

**301 Front St W – Official Plan Amendment & Rezoning - Preliminary Report**

<b>Date:</b>	December 9, 2009
<b>To:</b>	Toronto and East York Community Council
<b>From:</b>	Director, Community Planning, Toronto and East York District
<b>Wards:</b>	Ward 20 – Trinity-Spadina
<b>Reference Number:</b>	09 189702 STE 20 OZ

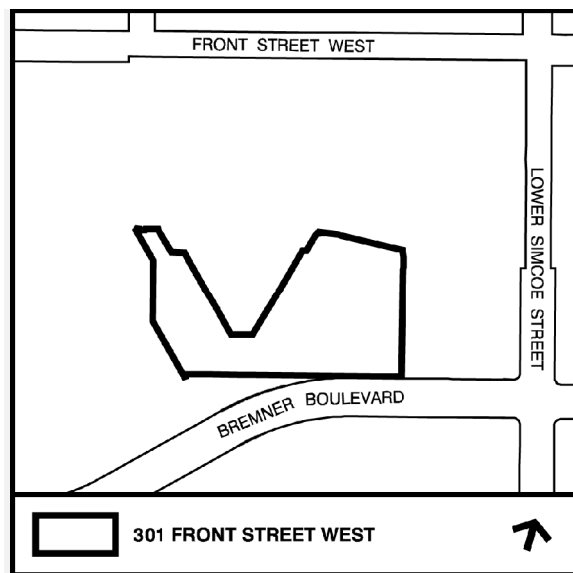
**SUMMARY**

This application was made on or after January 1, 2007 and is subject to the new provisions of the Planning Act and the City of Toronto Act, 2006.

This application proposes to amend the Railway Lands Central and East Secondary Plans and the Railway Lands Central and East Zoning By-laws to permit a 13,912 square metre aquarium to the east of the CN Tower, and a 4,353 square metre commercial building on the west side of the base of the CN Tower. A mix of uses around the base of the CN Tower is currently permitted. This application will re-deploy that density to accommodate the proposed uses.

This report provides preliminary information on the above-noted applications and seeks Community Council's directions on further processing of the applications and on the community consultation process.

Staff are targeting a Community Consultation meeting for the first quarter of 2010, and a Final Report by the third quarter of 2010. These targets assume that the applicant will provide all required information in a timely manner.



## RECOMMENDATIONS

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### The City Planning Division recommends that:

1. Planning staff be directed to schedule a community consultation meeting together with the Ward Councillor.
2. Notice for the community consultation meeting be given to landowners and residents within 120 metres of the site.
3. Notice for the public meeting under the Planning Act be given according to the regulations under the Planning Act.

### Financial Impact

The recommendations in this report have no financial impact.

## DECISION HISTORY

This site was the subject of Official Plan Amendments and Zoning Amendments in 1997 related to a proposal that included a 3-storey entertainment and retail addition at the base of the CN Tower. The total density approved at the time was 35,000 square metres. The resulting By-laws are as follows:

By-law Number	Purpose of By-law
1997-0364	Amendment to the Railway Lands Central Part II Plan
1997-0365	Amendment to the Railway Land Central By-law
1997-0366	Amendment to the Railway Lands East Part II Plan
1997-0367	Amendment to the Railway Lands East By-law
1997-0507	Removal of the “h” symbol on the site

In addition to the By-laws a number of agreements were executed in 1997 including a Precinct Agreement, an Environmental Agreement and a Development Agreement. An Amending Development Agreement was executed in 1999 all of which secured obligations of the developer related to the zoning approval.

## Pre-Application Consultation

Three pre-application consultation meetings have been held with the applicant to discuss complete application submission requirements and to provide preliminary comments to the applicant.

## ISSUE BACKGROUND

### Proposal

The full proposal is for a 13,912 square metre aquarium and a 4,353 square metre mixed commercial use building. The proposed Site Plan can be found at Appendix 1. The site

will be built out in three phases. The first will be 8,912 square metres of the aquarium (Phase I) and the second will be the remaining 5,000 square metres (Phase II). The mixed commercial use building at the west side of the site (Phase 2A) is independent from the aquarium structure and the schedule for its completion is not tied into the aquarium schedule. The heights of the proposed buildings are as follows: Phase I – 16.5 metres, Phase II – 23 metres and Phase 2A – 19 metres.

The proposal does not include any parking spaces for vehicles or charter buses on site. Access is provided via a service driveway on the east side of the site and the PATH connection from the Skywalk through the site will be maintained.

### **Site and Surrounding Area**

The subject site is approximately 2.2 hectares in size and is currently occupied by the CN Tower (with its accessory and restaurant uses), an irregularly shaped landscaped open space, a hard-scaped public plaza, the Salmon Run fountain and various pedestrian routes which traverse the site.

North: to the north of the site are the GO and CN Rail railroad tracks, with mixed use buildings beyond.

East: to the east of the site is the Metro Toronto Convention Centre.

South: to the south is Bremner Boulevard, the historic Roundhouse building, containing the Steamwhistle Brewery, a Leons store, and a proposed railway museum, and Roundhouse Park.

West: to the west of the site is the Rogers Centre.

### **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 for the Greater Golden Horseshoe.

Staff will review the proposed development for consistency with the PPS and for conformity with the Growth Plan for the Greater Golden Horseshoe.

## **Official Plan**

The site is part of the Railway Lands Central Secondary Plan, and is designated as part of the Downtown on the Urban Structures Plan Map. The Secondary Plan designates the site as Parks and Open Space, however Section 10.8 of the Secondary Plan sets out clear policies for what is called the “CN Tower Expansion”. These were added to the Plan in 1997 as part of the Official Plan Amendment that was part of the approved proposal at that time. The Railway Lands East Secondary Plan also has a section related to the CN Tower Expansion (Section 10.8).

## **Zoning**

The site is zoned as “G” (Parks) in the Railway Lands Central By-law 1994-0806. However, there is an exception in place which allows for the CN Tower Expansion which was approved in 1997. The exception permits a limited number of uses including a place of amusement, recreational uses and entertainment uses. It allows for 35,859 square metres of density and is subject to parking requirements, open space requirements and building envelope restrictions. An amendment to the Railway Lands East By-law was also approved in 1997 for the small portion of the site that falls into the area covered by that By-law.

## **Site Plan Control**

An application has been received for Phase I of the proposal. This includes 8,912 square metres of the aquarium building.

## **Reasons for the Application**

Although there is currently permission on the site, through the Zoning By-laws, for 35,859 square metres of additional density, the uses and built form permitted do not allow for the precise uses and built form now proposed. In addition, the Secondary Plans have some provisions which need to be amended for the current proposal.

## **COMMENTS**

### **Application Submission**

The following reports/studies were submitted with the application: Stage 1 Archaeological Assessment, Green Development Checklist, Planning Rationale, Sun/Shadow Study, Heritage Impact Statement, Urban Transportation Considerations Report, Arborist Report and a Stormwater Management Report.

City staff are reviewing the application for completeness.

### **Issues to be Resolved**

The following issues will be reviewed by staff and need to be addressed by the applicant.

1. Built form and massing including the overall height and setbacks, especially on Bremner Boulevard.

2. Impact of the proposed built form on the surrounding open spaces and properties including the Metro Toronto Convention Centre, Rogers Centre, the CN Tower and the Salmon Run fountain.
3. Pedestrian access through the site including an appropriate PATH connection.
4. Impact on the Roundhouse park and the historic Roundhouse building as the subject site and the Roundhouse are part of the Union Station Heritage Conservation District.
5. Management of charter buses including drop-off and pick-up as well as bus parking.
6. Justification for the provision of zero parking spaces.
7. Exterior signage on the building.
8. Review of the existing required community benefits and revisions that may be necessary.
9. On-site landscaping.

Staff will be encouraging the applicant to review sustainable development opportunities by utilizing the Toronto Green Standard, adopted by City Council in July 2006.

Additional issues may be identified through the review of the application, agency comments and the community consultation process.

## **Conclusion**

Staff have circulated the application for comment to all applicable departments and City agencies for their review. Subject to the adoption of recommendations 1 and 2, a Community Consultation meeting will be scheduled for the first quarter of 2010.

## **CONTACT**

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## **SIGNATURE**

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

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## **ATTACHMENTS**

Attachment 1: Site Plan

Attachment 2: South and West Elevations – Aquarium Building

Attachment 3: North and East Elevations – Aquarium Building

Attachment 4: Elevations – Phase 2A New Mixed Commercial Use Building

Attachment 5: Massing Concept – Aquarium

Attachment 6: Massing Concept – Phase 2A

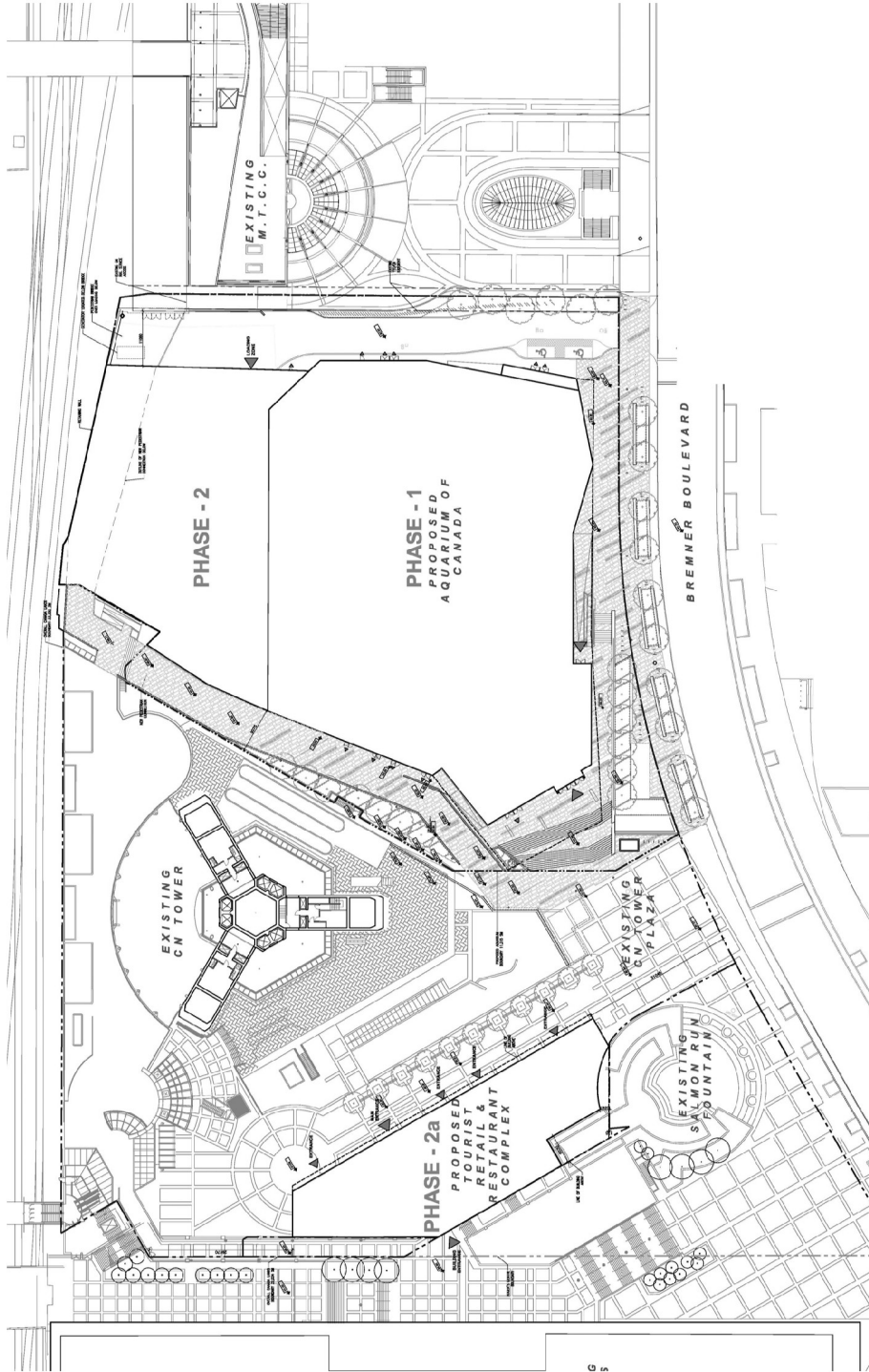
Attachment 7: Phasing Plan – Aquarium

Attachment 8: Zoning

Attachment 9: Official Plan

Attachment 10: Application Data Sheet

Attachment 1: Site Plan



301 Front Street West

Site Plan

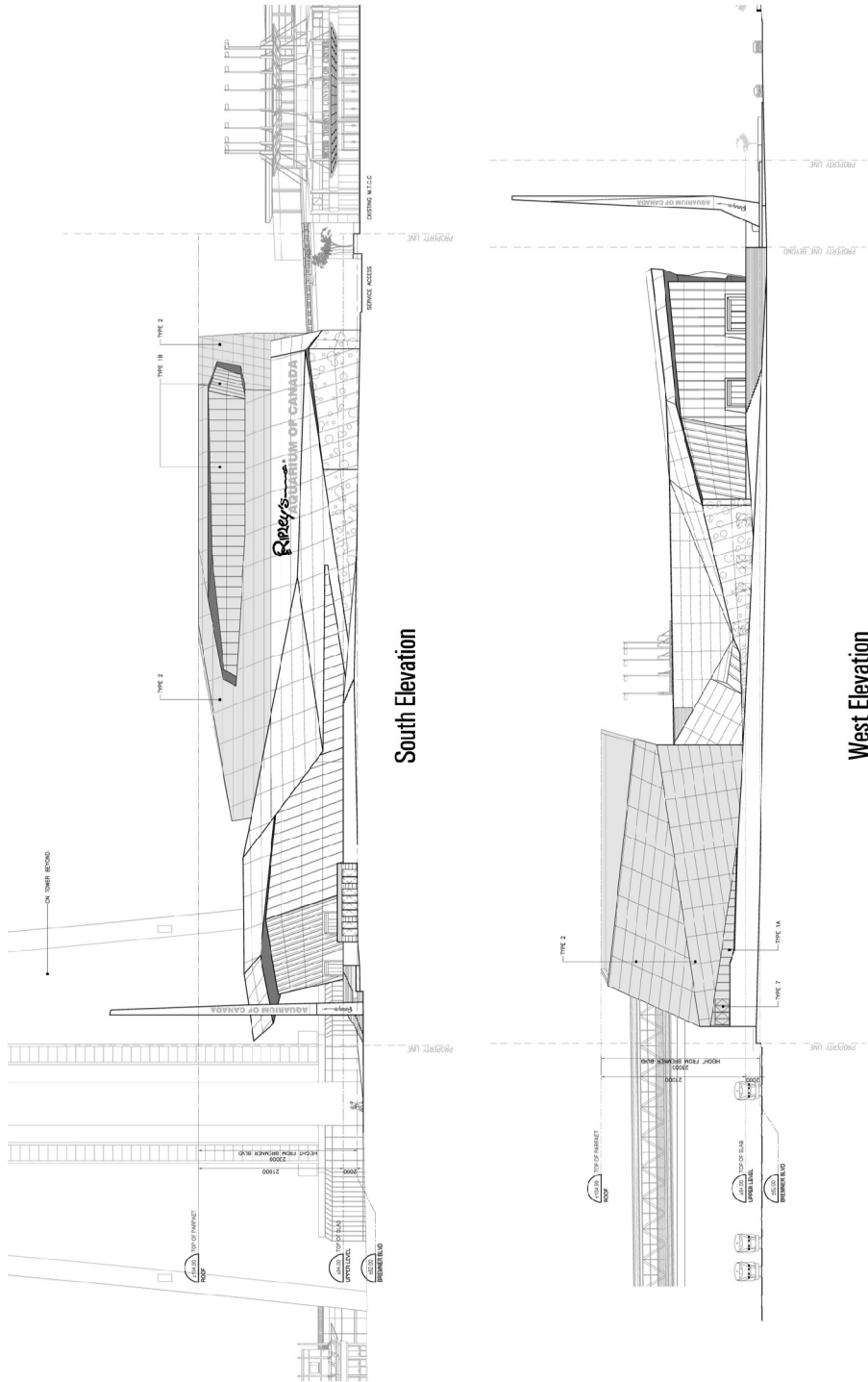
Applicant's Submitted Drawing



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12/01/2009

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**Attachment 2: South and West Elevations – Aquarium Building**



**South Elevation**

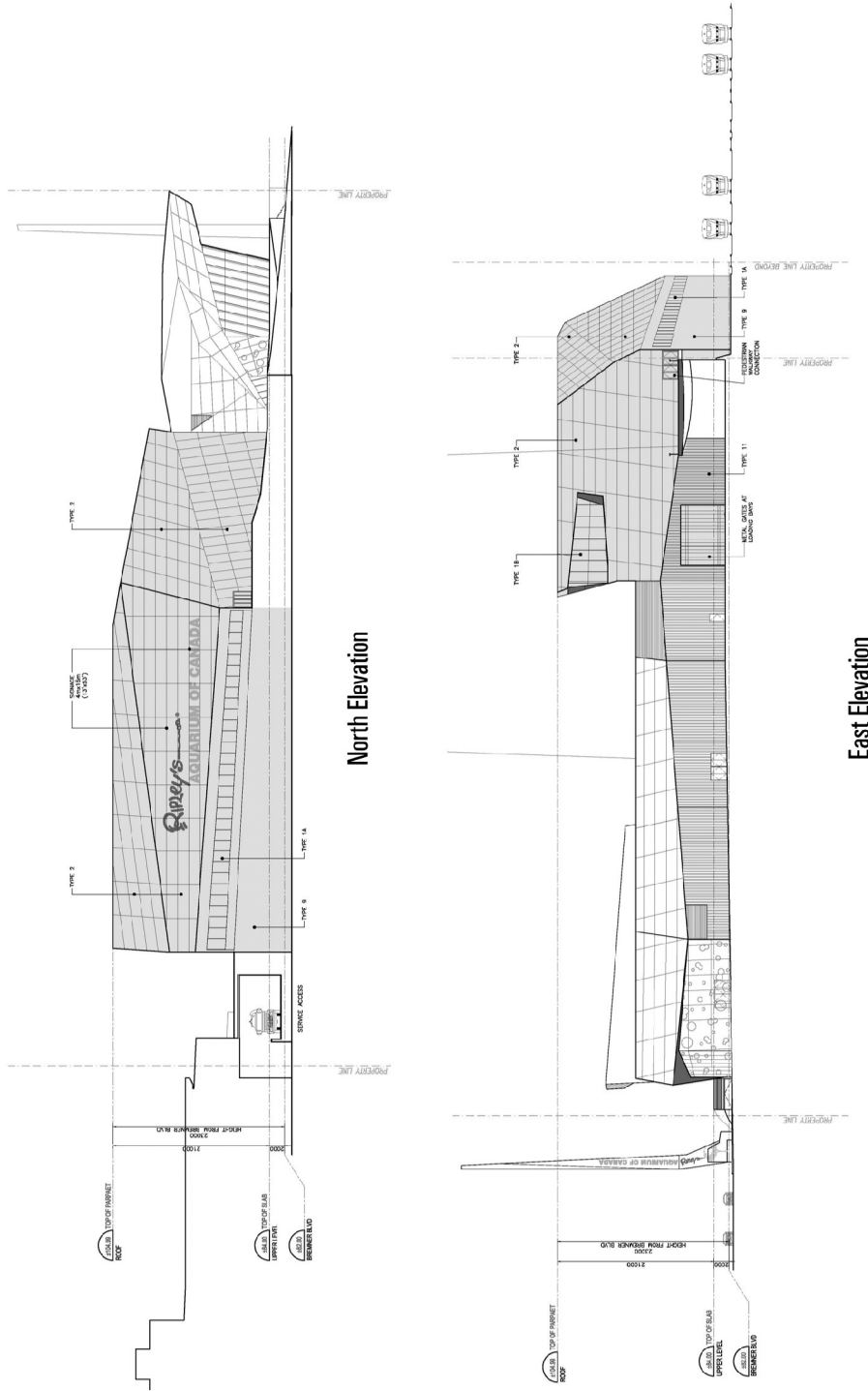
**West Elevation**

**Aquarium Elevations (Full Build Out)**  
 Applicant's Submitted Drawing  
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 12/01/2009

**301 Front Street West**  
 File # 09\_189702



Attachment 3: North and East Elevations – Aquarium Building



301 Front Street West

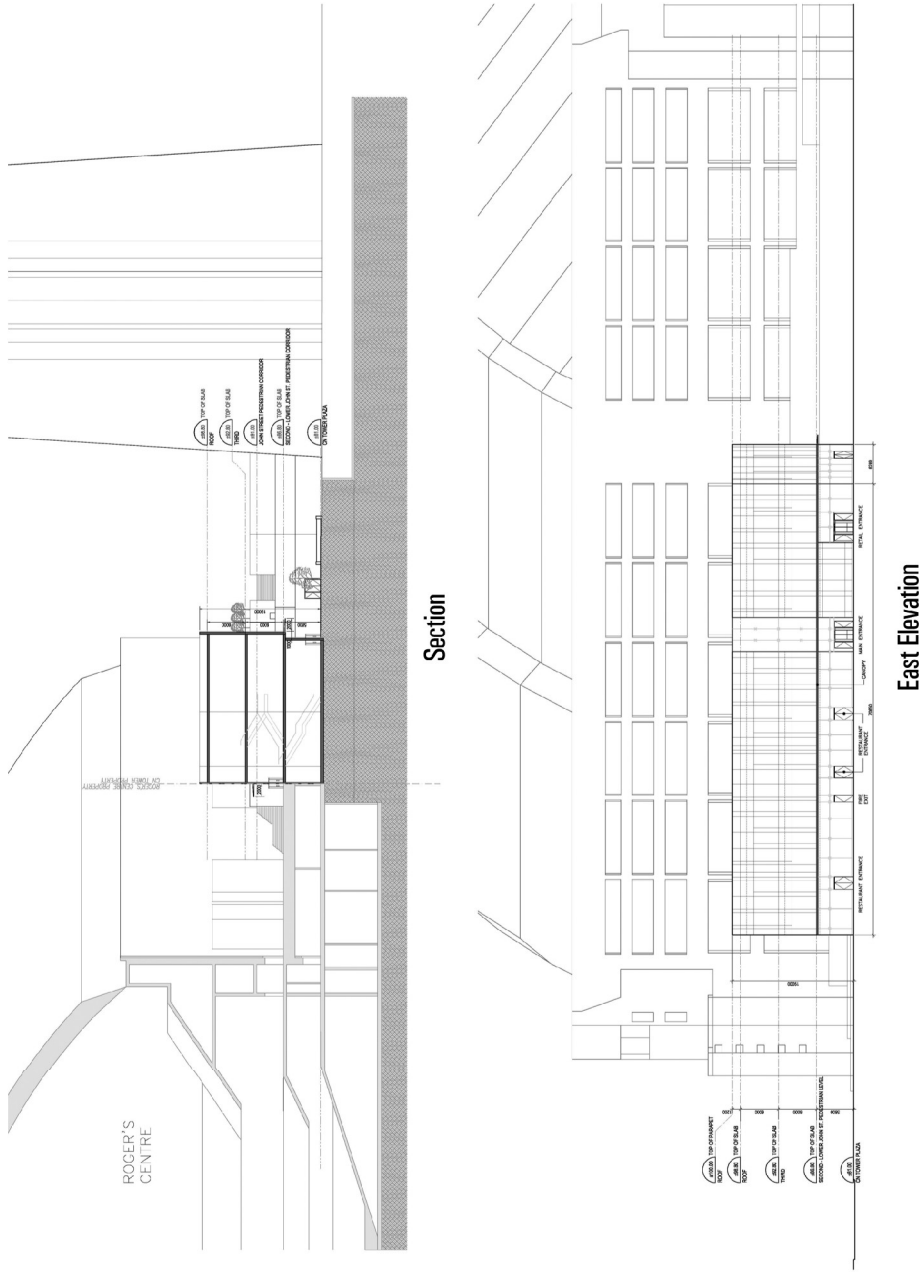
Aquarium Elevations (Full Build Out)

Applicant's Submitted Drawing

Not to Scale  
12/01/2009

File # 09\_189702

**Attachment 4: Elevations – Phase 2A  
New Mixed Commercial Use Building**



**Elevations - Phase 2a**  
 Applicant's Submitted Drawing  
 Not to Scale  
 12/01/2009

**301 Front Street West**

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**Attachment 5: Massing Concept - Aquarium**



**Massing Concept**

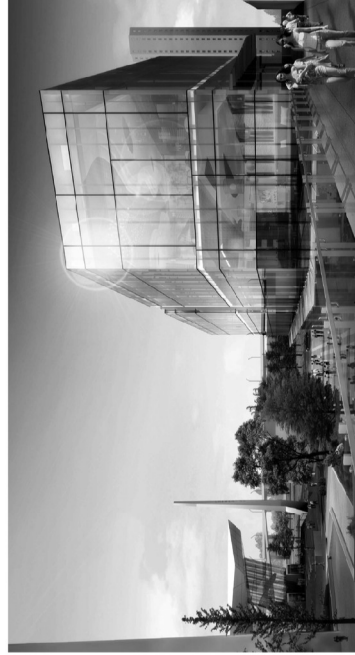
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**Attachment 6: Massing Concept – Phase 2A**



**Massing Concept - Phase 2a**

Applicant's Submitted Drawing

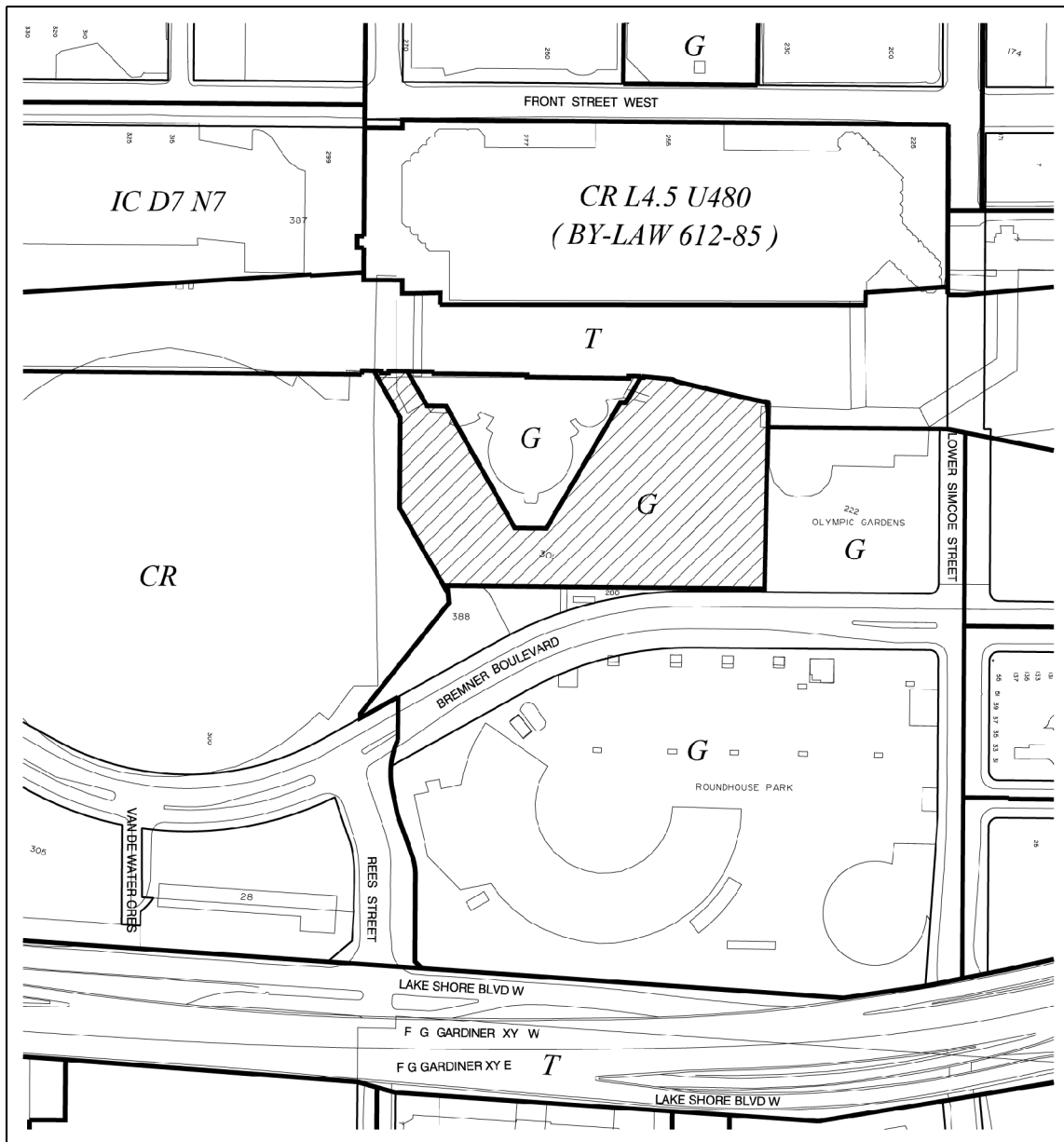
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## Attachment 8: Zoning



**301 Front Street West**

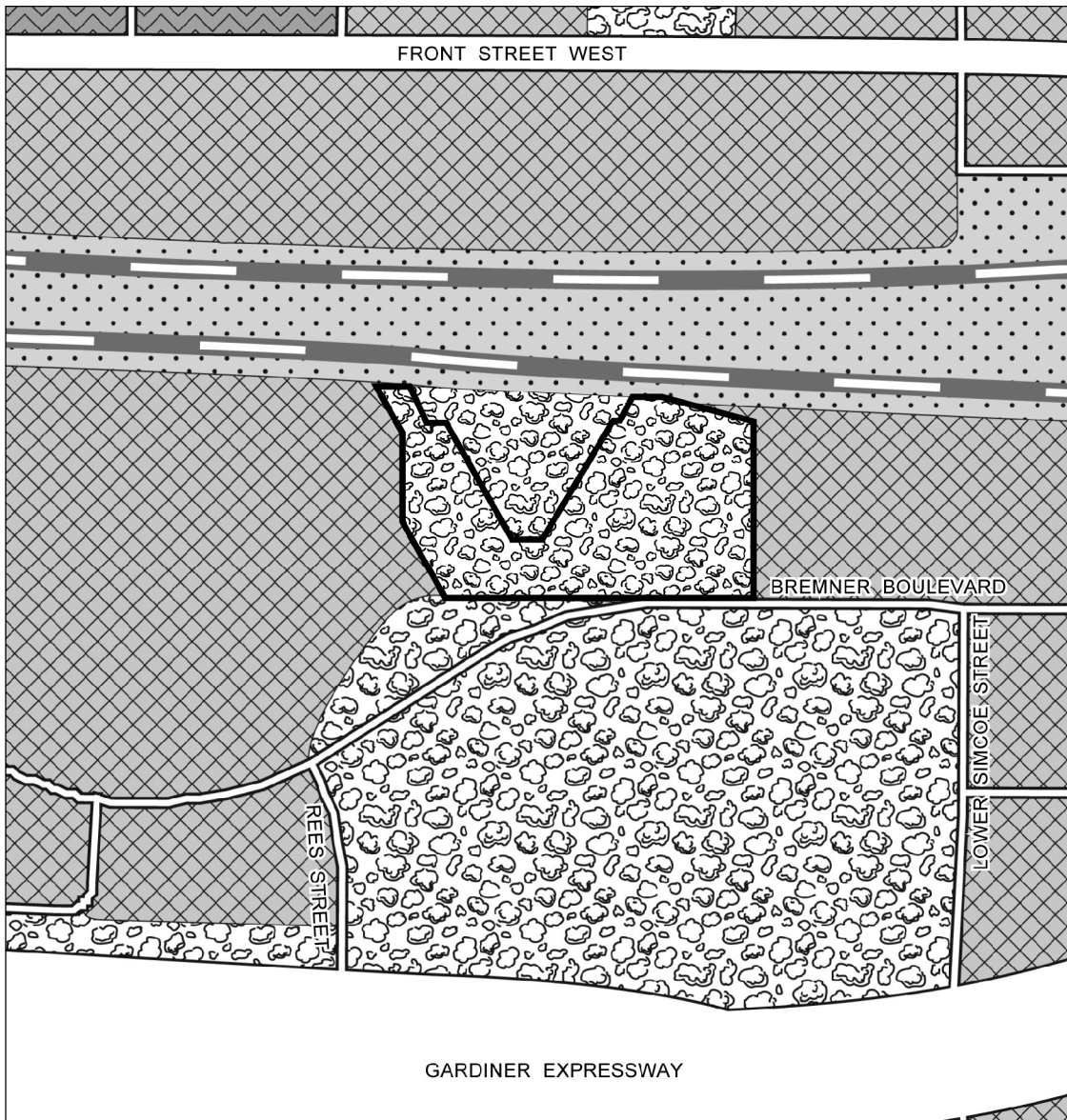
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- G Parks District
- CR Mixed-Use District
- IC Industrial District
- T Industrial District



Not to Scale  
Zoning By-law 438-86 as amended  
Extracted 11/20/2009

## Attachment 9: Official Plan



**TORONTO** City Planning  
**Official Plan**

**301 Front Street West**

File # 09\_189702

- |  |  |
|--|--|
|  Site Location      |  Parks & Open Space Areas |
|  Mixed Use Areas    |  Parks                    |
|  Regeneration Areas |  |
|  Utility Corridors  |  |

  
 Not to Scale  
 12/01/2009

## Attachment 10: Application Data Sheet

Application Type	Official Plan Amendment & Rezoning	Application Number:	09 189702 STE 20 OZ
Details	OPA & Rezoning, Standard	Application Date:	November 19, 2009

Municipal Address: 301 FRONT ST W  
 Location Description: INDEX PL D970 LT1 RP 63R3705 PT 33 \*\*GRID S2017  
 Project Description: OPA AND REZONING for CN Tower lands re development - for new entertainment complex containing 3 storey Ripleys Aquarium and 3 stoey retail restaurant commercial building - to be constructed in three phases.

<b>Applicant:</b>	<b>Agent:</b>	<b>Architect:</b>	<b>Owner:</b>
URBAN STRATEGIES		B + H Architect Inc.	CANADA LANDS COMPANY CLC LIMITED

### PLANNING CONTROLS

Official Plan Designation:	Parks and Open Space	Site Specific Provision:	
Zoning:	Site Specific By-law 1997-0365	Historical Status:	Union Station HCD
Height Limit (m):	109 metres (geodetic datum)	Site Plan Control Area:	Y

### PROJECT INFORMATION

Site Area (sq. m):	22350	Height:	Storeys:	3
Frontage (m):	139.2		Metres:	16.5 (Phase I)
Depth (m):	137.3			
Total Ground Floor Area (sq. m):				<b>Total</b>
Total Residential GFA (sq. m):	0		Parking Spaces:	2
Total Non-Residential GFA (sq. m):	18,265.03		Loading Docks	2
Total GFA (sq. m):	21,531.60			
Lot Coverage Ratio (%):				
Floor Space Index:	0.96			

### DWELLING UNITS

### FLOOR AREA BREAKDOWN (upon project completion)

		Above Grade	Below Grade
Tenure Type:			
Rooms:	0	Residential GFA (sq. m):	0
Bachelor:	0	Retail GFA (sq. m):	0
1 Bedroom:	0	Office GFA (sq. m):	0
2 Bedroom:	0	Industrial GFA (sq. m):	0
3 + Bedroom:	0	Institutional/Other GFA (sq. m):	30534.03
Total Units:	0		0

<b>CONTACT:</b>	<b>PLANNER NAME:</b>	<b>Sarah Phipps, Planner</b>
	<b>TELEPHONE:</b>	<b>(416) 392-7622</b>