

**4155 Yonge Street – Official Plan Amendment and Rezoning Application – Preliminary Report**

<b>Date:</b>	May 5, 2011
<b>To:</b>	North York Community Council
<b>From:</b>	Director, Community Planning, North York District
<b>Wards:</b>	Ward 25 – Don Valley West
<b>Reference Number:</b>	11 133752 NNY 25 OZ

**SUMMARY**

This application proposes to amend the Official Plan and rezone the subject site to provide for a twelve-storey mixed-use building. Retail space would be provided on the ground floor while the 11 residential floors would contain 172 units. A below-grade parking garage is proposed.

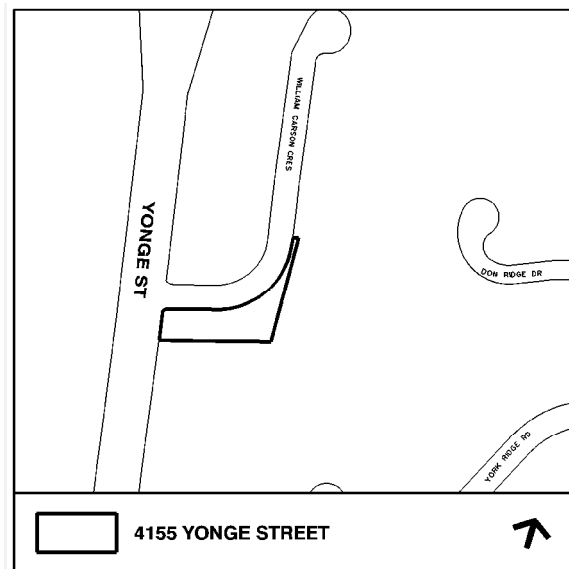
This report provides preliminary information on the above-noted applications and seeks Community Council's directions on further processing of the application and on the community consultation process.

A community consultation meeting should be held to present the proposal to the public and obtain public input. Assuming the applicant provides all required information in a timely manner, a Final Report and a Public Meeting can be targeted for late 2011.

**RECOMMENDATIONS**

**The City Planning Division recommends that:**

1. Staff be directed to schedule a community consultation meeting for the lands at 4155 Yonge Street together with the Ward Councillor.



2. Notice for the community consultation meeting be given to landowners and residents within 120 metres of the site.
3. Notice for the public meeting under the *Planning Act* be given according to the regulations of the *Planning Act*.

### **Financial Impact**

The recommendations in this report have no financial impact.

### **DECISION HISTORY**

In 1989 and 1990 City Council of the former City of North York approved By-laws 30952 and 31095 to permit the construction of a 5,812 m<sup>2</sup> office building on the site with a maximum height of approximately 20 metres. The footprint of the approved commercial building, shown as schedule “B” to By-law 30952, was limited to the portion of the site zoned for commercial uses with a rear setback of zero metres. The footprint did not encroach on the portion of the site zoned “G” (Greenbelt).

The existing commercial parking lot was originally approved through several temporary use by-laws, the latest which expired April 14, 2006. A subsequent rezoning application for a permanent commercial parking lot was approved by City Council in December 2007.

### **Pre-Application Consultation**

A pre-application consultation meeting was held with the applicant to discuss complete application submission requirements.

### **ISSUE BACKGROUND**

#### **Proposal**

The application proposes to rezone the site to provide for a twelve-storey, mixed-use building with retail/commercial space on the ground floor and residential units above. A total of 172 residential units are proposed; 46 of which would be two-bedroom units and the remaining 126 are one-bedroom units. The building would have a total gross floor area of 13,745 m<sup>2</sup>, with the retail portion encompassing 270 m<sup>2</sup> of that. The retail space would have pedestrian access from both Yonge Street and William Carson Crescent while the residential and parking access would be off William Carson Crescent. There would be a total of 161 parking spaces and 126 bicycle spaces in five levels of underground parking. The proposed development would have a floor space index of 4.5 and a lot coverage of 42%. The site plan and elevations are attached as Attachments 1 and 2. The application data sheet is included as Attachment 4.

#### **Site and Surrounding Area**

The property is approximately 3,060 m<sup>2</sup> in size and is located at the south-east corner of Yonge Street and William Carson Crescent. William Carson Crescent is a dead-end street which provides vehicular access to four residential condominium buildings. York Mills

subway station is located approximately 300 metres to the south at York Mills Road. The rear of the site contains a wooded area with a steep increase in elevation and is part of the Toronto and Region Conservation Authority's regulated area and regulated by the City's Ravine and Natural Feature Protection By-law. Part of the proposed building would be located within the regulated lands.

Abutting uses include:

North: A five-storey low-rise commercial building.

South: A four-storey low-rise commercial building.

East: A wooded ravine.

West: The Evangel Temple Church and the Auberge de Pommier restaurant.

### **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. The PPS states that natural features and areas should be protected for the long term. City Council's planning decisions are required to be consistent with the PPS.

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

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

### **Official Plan**

The City of Toronto Official Plan designates the west portion of the site as *Mixed Use Areas* and the east portion as *Natural Areas*. *Mixed Use Areas* allow for a broad range of residential, commercial and institutional uses. Development in *Mixed Use Areas* should have heights which limit shadowing on adjacent *Neighbourhoods* and open spaces. It is expected these areas will absorb much of the new housing units constructed in the city. The official plan map is attached as Appendix 4.

Areas designated as *Natural Areas* shall be maintained primarily in a natural state but will allow for compatible recreational, cultural and educational uses. These uses should be compatible with and have minimal adverse impacts on the natural features within the zone. Intensive development within *Natural Areas* is generally prohibited. Buildings should be located so that they do not impact the natural area. The Official Plan requires development to be located at least 10 metres from locations where slope instability, erosion, flooding or other physical risks may exist. It is necessary to determine whether

the proposed location of the building within the natural area is appropriate and if any physical risks may exist. The applicant has submitted an application to amend the Official Plan to permit the proposed building within the *Natural Area*.

The site is also within the City's Natural Heritage System as identified on Appendix 5. Development within the Natural Heritage System is generally not permitted and where it does occur it must comply with a number of policies to ensure the heritage system is maintained and the project does not have any negative impacts upon it. The applicant has staked the toe of slope and the drip line of existing vegetation. A Natural Heritage Impact Study is required to be completed by the applicant to identify any impacts that the proposed development may have on this system.

The Green Space System is comprised of lands within the Parks and Open Space Areas land use designation which are large, have significant natural heritage or recreational value and which are connected. They should be protected, improved and added to where feasible.

## **Zoning**

The subject site has dual zoning under the former City of North York Zoning By-law 7625. The western portion of the site is zoned C1 (General Commercial) while the eastern part is zoned G (Greenbelt). The C1 zone allows for a range of residential, commercial and institutional uses, while the G zone permits recreational and agricultural uses. Single family, detached dwellings are the only residential uses permitted in a G zone. Dwellings located in a G zone require lots in excess of 0.8 hectares and large setbacks from all lot lines. A maximum height of 11 metres is permitted.

Residential uses are permitted in the C1 zone and include apartment house dwellings, to a maximum gross floor area of 1 times the lot area and a maximum height of 11.5 metres. The rear yard setback is required to be at least the height of the building and a total lot coverage of 35% is permitted.

The eastern part of the site is zoned ON (Open Space – Natural Zone) under City of Toronto Zoning By-law 1156-2010. The purpose of this zone is to provide open space “for conservation of lands such as ravines and waterways that are part of the natural system”. Parks and agricultural lands are permitted. The western portion of the site is not subject to By-law 1156-2010.

The subject site is also subject to site-specific by-laws to permit a commercial building and a commercial parking lot.

## **Site Plan Control**

The proposal is subject to Site Plan Control and the applicant has indicated that an application will be made in the near future.

## **Ravine Control**

The entire site is located within the Ravine and Natural Feature Protection regulated area. Protection applies to all existing trees and vegetation, regardless of size and changes in grade. A Permit under City of Toronto Municipal Code, Chapter 658 will be required to remove or injure trees any trees on the site. Where the Ravine and Natural Feature Protection by law overlaps with the TRCA regulated area, alterations to grade are regulated by TRCA.

The applicant has submitted a Tree Preservation Plan (Feb 8, 2011) with recommendations regarding trees affected by the proposed development. According to the report there are 149 trees located on the subject site which are either in conflict with the proposed construction or identified to be in poor condition and recommended for removal. The application has been circulated to the TRCA and Urban Forestry, Ravine Protection for comments.

## **TRCA Regulation**

The site is located within the TRCA regulated area. A permit under Regulation 166/06 will be required for any alterations to grade or placement of fill within this area.

## **Reasons for the Application**

The application requires an Official Plan Amendment as the proposed footprint of the building would be located within the area designated as *Natural Areas*. Development within these areas is generally prohibited as these lands are intended to be maintained in their natural state.

The applicant is proposing to construct the building partially within the portion of the site zoned "G" by zoning By-law 7625 which only permits single family, detached dwellings.

The C1 zoning permits a maximum floor space index of 1 times the lot area while the applicant is proposing a development of 4.5 FSI. The applicant is also proposing a height of approximately 37 metres whereas a maximum of 11.5 metres is permitted.

## **COMMENTS**

### **Application Submission**

The following reports/studies were submitted with the application:

- Toronto Green Standard Checklist
- Planning Rationale
- Tree Preservation Plan
- Phase 1 Environmental Site Assessment
- Stormwater Management Report
- Traffic Impact Study

A Notification of Incomplete Application was issued on March 23, 2011 and identifies that a Natural Heritage Impact Study is required for a complete application.

## **Issues to be Resolved**

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

- The appropriateness of constructing within the natural area
- Whether the impacts on the natural heritage system are appropriate and acceptable
- Whether the proposed density and level of intensity is appropriate on the site
- The appropriateness of the proposed built form and height
- Whether providing zero visitor parking spaces is appropriate
- The impacts on area traffic and parking with the removal of the commercial parking lot
- Whether the servicing and loading facilities are sufficient
- Ensuring the development complies with the Toronto Green Standards

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

## **Toronto Green Standard**

The Toronto Green Standard (TGS) is a tool to implement the broader environmental policies of the Official Plan. Several of the natural environment policies of the Official Plan encourage green development. These policies are intended to reduce the negative impacts of development on the natural environment through practices such as improved stormwater management, water and energy efficiency, and waste reduction and recycling. These policies also promote development that enhances the natural environment and support green industry.

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

## **CONTACT**

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## **SIGNATURE**

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Allen Appleby, Director  
Community Planning, North York District

## **ATTACHMENTS**

Attachment 1: Site Plan

Attachment 2: Elevations

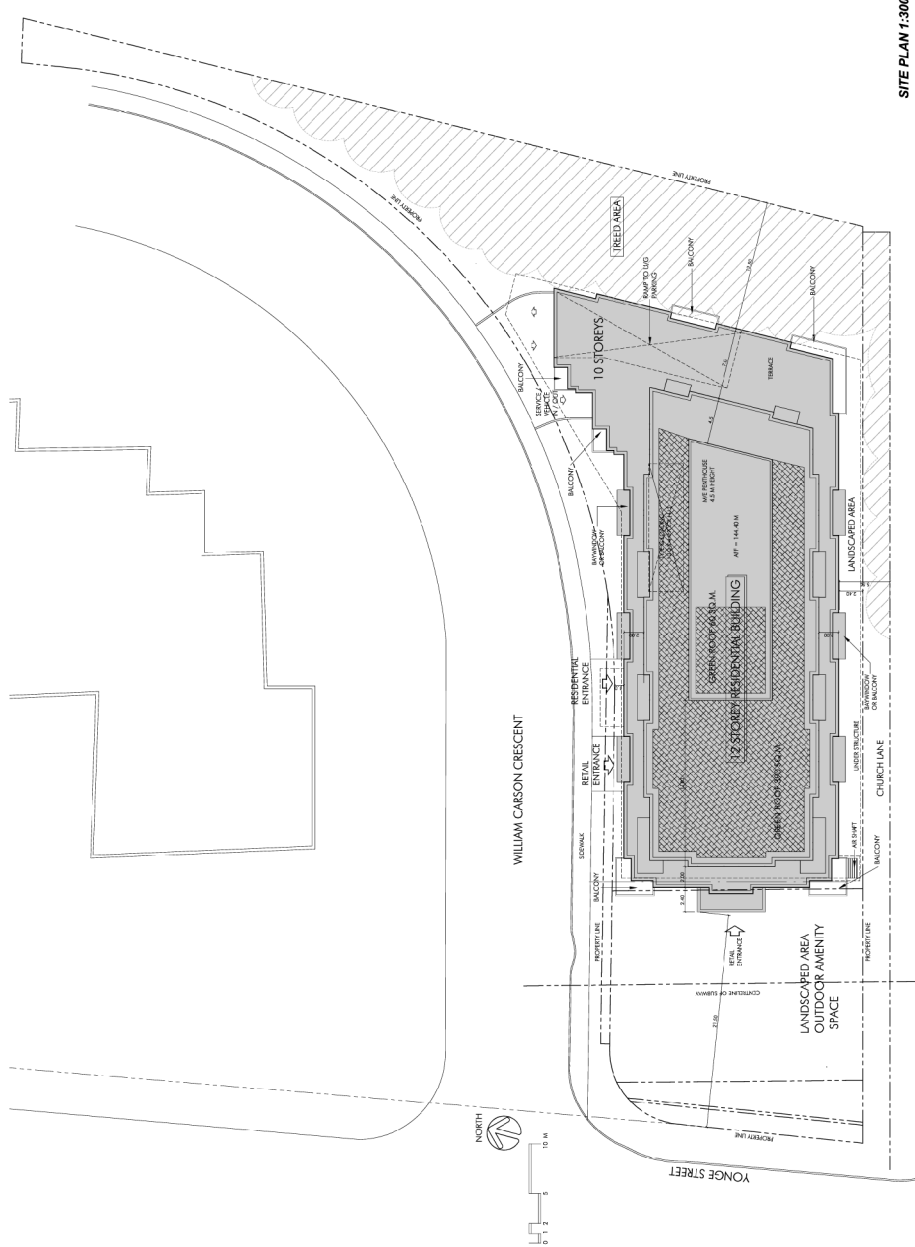
Attachment 3: Zoning

Attachment 4: Official Plan

Attachment 5: Natural Heritage Map

Attachment 5: Application Data Sheet

Attachment 1: Site Plan



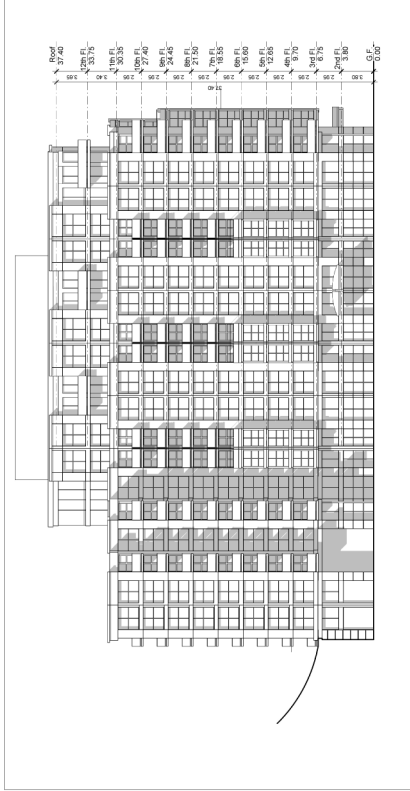
4155 Yonge Street

Site Plan  
 Applicant's Submitted Drawing  
 Not to Scale  
 03/31/2011

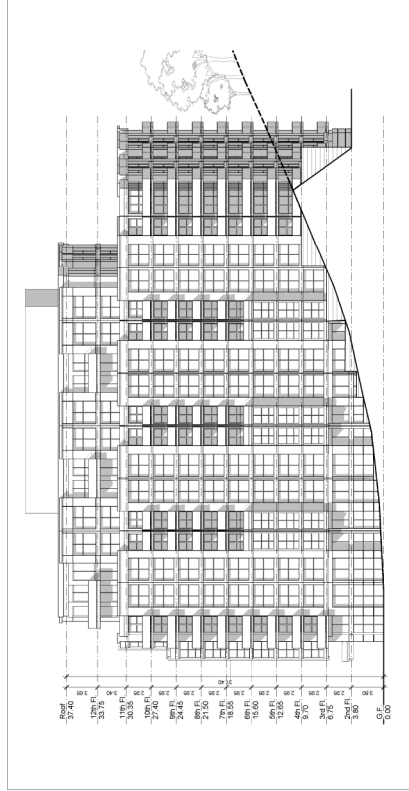
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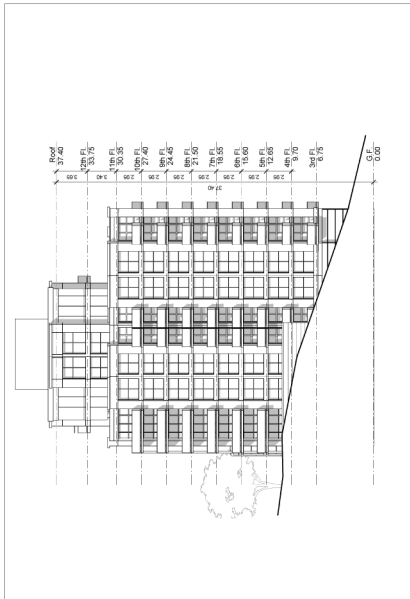
# Attachment 2: Elevations



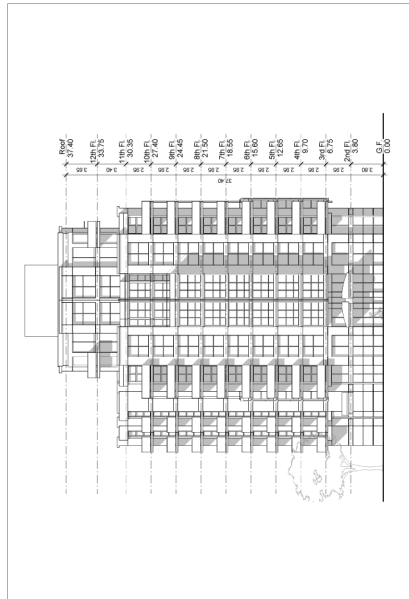
NORTH ELEVATION 1:200



SOUTH ELEVATION 1:200



EAST ELEVATION 1:200



WEST ELEVATION 1:200

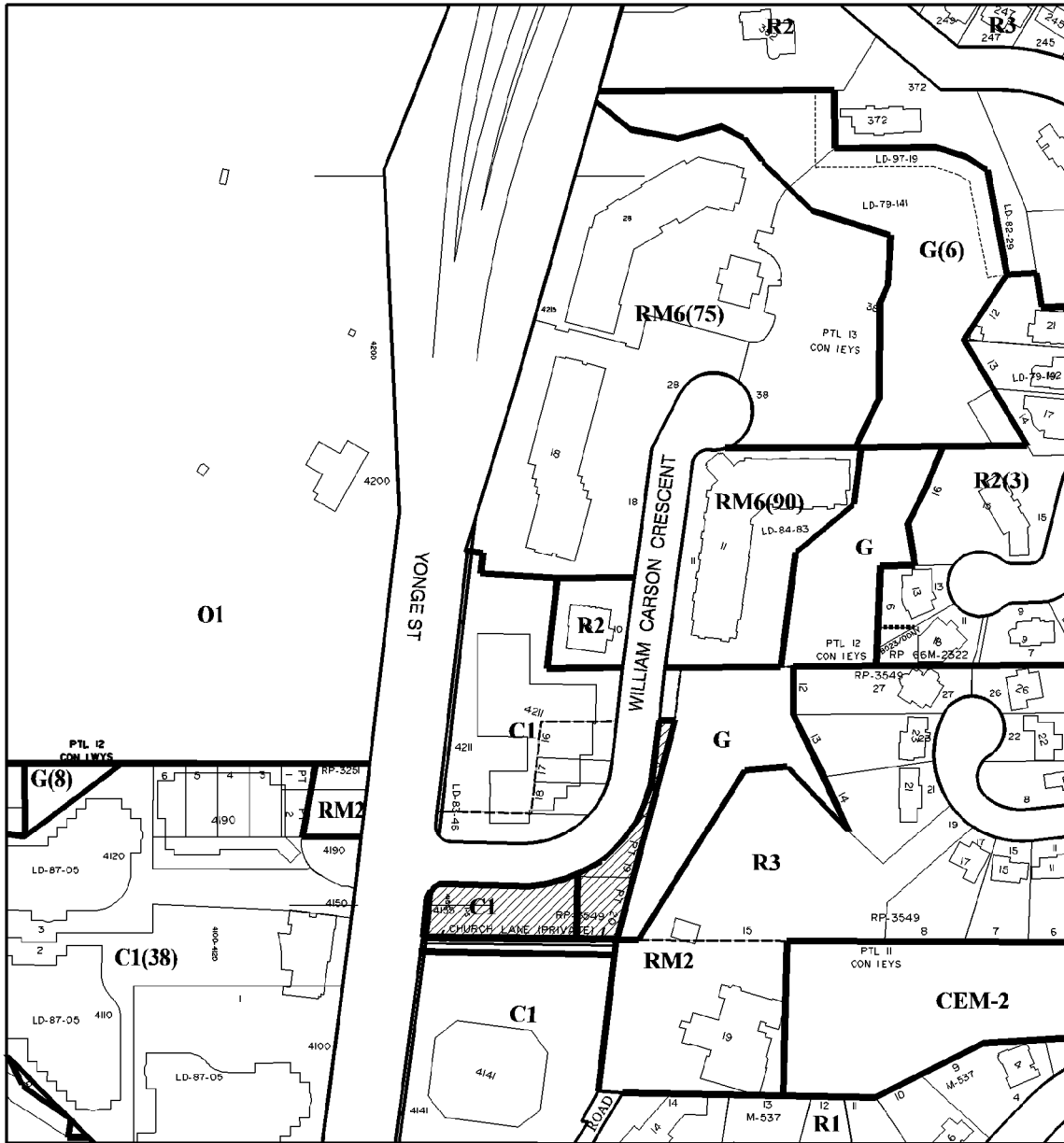
4155 Yonge Street

Elevations  
Applicant's Submitted Drawing

File # 11\_133752

Not to Scale  
03/31/2011

### Attachment 3: Zoning



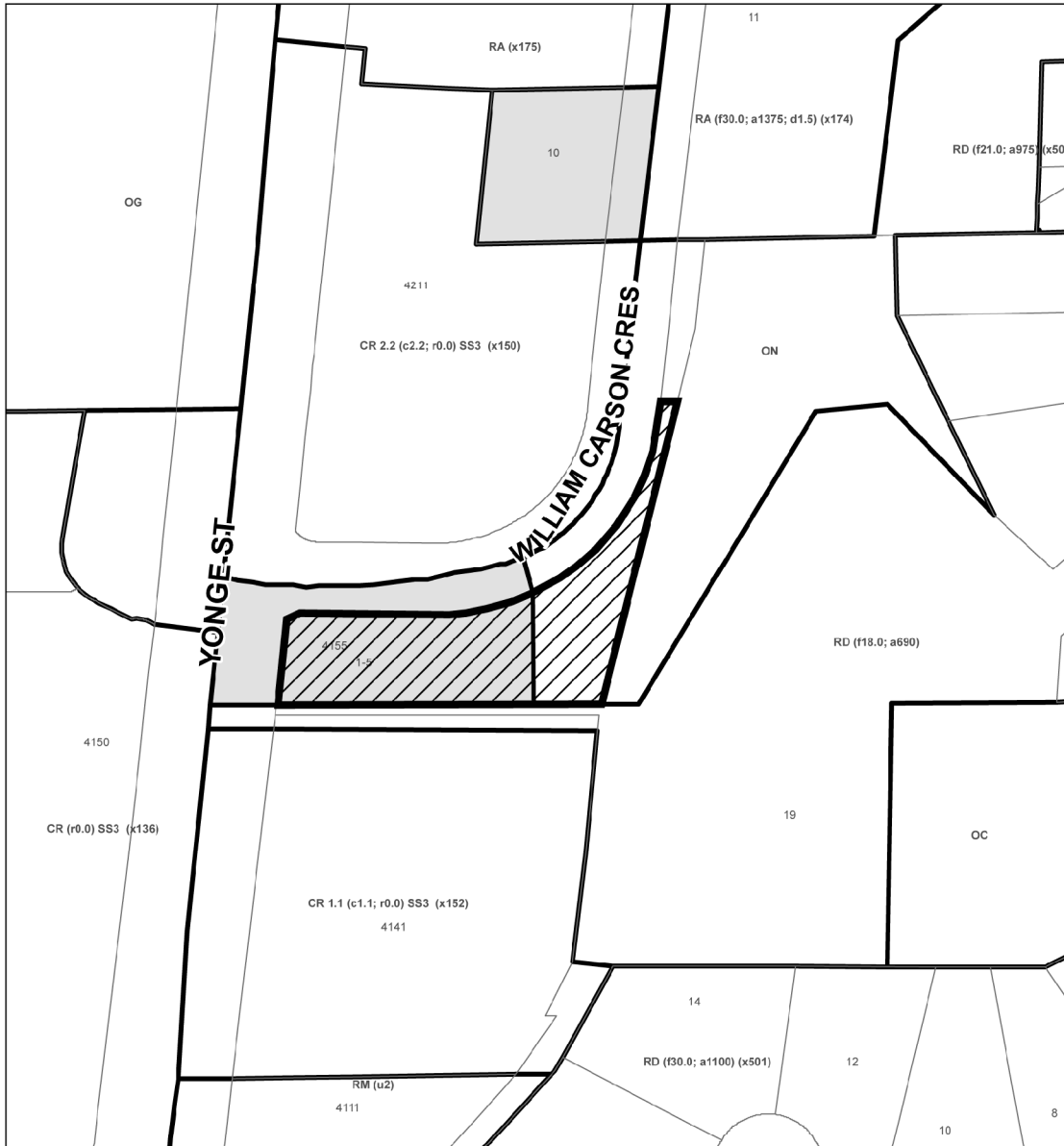
**TORONTO** City Planning  
**Zoning**

4155 Yonge Street  
 File # 11\_133752

- R1 One-Family Detached Dwelling First Density Zone
- RM2 Multiple-Family Dwellings Second Density Zone
- RM6 Multiple-Family Dwellings Sixth Density Zone
- G Greenbelt Zone
- O1 Open Space Zone

- Cem-1 General Cemetery Zone
- C1 General Commercial Zone

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 Zoning By-law 7625  
 Extracted 04/05/2011



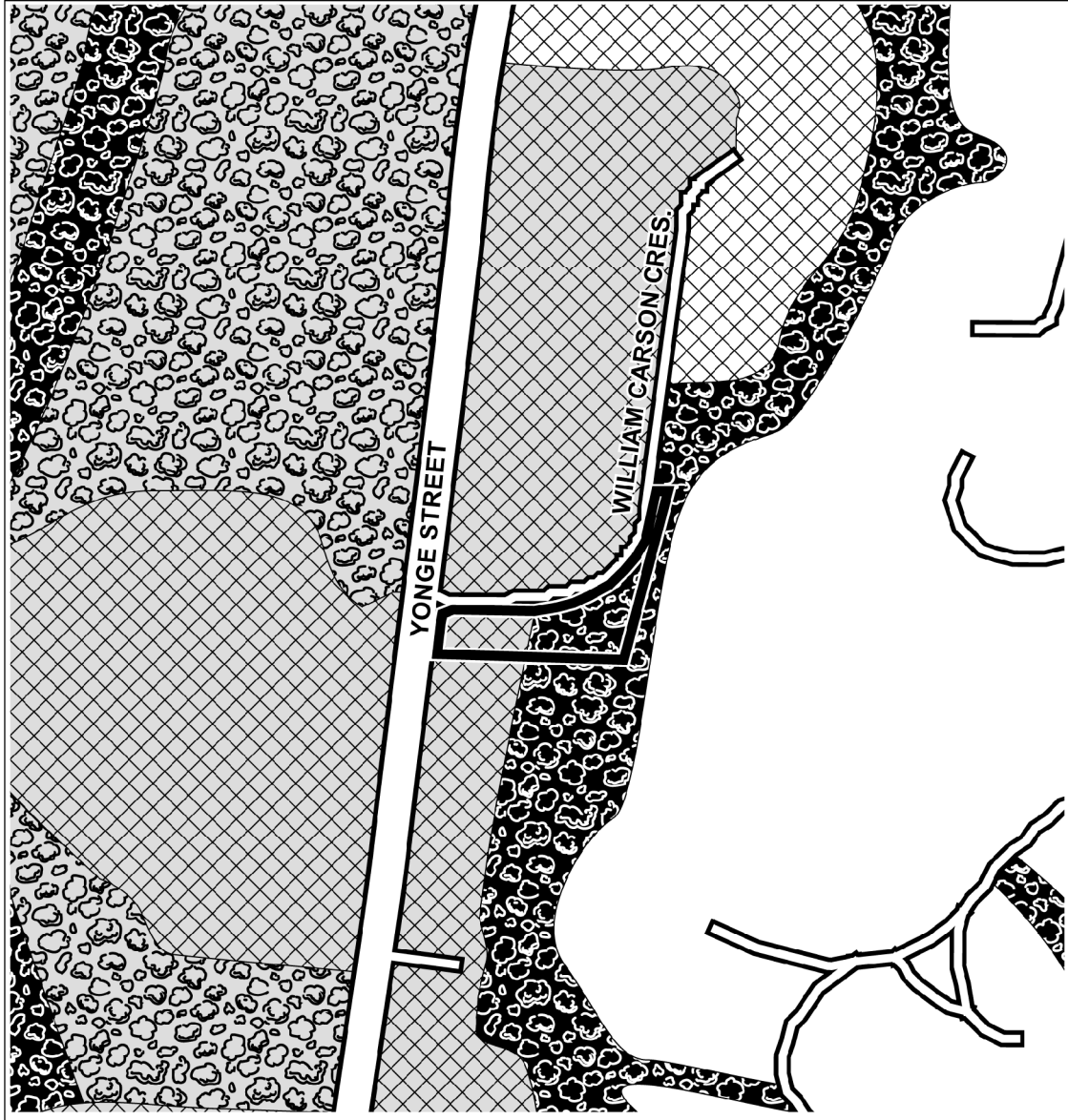
**TORONTO** City Planning  
**Zoning By-law 1156-2010**

**4155 Yonge Street**  
 File # 11 133752 NNY 25

- Subject Site
- RA Residential Apartment Zone
- RD Residential Detached Zone
- CR Commercial Residential Zone
- ON Open Space - Natural Zone
- OC Open Space - Cemetery Zone

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

## Attachment 4: Official Plan



**TORONTO** City Planning  
**Official Plan**

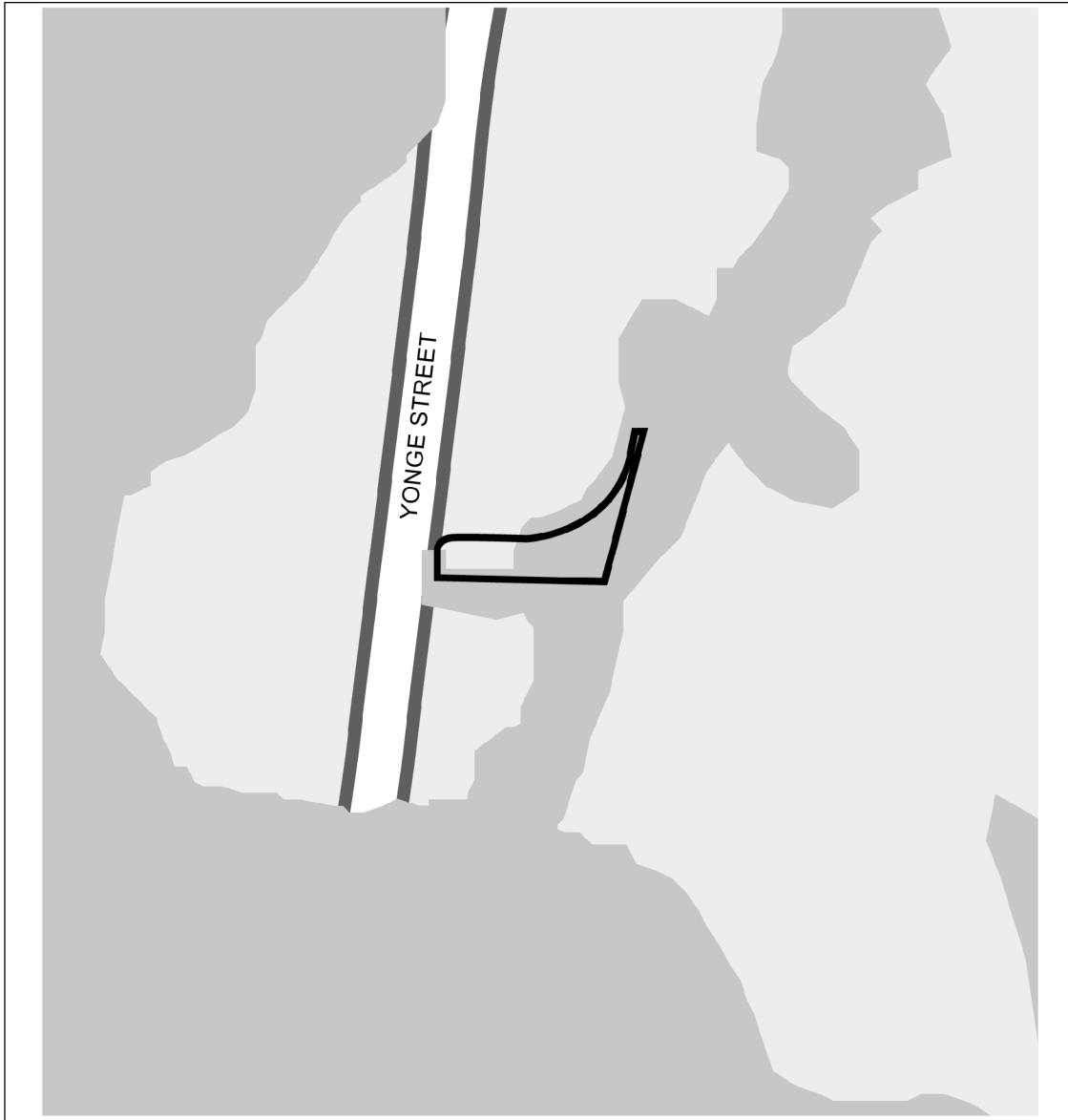
4155 Yonge Street

File # 11\_133752

 Site Location	<b>Parks &amp; Open Space Areas</b>
 Neighbourhoods	 Natural Areas
 Apartment Neighbourhoods	 Other Open Space Areas
 Mixed Use Areas	

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 04/18/2011

## Attachment 5: Natural Heritage Map



 **TORONTO** City Planning  
Official Plan - Natural Heritage

4155 Yonge Street

File # 11\_133752



  
Not to Scale  
04/18/2011

## Attachment 6: Application Data Sheet

Application Type	Official Plan Amendment & Rezoning	Application Number:	11 133752 NNY 25 OZ
Details	OPA & Rezoning, Standard	Application Date:	February 25, 2011

Municipal Address: 4155 YONGE ST  
 Location Description: PLAN 3549 PT LOTS 17,18,19, AND 20 RP64R8407 PARTS 1 7 9 \*\*GRID N2501  
 Project Description: 12 storey mixed use building containing 172 residential dwelling units, ground floor retail and five levels of underground parking.

<b>Applicant:</b>	<b>Agent:</b>	<b>Architect:</b>	<b>Owner:</b>
IRE-YONGE DEVELOPERS INC			IRE-YONGE DEVELOPERS INC

### PLANNING CONTROLS

Official Plan Designation:	Mixed Use Areas	Site Specific Provision:	
Zoning:	C1	Historical Status:	
Height Limit (m):		Site Plan Control Area:	Y

### PROJECT INFORMATION

Site Area (sq. m):	3062.6	Height:	Storeys:	12
Frontage (m):	25.5		Metres:	37
Depth (m):	94.4			
Total Ground Floor Area (sq. m):	1275			<b>Total</b>
Total Residential GFA (sq. m):	13475		Parking Spaces:	161
Total Non-Residential GFA (sq. m):	270		Loading Docks	0
Total GFA (sq. m):	13745			
Lot Coverage Ratio (%):	42			
Floor Space Index:	4.49			

### DWELLING UNITS

Tenure Type:	Condo
Rooms:	0
Bachelor:	0
1 Bedroom:	126
2 Bedroom:	46
3 + Bedroom:	0
Total Units:	172

### FLOOR AREA BREAKDOWN (upon project completion)

	Above Grade	Below Grade
Residential GFA (sq. m):	13475	0
Retail GFA (sq. m):	270	0
Office GFA (sq. m):	0	0
Industrial GFA (sq. m):	0	0
Institutional/Other GFA (sq. m):	0	0

<b>CONTACT:</b>	<b>PLANNER NAME:</b>	Guy Matthew, Planner
	<b>TELEPHONE:</b>	(416) 395-7102