

1 Herons Hill Way, Zoning Amendment Application – Decision Report – Approval

Date: June 5, 2023

To: North York Community Council

From: Director, Community Planning, North York District

Wards: Ward 17 - Don Valley North

Planning Application Number: 20 150974 NNY 17 OZ

Related Application Number: 22 127124 NNY 16 SA

SUMMARY

This application proposes to amend the Zoning By-law for the lands at 1 Herons Hill Way. The application proposes to redevelop the easterly portion of the subject site for a 34-storey (110 metre) mixed-use building while retaining the existing 2-storey (7 metre) office building on the westerly portion of the subject site. The proposed development contains 334 residential units with a total gross floor area of 29,470 square metres resulting in a density (FSI) of 4.54 times the area of the lot and a 524 square metre privately-owned publicly-accessible open space.

The proposed application is consistent with the Provincial Policy Statement (2020) and conforms with A Place to Grow: Growth Plan for the Greater Golden Horseshoe (2020).

This report reviews and recommends approval of the application to amend the Zoning By-laws 569-2013 and 7625 at 1 Herons Hill Way. The proposed building represents an appropriate level of intensification on the site and provides for amenity improvements for existing residents and the surrounding community.

RECOMMENDATIONS

The City Planning Division recommends that:

1. City Council amend City of Toronto Zoning By-law 569-2013 for the lands at 1 Herons Hill Way substantially in accordance with the draft Zoning By-law Amendment attached as Attachment No. 9 to the report dated June 2, 2023 from the Director, Community Planning, North York District.
2. City Council amend former City of North York Zoning By-law 7625 for the lands at 1 Herons Hill Way substantially in accordance with the draft Zoning By-law Amendment attached as Attachment No. 8 to the report dated June 2, 2023 from the Director, Community Planning, North York District

3. City Council Direct that prior to introducing the bills indicated in Recommendations 1 and 2 to City Council for enactment, the applicant is to address the conditions indicated in Section A in the memorandum from Engineering and Construction Services dated June 13, 2023, to the satisfaction of the Director of Engineering and Construction Services.

4. City Council Direct that prior to introducing the bills indicated in Recommendations 1 and 2 to City Council for enactment, the applicant is to address the conditions indicated in Section A in the memorandum from Transportation Services Planning and Capital Programs dated January 6, 2022, to the satisfaction of the Director of Engineering and Construction Services.

5. City Council require the Owner to enter into an Agreement as follows:

a) a privately owned publicly-accessible spaces ("POPS"), having a minimum total area of approximately 524 square metres, as generally identified on Attachment 10 to this report, with the specific design of the POPS and any associated easements and improvements to be determined as part of the Site Plan Approval process for this site, to the satisfaction of the Chief Planner and Executive Director, City Planning, in consultation with the Ward Councillor. The POPS easement shall include provisions for rights of support if necessary, and insurance and indemnification of the City by the owner, to the satisfaction of the Chief Planner and Executive Director, City Planning, and the City Solicitor.

6. City Council Direct that prior to introducing the bills indicated in Recommendations 1 and 2 to City Council for enactment, the Owner is to enter into an Agreement or such agreement(s) as may be satisfactory to the Chief Planner and Executive Director, City Planning, and the City Solicitor, with a restriction under section 118 of the Land Titles Act registered to the subject lands as necessary to secure the provision of affordable housing as follows:

a) in the event a condominium development is constructed, a minimum of 7 percent of the total new residential gross floor area shall be secured as affordable ownership housing or a minimum of 5 percent of the total new residential gross floor area shall be secured as affordable rental housing;

b) in the event a purpose built rental development is constructed, Recommendation 6.a) will no longer apply;

c) in the event a purpose built rental development is constructed a minimum of 5 percent of the total new residential gross floor area shall be secured as affordable rental housing;

d) required affordable housing in Recommendations 6.a) or 6.c) above shall be secured at affordable rents or affordable ownership prices for a period of at least 99 years from the date of first residential occupancy of the unit; and

e) the unit mix of required affordable housing in Recommendations 6.a) or 6.c) above shall reflect the market component of the development and comply with the City's Growing Up Design Guidelines.

7. City Council Direct that prior to introducing the bills indicated in Recommendations 1 and 2 to City Council for enactment, the Owner is to submit a Housing Issues Report, to the satisfaction of the Chief Planner and Executive Director, that identifies the unit mix, unit sizes, and how affordable housing requirements are being met.

8. City Council authorize the City Solicitor and any other City staff to take such actions as are necessary to implement City Council's decision, including execution of the Section 111 agreement and other related agreements;

9. City Council authorize the City Solicitor to make such stylistic and technical changes to the Zoning By-law Amendments as may be required.

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

Toronto's Municipal Comprehensive and Statutory 5-year Review

On December 18, 2013, City Council approved Official Plan Amendment No. 231 (OPA 231), which was the result of the City's 5-Year Official Plan Review and the Municipal Comprehensive Review conducted under the Growth Plan for the Greater Golden Horseshoe (2006). In what is known as the Consumers Business Park, OPA 231 re-designated the lands fronting on the south side of Sheppard Avenue East and the west side of Victoria Park Avenue, from *Employment Areas* to *Mixed Use Areas*. The business park lands located in the interior, including the subject site, were retained as *Employment Areas* and re-designated as *General Employment Areas*. The following is a link to the consolidated version of OPA 231:

<https://www.toronto.ca/legdocs/refdocs/11463.pdf>

OPA 231 also introduced Site and Area Specific Policy No. 386 (SASP 386) for the Consumers Business Park. Among other matters, SASP 386 requires that development that includes residential units (where permitted) is required to increase the non-residential gross floor area. SASP 386 also requires that an implementation plan be established as Official Plan policy to address matters including: an incentive program for Council adoption to encourage office development; the provision of amenities throughout the area to create an attractive environment for existing and new offices; development densities; and the creation of new streets and blocks.

ConsumersNext: Planning for People and Business at Sheppard and Victoria Park

In June 2015, the City of Toronto launched ConsumersNext, a multi-disciplinary study examining ways to manage anticipated growth while improving the Consumers Road Business Park and area around Sheppard Avenue East and Victoria Park Avenue, as required by SASP 386.

The ConsumersNext Secondary Plan (OPA 393) was approved by City Council on March 26, 2018. On August 23, 2022, the Local Planning Appeal Tribunal (LPAT) confirmed that there are no outstanding appeals and the Secondary Plan is in force. The vision for this area, as stated in the ConsumersNext Secondary Plan, is for a contemporary, vibrant business park that is a transit oriented location for employment investment and well connected to a complete, walkable, mixed use community along Sheppard Avenue East and Victoria Park Avenue. 1 Herons Hill Way was designated *General Employment Areas* on the Land Uses map 38-6 in the ConsumerNext Secondary Plan (see Attachment 4: ConsumersNext Secondary Plan). The following is a link to OPA 393: <https://www.toronto.ca/legdocs/mmis/2018/pg/bgrd/backgroundfile-112461.pdf>

On July 22, 2022, City Council approved Official Plan Amendment No. 591 (OPA 591), which was the result of the City's most recent Municipal Comprehensive Review. OPA 591 re-designated the easterly portion of the subject lands at 1 Herons Hill Way, from *General Employment Areas* to *Mixed Use Areas*. The westerly portion of the site remains *General Employment Areas* (see Attachment 5: OPA 591). The following is a link to OPA 591:

<https://www.toronto.ca/legdocs/bylaws/2022/law1106.pdf>

PROPOSAL

This application proposes to amend the Zoning By-law for the property at 1 Herons Hill Way to permit a 34-storey, mixed-use building that primarily consists of residential uses while retaining the existing 2-storey office building on the westerly portion of the site.

The subject site is located on the south side of Herons Hill Way, east of Yorkland Road. There is an existing 2,227 square metre, 2-storey office building at the western portion of the site, and surface parking on the east. The subject site has an area of 6,491 square metres (0.64 hectares) with a frontage of 158 metres on Herons Hill Way, 34 metres on Yorkland Road, and 7 metres on Sheppard Avenue East. The property is located approximately 745 metres from the Don Mills subway station and 340 metres from the planned High Order Transit station at Consumers Road and Sheppard Avenue East.

The application proposes a 34-storey (110 metre) tower on a three-storey base building at the eastern portion of the site while retaining the existing two-storey office building. Access to the site would be from Herons Hill Way as well as from a new public street that connects to Herons Hill Way. Parking for the existing 2-storey office building would be consolidated in a three level underground structure. A 524 square metre privately owned, publicly accessible open space (POPS) would be located between the existing

2-storey office building and the tower/podium of the proposed mixed-use building (see Attachments 10 to 11d).

A summary of the revised application's statistics compared to the original submitted application can be found below:

	Original Plans dated March 17, 2020	Revised Plans dated April 24, 2023
Site Area	6,749 sq.m.	6,749 sq.m.
FSI	4.38	4.54
Total Residential GFA (existing and proposed)	25,951 sq.m.	26,128 sq.m.
Proposed Non-residential GFA	292 sq.m.	1,115 sq.m.
Existing Office GFA	2,227 sq.m.	2,227 sq.m.
Total Project GFA	28,470 sq.m.	29,470 sq.m.
Indoor Amenity	565 sq.m.	711 sq.m.
Outdoor Amenity	823 sq.m.	709 sq.m.
New Residential Units	1 Bedroom – 210 (60%) 2 Bedroom – 105 (30%) 3 Bedroom – 35 (10%) Total – 350	1 Bedroom – 201 (60%) 2 Bedroom – 99 (29.6%) 3 Bedroom – 34 (10.2%) Total – 334
Proposed Heights	Existing Office two-storey (11 m); 39-story tower (126.7 m) plus 6 m mechanical penthouse)	Existing Office two-storey (11 m); 34-story tower (110 m) plus 6 m mechanical penthouse)
Proposed Podium Height	4-storeys (19.5 m)	3 storeys (23.8 m)
Proposed POPS	550 sq.m.	524 sq.m.
Vehicle Parking	Resident - 276 Visitor – 3 (shared) Office - 51 Total- 327	Office and Visitors – 60 (shared) Total- 301

	Original Plans dated March 17, 2020	Revised Plans dated April 24, 2023
Bicycle Parking	Resident – 210 Visitor- 53 Office - 5 Existing Office - 13 Total- 281	Resident – 252 Existing Office - 13 Total- 265

Site and Surrounding Area

The site is located on the south side of Herons Hill Way, east of Yorkland Road. There is an existing two-storey office building on the west side of the site and surface parking on the east side.

North: A 33-storey residential building at 275 Yorkland Road and a 25-storey residential building at 30 Herons Hill Way;

South: One-storey industrial buildings fronting on Yorkland Road;

East: One-storey car wash business fronting on Sheppard Avenue East; and

West: three-storey parking structure at 260 Yorkland Road.

Detailed project information is found on the City's Application Information Centre at: <http://app.toronto.ca/AIC/index.do?folderRsn=8KTFT8A81pgNAw0O6WXj4w%3D%3D>

Reasons for Application

A Zoning Bylaw Amendment application is required to amend the City-wide By-law 569-2013 and the former City of North York Zoning By-law 7625 to establish site-specific provisions, including those related to height, density, and setbacks to permit the proposed building.

APPLICATION BACKGROUND

Application Requirements

The following reports/studies were submitted in support of the application:

- Architectural Plans and Drawings
- Landscape Plans
- Planning & Urban Design Rationale
- Draft By-law Amendment to North York Zoning By-law No. 7625
- Draft By-law Amendment to City of Toronto Zoning By-law No. 569-2013

- Sun/Shadow Study
- Public Consultation Strategy Report
- Economic Benefits Study
- Land Use Compatibility Study
- Functional Servicing & Stormwater Management Reports
- Hydrogeological Assessment
- Hydrological Review Summary
- Geotechnical Investigation
- Pedestrian Level Wind Study
- Parking Justification Report
- Arborist Report
- Tree Preservation Plan

The above listed reports/studies and drawings are available online at the Application Information Centre (AIC) at the following website link:

<http://app.toronto.ca/AIC/index.do?folderRsn=8KTFT8A81pgNAw0O6WXj4w%3D%3D>

Agency Circulation Outcomes

The application together with the applicable reports noted above, have been circulated to all appropriate agencies and City Divisions. Responses received have been used to assist in evaluating the application and to formulate appropriate Zoning By-law standards.

Statutory Public Meeting Comments

In making their decision with regard to this application, Council members have been given an opportunity to view the oral submissions made at the statutory public meeting held by the North York Community Council on June 20th, 2023.

Community Consultation

A virtual community consultation meeting was held on December 2, 2020, to discuss the original submission. The meeting was attended by the Ward Councillor, the applicant, City Planning staff and approximately 76 members of the public. Following presentations by City staff and the applicant the following concerns were raised by residents:

- Reduced privacy resulting from the proposed tower. Existing residents have an unobstructed view looking south;
- Shadow impact resulting from the proposed tower;
- Proposed building is too large;
- Residents were concerned that the development will result in a loss of open space for children to play;
- Proposal does not meet the needs of the local community by providing additional retail;

- Concern regarding the Council-approved conversion request (OPA 591) and what it will do to the existing business park if successful;
- Proposal would add additional vehicles to an already congested Hurons Hill Way. Additional vehicular traffic will affect childrens' safety; and
- Limited local school capacity.

Staff also received correspondence from residents. Subsequent to the community meeting, the applicant revised their proposal by reducing the height of the tower from 39 storeys to 34 storeys, eliminating above grade parking in favour of a below grade parking structure, and revising vehicular access to the development.

POLICY CONSIDERATIONS

Provincial Land-Use Policies

All decisions of Council in respect of the exercise of any authority that affects a planning matter shall be consistent with the Provincial Policy Statement (2020) (the "PPS"), and shall conform to provincial plans, including A Place to Grow: Growth Plan for the Greater Golden Horseshoe (2020) (the "Growth Plan").

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. Toronto Official Plan policies related to building complete communities, may be applicable to any application.

Chapter 3 - Building a Successful City

The Built Form policies in Section 3.1.2 of the Official Plan address key relationships of the location and organization of development, and its massing and appropriate amenity within existing and planned contexts to inform the built form. The policies ensure that each new building will promote and achieve the overall objectives of the Official Plan.

Site Organization and Location

The development proposal has been considered under the policies of the plan including policies 3.1.2.1 to 3.1.2.4 with regards to site organization and location that includes requirements for development to be located and organized to fit with its existing and planned context. Such development will frame and support adjacent streets, lanes, parks and open spaces to promote civic life and the use of the public realm, and will improve the safety, pedestrian comfort, interest and experience, and casual views to these spaces from the development by: generally locating buildings parallel to the street or along the edge of a park or open space with consistent front yard setbacks; and locating main entrances on the prominent building facades so that they front onto a

public street, park, or open spaces, are clearly visible and directly accessible from a public street.

Policy 3.1.2.4 states that development will locate and organize vehicle parking, vehicular access and ramps, loading, servicing, storage areas, and utilities to minimize their impact and improve the safety and attractiveness of the public realm, the site and the surrounding by: using shared service areas where possible within development blocks, including public lanes, shared private driveways, and service courts; consolidating and minimizing the width of driveways and curb cuts across the public sidewalk; and limiting new, and removing existing, surface parking and vehicular access between the front face of a building and the public street or sidewalk.

Building Shape, Scale and Massing

The proposal has also been considered under Policies 3.1.2.5 to 3.1.2.8 that address the building shape, scale, and massing. The policies include requirements that development 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.

Improving the Public Realm through Building Design

The proposal has been considered under Policies 3.1.2.9 to 3.1.2.10 that address improvements to the public realm through building design. The design of new building façades visible from the public realm will consider the scale, proportion, materiality and rhythm of the façade to: ensure fit with the adjacent building facades; contribute to a pedestrian scale by providing a high quality of design on building floors adjacent to and visible from the public realm; and ensure grade relationships that provide direct access and views into and from the public realm.

Policy 3.1.2.10 states that development will promote civic life and provide amenity for pedestrians in the public realm to make areas adjacent to streets, parks and open spaces attractive, interesting, comfortable and functional by providing: co-ordinated landscape improvements in setbacks to enhance local character, fit with the public streetscapes, and provide attractive, safe transitions between the private and public realms; and safe, direct pedestrian routes and tree plantings throughout the site and within surface parking lots, where possible.

Private and Shared Amenity Spaces

Policies 3.1.2.11 to 3.1.2.13 that address private and shared amenity spaces have also been used to assess the proposed development. They provide for outdoor amenity spaces to be located at or above grade; have access to daylight; have access to direct sunlight, where possible; provide comfortable wind, shadow and noise conditions; be located away from and physically separated from loading and servicing areas; and promote use in all seasons.

Built Form - Building Types

The development has been accessed under Policies 3.1.2.7 to 3.1.2.12 that provide that Tall buildings are generally greater in height than the width of the adjacent right-of-way and Tall buildings should typically be designed to consist of three parts – a base, a tower and a top – carefully integrated into a single whole.

Chapter 4 - Land Use Designations

The westerly portion of the site is designated *General Employment Areas* on Map 19 – Land Use Plan (see Attachment 3: Official Plan Land Use Map). *General Employment Areas* are generally located on the periphery of Employment Areas on major roads where retail, service and restaurant uses can serve workers in the Employment Area and would also benefit from visibility and transit access to draw the broader public. Retail uses on the periphery of Employment Areas frequently serve as a buffer between industries in the interior of Employment Areas and nearby residential areas. In addition to all of the uses permitted in a *Core Employment Area*, the uses identified in Policy 4.6.3 are also permitted in *General Employment Areas*. In addition, permitted uses in a *General Employment Areas* include restaurants, all types of retail and service uses, and fitness centres. Residential uses are prohibited in *General Employment Areas* (see Attachment 3: Official Plan Land Use Map).

The easterly portion of the site is designated *Mixed Use Areas* on Map 19 – Land Use Plan. *Mixed Use Areas* are made up of a broad range of residential, commercial, and institutional uses, in single or mixed use buildings, as well as parks and open spaces and utilities. Development in *Mixed Use Areas* will create a balance of high quality commercial, residential, institutional, and open space uses that reduces automobile dependency and meets the needs of the local community. The development criteria for lands in the *Mixed Use Areas* are listed in Policy 4.5.2 and include the following:

- a) creating a balance of high quality commercial, residential, institutional and open space uses that reduces dependence on the automobile and meets the needs of the local community;
- b) providing for new jobs and homes for Toronto's growing population;
- c) locating and massing new buildings to: provide a transition between areas of different development intensity and scale; adequately limit shadow impacts on adjacent Neighbourhoods; and 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; and
- d) providing an attractive, comfortable, and safe pedestrian environment.

The City of Toronto Official Plan can be found here:

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

ConsumersNext Secondary Plan (OPA 393)

The application is located within the ConsumersNext Secondary Plan.

The vision for the ConsumersNext Secondary Plan area is for a contemporary, vibrant business park that is a transit oriented location for employment investment and well-connected to a complete, walkable, mixed-use community along Sheppard Avenue East and Victoria Park Avenue. The Plan contains policies to manage anticipated growth in the employment area and residential populations to align with the implementation of appropriate infrastructure. Built form policies, including building type and related development criteria are the primary tools used to direct the scale and form of development within the Secondary Plan area.

The ConsumersNext Secondary Plan identifies the westerly portion of 1 Herons Hill Way as *General Employment Areas* and the easterly portion of the subject site as *Mixed Use Areas*. (see Attachment 4: ConsumersNext Secondary Plan). For a comprehensive list of applicable policies the ConsumersNext Secondary Plan can be found here: <https://www.toronto.ca/city-government/planning-development/planning-studies-initiatives/consumersnext/>.

OPA 591

OPA 591 introduced Site and Area Specific Policy 1 which provides the following for the site:

- Residential uses are only permitted on the easterly portion of 1 Herons Hill Way (identified as Area "A");
- A minimum of 3,342 square metres of employment gross floor area;
- A public road extension;
- A minimum of 520 square metres of POPS;
- All residential car parking spaces will be located underground;
- New development containing residential units will secure a minimum of 7 percent affordable ownership housing or a minimum of 5 percent of affordable rental housing;
- A maximum floor space index of 4.6 times the lot area; and
- A maximum tower height of 120 metres.

Council adopted OPA 591 on July 22, 2022, but has yet to be approved by the Minister of Municipal Affairs (the "MMA"). Thus Attachment 5: OPA 591 is in draft form pending approval by the MMA. The relevant policies for OPA 591 can be found here: <https://www.toronto.ca/legdocs/bylaws/2022/law1106.pdf>.

Zoning

The site is zoned General Commercial Zone (C1(127)) in the former City of North York Zoning By-law No. 7625 (see Attachment 6: Existing Zoning By-law 7625). The C1(127) zone permits adult education schools, automatic laundry shops, banks, banquet halls, business and professional offices, car rental agencies, clubs, colleges, commercial galleries, day nurseries, dry cleaning, and financial institutions amongst other uses. The permitted maximum gross floor area is 10,000 square metres and the maximum height is six-stories or 25 metres, whichever is less.

The site is not subject to Zoning By-law 569-2013 (see Attachment 7: Existing Zoning By-law 569-2013). However, it is proposed to amend Zoning By-law 569-2013 in order to bring the lands into Zoning By-law 569-2013 and to create site-specific development standards for the proposed development.

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/>

Design Guidelines

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

- Tall Buildings Design Guidelines
- Bird Friendly Guidelines
- Growing Up: Planning for Children in New Vertical Communities
- Pet Friendly Design Guidelines for High Density Communities
- Bird-Friendly Development Guidelines Best Practices; and
- Retail Design Manual

The City's Design Guidelines may be found here:

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

Site Plan Control

The proposed development is subject to Site Plan Control. The applicant has submitted a site plan control application (22 127124 NNY 16 SA) that is under review by staff.

COMMENTS

Provincial Policy Statement and Provincial Plans

Staff's review of this application has had regard for the relevant matters of provincial interest set out in the Planning Act. Staff has reviewed the current proposal for

consistency with the PPS (2020) and conformity with the Growth Plan (2020). Staff find the proposal to be consistent with the PPS and conforms with the Growth Plan by supporting the achievement of a complete community that features a mix of land uses including residential and employment. Further, the proposal adds to the range and mix of housing options in the locale including affordable housing.

Land Use

Staff have reviewed the proposed development for conformity with the Official Plan and the ConsumersNext Secondary Plan, as amended. The application proposes to retain the existing office use on the western portion of the site and develop residential and non-residential uses on the eastern portion of the site. Office use is permitted in *General Employment Areas* in the Official Plan and the ConsumersNext Secondary Plan land use maps. Moreover office use is compatible with residential on the north side of Herons Hill Way (275 Yorkland Boulevard) and the proposed mixed residential and non-residential uses on the eastern portion of 1 Herons Hill Way.

The proposed residential and non-residential uses on the eastern portion of the site comply with the *Mixed Use Areas* designation in the Official Plan. The Site and Area Specific Policies in the Secondary Plan prescribes a minimum of 3,342 square metres of employment gross floor area across the entire lands. The proposed zoning by-law amendment permits the existing two-storey office building to be 2,227 square metres plus 1,115 square metres of non-residential (office) gross floor area in the proposed building which combined meet the minimum employment gross floor area prescribed in the Secondary Plan. In the event Council approves the Zoning By-law amendment application, the attached draft Zoning By-laws ensure appropriate uses and the minimum amount of employment gross floor area identified in the Site and Area Specific Policies of the Secondary Plan (see Attachments 8 and 9). Staff are of the opinion that the proposed uses are appropriate and meet the policies of the Official Plan.

Density

Site and Area Specific Policy 1 in the ConsumersNext Secondary Plan prescribes a maximum permitted density of 4.6 times the lot area for the lands at 1 Herons Hill Way. The application proposes to retain the 2,227 square metres office building on the westerly portion of the site and construct a 27,243 square metre tower and podium on the eastern portion of the site for a total site density of 4.54 times the area of the lot. The density of the proposed development complies with the Secondary Plan policies and staff are of the opinion that it is appropriate.

Building Setbacks and Public Realm

The base building in the new development is setback a minimum of 6 metres from the north property line along Herons Hill Way. The proposal includes landscaping, tree planting, street furniture, and a public walkway on the north (Herons Hill Way) and east frontages. The proposed POPS is located on the west side of the proposed base building which separates the existing office building from the proposed new development. The south (rear) of the podium is setback 5.5 metres from the property line and will be used for loading. There are no proposed changes to public realm

around the existing office building. Design details of the site, including the public realm, will be reviewed and secured through the Site Plan Control process.

Base Building

The original proposal had a six-storey base building that has been revised to three-storey which is more in keeping with the scale of the Herons Hill Way right-of-way and the base building at 30 Herons Hill Way to the immediate north as directed by the Official Plan and the Tall Building Guidelines. The tall building steps back 3 metres from the base building along the Herons Hill Way frontage. The tall building has larger stepbacks of rear (5 metres), east (29.7 metres), and west (6 metres) for the proposal. The massing and location of the base building is acceptable to staff.

Building Height

The height of the proposed development has been reviewed against the policies in the Official Plan, ConsumersNext Secondary Plan, and the Tall Building Design Guidelines. Site and Area Specific Policy 1 in the Secondary Plan identifies that the easterly portion of the site on Map 38-10, as a Potential Tall Building with a maximum height of 120 metre tower.

The existing office building on the western portion of the site remains unchanged at two-storeys and 11 metres (plus mechanical penthouse). The overall height of the proposed mixed use development has been reduced in both storeys and metres. The reduction in the building height creates a mixed use development that is more appropriate for this site and the area context. The proposed a 34-storey tall building (110.0 metre) plus a 6 metre mechanical penthouse on the easterly portion of the site complies with Site and Area Specific Policy 1 in the ConsumersNext Secondary Plan.

Staff have also considered the existing and surrounding context which includes residential tall buildings on the north site of Herons Hill Way. 30 Herons Hill Way is a 25-storey residential tall building with a four-storey podium directly north of the subject site. 275 Yorkland Boulevard is a 33-storey residential tall building north of the 2-storey office building. Given the existing and planned context of the site and the surrounding area, the heights of the proposed tall and base buildings are appropriate and can be supported by staff (see Attachments 10 to 11d).

Tower Floor Plate, Setbacks, Separation Distance

The Tall Building Design Guidelines specify a maximum floor plate size of 750 square metres gross construction area. Slender floor plates reduce the impacts tall buildings pose on surrounding streets, parks, open spaces and properties. When adequately separated, slender floor plates cast smaller shadows, improve access to sky view, permit better views between and through sites and contribute to a more attractive skyline. The proposed floor plate size of 750 square metres gross construction area meet the intent of the Tall Building Design Guidelines.

The Tall Building Design Guidelines also identify a minimum 25 metre separation distance between tall buildings in order to minimize negative impacts on the public

realm and neighbouring properties, such as adverse shadowing, pedestrian-level wind, blockage of sky views, and to maximize the environmental quality of building interiors, including daylighting, natural ventilation, and privacy for building occupants. The Tall Building Design Guidelines also identifies a minimum 12.5 metre tower setback from common property lines in order to avoid a “first-to-the-post” development scenario, whereby the need to provide access to sunlight, sky view, privacy, and daylighting, may restrict adjacent sites from developing in a similar manner.

The tower is set back 6 metres from Herons Hill Way, 29.7 metres from the east property line, and 12.5 metres from the rear property line to the south. The separation distance to the existing residential tower at 30 Herons Hill Way (north) is well in excess of the Tall Building Design Guidelines at 30.8 metres. The tower setbacks from the property lines and the separation to the existing tower at 30 Herons Hill Way meet the intent of the Tall Building Design Guidelines and can be supported by staff.

Shadow Impacts

The proposed development shadows the Herons Hill Way right-of-way beginning at 9:18 am on March 21st and moves east throughout the day. Likewise, the proposed development shadows the existing residential properties at 275 Yorkland Boulevard, 20 and 30 Herons Hill Way beginning 9:18 am on March 21st and moves east throughout the day. Given the *Mixed Use Areas* designation of: the subject site, 275 Yorkland Boulevard, 20 and 30 Herons Hill Way, the 750 square metre tower floor plate, and the appropriate size of the base building, the incremental shadow impact is acceptable.

Amenity Space

Policy 3.1.2.6 in the Official Plan requires that every significant new multi-unit residential development provide indoor and outdoor amenity space for residents of the new development. Policy 3.1.2.6 is implemented via the City of Toronto Zoning By-law 569-2013 which requires a minimum of 2 square metres of common indoor and 2 square metres of common outdoor amenity space for each dwelling unit. The proposed development has 334 residential units which equates to a minimum of 668 square metres of common indoor and 668 square metres of common outdoor amenity space. The proposed development contemplates 711 square metres of common indoor amenity space and 709 square metres of common outdoor amenity space thus meeting the requirements of Zoning By-law 569-2013. The proposed development will have an appropriate amount of common amenity space.

Access and Parking

The development includes a total of 301 vehicular parking spaces, of which 241 will be allocated as resident parking space, 60 visitor parking spaces (shared between office and residential visitors). The Transportation Demand Management plan is deemed to be acceptable so staff are able to confirm that the proposed 265 bicycle parking spaces is adequate and other transportation related facilities are appropriate.

At the time of writing this report Transportation Services have not completed review of the most recent plans submitted May 9, 2023. In the event City Council approves the

Zoning By-law amendment application, staff recommend that the implementing Bills be withheld pending confirmation that outstanding transportation issues have been addressed to the satisfaction of the General Manager, Transportation Services. The recommendations contained in this report reflect this requirement.

New Public Street

Site and Area Specific Policy 1 in the ConsumersNext Secondary Plan prescribes that development at 1 Herons Hill Way include the Herons Hill Way extension of a new public street. The lands for the new public road are to be conveyed to the City through the corresponding site plan approval process and dedicated as a public highway at such time the City obtains additional lands for a easterly extension of the public street.

In order to permit vehicular access, the City will grant an easement in favour of the new development over the land dedication until the road is declared a public highway. Staff have determined that the described arrangement is appropriate and endeavour to secure the necessary lands and associated agreements through the corresponding site plan control process.

Servicing

At the time of writing this report Engineering and Construction Services division have not completed review of the most recent plans submitted May 9, 2023. In the event City Council approves the Zoning By-law amendment application staff recommend that the implementing Bills be withheld pending confirmation that outstanding servicing issues are addressed to the satisfaction of the Chief Engineer and Executive Director, Engineering and Construction Services. The recommendations contained in this report reflect this requirement.

Housing

The application proposes 334 new residential dwelling units in a 34-storey tower with a three-storey podium. The 334 residential units consisting of 201 (60%) 1-bedroom units, 99 (29.6%) 2-bedroom units, and 34 (10%) 3-bedroom units. The unit composition in the proposed development meets the intent of the Growing up Guidelines which endeavours to provide large size units for residents at varying stages of life.

At the time of writing this report Staff were unable to secure affordable housing as prescribed in the Site and Area Specific Policies of the Secondary Plan for technical reasons. In the event Council approves the Zoning By-law amendment application, staff recommend that the Bills be withheld until such time as the applicant satisfies the affordable housing requirements in OPA 591, to the satisfaction of the Chief Planner and Executive Director, City Planning and the City Solicitor. Recommendations 6 to 8 in the report dated June 2, 2023 from the Director, Community Planning, North York District secure this requirement.

Parkland

In accordance with Section 42 of the *Planning Act*, the Owner is required to satisfy the

parkland dedication requirement through cash-in-lieu. As per Toronto Municipal Code Chapter 415-29, the appraisal of the cash-in-lieu will be determined under the direction of the Executive Director, Corporate Real Estate Management. Additionally, the Toronto Municipal Code Chapter 415-28, requires that the payment be made prior to the issuance of the first above-ground building permit.

Privately-Owned Publicly Accessible Open Space (POPS)

Site and Area Specific Policy 1 in the ConsumersNext Secondary Plan prescribes a minimum 520 square metre POPS. The proposed development includes a 524 square metre POPS located between the existing two-storey office building and the proposed tower and podium (see Attachment 10: Site Plan). Staff consider the proposed POPS space to be a positive element of the proposal that complies with the policies of the ConsumersNext Secondary Plan. In the event City Council approves the rezoning application staff recommend that the POPS, including its final design, be secured through the Site Plan approval process.

The plans show an elevator enclosure within the POPS space connected to the west wall of the new building. Staff are of the opinion that the enclosure is unnecessary and the elevator should be internal to the building and tower. Staff will work with the applicant to remove the elevator enclosure from the POPS through the site plan approval process.

Toronto District School Board

The Toronto District School Board (TDSB) and the Toronto Catholic District School Board (TCDSB) have had an opportunity to review the proposed development and advised that at present there is insufficient space in local schools to accommodate students resulting from this development. Combined enrolment pressures in this area may require boundary alignments to accommodate future growth. In the event Council approves the Zoning By-law amendment application TDSB requires notice signs be erected on the site and in any purchase or condominium agreements.

Toronto Green Standard

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

The applicant is required to meet Tier 1 of the TGS. The applicant is encouraged to achieve Tier 2 or higher to advance the City's objectives for resilience and to achieve net-zero emissions by 2040 or sooner. Performance measures for the Tier 1 development features will be secured through the implementing Zoning By-law. Other applicable TGS performance measures will be secured through the Site Plan Approval process.

Conclusion

The proposal has been reviewed against the policies of the PPS (2020), the Growth Plan (2020), the Official Plan, and the ConsumersNext Secondary Plan. Staff are of the opinion that the proposal is consistent with the PPS (2020) and conforms with the Growth Plan (2020). Furthermore, the proposal is in keeping with the intent of the Official Plan, particularly as it relates to the ConsumersNext Secondary Plan as amended by OPA 591. Staff worked with the applicant and the community to address and resolve the following key concerns: the Site and Area Specific Policy in the Secondary Plan will limit residential use to the eastern portion of the subject site, the overall height of the development has been reduced, and the above ground parking structure has been eliminated. The proposal would provide much needed family-size dwelling units compatible with the surrounding context, appropriate amenity space for future residents, a POPS, increased employment space, and a new public road segment. Staff recommend that Council support approval of the application.

CONTACT

Derrick Wong, Senior Planner, Tel. No. (416) 392-0776, E-mail:
derrick.wong@toronto.ca

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 3: Official Plan Land Use Map
- Attachment 4: ConsumersNext Secondary Plan
- Attachment 5: OPA 591
- Attachment 6: Existing Zoning By-law 7625
- Attachment 7: Existing Zoning By-law 569-2013
- Attachment 8: Draft Zoning By-law Amendment 7625
- Attachment 9: Draft Zoning By-law Amendment 569-2013

Applicant Submitted Drawings

Attachment 10: Site Plan

Attachment 11a: North Elevation

Attachment 11b: East Elevation

Attachment 11c: South Elevation

Attachment 11d: West Elevation

Attachment 1: Application Data Sheet

Municipal Address: 1 HERONS HILL WAY Date Received: June 1, 2020

Application Number: 20 150974 NNY 17 OZ

Application Type: Rezoning

Project Description: Zoning By Law application to permit the redevelopment of the vacant east portion of the subject site with a 34-storey mixed-use building while retaining the existing 2-storey office building on the west portion of the subject site. The proposed mixed-use building would contain 1,115 square metres of office space on the ground level, and 26,128 square metres of residential gross floor area above. A total of 334 rental residential units are proposed. The overall gross floor area on the subject site will be 29,470 square metres, including the existing 2-storey office building (2,227 square metres) and the proposed mixed-use building (26,128 square metres), that will result in a density of 4.54 FSI.

Applicant	Agent	Architect	Owner
BOUSFIELDS INC. 3 Church St. Toronto, Ont., M5E 1M2	BOUSFIELDS INC. 3 Church St. Toronto, Ont., M5E 1M2	Graziani = Corazza Architexts Inc. 1320 Shawson Dr., Mississauga, Ont. L4W 1C3	PARADISE DEVELOPMENTS HERONS HILL INC 625 Cochrane Dr., Markham, Ont. L3R 9R9

EXISTING PLANNING CONTROLS

Official Plan Designation:	General Employment Areas and Mixed Use Areas	Site Specific Provision:	Yes
Zoning:	C1(127)	Heritage Designation:	no
Height Limit (m):	25	Site Plan Control Area:	yes

PROJECT INFORMATION

Site Area (sq m): 6,491 Frontage (m): 158 Depth (m): 36

Building Data	Existing	Retained	Proposed	Total
Ground Floor Area (sq m):	1,114	1,114	1,296	2,410
Residential GFA (sq m):			26,128	26,128
Non-Residential GFA (sq m):	2,227	2,227	1,115	3,342

Total GFA (sq m):	2,227	2,227	27,243	29,470
Height - Storeys:	2	2	34	34
Height - Metres:	14	14	110.1	110.1

Lot Coverage Ratio (%) : 37.12 Floor Space Index: 4.54

Floor Area Breakdown	Above Grade (sq m)	Below Grade (sq m)
Residential GFA:	26,128	
Retail GFA:		
Office GFA:	3,342	
Industrial GFA:		
Institutional/Other GFA:		

Residential Units by Tenure	Existing	Retained	Proposed	Total
Rental:			334	334
Freehold:				
Condominium:				
Other:				
Total Units:			334	334

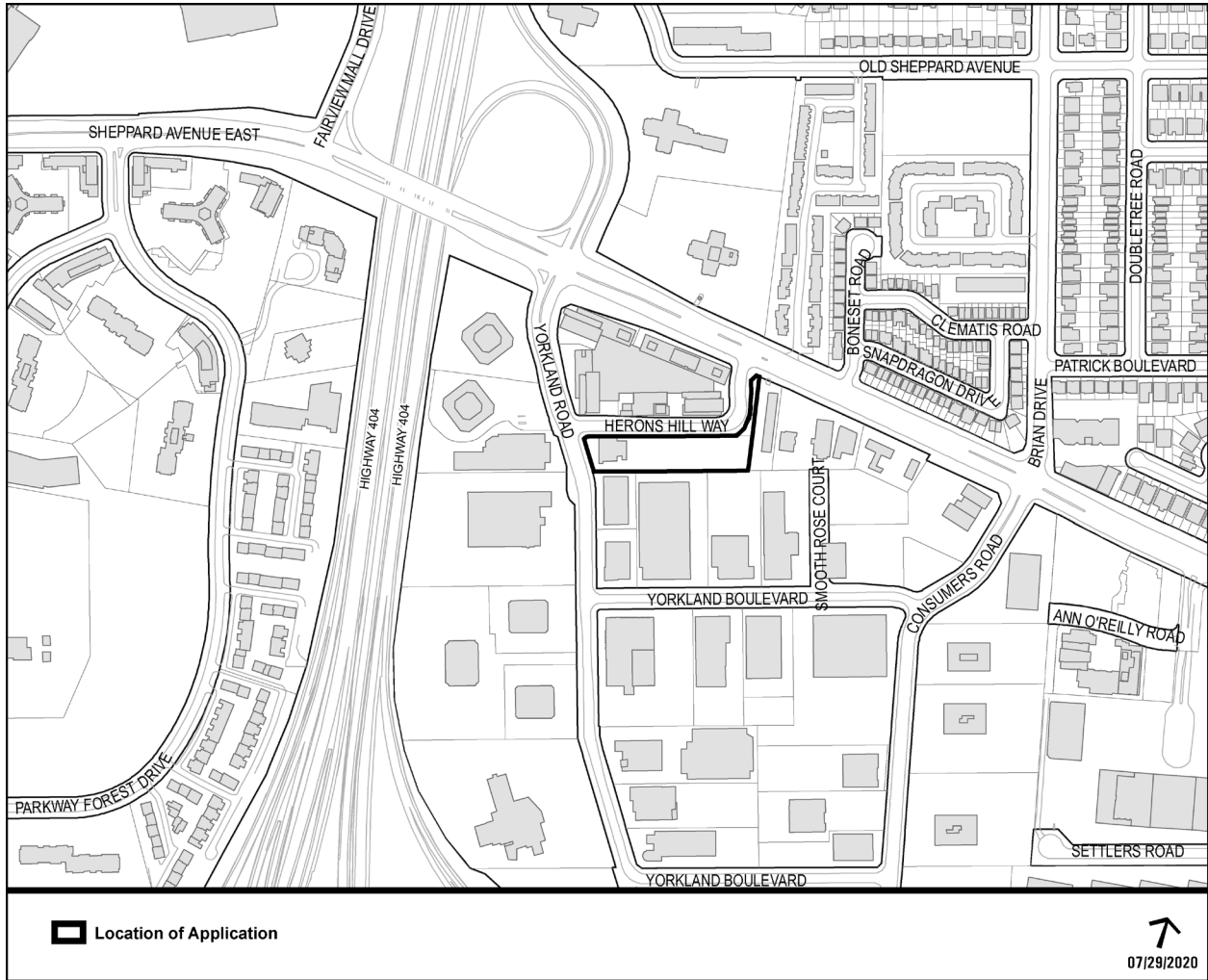
Total Residential Units by Size

	Rooms	Bachelor	1 Bedroom	2 Bedroom	3+ Bedroom
Retained:					
Proposed:			201	99	34
Total Units:			201	99	34

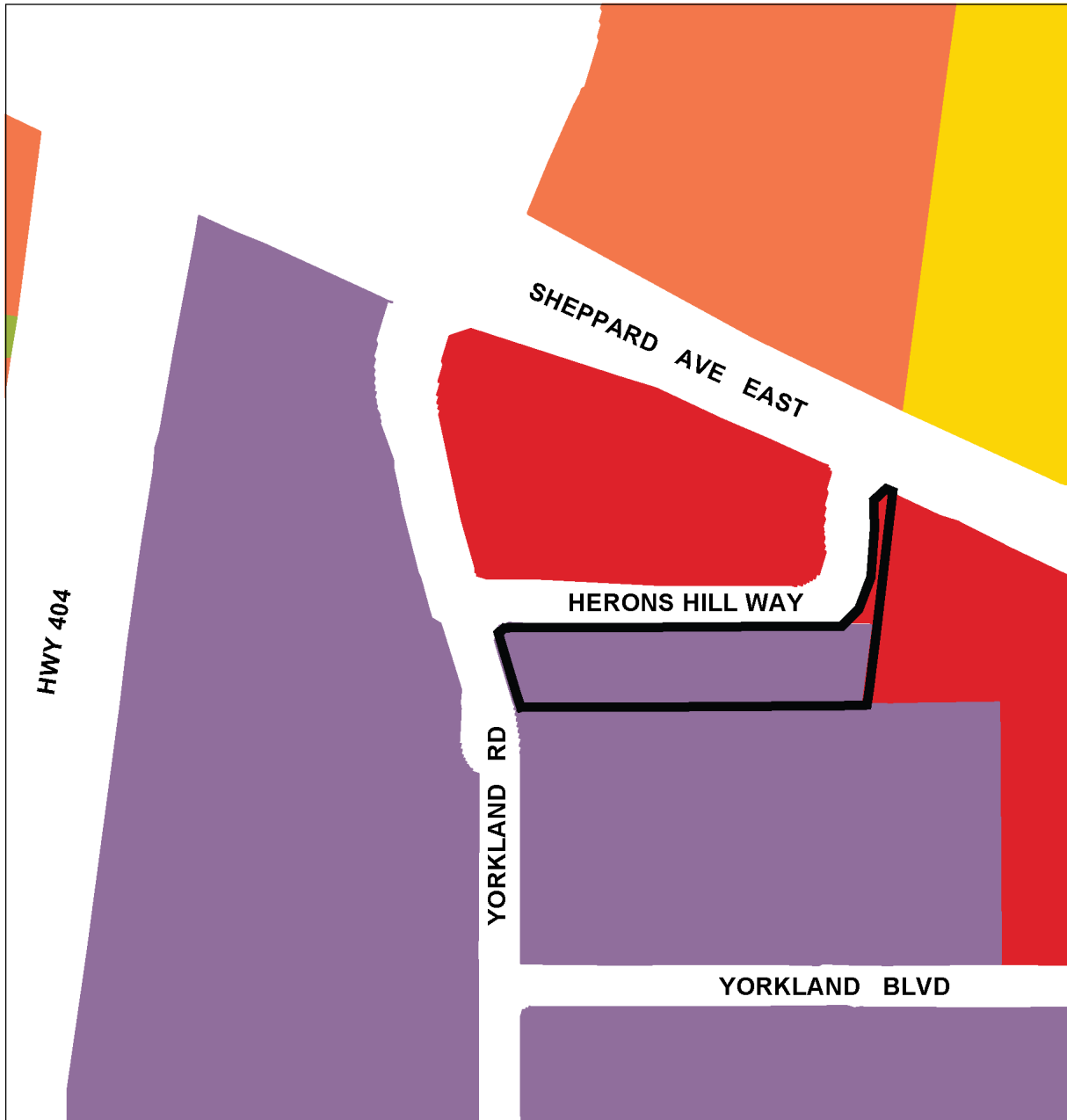
Parking and Loading

Parking Spaces:	301	Bicycle Parking Spaces:	265	Loading Docks:	2
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Attachment 2: Location Map




Attachment 3: Official Plan Land Use Map



1 Herons Hill Way

Official Plan Land Use Map #19

File # 20 150974 NNY 17 0Z

-  Location of Application
-  Neighbourhoods
-  Apartment Neighbourhoods
-  Mixed Use Areas
-  General Employment Areas


Not to Scale
07/30/2020

Attachment 4: ConsumersNext Secondary Plan



Not to Scale



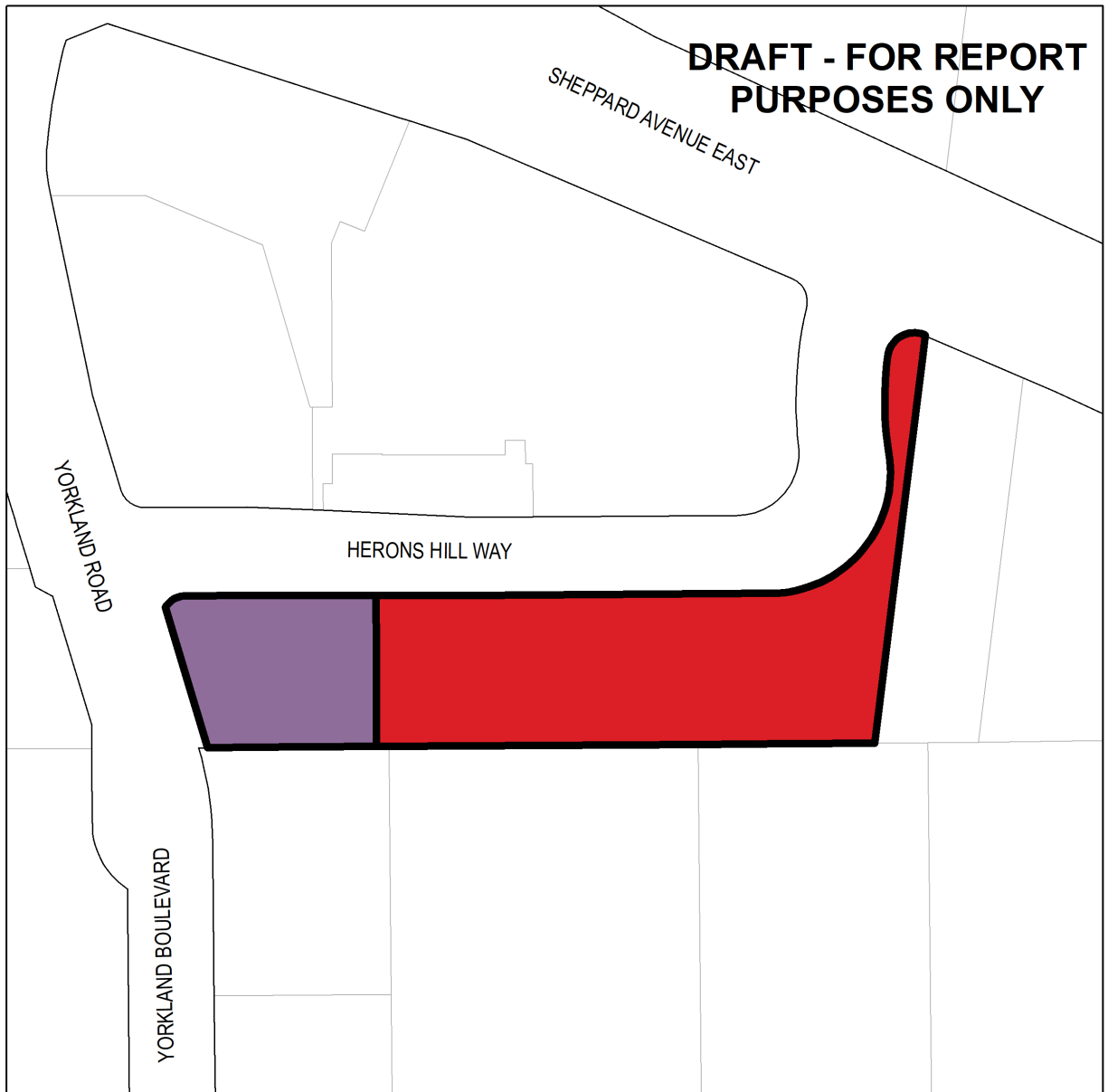
Official Plan Amendment #591

ConsumersNext Secondary Plan

MAP 38-6 Land Uses

- | | | |
|--------------------------|--------------------------|--------------------------|
| Secondary Plan Boundary | Parks & Open Space Areas | General Employment Areas |
| Neighbourhoods | Parks | |
| Apartment Neighbourhoods | Subject Site | |
| Mixed Use Areas | | |

November 2017






Official Plan Amendment #591

Proposed revisions to Land Use Map19 to redesignate lands from General Employment Areas to Mixed Use Areas

1 Herons Hill Way

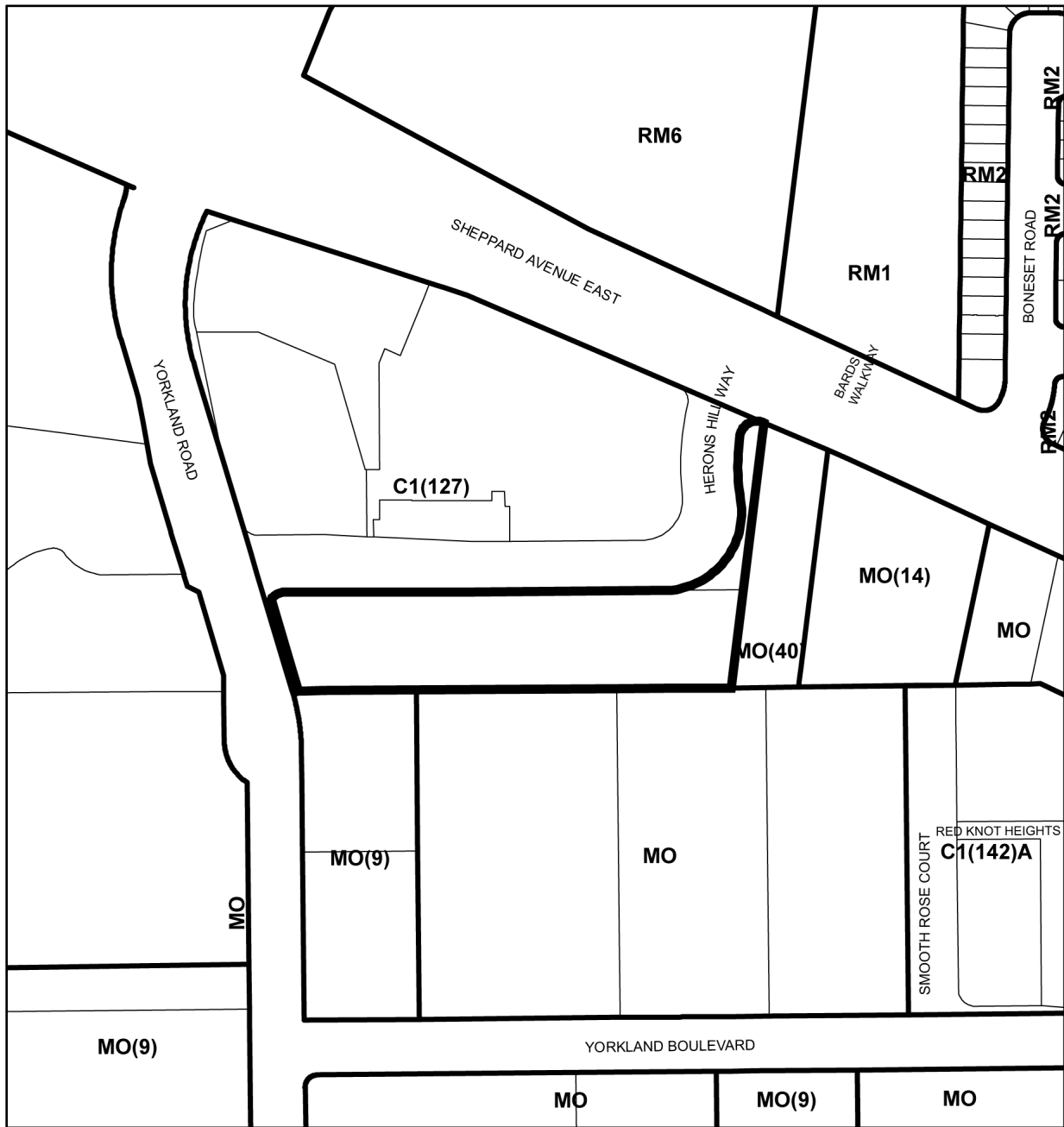
File # 20 150974 NNY 17 0Z

-  Subject Site
-  General Employment Areas
-  Mixed Use Areas



05/25/2023


Attachment 6: Existing Zoning By-law 7625



Zoning By-law 7625

1 Herons Hill Way

File # 20 150974 NNY 17 0Z

 Location of Application

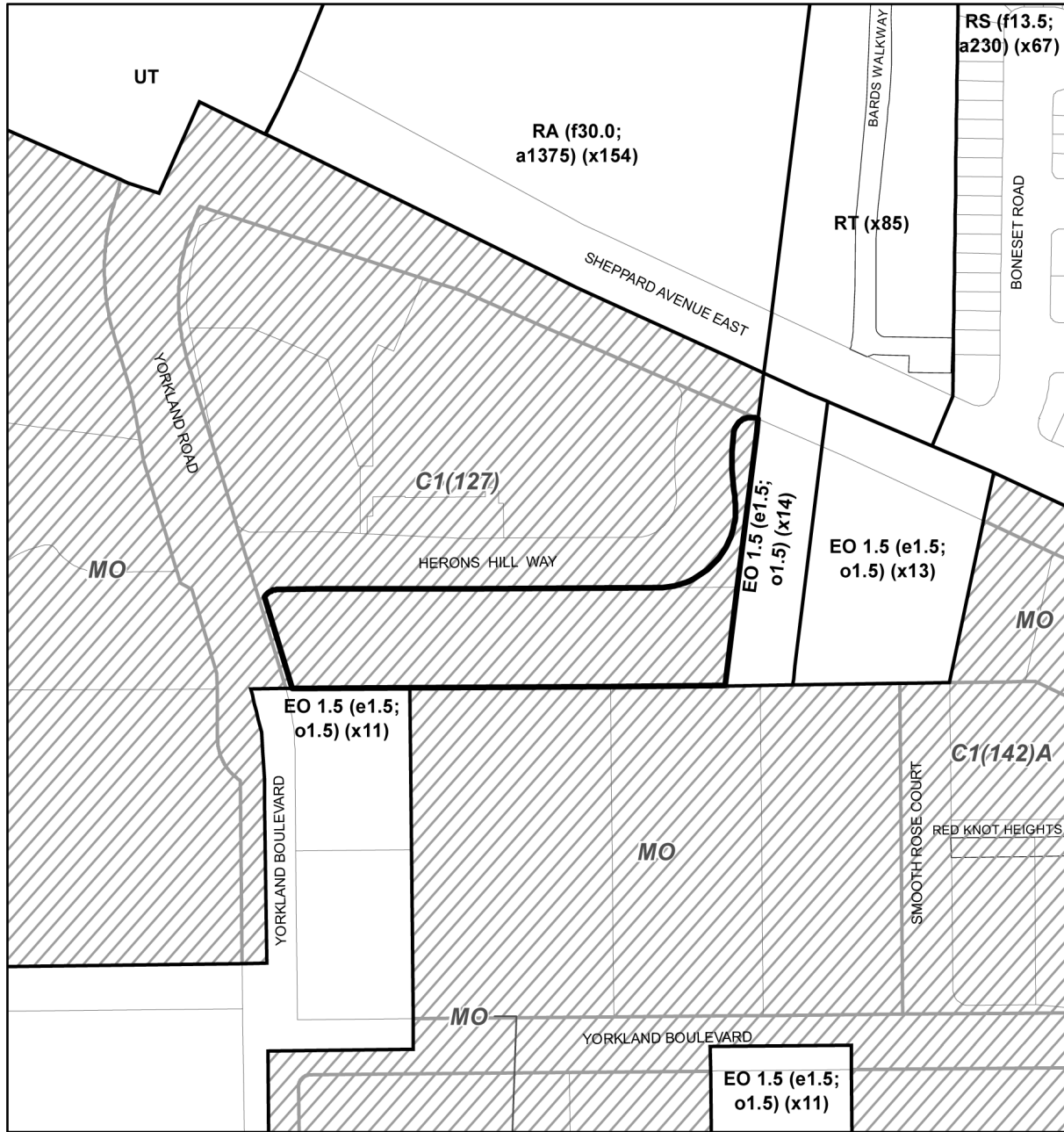
RM1 Multiple-Family Dwellings First Density Zone
RM2 Multiple-Family Dwellings Second Density Zone

RM6 Multiple-Family Dwellings Sixth Density Zone
C1 General Commercial Zone
MO Industrial-Office Business Park Zone



Not to Scale
 Extracted: 05/26/2023

Attachment 7: Existing Zoning By-law 569-2013



Zoning By-law 569-2013

1 Herons Hill Way

File # 20 150974 NNY 17 0Z

Location of Application

RS Residential Semi-Detached
RT Residential Townhouse

RA Residential Apartment
EO Employment Industrial Office
UT Utility and Transportation

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

C1 General Commercial Zone
MO Industrial-Office Business Park Zone



Not to Scale
Extracted: 05/30/2023

Attachment 8: Draft Zoning By-law Amendment 7625

Authority: North York Community Council Item ~, adopted by City of Toronto Council on ~
CITY OF TORONTO
BY-LAW No. ~- 20~

To amend the former City of North York Zoning By-law No. 7625, as amended, with respect to the lands municipally known in the year 2023 as 1 Herons Hill Way.

Whereas Council of the City of Toronto has the authority pursuant to Section 34 of the Planning Act, R.S.O. 1990, c. P.13, as amended, to pass this By-law; and

Whereas Council of the City of Toronto has provided adequate information to the public and has held at least one public meeting in accordance with the Planning Act;

The Council of the City of Toronto enacts:

1. Schedules B and C of By-law No. 7625 of the former City of North York are amended in accordance with Schedule 2 of this By-law.
2. Section 64.23 of By-law No. 7625 is amended by adding the following exception to the C1 Zone:

"64.23(insert exception number) C1(insert exception number)

DEFINITIONS

(a) For the purpose of this exception, the area outlined by the heavy black lines on Schedule 1 attached to this exception is hereinafter referred to and for the purpose of this exception defined as the "lot";

(b) for the purpose of this exception, the C1(insert exception number) zoned lands outlined by the heavy black lines on Schedule 2 attached to this exception are, hereinafter referred to and for the purpose of this exception, defined as the "C1(insert exception number) Lands" and are the subject of this exception;

(c) for the purpose of this exception, "bicycle parking" shall mean an area that is equipped with bicycle racks, stackers or lockers for the purpose of parking and securing bicycles, but is not intended for general storage use;

(d) for the purpose of this exception, "bicycle parking space" shall mean an area used for storing a bicycle. A bicycle parking space shall comply with the following:

- (i) the minimum dimensions of a bicycle parking space are 1.8 metres in length, 0.6 metres in width and a vertical clearance of 1.9 metres from the ground;
- (ii) the minimum dimensions of a bicycle parking space if placed in a vertical position on a wall, structure or mechanical device are 1.9 metres in length or vertical clearance, 0.6 metres in width and a horizontal clearance of 1.2 metres from the wall; and

(iii) if a stacked bicycle parking space is provided, the minimum vertical clearance for each bicycle parking space is 1.2 metres;

(e) for the purpose of this exception, "established grade" shall be defined as the Canadian Geodetic Datum level of 175.15 metres;

(f) for the purpose of this exception, "gross floor area" shall mean the aggregate of the areas of each floor, measured between the exterior faces of the exterior walls of the building or structure at the level of each floor, but excluding:

- (i) any part of the building used as mechanical floor area;
- (ii) any area used for motor vehicle access or parking, including that contained within an above-grade parking structure;
- (iii) any area used for loading or truck circulation, including that contained within an above-grade structure;
- (iv) enclosed locker storage areas, above or below grade;
- (v) any part of the building used for bicycle storage space;
- (vi) the floor area of unenclosed residential balconies; and
- (vii) private recreational amenity area, to a maximum of 2 m² per dwelling unit;

(g) for the purpose of this exception, "mechanical floor area" shall mean the floor area within a building that is used exclusively for the accommodation of mechanical equipment necessary to physically operate the building such as heating, ventilation, air conditioning, electrical, telephone, plumbing, fire protection and elevator equipment;

(h) for the purpose of this exception, "established grade" shall mean 175.5 metres Canadian Geodetic Datum;

(i) for the purposes of this exception, "apartment house dwellings" shall mean a building containing more than four (4) dwelling units, each having access either from an interior corridor system or direct access at grade, or any combination thereof;

(j) "type "G" loading space" means a loading space that is a minimum of 4.0 metres wide, a minimum of 13.0 metres long and has a minimum vertical clearance of 6.1 metres;

(k) for the purpose of this amendment, "recreational amenity area" shall mean an area that is communal and available to all occupants of a building or may be shared amongst occupants of a group of buildings for social and recreational purposes including indoor or outdoor space including patios and green roofs, playgrounds, tennis courts, lawn bowling greens, indoor or outdoor swimming pools, exercise or entertainment rooms and other similar uses;

(l) for the purpose of this amendment, "privately-owned publicly-accessible open space" means a space on the lot situated at ground level within the hatched area shown on Schedule 3 of By-law [Clerks to insert By-law number] attached to and forming part of this By-law that is accessible to the public, secured through appropriate legal agreements and may include pedestrian walkways, seating areas, landscaped plazas,

and ornamental structures and is used principally for the purpose of sitting, standing and other recreational uses;

(m) for the purpose of this amendment, “tower floor plate” means the area of a typical building floor level located at or above the 4th floor, measured from the exterior of the main walls of such floor level, but excluding the area on each floor level devoted to:

- (i) elevator shafts;
- (ii) mechanical and electrical shafts;
- (iii) garbage shafts;
- (iv) exit stairwells; and
- (v) the floor area of unenclosed and enclosed residential balconies and terraces;

(n) for the purposes of this amendment “underground” is defined as below established grade;

PERMITTED USES

(o) On lands identified as C1(insert exception number) on Schedule 2 of By-law [Clerks to insert By-law number], the only permitted uses shall be:

- (i) Residential: apartment house dwellings, multiple attached dwellings, a day nursery within an apartment house dwelling, and accessory uses including recreational amenity areas;
- (ii) Commercial: automatic laundry shops, banks, business and professional offices, clubs, commercial galleries, commercial schools, dry-cleaning and laundry collecting establishments, financial institutions, fitness centres, personal service shops, professional medical offices, retail stores, sales offices, service shops, showrooms, studios, synthetic dry-cleaning establishments, and restaurants;
- (iii) Commercial: adult education schools, automatic laundry shops, banks, banquet halls, business and professional offices, car rental agencies, clubs, colleges, commercial galleries, commercial schools, communications and broadcasting, community centres, custom workshops, day nurseries, dry cleaning and laundry collecting establishments, financial institutions, fitness centres, health science research laboratories, information processing, laundries, parking lots, personal service shops, professional medical offices, places of worship, public libraries, research laboratories, retail stores, sales offices, service shops, studios, synthetic dry-cleaning establishments, restaurants, showrooms, and take-out restaurants;

EXCEPTION REGULATIONS GROSS FLOOR AREA

(p) the maximum gross floor area for all uses on the lot is 29,800 m²;

(q) the permitted maximum gross floor area for residential uses is 26,200 m²;

(r) the required minimum gross floor area for non-residential uses on the lot is 3,342 m²; and

(x) the minimum gross floor area for non-residential in (q) above may be located on the lot;

DWELLING UNITS

(y) The maximum number of dwelling units shall be 334;

(z) The provisions of Section 2 .2.4.2 for unit size shall not apply;

HEIGHT

(aa) for the purposes of this section, the definitions of "building height" and "storey" shall have the same meaning as defined in Sections 2.10 and 2.77, respectively, with the exception that mechanical penthouses, roof access enclosures, rooftop recreational structures, and storage rooms for rooftop recreational furniture and equipment, shall be excluded;

(bb) the maximum number of storeys above established grade shall be 34;

(cc) the maximum building height for all buildings shall be as shown on Schedule 3 of By-law [Clerks to insert By-law number], shall be 110 metres;

(dd) notwithstanding subsections (bb) and (cc) above, the following elements may project beyond the maximum height limits shown on Schedule 3 of By-law [Clerks to insert By-law number], in accordance with the following:

(i) guard rails, railings, bollards, balustrades, eaves, roof drainage, balcony and terrace guards, fences, skylights, railings, planters, cornices, seating areas, retaining walls, balcony and terrace dividers, decorative screens, privacy screens, wheelchair ramps and ramps to underground, safety and wind protection/mitigation features and solar panels may project a maximum of 3.0 metres beyond the maximum height limits; ornamental elements, landscape elements, structures used for outside or open- air recreation including pools and associated equipment, light monitors, light fixtures, pergolas, architectural features, trellises, awnings and canopies may project a maximum of 4.0 metres beyond the maximum height limits;

(ii) public art features, mechanical equipment, exoskeleton structures, stairs, stair towers and enclosures, enclosures of mechanical equipment, unenclosed heating equipment may project a maximum of 6.0 metres beyond the maximum height limits;

(iii) elevator overruns, lightning rods, ventilation or cooling equipment such as chimneys, stacks, flues, vents, air intakes, antennas, satellite dishes, cellular arrays, parapets and elements of a green roof may project a maximum of 6.9 metres beyond the maximum height limits; and

(iv) window washing equipment including Building Maintenance Unit (BMU) may project a maximum of 7.0 metres beyond the maximum height limits;

YARD SETBACKS

(ee) the minimum yard setbacks for all buildings and structures above-grade shall be as shown on Schedule 3;

(ff) notwithstanding subsection (ee) above, the following building elements may project beyond the minimum yard setbacks indicated on Schedule 3 of By-law [Clerks to insert By-law number], in accordance with the following:

- (i) trellises and planters may encroach a maximum of 5.0 metres into the required setbacks;
- (ii) ventilation shafts, and elements required for the functional operation of a building, site servicing features, stairs, stair enclosures, wheelchair ramps, fences may encroach a maximum of 6.0 metres into the required yard setbacks; and
- (iii) art and landscape features and window washing units including Building Maintenance Unit (BMU) may encroach a maximum of 3.0 metres into the required yard setbacks;

(gg) the provisions of Section 23.2.2.1 for setback from the centerline of the road allowance shall not apply;

LANDSCAPING

(hh) the provisions of Section 15.8 for landscaping shall not apply;

LOT COVERAGE

(ii) the provisions of Sections 20.2.2 and 23.2.1 for lot coverage shall not apply;

LOT AREA

(jj) the provisions of Section 23.2.4.1 for lot area shall not apply;

LOT FRONTAGE

(kk) the provisions of Section 20.2.3 for lot frontage shall not apply;

PARKING

(ll) parking spaces shall be provided in accordance with the following:

- (i) a minimum rate of 0.72 residential parking spaces for each dwelling unit;
- (ii) a minimum rate of 2.0 residential visitor parking spaces plus 0.01 parking spaces for each dwelling unit;
- (iii) a minimum of 1 parking space per 100 m² for non-residential uses;
- (iv) "car-share parking space" may replace parking spaces otherwise required for residential occupants, subject to the following:
- (v) a maximum reduction of 4 resident parking spaces will be permitted for each "car-share parking space" provided and that the maximum reduction permitted be capped;

(mm) for the purpose of this exception, "car-share" means the practice whereby a number of people share the use of one or more motor vehicles and such "car-share"

motor vehicles are made available to at least the occupants of the building for short-term rental, including hourly rental;

(nn) for the purpose of this exception, "car-share parking space" means a exclusively reserved and signed for a vehicle used only;

(oo) bicycle parking spaces shall be provided at a minimum of 0.75 bicycle parking spaces per dwelling unit for residents according to the following:

(i) a minimum of 0.68 "long-term" bicycle parking spaces for each apartment unit for the use of residents.

(ii) 0.07 "short-term" bicycle parking spaces for each apartment unit use of visitors.

(pp) a "privately owned publicly accessible space" with a minimum area of 520 m² must be provided in the location shown on Schedule 3 of By-law [Clerks to insert By-law number];

PRIVATE RECREATIONAL AMENITY AREA

(qq) private recreational amenity area shall be provided in accordance with the following:

(i) the required minimum gross floor area for indoor amenity space is 705 m²; and

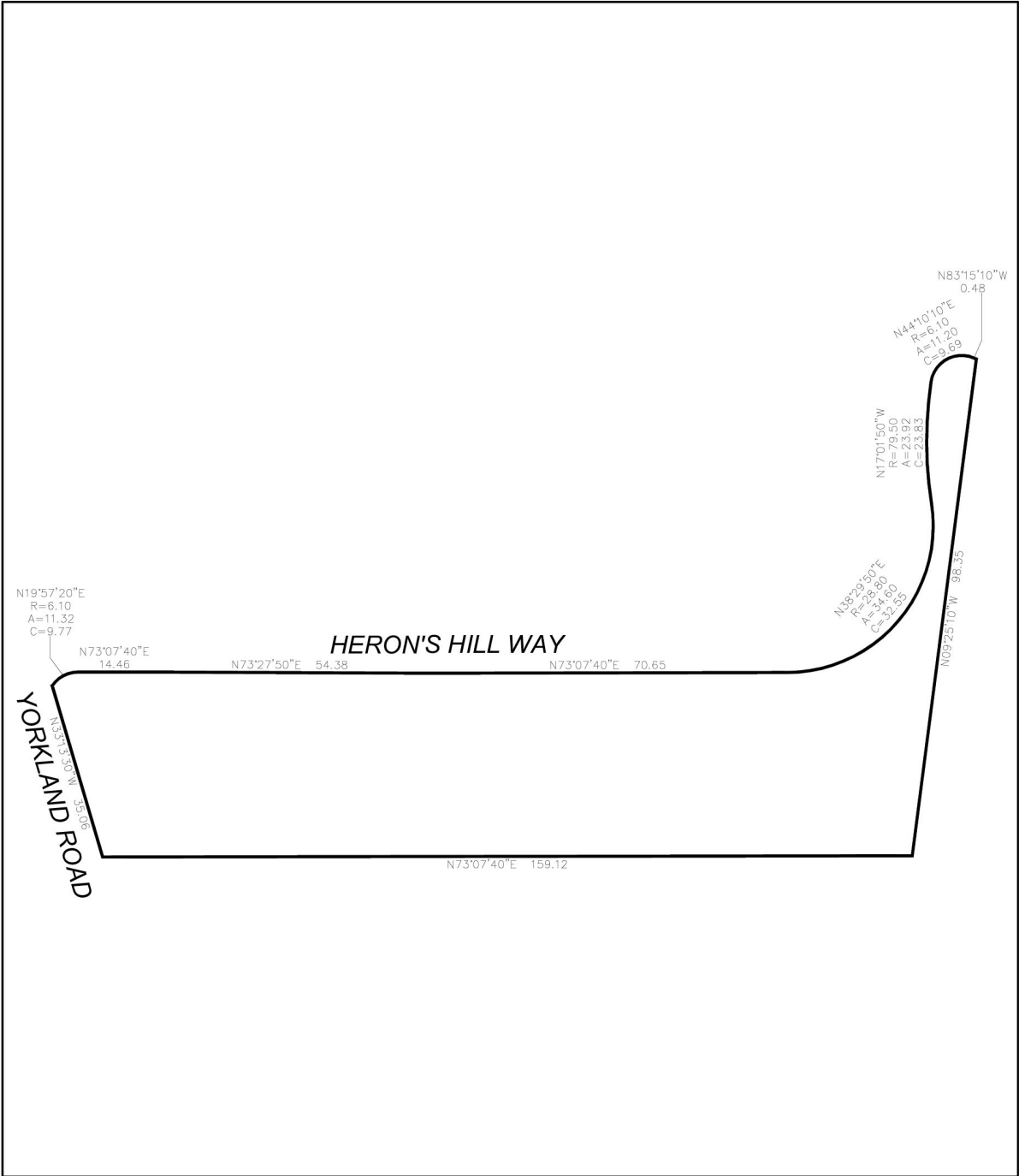
(ii) the required minimum gross floor area for outdoor amenity space is 705 m²;

LOCKER SPACE

(rr) a minimum of one locker with a minimum area of 1.4 m² shall be provided for each dwelling unit.

DIVISION OF LANDS

(ss) notwithstanding any severance or division of the lands subject to this exception, the regulations of this exception shall continue to apply to the whole of the lands as if it remained one lot."



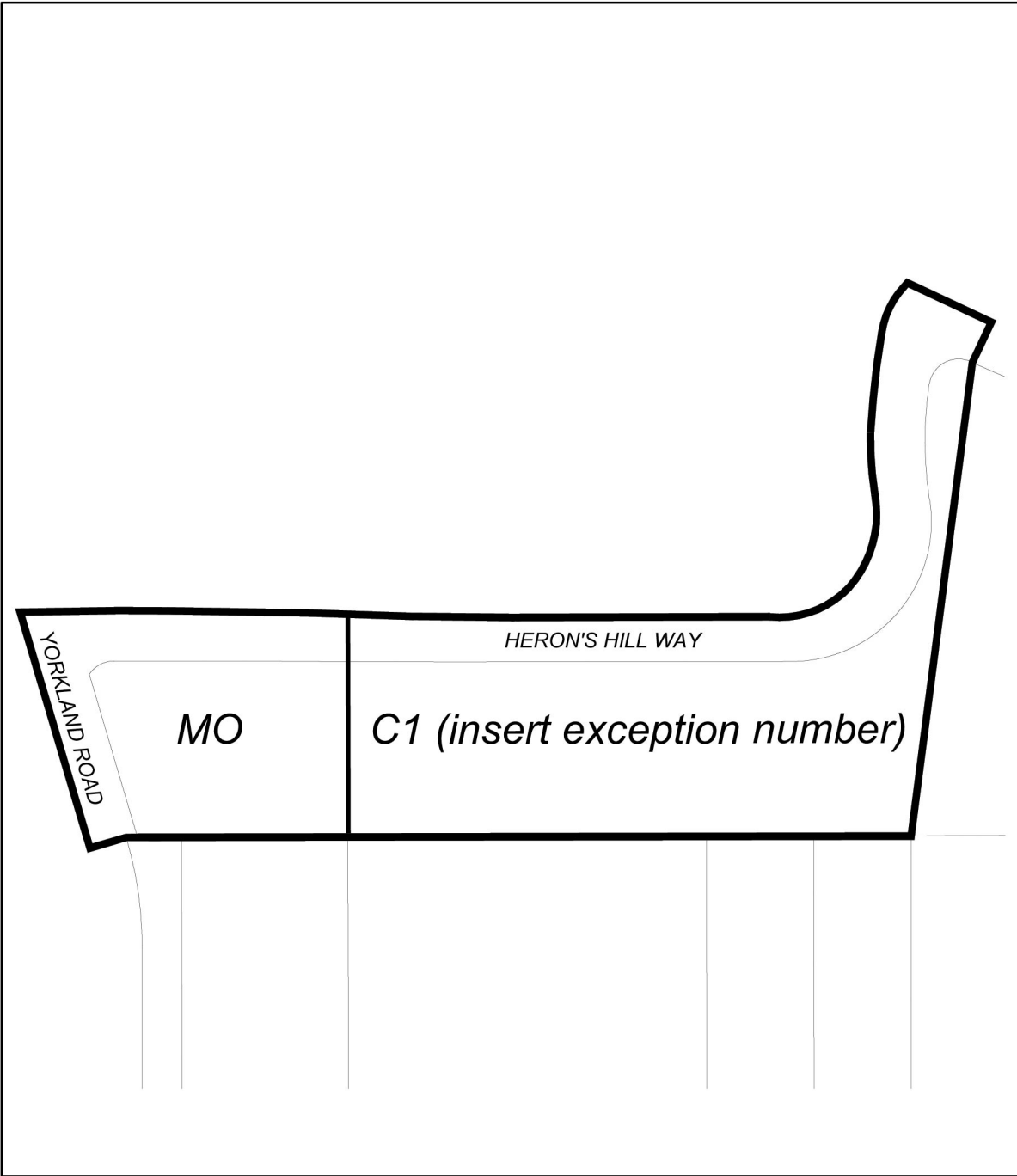
Toronto
Diagram 1

1 Heron's Hill Way

File # 20 150874 NNY 17 OZ



City of Toronto By-law 569-2013
 Not to Scale
 03/21/2023



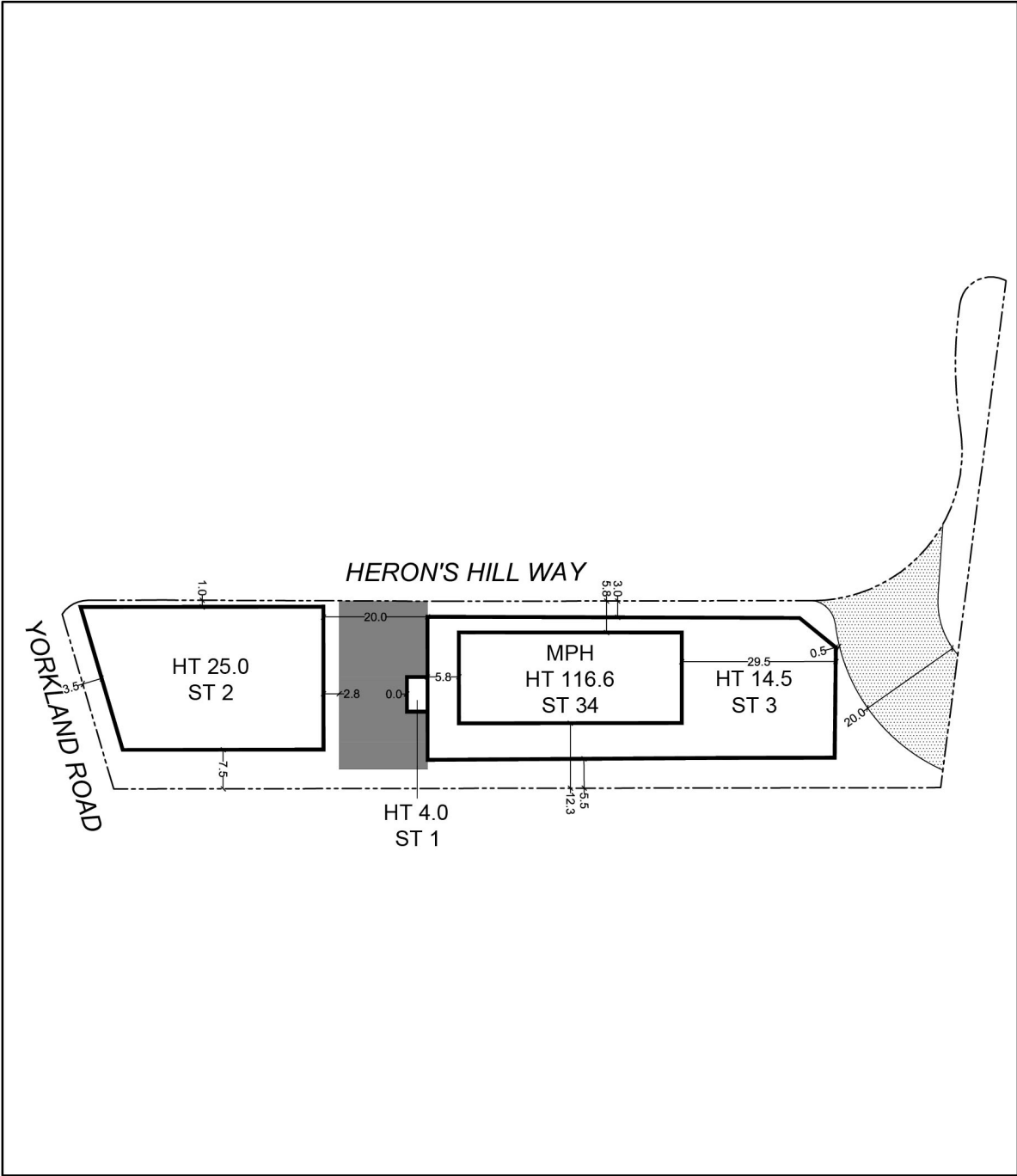
Toronto
Diagram 2

1 Heron's Hill Way

File # 20 150874 NNY 17 0Z



City of Toronto By-law 569-2013
 Not to Scale
 03/21/2023



TORONTO
Diagram 3

1 Heron's Hill Way

File # 20 150874 NNY 17 0Z

- Privately-Owned Publicly-Accessible Space
- Future Public Road



City of Toronto By-law 569-2013
Not to Scale
03/21/2023

Attachment 9: Draft Zoning By-law Amendment 569-2013

Authority: North York Community Council Item ##, as adopted by City of Toronto Council on ~, 2023

CITY OF TORONTO

BY-LAW No. XXXX-2023

To amend Toronto Zoning By-law No 569-2013, as amended, with respect to the lands municipally known in the year 2023 as 1 Herons Hill Way.

Whereas Council of the City of Toronto has the authority pursuant to Section 34 of the Planning Act, R.S.O. 1990, c. P.13, as amended, to pass this By-law; and

Whereas Council of the City of Toronto has provided adequate information to the public and has held at least one public meeting in accordance with the Planning Act; and

The Council of the City of Toronto enacts:

1. The lands subject to this By-law are outlined by heavy black lines as identified on Diagram 1 of By-law No. XXX-20~.
2. The words highlighted in bold type in this By-law have the meaning provided in Zoning By-law No. 569-2013, Chapter 800 Definitions.
3. Zoning By-law No. 569-2013, as amended, is further amended by adding the lands subject to this By-law to the Zoning By-law Map in Section 990.10, and applying the following zone label to these lands: EO and CR 1.0 (c0.5; r0.0) SS1 (insert exception number) as shown on Diagram 2 attached to this By-law.
4. Zoning By-law 569 -2013, as amended, is further amended by adding the lands to the Height Overlay Map in Article 995.20.1, and applying the following height and storey label to these lands: "and applying no value".
5. Zoning By-law 569 -2013, as amended, is further amended by adding the lands to the Lot Coverage Overlay Map in Article 995.30.1, and applying the following lot coverage label to these lands: "and applying no value".
6. Zoning By-law 569-2013, as amended, is further amended by adding the lands to the Rooming House Overlay Map in Article 995.40.1, and applying the following rooming house label to these lands "and applying no value".
7. Zoning By-law No. 569-2013, as amended, is further amended by amending Article 900.11.10 to add Exception Number [XXXX] so that it reads:

Exception CR [XXXX]

The lands, or a portion thereof as noted below, are subject to new Site Specific Provisions, Prevailing By-laws and Prevailing Sections as listed below:

Site Specific Provisions:

(A) On lands municipally known as 1 Herons Hill Way, if the requirements of By-law [Clerks to insert By-law number] are complied with, a building or structure may be constructed, used or enlarged in compliance with Regulations (B) to (Q) below;

(B) Despite Regulation 40.10.40.40, the permitted maximum gross floor area on the lot must not exceed 29,800 square metres, provided:

(i) the permitted maximum gross floor area for residential uses is 26,200 square metres;

(ii) the required minimum gross floor area for non-residential uses is 3,342 square metres; and

(iii) the required minimum gross floor area for non-residential in (ii) above may be located on the lot.

(C) Despite Regulations 40.10.40.50(1)(A), (B) and (2) amenity space must be provided at the following rates:

(i) the required minimum gross floor area for indoor amenity space is 705 square metres; and

(ii) the required minimum gross floor area for outdoor amenity space is 705 square metres.

(D) Despite Regulation 40.10.40.10, the permitted maximum height of a building or structure is the number in metres following the letters "HT" as shown on Diagram 3 of By-law No. XXX-20~.

(E) Despite Regulation 40.10.40.10(7), the permitted maximum number of storeys is the number following the letters "ST" as shown on Diagram 3 of By-law No. XXX-20~.

(i) For the purpose of this exception, a "mezzanine" does not constitute a storey;

(F) Despite Regulation 40.5.40.10 (1) and (2) is the distance between the Canadian Geodetic Datum of 175.5 metres and the elevation of the highest point of the building or structure.

(G) Despite Regulation 40.5.40.10(3) to (8) and (D) above, the following equipment and structures may project beyond the permitted maximum height shown on Diagram 3 of By-law [Clerks to insert By-law number]:

(i) guard rails, railings, bollards, balustrades, eaves, roof drainage, balcony and terrace guards, fences, skylights, planters, cornices, retaining walls, balcony and terrace

dividers, decorative screens, privacy screens, wheelchair ramps and ramps to underground, safety and wind protection/mitigation features and solar panels, by a maximum of 3.0 metres;

(ii) ornamental elements, landscape elements, structures used for outside or open air recreation including pools and associated equipment, light monitors, light fixtures, pergolas, architectural features, trellises, awnings and canopies, by a maximum of 4.0 metres;

(iii) public art features, mechanical equipment, exoskeleton structures, stairs, stair towers and enclosures, enclosures of mechanical equipment and unenclosed heating equipment, by a maximum of 6.0 metres;

(iv) beyond the maximum height limits: elevator overruns, lightning rods, ventilation or cooling equipment such as chimneys, stacks, flues, vents, air intakes, antennas, satellite dishes, cellular arrays, parapets and elements of a green roof, by a maximum of 6.9 metres; and

(v) window washing equipment including Building Maintenance Unit (BMU) by a maximum of 6.9 metres;

(H) Despite Regulation 40.10.40.70(1) (2) or (3), the required minimum building setbacks are shown in metres on Diagram 3 of By-law No. XXXX-20~.

(I) Despite Regulation 40.10.40.80(1) and (2), the required separation of main walls are shown in metres on Diagram 3 of By-law No. XXXX-20~.

(J) Despite Clause [40.10.40.60] and (H) and (I) of the regulation above which states minimum building setbacks and separation distances above, the following elements may encroach into the required minimum building setbacks and main wall separation distances as follows:

(i) eaves, window sills, damper equipment to reduce building movement, architectural flues, pillars and satellite dishes, by a maximum of 1.0 metres;

(ii) balconies, by a maximum of 2.0 metres;

(iii) pergolas, guardrails, balustrades, railings, decorative / acoustic doors and screens, light fixtures, awnings and canopies, by a maximum of 3.0 metres;

(iv) trellises and planters, by a maximum of 5.0 metres;

(v) ventilation shafts, elements required for the functional operation of a building, site servicing features, stairs, stair enclosures, wheelchair ramps, fences, by a maximum of 6.0 metres; and

(vi) art and landscape features and window washing equipment including Building Maintenance Unit (BMU), by a maximum of 5.0 metres;

(K) Despite Regulation 200.5.10.1 and Table 200.5.10.1, parking spaces must be provided and maintained in accordance with the following:

- (i) a minimum rate of 0.72 residential parking spaces for each dwelling unit;
- (ii) a minimum rate of 2.0 residential visitor parking spaces plus 0.01 parking spaces for each dwelling unit;
- (iii) a minimum of 1 parking space per 100 square metres for non-residential uses;

(L) Despite Regulation 200.5.10.1(1), Table 200.5.10.1 and (J) above, "car-share parking space" may replace parking spaces otherwise required for residential occupants, subject to the following:

- (i) A maximum reduction of 4 resident parking spaces will be permitted for each "car-share parking space" provided and that the maximum reduction permitted be capped;
- (ii) for the purpose of this exception, "car-share" means the practice whereby a number of people share the use of one or more motor vehicles and such "car-share" motor vehicles are made available to at least the occupants of the building for short-term rental, including hourly rental;
- (iii) for the purpose of this exception, "car-share parking space" means a parking space exclusively reserved and signed for a vehicle used only for "car-share" purposes;

(M) Despite Regulation 200.15.10.10(1) and (2), a minimum of 10 accessible parking spaces must be provided on the lot.

(N) Despite Regulation 200.5.1.10(14), 20% of the parking spaces must be equipped with an energized outlet, which is clearly marked and identified for electrical vehicle charging and is capable of Level 2 charging or higher to the parking space.

(O) Despite Regulation 230.5.1.10(1), bicycle parking spaces must be provided and maintained on the lot in accordance with the following:

- (i) A minimum of 0.75 bicycle parking spaces per dwelling unit of which:
 - i A minimum of 0.68 "long-term" bicycle parking spaces for each dwelling unit for the use of residents.
 - ii A minimum of 0.07 "short-term" bicycle parking spaces for each dwelling unit for the use of visitors.

(P) Despite Regulation 220.5.10.1(5), one Type "B" loading space must be provided.

(Q) A "privately owned publicly accessible space" with a minimum area of 520 square metres must be provided in the location shown on Diagram 3 of By-law [Clerks to insert By-law number].

8. Prevailing By-laws and Prevailing Sections:

(A) By-law 295-2010, as amended

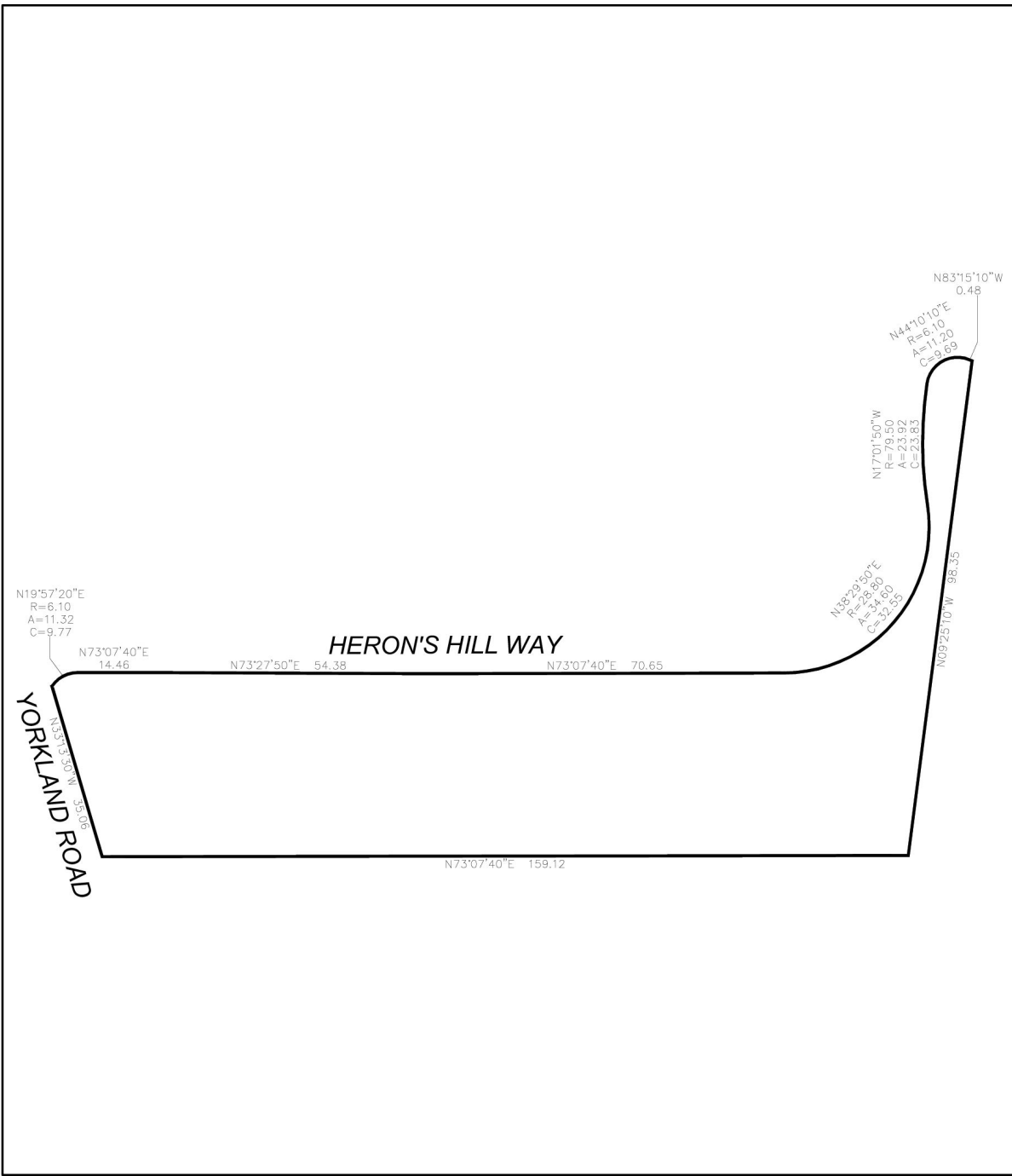
9. Division of Lands:

(A) notwithstanding any severance, partition or division of the lands outlined by heavy black lines and identified on Diagram 1, the regulations of By-law XXXX-2023 shall continue to apply to the whole of said lands as if no severance, partition or division had occurred.

Enacted and passed on ~2023.

Jennifer McKelvie
Mayor
(Seal of the City)

John D. Elvidge,
City Clerk



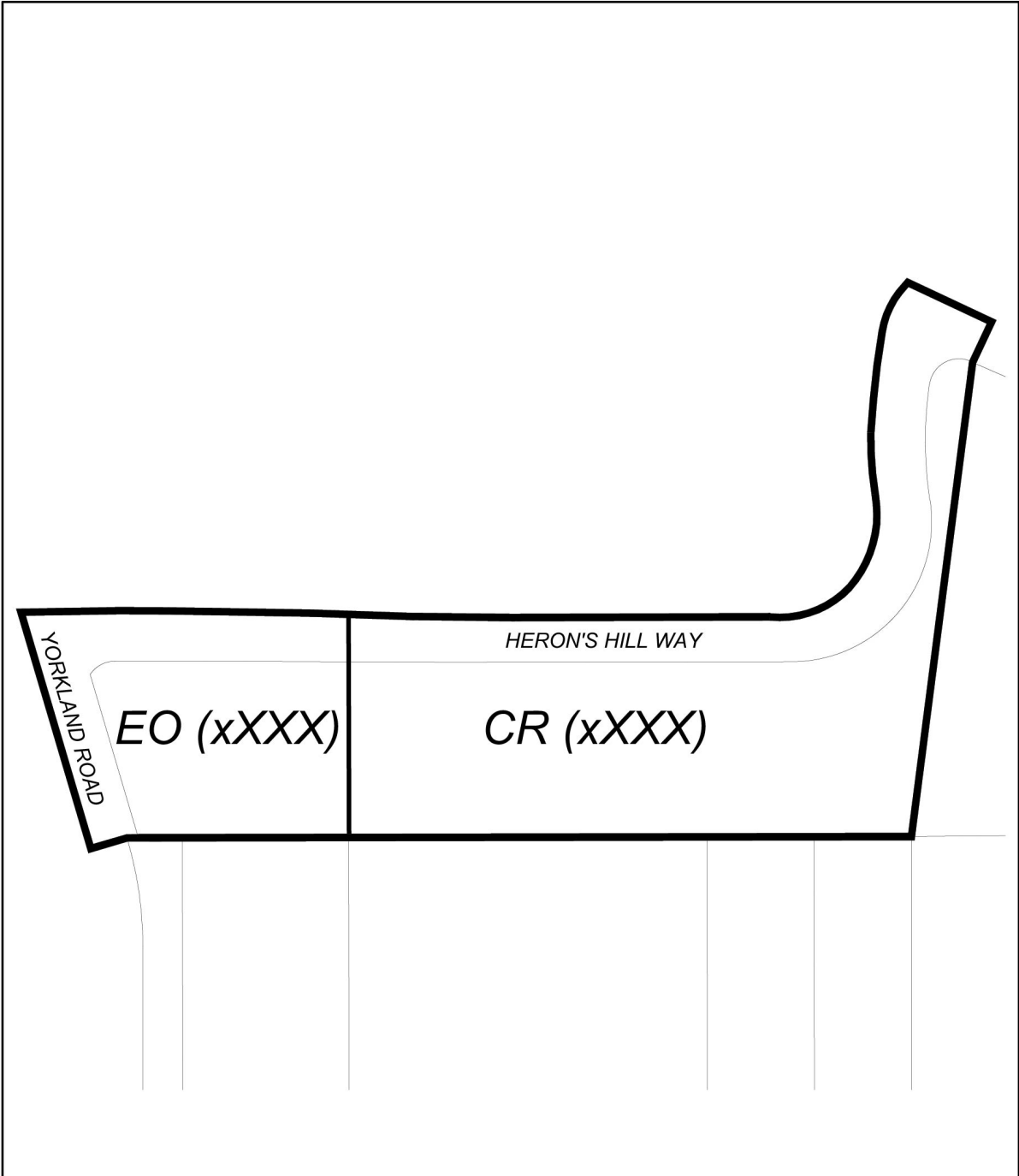
Toronto
Diagram 1

1 Heron's Hill Way

File # 20 150874 NNY 17 OZ



City of Toronto By-law 569-2013
Not to Scale
03/21/2023



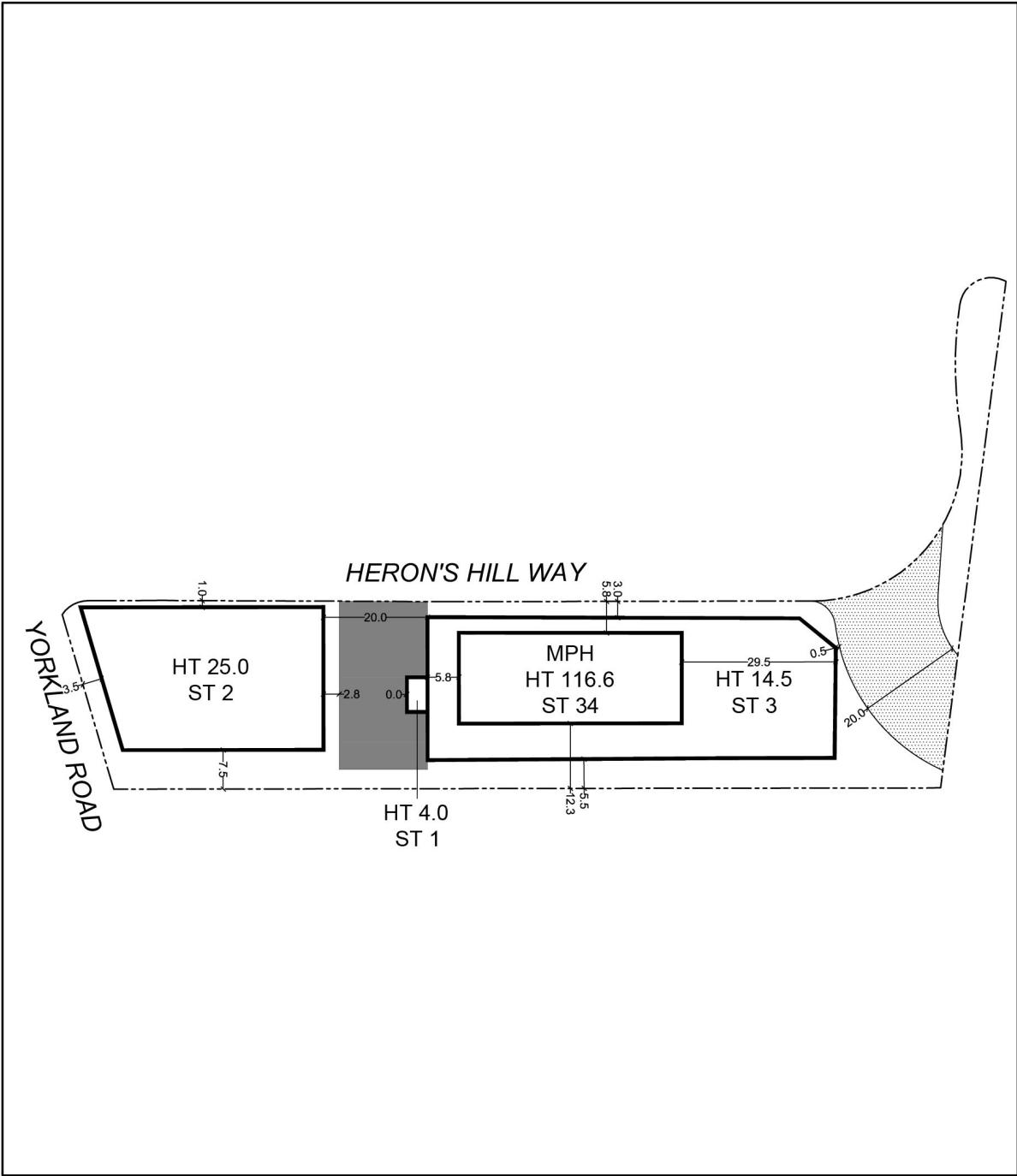
 **TORONTO**
Diagram 2

1 Heron's Hill Way

File # 20 150874 NNY 17 OZ



City of Toronto By-law 569-2013
Not to Scale
03/21/2023



TORONTO
Diagram 3

1 Heron's Hill Way

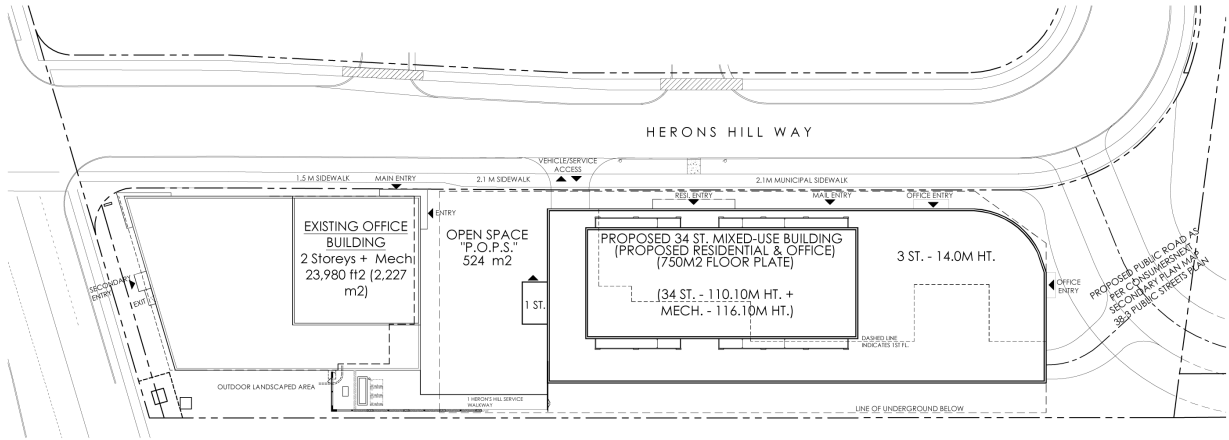
File # 20 150874 NNY 17 0Z

-  Privately-Owned Publicly-Accessible Space
-  Future Public Road



City of Toronto By-law 569-2013
Not to Scale
03/21/2023

Attachment 10: Site Plan



Site Plan



Attachment 9a: North Elevation



North Elevation

Attachment 9b: East Elevation



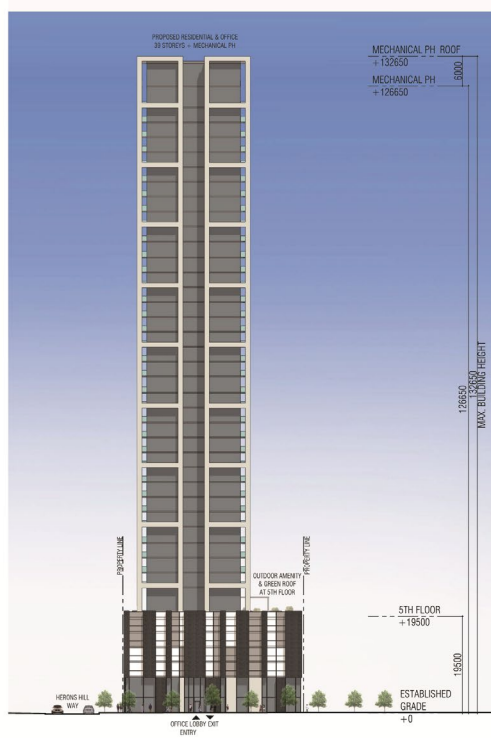
East Elevation

Attachment 9c: South Elevation



South Elevation

Attachment 9d: West Elevation



West Elevation