

# **619-637 Yonge Street and 1-9 Isabella Street – Official Plan and Zoning By-law Amendment, Site Plan Control, and Draft Plan of Subdivision Applications – Appeal Report**

Date: January 10, 2023

To: Toronto and East York Community Council

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

Ward: 13 - Toronto Centre

**Planning Application Numbers:** 21 234490 STE 13 OZ, 21 234491 STE 13 SB, and 22 132974 STE 13 SA

## **SUMMARY**

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On November 10, 2021, Official Plan and Zoning By-law Amendment and Draft Plan of Subdivision applications were submitted to permit a 57-storey mixed-use building containing 606 dwelling units and 3,500 square metres of non-residential gross floor area. On April 11, 2022, a Site Plan Control application was also submitted.

On September 23, 2022, the applicant appealed all of these 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**

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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 Official Plan and Zoning By-law Amendment appeal, the Site Plan Control Application appeal, and the Subdivision Application appeal for the lands at 619-637 Yonge Street and 1-9 Isabella 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 Official Plan and Zoning By-laws are to the satisfaction of the City Solicitor and the Chief Planner and Executive Director, City Planning;

b) the applicant has withdrawn its appeal of OPA 183 and its party status in the Historic Yonge Heritage Conservation District Appeal;

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

d) the owner has, at its sole expense, submitted a revised Heritage Impact Assessment that includes a detailed conservation strategy for the property at 625 Yonge Street, to the satisfaction of the Senior Manager, Heritage Planning, Urban Design, City Planning.

3. City Council authorizes the City Solicitor and City staff to take any necessary steps to implement City Council's decision.

## **FINANCIAL IMPACT**

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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**

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On June 10, 2014 City Council adopted a city-initiated Official Plan Amendment (OPA) 255, limiting two towers on the lands bounded by Yonge Street, Isabella Street, Gloucester Lane and Gloucester Street with a minimum 25 metre tower separation. The City Council decision can be found here:

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2014.TE32.9>

On July 8, 2014, City Council adopted a settlement offer respecting the appealed Zoning By-law Amendment application to permit a 46-storey mixed-use building at 625-637 Yonge Street and 1-9 Isabella Street. The Ontario Municipal Board approved the settlement in principle in an interim Order dated January 23, 2015, and issued a final Order dated August 22, 2016, amending Former City of Toronto Zoning By-law 438-86 for the site (By-law 888-2016(OMB)). The City Council decision can be found here:

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2014.MM54.36>

The owner of these lands subsequently acquired an additional property at 619-623 Yonge Street and has submitted a new Official Plan and Zoning By-law Amendment Application with a new proposal for the expanded site.

On December 14, 2022 City Council authorized the City Solicitor to introduce the Bill designating the property at 625 Yonge Street under Part IV of the Ontario Heritage Act.

## THE SITE

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**Description:** The site is located on the east side of Yonge Street and is rectangular in shape, with a frontage of approximately 52.7 metres along Yonge Street, 45.3 metres along Isabella Street, and 52.8 metres along Gloucester Lane, resulting in an overall site area of 2,430.02 square metres (0.243 hectares). The site is generally flat and there is one tree within the public boulevard.

**Existing Uses:** 2 to 3-storey commercial buildings with retail at grade.

**Heritage:** On March 10, 2016 City Council included the properties at 619-623 Yonge Street and 625 Yonge Street on the City's Heritage Register and on August 18, 2022, stated its intention to designate 625 Yonge Street under Part IV of the Ontario Heritage Act.

In addition, the site is located within the Historic Yonge Street Heritage Conservation District (HCD), adopted by City Council on March 10, 2016 and currently under appeal to the Ontario Land Tribunal. The properties at 619-623 and 625 Yonge Street are identified as "contributing" properties in the HCD Plan.

## THE APPLICATION

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**Description:** The application proposes to amend the Official Plan and Zoning By-law for the property at 619-637 Yonge Street and 1-9 Isabella Street to permit a 57-storey mixed-use building located above a 4 to 10-storey podium.

**Density:** 20.2 times the area of the lot.

**Dwelling Units:** The proposed mixed-use building contains total of 606 dwelling units, comprising 50 studio units (8.2%), 310 one-bedroom units (51.2%), 171 two-bedroom units (28.2%), and 75 three-bedroom units (12.4%) are proposed.

**Access, Parking, and Loading:** A total of 137 vehicle parking spaces (77 resident spaces and 60 commercial/visitor spaces) are proposed within a four level underground garage, which is proposed to be accessed from Gloucester Lane. One Type 'C' loading space and one Type 'G' loading space are provided at the ground level. A total of 606 bicycle parking spaces (545 long-term spaces and 61 short-term spaces) are proposed on the P1 level.

## **Additional Information**

See Attachments 2, 3 and 6 of this report for a three-dimensional representation of the project in context, a site plan of the proposal, and the Application Data Sheet, 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: [www.toronto.ca/619YongeSt](http://www.toronto.ca/619YongeSt)

## **Reason for the Applications**

The Official Plan Amendment proposes to modify the angular plane requirements in Policy 5.3.9 for the Yonge Street Character Area in OPA 183/SASP 382 for North Downtown Yonge, as adopted by Council but which remain under appeal.

The Zoning By-law Amendment is required to amend Former City of Toronto Zoning By-law 438-86, as amended, by site-specific Zoning By-law 888-2016(OMB), to permit an increase in the overall height and density on the site and to modify various performance standards to reflect the revised proposal for the enlarged site. The application also proposes to bring the site into City-wide Zoning By-law 569-2013 which it is currently excluded from.

A Plan of Subdivision application was submitted to allow for the conveyance of lands to the City for the widening of Gloucester Lane to provide access to the proposed development.

**Site Plan Control:** A Site Plan Control application was submitted on April 11, 2022. On September 23, 2022, the applicant referred the application to the OLT due to Council not making a decision within the time frame in the Planning Act.

## **POLICY CONSIDERATIONS**

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### **Provincial Land-Use Policies**

All decisions of Council in respect of the exercise of any authority that affects planning and cultural heritage matters shall be consistent with the Provincial Policy Statement (PPS), and shall conform to provincial plans.

### **Official Plan**

The site is designated Mixed Use Areas in the Official Plan. See Attachment 4 of this report for the Official Plan Land Use Map. The City's Official Plan recognizes the importance of our cultural heritage and contains heritage conservation policies to ensure those resources can continue to contribute to the social, cultural, economic and environmental goals of the City. The Toronto Official Plan can be found here: <https://www.toronto.ca/city-government/planning-development/official-plan-guidelines/official-plan/>.

## **Downtown Plan**

Map 41-3-A designates the site as Mixed Use Areas 1 - Growth. Policy 6.23 provides that development within Mixed Use Areas 1 will include a diverse range of buildings typologies, including tall buildings, with height, scale and massing dependent on the site characteristics and supportive of intensification suitable for a downtown growth area.

## **Official Plan Amendment 183 (SASP 382) - North Downtown Yonge**

City Council adopted the North Downtown Yonge Area Specific Policy 382, known as Official Plan Amendment (OPA) 183 at its meeting on November 13, 2013. Parts of OPA 183 were approved by the OMB in a Phase I hearing and are in full force and effect, including many area-wide policies. Other parts of OPA 183, including the policies related to the Historic Yonge Street Heritage Conservation District and the Yonge Street Character Area, remain under appeal and will be addressed through a Phase II hearing, which is not yet scheduled. The site is located within the 'Height Core Area' of the Yonge Street Character Area, as illustrated on Attachments 6 and 7.

## **Zoning**

The site is zoned Commercial Residential CR T3.0 C2.0 R3.0 under the former City of Toronto Zoning By-law 438-86. The northern portion of the site comprising the properties municipally known as 625-637 Yonge Street and 1-9 Isabella Street is subject to site-specific Zoning By-law 888- 2016(OMB). This zoning designation permits a variety of commercial and residential uses and the site-specific Zoning By-law includes regulations for height, density, setbacks and built form standards that implement the previously-approved 46-storey development scheme. The site is not currently subject to City-wide Zoning By-law 569- 2013. Site-specific Zoning By-law 888-2016(OMB) may be found here:

<https://www.toronto.ca/legdocs/bylaws/2016/law0888.pdf> .

## **Design Guidelines**

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

- Tall Building Design Guidelines;
- North Downtown Yonge Urban 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/official-planguidelines/design-guidelines/>

## **Parks Canada Standards and Guidelines**

The Parks Canada Standards and Guidelines for the Conservation of Historic Places in Canada is the official document guiding planning, stewardship and conservation approaches for all listed and designated heritage resources within the City of Toronto.

The Standards and Guidelines can be found here:

<http://www.historicplaces.ca/en/pages/standards-normes.aspx>

## **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/city-government/planning-development/official-plan-guidelines/toronto-green-standard/>

## **COMMUNITY CONSULTATION**

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A virtual Community Consultation Meeting was held on June 20, 2022 and approximately 14 people attended. At the meeting, City staff and the applicant's team gave presentations on the site and surrounding area, the existing planning framework, and the proposed development. Following the presentations, City staff led a question and answer format meeting. Comments and questions provided by the meeting attendees included:

- Retention of the heritage building at 625 Yonge Street;
- Tower separation to adjacent low-rise buildings to south;
- The extent of widening Gloucester Lane; and
- Impact on sky view and light for surrounding units.

The issues raised through community consultation have been considered through the review of the application.

## **COMMENTS**

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### **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. Both documents establish standards for the conservation of heritage, which have not been satisfied by the proposal.

### **Heritage Conservation**

The applicant is proposing to demolish a significant heritage property at 625 Yonge Street, which does not conform with the policies of the City's Official Plan. Staff are

seeking a revised proposal that conserves the values and attributes of the heritage property at 625 Yonge Street and respects the heritage character of the Yonge Street Heritage Conservation District.

### **Built Form**

The proposal does not currently conform to the Official Plan, Downtown Plan, Site and Area Specific Policy 382, or the Tall Building Design Guidelines. The proposed massing, including, setbacks, step backs, base building design, tower separation, and tower floorplate require revision.

### **Streetscape**

The proposed streetscape along Yonge Street is not acceptable. Revisions are required to ensure compatibility with the existing streetscape along this portion of Yonge Street. Further information is required to confirm if proposed tree planting is viable.

### **Sun/Shadow**

Revisions to the tower floorplate would reduce shadow impacts on Yonge Street and on the linear park system to the east of the site.

### **Amenity Space**

Indoor/Outdoor Amenity Space Zoning By-law 569-2013 requires a combined amenity space of 4.0 square metres per unit. The application is proposing a total of 1,329.65 square metres (2.19 square meters per unit) of indoor amenity space and 882.83 square metres (1.45 square metres per unit) of outdoor amenity space. City Planning Staff will continue to work with the applicant to increase the amount of amenity space provided in the proposal.

### **Servicing**

A Functional Servicing and Stormwater Management Report and associated plans have been submitted for the site and are reviewed by Engineering and Construction Services.

In the event that the matter is approved by the OLT, staff recommend the OLT withhold the issuance of any Orders that may approve the application until such time as the owner has addressed all comments from Engineering and Construction Services are addressed to the satisfaction of the Chief Engineer and Executive Director, Engineering and Construction Services.

### **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**

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## **SIGNATURE**

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

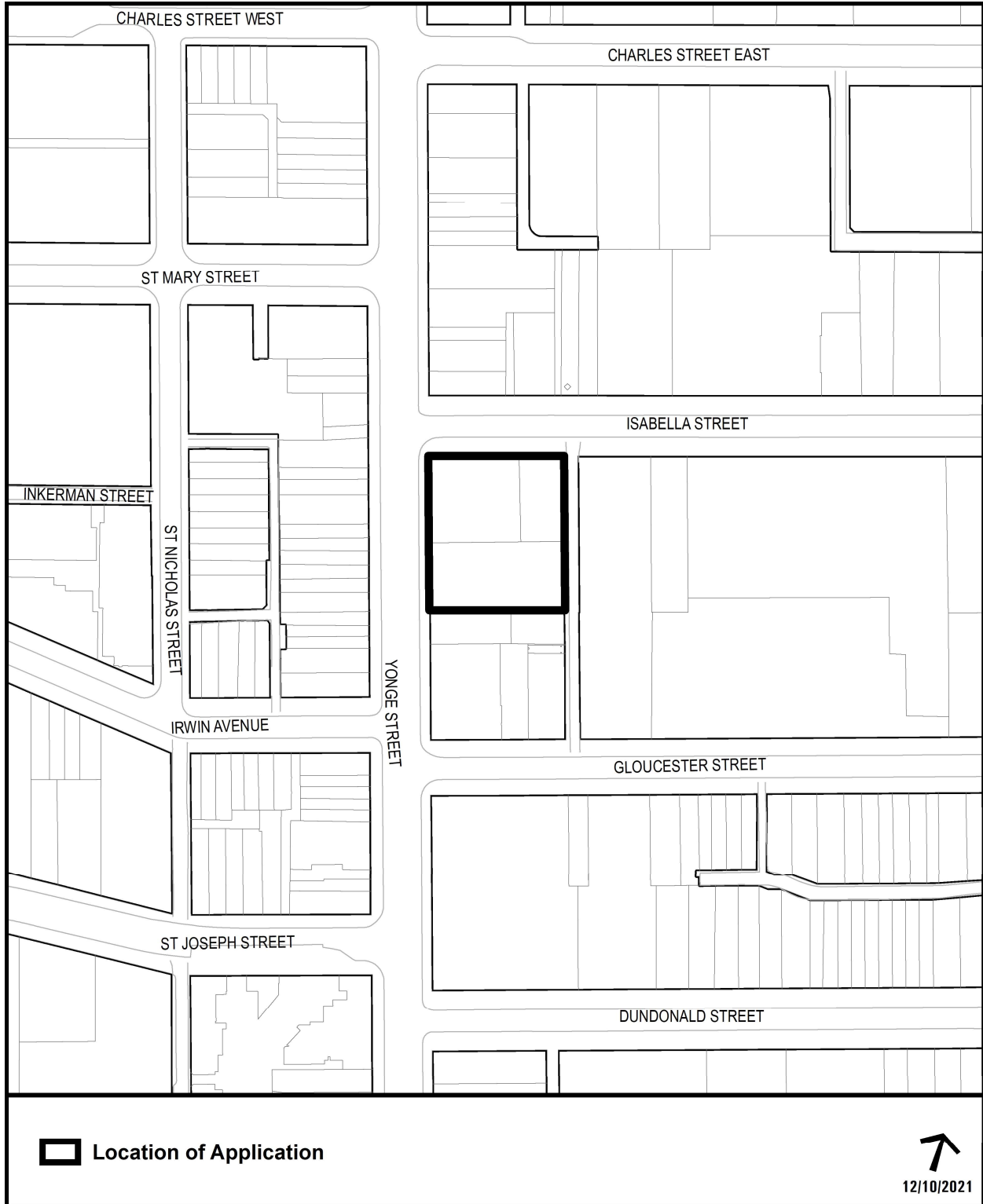
## **ATTACHMENTS**

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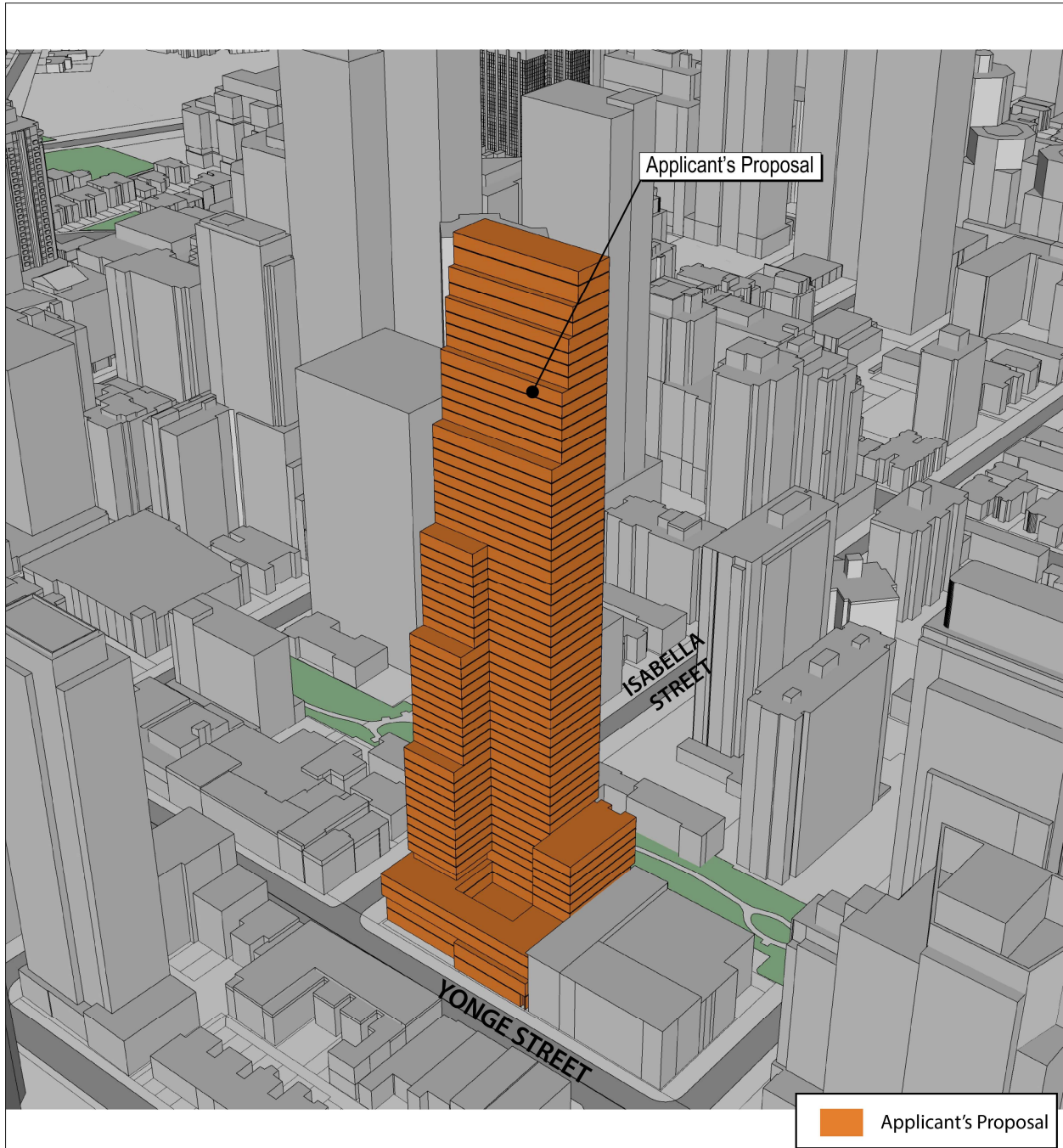
Attachment 1: Location Map  
Attachment 2: 3D Model of Proposal in Context  
Attachment 3: Site Plan  
Attachment 4: Official Plan Map  
Attachment 5: Zoning By-law Map  
Attachment 6: Application Data Sheet



Attachment 1: Location Map



Attachment 2: 3D Model of Proposal in Context

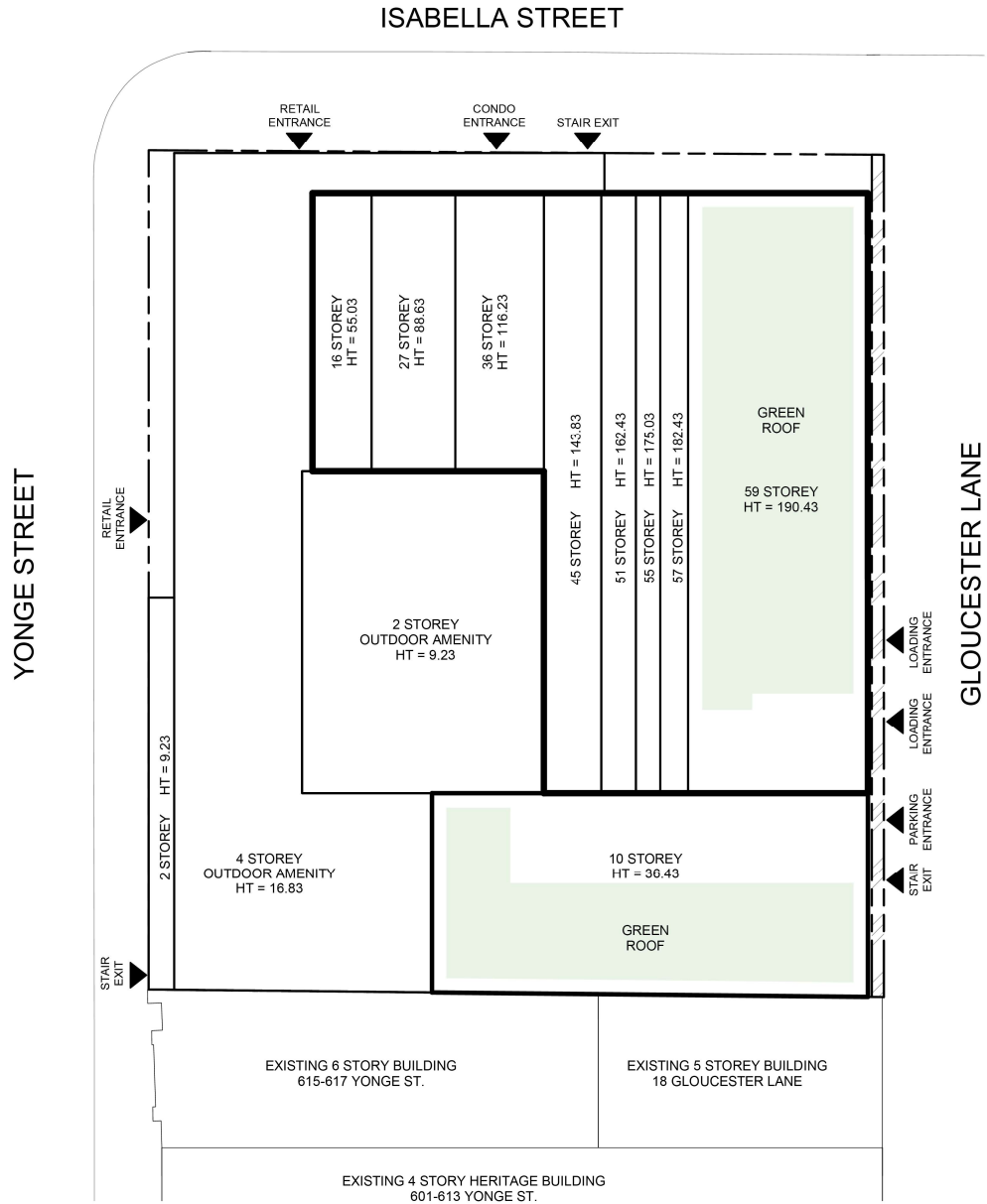


View of Applicant's Proposal Looking Northeast



12/13/2021

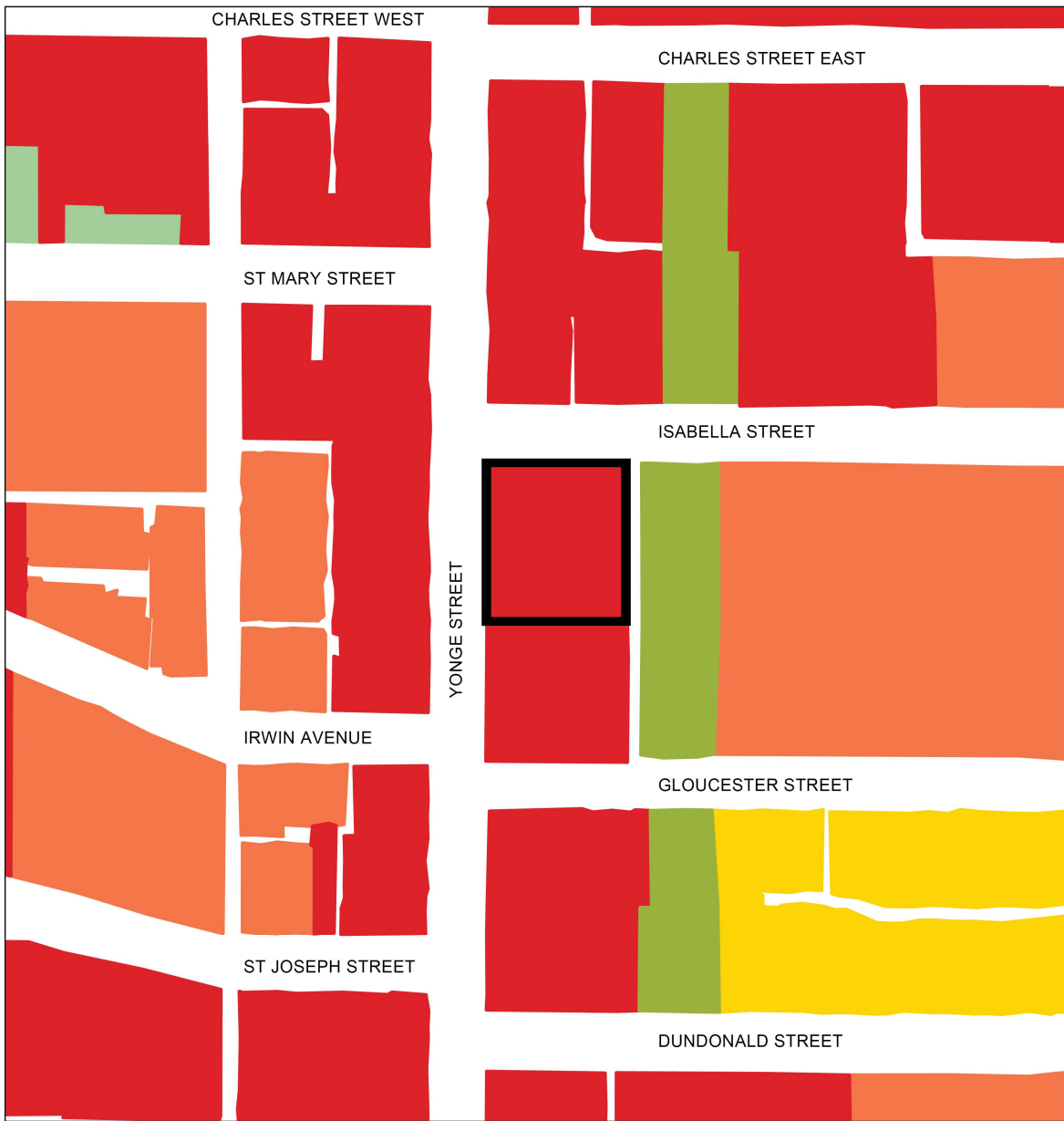
Attachment 3: Site Plan



Site Plan









Attachment 4: Official Plan Map



619-637 Yonge Street and 1-9 Isabella Street

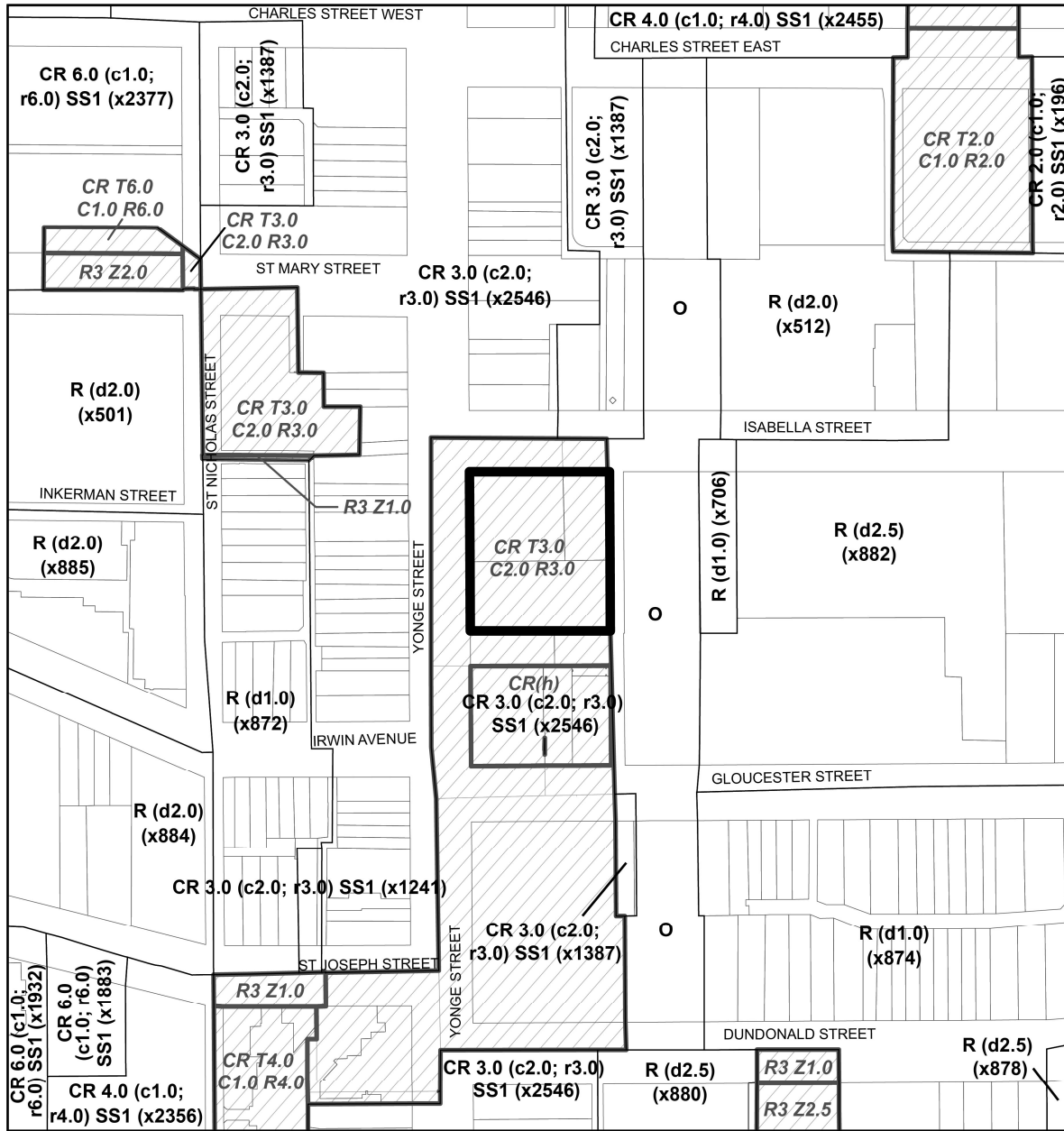
Official Plan Land Use Map #18

File # 21 234490 STE 13 0Z

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

↑  
Not to Scale  
12/10/2021

# Attachment 5: Zoning By-law Map



**Zoning By-law 569-2013**

**619-637 Yonge Street and 1-9 Isabella Street**

**File # 21 234490 STE 13 0Z**



Location of Application

**R** Residential    **CR** Commercial Residential  
**O** Open Space



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

**R3** Residential District  
**CR** Mixed-Use District



Not to Scale  
 Extracted: 12/10/2021

## Attachment 6: Application Data Sheet

**Municipal Address:** 619-637 Yonge Street and 1-9 Isabella Street **Date Received:** November 5, 2021

**Application Number:** 21 234490 STE 13 OZ

**Application Type:** OPA & Rezoning

**Project Description:** Official Plan and Zoning by-law amendment to facilitate the redevelopment of the site for a 57-storey mixed-use building having a non-residential gross floor area of 3133.48 square metres, and a residential gross floor area of 46114.38 square metres. A total of 606 dwelling units are proposed.

<b>Applicant</b>	<b>Agent</b>	<b>Architect</b>	<b>Owner</b>
COLLIERS STRATEGY & CONSULTING	Dentons Canada LLP, 77 King St. W., Suite 400, Toronto, ON M5K0A1	Core Architects Inc.	RML 625 YONGE STREET LIMITED

### EXISTING PLANNING CONTROLS

Official Plan Designation:	<i>Mixed Use Areas</i>	Site Specific Provision:	SASP 382 & 471
Zoning:	CR T3.0 C2.0 R3.0 & 888- 2016(OMB)	Heritage Designation:	Y
Height Limit (m):	18.0	Site Plan Control Area:	Y

### PROJECT INFORMATION

Site Area (sq m): 2,430      Frontage (m): 53      Depth (m): 45

<b>Building Data</b>	<b>Existing</b>	<b>Retained</b>	<b>Proposed</b>	<b>Total</b>
Ground Floor Area (sq m):				
Residential GFA (sq m):			46,114	<b>46,114</b>
Non-Residential GFA (sq m):	5,195		3,133	<b>3,133</b>
Total GFA (sq m):	5,195		49,247	<b>49,247</b>
Height - Storeys:	2-3		57	57
Height - Metres:			190	190

<b>Lot Coverage Ratio</b> (%):	<b>Floor Space Index:</b>	20.27
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**Floor Area Breakdown    Above Grade (sq m)    Below Grade (sq m)**

Residential GFA: 46,114  
 Retail GFA: 3,133  
 Office GFA:  
 Industrial GFA:  
 Institutional/Other GFA:

**Residential Units by Tenure**

	Existing	Retained	Proposed	Total
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Rental:				
Freehold:				
Condominium:			606	606
Other:				
<b>Total Units:</b>			<b>606</b>	<b>606</b>

**Total Residential Units by Size**

	Rooms	Bachelor	1 Bedroom	2 Bedroom	3+ Bedroom
Retained:					
Proposed:		50	310	171	75
<b>Total Units:</b>		<b>50</b>	<b>310</b>	<b>171</b>	<b>75</b>

**Parking and Loading**

Parking Spaces: 107      Bicycle Parking Spaces: 606      Loading Docks: 2

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