

15 York Street - Request for Direction Report

Date:	November 30, 2009
To:	Toronto and East York Community Council
From:	Director, Community Planning, Toronto and East York District
Wards:	Ward 28 – Toronto Centre-Rosedale
Reference Number:	05 203570 STE 28 SA 05 117524 STE 28 OZ

SUMMARY

The purpose of this report is to seek Council authorization to amend the Section 16 Agreement for 15 York Street to reflect minor changes to hotel gross floor area and a small portion of the canopy height and depth.

RECOMMENDATIONS

The City Planning Division recommends that:

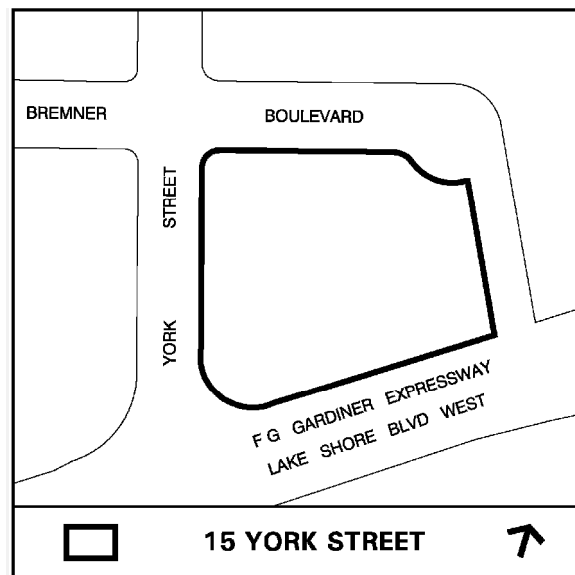
1. City Council authorize the appropriate City officials to amend the Section 16 Agreement for 15 York Street as follows:

Revise the minimum hotel gross floor area to 13,750 sq m from 13,910 sq m; and

Revise the dimensions of the canopy for weather protection requirements to permit a section of the canopy that is less than 3 m in depth and more than 5 m in height.

Financial Impact

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



DECISION HISTORY

In 2006, City Council approved the development of a 54-storey residential condominium building (North Tower), a 50-storey residential condominium building (South Tower) and a nine-storey podium with retail, offices, daycare and hotel at 15 York Street. One of the recommendations, as approved by City Council at its meeting held on July 25, 26 and 27, 2006, by the adoption of Clause No. 5 of Toronto and East York Community Council Report No. 6, required the applicant to enter into an agreement to secure a range of facilities and services. On July 25, 2006, the applicant entered into agreement an agreement pursuant to section 16 of the *City of Toronto Act, 1971*, S.O. 1971, c. 130, as amended by Section 11(2) of the *City of Toronto Act, 1973*, S.O. 1973, c. 213, to secure contributions from the Owner to the City and other related matters respecting the proposed development at 15 York Street. See:

<http://www.toronto.ca/legdocs/2006/agendas/committees/te/te060711/it005.pdf>

The site plan for this site (File 05 203570 STE 28 SA) was approved by the Director of Community Planning, Toronto and East York District on March 19, 2008 and the Site Plan Agreement was registered on August 14, 2008.

On September 9 , 2009 the Committee of Adjustment approved four minor variances for this development relating to maximum gross floor area, minimum parking, canopy height and canopy depth (File A0460/09 TEY).

ISSUES BACKGROUND

COMMENTS

The minor variances approved have resulted in changes to the development, which require revisions to the Section 16 Agreement and Site Plan Agreement. The revisions to the Site Plan Agreement is delegated to the Director of Community Planning, Toronto and East York District Office, however the revisions to the Section 16 Agreement require Council approval.

Two of the variances affect matters secured in the Section 16 Agreement regarding the canopy requirements. A portion of the canopy (less than 15%) will be 5.3 m in height, instead of the originally proposed maximum of 5 m, and a maximum of 5% of the length of the building canopy will be allowed to be 2.75 m, less than the minimum permitted horizontal clear depth of 3 m.

The hotel plans originally included a fitness room and pool which have been converted to office space, which required a variance to permit the increase in the amount of non-residential gross floor area and reduced the amount of hotel gross floor area. Section 8.23 of the Section 16 Agreement set out amount the required hotel gross floor area which now needs to be revised.

In order to reflect the minor changes to the development the Section 16 Agreement needs the following modifications:

- revising the minimum Hotel GFA to 13,750 sq m from 13,910 sq m; and
- revising the dimensions of the canopy for weather protection requirements to permit a section of the canopy that is less than 3 m in depth and more than 5 m in height.

Staff recommend that the City Solicitor be authorized to amend the Section 16 Agreement to reflect these changes to the development.

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SIGNATURE

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