



Concerns re the 2500 Capital Theatre / 2500 Yonge Development Application Application File # 18 186858 NNY 16OZ

Re: Revised Submission: 2500 Yonge Street

In June 2018, 2500 Yonge Street Limited - owners of the site at 2490-2514 Yonge Street, 10-20 Castlefield Avenue and 565-567 Duplex Avenue submitted a proposal that included a 21-storey tower at the corner of Yonge Street and Castlefield Avenue with a 10-storey podium extending north along Yonge Street. Approval was requested to develop both the Capitol Theatre property and the adjacent Toronto Parking Authority (TPA) lot. This proposal has been revised based on feedback from the city.

On July 11th 2019, a revised proposal was submitted that included the following:

- Smaller site and land exchange
- Height reduced from 21 to 14 storeys
- Upper storeys now terraced away from Yonge Street
- 6 storeys taller than Midtown in Focus height limit^{1 2}
- Significant shadow impacts on the future park and Orange Hall
- Minimal conservation of the Capitol Theatre heritage property

Site Area

In the revised proposal the site area has been reduced by 55% from 6,742 m² to 3,009 m². The reduction in site area is the result of the removal of the majority of the TPA lot from the proposal. The revised proposal includes a land exchange with no net loss or gain to the TPA or the developer. The developer owns a long, narrow, rectangular piece of land which stretches from the Capitol Theatre to Duplex Avenue at the north side of the TPA lot, this would be provided to the City. In exchange, the City would provide the developer with the eastern portion of the TPA lot behind the Capitol Theatre. This exchange would increase the depth of the site owned by the developer.

¹ Height limits were recommended by planning staff and adopted by council, but were removed by the provincial government and are not in effect.

² Midtown in Focus was the name used for the study to update the Yonge-Eglinton Secondary Plan. Approved policies are now included in the Yonge-Eglinton Secondary Plan.



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Height

The building has been revised from a 21-storey tower at Yonge and Castlefield with a 10-storey podium extending north on Yonge to a 14-storey tower at Yonge and Castlefield with a 10-storey podium. The building is stepped back from Yonge Street on the upper floors. The new design complies with the angular plane requirement of the City's mid-rise guidelines and maintains a minimum 5 hours of sunlight on the opposite sidewalk on Yonge Street as requested by City Planning. The consequence of this design change is that the tallest portion of the building is at the rear lot line, adjacent to the TPA lot and future park. As a result, there are significant shadow impacts on the future park.

Shadow Impacts

Shadow studies provided by the developer show the future park would be shadowed by the proposed building until the afternoon during the Spring, Summer and Fall. The Official Plan "Parks and Open Space" policies state that the effects of development on parks, including shadow impacts, should be minimized (p. 3-29). At present the site remains a parking lot and is not designated as "Parks and Open Space" in the Official Plan and is not identified on Map 21-8 of proposed parks in the Yonge-Eglinton Secondary Plan.

With the tallest portion of the building at the rear, the Orange Hall will be in the shadow of the building until 2pm during in the Spring and Fall seasons. The developer's heritage impact assessment addresses the shadow impacts and refers to them as "minimal."

Heritage

The site includes two listed heritage properties; the Capitol Theatre and the Orange Hall.

The land exchange increases the depth of the southern portion of the site, but the depth of the northern portion is restricted by the developer's inability to acquire the Orange Hall. The result is an "L-shaped" property which wraps around the east and south sides of the Orange Hall. The 10-storey rear wall of the proposed building would be only 4.5m from the front of the Orange Hall property. The developer would provide a pedestrian connection from Yonge Street to the laneway which will "visually link" the Orange Hall to its historical location on Yonge Street.

The Lytton Park Residents' Organization ("LPRO") is an incorporated non-profit association founded in 1987 representing member households from Lawrence Avenue West to Roselawn and Briar Hill Avenues, Yonge Street to Saguenay and Proudfoot Avenue.

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The developer proposes to demolish the entirety of the Capitol Theatre with the exception of the Yonge Street façade and 7m of the Castlefield Avenue façade. Floors 3-6 of the development are only set back 3m from the heritage façade. Instead of appearing as a 3-dimensional structure this gives the appearance of the heritage wall being “pasted” onto a modern condo development. This conflicts with the City’s Official Plan Heritage Policies which state “The retention of façades alone is discouraged” (p. 3-15). In addition, attachment 3 of the City’s heritage assessment of the Capitol Theatre included the lobby and auditorium as heritage attributes and reasons for inclusion on the heritage register. These spaces are proposed to be demolished.

The developer’s heritage impact assessment states that the Capitol Theatre will appear “similar” to its current form from Yonge Street despite only a 3m step-back separating the retained facade from a 12-storey building on top. The heritage impact assessment determines the proposal “balances demands for intensification with those of heritage preservation...”

Policy Analysis

The Yonge-Eglinton Secondary Plan defines three types of transit node zones: Station Area Core, Secondary Zone and Built-up zone. As this site is north of Roselawn Avenue and beyond the 500m radius measured from Eglinton Station it is not subject to any of these intensification zones or the Yonge-Eglinton Transit Station Area target of 600 residents and jobs per hectare prescribed in the Secondary Plan.

The site is designated as an “Avenue” in the Official Plan Urban Structure Map and is located five blocks north of the area designated as the Yonge-Eglinton “Centre.” It should not be compared in the context of height and density within this area. The developer’s planning rationale shows that the proposed 14-storey building is appropriate partially due to the surrounding context of approved and under construction buildings including a 34-storey building at 18 Erskine Avenue. This is not a relevant comparison because 18 Erskine and other sites further south are within the area designated as Yonge-Eglinton Centre in the Official Plan while the subject site is not.

Yonge-Eglinton Centre is also a provincially designated “Urban Growth Centre” in the Growth Plan for the Greater Golden Horseshoe; the boundary however is the same as that in the Official Plan. This site also falls outside of the provincial Urban Growth Centre.

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Conclusion

The heritage conservation strategy, proposed height and resulting shadow impacts are unacceptable. The height limit for this site in the council adopted “Midtown in Focus” report is 8 storeys. At 14 storeys the proposed building far exceeds this.

Preserving sunlight on Yonge Street at a height of 14 storeys requires unacceptable shadows on the future park. Therefore, a height of 14 storeys on this site is not acceptable.

Despite a small view corridor from Yonge Street, the Orange Hall will be even more hidden and surrounded by buildings than at present. There are currently four historic midtown cinemas that remain largely intact and losing all but the main façade of The Capitol is not an acceptable conservation strategy. It does not conform with the Official Plan and fails to protect heritage attributes outlined by Heritage Preservation Services.

The Toronto City Planning Division should take into consideration the shadow impacts on the future park. Now that the TPA sale is no longer being considered, City Planning should explore designating the TPA lot as “Parks and Open Space” in the Official Plan. This would ensure it is protected by the Official Plan from the negative consequences of the development, most importantly shadow impacts.

Sources

Developer submission including background studies

<http://app.toronto.ca/DevelopmentApplications/associatedApplicationsList.do?action=init&folderRsn=4404109&isCofASearch=false&isTlabSearch=false#>

Heritage preservation Services, Inclusion on the City of Toronto’s Heritage Register – 2490 Yonge Street and 2506 Yonge Street

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2016.NY17.27>

Toronto City Planning, Chapters 1- 5 of the Toronto Official Plan

https://www.toronto.ca/wp-content/uploads/2019/06/8f06-OfficialPlanAODA_Compiled-3.0.pdf

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Toronto City Planning Final Report: Official Plan Amendment 405 as approved by Toronto City Council

<https://www.toronto.ca/legdocs/mmis/2018/pg/bgrd/backgroundfile-116449.pdf>

Toronto City Planning, Official Plan Amendment 405 as approved by the Ministry of Municipal Affairs and Housing

<https://www.toronto.ca/legdocs/refdocs/11188.pdf>

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