

53-55 Yonge Street – Zoning By-law Amendment Application – Request for Direction Report

Date: May 9, 2022
To: Toronto and East York Community Council
From: Director, Community Planning, Toronto and East York District
Ward: 13 - Toronto Centre

Planning Application Number: 21 129226 STE 13 OZ

SUMMARY

On March 19, 2021, a Zoning By-law Amendment application was submitted to permit a 66-storey (236 metres tall including mechanical penthouse) mixed-use building containing 482 residential dwelling units, 16,491 square metres of office, 1,315 square metres of retail, and two levels of underground parking at 53-55 Yonge Street. The application was deemed complete on April 22, 2021.

On January 24, 2022, the applicant appealed the application to the Ontario Land Tribunal (the "OLT") due to Council not making a decision within the time frame under the Planning Act.

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

RECOMMENDATIONS

The City Planning Division recommends that:

1. City Council direct the City Solicitor and appropriate City staff to attend the Ontario Land Tribunal in opposition to the Zoning By-law Amendment appeal for the lands at 53-55 Yonge Street and to continue discussions with the Applicant in an attempt to resolve outstanding issues.
2. In the event that the Ontario Land Tribunal allows the appeal in whole or in part, City Council direct the City Solicitor to request that the issuance of any final order be withheld until such time as the City Solicitor advises that:

- a) the final form and content of the draft Official Plan and Zoning By-laws are to the satisfaction of the City Solicitor and the Chief Planner and Executive Director, City Planning;
 - b) the owner has addressed all outstanding issues raised by Transportation Services as they relate to the Zoning By-law Amendment application to the satisfaction of the General Manager, Transportation Services;
 - c) the owner has provided confirmation of water, sanitary and stormwater capacity to the satisfaction of the Chief Engineer and Executive Director, Engineering and Construction Services, or the determination of whether holding provisions are required in the Zoning By-law amendment;
 - d) the owner has addressed all outstanding issues raised by the TTC as they relate to the Zoning By-law Amendment application, including no portion of the building being within 3.0 metres of all TTC infrastructure, to the satisfaction of the TTC; and
 - e) where applicable, community benefits and other matters in support of the development are to be 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.
3. 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 the report in the current budget year or in future years.

DECISION HISTORY

A Preliminary Report was adopted by Toronto and East York Community Council on June 24, 2021 authorizing staff to conduct a community consultation meeting with an expanded notification area. The decision of the Toronto and East York Community Council can be found here:

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2021.TE26.37>

SITE AND SURROUNDING AREA

Site Description and Dimensions: located on the northeast corner of Yonge Street and Colborne Street. The site is generally rectangular, with an area of 1,486 square

metres, and has a frontage of 35 metres on Yonge Street and a frontage of 48 metres on Colborne Street.

Existing Use on Site: 5-storey commercial building with ground floor retail at 53 Yonge Street and a 12-storey commercial office building at 55 Yonge Street.

Surrounding uses include:

South: Immediately south of the subject site are a 4-storey listed heritage building known as The Contour House (51 Yonge Street) and a 4-storey designated heritage building known as The British Colonial Building (49 Yonge Street) which are the subject of a Rezoning application (file no. 235446 STE 13 OZ). On the south side of Wellington Street East is a 14-storey office building (33 Yonge Street).

East: Immediately east of the subject site is a 58-storey mixed-use building (88 Scott Street). On the east side of Scott Street is a 12-storey office building (26 Wellington Street East) and a 21-storey residential condominium building (30 Wellington Street).

North: On the north side of the site along Colborne Street from west to east there is the 13-storey designated heritage Traders Bank Building (67 Yonge Street), the 24-storey Cosmopolitan Hotel (8 Colborne Street) and the 23-storey Metropole Condominiums (7 King Street East).

West: West of Yonge Street is a 10-storey office building (48 Yonge Street), an 8-storey hotel (56 Yonge Street) and a 12-storey office building (60 Yonge Street). Further to the west is the Commerce Court Complex and the heart of the Financial District.

THE APPLICATION

Description

Height: 66-storeys (216.2 metres plus 6 metre mechanical penthouse)

Density: Floor Space Index (FSI) of 34.78 times the area of the lot.

Uses: Mixed use building containing ground floor retail, office space on floors 2 to 15, shared office and residential amenity space on floors 16 and 17, and residential on floors 18 to 66.

Unit count: 482 dwelling units: 40 studio units (8%), 249 one-bedroom units (52%), 145 two-bedroom units (30%), and 48 three-bedroom units (10%).

Heritage: The site is adjacent to 51 Yonge Street (listed) and located in the same block as 49 Yonge Street & 8 Wellington Street (designated). On the west side of Yonge Street are 56 Yonge Street (designated) and 66 Yonge Street (designated). On the north side of Colborne Street are 2-2A Colborne Street & 63-67 Yonge Street (designated).

Additional Information

See Attachments 1 to 4 of this report for the location map, Application Data Sheet, and three dimensional representations of the project in context. The Application Data Sheet contains additional details on the proposal including: site area and dimensions; floor area; unit breakdowns; and parking counts.

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/>

Reasons for the Application

The Zoning By-law Amendment application has been submitted in order to amend City-wide Zoning By-law 569-2013 to permit an increase in the overall height and density on the site and to modify various performance standards such as those for setbacks and parking.

Site Plan Control

The proposal is subject to Site Plan Control. A Site Plan Control application was submitted on April 27, 2022.

POLICY CONSIDERATIONS/PLANNING FRAMEWORK

Official Plan Designation: The site is located on lands within the Downtown and Central Waterfront area and is designated Mixed Use Areas in the Official Plan. The site is also designated Mixed Use Areas 1 - Growth in the Downtown Plan.

Zoning: The site is zoned Commercial Residential CR12.0 (c8.0; r11.7) SS1 (x2325) under the City's Zoning By-law 569-2013, with a permitted building height of 76.0 metres.

Additional information: See Attachment 5 for applicable policy documents.

COMMUNITY CONSULTATION

A virtual Community Consultation Meeting was hosted by City staff on June 28, 2021. 79 people participated, as well as the Ward Councillor. Following a presentation by City staff and the applicant, the following comments and issues were raised by attendees:

- appropriateness of the proposed height, density and massing;
- proposed unit count, size and mix;
- shadow impacts on neighbouring properties;
- shadow impacts on nearby streets and open spaces, including St. James Cathedral and park;

- appropriateness of the proposed massing in relation to adjacent heritage properties;
- impact on transit capacity;
- proposed increase in use will overburden the private lane and Colborne Street that provide access to the site as well as 88 Scott Street;
- traffic generated as a result of the proposed development, including impacts on Colborne Street;
- impact on vehicle access to and from the parking garage at 88 Scott Street;
- insufficient on-site parking for the number of dwelling units;
- insufficient sidewalk widths on Yonge Street and Colborne Street;
- pedestrian safety;
- appropriateness of building materials, including the exterior cladding;
- opportunities for connection to the PATH network and/or subway station;
- the need for affordable housing; and
- construction impacts.

COMMENTS

The proposal has been reviewed against the Planning Act, PPS, Growth Plan and Official Plan policies, as well as City planning studies and design guidelines.

Planning Act

In making a decision on this application, Council must have regard for the relevant matters of provincial interest set out under section 2 of the Planning Act.

Provincial Policy Statement (2020)

Planning staff have reviewed the current proposal against the policies of the PPS (as described in Attachment 5: Policy Considerations) and find that the proposal is generally consistent with the PPS. A City Council decision to oppose the proposal is also consistent with the PPS given the non-conformity with the Official Plan.

Growth Plan (2020)

Planning staff have reviewed the current proposal against the policies of the Growth Plan (as described in Attachment 5: Policy Considerations) and find the proposal generally conforms with the Growth Plan. A City Council decision to oppose the current proposal given the non-conformity to the Official Plan as described below also conforms with the Growth Plan.

Land Use

The proposed mix of uses, including retail, office and residential, aligns with the Mixed Use Areas designation of the site. The proposed land uses also conform to the Mixed Use Areas 1 – Growth Plan designation in the Downtown Plan.

The proposal includes 16,491 square metres of office floor area which represents full replacement of the existing office gross floor area and conforms with the City's office replacement policies.

Built Form

Planning staff have reviewed the proposed built form, including height and massing, against the policies of the Official Plan, the Downtown Plan, OPA 352 and implementing by-laws, as well as the relevant City design guidelines identified below and in Attachment 5: Policy Considerations.

Height

The proposed height of 216.2 metres exceeds the maximum height permission in the Zoning By-law of 76 metres. The location of the site at the edge of the Financial District is appropriate for a tall building. The policies of the Official Plan and Downtown Plan direct that the highest and most dense developments be located within the Financial District and Mixed Use Areas 1 – Growth, respectively.

The proposed height of the application is generally in keeping with the height of other office and residential condominium proposals in or near the Financial District such as the Ritz-Carleton at 230 Front Street West (188 metres), the St. Regis at 333 Bay Street (269 metres), Commerce Court South (299.4 metres and 373.9 metres to the top of the spire), 1 King Street West (176 metres), Shangri-la at 180-188 University Avenue (214 metres), Bay Adelaide Centre at 40 Adelaide Street West (218 metres), and 88 Scott Street (204 metres). The maximum height of the proposed building is 216.2 metres (not including the mechanical penthouse).

Staff are generally satisfied that the height of the tower is in keeping with the heights of the buildings within the Financial District and provides an appropriate transition to the St. Lawrence Neighbourhood to the east. However, the proposed tower casts shadow on St. James Cathedral. Staff will continue to work with the applicant to reduce the building height and/or modify the built form to remove the shadow impact on St. James Cathedral.

Massing

Planning staff are generally satisfied with the proposed massing with the exception of the lower level setbacks and the shadow impacts on St. James Cathedral which are not acceptable as currently proposed.

The proposed height of the base building is 14 storeys and will replace the existing 12-storey office building at 55 Yonge Street and 5-storey office building at 53 Yonge Street with a similar canyon building typology.

At the ground level, the base building is set back 0.39 to 0.67 metres from Yonge Street (the west property line) and 0.49 metres from Colborne Street (the north property line). This results in curb to building face distances of 4.03-4.20 metres along Yonge Street

and 2.48-2.53 metres along Colborne Street. The proposed sidewalk widths and building setbacks are not supportable in their current form.

Above the ground floor, the base building, including its façade cladding, is set back 0 metres from Yonge Street, Colborne Street and the east property line. The base building is also set back 0 metres from the south lot line.

Above the base building, the tower and its façade cladding gradually tapers from all four sides between floors 15 and 18. Beginning at floor 18, the tower is set back approximately 1.8 to 2.0 metres from the Yonge Street property line (3.7 to 4.0 metres not including 1.5-metre deep balcony projections and façade cladding), 3.2 metres from the Colborne Street property line (3.7 metres not including façade cladding), 9.5 metres from the south property line (10.1 not including façade cladding), and 7.0 metres from the east property line (9.4 metres not including balcony projections and façade cladding). The resulting tower floor plate is approximately 745 square metres. Above Floor 60, the floor plates progressively diminish in size to 460 square metres as the top of the tower slopes to the southwest.

Public Realm

The Downtown Plan identifies Yonge Street as both a Great Street and a Priority Retail Street, streets that plays an important role in supporting economic activity and fostering public life. The Plan specifies that Great Streets should include public realm improvements such as: improving the scale of pedestrian clearways; prioritizing tree planting and investing in infrastructure to support the growth of a healthy tree canopy; and implementing and maintaining a high standard of design and materials. The Plan further states that development on a Priority Retail Street will provide public realm setbacks at grade to provide space for pedestrian enhancements. The Downtown Plan also directs development to provide a curb to building face distance of 6 metres or greater.

The proposed sidewalk zone measured from the curb to building face along both Yonge Street and Colborne Street will be widened slightly to 4.03-4.20 metres and 2.48-2.53 metres, respectively. The proposed sidewalk widths and at-grade setbacks are not supportable in their current form. Staff will continue to work with the applicant to further widen the sidewalk zones of both Yonge Street and Colborne Street and provide the required pedestrian clearways.

Shadow Impact

Shadow Studies were submitted in support of the application, showing net new shadows cast on March 21, June 21 and September 21. The proposal will cast shadows on the surrounding streets and sidewalks, and adjacent residential properties throughout the day.

A portion of the shadow generated by the development will fall on the front lawn and cathedral façade of St. James Cathedral between 3:18 pm and 4:18 pm on March 21st and September 21st. Planning staff will continue to work with the applicant to reduce the

building height and/or modify the built form to eliminate shadow from the cathedral façade and minimize the shadow impacts on the front lawn.

Wind

The Pedestrian Wind Study submitted with the application indicates that wind speeds are predicted to be suitable for the intended uses on and around the subject site.

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 0.43 to 0.79 hectares of local parkland per 1,000 people. The site is in the second lowest quintile of current provision of parkland. The site is in a parkland priority area, as per Chapter 415, Article III, of the Toronto Municipal Code. The site is approximately 164 metres from Berczy Park, a 3,605 square metre park.

In accordance with Chapter 415, Article III of the Toronto Municipal Code, the applicant is required to satisfy the parkland dedication requirement through a cash-in-lieu payment. The non-residential component of this proposal is subject to a 2% parkland dedication while the residential component is subject to a cap of 10% parkland dedication.

In the event that the OLT allows the appeal in whole or in part, the value of the cash-in-lieu of parkland dedication will be appraised through Real Estate Services. The appraisal will be conducted upon the submission of an application for the first above grade building permit and is valid for six months. Payment will be required prior to the issuance of the first above grade building permit.

Driveway Access and Site Circulation

Vehicular access to the site is proposed via the existing north-south private laneway, which runs south from Colborne Street. Given the existing laneway configuration, the proposed access is acceptable to Transportation Services.

It was noted that the submitted report does not include an analysis of passenger pick-up/drop-off activity and related impacts on site circulation. A calculation using the rates from the provided proxy sites indicates there would be approximately 24 and 28 two-way trips associated with passenger pick-up/drop-off activity in the morning and afternoon peak hours, respectively, associated with the residential component of the development.

Furthermore, there is no consideration of office-related car traffic, including related pick-up/drop-off activity associated with the existing office building. This activity may increase in the future with the removal of the 20 existing parking spaces serving the office building.

As such, the report must be revised to provide a full accounting of pick-up/drop-off activity related to passengers and goods for both residential and commercial uses, as well as an analysis of site circulation to demonstrate that the proposed site access and loading spaces, in addition to existing on-street loading areas, are sufficient to serve all uses within the site.

Additional comments related to site access arrangement, site circulation, and the layout and design of the proposed site entrance driveways will be provided through the site plan review process.

Traffic Impact

In support of the subject proposal, the applicant's transportation consultant, BA Group, prepared an Urban Transportation Considerations Report, dated February 2021. In this study, the consultant estimates the new site traffic generated from the site based on observed rates at similar sites. The proposed development is projected to generate 45 and 40 new two-way trips during the morning and afternoon peak hours, respectively. This includes a reduction of trips due to the removal of the 20 spaces in the existing office parking garage. The report also documents the various model calibrations undertaken to accurately assess current and future road conditions.

Given this level of trip generation and the results of the traffic analyses, the consultant concludes that the projected site traffic will have minimal impacts on area intersections, and therefore, can be acceptably accommodated on the adjacent road network.

With the proposed reduced parking supply and site context, Transportation Services accepts the methodology and conclusions of the submitted report as it relates to vehicular traffic.

Parking

By-law 569-2013 requires a total of 363 vehicle parking spaces, consisting of 300 residential and 63 non-residential spaces to support the proposed development. The application proposes to provide a total of 28 residential parking spaces, 15 visitor parking spaces, and 0 non-residential spaces.

The applicant provided a Transportation Study including a justification of the proposed parking supply in support of the application. While Transportation Services staff agree with the principles of the consultant's analysis given the site constraints and surrounding context, the memorandum from Engineering and Construction Services dated June 3, 2021 outlines a number of requested revisions with regard to parking space allocation, the inclusion of car-share parking spaces, and the relocation of accessible parking spaces. Staff will continue to work with the applicant to address the revisions requested in the June 3, 2021 memorandum.

A total of 552 bicycle parking spaces are proposed for residents and visitors which meets the requirement of the By-law 569-2013.

Additional comments related to the parking supply layout, access to the parking spaces and other site design matters related to the parking will be provided through the site plan review process.

Loading

Zoning By-law 569-2013 requires a minimum of one Type G, two Type C, and two Type B loading spaces are required to serve the site. One Type G and two Type C loading space are currently proposed to be located on-site with access to these loading spaces provided via the private laneway extending south from Colborne Street along the east edge of the site. In general, this is acceptable to Transportation Services.

Following the submission of the application, City staff, the applicant and representatives from the adjacent property at 88 Scott Street have had discussions on the feasibility of sharing the existing Type G loading space located at 88 Scott Street, also accessed via the private laneway. Staff are supportive of this arrangement and will continue to work with all parties to advance these revisions and secure any necessary agreements.

Further, as stated in the memorandum from Engineering and Construction Services dated June 3, 2021, the applicant is required to revise the transportation study to provide a full accounting of pick-up/drop-off activity related to passengers and goods for both residential and commercial uses, as well as an analysis of site circulation to demonstrate that the proposed site access and loading spaces, in addition to existing on-street loading areas, are sufficient to serve all uses within the site.

PATH Connection

The Official Plan and Downtown Plan encourage development to connect to the PATH network. Guideline 2.6 of the Tall Building Guidelines direct tall buildings be designed to provide accessible pedestrian routes to connect with transit and underground concourses. The PATH Master Plan identifies the site for medium priority potential for a PATH expansion.

The proposal in its current form does not include a PATH connection. City staff will continue to work with the applicant to explore the feasibility of connecting the subject site to the adjacent PATH underground pedestrian network via on-site knockout panel and tunnel. Further, the property located east of the site, 88 Scott Street, was constructed with a knock-out panel for a future PATH pedestrian connection on the P1 Parking Level at the westerly edge of the site. The location of the knock-out panel at 88 Scott Street should be considered in any design modifications to the subject application to allow for a pedestrian connection through both sites.

TTC

The TTC requires that the proposed development (including piles or shoring) be kept a minimum 3 metres from all TTC infrastructure. In the event the OLT approves the development in whole or in part, no portion of the building, including all below and above grade structures, should be within 3.0 metres of all TTC infrastructure.

The TTC encourages proposals for direct connections throughout the TTC's subway station network. Should the applicant wish to connect to the network, TTC Board approval will be required. If the applicant moves ahead with an entrance connection, they will be required to undergo the TTC technical review process and pay an entrance connection fee as calculated per the TTC Entrance Connection Policy. Detailed comments on any proposed connection will be provided as part of the required technical review. The applicant is also encouraged to review the TTC's Design Manual to incorporate the TTC's standards and specifications for entrance connections.

Planning Staff also encourage the applicant to provide a direct connection to the TTC subway station network and will continue to work with the applicant and TTC to advance and implement this connection.

Servicing

The applicant has submitted a Functional Servicing and Stormwater Management Report and associated plans in support of the application. Engineering and Construction Services staff have reviewed the submitted materials and require revisions as outlined in the memorandum from Engineering and Construction Services dated June 3, 2021.

Indoor/Outdoor Amenity Space

The application is proposing a total of 1,349 square metres (2.8 square metres per unit) of indoor amenity space on floors 15, 16 and 57 and 738 square metres (1.53 square metres per unit) of outdoor amenity space on floors 15 and 16. The total combined indoor and outdoor amenity space is 2,087 square metres (4.33 square metres per unit).

Zoning By-law 569-2013 requires a combined amenity space of 4.0 square metres per unit. Planning staff are satisfied with the proposed amount of amenity space.

Toronto Green Standard

The applicant is required to meet Tier 1 of the Toronto Green Standard ("TGS"), although the applicant is encouraged to achieve Tier 2 or higher to advance the City's objectives for resilience and of achieving net-zero emissions by 2040 or sooner. Should the Zoning By-law Amendment appeal be approved by the OLT in any form, performance measures meeting, at minimum, the Tier 1 development features would be secured in the site-specific zoning by-laws and others through the Site Plan Control application.

Design Review Panel

The application was before the City's Design Review Panel (DRP) on November 4, 2021. At the meeting, the Panel provided a positive review of the proposed building. While unanimously supportive, the Panel thought further development was required to resolve the lack of public realm enhancements and encouraged the inclusion of a ground floor setback to expand sidewalk widths. The panel also encouraged the applicant to seek the highest levels of sustainability and resiliency.

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. Section 37 benefits have not been discussed with the applicant. Should the Zoning By-law Amendment appeal be approved in some form by the OLT, it is recommended that City Council authorize City staff to negotiate an appropriate agreement for section 37 benefits with the applicant, in consultation with the Ward Councillor.

Further Issues

City Planning continues to receive additional information regarding this application as the result of ongoing review by City commenting divisions, materials submitted in support of the proposal, and through deputation made by members of the public to Community Council. Planning staff may also be required to evaluate supplementary or revised plans and supporting materials submitted by the applicant after the date of this report. As a result 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, Staff may report back to City Council as necessary.

Conclusion

The proposal has been reviewed against the policies of the PPS (2020), the Growth Plan (2020), the Official Plan, including the Downtown Plan, and applicable City guidelines intended to implement Official Plan policies. As currently proposed, the proposal does not conform to the Official Plan and Downtown Plan.

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

CONTACT

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SIGNATURE

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

ATTACHMENTS

City of Toronto Drawings

Attachment 1: Location Map

Attachment 2: Application Data Sheet

Attachment 3: 3D Model of Proposal in Context Looking Southwest

Attachment 4: 3D Model of Proposal in Context Looking Northeast

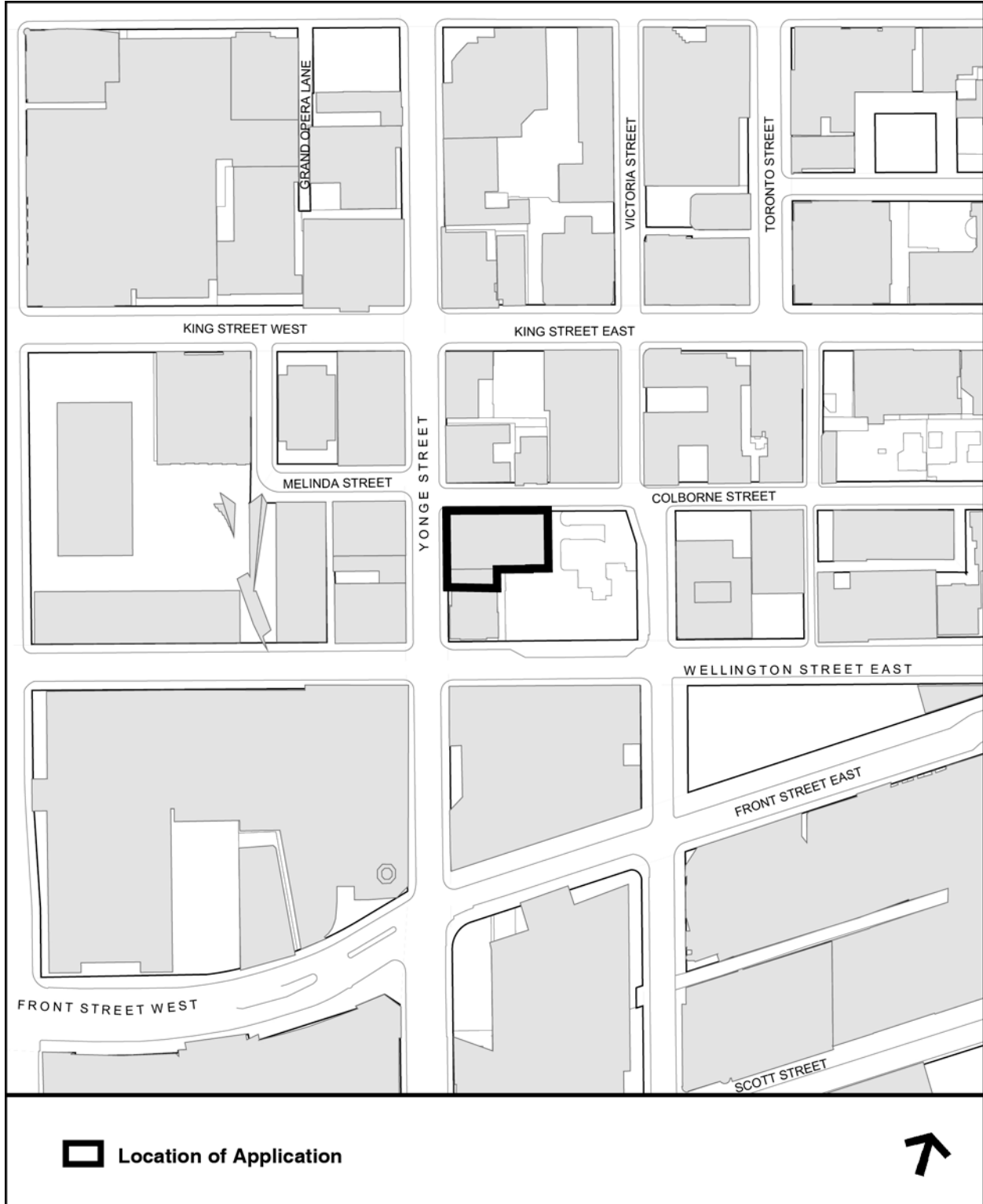
Attachment 5: Policy Considerations

Attachment 6: Official Plan Land Use Map

Attachment 7: Downtown Plan Land Use Map

Attachment 8: Zoning By-law Map

Attachment 1: Location Map



Attachment 2: Application Data Sheet

Municipal Address: 53-55 Yonge Street **Date Received:** March 19, 2021

Application Number: 21 129226 STE 13 OZ

Application Type: Rezoning

Project Description: 67-storey mixed-use building

Applicant	Agent	Architect	Owner
Bousfields Inc.	Bousfields Inc.	Partisans Architects & Quadrangle Architects Ltd.	55 Yonge Portfolio Inc.

Existing Planning Controls

Official Plan Designation:	Mixed Use Areas	Site Specific Provision:	
Zoning:	CR12.0 (C8.0; R11.7) SS1 (x2325)	Heritage Designation:	N
Height Limit (m):	76	Site Plan Control Area:	Y

Project Information

Site Area (sq m): 1,486 Frontage (m): 35 Depth (m): 48

Building Data	Existing	Retained	Proposed	Total
Ground Floor Area (sq m):	1,430		1,340	1,340
Residential GFA (sq m):			33,871	33,871
Non-Residential GFA (sq m):	16,240		17,806	17,806
Total GFA (sq m):	16,240		51,677	51,677
Height - Storeys:	12		66	66
Height - Metres:			215	215

Lot Coverage Ratio (%): 90.17 Floor Space Index: 34.77

Floor Area Breakdown	Above Grade (sq m)	Below Grade (sq m)
Residential GFA:	33,073	798
Retail GFA:	1,315	
Office GFA:	16,069	422
Industrial GFA:		
Institutional/Other GFA:		

Residential Units by Tenure	Existing	Retained	Proposed	Total
Rental:				
Freehold:				
Condominium:			482	482
Other:				
Total Units:			482	482

Total Residential Units by Size

	Rooms	Bachelor	1 Bedroom	2 Bedroom	3+ Bedroom
Retained:					
Proposed:		40	249	145	48
Total Units:		40	249	145	48

Parking and Loading

Parking Spaces: 43 Bicycle Parking Spaces: 552 Loading Docks: 3

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

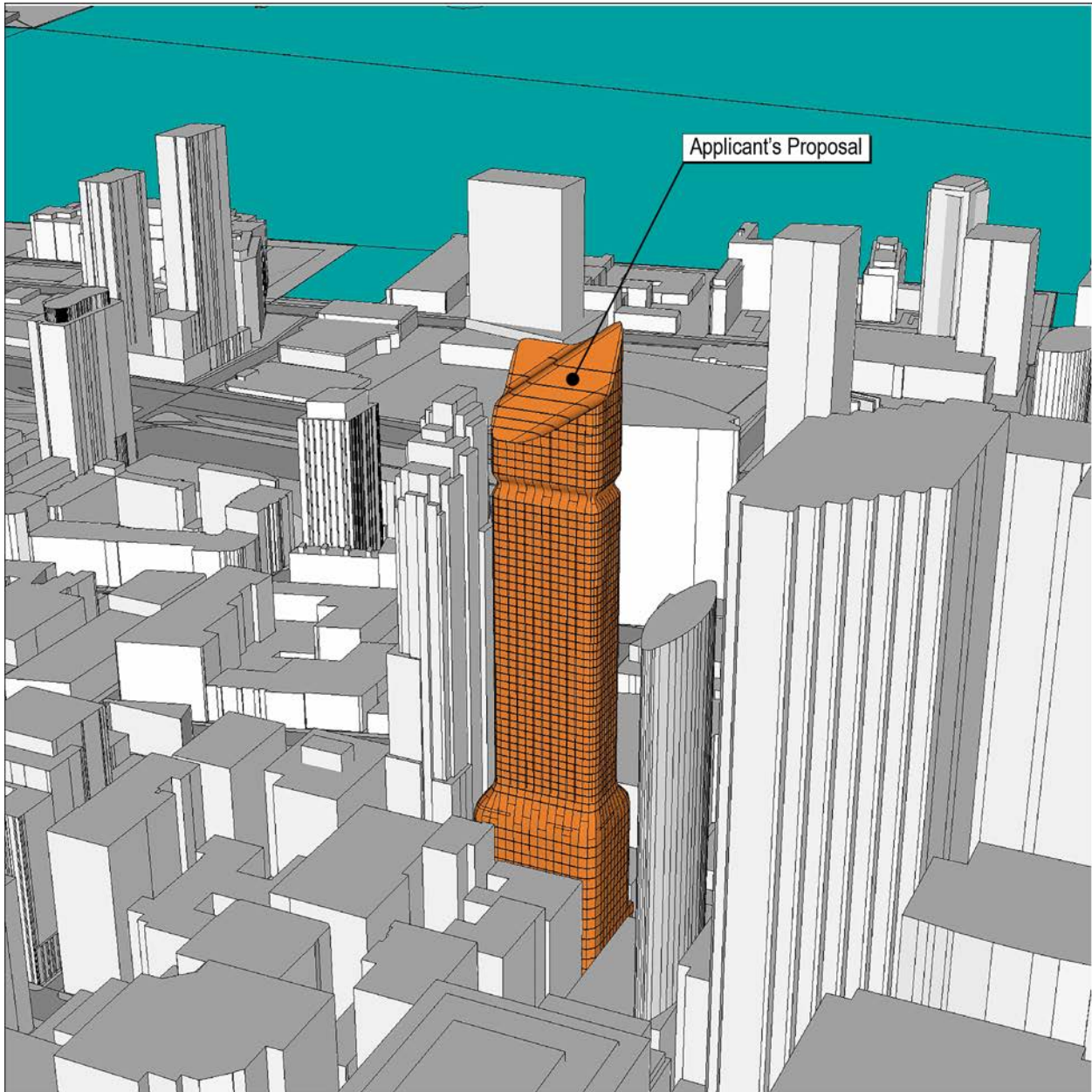


View of Applicant's Proposal Looking Northwest



05/26/2021

Attachment 4: 3D Model of Proposal in Context Looking Northeast



View of Applicant's Proposal Looking Southeast



05/26/2021

Attachment 5: 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:

- 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 4.7 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") came into effect on August 28, 2020. This was an amendment to the Growth Plan for the Greater Golden Horseshoe, 2019. The Growth Plan continues to provide a strategic framework for managing growth and environmental protection in the Greater Golden Horseshoe region, of which the City forms an integral part. The Growth Plan, establishes policies that require implementation through a Municipal Comprehensive Review ("MCR"), which is a requirement pursuant to section 26 of the Planning Act.

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

- Directing municipalities to make more efficient use of land, resources and infrastructure to reduce sprawl, contribute to environmental sustainability and provide for a more compact built form and a vibrant public realm;
- Directing municipalities to engage in an integrated approach to infrastructure planning and investment optimization as part of the land use planning process;
- Achieving complete communities with access to a diverse range of housing options, protected employment zones, public service facilities, recreation and green space, and better connected transit to where people live and work;
- Retaining viable lands designated as employment areas and ensuring redevelopment of lands outside of employment areas retain space for jobs to be accommodated on site;
- 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, builds upon the policy foundation provided by the PPS and provides more specific land use planning policies to address issues facing the GGH region. The policies of the Growth Plan, take precedence over the policies of the PPS to the extent of any conflict, except where the relevant legislation provides otherwise.

In accordance with section 3 of the Planning Act, all decisions of Council in respect of the exercise of any authority that affects a planning matter shall conform with the Growth Plan. Comments, submissions or advice affecting a planning matter that are provided by Council shall also conform with the Growth Plan.

Conformity with Growth Targets and Density Targets

The most recent Official Plan update was undertaken when the City's Official Plan was approved by the Ontario Municipal Board in 2006 and considered further through the statutory five-year review of the Official Plan that commenced in 2011. The five-year review resulted in a number of Official Plan amendments that were approved by the Province on various dates. The Official Plan sets out areas for future growth while at the same time establishing policies that are appropriate and considerate of the surrounding context.

The site is within the Urban Growth Centre of the built-up area boundary as identified in the Growth Plan, where a significant share of population and employment growth is anticipated. The City of Toronto is required through its Official Plan to plan for a future population of 3,190,000 people by the year 2041. Additional density targets are provided for the various urban growth centres in the City at a rate of 400 people/jobs per hectare to help achieve this overall population. The City is presently on track to meet these overall 2041 Growth Plan forecasts based on Census data, current development proposals and future trends that are currently being considered by the City.

The density of the Downtown Toronto Urban Growth Centre area in 2016 is 354 people and jobs per hectare, based on the 2016 Census population and the 2016 Toronto Employment Survey results. From 2011 to 2016, the population increased by 41,668 people. Employment increased by 69,280 jobs over the same period. The increase in density as a result of this growth is an additional 52 people and jobs per hectare over the 2011-2016 period. This demonstrates the growth and growth in density of the Urban Growth Centre.

Table 1: Downtown Toronto Urban Growth Centre

Year	Census Population	TES Employment	Area (hectares)	Density (people & jobs)
2011	205,888	441,920	2,143	302
2016	247,556	511,200	2,143	354
2011-2016	41,668	69,280	2,143	52

Sources: 2011 and 2016 Census, Statistics Canada, 2011 and 2016 Toronto Employment Survey, City of Toronto

In the Downtown Toronto Urban Growth Centre area, the 2016 Q4 Development Pipeline contained 42,556 units in projects that were built between 2012 and 2016, and a further 45,236 units in projects which are active and thus which have at least one Planning approval, for which Building Permits have been applied for or have been issued, and/or those which are under construction, but are not yet built (see Profile Toronto: How Does the City Grow? April 2017). The number of units in the area that are in active projects is greater than the number of units which have been built over the past five years.

If a similar number of units in active projects were realized in the near term as were built in the previous five years, and if the same population and employment growth occurred in the Downtown Toronto Urban Growth Centre over the near term from 2016 as

occurred over the past five years from 2011 to 2016, the resulting density would be 406 people and jobs per hectare. Thus if the current trends continued, the resulting density would be above the minimum Urban Growth Centre density target of the Growth Plan (2020). In addition, there would remain an additional ten years for additional approved development to occur.

Planning for Major Transit Station Areas

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

Toronto Official Plan

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

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

The site is designated Mixed Use Areas as shown on Land Use Map 18. See Attachment 7 of this report for the Official Plan Land Use Map.

Downtown Plan

Official Plan Amendment 406 ("OPA 406" or the "Downtown Plan") is now in force and effect. OPA 406 includes amendments to Section 2.2.1 and Map 6 of the Official Plan, as well as a new Downtown Secondary Plan. It applies to all applications deemed complete after June 5, 2019.

Map 41-3-A identifies the site as being within the Mixed Use Areas 1 - Growth designation. Mixed Use Areas 1 includes areas with the greatest heights and largest proportion of non-residential uses, and will sustain a mix of uses and support prosperity. Policy 6.23 states that development in this area will include a range of buildings, heights, scales and massing that are dependent on the site characteristics and supportive of downtown intensification. Policy 6.24 states that a significant portion of non-residential will be provided within mixed-use developments.

The Downtown Plan identifies Yonge Street as both a Great Street and a Priority Retail Street. The site is also located within a Cultural Precinct and the Downtown Film Precinct.

The in-force Downtown Plan may be found here:

<https://www.toronto.ca/legdocs/mmis/2019/cc/bgrd/backgroundfile-135953.pdf>

See Attachment 7 for the site's Downtown Plan Mixed Use Area designation.

Official Plan Amendment 352 – Downtown Tall Building Setback Area

On October 5-7, 2016, City Council adopted OPA 352 – Downtown Tall Building Setback Area. The purpose of OPA 352 is to establish the policy context for tall building setbacks and separation distances between tower portions of tall buildings Downtown. At the same meeting, City Council adopted area-specific Zoning By-laws 1106-2016 and 1107-2016, which provide the detailed performance standards for portions of buildings above 24 metres in height. OPA 352 and Zoning By-laws 1106-2016 and 1107-2016 were appealed to the OLT following City Council's adoption of the planning instruments.

On November 25, 2020 and February 2, 2021, City Council approved modifications to OPA 352 and the Zoning By-laws with the intention of resolving the appeals. On May 28, 2021, the OLT partially approved modifications to OPA 352 and the Zoning By-laws. OPA 352 and Zoning By-laws 1106-2016 and 1107-2016 are in-force for this site.

The Official Plan Amendment as initially adopted by City Council can be found here:

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2016.TE18.7>

Official Plan Amendment 231 – Employment Policies Review

Official Plan Amendment 231 ("OPA 231"), adopted by City Council December 18, 2013, received approval by the Minister of Municipal Affairs and Housing on July 9, 2014, and remains partially under appeal before the Ontario Land Tribunal. As an outcome of the Official Plan and Municipal Comprehensive Reviews, OPA 231 contains new economic policies and designations to stimulate office growth in the Downtown, Central Waterfront and Centres, and all other Mixed Use Areas, Regeneration Areas and Employment Areas and also contains new policies with respect to office replacement in transit-rich areas.

Zoning By-laws

The site is zoned Commercial Residential CR12.0(c8.0; r11.7) SS1 (x2325) under the City's Zoning By-law 569-2013.

This zone classification permits a wide array of uses commercial, residential, and institutional uses that are consistent with the Mixed Use Areas Official Plan designation. The current maximum height permitted is 76 metres. The maximum Floor Space Index for permitted uses on site include 8.0 times the lot area for commercial uses, and 11.7 times the lot area for residential uses. See Attachment 5: Zoning By-law Map.

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

On November 26, 2019 City Council adopted the Priority Retail Streets Zoning By-law Amendments 1681-2019 and 1692-2019 which specify standards for retail spaces at grade. By-laws 1681-2019 and 1692-2019 identify this portion of Yonge Street as a Priority Retail Street. The By-laws were subsequently appealed to the LPAT on a city-wide basis.

The Council-adopted By-laws can be found here:
<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2019.PH10.1>

See Attachment 9 of this report for the existing Zoning By-law Map.

Urban Forestry/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).

Design Guidelines

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

- Tall Building Urban Design Guidelines;
- Downtown Tall Building Urban Design Guidelines;
- St. Lawrence Neighbourhood Focused Area Urban Design Guidelines;
- Pet Friendly Design Guidelines and Best Practices for New Multi-Unit Buildings;
- Growing Up Urban Design Guidelines; and
- Retail Design Manual.

The City's Design Guidelines can be found here:
<https://www.toronto.ca/citygovernment/planning-development/official-planguidelines/design-guidelines/>

City-Wide Tall Building Design Guidelines

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

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

Downtown Tall Buildings: Vision and Supplementary Design Guidelines

This project is located within an area that is also subject to the Downtown Tall Buildings: Vision and Supplementary Design Guidelines. This document identifies where tall buildings belong Downtown, and establishes a framework to regulate their height, form

and contextual relationship to their surroundings. The Downtown Vision and Supplementary Design Guidelines should be used together with the city-wide Tall Building Design Guidelines to evaluate Downtown tall building proposals.

The Downtown Vision and Supplementary Design Guidelines should be used together with the city-wide Tall Building Design Guidelines to evaluate Downtown tall building proposals. The link to the guidelines is here:

<https://www.toronto.ca/wp-content/uploads/2018/03/9712-City-Planning-Downtown-Tall-Building-Web.pdf>

St. Lawrence Neighbourhood Focused Area Urban Design Guidelines

City Council adopted urban design guidelines for the St. Lawrence Neighbourhood Focused Area at its meeting of July 19, 20, 21 and July 26, 2005. The guidelines set out planning and urban design objectives for enhancement of areas of special character, enhancement of historic buildings and how they are viewed, and improvement and enhancement of public realm areas such as parks, plazas, and sidewalks.

The St. Lawrence Neighbourhood Focused Area Urban Design Guidelines locate the subject site within the Berczy Park Area of Special Identity, which is described as an urban park framed by a collection of significant heritage buildings.

The subject site is also within the Yonge Street Corridor and within the Height Transition Ridge. The Yonge Street Corridor is located between the south limit of the railway tracks and King Street and consists of sites on both sides of the street. The buildings along this corridor are generally the tallest in the study area, forming a height transition ridge at the western extent of the Focused Area. Tall buildings will generally demonstrate a stepping down in height from the Height Peak area west of Yonge Street to the Height Sensitive Area to the east of Scott Street.

Growing Up Guidelines: Planning for Children in New Vertical Communities

In July 2020, City Council adopted updated Growing Up Urban Design Guidelines, and directed City Planning staff to apply the "Growing Up Guidelines" in the evaluation of new and under review multi-unit residential development proposals greater than 20 residential units and future city-wide and area-based planning frameworks. The objective of the Growing Up Urban Design Guidelines is that developments deliver tangible outcomes to increase liveability for larger households, including families with children, at the neighbourhood, building and unit scale.

The link to the Growing Up Guidelines may be found here:

<https://www.toronto.ca/citygovernment/planning-development/planning-studiesinitiatives/growing-up-planning-forchildren-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 needed pet amenities for high density residential communities.

The link to the guidelines can be found here:

<https://www.toronto.ca/citygovernment/planning-development/planning-studies-initiatives/pet-friendly-designguidelines-for-high-density-communities/>

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

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 2040 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.

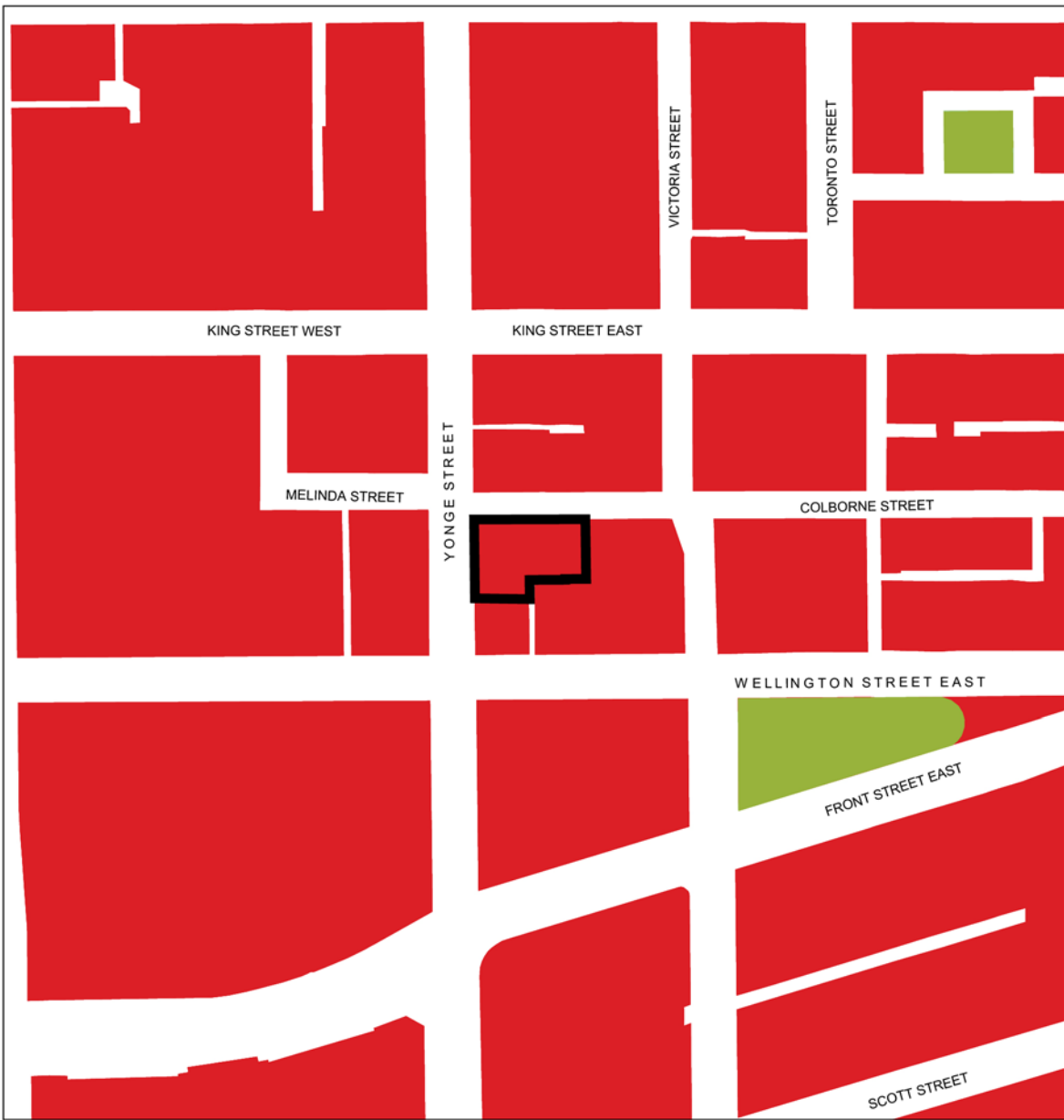
The Toronto Green Standard (the "TGS") sets out the key sustainable performance measures new developments are required to meet to address climate mitigation and resilience. The TGS is a critical component of the City's efforts to achieve zero emissions buildings by 2030, to meet 2040 citywide greenhouse 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/planningdevelopment/officialplanguidelines/toronto-green-standard/>

Attachment 6: Official Plan Land Use Map



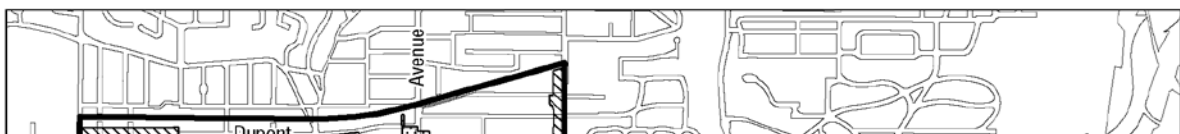
Official Plan Land Use Map #18

53-55 Yonge Street
File # 21 129226 STE 13 0Z

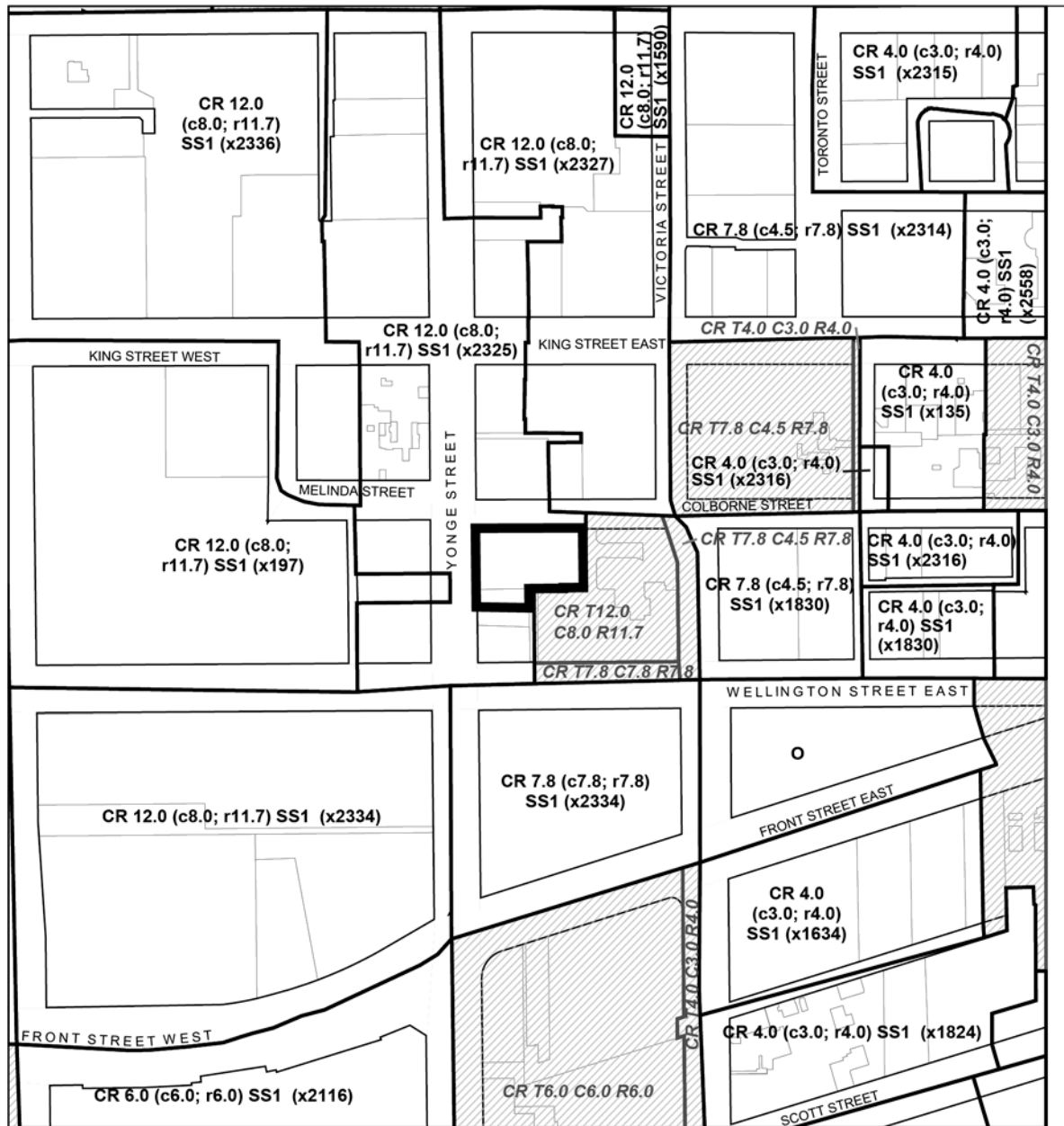


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Not to Scale
Extracted: 03/22/2021

Attachment 7: Downtown Plan Land Use Map



Attachment 8: Zoning By-law Map



Zoning By-law 569-2013

53-55 Yonge Street

File # 21 129226 STE 13 0Z

-  Location of Application
- CR** Commercial Residential
- O** Open Space

-  See Former City of Toronto By-law No. 438-86
- CR** Mixed-Use District


 Not to Scale
 Extracted: 03/22/2021