

**2444 Yonge Street - Zoning By-law Amendment
Application - Preliminary Report**

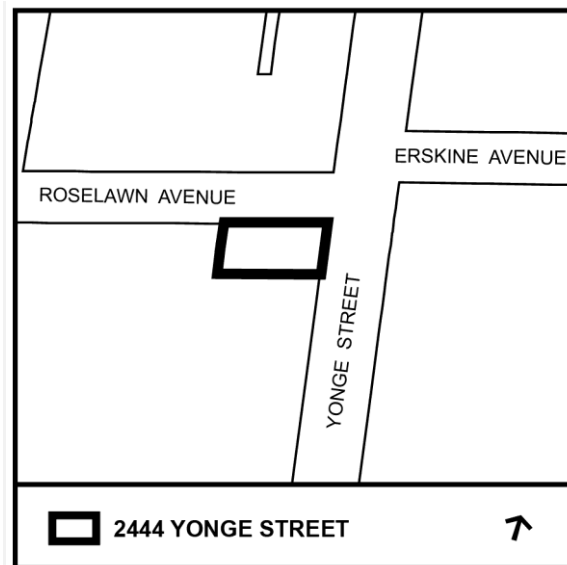
Date:	July 22, 2014
To:	North York Community Council
From:	Director, Community Planning, North York District
Wards:	Ward 16 – Eglinton-Lawrence
Reference Number:	14 158892 NNY 16 OZ

SUMMARY

This application proposes to amend the former City of Toronto By-law 438-86 and new City-wide By-law 569-2013 to permit a 5-storey commercial development consisting of 3,417.5 square metres of retail gross floor area on the first three floors and a 1,496.5 square metre restaurant on the fourth and fifth floor, including outdoor patio at 2444 Yonge Street. The proposed development would also incorporate of part of the existing Bank of Montreal 2-storey building in the Yonge Street frontage of the proposed building.

This report provides preliminary information on the above-noted application and seeks Community Council's directions on further processing of the applications and on the community consultation process.

Should the applicant provide any additional required information in a timely manner and address any issues identified as a result of review of this application, it is anticipated the Final Report will be presented to Community Council in the second quarter 2015.



RECOMMENDATIONS

The City Planning Division recommends that:

1. Staff be directed to schedule a community consultation meeting for the lands at 2444 Yonge Street together with the Ward Councillor.
2. Notice for the community consultation meeting be given to landowners and residents within 120 metres of the site.
3. Notice for the public meeting under the Planning Act be given according to the regulations of the Planning Act.

Financial Impact

The recommendations in this report have no financial impact.

PRE-APPLICATION CONSULTATION

Two pre-application consultation meetings were held in 2014 with regards to this proposal.

Heritage preservation of the existing Bank of Montreal building on site, a road widening along Yonge Street and public realm improvements were discussed as well as complete application requirements.

ISSUE BACKGROUND

Proposal

The application proposes to amend the former Toronto By-law 438-86 and the new City-wide By-law 569-2013 to permit a 5-storey (27 metre) midrise development comprised of retail and restaurant uses. The proposal includes the retention and incorporation of part of the existing Bank of Montreal 2-storey building along Yonge Street including the entire Yonge Street facade. The development would have a total gross floor area of 4913.5 square metres and a Floor Space Index (FSI) of 4.9. A total gross floor area of 3417.5 square metres would be comprised of retail uses on the ground floor, second floor, third floor and basement of the proposed building. The restaurant section would consist of a total gross floor area of 1496.5 square metres on the fourth and fifth floors and include an outdoor patio area on the fifth floor facing Yonge Street. A ground floor height of 6.6 metres is proposed. The ground floor of the proposed building where the existing Bank of Montreal building is retained, will be lowered to allow the main entrance to be accessible from the Yonge Street sidewalk.

Along the north and south of the proposed development the building setbacks are less than 1 metre. The existing Bank of Montreal building Yonge Street façade would remain in its current location and is setback 3.9 metres from the street. The proposed building is

setback from the retained portion of the existing building facing Yonge Street. The west side yard setback on the ground floor is proposed to be 6.2 metres. The proposed building projects over the front of the existing building beginning at the 3rd storey and over the rear lane to almost to the edge of the property line on the west side of the site beginning at the 2nd storey. The applicant has provided a landscape plan with proposed planting of street trees and shrubs along Roselawn Avenue and street tree planting along Yonge Street with a proposed patio and benches.

Access to servicing and loading spaces on site would be provided from Roselawn Avenue on a private lane to the rear of the proposed development. This lane also provides access to the rear of other sites to the south through a registered easement.

There is no vehicular parking proposed on site. Four bicycle spaces are proposed on the ground floor. Entrance to the retail and restaurant uses will be provided off of Yonge Street. Refer to Attachment No. 4 for project data.

Table 1 – Site Statistics

Total Gross Floor Area	4913.5 m ²
Retail Gross Floor Area	3417.5 m ²
Commercial Gross Floor Area	1496.5 m ²
Floor Space Index	4.9
Lot Coverage	77%
Parking	0
Bicycle Parking	8

Site and Surrounding Area

The site is located on the west side of Yonge Street at the southwest corner of Roselawn Avenue. The subject property has lot frontage of 21.34 metres on Yonge Street and a depth of 47.24 metres with a total lot area of 998 square metres. A two-storey Bank of Montreal building built in 1907 currently exists on the subject lands fronting on to Yonge Street. The building is not listed on the City of Toronto Inventory of Heritage Properties however, heritage staff have taken an interest in protecting portions of the building as it has historical value.

To the rear of the existing bank is a surface parking lot with access off of Roselawn Avenue. To the rear of the parking lot is a private lane which forms part of the site, with access off of Roselawn Avenue and provides access to the private rear lane portions of the sites to the south.

Surrounding uses are as follows:

North: Roselawn Avenue and beyond is a 2 storey commercial building (Sporting Life) and north of the Sporting Life is a mix of uses in buildings ranging from 1 to 3 storeys.

South: Immediately to the south of the subject site are 2 storey commercial buildings including a Future Shop.

East: Yonge Street and beyond between Broadway Avenue and Erskine Avenue are a mix of low and mid-rise commercial, mixed use and residential buildings along Yonge Street including a 5 to 7 storey mixed use building at 2401 Yonge Street. East of the Yonge Street frontage is an apartment neighbourhood containing apartment buildings ranging in height from approximately 10 to 20 storeys.

West: Immediately to the west of the subject site is a surface parking lot which is a part of 2400 Yonge Street and 3 two-storey residential dwellings that have been converted for office uses to the corner of Roselawn Avenue and Duplex Avenue on lands designated *Neighbourhoods* in the Official Plan.

Provincial Policy Statement and Provincial Plans

The Provincial Policy Statement (PPS), 2014 provides policy direction on matters of provincial interest related to land use planning and development. These policies support the goal of enhancing the quality of life for all Ontarians. Key policy objectives include: building strong healthy communities; wise use and management of resources and protecting public health and safety. The PPS recognizes that local context and character is important. Policies are outcome-oriented, and some policies provide flexibility in their implementation provided that provincial interests are upheld. City Council's planning decisions are required to be consistent with the PPS.

The Growth Plan for the Greater Golden Horseshoe provides a framework for managing growth in the Greater Golden Horseshoe including: directions for where and how to grow; the provision of infrastructure to support growth; and protecting natural systems and cultivating a culture of conservation. City Council's planning decisions are required to conform, or not conflict, with the Growth Plan for the Greater Golden Horseshoe.

Staff will review the proposed development for consistency with the PPS and for conformity with the Growth Plan for the Greater Golden Horseshoe.

Official Plan

The site is located on an *Avenue* and is designated *Mixed-Use Areas* in the Official Plan. It is also located in the Yonge-Eglinton Secondary Plan area. The private lane at the rear of the subject site is designated *Neighbourhoods*.

Avenues Policies

Avenues are considered important corridors along major streets where reurbanization is anticipated and encouraged to create new housing and job opportunities while improving the pedestrian environment, retail, and transit service for community residents. The Plan recognizes that the *Avenues* will be transformed incrementally, that each is different and that there is no one size fits all approach to reurbanizing them. Reurbanization of the

Avenues is subject to the policies of the Official Plan, including in particular the neighbourhood protection policies.

Public Realm and Built Form Policies

Built form policies of Section 3.1.2.2 seek to ensure that new development is located, organized and massed to fit harmoniously with the existing and/or planned context and will limit its impacts on neighbouring streets, parks, open spaces and properties. Among other things this harmony is achieved by: massing new buildings to frame adjacent streets in a way that respects the existing and/or planned street proportion; creating appropriate transitions in scale to neighbouring or existing planned buildings, providing for adequate light and privacy and adequately limiting any resulting shadowing of, and uncomfortable wind conditions, on neighbouring streets and properties.

Heritage Resources Policies

The heritage resource policies of Section 3.1.5 a) of the Official Plan provide that significant heritage resources will be conserved by listing properties of architectural and/or historic interest on the City's *Inventory of Heritage Properties*, designating them and entering into conservation agreements with owners of designated heritage properties. For heritage resources on the City's *Inventory of Heritage Properties*, Section 3.1.5.2 provides that these resources will be conserved and a Heritage Impact Statement required where development entails an amendment to the Official Plan and/or Zoning By-law.

Although the site is not listed or designated, a Heritage Impact Assessment was submitted with the application and is under review by City staff.

Mixed Use Areas Policies

A broad range of commercial, residential and institutional uses in single use or mixed-use buildings, as well as parks and open spaces and utilities are permitted within the *Mixed Use Areas* designation. The Plan notes that not all *Mixed Use Areas* will experience the same scale or intensity of development. Development in the *Mixed Use Areas* along the *Avenues* will generally be at a much lower scale than in the *Downtown* and most often at a lower scale than in the *Centres*.

Section 4.5.2 includes criteria for development in *Mixed Use Areas* to ensure, among other things, that the location and massing for new buildings achieves transitions between areas of different development intensity and scale, adequately limits shadow impacts on adjacent *Neighbourhoods*, and frames the edges of streets and parks with good proportion and maintain sunlight and comfortable wind conditions for pedestrians on adjacent streets, parks and open spaces;

The Official Plan is available on the City's website at:

http://www.toronto.ca/planning/official_plan/introduction.htm

Yonge-Eglinton Secondary Plan

The Yonge-Eglinton Secondary Plan provides a more detailed locally focussed policy framework for guiding growth and change in the Secondary Plan area. The general

policies of Section 2 establish the main objectives of the Secondary Plan in relation to land use, the nature and scale of development, transportation, urban form and public realm, community services, and parks and open spaces.

Section 2.4 provides that it is a primary objective to maintain and reinforce the stability of *Neighbourhoods* and to minimize conflicts among uses in *Mixed Use Areas*, *Neighbourhoods*, *Apartment Neighbourhoods* and *Parks and Open Space Areas* in terms of land use, scale and vehicular movement. Section 2.5 provides that the development of mixed use buildings in *Mixed Use Areas* will be encouraged to increase active pedestrian circulation at street level, and to increase housing opportunities for family and other households.

Section 2.7 outlines objectives aimed to ensure that the form of buildings promotes a compatible physical and land use relationship between development within the various land use designations and between sites in abutting land use designations, and that all buildings form a positive visual relationship to the street. Among other things it is the objective of the Secondary Plan, to maintain the existing scale of development within stable *Neighbourhoods* and protect such areas from overshadowing from buildings located in abutting *Mixed Use Areas* and to secure a transition in height and scale from developments in *Mixed Use Areas* to *Neighbourhoods* and in particular to those sites which abut a *Neighbourhood*.

The Secondary Plan recognizes the importance of higher order transit, existing and planned for Yonge/Eglinton, and Section 2.10 provides opportunity to consider reduced parking requirements for development in *Mixed Use Areas* which are in close proximity to subway and light rapid transit access. Improvements to the public realm are encouraged in association with all development and the *Parks and Open Space Areas* policies of Section 2.21 encourage the creation of interesting and engaging parks and open spaces that are safe, comfortable and accommodate people of all ages and abilities.

Section 4 of the Secondary Plan sets out the policies for *Mixed Use Areas*. These seek to ensure a compatible relationship of uses in *Mixed Use Areas* and residential uses in adjacent residential areas and that access points, the relationship of development to the sidewalk, and the location of walls, fences and trees enhance the quality of the streetscape.

The Yonge-Eglinton Secondary Plan is available on the City's website at: http://www.toronto.ca/planning/official_plan/pdf_secondary/21_yonge_eglinton_dec2010.pdf

Parks, Open Space and Streetscape Master Plan Study for Yonge-Eglinton

The City has initiated a Parks, Open Space and Streetscape Master Plan Study for the area, now called Midtown In Focus. The study area is generally focussed on the *Centre* in

the Yonge-Eglinton Secondary Plan area, but also includes streets and open spaces at the edge of the *Centre* including this site. The overall objective of the study is to develop a Parks, Open Space and Streetscape Master Plan which identifies the distinct character of the study area, and provides a public realm framework for the study area including guidelines for amenities that support pedestrians and block-by-block guidelines for open space. The study asks for widening of Yonge Street sidewalks in area through building setbacks. City staff are planning to take the Midtown In Focus Plan to Planning and Growth Management Committee in August 2014.

The subject site is located within the Master Plan Study Area.

Zoning

The site is subject to the former Toronto Zoning By-law 438-86 and the new city-wide By-law 569-2013.

Under the former Toronto Zoning By-law 438-86, the subject site is located in a Main Streets Commercial Residential Zone (MCR) and is zoned MCR T3.0 C2.0 R2.5. The Main Streets Commercial Residential Zone permits a variety of residential, retail and commercial uses on site. The zoning permits a height of 16 metres, a total density of 3.0 times the lot area, with a maximum non-residential density of 2.0 times the lot and a maximum residential density of 2.5 times the lot.

Street proportion and access to sunlight along Yonge Street is currently regulated in the Toronto Zoning By-law 438-86 by a 60 degree angular plane taken from a line 10 metres from the Yonge Street property line. Transition in scale along adjacent residential uses is regulated by a 60 degree angular plane taken from the lot line abutting a Residential district.

The site is located in a Commercial Residential zone in the City of Toronto Zoning By-law 569-2014 and is zoned CR3.0 (c2.0; r2.5) SS2 (x2432) (see Attachment 3). A wide range of residential, retail and commercial uses are permitted on the site. A maximum overall density of 3 times the area of the lot is permitted. For residential uses the maximum density permitted is 2 times the area of the lot and the maximum density for commercial and retail uses is 2.5 times the area of the lot. The maximum building height permitted is 16 metres.

The lane at the rear of the site is designated Residential (R2 Z1.0) in the former City of Toronto Zoning By-law and Residential Zone (R (d1.0)(x768)) in the City-wide Zoning By-law 569-2013. Both designations permit residential dwelling units.

Site Plan Control

A Site Plan Control application is required. The applicant has not submitted a Site Plan Control application at this time.

Tree Preservation

The applicant has submitted an Arborist Report and a Tree Preservation Plan for review by Urban Forestry staff. The report identifies that there are a total of 4 City owned trees that will be required to be removed. The City requires that 4 new trees be planted on City property to replace these trees.

Heritage Matters

The ownership of the subject property was transferred from the Bank of Montreal to its current owner by KCAP Roselawn Inc. on April 22, 2014. Although the site is not listed on the City's *Inventory of Heritage Properties*, City staff have identified the existing building to be of heritage interest with heritage value. The applicant has submitted a Heritage Impact Assessment for review with this application.

Reasons for the Application

An application to amend the former City of Toronto By-law 438-86 and new City-wide By-law 569-2013 is required to increase the permitted height and density as well as to amend other applicable zoning standards such as parking.

COMMENTS

Application Submission

The following reports/studies were submitted with the application:

Urban Design and Planning Rationale
Environmental Noise and Vibration Impact Study
Stage 1 Archeological Assessment
Functional Servicing Report
Green Standard Checklist
Arborist Report
Heritage Impact Assessment
Stormwater Management Report
Parking and Loading Study
Phase 2 Environmental Soil & Groundwater Investigation
Shadow Study.

A Notification of Complete Application was issued on June 18, 2014.

Issues to be Resolved

The site is on an Avenue in a *Mixed Use* and *Neighbourhoods* (rear lane) designation and in the Yonge Eglinton Secondary Plan. The site abuts a *Neighbourhoods* designation to the west.

On a preliminary basis, the following issues have been identified:

- Conformity with the planning framework for Yonge-Eglinton such as: the urban structure, neighbourhood, public realm, built form, heritage, and *Mixed-Use Area* policies of the Official Plan and the Yonge-Eglinton Secondary Plan;
- Appropriateness of massing and density and transition of the development in relation to its location adjacent to a *Neighbourhoods* designation of lower scale and density;
- Impacts of shadowing on neighbouring properties and streets;
- Design of the development in relation to the moves, strategies, initiatives and actions emerging from the Midtown In Focus Parks, Open Space and Streetscape implementation strategy for high quality parks, public buildings and accessible open spaces;
- Suitability of the proposed servicing, laneway, no parking and vehicular and pedestrian circulation on the lot;
- Treatment and retention of the Bank of Montreal building and the proposed building mass and facade with regards to heritage preservation and heritage value; and
- Identification of public benefits and mechanisms for securing them pursuant to Section 37 of the *Planning Act*.

The TGS Checklist has been submitted by the applicant and is currently under review by City staff for compliance with the Tier 1 performance measures.

Additional issues may be identified through the review of the application, agency comments and the community consultation process.

CONTACT

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 E-mail: vcovell@toronto.ca

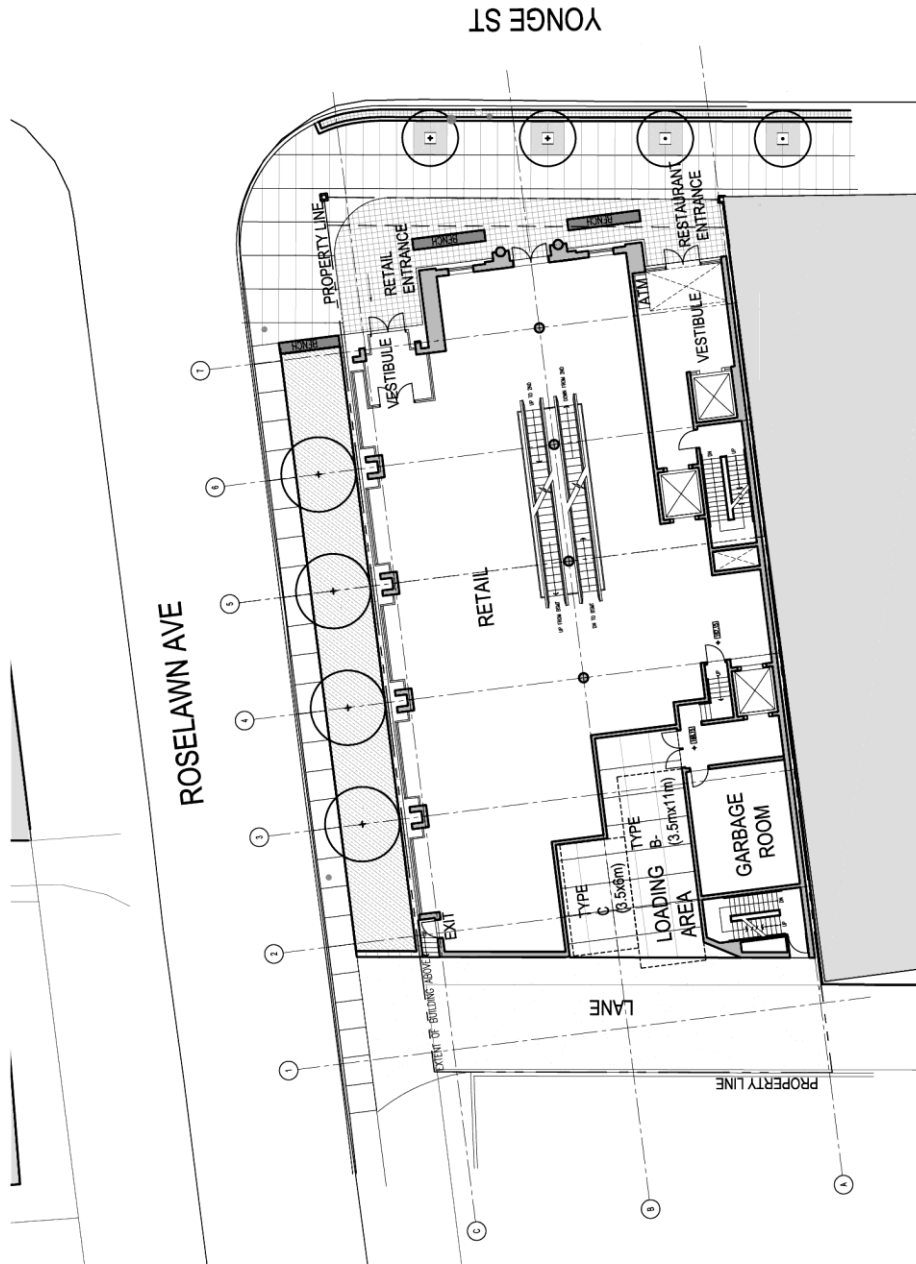
SIGNATURE

Allen Appleby, Director
 Community Planning, North York District

ATTACHMENTS

Attachment 1: Site Plan
 Attachment 2: Elevations
 Attachment 3: Zoning
 Attachment 4: Application Data Sheet

Attachment 1: Site Plan



2444 Yonge Street

File # 14 158892 NNY 16 0Z

Site Plan

Applicant's Submitted Drawing

Not to Scale
07/03/2014

Attachment 2: Elevations



Elevations

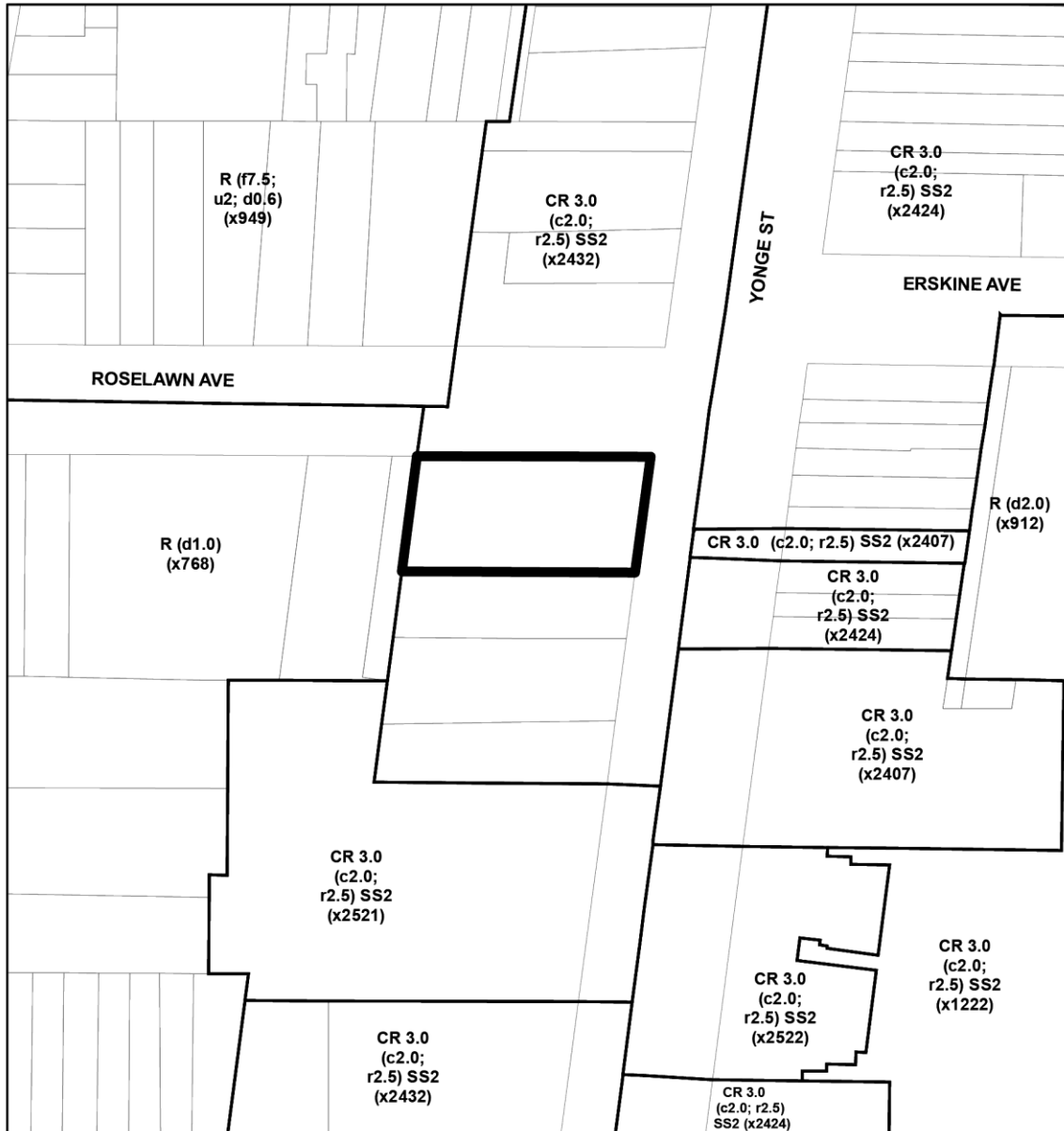
Applicant's Submitted Drawing

Not to Scale
07/03/2014

2444 Yonge Street

File # 14 158892 NNY 16 0Z


Attachment 3: Zoning



Zoning By-law 569-2013

2444 Yonge Street

File # 14 158892 NNY 16 0Z

 Location of Application

R Residential

CR Commercial Residential



Not to Scale
Extracted: 07/03/2014

Attachment 4: Application Data Sheet

Application Type	Rezoning	Application Number:	14 158892 NNY 16 OZ
Details	Rezoning, Standard	Application Date:	May 20, 2014

Municipal Address: 2444 YONGE STREET
 Location Description: PLAN 734 PT LOTS 1 & 2 **GRID N1606
 Project Description: Zoning Amendment application to permit 5-storey commercial development consisting of 3,417.5 square metres of retail gross floor area on the first three floors and a 1,496.5 square metre restaurant on the fourth and fifth floor, including outdoor patio.

Applicant:	Agent:	Architect:	Owner:
Robert Glover Bousfields Inc. 3 Church Street, Unit 200 Toronto, ON M5E 1M2		Diamond Schmitt Architects 384 Adelaide Street West, Suite 300, Toronto, ON M5V 1R7	KCAP Roselawn Inc. 45 St. Clair West, Suite 1001 Toronto, Ontario M4V 1K9

PLANNING CONTROLS

Official Plan Designation:	Mixed Use Areas	Site Specific Provision:	N
Zoning:	CR (c2.0 r2.5 SS2 (x2432) & R(d1.0)(x768)	Historical Status:	N
Height Limit (m):	16	Site Plan Control Area:	Y

PROJECT INFORMATION

Site Area (sq. m):	771.5	Height:	Storeys:	5	
Frontage (m):	21.3		Metres:	27	
Depth (m):	47.2				
Total Ground Floor Area (sq. m):	771.5				Total
Total Residential GFA (sq. m):	0		Parking Spaces:	0	
Total Non-Residential GFA (sq. m):	4914		Loading Docks	0	
Total GFA (sq. m):	4914				
Lot Coverage Ratio (%):	77.3				
Floor Space Index:	4.92				

DWELLING UNITS

Tenure Type:		
Rooms:	0	
Bachelor:	0	
1 Bedroom:	0	
2 Bedroom:	0	
3 + Bedroom:	0	
Total Units:	0	

FLOOR AREA BREAKDOWN (upon project completion)

		Above Grade	Below Grade
Residential GFA (sq. m):	0	0	0
Retail GFA (sq. m):	3417.5	0	0
Office GFA (sq. m):	0	0	0
Industrial GFA (sq. m):	0	0	0
Restaurant GFA (sq. m):	1496.5	0	0

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