

**197, 197R, 199 and 201 Yonge Street - Official Plan
Amendment and Zoning Amendment Applications -
Preliminary Report**

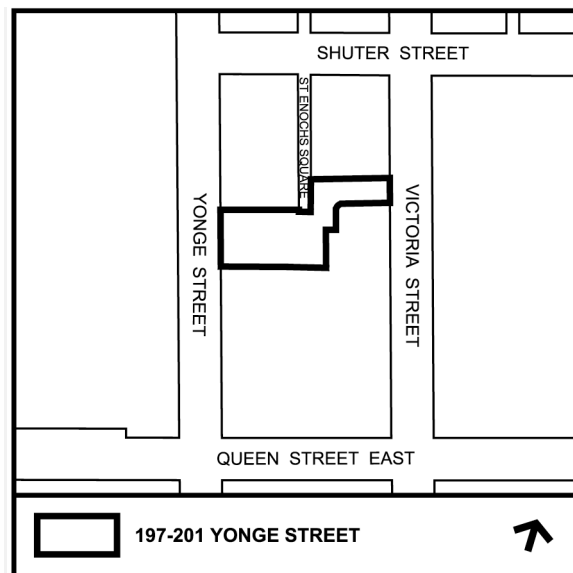
Date:	April 12, 2012
To:	Toronto and East York Community Council
From:	Director, Community Planning, Toronto and East York District
Wards:	Ward 27 – Toronto Centre-Rosedale
Reference Number:	12 133580 STE 27 OZ

SUMMARY

This application proposes to re-develop the lands for the purposes of a mixed use building and to retain the front portion of the existing heritage structure. Included in the proposal is a 60-storey (207 metre) residential tower to the rear of the heritage building. The proposed podium is 9-storeys and contains the lobby to be located within the heritage building, above grade parking, amenity uses and retail uses at grade in the area currently used as private open space adjacent the heritage building on the north side. There are 116 above grade parking spaces proposed. One below grade level is proposed to include mechanical and service areas and bicycle parking.

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

The next step is to conduct a community consultation meeting to allow the public to review the application and provide feedback.



RECOMMENDATIONS

The City Planning Division recommends that:

1. Staff be directed to schedule a community consultation meeting for the lands at 197, 197R, 199 and 201 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 under the Planning Act.

Financial Impact

The recommendations in this report have no financial impact.

DECISION HISTORY

The subject site is situated in the middle of an area known as the "Theatre Block" bounded by Queen Street on the south, Victoria Street on the east, Shuter Street on the north and Yonge Street on the west. The Theatre Block was named due to the location of the Elgin and Winter Garden Theatre and Massey Hall each of which is designated a Canadian National Historic site and is included on the City's Inventory of Heritage Properties. A site specific policy was approved by City Council in October 1988 as Amendment No. 476 to the Official Plan and currently in the Official Plan as Site Specific Policy No. 174. The policy recognizes the unique significance of the historic buildings within the block including the theatres and encourages the development of uses and facilities that are complementary to the theatre and performing arts uses. At the time the policy was drafted the City of Toronto owned the Bank of Toronto building at 205 Yonge Street. The policy encourages consideration of the City owned lands for an interior public space that would act as a cultural centre to the block.

Pre-Application Consultation

Pre-application consultation meetings were held on April 8, 2011, May 25, 2011 and November 10, 2011 with the applicant. At the meeting of April 18, 2011 the applicant described the proposal as a 61-storey tower including 55 storeys of residential above a 6-storey podium that would include the heritage bank building and above grade parking. The second floor of the development was proposed as an interconnection between Yonge Street, Victoria Street and Shuter Street that would extend between the proposed development and Massey Hall. The connection was proposed to contain commercial uses and would connect directly to a small theatre addition to the rear (south side) of Massey Hall. St. Enoch's lane would be enclosed above grade to provide a continuous pedestrian route to the front of Massey Hall on Shuter Street. During the meeting staff expressed concerns regarding the height, adjacency to the north and south, setbacks on each side of the site, the potential encroachment into the flight path for St. Michael's Hospital, heritage retention of the designated historic building, traffic and loading.

At the meeting of May 25, 2011 the applicant again outlined the proposal as described at the meeting of April 8, 2011. During this meeting staff also noted that an Official Plan Amendment would be required to address Site Specific Policy 174. The issues expressed at the previous meeting were reiterated including height, adjacency to the north and south, setbacks on each side of the site, the potential encroachment into the flight path for St. Michael's Hospital, heritage retention of the designated historical building, traffic and loading. Additional issues identified included shadow, wind, a direct connection to the subway should be explored given the immediate proximity to the Queen Street subway platform, a limiting distance agreement would be required to address the adjacency particularly to the south.

At the meeting of November 10, 2011 the applicant noted that the proposal had changed in that the second floor connection to Massey Hall was no longer included, the proposal would be a stand-alone residential tower with above grade parking and retention of the front 7 metres of the heritage building. The applicant noted that a limiting distance agreement would not be forthcoming to address the Heintzman building to the south as it is a heritage building and would not be redeveloped. The applicant also noted that the shape of the building would change with a notch at the north west corner to reflect the location of the flight path. The applicant was reminded of the concerns expressed at the previous meetings particularly the concerns regarding adjacency.

ISSUE BACKGROUND

Proposal

The applicant is proposing to construct a 60-storey (208.29 metres including mechanical penthouse and parapet, 194.29 metres excluding mechanical penthouse and parapet) mixed-use building with a 9-storey podium. The front 7 metres of the vacant Canadian Imperial Bank of Commerce building on site is to be rehabilitated and incorporated into the new development. The rear portion of the building that contains the former banking hall is to be demolished.

The 4-storey portion of the Bank of Commerce building is to serve as the residential lobby. North of the bank building on the existing private open space the ground floor and second floor of the podium will contain retail space with music practice studios also on the second floor. Floors 3 to 8 are to be set back from Yonge Street behind the bank building, and are proposed to contain the parking levels to be served by an automated parking stacker. The podium also includes one below-grade level which will contain bicycle parking spaces and mechanical and service areas.

The proposed development contains a total of 687 residential units including 142 bachelor units (21%) 435 one-bedroom units (63%), 52 two-bedroom units (7.5%) and 58 three-bedroom units (8.5%).

The applicant proposes a total of 116 parking spaces including five car share spaces in a six-level automated parking stacker located on floors 3 through 8 of the podium. One Type G loading space is to be located at the northern side of the proposed Victoria Street

driveway adjacent to the rear of Massy Hall which will service the residential and retail uses within the building. An additional loading area is proposed behind the podium to service the adjacent Heintzman Building. This loading area may also be used on a shared basis by the proposed building. Vehicular access for parking and servicing will be gained at Victoria Street which will be linked to the existing north-south public lane (St. Enoch's Square), which allows for forward-only motion through the interior of the block. A total of 200 bicycle parking spaces are also to be provided in the below-grade level of the podium.

The proposed building has a total gross floor area of 49,005 square metres, with 48,185 square metres of residential gross floor area and 820 square metres of non-residential gross floor area. A total of 1,089 square metres of indoor amenity space and 476 square metres of outdoor amenity space are proposed. The amenity space is to be contained within floors 9 and 10 of the building. The average size of the floorplate for the tower is 854 sq.m. The shape of the tower has been configured to address the flight path for St. Michaels Hospital by diagonally shaping the north west corner of the tower.

There is an existing stairwell for 205 Yonge Street toward the rear of the building that encroaches into the subject site approximately 1.7 metres. The proposed setbacks for the north side of the subject site include setbacks to the stairwell as well as setbacks to the property line. The setbacks below to the west and south side describe the new construction and do not include the existing heritage structure that will remain. The setbacks for each side of the subject site are as follows (all numbers are minimums and from the property line except for the north side as noted):

North Setback (205 Yonge Street)	Setback to the Property Line:	Setback to the stairwell:
	<ul style="list-style-type: none"> • 2.0 metres to the podium levels 1 to 5 • 0 metres to the podium level 6 to 10 • 0 metres to the tower 	<ul style="list-style-type: none"> • 1.4 metres minimum to the podium levels 1 to 5 • 0.8 metres to the podium levels 6 to 10 • 0.2 metres to the tower
South Setback (193 Yonge Street)	1.4 metres to the podium levels 1-10 0 metres to the tower	
East Setback (Elgin Theatre/ Winter Garden)	3.4 metres to the podium levels 1-4 0 metres to the podium levels 5- 9 1 metre to the podium level 10 0 metres for tower	
West Setback (Yonge St)	1.6 metres to the podium levels 1-2 (new construction only) 9.9 metres to the podium levels 3-9 (new construction only) 9 metres to the podium level 9 and 10 7 metres to the tower	

Site and Surrounding Area

The site is located on the east side of Yonge Street, in the block north of Queen Street, and extends through the block with additional frontage on Victoria Street. The property is located in the Downtown Yonge Business Improvement Area and Yonge Street Community Improvement Plan. The subject site is 1873.4 square metres in size with frontage of 26.98 metres along Yonge Street and 11.89 metres along Victoria Street.

The southern part of the Yonge Street frontage is currently occupied by the heritage designated Canadian Imperial Bank of Commerce building, and north of this building is a parcel of open space. The rear portion of the site is currently occupied by a surface parking lot, with access from Victoria Street.

The surrounding uses are as follows:

South: the 8-storey Heintzman Building, a designated heritage building. Further south is the Elgin and Winter Garden Theatre, which is also a designated heritage building.

East: the east side of the site is bounded by Victoria Street, and beyond which is St Michael's Hospital, a complex of buildings that rises to 16-storeys in height.

North: the Bank of Toronto building at 205 Yonge Street, a designated heritage building. Further north is an 11-storey residential building at 209 Yonge Street. Immediately north of the Victoria Street frontage is Massey Hall, a designated heritage concert hall.

West: the west side of the site is bounded by Yonge Street. Further to the west is the Toronto Eaton Centre, combining a shopping mall and three office towers of 142 metres, 151 metres and 111 metres in height.

Provincial Policy Statement and Provincial Plans

The Provincial Policy Statement (PPS) provides policy direction on matters of provincial interest related to land use planning and development. The PPS sets the policy foundation for regulating the development and use of land. The key objectives include: building strong communities; wise use and management of resources; and protecting public health and safety. 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 designated “Mixed Use Areas” on Map 18 – Land Use Plan in the Official Plan. This designation permits a range of residential, commercial and institutional uses. The Plan includes criteria that direct the form and quality of development in this land use designation. The criteria state that new buildings provide a transition between areas of different intensity and scale, including a stepping down of heights towards lower scale neighbourhoods; minimize shadow impacts and provision of an attractive, safe and comfortable pedestrian environment.

The Official Plan also contains Site Specific Policy 174 which applies to 197 Yonge Street. This policy provides specific wording in addition to the policies in Section 3.1, Built Environment that requires the following:

This application will be reviewed against the policies in the Official Plan including those in the “Downtown”, “Public Realm”, and “Built Form” sections of the Plan. (www.toronto.ca/planning/official_plan/introduction.htm).

Compliance with other relevant policies of the Official Plan including the environment and transportation will also be addressed.

Zoning

The west half of the site is zoned CR T6.0 C4.5 R6.0 under Zoning By-law 438-86, with a height limit of 46 metres. The eastern half of the site is zoned CR T7.8 C4.5 R7.8 with a height limit of 61 metres. The site is also subject several permissive and restrictive exceptions, including Section 12(2)259, which requires that 60% of the Yonge Street frontage of the site be used for street-related retail and service uses. Section 12(2)260 imposes a 60 degree angular plane above 28 metres on the Yonge Street frontage.

Tall Building Guidelines

Toronto City Council approved the use of the document, “Design Criteria for Review of Tall Building Proposals” in June, 2006 and in April, 2010 extended authorization of its use. A tall building is generally defined as a building that is taller than the road right-of-way adjacent to the site. In this case, the right-of-way for Charles Street East between Yonge Street and Church Street is 20 metres wide and as such, the proposed building at 186 metres in height is considered a tall building. The Design Criteria provide policy recommendations for tall buildings on issues of building placement and orientation, entrances, heritage conservation, massing of base buildings, tower floorplates, separation distances, pedestrian realm considerations, sustainable design and transition. This document will be used to assess the proposed building.

The City’s “Design Criteria for Review of Tall Building Proposals” can be found on the City’s website at: <http://www.toronto.ca/planning/urbdesign/index.htm>.

Site Plan Control

The proposed development is subject to site plan control. An application for Site Plan Approval has not been submitted but will be required.

Reasons for the Application

The proposal requires an Official Plan Amendment to address Area-Specific Policy 174. Section (b)(i)(b) of Policy 174 states that the scale of new buildings shall be consistent with the height limits within the area.

The proposal requires a Zoning By-law Amendment to permit the proposed height and density and to revise other development regulations as necessary to accommodate the proposal.

COMMENTS

Application Submission

The following reports/studies were submitted with the application: Planning and Urban Design Rationale Report, Sun/Shadow Study, Community Services and Facilities Study, Green Development Standard Checklist, Noise Impact Study, Pedestrian Wind Study, Vibration Study, Transportation Impact Study, Functional Servicing and Stormwater Management Report, Geotechnical Investigation Report, Archaeological Assessment and Heritage Impact Statement.

City staff are reviewing the application for completeness.

Issues to be Resolved

The preliminary issues identified with the proposal, in particular the adjacency issues to the north and particularly the south side of the site and accommodating the proposed height and density on this site, are significant. Additional issues may be identified through the review of the application, agency comments and the community consultation process. Planning staff will work with the applicant, the community and the Ward Councillor towards an acceptable application that staff can recommend. Modifications to the proposal should be made in order to address the following issues:

1. consistency with the Provincial Policy Statement and the Growth Plan for the Greater Golden Horseshoe;
2. conformity with Official Plan policies, particularly with respect to the sections on built form, housing, and transportation;
3. conformity with the Design Criteria for Review of Tall Building Proposals, including the sections on separation distances, transition in scale, adjacency issues, pedestrian realm and sustainable design;

4. height, density and transition of scale of proposal particularly in the context of Site Specific Policy 174;
5. other built form and massing issues including, but not limited to: sky view, light penetration, shadowing, adherence to the Bird Friendly Urban Design Guidelines, continuous weather protection around the site and wind mitigation;
6. setbacks of the tower particularly adjacency concerns with properties to the north and south;
7. mix of uses on the site, particularly within the podium;
8. heritage retention and preservation of the existing bank building and the relationship of the new development to other heritage properties within the block;
9. provision of above grade parking which is not permitted by Zoning By-law 438-86;
10. provision of reduced on-site vehicular parking including impacts on the supply of on-street parking in the area;
11. mix of unit sizes particularly the provision of family size units (3-bedroom or larger);
12. appropriate servicing to accommodate the proposed development;
13. noise and vibration abatement measures proposed for the site given the proximity to the Yonge Street subway;
14. consideration of the height and massing of the building in light of the flight path for St. Michaels Hospital;
15. assessment of traffic generation, access and transportation particularly the impact on the shared access and the laneway (St. Enoch's Lane) and direct access to the Yonge Street subway given the proximity to the Queen Street subway station;
16. PATH connections given the scale of the proposed development;
17. treatment of the ground floor of the building and its relationship to the Yonge Street streetscape;
18. adequacy of type and amount of amenity area proposed in relation to the zoning by-law requirements;
19. identification and securing of public benefits pursuant to Section 37 of the *Planning Act* should the proposal be recommended for approval; and

20. compliance with the Tier 1 performance measures of the Toronto Green Standard.

CONTACT

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SIGNATURE

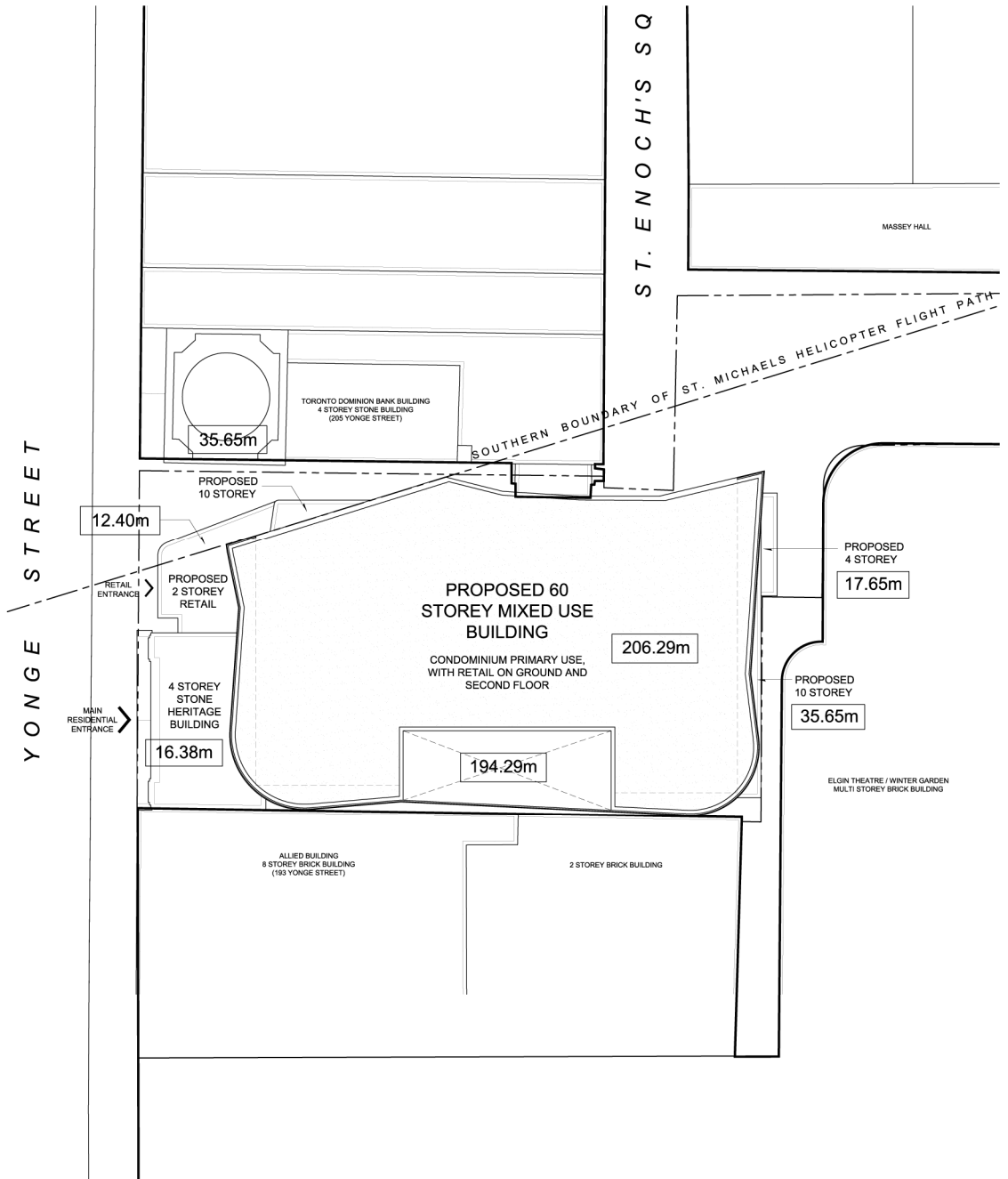
Raymond David, Director
Community Planning, Toronto and East York District

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ATTACHMENTS

Attachment 1: Site Plan
Attachment 2: West and East Elevations
Attachment 3: South Elevation
Attachment 4: North Elevation
Attachment 5: Zoning
Attachment 6: Official Plan
Attachment 7: Application Data Sheet

Attachment 1: Site Plan



Site Plan

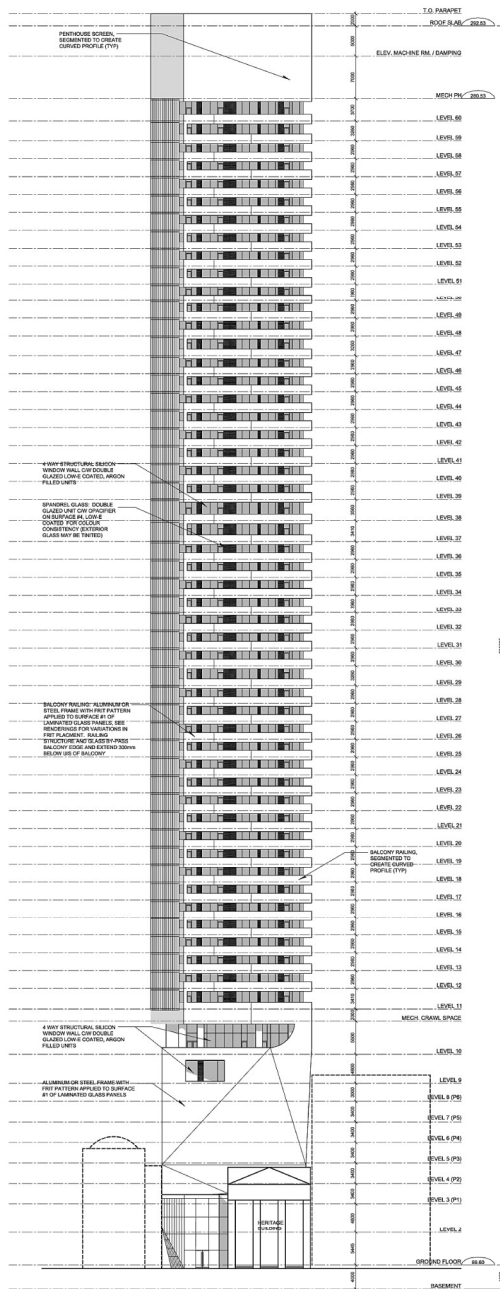
197-201 Yonge Street

Applicant's Submitted Drawing

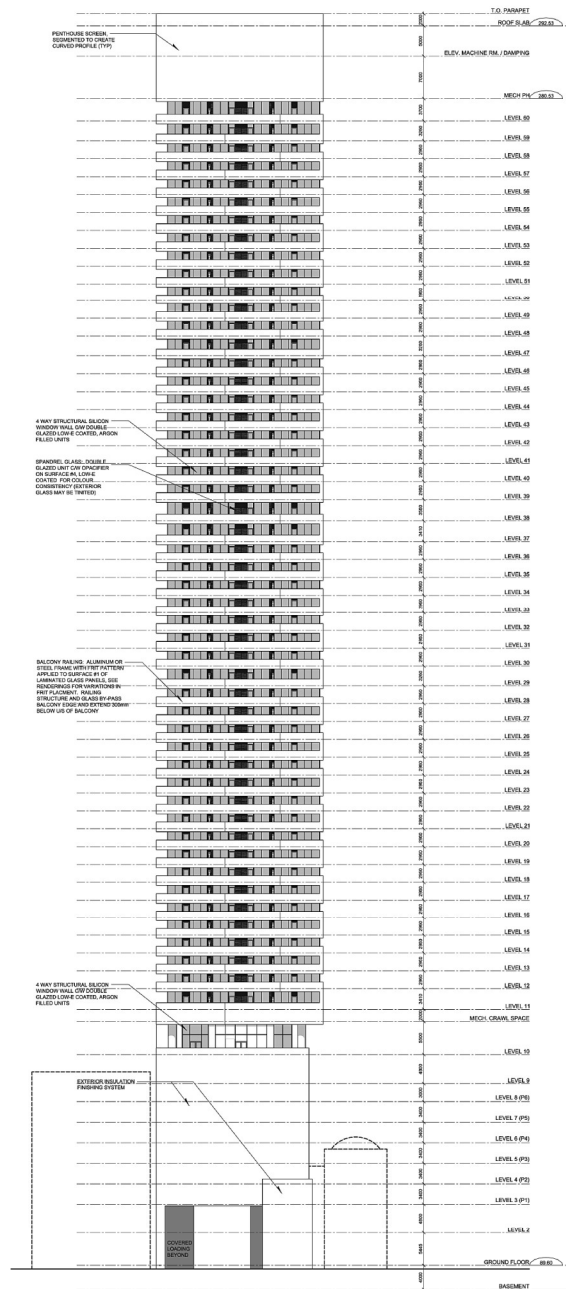
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File # 12 133580 0Z

Attachment 2: West and East Elevations



West Elevation



East Elevation

Elevations

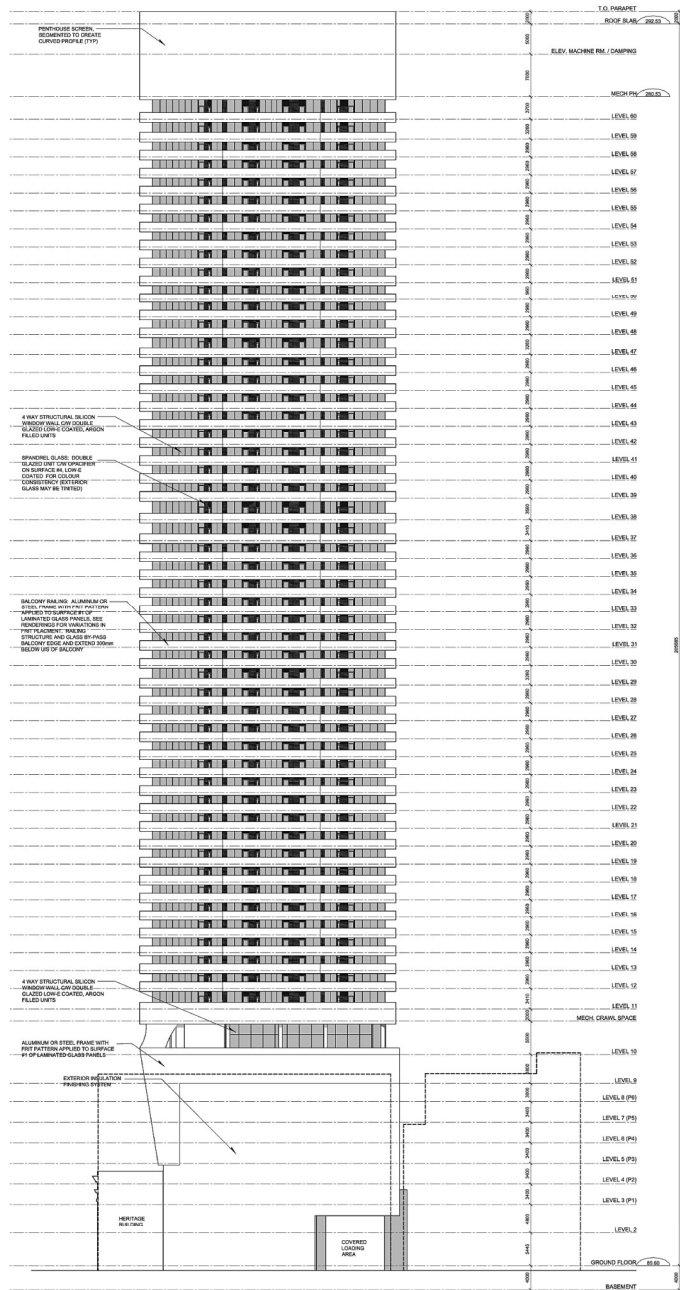
Applicant's Submitted Drawing

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04/18/2012

197-201 Yonge Street

File # 12 133580 02

Attachment 3: South Elevation



South Elevation

Elevations

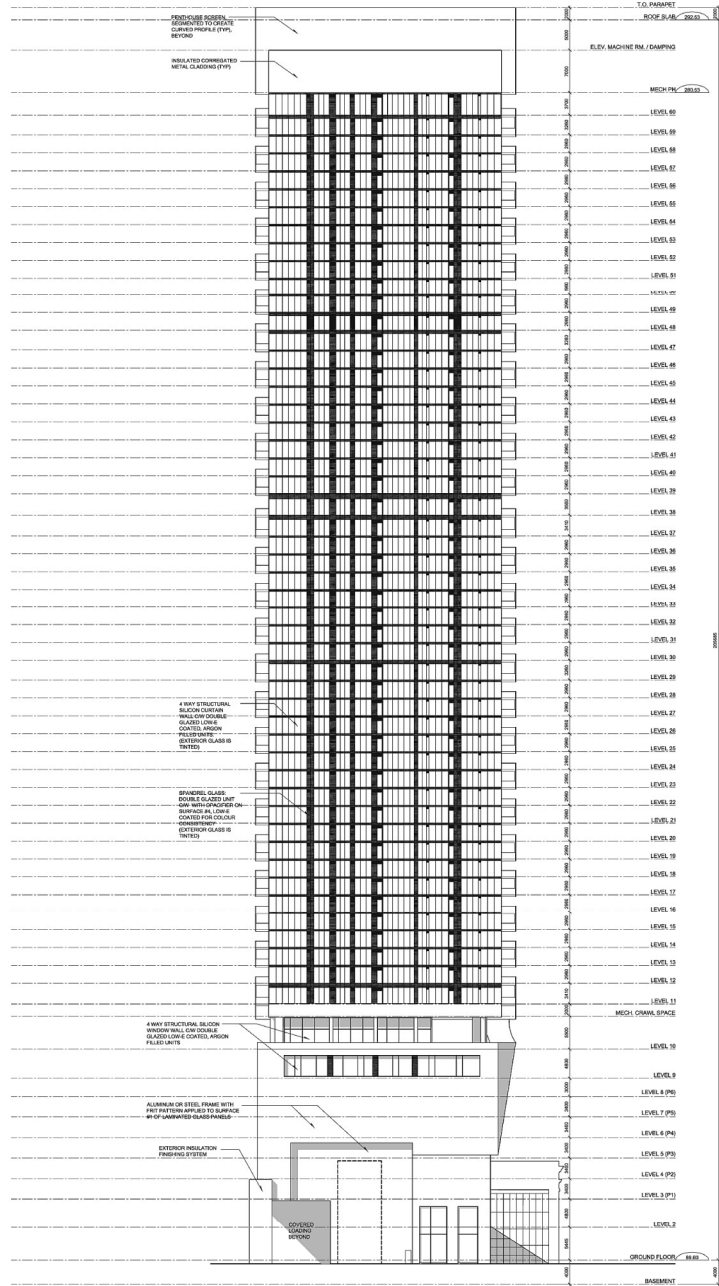
Applicant's Submitted Drawing

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04/18/2012

197-201 Yonge Street

File # 12 133580 02

Attachment 4: North Elevation



North Elevation

Elevations

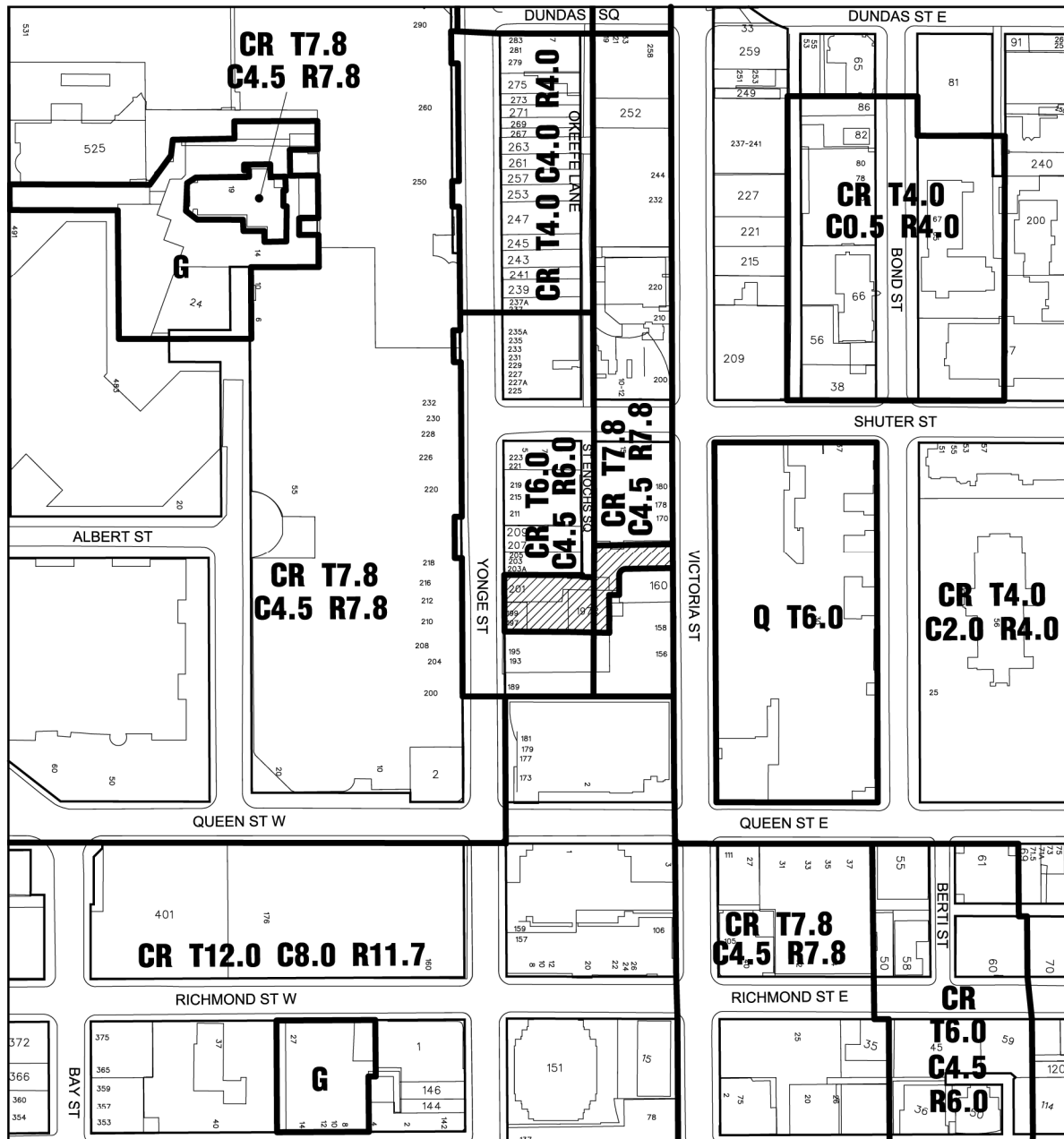
Applicant's Submitted Drawing

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04/18/2012

197-201 Yonge Street

File # 12 133580 02

Attachment 5: Zoning



197-201 Yonge Street

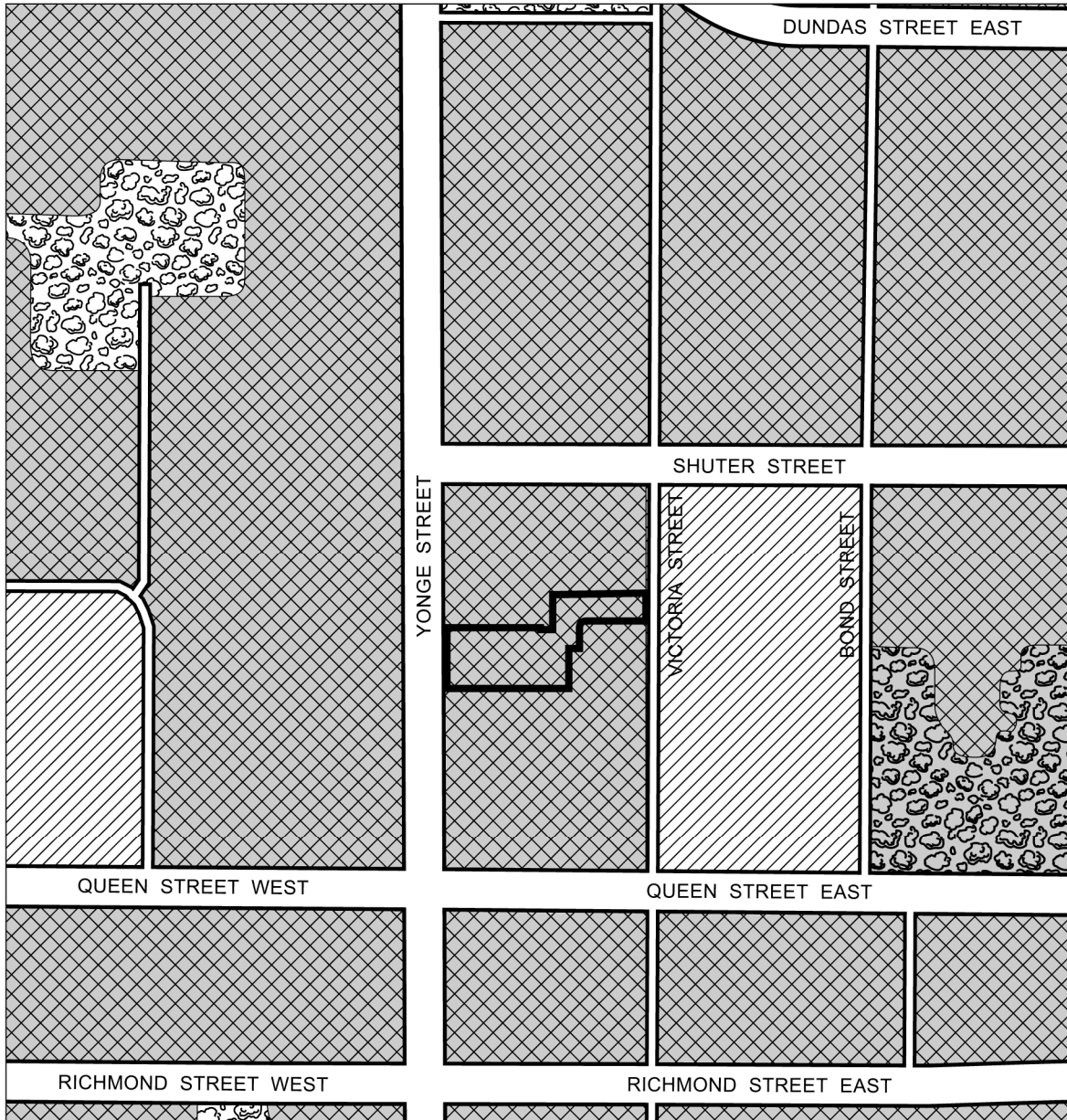
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- CR Mixed-Use District
- Q Mixed-Use District
- G Parks District



Not to Scale
Zoning By-law 438-86 (as amended)
Extracted 04/18/2012

Attachment 6: Official Plan



Not to Scale
04/18/2012

Attachment 7: Application Data Sheet

Application Type: Official Plan Amendment & Rezoning
 Details: OPA & Rezoning, Standard
 Application Number: 12 133580 STE 27 OZ
 Application Date: March 7, 2012

Municipal Address: 197, 197R, 199, 201 YONGE STREET
 Location Description: CON 1 FB PT PARK LOT 8 **GRID S2714
 Project Description:

Official Plan and Zoning by Law Amendment application to permit the re-development of the lands for the purposes of a new mixed use building. The application proposes to retain the front portion of the existing heritage building (Bank Building) on the premises. Included in the proposal is a 60-storey (207 metre) residential tower containing 687 dwelling units to the rear of the heritage building. The proposed podium is 9-storey's containing the lobby to be located within the heritage building, above grade parking (floors 3 to 8), amenity uses (floors 9 and 10) and retail uses at grade in the area currently used as private open space adjacent the heritage building on the north side. There are 116 above grade parking spaces proposed. One below grade level is proposed to include mechanical and service areas and bicycle parking.

Applicant:	Agent:	Architect:	Owner:
GOODMANS LLP 333 Bay Street Suite 3400 Toronto, ON M5H 2S7		HARIRI PONTARINI ARCHITECTS 602 King Street West Toronto, ON M5V 1M6	MOD DEVELOPMENTS (197 YONGE)INC. 1067 Yonge Street Toronto, ON M4W 2L2

PLANNING CONTROLS

Official Plan Designation:	Mixed Use Areas	Site Specific Provision:	Y
Zoning:	CR T6.0 C4.5 R6.0 (west side) CR T7.8 C4.5 R7.8 (east side)	Historical Status:	Y
Height Limit (m):	46 metres (west side) 61 metres (east side)	Site Plan Control Area:	Y

PROJECT INFORMATION

Site Area (sq. m):	1,873.4	Height:	Storeys:	60
Frontage (m):	26.98		Metres:	206.29 (including mechanical and parapet)
Depth (m):	77.21 (irregular)			
Total Ground Floor Area (sq. m):	662.45			Total
Total Residential GFA (sq. m):	48,185.38		Parking Spaces:	116
Total Non-Residential GFA (sq. m):	819.71		Loading Docks	1
Total GFA (sq. m):	49,005.09			
Lot Coverage Ratio (%):	35			
Floor Space Index:	26.2			

DWELLING UNITS

FLOOR AREA BREAKDOWN (upon project completion)

Tenure Type:	Condo		Above Grade	Below Grade
Rooms:	0	Residential GFA (sq. m):	48185.38	0
Bachelor:	142 (20.6%)	Retail GFA (sq. m):	819.71	0
1 Bedroom:	435 (63.3%)	Office GFA (sq. m):	0	0
2 Bedroom:	52 (7.5%)	Industrial GFA (sq. m):	0	0

3 + Bedroom: 58 (8.4%) Institutional/Other GFA (sq. m): 0 0
Total Units: 687

CONTACT: **PLANNER NAME:** Sarah Henstock, Senior Planner
TELEPHONE: 416-392-7196