

# TORONTO STAFF REPORT

March 16, 2006

To: Toronto and East York Community Council

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

Subject: Preliminary Report  
Official Plan Amendment and Rezoning Application 05 209848 STE 27 OZ  
Applicant: Goodman and Carr LLP (c/o Patrick Devine)  
Architects: Hariri Pontarini / IORI / Young + Wright  
91, 99, 105, 109 and 111 Elizabeth Street, 9 Foster Place, 532, 560, 566 and 570 Bay Street, 101, 109, 111, 127, 129, 131, 137 and 141 Dundas Street West  
Ward 27, Toronto Centre-Rosedale

## Purpose:

To provide preliminary information on the above-noted application for the second phase of a development (Two City Hall) and to seek Community Council's directions on further processing of the application and on the community consultation process.

## Financial Implications and Impact Statement:

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

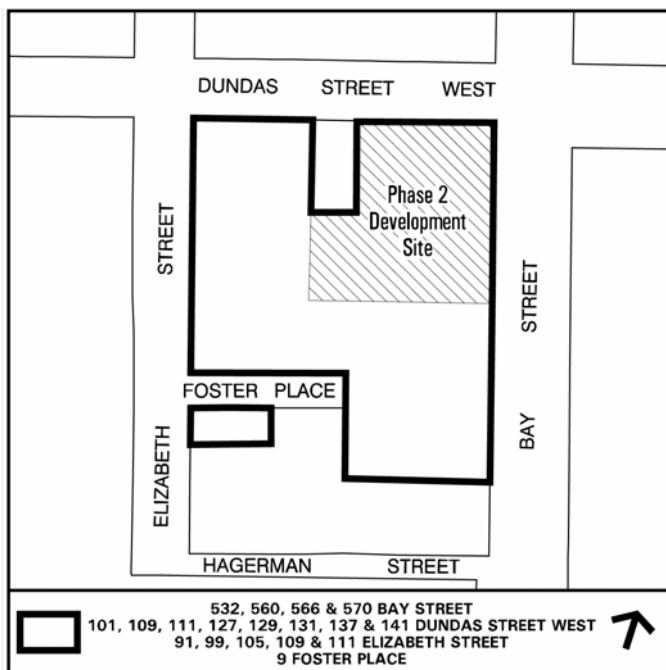
## Recommendations:

It is recommended that:

- (1) staff be directed to schedule a community consultation meeting together with the Ward Councillor; and
- (2) notice for the community consultation meeting be given to landowners and residents within 120 metres of the site.

## Background:

This application is for the second phase of a development on lands comprising



the majority of the block to the north of Toronto City Hall excluding the building at 121 Dundas Street West, the Toronto Hydro Terauley Transformer Station at 532 Bay Street and several small parcels immediately behind City Hall, which are owned by the City (see Attachment 2).

Phase 1, known as “One City Hall”, is located on the western portion of the development block with frontages on Dundas and Elizabeth Streets and on Foster Place. Phase 1 consists of a 16-storey residential condominium building with at-grade retail units along the Dundas Street West frontage and the northerly half of the Elizabeth Street frontage. The building’s main residential entrance is on Elizabeth Street while service areas and vehicular access to the underground garage are from Foster Place. Phase 1 is currently under construction.

The proposal (Phase 2), called “Two City Hall”, is located at the southwest corner of Bay and Dundas Streets. A commercial parking lot and the Phase 1 condominium sales centre currently occupy the lands.

#### 1993 Development Approval

In its Order dated March 10, 1998 the Ontario Municipal Board approved By-laws 169-93 and 170-93 which amended the former City of Toronto Official Plan and Zoning By-law, respectively. The by-laws permitted a mixed-use development known as “King’s Park on Bay”. The by-laws required the owner to provide several public benefits, which were secured through a Section 37 Agreement.

The site was subsequently sold to new owners who proposed a revised development concept that required amendments to the site specific by-laws.

#### 2000 Development Approval

At its meeting on July 4, 5 and 6, 2000, City Council adopted By-laws 847-2000 and 848-2000 to permit a revised mixed-use development on the site. The revised proposal contained a larger residential component and different built form than that permitted by the previous approval. Zoning By-law 848-2000 was subsequently appealed to the Ontario Municipal Board by the Lem Si Ho Tong Society, the owner of the building at 121 Dundas Street West. In its Order dated December 3, 2001 the Ontario Municipal Board approved amendments to By-law 848-2000 on the consent of the parties. An amended Section 37 Agreement was also executed.

#### Comments:

##### Proposal

The proposed development consists of a 50-storey mixed use (residential and hotel) building containing 341 condominium units and 266 hotel rooms.

In general, the building program provides the hotel component on Floors 2 - 18, mechanical space on Floor 19 and the residential condominium on Floors 20 - 50. On the ground floor, each use has separate entrances and drop-off/pick-off points. A retail space is also proposed at the corner of Dundas and Bay Streets. The proposal includes 708 square metres of indoor amenity

space and 1,004 square metres of outdoor amenity space located at Floor 4 and Floor 5, respectively.

A total of 435 spaces in a six-level underground parking garage is proposed with vehicular access from Dundas and Bay Streets as well as through Phase 1 (One City Hall).

The proposed 50-storey tower consists of three main built form components: a four-story base, a mid-portion up to 17 storeys and a higher tower portion anchored at the corner of Dundas and Bay Streets. The height to the main roof is 153 metres plus a mechanical penthouse for a total height of 159 metres. Attachments 4 – 7 show the proposed development's site plan, ground floor plan and building elevations.

Overall, the proposed development contains a total gross floor area of 47,603 square metres consisting of 22,085 square metres for the hotel component, 25,354 square metres for the residential condominium component and 164 square metres for at-grade retail space. The proposed density is 14.7 times based on the proposed Phase 2 development site. Please refer to the Application Data Sheet in Attachment 1 for additional information on the proposed development.

#### Adjacent Uses

The following uses surround the site:

North: across Dundas Street West is a mix of uses generally in a three to five storey built form.

South: abutting the Phase 2 lands is Toronto Hydro's Terauley Transformer Station, a listed heritage building. South of the substation is Larry Sefton Park and Toronto City Hall, a designated heritage building.

East: across Bay Street is a new seven-storey building containing retail uses, parking and the Ryerson School of Business. The building is scheduled to open later this year. To the east of this is the northerly portion of the Eaton Centre. The Atrium of Bay building is located at the northeast corner of Bay Street and Dundas Street West.

West: abutting the Phase 2 lands is a three-storey building at 121 Dundas Street West and Phase 1 (One City Hall). Across Elizabeth Street is a 15-storey mixed use building owned by the City and the 27-storey 89 Chestnut Residence owned by the University of Toronto (the former Colony Hotel).

#### New Toronto Official Plan

At its meeting of November 26-28, 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. The applicant appealed the Minister's decision on the Plan as it applies to the site. The appeal remains outstanding.

The Plan proposes to designate the site as “Mixed Use Area”, which permits a range of residential, commercial and institutional uses. The Plan includes criteria that direct the form and quality of development in this area. Other important policies include those in the “Downtown” and “Built Form” sections of the Plan. The proposed development will be reviewed for compliance with these criteria and conformity. Policies also direct that new development respect the local context and relationship to landmark buildings, which in this case is Toronto City Hall.

#### Former City of Toronto Official Plan

The Phase 2 site is split between two land use designations. The majority of the Phase 2 site is designated High Density Mixed Commercial-Residential Area ‘B’. A small portion on the western edge is designated High Density Mixed Commercial-Residential Area ‘A’. Site specific amendments apply to the site as discussed in the “Site Specific Regulations” section below.

Policy 3.5, Prominent Areas and Sites, and Map 4, Prominent Areas and Sites and Significant Views, designate the City Hall Precinct as a prominent area to be sustained and enhanced. The proposed development is located within this precinct.

Policy 3.6, Views and Vistas and Map 4, Prominent Areas and Sites and Significant Views, designate the view of City Hall and the unobstructed view between the towers, as seen from Nathan Phillips Square, as a significant view of a major landmark to be enhanced and preserved.

#### Zoning By-law 438-86, as amended

The Phase 2 site is split between two zoning districts. The majority of the Phase 2 site is zoned CR T7.8 C2.0 R7.8 with a height limit of 61 metres. A small portion on the westerly edge is zoned CR T6.0 C6.0 R3.5 with a height limit of 30 metres. Site specific zoning permissions apply to the site as discussed in the following section.

#### Site Specific Regulations

The development site is governed by Official Plan Amendment No. 172 as amended by Official Plan Amendment No. 305 to the former City of Toronto Official Plan, and site-specific Zoning By-law 848-2000, as amended.

The site-specific regulations permit a total residential gross floor area and non-residential gross floor area of 66,410 square metres. This total permission is allocated amongst three redevelopment parcels (A, B and C) on the larger block (Lot A). The following table sets out the total gross floor area permissions for each redevelopment parcel as well as Parcel D containing Toronto Hydro’s Terauley Transformer Station.

Parcels on Lot A	Parcel A	Parcel B	Parcel C	Parcel D
Maximum Gross Floor Area (square metres)	20,000	23,000	29,000	2,749

Plan 1 shows the location of the parcels on Lot A and Plan 2 provides the height limits for each parcel (see Attachments 2 and 3, respectively). Phase 1 (One City Hall) is located on Parcels A and B. Phase 2 (Two City Hall) is predominantly located on Parcel C with portions on Parcels A and B.

#### Site Plan Control

The proposed development is subject to Site Plan Approval. To date, a Site Plan Control application has not been filed.

#### Site-Specific Urban Design Guidelines

Council-approved site-specific Urban Design Guidelines apply to the entire development block. The Guidelines provide a framework for redevelopment and are to be read in conjunction with the urban design policies in the Official Plan. Development is to be consistent with the Guidelines.

The Guidelines provide specific built form measures for each of the site's street frontages and identify the need for an appropriate transition in scale between the south elevation of any development and the Terauley Transformer Station.

The Guidelines also require protection of the "sky vista" between the towers of Toronto City Hall when viewed by a pedestrian standing in Nathan Phillips Square looking northward. As well, an overall height limit of 76 metres (height of the west tower of City Hall) is identified.

#### Reasons for the Application

The applicant is seeking to amend the existing site-specific regulations to increase the permitted gross floor area and height limit in order to construct a 50-storey (159-metre) mixed-use building containing a gross floor area of 47,603 square metres.

Building Division staff are currently reviewing the proposed development with respect to zoning by-law requirements.

#### Issues to be Resolved

Prior to presenting a Final Report to Community Council, the following issues as well as any other issues that may be identified, must be addressed:

- (a) the appropriateness of the proposal's built form including:
  - (i) the height, massing, setbacks and stepbacks and ground floor interface with abutting streets; and
  - (ii) the consistency with site-specific Urban Design Guidelines, and the appropriateness of any areas of inconsistency;

- (b) the relationship to Toronto City Hall, a designated heritage and landmark building, in particular the proposal's impact on views to City Hall from the south, one of the City's most significant views;
- (c) the ability to fit and enhance the City Hall precinct;
- (d) the relationship to adjacent buildings and properties including the listed heritage Terauley Transformer Station, Phase 1 and the existing building at 121 Dundas Street West;
- (e) the potential impacts on the local urban environment including shadow and wind, and minimization and mitigation of such impacts;
- (f) the assessment of potential traffic, transportation and pedestrian impacts including the proposed introduction of an access driveway on Dundas Street West;
- (g) the appropriateness of the ground floor layout including building entrances and drop-off / pick-up areas;
- (h) the location and suitability of the proposed amenity space dedicated to the residential condominium component;
- (i) the appropriateness of the proposed streetscape treatment;
- (j) an evaluation of the proposed development's compliance with site specific regulations including implementation matters set out in the registered Section 37 Agreement, as amended;
- (k) the identification and security of community benefits under Section 37 of the Planning Act should the proposed development, or some variation thereof, advance; and
- (l) ability of the proposal to meet the intent and spirit of the Official Plan, Council policies and guidelines and other applicable planning policies including the Provincial Policy Statement, and to represent good planning and community building.

The application has been circulated to City Divisions for review. This circulation and the community consultation process may identify other issues that require resolution.

#### Public Art

The Official Plan contains provisions regarding a public art contribution in significant developments. A public art program has been approved for the Phase 1 development. A public art requirement is secured in the Section 37 Agreement, as amended, for the entire development block. Preparation and implementation of a public art program for the proposed Phase 2 will be considered and reviewed in accordance with the City's policy and practices regarding public art.

#### Conclusions:

The proposed development is of significant scale and height. The next steps in the review process are to hold a community consultation meeting in the local neighbourhood and to continue to work with the applicant's team on the development concept for the site to mitigate any defined impacts. Once the review is complete, a Final Report will be prepared for consideration by Community Council.

Contact:

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

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List of Attachments:

- Attachment 1: Application Data Sheet
- Attachment 2: Plan 1 from Site Specific Zoning By-law 848-2000, as amended
- Attachment 3: Plan 2 from Site Specific Zoning By-law 848-2000, as amended
- Attachment 4: Site Plan and Context Plan
- Attachment 5: Ground Floor Plan
- Attachment 6: South and West Elevations
- Attachment 7: North and East Elevations
- Attachment 8: General Zoning Map Extract
- Attachment 9: Official Plan Map Extract

**Attachment 1: Application Data Sheet**

Application Type: Official Plan Amendment & Rezoning      Application Number: 05 209848 STE 27 OZ  
 Details: OPA & Rezoning, Standard      Application Date: December 14, 2005  
 Municipal Address: 91, 99, 105, 109 and 111 Elizabeth Street, 9 Foster Place, 532, 560, 566 and 570 Bay Street, 101, 109, 111, 127, 129, 131, 137 and 141 Dundas Street West  
 Location Description: Southwest corner of Bay Street and Dundas Street West  
 Project Description: Proposed 50-storey mixed use building.  
 Second phase of larger redevelopment block (known as Two City Hall).

**Applicant:** Goodman & Carr LLP  
**Architects:** Hariri Pontarini Architects, IORI Architects, Young + Wright Architects  
**Owner:** One City Hall Place Limited

**PLANNING CONTROLS**

Official Plan Designation in (former) City of Toronto Official Plan: HDMCRA 'A' HDMCRA 'B'  
 Zoning 438-86, as amended: CR T7.8 C4.5 R7.8 CR T6.0 C6.0 R3.5  
 Height Limit (m): 61 and 30  
 Site Specific Provision: OPA 172 & 305 Zoning By-law 848-2000, as amended  
 Historical Status: Parcel D - Terauley Substation (listed)  
 Site Plan Control Area: Y

**PROJECT INFORMATION**

Site Area (sq. m): 3244      Height: Storeys: 50  
 Frontage (m): 46      Metres: 159 (including mechanical)  
 Depth (m): irregular  
 Total Ground Floor Area (sq. m): 1042.5      Total  
 Total Residential GFA (sq. m): 25354      Parking Spaces: 436  
 Total Non-Residential GFA (sq. m): 22249      Loading Docks 5  
 Total GFA (sq. m): 47603  
 Lot Coverage Ratio (%): 32  
 Floor Space Index: 14.7

**DWELLING UNITS**

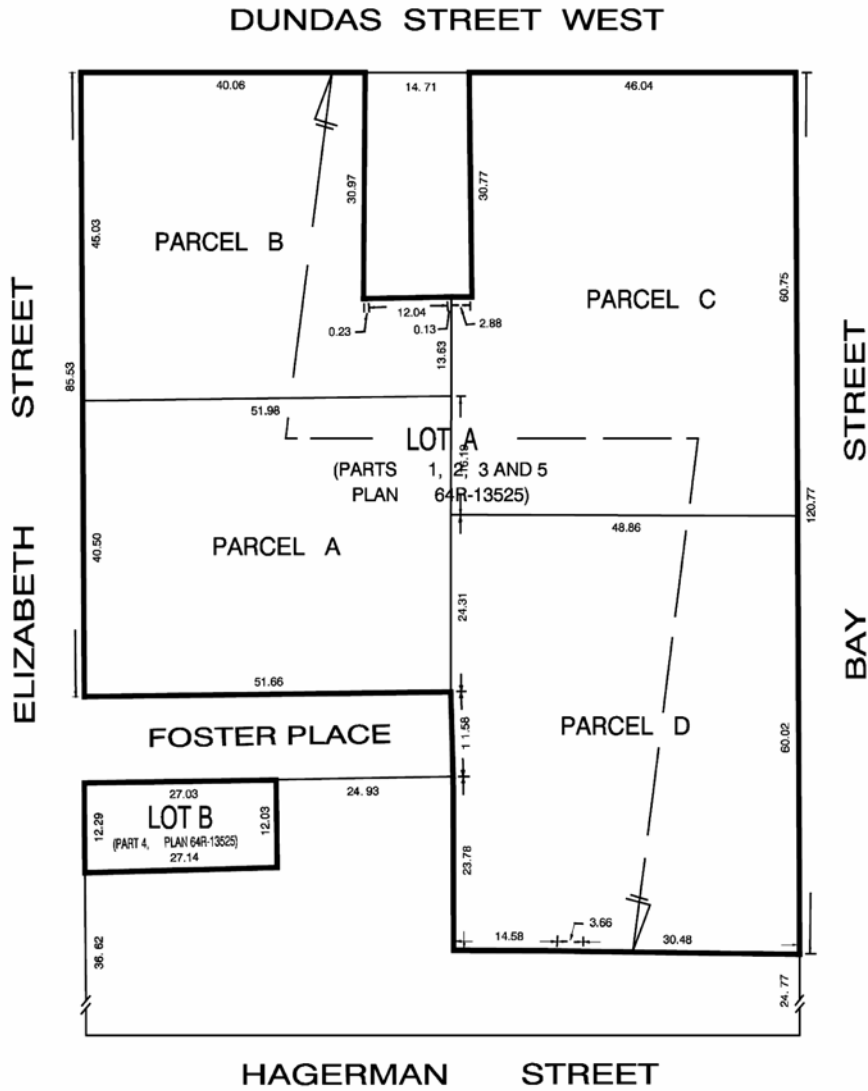
**FLOOR AREA BREAKDOWN (upon project completion)**

		<b>Above Grade</b>	<b>Below Grade</b>
Tenure Type:	Condo		
Bachelor:	31	Residential GFA (sq. m): 25354	0
1 Bedroom:	186	Retail GFA (sq. m): 164	0
2 Bedroom:	124	Hotel GFA (sq. m): 22085	0
3 + Bedroom:	0	Industrial GFA (sq. m): 0	0
Total Residential Units:	341	Institutional/Other GFA (sq. m): 0	0
Total Hotel Units:	266		

**CONTACT: PLANNER NAME: Corwin Cambray, Planner**  
**TELEPHONE: (416) 392-0459**



Attachment 2: Plan 1 from Site Specific Zoning By-law 848-2000, as amended



WORKS AND EMERGENCY SERVICES  
SURVEY AND MAPPING SERVICES  
TORONTO SEPTEMBER 2000  
BLO0/570BAY1.DGN  
FILE: D11-253  
MAP No. 50H-313 DRAWN: D.R.

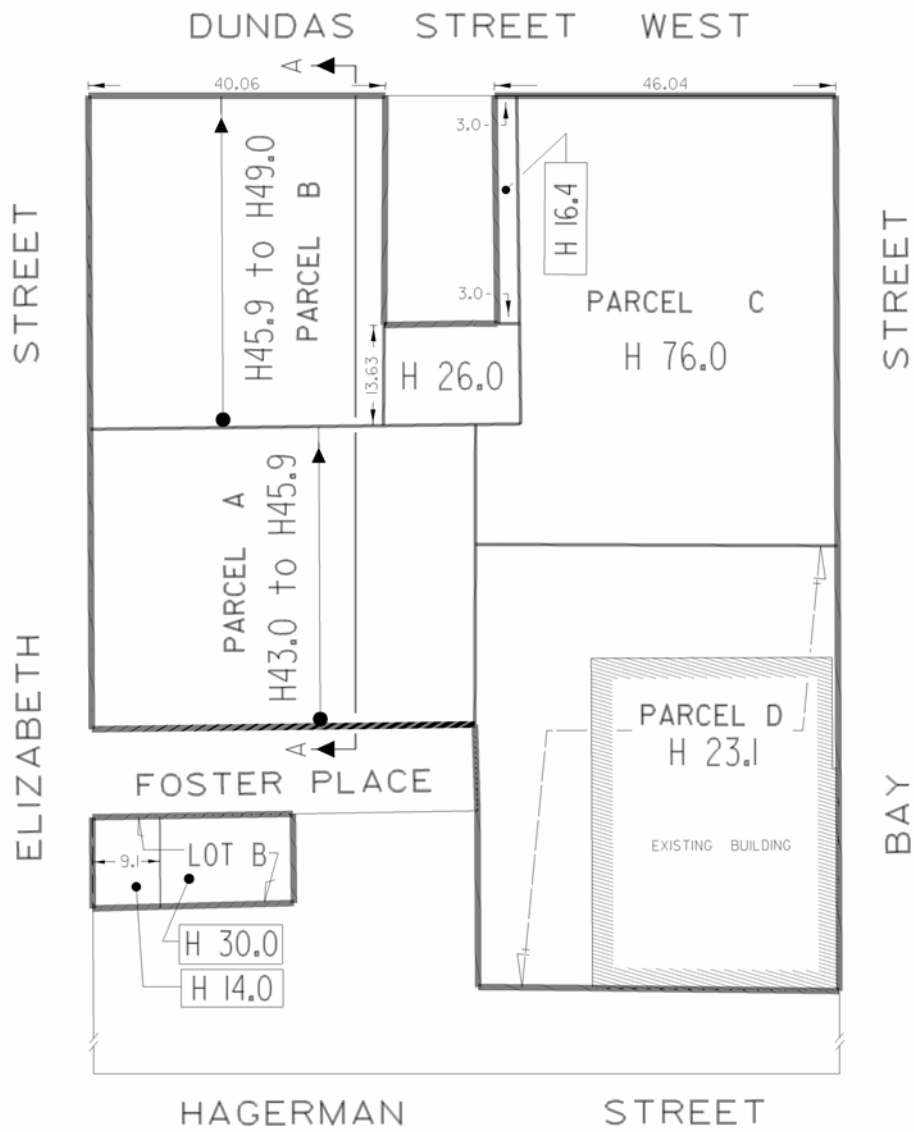
Plan 1 By-Law No. 848-2000, as amended

532 - 570 Bay St.,  
101 - 111, 127 - 141 Dundas St. West,  
91 - 111 Elizabeth St. & 9 Foster Pl.  
File # 05\_209848

Not to Scale  
03/16/06



Attachment 3: Plan 2 from Site Specific Zoning By-law 848-2000, as amended



WORKS AND EMERGENCY SERVICES  
SURVEY AND MAPPING SERVICES  
TORONTO JUNE 30, 2004  
BL04/570BAY2.DGN  
FILE: D11-253  
MAP No. 50H-313 DRAWN: DR/VG

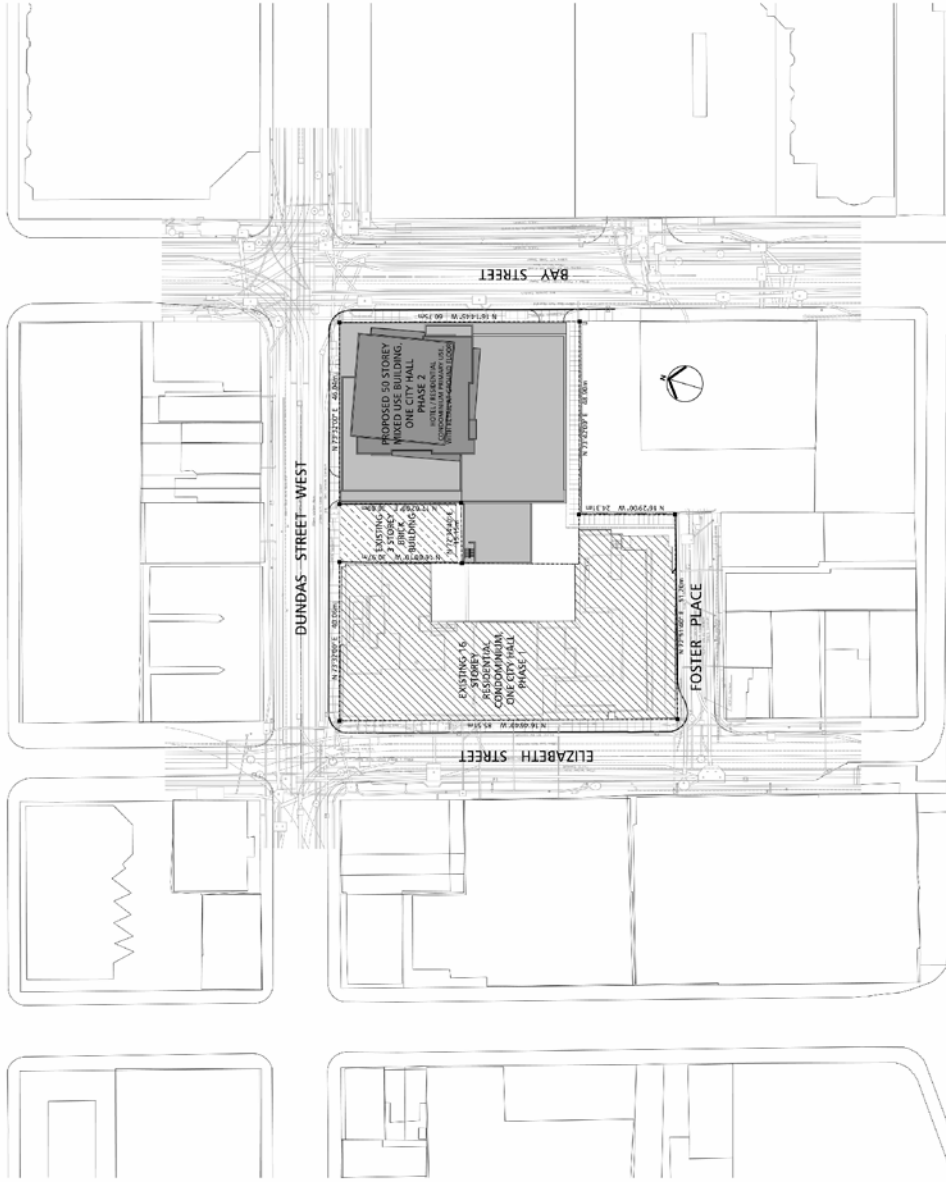
Plan 2 By-Law No. 848-2000, as amended

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101 - 111, 127 - 141 Dundas St. West,  
91 - 111 Elizabeth St. & 9 Foster Pl.  
File # 05\_209848

Not to Scale  
03/16/06



Attachment 4: Site and Context Plan



Site & Context Plan

Applicant's Submitted Drawing

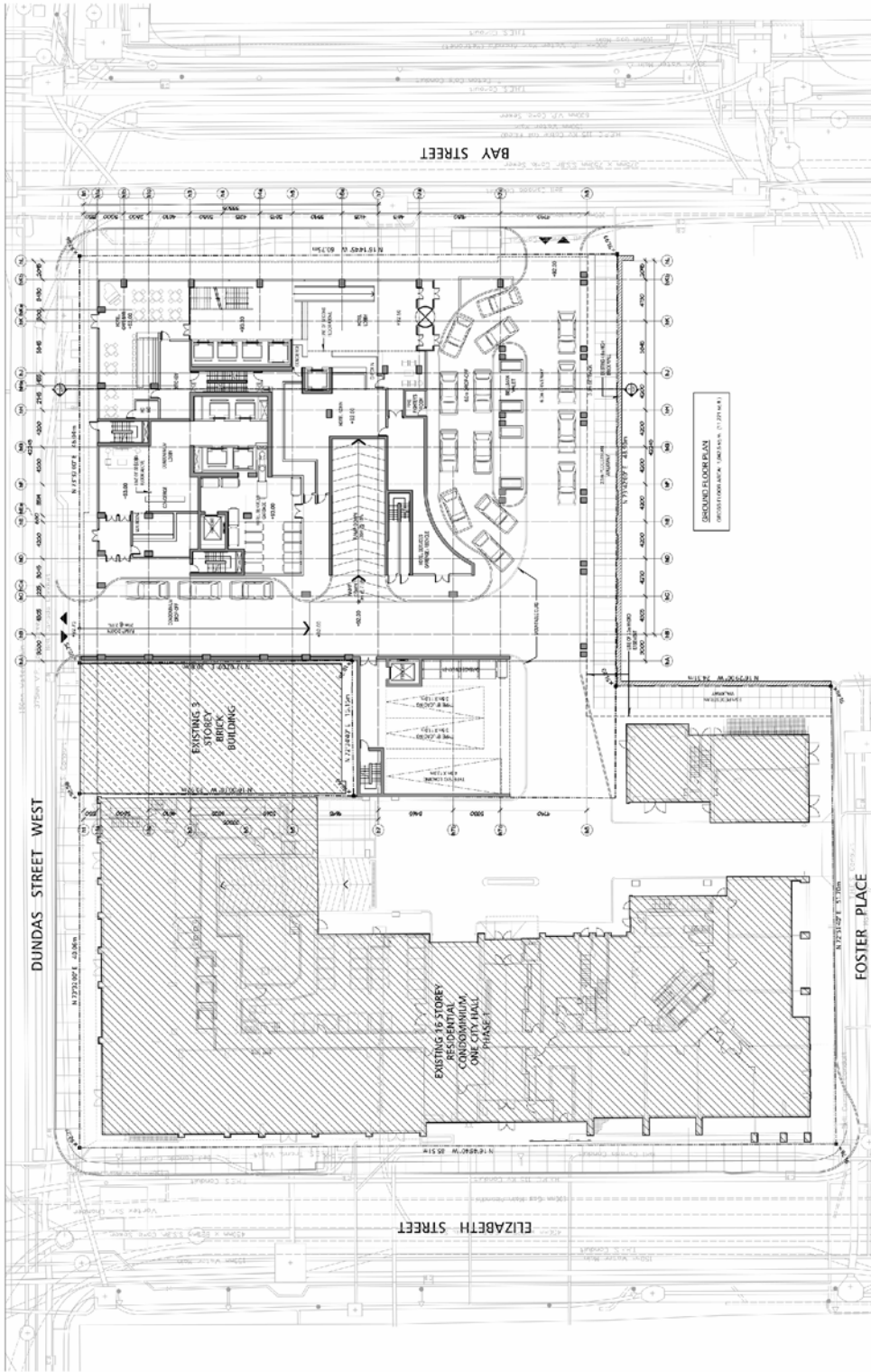
Not to Scale  
02/22/06



532 - 570, 101 - 111, Bay St., 127 - 141 Dundas St. West,  
91 - 111 Elizabeth St. & 9 Foster Pl.

File # 05\_209848

Attachment 5: Ground Floor Plan



Ground Floor Plan

Applicant's Submitted Drawing

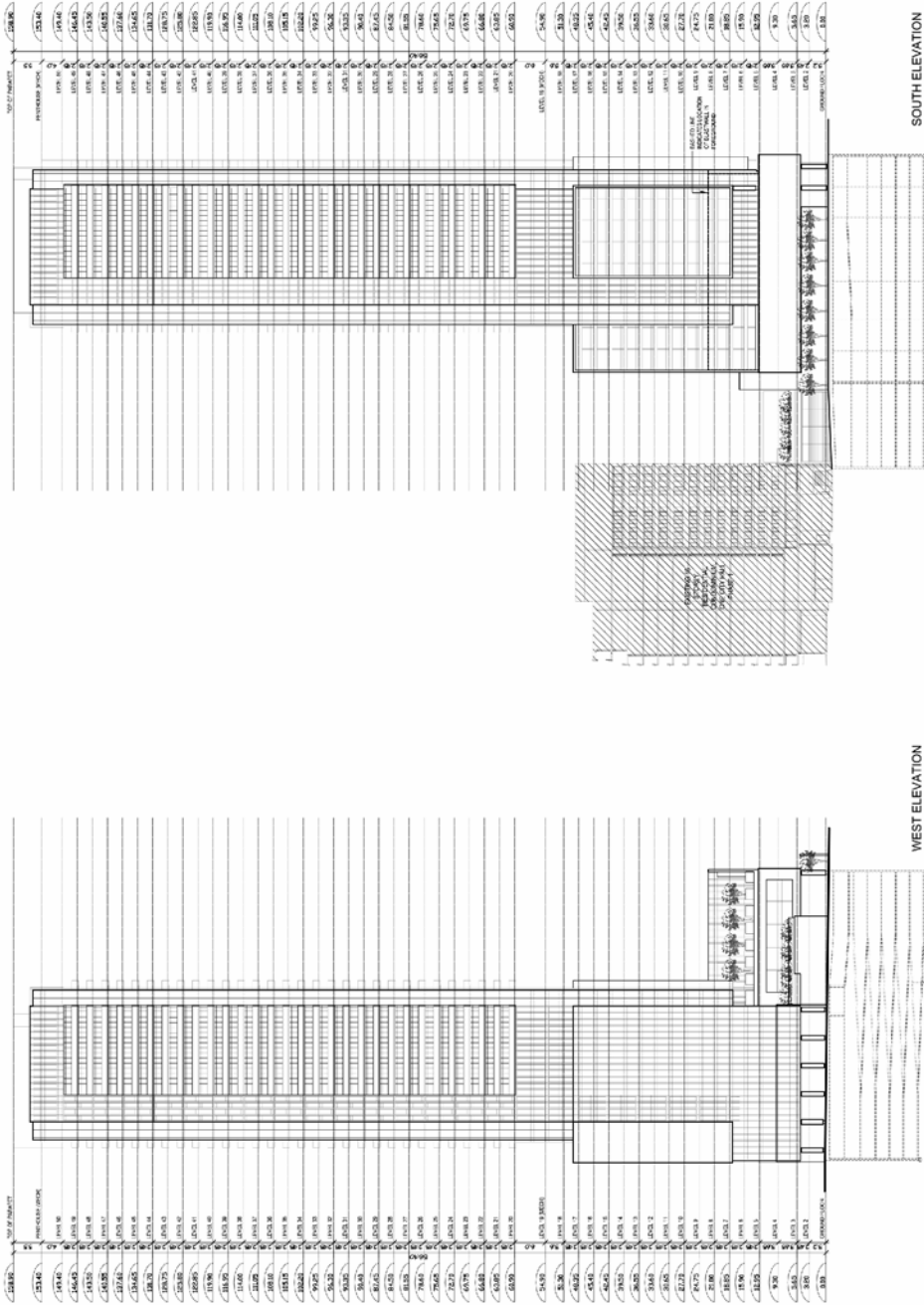
Not to Scale  
02/22/06



532 - 570, 101 - 111, Bay St., 127 - 141 Dundas St. West,  
91 - 111 Elizabeth St. & 9 Foster Pl.

File # 05\_209848

Attachment 6: South and West Elevations

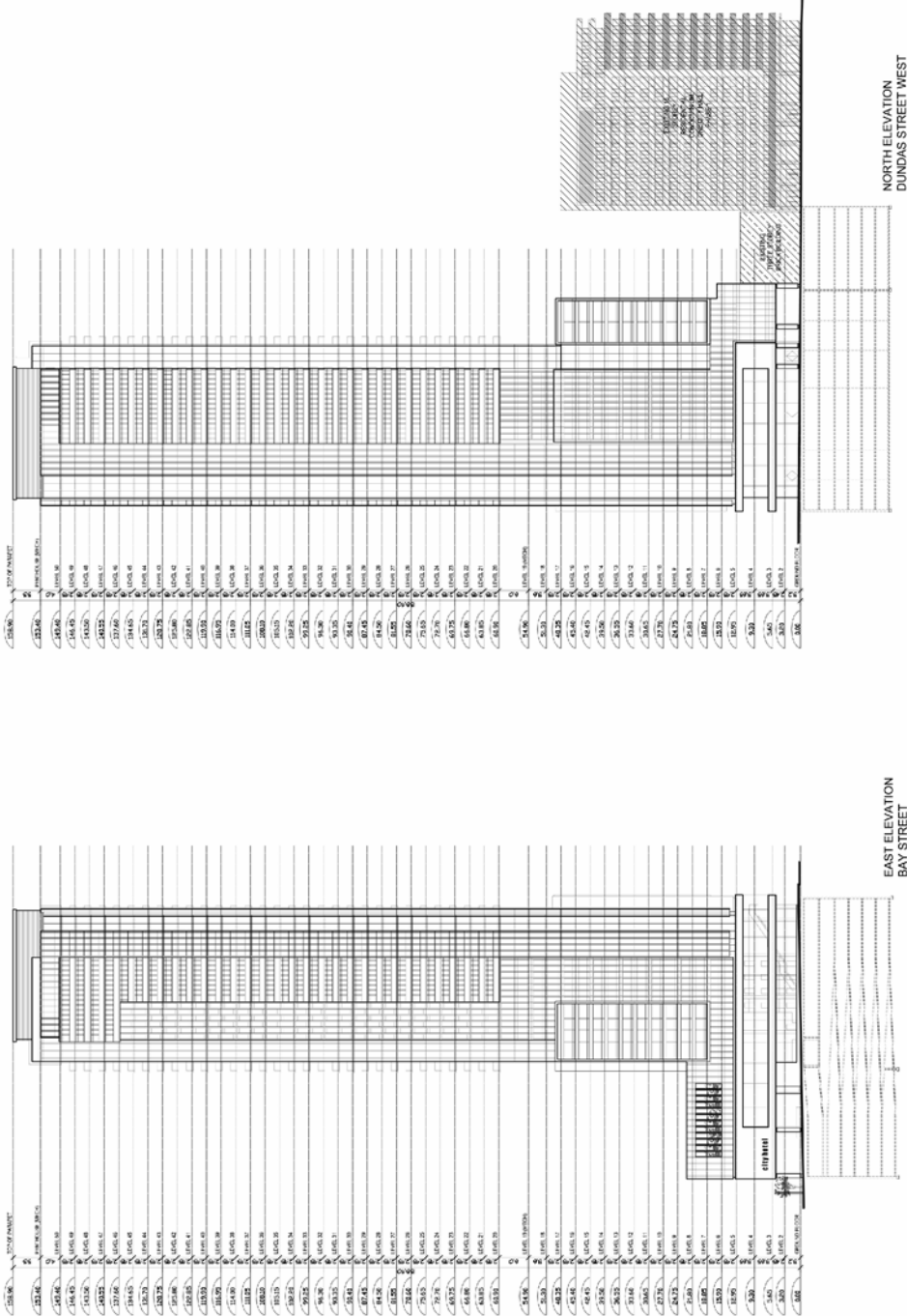


**Elevations**  
Applicant's Submitted Drawing  
Not to Scale  
02/22/06

**532 - 570, 101 - 111, Bay St., 127 - 141 Dundas St. West,  
91 - 111 Elizabeth St. & 9 Foster Pl.**

File # 05\_209848

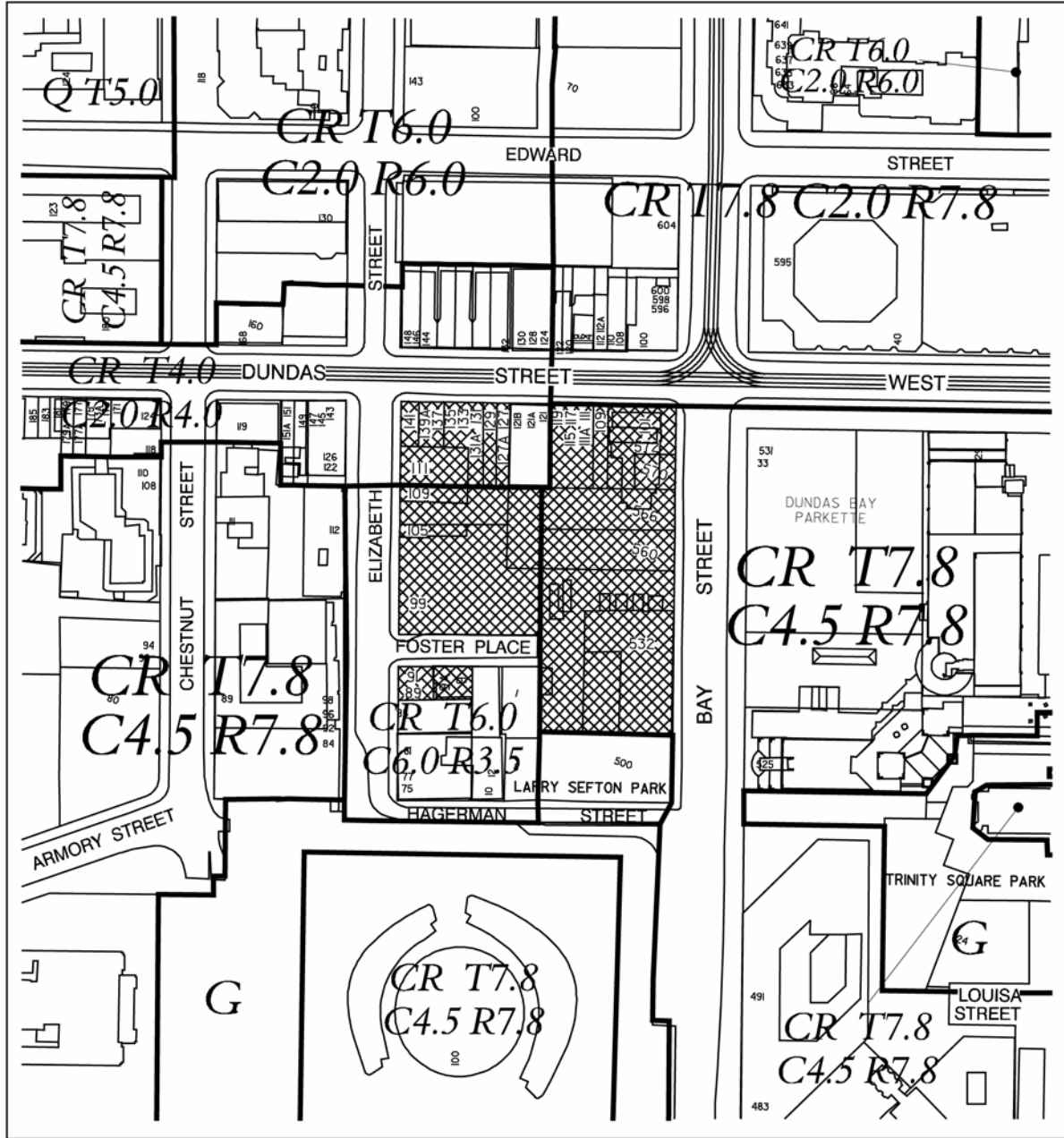
### Attachment 7: North and East Elevations



**Elevations**  
Applicant's Submitted Drawing  
Not to Scale  
02/22/06

532 - 570, 101 - 111, Bay St., 127 - 141 Dundas St. West,  
91 - 111 Elizabeth St. & 9 Foster Pl.  
File # 05\_209848

Attachment 8: General Zoning Map Extract



**TORONTO** City Planning Division  
Zoning

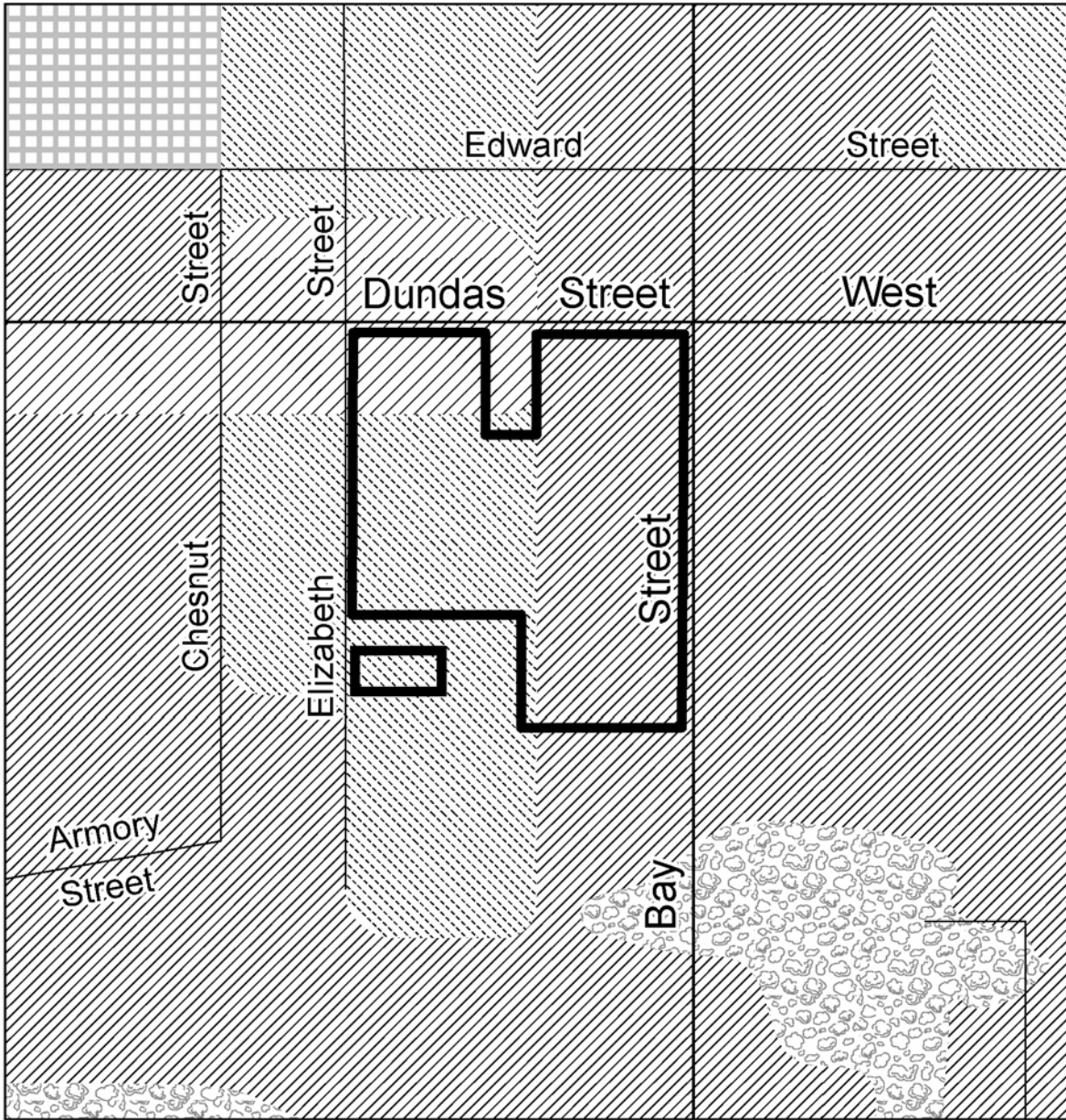
532 - 570 Bay St., 101 - 111, 127 - 141 Dundas St. West,  
91 - 111 Elizabeth St. & 9 Foster Pl. File # 05\_209848

- G Parks District
- CR Mixed-Use District
- Q Mixed-Use District



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







### Attachment 9: Official Plan Map Extract




 **TORONTO** City Planning Division  
Official Plan

532 - 570 Bay St. , 101 - 111, 127 - 141 Dundas St. West,  
91 - 111 Elizabeth St. & 9 Foster Pl.

File # 05\_209848

- |   |   |
|---|---|
|  Site  |  Medium Density Mixed Commercial - Residential Areas 'A' |
|  Medium Density Mixed Commercial - Residential Areas     |  Hospital Areas  |
|  Medium Density Mixed Commercial - Residential Areas 'A' |  Open Space  |

  
Not to Scale  
02/21/06