

1406-1428 Yonge Street – Official Plan Amendment and Zoning Amendment Application – Preliminary Report

Date: November 3, 2021

To: Toronto and East York Community Council

From: Director, Community Planning, Toronto and East York District

Ward: 12 - Toronto-St. Paul's

Planning Application Number: 21 185451 STE 12 OZ

Current Use(s) on Site: A two-storey commercial building at 1418-1428 Yonge Street, a driveway to St. Michaels Cemetery, and a 3-storey mixed-use building at 1406-1408 Yonge Street.

SUMMARY

This report provides information and identifies a preliminary set of issues regarding the application located at 1406-1428 Yonge Street for an 39-storey mixed-use building with 406 dwelling units and 158 square metres of retail space on the ground floor.

The application has been circulated to all appropriate agencies and City divisions for comment. City Planning staff will proceed to schedule a community consultation meeting for the application in consultation with the Ward Councillor.

RECOMMENDATIONS

The City Planning Division recommends that:

1. Staff schedule a community consultation meeting for the application located at 1406-1428 Yonge Street 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.

THE APPLICATION

Complete Application Submission Date: September 13, 2021

Application Description

This application proposes a 39-storey (131.2 metres, including 8.0-metre mechanical penthouse) mixed-use building consisting of 406 dwelling units (184 one-bedroom; 182 two-bedroom; 40 three-bedroom) and 158 square metres of commercial space. A total of 24 parking spaces are provided in a 2-level below-grade parking garage. The proposed density is 28.7 times the area of the lot.

See Attachment 2 of this report, for a three dimensional representation of the project in context.

Detailed project information is found on the City's Application Information Centre at: <https://www.toronto.ca/city-government/planning-development/application-information-centre/>

Reasons for the Application

The Official Plan Amendment Application is proposed to permit a 132-metre building, where the Yonge-St. Clair Secondary Plan sets a maximum height of 30 metres on this site.

The Zoning By-law Amendment Application proposes to amend Zoning By-laws 438-86 and 569-2013 to vary performance standards including: building height; building setbacks; floor space index; amenity space and parking space requirements. Additional amendments to the Zoning By-law may be identified as part of the application review.

Site Plan Control

The application is subject to Site Plan Control. A Site Plan Control application was submitted on September 13, 2021.

POLICY CONSIDERATIONS/PLANNING FRAMEWORK

Provincial Policy Statement and Provincial Plans

Land use planning in the Province of Ontario is a policy-led system. 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.

Toronto Official Plan

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. The PPS recognizes the Official Plan as the most important document for its implementation.

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

The site is located on lands designated Mixed Use Areas on Map 17 of the Official Plan. See Attachment 4 of this report for the Official Plan Land Use Map.

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

Yonge-St. Clair Secondary Plan

The site is subject to the Yonge-St. Clair Secondary Plan. The purpose of the Secondary Plan is, in part, to:

- protect, promote and enhance the existing type and quality of *Neighbourhoods* and *Apartment Neighbourhoods* and maintain their stability;
- retain, protect and enhance the special physical character and public spaces of the Yonge-St. Clair Secondary Plan area; and
- ensure that new development meets high urban design standards which contribute to achieving public areas which are attractive, inviting, comfortable and safe.

The policies of the Secondary Plan state that on the west side of Yonge Street, between St. Clair Avenue West and Balmoral Avenue, zoning by-law amendments may be passed to permit building heights up to 30 metres.

The Secondary Plan contains Urban Design Principles for Built Form and Public Amenity relevant to this proposal, including:

- Achieving a harmonious relationship to the built form context through building height, massing, setback, step backs, roof line and profile, architectural expression and vehicle access and loading; and
- providing high quality, co-ordinated streetscape and open space improvements.

The Yonge-St. Clair Secondary Plan can be found here: <https://www.toronto.ca/wp-content/uploads/2019/02/9411-CityPlanning-2019-da-cp-official-plan-SP-6-YongeStClair.pdf>

Yonge-St. Clair Planning Framework and Apartment Neighbourhoods

City Council endorsed the Yonge-St. Clair Planning Framework at its meeting on January 29, 2020. The Planning Framework generally applies to properties within the Mixed Use Areas 'A' and 'B' in the Yonge-St. Clair Secondary Plan near the intersection of Yonge Street and St. Clair Avenue. The Framework provides direction on how to accommodate changes to the existing built form while maintaining and creating new important public realm areas that support the livability of this mixed-use neighbourhood. The Framework identifies this site as an area not appropriate for a tall building.

Zoning By-laws

The north portion of the site (1418-1428 Yonge Street) is zoned CR 4.25 (C2.0; r3.0) SS2 (x2519), and the south portion of the site (1406-1408 Yonge Street) is zoned CR 4.25 (C2.0; r3.0) SS2 (x2518) under Zoning by-law 569-2013, and CR T4.25 C2.0 R3.0 under Zoning by-law 438-86. These zones permit a range of commercial and residential uses. The maximum permitted height is 30 metres, and the maximum permitted density is 4.25 times the area of the lot.

The middle portion of the site (driveway to St. Michaels Cemetery) is zoned OC (Cemetery Open Space) under Zoning by-law 569-2013, and G under Zoning By-law 438-86. The Cemetery Open Space zoning permits cemetery related uses.

See Attachment No. 5: Zoning By-law Map.

Design Guidelines

The following design guidelines will be used in the evaluation of this application:

- Tall Building Design Guidelines;
- Retail Design Manual;
- Growing Up Guidelines Planning for Children in New Vertical Communities;
- Pet Friendly Design Guidelines and Best Practices for New Multi-Unit Buildings;
- Best Practices for Bird-Friendly Glass;
- Best Practices for Effective Lighting; and
- Toronto Accessibility Design Guidelines.

The City's Design Guidelines can be found here:

<https://www.toronto.ca/city-government/planning-development/official-plan-guidelines/design-guidelines/>

Toronto Green Standard

Climate change mitigation and resilience are key concerns of the City. On October 2, 2019, City Council declared a Climate Emergency and set a new goal to achieve net zero greenhouse gas emissions by 2050 or sooner. In 2021, an updated TransformTO Net Zero Strategy will be presented to Council, outlining the necessary climate action to reach net zero GHG emissions community-wide. In June 2019, the Resilience Strategy was published, which set out that new development should be resilient to a changing climate.

The Toronto Green Standard (the "TGS") sets out the key sustainable performance measures new developments are required to meet to address climate mitigation and resilience. The TGS is a critical component of the City's efforts to achieve zero emissions buildings by 2030, to meet 2050 citywide greenhouse gas reduction targets, and to build a more resilient city. The TGS also supports other City-wide strategies related to environmental sustainability, including TransformTO, the Resilience Strategy, Ravine Strategy and Biodiversity Strategy.

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 TGS. Tier 1 performance measures are secured on site plan drawings and through a site plan agreement or registered plan of subdivision. Tiers 2+ are voluntary higher levels of performance with financial incentives (post-construction development charge refunds) intended to facilitate the foregoing objectives. Applicants are strongly encouraged to pursue higher tiers of the TGS wherever possible.

Applications must use the documentation required for the version of the TGS in effect at the time of the initial site plan application. TGS Version 3.0 applies to new applications submitted on or after May 1, 2018. TGS Version 4.0 will apply to all new applications submitted on or after May 1, 2022.

The Toronto Green Standard can be found at the following link:

<https://www.toronto.ca/city-government/planning-development/official-plan-guidelines/toronto-green-standard/>.

COMMENTS

ISSUES TO BE RESOLVED

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

Provincial Policies and Plans Consistency/Conformity

Revisions may be required to ensure that the proposed development conforms with the Growth Plan, and is consistent with the PPS.

Official Plan Conformity

The application looks to amend the Official Plan. Staff will review and assess the appropriateness of the proposal to ensure that it meets the objectives of the Yonge-St. Clair Secondary Plan and other relevant policies in the Official Plan.

Built Form, Planned and Built Context

Staff will assess the suitability and appropriateness of the proposed height, massing, and other built form issues based on applicable Provincial policies; the City's Official Plan policies; the Yonge-Eglinton Secondary Plan; and the City's Design Guidelines.

The following preliminary issues have been identified:

- Suitability of the site to accommodate a tall building with appropriate setbacks and separation distances;
- Height of the proposed tower;
- Separation distance of 7.8 metres from the 14-storey building to the north;
- Tower floor plate size of 816 square metres;
- Appropriate density and massing, including setbacks and step-backs in relation to the area's existing and planned context;
- Pedestrian level wind conditions along Yonge Street and surrounding properties;
- Public realm and streetscape.

Parking and Loading

Staff will review whether the vehicular parking supply of 24 spaces is adequate. City staff will review the proposed internal parking and loading configuration to determine if the circulation is appropriate.

Heritage

Heritage Planning staff are reviewing the Heritage Impact Assessment and proposed drawings provided by the applicant, and will evaluate the heritage value of the existing buildings on the subject site.

Infrastructure/Servicing Capacity

Staff will review the application to determine if there is sufficient infrastructure capacity (roads, transit, water, sewage, hydro, community services and facilities, etc.) to accommodate the proposed development.

Shadow

Shadow studies were prepared in support of the proposal which show the extent of the shadow from the proposed building on March 21 and September 21. Staff will continue to evaluate the potential shadow impacts of the proposed building.

Toronto Green Standard

City Planning staff will review the TGS Checklist submitted by the applicant for compliance with the Tier 1 performance measures. Staff will encourage the applicant to pursue Tier 2, 3 or 4.

Section 37 Community Benefits

The proposal at its current height will be subject to Section 37 contributions under the *Planning Act*. Further discussion with the Ward Councillor, City staff, residents, and the applicant will be required to determine the extent and nature of the required Section 37 community benefits should the application be approved in some form.

Additional Issues

The application has been circulated to City divisions and public agencies for comment. Additional issues may be identified through the review of the application, agency comments and the community consultation process.

Next Steps

City Planning staff will host a Community Consultation Meeting.

City staff will work to resolve the issues raised in this report and additional issues that may be identified by staff and the public. Staff will report back at the appropriate time in the review of the application. If a Final Report is prepared, then the report will proceed

to the Toronto and East York Community Council meeting which will serve as the Statutory Public Meeting as required by the Planning Act before being considered at City Council for a decision.

CONTACT

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SIGNATURE

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

ATTACHMENTS

Attachment 1: Location Map

Attachment 2: 3D Model of Proposal in Context

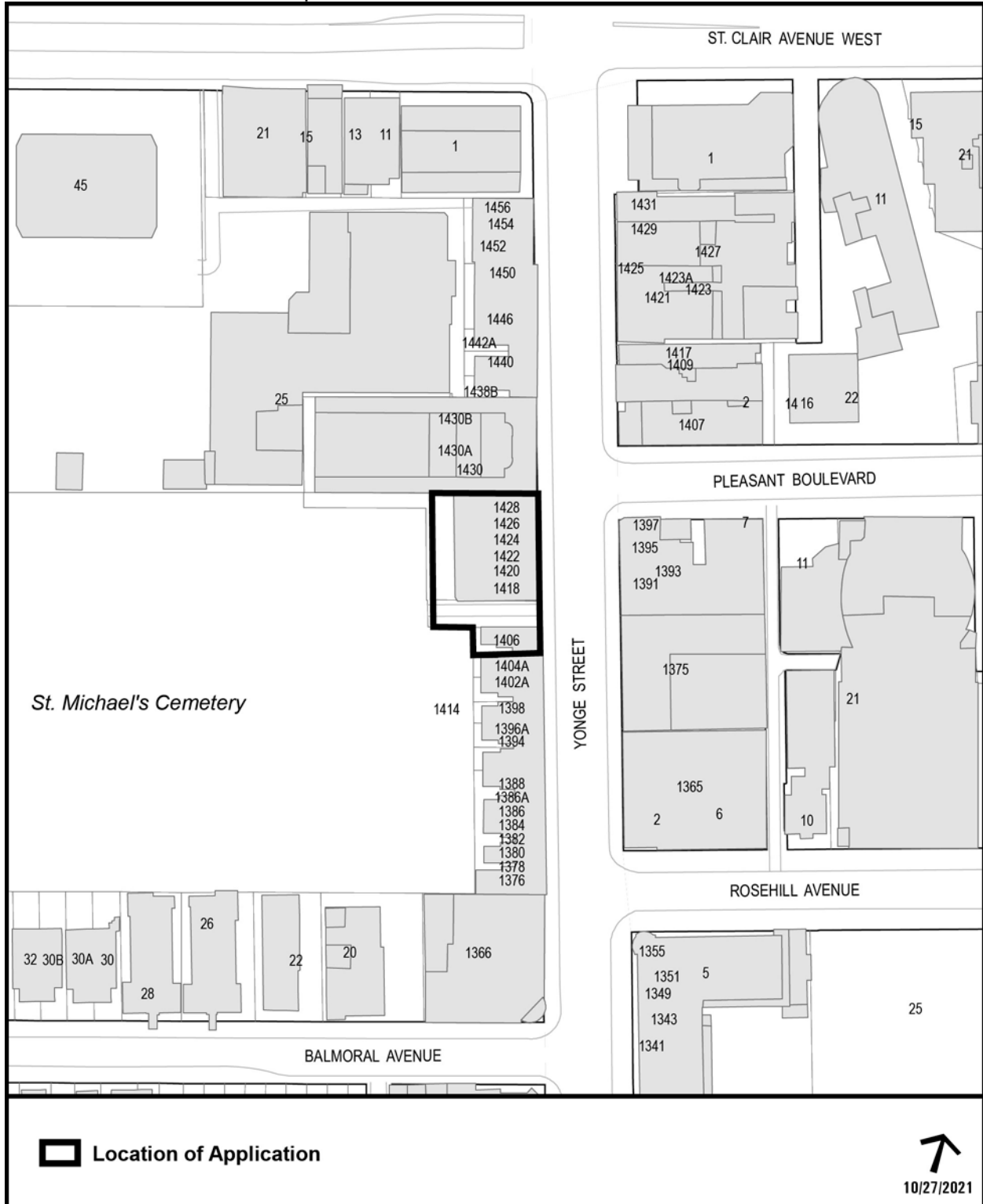
Attachment 3: Site Plan

Attachment 4: Official Plan Map

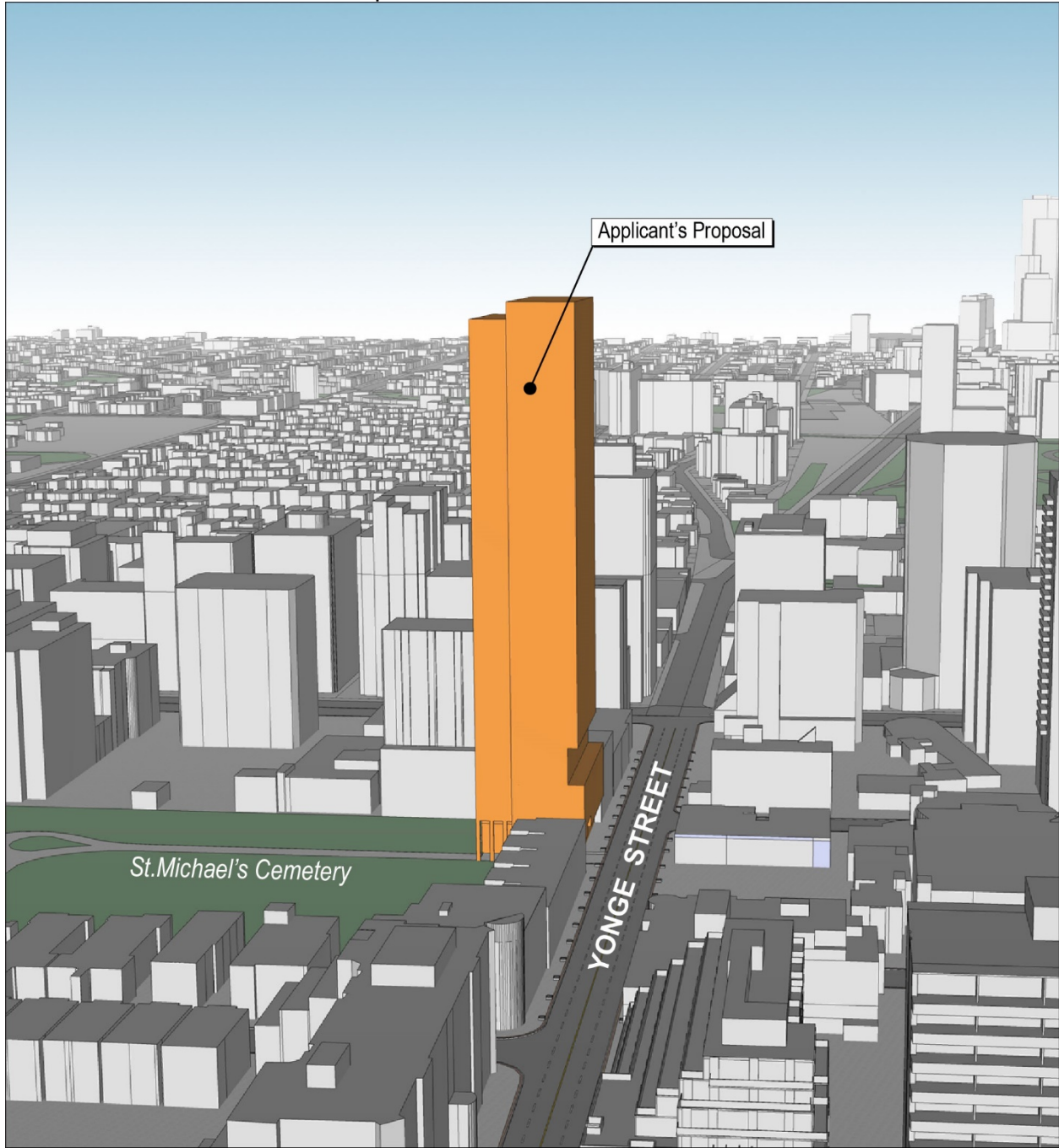
Attachment 5: Zoning By-law Map

Attachment 6: Application Data Sheet

Attachment 1: Location Map



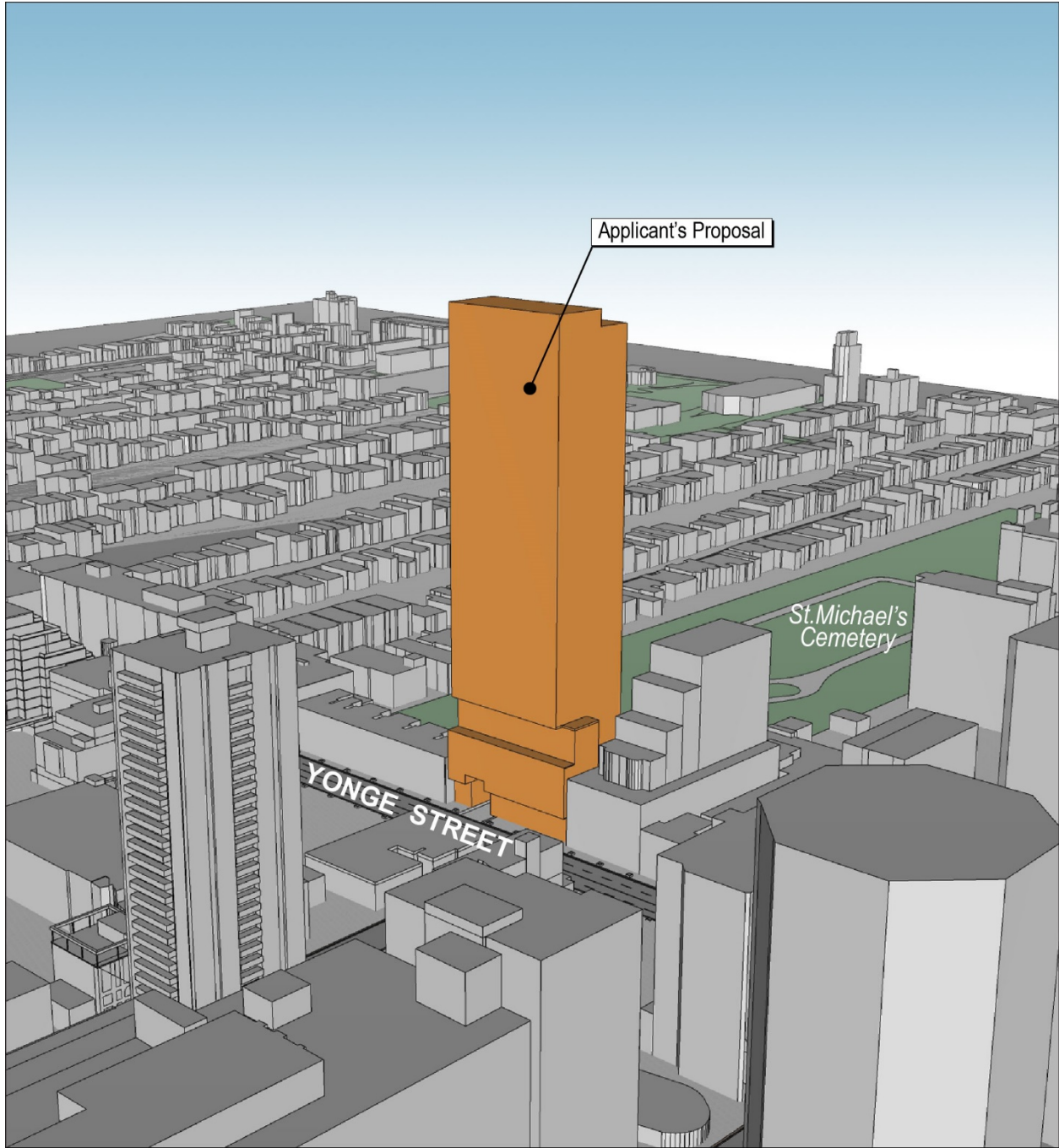
Attachment 2: 3D Model of Proposal in Context



View of Applicant's Proposal Looking North



11/02/2021

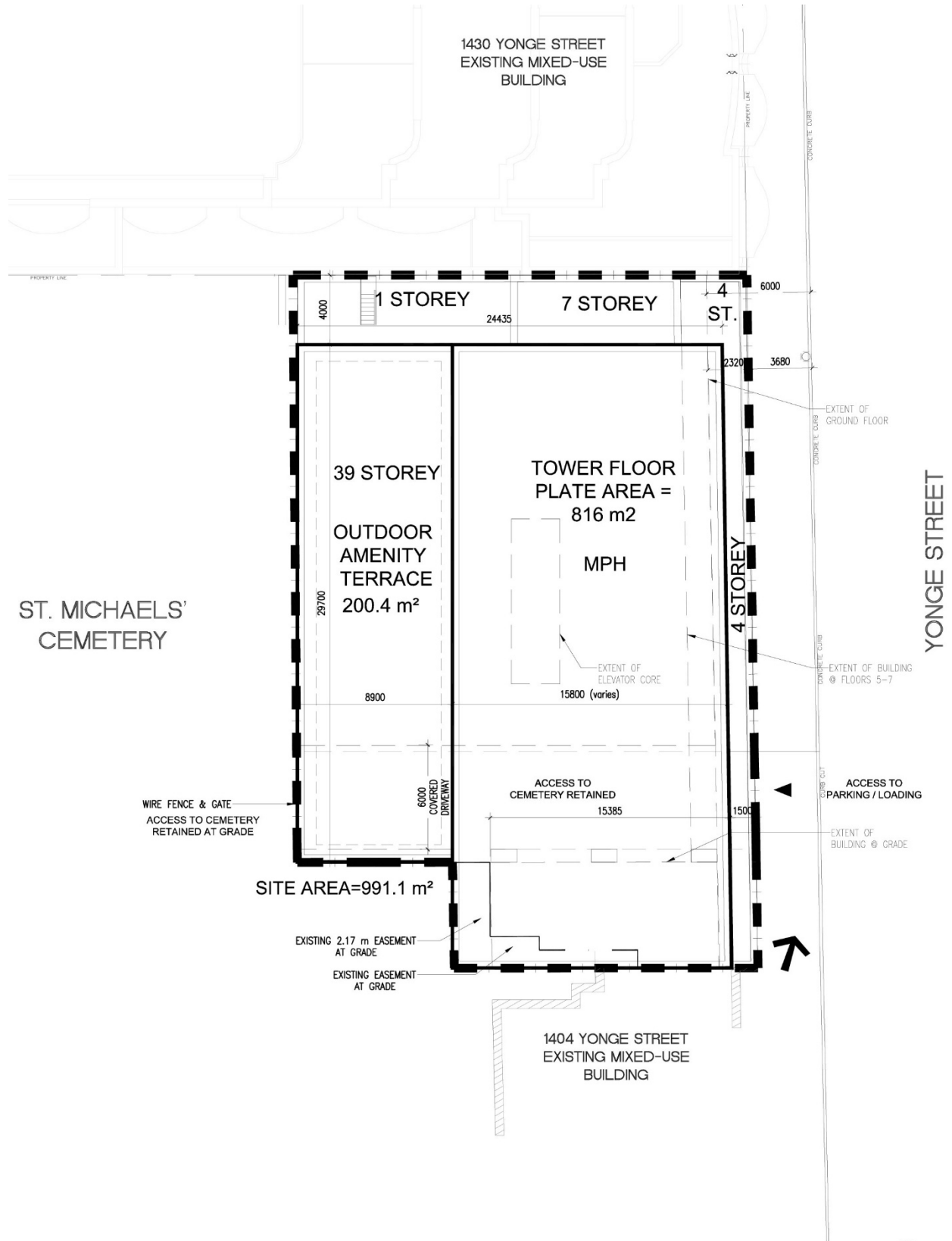


View of Applicant's Proposal Looking Southwest

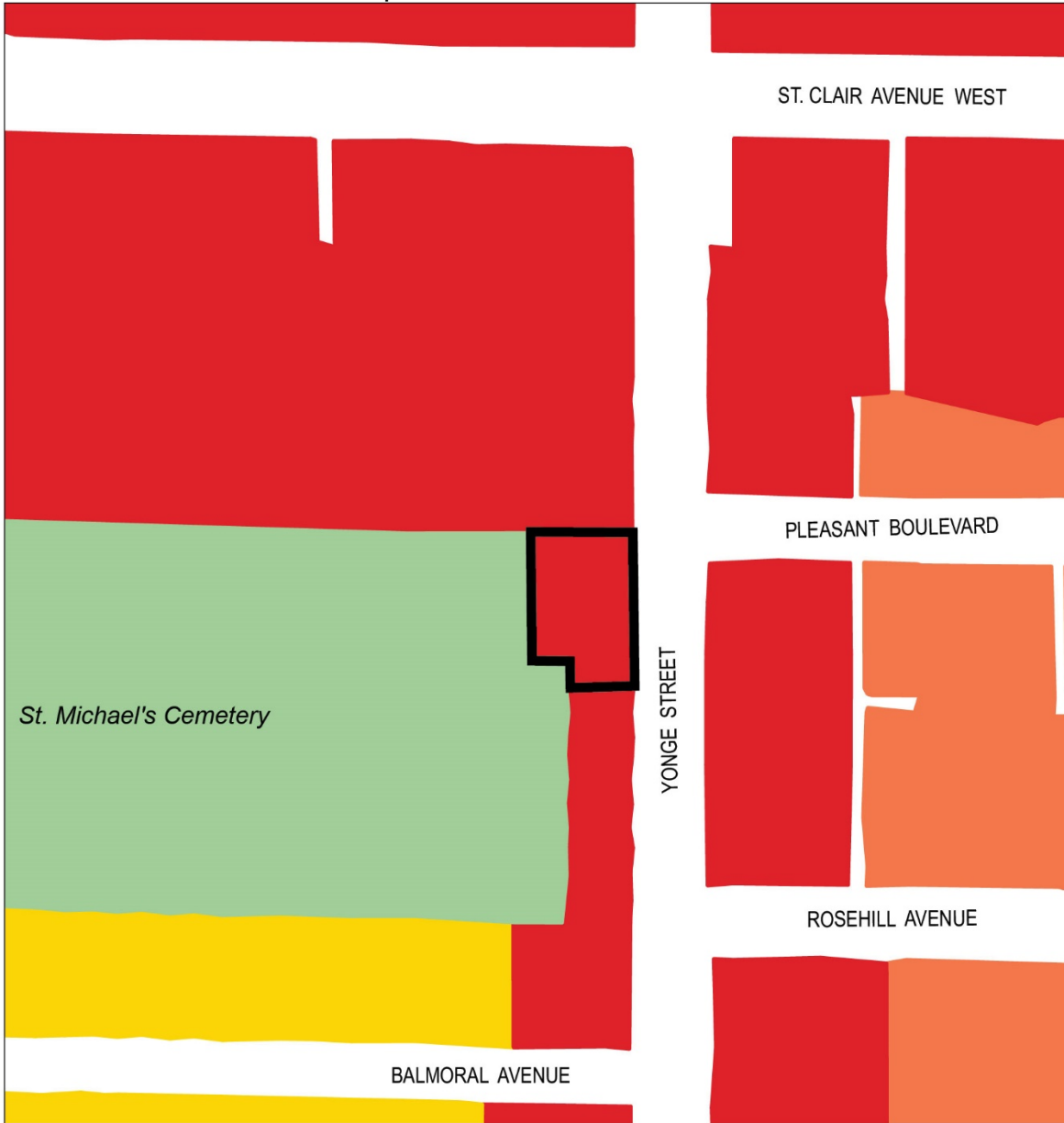


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Attachment 3: Site Plan



Attachment 4: Official Plan Map



1406-1428 Yonge Street

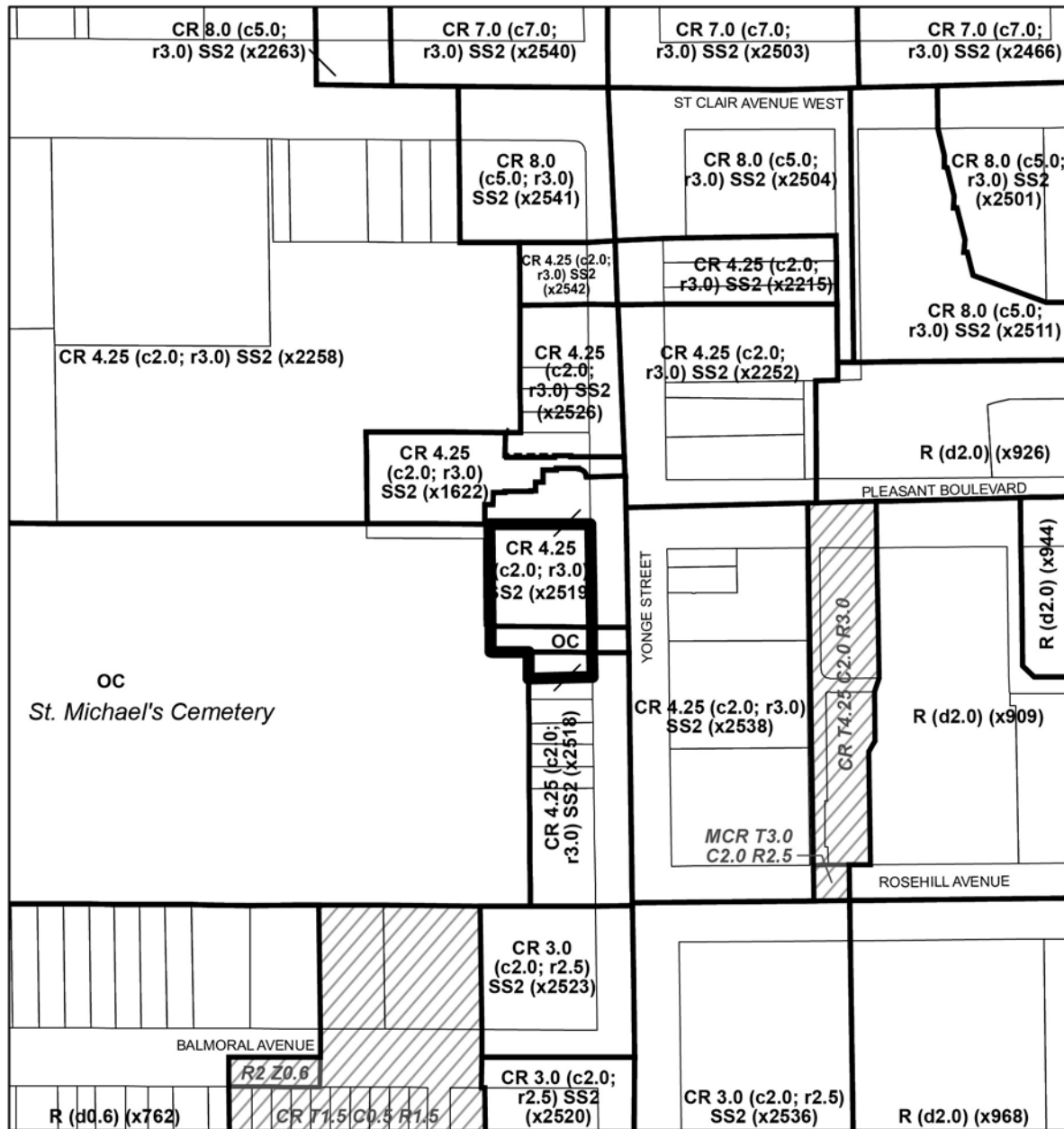
Official Plan Land Use Map 17

File # 21 185451 STE 12 0Z

- Location of Application
- Neighbourhoods
- Apartment Neighbourhoods
- Mixed Use Areas
- Other Open Space Areas

Not to Scale
M0/DA/2021

Attachment 5: Zoning By-law Map



Zoning By-law 569-2013

1406-1428 Yonge Street

File # 21 185451 STE 12 0Z

Location of Application

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

R Residential
CR Commercial Residential
OC Open Space Cemetery

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



Not to Scale
 Extracted: 10/27/2021

Attachment 6: Application Data Sheet

Municipal Address: 1406 YONGE ST Date Received: July 16, 2021

Application Number: 21 185451 STE 12 OZ

Application Type: OPA / Rezoning, OPA & Rezoning

Project Description: a 39-storey mixed use building with commercial at grade, containing a total of 406 dwelling units.

Applicant	Agent	Architect	Owner
YSC Deelopment Corporation, 5075 Yonge Street, Suite 900, Toronto ON, M2N 6C6	YSC Deelopment Corporation, 5075 Yonge Street, Suite 900, Toronto ON, M2N 6C6	IBI Group, 55 St. Clair Avenue West, Toronto ON, M4V 2Y7	2514111 Ontario Limited, 9100 Jane Street, Suite 200, Vaughan ON, L4K 0A4

EXISTING PLANNING CONTROLS

Official Plan Designation:	Mixed Use Areas	Site Specific Provision:
Zoning:	CR4.25 (c2.0; r3.0) SS2 (x2518)	Heritage Designation:
Height Limit (m):	30	Site Plan Control Area: Y

PROJECT INFORMATION

Site Area (sq m): 991 Frontage (m): 40 Depth (m): 26

Building Data	Existing	Retained	Proposed	Total
Ground Floor Area (sq m):	814		618	618
Residential GFA (sq m):			28,287	28,287
Non-Residential GFA (sq m):	814		158	158
Total GFA (sq m):	814		28,445	28,445
Height - Storeys:	3		39	39
Height - Metres:	10		123	123

Lot Coverage Ratio (%): 62.3 Floor Space Index: 28.7

Floor Area Breakdown	Above Grade (sq m)	Below Grade (sq m)
Residential GFA:	28,247	40
Retail GFA:	158	

Office GFA:
 Industrial GFA:
 Institutional/Other GFA:

Residential Units by Tenure	Existing	Retained	Proposed	Total
Rental:	4			
Freehold:				
Condominium:			406	406
Other:				
Total Units:	4		406	406

Total Residential Units by Size

	Rooms	Bachelor	1 Bedroom	2 Bedroom	3+ Bedroom
Retained:					
Proposed:			184	182	40
Total Units:			184	182	40

Parking and Loading

Parking Spaces: 24 Bicycle Parking Spaces: 406 Loading Docks: 1

CONTACT:

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