

## **2039-2049 Yonge Street and 40-50 Tullis Drive – Official Plan and Zoning By-law Amendment Application – Decision Report – Approval**

Date: April 11, 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 242724 STE 12 OZ

**Related Application Number:** 22 193935 STE 12 SA

### **SUMMARY**

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This report reviews and recommends approval of the application to amend the Official Plan and Zoning By-law to permit an 11-storey mixed-use building fronting Yonge Street and seven three-storey residential townhouse units fronting Tullis Drive, connected by a single-storey service area and a one level underground parking garage.

### **RECOMMENDATIONS**

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The City Planning Division recommends that:

1. City Council amend the Official Plan, for lands at 2039-2049 Yonge Street and 40-50 Tullis Drive substantially in accordance with the draft Official Plan Amendment attached as Attachment No. 5 to this report.
2. City Council amend Zoning By-law 569-2013 for the lands at 2039-2049 Yonge Street and 40-50 Tullis Drive substantially in accordance with the draft Zoning By-law Amendment attached as Attachment No. 6 to this report.
3. City Council authorize the City Solicitor to make such stylistic and technical changes to the draft Official Plan Amendment and Zoning By-law Amendment as may be required.

## 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.

## THE SITE

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**Description:** The site is located on the east side of Yonge Street extending east to Tullis Drive and is situated mid-block between Manor Road East to the north, and Glebe Road East to the south. The site is generally rectangular in shape and approximately 2,300 square metres in size, with a frontage of 33.6 metres on Yonge Street and 44.6 metres on Tullis Drive. There is a lane at the rear of the Yonge Street properties which ends at the subject site, with access from Glebe Road East.

**Existing Use:** The site is occupied by three, two-storey retail buildings fronting Yonge Street and two semi-detached residential dwellings and a surface parking lot fronting Tullis Drive.

## THE APPLICATION

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**Description:** An 11-storey (38.5 metres, excluding the mechanical penthouse) mixed-use building fronting Yonge Street, connected by a single-storey structure to seven three-storey (11.3 metres) residential townhouse units fronting Tullis Drive.

**Density:** 4.64 times the area of the lot.

**Commercial:** The proposal includes 400 square metres of commercial space located within the ground-floor of the mixed-use building.

**Dwelling Units:** 121 dwelling units, including 70 one-bedroom (58%), 38 two-bedroom (31%), and 13 three-bedroom units, including the 7 townhouse units (11%).

**Amenity Space:** 660.6 square metres of amenity space is proposed, consisting of 312.8 square metres of indoor amenity space and 347.8 square metres of outdoor amenity space.

**Parking, Loading and Access:** 43 vehicle parking spaces (38 residential and 5 visitor parking spaces), 132 bicycle parking spaces (114 long-term and 18 short-term spaces), and a Type G/B loading space are proposed. Vehicular access is provided through a private driveway off of Tullis Drive.

**Revisions:** The current proposal incorporates numerous revisions from the original application including the summarized list below:

- Building has been setback 0.4 metres from the front yard sidewalk;
- Added stepback at the fourth floor on Yonge Street;
- Reduction in Driveway flare length along Tullis Drive to be contained within the sidewalk;
- Pedestrian walkway has been connected with the public sidewalk;
- Additional outdoor short-term bicycle parking along the driveway to replace the number of spaces from the original plans along Yonge Street;
- Solid waste management improvements, including a dedicated townhouse waste disposal room; and
- Relocation of gas meter to the entrance of the driveway to provide a wider truck turnaround area.

These changes among other specific details were incorporated into the resubmission to address comments that were provided by City Staff and through Community Consultation and correspondence with members of the public.

**Additional Information:** See Attachments 1, 2, 7 and 8 of this report for the project in context, Application Data Sheet, a site plan of the proposal and three-dimensional representation. 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=H85mnboQ6OlcIK0BGWPV0w%3D%3D>

**Reasons for the Application:** The Official Plan Amendment application redesignates the lands at 40-50 Tullis Drive from Neighbourhoods to Mixed Use Areas to facilitate the sharing of common uses that connect the two portions of the development, which includes shared amenity spaces and underground bicycle and vehicle parking facilities.

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

**Site Plan Control:** A Site Plan Control Application was submitted on August 15, 2022 and is currently under review.

**Agency Circulation:** The application together with the reports and studies submitted in support of the application have been circulated to all appropriate agencies and City Divisions. Responses and comments received have been used to assist in evaluating the application and to formulate appropriate Official Plan and Zoning By-law standards.

## **POLICY CONSIDERATIONS**

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**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, and shall conform to provincial plans.

**Official Plan:** Mixed-Use Area. See Attachment 3 of this report for the Official Plan Land Use Map.

**Yonge-Eglinton Secondary Plan:** Mixed Use Area 'C'. This designation includes commercial main streets characterized by continuous at-grade retail, service and institutional uses with office, other commercial and residential uses above.

**Zoning:** The property at 2039 Yonge Street is zoned CR 3.0 (c2.0; r2.5) SS2 (x931) and the properties at 2045-2049 Yonge Street are zoned CR 3.0 (c2.0; r2.5) SS2 (x2407). These zones permit a range of commercial and residential uses. The maximum permitted height is 16.0 metres and the maximum permitted total density is 3.0 times the area of the lot, with a maximum non-residential and residential density of 2.0 times the area of the lot.

The properties at 40-50 Tullis Drive are Zoned R (d0.6) (x931). This zone permits a range of dwelling units including; apartment building, fourplex, triplex, duplex, townhouse, semi-detached dwelling, and detached dwelling. The maximum permitted height is 9.0 metres, and the maximum permitted density is 0.6 times the area of the lot.

See Attachment 4 of this report for the existing Zoning By-law Map.

## **Design Guidelines**

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

- Mid-Rise Performance Standards;
- Townhouse and Low-Rise Apartment Guidelines;
- Growing Up: Planning for Children in New Vertical Communities Draft Urban Design Guidelines;
- Best Practices for Bird-Friendly Glass;
- Pet-Friendly Guidelines; and
- Toronto Accessibility Design Guidelines.

The City's Design Guidelines can be found here:

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

## COMMUNITY CONSULTATION

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A Virtual Community Consultation Meeting was hosted by City Staff on June 22, 2022. Approximately 23 people participated, as well as the Ward Councillor. Following the presentation by City Staff and the Applicant, the following comments and issues were raised:

- Negative impacts on Street parking availability on Tullis Drive and the adjacent neighbourhood;
- Inadequate visitor parking;
- Traffic impacts;
- Site access for vehicles/loading and safety concerns;
- Height and shadow impacts on the adjacent neighbourhood;
- Yonge Streetscape (greening);
- Capturing the character and small street retail essence along Yonge Street; and
- Concerns about the retail component, desire for multiple small units not one single large retail unit.

The issues raised at the Community Consultation Meeting and by way of various correspondence from the community prior to and after the meeting were taken into consideration throughout the review of the application and aspects were reflected in the resubmission of the application.

## COMMENTS

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### Provincial Framework

Staff 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 finds the proposal is consistent with the PPS and conforms with the Growth Plan.

### Land Use

The proposed Official Plan Amendment redesignates the lands at 40-50 Tullis Drive from Neighbourhoods to Mixed Use Areas to facilitate the sharing of common uses that connect the two portions of the development, which includes shared amenity spaces and underground bicycle and vehicle parking facilities.

The proposed 11-storey mixed-use building with street level retail fronting Yonge Street conforms with the Official Plan and the attached seven three-storey residential townhouses fronting Tullis Drive is of a low-rise scale and aligns with the Neighbourhood designation. However, given the access for the mixed-use building is from Tullis Drive and the shared amenity and parking area extends to the existing Neighbourhoods designation, the Official Plan amendment is required to recognize this acceptable relationship.

## **Unit Mix**

The Growing Up Urban Design Guidelines indicate that a building should provide a minimum of 25% large units, of which 10% should be 3-bedroom units, and 15% should be 2-bedroom units. The proposed development exceeds these requirements with the provision of 121 dwelling units of which 38 are two-bedroom (29%) and 13 are either three-bedroom or townhouse units (11%). Planning staff are satisfied the proposed unit mix meets and exceeds the intent of the Growing Up Guidelines.

## **Public Realm**

City staff are satisfied that the proposal conforms with the applicable public realm policies of the Official Plan. The proposed development will provide a 0.4-metre wide conveyance to the City on Yonge Street, to satisfy the ultimate requirement of a 27.0 metre wide public right-of-way. The proposed development will include 14 new trees along Tullis Drive.

## **Shadow Impact**

The shadow impact resulting from the proposal is acceptable. The proposal adequately limits shadow impacts on the surrounding Neighbourhood and Yonge Street, particularly during the spring and fall equinoxes.

The applicant submitted shadow studies that show the extent of the shadow from the proposed building on the spring and fall equinox (March 21 and September 21) at hourly intervals from 9:19am to 6:18pm. The shadow studies demonstrate that the proposal does not impact any local parks or open spaces.

## **Wind Impact**

A Pedestrian Level Wind Study reflecting the proposed building was submitted in support of the application. The study indicates that all areas at grade and the common amenity terrace at level 2 will be suitable for their intended uses throughout the year. The conditions surrounding the sidewalks and the building access points are also considered acceptable.

City Planning staff have reviewed the Pedestrian Level Wind Study and are satisfied with the assessment, conclusions, and recommendations contained within the study.

## **Built Form**

City Planning finds that the proposal conforms with the applicable Official Plan and the Yonge-Eglinton Secondary Plan with respect to built form and massing as well as meeting the intent of the relevant design guidelines.

The proposed 11-storeys (38.5 metres, excluding the mechanical penthouse) is appropriate for the site and fits within the planned context. The site is located within the Midtown Character Area of Yonge Street South of the Yonge-Eglinton Secondary Plan where 8 to 15 storeys are called for along Yonge Street.

The application proposes a 3.0 metre setback at the fourth floor to create an appropriate streetwall along Yonge Street and to respond to the Yonge-Eglinton Secondary Plan and the Mid-Rise Guidelines.

The height for the proposed townhouses (11.3 metres) fronting Tullis Drive is appropriate as it provides an appropriate transition from the mixed-use buildings towards the adjacent Neighbourhood to the east. The proposed townhouses represent an appropriate form of development and built form along the west side of Tullis Drive and provide a transition in built form from the Midtown Character Area of Yonge Street Village of Yonge Street South to the adjacent neighbourhood area.

## **Parkland**

In accordance with Chapter 415, Article III of the Toronto Municipal Code, the applicant is required to satisfy the parkland dedication requirement through a cash-in-lieu payment. The value of the cash-in-lieu of parkland dedication will be appraised through Real Estate Services. Payment will be required prior to the issuance of the first above grade building permit.

## **Parking and Loading**

A Transportation Impact Study was submitted to assess the traffic impact, access, parking and loading arrangements for this development. Vehicular access to the site for loading, waste collection and parking will be provided by a private driveway off of Tullis Drive. The proposal will provide a total of 43 vehicular parking spaces (38 residential and 5 visitor parking spaces), and 132 bicycle parking spaces (114 long-term and 18 short-term spaces).

## **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. Comments submitted by Engineering and Construction Services have been addressed by the Applicant.

## **Community Services and Facilities**

The Official Plan establishes and recognizes that the provision of and investment in community services and facilities supports healthy, safe, liveable, and accessible communities. Community services and facilities are the building blocks of our neighbourhoods and include matters such as recreation, libraries, childcare, local schools, public health, and human and cultural services. Providing for a full range of community services and facilities in areas that are inadequately serviced or experiencing growth is a shared responsibility.

## **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 site specific zoning by-law, and future site plan agreement, will secure performance measures for various development features including:

- A total of 132 bicycle parking spaces and 44 vehicular parking spaces are provided to reduce single occupancy vehicle trips;
- A total of 14 trees are to be planted;
- Green roof as part of the 11-storey mixed-use building; and
- Bird Collision Deterrence by way of treated glazing.

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.

## **CONTACT**

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Cameron Williamson, Assistant Planner, Community Planning  
Tel. No. 416-338-7241, E-mail: [Cameron.Williamson@toronto.ca](mailto:Cameron.Williamson@toronto.ca)

## **SIGNATURE**

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

## **ATTACHMENTS**

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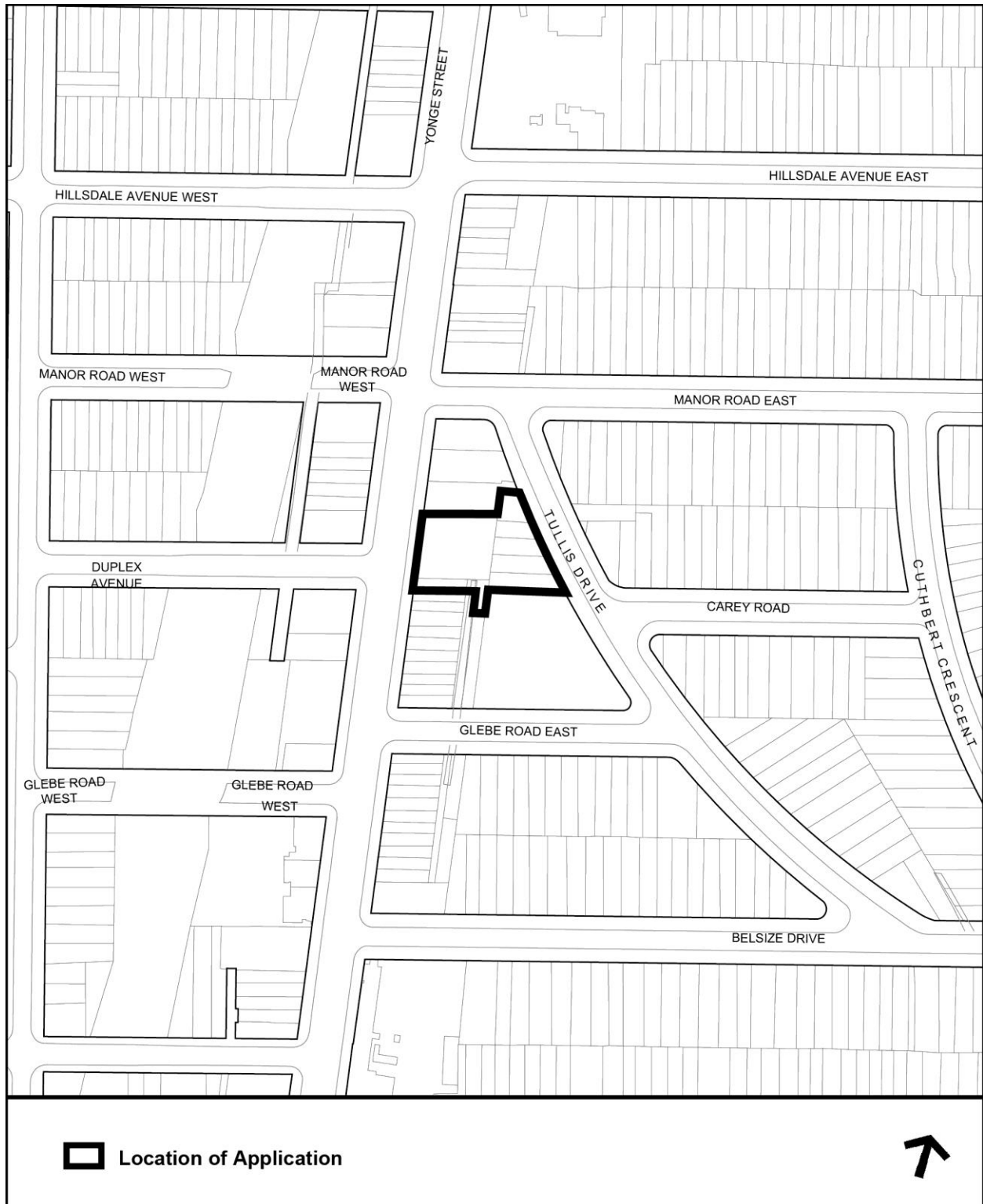
### **City of Toronto Data/Drawings**

Attachment 1: Location Map  
Attachment 2: Application Data Sheet  
Attachment 3: Official Plan Land Use Map  
Attachment 4: Existing Zoning By-law Map  
Attachment 5: Draft Official Plan Amendment  
Attachment 6: Draft Zoning By-law Amendment

### **Applicant Submitted Drawings**

Attachment 7: Site Plan  
Attachment 8: 3D Model of Proposal in Context

## Attachment 1: Location Map



## Attachment 2: Application Data Sheet

Municipal Address: 2039-2049 Yonge Street and 40-50 Tullis Drive Date Received: November 29, 2021

Application Number: 21 242724 STE 12 OZ

Application Type: OPA & Rezoning

Project Description: An 11-storey mixed-use building, connected to seven three-storey residential townhouses fronting Tullis Drive.

Applicant	Agent	Architect	Owner
Gray Development Solutions Inc.	Andrew Grey	Superkul	Nivlog Investments Ltd, JPMH Holdings Ltd, Tullis Holdings Inc., Arista

### EXISTING PLANNING CONTROLS

Official Plan Designation: Mixed Use Areas & Neighbourhoods Site Specific Provision:

Zoning: CR 3.0 (c2.0; r2.5) SS2 (x931), CR 3.0 (c2.0; r2.5) SS2 (x2407) & R (d0.6) (x931) Heritage Designation: N

Height Limit (m): 16.0

Site Plan Control Area: Y

### PROJECT INFORMATION

Site Area (sq m): 2,329 Frontage (m): 34 Depth (m): 47

Building Data	Existing	Retained	Proposed	Total
Ground Floor Area (sq m):	1,500		1,660	1,660
Residential GFA (sq m):	550		9,942	9,942
Non-Residential GFA (sq m):	1,675		399	399
Total GFA (sq m):	2,225		10,341	10,341
Height - Storeys:	3		11	11
Height - Metres:	10		39	39

Lot Coverage Ratio (%) 71.28 Floor Space Index: 4.44

Floor Area Breakdown Above Grade (sq m) Below Grade (sq m)

Residential GFA: 9,942

Retail GFA: 399

Office GFA:

Industrial GFA:

Institutional/Other GFA:

Residential Units by Tenure	Existing	Retained	Proposed	Total
Rental:			121	121
Freehold:				
Condominium:				
Other:				
Total Units:			121	121

#### Total Residential Units by Size

	Rooms	Bachelor	1 Bedroom	2 Bedroom	3+ Bedroom
Retained:					
Proposed:			70	38	13
Total Units:			70	38	13

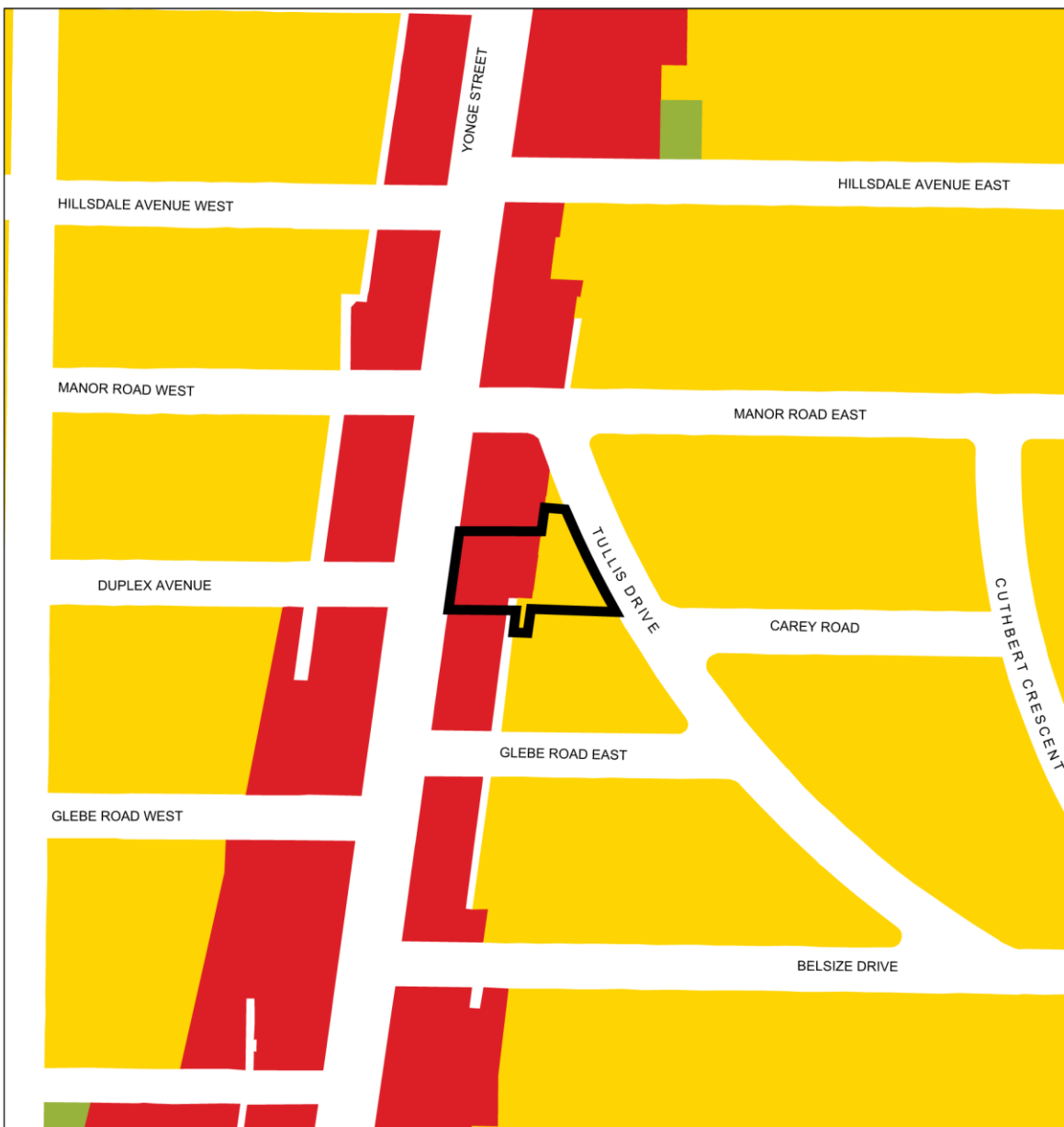
#### Parking and Loading

Parking Spaces: 43 Bicycle Parking Spaces: 132 Loading Docks: 1

#### CONTACT:

Cameron Williamson, Assistant Planner  
416-338-7241  
Cameron.Williamson@toronto.ca

## Attachment 3: Official Plan Land Use Map



Official Plan Land Use Map #17

2039-2049 Yonge St & 40-50 Tullis Drive

File # 21 242724 STE 12 0Z



Location of Application

Neighbourhoods

Mixed Use Areas



Parks



Not to Scale  
Extracted: 12/06/2021



Authority: Toronto and East York Community Council Item ~,  
as adopted by City of Toronto Council on ~, 20~

## **CITY OF TORONTO**

### **BY-LAW No. [Clerks to insert By-law ##]**

To adopt Amendment No. 651 to the Official Plan for the City of Toronto respecting the lands known municipally in the year 2022 as 40-50 Tullis Drive.

WHEREAS authority is given to Council under the Planning Act, R.S.O. 1990, c. P. 13, as amended, to pass this By-law;

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. The attached Amendment 651 to the Official Plan is adopted pursuant to the Planning Act, as amended.

ENACTED AND PASSED this ~ day of ~, A.D. 202X.

XXX XXX,  
Mayor

(Corporate Seal)

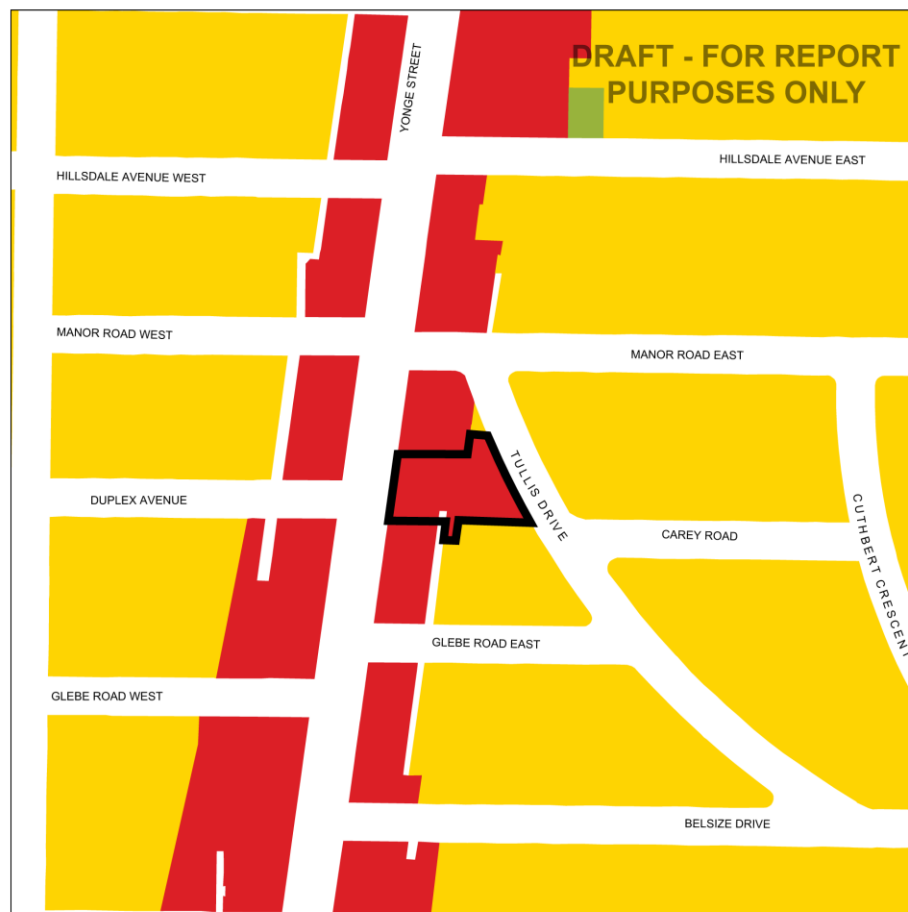
XXX XXX,  
City Clerk

## AMENDMENT 651 TO THE OFFICIAL PLAN

The Official Plan of the City of Toronto is amended as follows:

1. Map 17 Land Use Plan, is amended by redesignating lands known municipally in the year 2022 as 40-50 Tullis Drive from Neighbourhoods to Mixed Use Areas, in accordance with Schedule A.
2. Map 21-4 Land Use Plan, Yonge-Eglinton Secondary Plan is amended by redesignating lands known municipally in the year 2022 as 40-50 Tullis Drive from Land Use Designations per the Official Plan to Mixed Use Areas 'C'.

### Schedule A

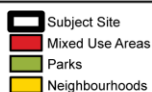


Official Plan Amendment #

Proposed revisions to Land Use Map 17 to redesignate lands from Neighbourhoods to Mixed Use Areas

2039-2049 Yonge St &  
40-50 Tullis Drive

File # 21 242724 STE 12 02

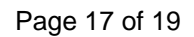


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22/03/2023

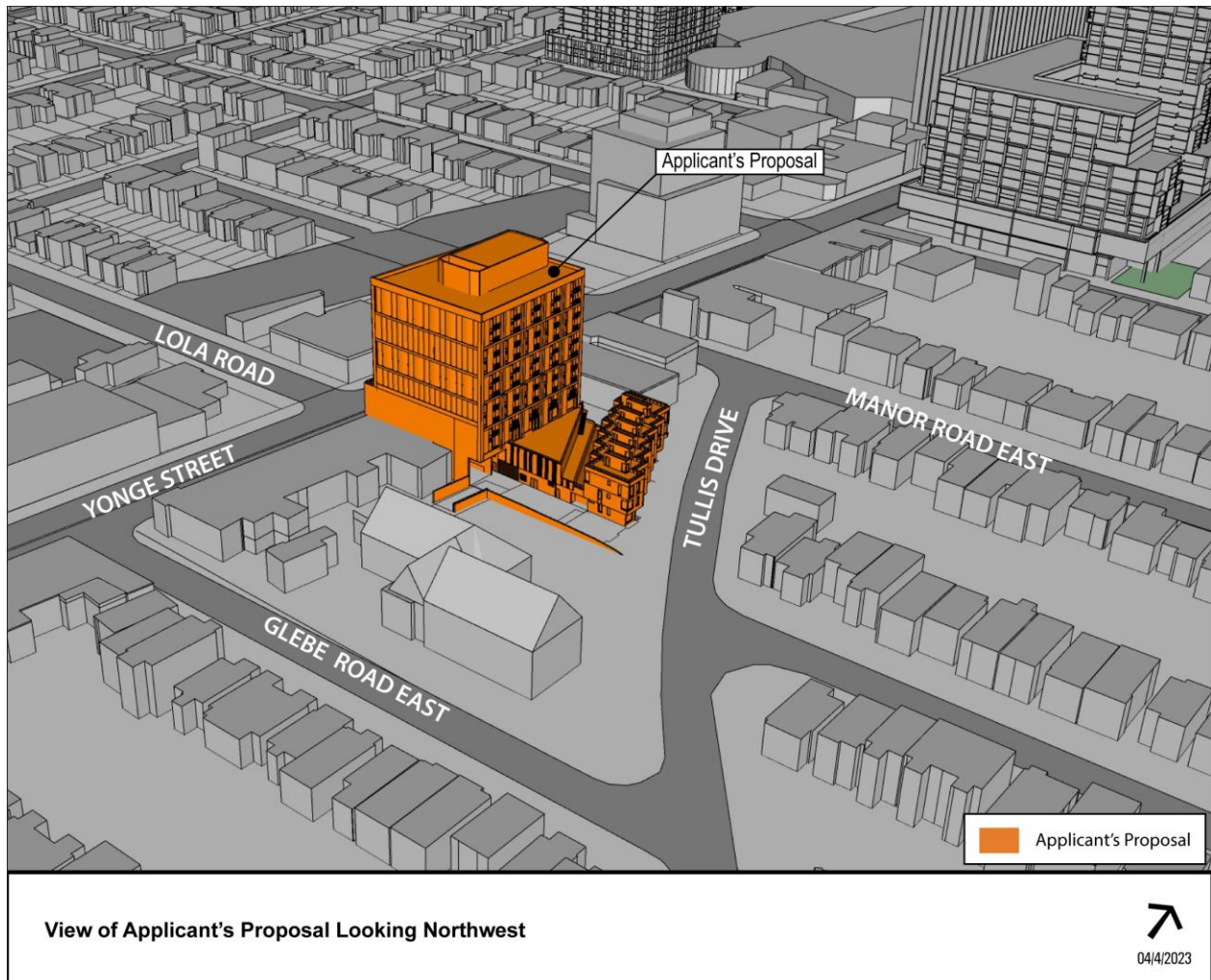
## Attachment 6: Draft Zoning By-law Amendment

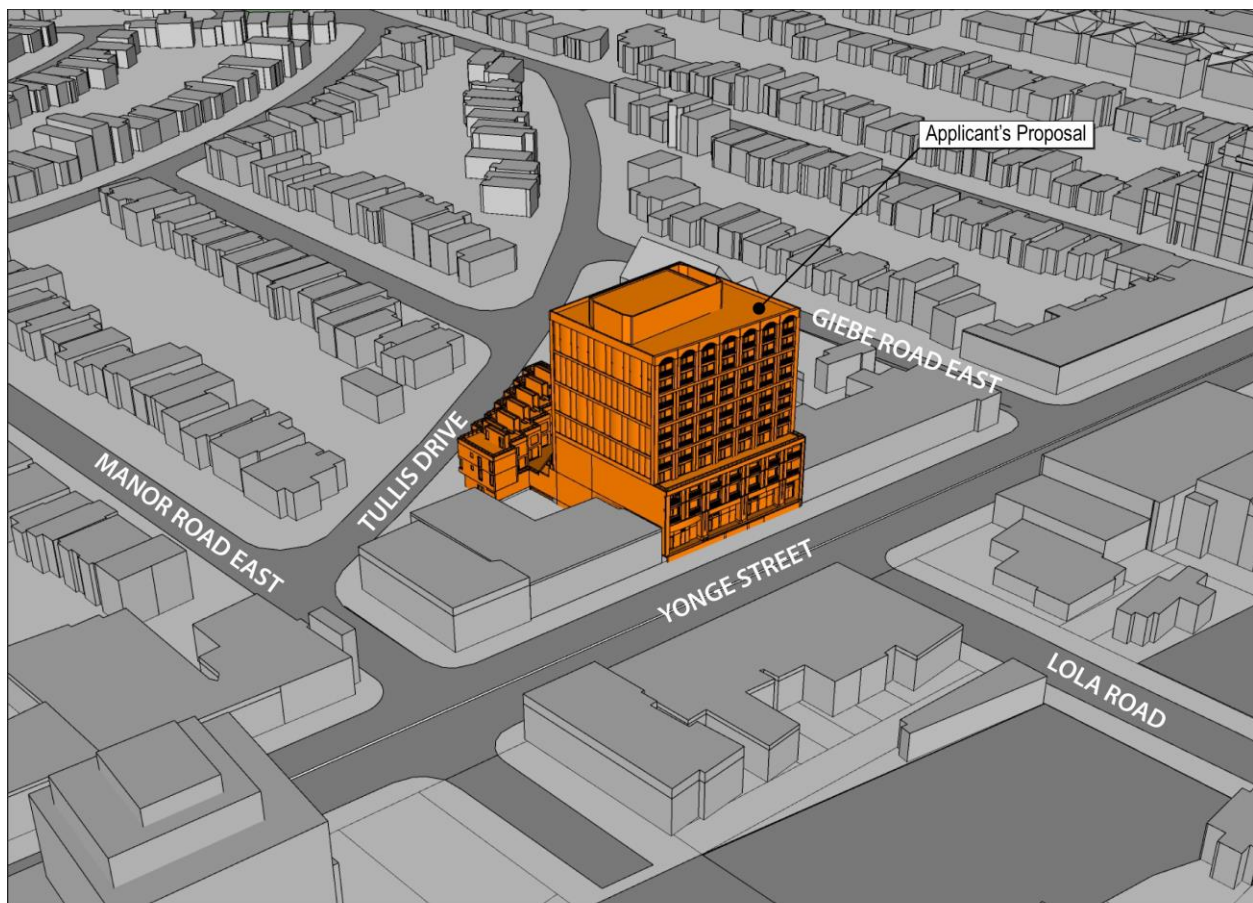
To be provided prior to the April 12, 2023 Community Council Meeting

## Decision Report - Approval - 2039-2049 Yonge St. and 40-50 Tullis Dr.



## Attachment 8: 3D Model of Proposal in Context





**View of Applicant's Proposal Looking Southeast**

  
 04/4/2023