

2010-2050 Yonge Street - Zoning By-law Amendment and Site Plan Control Applications - Appeal Report

Date: January 10, 2023

To: Toronto and East York Community Council

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

Ward: 12 - Toronto-St. Paul's

Planning Application Number: 21 235352 STE 12 OZ and 21 235357 STE 12 SA

Related Application: 21 235361 STE 12 SB

SUMMARY

On November 8, 2021, Zoning By-law Amendment and Site Plan Control applications were submitted to permit a 14-storey mixed-use building containing ground floor retail, office uses and a childcare centre on the second floor, and 164 residential dwelling units on floors 3-14.

On February 15, 2022, the applicant appealed the Zoning By-law Amendment application and Site Plan Control applications to the Ontario Land Tribunal (OLT) due to Council not making a decision within the time frame in the Planning Act.

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

RECOMMENDATIONS

The City Planning Division recommends that:

1. City Council direct the City Solicitor and appropriate City staff to attend the Ontario Land Tribunal in opposition to the current applications regarding the Zoning By-law Amendment and Site Plan Control appeals for the lands at 2010-2050 Yonge Street and to continue discussions with the applicant in an attempt to resolve outstanding issues.
2. In the event that the Ontario Land Tribunal allows the appeals in whole or in part, City Council authorize the City Solicitor to request that the issuance of any final Orders be withheld until such time as the City Solicitor advises that:

a) the final form and content of the draft Zoning By-laws are to the satisfaction of the City Solicitor and the Chief Planner and Executive Director, City Planning;

b) the applicant has provided confirmation of water, sanitary and stormwater capacity to the satisfaction of the Chief Engineer and Executive Director, Engineering and Construction Services, or the Chief Engineer and Executive Director, Engineering and Construction Services has determined that holding provisions are required in the Zoning By-law amendment; and

c) the applicant has addressed all outstanding issues raised by Urban Forestry, Tree Protection and Plan Review as they relate to the Zoning By-law Amendment application, to the satisfaction of the Supervisor, Tree Protection and Plan Review.

3. City Council authorizes 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.

THE SITE

Description: The site fronts Yonge Street between Glebe Road West and Lola Road. A portion of the west side of the site abuts a north-south public laneway which extends from Lola Road from the north and terminates after approximately 40 metres. The site is generally rectangular in shape and has an approximate area of 2,369 square metres, with frontages of approximately 82.1 metres along Yonge Street, 27.25 metres along Lola Road, and 27.03 metres on Glebe Road West. See Attachment 1 for the Location Map.

Existing Uses: At 2010-2040 Yonge Street is a 3-storey non-residential building containing office and retail uses with a rear private-driveway providing access to this building from Glebe Road West. At 2044-2046 Yonge Street is a 2-storey non-residential building containing office and retail uses. 2050 Yonge Street contains a 1-storey commercial building which is occupied by a restaurant with a ground floor patio.

THE APPLICATION

Description: A 14-storey (59.8 metres including mechanical penthouse) mixed-use building containing ground floor retail, office uses and a childcare centre on the second

floor, and residential uses on floors 3-14. The building contains a step-back above the second and sixth storey to create a varied streetwall along Yonge Street.

Density: 7.83 times the area of the lot.

Dwelling Units: The proposed 164 dwelling units, includes 15 bachelor (9%), 31 one-bedroom (19%), 78 two-bedroom (48%), and 40 three-bedroom (24%) units.

Access, Parking and Loading: Access to the 3-level underground garage, containing 122 parking spaces, is proposed from the south side of the site via a private entrance from Glebe Road West. The proposed 165 bicycle parking spaces, including 17 short-term spaces are located within the underground garage. The internalized Type-B and Type G loading spaces are proposed to be accessed by the existing north-south public lane from Lola Road at the north end of the site at grade level.

Additional Information

See Attachments 2, 3 and 4 of this report for the Application Data Sheet, a three-dimensional representation of the project in context, and a site plan of the proposal, respectively. 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: <http://app.toronto.ca/AIC/index.do?folderRsn=tcSIVr1PXV4jXT00nYmU%2Bw%3D%3D>

Reasons for Application

The Zoning By-law Amendment application proposes to amend Zoning By-law 569-2013 to amend performance standards including: gross floor area and floor space index; building height; building setbacks; and vehicular parking space requirements.

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 (PPS), and shall conform to provincial plans.

Official Plan Designation

The site is designated Mixed-Use Areas in the Official Plan.

Yonge-Eglinton Secondary Plan

The Secondary Plan designates the site as Mixed-Use Areas "C" and is located within the Yonge Street South Character Area and Secondary Zone of the Transit Node

associated with the Davisville Subway Station. The Yonge Street South Character Area is planned to have an anticipated height range of 8 to 15 storeys. Yonge Street is identified as a Priority Retail Street.

Zoning

At the time of the application, the property was zoned Commercial Residential CR 3.0 (c2.0; r2.5) SS2 (x2236) with a height limit of 16.0 metres under Zoning By-law 569-2013. See attachment 6 of this report for a Zoning By-law map.

Zoning by-law amendment 595-2022 was adopted by City Council in June 2022 through the Midtown Zoning Review to implement the City's Yonge-Eglinton Secondary Plan. The revised zoning for the property is CR SS2 (x554) with a height limit of 37.5 metres. The zoning implemented by Zoning by-law amendment 595-2022 will not apply for this property given the active application which was submitted prior to the adoption of Zoning by-law amendment 595-2022.

Design Guidelines

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

- Mid-Rise Building Design Guidelines;
- Growing Up Guidelines Planning for Children in New Vertical Communities;
- Pet Friendly Design Guidelines;
- Best Practices for Bird-Friendly Glass;
- Best Practices for Effective Lighting; and
- Toronto Accessibility Design Guidelines.

The City's Design Guidelines can be found here:

<https://www.toronto.ca/citygovernment/planning-development/officialplanguidelines/design-guidelines>

Toronto Green Standard

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. The TGS can be found here: <https://www.toronto.ca/citygovernment/planning-development/official-plan-guidelines/toronto-green-standard/>

COMMUNITY CONSULTATION

A community consultation meeting was not held prior to the appeal of this application.

COMMENTS

The application was appealed after 92 days with no previous communications with Planning staff. As a result, the application has not benefitted from the iterative planning process involving discussion with both staff and the public. The applicant is encouraged to continue discussions with staff in an attempt to resolve outstanding issues.

Provincial Framework

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 Provincial Policy Statement, and conformity with the Growth Plan. Staff find the proposal to be consistent with the PPS and conforms with the Growth Plan.

The Block and Site Organization

The site is located on the block bound by Lola Road to the north, Yonge Street to the east, Glebe Road West to the south, and the TTC rail trench to the west.

The subject site occupies the entire east portion of the block fronting onto Yonge Street between Glebe Road West and Lola Road. To the west of the site along the northern portion of the rear lot line is a north-south public laneway extending south from Lola Road. West of the laneway is a 2-storey house-form building at 15 Lola road which is currently used as an office. While 15 Lola Road is identified in the plans as "Other Lands Owned by the Owner", the property does not form part of the application as it is separated from the subject site by the public lane. To the west of the site along the southern portion of the rear lot line is a 5-storey mixed-use building at 20 Glebe Road West. The building contains three retail store fronts along Glebe Road and residential dwellings above with a blank wall along the east lot line facing the subject site. The dwelling units in this building overlook the TTC rail tracks to the west.

The Yonge-Eglinton Secondary Plan identifies the requirement for a new north-south public laneway connecting Lola Road to Glebe Road West, between Yonge Street and the subway corridor. The application proposes to use the existing lane from Lola Road to access the servicing area. The application does not propose to extend the public lane through to Glebe Road West.

Built Form

City Planning staff have reviewed the proposed built form, including scale and massing, against the policies of the Official Plan as well as relevant design guidelines. While the proposed height is within the height range anticipated by the Yonge-Eglinton Secondary Plan, staff have identified concerns relating to stepbacks, setbacks, and massing for a proposed building that extends the entirety of a block.

The proposal should account for and respond to the built form relationship between the building's west facing units and the existing adjacent building at 20 Glebe Road to the west, which shares the rear property line with the subject site.

Parkland Dedication

The residential component of this proposal is subject to a cap of 10% parkland dedication while the non-residential component is subject to a 2% parkland dedication. In total, the parkland dedication requirement is 208 square metres.

Parks Development staff have advised that the preferred location of the off-site parkland conveyance is to extend Fiona Nelson Parkette by decking over the adjacent subway corridor (possibly consolidating with the developer of 25 Imperial Street) or another off-site location within 500 metres of the development lands or within Ward 12.

Alternatively, the opportunity to convey the property at 15 Lola Road as parkland dedication exists. The conveyance of 15 Lola Road as parkland could act as an extension of the planned Davisville Yard Park to the west of the site that is being explored through the Next Step: Davisville study.

Streetscape and Trees

The Secondary Plan identifies Glebe Road West as a Yonge Street Square extension.

The application proposes to protect the existing two street trees on Yonge Street and plant an additional 4 trees on Yonge Street, 3 trees on Lola Road and 1 tree on Glebe Road West. Forestry Staff have identified concerns relating to potential conflicts with existing utilities. Urban Forestry staff note that landscape plans do not show existing and/or proposed utilities in sufficient detail. Further information is required.

Sun, Shadow and Wind

A Sun/Shadow Study prepared by Graziani & Corazza Architects Inc., dated October 29, 2021, shows that the proposed building creates new shadows on the neighbourhoods and future park to the west, the streets and sidewalks along Yonge Street, as well as the neighbourhoods to the east of Yonge Street.

A Pedestrian Level Wind Assessment prepared by Gradient Wind, dated November 1, 2021, shows that wind conditions in the adjacent grade-level public realm are suitable for year round use, however, changes to the building design are required to mitigate wind conditions over the outdoor amenity spaces on the north and south sides of the roof at Level 14, which are expected to be too windy for the anticipated uses.

The Sun, Shadow and Wind impacts will continue to be assessed as the application evolves to mitigate potential impacts.

Servicing

A Functional Servicing and Stormwater Management Report and associated plans have been submitted for the site and have been reviewed by Engineering and Construction Services. A number of revisions and additional information are required. In the event that the OLT allows the Zoning By-law Amendment appeal in whole or in part, the final Order should be withheld pending the confirmation of water, sanitary and stormwater capacity from the Chief Engineer and Executive Director, Engineering and Construction Services, or the determination of whether holding provisions are required in the Zoning By-law amendment.

Indoor/Outdoor Amenity Space

The proposed amount of amenity space meets the requirements of Zoning By-law 569-2013.

Roadway

A 0.4-metre widening is required along the Yonge Street frontage to satisfy the requirement of a 27.0-metre wide right-of-way. There are no additional lands required for Glebe Road West and Lola Road.

Furthermore, there is no additional land required for the existing lane at the rear of the northerly properties, which is 6.0 metres wide. The Official Plan, however, calls for a new public lane to extend from Lola Road to Glebe Road West. No extension is proposed.

Given the tightness of the southwest corner at Yonge Street and Lola Street, Transportation Services requires a 5.0-metre corner rounding at the northeast corner of the site, to be secured to a minimum height of 3.0 metres above grade via a Pedestrian Clearway Easement.

Access and Traffic Impacts

Vehicular access is proposed to be provided via two driveway connections. Along the north side of the site on Lola Road, access to the site loading area will be provided via a direct connection to the existing 6.0-metre wide public laneway. Along the south side of the site on Glebe Road West, access to the underground garage will be provided via a new driveway.

A Transportation Impact study prepared by LEA Consulting Ltd., dated October 25, 2021, finds that the proposed development will generate approximately 55 and 43 new two-way vehicular trips during the AM and PM peak hours, respectively. Given the scale and context of the site, along with the reduced parking provisions, the potential site traffic impacts are acceptable.

Parking and Loading

A total of 122 vehicle parking spaces are proposed in a 3-level below-grade parking garage, accessed from Glebe Road West. While the site does not technically satisfy the current in-force Zoning By-law No. 569-2013 (Policy Area 3) requirements for parking, Transportation Services accepts the proposed parking reduction for the site given the site context and submitted data.

A type-G and a type-B loading space are proposed at grade, accessed from the north-south public laneway to the west of the site. Transportation Services requires vehicle manoeuvring diagrams illustrating the forward motion of heavy vehicles entering and exiting the site and the proposed loading spaces.

Further Issues

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

CONTACT

Kai Zhou, Planner, Community Planning
Tel. No. 416-338-0810
E-mail: Kai.Zhou@toronto.ca

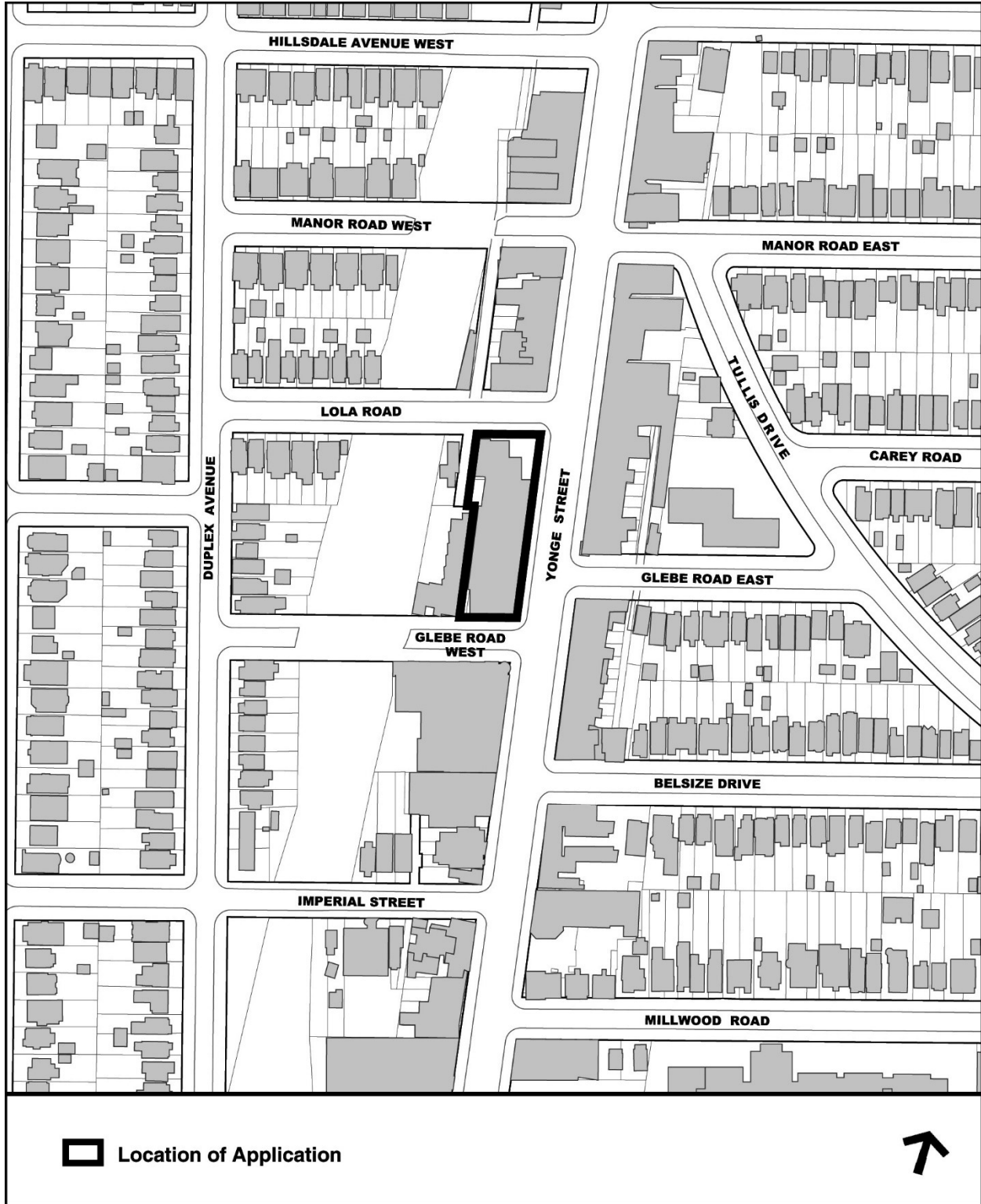
SIGNATURE

Alex Teixeira, MCIP RPP
Acting Director, Community Planning
Toronto and East York District

ATTACHMENTS

- Attachment 1: Location Map
- Attachment 2: Application Data Sheet
- Attachment 3: 3D Models of Proposal in Context
- Attachment 4: Site Plan
- Attachment 5: Official Plan Land Use Map
- Attachment 6: Zoning By-law Map

Attachment 1: Location Map



Attachment 2: Application Data Sheet

Municipal Address: 2010 Yonge Street **Date Received:** November 8, 2021
Application Number: 21 235352 STE 12 OZ
Application Type: Rezoning

Project Description: A 14-storey mixed-use building with 164 dwelling units.

Applicant	Architect	Owner
Goldberg Group	Graziani & Corazza Architects Inc.	2040 Yonge St. Limited; Yonge Glebe Investments Ltd; Yonge St. Investments Inc.

EXISTING PLANNING CONTROLS

Official Plan Designation:	Mixed Use Areas	Site Specific Provision:	N
Zoning:	CR 3.0 (c2.0; r2.5) SS2 (x2236)	Heritage Designation:	N
Height Limit (m):	16.0 metres	Site Plan Control Area:	Y

PROJECT INFORMATION

Site Area (sq m): 2,369 **Frontage (m):** 82 **Depth (m):** 28

Building Data	Existing	Retained	Proposed	Total
Ground Floor Area (sq m):				
Residential GFA (sq m):			15,683	15,683
Non-Residential GFA (sq m):			2,863	2,863
Total GFA (sq m):			18,546	18,546
Height - Storeys:			14	14
Height - Metres:			59	59

Lot Coverage Ratio (%): N/A **Floor Space Index:** 7.83

Floor Area Breakdown	Above Grade (sq m)	Below Grade (sq m)
Residential GFA:	15,683	
Retail GFA:	1,292	
Office GFA:	1,098	
Industrial GFA:		
Institutional/Other GFA:	473	

Residential Units by Tenure	Existing	Retained	Proposed	Total
Rental:				
Freehold:				
Condominium:			164	164
Other:				
Total Units:			164	164

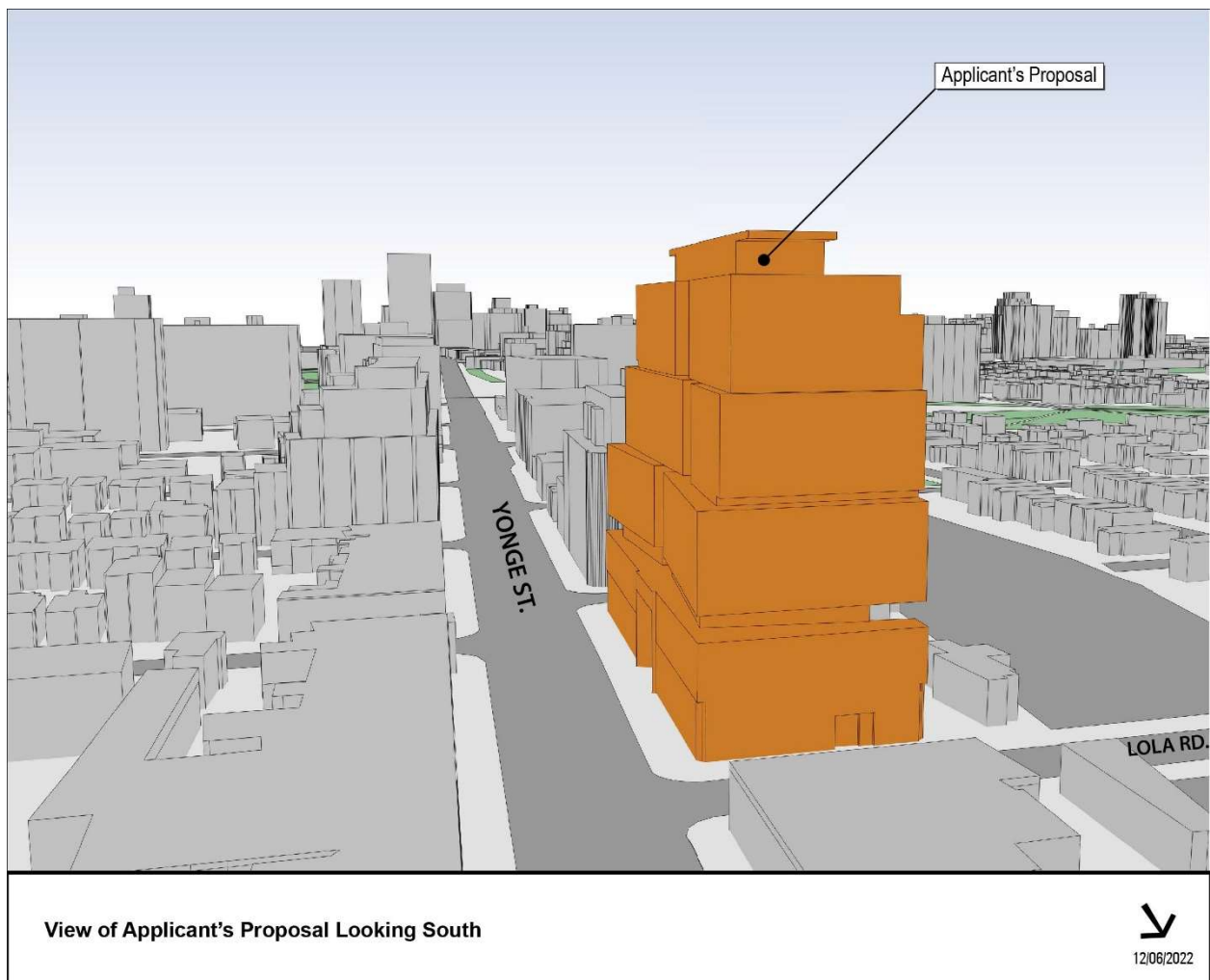
Total Residential Units by Size

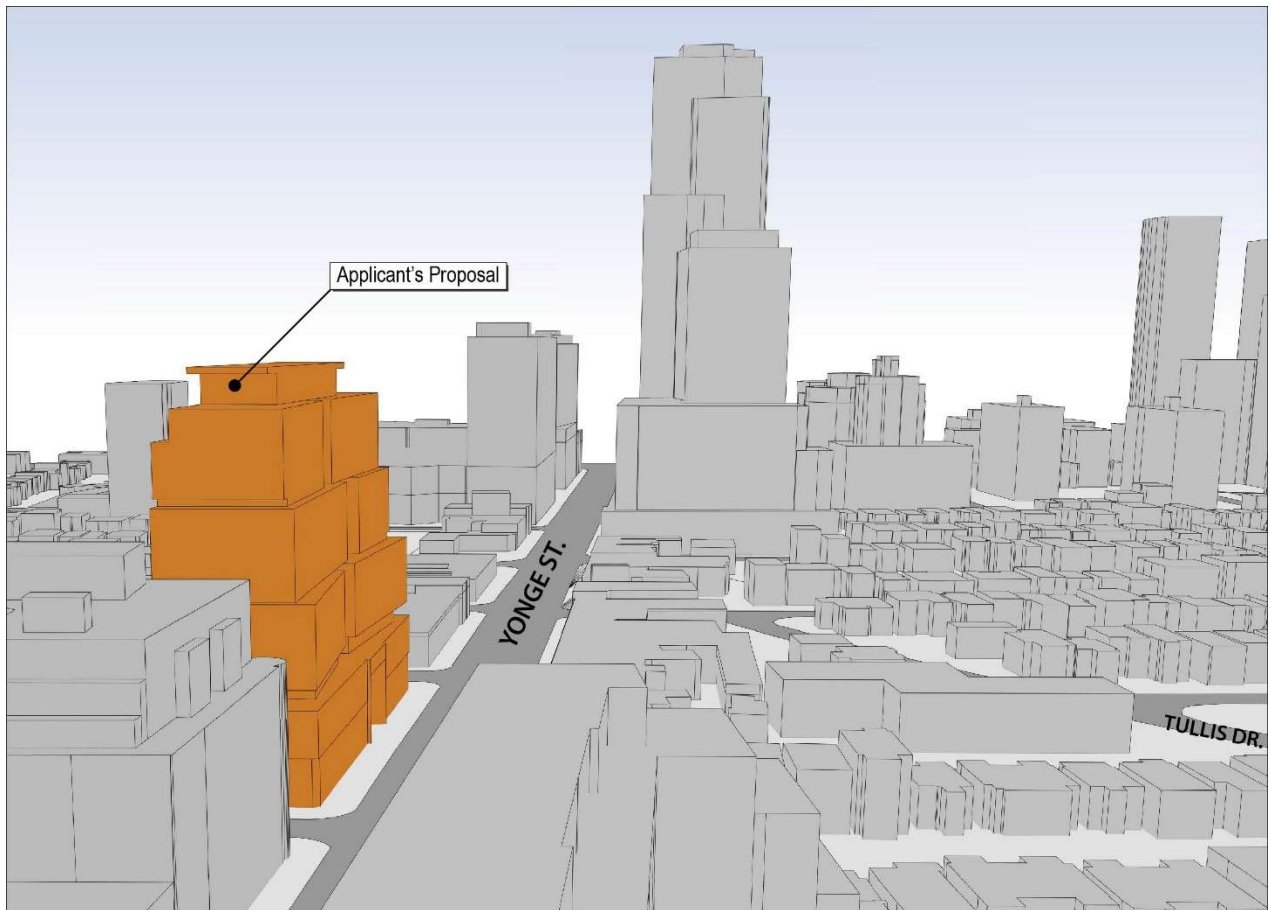
	Rooms	Bachelor	1 Bedroom	2 Bedroom	3+ Bedroom
Retained:					
Proposed:		15	31	78	40
Total Units:		15	31	78	40

Parking and Loading

Parking Spaces:	122	Bicycle Parking Spaces:	165	Loading Docks:	2
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Attachment 3: 3D Models of Proposal in Context



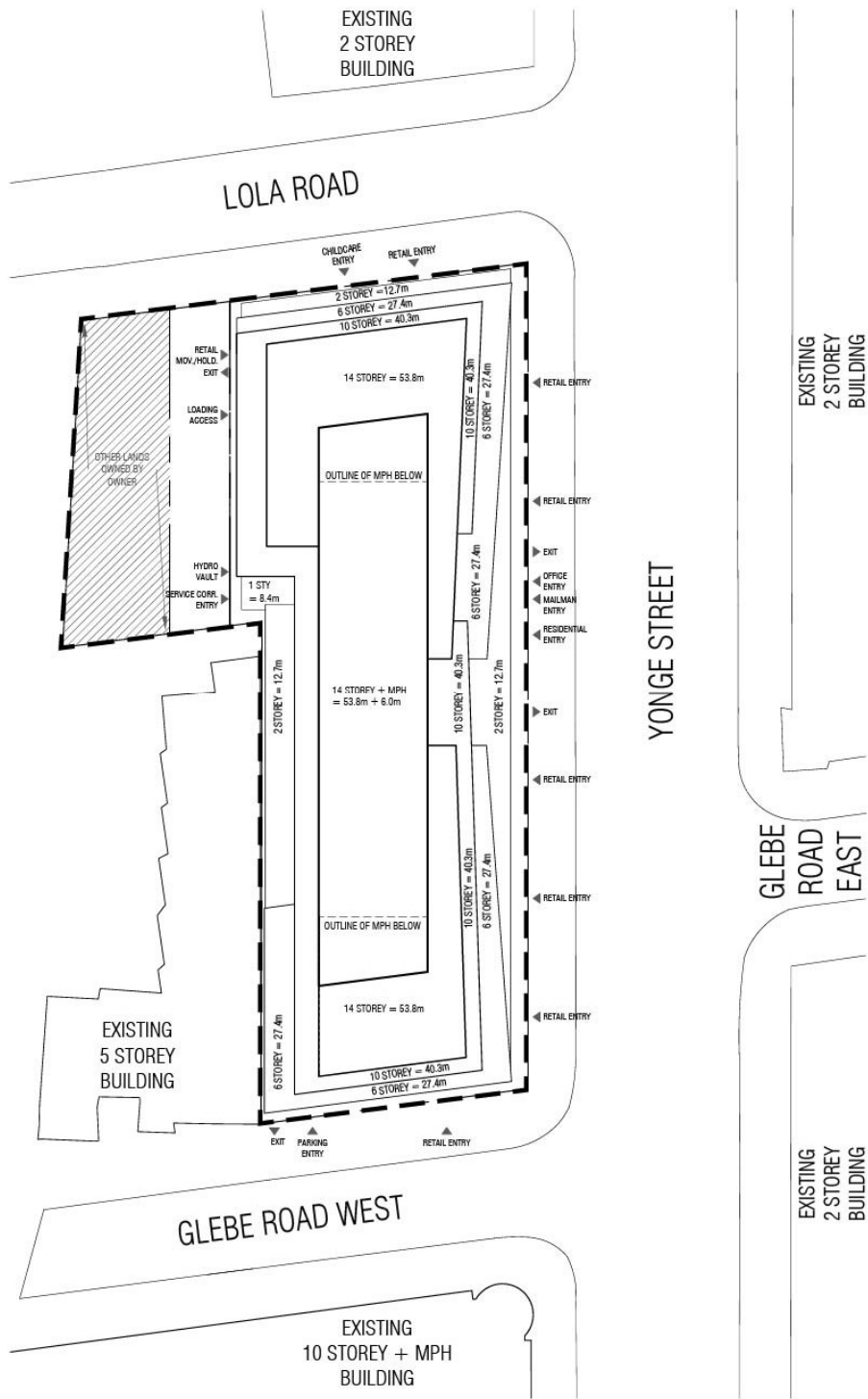


View of Applicant's Proposal Looking North



12/06/2022

Attachment 4: Site Plan



Site Plan



Attachment 5: Official Plan Land Use Map




Official Plan Land Use Map #17

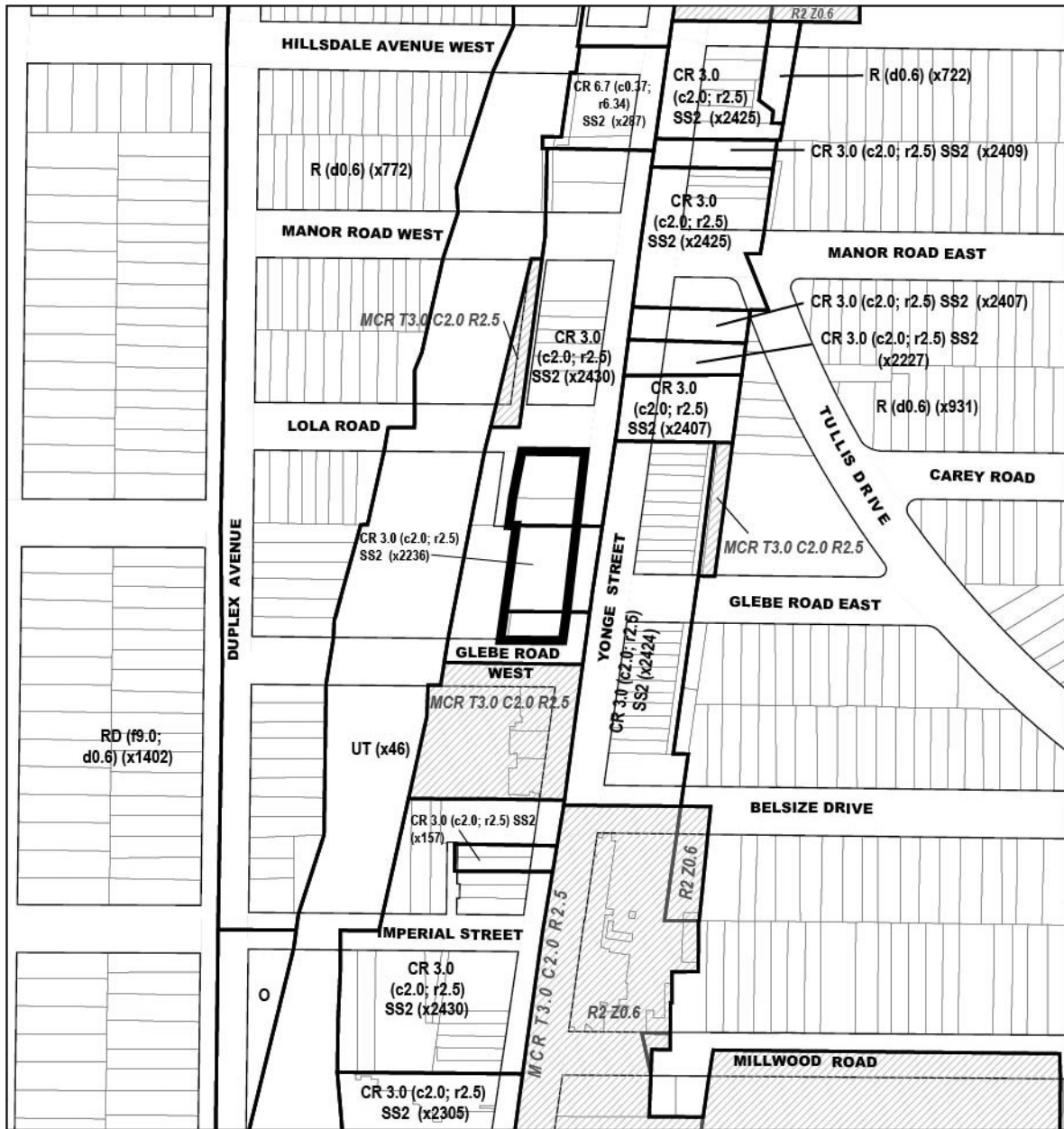
2010-2050 Yonge Street

File # 21 235352 STE 12 OZ

-  Location of Application
-  Neighbourhoods
-  Mixed Use Areas
-  Parks


 Not to Scale
 Extracted: 11/15/2021

Attachment 6: Zoning By-law Map



Zoning By-law 569-2013

2010-2050 Yonge Street

File # 21 235352 STE 12 0Z

- Location of Application
- R** Residential
- RD** Residential Detached
- CR** Commercial Residential
- O** Open Space
- UT** Utility and Transportation

- See Former City of Toronto By-law No. 438-86
- R2** Residential District
- MCR** Mixed-Use District

Not to Scale
 Extracted: 11/15/2021