

# TORONTO STAFF REPORT

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March 10, 2006

To: Toronto and East York Community Council

From: Director, Community Planning, Toronto and East York District

Subject: Preliminary Report  
Application to amend Zoning By-law 438-86, as amended  
Applicant: Urban Strategies Inc. (F. Lewinberg/B. Bowen)  
Architect: Sedun & Kanverva Architects Inc.  
99 Blue Jays Way  
File No. 05-204847 STE 20 OZ  
Ward 20, Trinity-Spadina

Purpose:

To provide preliminary information on the above-noted application and to seek Community Council's directions on further processing of the application.

Financial Implications and Impact Statement:

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

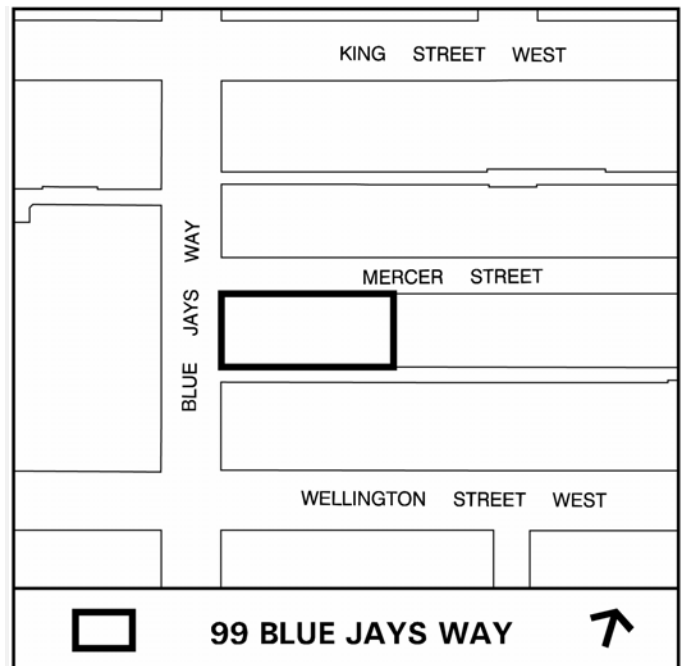
Recommendation:

It is recommended that this report be received for information.

Comments:

Proposal

This application proposes the redevelopment of the site for a primarily residential development comprised of 240 residential units and approximately 963m<sup>2</sup> of commercial space. The total proposed gross floor area is 16,799m<sup>2</sup>, with a maximum building height of



27 storeys (92.9 metres to the top of mechanical penthouse). Parking for the development is to be accommodated in a five-level underground parking garage. Vehicle access is to be from Mercer Street and the lane at the rear of the site.

### Site Description

The site is located at the southeast corner of Blue Jays Way and Mercer Street, between King Street West and Wellington Street West. The site has a frontage of approximately 24 metres on Blue Jays Way and 57 metres on Mercer Street. A public lane abuts the rear of the site and runs between Blue Jays Way and John Street. The site currently supports a three storey commercial building which includes commercial office space and the Wayne Gretzky's restaurant. The existing building is proposed to be demolished.

The site is surrounded by the following uses:

North: the property fronts onto Mercer Street which has a right-of-way of 12.2 metres. At the northeast corner of Blue Jays Way and Mercer Street is a commercial parking lot, beyond which is the Westinghouse building at the corner of King Street West. The Westinghouse building (355 King Street West) supports commercial uses, is 6 storeys (approximately 24 metres) in height and is designated under the Ontario Heritage Act.

South: a public lane beyond which is a residential condominium (the Icon) which extends along the length of the north side of Wellington Street West between Blue Jays Way and John Street. The Icon building ranges in height from 12 storeys (approximately 35 metres) at Blue Jays Way, to 17 storeys (approximately 50 metres) mid-block, to 21 storeys (approximately 64 metres) at John Street.

East: a small lot currently used for parking beyond which is a 2-3 storey commercial building which extends for most of the remainder of the block and which is designated under the Ontario Heritage Act. To the northeast, on the north side of Mercer Street, is the La Germain Hotel which is 11 storeys (approximately 39 metres) in height. Immediately east of the hotel is 24 Mercer Street, a 3-storey (approximately 12 metre) building listed on the City's Inventory of Heritage Properties.

West: is Blue Jays Way, beyond which is the Second City building (50-56 Blue Jays Way). The Second City building is 3 storeys (approximately 9 metres) in height and the building façade is listed on the City's Inventory of Heritage Properties. Directly south of the Second City building is the Soho residential condominium and hotel which has a maximum height of 16 storeys (approximately 50 metres) on Blue Jays Way. To the northwest is a lane and the Midas Muffler site at the southwest corner of Blue Jays Way and King Street West.

## New Toronto Official Plan

The site is designated in the former City of Toronto Official Plan and the King-Spadina Part II Plan as a 'Reinvestment Area' (RA). This designation permits a wide range of uses including the proposed residential and commercial uses.

At its meeting of November 26, 2002, City Council adopted the new Official Plan for the City of Toronto. The Minister of Municipal Affairs and Housing approved the new 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 and hearings are proceeding.

Once the Plan comes into full force and effect, it will designate the property as a 'Regeneration Area' which permits the proposed residential and commercial uses. Chapter 6.16 of the new Official Plan contains the revised King-Spadina Secondary Plan with area specific policies that will be considered when reviewing this application. Section 3 of the Plan specifies that new buildings will achieve a compatible relationship with their built form context through consideration of such matters as building height, massing, scale, setbacks, stepbacks, roof line and profile and architectural character and expression. Section 3 also identifies Peter Street/ Blue Jays Way as a special or significant street intended as a smaller neighbourhood street with a distinctive character. The Plan establishes that Council will seek to preserve, maintain and enhance the quality and unique character of the special or significant streets through such means as zoning regulations, urban design guidelines and streetscape improvement programs.

## King Spadina Review Study

In 2005, a focused review of the King Spadina Part II Plan was initiated to look at specific matters related to entertainment uses in the area, community infrastructure, built form and the public realm. That study is underway and is expected to be completed by mid-2006. At its meeting of February 16, 2005 City Council adopted a report that set out principles to, among other matters, guide the review and evaluation of development applications while the King Spadina Part II Plan Review is underway. The report establishes that development applications will be reviewed on the basis of the existing planning objectives and policies for the area as well as the additional principles set out in the report which relate to built form and public realm. Built form principles include guidance for the review and evaluation of development proposals in excess of the permitted building height. Public realm principles establish that public realm improvements are a priority for the area.

## Zoning

The site is zoned 'Reinvestment Area' (RA). As part of the RA zoning controls, density standards were replaced by a package of built form objectives expressed through height limits and setbacks. The Zoning By-law permits a height of 30 metres for this site. Section 12(2)246 of the Zoning By-law requires a 3-metre setback above 20 metres on all street frontages. If this setback is not provided, the maximum height is limited to 20 metres.

## Site Plan Control

An application for site plan approval was filed concurrent with the zoning by-law amendment application and will be reviewed and evaluated along with the zoning by-law amendment application.

## Reasons for the Application

The applicant has submitted a rezoning application to permit a building that exceeds the 30-metre height limit permitted for the site as set out in Zoning By-law 438-86 and does not comply with the 3 metre setback requirements above 20 metres as set out in Section 12(2)246. Other areas of non-compliance will be identified through the review process.

## Community Meeting

A community consultation meeting for this application was held on March 8, 2006.

Approximately 30 people attended the meeting. Concerns expressed with the proposal at the meeting related to traffic congestion and the scale of development proposed for the site. Residents advised that service vehicles and residential traffic from the condominium development at 250 Wellington (The Icon building) result in the public lane at the rear of the proposed development being congested, particularly as service vehicles tend to use the lane for parking and loading.

With respect to the scale of development, residents expressed their objection to the proposed height of the development which is significantly greater than that of surrounding buildings. The general consensus at the meeting appeared to be that a building with a height and massing similar to that portion of the existing Icon building directly opposite the site was more desirable and appropriate. Concern was also expressed with the proposed distance between the proposed building and the Icon building which would be approximately six metres at the west end of the site

## Issues to be Resolved

The application will be evaluated in the context of the City's objectives for the King-Spadina area as set out in the Official Plan, the principles set out in the Planning Review Principles report adopted by City Council at its meeting of February 16, 2005, and any recommendations resulting from the King Spadina Review Study.

Issues related to this application include but are not limited to the following:

- appropriateness and impact of built form in the context of the area plan objectives and policies and existing buildings in the immediate area;
- appropriateness and impact of additional height in the context of the area plan objectives and policies and existing buildings in the immediate area;
- adequacy of indoor and outdoor on-site amenity area;

- view and shadow impacts;
- traffic access and circulation; and
- provision, location, and access of vehicular and bicycle parking and loading.

#### Section 37 Agreement

Should staff recommend support for an increase in height, a Section 37 Agreement will be negotiated during the review of the application.

#### Conclusions:

Should the recommendations of this report be approved, a final report could be completed late this year. September 13<sup>th</sup> is the last scheduled Community Council meeting for 2006. If it is not possible to meet this timeline, a final report could be submitted to Community Council in early 2007.

#### Contact:

Sharon Hill, Senior Planner, West Section  
Ph: (416) 392-7574  
Fax: (416) 392-1330  
Email: [shill@toronto.ca](mailto:shill@toronto.ca)

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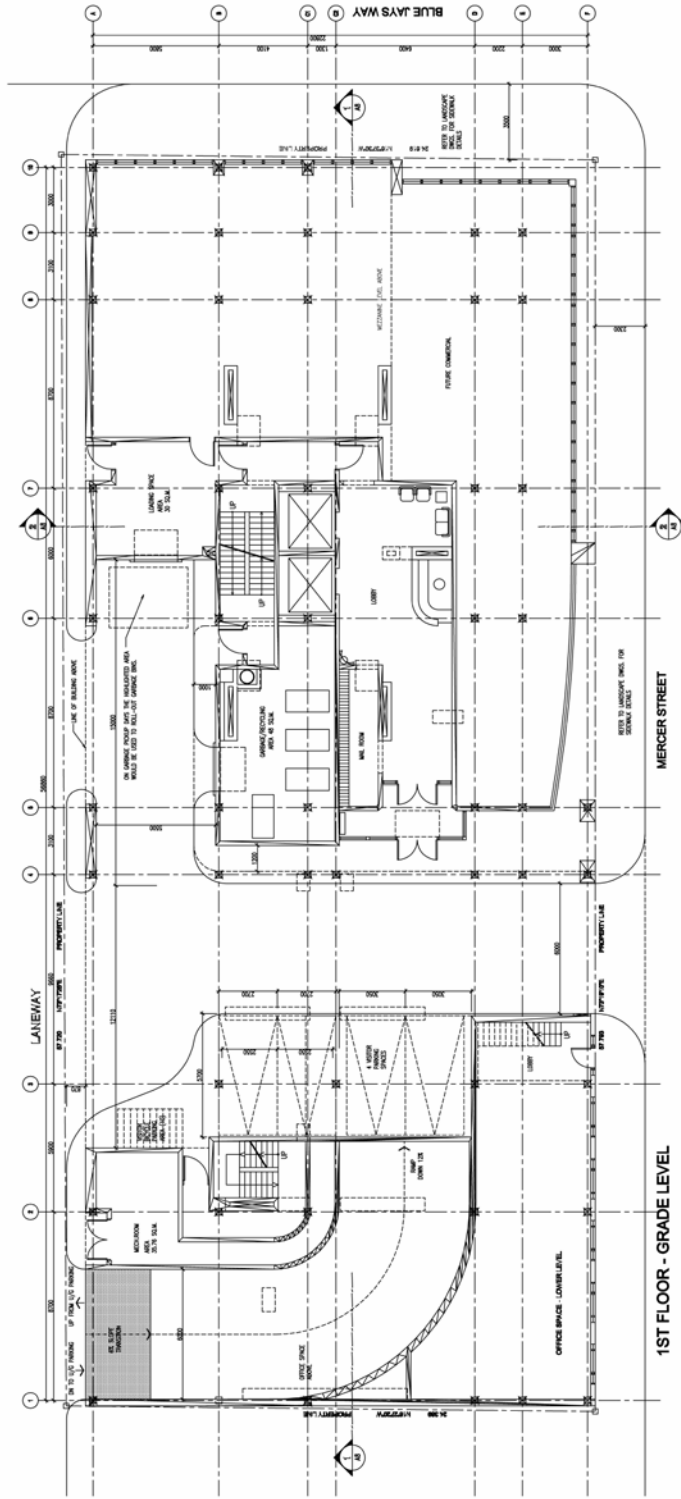
Gary Wright  
Director, Community Planning, Toronto and East York District

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#### List of Attachments:

Attachment 1: Site Plan  
Attachment 2: Elevations  
Attachment 3: Elevations  
Attachment 4: Zoning  
Application Data Sheet

Attachment 1: Site Plan



Site Plan / First Floor Plan

Applicant's Submitted Drawing

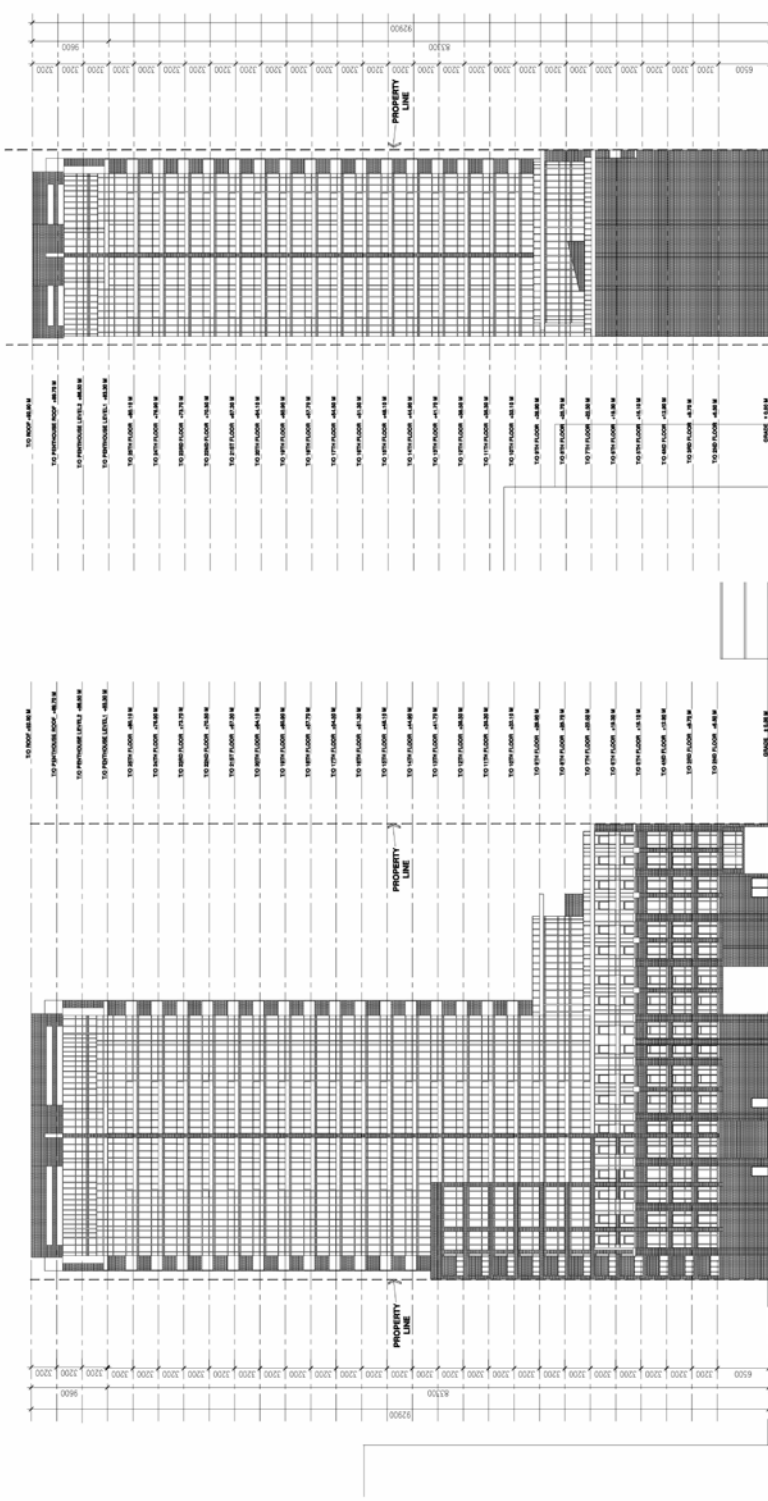
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02/21/06



99 Blue Jays Way

File # 05\_204847

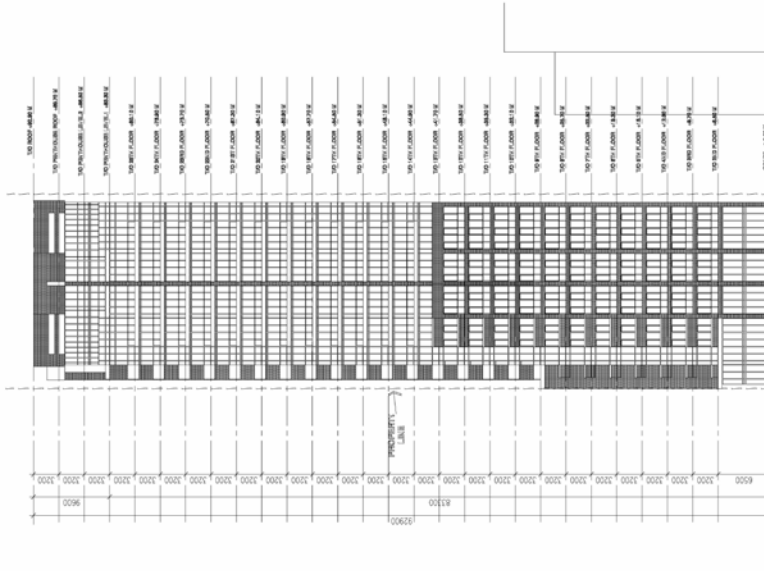
Attachment 2: South & East Elevations



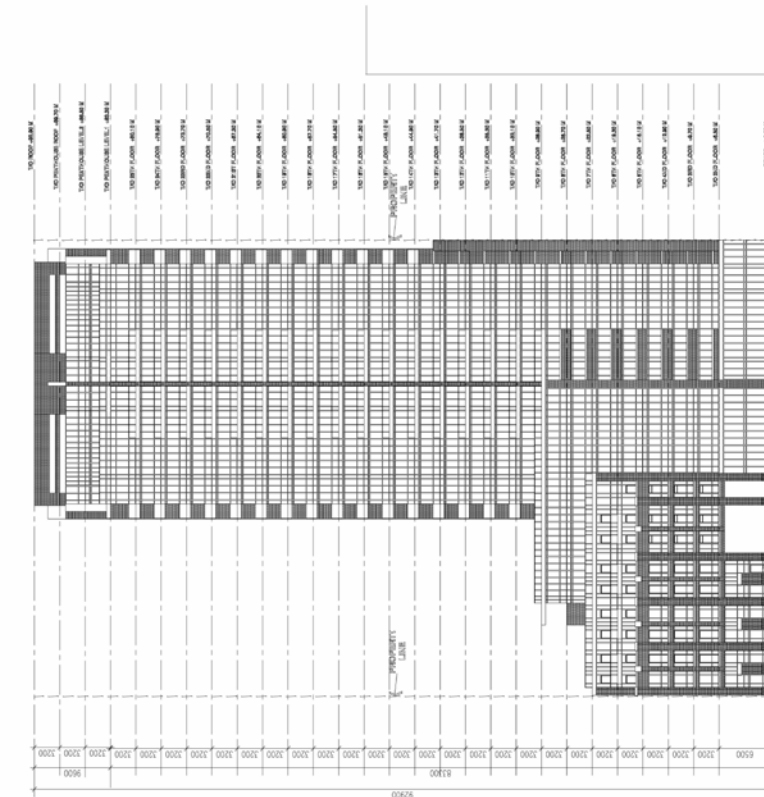
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South & East Elevations  
Applicant's Submitted Drawing  
Not to Scale  
02/21/06

Attachment 3: North & West Elevations



WEST ELEVATION



NORTH ELEVATION

99 Blue Jays Way

File # 05\_204847

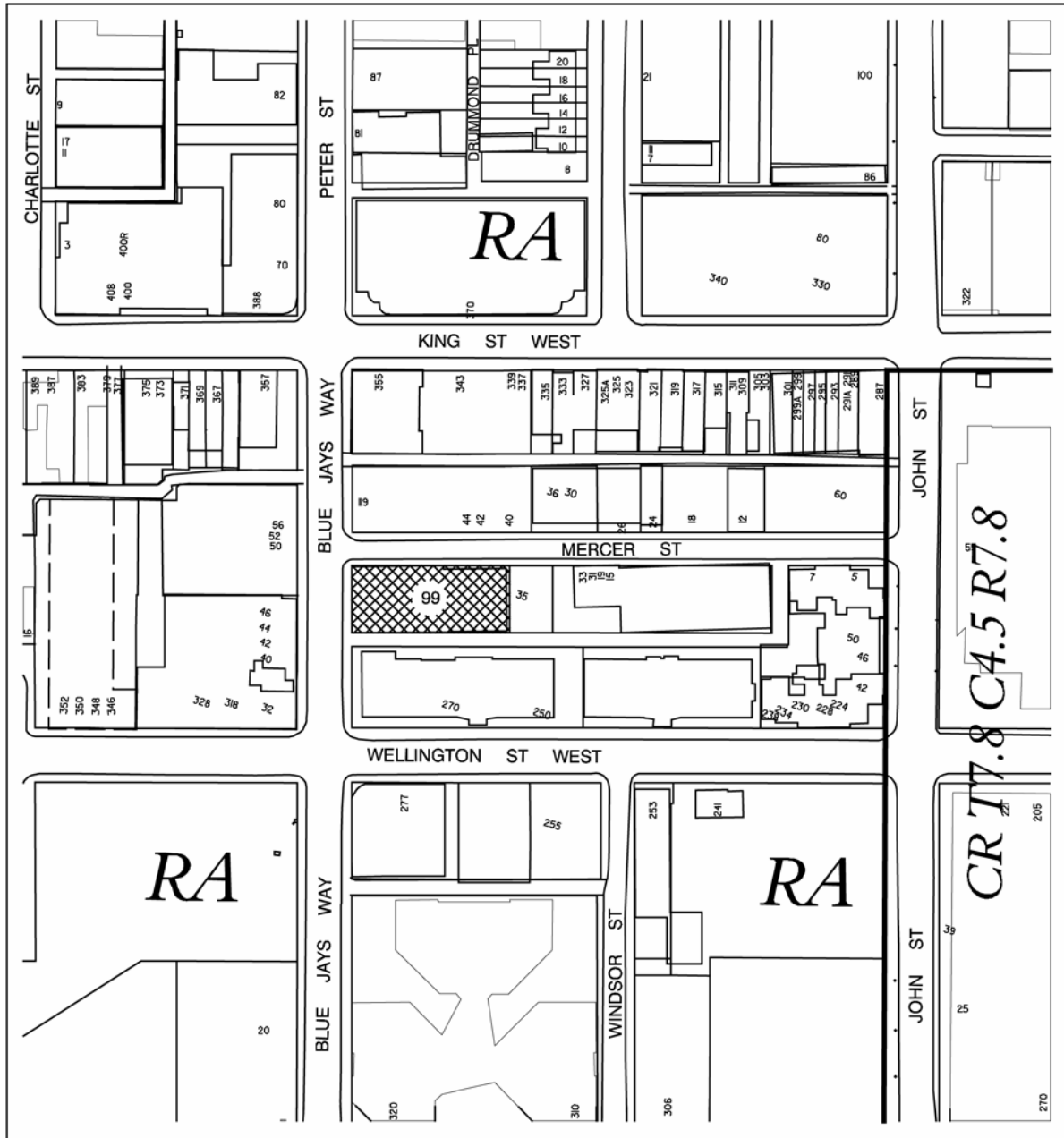
North & West Elevations

Applicant's Submitted Drawing

Not to Scale  
02/21/06



Attachment 4: Zoning



99 Blue Jays Way

File # 05\_204847

CR Mixed-Use District  
 RA Mixed-Use District



Not to Scale  
 Zoning By-law 438-86 as amended  
 Extracted 02/21/06 - DR

Application Data Sheet

Application Type: Rezoning                      Application Number: 05 204847 STE 20 OZ  
 Details: Rezoning, Standard              Application Date: November 23, 2005  
 Municipal Address: 99 BLUE JAYS WAY, TORONTO ON  
 Location Description: PL 57 LTS 1 TO 7 \*\*GRID S2015  
 Project Description: Proposed 27 storey mixed use building with 240 condominium units.

**Applicant:**                      **Agent:**                      **Architect:**                      **Owner:**  
 Urban Strategies Inc.                      Sedun & Kanverva                      Forty-One Peter  
 (F. Lewinberg/ B.                      Architects Inc.                      Street Inc.  
 Bowen)

**PLANNING CONTROLS**

|                            |    |                          |   |
|----------------------------|----|--------------------------|---|
| Official Plan Designation: |    | Site Specific Provision: |   |
| Zoning:                    | RA | Historical Status:       |   |
| Height Limit (m):          | 30 | Site Plan Control Area:  | Y |

**PROJECT INFORMATION**

|                                    |          |                  |              |
|------------------------------------|----------|------------------|--------------|
| Site Area (sq. m):                 | 1421.01  | Height: Storeys: | 27           |
| Frontage (m):                      | 57.7     | Metres:          | 92.9         |
| Depth (m):                         | 25       |                  |              |
| Total Ground Floor Area (sq.m):    | 795.85   |                  | <b>Total</b> |
| Total Residential GFA (sq. m):     | 15836.53 | Parking Spaces:  | 138          |
| Total Non-Residential GFA (sq. m): | 3678.35  | Loading Docks:   | 1            |
| Total GFA (sq. m):                 | 19514.88 |                  |              |
| Lot Coverage Ratio (%):            | 56       |                  |              |
| Floor Space Index:                 | 13.7     |                  |              |

**DWELLING UNITS**

|              |       |
|--------------|-------|
| Tenure Type: | Condo |
| Rooms:       | 0     |
| Bachelor:    | 29    |
| 1 Bedroom:   | 196   |
| 2 Bedroom:   | 15    |
| 3 + Bedroom: | 0     |
| Total Units: | 240   |

**FLOOR AREA BREAKDOWN (upon project completion)**

|                                 | Above Grade | Below Grade |
|---------------------------------|-------------|-------------|
| Residential GFA (sq. m):        | 15836.53    | 0           |
| Retail GFA (sq. m):             | 561.13      | 0           |
| Office GFA (sq. m):             | 401.77      | 0           |
| Industrial GFA (sq. m):         | 0           | 0           |
| Institutional/Other GFA (sq. m) | 2715.45     | 0           |

**CONTACT:**                      **PLANNER NAME:** Sharon Hill, Senior Planner  
**TELEPHONE:**                      (416) 392-7574