

1638-1644 Bloor St W – Rezoning and Site Plan Applications - Request for Direction Report

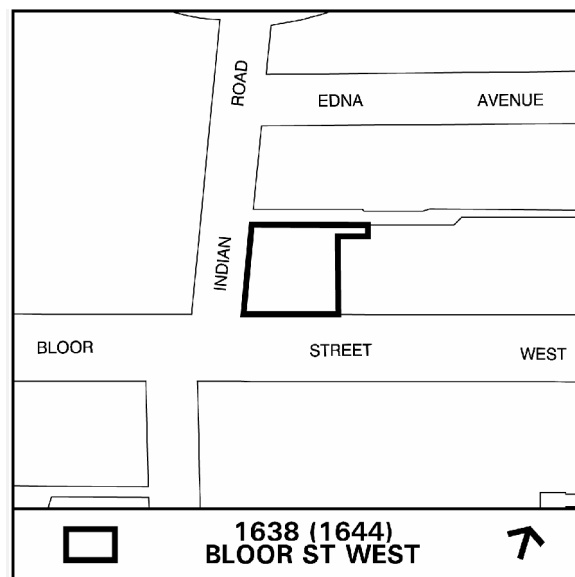
Date:	October 2, 2008
To:	Toronto and East York Community Council
From:	Acting Director, Community Planning, Toronto and East York District
Wards:	Ward 14 – Parkdale-High Park
Reference Number:	File Nos. 08 108093 STE 14 OZ (Rezoning) and 08 108102 STE 14 SA (Site Plan Control)

SUMMARY

The applicant has appealed the Zoning By-law amendment and Site Plan Control applications to the Ontario Municipal Board (OMB) due to Council’s failure to make a decision on the applications within the time allotted by the Planning Act. The applications before the OMB are to permit a 12-storey, 108 unit building at 1638-1644 Bloor Street West. The purpose of this report is to seek Council’s direction on the appeal. The OMB has set a hearing date of November 12, 2008. This Report, therefore, must be considered by Council at its meeting of October 29 and 30, 2008 in order to determine the City’s position sufficiently in advance of the hearing.

This report seeks Council’s direction to attend the upcoming hearing to oppose the proposal in its current form and to continue discussions with the applicant to achieve a revised proposal that addresses the outstanding issues, as outlined herein. This report also seeks Council’s direction to report directly to Council, if appropriate as a result of these discussions

Both applications are subject to the new provisions of the *Planning Act* and the *City of Toronto Act, 2006*.



RECOMMENDATIONS

The City Planning Division recommends that:

1. City Council direct the City Solicitor and appropriate staff to attend the Ontario Municipal Board (OMB) hearing to oppose the proposal in its current form.
2. City Council authorize the City Solicitor and appropriate staff to continue discussions with the applicant in an attempt to resolve the issues, as outlined in this report, and to report directly to Council on a potential settlement.
3. City Council authorize the City Solicitor to request that the Ontario Municipal Board withhold its Order(s) approving the zoning by-law and providing site plan approval until such time as:
 - a. An appropriate zoning by-law amendment is prepared to the satisfaction of the Chief Planner in consultation with the City Solicitor or her designate;
 - b. The owner has entered into an agreement with the City to secure the contributions to be provided pursuant to Section 37 of the Planning Act, as outlined in this report, to the satisfaction of the City Solicitor, in consultation with the Chief Planner or his designate, and such agreement has been registered on title;
 - c. The owner enter a Site Plan Agreement with the City to secure the conditions of site plan approval, to the satisfaction of the City Solicitor, in consultation with the Chief Planner or his designate, and such agreement has been registered on title; and
 - d. Traffic impact and servicing issues have been resolved by the owner, to the satisfaction of the Executive Director, Technical Services.
4. City Council authorize the City Solicitor and necessary City staff to take such necessary steps to implement the foregoing.

Financial Impact

The recommendations in this report have no financial impact.

ISSUE BACKGROUND

Proposal

On January 31, 2008, the applicant submitted Zoning By-law amendment and Site Plan Control applications to redevelop the property at 1638-1644 Bloor Street West to a 108 unit residential building with commercial uses on the ground floor. The total gross floor area for the proposal is 10,886.9m² of which 894.5m² is proposed for ground floor commercial uses resulting in a density of 8.5 times the area of the site.

The building is proposed to be 38.95 metres in height (43.15 metres to the roof of the mechanical penthouse) with building base heights ranging between approximately 20 and 31 metres along Bloor Street West and Indian Road. The southwest corner of the building, at the intersection of Bloor Street West and Indian Road would have a base height of 31 metres. A total of 108 residential units are proposed with the unit breakdown being 15 (13.9%) live-work units, 51 (47.2%) one bedroom + den units, 20 (18.5%) two bedroom units and 22 (20.4%) two bedroom + den units. No studio or three-bedroom units are proposed.

The following table and description below compare permitted and proposed densities and heights for the subject site and its context (heights measured from Bloor Street West frontage).

	Permitted	Proposed
Total Density	3,840m ² (3.0 GFA)	10,886.9m ² (8.5 GFA)
Residential Density	2,560m ² (2.0 GFA)	9,992.4m ² (7.8 GFA)
Commercial Density	1,280.0m ² (1.0 GFA)	894.5m ² (0.7 GFA)
Height	16.0m + 5m mechanical	39.75m + 3.8m mechanical
Streetwall Height	13.0m	33.2m and 21.4m

A total of 125 parking spaces (108 residential and 17 visitor parking spaces) would be provided in a five level underground parking garage that would be accessible from the rear lane to the north. The visitor parking spaces would be located on the P1 parking level. Servicing for the project is to be located along the west side of the building with access directly from Indian Road. Eighty-one bicycle parking spaces would be located from levels P1 to P3.

The plans and accompanying materials were circulated to City Divisions and appropriate outside agencies for their comment. In advance of receiving comments back from the circulation, a Preliminary Report (dated April 1, 2008) was sent to Toronto and East York Community Council which recommended that staff schedule a community consultation meeting to discuss the application with area residents. The Preliminary Report identified planning issues including the Official Plan's *Avenues* policies, the implications for the Bloor Dundas *Avenue* Study currently being undertaken, built form, vehicular access and density. The Preliminary Report can be accessed at:

<http://www.toronto.ca/legdocs/mmis/2008/te/bgrd/backgroundfile-12389.pdf>

A community consultation meeting was held in the neighbourhood on July 17, 2008. Issues raised at this meeting will be outlined in the Community Consultation section of this report.

Site and Surrounding Area

The site is located on the northeast corner of Bloor Street West and Indian Road between Dundas Street West and Keele Street. It is bounded by Bloor Street West to the south, a public laneway to the north that provides vehicular and servicing access for the properties to the east, and Indian Road to the west. To the east is a two-storey commercial building.

The site is regular in shape with a 38.28m frontage on the north side of Bloor Street West, a 35.2m frontage onto Indian Road and an area of 1,280m². The site grading slopes down from south to north so that the Bloor Street West frontage is approximately 4.0m higher than the north edge of the lot at the rear lane. The site currently has a one storey commercial building along Bloor Street West with parking located between the front wall and the street. The applicant intends to demolish the existing building.

Within the immediate context, the following uses surround the site:

North: across the public lane, are the Bloor-Danforth subway lands which include an embankment and subway tracks. Immediately to the north of the tracks is Edna Avenue which has detached dwellings on the north side of the street.

South: across Bloor Street West, are a series of two and three storey mixed use buildings with retail at grade and commercial and residential uses above.

East: abutting the site, is a two-storey commercial building which is separated from the subject lands by a parking area. Further east is a six-storey apartment building; and

West: across Indian Road, is a one-storey auto repair shop with parking located between the building and Bloor Street West. A parking lot serving Keele Subway Station is located to the north of this site.

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. 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.

City Planning staff have reviewed the proposed development for consistency with the PPS and for conformity with the Growth Plan, as discussed in this report.

Official Plan

The City of Toronto Official Plan designates the property as *Mixed Use Areas* and Map 2: Urban Structure of the Official Plan identifies the site as part of an *Avenue*. *Mixed Use Areas* will absorb most of the anticipated increase in retail, office and service employment in Toronto in the coming decades, as well as much of the new housing.

i) Avenues – Section 2.2.3

The *Avenues* are important corridors along major streets where reurbanization is anticipated and encouraged to create new housing and job opportunities while improving the pedestrian environment, the look of the street, shopping opportunities and transit service for community residents. A framework for change will be tailored to the situation of each *Avenue* through a local *Avenue Study* conducted by the City.

While the Bloor Dundas *Avenue Study* is currently being undertaken as directed by Council, an *Avenue Study* has not yet been completed for this portion of Bloor Street West. The Official Plan states that development in *Mixed Use Areas* on *Avenues*, prior to an *Avenue Study* has the potential to set a precedent for the form and scale of reurbanization along the *Avenues*. In addition to the policies of the Plan for *Mixed Use Areas*, proponents of such proposals will also address the larger context and examine the implications for the segment of the *Avenue* in which the proposed development is located. Overall, the objective of an *Avenue Segment Review* is to ensure that the proposed development will establish a positive precedent for the reurbanization of the *Avenue*, with particular regard to building form, massing and intensity, and whether it would adversely impact any adjacent *Neighbourhoods* in advance of the *Avenue Study* being concluded. As part of the application, the applicant has prepared an *Avenue Segment Review* that is described in the Comments section of this report.

Provisions in Section 2.2.3.3 of the Official Plan state that an *Avenue Segment Review* will:

- include an assessment of the impacts of the incremental development of the entire *Avenue* segment at a similar form, scale and intensity, appropriately allowing for distinguishing circumstances;
- consider whether incremental development of the entire *Avenue* segment as identified in the above assessment would adversely impact any adjacent *Neighbourhoods* or *Apartment Neighbourhoods*;
- consider whether the proposed development is supportable by available infrastructure; and
- be considered together with any amendment to the Official Plan or Zoning By-law at the statutory public meeting for the proposed development.

Development requiring a rezoning will not be allowed to proceed prior to completion of an *Avenue* Study unless the review demonstrates to Council's satisfaction that subsequent development of the entire *Avenue* segment will have no adverse impacts within the context and parameters of the review.

Development in *Mixed Use Areas* on *Avenues* that precedes the completion of an *Avenue* Study will:

- support and promote the use of transit;
- contribute to the creation of a range of housing options in the community;
- contribute to an attractive, safe and comfortable pedestrian environment that encourages walking and strengthens local retailing;
- provide universal physical access to all publicly accessible spaces and buildings;
- conserve heritage properties;
- be served by adequate parks, community services, water and sewers, and transportation facilities; and
- be encouraged to incorporate environmentally sustainable building design and construction practices.

ii) Mixed Use Areas Designation – Section 4.5

The Plan provides a list of criteria which are intended to direct the design and orientation of new development proposals within *Mixed Use Areas*. The proposed development has been evaluated with respect to the full list of criteria found in Section 4.5.2, which are to be considered in concert with the policies for *Avenues*, *Healthy Neighbourhoods*, *Public Realm*, *Built Form* and all other relevant Official Plan policies.

Criteria include:

- creating a balance of high quality commercial, residential, institutional and open space uses that reduces automobile dependency and meets the needs of the local community;
- locate and mass new buildings to provide a transition between areas of different development intensity and scale, as necessary to achieve the objectives of this Plan, through means such as providing appropriate setbacks and/or a stepping down of heights, particularly towards lower scale *Neighbourhoods*;
- locate and mass new buildings so as to adequately limit shadow impacts on adjacent *Neighbourhoods*, particularly during the spring and fall equinoxes;
- locate and mass new buildings to frame the edges of streets and parks with good proportion and maintain sunlight and comfortable wind conditions for pedestrians on adjacent streets, parks and open spaces;
- take advantage of nearby transit services; and
- provide good site access and circulation and an adequate supply of parking for residents and visitors.

iii) Built Form - Section 3.1.2

The Plan also provides policies that are aimed at ensuring that the built form of new development fits within the context of its surrounding area. Policies are included in Sections 3.1.2.1 to 3.1.2.6.

In particular, Section 3.1.2.3 requires new development to fit harmoniously into its existing and/or planned context and will limit its impacts on neighbouring streets, parks, open spaces and properties including:

- massing new buildings to frame adjacent streets and open spaces in a way that respects the existing and/or planned street proportion;
- creating appropriate transitions in scale to neighbouring existing and/or planned buildings for the purpose of achieving the objectives of this Plan;
- providing for adequate light and privacy;
- adequately limiting any resulting shadowing of, and uncomfortable wind conditions on, neighbouring streets, properties and open spaces, having regard for the varied nature of such areas.

Section 3.1.2.4 ensures that new development will be massed to define the edges of streets, parks and open spaces at good proportion. Taller buildings will be located to ensure adequate access to sky view for the proposed and future uses of these areas.

Zoning

The site at 1638-1644 Bloor Street West is zoned MCR T3.0 C1.0 R2.0. The MCR zoning classification permits a mix of commercial and residential uses up to a total density of 3.0 times the area of the lot, of which a maximum of 1.0 times the area of the lot is permitted to be commercial and 2.0 times the area of the lot residential. The maximum permitted height for the site is 16.0 metres.

Site Plan Control

This application is subject to Site Plan Control. An application was submitted with the Zoning By-law amendment application. This has also been appealed to the OMB. This report recommends that the OMB withhold its order pending the owner entering into a Site Plan Agreement to the satisfaction of the City Solicitor, in consultation with the Chief Planner or his designate.

Reasons for Application

Given the proposed height and density, the proposal requires an amendment to Zoning By-law 438-86.

Community Consultation

Prior to the submission of the application, the applicant hosted a meeting with the Community in October, 2007 to seek input while preparing the required *Avenue Segment Study*.

Community concerns expressed at this meeting and other application meetings focused on the lack of an *Avenue* study for the area, inadequacies of the required *Avenue* Segment Reviews and the need for community involvement in guiding the future growth of an area rapidly experiencing change and growth pressure. In response, the Bloor Street West Visioning Initiative was undertaken by the City Planning Division with the involvement of the local Councillor with the intent of engaging community stakeholders in a discussion on how the area will grow over time and to develop a set of guiding principles to inform future Council and community action in the area.

Three consultation meetings were undertaken between January and March, 2008 which were each attended by well over 100 people. Through these sessions, seven guiding principles were developed by the Community including:

- Encourage community vitality through a mix of uses that includes retail/commercial at-grade;
- Enhance the pedestrian and cyclist experience along Bloor Street West;
- Encourage opportunities to green the public and private realms;
- Improve and integrate transit services and facilities;
- Encourage development at an appropriate scale and density that is compatible with the existing built form, street width and neighbourhood context;
- Encourage high quality architecture that builds upon the positive attributes of the area; and
- Protect existing neighbourhoods from negative impacts.

City Planning's report on the Visioning Initiative is available at:

<http://www.toronto.ca/legdocs/mmis/2008/te/bgrd/backgroundfile-14044.pdf>

At its July 7, 2008 meeting, Toronto City Council adopted the report's recommendations for the Visioning Initiative.

With respect to this application, a community consultation meeting was held on July 17, 2008 after the appeal to the Ontario Municipal Board was submitted. It was attended by the local Councillor, City Planning staff and approximately 40 residents. Area residents have also provided verbal and written comments on the proposal.

The comments and concerns raised by area residents with respect to the proposal have been considered during the review of the project and are generally related to the following matters:

- Intensity of the proposed development and the implications for the development of the area in general;
- Concern that the building would establish a precedent with respect to height, massing and scale on Bloor Street West and would pre-determine the planned context being developed through the *Avenue* Study process currently underway;
- Shadowing impacts on the adjacent *Neighbourhoods* to the north;

- Desire to maintain the predominant two-storey existing character of the street;
- Potential impacts on views to the south from the existing neighbourhood to the north and east and west along Bloor Street West;
- Potential traffic impacts, particularly with respect to the Bloor Street West/Indian Road intersection and traffic infiltration into the adjacent neighbourhood;
- Oversupply of on-site parking;
- Car pollution and impacts on environmental and air quality;
- Desire for family-oriented housing units to be included in the project;
- Preservation of locally-owned businesses; and
- Minimizing impacts related to construction activity.

Agency Circulation

The application was circulated to all appropriate agencies and City divisions. Responses received have been used to assist in evaluating the application and Section 37 agreement requirements. Transportation Services, Transportation Planning and Development Engineering staff commented that a revised Traffic Impact Assessment is required with additional analysis and documentation prior to acceptance of the proposed zoning by-law amendment. In particular, concerns were raised with respect to existing turning movement counts, existing traffic conditions, data inputs (lane widths, right-turns-on-red and dedicated turn lane analysis), modelling of the Bloor Street West/Indian Road intersection and trip generation data.

In their comments, Urban Design noted concerns with the height, scale and massing of the building with respect to its relationship to the *Avenue* and adjacent streets and properties. City staff is continuing to work with the applicant in an effort to resolve outstanding technical issues and community concerns.

COMMENTS

Land Use

The site is currently occupied by a one-storey commercial building with a surface parking lot between the building and the street. The site is near to:

- public transit, in particular the Bloor-Danforth subway line (Keele Station);
- places of employment;
- retail stores and services; and
- a district park (High Park).

Provincial Policy Statement and Provincial Plans

The Provincial Policy Statement (2005) includes policies to manage and direct land use to achieve efficient development and land use patterns. Municipal planning decisions are required to be “consistent with” the PPS. The PPS requires that a range of housing types and densities are provided to meet the social, health and well-being of residents. This includes ensuring that a range of land uses are provided and that intensification and redevelopment opportunities are identified and promoted. The PPS promotes

intensification and redevelopment opportunities through a more compact building form, mix of uses and densities that allow for the efficient use of land, infrastructure and public service facilities. The proposal is 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.

Under the Growth Plan, the site generally meets the definition of a *greyfield site*, and is located within an area that is classified as a *Built Up Area* on Schedule 2. The site is also part of an *Avenue* under the Official Plan, which generally meets the Growth Plan's definition of an *Intensification Corridor*. All are categories of land to which the Growth Plan directs intensification.

Significant growth is to be directed to *Urban Growth Centres* which are connected together by *Intensification Corridors* that are to achieve increased residential and employment densities that result in *complete communities*, and support and ensure the viability of existing and planned transit service levels. Among other requirements, the Growth Plan requires Official Plans to identify the appropriate type and scale of development in *Intensification Areas* and achieve an appropriate transition of built form to adjacent areas.

The City is currently undertaking the Bloor Dundas *Avenue* Study with the intent of establishing appropriate scale and types of development along this portion of Bloor Street West between Keele Street and Dundas Street West. Accordingly, the recommendations outlined in this report are not intended to prejudice the *Avenue* Study, but rather to address the upcoming site-specific OMB hearing for this application.

Avenue Segment Review (ASR)

In response to *Avenue* Policy 2.2.3.3 in the Official Plan, the applicant submitted the Bloor Street West *Avenue* Segment Review (ASR) prepared by MBPD Inc. on January 31, 2008 in support of their rezoning application. The review includes properties fronting on Bloor Street West between Keele Street to the west and Dundas Street West to the east.

The ASR provides a background review of relevant policies, an inventory of existing built form, a community services and facilities assessment and a transportation impact analysis, which helps to inform the impacts that incremental development may have on the *Avenue* Segment. Based on the background review, the ASR presents a vision, and community development and urban design framework that are later applied to the report's development scenario evaluations for identified potential redevelopment (soft) sites within the study area. The vision and urban design framework reflect the consultant's interpretation of the Official Plan's direction with respect to reurbanization of this segment of the *Avenue*.

The conclusions in the ASR with respect to appropriate building heights, densities and massing are not considered to be conclusive in terms of future consideration of any development applications that the City may receive. Any future development applications submitted in the *Avenue Segment* will be evaluated on their own merit, with staff having the benefit of reviewing full and detailed development proposal submission materials.

a) Avenue Segment, Development Context

The applicant's *Avenue Segment Review* cites the presence of the anchoring transit facilities as the defining element of the area. It terms the intersection of Bloor Street West with Keele Street and Dundas Street West as two 'major nodes'. Through their Community Development and Urban Design Framework, a third 'central node' is identified at Bloor Street West and Indian Road immediately at the subject property. Between these two 'major nodes', the ASR indicates that the preferred redevelopment of Bloor Street West results in building heights in the range of 19.5m (6 storeys) to 32.5m (10 storeys) along both sides of Bloor Street West with additional heights of up to 39m (12 storeys) identified on the north side of the 'central node' (ie. the subject site and northeast corner). Given the shadowing impacts on Bloor Street West and the adjacency to *Neighbourhoods*, it is contemplated that there is an additional tolerance for height on the north side of Bloor Street West. Reasons include that the north side is buffered from the *Neighbourhoods* to the rear and by the transit corridor.

The Review identified and reviewed seven soft sites that could have potential for redevelopment. The Review chose sites that have characteristics that are similar to those of the subject lands (for example, underused sites, larger lots and corner sites) with the intent of projecting future densities and built forms along with developing a basis for studying cumulative impacts for traffic and community services in accordance with Policy 2.2.3.3 b) of the Official Plan. The consultant's review of each potential development site included identifying podium height, building height, residential and commercial gross floor area and densities. From this, future traffic and community service impacts can be anticipated. The applicants' review anticipates that densities along the segment would range from 4.6x to 8.96x the area of the lot. A total of 716 units and 14,255m² of non-residential gross floor area was projected over the seven soft sites and considered as part of the analysis.

Of the seven sites reviewed, the applicant found that two had the potential for redevelopment in the short term (1-5 years) and the remaining five would require land assembly that may limit redevelopment potential. It was anticipated that these properties could be redeveloped in the mid-term (5-15 years). It should be noted that the two place of worship sites on the south side of Bloor Street West between Indian Grove and Indian Road were omitted from identification or evaluation.

b) Available Infrastructure

A Transportation Impact Analysis was undertaken as part of the *Avenue Segment Review* which anticipates some traffic operational problems as part of the cumulative redevelopment although major traffic capacity increases are not anticipated.

Improvements to existing infrastructure (e.g. signal timing adjustments and streetcar upgrades) as well as new infrastructure (e.g. pedestrian crossovers and bicycle lanes) are suggested as ways to address potential operational problems. The analysis anticipates that side streets will continue to have sufficient capacity although delays will increase as new development contributes traffic and higher Bloor Street traffic volumes decrease gaps for left turns from side streets.

Also, a Community Services and Facilities Study was undertaken and concludes that there is capacity in area schools, libraries, services for seniors, public health centres, immigration services, recreation facilities and places of worship to accommodate projected demand from the 1638 Bloor Street West proposal and the soft site redevelopment scenarios. The Review does identify a shortage of child care spaces in the area and recommends exploring opportunities to secure new space in development to respond to the need for additional child care facilities.

c) Conclusion

While Indian Road is located approximately mid-way between Keele Street and Dundas Street West, there is no Official Plan policy or significant attributes that substantially differentiate the Bloor Street West and Indian Road intersection from other main street – residential street junctures (or any street juncture for that matter). For example, the redevelopment scenarios for the identified soft sites located at the northwest and northeast corners of Bloor Street West and Dorval Road intersection are proposed at 32m (10-storeys) with densities of 7.95 and 8.48, respectively. No satisfactory explanation is provided as to why these two soft sites would have lower heights and likely densities compared to the proposed 12-storey building at 1638 Bloor Street West. In fact, the Avenue Segment Review indicates that the entire north side of Bloor Street West as a ‘zone with additional height tolerance.’

The Bloor Street West Avenue Segment Review is generally satisfactory with respect to Policy 2.2.3.3 b) i) and ii). However, the conclusion that the Bloor Street West and Indian Road intersection is a ‘central node’ and thus it is appropriate to have taller buildings compared to other soft sites on the north side of Bloor Street West has not been supported by the Review’s analysis.

Notwithstanding staff’s overall acceptance of the *Avenue Segment Review*, staff maintain a number of concerns over the ASR’s content, including but not limited to, not addressing how intensification along the *Avenue* would be controlled to protect *Neighbourhoods* to the south from negative impact, no justification of how the proposed development would frame adjacent streets in a way that respects street proportion. It should also be noted that the intersection of Indian Road North and Bloor Street West is not a signalised as identified in the *Avenue Segment Review*.

Avenue Study

The Official Plan recognizes that *Avenues* such as Bloor Street West are to develop incrementally and that each *Avenue* is different. While some *Avenues* are designated for review, some function well and already have appropriate zoning in place. *Avenues* that in

general are, characterized primarily with one or two storey commercial buildings, vacant and underutilized land and large areas of surface parking are considered priorities for *Avenue* Studies. To address the individual characteristics of each *Avenue*, a framework for change will be tailored through a local *Avenue* study that will involve extensive consultation with local residents, businesses and other stakeholders.

At its March 2008 meeting, City Council approved the undertaking of an *Avenue* study for the portion of Bloor Street West between Keele Street and Dundas Street West and for Dundas Street West between Glenlake Avenue and Boustead Avenue. The subject site and the area identified by the applicant's *Avenue* Segment Review are wholly contained within the *Avenue* Study area. The study will determine the appropriate scale and intensity for development along the *Avenues* for the area as outlined in Section 2.2.3.1 and 2.2.3.2 of the Official Plan. The *Avenue* Study builds on the guiding principles developed through the Bloor Visioning Initiative, and is projected to be completed by the end of 2008.

As part of the *Avenue* Study, a Local Advisory Committee consisting of local stakeholders including residents, business owners and property owners has been created to advise City Planning staff and the consulting team of the issues and opportunities within the area and to provide feedback throughout the study process. Furthermore, to date a public meeting was held in July 8, 2008 and a Design Workshop on September 20, 2008. The workshop was designed to be interactive and included group activities and discussions with a focus on urban design issues, streetscape and opportunity sites where increased building height and massing may be appropriate.

While the Official Plan permits development in *Mixed Use Areas* on *Avenues* prior to the completion of an *Avenue* Study, given the proposal's significant increases in form, scale and intensity proposed above the existing benchmark as established by the Zoning By-law, it is important to consider how this could influence the findings and outcomes of the *Avenue* Study currently underway in establishing appropriate types of scale and development along Bloor Street West.

Density

The proposed development would result in a density of 8.5 times the area of the lot (10,886.9m²m²). Of the permitted 3.0x total density, a maximum of 1.0 times the area of the lot is permitted to be commercial and 2.0 times the area of the lot is permitted to be residential. The applicant is proposing a commercial density of 0.7 times the area of the lot (894.5m²) and a residential density of 7.8 times the area of the lot (9,992.4m²).

Along this portion of Bloor Street West between Dundas Street West and Keele Street, five existing buildings exceed the permitted 3.0x densities that range from approximately 3.36 (1700 Bloor Street West) to 5.9 (1639 Bloor Street West). Of these buildings, it should be noted that 1639 Bloor Street West is located furthest east, with 1624 Bloor Street West (4.5x) located directly across the street from 1639 Bloor Street West. All of the buildings east of these with Bloor Street addresses maintain the permitted 3.0x density.

Base/Podium

Specific *Mixed Use Areas* development criteria include ‘locating and massing new buildings to frame the edges of streets with good proportion.’ While the eastern portion of Bloor Street West maintains a predominant 2-3 storey character along the street that functions well, performs a “main street” role and maintains a coherent and consistent street proportion, the portion of Bloor Street West between 1624 Bloor Street West and Keele Street can be considered appreciably different as it does not maintain such a consistent existing built form context and street edge condition. Given the substantial differences in built form between the eastern and western portions of Bloor Street West between Dundas Street West and Keele Street, staff are of the opinion that the areas require different massing to adequately frame the street with good proportion. Unlike the eastern portion, several properties along the west portion of Bloor Street West consist of one or two storey commercial buildings, vacant and underutilized lands and large areas of surface parking (such as the subject site). It is these sites, and not necessarily the properties along the eastern portion of Bloor Street West that are anticipated as targets for redevelopment in the Official Plan. Many buildings along the western portion maintain a building height of approximately 2-3 storeys, however three buildings in the vicinity maintain higher street edge conditions including 1624 Bloor Street West, 1639 Bloor Street West and 1700 Bloor Street West.

As part of the Bloor Street West Visioning Initiative, a key theme that emerged was that of a balanced growth on both sides of the street from Dundas Street West to Keele Street. This consists of development that ‘encourages development at an appropriate scale and density that is compatible with the existing built form, street width and neighbourhood context’, a principle which is in conformity with the Official Plan requirement to frame streets with good proportion.

It is anticipated that redevelopment of the soft sites on the south side of Bloor Street West could achieve heights of 20m (6-storeys) at the street edge, with additional height in some areas in the context of the neighbourhood protection policies that require transition through means such as setbacks and stepping down of heights toward the residential properties to the south.

The applicant proposes a base height of 20m (6-storeys). Staff are generally supportive of a podium height as high as 20m (6-storeys) along the portion of Bloor Street West from the subject site west to Keele Street with a strongly articulated base at 7-8m (2-storeys). This would simultaneously be compatible with the lower scale buildings existing along Bloor Street West and the existing mid-scale buildings and emerging neighbourhood context. Given the lack of consistent built form along this portion of Bloor Street West, this height would not overwhelm the street, ensure adequate sky views, help to maintain sunlight and comfortable wind conditions for pedestrians on Bloor Street West and Indian Road, and would allow for a consistent scale of development along both north and south sides of Bloor Street West. Such massing would respect the existing context, set a positive precedent for the western portion of Bloor Street West between Keele Street and Indian Road and provide appropriately scaled midrise development adjacent to Bloor Street West’s 27m wide right-of-way.

If additional height is to be considered above a 20m podium at this location, the portion of the building above the 20m base should be stepped back a minimum of 5.0m on Bloor Street West and a minimum of 5.0m along Indian Road, including at the corner. The intent is to ensure that the proposed building is perceived along the street as maintaining a 20m building height that is compatible with existing built form and is consistent with the planned context with respect to the redevelopment potential of sites on the south side of the street adjacent to the *Neighbourhoods* to their rear. A 5.0m stepback would also ensure that projecting balconies do not erode the efficacy of the stepback.

Height and Massing

The applicant has proposed a building height of 38.95m (12-storeys) with a proposed mechanical penthouse rising an additional 4.8m resulting in an overall building height of 43.15m.

The submitted *Avenue* Segment Review indicates building heights of 32m (10-storeys) along the north side of Bloor Street West, which is also identified as a ‘zone with additional height tolerance’, indicating that the south side would maintain lower heights. A building height of 32m (10-storeys) would serve to protect sky views from a distance, and does not generally result in a form that is uncharacteristic for the planned context of the area. The applicant has indicated the rationale for additional height for this site beyond the 32m (10-storeys), given the geographic location between two subway stations. As previously discussed, there is no Official Plan policy or significant attributes that substantially differentiate this intersection from other main street/residential street junctures.

The proposed mechanical penthouse that is located towards the highly visible eastern portion of the building emphasizes this height. The proposed building would be much taller than the existing built form context and the additional mechanical penthouse massing would face toward an area that is not anticipated to redevelop in the short or mid-term. Staff are of the opinion that given the substantial increases in height under consideration beyond the existing zoning permissions and the existing built form context that the mechanical penthouse must be included in the overall architecture and massing of the building.

Above the 20m (6-storey) base, the applicant has proposed a series of stepbacks along both Bloor Street West and Indian Road. Along Bloor Street West, a stepback of 3m is proposed from the seventh and eighth floor, another stepback of 1.8m for the ninth and tenth stories and a further stepback of 1.8m for the eleventh and twelfth stories. Similar stepbacks are proposed along Indian Road. However, a proposed 31m (10-storey) street wall condition is proposed immediately at the corner of Bloor Street West and Indian Road. This streetwall condition would be taller than the anticipated overall height of redeveloped buildings on the south side of Bloor Street West and would negate the effectiveness of the proposed stepbacks.

The proposal as submitted does not meet the *Mixed Use Areas* development criteria or *Built Form* policies set out in the Official Plan and results in a building that overwhelms the existing context of Bloor Street West and the form and scale of which would set an inappropriate precedent for re-urbanization along the *Avenue*. In particular, staff have concerns with the height and massing of the corner element at Bloor Street West and Indian Road, the proposed mechanical penthouse and the lack of a defining stepback that establishes a consistent street wall. The proposed massing does not encourage development at an appropriate scale that is compatible with the existing built form, street width and neighbourhood context.

To achieve a proportional, balanced streetscape on both sides of Bloor Street West and preserve the emerging character of Bloor Street West, staff are not generally not supportive of a building height significantly in excess of a 20m base, and therefore, have concerns with a building height beyond approximately 32m (10-storeys) on the north side. A building of 32m metres that incorporates a 5.0 metre stepback at 20 metres would have the prominent base that could be matched on the south side of the street. The portion of the building above the base would be secondary in terms of its massing when compared to the base, and, from the perspective of the street, the building's height would be well matched to the 27m wide right-of-way preserving skyviews and a feeling of openness. In addition, this height would be supportable in that while the site abuts the *Neighbourhoods* designated area to the north, the nearest residential buildings are located approximately 58m away and are separated by a rear lane, a large embankment, a 6.0m high raised portion of the Bloor-Danforth subway line and Edna Avenue.

The 12-storey proposal as submitted by the applicant has been found to be unsupportable with respect to the 31m corner element, insufficient stepbacks along Bloor Street West and a mechanical penthouse that is not incorporated into either the architecture or massing of the building. The proposal does not comply with the Official Plan *Mixed Use Areas* and *Built Form* requirements for 'framing the edges of streets with good proportion'. It would not fit harmoniously into its existing and planned context and would not support a massing that defines the edges of streets at good proportion and would not ensure an adequate access to sky view for the proposed and future uses of Bloor Street West and Indian Road.

Staff have been asked to consider a maximum building height of 38.95m (12-storeys). While not concurring with the applicant's *Avenue Segment Review*'s conclusion that the intersection of Bloor Street West and Indian Road constitutes a 'central node', there are several site-specific features of this site which makes it unique within its context including the depth of the lot (35.2m), the width (38.28m) in comparison to nearby soft sites, size (1,280m²) and distance to adjacent residential properties (58m). It is not anticipated that a similar lot on the north side of Bloor Street West could be proposed without substantial land assembly. While the site to the west across Indian Road (1660 Bloor Street West) is underutilized and maintains a significant lot width along Bloor Street West, the lot depth is less (30m) and the site immediately abuts the Keele TTC Station parking lot to the rear. The grade difference between the site and the parking lot

is approximately 4.0m which is in the form of a retaining wall. It is not anticipated that this site could achieve the same density or height as is proposed.

In light of these considerations, and in anticipation of the pending OMB hearing staff, staff are looking at the possibility of a settlement on this site – in the context of a package of changes to the proposal. With this in mind, staff can recommend consideration of a maximum 12-storey option at 38.95 metres so long as it incorporates a range of improvements to the massing including incorporating significant stepbacks at a approximately 20 metres adjacent to both Bloor Street West and Indian Road, and as long as the additional mass does not come at the expense of the *Neighbourhoods* to the north.

Staff would be in a position to make such a recommendation if the 38.95m (12-storey) building incorporated the following improvements: the corner element would have to be eliminated, substantial increases in stepbacks above the base/podium would have to be provided and an additional stepback would need to be incorporated above the 10th floor, a stepback that is not eroded by projecting balconies. In addition, the mechanical penthouse would need to be incorporated into the architecture and massing of the building. These measures are further outlined in Development Alternative portion of this report. Provided these improvements can be addressed, staff would not be supportive of any future request for additional height beyond 38.95m for this property.

Again, as the application has been appealed to the Ontario Municipal Board and a hearing date has been scheduled, this application must be reviewed on a site-specific basis prior to the completion of the *Avenue* Study currently being undertaken. Staff have concerns that the proposed increases in form, scale and intensity could influence the findings and outcomes of the *Avenue* Study currently underway in establishing appropriate types of scale and development along Bloor Street West. The recommendations and alternative development guidelines outlined in this report are not intended to prejudice or weaken the *Avenue* Study, but rather to address the upcoming OMB hearing for this application.

Neighbourhood Protection

Sections 2.2, 2.2.3, 2.3.1, 3.1.2 and 4.5 of the Official Plan emphasize the importance of established *Neighbourhoods* as an asset that is valued and must be maintained and enhanced. The intent of the Official Plan is to ensure that *Neighbourhoods* are maintained as stable, reinforce existing physical character and are protected from the negative impacts of intensification in areas designated for Growth.

To ensure that intensification on lands adjacent to *Neighbourhoods* is carefully controlled, development in *Mixed Use Areas* must be compatible with nearby *Neighbourhoods*, must provide a gradual transition of scale and density, as necessary through the stepping down of buildings and setbacks, maintain adequate light and privacy and attenuate resulting traffic and parking impacts.

In this instance, the subway corridor between Keele Street West and Dundas Street West that runs along the north side of the site is designated as *Neighbourhoods* in the Official Plan. Unlike other sites along the subway corridor which may possess qualities suitable

for future development consistent with the *Neighbourhoods* objective of maintaining physically stable areas, given the substantial change in grade and the raised subway corridor, it is not anticipated that the portion of the subway lands behind the subject property will redevelop in the future. This coupled with the raised embankment and separation distance to the nearest dwellings represents a substantial buffer between the inhabited portion of the adjacent *Neighbourhood* and the proposed 38.95m building, and a buffer that would protect this *Neighbourhood* from negative impacts.

The applicant has submitted a shadow study to demonstrate shadow impacts of the proposed development at the spring and fall equinoxes and summer and winter solstices. While morning shadows would fall on the *Neighbourhoods* designation north of the raised portion of the Bloor-Danforth subway line on the spring and fall equinoxes, these shadows fall on the parking lot that serves the Keele Subway station.

The Official Plan emphasizes that shadowing impacts should be limited, particularly during the spring and fall equinoxes. While shadows would be cast onto residential dwellings during the winter solstice, no incremental shadows are proposed to fall on residential buildings located in the *Neighbourhoods* designation during the spring and fall equinoxes. As such, staff is of the opinion that shadowing impacts will be sufficiently limited to address the intent and purpose of the Official Plan.

Streetscape

The proposal has the opportunity to create an ‘attractive’ landscaped pedestrian oriented street-edge along Bloor Street West on a site which is currently automobile related. The applicant proposes three retail units fronting onto Bloor Street West and a patio located along Indian Road located both on the subject property and the City right-of-way. Access to the residential units above would be by an entrance from Bloor Street located along the easterly part of the building. The applicant is also proposing canopies above the doorways to the commercial units along the Bloor Street West frontage. This is a feature which will provide an attractive element to the building as well as protection from inclement weather.

Street trees and enhanced landscaping are proposed along both streets. Community concerns identified include the recessing of the ground floor level by 1.0m along Bloor Street West and a concern that given the width of the proposed building, the design and materials proposed along Bloor Street West are insufficient to replicate the rhythm of the existing context and could detract from the positive attributes of Bloor Street West.

While staff are generally less concerned about the projecting columns as a measure to break up the long façade along Bloor Street West, more detailed discussions will need to be undertaken with respect to materials and design with staff and the community. Additional design work will be required as part of the Site Plan Control process to ensure a design which encourages a pleasant and attractively defined street edge and pleasant pedestrian experience and serve to animate the Bloor Street West streetscape.

Wind

A wind study prepared by F.H. Theakston Environmental Control Inc. was submitted by the applicant as part of the application. The purpose of the study was to assess the wind environment around the development in terms of pedestrian comfort and safety. The consultants conducted their tests through wind testing of a scale model of the proposed development and the surrounding area.

The testing was undertaken twice. The first test was done with the existing conditions only (without the proposed development), and the second with the existing conditions and the proposed building. The difference between the two tests represents the incremental change to the pedestrian environment if the development is approved and constructed.

Approximately 25 different locations around the site were tested. The consultants found that the wind comfort conditions were satisfactory. Little difference between the existing and proposed conditions were found. In general, the projected wind conditions on-site and off-site were found to be comfortable in both winter and summer.

Parking, Access, Traffic Impact

Pedestrian access to the residential units above is off of Bloor Street West, with four additional entrances for the retail/commercial spaces. Two entrances are proposed from a retail patio located along the west side of the building. Vehicular access for parking is located off of the rear lane to the north and loading is from Indian Road.

a) Parking

The proposal includes 125 resident automobile parking spaces in a 5-level below grade parking garage. The City's Development Engineering Department has applied the Condominium Parking Standards to the proposed building. Minimum parking ratios are as follows:

Live Work	1.2 spaces per unit
Bachelor	0.3 spaces per unit
1 Bedroom	0.7 spaces per unit
2 Bedrooms	1.0 spaces per unit
3+ Bedrooms	1.2 spaces per unit
Visitor	0.12 spaces per unit

At the required community consultation meeting, one issue that was repeatedly raised by area residents was an oversupply of parking. Although the applicant is proposing a total of 125 spaces (108 resident and 17 visitor), which is less than the 134 parking spaces required by the zoning by-law (107 resident and 27 visitor), the City's Condominium standards would only require 109 total parking spaces (96 resident and 12 visitor) to accommodate the proposed development. The Community sentiment is to reduce the amount of total parking, in order to encourage transit supportive land uses, while minimizing vehicular traffic in the immediate area. Given the *Avenues* policies that support and promote the use of transit coupled with the sites proximity to the extensive

public transportation facilities available including Dundas West and Keele Subway stations, Staff would support a reduction in proposed parking to comply with the minimum Condominium Parking Standards.

b) Access

The Built Form section of the Official Plan includes a number of policies which are intended to direct the design and functioning of vehicular access to the site, including:

- new development will locate and organize vehicular parking, vehicular access, service areas and utilities to minimize their impact on the property and on surrounding properties and improve the safety and attractiveness of adjacent streets, parks and open spaces by:
- using shared service areas where possible within development blocks including public and private lanes, driveways and service courts; and
- consolidating and minimizing the width of driveways and curb cuts across the public sidewalk; and
- providing underground parking where possible.

Vehicular access is to be provided from the existing 6.0m wide public lane which runs along the north side of the property; access to one Type G loading space internal to the building is provided directly from **Indian Road** using an existing curb cut that would be reduced. These access arrangements are considered appropriate as Indian Road is considered a minor road with limited traffic that maintains no transit routes and with direct access to Bloor Street West immediately to the south.

c) Traffic Impact

In their comments, Transportation Services, Transportation Planning and Development Engineering staff commented that a revised Traffic Impact Assessment is required with additional analysis and documentation prior to acceptance of the proposal. In particular, concerns were raised with respect to existing turning moving counts, existing traffic conditions, data inputs (lane widths, right-turns-on-red and dedicated turn lane analysis), modelling of the Bloor Street West/Indian Road intersection and trip generation data. This report recommends that the OMB defer its Final Order until these transportation issues have been resolved. Staff are continuing to work with the applicant to resolve these issues.

Servicing

The applicant submitted a servicing study as part of the initial application. Technical Services staff has reviewed the study and requested a revised site servicing assessment to address the servicing demand on the existing municipal infrastructure. Again, this report recommends that the OMB defer its Final Order until the servicing issues have been resolved.

Development Alternative

Planning staff believe that intensification can be a desirable objective for this site (subject to siting, height and massing). Staff also believe that this objective must not be realised

at the expense of setting an improper precedent for the reurbanization of the *Avenue* respecting building height and massing as does the applicant's proposal. As indicated earlier, if staff is to consider a 38.95m (12-storey) building, the following issues need to be addressed:

- Eliminate the corner element resulting in a podium of 20m along both the Bloor Street West and Indian Road frontages;
- Introduce significant stepbacks above 20m along both the Bloor Street West and Indian Road frontages;
- Add additional stepbacks along both the Bloor Street West and Indian Road frontages above the 10th floor that are not eroded by projecting balconies;
- Eliminate 12th floor balconies, or recess them within the units;
- Eliminate or reduce the mechanical penthouse projection above the 12th habitable floor and incorporate it into the architecture and massing of the building;
- Explore the possibility of reducing the parking supply which is proposed to exceed Condominium Parking Standards;
- Resolve outstanding Technical Services comments regarding traffic impact;
- Provide a detailed and comprehensive response to the Green Development Standard; and
- Make a Section 37 contribution toward local community benefits.

Open Space/Parkland

Applicability of Parkland Dedication

The Official Plan contains policies to ensure that Toronto's system of parks and open spaces are maintained, enhanced and expanded. Map 8B of the Toronto Official Plan shows local parkland provisions across the City. The lands which are the subject of this application are in an area with 0 to 0.42 hectares of local parkland per 1,000 people. The site is in the lowest quintile of current provision of parkland. The site is in a parkland priority area, as per Alternative Parkland Dedication By-law 1420-2007.

Calculation of Parkland Dedication

The application proposes 108 residential units on a site of 0.128 hectares (1,280m²). At the alternative rate of 0.4 hectares per 300 units specified in By-law 1420-2007, the parkland dedication would be 0.144 hectares (1,440m²). However, a cap of 10% applies and hence the parkland dedication would be 0.0128 hectares (128m²).

Proposal for Dedication of Parkland

The applicant proposes to satisfy this parkland dedication requirement through cash-in-lieu. This is appropriate as an on-site parkland dedication requirement of .0128 hectares (128m²) would not be of a useable size and the site would be fully encumbered with below grade parking.

The actual amount of cash-in-lieu to be paid will be determined at the time of issuance of the building permit.

Environment

Section 2.2.3.3 c) vii) of the Official Plan encourages development in *Mixed Use Areas* to incorporate environmentally sustainable building design and construction practices that reduces stormwater flows, reduces the use of water, reduces waste and promote recycling, uses renewable energy systems and energy efficient technologies and creates innovative green spaces such as green roofs and designs that reduce the urban heat island effect.

The City's Green Development Standard provides an integrated set of targets, principles and practices to encourage sustainable development and has 35 minimum requirements and 28 enhanced targets. The proposed development has been designed to achieve 15 minimum standards with a further 10 under investigation. Some of the targets that are proposed to be met include:

- street level retail suites with canopies and street trees
- light coloured roofing materials
- water efficient fixtures
- a three chute garbage system
- HVAC equipment that uses non-halons and no CFC refrigerants

Staff are continuing to work with the applicant in order to achieve additional requirements and targets and clarify the standards under review. These items should be secured through a Section 37 agreement.

Section 37

Section 37 of the Planning Act allows the City to grant increased density and/or height in exchange for community benefits. Community benefits, are specific capital facilities (or cash contributions toward specific capital facilities) and can include parkland and/or park improvements above and beyond the required parkland dedication, public art, streetscape improvements on the public boulevard not abutting the site, substantial contributions to the urban forest on public lands and land for other municipal purposes (Section 5.1.1.6 of the Official Plan).

The community benefits must bear a reasonable planning relationship to the proposed development, including at a minimum an appropriate geographic relationship and addressing planning issues associated with the development (e.g., local shortage of parkland, improvement on traffic circulation, etc.).

Discussions between staff and the applicant to date have focused primarily on built form issues and as the built form has not been resolved, discussions regarding Section 37 have not progressed beyond the indication that staff intend to use this policy permission should any development with significant height and density be recommended for approval by City Council or the Ontario Municipal Board on this site.

However, as the matter has been scheduled for a hearing commencing on November 12, 2008, it is now necessary to give precise direction to the City Solicitor on this point. Staff are recommending that the City Solicitor be instructed to request the OMB to impose certain conditions under Section 37 of the Planning Act in the event that the OMB approves a form of development either as proposed by the applicant or as set out in the alternate guidelines for a 12-storey building. Staff recommend that the Ontario Municipal Board withhold its order until a Section 37 agreement is agreed to between the applicant and the City.

Planning staff are recommending that the applicant be required to make a contribution to local community benefits to be secured in a Section 37 Agreement such as those listed below.

1. Acquisition of Parkland on Bloor Street West between Bloor Street West and Keele Street

The subject site is located in an area that has a low level of parkland relative to the rest of the City. Map 8B of the Official Plan shows the area with 0 to 0.42 hectares of local parkland per 1,000 people – the lowest quintile of current provision of parkland. As this portion of Bloor Street West undergoes significant intensification, it will be important to acquire, design and build new parks when the opportunities arise.

While High Park may be in the vicinity, it functions primarily as City-wide parkland that is designated as *Green Space System* on Map 2 and mainly *Natural Areas* on Map 18. Natural Areas are intended to be maintained primarily in natural state. Throughout the Bloor Street West Visioning Initiative, a deficiency of local parkland along Bloor Street West was repeatedly identified by the community. Section 3.2.3 of the Official Plan promotes the addition of new parks and amenities, particularly in growth areas such as *Avenues*. There is no local parkland associated with this portion of Bloor Street West that offers a range of neighbourhood-oriented passive and active recreational opportunities.

2. Pedestrian Lighting Improvements along Bloor Street West

The Avenue Study currently being undertaken will include a streetscape strategy for the improvement of Bloor Street West between Keele Street and Dundas Street West. During the Bloor Street West Visioning Initiative and the *Avenue* Study charette held on September 20, 2008, repeated concerns were raised with respect to the uncoordinated and generally fatigued state of the Bloor Street West streetscape.

The Bloor by the Park BIA has undertaken several initiatives to improve the public realm within its boundaries on Bloor Street West, between Dundas Street West and Keele Street. The BIA is responsible for improvements and maintenance of the public realm above the City's standard treatment. Some BIA initiatives include the purchase and installation of benches, decorative seasonal lights, various festivals and events and the Phase I installation of decorative pedestrian lighting adhered to the Toronto Hydro street light poles. Phase II of this lighting project involves the installation free-standing pedestrian scale lights to fill in the gaps between the widely spaced Toronto Hydro lights.

In order for Phase II of this project to provide sufficient pedestrian illumination, staff estimates that 22 light pole and luminaries will be required to complete the Bloor by the Park lighting project at an estimated cost of \$15,000 each. The total project cost is estimated to be approximately \$330,000.

Given the significant increase in height and density, in this case planning staff are recommending that as part of any approval, funding be secured in the Section 37 agreement including the following:

1. Pedestrian Lighting improvements along Bloor Street West between Dundas Street West and Keele Street; and/or
2. Funds for a parkland acquisition and development fund that will be established to purchase, design and construct a new park along the portion of Bloor Street West between Dundas Street West and Keele Street; and/or

The following matters are also recommended to be secured in a Section 37 agreement as a legal convenience to support development:

1. A Construction Mitigation Plan and Resident Communications Strategy to the satisfaction of the Chief Planner and Executive Director of the City of Toronto Planning Division;
2. Exterior materials to be shown on 1:50 scale drawings along Bloor Street West and Indian Road with building materials labelled to the approval of the Chief Planner and Executive Director, City Planning Division; and
3. Green infrastructure to be included in the project such as water conservation measures and light-coloured roofing materials.

Construction Mitigation Plan and Resident Communication Strategy

In order to mitigate construction impacts on the surrounding neighbourhood, the Section 37 agreement should also contain a requirement that the owner develop and implement a construction mitigation plan and community communication strategy for nearby residents. The plan/strategy is best drafted prior to the issuance of the first permit (excavation) when the owner has finalised the construction phasing plan and is aware of the timing and duration of the various construction processes involved in this specific

development. It should be noted that the plan/strategy will identify many construction related issues that are regulated by other City-wide enforcement measures (ie. Noise By-law, Dust Control By-law).

The mitigation plan and communications strategy should address at least the following matters:

- The period of construction including the general construction processes involved in the construction stages and the duration of each stage;
- An approach to identifying and mitigating, if possible, potential negative impacts of construction activity such as construction noise (hours of permissible construction activity), dust control, construction vehicle access and material deliveries, parking for construction trades, interruptions of services (hydro, water, gas) for local residents;
- A strategy for disseminating information to the neighbourhood on construction phases, providing advance notice where possible and including contact names and phone numbers for residents to call regarding noise and other construction related questions or complaints (also, a number to call to report an 'emergency' or any urgent complaints or concerns during non-office hours will be posted);
- The provision of notice that identifies the start date for the commencement of each phase of the construction and the anticipated completion date and information regarding applicable regulating provisions that would apply; and
- Any other matters that may be appropriate, including but not limited to the provision of reasonable notice respecting the anticipated interruption to services and the provision of alternative services, where possible, and measures to prevent dust and construction debris from endangering existing residents.

Tenure

All units will be part of a condominium corporation. An application for draft plan of condominium approval will be required.

Development Charges

It is estimated that the development charges for this project will be \$596,767.00. This is an estimate. The actual charge is assessed and collected upon issuance of the building permit.

Conclusions

Given the site is an underused and maintains substantial size and depth, its location on an *Avenue* and within a *Mixed Use Areas* Designation, its proximity to transit, retail, service and entertainment facilities and to places of employment, and ability to provide adequate traffic access and circulation, the site at 1638-1644 Bloor Street West does have potential for redevelopment. However, this intensification must support the establishment of an appropriate type and scale of development along Bloor Street West that does not negatively impact adjacent *Neighbourhoods*, frames the adjacent streets with good proportion and establishes development at an appropriate form, scale and massing that is compatible with the existing and emerging built form context.

The proposal has been found to be unsupportable with respect to the 31m corner element, insufficient setbacks along Bloor Street West and a mechanical penthouse that is not incorporated into either the architecture or massing of the building. The proposal does not comply with the Official Plan *Mixed Use Areas* and *Built Form* requirements for ‘framing the edges of streets with good proportion’. It would not fit harmoniously into its existing and planned context and would not support a massing that defines the edges of streets at good proportion and would not ensure an adequate access to sky view for the proposed and future uses of Bloor Street West and Indian Road.

While staff are generally not supportive of a building height greater than 32m (10-storeys including mechanical), additional height could potentially be achieved in this site-specific instance. Staff recommend that Council request staff to continue discussions with the applicant on a possible OMB settlement based on the ‘Development Alternative’ set out in this report.

CONTACT

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SIGNATURE

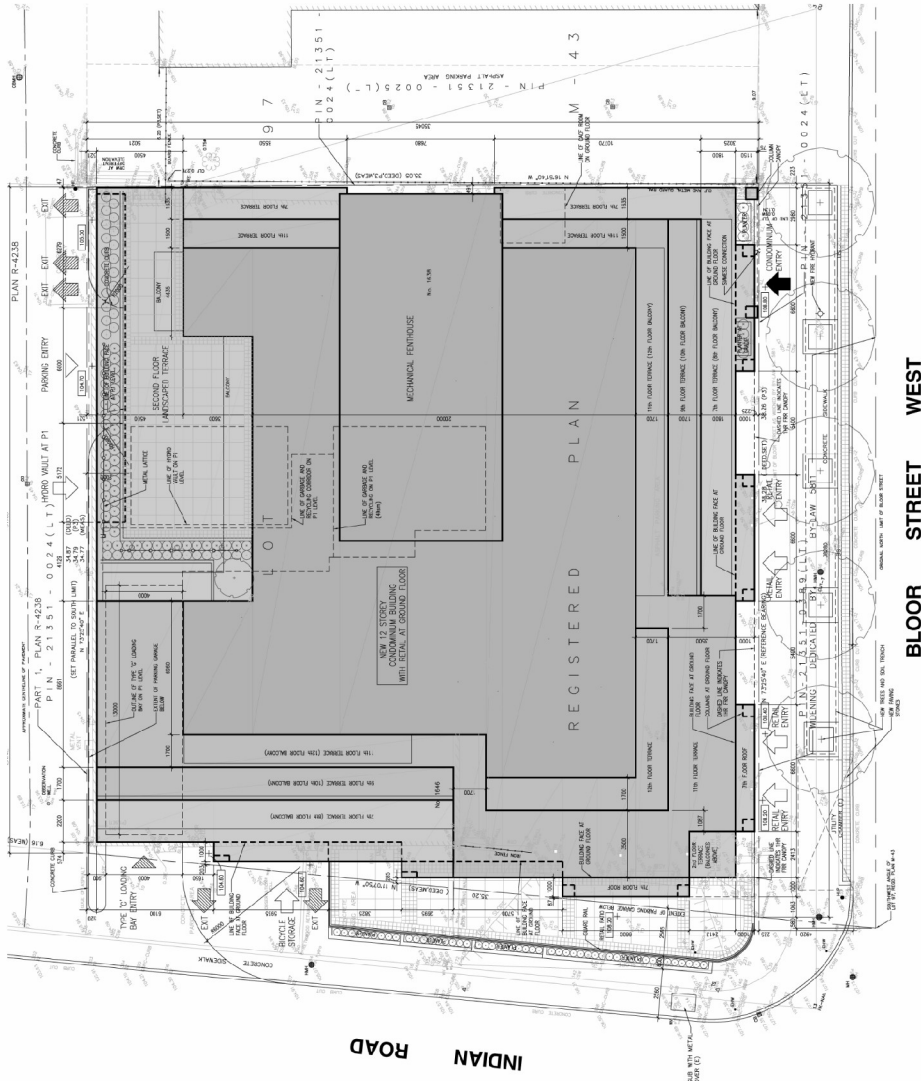
Raymond David, Acting Director
Community Planning, Toronto and East York District

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ATTACHMENTS

Attachment 1: Site Plan
Attachment 2: South Elevation
Attachment 3: North Elevation
Attachment 4: East Elevation
Attachment 5: West Elevation
Attachment 6: Zoning
Attachment 7: Application Data Sheet

Attachment 1: Site Plan



Site Plan

Applicant's Submitted Drawing

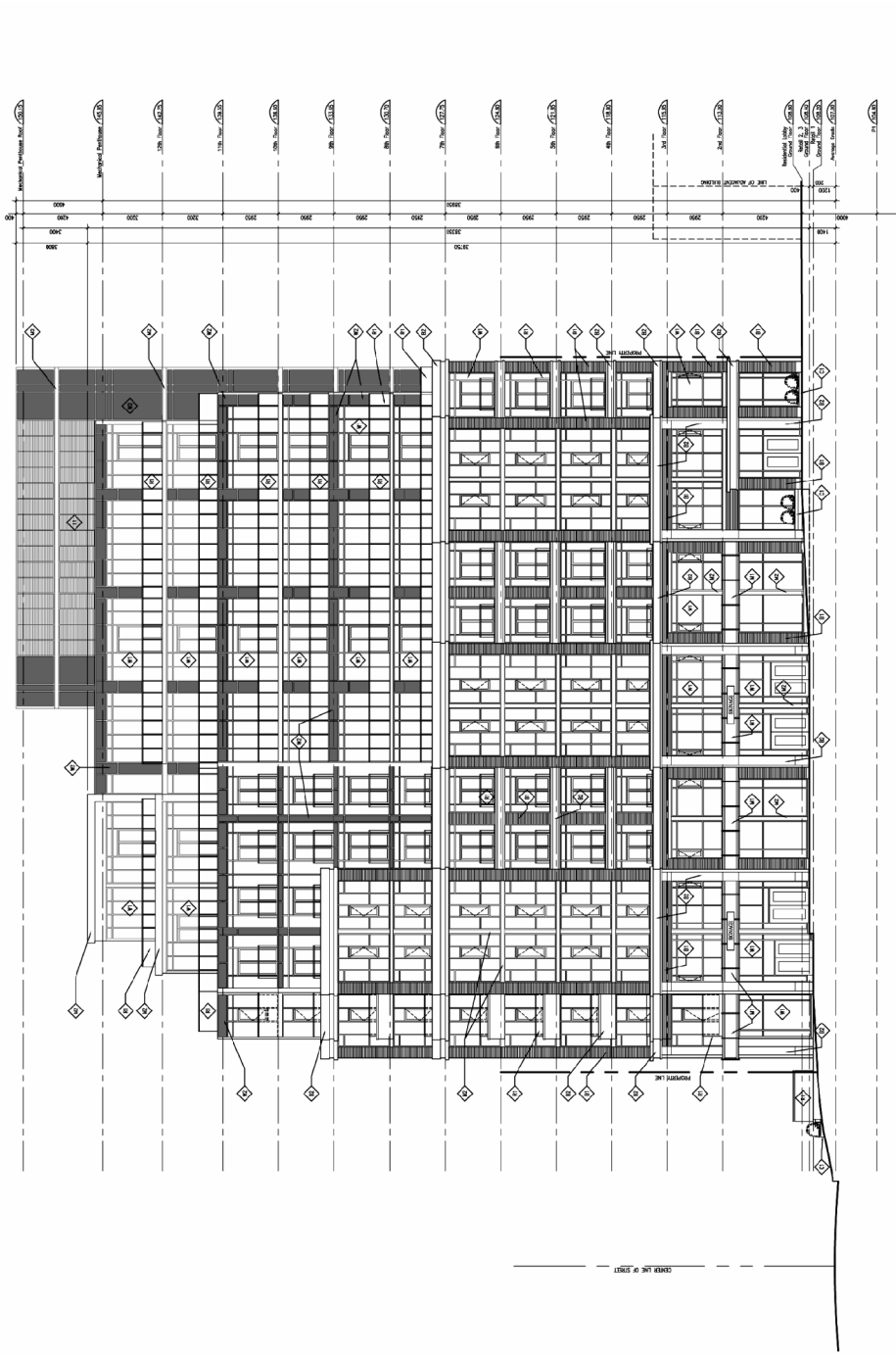
Not to Scale
03/07/08



1638 (1644) Bloor Street West

File # 08_108093

Attachment 2: South Elevation



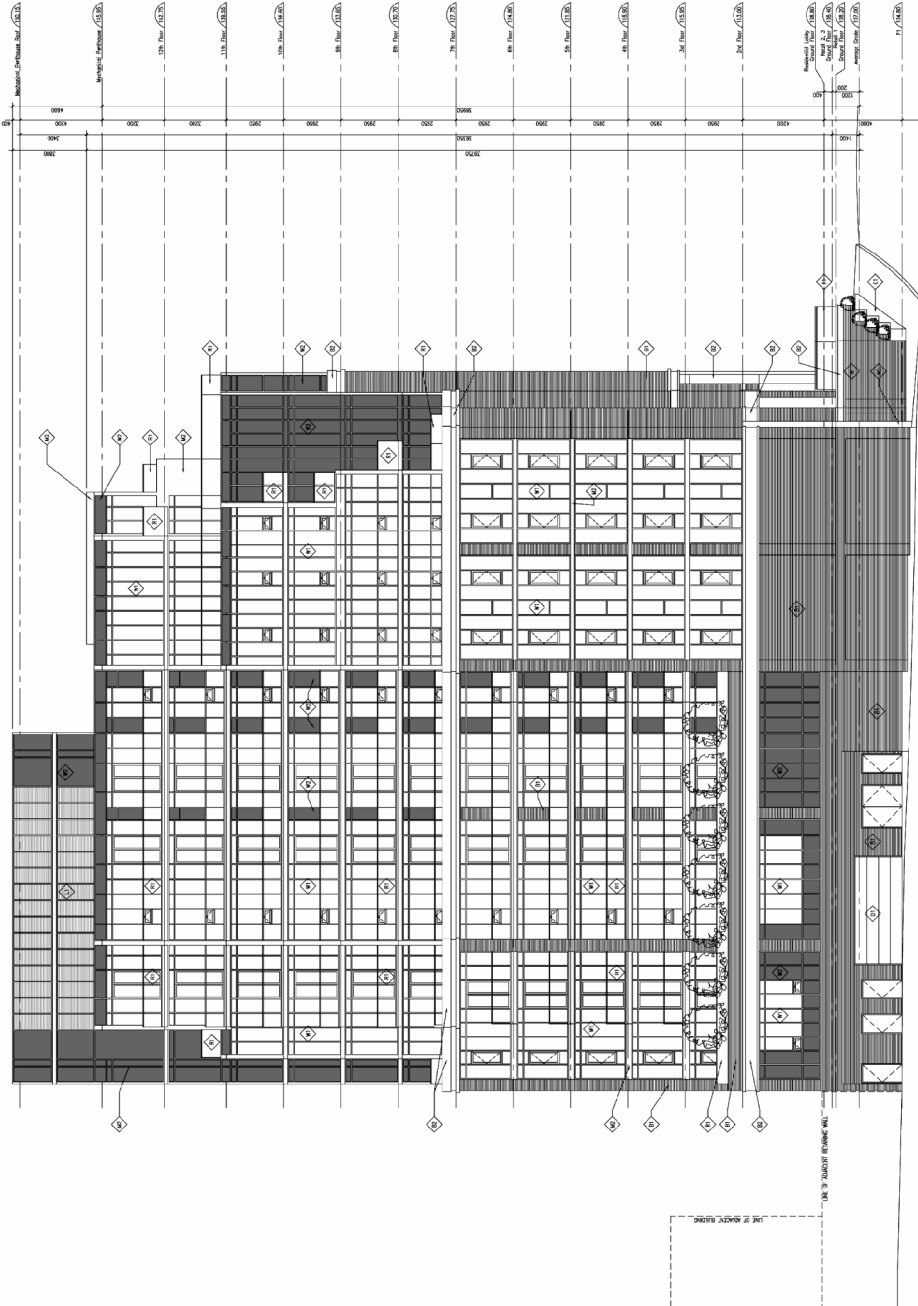
1638 (1644) Bloor Street West

South Elevation
Applicant's Submitted Drawing

Not to Scale
03/07/08

File # 08_108093

Attachment 3: North Elevation



North Elevation

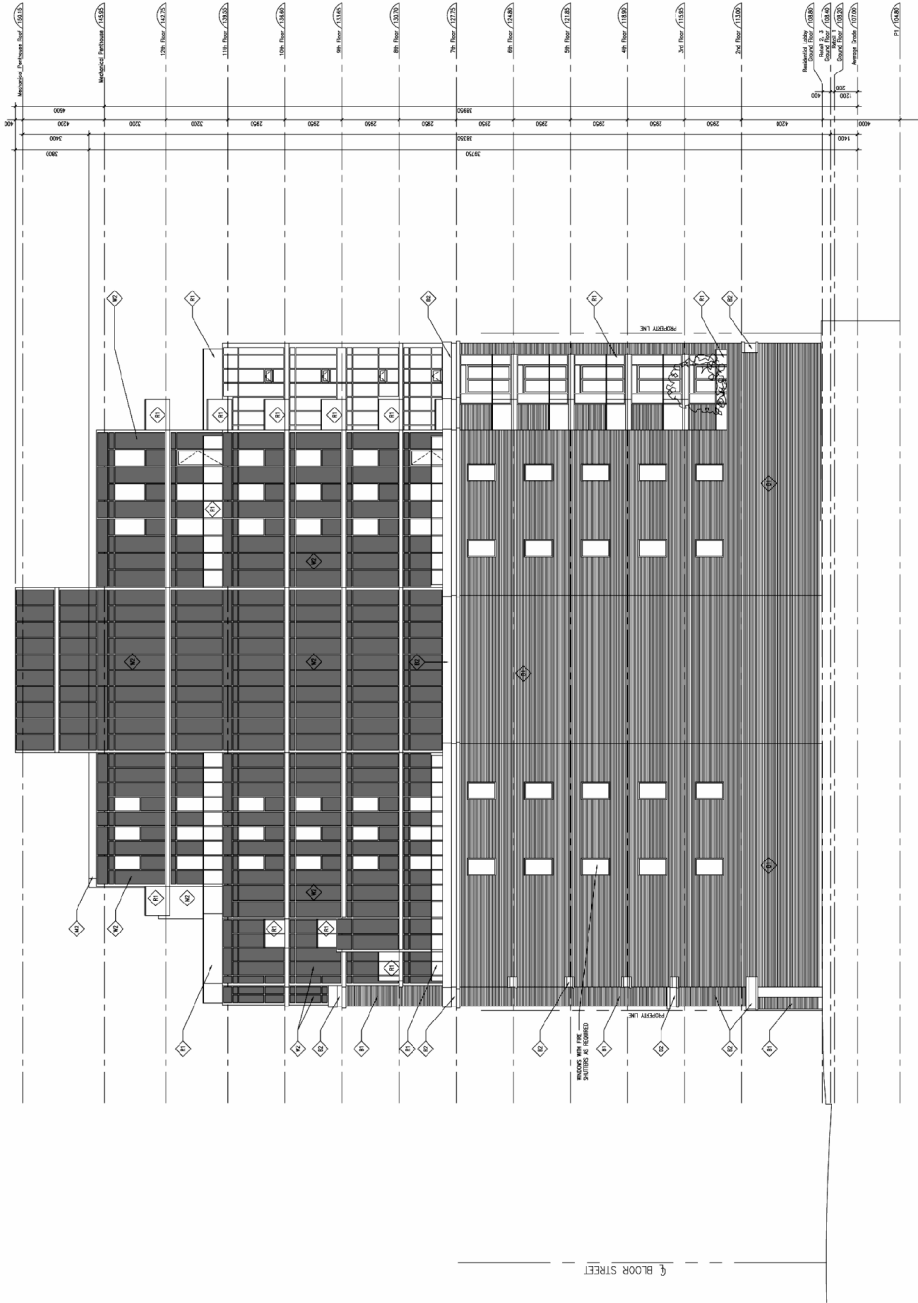
Applicant's Submitted Drawing

Not to Scale
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1638 (1644) Bloor Street West

File # 08_108093

Attachment 4: East Elevation



1638 (1644) Bloor Street West

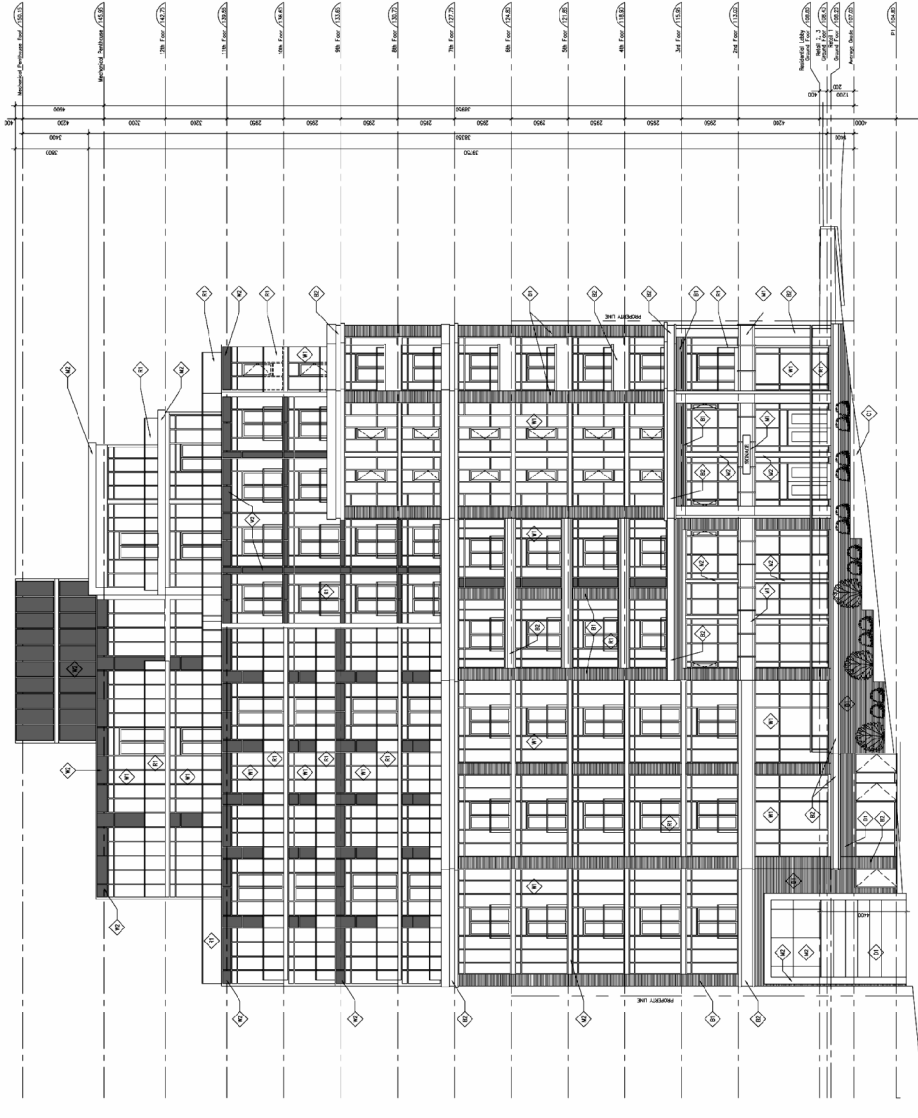
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East Elevation

Applicant's Submitted Drawing

Not to Scale
03/07/08

Attachment 5: West Elevation



West Elevation

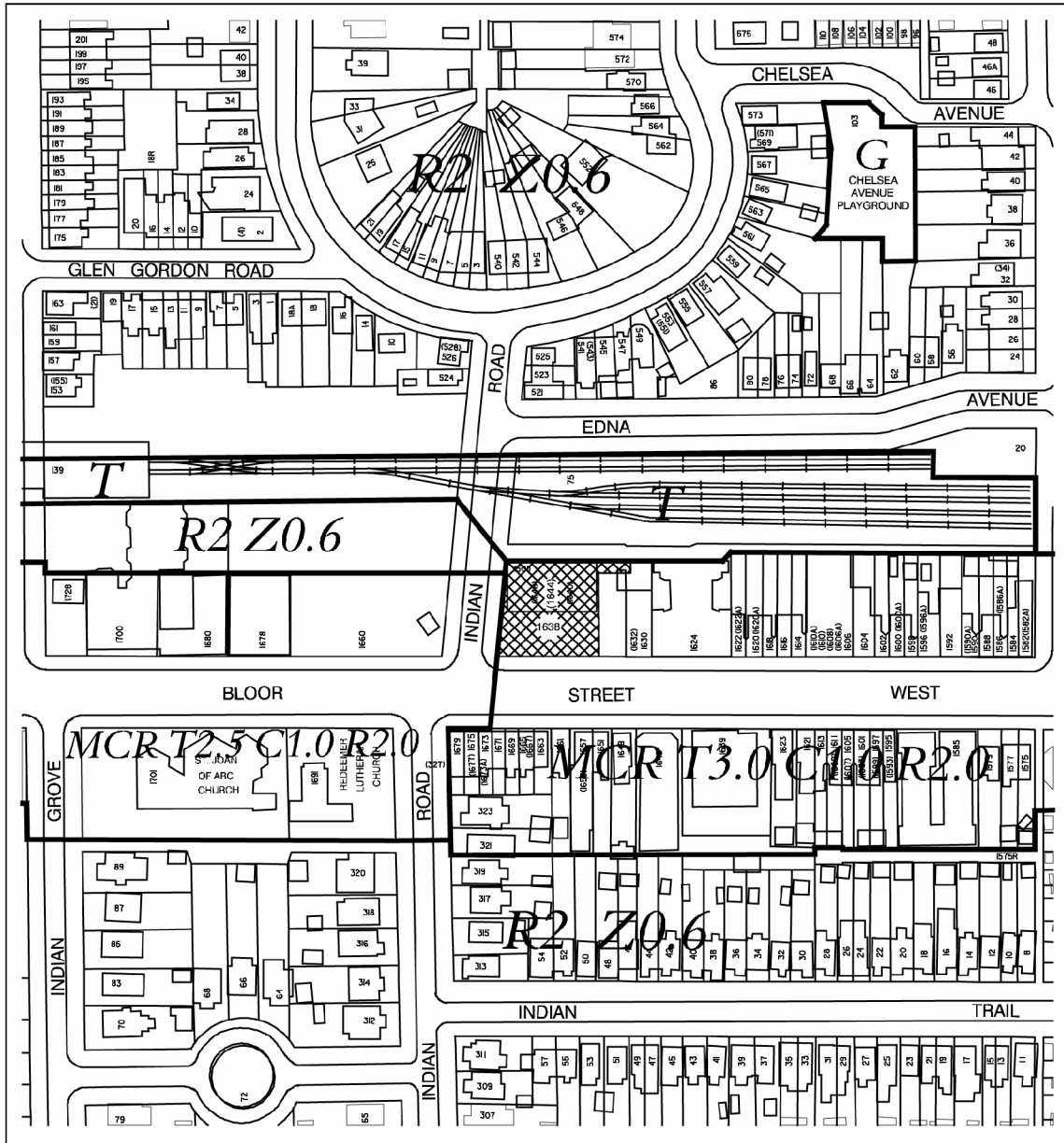
Applicant's Submitted Drawing

Not to Scale
03/07/08

1638 (1644) Bloor Street West

File # 08_108093

Attachment 6: Zoning



1638 (1644) Bloor Street West

File # 08_108093

- G Parks District
- R2 Residential District
- MCR Mixed-Use District
- T Industrial District



Not to Scale
Zoning By-law 438-86 as amended
Extracted 03/07/08 - DR

Attachment 7: Application Data Sheet

Application Type	Rezoning	Application Number:	08-108093 STE 14 OZ
Details	Rezoning, Standard	Application Date:	January 31, 2008

Municipal Address: 1638-1644 BLOOR ST W
 Location Description: PL M43 PT LT97 **GRID S1401
 Project Description: Proposed 12-storey mixed-use building.

Applicant:	Agent:	Architect:	Owner:
M. Behar Planning and Design		Quadrangle Architects Ltd.	HP Bloor Street Ltd.

PLANNING CONTROLS

Official Plan Designation:	Mixed Use Areas	Site Specific Provision:
Zoning:	MCR T3.0 C1.0 R2.0	Historical Status:
Height Limit (m):	16	Site Plan Control Area: Y

PROJECT INFORMATION

Site Area (sq. m):	1280	Height:	Storeys:	12
Frontage (m):	38.28		Metres:	38.95
Depth (m):	35.2			
Total Ground Floor Area (sq. m):	1099.9			Total
Total Residential GFA (sq. m):	9992.4	Parking Spaces:		125
Total Non-Residential GFA (sq. m):	894.5	Loading Docks		1
Total GFA (sq. m):	10886.9			
Lot Coverage Ratio (%):	86			
Floor Space Index:	8.5			

DWELLING UNITS

Tenure Type:	Condo
Rooms:	0
Bachelor:	0
1 Bedroom:	66
2 Bedroom:	42
3 + Bedroom:	0
Total Units:	108

FLOOR AREA BREAKDOWN (upon project completion)

		Above Grade	Below Grade
Residential GFA (sq. m):	9992.4	0	0
Retail GFA (sq. m):	894.5	0	0
Office GFA (sq. m):	0	0	0
Industrial GFA (sq. m):	0	0	0
Institutional/Other GFA (sq. m):	0	0	0

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