



REPORT FOR ACTION

6167 Yonge Street, 10 Newton Drive, 9 Madawaska Avenue and City-owned Public Lane – Appeal Report

Date: January 30, 2023

To: North York Community Council

From: Director, Community Planning, North York District

Wards: Ward 18 - Willowdale

Planning Application Number: 22 108032 NNY 18 OZ

Related Application: 22 108031 NNY 18 SA

SUMMARY

On February 11, 2022, an application to amend the Official Plan, the former City of North York Zoning By-law No. 7625, and City-wide Zoning By-law 569-2013 was submitted to permit two 14-storey (47.8 to 48.36 metres, not including mechanical penthouse) mixed use buildings at 6167 Yonge Street, 10 Newton Drive, 9 Madawaska Avenue and the City-owned public lane. The applicant also submitted an application for Site Plan Approval on February 11, 2022.

The proposal would provide 549 residential units and 998 square metres of at-grade retail. The overall proposed gross floor area is 38,810 square metres, which would result in a density of 5.98 times the lot area. Driveways would be provided on the east side of the proposed buildings extending north-south through the lands, with vehicular access provided from Newton Drive and Madawaska Avenue. A total of 273 parking spaces are proposed within two levels of underground parking, along with a total of 550 bicycle spaces.

On November 29, 2022, the applicant appealed the Official Plan and Zoning By-law Amendment applications to the Ontario Land Tribunal, citing Council's failure to make a decision within the prescribed time frames in the *Planning Act*. A Case Management Conference has been scheduled for March 22, 2023. The application for Site Plan Approval has not been appealed.

As detailed in this report, the proposal does not conform to the City of Toronto Official Plan. It is also inconsistent with City Council's vision for the area as outlined in the Council-adopted, but under appeal, Yonge Street North Secondary Plan.

This report recommends that City Council instruct the City Solicitor with the appropriate City staff to attend the Ontario Land Tribunal hearing to oppose the application in its current form and to continue discussions with the applicant to resolve the 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 in opposition to the application to amend the Official Plan and zoning by-laws (File No. 22 108032 NNY 18 OZ) for the lands at 6167 Yonge Street, 10 Newton Drive, 9 Madawaska Avenue and the City-owned public lane.

2. In the event the Ontario Land Tribunal allows the appeal in whole or in part, City Council authorize the City Solicitor to request the Ontario Land Tribunal to withhold the issuance of its final Order(s) until such time as the Ontario Land Tribunal has been advised by the City Solicitor that:

- a) The final form and content of the Official Plan and 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 Official Plan and Zoning By-law amendments as set out in their memo dated April 6, 2022, 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) In the event the updated Functional Servicing Report, Stormwater Management Report, and/or Hydrogeological Report identify any required upgrades to existing municipal infrastructure to support the development, the Owner has entered into a financially secured agreement(s) with the City requiring the Owner to design, financially secure, construct and make operational prior to the issuance of any above grade building permit, any upgrade or required improvements, all to the satisfaction of the Chief Engineer and Executive Director, Engineering and Construction Services; and
- d) The Owner has submitted a revised Transportation Demand Management Plan acceptable to, and to the satisfaction of the Chief Planner and Executive Director, City Planning, and the General Manager, Transportation Services and that such matters arising from such study be secured if required.

3. In the event the Ontario Land Tribunal allows the appeal in whole or in part, City Council approve a development charge credit against the Parks and Recreation component of the Development Charges for the design and construction by the Owner of the Above Base Park improvements to the satisfaction of the General Manager, Parks, Forestry & Recreation. The development charge credit shall be in an amount that is the lesser of the cost to the Owner of designing and constructing the Above Base Park Improvements, as approved by the General Manager, Parks, Forestry & Recreation, and the Parks and Recreation component of development charges payable for the development in accordance with the City's Development Charges By-law, as may be amended from time to time.

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

5. 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 was submitted on February 11, 2022. A Preliminary Report on the application was adopted by North York Community Council on April 20, 2022 authorizing staff to conduct a community consultation meeting. The Community Council decision and a copy of the report can be found here:

<https://secure.toronto.ca/council/agenda-item.do?item=2022.NY31.23>

The Yonge Street North Secondary Plan ("YNSNP") was adopted at the City Council meeting on July 19, 2022 through [By-law 1016-2022](#) (Official Plan Amendment 615). City Council's decision can be found at the following link:

<https://secure.toronto.ca/council/agenda-item.do?item=2022.NY34.5>

The YNSNP was subsequently appealed to the Ontario Land Tribunal by a number of land owners. The applicant appealed the Yonge Street North Secondary Plan on August 17, 2022. The first Case Management Conference is scheduled for January 31, 2023. The status of the appeal may be found [here](#).

On March 25, 2022, Planning and Housing Committee adopted a Report containing draft delineations of 57 Protected Major Transit Station Areas and 40

Major Transit Station Areas (2022.PH32.7). The subject lands are located within the Yonge-Steeles Protected Major Transit Station Area (SASP 760) as identified in the report. A copy of the report and decision can be found at the following link: <https://secure.toronto.ca/council/agenda-item.do?item=2022.PH32.7>

SITE AND SURROUNDING AREA

Site Description

The subject lands comprise two sites that front Yonge Street. Site A, located on the north side of Newton Drive, consists of 6167 Yonge Street and also includes 10 Newton Drive and 9 Madawaska Avenue. Site B is located on the south side of Newton Drive and currently has no municipal address, but is being referred to as 6167 Yonge Street for the purpose of this application as it is under the same ownership as Site A.

Site A has a lot area of 4,338 square metres and approximately 75.16 metres of frontage on Yonge Street, as well as 56.53 metres of frontage on Newton Drive and 59.76 metres on Madawaska Avenue. Site B has a lot area of 2,150 square metres and has approximately 37.17 metres of frontage on Yonge Street, as well as 55.91 metres of frontage on Newton Drive.

Existing Uses

Site A is primarily occupied by a car dealership at 6167 Yonge Street, as well as a detached house used for the car dealership's commercial operations at 10 Newton Drive and a two-storey commercial building at 9 Madawaska Avenue. Site B is operated as part of the car dealership and provides additional surface parking for the dealership.

The subject lands also include a City-owned laneway extending along the eastern edge of 6167 Yonge Street, on both the north and south sides of Newton Drive. The laneway contains significant Toronto Water infrastructure, and extends from Steeles Avenue East at the north end to south of Centre Avenue at the south end. The applicant is proposing to acquire the laneway in order to facilitate the proposed development.

Surrounding Uses

North: Immediately north of Site A is a funeral home with a surface parking lot. Further to the north are low-rise commercial buildings fronting Yonge Street, as well as Centerpoint Mall which is located to the northwest of the subject lands.

South: Immediately south of Site B is 6125 Yonge Street, which has an active Zoning By-law Amendment application for a 26-storey mixed use building (File No. 22 119174 NNY 18 OZ).

West: To the west of the subject lands is 6200 Yonge Street, which has a development application for a 25-storey mixed use building, which is currently under appeal to the Ontario Land Tribunal (File No. 21 252332 NNY 18 OZ).

East: To the east of the lands is a low-rise neighbourhood comprising detached dwellings.

THE APPLICATION

Description

The application proposes two 14-storey residential buildings with retail at-grade with an on-site parkland dedication of 442.1 square metres at the northeast corner of Site A.

Height

The two 14-storey mixed use buildings would have heights of 48.36 metres for Site A and 47.8 metres for Site B, not including the mechanical penthouses.

Gross Floor Area ("GFA")

The total gross floor area across Site A and Site B is 38,810 square metres. See breakdown in below table.

| | |
|-----------------|---|
| Total GFA | Site A: 25,417.3 square metres Site B: 13,392.4 square metres Total: 38,810 square metres |
| Residential GFA | Site A: 24,673 square metres Site B: 13,139 square metres Total: 37,812 square metres |
| Retail GFA | Site A: 744.3 square metres Site B: 253.4 square metres Total: 998 square metres |

Density

The proposed overall density is 5.98 times the area of the lot. The density of Site A would be 5.86 and for Site B would be 6.23.

Unit Count

A total of 549 residential units are proposed, with 354 units located on Site A and 195 units located on Site B. The units are comprised of 25 studio units (4.6%), 317 one-bedroom units (57.7%), 145 two-bedroom units (26.4%), and 62 three-bedroom units (11.3%).

Vehicular Parking Spaces

273 parking spaces are proposed within two levels of underground parking, with 193 spaces on Site A and 80 spaces on Site B. There are 28 visitor parking spaces.

Bicycle Parking Spaces

A total of 550 bicycle spaces are proposed of which 495 spaces will be long-term and 55 spaces will be short-term.

Additional Information

See Attachments 1, 2, 3a, 3b, 3c, 3d and 4 of this report for the Application Data Sheet, Location Map, and application drawings, including North Elevations, West Elevations, and Site Plan.

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:

[6167 Yonge Street, 10 Newton Drive and 9 Madawaska Avenue - Application Information Centre](#)

Reasons for Application

The proposal requires an amendment to the Official Plan to designate the entirety of the subject lands as *Mixed Use Areas*. The proposal also requires amendments to the former City of North York Zoning By-law No. 7625 and City-wide Zoning By-law 569-2013 to implement site-specific development standards to implement provisions related to building height, gross floor area, minimum setbacks, encroachments, access location, parking rates, parking and bicycle parking space locations, and minimum amenity space requirements, among others.

Site Plan Control

The proposal is subject to Site Plan Control. A Site Plan Control application is currently under review by the City (File No. 22 108031 NNY 18 SA).

POLICY CONSIDERATIONS

Official Plan

The lands fronting Yonge Street, primarily at 6167 Yonge Street, are designated *Mixed Use Areas*. The lands immediately beyond Yonge Street, including 10 Newton Drive and 9 Madawaska Avenue are designated *Neighbourhoods*. 9 Madawaska Avenue is also subject to Site and Area Specific Policy (SASP) 70, which permits a medical office. See Attachment 5 to this report for the Official Plan Land Use Map. The Toronto Official Plan can be found here:

Former City of North York Zoning By-law No. 7625

The lands fronting Yonge Street are zoned C1 - General Commercial Zone. The C1 zone permits a range of uses, including restaurant, retail stores, business and professional offices, and day nurseries. The zone permits a maximum lot coverage of 33.3 percent, a maximum building height of 9.2 metres and three storeys (see Attachment 7 to this report for Zoning By-law No. 7625 Map).

The lands fronting Newton Drive and Madawaska Avenue are zoned R6 - One-Family Dwelling Sixth Density Zone under the former City of North York Zoning By-law No. 7625. The R6 zone permits detached dwellings and accessory buildings. This zone permits a maximum lot coverage of 30 percent and a maximum height of 8.0 metres for a flat roof, and 8.8 metres for any other roof type, and up to two storeys in height.

Zoning By-law 569-2013

The lands fronting Yonge Street are zoned Commercial Residential Zone (CR 1.0 (c1.0; r1.0) SS3 (x87)) by Zoning By-law 569-2013, with a height limit of 10.5 metres and 3-storeys. The zone permits residential and commercial uses. The CR 1.0 (c1.0; r1.0) zone permits a maximum density of 1.0 times the lot area. The exception in the By-law provides provisions allowing and regulating a vehicle dealership on the lands, and also requires a parking rate of 1.5 parking spaces per unit of which 0.25 parking spaces for each unit must be for visitor parking.

The lands fronting Newton Drive and Madawaska Avenue are zoned Residential Detached Zone (RD (f12.0; a370)) and allow for residential uses. The By-law requires a minimum lot frontage of 12.0 metres and lot area of 370 square metres. The building requirements of this RD zone permit a maximum height of 10.0 metres, minimum side yard setbacks of 1.8 metres, and a maximum lot coverage of 30 percent, among other performance standards (see Attachment 6 to this report for Zoning By-law 569-2013 Map).

Yonge Street North Secondary Plan ("YSNSP")

The YSNSP establishes a new planning framework for the area generally bounded by Steeles Avenue to the north, Cummer and Drewry Avenues to the south, Willowdale Avenue to the east, and Lariviere Road to the west. The Secondary Plan includes policies to guide growth and develop a complete community, including but not limited to, policies related to the area structure, public realm, parks and open spaces, transportation and mobility, housing, community services and facilities, built form, and implementation. The subject sites are located within the YSNSP and are designated *Mixed Use Areas* within

the Yonge Main Street and Mid-Rise East Character Areas. The Yonge Main Street and Mid-Rise East Character Area are envisioned to have a mid-rise built form.

The YSNSP was completed alongside the Yonge Street North Transportation Master Plan ("TMP") to inform the creation of a new policy framework for the area. The TMP recommended new street networks, pedestrian and cycling infrastructure, and shared mobility facilities, like car-share and bike-share to support future growth of the area.

Although By-law 1016-2022 (Official Plan Amendment 615) is currently under appeal, it is relevant as it represents Council's latest vision for the area. The owner of the lands has appealed Official Plan Amendment 615. It is acknowledged that the proposed applications were submitted before Council adopted the YSNSP.

COMMENTS

The proposal has been reviewed against the policies of the *Planning Act*, the Provincial Policy Statement, 2020 ("PPS"), A Place to Grow: Growth Plan for the Greater Golden Horseshoe, 2020 ("Growth Plan"), and Official Plan policies, planning studies, and design guidelines.

Staff have identified a number of issues with the development application and have summarized them below. Additional issues may be identified in the course of preparing for an Ontario Land Tribunal ("OLT") hearing.

Planning Act

The review of this application has had regard for relevant matters of provincial interest set out under Section 2 of the *Planning Act*.

Provincial Policy Statement (2020)

City Planning staff have reviewed the current proposal against the policies of the PPS, as described in the Policy Considerations included as Attachment 8 to this report. The proposed Official Plan and Zoning By-law Amendments are generally consistent with the PPS. A City Council decision to oppose the proposal would also be consistent with the PPS given the non-conformity with the Official Plan as discussed below.

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

City Planning staff have reviewed the current proposal against the policies of the Growth Plan, as described in the Policy Considerations included as Attachment 8 to this report. The proposed Official Plan and Zoning By-law Amendments generally conform with the Growth Plan. A City Council decision to oppose the

proposal also conforms with the Growth Plan given the non-conformity with the Official Plan as discussed below.

Land Use

Part of the subject lands are currently designated *Neighbourhoods*. The *Neighbourhoods* designation requires that development will respect and reinforce the existing physical character of each geographic neighbourhood and provides several development criteria that aims to limit intensification to development that respects the character of the established neighbourhood.

The application proposes a redesignation of the lands fronting on Newton Drive and Madawaska Avenue to *Mixed Use Areas* that would be consistent with the land use redesignation as outlined in the under-appeal YSNSP. However, the application proposes a development that would not be consistent with the vision contemplated in the YSNSP nor the in-force *Neighbourhoods* policies of the Official Plan.

Height and Built Form

The application proposes two 14-storey buildings (48.36 metres for Site A and 47.8 metres for Site B, not including the mechanical penthouses) with a gross floor area of 38,810 square metres. The base building is 4-storeys, measuring 16.1 metres in height. The buildings have a 9-storey streetwall condition along Yonge Street.

The subject site is located on an *Avenue* on Map 2 of the Official Plan. The Performance Standards for Mid-Rise Buildings guide the development of mid-rise buildings along *Avenues*. The Performance Standards for Mid-Rise Buildings define mid-rise buildings as no taller than the right-of-way is wide. With a right-of-way width of 33 metres, the proposed building is notably taller than the right-of-way of Yonge Street. Further, the Official Plan recommends that mid-rise building on corner sites with different right-of-way widths should have building heights along each street edge that relate to their corresponding right-of-way width. While a mid-rise typology is considered appropriate for the lands fronting along Yonge Street, the proposed buildings are too large in scale and do not meet the City's objectives for mid-rise buildings.

In addition to the in-effect Official Plan policies, City Council's approved vision for this section of Yonge Street in the YSNSP is for a main street character with a mid-rise built form. The lands east of Yonge Street are also envisioned for mid-rise built form. The YSNSP also specifies that mid-rise buildings have heights generally no greater than the adjacent right-of-way, streetwall heights of 3- to 7-storeys, and also includes specific angular plane requirements. The proposed building has substantial projections into the angular plane as measured in accordance with the YSNSP.

The proposed height and built form does not meet the vision contemplated along the *Avenue*, within the current *Neighbourhoods* designation, nor does it conform with the Yonge Main Street or Mid-Rise East Character Areas (of the YSNSP) and would not fit harmoniously with the existing and planned context per Official Plan policy.

Building Massing

City Planning staff have reviewed the proposed built form, including massing and transition, against the policies of the Official Plan, urban design guidelines, the under appeal YSNSP as well as other relevant policies and guidelines.

The proposed building mass, including the building height, streetwall height, building setbacks and building stepbacks are not appropriate and do not achieve the policies of the Official Plan, and do not meet the intent of the applicable urban design guidelines. A redesign of the building to a mid-rise built form of a smaller scale more appropriate for the context would better achieve the direction of the Official Plan, vision for the area in the YSNSP, meet the intent of the applicable guidelines and provide a built form that reduces visual and physical impact that would contribute to a vibrant public realm.

Sun and Shadow

The Official Plan requires that development in *Mixed Use Areas* locate and mass new buildings to frame the street edge and provide good proportion and maintain direct sunlight and daylight on the public realm for pedestrians on adjacent streets, parks, and open spaces. The applicant has provided a shadow study illustrating the shadow impacts on March 21, June 21, September 21 and December 21. The shadow study identifies consistent shadowing along Madawaska Avenue and Newton Drive throughout the day in all seasons, with shadowing along Yonge Street generally ending by 12:18pm. The proposed buildings would also shadow the new proposed on-site park. The proposed built form has substantial shadow impacts and limits access to sunlight, especially along the sidewalks on Madawaska Avenue and Newton Drive, resulting in less than the recommended five hours of sunlight.

Wind

The applicant has also submitted a Pedestrian Level Wind Study in support of the application. The study finds that the wind conditions are acceptable for pedestrian uses with the exception of at the northwest corner of Building A at the Yonge Street and Madawaska Avenue intersection, and at the southwest corner of Building A at the Yonge Street and Newton Drive intersection. Wind conditions on the common amenity terraces in Building A at level 5 and Building B at level 2 have wind conditions that are mostly suitable for sitting conditions, but only suitable for standing conditions in some areas. Overall, there are uncomfortable

wind conditions in spring, fall and winter on the northeast and northwest corners of Building A, and south west of Building B. Wind screens were recommended to increase comfort levels.

Unit Mix and Size

The YSNSP includes housing policies to ensure a balanced mix of residential unit types and sizes are achieved. For developments that contain more than 80 new residential units, a minimum of 40 percent of the total number of new units will be a combination of two- and three-bedrooms units, including:

- a) A minimum of 15 percent of the total number of units as two-bedroom units;
- b) A minimum of 10 percent of the total number of units as three-bedroom units; and
- c) an additional 15 per cent of the total number of units being a combination of 2-bedroom and 3-bedroom units.

The Council-adopted Growing Up: Planning for Children in New Vertical Communities Guidelines provide guidance on the proportion and size of larger units in new multi-unit developments. The Guidelines state that a minimum of 10 percent of units should be three-bedroom units and a minimum of 15 percent of units should be two-bedroom units.

The proposed development will have a total of 549 residential units. The units are comprised of 25 studio units (4.6%), 317 one-bedroom units (57.7%), 145 two-bedroom units (26.4%), and 62 three-bedroom units (11.3%). The provision of this unit mix would generally support the unit mix objectives of the Growing Up Guidelines, but falls short of the requirements of the YSNSP.

The Growing Up Guidelines also provide guidelines for unit sizes for two- and three-bedroom units to ensure units are thoughtfully designed to accommodate children. The unit sizes of the proposed development are deficient in size based on the ideal unit sizes as specified in the Growing Up Guidelines.

Parkland

The City of Toronto Parkland Strategy is a 20-year strategic city-wide plan that guides long-term planning for new parks, park expansions and improvements, and improved access to existing parks. The Strategy includes a new methodology to measure and assess parkland provision, using the baseline of residential population against the area of parkland available across the city. According to the Strategy's methodology, the development site is currently in an area with 12 - 28 square metres of parkland per person, which is less than the city-wide average provision of 28 square metres of parkland per person (2016). Given the future expected growth both on the development site itself and

surrounding sites, a parkland deficit will be generated if no new parks are created. This anticipated parkland deficit must be addressed through the creation of a new park to serve the future population.

At the alternative rate of 0.4 hectares per 300 units specified in Chapter 415, Article III of the Toronto Municipal Code, the parkland dedication requirement is 7,320 square metres or 116 percent of the site area. However, for sites that are less than 1 hectare in size, a cap of 10 percent of the development site is applied to the residential use while the non-residential use is subject to a 2 percent parkland dedication. In total, the parkland dedication requirement is 635.4 square metres. The application proposes an on-site parkland dedication of 442.1 square metres; the size of the parkland dedication must be increased by 193.3 squares metres.

City-Owned Laneway

A City-owned laneway runs north-south parallel to Yonge Street on the east side. The laneway, which contains significant Toronto Water infrastructure, extends through the subject lands. The applicant has proposed to relocate the laneway further to the east in order to build on the current location of the laneway, and proposes the relocated laneway to be in private ownership acting as the driveway for the development. The proposed relocation of the laneway would require the applicant to acquire the lands from the City and also require a road closure application subject to City Council approval. Toronto Water objects to the relocation of the laneway and to placing Toronto Water infrastructure into private lands. See below Servicing and Infrastructure section for more information.

Servicing and Infrastructure

The applicant has submitted a Functional Servicing and Stormwater Management Report, a Hydrogeological Report, and a Geotechnical Report. These reports allow City staff to evaluate the effects of the development on the City's municipal servicing infrastructure and provide the rationale for whether the City requires the applicant to provide new infrastructure and/or upgrades to the existing infrastructure in order to facilitate this development.

The Engineering and Construction Services ("ECS") Division has reviewed the submitted plans and reports and require revisions to the Functional Servicing and Stormwater Management Report and Plans. The applicant proposes to relocate the existing Toronto Water sanitary sewers located in the laneway on the east side of Yonge Street that extends through Site A and Site B. Toronto Water objects to the relocation of any laneways to the east of Yonge Street for new developments which propose the relocation of Toronto Water infrastructure. Toronto Water also objects to the proposal to place any Toronto Water infrastructure into private lands. The submitted Functional Servicing and Stormwater Management Report does not provide enough detail about the proposed relocation of the laneway and ECS and Toronto Water do not accept

the proposal to relocate the laneway. The proposed development would need to be redesigned given ECS and Toronto Water object to closing and relocating the laneway.

In the event the OLT approves this application in some form, the recommendations contained in this report includes satisfying any outstanding issues indicated in the memorandum from ECS and any necessary securities required to implement the recommendations, prior to the issuance of the final Order(s) of the OLT.

Yonge Street North Transportation Master Plan

The Yonge Street North Transportation Master Plan was developed through an analysis of available infrastructure. The applicant has not undertaken an analysis to demonstrate the cumulative impact the proposed density would have on servicing and transportation infrastructure in the YSNSP area. This analysis should evaluate the infrastructure impact should similar applications be proposed within the YSNSP area.

Transportation, Parking and Loading

In support of the application, a Transportation Impact Study, prepared by WSP, dated January 10, 2022, has been submitted. The consultant concludes that the proposal will generate approximately 104 and 109 auto trips during the weekday a.m. and p.m. peak hours, respectively.

According to the site statistics, a total of 273 parking spaces would be provided, including 245 residential spaces, 28 visitor spaces, within the two-level below-grade parking garage, accessed from the laneway on the east side of the buildings. The proposed parking supply is generally acceptable based on the parking requirements of [By-law 89-2022](#).

Transportation Demand Management

Transportation Demand Management ("TDM") measures are aimed at encouraging people to take fewer and shorter single occupancy vehicle trips to reduce congestion, energy consumption and pollution. Typical TDM policies and programs include, but are not limited to: parking supply management strategies (such as reduced parking provision) in combination with car sharing/bike sharing; school/trip planning; development-related transit initiatives; and cycling programs and expansion of the city-wide cycling networks.

Appropriate TDM measures have not been proposed for this development based on the TDM measures identified in the Transportation Impact Study submitted in support of the application.

Further Issues

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, 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 application has been reviewed against the policies of the PPS (2020), the Growth Plan (2020), the Official Plan, and other applicable City policy and guidelines intended to implement the Official 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. This recommendation is consistent with the PPS and conforms with the Growth Plan.

CONTACT

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SIGNATURE

David Sit, MCIP, RPP, Director
Community Planning, North York District

ATTACHMENTS

City of Toronto Data/Drawings

- Attachment 1: Application Data Sheet
- Attachment 2: Location Map
- Attachment 3a: Site A North Elevation
- Attachment 3b: Site B East Elevation
- Attachment 3c: Site A West Elevation
- Attachment 3d: Site B West Elevation
- Attachment 4: Site Plan
- Attachment 5: Official Plan Land Use Map #16
- Attachment 6: Zoning By-law 569-2013
- Attachment 7: Zoning By-law No. 7625
- Attachment 8: Policy Considerations

Attachment 1: Application Data Sheet

Municipal Address: 6167 YONGE ST, 10
NEWTON DR, 9
MADAWASKA AVE

Date Received: January 27, 2022

Application Number: 22 108032 NNY 18 OZ

Application Type: OPA & Rezoning

Project Description: Official Plan and Zoning By-law Amendment to facilitate the redevelopment of the site for two 14-storey mixed-use buildings having a combined non-residential gross floor area of 998 square metres, and a residential gross floor area of 37,812 square metres. A total of 549 residential dwelling units are proposed.

| Applicant | Agent | Architect | Owner |
|-----------------------|--------------|------------------|------------------|
| REPUBLIC DEVELOPMENTS | | | SHIVANI RUPARELL |

EXISTING PLANNING CONTROLS

| | | | |
|----------------------------|---|--------------------------|---------|
| Official Plan Designation: | Mixed Use Areas & Neighbourhoods CR 1.0 (c1.0; r1.0) SS3 (x87); RD (f12.0; a370) (x215) | Site Specific Provision: | SASP 70 |
| Zoning: | | Heritage Designation: | N |
| Height Limit (m): | 10 | Site Plan Control Area: | Y |

PROJECT INFORMATION

| | | | | | |
|-------------------|-------|---------------|-----|------------|----|
| Site Area (sq m): | 6,488 | Frontage (m): | 118 | Depth (m): | 57 |
|-------------------|-------|---------------|-----|------------|----|

| Building Data | Existing | Retained | Proposed | Total |
|-----------------------------|-----------------|-----------------|-----------------|---------------|
| Ground Floor Area (sq m): | 2,087 | 0 | 3,426 | 3,426 |
| Residential GFA (sq m): | 236 | 0 | 37,812 | 37,812 |
| Non-Residential GFA (sq m): | 2,499 | 0 | 998 | 998 |
| Total GFA (sq m): | 2,735 | 0 | 38,810 | 38,810 |
| Height - Storeys: | 2 | | 14 | 14 |
| Height - Metres: | 6 | | 48 | 48 |

| | | | |
|-------------------------|-------|--------------------|------|
| Lot Coverage Ratio (%): | 52.81 | Floor Space Index: | 5.98 |
|-------------------------|-------|--------------------|------|

| Floor Area Breakdown | Above Grade (sq m) | Below Grade (sq m) |
|-----------------------------|---------------------------|---------------------------|
| Residential GFA: | 37,522 | 290 |
| Retail GFA: | 998 | |
| Office GFA: | | |
| Industrial GFA: | | |
| Institutional/Other GFA: | | |

| Residential Units by Tenure | Existing | Retained | Proposed | Total |
|------------------------------------|-----------------|-----------------|-----------------|--------------|
| Rental: | | | | |
| Freehold: | 0 | | | |
| Condominium: | | | | |
| Other: | | | 549 | 549 |
| Total Units: | 1 | | 549 | 549 |

Total Residential Units by Size

| | Rooms | Bachelor | 1 Bedroom | 2 Bedroom | 3+ Bedroom |
|---------------------|--------------|------------------|--------------------|--------------------|-------------------|
| Retained: | | | | | |
| Proposed: | | 25 | 317 | 145 | 62 |
| Total Units: | | 25 (4.6%) | 317 (57.7%) | 145 (26.4%) | 62 (11.3%) |

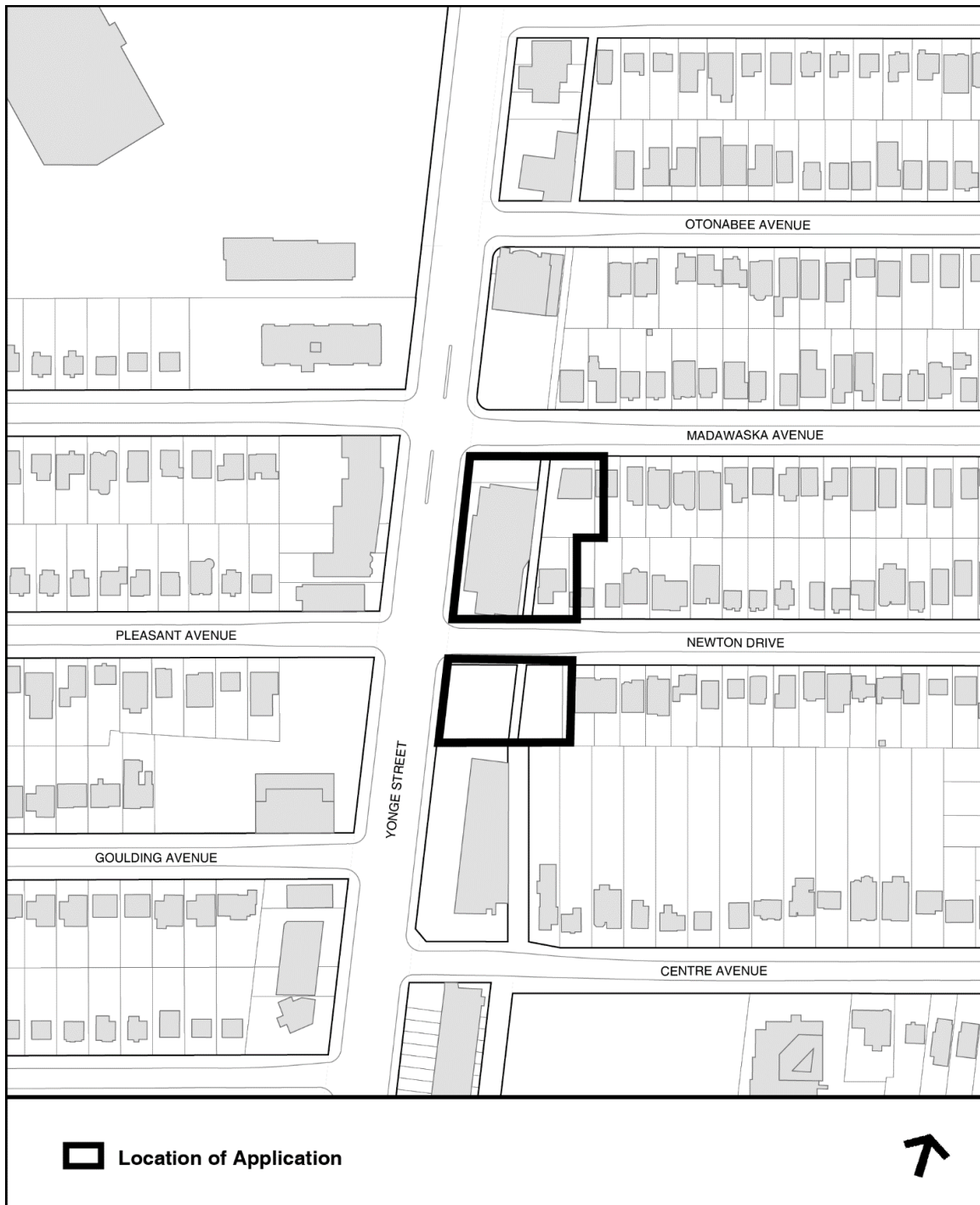
Parking and Loading

Parking Spaces: 273 Bicycle Parking Spaces: 550 Loading Docks: 2

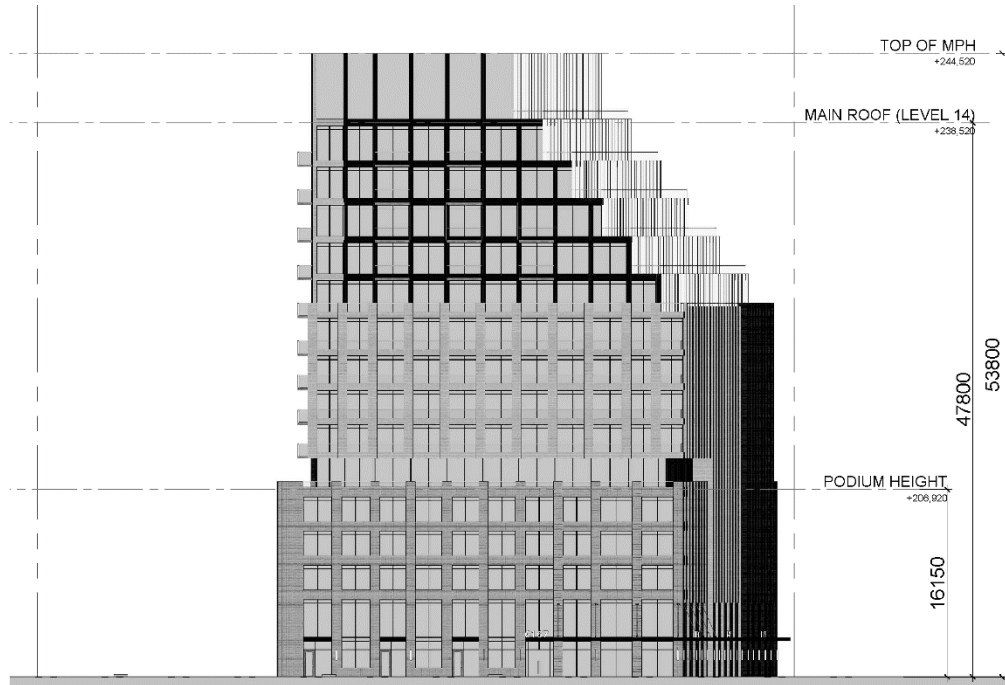
CONTACT:

Heather Au, Planner, Community Planning
(416) 396-5570
Heather.Au@toronto.ca

Attachment 2: Location Map

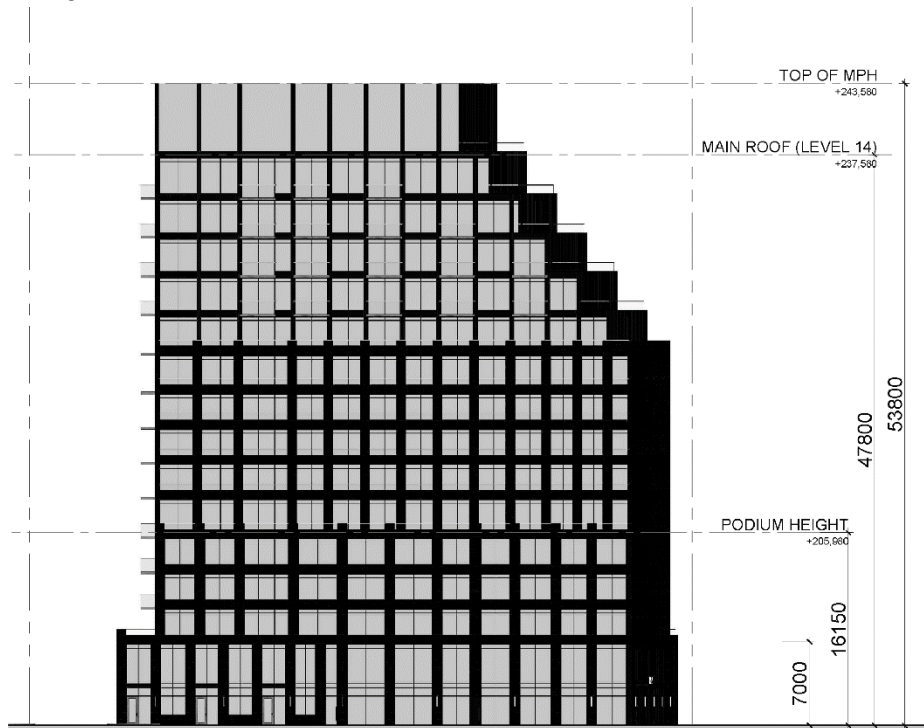


Attachment 3a: Site A North Elevation



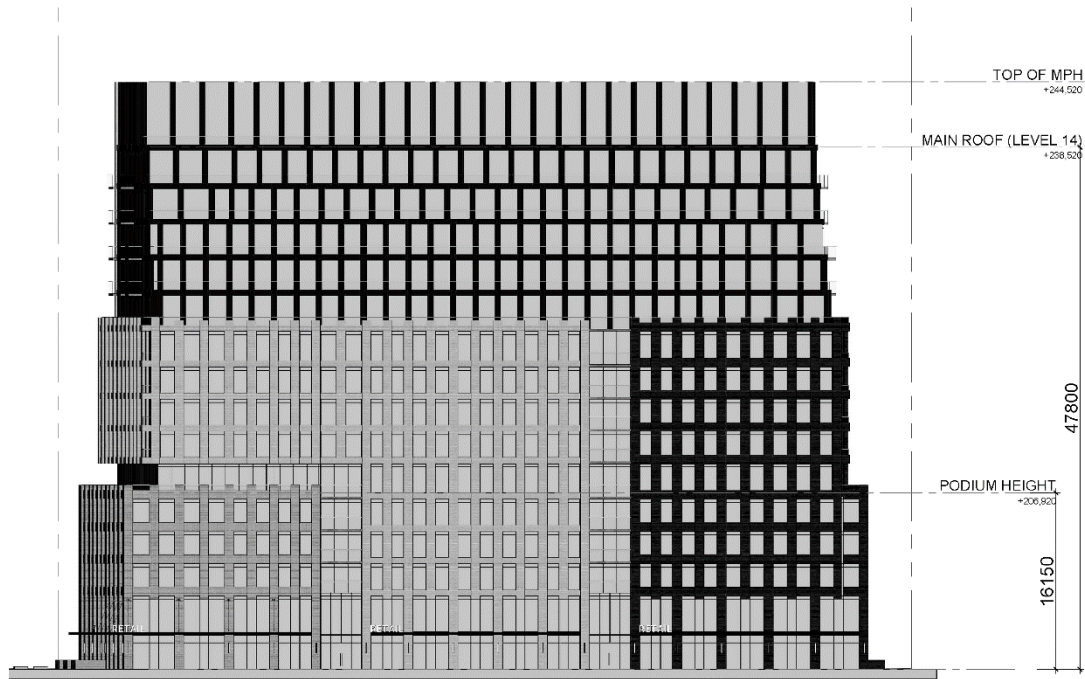
Site A: North Elevation

Attachment 3b: Site B North Elevation



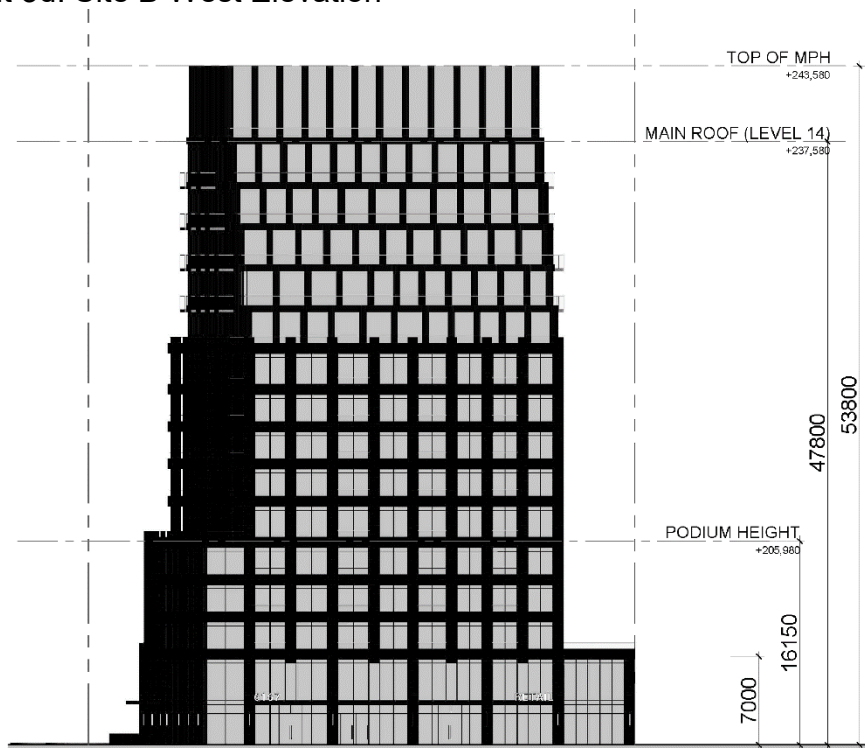
Site B: North Elevation

Attachment 3c: Site A West Elevation



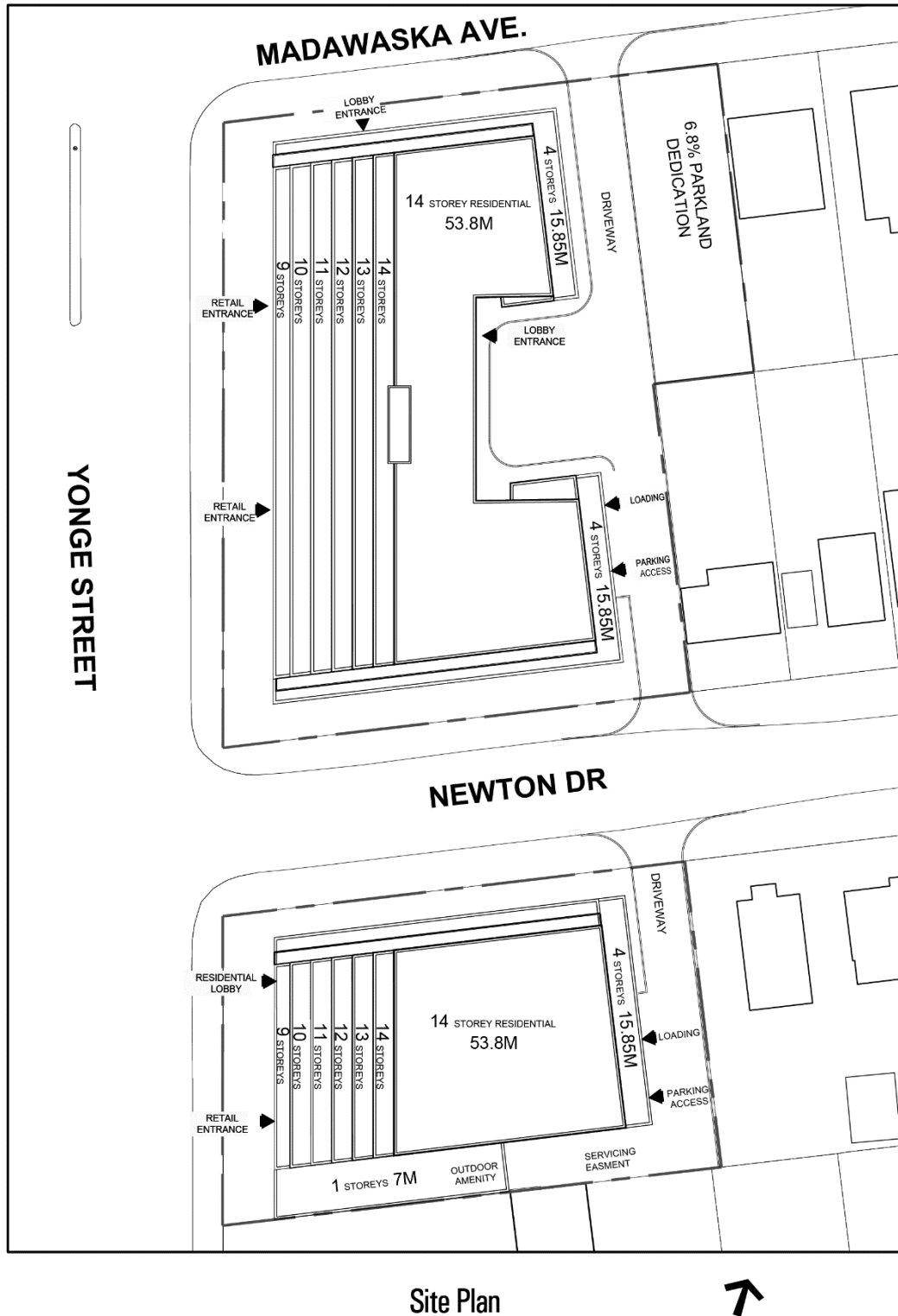
Site A: West Elevation

Attachment 3d: Site B West Elevation

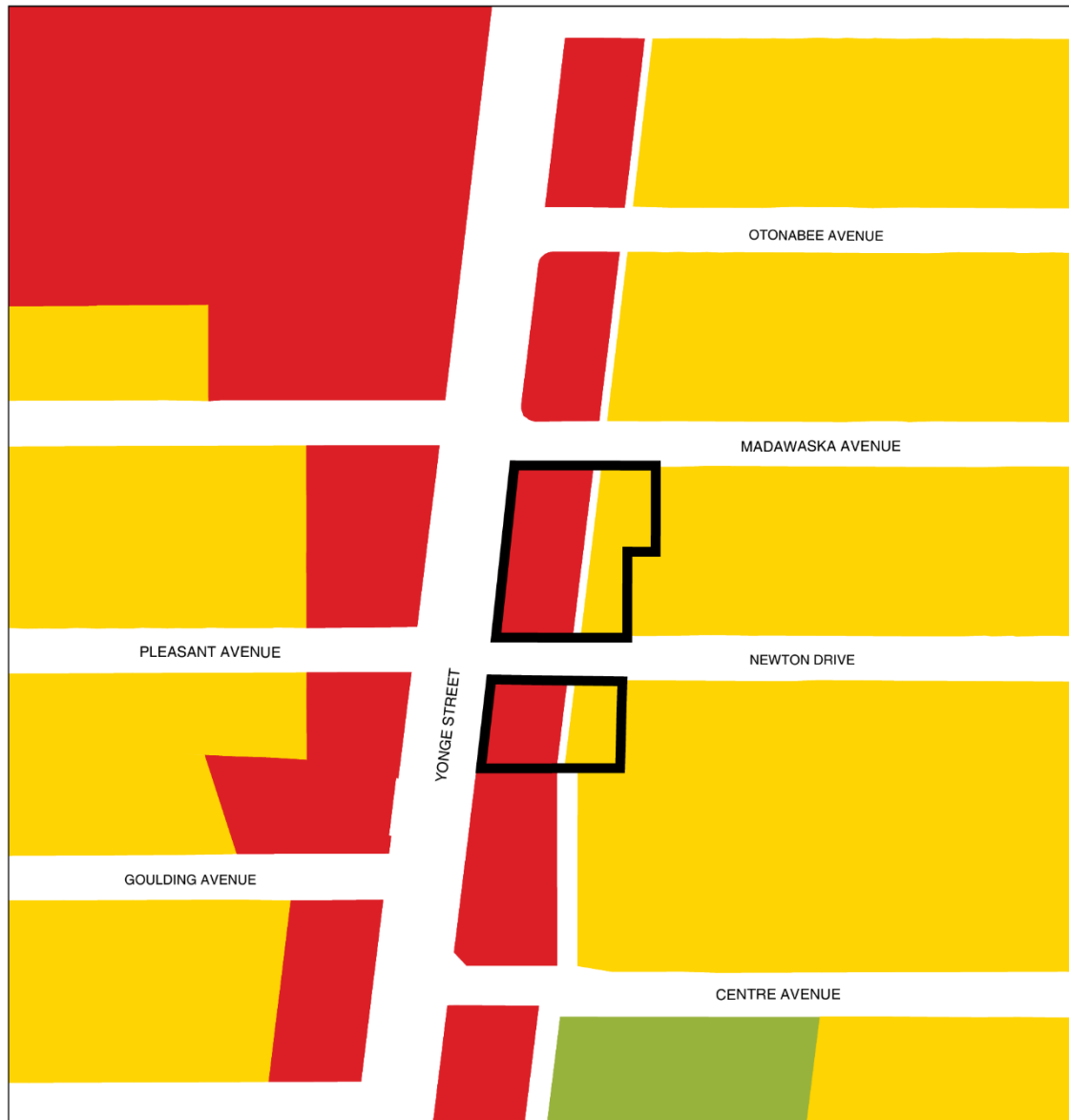


Site B: West Elevation

Attachment 4: Site Plan



Attachment 5: Official Plan Land Use Map #16



Official Plan Land Use Map #16

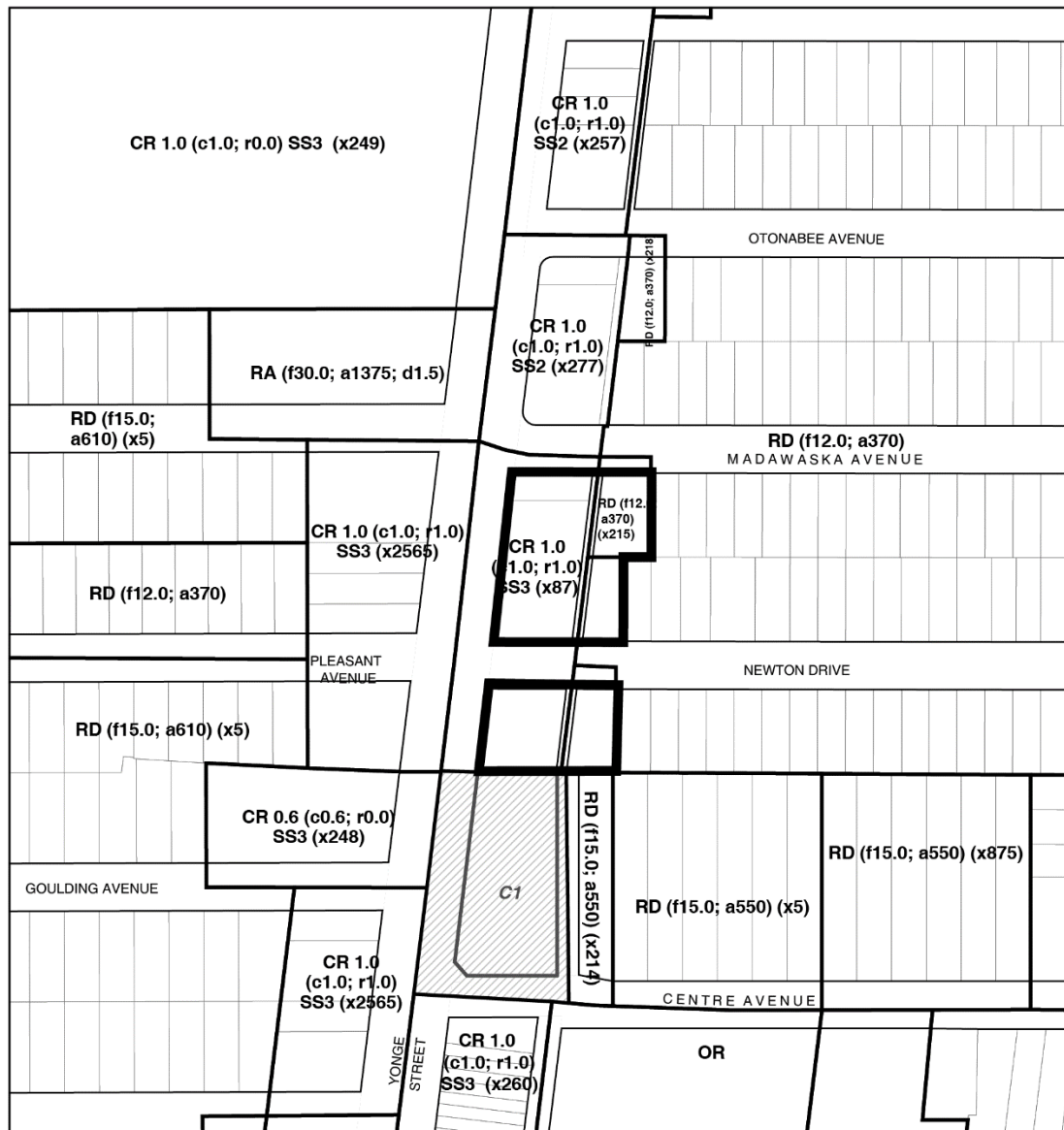
6167 Yonge St, 9 Madawaska Ave 10 Newton Drive

File # 22 108032 NNY 18 0Z



Not to Scale
Extracted: 01/31/2022

Attachment 6: Zoning By-law 569-2013



6167 Yonge St, 9 Madawaska Ave, 10 Newton Drive

Zoning By-law 569-2013

File # 22 108032 NNY 18 0Z

Location of Application
RD Residential Detached
RA Residential Apartment
CR Commercial Residential
OR Open Space Recreation

C1 See Former City of North York By-law No. 7625
 General Commercial Zone

Not to Scale
 Extracted: 01/31/2022

Attachment 7: Zoning By-law No. 7625



Zoning By-law 7625

6167 Yonge St, 9 Madawaska Ave, 10 Newton Drive

File # 22 108032 NNY 18 02



Location of Application

| | |
|------------|---|
| R4 | <i>One-Family Detached Dwelling Fourth Density Zone</i> |
| R6 | <i>One-Family Detached Dwelling Sixth Density Zone</i> |
| RM6 | <i>Multiple-Family Dwellings Sixth Density Zone</i> |
| C1 | <i>General Commercial Zone</i> |
| C3 | <i>District Shopping Centre Zone</i> |
| O1 | <i>Open Space Zone</i> |



Not to Scale
Extracted: 01/31/2022

Attachment 8: Policy Considerations

Planning Act

Section 2 of the *Planning Act* sets out matters of provincial interest, including, but not limited to: the orderly development of safe and healthy communities; the appropriate location of growth and development; the promotion of development that is designed to be sustainable, support public transit and oriented to pedestrians; and the promotion of a built form that is well designed, encourages a sense of place, and provides for public spaces that are of high quality, safe, accessible, attractive and vibrant

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 plan control.

The Provincial Policy Statement (2020)

The Provincial Policy Statement (2020) ("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 interrelationships 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 City 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 City 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."

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

A Place to Grow: Growth Plan for the Greater Golden Horseshoe (2020) ("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 an 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 builds upon the policy foundation provided by the PPS and provides more specific land use planning policies to address issues facing the Greater Golden Horseshoe 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 City Council in respect of the exercise of any authority that affects a planning matter shall conform to the Growth Plan. Comments, submissions or advice affecting a planning matter that are provided by City Council shall also conform to the Growth Plan.

The Growth Plan contains policies pertaining to population and employment densities that should be planned for in Major Transit Station Areas ("MTSA") along priority transit corridors or subway lines. MTSA's 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 MTSA's plan for the prescribed densities. Protected Major Transit Station Areas ("PMTSA") will become a subset of the MTSA's in the City. Policy 2.2.4.5 of the Growth Plan states the City may delineate MTSA's before the MCR is completed provided the delineation is for a PMTSA in accordance with Section 16(15) of the *Planning Act*. While not approved by the Minister, the City has delineated the boundaries of the Yonge-Steeles Station PMTSA and the site is located within these boundaries. The report can be found here: <https://www.toronto.ca/legdocs/mmis/2022/ph/bgrd/backgroundfile-222569.pdf>

Staff have reviewed the proposed development for consistency with the PPS and for conformity with the Growth Plan. The outcome of staff analysis and review are summarized in the Comments section of the report.

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 directs growth towards the Downtown, Centres, Avenues, and Employment Areas. The Official Plan is supplemented by urban design guidelines, which provide further guidance on development and design considerations. The City of Toronto Official Plan can be found here: <https://www.toronto.ca/city-government/planning-development/official-plan-guidelines/>

Chapter 2 – Shaping the City

The site fronting Yonge Street is located along one of the City's *Avenues*, identified as growth areas shown on Map 2 of the Official Plan.

Section 2.2 Structuring Growth in the City: Integrating Land Use and Transportation

This section states the Plan protects the integrity of the City's transportation network, and steers future growth to areas that are well served by transit. The integration of transportation and land use planning is critical in achieving the overall aim of increasing accessibility throughout the City. The Plan also provides that the City's network of streets and laneways will be maintained and developed to support the growth management objectives of the Plan. Specifically, 2.2.5(g) of the Official Plan provides that the City's laneways are not closed to public use and stay within the public realm where they provide present and future access and servicing to adjacent development(s).

Section 2.3.1 Healthy Neighbourhoods

Policy 2.3.1.1 of the Healthy Neighbourhoods policies of the Official Plan state that *Neighbourhoods* are low rise and low density residential areas that are considered to be physical stable. Development in *Neighbourhoods* will be consistent with this objective and will respect and reinforce the existing physical character of buildings, streetscapes and open space patterns.

Chapter 3 – Building a Successful City

Section 3.1.1 The Public Realm

This section provides direction on the importance of the public realm including streets, sidewalks, internal pedestrian connections, open space areas, parks and public buildings.

Section 3.1.3 Built Form

This section states that development must not only fit on its site, but also in terms of how the site, building and its street wall fit within the existing and/or planned context of the neighbourhood and the City. Each new development should promote and achieve the overall objectives of the Plan. Policies 3.1.3(5) to (7) state 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: a) providing streetwall heights and setbacks that fit harmoniously with the existing and/or planned context; and b) stepping back building mass and reducing building footprints above the streetwall height.

Development will be required to provide good transition in scale between areas of different building heights and/or intensity of use in consideration of both the existing and planned contexts of neighbouring properties and the public realm; and (7) transition in scale will be provided within the development site(s) and measured from shared and adjacent property line(s).

Section 3.1.4 Built Form - Building Types

This section provides direction for three scales of building types - townhouse and low-rise apartments, mid-rise and tall buildings. The built form relationships and design of these building types is informed by urban design guidelines to ensure the proper form and fit with their context.

Chapter 4 – Land Use Designations

Section 4.1 Neighbourhoods

The lands on the east side of the laneway are designated *Neighbourhoods* on Map 16 of the Official Plan. *Neighbourhoods* are considered physically stable areas made up of residential uses in lower scale buildings such as detached houses, semi-detached houses, duplexes, triplexes and townhouses, as well as interspersed walk-up apartments that are no higher than four storeys. Parks, low scale local institution, home occupations, cultural and recreational facilities and small-scale retail, service and office uses are also provided for in *Neighbourhoods*.

Section 4.5 Mixed Use Areas

The lands fronting Yonge Street are designated *Mixed Use Areas* on Map 16 of the Official Plan. *Mixed Use Areas* are intended to provide a broad range of commercial, residential and institutional uses in a single-use or mixed use building.

Mixed Use Areas Section 4.5 of the Plan indicates that the *Mixed Use Areas* designation provides for a range of residential, commercial and institutional uses, and provides criteria to direct the form and quality of development. The Official Plan states that "*Mixed Use Areas* will absorb most of the anticipated increase in retail, office and service employment in Toronto in the coming decades, as well as much of the new housing". However, not all *Mixed Use Areas* will experience the same scale or intensity of development. The policies of *Mixed Use Areas* require new development to provide a transition between areas of different development intensity and scale.

Policy 4.5.2 includes criterion that directs the form and quality of development in this land use designation. It is the intent that development in *Mixed Use Areas* will, among other things:

- a) create a balance of high quality commercial, residential, institutional and open space uses that reduce automobile dependency and meet the needs of the local community;
- c) locate and mass new buildings to provide a transition between areas of different development intensity and scale by providing appropriate setbacks

and/or stepping down of heights, particularly towards lower scale

Neighbourhoods;

e) locate and mass new buildings to frame the edges of streets and parks with good proportion and maintain sunlight and comfortable wind conditions for pedestrians on adjacent streets, parks and open spaces;

f) provide an attractive, comfortable and safe pedestrian environment;

h) take advantage of nearby transit services;

i) provide good site access and circulation and an adequate supply of parking for residents and visitors;

j) locate and screen service areas, ramps and garbage storage to minimize the impact on adjacent streets and residences;

k) provide indoor and outdoor recreation space for building residents in every significant multi-unit residential development; and

l) provide opportunities for green infrastructure including tree planting, stormwater management systems and green roofs.

See Attachment 5 for the Official Plan land use designations of the subject lands.

Chapter 5 – Implementation

Section 5.3.2 Implementation Plans and Strategies for City-building

This section indicates detailed action-oriented plans, programs and strategies will be needed to implement the Official Plan and to adapt to changing circumstances and challenges over the life of the Official Plan. Policy 5.3.2.1 states implementation plans, strategies and guidelines will be adopted to advance the vision, objectives and policies of this Plan.

Section 5.6 Interpretation

This section establishes how the policies are to be understood and interpreted. Policy 5.6.1 states that the Plan should be read as a whole to understand its comprehensive and integrative intent as a policy framework for priority setting and decision making. Policy 5.6.1.1 states policies should not be read in isolation. When more than one policy is relevant, all appropriate policies are to be considered in each situation.

The outcome of staff's analysis and review of relevant Official Plan policies and designations, applicable policies noted above are summarized in the Comments section of the report.

Yonge Street North Secondary Plan

The City Council-adopted Yonge Street North Secondary Plan ("YNSNP") has been considered as part of review of the application. The YNSNP establishes a framework for the development of a complete community around the future

subway station at Steeles Avenue and levels of intensification around Cummer/Drewry Avenues. The YSNSP identifies 5 Character Areas: Steeles Transit Station Area, Yonge Drewry/Cummer Node, Yonge Main Street, Mid-Rise East and West, and Neighbourhoods.

The Yonge Main Street Character Area, between Athabaska and Connaught Avenues, is envisioned as the primary mid-rise and mixed-use main street with an enhanced streetscape with a generous and accessible pedestrian clearway. Mid-rise developments are directed to deliver enhanced connections from Yonge Street to the nearby Goulding and Centre Parks.

The Mid-Rise East and West Character Areas are areas abutting lands designated *Neighbourhoods*, functioning as a transition area between lands within and outside the Secondary Plan area. The lands within these Character Areas are currently designated *Neighbourhoods* and were redesignated as *Mixed Use Areas* to permit a contextually appropriate built form of low- and mid-rise buildings. This Character Area plans for contextually appropriate mid-rise buildings that correspond with the adjacent right-of-way.

While currently under appeal, the YSNSP is not determinative, and is instead informative of the overall vision contemplated by City Council.

Design Guidelines

Part III of the PPS 2020 under the section titled "Guidance Material" states that guidance material and technical criteria may be issued from time to time to assist planning authorities and decision-makers with implementing the policies of the Plan. Policy 5.2.5.6 of the Growth Plan 2020 indicates supporting documents, such as design guidelines, will direct the development of a high quality public realm and compact built form in achieving minimum intensification and density targets of the Plan. Urban Design guidelines specifically are intended to provide a more detailed framework for built form and public realm improvements in growth areas. The following design guidelines were used in the evaluation of this application.

Avenues and Mid-Rise Buildings Performance Standards

City Council adopted the Avenues and Mid-Rise Buildings Study and an addendum containing performance standards for mid-rise buildings. They identify a list of best practices and establish a set of performance standards for new mid-rise buildings. Key issues addressed include maximum allowable building heights, setbacks and stepbacks, sunlight and skyview, pedestrian realm conditions, transition to *Neighbourhoods* and *Parks and Open Space Areas* and corner sites. The link to the guidelines is here: <https://www.toronto.ca/city-government/planning-development/official-planguidelines/design-guidelines/mid-rise-buildings/>.

City Council also adopted a revised Mid-Rise Building Performance Standards Addendum, for staff to use together with the 2010 approved Mid-Rise Building Performance Standards in the preparation of area studies or during the evaluation of development applications, where mid-rise buildings are proposed and Performance Standards are applicable, until such time as City Council adopts updated Mid-Rise Building Design Guidelines. Council's decision is here: <http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2016.PG12.7> and <http://www.toronto.ca/legdocs/mmis/2016/pg/bgrd/backgroundfile-92537.pdf>.

Growing Up: Planning for Children in New Vertical Communities

On July 28, 2020, City Council adopted the 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 guidelines indicate that a building should provide a minimum 25 percent large units of which 10 percent should be three-bedroom units, and 15 percent should be two-bedroom units. The guidelines can be found here:

<https://www.toronto.ca/legdocs/mmis/2020/ph/bgrd/backgroundfile-148362.pdf>

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

The 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 guidelines can be found here: <https://www.toronto.ca/wp-content/uploads/2019/12/94d3-CityPlanning-Pet-FriendlyGuidelines.pdf>