

**2300 Yonge Street, 20 Eglinton Avenue West,
411 Duplex Avenue and 33 Orchard View Boulevard
(Yonge Eglinton Centre)
Rezoning Application – Final Report**

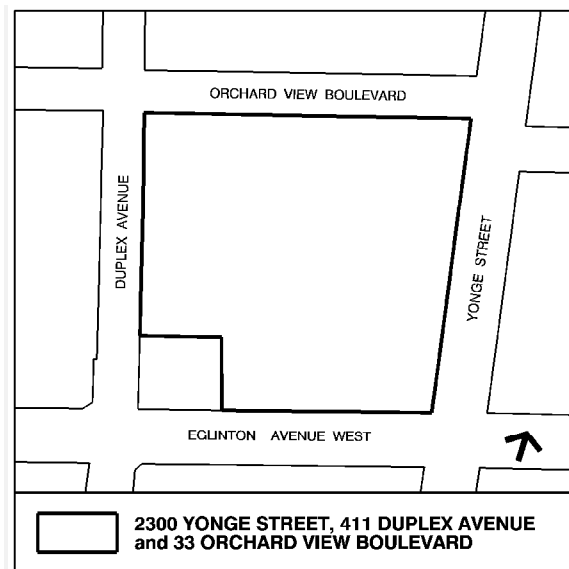
Date:	February 16, 2010
To:	North York Community Council
From:	Director, Community Planning, North York District
Wards:	Ward 16 – Eglinton-Lawrence
Reference Number:	09 110945 NNY 16 OZ

SUMMARY

This application was made on February 20, 2009 and is subject to the new provisions of the *Planning Act* and the *City of Toronto Act, 2006*.

This application proposes to amend the existing site-specific zoning by-law (110-68) for 2300 Yonge Street, 20 Eglinton Avenue West, 411 Duplex Avenue and 33 Orchard View Boulevard to permit the construction of a three-storey retail addition at grade and 5 and 7 storey additions to the existing office buildings. The redevelopment of the site would also include renovations to the existing retail concourse to improve pedestrian connections through the block from Yonge Street and Eglinton Avenue West to Duplex Avenue and Orchard View Boulevard.

The proposal intensifies office and commercial uses within a one of the City’s four designated *Centres* on a site with a direct connection to the subway system. The proposal provides an improved public realm including active building edges and a



pedestrian supportive streetscape while continuing to mark the importance of the Yonge-Eglinton intersection with a improved landscaped open space at grade.

This report reviews and recommends approval of the application to amend the Zoning By-law.

RECOMMENDATIONS

The City Planning Division recommends that:

1. City Council amend Zoning By-law 438-86 substantially in accordance with the draft Zoning By-law Amendment attached as Attachment No. 9.
2. City Council authorize the City Solicitor to make such stylistic and technical changes to the draft Zoning By-law Amendment as may be required.
3. City Council require the community benefits detailed below to be secured in a Section 37 Agreement between the Owner and the City of Toronto, and that Agreement be registered on title to the satisfaction of the City Solicitor, before introducing the necessary Bills to Council for enactment.
4. City Council require the owner to provide the following facilities, services and matters pursuant to Section 37 of the *Planning Act*:
 - a. Prior to the issuance of any building permit for additional office space above the existing office buildings on site, the Owner make public art contribution of \$250,000 in accordance with the Percent for Public Art Program be located on a publicly accessible portion of the site to the satisfaction of the Chief Planner.
 - b. Prior to the issuance of any building permit for the retail addition, public access be secured over the open space at the corner of Yonge Street and Eglinton Avenue West and the open space on the roof of the proposed retail addition to the satisfaction of the City Solicitor and Chief Planner.
5. City Council require the Owner to obtain a Notice of Approval Conditions from the Director of Community Planning, North York District, prior to the introduction of the necessary Bills to Council.

Financial Impact

The recommendations in this report have no financial impact.

DECISION HISTORY

The initial approval for development on the subject lands was enacted by Toronto City Council in 1968 under site specific By-law 110-68 which is described in more detail below (see Page 8). The following year, Council enacted By-law 292-69 which closed Staff report for action – Final Report – 2300 Yonge Street, 20 Eglinton Avenue West, 411 Duplex Avenue and 33 Orchard View Boulevard (Yonge Eglinton Centre)

Starrett Avenue, a public road which roughly bisected the block between Yonge Street and Duplex Avenue north of Eglinton Avenue West. The By-law authorized the sale of the Starrett Avenue right-of-way to the North Toronto Development Company which had assembled the remainder of the development block governed by By-law 110-68.

Beginning in 1993, a series of Committee of Adjustment decisions permitted increases to the gross floor area and height permissions of By-law 110-68 as well as reductions in the required amount of landscaped open space. These approvals allowed the construction of one and two-storey additions on the Yonge Street frontage to provide a base building for the existing towers and improved the street relationship of the retail uses and the existing mall. The most recent approval was granted in 1997 permitting the construction of a movie theatre on the existing podium roof between the office tower at 2300 Yonge Street and the apartment building at 33 Orchard View Boulevard. A site plan control application for the movie theatre was also approved in 1997.

In 2003, a minor variance application to the Committee of Adjustment was submitted by the previous owner to permit the construction of a two storey retail addition to the south east portion of the site with a similar footprint to the current proposal. The application was deferred by the Committee until such time as the development concepts for the Yonge-Eglinton Focussed Review were available for comment from the working group. The application was withdrawn by the applicant and the file was closed in 2005.

There have been numerous inquiries as to the status of the existing open space on the southeast corner of the site at the intersection of Yonge Street and Eglinton Avenue. Specifically, staff were asked if any historic legal agreements exist on title that require this open space to be retained in perpetuity as an instrument of the approval of the original development proposal under By-law 110-68 or as a condition related to the closing of Starrett Avenue and sale of the right of way to the original developer. It can be confirmed that no such agreements are registered on title, and the landscaped open space requirements for the subject lands are found solely in By-law 110-68. These provisions, as noted, have been varied on two occasions by the Committee of Adjustment, and the standards have been reviewed as part of staff's consideration of this rezoning application under the provisions of the *Planning Act*. Staff have reviewed the Planning Reports and Council minutes from 1968 and 1969 and there is no reference to require the land to remain as open space in a quid pro quo arrangement for Starrett Avenue..

A preliminary report for the current application was considered by North York Community Council in May 2009 authorizing staff to conduct a community consultation meeting with notice given to an expanded area. The report can be accessed via the following link:

<http://www.toronto.ca/legdocs/mmis/2009/ny/bgrd/backgroundfile-20747.pdf>

ISSUE BACKGROUND

Proposal

The application proposes to amend the Zoning By-law to permit the construction of the following:

1. A three storey at-grade addition, comprising 4,020m² of new retail space above the existing below grade shopping concourse. This addition would extend a new base building out from the existing building towards Eglinton Avenue West into the existing open space on the southeast corner of the site; and
2. Five and seven storey additions to the top of the two existing office towers 20 Eglinton Avenue West and 2300 Yonge Street. The additional floors represent an increase of 19,449m² of office space on the site and would be part of a construction program that would include the recladding of both office towers and an update to the infrastructure of the buildings.

The applicant is also proposing a renovation to the interior of the shopping centre as part of the redevelopment scheme which can proceed without any changes to the site specific Zoning By-law as varied. There are no alterations or additions being proposed to the two existing residential rental apartment buildings at 411 Duplex Avenue and 33 Orchard View Boulevard.

The requested increase in gross floor area would result in a density over the entirety of the subject lands of approximately 8.7 times the area of the lot. This density includes all existing and proposed office and retail gross floor area, as well as the existing residential gross floor area on site. The proposed total gross floor area of all uses on the subject lands is 169,904m².

The three storey addition at grade would consist of two floors of new street-oriented major retail use with an expansion of the existing cinema proposed for the third floor. A rooftop open space is also proposed. All four levels would be integrated into the site via internal connections with the existing mall and office towers. The main design feature of the addition is a four storey atrium and light well that would provide an entrance to the below grade concourse level which connects to the Eglinton Subway Station via a tunnel below Eglinton Avenue West. An elevator within the atrium would provide vertical circulation from grade to all three interior levels of the addition, the below grade concourse and the proposed rooftop open space.

Along the Eglinton Avenue West frontage, the proposal would be aligned with the sidewalk and provides window bays with benches for pedestrians. A two storey open space forecourt would mark the entrance to a pedestrian galleria that would provide access to the existing office building at 20 Eglinton Avenue West and interior retail uses. The renovation of the interior mall and introduction of the galleria feature would include the removal of a mezzanine to create a two-storey interior courtyard at the centre of the

block. The centre court would include water features and is proposed to be a programmable interior public meeting space.

The existing open space at the northwest corner of the development site is proposed to be landscaped to create a publicly accessible garden at the southwest corner of the Orchard View Boulevard and Duplex Avenue intersection which is proposed to improve access to the north entrance to the retail concourse. Pedestrians arriving at the Centre from the northwest would move through this redesigned open space and be directed to a relocated north entrance oriented to the garden. This would minimize conflicts between pedestrians and service vehicles in the laneway between the two existing buildings.

The existing parking garage contains 787 parking spaces and is proposed to be retained in its current configuration as no additional parking can be provided on site. Of these parking spaces, 250 are available to the residents of the two apartment buildings. A total of 85 bicycle parking spaces and associated shower rooms are also proposed.

The site statistics are presented on the Application Data Sheet (Attachment 8).

Site and Surrounding Area

The site comprises nearly the entire block formed by Yonge Street, Eglinton Avenue West, Duplex Avenue and Orchard View Boulevard and has an area of approximately 1.95 hectares (4.82 acres). An existing office building at the northeast corner of Duplex Avenue and Eglinton Avenue West (36 Eglinton Avenue West) does not form part of the subject site.

The Yonge Eglinton Centre comprises the following:

- Two office towers at 2300 Yonge Street (30 storeys) and 20 Eglinton Avenue West (22 storeys) containing a total gross floor area of 68,724m²;
- Two residential rental towers at 411 Duplex Avenue (22 storeys) and 33 Orchard View Boulevard (17 storeys) containing 782 units;
- A multi-storey retail concourse containing 25,973m² of commercial space, including a movie theatre, restaurant, fitness club, and supermarket located primarily on the 2300 Yonge Street parcel, but also beneath portions of the 33 Orchard View Boulevard parcel; and
- A publicly accessible pedestrian plaza with an area of 2,150m² above the existing underground retail concourse and foodcourt. Both office towers and the existing retail mall are accessed from the plaza. The plaza is as much as 1.2m above the Eglinton Avenue West sidewalk and provides two open air staircases which access the below grade retail concourse. This concourse connects the site to the Eglinton Subway Station via a pedestrian tunnel beneath Eglinton Avenue West.

The development is served by an underground parking garage containing 787 parking spaces. Vehicular access to the underground garage is provided from Orchard View Boulevard. A service lane with multiple loading docks runs between the apartment

building at 411 Duplex Avenue and the retail concourse/movie theatre structure at 2300 Yonge Street.

Land uses surrounding the Centre are as follows:

North: across Orchard View Boulevard, low scale retail uses, 2 storeys in height, front onto Yonge Street. Mid block at 40 Orchard View Boulevard is the 13 storey Stanley Knowles Co-op apartment building which sits atop a three storey podium containing office and community uses including the Northern District branch of the Toronto Public Library. Adjacent to the public library at the northeast corner of Orchard View Boulevard and Duplex Avenue is a temporary commercial parking lot that is currently the subject of a rezoning application proposing a high-density apartment building.

East: across Yonge Street, a series of low scale retail stores, two storeys in height front onto Yonge Street with larger scale apartment buildings beyond.

South: across Eglinton Avenue West, a 17 storey office and retail complex known as Canada Square. West of this complex lies the TTC bus facilities, including the abandoned bus barns above Eglinton Subway Station. This quadrant was recently the subject of a City-initiated focused review which resulted in revised Official Plan policies and Zoning By-law standards that were approved by City Council in February, 2009. The Official Plan Amendment and Zoning By-law were appealed to the Ontario Municipal Board and are not yet in full force and effect.

West: a seven storey office building at 36 Eglinton Avenue West is surrounded by the subject site and occupies the southwest corner of the block. A application has been submitted to rezone the property to permit the construction of a high density mixed use apartment building. Across Duplex Avenue to the west is a three storey office building along Eglinton Avenue with a Bell Canada switching facility immediately to its north and low density residential uses beyond.

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 by the Planning Act, to conform, or not conflict, with the Growth Plan for the Greater Golden Horseshoe.

Official Plan

The subject lands are located within the *Yonge-Eglinton Centre* as identified by Map 2 of the Official Plan. The City's four *Centres*, along with *Avenues*, *Employment Districts* and the *Downtown*, are key components in the Official Plan's growth management strategy.

The Official Plan provides for growth to be directed to *Centres* in order to use municipal land, infrastructure and services more efficiently and concentrate jobs and people in areas well served by surface transit and rapid transit stations. Section 2.2.2 of the Official Plan provides that the *Yonge-Eglinton Centre* is limited to the four corners of its key intersection and has potential for infill and redevelopment of key sites. The Plan provides that a priority for managing growth in the City is the establishment of vibrant and transit supportive mixed-use *Centres* via the use of Secondary Plans.

Public Realm and Built Form

A key provision of the Official Plan is to ensure new development enhances the quality of the public realm. The Plan provides for new development to be located and organized to frame adjacent streets and open spaces with main building entrances located to be visible and easily accessible from the street. Ground floor uses should provide views and access to adjacent streets and open spaces. Development is to be appropriately massed to define these spaces at an appropriate scale and make them interesting, comfortable and functional for pedestrians by adequately limiting shadowing and uncomfortable wind conditions.

Tall buildings are encouraged by the Plan to incorporate base buildings that are integrated into the whole but define streets and open spaces at an appropriate scale. Interior shopping malls, underground concourses, plaza walkways and private midblock connections are to be designed to complement and extend, but not replace the role of the street as the main place for pedestrian activity. The Plan directs that these spaces be accessible, comfortable, safe and integrated into the local pattern of pedestrian movement with direct universal physical and visual access from the public sidewalk and key path finding vision.

Yonge-Eglinton Secondary Plan

The subject lands are located within the Yonge-Eglinton Secondary Plan and are designated *Mixed Use Area 'A'*. Policy 2.3 of the Secondary Plan provides for the highest concentration of commercial activity to be focussed on the intersection of Yonge Street and Eglinton Avenue. In accordance with Policy 2.3, the Secondary Plan sets out an objective to strengthen commercial activity in existing commercial areas.

In order to ensure compatible built form between development in the various land use designations, Policy 2.7 provides for development of the greatest height, density and

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scale to be situated within *Mixed Use Area 'A'*. Policy 2.7 also provides for a transition in height and scale from *Mixed Use Areas* and *Apartment Neighbourhoods* to stable *Neighbourhoods*. Policy 2.9 provides for the creation of street parks through provision of trees, benches, planters and other appropriate street furniture as a way of satisfying the need for open space beyond providing additional City-owned parkland.

Southwest Quadrant Review: OPA 63

In February 2009, City Council approved OPA 63 which amended the Yonge-Eglinton Secondary Plan as a result of an extensive focussed review of land use and built form policies primarily dealing with lands in the southwest quadrant of the Yonge-Eglinton area. OPA 63 has been appealed to the Ontario Municipal Board and is not yet in full force and effect.

When OPA 63 does come into force, the policies therein will provide for the City to work with public agencies and private property owners to establish partnerships and agreements to supplement City-owned parkland by allowing public access to other types of open space. Improvements to the public realm are encouraged through the enhancement of existing open spaces, streetscapes and sidewalks with respect to movement to and from transit with above and below grade connections. Also, if a comprehensive redevelopment scheme is proposed for the northeast quadrant of the Yonge Street/ Eglinton Avenue intersection, a publicly accessible open space would be encouraged on the corner.

Zoning

The block bounded by Yonge Street, Eglinton Avenue West, Duplex Avenue and Orchard View Boulevard is zoned CR T5.0 C4.0 R3.0 by Zoning By-law 438-86 of the former City of Toronto. The maximum building height permitted is 61m. The CR zoning permits a wide range of commercial, office, hotel and retail uses with a density of 4 times the area of the lot. Residential uses are also permitted at a density of 3 times the area of the lot with mixed use developments including commercial and residential components being permitted to a maximum density of 5.0 times the area of the lot (provided the commercial or residential components do not exceed their maximum density).

Site specific By-law 110-68 was enacted by Toronto City Council in 1968 which defines the subject lands as one lot for zoning purposes and defines the Yonge Eglinton Centre as one building that was required to meet the following standards:

- The total gross floor area of the building may not exceed 1,501,735 square feet (139,511m²).
- No part of the building can be located above a level of 575 feet (175.2m) above City of Toronto Geodetic Datum unless wholly contained within envelopes set out on a plan attached to the By-law. The heights which correspond to these envelopes are 17 and 22 storeys for the residential buildings, and 22 and 31 storeys for the non-residential buildings.

- A minimum of 6,131m² of landscaped open space must be provided, which may include landscaped open space provided on a roof provided it has an elevation not exceeding 555 feet (169.16m) above City of Toronto datum.

Landscaped open space is defined by the site specific By-law as an “open, unobstructed space suitable for the growth and maintenance of grass, flowers, bushes and other landscaping within 1.2m of grade level that is not designated as residential amenity space pursuant to the requirements of this by-law and on the part of the lot unoccupied by building or structure”. The site specific exception permits rooftop landscaped open space, provided the elevation of the roof does not exceed a certain height.

As outlined above, a series of minor variances to By-law 110-68 increased the floor area permission and reduced the required amount of landscaped open space. The most recent approval, issued by the Committee of Adjustment on August 12, 1997 permitted an additional 6,819m² of gross floor area and lowered the minimum amount of landscaped open space to 4,715m².

Site Plan Control

An application for Site Plan Control is required but has not been submitted by the applicant.

Reasons for Application

An amendment to the Zoning By-law is required as the height, density and building envelope of the proposal is not permitted by site specific By-law 110-68, as varied. The site would also be deficient in required landscaped open space. Also, appropriate performance standards including minimum and maximum parking supply required and the loading requirements associated with the proposal need to be established for the site.

Community Consultation

The review of this application has undergone a robust community consultation process. Prior to the application being submitted, the local Councillor hosted open house sessions with the community with representatives of the applicant and City staff in attendance. After the Preliminary Report was considered by North York Community Council, a community consultation meeting was held followed by a full day design charrette and a community open house.

General Community Consultation Meeting

A community consultation meeting was held on June 11, 2009 at the North Toronto Memorial Community Center and was attended by City staff, representatives of the applicant, local Councillors and approximately 75 members of the community. Presentations were made by staff and the applicant and members of the local ratepayer groups.

The main issue expressed concern of open space deficiencies in the Yonge-Eglinton area both in terms of quantity and quality. There was a desire for the existing open space to be improved, and to seek opportunities for additional seating and the planting of trees. Additional concerns were raised with the proposed retail structure and the resulting loss of open space at grade. It was felt that the remaining open space was too small to be appropriately programmed and the size of the proposed retail addition should be scaled back. A specific question was asked as to whether rooftop areas could be landscaped and made publicly accessible. Questions were also asked about the timing and phasing of the project, and what level of disruption construction would create for local residents and tenants in the rental building on the property. Many comments touched on three major projects potentially occurring in the area at the same time—the subject proposal, pending LRT construction and the eventual redevelopment of the abandoned TTC bus barns at Eglinton Station—and proposed that a co-ordinated approach to these developments should be undertaken.

Correspondence submitted after the meeting expressed concern regarding the increase in floor area without corresponding increases in parking provided. Concerns were also raised with respect to the technical feasibility of the office tower additions. Correspondence submitted in support of the application cited improvements being proposed to the existing open space and office building in terms of better climatic conditions and aesthetics.

Given the level of interest and need for further community input into the review of the project, a design charrette was proposed as a way to engage the community. Members of the public who attended the community consultation meeting were invited to sign up to participate in the charrette process.

Design Charrette

A key element in the community consultation program undertaken for this application was a one-day design charrette. Staff worked with local Councillors, members of the community and a third party facilitator to develop a terms of reference for the workshop that would allow it to be an inclusive, participatory, constructive and productive exercise. The workshop was a day-long session attended by City and TTC staff, Councillor Stintz, Councillor Walker, representatives of Councillor Jenkins, representatives of the applicant and approximately 20 members of the community. The meeting was chaired by the third party facilitator. Participants formed five work groups to address the issues at various scales as it related to the development application.

The primary product of the charrette was a summary report authored by the third party facilitator outlining the key findings and recommendations. Participants expressed the importance of a multi-functional space, particularly as the introduction of the Eglinton Crosstown LRT makes the intersection of Yonge Street and Eglinton Avenue an even more significant space. It was felt that the open space needs and considerations of Yonge-Eglinton need to be looked at in light of all urban open space typologies. Participants hoped to see wider sidewalks with better grading relationships to the square

and perhaps opportunities for public art. One suggestion that was universally accepted, but beyond the scope of this particular application, was the desire to implement a pedestrian scramble intersection at Yonge Street and Eglinton Avenue.

The majority of the day's discussion centered on how the proposed retail addition encroaches into the existing open space. While there was no consensus on how to address the shortcomings of the space as it relates to the public realm, the charrette participants agreed that the existing open space at the base of the office towers is not a great urban space befitting the Yonge Eglinton Centre's role as a commercial focal point because of uncomfortable wind conditions and poor grading relationships.

There was a reluctance expressed towards expanding the Centre into the open space to remedy this situation, and it was felt that the current size of the square should be maintained to the greatest extent possible. However, there was an acknowledgement that all four quadrants of the Yonge-Eglinton area have a role in providing open space. The available open space at grade should be carefully reviewed and designed to ensure the amount of space can be programmed for multiple uses. Uses abutting public open spaces should have active edges, direct access to retail and canopies or windbreaks to ensure pedestrian comfort at grade and create a comfortable open space where people come can linger.

The recladding of the office towers was seen as desirable as it would create a more efficient building and go towards solving issues such as mechanical noise and excess light impacting the surrounding neighbourhood. Participants stressed the importance of the interior mall as a meeting place, and welcomed its renovation while acknowledging its role in providing access to transit for residents to the northwest of the Centre.

Community Open House

A community open house was on held on February 2, 2009 by the local Councillor at the North Toronto Memorial Community Centre and attended by staff, representatives of the applicant and approximately 60 members of the community. Revisions to the proposal undertaken in response to the findings and recommendations of the November design charrette were presented. Members of a local ratepayer group made a brief presentation.

The design changes presented by the applicant were not well received by the community. There was disappointment expressed with the changes made to the proposal and those in attendance still saw the expansion of the Centre into the open space space at the foot of the towers as unacceptable. A comment was made with respect to how this application fits within the broader considerations of the Yonge-Eglinton area, including development opportunities on the bus bay lands and pending LRT construction. It was felt that a broader approach needed to be taken in conjunction with possible development opportunities on the TTC bus bay lands and LRT construction. A specific comment was made with respect to the need for the proposed open space to be more community-oriented and more of a destination.

There was no consensus on the additional height proposed for the office towers. Some members of the public offered the opinion that height was not an issue for them, only what was happening at grade. Others expressed concern that the additional height was not being appropriately addressed given the attention being paid to the at grade open space issues. Throughout the community consultation process, height was not raised as a major concern by participants. However, there was some discussion as to whether additional height on these lands would change the tall building context in the *Yonge-Eglinton Centre* and redefine an upper height limit.

Agency Circulation

The application was circulated to all appropriate agencies and City divisions, including the TTC. Responses received have been used to assist in evaluating the application and to formulate appropriate By-law standards.

COMMENTS

Provincial Policy Statement and Growth Plan for the GGH

The proposal is consistent with the PPS. It intensifies existing office and commercial employment within a designated growth area in a compact form that allows for the efficient use of land, infrastructure and public service facilities. It accommodates an appropriate range and mix of land uses and meets the needs of pedestrians and encourages walking and cycling.

The proposal conforms to and does not conflict with the Growth Plan for the Greater Golden Horseshoe. The subject lands lie within an urban growth centre, one of the intensification areas identified by the Province that is intended to be the focus of intensification. Urban growth centres are intended to be focal areas for investment and accommodate a significant share of population and employment growth, serving as high density employment centres. The proposal intensifies the site's commercial function and furthers the development of a transit supportive and pedestrian friendly mixed use area. It also provides high quality publicly accessible open space as directed by the general intensification policies of the Growth Plan.

Land Use

The concentration of retail and office uses within one of the City's four designated *Centres* on a site with a direct connection to the Eglinton Subway Station appropriately responds to the growth management policies of the Official Plan. The proposed expansion of office and retail use is provided for by the *Mixed Use Area 'A'* designation and the intensification of these uses at the intersection of Yonge Street and Eglinton Avenue strengthens this existing commercial node as directed by the Secondary Plan.

Density, Height and Massing

The density of the existing development on site is 7.5 times the area of the site, which includes the apartment towers and retail concourses beneath the office towers and the existing open space. The proposed retail structure and additions to the office tower

would increase the density of the site to approximately 8.7 times the area of the lot. This increase in density is appropriate as the Secondary Plan directs development of the greatest height, density and scale to *Mixed Use Area 'A'*.

The additional floors of office space proposed above the existing office towers would add 26m to the height of the 20 Eglinton Avenue West tower and 33m to the height of the 2300 Yonge Street tower.

The organization of the site allows for buildings to step down in height from the tallest tower, nearest the intersection of Yonge and Eglinton to the second tallest tower further from the intersection to the existing 23 storey (71m) residential apartment building at 411 Duplex Avenue. The residential apartment building at 411 Duplex serves to buffer the surrounding low scale context from the office towers and helps to mitigate the effects of the additional height on these adjacent low scale uses. The 411 Duplex building remains fixed in height with a generous setback at grade to transition to the low scale *Neighbourhoods*.

The three storey retail addition acts as a base building for the office towers and would appropriately define and support the proposed open space on the ground level creating a vibrant “urban room” at the intersection of Yonge Street and Eglinton Avenue. The Yonge Street frontage of the proposed retail addition would present active edges in the form of main entrances to ground floor office and retail uses at the edges of the open space plaza. On the upper levels, the atrium would contain internal balconies overlooking the plaza for passive viewing from the second floor retail level, third floor cinema and fourth level rooftop terrace.

A main design feature of the interior renovation is a galleria which leads pedestrians from the main entrance on Eglinton Avenue West into the center of the block. This pedestrian path would provide access to the office building at 20 Eglinton Avenue West and interior retail uses, while bringing pedestrians into the mall’s Center Court. This two storey interior court is intended to be an all-season public meeting place with significant water features and other public amenities. The Center Court would also include a handicapped elevator to access all other levels of the mall, including the north entrance corridor. This interior circulation system would appropriately respond to Official Plan policies relating to providing direct access from the sidewalk and pedestrian circulation through the block.

Sun, Shadow and Wind

A shadow study and pedestrian level wind assessment were submitted by the applicant in support of the application. The analysis included development contemplated by OPA 63 and permitted by Zoning By-law 236-2009 on the TTC bus bay lands. These studies were reviewed by staff in relation to the additional height proposed as well as grade-related components of the application.

Shadow Impact on Lands Designated *Neighbourhoods*

The analysis illustrates a modest amount of additional shadow cast into the lands designated *Neighbourhoods*, notably at the south east corner of the intersection of Montgomery Avenue and Edith Avenue on March 21 and September 21. Staff are satisfied this is an acceptable shadow impact from the proposed additions to the office on surrounding lands designated *Neighbourhoods*.

Sun, Shadow and Wind Conditions in Open Spaces

The analysis of sun, shadow and wind conditions demonstrate that the pedestrian comfort in the public realm would be improved by the introduction of the retail structure into the existing open space. The new base building would improve wind conditions in the proposed at grade open space, providing an area appropriate for outdoor seating in warmer months. This area would also experience high levels of morning to mid day sunlight and could be explored as an active edge with a restaurant or café use. The proposed rooftop open space would receive adequate sunlight to be a viable open space, with the planting of trees and other structures designed to mitigate wind at this level.

Traffic Impact, Access and Parking

The applicant submitted a traffic impact assessment and parking review that forecasted the volume of traffic resulting from the expanded office and commercial space would increase the combined inbound and outbound trips by 25 movements during peak periods. Transportation Services staff have accepted the study's conclusion that the local road network can accommodate the forecasted increase in traffic volume without significant impact on adjacent roadway levels of service.

The existing two-storey parking structure is not proposed to be expanded as part of this redevelopment proposal. The applicant's parking review included a demand study examining peak weekday and weekend parking demand. The study concluded that the existing 787 parking spaces are sufficient to accommodate additional parking demands generated by the proposed expansion. The study notes that retail uses in major mixed-use centres with direct access to the subway typically do not rely on automobile traffic during the weekday afternoons as patrons are usually neighbouring residents or employees. Moreover, the study observed a minimum of 80 surplus parking spaces during peak periods. Transportation Services staff reviewed the parking study and are satisfied the existing surplus parking will be sufficient to accommodate the future office and retail expansion.

Servicing

The Yonge Eglinton Centre currently contains a total of 13 loading spaces of various sizes. The applicant does not propose any physical alterations to the existing loading spaces. In a review of loading operations submitted with its traffic report, the applicant identified efficiencies that could be implemented by building management. This includes the sharing of loading spaces that would allow a loading vehicle to queue in an unused loading dock elsewhere on site rather than on adjacent streets. Transportation Services

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staff support the existing shared loading space configuration given that no additional loading spaces can be provided.

Open Space

The lack of landscaping, pedestrian amenity and windy conditions of the existing open space and the reduction of the amount of open space resulting from the proposed retail expansion were the issues most often raised through the community consultation process. Charrette participants characterized the existing space as poor quality with poor grading relationships to both Yonge Street and Eglinton Avenue West and windy conditions creating a place that is, at times, unsuitable for pedestrian travel. The community consultation process also revealed a lack of street furniture, including seating, in the existing open space and a lack of programming. The existing open space is defined by two tall office towers with no base building or step back of built form to provide a transition in scale to the pedestrian environment. All commenters at the charrette and other public forums agreed the open space and its edges need to be redesigned and improved.

Commenters at all the public forums expressed a reluctance to erect a large structure in the open space as a way of remedying the above concerns. Although privately owned, the open space at the intersection of Yonge Street and Eglinton Avenue has gained a civic prominence since its construction in the early 1970s and the surrounding area has intensified. Charrette participants sought to maintain the existing open space to the greatest extent feasible citing their understanding of a shortage of open space at the intersection of Yonge Street and Eglinton Avenue and the surrounding neighbourhoods. It was the desire of charrette participants to carefully review the available open space at grade to ensure it is adequate, programmable for multiple uses, comfortable, furnished for pedestrian use and treated appropriately as a focal point of the neighbourhood.

Open Space Considerations: The Four Corners of Yonge-Eglinton

The planning regime for the subject site provides for intensification to be supported by the provision of appropriate open space. The Growth Plan for the Greater Golden Horseshoe contains provision for high quality open space within intensification areas as part of building complete communities. The Yonge-Eglinton Secondary Plan encourages the development of street parks through the provision of trees, planters and other appropriate street furniture to satisfy the need for open space and identifies opportunities for land acquisition to create new City-owned parks, but does not specify the location or amount of open space that should be provided with development.

All four quadrants of the Yonge-Eglinton intersection have a role to play in ensuring adequate open space can be provided to support the intensification policies in place. Both site specific applications on individual development parcels and the quadrant specific OPA 63 have a role to play in ensuring adequate open space provision.

The emerging policy for the Yonge-Eglinton area, as embedded in OPA 63, provides for open space to accompany intensification. A public park of between 2000-2500m² in size

Staff report for action – Final Report – 2300 Yonge Street, 20 Eglinton Avenue West, 411 Duplex Avenue and 33 Orchard View Boulevard (Yonge Eglinton Centre)

and publicly accessibly, private open space connections are to be provided in the southwest quadrant. OPA 63 also encourages an open space to be provided on the northeast corner of the Yonge Street-Eglinton Avenue East intersection when lands in the northeast quadrant are comprehensively redeveloped.

The southeast quadrant has contributed a new open space to the four corners of Yonge-Eglinton as part of the Quantum residential towers at 2195 Yonge Street. The courtyard between the two buildings has an area of approximately 1,000m² which is secured on title. Open space in the form of walkways, landscaped setbacks and other courtyards exists on multiple sites in the southeast quadrant.

On-Site Open Space Provision

Site specific Zoning By-law 110-68, as varied, requires 4,715m² of landscaped open space be provided on the lot either as landscaped setbacks or as rooftop terraces provided they not exceed “575 feet above City of Toronto datum”. Depending on its location on the property this permission means the rooftop terrace open spaces could be as much as 9m above the sidewalk. Over time, some of the landscaped open space areas have become exclusive use amenity areas for the residential apartment buildings, and others have fallen into disrepair. Based on the site specific By-law definitions, the proposal would provide 3,535m² of landscaped open space.

The most prominent open space is the plaza (approximately 2,100m²) located at the foot of the existing office towers above the existing parking garage and food court. As the grades change on the Yonge Street and Eglinton Avenue frontages, stairs line the open space to allow pedestrians to access the plaza. The open space is punctured by access stairs to the below grade concourses and planters.

The open space program proposed by the applicant to respond to the policy direction of the Official Plan and comments of the community is as follows:

- A 750m² plaza at grade between the proposed retail addition and the Yonge Street;
- A redesigned and upgraded landscape treatment of existing open space at the southwest corner of Orchard View Boulevard and Duplex Avenue;
- Two “Porch” features to mark the main entrances to the mall concourse on Yonge Street and Eglinton Avenue West; and
- A 660m² publicly accessible rooftop space above the proposed retail addition.

The proposed plaza at grade along Yonge Street offers a significant opportunity to be a programmable space at a single grade. The applicant has presented event programming options which include café style seating, kiosks that could support farmer’s markets or other community endeavours and a more intensive public gathering such as a concert. It would create an urban room with active edges in the form of entrances to the retail, office and possibly restaurant uses and would extend the public realm in a seamless way from the Yonge Street sidewalk, eliminating the planters, staircases and barriers that currently

lie between the sidewalk and the existing open space. The proposed plaza would continue to mark the intersection of Yonge Street and Eglinton Avenue as an important open space, and would provide upgraded access points to the concourse level and subway connection below Eglinton Avenue West. There is no opportunity to plant at grade without the use of raised planters as the open space site directly above the parking structure and food court.

More passive open space uses would be accommodated in two proposed locations: the rooftop open space and the upgraded landscaped area at the northwest corner of the property. The rooftop open space would be accessed by the public from the plaza and the office towers. The proposal would provide the opportunities for seating and passive programming for local residents and workers within the existing office building. The rooftop open space also offers the only way for significant vegetation to be introduced into this part of the property as the structure is designed to support soil depths suitable for the planting and growing of shade trees. Public access to the rooftop amenity space and at grade open space would be secured via an Agreement pursuant to Section 37 of the *Planning Act*.

The proposed upgrade to the existing open space at the northwest corner of the property would improve connections into the north entrance of the Centre as well as provide a neighbourhood garden. The applicant proposes to extend the interior concourse out to the service laneway between the residential apartment building at 411 Duplex Avenue and the mall. The parkette and the entrance would be designed to allow pedestrians to enter the mall via the open space rather using the current service ramp into the alley.

Both the proposed Galleria entrance off Eglinton Avenue West and concourse entrance off Yonge Street are proposed to be delineated with open space porches. These elements would extend the public realm onto the site and offer a clearly defined, weather protected point of entry into the mall directly from the public sidewalk. The Eglinton Avenue West entrance would be two storeys in height and delineate the entrance to a pedestrian galleria that would provide access to the 20 Eglinton Avenue West tower, indoor retail uses and a revitalized Center Court. The applicant is proposing to remove a large portion of the mezzanine level which cantilevers over the existing interior court to create a two storey volume of interior public space. The Center Court would include water features, programmable event space, café-style seating and a handicapped elevator that would supply vertical circulation with all levels of the retail mall. Although not an exterior space, the Central Court would supplement the retained and upgraded open space on the site as an all-season public meeting place.

Parkland

The Official Plan contains policies to ensure that Toronto's system of parks and open spaces are maintained, enhanced and expanded. Map 8B of the Toronto Official Plan shows local parkland provisions across the City. The subject lands fall within an area with 0.8 to 1.56 hectares of local parkland per 1,000 people. The site is in the middle quintile of current provision of parkland. The site is in a parkland priority area, as per Alternative Parkland Dedication By-law 1420-2007.

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The application proposes a 3-storey, 4,287m² retail and galleria addition and 19,449m² of new office space in the two office towers. The commercial expansion of the site is subject to a 2% parkland dedication under By-law 30152.

Parks, Forestry & Recreation staff have required the applicant to satisfy the parkland dedication requirement through a cash-in-lieu payment. This is appropriate as the proposal forms an expansion of an existing development. The actual amount of cash-in-lieu payment will be determined by the Facilities and Real Estate Division prior to building permit issuance.

Streetscape

The proposed development would improve the relationship of the existing office tower at 20 Eglinton Avenue West with the public sidewalk by introducing a pedestrian scale to the frontage. The redesigned base of the tower and the new retail addition proposes to add vision glazing at the ground floor level across the Eglinton Avenue West frontage. The recessed window bays would be accentuated with bench seating and pedestrian weather protection in the form of a canopy. Along Yonge Street, the removal of planters and redundant staircases would allow the public sidewalk to be extended seamlessly into the proposed open space as it approaches the intersection with Eglinton Avenue. These elements would create a pedestrian supportive streetscape along the arterial frontages of the site and appropriately respond to built form provisions of the Official Plan, as well as the findings of the design charrette.

Participants in the design charrette also sought an improvement to entrance points to the TTC facilities. The proposal would reorganize the two outdoor access points to the below grade subway connection into one large indoor staircase located at the southeast corner of the proposed retail addition. The elevator providing access to all levels of the retail addition would also service the below grade concourse level.

Toronto Green Standard

The Toronto Green Standard and Green Roof By-law came into force and effect on January 31, 2010. The applicant will be required to meet Tier 1 of the Toronto Green Standard and measures required to meet this standard will be secured through the Site Plan Control process. Tier 1 standards for new non-residential buildings include the provision of bicycle parking, pedestrian linkages to transit stops, green roofs and minimum energy efficiency standards.

Section 37

Staff are recommending that Council require the owner to enter into an Agreement pursuant to Section 37 of the *Planning Act* to secure a public art contribution and public access over the proposed open space at grade at the intersection of Yonge Street and Eglinton Avenue West and the rooftop open space above the proposed retail addition. Public access to the proposed open spaces would be secured prior to the issuance of any building permit for the proposed retail addition to the satisfaction of the City Solicitor and Chief Planner.

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The Toronto Official Plan contains policies which encourage public art in all significant private sector developments across the City. Public consultation underscored community desire to explore public art opportunities somewhere on the property. The applicant has agreed to provide a public art contribution in accordance with the City's Public Art Program of \$250,000 to be made no later than building permit issuance for the office tower additions. The Owner will have the discretion of providing all or part of the required contribution in conjunction with earlier phases of the development.

Development Charges

It is estimated that the development charges for this project will be \$126,766. This is an estimate. The actual charge is assessed and collected upon issuance of the building permit.

CONTACT

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Fax No. (416) 395-7155
E-mail: cventre@toronto.ca

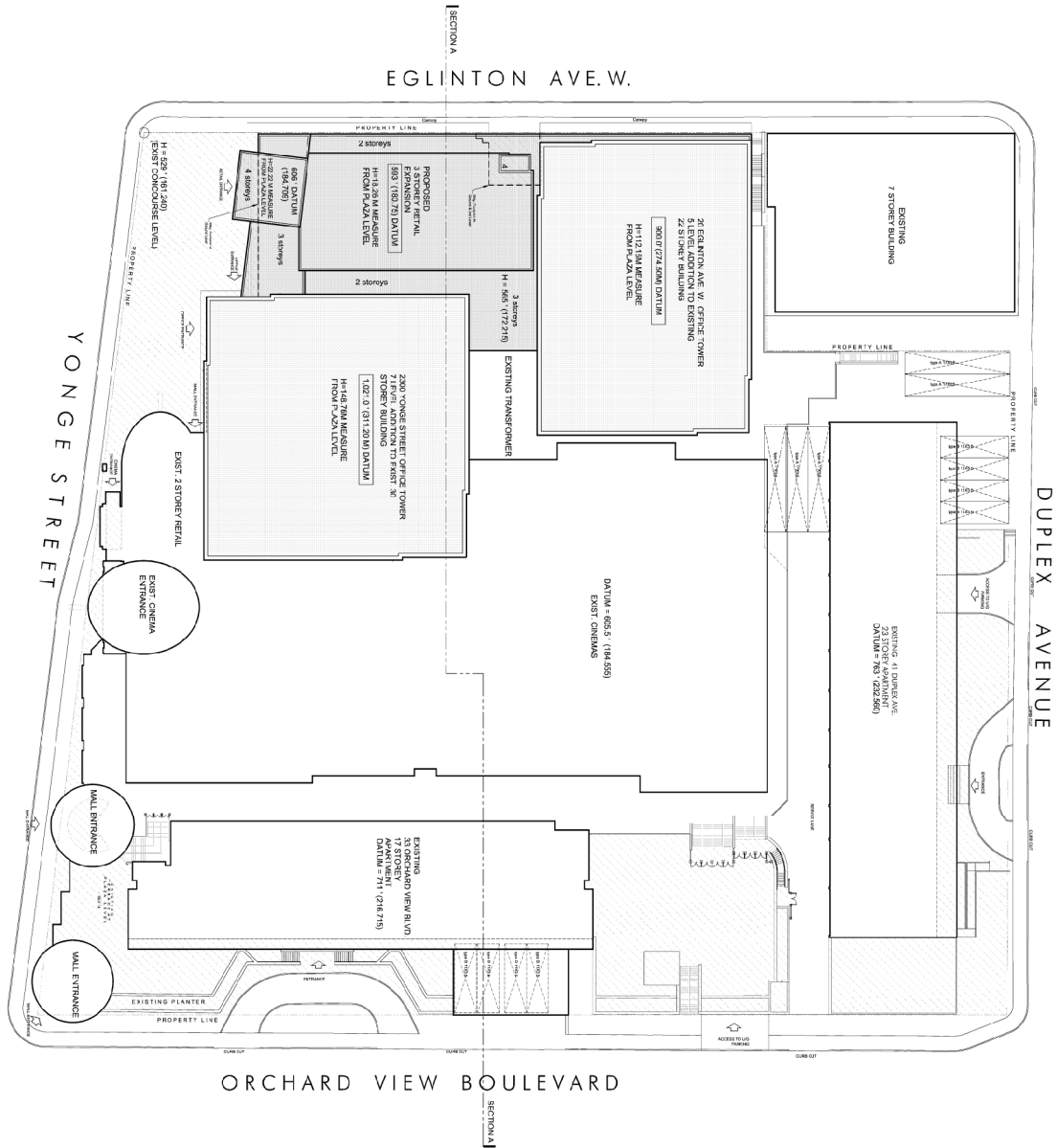
SIGNATURE

Thomas C. Keefe, Director
Community Planning, North York District

ATTACHMENTS

Attachment 1a: Context Site Plan
Attachment 1b: Site Plan – Proposed Retail and Office Additions
Attachment 1c: Ground Floor Plan
Attachment 2: South Elevation
Attachment 3: East Elevation
Attachment 4: North-South Section
Attachment 5: East-West Section
Attachment 6: Zoning
Attachment 7: Official Plan
Attachment 8: Application Data Sheet
Attachment 9: Draft Zoning By-law Amendment

Attachment 1a: Context Site Plan



Site Context Plan

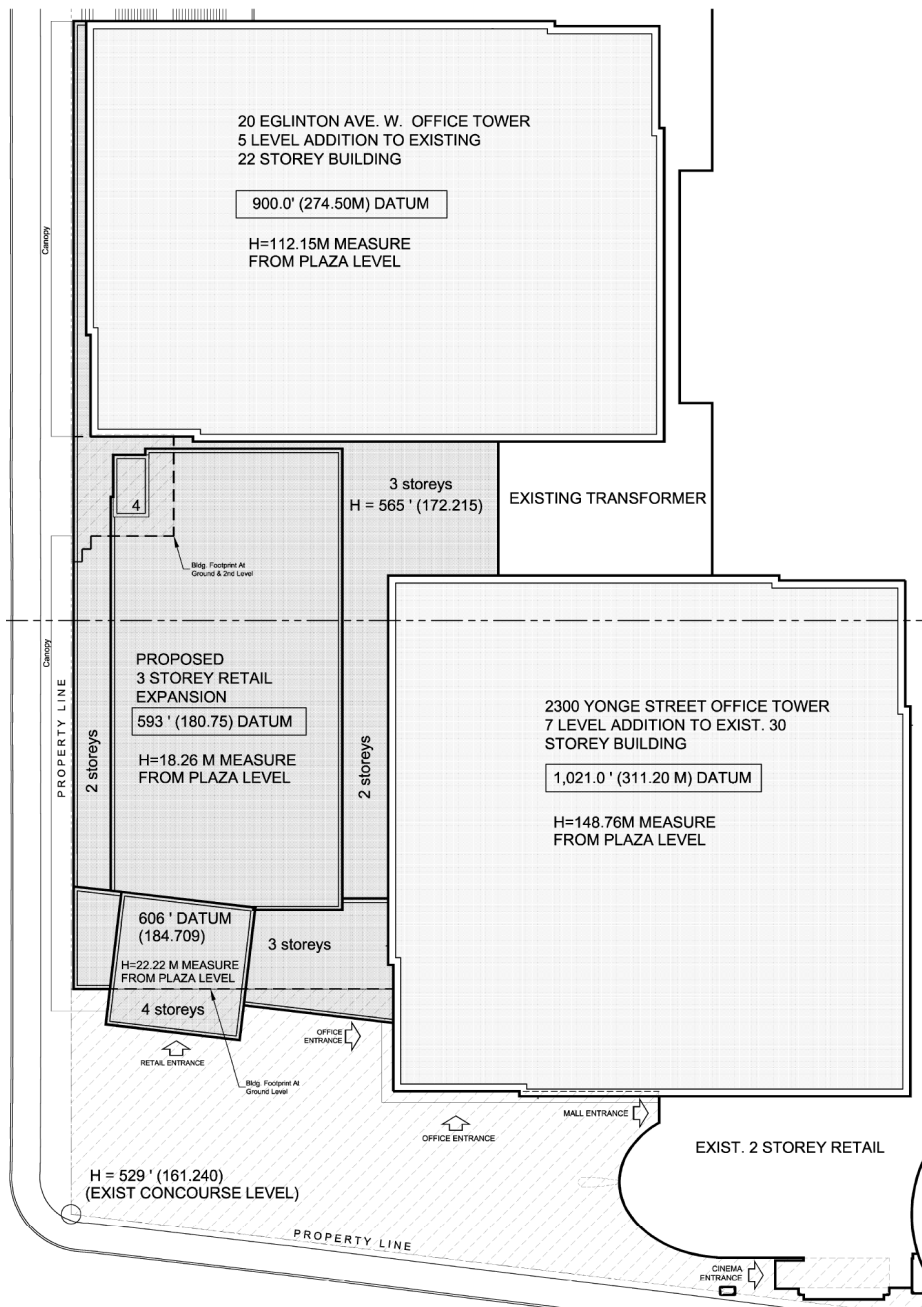
Applicant's Submitted Drawing

Not to Scale
02/16/2010

2300 Yonge Street, 411 Duplex Avenue and 33 Orchard View Boulevard

File # 09_110945

Attachment 1b: Site Plan – Proposed Office and Retail Additions



Site Plan

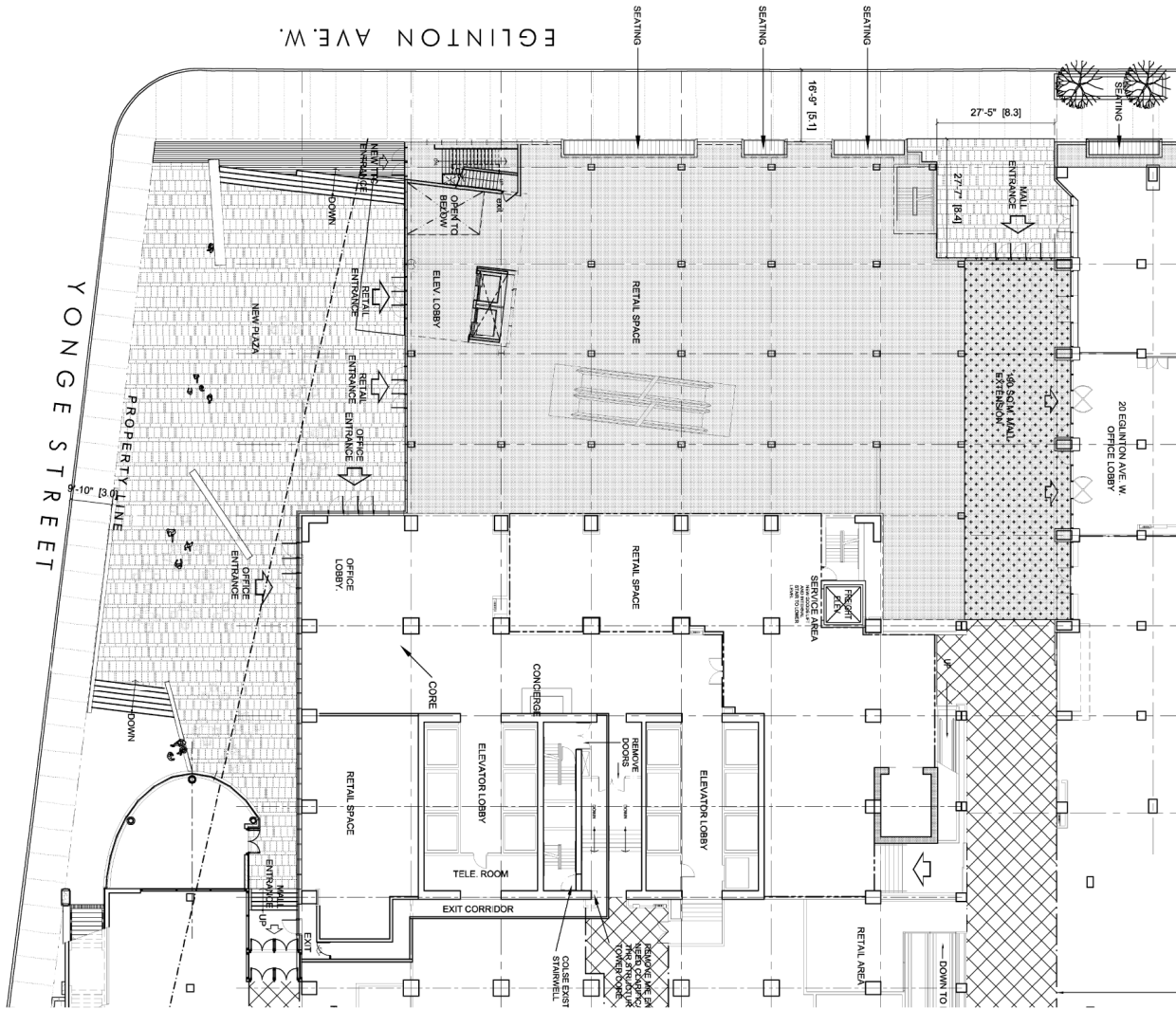
Applicant's Submitted Drawing

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2300 Yonge Street, 411 Duplex Avenue and 33 Orchard View Boulevard

File # 09_110945

Attachment 1c: Ground Floor Plan



Ground Floor Plan

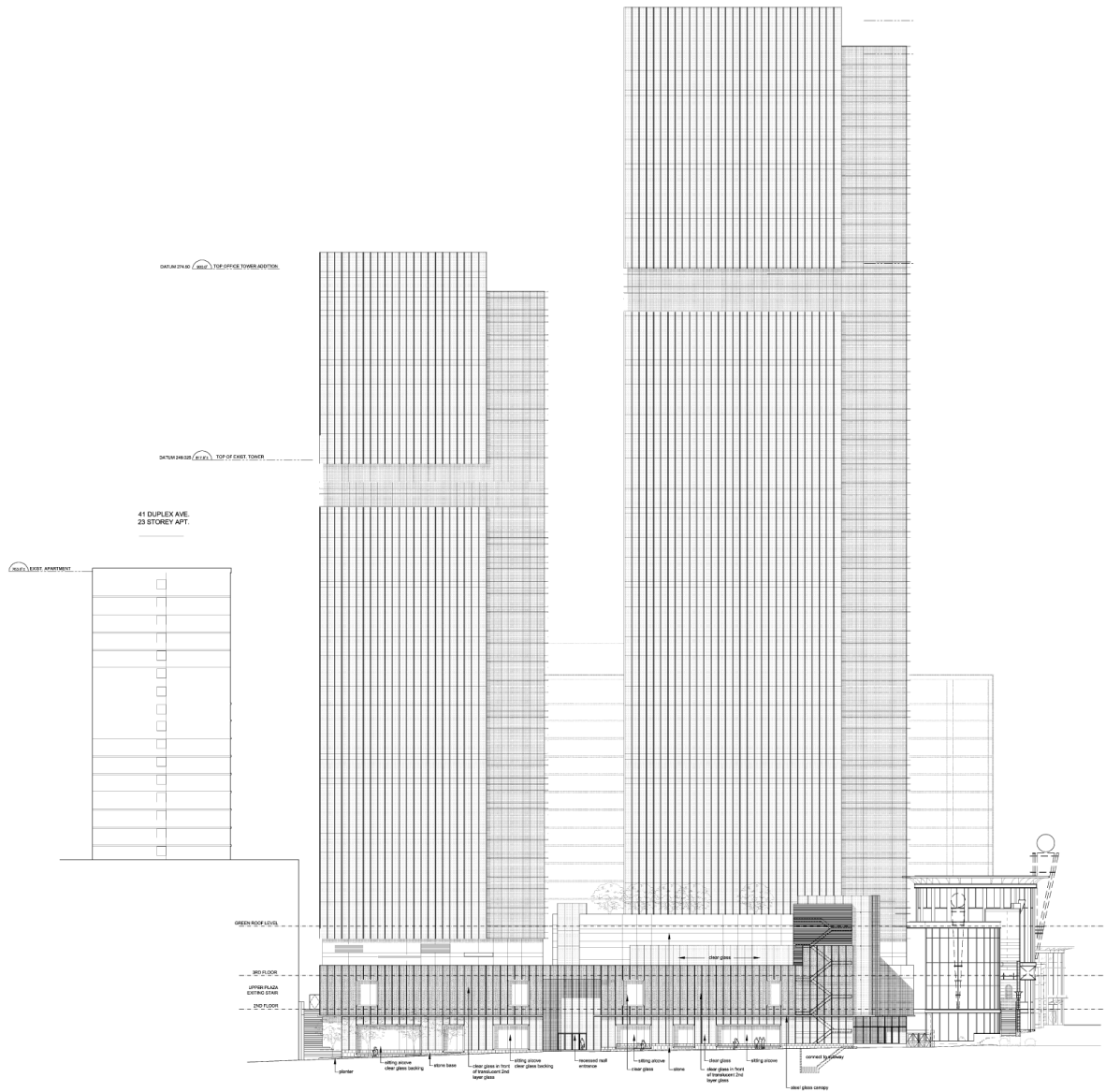
Applicant's Submitted Drawing

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02/18/2010

2300 Yonge Street, 411 Duplex Avenue and 33 Orchard View Boulevard

File # 09_110945

Attachment 2: South Elevation



South Elevation

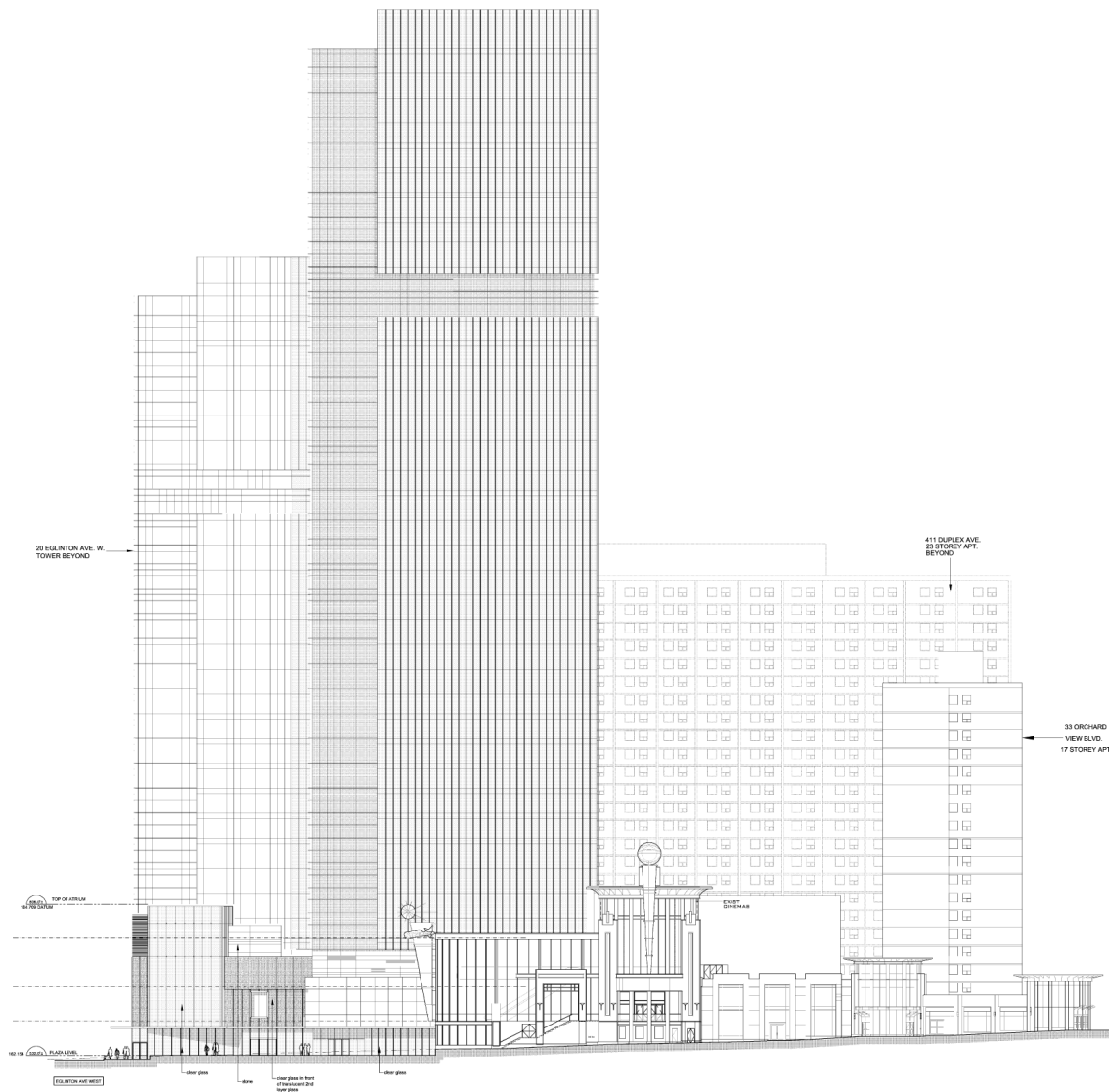
Applicant's Submitted Drawing

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02/18/2010

2300 Yonge Street, 411 Duplex Avenue
and 33 Orchard View Boulevard

File # 09_110945

Attachment 3 – East Elevation



East Elevation

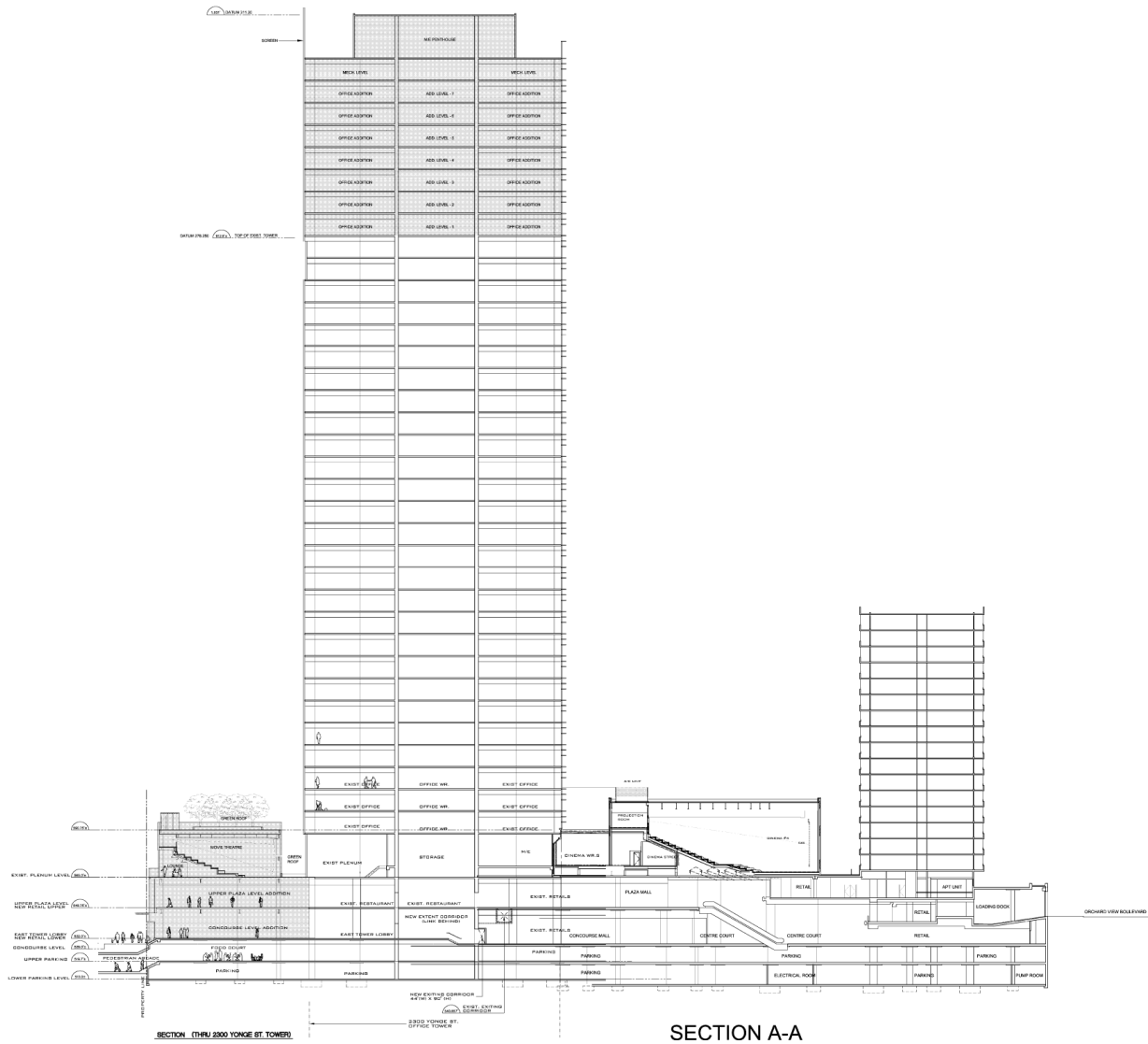
Applicant's Submitted Drawing

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2300 Yonge Street, 411 Duplex Avenue
and 33 Orchard View Boulevard

File # 09_110945

Attachment 4 – North-South Section



North-South Section

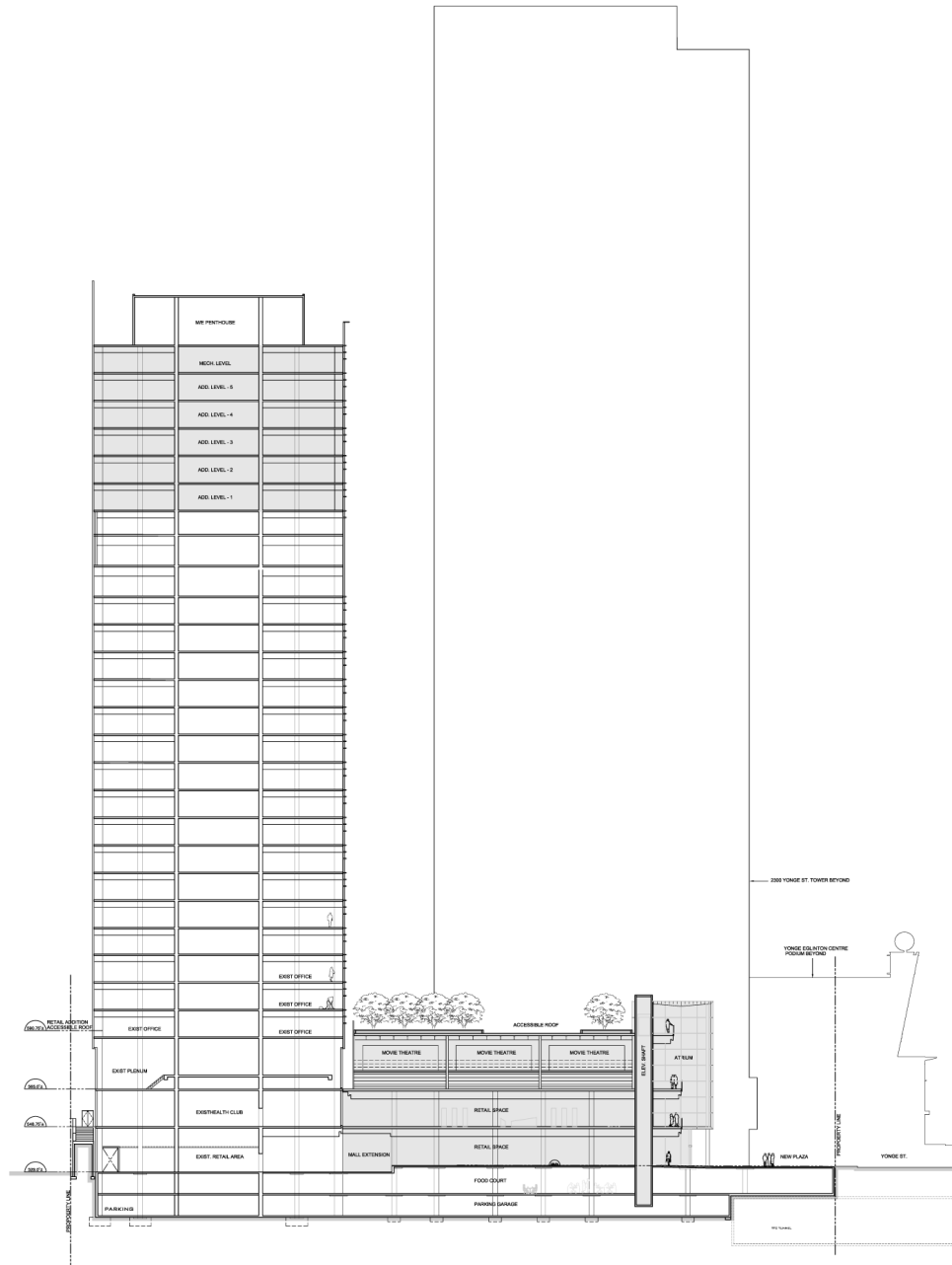
Applicant's Submitted Drawing

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2300 Yonge Street, 411 Duplex Avenue and 33 Orchard View Boulevard

File # 09_110945

Attachment 5 – East-West Section



East-West Section

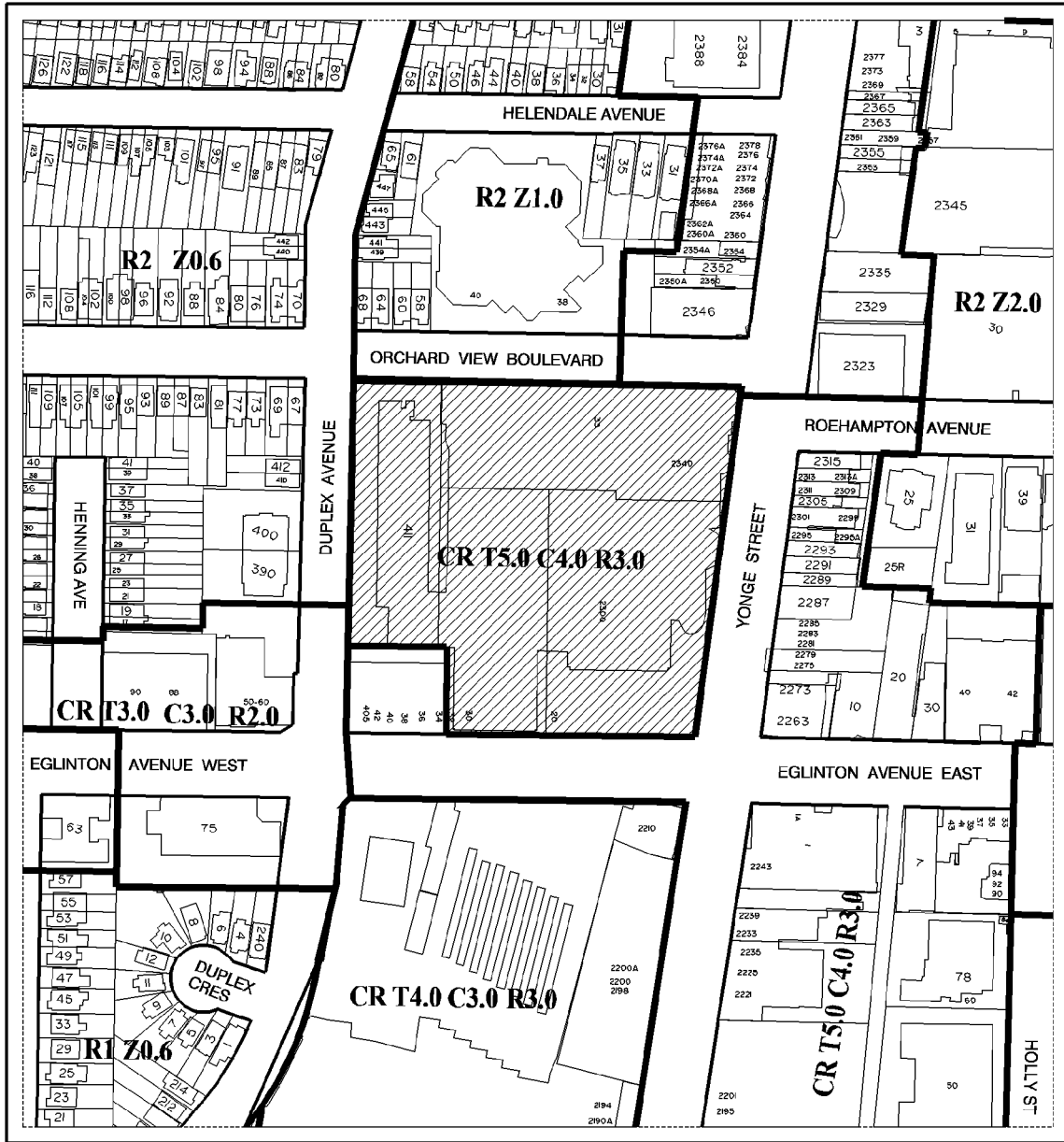
Applicant's Submitted Drawing

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02/18/2010

2300 Yonge Street, 411 Duplex Avenue
and 33 Orchard View Boulevard

File # 09_110945

Attachment 6: Zoning



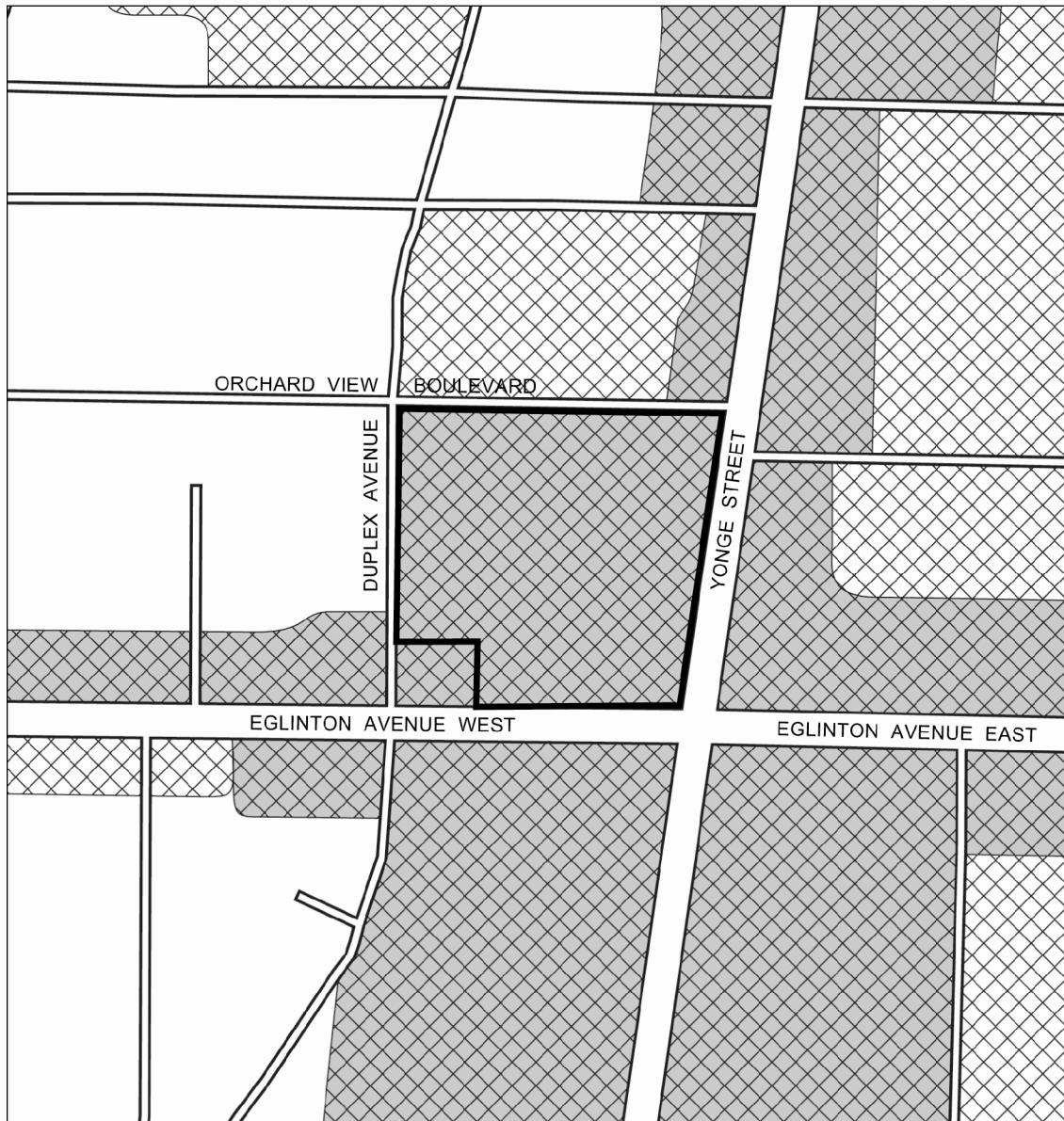
2300 Yonge Street, 411 Duplex Avenue
and 33 Orchard View Boulevard
File # 09_110945

- R1 Residential District
- R2 Residential District
- CR Mixed-Use District



Not to Scale
Former Toronto Zoning By-law 438-86
Extracted 03/05/2009

Attachment 7: Official Plan



TORONTO City Planning
Official Plan

2300 Yonge Street, 411 Duplex Avenue
and 33 Orchard View Boulevard

File # 09_110945



Attachment 8: Application Data Sheet

Application Type	Rezoning	Application Number:	09 110945 NNY 16 OZ
Details	Rezoning, Standard	Application Date:	February 20, 2009

Municipal Address: 2300 YONGE ST
 Location Description: PL 818Y PT LTS 1 TO 6 CLOSED STARREIT AVE CLSD LANE PL 491Y RESERVE
 **GRID N1606
 Project Description: Renovation of the interior retail mall, office lobbies and pedestrian connections, to extend a coherent public realm throughout the centre

Applicant:	Agent:	Architect:	Owner:
GOODMANS LLP			RIO CAN YEC HOLDINGS MC

PLANNING CONTROLS

Official Plan Designation:	Mixed Use Areas	Site Specific Provision:	BL 110-68
Zoning:	CR T5.0 C4.0 R3.0	Historical Status:	
Height Limit (m):		Site Plan Control Area:	

PROJECT INFORMATION

Site Area (sq. m):	3808.74	Height:	Storeys:	37
Frontage (m):	106.59		Metres:	0
Depth (m):	35.73			
Total Ground Floor Area (sq. m):	0			Total
Total Residential GFA (sq. m):	51633		Parking Spaces:	0
Total Non-Residential GFA (sq. m):	118433		Loading Docks	13
Total GFA (sq. m):	169904			
Lot Coverage Ratio (%):	0			
Floor Space Index:	8.7			

DWELLING UNITS

FLOOR AREA BREAKDOWN (upon project completion)

	Rental		Above Grade	Below Grade
Rooms:	0	Residential GFA (sq. m):	51633	0
Bachelor:	0	Retail GFA (sq. m):	30260	0
1 Bedroom:	0	Office GFA (sq. m):	88173	0
2 Bedroom:	0	Industrial GFA (sq. m):	0	0
3 + Bedroom:	0	Institutional/Other GFA (sq. m):	0	0
Total Units:	782			

CONTACT: PLANNER NAME: Christian Ventresca, Planner
TELEPHONE: (416) 395-7129

Attachment 9: Draft Zoning By-law

Authority: North York Community Council Item ~ [or Report No. ~, Clause No. ~]
as adopted by City of Toronto Council on ~, 2010
Enacted by Council: ~, 2010

CITY OF TORONTO

Bill No. ~

BY-LAW No. ~-2010

To amend Zoning By-law No. 110-68 and former City of Toronto Zoning By-law 438-86, as amended, with respect to the lands municipally known as 2300 Yonge Street, 411 Duplex Avenue and 33 Orchard View Boulevard

WHEREAS authority is given to Council by Section 34 of the *Planning Act*, R.S.O. 1990, c.P. 13, as amended, to pass this By-law; and

WHEREAS Council of the City of Toronto has provided adequate information to the public and has held at least one public meeting in accordance with the *Planning Act*;

The Council of the City of Toronto HEREBY ENACTS as follows:

1. Except as otherwise provided herein, the provisions of Zoning By-law 110-68 shall continue to apply to the *lot*.
2. By-law 110-68 being a by-law to amend By-law 20623 respecting the lands occupied by the Yonge-Eglinton Centre is hereby amended to read as follows:
 - a. The first paragraph of Section 2 is amended by replacing the words “and (13)” with the words “, (13) and (14)”.
 - b. Section 2(1) is deleted.
 - c. Section 2(2) is amended to read: The total *gross floor area* of all buildings and additions to existing buildings shall not exceed 170,000m².
 - d. Section 2(6) is amended to read: no part of such building above the elevation of 14.02m above *grade* is located otherwise than wholly within one of the areas delineated by heavy lines on Map 1 of this By-law.
 - e. Section 2(9) is amended to read: The total *landscaped open space* shall be provided and maintained to at least the extent of 4,435m². For the purposes of the foregoing and of the definition of said By-law 20623 of the term *landscaped open space*, *landscaped open space* located on a roof of the building having an elevation not exceeding 18m above *grade* shall

be deemed to be located on the *lot*.

- f. Section 2(10) is amended to read: no part of such building located within the areas delineated by heavy lines on Map 1 of this By-law has a greater *height* in metres than those *heights* shown on Map 1 hereof, exclusive of mechanical and rooftop equipment.
- g. Section 2(11) shall be amended to read: The owner or occupant of the building provides and maintains *parking spaces*, in a garage below grade to at least the extent of 756 *parking spaces*.
- h. Section 2(14) shall be added to read: The owner or occupant of the building shall provide maintain loading facilities to at least the extent of the following:
 - a. 6 *loading space – type A*;
 - b. 4 *loading space – type B*; and
 - c. 3 *loading space – type C*.
- i. The final paragraph of Section 3 is deleted.

3. For the purposes of this By-law:

- a. “*grade*” for the purposes of determining *height* pursuant to Section 2(d) of this By-law means 163.8 meters Canadian Geodetic Datum.
- b. “*height*” shall mean the vertical distance between *grade* and the highest point of the building or structure on the *lot*.
- c. “*loading space – type A*” shall mean a *loading space* with a length of at least 17.0 metres, a width of at least 3.0 metres and a vertical clearance of at least 4.3 metres.
- d. “*loading space – type B*” shall mean a *loading space* with a length of at least 11.0 metres, a width of at least 3.5 metres and a vertical clearance of at least 4.0 metres.
- e. “*loading space – type C*” shall mean a *loading space* with a length of at least 6.0 metres, a width of at least 3.5 metres and a vertical clearance of 3.0 metres.
- f. each word or expression that is italicized in this By-law have the same meaning as such word or expression as defined in By-law No. 20623, as amended, unless otherwise defined in Section 3 of By-law No. 110-68 or as otherwise defined herein.

- g. a *parking space* or *drive-aisle* that existed on the date of enactment of this By-law within the garage in the basement shall be deemed to conform to the dimension standards for a *parking space* and a *drive aisle* as prescribed in By-law 20623 to a maximum of 787 parking spaces, a maximum of 45 of which may be in tandem configuration.
4. Pursuant to Section 37 of the *Planning Act*, the height and density of development permitted on the *land* by this By-law, are permitted in return for the provision by the Owner of the following facilities, services and matters to the City at the Owner's sole expense:
- a. Prior to building permit issuance for any additional *gross floor area* for office use above the office towers existing on the date of enactment of this By-law, the Owner shall provide or secure a public art contribution of \$250,000 to facilitate the design and implementation of a public art program in accordance with the City's Public Art Program.
 - b. Prior to building permit issuance for any additional *gross floor area* for retail use within the heavy lines delineated on Map 1 labelled as F, public access shall be secured to the satisfaction of the City Solicitor and Chief Planner in the following locations:
 - i. From the public sidewalks along Yonge Street and Eglinton Avenue West over the *landscaped open space* at grade; and
 - ii. The *landscaped open space* proposed on the roof of the third storey of the retail addition.
 - c. The Owner enters into one or more agreements with the City pursuant to Section 37 of the *Planning Act* which shall be registered on title to the land by the City to secure the facilities, services and matters required to be provided by this section (4) and consents to the registration of such agreement or agreements against title to the site;
5. Notwithstanding any future severance partition, or division of the *lot*, the provisions of this By-law shall continue to apply to the whole of the *lot* as if no severance, partition, or division occurred.

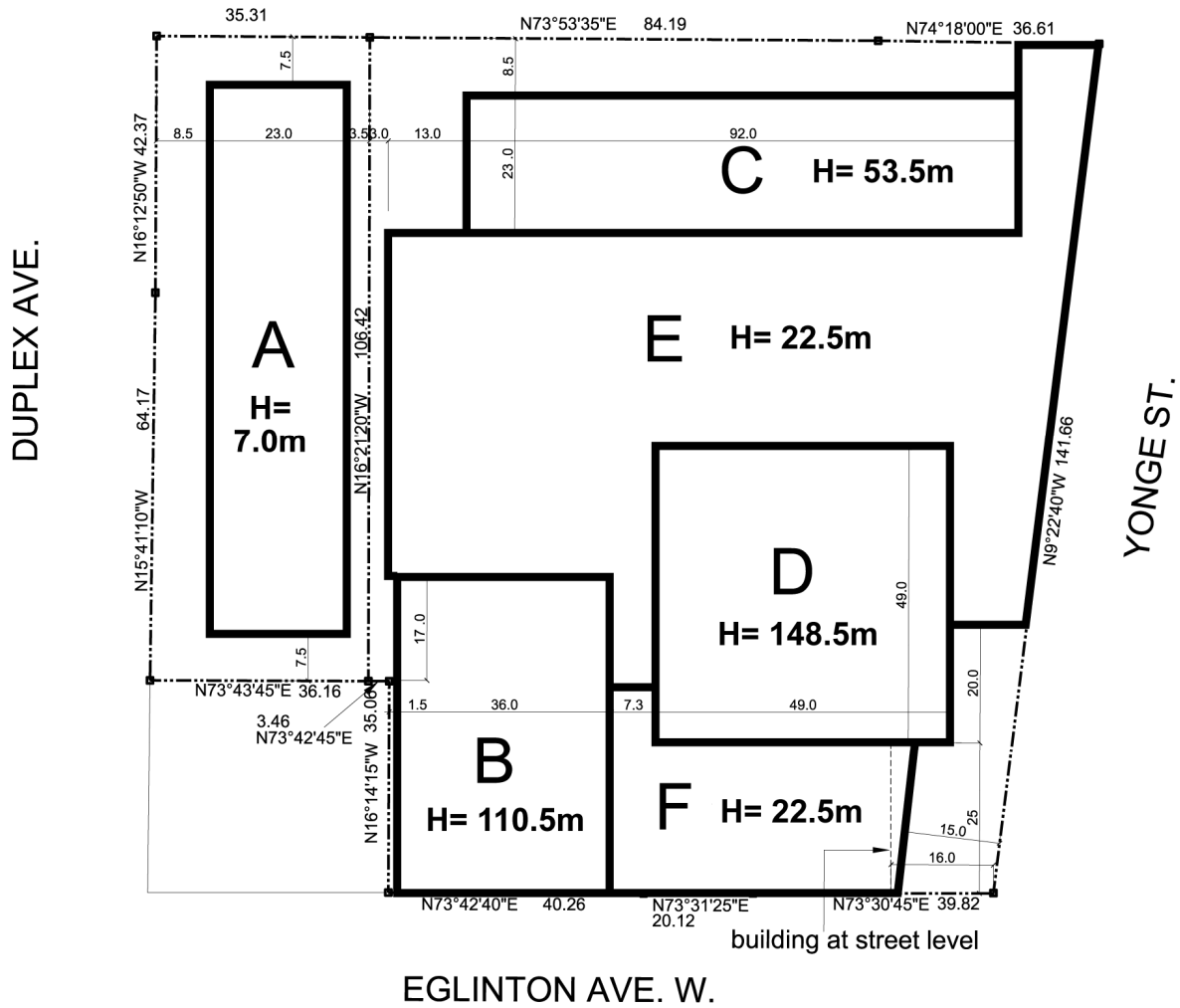
ENACTED AND PASSED this ~ day of ~, A.D. 20~.

DAVID R. MILLER,
Mayor

ULLI S. WATKISS,
City Clerk

(Corporate Seal)

ORCHARD VIEW BLVD.



H= Maximum Height Above Grade

Map 1

Applicant's Submitted Drawing

Not to Scale
02/18/2010



2300 Yonge Street, 411 Duplex Avenue
and 33 Orchard View Boulevard

File # 09_110945