

## **7-15 Steeles Avenue East – Official Plan Amendment and Zoning Amendment Applications – Decision Report – Refusal**

Date: May 9, 2024

To: North York Community Council

From: Director, Community Planning, North York District

Ward: Ward 18 - Willowdale

**Planning Application Number:** 23 167527 NNY 18 OZ

### **SUMMARY**

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This application proposes to amend the Official Plan and Zoning By-law to permit a 50-storey (166.6 metres) mixed use building (the 'proposal') at 7-15 Steeles Avenue East (the 'subject lands'), as shown on Attachments 7 to 9B of this Report. The proposal contains 683 dwelling units, a residential gross floor area ('GFA') of 36,091 square metres and a non-residential GFA of 171 square metres, for an overall density of 18.93 times the lot area.

The proposal is not consistent with the Provincial Policy Statement, 2020 and does not conform with A Place to Grow: Growth Plan for the Greater Golden Horseshoe, 2020. The proposal does not conform to the City's Official Plan, or the Council-adopted Yonge Street North Secondary Plan, which represents Council's vision for the area.

This Report reviews and recommends refusal of the Official Plan and Zoning By-law Amendment application, particularly as it relates to the height of the proposal; the proposed building massing and intensity; the proposed setbacks and step backs; the required road and laneway widening; and the impact of the proposal on adjacent properties in the existing and planned context which may prevent an orderly development of the block. The refusal is also based on inadequate soil volumes; unconfirmed servicing capacity; non-compliance with the Toronto Green Standard; and the necessary expropriation of the subject lands as part of the Yonge North Subway Extension identified by Metrolinx.

The above outstanding issues could not be resolved within the legislated 120 day timeframe for a decision. If City Council does not make a decision within the legislated timeframe, the City may be subject to a request to refund all or part of the application fees. Further discussions with the applicant may take place to resolve these issues which may then lead to a positive outcome.

## RECOMMENDATIONS

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The Director, Community Planning, North York District recommends that:

1. City Council refuse the applications for an Official Plan Amendment and a Zoning By-law (Application No. 23 167527 NNY 18 OZ) in their current form, for the lands municipally known as 7, 9, 11, 13 and 15 Steeles Avenue East.
2. City Council authorize the City Solicitor and other appropriate staff to take any necessary steps to implement City Council's decision.
3. City Council approve that in accordance with Section 42 of the *Planning Act* prior to the first Above Grade Building Permit, the Owner shall convey to the City, an off-site parkland dedication to the satisfaction of the General Manager, Parks, Forestry and Recreation and the City Solicitor.
4. City Council direct the City Solicitor to request that, in the event of an appeal to the Ontario Land Tribunal, the Tribunal withhold its final order, until the following conditions are met:
  - a) the final form and content of the draft Official Plan Amendment and Zoning By-law Amendment is satisfactory to the Chief Planner and Executive Director, City Planning and the City Solicitor;
  - b) the owner has submitted revised architectural plans, and revised sun/shadow and wind studies reflecting the proposal as approved in whole or in part, to the satisfaction of the Chief Planner and Executive Director, City Planning;
  - c) the owner has submitted an updated and complete Toronto Green Standards Checklist and Statistics Template, to the satisfaction of the Chief Planner and Executive Director, City Planning;
  - d) the owner has addressed all outstanding issues raised in the Urban Forestry, Tree Protection & Plan Review Memorandum dated April 18, 2024, as they relate to the Official Plan and Zoning By-law Amendment application, to the satisfaction of the General Manager, Parks, Forestry and Recreation;
  - e) the owner has addressed all outstanding issues raised by Parks Development Memorandum dated April 11, 2024, as they relate to the Official Plan and Zoning By-law Amendment application, to the satisfaction of the General Manager, Parks, Forestry and Recreation;
  - f) the owner has satisfactorily addressed the matters in the Engineering and Construction Services Memorandum dated April 22, 2024, and any outstanding issues and requests arising from the ongoing technical review (including provision of acceptable reports and studies), as they relate to the Official Plan and Zoning By-law Amendment application to the satisfaction of the General

Manager, Transportation Services, and Chief Engineer and Executive Director, Engineering and Construction Services; and,

g) the Owner has provided a legal undertaking to the City, to the satisfaction of the City Solicitor and the Chief Planner and Executive Director, City Planning, to secure the required Tenant Relocation and Assistance Plan pertaining to the four existing rental dwelling units proposed to be demolished.

## **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. If City Council does not make a decision on this Report, there may be financial implications to the City to the current budget year and in future years.

## **DECISION HISTORY**

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A pre-application consultation ('PAC') meeting was held on January 24, 2023. The Planning Application Checklist Package resulting from the PAC meeting is available [here](#). The current application was submitted on August 21, 2023, and deemed complete on December 21, 2023. A Preliminary Summary of the application is available [here](#).

The subject lands are located within the Yonge Street North Secondary Plan ('YSNSP') area. The YSNSP was adopted by City Council at their meeting held on July 19, 2022, as By-law 1016-2022 (being Official Plan Amendment 615 ("OPA 615")). In its decision, City Council directed City staff to use the YSNSP in the evaluation of all ongoing and new development proposals within the plan area. City Council's decision and a copy of the report can be found at the following link: [Yonge Street North Planning Study - City-Initiated Official Plan Amendment - Final Report](#).

The YSNSP was subsequently appealed to the Ontario Land Tribunal ('OLT') by a number of landowners (Case No. OLT-22-004346), including the applicants of this proposal. The status of the appeal to the YSNSP can be obtained at the following link: [OPA 615 - Yonge Street North Secondary Plan](#).

On March 25, 2022, the Planning and Housing Committee adopted a recommendation containing draft delineations of 57 Protected Major Transit Station Areas ('PMTSAs') and 40 Major Transit Station Areas ('MTSAs') across the City. The subject lands are located within the Yonge-Steeles PMTSA (SASP 760), which outlines the PMTSA boundary, minimum densities and permitted uses. Please note, SASP 760 has not yet been approved by the Minister of Municipal Affairs and Housing. A copy of the report and decision can be found at the following link: [Our Plan Toronto: Draft Major Transit Station Area Delineations - 57 Protected Major Transit Station Areas and 40 Major Transit Station Areas](#).

## **SITE AND SURROUNDING AREA CONTEXT**

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**Description:** The subject lands are rectangular in shape and are located on the south side of Steeles Avenue East, east of Yonge Street. The subject lands are approximately 2,436 square metres in area, and have approximately 48.8 metres of frontage on Steeles Avenue East.

**Existing Use:** The subject lands are currently developed with a commercial building, three detached dwellings containing a total of four rental dwelling units, and one vacant lot.

### **Surrounding Land Uses:**

As shown on Attachment 2: 'Location Map' of this Report, the following are the surrounding land uses:

- **North:** Steeles Avenue East, beyond which are commercial lands within the City of Markham.
- **South:** Detached dwellings are located to the south of the subject lands.
- **East:** Detached dwellings are located to the east of the subject lands.
- **West:** An existing laneway, being the Lane East Yonge South Steeles ('Ln E Yonge S Steeles', or the 'laneway'), beyond which are existing commercial plazas.

## **PROPOSAL**

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**Description:** The application is seeking to amend the City of Toronto Official Plan and Zoning By-law to permit a 50-storey mixed use building.

**Height:** The proposed building height is 50-storeys, or 166.6 metres including the mechanical penthouse. The building includes a 7-storey base building, a 43-storey tower element and a 10.7 metre tall mechanical penthouse.

**Density:** The proposal has a density of 18.93 times the area of the lot.

**Dwelling Units:** The proposal includes 683 residential dwelling units: comprised of 178 studio units (26.1 percent of the total unit composition), 307 one-bedroom units (44.9 percent), 112 two-bedroom units (16.4 percent) and 86 three-bedroom units (12.6 percent).

**Access, Parking and Loading:** Access to the subject lands is proposed from the existing laneway located to the west of the subject lands. One Type 'G' loading space is provided on site. The proposal includes four levels of underground parking with a total of 123 vehicle parking spaces, including 87 resident parking spaces and 36 visitor parking spaces. The total parking supply includes 17 accessible parking spaces.



**Additional Information:** Please see Attachment 1: 'Application Data Sheet'; Attachment 2: 'Location Map'; Attachment 3: 'Official Plan Land Use Map'; Attachment 4: 'Yonge Street North Secondary Plan Map 49-2 - Character Areas'; Attachment 5 - 'Yonge Street North Secondary Plan Map 49-3 - Public Realm'; and, Attachment 6- 'Existing Zoning By-law 569-2013 Map'.

## **Reasons for Application**

An Official Plan Amendment application is required to redesignate the subject lands from *Neighbourhoods* to *Mixed Use Areas*. While the subject lands were redesignated *Mixed Use Areas* by the Council-adopted OPA 615, the plan remains under appeal. Amendments to the City-wide Zoning By-law 569-2013 are required to permit the proposed building form, height, massing and other performance standards.

## **APPLICATION BACKGROUND**

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### **Application Requirements**

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

- Arborist Report
- Block Context Plan
- Energy Strategy Report
- Environmental Site Assessment - Phase 1
- Geotechnical Study
- Hydrogeological Report
- Noise Impact Study
- Pedestrian Level Wind Study
- Planning Rationale
- Public Consultation Strategy Report
- Servicing Report
- Stormwater Management Report
- Sun/Shadow Study
- Transportation Impact Study

The submitted materials, including the reports listed above are available on the City's Application Information Centre at: <https://www.toronto.ca/7SteelesAveE>

### **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 Official Plan amendment and Zoning By-law standards.

## **POLICY & REGULATION 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, 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').

### **City of Toronto Official Plan**

The majority of the subject lands, being 9-15 Steeles Avenue East, are presently designated *Neighbourhoods* by Map 16 of the City of Toronto Official Plan (the 'Official Plan'), as shown on Attachment 3: 'Official Plan Land Use Map' of this Report. The Official Plan establishes that *Neighbourhoods* shall be physically stable areas made-up of low-rise residential uses. The balance of the subject lands, being 7 Steeles Avenue East, are designated *Mixed Use Areas*. *Mixed Use Areas* are made up of a broad range of residential, commercial, and institutional uses, in single use or mixed use buildings, and are planned to accommodate the City's growing population in a way that respects the surrounding area context, as established by the respective secondary plans and zoning by-laws, and by transportation infrastructure.

The proposal is not in conformity with the in-effect Official Plan policies; the entirety of the subject lands requires a Mixed Use Areas designation. While the subject lands were redesignated Mixed Use Areas by the Council-adopted OPA 615, the plan remains under appeal.

The Official Plan can be found here: [Official Plan – City of Toronto](#), and should be read as a whole to understand its comprehensive and integrative intent as a policy framework for priority setting and decision making.

### **Yonge Street North Secondary Plan**

City Council, at its meeting on July 19, 2022, adopted OPA 615 which amended the Official Plan and created the YSNSP by By-law 1016-2022. On March 25, 2022, the Planning and Housing Committee adopted a recommendation delineating the Yonge-Steeles PMTSA, which generally (but not entirely) aligns with the YSNSP area, and which assigns minimum density targets for the PMTSA.

The Council-adopted YSNSP establishes a new planning framework for the area generally bounded by Steeles Avenue to the north, Willowdale Avenue to the east, Cummer and Drewry Avenues to the south, and Lariviere Road to the west. The YSNSP provides policy direction for growth and redevelopment that encourages the creation of a complete and transit-oriented community. This includes, but is not limited to, policy direction related to area structure; the public realm; parks and open spaces; transportation and mobility; housing; community services and facilities; and built form. Following Council's adoption of the YSNSP, OPA 615 was appealed by a number of area landowners, and remains under appeal.

Although OPA 615 and the YSNSP are currently under appeal, the plan represents Council's vision for the Yonge Street North area and in its decision to adopt OPA 615, City Council directed City Staff to use the plan in the evaluation of all development proposals in the YSNSP area. The Comments section of this Report, which can be found below, evaluates the proposal in the context of the YSNSP.

The subject lands are designated *Mixed Use Areas* by the Official Plan as amended by OPA 615 and are located within the "Steeles Transit Station Area" character area in the YSNSP, as shown on Attachment 4: 'Yonge Street North Secondary Plan Map 49-2 - Character Areas' of this Report. The Steeles Transit Station Area character area is the primary area for intensification and will have the greatest heights and most intense built form within the Secondary Plan area in order to support the planned higher order transit and create an urban node.

OPA 615, including the YSNSP, can be found here: [Yonge Street North Planning Study – City of Toronto](#).

## **Zoning**

The majority of the subject lands, being 9-15 Steeles Avenue East, are zoned Residential Detached Zone ('RD') (f12.0; a370) by Zoning By-law 569-2013, as shown on Attachment 6: 'Existing Zoning By-law 569-2013 Map' to this Report. The in-effect zoning permits residential uses in the form of detached dwellings.

The balance of the subject lands, being 7 Steeles Avenue East, are zoned Commercial Residential Zone ('CR') 1.0 (c1.0; r0.0) SS3 (x256) by Zoning By-law 569-2013, as shown on Attachment 6: 'Existing Zoning By-law 569-2013 Map' to this Report. The in-effect zoning permits commercial uses, with a density no greater than 1.0 times the area of the lot.

## **Design Guidelines**

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

- Tall Building Design Guidelines
- Growing Up: Planning for Children in New Vertical Communities Guidelines (the 'Growing Up Guidelines')
- Pet Friendly Design Guidelines for High Density Communities
- Toronto Green Standard: Mid to High-Rise Residential & Non-Residential Version 4

A listing of the City's design guidelines are available here: [Design Guidelines – City of Toronto](#).

## **Toronto Green Standard**

The Toronto Green Standard, Version 4 (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 TGS.

The TGS for Mid to High-Rise Residential & Non-Residential Version 4 can be found here: [Mid to High-Rise Residential & Non-Residential Version 4 – City of Toronto](#).

## **Site Plan Control**

In order to implement the proposal, site plan approval is required prior to the issuance of any building permits.

## **COMMENTS**

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Based on the issues identified below, Staff recommend that the application be refused accordingly.

## **Provincial Policy Statement and Provincial Plans**

The review of this proposal has considered the relevant matters of provincial interest set out in the *Planning Act*. The proposed Official Plan and Zoning By-law Amendment have been reviewed for consistency with the PPS and conformity with the Growth Plan.

Policy 1.6.6.1 of the PPS directs that growth should be accommodated in a manner that promotes the efficient use and optimization of existing municipal sewage services and that servicing and land use considerations are integrated throughout all stages of the planning process. It has not yet been demonstrated that the proposal can be accommodated by existing municipal services. Further information is required to be submitted to the City for review to determine if there is infrastructure capacity to support the proposed development.

Policy 1.6.8.1 of the PPS directs that planning authorities plan for and protect corridors and rights-of-ways for required for infrastructure, including transit infrastructure, to meet current and projected needs. The subject lands have been identified as integral to the tunnel alignment and the proposed Steeles Station of the Yonge North Subway Extension ('YNSE'), and have been identified for expropriation by Metrolinx. This is discussed in greater detail later in this Report.

The Growth Plan builds on the PPS to establish a unique land use planning framework for the Greater Golden Horseshoe that supports the achievement of complete communities, a thriving economy, a clean and healthy environment and social equity. Policy 2.2.4.11 of the Growth Plan directs that where lands are adjacent to higher order transit corridors and facilities, municipalities may identify and protect lands that are needed for future enhancement or expansion of transit infrastructure, in consultation with Metrolinx. As noted above, the subject lands have been identified as integral to the completion of the YNSE, which is discussed in greater detail later in this Report.

Policy 2.2.6 of the Growth Plan supports the development of affordable housing and a range of housing options to accommodate the needs of all household sizes and incomes. Policy 2.2.4 also notes that within major transit station areas, development will be supported by planning for a diverse mix of uses, including additional residential units

and affordable housing, to support existing and planned transit service levels. The proposal should provide a more diverse range of unit types and sizes, as described in greater detail later in this Report.

Policy 4.6 of the PPS describes the official plan as being the most important vehicle for the implementation of provincial policy; wherein comprehensive, integrated and long-term planning is best achieved through official plans. The Growth Plan, through Policy 5.2.5 establishes that the minimum intensification targets of the Growth Plan be planned for and implemented through local official plans and secondary plans; this policy also establishes municipalities are able to implement urban design and site design official plan policies and other supporting documents that direct the development of a high-quality public realm and compact built form. Given OPA 615 continues to be under appeal, and the in-effect land use designation for the majority of the subject lands is *Neighbourhoods*, the proposal is not implementing the Official Plan, and is therefore inconsistent with the PPS. The proposal is not implementing the secondary plan policy with respect to built form and the public realm and is therefore not in conformity with the Growth Plan.

## Land Use

This Official Plan and Zoning By-law Amendment application has been reviewed against the Official Plan and YSNSP policy, as described in the Policy and Regulation Considerations section of this Report.

The proposal does not conform with the in-effect *Neighbourhoods* policies of the Official Plan that apply to the majority of the subject lands. A redesignation of 9-15 Steeles Avenue East from *Neighbourhoods* to *Mixed Use Areas* is required in order to permit a tall building with residential uses. While the proposal is consistent with the *Mixed Use Areas* land use designation by the Official Plan as amended by OPA 615, as shown on Schedule 1 to OPA 615, OPA 615 remains under appeal and is not in full force and effect.

The redesignation of the subject lands to *Mixed Use Areas* by OPA 615 was part of a set of policies to guide how growth should occur and how the redesignation should be implemented. The subject lands are located within the Steeles Transit Station Area; the YSNSP directs that in the Steeles Transit Station Area, development will plan for a diverse mix of uses to support existing and planned transit. The proposal is in conformity with the land use criteria of the Steeles Transit Station Area.

While the transit-supportive use is permitted in the Steeles Transit Station Area, other criteria for development in the Steeles Transit Station Area are not met by the proposal. The area structure, built form, public realm, and transportation and mobility components are not implemented in a manner that aligns with how the YSNSP directs the growth to occur.

As detailed in this Report, other policies of the YSNSP are not being appropriately implemented as required to support the proposed redesignation.

The YSNSP policies are to be read as a whole and with the policies of the Official Plan to understand its comprehensive and integrative intent as a policy framework. Allowing a change in land use for a 50 storey building without meeting these other policies is not good planning and undermines the policy intent of both the YSNSP and Official Plan.

## **Height, Massing and Built Form**

This proposal has been reviewed against the in-force policies in Chapter 3: 'Built Form' of the Official Plan, the YSNSP and the Tall Building Design Guidelines, as described in the Policy and Regulation Considerations Section of this Report. Policy 2.6 of the YSNSP directs that the greatest heights and densities will be located at the southwest corner of the Yonge Street and Steeles Avenue intersection and will generally step down as development moves away from the intersection to the south, east and west. Policy 8.17 further directs that the tallest buildings will be 50- storeys, located at the intersection, and will step down in height by an approximate five storey difference away from the intersection to provide a visible distinction in height.

The subject lands are located east of Yonge Street, on the south side of Steeles Avenue East. Given that the greatest heights in the Yonge North Area are to be located at the southwest corner of the of Yonge Street and Steeles Avenue intersection, and be a maximum of 50 storeys, the proposed 50-storey building is too tall for the subject lands. The proposal does not establish a visible transition in height moving east from the intersection and does not align with the vision or policies objectives of the YSNSP.

In accordance with Chapter 3: 'Built Form' of the Official Plan, the YSNSP and Tall Building Design Guidelines, development, including tall buildings, should have appropriate separation distances and setbacks from property lines to protect for privacy within adjacent buildings and to maximize access to sunlight and open views of the sky from the public realm. A setback of 12.5 meters from the tower portion on the subject lands to the adjacent property line should be provided to ensure appropriate separation between the subject lands and potential future built form. The proposed tower portion is only set back 2.5 metres from the west property line, and 5.5 metres from the centreline of the laneway, preventing the orderly development of the lands located on the west side of the laneway.

In accordance with Policy 8.19 of the YSNSP, a minimum tower step back of five metres above the base building façade is required along Steeles Avenue East. The proposal is incorporating a two metre step back, and includes encroachments into the step back zone above the 12th storey. An increased step back, without encroachments, as well as better building articulation will help to improve the visual impact of the building height and length, as prescribed by Policy 8.8 of the YSNSP. The building length has a frontage of over 50 metres along Steeles Avenue East, which is considered an elongated floorplate. Potential options to minimize the visual impact of the tower length on the public realm include breaking up the massing into horizontal segments and adding "carve outs" on upper floors.

The YSNSP and the Tall Building Design Guidelines direct that tower floor plates should be 750 square metres in gross constructable area or less to avoid casting long shadows and blocking views of the sky from the public realm. The proposed tower floor plate

size, at 772 square metres is larger than what is permitted by the YSNSP and the Tall Building Design Guidelines.

### **Public Realm and Streetscape**

The YSNSP directs that a four to six metre setback from Steeles Avenue East be applied to the subject lands to create an overall 10-metre-wide boulevard space. The proposal is providing a two metre inset setback from Steeles Avenue East at grade, which is zero metres above the ground floor; the proposed front yard setback conflicts with the required right-of-way widening for Steeles Avenue East, which is discussed in greater detail later in this Report. In addition, the proposed building projections above the ground floor into the setback area does not meet Policies and 3.7 and 3.19 of the YSNSP, which prohibit cantilevering within the setback area along Steeles Avenue East. The proposed front yard setback and front yard do not support good public realm and streetscape design. The front yard setback must be increased to meet the minimum policy requirements and minimum right-of-way requirements in order to contribute to a functional public realm, and increased public space in an area where high volumes of pedestrians are envisioned.

As previously noted, the subject lands directly abut an existing laneway that will be improved to six metres in width in accordance with Policy 3.10 of the YSNSP, and Chapter 2.2.5 of the Official Plan. While the proposal includes a setback for the vehicular portion of the lane, a minimum 2.1 metre sidewalk is required on the east side of the laneway to create a continuous pedestrian clearway adjacent to the lane. The proposal must incorporate the 2.1 metre sidewalk, which may have an impact on the ground floor footprint.

The proposal is incorporating 171 square metres of retail GFA at grade along the northeast building façade. Consideration should be given to increasing the amount of retail GFA provided.

Improvements to the public realm can also be achieved through the relocation of the utilitarian and servicing features of the proposed building: the intake shaft located at the northeast corner of the subject lands should be relocated away from the Steeles Avenue East boulevard, and the exit staircase located at the northwest corner of the building along the Steeles Avenue East frontage can be relocated to the west façade, or an alternate location outside the Steeles Avenue East boulevard. In consideration of the extensive paving located along the westerly portion of the ground floor, there is an opportunity to optimize the ground floor plan of the building, where the long term bicycle parking is located, by creating additional space for street trees, landscaping, and the incorporation of the noted 2.1 metre sidewalk.

### **Sun, Shadow, Wind**

This application has been reviewed against the Official Plan and YSNSP policies, and Tall Building Design Guidelines as described in the Policy and Regulation Considerations Section of this Report with respect to sun, shadow and wind impacts.

The Shadow Study submitted in support of the proposal identifies undesirable shadow impacts. The proposed building height and tall building floorplate, configuration and length along Steeles Avenue East, in combination with the site constraints, create a wide shadow being cast on the public realm, with the biggest impact to the Steeles Avenue East boulevard. To minimize shadowing impacts, consideration should be given to incorporating the required setbacks and step backs identified in the YSNSP, reducing the tower floor plate, alternative tower placement options, and potential site reorganization, all of which may assist in minimizing shadow impacts.

The Pedestrian-level Wind Study submitted in support of the proposal identifies uncomfortable wind conditions in the spring and fall seasons at the northwest and northeast building corners along Steeles Avenue East, as well as the terraced outdoor amenity spaces. To mitigate these wind impacts on the public realm, changes to the building massing should be explored and other mitigation measures are required to create usable outdoor amenity space, which must be comfortable for sitting in the spring, fall and summer seasons.

### **Amenity Space**

Zoning By-law 569-2013 requires a combined amenity space of four-square metres per unit, of which at least two square metres for each dwelling unit is for indoor amenity space and two square metres for outdoor amenity space. At least 40 square metres of the outdoor amenity space should be in a location adjoining or directly accessible to the indoor amenity space. The proposal does not meet the minimum outdoor amenity area requirements.

While the overall amount of amenity area being provided, at 2777 square metres, exceeds the overall four-square metres per unit requirement, the amount of outdoor amenity area proposed is significantly deficient, at 975 square metres, whereas 1366 square metres is required. Improvements to the outdoor amenity spaces, as well as the pet facilities areas so they are more cohesive and easily accessible from within the building, are recommended.

### **Housing Unit Mix and Size**

In order to achieve a balanced mix of residential unit types and sizes, Policy 6.1 of the YSNSP requires a minimum of 40 percent of units be a combination of two- and three-bedroom units; requiring a minimum of 15 percent as two-bedroom units, a minimum 10 percent as three-bedroom units, and an additional 15 percent of the units being a combination of two- and three-bedroom units. The proposal has a unit mix that includes 16.4 percent two-bedroom units, and 12.6 percent three-bedroom units, which does not meet the YSNSP unit mix requirements.

The proposal includes a purchaser option to convert up to 16.6 percent of the 683 proposed units to two- and three-bedroom units; if the full 16.6 percent of these units are converted by the purchasers, the supply of two-bedrooms units equates to 25 percent of the total unit mix, and the three-bedroom supply to 20.7 percent of the total unit mix. Under this scenario, the unit mix requirements of the YSNSP are being met; however, the preference is for the guaranteed delivery of a minimum of 40 percent of



units be a combination of two- and three-bedroom units, as opposed to a purchaser-initiated supply.

The Council-adopted Growing Up: Planning for Children in New Vertical Communities Guidelines (the 'Growing Up Guidelines') provides direction on the proportion and size of larger units recommended for new multi-unit residential developments. Guideline 3.0 of the Growing Up Guidelines state that the ideal unit size for large units, based on the sum of the unit elements, is 90 square metres for two-bedroom units and 106 square metres for three-bedroom units, representing a diversity of sizes for such bedroom types while maintaining the integrity of common spaces to ensure their functionality. The average sizes of the two- and three-bedroom units were not provided in the current submission; the applicant is asked to provide a mix of unit sizes across all unit types to help balance affordability with unit functionality to meet the needs of diverse households, including families with children.

### **Tenant Relocation and Assistance**

Policy 3.2.1.12 of the Official Plan states that new development that has the effect of removing all or part of a private building or related group of buildings and would result in the loss of one or more rental units or dwelling rooms, will not be approved unless an acceptable tenant relocation and assistance plan is provided to lessen hardship for existing tenants.

Given the proposal requires the demolition of four existing rental dwelling units, Policy 3.2.1.12 of the Official Plan applies, and the applicant is required to provide an acceptable tenant relocation and assistance plan. The applicant has agreed to provide an appropriate tenant relocation and assistance plan.

### **Road Widening**

An 8 metre road widening along Steeles Avenue East is being depicted as part of this proposal; however, a road widening of 9.4 metres is required along the full Steeles Avenue East frontage to satisfy the requirement of a 45 metre and over right-of-way established through OPA 615.

In addition, a 1.17 metre widening along the existing laneway is required, to satisfy the requirement for 6 metre wide lane right-of-way, as required by Policies 3.10 and 5.17 of the YSNP, and Chapter 2.2.5 of the Official Plan. A functional design plan for the laneway is required, which includes pavement marking and signage plans; and must depict a 0.5 metre setback from the edge of the laneway curb to any structures. As previously noted, a minimum 2.1 metre sidewalk is also required on the east side of the laneway to create a continuous pedestrian clearway adjacent to the lane.

### **Traffic Impact, Access, Parking**

Vehicle and servicing access to the subject lands is proposed by a full move access driveway off the existing laneway. The location of the proposed access driveway is acceptable; however, an internalized, dedicated on-site, at-grade pick-up/drop-off ('PUDO') area is required. The PUDO must provide safe pedestrian routes to the main

entrance for deliveries, and ride-sharing activities. The owner is also requested to provide an assessment of the proposed PUDO demand for the proposal, to determine if the number of PUDO spaces are adequate, and whether a detailed wayfinding and signage plan is required.

A minimum 2.1 metre wide, continuous public sidewalk is required along all frontages, which includes both Steeles Avenue East and the laneway. The sidewalks must be offset 0.3 metres from the property line, and 0.5 metres from any structures, including, but not limited to, hydro poles and fire hydrants.

In order for servicing vehicles to safely enter and exit the subject lands, an inside turning radii of 9.5 metres and outside turning radii of 14 metres is required. The owner is asked to provide vehicle maneuvering diagrams to illustrate how heavy vehicles can gain ingress to and egress from the subject lands without encountering any safety or conflict issues. In addition, a minimum width of 6 metres is required for all internal drive aisles.

Parking for the proposal was evaluated using Zoning By-law 89-2022; and must be provided in accordance with the following minimum and maximum requirements:

- Resident spaces: maximum 633 spaces
- Visitor spaces: minimum 36 spaces, maximum 82 spaces
- Accessible parking spaces: five accessible parking spaces plus one accessible parking space for every 50 effective parking spaces in excess of 100 parking spaces, for a total of 18 spaces.

The owner is required to provide visitor parking and accessible parking in accordance with the minimum and maximum rates identified above. The proposal is providing 123 parking spaces, including 87 residential spaces and 36 visitor parking spaces; however, some of the proposed visitor parking spaces have substandard dimensions, and cannot be counted towards the visitor parking supply. In addition, the proposal is only delivering 17 accessible parking spaces, which does not satisfy the minimum accessible parking space requirements. Accordingly, the minimum parking space requirements of Zoning By-law 89-2022 have not been satisfied.

The proposal contains one Type "G" loading space; however, this loading space must be revised to be 13 metres in length, four metres in width, have a vertical clearance of 6.1 metres, and include a staging pad. In addition, the proposal must be revised to provide an additional Type "C" loading space, that is a minimum 3.5 metres wide, six metres long and have a minimum vertical clearance of three metres.

In order to accommodate collection services, all access driveways must have a vertical clearance of 4.4 metres, a minimum width of 4.5 metres, and be six metres wide at the point of ingress and egress. The proposal will also require an internal garbage storage room that has a minimum area of 189.58 square metres, and include oversized storage and household hazardous waste storage areas.

## **Servicing**

Outstanding servicing and transportation requirements related to this proposal are resulting in a recommendation that should the proposal be approved in whole or in part, that the subject lands be zoned with a Holding Symbol "(H)", which can be removed only after the following conditions have been fulfilled:

- A site servicing review, comprised of a servicing report, stormwater management report and hydrogeological report, demonstrating sufficient capacity exists to accommodate the proposal;
- Should it be identified that upgrades or improvements to the existing municipal infrastructure, and/or new municipal services are required, those upgrades, improvements and/or services be designed, financially secured and constructed by appropriate development agreements and be operational prior to the removal of the "(H)" on the subject lands;
- A Transportation Impact Study demonstrate that City requirements can be met to accommodate the proposal; and
- Should it be identified that modifications or improvements to the existing transportation related infrastructure and/or new municipal infrastructure be required, satisfactory arrangements, including financial securities and payments, be made with Transportation Services.

As a result of a missing and incomplete analysis, support for the proposal cannot be provided at this stage in accordance with Section 1.6.6.1 of the PPS, as noted above.

## **Open Space/Parkland**

The Official Plan contains policies to ensure Toronto's system of parks and open spaces are maintained, enhanced and expanded, and the City of Toronto Parkland Strategy ('PLS') guides long-term planning for new parks, park expansions and improvements, and improved access to existing parks. The PLS assesses parkland provision, using the baseline of residential population against the area of parkland available across the City. According to the 2022 draft update to the PLS methodology, the subject lands are currently in an area with 0 - 4 square metres of parkland per person, which is well below the City-wide average provision of 28 square metres of parkland per person. The subject lands are also within an "Areas of Parkland Need" per Figure 18 of the 2022 draft PLS, which highlights areas where the City will focus and prioritize parks planning and acquisitions. In addition, the subject lands are located within a "Priority Parkland Expansion Area" by Map 49-3 "Public Realm" of the Council-adopted YSNSP, see Attachment 5 to this Report. Given the future expected growth both on the subject lands and surrounding sites, the existing parkland will be further stressed if no new parks are created. This anticipated parkland deficit must be addressed through the creation of new parks to serve the future population.

Should the application receive a positive decision in the future, the parkland dedication requirements will be addressed at that time. The requirements may be satisfied through an off-site dedication that would expand an existing park or create a new park. The off-site dedication shall comply with Policy 3.2.3.8 of the Official Plan. The size and location of the off-site conveyance would be subject to the approval of the General Manager,

Parks, Forestry & Recreation and would be subject to the Division's conditions for conveyance of parkland prior to the issuance of the First Above Grade Building Permit.

### **Tree Preservation**

The proposal has been evaluated against the Ecology ('EC') Performance Measures of the TGS, and the City of Toronto Municipal Code, Chapter 813 Article II (Trees on City Streets By-law) and Article III (Private Tree Protection By-law).

Upon review of the proposal, it has been determined the requirements of Performance Measure EC 1.1 - 'Tree Planting and Soil Volume' of the TGS are not being met; the submitted soil volume plan only proposes 338 cubic metres of soil volume, whereas, 348 cubic metres of soil volume is required.

Should the proposal be approved in some form, the applicant is required to provide a minimum of 24 new trees as compensation to replace the eight private trees proposed for removal and two tree injuries that are a result of the proposal, along with a minimum soil volume of 348 cubic metres.

### **Toronto Green Standard**

In 2010, Council adopted the four-tier TGS program to establish sustainable design and performance requirements for new private and City-owned 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.

The proposal is failing to achieve the following Tier 1 Performance Measures of the TGS:

- Air Quality ('AQ') 1.1 – Single-Occupant Auto Vehicle Trips
- AQ 1.2 - Electric Vehicle Infrastructure
- AQ 2.4 - Electric Bike Infrastructure
- AQ 2.6 - Publicly Accessible Bike Parking
- AQ 3.2 – Sidewalk Space
- EC 1.1 - Tree Planting Areas and Soil Volume
- EC 1.2 - Trees Along Street Frontages
- EC 2.2 - On-site Landscaping, Native and Plants
- Waste and Circular Economy ('SW') 1.2 - Waste Storage Space
- SW 1.3 - Bulky Waste
- SW 1.4 - Compaction
- SW 1.5 (HHW)

## **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, foundational to creating complete communities and include matters such as recreation, libraries, childcare, 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.

The YSNSP identifies the following community service and facilities priorities in Section 7.2:

- New non-profit licensed childcare facilities;
- New and enhanced park-based amenities, such as a splashpad, sports courts and sports fields;
- New public library branch, including partnerships and co-location opportunities with other city agencies;
- Newtonbrook Community Recreation Centre;
- Space for non-profit community-based organizations that are eligible for the City's Community Space Tenancy Policy; and,
- Long-term care facilities in partnership with Provincial agencies.

In support of the proposal, a scoped Community Services and Facilities summary was submitted, providing an inventory of the existing community services and facilities located within one kilometre of the subject lands.

## **Notice of Expropriation**

Metrolinx has advised the subject lands are immediately adjacent to the YNSE, a Priority Transit Project. The subject lands are integral to the tunnel alignment and the proposed Steeles Station of the YNSE. Given the active provincial interest in acquiring the subject lands to support the delivery of the YNSE, Metrolinx has advised the entirety of the subject lands is required to support the delivery of the YNSE. Metrolinx has advised that they served the registered owners of the subject lands with a Notice of Application for approval to expropriate on April 4, 2024. It is the expectation of Metrolinx that under the Building Transit Faster Act, the transfer of the subject lands into their ownership will be completed as of November 1, 2024. Metrolinx also advises that Part III (Expropriation) of the Building Transit Faster Act applies with respect to the expropriation of the subject lands, and, as such, there will be no hearing of necessity.

Accordingly, Metrolinx has advised it cannot support the subject Official Plan Amendment and Zoning By-law Amendment applications.

## **Community Consultation**

City Planning staff will hold a virtual community consultation meeting ('CCM') on May 27, 2024. At the time of the writing of this Report, the CCM has not yet been held, and a summary of the discussion is not available. A supplemental report will be submitted following the CCM to summarize the comments received during the meeting.

## Summary of Issues to be Resolved

Based on the concerns articulated throughout this Report, the following is a summary that includes, but is not limited to, the high-level with the application:

- Height, massing and intensity of the proposal and fit of the proposal within the existing and planned context;
- Setbacks, step backs and separation distances, including relationships to, and impacts on, adjacent properties;
- Impacts to the public realm and adjacent properties, including shadow and wind;
- The required road conveyance of 9.4 metres along Steeles Avenue East;
- The required road conveyance of 1.17 metres along the existing laneway
- Outstanding servicing concerns;
- Soil volume requirements;
- Compliance with Tier 1 of the TGS; and,
- The identification of the subject lands as integral to the delivery of the YNSE.

## Conclusion

The proposal has been reviewed against the policies of the PPS, the Growth Plan, the Official Plan, and the YSNSP. Staff are of the opinion that the proposal is not consistent with the PPS and conflicts with the Growth Plan. Further, the proposal does not conform with the Official Plan, and fails to implement the vision of the Council-adopted YSNSP. For the reasons outlined in this report, City staff cannot support the proposal in its current form and recommend Council refuse the application. Staff also recommend Council utilize the dispute resolution mechanisms under the *Planning Act*, in an attempt to resolve the issues generally outlined in this Report with the application in its current form.

## CONTACT

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E-mail: [diana.digirolamo@toronto.ca](mailto:diana.digirolamo@toronto.ca)

## SIGNATURE

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

## ATTACHMENTS

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### City of Toronto Data/Drawings

Attachment 1: Application Data Sheet

Attachment 2: Location Map  
Attachment 3: Official Plan Land Use Map  
Attachment 4: Yonge Street North Secondary Plan Map 49-2 - 'Character Areas'  
Attachment 5: Yonge Street North Secondary Plan Map 49-3 - 'Public Realm'  
Attachment 6: Existing Zoning By-law 569-2013 Map

**Applicant Submitted Drawings**

Attachment 7: Site Plan  
Attachment 8A: North Elevation  
Attachment 8B: East Elevation  
Attachment 8C: South Elevation  
Attachment 8D: West Elevation  
Attachment 9A: 3D Proposal in Context (Southeast View)  
Attachment 9B: 3D Proposal in Context (Northwest View)

## Attachment 1: Application Data Sheet

Municipal Address: 7-15 STEELES AVE E Date Received: June 28, 2023

Application Number: 23 167527 NNY 18 OZ

Application Type: OPA & Rezoning

Project Description: Proposal to develop a 50-storey mixed use building containing 683 dwelling units, with a height of 166.6 metres (which includes a 10.7-metre mechanical penthouse). The proposed development will have a total gross area of approximately 36,262 square metres, consisting of a residential GFA of 36,091 square metres and non-residential GFA of 171 square metres, for a Floor Space Index of 18.93 times the lot area. A total of 123 vehicle parking spaces and 513 bicycle parking spaces are proposed.

Applicant	Agent	Architect	Owner
MARC J POURVAHIDI			2122554 ONTARIO INC

### EXISTING PLANNING CONTROLS

Official Plan Designation:	Neighbourhoods	Site Specific Provision:	N
Zoning:	RD (f12.0; a370); CR 1.0 (c1.0; r0.0) SS3 (x256)	Heritage Designation:	N
Height Limit (m):	10	Site Plan Control Area:	Y

### PROJECT INFORMATION

Site Area (sq m):	2,436	Frontage (m):	48	Depth (m):	37
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Building Data	Existing	Retained	Proposed	Total
Ground Floor Area (sq m):	468	0	912	912
Residential GFA (sq m):	344	0	36,091	36,091
Non-Residential GFA (sq m):	245	0	171	171
Total GFA (sq m):	589	0	36,262	36,262
Height - Storeys:	2	0	50	50
Height - Metres:			156	156



Lot Coverage Ratio (%):	37.44	Floor Space Index:	14.89
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Floor Area Breakdown	Above Grade (sq m)	Below Grade (sq m)
Residential GFA:	36,091	
Retail GFA:	171	
Office GFA:		
Industrial GFA:		
Institutional/Other GFA:		

Residential Units by Tenure	Existing	Retained	Proposed	Total
Rental:	4	0	0	0
Freehold:				
Condominium:				
Other:			683	683
Total Units:			683	683

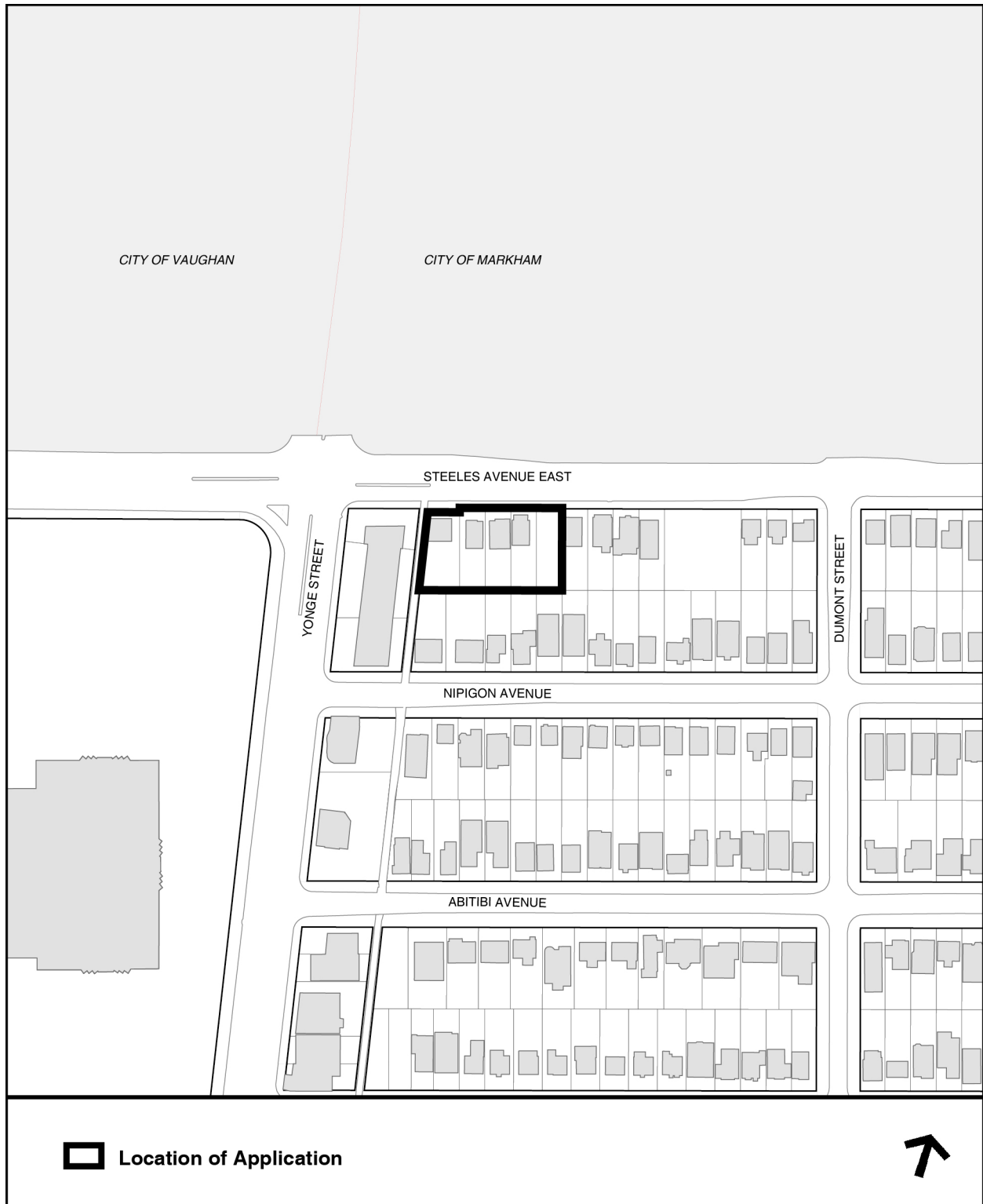
#### Total Residential Units by Size

	Rooms	Bachelor	1 Bedroom	2 Bedroom	3+ Bedroom
Retained:					
Proposed:		178	307	112	86
Total Units:		178	307	112	86

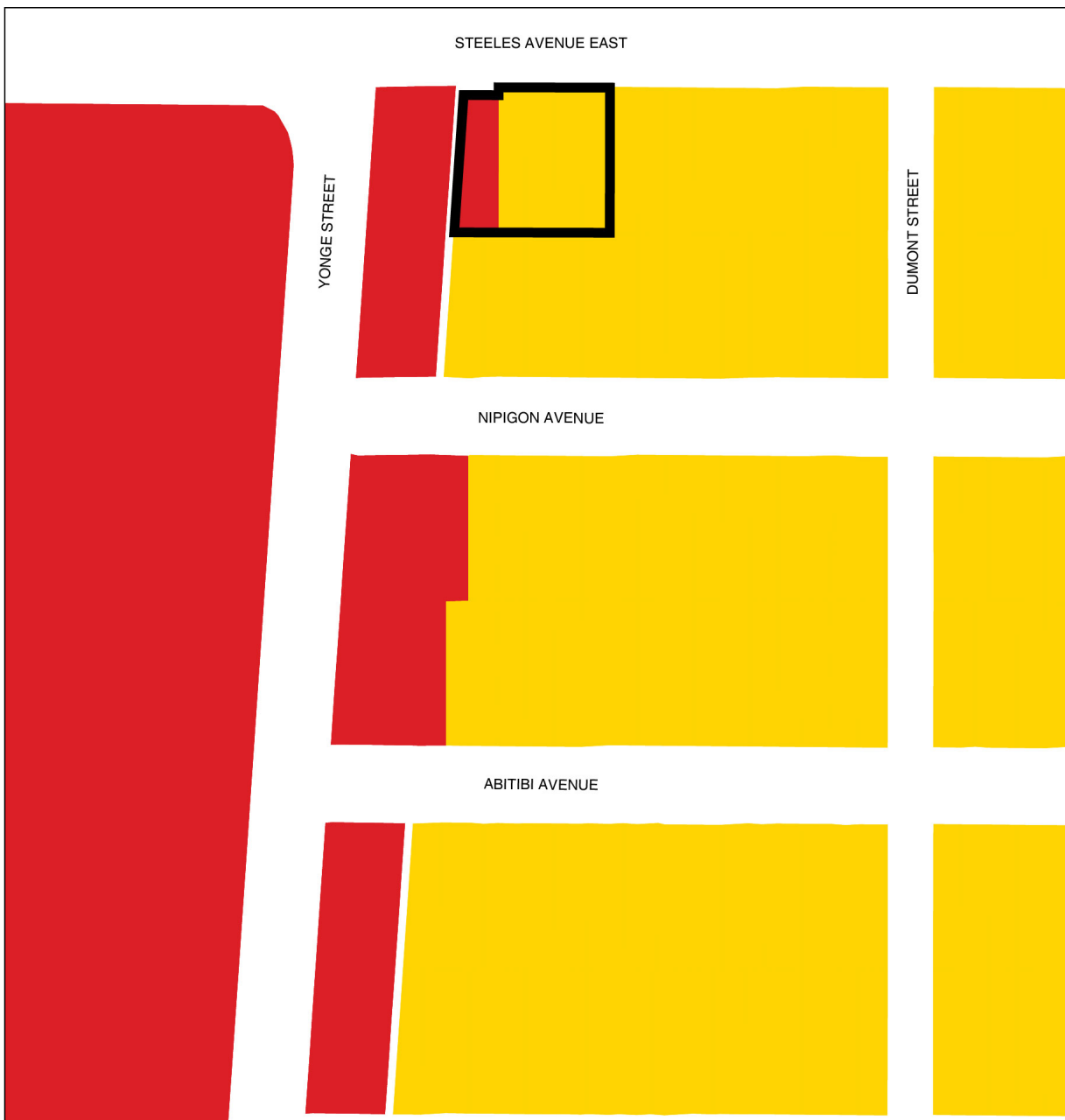
#### Parking and Loading

Parking Spaces:	123	Bicycle Parking Spaces:	513	Loading Docks:	1
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## Attachment 2: Location Map



### Attachment 3: Official Plan Land Use Map



Official Plan Land Use Map 16

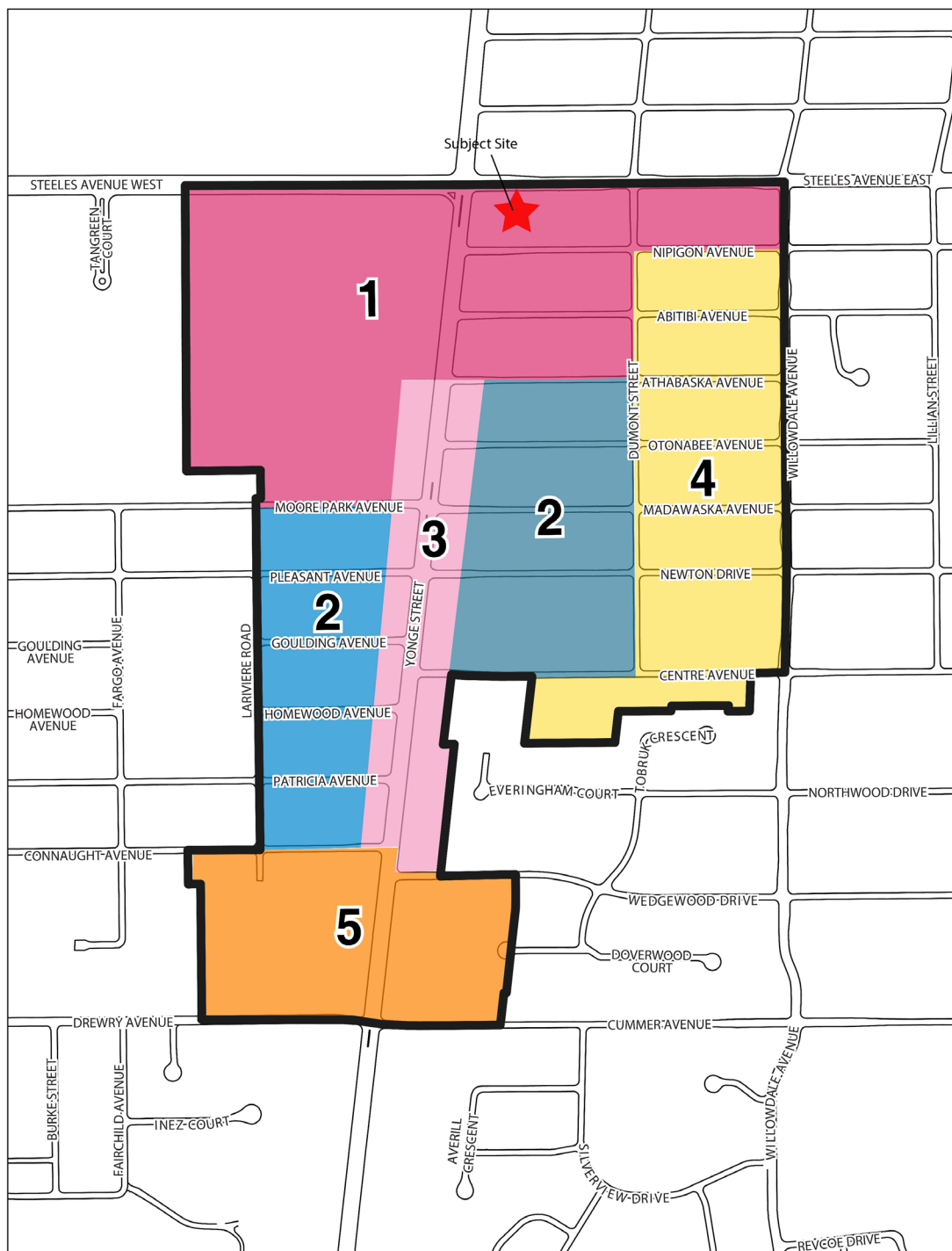
7-15 Steeles Avenue East

File # 23 167527 NNY 18 02



Not to Scale  
Extracted: 07/04/2023

## Attachment 4: Yonge Street North Secondary Plan Map 49-2 - 'Character Areas'

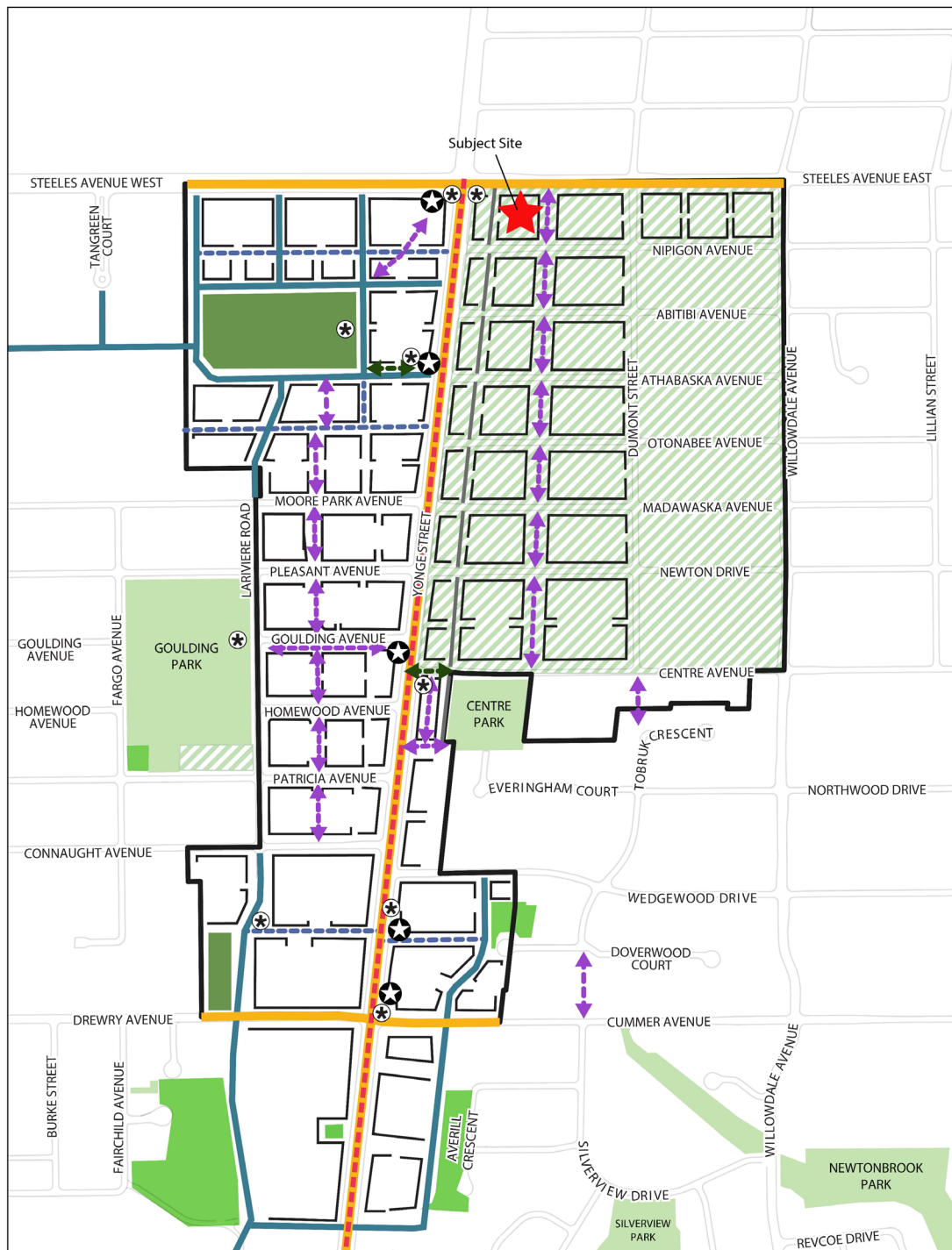


**Yonge Street North Secondary Plan**  
MAP 49-2 Character Areas

- |                                   |                            |
|-----------------------------------|----------------------------|
| Yonge Street North Secondary Plan | 4 Neighbourhoods           |
| 1 Steeles Transit Station Area    | 5 Yonge Cummer/Drewry Node |
| 2 Mid-Rise East                   |                            |
| 2 Mid-Rise West                   |                            |
| 3 Yonge Main Street               |                            |

Not to Scale   
June 2022

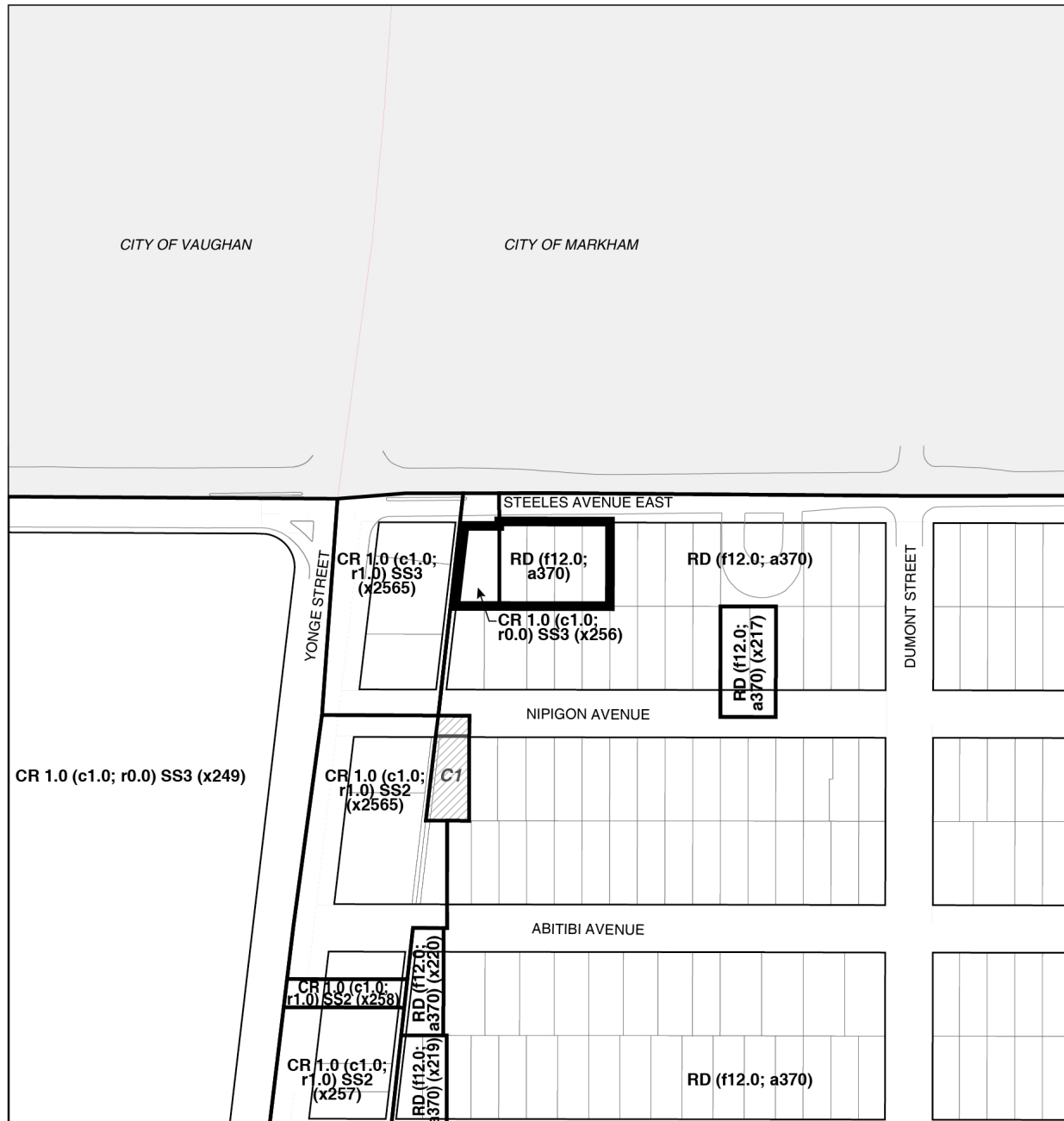
# Attachment 5: Yonge Street North Secondary Plan Map 49-3 - 'Public Realm'



## Yonge Street North Secondary Plan MAP 49-3 Public Realm



# Attachment 6: Existing Zoning By-law 569-2013 Map



**Zoning By-law 569-2013**

**7-15 Steeles Avenue East**

**File # 23 167527 NNY 18 0Z**



Location of Application

**RD**  
**CR**

*Residential Detached*  
*Commercial Residential*



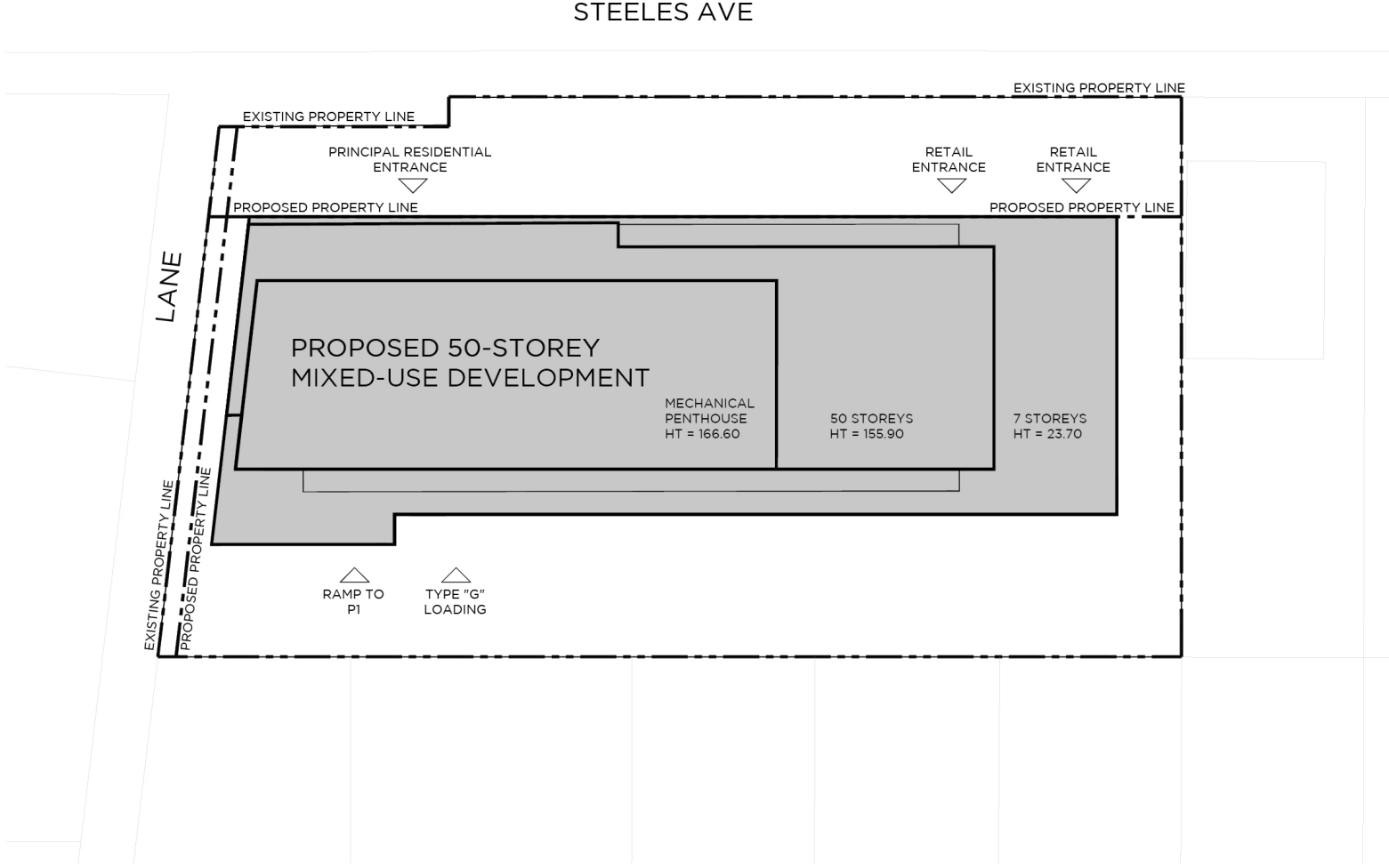
**C1**

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

*General Commercial Zone*



Not to Scale  
Extracted: 07/04/2023



Site Plan



STEELES AVE

LANE

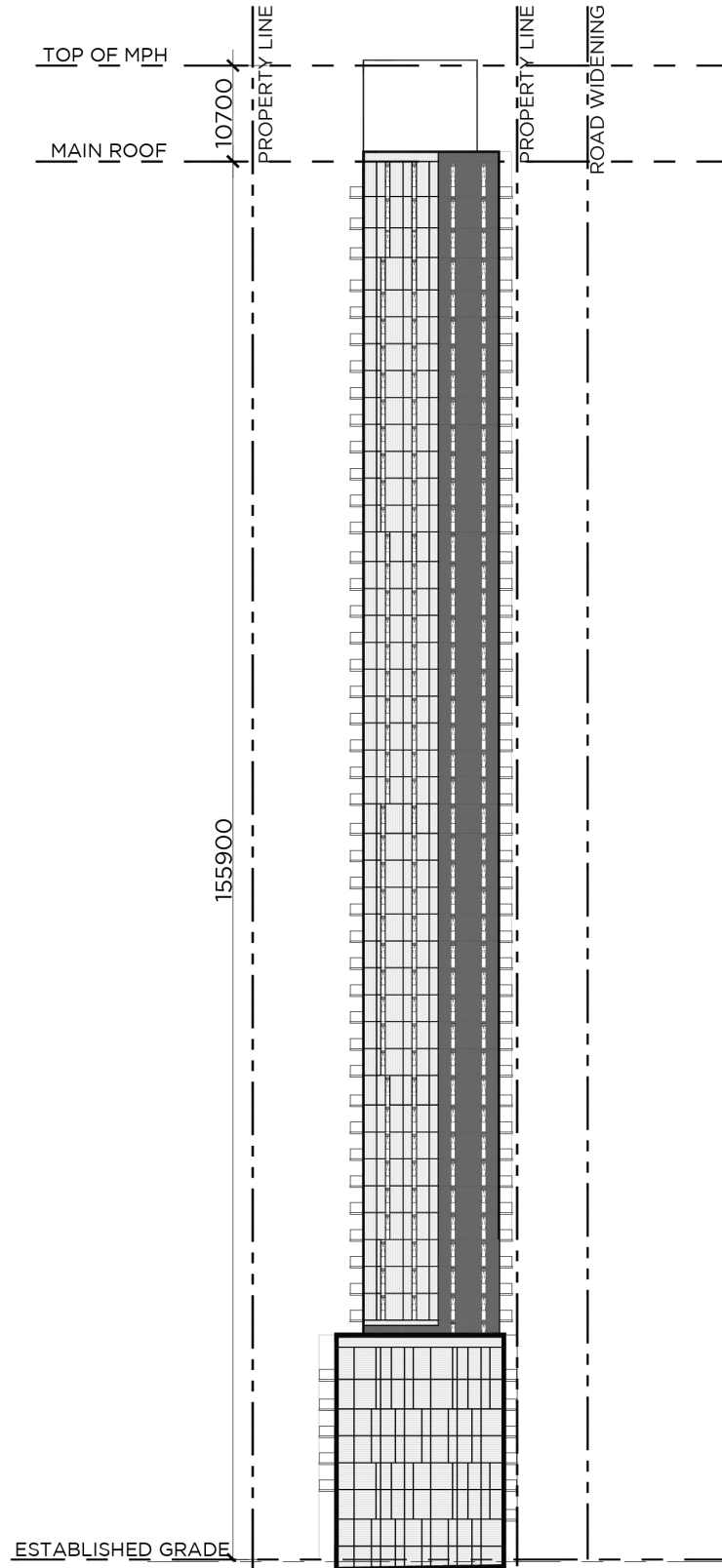
## Attachment 8A: North Elevation



North Elevation

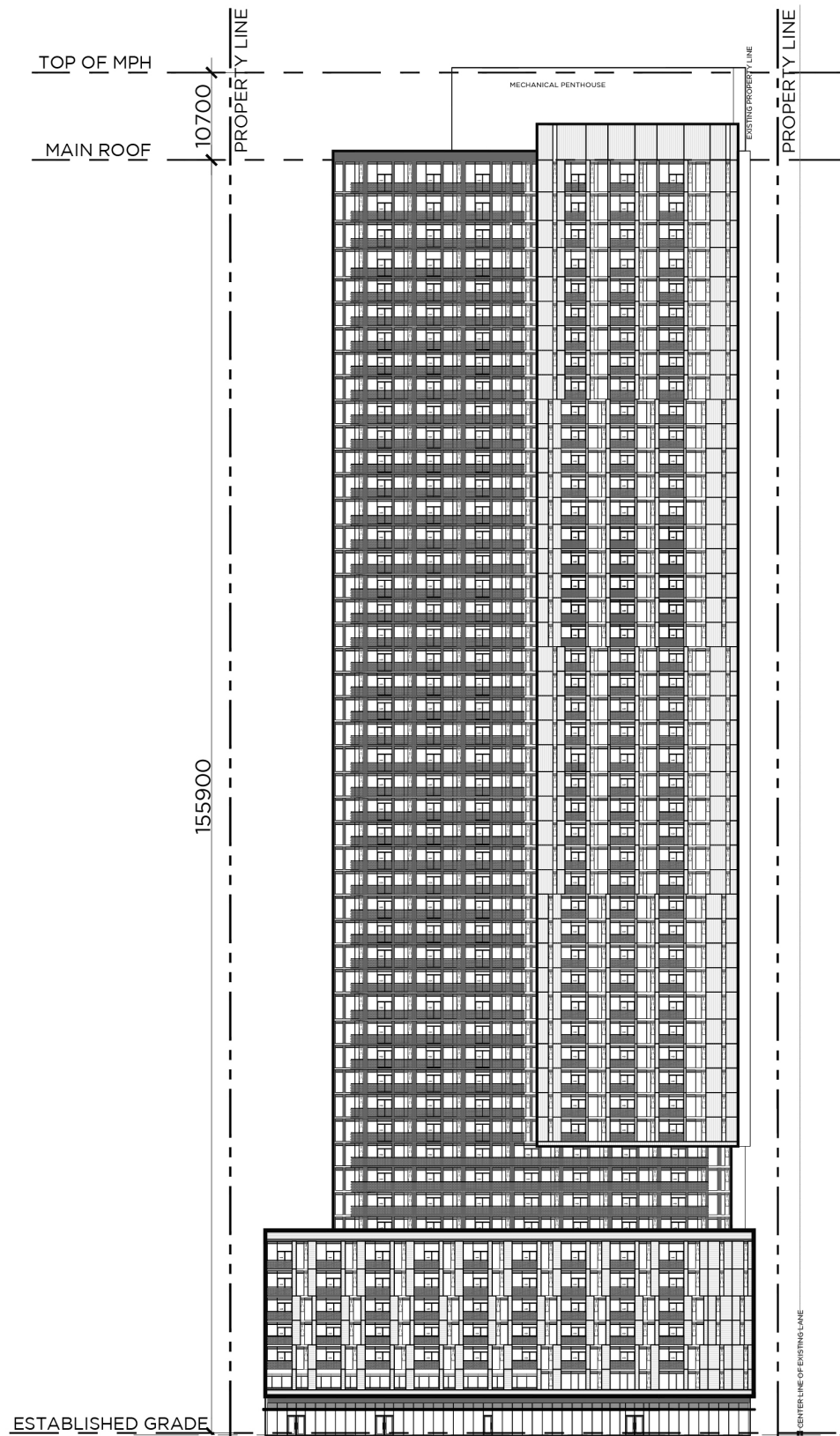


## Attachment 8B: East Elevation



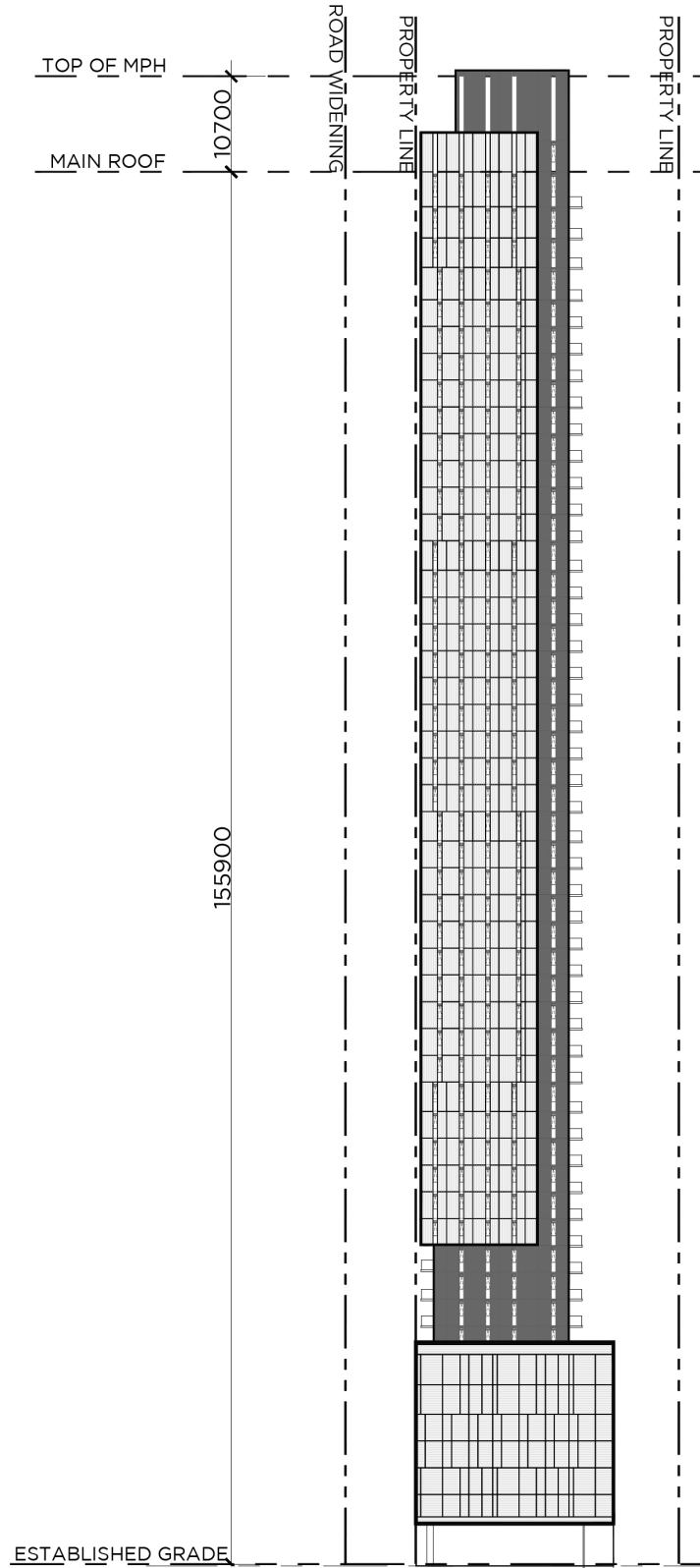
East Elevation

## Attachment 8C: South Elevation



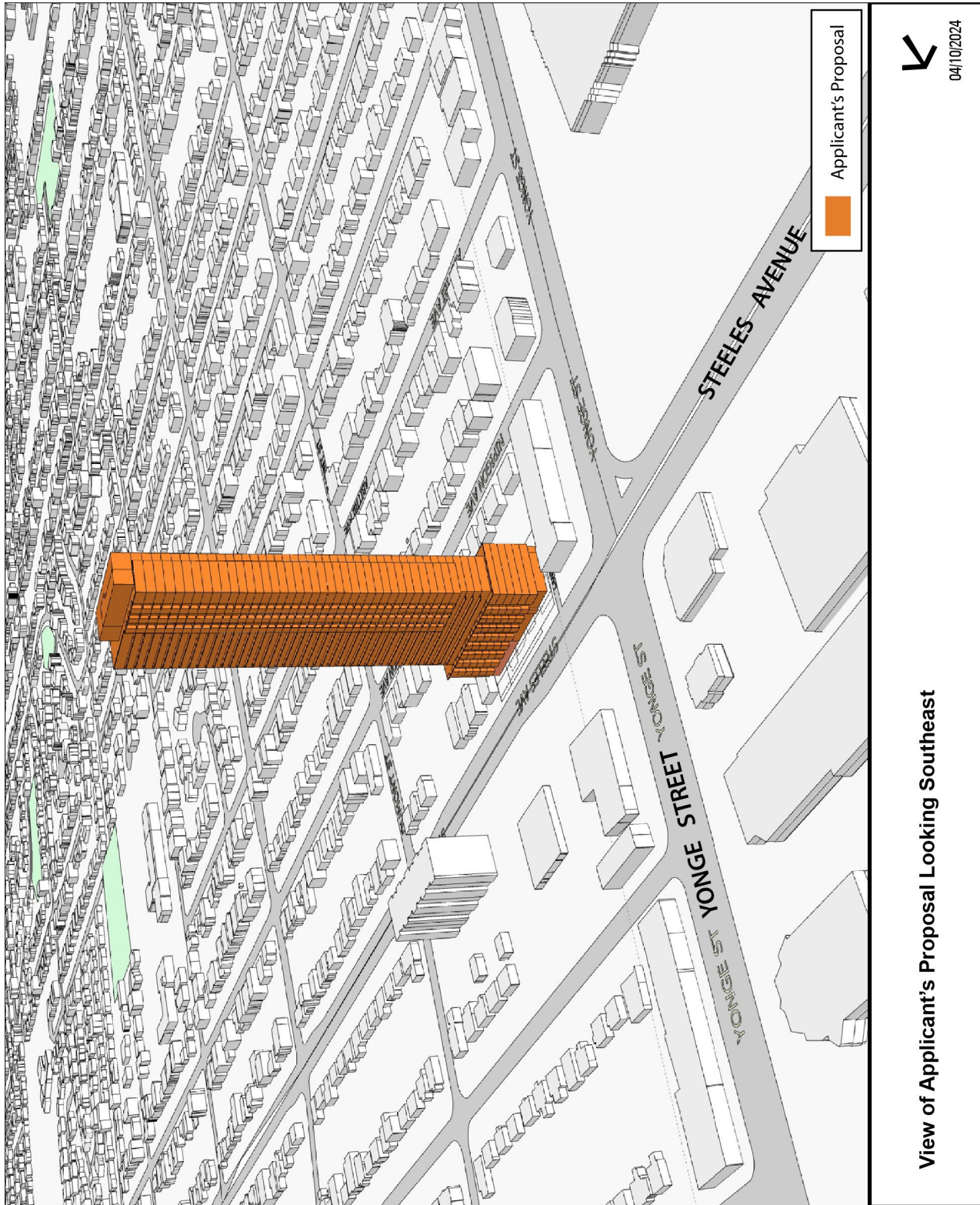
South Elevation

## Attachment 8D: West Elevation



West Elevation

## Attachment 9A: 3D Proposal in Context (Southeast View)



Attachment 9B: 3D Proposal in Context (Northwest View)

