

**1994-2008 Yonge Street and 17 Glebe Road West  
Rezoning Application  
Final Report**

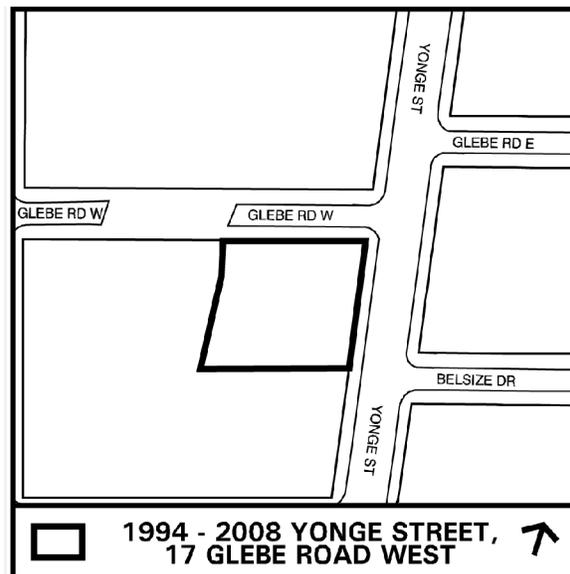
<b>Date:</b>	July 26, 2010
<b>To:</b>	Toronto and East York Community Council
<b>From:</b>	Director, Community Planning, Toronto and East York District
<b>Wards:</b>	Ward 22 – St. Paul's
<b>Reference Number:</b>	09-115302 STE 22 OZ

**SUMMARY**

This application was made on March 9, 2009 and is subject to the new provisions of the *Planning Act* and the *City of Toronto Act, 2006*.

This application proposes to construct a 10-storey mixed-use building at 1994-2008 Yonge Street and 17 Glebe Road West. The proposed building will step back above the 7<sup>th</sup> floor to create a 7-storey street-wall on Yonge Street and Glebe Road West. Retail is proposed on the ground floor along Yonge Street. The residential entrance and vehicular access will be off Glebe Road West. The proposal calls for 165 residential units, and 185 vehicular parking spaces located in three levels of underground parking.

The proposed development has been found to be substantially in compliance with the development criteria for *Mixed Used Areas, Avenues, Public Realm, Built Form*, and all other relevant Official Plan policies and urban design guidelines. This report reviews and recommends approval of the application to amend the Zoning By-law.



## RECOMMENDATIONS

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### The City Planning Division recommends that:

1. City Council amend Zoning By-law 438-86, as amended, for the lands at 1994-2008 Yonge Street and 17 Glebe Road West substantially, in accordance with the draft Zoning By-law Amendment attached as Attachment No. 8 to the Staff Report dated July 26, 2010.
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. Prior to the introduction of Bills in City Council, City Council require the owner of the lands at 1994-2008 Yonge Street and 17 Glebe Road West to enter into an Agreement pursuant to Section 37 of the *Planning Act*, to be registered on title, to the satisfaction of the City Solicitor, to secure the following:
  - a) a payment of \$500,000, payable prior to the issuance of the first above grade building permit. Such payment will be deposited to the Planning Act Reserve Fund. Up to \$200,000 may be used for the beautification of the terminus of Glebe Road West, including streetscape improvements. The remainder of the funds are to be used for the construction and associated cost of the Neshama Accessible Playground at Oriole Park and/or for the purchase, design and construction of a new park on the lands south of the TTC bus barns at Yonge Street and Eglinton Avenue West. The allocation of these funds will be at the discretion of the Chief Planner and Executive Director of the City Planning Division in consultation with the local Ward Councillor.

The following matters are also recommended to be secured in the Section 37 Agreement as a legal convenience to support the development:

- b) As part of the Site Plan Approval process, the owner shall provide 1:50 scale drawings for the first 3 floors of the Yonge Street and Glebe Road West elevations, with building materials labelled; and
- c) The owner shall incorporate in the construction of the building, and thereafter maintain, exterior building and landscape materials to the satisfaction of the Chief Planner and Executive Director, City Planning Division.
- d) The owner shall pay for and construct any improvements to the municipal infrastructure in connection with the Functional Servicing Report, as accepted by the Executive Director of Technical Services, should it be determined that improvements to such infrastructure is required to support this development.

4. City Council authorize the appropriate City officials to take such actions as are necessary to implement the foregoing, including execution of the Section 37 Agreement.

### **Financial Impact**

The recommendations in this report have no financial impact.

### **DECISION HISTORY**

At its meeting of February 13, 2007, the Toronto and East York Community Council considered a preliminary planning report with respect to an 11-storey mixed-use building at 1994-2008 Yonge Street. The report can be accessed using the following link:

<http://www.toronto.ca/legdocs/mmis/2007/te/bgrd/backgroundfile-1168.pdf>

While the application was under review, the applicant acquired the property to the immediate west of the development site. That application was subsequently closed and a new application was submitted on March 9, 2009, which is the subject of this final report.

### **ISSUE BACKGROUND**

#### **Proposal**

On March 9, 2009, the applicant submitted an application to demolish a senior's residence building at 17 Glebe Street West and several retail buildings, including three residential rental units, from 1994-2008 Yonge Street. The applicant proposed a 14-storey, 165-unit, L-shaped mixed-use building with a height of 52.0 metres, including a 5 metre mechanical penthouse. The unit breakdown included 69 one-bedroom units and 96 two-bedroom units.

On June 15, 2010, the applicant submitted revised plans and studies proposing a 10-storey building with modified setbacks. The reduced height has resulted in a reduction in the proposed residential gross floor area and the overall density. The overall height has been reduced from 52 metres to 40 metres and the density has dropped from 6.03 to 5.71 times the area of the lot.

The current proposal calls for a 10-storey mixed-use building with retail at-grade and residential uses above. The proposed building has a 7-storey street-wall fronting onto both Yonge Street and Glebe Road West. Above the seventh storey, the upper 3 floors are stepped back 4 metres from Yonge Street and 1.5 metres from Glebe Road West. The southern wall of the building steps back at each floor above the seventh floor up to the tenth floor.

The proposed building height is 35.6 metres plus a 3.7 metre mechanical penthouse. The mechanical penthouse is set back 14 metres from Yonge Street and 4.7 metres from Glebe Road West.

A total of 165 residential units are proposed, with a breakdown of 96 one-bedroom units and 69 two-bedroom units. The total gross floor area of the project is 16,430m<sup>2</sup> (including the 330m<sup>2</sup> indoor amenity area) which represents a density of 5.71 times the area of the lot.

Indoor and outdoor amenity areas are located on both the ground and second floors. The total indoor amenity area is 330 square metres and the total outdoor amenity area is also 330 square metres. The second floor indoor amenity area opens onto an outdoor landscaped amenity terrace of 142m<sup>2</sup>. Most of the private balconies proposed are recessed, other than the upper three storeys fronting onto Glebe Road West where they are projected over the 1.5 metre stepback.

The applicant is proposing 185 vehicular parking spaces, including 165 residential and 20 visitor spaces, in three levels of underground parking. Vehicular access is proposed from the western edge of Glebe Road West. All pick-up and drop-off activity is proposed to be accommodated on-site. Also proposed are 124 bicycle parking spaces, including 25 spaces for visitors and 99 spaces for residents.

The building is proposed to be built at the property line along Glebe Road West and Yonge Street. However, the property line is approximately 4.5m from the curb at Glebe Road West and 4.0m from Yonge Street. The applicant is proposing limestone materials for the first two storeys along Yonge Street and Glebe Road West. The remainder of the seven-storey street-wall will be a combination of brick and precast concrete. The upper three storeys of the building is proposed to be a window wall.

## Site and Surrounding Area

This 2,821 square metre site is located on the southwest corner of Yonge Street and Glebe Road West. The subject site consists of the following:

Address	Description
1994-1998 Yonge St.	A two-storey structure with retail uses at-grade and three rental apartments above. The commercial component is currently occupied by the Frame Express Gallery and the residential units are vacant.
2000 Yonge St.	A two-storey structure with retail uses at-grade and on the second level. Parking is provided at the rear via driveway off Yonge Street. The building is currently occupied by the Chesterfield Shoppe.
2008 Yonge St.	A one-storey structure with surface parking to the north. The building was occupied by Boardsports and is now vacant.
17 Glebe Road W.	A commercial parking lot. Since the drafting of the preliminary report for the subject application, the three-storey retirement residence has been demolished and replaced with the parking lot.

Adjacent land uses include:

North: across Glebe Rd. W. is a 5-storey mixed-use building at 20 Glebe Rd. W. and a 3-storey commercial building fronting Glebe Road West and Yonge St.

South: a 2-storey commercial building at 1992 Yonge Street.

East: across Yonge St. are predominantly 2 to 3-storey mixed-use buildings. An 8-storey (37.2 metres including the mechanical penthouse) mixed-use building is proposed along Yonge Street from Millwood Road to Belsize Drive.

West: is the open-cut subway corridor and an established low-rise residential neighbourhood 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 Official Plan for the City of Toronto designates the subject site *Mixed Use Areas* and it is located on an *Avenue*, as shown on Map 2 of the Official Plan's Urban Structure map. The site also falls within the boundaries of the Yonge-Eglinton Secondary Plan.

## **Mixed Use Areas**

The *Mixed Use Areas* designation in the Official Plan provides for 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.

Development in *Mixed Use Areas* is subject to a number of development criteria. In *Mixed Use Areas*, developments will: locate and mass new buildings to provide a transition between areas of different development intensity and scale; provide appropriate

setbacks and/or stepping down of heights, particularly towards lower scale *Neighbourhoods*; locate and mass new buildings so as to adequately limit shadow impacts on adjacent *Neighbourhoods* particularly during the spring and fall equinoxes; provide good site access and circulation and an adequate supply of parking for residents and visitors; provide an attractive, comfortable and safe pedestrian environment; locate and screen service areas, ramps and garbage storage to minimize the impact on adjacent streets and residences; and, provide indoor and outdoor recreation space for building residents in every significant multi-unit residential development.

### **Avenues**

The subject site is located on an *Avenue* as identified on Map 2 of the Official Plan. *Avenues* are important corridors along major streets where re-urbanization is anticipated and encouraged to create new housing and job opportunities. A framework for change will be tailored for each of the *Avenues* through a local *Avenue* Study. The growth and redevelopment of the *Avenues* should be supported by high quality transit services, urban design and traffic engineering practices that promote a street that is safe, comfortable, and attractive for pedestrians and cyclists.

There is no *Avenue* Study for this portion of Yonge Street. Development in *Mixed Use Areas* on *Avenues*, prior to an *Avenue* Study, has the potential to set a precedent for the form and scale of reurbanization along the *Avenue*. Development may be permitted on the *Avenues* prior to an *Avenue* Study and will be considered on the basis of all of the policies of the Official Plan. Therefore, *Avenue* Segment Studies are required for any development proposals on *Avenues* without an *Avenue* Study in order to: assess the impacts of the incremental development of the entire *Avenue* segment at a similar form, scale and intensity, appropriately allowing for distinguishing circumstances; consider whether incremental development of the entire *Avenue* would adversely impact any adjacent *Neighbourhoods*; and consider whether the proposed development is supportable by available infrastructure.

The *Avenues* will be transformed incrementally. They will change building-by-building over a number of years. Development in *Mixed Use Areas* on an *Avenue* that precedes the completion of an *Avenue* Study will, amongst other things: support and promote the use of transit; contribute to the creation of a range of housing options in the community; contribute to an attractive, safe and comfortable pedestrian environment that encourages walking and strengthens local retailing; provide universal physical access to all publicly accessible spaces and buildings; and incorporate environmentally sustainable building design and construction practices.

### **Yonge-Eglinton Secondary Plan**

The site forms part of the Yonge-Eglinton Secondary Plan, which contains policies and principles pertaining to height and built form in the area. A primary objective of the Secondary Plan is 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. 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.

## **Zoning**

The site is zoned MCR T3.0 C2.0 R2.5 under By-law 438-86, as amended (See Attachment No. 7). The Mainstreets Commercial Residential (MCR) zoning classification permits residential and commercial uses including apartment buildings, retail, office and other commercial uses. The total combined density permitted is 3.0 times the area of the lot, of which a maximum of 2.0 times may be non-residential and/or a maximum of 2.5 times may be residential. The maximum permitted height is 16.0 metres.

## **Mid-Rise Building Performance Standards**

At its meeting of July 6, 7, and 8, 2010 City Council requested staff to begin using the Mid-Rise Building Performance Standards in the evaluation of all new and current mid-rise development proposals on the Avenues.

While the Mid-Rise Performance Standards were not available for the evaluation of this proposal, staff guided the design of the development to follow the Official Plan policies which the performance standards are intended to support.

## **Site Plan Control**

The proposal is subject to Site Plan Control. A site plan application has not been submitted.

## **Reasons for Application**

The proposal calls for a 10-storey, 40 metre (including a 3.7m mechanical penthouse) building with a density of 5.7 times the area of the lot. The proposed density and height exceeds current permissions of 3 times the lot area and 16 metres respectively. A Zoning By-law amendment is therefore required.

The proposed development has been found to be substantially in compliance with the development criteria for *Mixed Used Areas, Avenues, Public Realm, Built Form*, and other relevant Official Plan policies. No Official Plan amendment is required.

## **Community Consultation**

A community consultation meeting was held in the neighbourhood to discuss this proposal on June 2, 2009. Approximately 40 members of the public attended the meeting. At this meeting, the applicant presented the 14-storey proposal. Residents were concerned with the proposed height, shadow and possible traffic impacts. Residents also raised concerns related to the dead-end of Glebe Road West. Some of these concerns related to snow removal, storage of garbage bins, and potential conflicts between the

existing vehicular access on the north side of the street with the proposed vehicular access on the south side of the street. A few attendees also spoke in support of the development and its design.

### **Agency Circulation**

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

## **COMMENTS**

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

The proposal is consistent with the Provincial Policy Statement (PPS). The PPS encourages additional density through intensification and redevelopment to accommodate an appropriate range and mix of employment opportunities, housing and other land uses to meet projected needs for a time horizon of up to 20 years (Policy 1.1.2).

Intensification shall meet appropriate development standards (Policy 1.1.3.4), which is discussed further in this report under the subheading Density, Height and Massing.

Policy 1.6.5.4 promotes a land use pattern, density and mix of uses that minimize the length and number of vehicle trips and support the development of viable choices and plans for public transit and other alternative transportation modes, including commuter rail and bus. While this development provides a sufficient number of parking spaces to support the development, it is within a relatively short walking distance to two subway stops, namely Davisville and Eglinton stations.

The proposal conforms and does not conflict with the Growth Plan for the Greater Golden Horseshoe.

### **Land Use**

The mixed use zoning on the site permits both residential and commercial uses. In keeping with the planned and existing character along Yonge Street, retail uses are planned for the ground floor with residential uses above. The residential entrance and lobby will be located off Glebe Road West to allow for a continuous band of retail uses along the Yonge Street frontage. The Official Plan encourages retail development along the Avenues to suit the local context and support the establishment of a high quality pedestrian environment (Section 3.5.3 Policy 3).

### **Avenue Segment Study & Mid-Rise Building Performance Standards**

The subject site is located on an *Avenue* as identified on Map 2 of the Official Plan. *Avenues* are corridors along major streets, where reurbanization is generally anticipated. *Avenue* Studies are intended to precede major development proposals for redevelopment

on these streets. An Avenue Study has not been completed for this section of Yonge Street, therefore an Avenue Segment Study is required.

The applicant submitted an *Avenue* Segment Study, dated February 20, 2009, and an addendum to that study, dated June 15, 2010, in support of the revised application. The *Avenue* Segment Study includes properties along Yonge Street, between Soudan Avenue and Merton Street. The study concludes that this segment of Yonge Street is in a state of gradual transition. The majority of the sites will be redeveloped in the form of mid-rise buildings, with site-specific considerations. The study also concludes that the area is well served, with a full range of community services and facilities.

Since the submission of the *Avenue* Segment Study and Addendum, City Council, at its meeting of July 6, 7, and 8, 2010, requested staff to begin using the Mid-Rise Building Performance Standards in the evaluation of all new and current mid-rise development proposals on the Avenues.

The vision for the *Avenues* is one of animated sidewalks and buildings that frame the street, with heights that are proportionate to the right-of-way widths. In general terms there are 3 components to the buildings: the first 3 storeys relate to the sidewalk and pedestrian realm, the next three (or up to 80% of the right-of-way) form part of the 'streetwall' and relate to adjacent buildings, while the upper storeys, (between 7 and 11 storeys) are stepped back to allow skyview, sunlight and transition.

The Performance Standards are intended to be used as tools to implement both the Official Plan's *Avenues* and *Neighbourhoods* policies, maintaining a balance between reurbanization and stability. The Performance Standards give guidance about the size, shape and quality of mid-rise buildings and are intended to respect Section 2.3.1 of the Official Plan.

### **Density, Height and Massing**

The proposed density, 5.7 times the area of the lot, exceeds the current permissions of the Zoning By-law. While the Zoning By-law limits the non-residential and residential gross floor area to 3.0 times the area of the lot, the current direction of the Official Plan and provincial planning documents identify the subject site as a location for possible residential intensification.

As described earlier, this site is located on an *Avenue* as defined by Map 2 in the Official Plan. The Official Plan states that residential growth will be directed to the *Avenues* in order to, amongst other objectives, concentrate jobs and people in areas well served by surface transit and rapid transit stations (Section 2.2 Policy 2).

The current proposal is 10-storeys tall with a 7-storey streetwall. The overall height of the building is 36 metres plus a 3.7 metre mechanical penthouse, totalling approximately 40 metres. The height at the top of the 7-storey streetwall is approximately 24.5 metres and then steps back 4 metres from Yonge Street.

The southernmost wall has been revised since the original application. The wall is now articulated and designed using window-like wall material and brick. These materials, as well as the other materials, including limestone on the first two storeys facing Yonge Street and Glebe Road West, will be secured in the Section 37 Agreement registered on title. The south façade meets the Performance Standards regarding side property line in that it limits blank side walls and steps back at its upper storeys.

The right-of-way for this portion of Yonge Street is approximately 26.5 metres wide. The height of the streetwall relative to the right-of-way width is therefore about 92 percent. The Mid-Rise Building Performance Standards call for a streetwall height of up to 80 percent.

A recurring policy within the Official Plan is locating and massing buildings so they do not negatively impact the areas designated as *Neighbourhoods*. The Healthy Neighbourhoods, Section 2.3.1, of the Official Plan states that developments in *Mixed Use Areas* that are adjacent or close to *Neighbourhoods* will provide a gradual transition of scale and density, as necessary to achieve the objectives of this Plan through the stepping down of buildings towards, and setbacks from, those *Neighbourhoods*.

The proposal provides appropriate setbacks from the lower scale *Neighbourhoods*. Adequate transition is provided by the subway corridor between the subject site and the *Neighbourhoods* to the west. The open-cut subway corridor is approximately 44 metres wide at its widest point. This feature provides sufficient spacing between the proposed development and the existing low-rise neighbourhood. Therefore, no stepping is required. The proposed building falls below a 45 degree angle from the rear yards of the low-rise residential properties to the west, exceeding the Mid-Rise Building Performance Standard with respect to rear transition to neighbourhoods.

The massing of the building is directed to the street edges. The L-shaped building fronts onto Yonge St. and Glebe Road West and with a motor court and outdoor amenity space internal to the site. The 7-storey streetwall is continuous along Yonge Street and Glebe Road West. Above the 7<sup>th</sup> storey there is a 4 metre stepback along Yonge Street and 1.5 metres along Glebe Road West. Balcony projections are not permitted over the Yonge Street stepback. The massing of the 8<sup>th</sup>, 9<sup>th</sup> and 10<sup>th</sup> storeys along Yonge Street are designed to be less visible from the street. The Mid-Rise Building Performance Standards call for a 45 degree angular plane above the streetwall. The proposed angular plane above the streetwall (75 degrees) is greater than the 45 degrees in the Performance Standards.

While the proposal does not strictly adhere to all the Performance Standards in the new Mid-Rise Building Performance Standards, the proposed development does substantial comply with the Official Plan policies respecting built form and its compatibility with adjacent *Neighbourhoods*. It is nonetheless anticipated that future development along the *Avenue* will be informed by the new Mid-Rise Building Performance Standards and will be required to adhere to the guidelines.

## **Sun and Shadow**

The *Mixed Use Areas* policies in the Official Plan, Section 4.5, provides development criteria (Policy 2(d)) which states that development will contribute to the quality of life by locating and massing new buildings to adequately limit shadow impacts on properties in adjacent lower-scale *Neighbourhoods*, particularly during the spring and fall equinoxes.

Based on the Shadow Studies provided by the Applicant, the proposed development adequately limits shadow in the *Neighbourhoods*. At 9:18am on March 21<sup>st</sup> a shadow is cast over the subway corridor, to the west, onto four properties on the east side of Duplex Avenue, just north of Glebe Road West. Just after 10:18am the shadow is off the residential properties in the *Neighbourhoods*. At 10:18am on March 21<sup>st</sup>, and for the remainder of the day, no shadow is cast over the residential properties in the *Neighbourhoods* to the west.

With respect to the *Neighbourhoods* on the east side of Yonge Street, shadows reach the low-rise residential properties in the early evening (after 5:18pm) on March 21<sup>st</sup>. As properties along the east side of Yonge Street are redeveloped, within the existing zoning height limits, shadows cast by the subject development may not cast any incremental shadow on the *Neighbourhoods* properties. On June 21<sup>st</sup> there will be no noticeable shadow impact on the *Neighbourhoods* to the east of Yonge Street.

There is a mixed use building located within the *Mixed Use Areas*, on the north side of Glebe Road West, opposite of the subject site. While there will be no shadow impact on June 21<sup>st</sup>, shadows will be cast at other times during the year. On March 21<sup>st</sup> shadows will be cast on the southern portions of the mixed use building at 20 Glebe Road West until 3:18 pm.

The application meets the intent of the Mid-Rise Building Performance Standards, with respect to sun/shadow by providing in excess of 5-hours of sunlight access on the opposite sidewalk.

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

Vehicles will access the site from Glebe Road West. The driveway will be located at the western most end of the site. In support of the proposal, the applicant's transportation consultant, Cole Engineering, submitted a Traffic Impact Study (TIS), dated February 2009. In this study, the consultant concluded that site traffic can be accommodated on the adjacent road network and City Staff concurred with their conclusion.

The consultant submitted a Letter of Reliance, dated June 11, 2010, with the current submission, to confirm that the above noted TIS is still applicable based on the revised site context plan. Staff reviewed the supporting documentation and concur with the consultant's conclusion.

As far as can be ascertained, a minimum of 148 parking spaces are required for this project in accordance with the Zoning Bylaw requirements for the Yonge-Eglinton area. This figure consists of 107 spaces for residents and 41 spaces for residential visitors. The applicant is intending to exceed this requirement by providing a total of 185 parking spaces for this project, consisting of 165 resident spaces and 20 residential visitor spaces.

Transportation Services normally require that parking for proposed residential condominiums be provided in accordance with their residential condominium demand standards, which includes 137 spaces for residents and 20 spaces for visitors for a total of 157 parking spaces.

These standards reflect the results of parking demand surveys previously undertaken by the City for residential condominiums, were applied to other projects in the area (e.g. 2195 Yonge Street, 18 Brownlow Avenue, 70 Roehampton Avenue and 82 Broadway Avenue). The proposed parking supply exceeds the requirements based on Transportation Services residential condominium demand standards as noted above, which is acceptable.

In accordance with the Toronto Green Standards (TGS), when providing more than the minimum parking requirement under the Zoning Bylaw for residential uses, any additional spaces must provide roughed-in conduits to allow for future electrical outlets for plug-in electric vehicles. In this case, the surplus parking supply will be evaluated on the residential condominium demand standards as these standards were applied originally to estimate the required parking supply.

As such, 28 residential parking spaces, which are surplus to the minimum residential parking requirement, must be provided with roughed-in conduits to allow for future electrical outlets for plug-in electric vehicles. The applicant has expressed their intent to provide the roughed-in conduits in their Toronto Green Standard Checklist, and this will be secured in through the Site Plan Control process.

This application provides good site access and circulation and an adequate supply of parking for residents and visitors and, thus, meets the intent of the policies in the Official Plan with respect to parking.

## **Servicing**

Service vehicles will access the site off the one driveway from Glebe Road West. A Type G loading space will be provided off the interior courtyard. Collection of waste materials from this development will be in accordance with the *City of Toronto Requirements for Garbage Collection and Recycling Collection from New Developments and Re-Developments* and Chapter 844, Solid Waste of the Municipal Code.

This proposal is to locate and screen service areas, ramps and garbage storage to minimize the impact on adjacent streets and residences and, thus, meets the intent of the policies in the Official Plan with respect to servicing and access.

## **Trees**

Both private and public trees will be affected by this proposal. The applicant is proposing to remove one private tree (diameter of 30cm or more). Private trees are protected under the provisions of the “Private Tree By-law” (City of Toronto Municipal code Chapter 813, Trees, Article III). Under the provisions of the Private Tree By-law, private trees are to be replaced on-site at a 3:1 ratio. If it is not physically possible to replace the trees on-site, then the owner will be required to make a cash-in-lieu payment.

The applicant is proposing to remove one Public tree. City owned trees situated on the City’s road allowance are protected under the “City Street Tree By-law” (City of Toronto Municipal code Chapter 813, Trees, Article II, ‘Trees on City Street’).

The applicant intends to plant additional trees for the south and west sides of the courtyard, as well as shade trees along the street frontages, as permitted. As part of the Site Plan Control review a detailed Landscape Plan is required to indicate the planting of large growing shade tree species within the Yonge Street and Glebe Road West City road allowances. With respect to the trees proposed over any underground structure, a Landscape Detail Plan will be required as part of the Site Plan Control process.

## **Noise and Vibration**

Due to the proximity of the open-cut TTC corridor to the west, the applicant submitted a Subway Vibration Analysis, dated March 3, 2009, and an Addendum, dated June 15, 2010, in support of the application. The report states that the impact of the vibration from the adjacent subway corridor will be minimal. A few vibration mitigation measures are recommended in the report.

The applicant also submitted an Environmental Noise Feasibility Study, dated March 3, 2009, and an Addendum, dated June 15, 2010, in support of the application. The report and addendum recommend specific noise control measures, such as particular building materials and centralized air conditioning to mitigate the noise impacts of the surrounding environment on the proposed development.

Planning staff will implement these recommendations through the Site Plan Control process.

## **Open Space/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 lands which are the subject of this application are in an area with 0 to 0.42 hectares of local parkland per 1,000 people. The site is in the lowest quintile of current provision of parkland. The site is in a parkland priority area, as per Alternative Parkland Dedication By-law 1420-2007.

The applicant proposes 165 residential units on a total site area of 0.2821 hectares (2,821m<sup>2</sup>). At the alternative rate of 0.4 hectares per 300 units specified in By-law 1420-

2007, the parkland dedication would be 0.22 hectares (2,200m<sup>2</sup>). However, a cap of 10% applies and hence the parkland dedication for the development would be 0.0282 hectares (282m<sup>2</sup>).

The non-residential component of the development is less than 1000m<sup>2</sup> and is therefore exempt from the parkland dedication requirements under Section 165-7 of the Municipal Code.

The applicant proposes to satisfy the parkland dedication requirement through cash-in-lieu. This is appropriate as an on-site parkland dedication requirement of 0.0282 hectares (282m<sup>2</sup>) would not be of a useable size and the site would be encumbered with below-grade parking.

The actual amount of cash-in-lieu to be paid will be determined at the time of issuance of the building permit.

### **Streetscape**

The Development Criteria for *Mixed Use Areas*, in the Official Plan, calls for development to provide an attractive, comfortable and safe pedestrian environment, and locate and screen service areas, ramps and garbage storage to minimize the impact on adjacent streets and residences. The proposed development satisfies these policies.

The proposal provides for an animated pedestrian realm with one curb cut at the terminus of a dead-end road. The seven-storey streetwall defines a scale generally consistent with the adjacent development proposals. Reclaiming the public boulevard along Glebe Road West, which is currently used for vehicular parking spaces, and creating a treed public realm with unobstructed sidewalks, if physically viable, will enhance the pedestrian environment.

### **Toronto Green Standard**

On October 27, 2009 City Council adopted the two-tiered Toronto Green Standard (TGS). The TGS is a set of performance measures for green development. Tier 1 is required for new development. Tier 2 is a voluntary, higher level of performance with financial incentives. Achieving the Toronto Green Standard will improve air and water quality, reduce green house gas emissions and enhance the natural environment.

For applications received before January 31, 2010 the TGS is applied on a voluntary basis. Applicable TGS performance measures will be secured through the Site Plan Approval process.

### **Section 37**

The Official Plan contains policies pertaining to the provision of community benefits for increases in height and/or density pursuant to Section 37 of the *Planning Act*. While the proposed development exceeds the height and density limits of the Zoning By-law, the application is consistent with the objectives and policies of the Official Plan, and thus constitutes good planning.

Pursuant to Section 5.1.1 of the Official Plan and its underlying policies, Staff have secured \$500,000, payable prior to issuance of the first above grade building permit, to be distributed between a number of capital projects within the immediate neighbourhood including the beautification of the terminus of Glebe Road West, the construction and associated cost of the Neshama Accessible Playground at Oriole Park and for the purchase, design and construction of a new park on the lands south of the TTC bus barns at Yonge Street and Eglinton Avenue West. Such payment shall be indexed to the non-residential Construction Price Index for Toronto for the period from the date of Council enactment of the site-specific by-law and the date of payment.

Up to \$200,000 may be used for the beautification of the terminus of Glebe Road West, including streetscape improvements. Residents in the neighbourhood, primarily those living at 20 Glebe Road West, have requested that improvements be made to the terminus of the street and also potentially the streetscape. A brief assessment has indicated that an improved design wall may be provided between the dead-end and the subway open cut. It remains unclear as to whether there is sufficient space to provide planting or other design elements to the structure. A more detailed assessment will be completed as part of the Site Plan Control process.

The majority of the \$500,000 will be directed to the purchase, design and construction of local parks. At the discretion of the Chief Planner and Executive Director of the City Planning Division in consultation with the local Ward Councillor, these funds may be used for the establishment of a new neighbourhood park associated with the future redevelopment at Yonge and Eglinton. This park will become a community focal point and will help to create a transition into the surrounding low-density residential areas, in addition to providing the benefits of neighbourhood greening. It will be designed and programmed through a community process and with regard to the policies set out in the Yonge Eglinton Centre Urban Design Guidelines.

These funds may also be used towards the construction and other associated costs of the Neshama Accessible Playground at Oriole Park. This project is based on the idea of universal play and access for all children to recreational spaces and activities. The Neshama Playground will be an accessible and inclusive space where children of all abilities can play together, and will also provide recreation space for the surrounding community.

## **Rental Housing**

This property consists of buildings that are used for residential purposes. The buildings contain a total of three residential rental units. The applicant has advised that all three units are vacant. As there are fewer than six residential units on the property, the rental housing protection policies of Section 111 of the *City of Toronto Act* and its implementing by-law (enacted as Municipal Code Chapter 667) do not apply. Similarly, as there are fewer than six rental units, the proposed development is not subject to the City's Official Plan policy on rental demolition (Policy 3.2.1.6).

## **Development Charges**

It is estimated that the development charges for this project will be \$1,000,000. This is an estimate. The actual charge is assessed and collected upon issuance of the building permit.

## **CONTACT**

Oren Tamir, Planner  
Tel. No. (416) 392-7349  
Fax No. (416) 392-1330  
E-mail: otamir@toronto.ca

## **SIGNATURE**

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

(P:\2010\Cluster B\pln\teycc16369309023.doc) - smc

## **ATTACHMENTS**

Attachment 1: Application Data Sheet  
Attachment 2: Site Plan  
Attachment 3: East Elevation  
Attachment 4: South Elevation  
Attachment 5: West Elevation  
Attachment 6: North Elevation  
Attachment 7: Zoning Map  
Attachment 8: Draft Zoning By-law

## Attachment 1: Application Data Sheet

Application Type: Rezoning                      Application Number: 09 115302 STE 22 OZ  
 Details: Rezoning, Standard              Application Date: March 9, 2009  
 Municipal Address: 17 GLEBE RD W  
 Location Description: PL 484E PT LTS 27 TO 30 \*\*GRID S2203  
 Project Description: Proposed is a 10 storey mixed-use building with 165 residential units with retail at-grade. A total of 185 parking spaces, including 20 visitor spaces, will be provided for in 3 levels of below-grade parking.

<b>Applicant:</b>	<b>Agent:</b>	<b>Architect:</b>	<b>Owner:</b>
Walker, Nott, Dragicevic Associates Ltd.		Page+Steele IBI Group Architects	Templeton Holdings Inc.

### PLANNING CONTROLS

Official Plan Designation:	<i>Mixed Use Areas</i>	Site Specific Provision:
Zoning:	MCR T3.0 C2.0 R2.5	Historical Status:
Height Limit (m):	16	Site Plan Control Area:      Y

### PROJECT INFORMATION

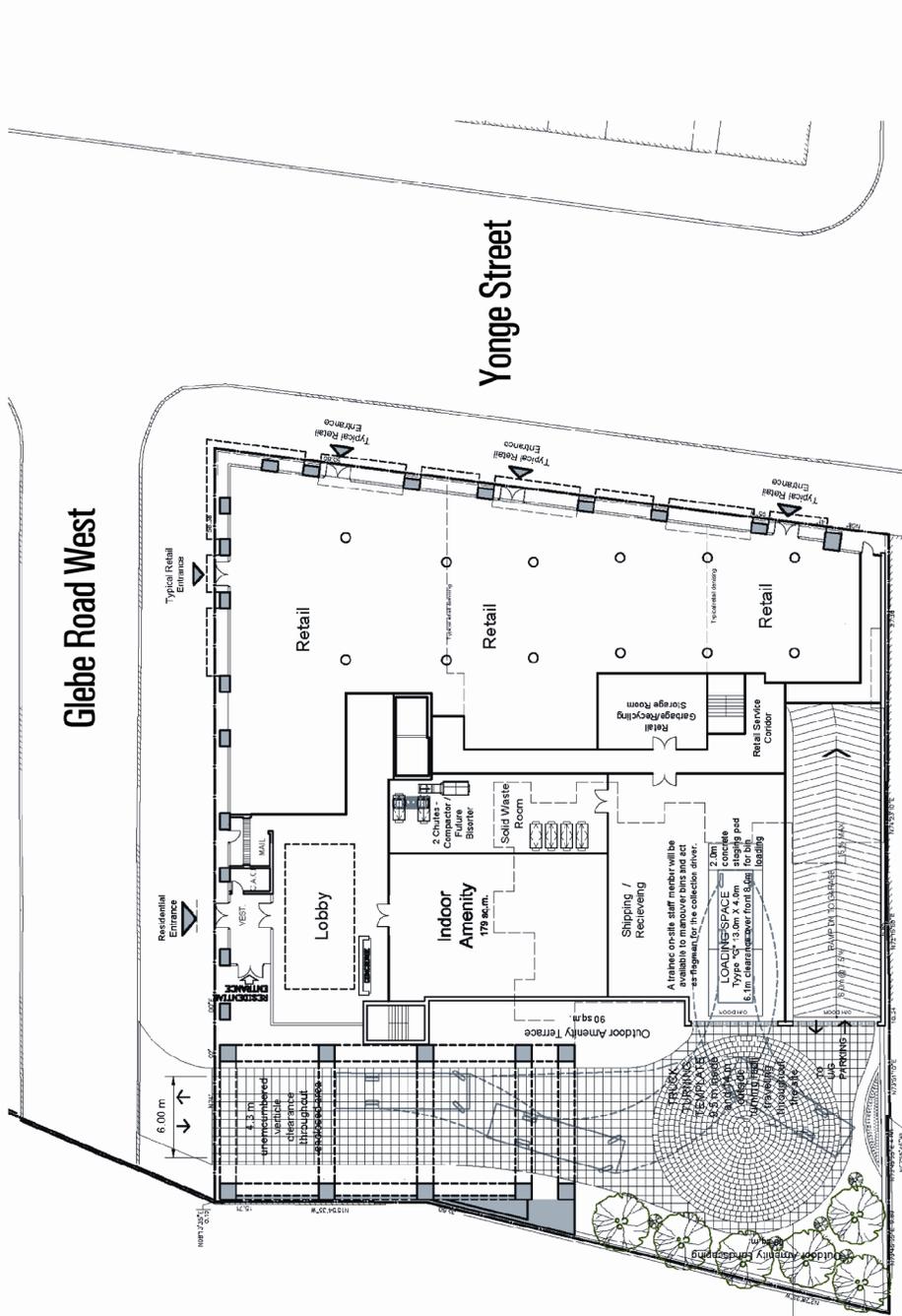
Site Area (sq. m):	2821	Height:	Storeys: 10	
Frontage (m):	51		Metres: 36	
Depth (m):	56			
Total Ground Floor Area (sq. m):	1667			<b>Total</b>
Total Residential GFA (sq. m):	15471		Parking Spaces:	185
Total Non-Residential GFA (sq. m):	959		Loading Docks	1
Total GFA (sq. m):	16430			
Lot Coverage Ratio (%):	59.1			
Floor Space Index:	5.7			

### DWELLING UNITS

### FLOOR AREA BREAKDOWN (upon project completion)

			Above Grade	Below Grade
Tenure Type:	Condo			
Rooms:	0	Residential GFA (sq. m):	15471	0
Bachelor:	0	Retail GFA (sq. m):	959	0
1 Bedroom:	96	Office GFA (sq. m):	0	0
2 Bedroom:	69	Industrial GFA (sq. m):	0	0
3 + Bedroom:	0	Institutional/Other GFA (sq. m):	0	0
Total Units:	165			

# Attachment 2: Site Plan



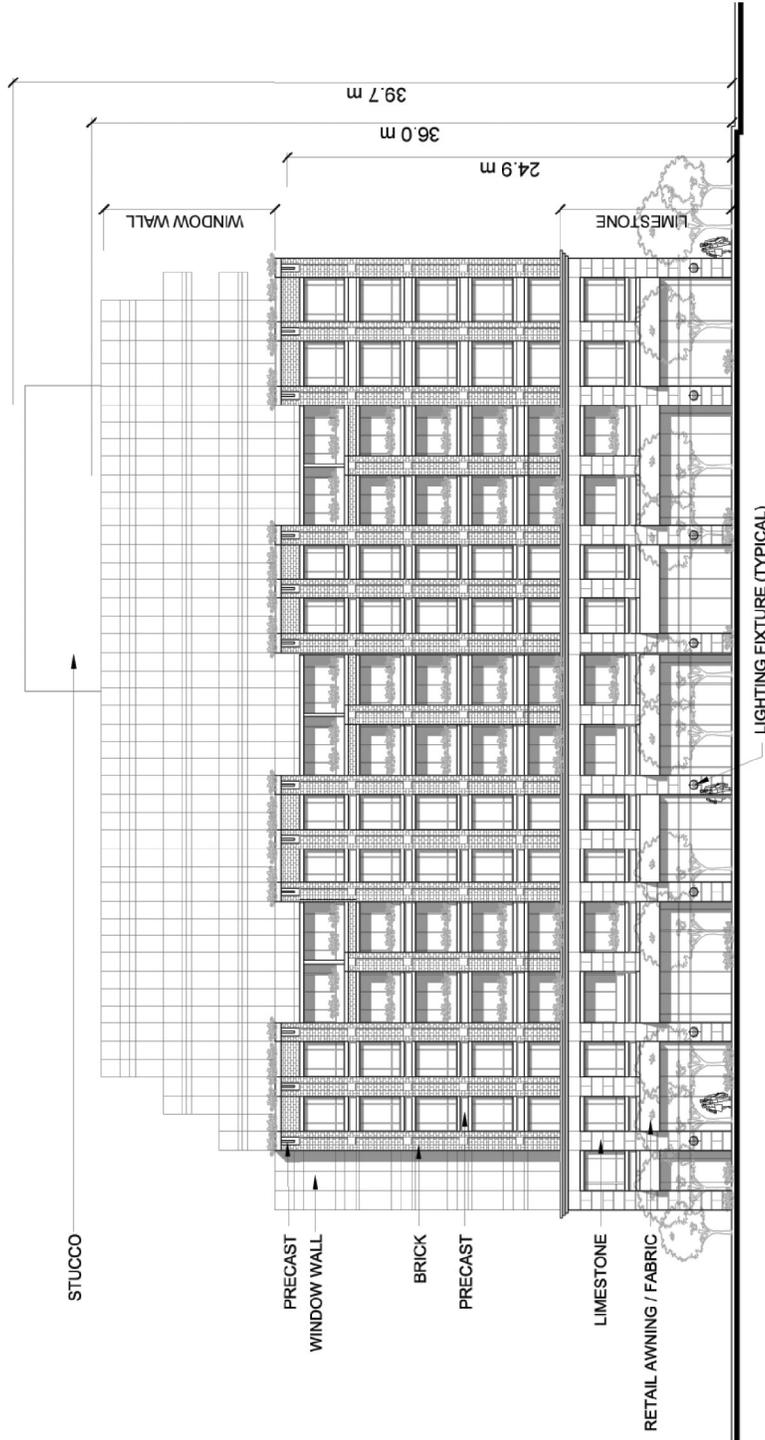
1994 - 2008 Yonge Street and  
17 Glebe Road West

File # 09\_115302

Site Plan  
Applicant's Submitted Drawing

Not to Scale  
07/16/2010

**Attachment 3: East Elevation**



EAST Elevation Along Yonge Street

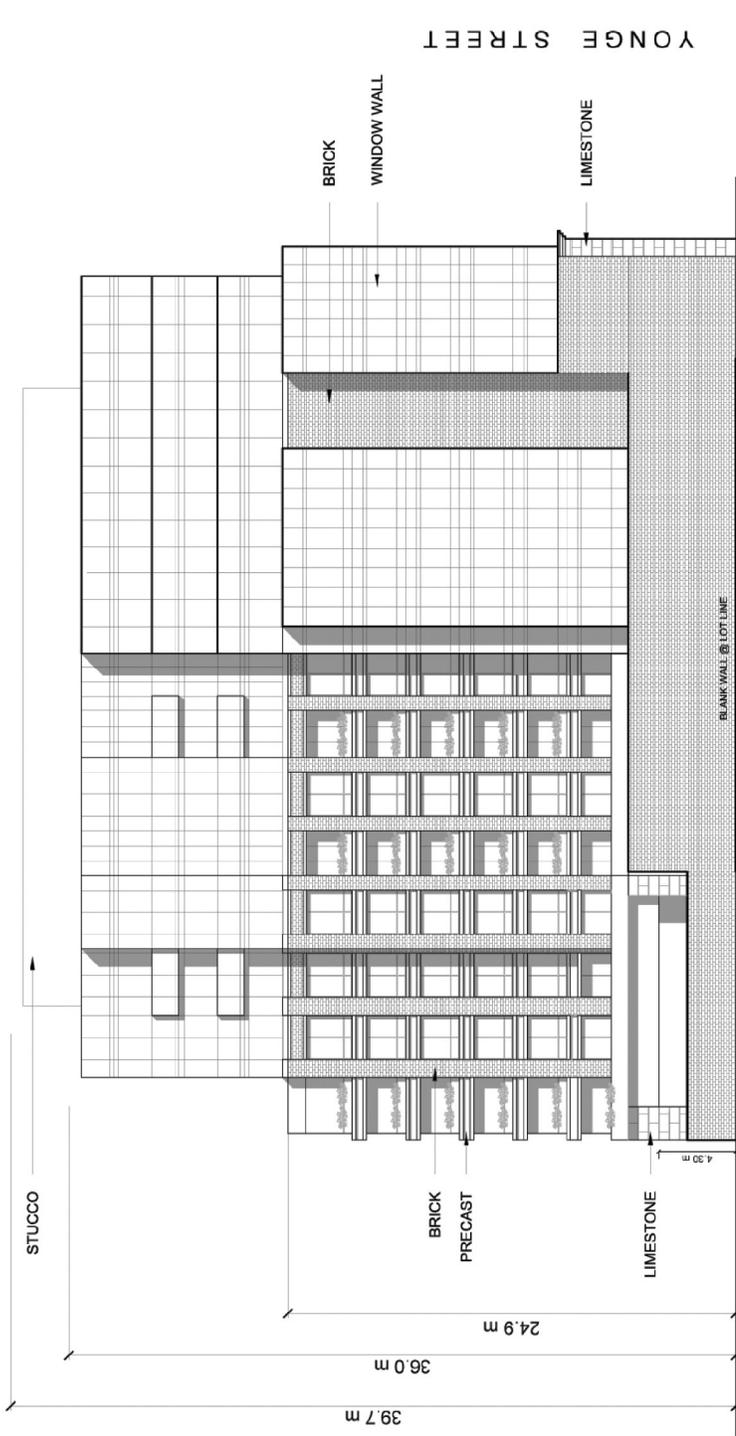
**1994 - 2008 Yonge Street and  
17 Glebe Road West**

**Elevations**  
Applicant's Submitted Drawing

Not to Scale  
07/21/10

File # 09\_115302

**Attachment 4: South Elevation**



South Elevation

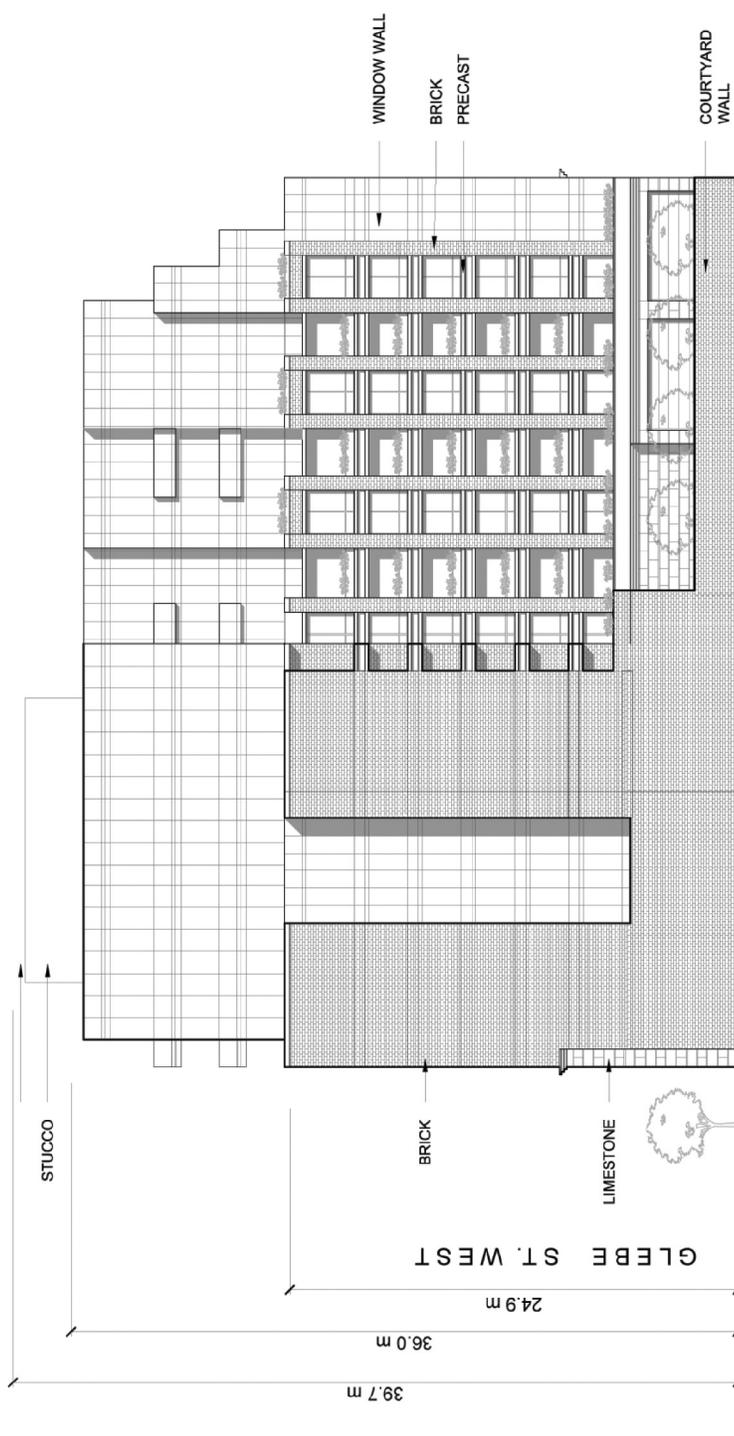
**1994 - 2008 Yonge Street and  
17 Glebe Road West**

File # 09\_115302

**Elevations**  
Applicant's Submitted Drawing

Not to Scale  
07/21/10

**Attachment 5: West Elevation**



WEST Elevation

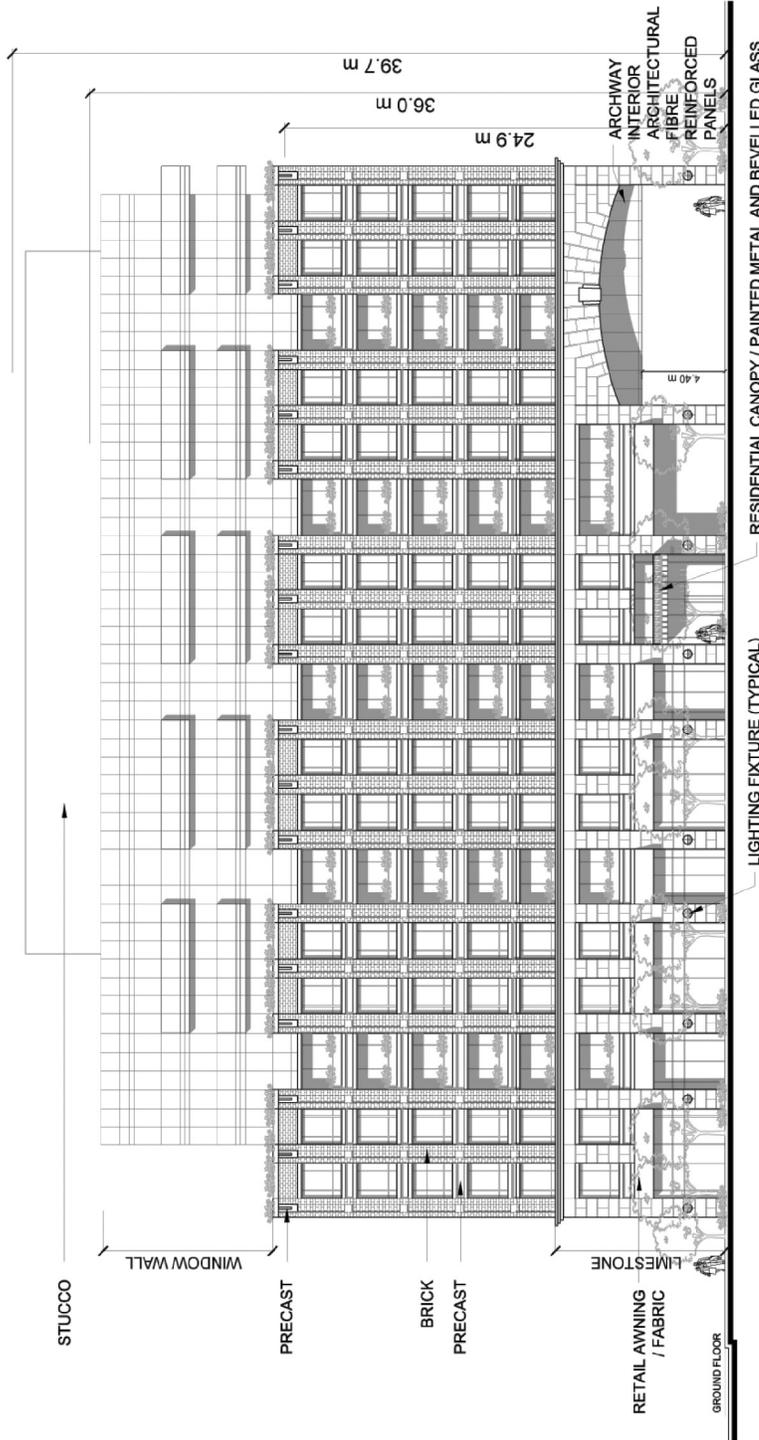
**1994 - 2008 Yonge Street and  
17 Glebe Road West**

File # 09\_115302

**Elevations**  
Applicant's Submitted Drawing

Not to Scale  
07/21/10

Attachment 6: North Elevation



NORTH Elevation Along Glebe Road

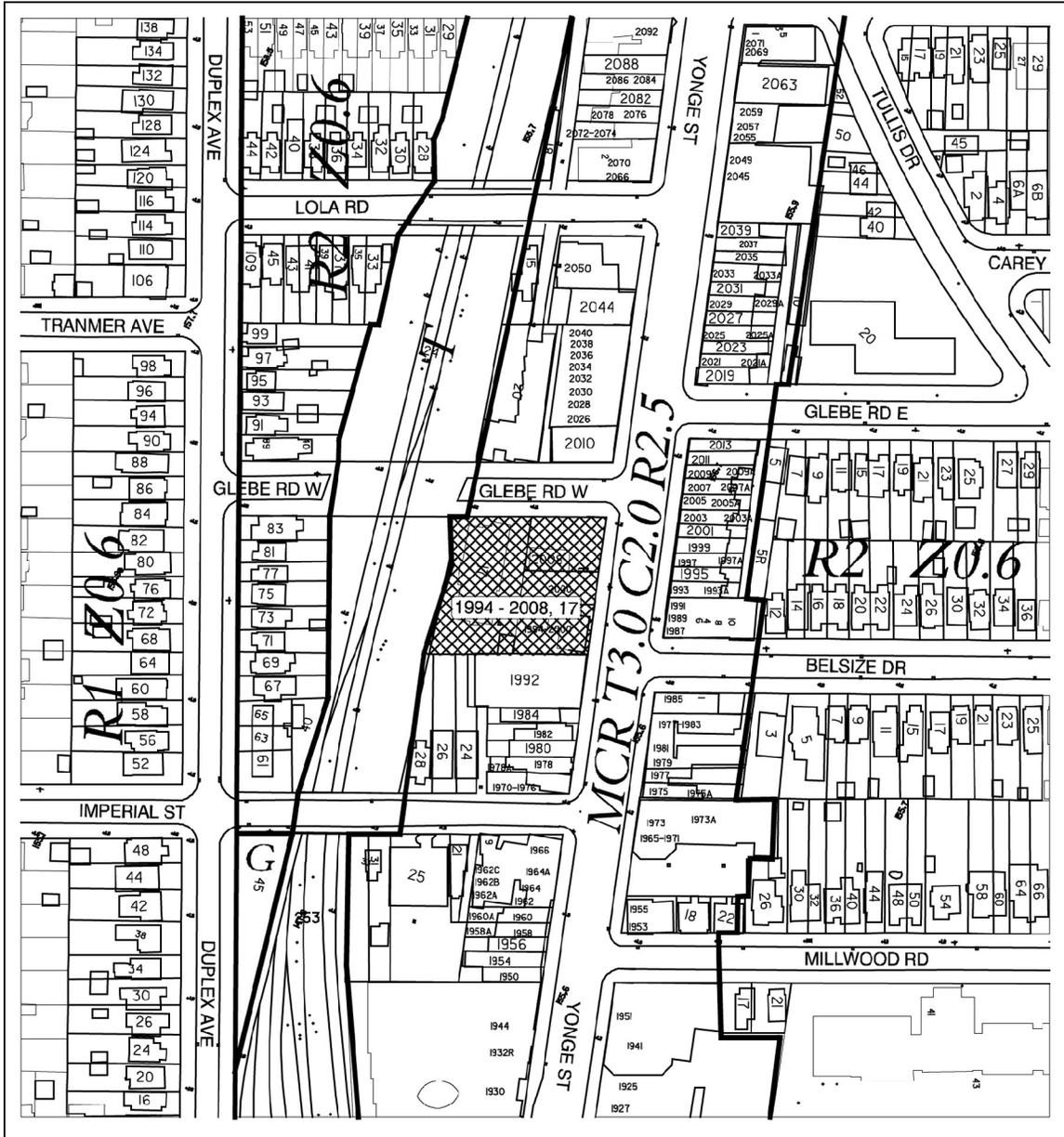
1994 - 2008 Yonge Street and  
17 Glebe Road West

File # 09\_115302

Elevations  
Applicant's Submitted Drawing

Not to Scale  
07/21/10

# Attachment 7: Zoning Map



1994 - 2008 Yonge Street, 17 Glebe Road West

File # 09\_115302

- R1 Residential District
- R2 Residential District
- MCR Mixed-Use District
- G Parks District
- T Industrial District



Not to Scale  
Zoning By-law 438-86 as amended  
Extracted 03/16/09 - DR

## Attachment 8: Draft Zoning By-law

### CITY OF TORONTO BY-LAW NO. -2010

WHEREAS the Council of the City of Toronto has been requested to amend its Zoning By-law pursuant to Section 34 of the *Planning Act*, R.S.O. 1990, c. P.13, as amended, with respect to lands known municipally in the year 2009 as 1994-2008 Yonge Street and 17 Glebe Road West;

AND WHEREAS the Council of the City of Toronto has provided adequate information to the public and has conducted at least one public meeting under Section 34 of the *Planning Act* regarding the proposed Zoning By-law amendment;

AND WHEREAS the Council of the City of Toronto, at its meeting on XXX XX, 2010, determined to amend Zoning By-law No. 438-86;

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

1. This By-law applies to the lands delineated by heavy lines on Map 1 attached to and forming part of this By-law.
2. Pursuant to Section 37 of the *Planning Act*, the *heights* and density of development permitted in this By-law are permitted subject to compliance with all of the conditions set out in this By-law including the provision by the *owner* of the *lot* of the facilities, services and matters set out in Appendix 1 hereof, to the City at the *owner's* sole expense and in accordance with and subject to the agreement referred to in Section 3 of this By-law.
3. Upon execution and registration of an agreement or agreements with the *owner* of the *lot* pursuant to Section 37 of the *Planning Act* securing the provision of the facilities, services or matters set out in Appendix 1 hereof, the *lot* is subject to the provisions of this By-law. Building permit issuance with respect to the *lot* shall be dependent upon satisfaction of the provisions of this By-law and in the Section 37 Agreement relating to building permit issuance, including the provision of monetary payments and the provision of financial securities.
4. Wherever in this By-law a provision is stated to be conditional upon the execution and registration of an agreement entered into with the *City* pursuant to Section 37 of the *Planning Act*, then once such agreement has been executed and registered, such conditional provisions shall continue to be effective notwithstanding any subsequent release or discharge of all or any part of such agreement.
5. Except as otherwise provided herein, the provisions of By-law No. 438-86, as amended, shall continue to apply to the *lot*.

6. Despite any existing or future consent, severance, partition, or division of the *lot*, the provisions of this By-law shall apply to the whole of the *lot* as if no consent, severance, partition or division occurred.
  
7. None of the provisions of Sections 4(2)(a); 4(3)(a); 4(4)(b); 4(16); 8(3) Part I 1 & 3(a); 8(3) Part II (4)(c)(i); 8(3) PART XI 2.(ii); 12(2)118 (iv); 12(2)119 iii, iv and viii of Zoning By-law No. 438-86, being “A By-law to regulate the use of land and the erection, use, bulk, height, spacing of and other matters relating to buildings and structures and to prohibit certain uses of lands and the erection and use of certain buildings and structures in various areas of the City of Toronto”, as amended, shall apply to prevent the erection and use of one *mixed-use building* containing a combination of residential uses and non-residential uses, including *accessory* uses thereto on the *lot*, provided:
  - (1) the *lot* comprises those lands outlined by heavy lines on Map 1 attached to and forming part of this By-law;
  
  - (2) the combined total of the *residential gross floor area* and the *non-residential gross floor area* erected and used on the *lot* shall not exceed 16,500 square meters;
  
  - (3) the total *residential gross floor area* shall not exceed 15,500 square metres;
  
  - (4) the total *non-residential gross floor area* shall not exceed 965 square metres, of which each individual retail space shall be less than 550 square metres;
  
  - (5) the *height* of any *mixed-use building* or structure erected, or portion thereof, does not exceed those *heights* in metres as shown on the attached Map 2;
    - (a) notwithstanding the above, the area identified as H 39.7m shall be limited to a stair tower, elevator shaft, chimney stack or other heating and cooling or ventilation equipment on the roof of the building or a fence, wall or structure enclosing such elements.
  
  - (6) the following *mixed-use building* elements and structures are permitted to extend beyond the heavy lines and building envelopes, and above the *heights* shown on Map 2, including those items listed in (b) below, subject to the restrictions noted therein;
    - (a) canopies, cornices, lighting fixtures, awnings, ornamental elements, eaves, window sills, guardrails, balustrades, railings, stairs, stair enclosures, acoustical walls, wheel chair ramps, vents,

underground garage ramps and their associated structures, fences, screens, landscape and public art features;

- (b) balconies to a maximum projection of 1.5 metres from the wall to which it is attached, except that adjacent to Yonge Street no balconies are permitted to project into the area identified as H 24.9m; parapets to a maximum height of 1.2m from the level upon which it is erected; and trellises/dividers to a maximum *height* of 2m.

(7) *parking spaces* shall be provided at the following rates:

- A total of 0.5 *parking spaces* for each Bachelor *dwelling unit*;
- A total of 0.7 *parking spaces* for each 1-Bedroom *dwelling unit*;
- A total of 1.0 *parking spaces* for each 2-Bedroom *dwelling unit*;
- A total of 1.2 *parking spaces* for each *dwelling unit* with 3 or more bedrooms; and
- A total of 0.12 visitor *parking spaces* per *dwelling unit*

8. None of the provisions of By-law No. 438-86 shall apply to prevent a “*sales office*” on the *lot* as of the date of the passing of this By-law.

9. Within the *lot*, no person shall use any land or erect or use any building or structure unless the following municipal services are provided to the lot line and the following provisions are complied with:

(1) all water mains and sanitary sewers, and appropriate appurtenances, have been installed and are operational.

10. Definitions:

(1) For the purposes of this By-law and subject to Section 11(2) below, all italicized words and expressions in this By-law have the same meanings as defined in By-law No. 438-86, as amended.

(2) the following definition shall apply:

(a) “*sales office*” shall mean a building, structure, facility or trailer on the *lot* used for the purpose of the sale of *dwelling units* to be erected on the *lot*;

(b) “*grade*” means 157 metres Canadian Geodetic Datum;

(c) “*owner*” means the registered owner of the *lot* or any part thereof.

## Appendix "1": Section 37 Provisions

The facilities, services and matters set out herein are the matters required to be provided by the *owner* of the *lot* at its expense to the *City* in accordance with an agreement or agreements, pursuant to Section 37(3) of the *Planning Act*, in a form satisfactory to the *City* with conditions providing for no credit for development charges, indexing escalation of both the financial contributions and letters of credit, indemnity, insurance, taxes, termination and unwinding, and registration and priority of the agreement:

1. Prior to the introduction of Bills in City Council, City Council require the owner of the lands at 1994-2008 Yonge Street and 17 Glebe Road West to enter into an Agreement pursuant to Section 37 of the *Planning Act*, to be registered on title, to the satisfaction of the City Solicitor, to secure the following:
  - a) an indexed payment of \$500,000, for deposit prior to the issuance of an above grade building permit. Such payment will be deposited to the Planning Act Reserve Fund. Such payment shall be indexed to the non-residential Construction Price Index for Toronto for the period from the date of Council enactment of this by-law and the date of payment. Up to \$200,000 may be used for the beautification of the terminus of Glebe Road West, including streetscape improvements. The remainder of the funds are to be used for the construction and associated cost of the Neshama Accessible Playground at Oriole Park and/or for the purchase, design and construction of a new park on the lands south of the TTC bus barns at Yonge Street and Eglinton Avenue West. The allocation of these funds will be at the discretion of the Chief Planner and Executive Director of the City Planning Division in consultation with the local Ward Councillor.
  - b) As part of the Site Plan Approval process, the owner shall provide 1:50 scale drawings for the specific portion of building and relevant elevations along Yonge Street and Glebe Road West of the first 3 floors, with building materials labelled; and
  - c) The owner shall incorporate in the construction of the building, and thereafter maintain, exterior building and landscape materials to the satisfaction of the Chief Planner and Executive Director, City Planning Division.
  - d) The owner shall pay for and construct any improvements to the municipal infrastructure in connection with the Functional Servicing Report, as accepted by the Executive Director of Technical Services, should it be determined that improvements to such infrastructure is required to support this development.

2. The *owner* of the *site* entering into and registering on title to the *lot* one or more agreements with the *City* pursuant to Section 37 of the *Planning Act*, to the satisfaction of the *City* Solicitor, in consultation with the Chief Planner and Executive Director, *City* Planning Division, to secure the facilities, services and matters set forth in this Appendix 1.
3. Notwithstanding the foregoing, the *owner* and the *City* may modify or amend the said agreement(s), from time to time and upon the consent of the *City* and the *owner*, without further amendment to those provisions of this zoning by-law which identify the facilities, services and matters to be secured.

