which could be enhanced by a direct entrance to the Lawrence subway station.

Built Form, Height and Massing

Planning staff have reviewed the proposed built form, including height, massing and transition, against the policies of the Official Plan and relevant design guidelines.

The Official Plan states new development will be located and massed to fit within the existing and planned context, define and frame the edges of the public realm with good street proportion, fit with the existing character and ensure access to direct sunlight and daylight on the public realm by providing streetwall heights and setbacks that fit harmoniously with the existing and/or planned context and stepping back building mass and reducing building foot prints above the streetwall height. New development should transition to development on abutting properties using a variety of measures including angular planes, the use of setbacks and step-backs of building mass, and separation distances.

The site is designated *Mixed Use Areas* with an *Avenues* overlay in the Official Plan. As such, this site is appropriate for a mid-rise building and should be subject to the *Avenues* and Mid-Rise Building Study performance standards intended to guide the design of mid-rise buildings in a manner appropriate to the *Avenue*. Mid-rise building heights are contextual and are informed by the width of the right-of-way onto which they front. Yonge Street, being an *Avenue* right-of-way, has an anticipated right of way of 27 metres and Woburn Avenue, being a local street, has an anticipated right of way of 20 metres. Mid-rise buildings on corner sites with different right-of-way widths will have building heights along each street edge that relate to their corresponding right-of-way width. The ability to realize the maximum height of a building would be tempered with adherence to angular planes from the street frontages of the site and rear (west property boundary) of the site.

The proposed development height of 12 storeys and 41.1 metres reflects a tall building and is in excess of the 27 metre anticipated right-of-way of Yonge Street and of the buildings which typify the immediate area, most of which are in the range of 3 to 6 storeys. The *Avenues* and Mid-Rise Building Study recognizes that building height is only one aspect of regulating building form. Other performance standards outline additional methods to shape and design mid-rise buildings including setbacks, stepbacks, and adherence to angular planes from specific lot lines.

The subject site has a depth of approximately 30 metres from Yonge Street and the lot therefore is considered a shallow lot. The Mid-Rise Guidelines contain provisions for shallow lots to transition to lower-scale *Neighbourhoods* and *Parks and Open Space Areas*. The requirement is for a minimum building setback of 7.5 metres from the rear property line and a 45 degree angular plane taken from a height of 10.5 metres above the 7.5 metre building setback. The proposed development does not meet the intent of this performance standard in that the building encroaches into the minimum building setback with residential units from the second floor to the fifth floor. The building also penetrates the rear angular plane from the fourth floor up to the top of the building.

The success of the *Avenues* is contingent on the ability to create great main streets with comfortable, attractive public spaces, especially sidewalks. The Mid-Rise Guidelines outline a performance standard that results in a building envelop that allows for 5-hours of sunlight access on the opposite sidewalk as well as ensuring that the street wall height is in proportion with the abutting right-of-way. An angular plane will be taken from a height equivalent to 80% of the right-of-way width and subsequent storeys must fit within a 45-degree angular plane from this point. The upper storeys of buildings will need to be massed to provide sunlight on the opposite sidewalk, and buildings built to

the front lot property line and to the maximum allowable height will need to step-back to fit within the angular plane set out in the Guidelines. The proposed development does not conform to the Mid-Rise Guidelines, particularly with regard to Performance Standard 4B related to Pedestrian Perception Step-backs along both Yonge Street and Woburn Avenue. Floors 8 to 12 penetrate this Yonge Street angular plane.

New development on this site must fit into the context of the existing neighbourhood and provide for appropriate building setbacks and transition to neighbouring properties. A residential development with a height and massing that is a mid-rise form more in keeping with the neighbourhood would satisfy the Official Plan goal of encouraging intensification to take advantage of existing infrastructure and services and would ensure compatibility with the existing neighbour context.

The proposed building is longer than 60 metres; therefore building articulation is required.

A continuous canopy with a minimum of depth of 3 metres is required along the Yonge Street and Woburn Street frontages given the proximity of the proposed building to the Lawrence subway station.

Given the existing and the planned context for the subject property and the surrounding area, the height and massing of the proposed development is not appropriate and cannot be supported by staff. The proposed development has not addressed the mid-rise guidelines in a number of ways resulting in a building that does not fit into the existing or planned context of the neighbourhood nor transition appropriately to neighbouring properties. The proposal in its current form does not conform with the policies of the Official Plan as it relates to fit within the existing and planned context nor does the proposed development meet the intent of the Avenues and Mid-Rise Building Study.

Sun, Shadow and Wind

This application has been reviewed against the Official Plan policies and design guidelines described in the Policy Consideration Section of the Report. The Official Plan states that development will be located and massed to fit within the existing and planned context, define and frame the edges of the public realm with good street proportion, fit with the character, and ensure access to direct sunlight and daylight on the public realm by providing streetwall heights and setbacks that fit harmoniously with the existing and/or planned context and stepping back building mass and reducing building footprints above the streetwall height.

The applicant has provided a shadow study illustrating the shadow impacts during the fall and spring equinoxes for their original submission but the building massing remains similar to the original submission for the purposes of the shadow study. Planning staff has reviewed the shadow study and find that the shadow impacts resulting from the proposal are not acceptable. Combined with the built form issues noted above, the proposed building has not been designed to sufficiently minimize shadow impacts on nearby/adjacent streets (Yonge Street and Woburn Avenue). Woburn Avenue is in shadow until approximately 2pm when the shadow moves into the Woburn

Avenue/Yonge street intersection. From approximately 3 pm onward, the eastern Yonge Street sidewalk is then in shadow for the rest of the day. In order to reduce the overall shadow impact on the surrounding areas, the proponent should reduce the proposed building height and reconfigure the building mass to provide appropriate setbacks, stepbacks and adhere to angular planes as set out in the Mid-Rise Guidelines.

The applicant has also submitted a Pedestrian Level Wind Study in support of the application. The Official Plan states that development should frame and support adjacent streets to improve the pedestrian experience by providing comfortable wind conditions and air circulation at the street and to preserve the utility and intended use of the public realm, including sitting and standing. The proposed building will be incorporated into an urban fabric which is a suburban mix of buildings supporting low-rise residential and commercial buildings, with associated open areas typically comprised of parks and parking. The surroundings present a mix of terrain to approaching winds, limiting the wind's opportunity to accelerate upon approach from most prevailing directions. As a result, the study finds that the wind conditions on and around the proposed development are generally acceptable. Locations with slightly higher wind level, including at or near the building's corners and/or in gaps between buildings will need to be further evaluated and mitigated through design measures.

Public Realm/Streetscape

In accordance with current City standards, and the Accessibility for Ontarians with Disabilities Act (AODA), new 2.1 metre wide concrete public sidewalks are required along the development site frontages. These sidewalk widths must be clear and not include obstructions such as street curb, street furniture and landscaped areas and must transition the new sidewalk to existing abutting sidewalks with a 5:1 taper within the site frontages. New tactile walking surface indicators (TWSI) must also be provided at the southwest corner of Yonge Street and Woburn Avenue.

A curb bump-out and road narrowing at the Yonge Street and Woburn Avenue intersection in accordance with the City's Lane Width and Curb Radii Guidelines must be provided. This space can be reclaimed for the boulevard and provide a safer pedestrian crossing in accordance with the City's Vision Zero initiatives. The bump-out area can also provide additional space for landscaping and other amenities such as seating.

A minimum setback distance of 6 metres from the proposed building to the Yonge Street and Woburn Avenue curbs is required for a proper clearway and landscaped area. The applicant is proposing 5.4 metres and 5.5 metres to the Yonge Street curb and Woburn Avenue curb.

It is not clear whether a pedestrian drop-off area has been provided on the site. It is recommended that a pedestrian drop off area be provided in a side or rear yard and not between the building and a street.

Toronto Transit Commission (TTC) Lawrence subway station

The property abuts the north end of the Lawrence subway station. There is an opportunity to directly connect the building into the station via the non-fare pay corridor area. This has been completed for other buildings in the area, such as 3018 Yonge Street and other similarly scaled buildings along the Yonge University subway line such as 18 Dundonald Street building which contains 120 apartments and has direct access into the Wellesley subway station. Staff will continue to work with the applicant and TTC staff to explore opportunities for a subway station entrance/exit to be incorporated into the building.

The site is located in the 60 metre Development Review Zone of TTC's Line 1 (Yonge University Subway). The TTC has provided technical comments on the application to City Planning, given the proximity of not only the station entrance but also the tunnel in relation to the subject site. The TTC has requested that the applicant provide additional information on their site plan, below grade plans and their building sections to illustrate the distance between the development and the TTC infrastructure, including the tunnel, station, vent shafts, and bus loops, as applicable. A minimum of 3 metres clearance is required between the proposed development and all existing TTC infrastructure.

Tree Preservation

The applicant has submitted an Arborist Report and Tree Preservation Plan which identifies zero trees on site, and 2 municipally owned trees to be protected. The applicant's landscape plans indicate that 3 new street trees (to be municipally owned) will be planted, and 4 trees will be planted along Woburn Avenue on the subject lands. The trees along Yonge Street are planted close to the curb but along Woburn Avenue the trees are proposed close to the building and the sidewalk is located closer to the road than along Yonge Street. Trees can serve to buffer pedestrians from vehicles. It is also important to provide trees with sufficient above and below ground soil volume conditions to ensure that they can grow to maturity and support the public realm. It would be preferable that the street tree planting scheme be consistent between Yonge Street and Woburn Avenue in term of design approach and that the street trees proposed along Woburn Avenue be planted along the curb side of the public sidewalk rather than closer to the building.

Parkland

The Official Plan contains policies to ensure that Toronto's systems of parks and open spaces are maintained, enhanced and expanded. Map 8B of the City of Toronto Official Plan shows local parkland provisions across the City. The lands which are the subject of this application are in an area with 0.0 to 0.42 hectare of local parkland per 1,000 people. The site is in the lowest quintile of current provision of parkland and considered within a parkland priority area, as per Chapter 415, Article III, of the Toronto Municipal Code. The proposed development site is approximately a 230 metre walk away from Woburn Avenue Playground, a 3,705 square metre park which contains a wading pool, playground and horticultural display.

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

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

Given the current rise in dog-owning population, the applicant should provide on-site dog amenities with proper disposal facilities such as dog relief stations within the building to accommodate future residents' needs. This will also help alleviate pressure on existing parks.

Road Widening

In order to satisfy the Official Plan requirement of a 27.0 metre right-of-way for this segment of Yonge Street a 0.4 metre road widening dedication along the Yonge Street frontage of the subject site is required to be conveyed to the City.

Additionally, the applicant has been advised that a 6.0 metre corner rounding at the northeast corner of the site adjacent to the intersection of Yonge Street and Woburn Avenue, is a required conveyance to the City. The concept plan submitted with the Zoning By-law Amendment application identifies a 3.0 metre corner rounding at Yonge Street and Woburn Avenue, which is not satisfactory. An easement has also been proposed for this corner rounding, rather than an outright conveyance, and the plans illustrate that the building's underground parking structure encroaches into the corner rounding, which is also not acceptable. The corner rounding must be unencumbered.

Should the Zoning By-law Amendment appeal be successful, these requirements for road widening land conveyance will be incorporated into conditions of site plan approval.

Traffic Impact

The applicant submitted a Transportation Impact Study ("TIS") Report in support of the application dated October 20, 2020 to assess the impacts of site traffic on the adjacent road system given projected future traffic conditions. The report estimates that the proposed mixed-use development will generate approximately 20 total (5 in and 15 out) new two-way vehicle trips during the weekday morning peak hour period and 20 total (10 in and 10 out) new vehicle two-way trips during the afternoon peak hour period.

Given the above-noted site traffic estimates, the report concludes that traffic generated by the proposed development can be accommodated by the adjacent street system. Transportation Services agrees with this conclusion.

Driveway Access and Site Circulation

Vehicular access to the site is proposed to be provided via a shared 6 metre wide driveway which is located along the west boundary of the site and can be accessed from both Woburn Avenue to the north and Bedford Park Avenue to the south. A mutual access easement for ingress and egress will be required and documents provided including a Draft Reference Plan. Additional comments related to design standards, site access arrangement, site circulation and layout and the design of the proposed site entrance driveways will be provided through the site plan review process.

Parking, Loading and Servicing

Zoning By-law 569-2013 parking requirements for Policy Area 3 (PA 3) requires a total of 111 parking spaces (95 residential spaces and 16 visitor spaces) for the proposed development. The applicant proposes to provide a total of 91 parking spaces, including 74 resident parking spaces, 16 resident visitor/retail parking spaces and 1 car share space within the two-level underground parking garage, which will be accessed via an underground parking ramp off the private driveway on the west edge of the development. As the applicant is proposing less parking than would be required using the PA 3 requirements, Transportation Services has requested that the applicant provide at least 3 proxy sites for similar developments that are within the context area and have lower parking rates with number and type of units identified to determine the functional parking demand for this site. While some proxy sites have been provided, they are not within the context area.

The applicant is also advised that they must provide Multi-Modal Analysis and Transportation Demand (TDM) strategies that are acceptable to the Transportation Planning Section of the City Planning Division. A direct connection into the Lawrence subway station would assist in minimizing vehicular use. In the absence of satisfactory proxy sites and Multi-Modal Analysis and TDM strategies, the parking requirements for PA 3 areas will apply to this site.

The applicant has proposed a single car-share parking spot within the underground parking garage. In terms of numbers, a single car share space is acceptable but the acceptance of a car-share parking space as a means to reduce the resident parking space requirements of the project will be subject to the submission of acceptable documentation detailing whether a car-share provider has been secured for the proposed car-share parking space, and what arrangements, if any, have been made. This item can be secured at the site plan approval or draft condominium stage.

Zoning By-law 579-2017 requires 5 accessible spaces plus 1 space for every 50 parking spaces in excess of 100 parking spaces to be identified as accessible spaces. The development site requires a total of 5 accessible parking spaces whereas there are currently only 4 proposed accessible parking spaces illustrated on the concept plan.

As per Zoning By-law 569-2013, a minimum of one Type "G" loading space for the residential component and one Type "B" loading space for the retail component is required for the proposed development. The applicant has proposed one Type "G" loading space to be shared amongst the residential and retail uses, which is not acceptable, given the scale of the retail component. Separate loading facilities must be provided for the residential and retail uses. A residential building must have dedicated loading facilities for moving, delivery and garbage truck circulation.

The applicant has proposed that the solid waste management for the residential component will be provided by the city of Toronto in accordance with the City of Toronto Requirements for *Garbage, Recycling and Organics Collection Services for new Developments and Re-Developments* and Chapter 844, Solid Waste of the Municipal Code. The non-residential component of this development is not eligible for City of

Toronto pickup and all garbage and recyclables must be collected privately. Proper loading/storage facilities located on private property are required and must meet all applicable by-laws and legislation including Chapter 841 of the Municipal Code.

Bicycle Parking

The applicant proposes 83 bicycle parking spaces on site for both the residential use and non-residential use. Eight of those spaces would be short term residential visitor spaces and 75 of the spaces would be long term residential bicycle parking spaces. The long term bicycle parking spaces would be provided within a ground floor level secure room in the southwest corner of the building. The short term residential bicycle parking spaces would be tucked in an exterior alcove along the west side of the building accessible from the shared driveway along the west property boundary. City Planning requires these short term spaces to be located in a highly visible area that is more proximate to a main entrance. Bicycle parking locations would be secured as part of the site plan approval process.

Servicing and Stormwater Management

The applicant has submitted a Functional Servicing and Stormwater Report in support of the application. Engineering and Construction Services staff have reviewed the submitted materials and require revisions to the Functional Servicing and Stormwater Management Report as outlined in the memorandum from Engineering and Construction Services dated July 5, 2021. The applicant must also provide a revised Hydrological Review Summary Form and Servicing Report Groundwater Summary to be reviewed and accepted.

In the event that the OLT allows the Zoning By-law Amendment application appeal in whole or in part, the final Order should be withheld pending the confirmation the Functional Servicing and Stormwater Management Report has been revised to the satisfaction of the Chief Engineer and Executive Director, Engineering and Construction Services and it is demonstrated that the municipal water, sanitary and storm sewer systems can support the proposed development and whether upgrades or improvements of the existing municipal infrastructure are required.

Rental Housing Demolition and Conversion By-law

Section 111 of the City of Toronto Act, 2006 authorizes Council to regulate the demolition and conversion of residential rental properties in the City. Chapter 667 of the City's Municipal Code, the Rental Housing Demolition and Conversion By-law, implements Section 111. The By-law prohibits the demolition or conversion of rental housing units in buildings containing six or more residential units, of which at least one unit is rental, without obtaining a permit from the City and requires a decision by either City Council or the Chief Planner.

Council may refuse an application, or approve the demolition with conditions that must be satisfied before a demolition permit is issued. These conditions implement the City's Official Plan policies protecting rental housing. Council approval of demolition under Section 33 of the Planning Act may also be required where six or more residential units

are proposed for demolition before the Chief Building Official can issue a permit for demolition under the Building Code Act.

Where an application for rezoning triggers an application under Chapter 667 for rental demolition or conversion, City Council typically considers both applications at the same time. Unlike Planning Act applications, decisions made by City Council under By-law 885-2007 are not appealable to the Ontario Land Tribunal.

On December 8, 2020, a Rental Housing Demolition application was filed to permit the demolition of rental dwelling units on the site

Rental Housing

The Housing Issues Report submitted with the Rental Housing Demolition application indicates that the site contains six dwelling units, of which five are rental tenure and one is owner-occupied. At this time, it is unclear if one of the units is owner occupied and further supporting documentation has been requested from the applicant, including an affidavit from the previous owner to confirm that the unit is owner-occupied and not used for rental housing.

Should the site contain six or more rental dwelling units, a City Council decision would be required on the Rental Housing Demolition application and Official Plan Policy 3.2.1.6 would apply to the proposed development. Under Policy 3.2.1.6 the applicant would be required to replace all six existing rental dwelling units with units of similar size, type, and rents to those at the time the redevelopment application was made. A Tenant Relocation and Assistance Plan would also be required.

The current application does not propose replacement of the rental dwelling units. If less than six rental dwellings units are deemed to exist on site, replacement of the rental units would not be required and a decision on the Rental Housing Demolition application would be delegated to the Chief Planner per Chapter 667-12 of the Toronto Municipal Code. The applicant would be required to provide affected tenants with compensation and notice above and beyond requirements under the Residential Tenancies Act.

A meeting with affected tenants to discuss tenant rights and assistance will be held after the other planning matters are resolved.

In the event that the OLT allows the appeal in whole or in part, it is recommended that City Council direct the City Solicitor to request the OLT withhold its final Order until the owner has submitted a tenant relocation and assistance plan, and if required, rental replacement plan, to the satisfaction of the Chief Planner and Executive Director, City Planning and the City Solicitor and until City Council, or the Chief Planner and Executive Director, City Planning where authorized to do so, has approved the Rental Housing Demolition Application, and until the owner has entered into and registered on title one or more agreements with the City securing the rental matters.

Family Sized Units

The Planning for Children in New Vertical Communities (Growing Up Guidelines) are to be used to evaluate development applications that propose multi-residential mid-rise and tall buildings that include 20 units or more. This application proposes 109 dwelling units so the guidelines are applicable. The guidelines require that such a building include a minimum of 25% large units comprising a minimum of 10% 3-bedroom units and a minimum of 15% 2-bedroom units. The applicant is proposing that 12 of the units (11%) will be 3-bedroom units and 82 of the units (75%) will be 2-bedroom units. In other words, the applicant is proposing that 86% of the 109 dwelling units be large units which meets the Growing Up Guidelines criteria.

The Guidelines also prescribe a size range for the 2- and 3-bedroom units. Two bedroom units should be between 87 and 90 square metres and a 3-bedroom unit should be between 100 and 106 square metres. The applicant is proposing 2 bedroom units that are within the range of 76.5 square metres and 110.7 square metres while the 3 bedroom units fall into the range of 90.4 square metres up to 177.0 square metres. The majority of 2- and 3-bedroom units fall into the size range specified in the Guidelines.

The proposed units mix meets the policy direction of the Official Plan to provide a full range of housing and meets the unit mix and unit size objectives of the Growing up Guidelines.

Indoor/Outdoor Amenity Areas

Zoning By-law 438-86 requires a minimum of 2.0 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 application proposes a total of 206.6 square metres of indoor amenity area on the ground floor and 10th floor and 232.1 square metres of outdoor amenity area on the 10th floor for a total of 438.6 square metres, which generally meets the intent of the zoning by-law requirements.

Public Art

The proposed development is of a size and scale to warrant participation in the Percent for Public Art Program, particularly given the site's prominent location on Yonge Street. It is likely there are opportunities for either independent sculptures and/or integrated architecture or landscape features at the intersection of Yonge Street and Woburn Avenue. Should the Zoning By-law Amendment appeal be successful, staff will continue discussions with the applicant in this regard.

Toronto Green Standard

Council has adopted the four-tier Toronto Green Standard (TGS). The TGS is a set of performance measures for green development. The applicant is required to meet Tier 1 of the TGS. The applicant is encouraged to achieve Tier 2 or higher to advance the City's objectives for resilience and to achieve net-zero emissions by 2050 or sooner.

Performance measures for the Tier 1 development features will be secured through the site-specific zoning by-law and other will be secured through the Site Plan Control application.

Consistent with the Official Plan and Council's goal of achieving new zero emissions by 2050 or sooner, staff encourage the applicant to pursue a stronger focus on environmental sustainability in this application, including targeting performance measures that meet higher tiers of the TGS Version 3.

The TGS statistics template indicates that at this stage the applicant is designing the site to achieve the soil volume requirements of the TGS V3. To facilitate the review, required soil volumes should be identified as part of the rezoning application for both on-site trees and street trees. Should the soil volumes not be able to be achieved, the applicant must identify options to meet the TGS requirements that may include revisions to the building footprint or the relocation of underground infrastructure that may impede achieving soil volume minimum requirements for tree planting. It should be noted that as the application is relying on street trees to achieve much of the soil volume required, it is recommended that the applicant confirm during the zoning by-law amendment process that there are not utility conflicts that may prevent planting the proposed trees.

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 "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.

A Community Services and Facilities Study (October 2020) was submitted as part of the application for an area bounded by the York Mills Road to the north, Lawrence Avenue to the south, Bayview Avenue to the east, and Avenue Road to the west. The Study provides a demographic profile of the Lawrence Park North Neighbourhood of the City, an inventory and analysis of community services and facilities and an overview of nearby development activity in the Study Area.

Although no growth projections are provided for the proposed project, the Study concludes that the provision of community services and facilities is sufficient to support future residents. It makes no reference to how the proposed development may contribute to the provision of community service facilities to support growth.

Strategic Initiatives, Policy & Analysis staff have reviewed the submitted Community Services and Facilities Study and determined that the following priorities may be considered in the resolution of the subject application, which is now before the Ontario Land Tribunal:

- Securing financial contributions toward recreation priorities for the area as identified in Parks, Forestry and Recreation's Facilities Master Plan,
- Securing financial contributions towards local library improvements as may be identified by Toronto Public Library; and/or
- Securing financial contributions towards the future provision of a new non-profit child care facility in the vicinity of the subject site.

Section 37

The Official Plan contains policies pertaining to the provision of community benefits in exchange for increases in height and/or density pursuant to Section 37 of the Planning Act. The development's height and density are a significant increase over the applicable zoning for the site. The proposed development exceeds the height and density limits of the existing Zoning By-law, and as such the development is subject to delivery of Section 37 benefits.

Staff have not discussed community benefits with the applicant. Should this proposal be approved in some form by the OLT, City Planning recommend that City Council request that the OLT's order be withheld until an appropriate community benefits agreement has been secured with the applicant in consultation with the Ward Councillor.

Conclusion

The proposal has been reviewed against the policies of the PPS (2020), the Growth Plan (2020), the Toronto Official Plan, including the applicable City guidelines intended to implement Official Plan policies. 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). The current proposal does not conform with the Toronto Official Plan, particularly as it relates to Public Realm, Built Form and *Mixed Use Areas* policies and development criteria. The proposal does not meet the intent of the Avenues & Mid-Rise Buildings Study and Addendum.

This report recommends that City Council direct the City Solicitor, with appropriate staff, to attend the OLT to oppose the application in its current form and to continue discussions with the applicant in an attempt to resolve outstanding issues.

City Planning continues to receive additional information regarding this application as of the result of ongoing review by City commenting divisions of materials submitted in support of the proposal and through deputation made by members of the public to Community Council. In addition, Planning staff may be required to evaluate supplementary or revised plans and supporting materials submitted by the applicant after the date of this report. As a result, in addition to the issues specifically addressed above, planning staff may continue to identify further issues or supplement the reasons

provided in this report. Where substantive changes to the proposal are made by the applicant, Planning staff may report back to City Council as necessary.

CONTACT

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SIGNATURE

John Andreevski, Acting Director
Community Planning, North York District

ATTACHMENTS

Attachment 1: Location Map
Attachment 2: Application Data Sheet
Attachment 3: Site Plan
Attachment 4: East Elevation (Yonge Street)
Attachment 5: North Elevation (Woburn Avenue)
Attachment 6: West Elevation
Attachment 7: South Elevation
Attachment 8: Policy Considerations
Attachment 9: Official Plan Land Use Map
Attachment 10: Existing Zoning By-law Map (Zoning By-law 569-2013)

Attachment 1: Location Map



Attachment 2: Application Data Sheet

Municipal Address: 3180-3182 YONGE ST Date Received: November 3, 2020

Application Number: 20 214204 NNY 08 OZ

Application Type: OPA / Rezoning, Rezoning

Project Description: Zoning By Law Amendment Application to permit the proposal for a 9 to 12 storey mixed used building with a total of 109 residential units and ground level commercial space. The proposed gross floor area of the building would be 12,235.8 square metres with a proposed FSI of 6.35.

| | | | |
|--|---|---|--|
| Applicant | Agent | Architect | Owner |
| Weston Consulting Group, 201 Millway Avenue, Suite 19, Vaughan, ON L4K 5K8 | Weston Consulting Group, 201 Millway Avenue, Suite 19, Vaughan, ON L4K 5K8 (c/o Jane McFarlane) | Richard Wengle Architect Inc., 102 Avenue Road, Toronto, ON M5R 2H3 | 2468816 ONTARIO LIMITED (NYX Yonge LP), 1131A Leslie Street, Suite 400, Toronto, ON M3C 3L8. |

EXISTING PLANNING CONTROLS

Official Plan Designation: Mixed Use Areas Site Specific Provision: SASP 176

Zoning: CR 3.0 (c2.0; r2.5) SS2 (x2444), R(f7.5; d0.6)(x604) Heritage Designation: N

Height Limit (m): 16 Site Plan Control Area: Y

PROJECT INFORMATION

Site Area (sq m): 1,927 Frontage (m): 64 Depth (m): 30

| | | | | |
|-----------------------------|----------|----------|----------|--------|
| Building Data | Existing | Retained | Proposed | Total |
| Ground Floor Area (sq m): | 1,200 | | 1,244 | 1,244 |
| Residential GFA (sq m): | 1,200 | | 11,623 | 11,623 |
| Non-Residential GFA (sq m): | 2,400 | | 613 | 613 |
| Total GFA (sq m): | 3,600 | | 12,236 | 12,236 |
| Height - Storeys: | 2 | | 12 | 12 |
| Height - Metres: | 8 | | 41 | 41 |

Lot Coverage Ratio (%): 64.55 Floor Space Index: 6.35

| Floor Area Breakdown | Above Grade (sq m) | Below Grade (sq m) |
|--------------------------|--------------------|--------------------|
| Residential GFA: | 11,526 | 97 |
| Retail GFA: | 613 | |
| Office GFA: | | |
| Industrial GFA: | | |
| Institutional/Other GFA: | | |

| Residential Units by Tenure | Existing | Retained | Proposed | Total |
|--------------------------------|----------|----------|----------|-------|
| Rental: | 5 or 6 | 0 | | |
| Freehold: | | | | |
| Condominium: | | | 109 | 109 |
| Other: | | | | |
| Total Units: | 5 or 6 | 0 | 109 | 109 |

Total Residential Units by Size

| | Rooms | Studio | 1 Bedroom | 2 Bedroom | 3+ Bedroom |
|--------------|-------|--------|-----------|-----------|------------|
| Retained: | | | | | |
| Proposed: | | | 15 | 82 | 12 |
| Total Units: | | | 15 | 82 | 12 |

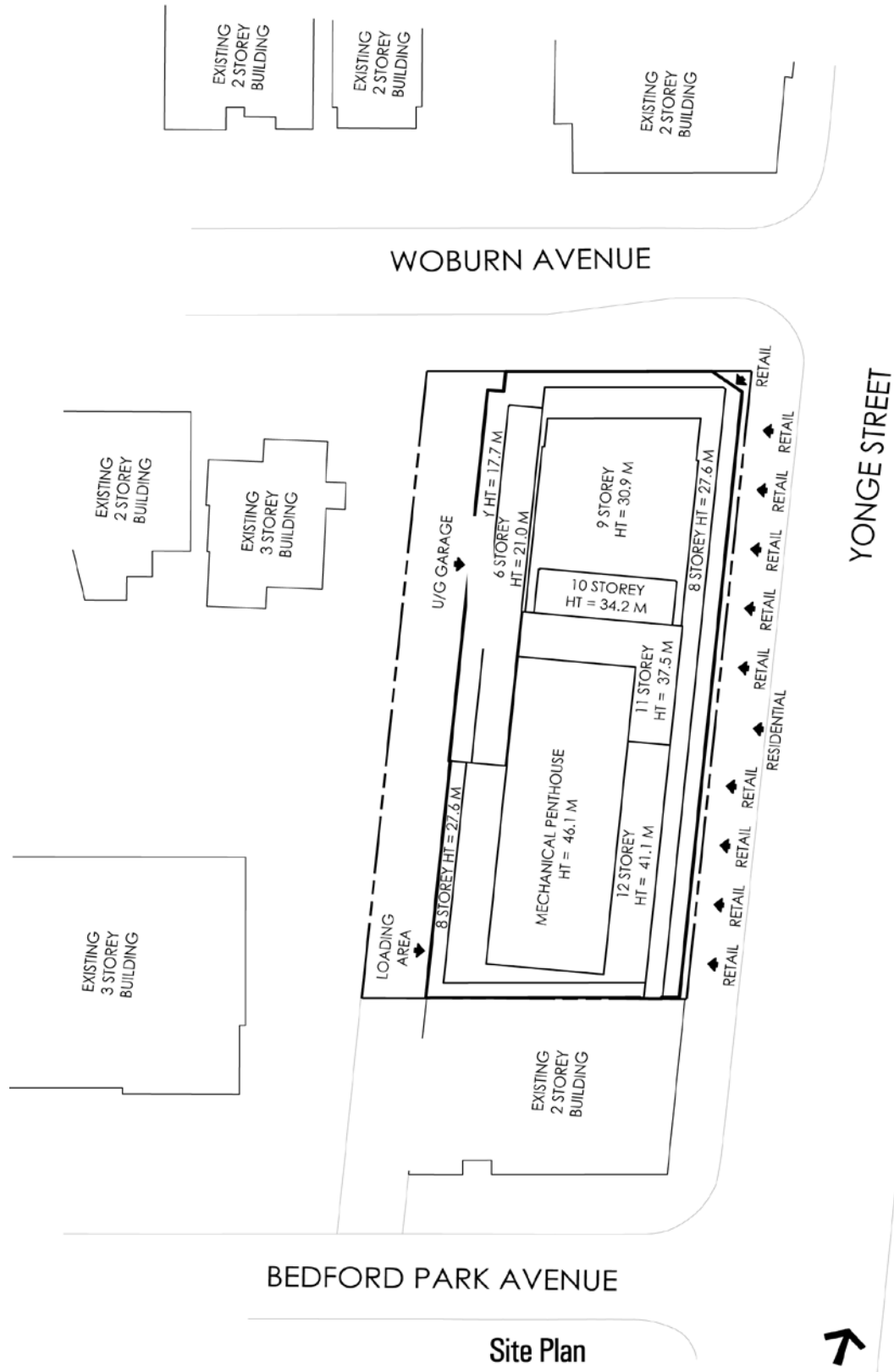
Parking and Loading

| | | | | | |
|-----------------|----|-------------------------|----|----------------|---|
| Parking Spaces: | 91 | Bicycle Parking Spaces: | 83 | Loading Docks: | 1 |
|-----------------|----|-------------------------|----|----------------|---|

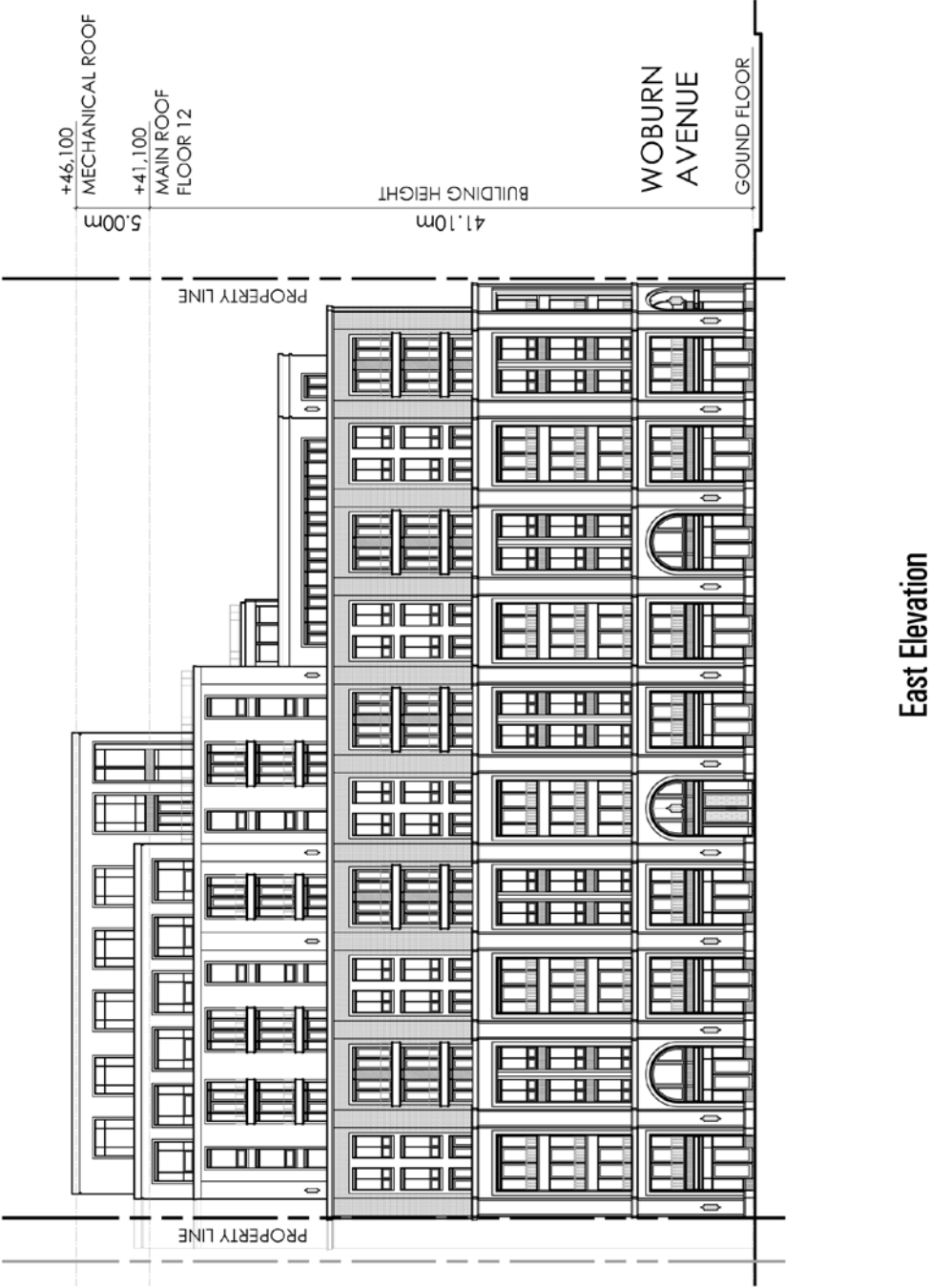
CONTACT:

Cathie Ferguson, Senior Planner
(416) 395-7117
Cathie.Ferguson@toronto.ca

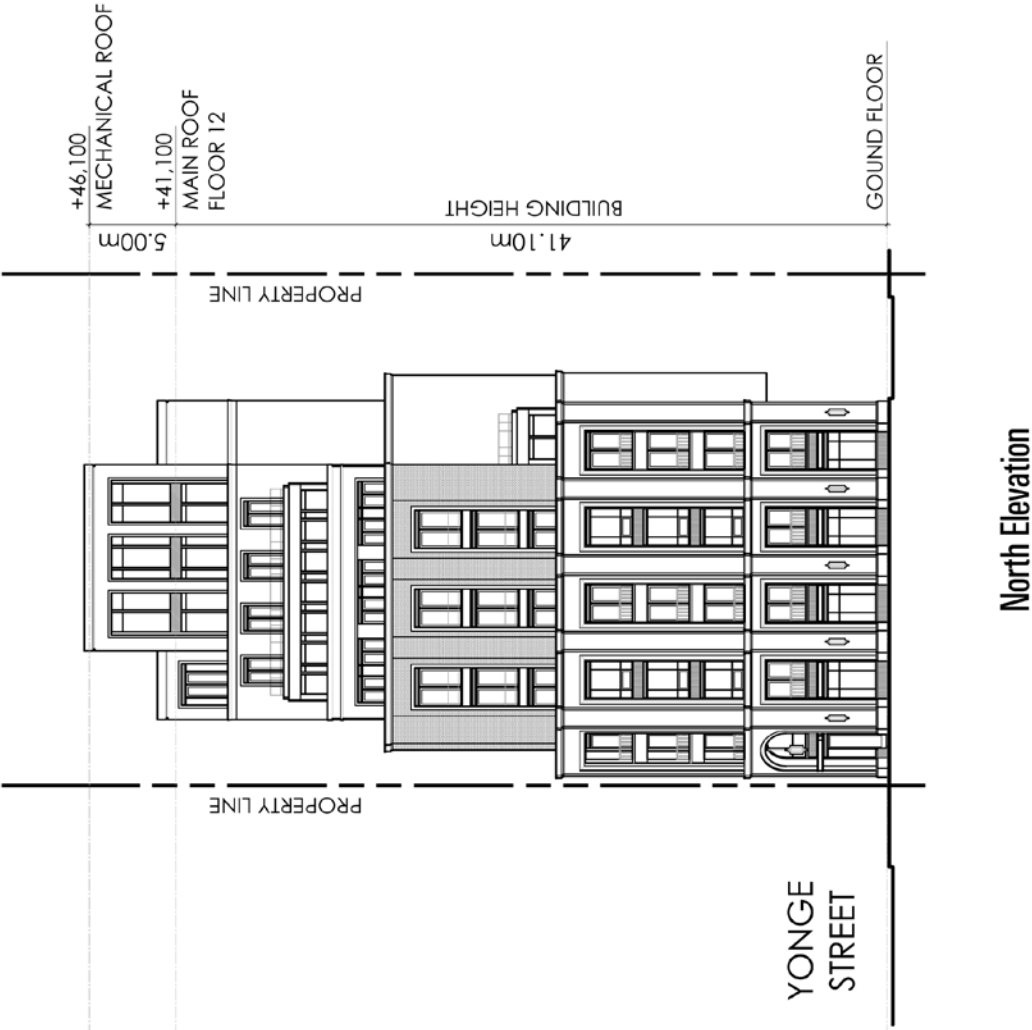
Attachment 3: Site Plan



Attachment 4: East Elevation (Yonge Street)



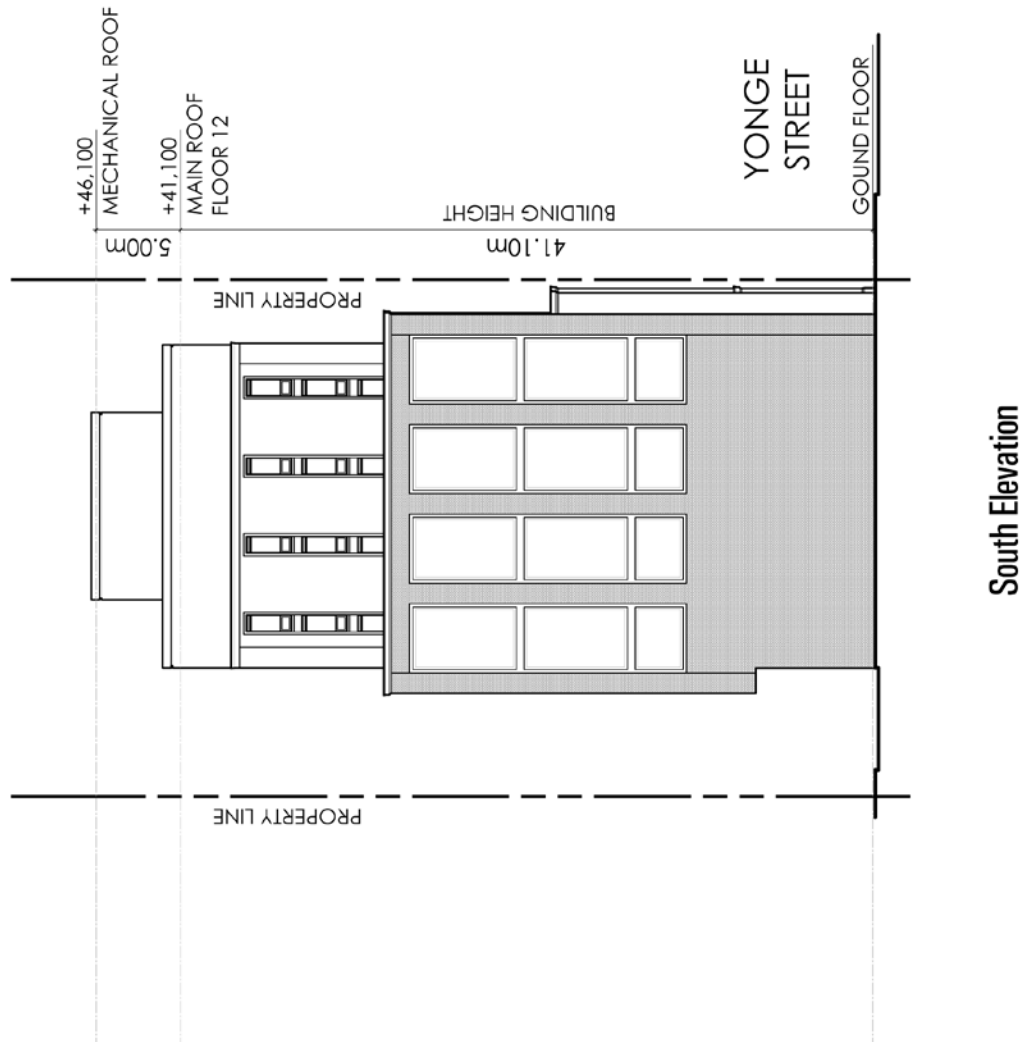
Attachment 5: North Elevation (Woburn Avenue)



Attachment 6: West Elevation



Attachment 7: South Elevation



Attachment 8: 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 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:

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

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

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

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

Provincial Plans

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

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

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

A Place to Grow: Growth Plan for the Greater Golden Horseshoe (2020) (the "Growth Plan (2020)") came into effect on August 28, 2020. The Growth Plan (2020) continues to provide a strategic framework for managing growth and environmental protection in the Greater Golden Horseshoe region (the "GGH"), 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;
- Conserve cultural heritage resources in order to foster a sense of place and benefit communities, particularly in strategic growth areas;
- 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) 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 MCR, the City update its Official Plan to delineate MTSA boundaries and demonstrate how the MTSAs plan for the prescribed densities. The north platform to the Lawrence subway station is located abutting the property.

Toronto Official Plan

The City of Toronto Official Plan (the "Official Plan") is a comprehensive policy document that guides development in the City, providing direction for managing the size, location, and built form compatibility of different land uses and the provision of municipal services and facilities.

The Official Plan contains policies related to building complete communities, heritage preservation, community services, transportation, and environmental stewardship. The Official Plan also provides for the use of Section 37 of the *Planning Act* to pass by-laws for increases in height and/or density not otherwise permitted by the Zoning By-law in return for the provision of community benefits in the form of capital facilities.

The site is located on lands shown as *Avenues* on Map 2 of the Official Plan. The site is designated *Mixed Use Areas* as shown on Land Use Map 17. See Attachment 9 of this report for the Official Plan Land Use Map.

The application is subject to Site and Area Specific Policy 176 "Yonge Street Between Briar Hill Avenue and Donwoods Drive".

See Attachment 9 of this report for the Official Plan Land Use Map.

Official Plan Amendment 479 – Public Realm and Official Plan Amendments 480 (Built Form)

On September 11, 2020, Official Plan Amendments 479 (Public Realm) and 480 (Built Form) came into force. These OPAs introduced new or revised policies regarding building types, building design and massing, parks, POPs (privately owned, publicly accessible spaces), and trees and natural areas, among other policies. OPA No. 479 also introduced the Block Context Plan requirement for some applications that shows how the physical form of the proposed development fits within the existing and planned context.

Zoning By-laws

The majority of the site is zoned MCR T3.0 C2.0 R2.5 (Mixed-Use District) in former City of Toronto Zoning By-law 438-86 and CR 3.0 (c2.0; r2.5) Standard Set 2 (x2444) (Commercial-Residential) in city-wide Zoning By-law 569-2013. These zones permit a range of commercial and residential uses, including office and retail uses among other

commercial uses, dwelling units within an apartment building and mixed use buildings. The portion of the site which is zoned CR has a maximum permitted height of 16.0 metres and a permitted floor space index of 3.0. Both the CR zone in Zoning By-law 569-2013 and the MCR Zone in Zoning By-law 438-86 contain provisions for angular planes to be incorporated with the maximum building height of 16 metres from the front and rear lot lines to ensure transition to abutting properties and the abutting public street. Adherence to the required angular planes ensures adequate sunlight on abutting public streets and pedestrian comfort adjacent the proposed building.

A strip of land along the western boundary is zoned R(f7.5; d0.6)(x604) which is a residential zone permitting detached dwellings having a minimum lot frontage of 7.5 metres and a maximum development density of 0.6 times the lot area. The site is within Policy Area 3 (PA3), which sets out parking requirements, including minimum and maximum rates.

See Attachment 10 of this report for the Zoning By-law Map. The City's Zoning By-law 569-2013 can be found at: https://map.toronto.ca/maps/map.jsp?app=ZBL_CONSULT

Urban Forest/Ravines/Environment

The application is subject to the provisions of the City of Toronto Municipal Code, Chapter 813 Articles II (Street Trees By-law) and III (Private Tree By-law).

Avenues & Mid-Rise Building Study and Addendum

The Avenues & Mid-Rise Building Study provides design guidelines for new mid-rise buildings, particularly on the Avenues as identified on Map 2 of the Official Plan. The main objective of this study is to encourage future intensification along the *Avenues* that is compatible with the adjacent *Neighbourhoods* through appropriately-scaled and -designed mid-rise buildings. The Avenues and Mid-Rise Buildings Study provides a list of best practices, categorizes the Avenues based on historic, cultural and built form characteristics, establishes a set of performance standards for new mid-rise buildings and identifies areas where the performance standards should be applied. The performance standards are intended to provide for a pleasant pedestrian experience and an appropriate transition between new mid-rise buildings in Mixed Use Areas and low-rise houses in adjacent Neighbourhoods through measures such as setbacks, building stepbacks, and angular planes.

The link to the guidelines is here: <https://www.toronto.ca/wp-content/uploads/2017/08/960c-Performance-Standards-for-Mid-Rise-Buildings.pdf>:

In June 2016, City Council approved the Mid-Rise Building Performance Standards Addendum. The Addendum is to be used by City Staff together with the 2010 approved Mid-Rise Building Performance Standards during the evaluation of development applications where mid-rise buildings are proposed and the Performance Standards are applicable. The Addendum is approved as an interim supplement to the 2010 Performance Standards until such time as Council considers and adopts updated Mid-Rise Building Design Guidelines.

Council's decision can be found here:

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2016.PG12.7>

The Mid-Rise Building Performance Standards Addendum may be found here:

<https://www.toronto.ca/wp-content/uploads/2017/08/96be-Mid-Rise-Building-Performance-Standards-Addendum.pdf>

Growing Up: Planning for Children in New Vertical Communities

On July 28, 2020, City Council adopted the final Growing Up Urban Design Guidelines ("Growing Up Guidelines") and directed City Planning staff to apply the guidelines in the evaluation of new multi-unit residential development proposals. The objective of the Growing Up Guidelines is for developments to increase liveability for larger households, including families with children living in vertical communities, at the neighbourhood, building and unit scale. The Growing Up Guidelines can be found at:

<https://www.toronto.ca/city-government/planning-development/planningstudiesinitiatives/growing-up-planning-for-children-in-new-vertical-communities/>

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

The purpose of the Pet Friendly Design Guidelines 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 pet amenities for high density residential communities. The Pet Friendly Design Guidelines can be found at:

<https://www.toronto.ca/wpcontent/uploads/2019/12/94d3-CityPlanning-Pet-FriendlyGuidelines.pdf>

Retail Design Manual

On October 27, 2020, City Council adopted the Retail Design Manual. The Retail Design Manual supports the objectives of complete communities and vibrant streets which are closely tied to the provision of successful, resilient and dynamic retail uses. The Retail Design Manual is a collection of best practices and is intended to provide guidance on developing successful ground floor retail spaces by providing aspirational retail design best practices to inform, guide, inspire and educate those involved in the design and development of retail uses. The Retail Design Manual can be found here:

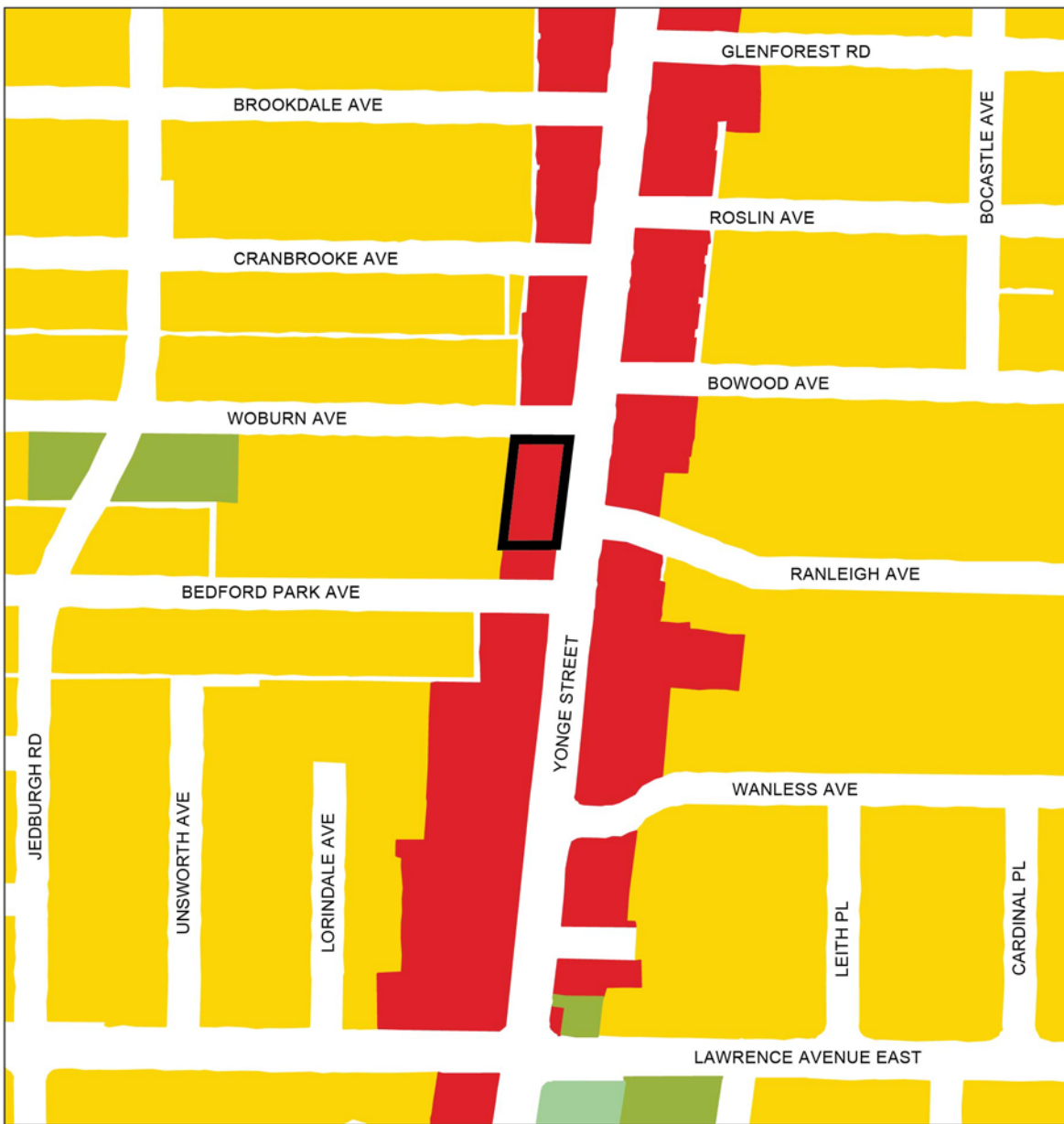
<https://www.toronto.ca/legdocs/mmis/2020/ph/bgrd/backgroundfile-157291.pdf>

Toronto Green Standard

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

Applications must use the documentation required for the version of the Toronto Green Standard in effect at the time of the initial application. TGS Version 3.0: new applications submitted on or after May 1, 2018. Visit <https://www.toronto.ca/city-government/planning-development/official-plan-guidelines/toronto-green-standard/tier-1-planning-application-requirements/>.

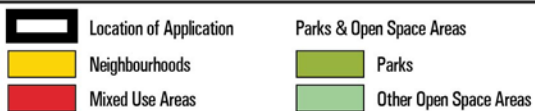
Attachment 9: Official Plan Land Use Map



3180 - 3202 Yonge Street

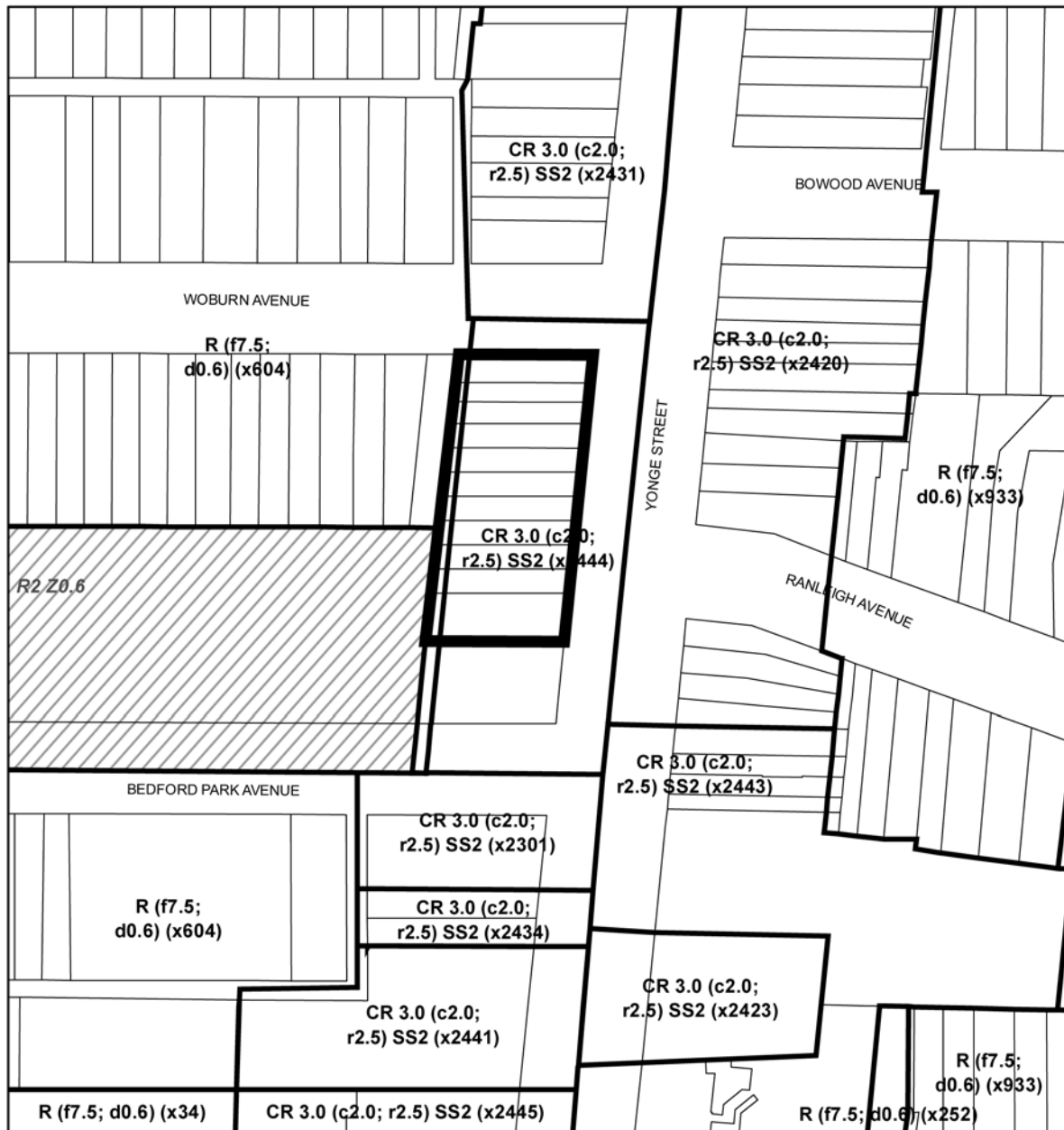
Official Plan Land Use Map #17

File # 20 214204 NNY 08 02



↑
Not to Scale
01/07/2021

Attachment 10: Existing Zoning By-law Map (Zoning By-law 569-2013)



Zoning By-law 569-2013

3202 Yonge Street

File # 20 214204 NNY 08 02



Location of Application

R Residential CR Commercial Residential



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

R2 Residential District



Not to Scale
Extracted: 08/26/2021