TORONTO STAFF REPORT

March 24, 2004

To:	Toronto South Community Council
From:	Director, Community Planning, South District
Subject:	Final Report Application to amend Zoning By-law 438-86, as amended 273 Bloor Street West Royal Conservatory of Music (Kuwabara Payne Mckenna Blumberg) 03-156122 STE 20 OZ Trinity-Spadina, Ward 20

Purpose:

This report reviews and recommends approval of an application to amend the Zoning By-law for the property located at 273 Bloor Street West to permit the preservation and phased restoration of the original McMaster Hall and Mazzoleni Hall on Bloor Street, expansion of the existing building to accommodate a new public entrance pavilion on Bloor Street with a rehearsal hall above, and a 1000-seat concert hall south of McMaster Hall.

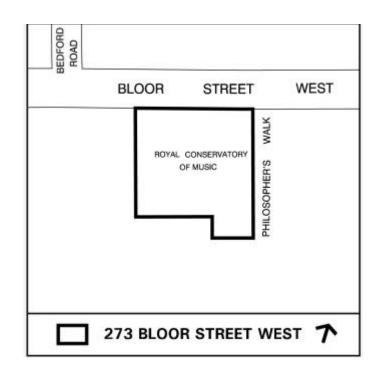
Financial Implications and Impact Statement:

There are no financial implications resulting from the adoption of this report.

Recommendations:

It is recommended that City Council:

- amend the Zoning By-law 438-86 for the former City of Toronto substantially in accordance with the draft Zoning By-law Amendment attached as Attachment No. 11;
- (2) 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 issuance of a building permit, require the applicant to enter into a Site Plan Agreement under Section 41 of the Planning Act;
- (4) prior to the approval of the Site Plan Undertaking/Agreement under Section 41 of the Planing Act require the applicant to enter into a Heritage Easement Agreement with the City of Toronto which secures the conservation and maintenance of the building at 273 Bloor Street West to the satisfaction of the City Solicitor and the Manager, Heritage Preservation Services;
- (5) prior to Site Plan Approval, the owner shall submit a detailed landscape plan for the property that illustrates any proposed changes to the existing vegetation adjacent to the heritage facades, to the satisfaction of the Manager, Heritage Preservation Services;
- (6) require the owner to:
 - (a) provide space within the development for the construction of any transformer vaults, Hydro and Bell maintenance holes and sewer maintenance holes required in connection with this development;
 - (b) provide and maintain a minimum of 1-Type A and 1-Type B loading space on this site to serve the loading needs of the project;
 - (c) provide and maintain a minimum overhead clearance of 5 m for the fire access route leading to the Varsity arena;
 - (d) arrange for delivery trucks to use the Type B loading spaces over the Type A loading space, whenever possible;
 - (e) submit to the Commissioner of Works and Emergency Services, at least three weeks prior to the introduction of Bills in Council:
 - (i) Final approved drawings of the development with sufficient horizontal and vertical dimensions of the exterior walls of the proposed building to enable the preparation of building envelope plans;
 - (ii) If registered agreements are to be entered into, a Reference Plan of survey in metric units and referenced to the Ontario Co-ordinate System, delineating thereon by separate PARTS the lands under application and any appurtenant rights-of-way and easements will be required for the preparation of legal descriptions;
 - (iii) A municipal lighting assessment for Bloor Street West along the frontage of the site;

- (iv) A site servicing assessment to determine the stormwater runoff, sanitary flow and water supply demand resulting from this development to demonstrate how this site can be serviced; and, whether the existing municipal infrastructure is adequate to service the development;
- (f) pay for all streetlighting costs associated with the development of the site including any required upgrades to the existing lighting on Bloor Street West along the frontage of the site;
- (g) pay for any improvements to the municipal infrastructure in connection with Recommendation No. 5(e)(iv), should it be determined that upgrades are required to the existing infrastructure to support this development;
- (h) eliminate any existing vehicular access ramps which are no longer required and restore the public right-of-way to City of Toronto standards, at no expense to the City; and
- (i) submit to the Commissioner of Works and Emergency Services for review and acceptance, revised plans/documentation with respect to Conditions Nos. 6(e)(iii) and 6(e)(iv).
- 7. the owner is advised:
 - (a) of the need to continue negotiations with the University of Toronto, to provide a pick-up/drop-off facility on the Varsity lands for the daily pick-up/drop-off activity associated with the school;
 - (b) of need to pay for all costs associated with the implementation of a "Pick-up/Drop-off" zone on Bloor Street West, adjacent to the development, should such a facility be required;
 - (c) that the costs to offset the lost revenue of displaced parking spaces on Bloor Street West to accommodate the "Pick-up/Drop-off" zone, if required, will be borne by the Owner as deemed appropriate by the Toronto Parking Authority;
 - (d) of the need to make a separate application to the Commissioner of Works and Emergency Services for permits to carry out any works involving construction in, or occupancy of, the abutting public right-of-way; and
 - (e) that the storm water run-off originating from the site should be disposed through infiltration into the ground and that storm connections to the sewer system will only be permitted subject to the review and acceptance by the Commissioner of Works and Emergency Services of an engineering report detailing that site or soil conditions are unsuitable, the soil is contaminated or that processes associated with the development on the site may contaminate the storm runoff.

Background:

Proposal

This proposal includes:

- (a) the preservation and phased restoration of the original McMaster Hall and Mazzoleni Hall on Bloor Street.;
- (b) a new "L" shaped facility on the building site, south and west of the historic complex, containing a 1000 seat concert hall, backstage and support services for the concert hall, a rehearsal room, new practice studios, a common area such as a new café and a new accessible entrance for the facility;
- (c) a new public entrance pavilion on Bloor Street with a rehearsal hall above and a courtyard circulation space that connects from Bloor Street to Philosopher's Walk; and
- (d) the creation of a paved forecourt to McMaster Hall and landscaping on the east and west sides of the site.

The original proposal for this site was for an 842 seat concert hall that would be orientated in a north/south direction. The decision to increase the size of concert hall to 1000 seats necessitated a re-orientation in a north/south direction. In order to accommodate this proposal, the east wing, and the octagonal shaped pavilion to the south of McMaster Hall will have to be demolished.

Site History

The Royal Conservatory of Music is one of 28 development sites identified in the University of Toronto Area Official Plan, and in Section 12(2)310 of Zoning By-law 438-86, as amended. Each of these sites has a building envelope and height restriction with no density restriction.

The site was previously the subject of a Site Plan Approval application submitted in June 2001 to permit the demolition of an addition on the east side of the existing building to construct a 7 storey performance centre. The centre was to be oriented in a north/south direction and would house studio space, rehearsal halls, classrooms, and an 842 seat performance and educational hall. A Committee of Adjustment application to permit an increase in height from 25 m to 35m and to build outside the permitted building envelope was approved in August 2001. There were no appeals of the application.

At the time of the application, members of the community expressed concerns that the proposal would allow for direct access for users or visitors from inside the new lobby to Philosopher's Walk. The Conservatory amended its drawings to resolve this concern. An additional concern related to the removal of trees was alleviated by the Conservatory agreeing to replace any trees that would be removed.

Site and Surrounding Area

The site is located on the south side of Bloor Street West just west of Queen's Park, next to the Royal Ontario Museum. The following uses surround the site:

North: mixed commercial residential area South: University of Toronto including Varsity Arena East: Royal Ontario Museum West: University of Toronto lands

Official Plan

The site is designated as 'Institutional' in the (former) City of Toronto Official Plan. The Plan contemplates this use.

The site is included in the University of Toronto Area Part II Plan. Section 6.4 (a) of the Plan states that:

"(iv) In the event any such by-law pertains to 273 Bloor Street West, the owner has undertaken to enter into a heritage easement agreement with the City of Toronto pursuant to Section 37 of the Ontario Heritage Act as set forth in (b)(ii) herein."

Section 6.4(b) of the Plan states that:

"(ii) Prior to the approval of the required undertaking or agreement pursuant to Section 41 of the Planning Act in respect of the lands known municipally in the year 1996 as 273 Bloor Street West, the owner shall have entered into an agreement with the City of Toronto which secures the conservation and maintenance of the building at 283 Bloor Street West."

The Conservatory has undertaken to enter into a Heritage Easement Agreement that will be executed prior to entering into the Section 41 Agreement.

On November 26, 27, and 28, 2002, City Council adopted the new Official Plan for the City. The Minister of Municipal Affairs and Housing approved the Plan, in part, with modifications. The Minister's decision has been appealed in its entirety. The Official Plan is now before the Ontario Municipal Board. A pre-hearing date has been scheduled for April 19, 2004.

Once the Plan comes into full force and effect, it will designate the property as part of an Institutional Area. The Plan contains development criteria for institutional uses including the importance of being located near an existing rapid transit line. This site is in close proximity to both the Bloor and University subway lines. It meets the intent of the Official Plan.

Zoning By-law

The site is zoned 'Q' or 'Institutional' which permits the use. No density limits are attached to the U. of T. development sites. The height limit ranges from 15m in the northwest section, 42m in the southwest portion and 25 m on the east side of the site.

Site Plan Control

An application for Site Plan Control has been made and is being reviewed concurrently.

Reasons for Application

The proposal exceeds the height limits of the applicable by-law and is located outside the building envelope and build-to-lines.

Community Consultation

Approximately 50 residents attended a public meeting held October 28, 2003. Comments were made concerning the following:

- the Conservatory was a part of the cultural corridor of the City;
- it was important that the Conservatory commit to working with the Royal Ontario Museum and the University of Toronto on improvements to Philosopher's Walk; and
- the location of trees on the site and on Philosopher's Walk were important.

Agency Circulation

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

Comments:

The following issues have been identified and resolved.

Heritage Preservation

This proposal requires the demolition of two structures located at the rear of McMaster Hall; the rear stair tower and the south pavilion (located to the south of the centre block), and the east wing. The architects were unable to retain these structures and incorporate them into the new addition due to the siting of the existing structures, the limited area of the development site and the needs of the Royal Conservatory of Music. Heritage Preservation staff has indicated that it has no objection to the demolition of these structures; however, full documentation of these structures is required prior to the issuance of a demolition permit.

Heritage Preservation Services staff had earlier raised a concern about the manner in which the proposed addition was joined to the existing heritage building. In response to this concern, the architects did not attach the addition directly to the heritage structures, but rather separated the buildings by creating an atrium between the facades of McMaster Hall and the new addition. The atrium will function as a public gathering place for the performance theatre and contain seating, a gallery, and a café. This feature allows McMaster Hall to be retained in its entirety and allows patrons to view and appreciate the south façade of McMaster Hall from an interior public space.

The new performance and learning centre will be separated from the south wall of McMaster Hall by a multi-storey glazed atrium that will showcase the restored historic building and form the north wall of the atrium. Connections between the two buildings will utilise existing openings in the McMaster Hall façade in order to reduce the level of intervention into the heritage elements. Materials in the new addition will include stone masonry referencing the stone of McMaster Hall, structural frameless glass at grade and wood windows above.

Heritage Preservation Services staff is concerned that the proposed forecourt on the Bloor Street frontage should be sympathetic to McMaster Hall. As such, staff is requiring that the applicant submit a landscape plan prior to the issuance of a building permit.

Philosopher's Walk

Philosopher's Walk is bounded on the east by the Royal Ontario Museum (ROM) and on the west by the Conservatory. Significant discussion has occurred with the Conservatory, area residents and the ROM on the preservation and improvement of Philosopher's Walk. While this proposal itself does not infringe on the walk, it is recognized that it's design and construction has an impact on the surrounding area, in particular, Philosopher's Walk.

In response to the landscaping changes that the proposals for both the ROM and the Conservatory envision, the University of Toronto has undertaken a landscape design plan to coordinate the design of the edges of the Walk. Both the ROM and the Conservatory have agreed to consider these design guidelines, when available, as part of their final landscape plan.

In addition, the Conservatory has agreed to an enhanced planting plan along its edge of Philosopher's Walk that will be approved through the Site Plan Approval process.

Massing/Height

With the incorporation of the area occupied by the south pavilion into the building site, the massing of the southern addition is greater than anticipated at the passing of the Zoning By-law. It is, however, within the height limit of the adjoining area and has been designed to minimize the impact from the street.

The height of the Bloor Street addition (19m) is higher than permitted (15m) by 4m to provide the required acoustic ceiling height. The additional height is stepped back to minimize its impact from the street.

Parking

While the Zoning By-law does not require parking for this proposal, and no parking spaces are proposed, the Commissioner of Works and Environmental Services has estimated the parking demand generated by this development as in the order of 200 spaces. This estimate takes into account the parking demand generated by the proposed concert hall during non-academic programming. In order to address the parking supply deficiency, the owner submitted a Parking Study.

For the purposes of this study, the Consultant conducted a parking utilization survey for the existing parking facilities within a 300 m radius of the subject site. The results of the survey indicate that peak patron parking demand (occurring during evenings and weekend afternoons) can be accommodated in existing public parking facilities in the area. Furthermore, a proposed parking garage under Varsity Stadium lands is expected to provide an additional supply in the future. Although no application has been made for Varsity Stadium, the Commissioner of Works and Environmental Services has requested that the potential for parking on this site along with other facilities in the area be part of a detailed parking strategy for this project.

Given that the Royal Conservatory of Music is relying on off-site parking to satisfy its parking demand and although the parking strategy is acceptable on a conceptual basis, the Owner will be required to submit, for review and acceptance of the Commissioner of Works and Emergency Services, a detailed parking strategy, prior to Site Plan Approval. This strategy must outline measures to be implemented and any arrangements to be made with the Toronto Parking Authority, and other parking facilities including the University of Toronto Varsity lands. In addition, to avoid patrons from turning into the driveway at Bloor Street West, the Commissioner of Works and Environmental Services has requested that appropriate signs be provided at the driveway entrance informing motorists that there is no on-site parking and that this driveway is for loading access/egress and emergency vehicles only. These signs should remain in place until such time as the Varsity parking garage is complete and access to it is gained from this location.

Loading

The estimated loading demand generated by this project is for 1 Type B loading space. While no loading space is required under the Zoning By-law to serve this development, the Owner's Transportation Consultant, Lea Consulting Ltd., indicated in its Transportation Issues report dated July 9, 2003 that the project is to be served by trucks of various sizes ranging from small cube vans to semi-trailers. The proposed provision of 1 Type B and 1 Type A loading spaces has been developed based on the consultant's estimate of the functional needs of this project. The plans have been revised to show the proposed number and size of the loading spaces which is acceptable.

With respect to the design and location of the loading spaces, it will be necessary for large trucks using the Type A loading space (e.g. semi-trailers) to back out of the site onto Bloor Street West. Smaller trucks, such as single unit trucks or vans, can drive into the Type B loading space, drive forward into the manoeuvring area, then back up into the loading space. These vehicles could then exit the site in a forward motion.

The Commissioner of Works and Emergency has identified concerns with the proposed back-out activity onto Bloor Street West particularly given its close proximity to the Bloor Street West/Bedford Road signalized intersection and the level of pedestrian activity in the area. Although there is concern with the possible impacts of the back-out manoeuvre, the Commissioner of Works and Emergency is prepared to accept the proposed loading spaces and configuration, in recognition of the site constraints and the functional and programming requirements of the Royal Conservatory of Music, subject to the following conditions:

- (a) Limit the hours of operation of the Type A loading space to the hours of 7:00 p.m. to 7:00 a.m.;
- (b) Hire paid duty police officers to direct pedestrian and vehicular traffic on Bloor Street West and to assist with the back-up manoeuvre of trucks onto Bloor Street West; and
- (c) That concert promoters operating out of the facility be advised of the loading restrictions and to utilize trucks that can be accommodated within a Type B loading space, whenever possible, for load-in/load-out activity.

Passenger Pick-up/Drop-Off Activity

Previously, the Owner's traffic consultant indicated that, as part of the proposal, a circular driveway would be provided off Bloor Street West for the purpose of facilitating drop-off/pickup activity for students to the Royal Conservatory of Music. At the request of City staff, The circular driveway is no longer part of the proposal. To facilitate future needs, the Parking Study indicates that an agreement has been secured between the Royal Conservatory of Music and the University of Toronto that provides for 5 reserved spaces in the parking garage beneath the Varsity lands, when built, to facilitate drop-off/pick-up activity for students to the Royal Conservatory of Music. It is anticipated that the completion of the Royal Conservatory of Music addition will coincide with the completion of the Varsity lands development.

The Commissioner of Works and Emergency has indicated a concern that, given the lack of onsite parking and the reliance on off-site parking for this development, the project will experience a high level of passenger pick-up/drop-off activity on the street. This could potentially result in back ups on Bloor Street West that may extend into the intersection at Bedford Road. On-street pick-up/drop-off adjacent to the site would be problematic as there are morning and afternoon peak period stopping prohibitions on Bloor Street West that would preclude pick-up/drop-off activity during these times. The creation of a specific pick-up/drop-off zone would result in the loss of parking revenue. As a result, the Commissioner of Works and Emergency is requiring the Owner to submit documentation identifying a strategy for accommodating the pick-up/drop-off activity occurring on Bloor Street West prior to the completion of the proposed parking garage on the Varsity Stadium lands. On the basis of the details of this strategy, the Commissioner of Works and Emergency may modify the current parking/traffic restrictions. Furthermore, changes to existing parking regulations are required to accommodate the pick-up/drop-off zone and the Owner will be responsible for all costs associated with the pick-up/drop-off zone, including loss of parking revenue. With respect to the daily drop-off/pick-up activity for students to the RCM, the Commissioner of Works and Emergency is requiring the owner to continue to secure a drop-off/pick-up facility/ parking on the University of Toronto Varsity lands for any project that will be submitted by the University.

Setback from Western Boundary

Map 28 of the University of Toronto Area Site Specific By-law requires a 5m setback from the property line shared with the University of Toronto on the western edge of the site. Map 21 of the Site Specific By-law requires a 4m setback from the same boundary on the University of Toronto Varsity site. At the time of the passing of this by-law, it was anticipated that the Conservatory and the University would use this combined 9m area as access to the rear of their sites including to Varsity Arena. The building envelope for the Conservatory does not anticipate any portion of the building extending to this lot line.

In order to fit the required program on the site it became necessary to use the full width of the driveway above grade for the proposal and as a result, the Conservatory proposed supporting the addition using columns located on the lot line. In response to a concern raised by the University, however, the proposal was amended to remove the columns and was replaced by a portion of the building cantilevering over the setback. This allows full vehicular access to the rear of the property for the full extent of the 9m. The University has requested that the City consider allowing the University the same permission to build to the mutual lot line when they have a proposal for the Varsity lands.

Driveway Access And Site Circulation

The vehicular access to the site will be maintained from Bloor Street West which is acceptable to the Commissioner of Works and Emergency. This existing access, which will be shifted slightly to the west, is currently used to access the on-site parking spaces and will now only be used to access/egress the proposed loading spaces.

Trees

The Bloor Street frontage of the development will require the removal of five large trees that provide a substantial amount of canopy. Fifteen trees are proposed as replacement for the five trees. Approximately half of these trees are intended to be large growing shade trees to help replace the canopy that will be lost and will at the same time, compliment the Conservatory's development proposal.

Conclusions:

The Royal Conservatory of Music is an important cultural resource in the City of Toronto. Over the last decade the Conservatory has been evaluating its current and future demands both as a school and a performance hall. As enrolment and demands on the existing concert facilities have increased the ability to accommodate the increases has diminished. This proposal is a response to those needs. Considerable effort has been made to accommodate the concerns of the residents and the University with respect to the development of the landscape plans and details with respect to the access/right-of-way.

Contact:

Helen Coombs, Senior Planner, West SectionTelephone:416-392-7613Fax:416-392-1330E-mail:hcoombs@toronto.ca

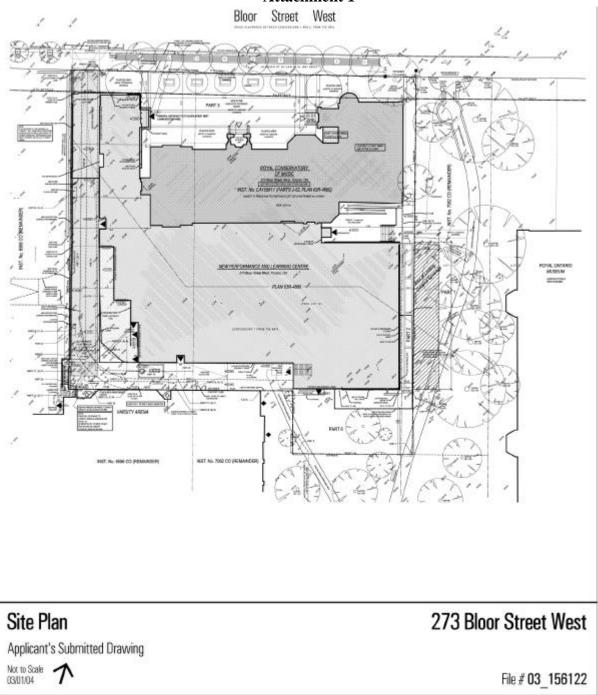
Ted Tyndorf Director, Community Planning, South District

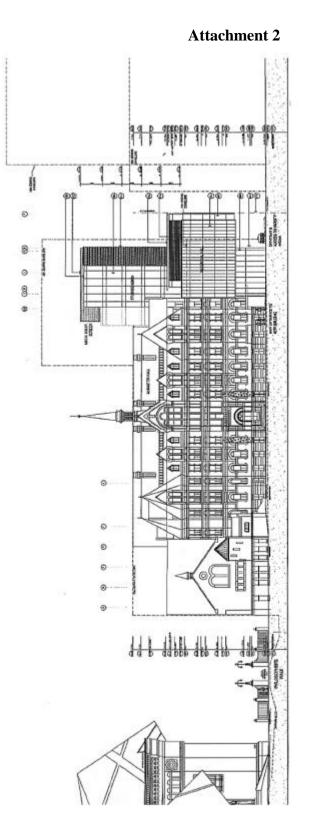
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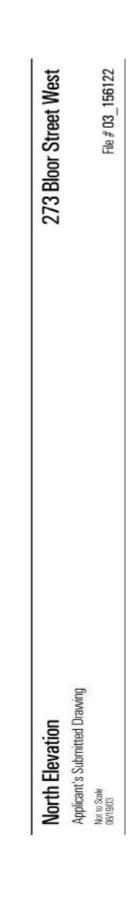
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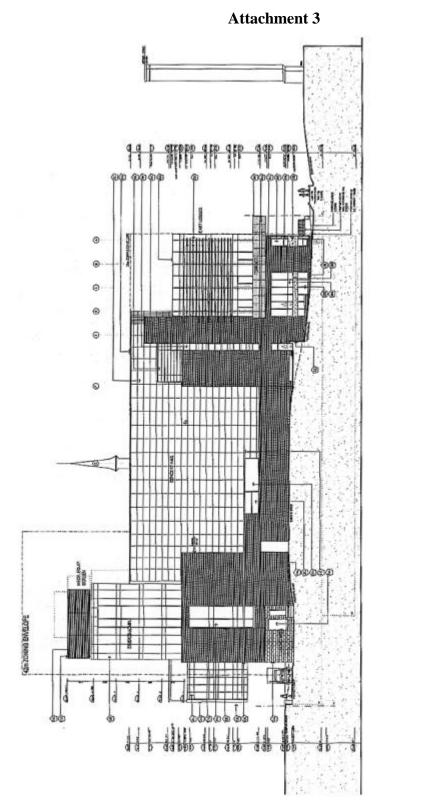
Attachment 1:	Site Plan
Attachment 2:	Elevations
Attachment 3:	Elevations
Attachment 4:	Elevations
Attachment 5:	Elevations
Attachment 6:	Elevations
Attachment 7:	Elevations
Attachment 8:	Elevations
Attachment 9:	Elevations
Attachment 10:	Zoning
Attachment 11:	Draft Zoning By-law Amendment
Attachment 12:	Application Data Sheet









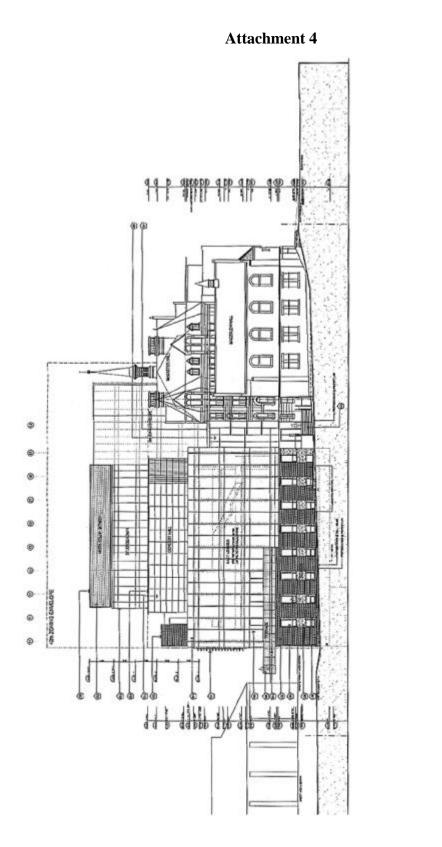


South Elevation Applicant's Submitted Drawing Mortuo State 06/1903

File # 03_156122

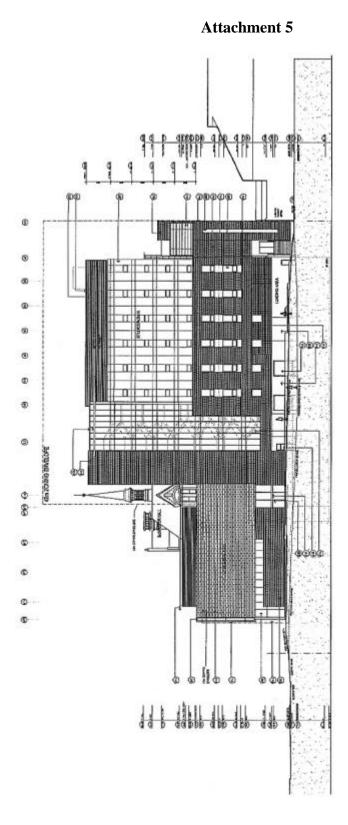
273 Bloor Street West

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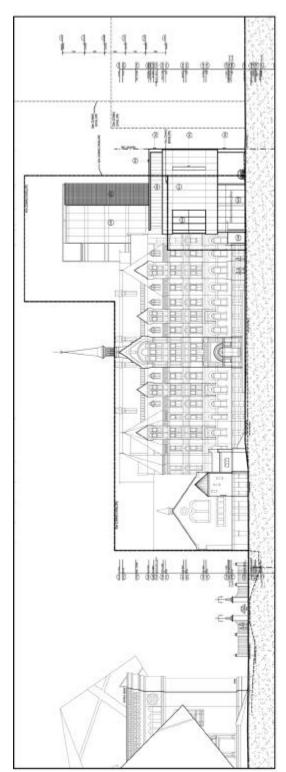


273 Bloor Street West

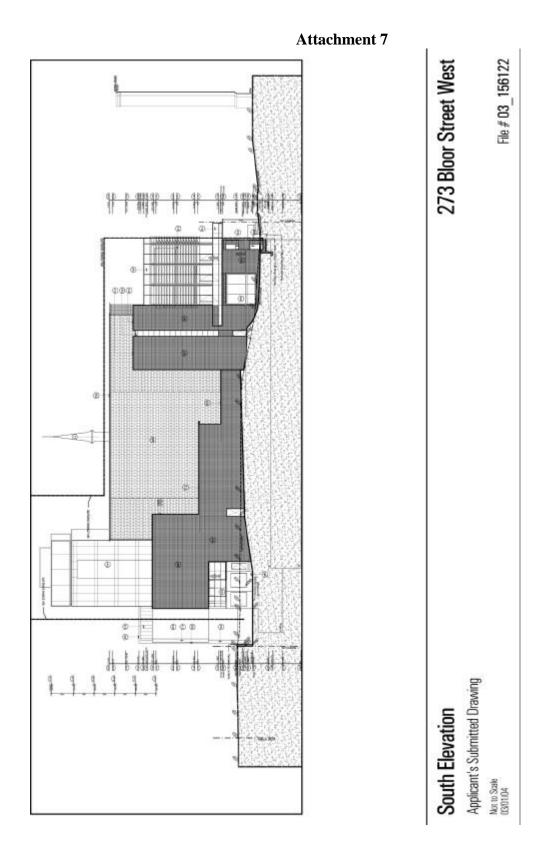


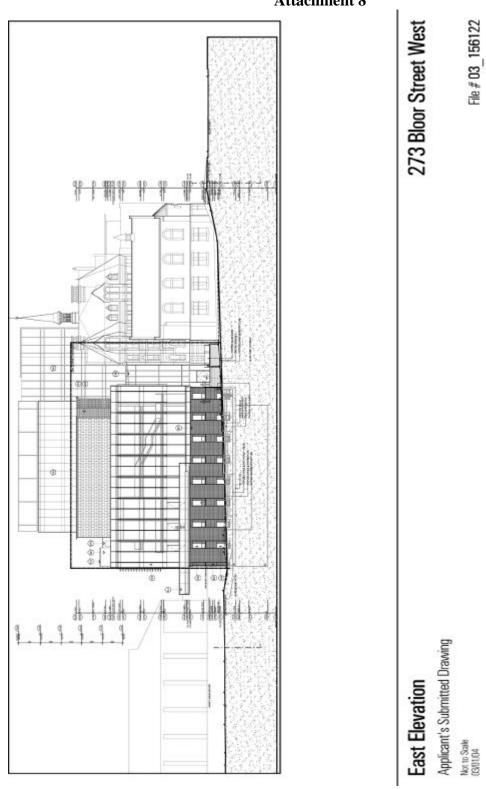


Attachment 6



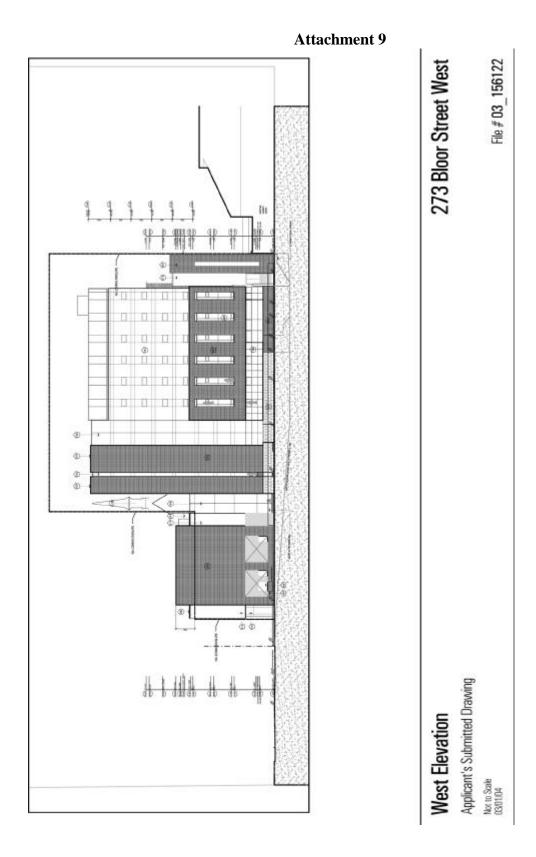




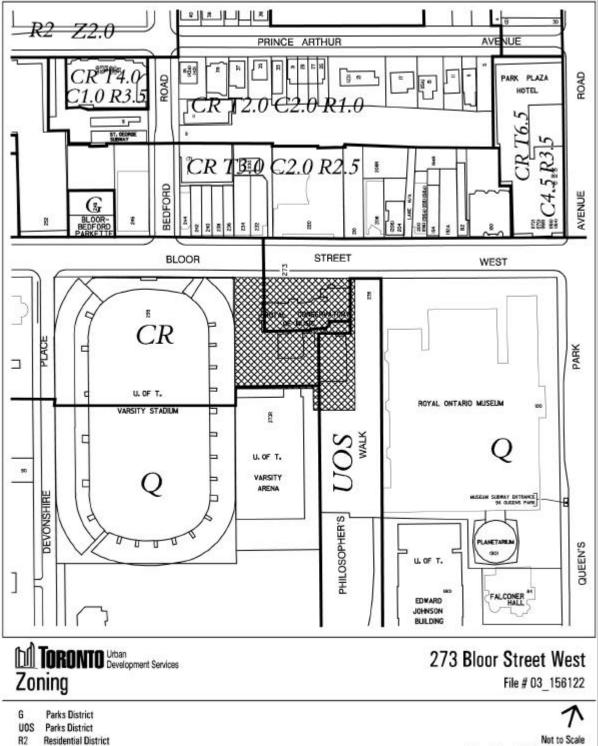




- 19 -







- CR **Mixed-Use District**
- 0
 - Mixed-Use District

Zoning By-law 438-86 as amended Extracted 08/19/03

Attachment 11

Authority: Toronto South Community Council Report No. ●, Clause No.●, as adopted by City of Toronto Council on ●, 2004.

Enacted by Council: ●, 2004.

CITY OF TORONTO

Bill No. ●

BY-LAW No. -2004

To amend General Zoning By-law No. 438-86 of the former City of Toronto with respect to lands known as 273 Bloor Street West.

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, respecting the lands municipally known in the year 2004 as 273 Bloor Street West;

AND WHEREAS the Council of the City of Toronto has provided adequate information to the public and the Toronto South Community Council conducted a public meeting on \bullet , 2004 pursuant to Section 34 of the *Planning Act*, regarding the proposed zoning amendment;

AND WHEREAS the Council of the City of Toronto, at its meeting held on \bullet , 2004, determined to amend Zoning By-law No. 438-86, as amended, for the former City of Toronto;

Therefore, the Council of the City of Toronto HEREBY ENACTS as follows:

- 1. Section 12(2) 310 (a) of 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 in various areas of the former city of Toronto", as amended, is further amended by deleting Map 28 and replacing it with the Map 28 attached to and forming part of this By-law.
- 2. District Map 50H-322 contained in Appendix "A" of By-law No. 438-86, as amended, is further amended by redesignating the lands outlined by the heavy lines on Plan 1, attached to and forming part of this By-law, from UOS to CR, as shown on the said Plan 1.
- **3.** Despite Section 12(2)(310)(a) of By-law No. 438-86, as amended, an open balcony is permitted as shown on Map 28, as amended by this By-law.
- 4. With the exception of those maps modified by this By-law and the permissions set out in Section 3 of this By-law, all of the applicable provisions of By-law No. 438-86, as amended, continue to apply.

ENACTED AND PASSED this \bullet day of \bullet , A.D. 2004.

• Deputy Mayor ULLI S. WATKISS City Clerk

(Corporate Seal)

Attachment 12

APPLICATION DATA SHEET

Application Type Details	Rezoning Rezoning, Sta	RezoningApplication NRezoning, StandardApplication D				122 STE 20 OZ 5, 2003				
Municipal Address: Location Description: Project Description:	PT PARK LT	273 BLOOR ST W, Toronto ONPT PARK LTS 12 13Construct an addition to The Royal Conservatory of Music								
Applicant:	Agent:	Archited	Architect:		Owner:					
GOODMANS LLP					ROYAL CONSERVATORY OF MUSIC P. SIMON					
PLANNING CONTRO	LS									
Official Plan Designation	n: Institutional	Site Sp	Site Specific Provision:		333-02					
Zoning:	CR; Q	Historic	Historical Status:		Y					
Height Limit (m):	18	Site Pla	Site Plan Control Area:		Y					
PROJECT INFORMAT	ION									
Site Area:	6099.8	Height:	Storeys	:	9					
Frontage:	78.8		Metres:		34.8					
Depth:	73									
Ground Floor GFA:	2359.65		То		al					
Residential GFA:	0	Parking	Spaces:	0						
Non-Residential GFA:	14348.6	Loading	Loading Docks 0							
Total GFA:	14348.6									
Lot Coverage Ratio:	0									
Floor Space Index:	2.35									
DWELLING UNITS FLOOR AREA BREAKDOWN										
Tenure Type:				Abov	e Grade	Below Grade				
Rooms:	0	Residential GF	A:	0		0				
Bachelor:	0	Retail GFA:		0		0				
1 Bedroom:	0	Office GFA:		0		0				
2 Bedroom:	0	Industrial GFA	:	0		0				
3 + Bedroom:	0	Institutional/O	ther GFA:	14348	3.6	0				
Total Units:	0									
CONTACT: PLANNER NAME: Helen Coombs, Senior Planner										
TELE	EPHONE:	(416) 392-7613								