

**880 Bay Street, 60 Grosvenor Street and a portion of 900 Bay Street
Rezoning Application – Final Report**

Date:	June 2, 2010
To:	Toronto and East York Community Council
From:	Director, Community Planning, Toronto and East York District
Wards:	Ward 27 – Toronto Centre-Rosedale
Reference Number:	10 111610 STE 27 OZ

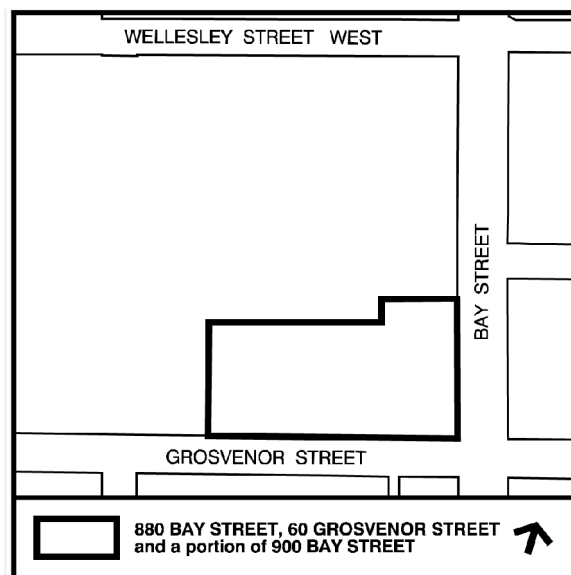
SUMMARY

This application was made on or before December 23, 2009 and is subject to the new provisions of the Planning Act and the City of Toronto Act, 2006.

An application to amend Zoning By-law 438-86 has been submitted to permit a 45-storey (192 metre) government office building at 880 Bay Street, 60 Grosvenor Street and a portion of 900 Bay Street. The lands are owned by the Ontario Realty Corporation and form part of the Queen’s Park Government Office complex.

The proposed non-residential gross floor area is 80,662 square metres resulting in a density of 9.65 times the area of the lot. The development includes 450 parking spaces in three levels of underground parking and is proposed to be approximately 192 metres in height to the top of the mechanical penthouse.

This report reviews and recommends approval of the application to amend the Zoning By-law.



RECOMMENDATIONS

The City Planning Division recommends that:

1. City Council amend Zoning By-law 438-86 for 880 Bay Street, 60 Grosvenor Street and a portion of 900 Bay Street, substantially in accordance with the draft Zoning By-law Amendment attached as Attachment No. 6 to the report dated June 2, 2010, from the Director, Community Planning, Toronto and East York District.
2. City Council authorize the City Solicitor, in consultation with the Chief Planner and Executive Director of City Planning, to make such stylistic and technical changes to the draft Zoning By-law Amendment as may be required to give effect to the intent of the recommendations contained in this report.
3. City Council authorize the Chief Building Official to issue a demolition permit for 880 Bay Street, 60 Grosvenor Street and a portion of 900 Bay Street following issuance of the first below-grade building permit for the proposed building.
4. Before introducing the necessary Bills to City Council for enactment, City Council require the owner of the lands at 880 Bay Street, 60 Grosvenor Street and a portion of 900 Bay Street (subject of this report) to enter into an Agreement pursuant to Section 37 of the *Planning Act*, to be registered on title, to the satisfaction of the City Solicitor, to secure the following:
 - (a) Prior to the issuance of the first building permit, pay to the City the sum of \$50,000 for public art to be located on a publicly accessible portion of the lot to the satisfaction of the Chief Planner and Executive Director, City Planning Division;

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

- (b) As part of the Site Plan Approval process, the owner shall provide 1:50 scale drawings for the Bay Street and Grosvenor Street elevations of the podium and two floors above, with building materials labelled;
- (c) The owner shall incorporate in the construction of the building, and thereafter maintain, exterior building and landscape materials to the satisfaction of the Chief Planner and Executive Director, City Planning Division;
- (d) Provide and maintain an irrigation system for proposed trees within the public road allowance including an automatic timer, designed to be water efficient by a Certified Landscape Irrigation Auditor (CLIA), and constructed with a back flow preventer irrigation system for all new trees in the public rights-of-ways satisfactory to the Executive Director, Technical Services and General Manager, Parks, Forestry and Recreation;

- (e) Build in conformity with the Toronto Green Standard Checklist received by the Chief Planner and Executive Director, City Planning Division on January 29, 2010;
- (f) Enter into a Site Plan Agreement to the satisfaction of the Chief Planner and Executive Director of City Planning, under Section 114 of the City of Toronto Act, 2006; and
- (g) Prior to final site plan approval the owner shall:
 1. Retain a consultant archaeologist, licensed by the Ministry of Culture under the provisions of the Ontario Heritage Act (R.S.O 1990 as amended), to carry out a Stage 1 archaeological assessment of the entire development property and follow through on recommendations to mitigate, through preservation or resource removal and documentation, adverse impacts to any significant archaeological resources found. The assessment is to be completed in accordance with the 2009 Final Draft - Standards and Guidelines for Consulting Archaeologists, Ministry of Culture. Should the archaeological assessment process continue beyond a Stage 1 assessment, any recommendations for Stages 2- 4 mitigation strategies must be reviewed and approved by Heritage Preservation Services prior to commencement of the site mitigation.
 2. Submit a copy of the relevant assessment report(s) to the Heritage Preservation Services Unit in both hard copy format and as an Acrobat PDF file on compact disk.
 3. Incorporate significant archaeological resources and findings into the proposed development through either in situ preservation and interpretation where feasible, or commemorate and interpret the resources through exhibition development on site including, but not limited to, commemorative plaquing.
 4. Ensure no demolition, construction, grading or other soil disturbances shall take place on the subject property prior to the City's Planning Division (Heritage Preservation Services Unit) and the Ministry of Culture (Heritage Operations Unit) confirming in writing that all archaeological licensing and technical review requirements have been satisfied.
 5. Submit to the Executive Director of Technical Services for review and acceptance, a site servicing review to demonstrate how this site will be serviced and whether the existing municipal infrastructure is adequate.
- 5. Authorize City officials to take all necessary steps, including the execution of agreements and documents, to give effect to the above-noted recommendations.

Financial Impact

The recommendations in this report have no financial impact.

ISSUE BACKGROUND

PROPOSAL

Ontario Realty Corporation is proposing to redevelop approximately 0.85 hectares (2.1 acres) of land in the Queen's Park Government Office complex (northwest corner of Bay Street and Grosvenor Street), including 880 Bay Street, 60 Grosvenor Street and a portion of 900 Bay Street. The proposed government office development will consist of a 45-storey building (including a one-storey 7.0 metre mechanical penthouse and 3.0 metre elevator overrun) with a non-residential gross floor area (NRGFA) of approximately 80,662 square metres (867,808 square feet). The proposed height is 192 metres to the top of mechanical penthouse. The proposed tower dimensions are 84.15 metres by 28.15 metres.

The proposal is to provide for the consolidation of the Provincial government office functions currently within the immediate area, from the Greater Toronto Area and the larger Queen's Park Government Office complex.

The applicant proposes a 5.5 metre wide by 9.0 metre high colonnade on the ground floor along the Bay Street and Grosvenor Street frontages which provides weather protection to pedestrians at street-level and is an extension of the existing open space and pedestrian circulation systems within the Queen's Park Government Office complex. A two-storey podium is proposed at the southwest corner of the site. The proposed podium will contain the government office lobby, accessory government services and cafeteria uses, rear loading areas, bicycle parking, and service and mechanical areas. The main entrance of the proposed building is to be located on Bay Street at the northeast corner of the site. This main entrance accesses a public galleria which would be along the entire north portion of the site, accessing the office lobby. The galleria would be connected to the Macdonald Block to the north. The Grosvenor Street entrance would also access the office lobby from the south.

The proposed government office building would have a 4.25 metre setback from the building face to the Bay Street right-of-way and 9.64 metres from Grosvenor Street right-of-way. At grade the building would have a pedestrian area of 17.4 metres in width along Grosvenor Street right-of-way and 13.4 metres in width along the Bay Street right-of-way. The proposed tower would be located a minimum of 46 metres from the Hepburn Block tower to the west, 34 metres from the Mowat Block tower to the north, 43 metres from the Burano tower at 832/860 Bay Street to the south, and 37-44 metres from the Opera Place tower at 887 Bay Street to the east (See attachment 1a). The siting of the proposed building along Grosvenor Street matches the alignment of the existing Hepburn Block just west of the subject property.

Significant public realm improvements have been planned along the Grosvenor Street frontage including an active pedestrian space which includes new street furniture, landscaping planting beds, street lighting, double line of street trees and bicycle parking.

A total of 394 of interior and exterior bicycle parking spaces, and separate male and female showers would be provided. The proposal also provides a total of 450 parking spaces in a three-level underground garage with a connection to the existing main parking garage under the Macdonald Block on the P1 level. Access to parking will be provided through the reconstruction and expansion of the existing Macdonald Block ramp on Grosvenor Street immediately west of the subject site.

Five loading spaces (3 Type “C” and 2 Type “B”) are being proposed. The loading facilities are located at-grade in the west portion of the proposed government office building podium. The loading area will also be accessed from the Grosvenor Street entrance at the west end of the subject site.

A green roof has been integrated into the proposed government office building’s podium and tower roof covering 60% of the total roof area.

Overall the proposal has a non-residential gross floor area of 80,622 square metres with a density of 9.65 times the area of the lot. The Application Data Sheet in Attachment 5 provides additional information on the proposal.

Site and Surrounding Area

Site

The site is located on the northwest corner of Bay Street and Grosvenor Street. The site includes three existing properties municipally known as 880 Bay Street, 60 Grosvenor Street and a portion of 900 Bay Street:

880 Bay Street is a 6-storey office building with approximately 15,216 square metres of floor area and has an underground connection with the Macdonald Block and no on-site parking;

60 Grosvenor Street is a 6-storey Women’s College Hospital’s Burton Hall medical office building (now owned by the Province) with approximately 6,566 square metres of floor area and is currently used for private practice clinics; and

900 Bay Street is a surface parking lot, laneway and open space surrounding 60 Grosvenor Street.

Surrounding Area

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

North: the Queens Park Government Office complex buildings of the Macdonald Block, a two-storey podium building. The Block contains four office towers:

- Hepburn Block – 11-storey office building
- Ferguson Block – 14-storey office building
- Hearst Block – 10-storey office building
- Mowat Block – 24-storey office building

The Hepburn Block is adjacent to the west boundary of the site on the north side of Grosvenor Street. North of the site is the Mowat Block, the tallest building in the Queen's Park Government Office complex. The total approximate floor area is 140,743.5 square metres (1,515,000 square feet).

Outdoor pedestrian connections around and through the buildings are facilitated by two-storey colonnades and public open spaces.

South: a 50-storey (160 metre) Burano residential condominium under construction at the southwest corner of Bay Street and Grosvenor Street (Planning files 06 162279 STE 27 OZ and 07 264454 STE 27 SA). South and west of the site is the Kenson Apartments (51 Grosvenor Street) a four-storey apartment building containing 59 units which will be demolished during the redevelopment of Women's College Hospital. Further east is Women's College Hospital, a nine-storey complex subject to Planning files 08 226073 STE 27 OZ and 09 111188 STE 27 SA to permit a new hospital on its site;

East: Opera Place Phase 1, a 17-storey residential condominium with a colonnade along Bay Street. Further north is the Allegro residential condominium of 27-storeys with also has a colonnade along Bay Street. South and east of the site is the 45-storey south tower and 35-storey north tower of the Murano residential condominium on a shared podium with at-grade retail; and

West: the Queen's Park Government Office complex (Whitney Block) and further west is the Provincial Legislative Building.

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 by the Planning Act, to conform, or not conflict, with the Growth Plan for the Greater Golden Horseshoe.

Official Plan

The Official Plan places the site within the Downtown and Central Waterfront urban structure area. The site is designated "Institutional Areas" on Map 18 – Land Use Plan in the Official Plan. This designation permits public institutions like schools, universities, health care and government agencies. The Plan includes criteria that direct the form and quality of development in this land use designation.

Chapter Three – Building a Successful City identifies that most of the City’s future development will be infill and redevelopment and, as such, will need to fit in, respect and improve the character of the surrounding area. Development will be located, organized and massed to fit harmoniously with its existing and/or planned context. Development will limit its impacts on neighbouring properties and the public realm by respecting street proportions, creating appropriate transitions in scale, providing for adequate light and privacy, and limiting shadow and wind impacts. This section of the Plan also contains specific policies on tall buildings and built form principles to be applied to the location and design of tall buildings. It includes locating buildings parallel to the street with clearly visible entrances and ground floor uses with views to the street; locating and organizing parking and servicing to minimize impacts; providing an appropriate scale for adjacent streets; minimizing shadowing; loss of sky view and wind impacts; contribution to the skyline character and fit within the local context.

The site is designated *Institutional Areas* in the Official Plan which permits the proposed office building.

Policy 4.8.3 in the Official Plan states that Institutional facilities that serve a broader regional population should, wherever possible, locate close to an existing rapid transit line.

The property is located adjacent to the University of Toronto Secondary Plan. Grosvenor Street is considered a view corridor and potential gateway entrance to the University (see Attachment 4).

The City’s Design Criteria for Review of Tall Buildings Proposals outlines built form principles that are applied to the location and design of such buildings. The Criteria seeks to reduce impacts with the adjacent development and encourage excellence in design.

Compliance with these and other relevant policies of the new Official Plan, including the environment and transportation sections are addressed.

The Toronto Official Plan is available on the City’s website at:

www.toronto.ca/planning/official_plan/introduction.htm

The City’s Design Criteria for Review of Tall Building Proposals is also available on the City’s website at www.toronto.ca/planning/urbandesign/index.htm

Zoning

Under the former City of Toronto Zoning By-law 438-86, as amended, the site is zoned “Q”, a mixed-use district, which permits commercial and institutional uses. The site has a total density permission limit of 4.0 times the lot area. The maximum total density of 4.0 applies to most of the Queen’s Park Government Office complex. The height permission is 30 metres. Attachment 3 provides an excerpt of the zoning map for the site and immediate area.

Site Plan Control

The proposed development is subject to Site Plan Approval. An application for site plan approval has been submitted (File # 10 164329 STE 27 SA).

City of Toronto Tall Building Guidelines

The Tall Building Guidelines provide direction on matters related to the scale of buildings, building floor plates and spatial separation. For commercial floor plates exceeding 20,000 square feet (1860 square metres) of gross floor construction area will be articulated architecturally to minimize shadows, loss of sky view and wind conditions in adjacent open space. The guidelines also encourage the location of east-west buildings on the south side of a block so the shadows will fall within the block rather than on the adjacent street.

Reasons for Application

The applicant seeks to amend Zoning By-law 438-86, as amended, because the proposed building's height of 192 metres to the top of the mechanical penthouse and density of 9.65 times coverage exceeds the 30 metre height limit and 4.0 times density in the Zoning By-law.

Community Consultation

A community consultation meeting was held on April 8, 2010 and was attended by 80 residents and landowners. Issues raised at the meeting and submitted on comment sheets distributed at the meeting include:

1. concern about additional traffic and the impact on Grosvenor Street;
2. concern about density, height and the shadow this proposed building may cast on adjacent properties;
3. concern about the massing of the building in particular the slab design;
4. request for a gateway feature along Grosvenor Street into the University of Toronto and Queen's Park;
5. request for a green roof and adherence to the Toronto Green Development Standard; and
6. request for a podium along Bay Street and Grosvenor Street to mitigate wind conditions.

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 to formulate appropriate by-law standards.

COMMENTS

Consistency with Provincial Policy Statement and Provincial Plans

The proposal is consistent with the Provincial Policy Statement by proposing intensification within a built-up urban area near higher-order transportation.

The proposal conforms and does not conflict with the Growth Plan for the Greater Golden Horseshoe, by proposing intensification within the Downtown, which is identified as an Urban Growth Area.

Land Use

The demolition of the existing 6-storey office building and 6-storey medical building and the introduction of the 45-storey office building is considered acceptable and the proposed development is consistent with the policy direction of the Official Plan and intensification policies in the PPS.

The proposed mix of uses is permitted by the Zoning By-law.

The subject property is located in an area in the Downtown where there is a potential to increase the intensity of uses and scale. Policy 4.8.3 in the Official Plan states that: Institutional facilities that serve the broader regional population should, whenever possible, locate close to an existing transit line . . .” The site is near:

- bike lanes on Bay Street, Wellesley Street, College Street and Elizabeth Street;
- public transit, in particular the Yonge/University and Bloor/Danforth subway lines, Wellesley Street bus, Bay Street bus and College Streetcar;
- community facilities; and
- retail stores and services.

The site’s proximity to these attributes make this site well suited for redevelopment, intensification and the introduction of a variety of uses, including institutional uses, all of which are consistent with the Provincial policies and the Official Plan. The proposal would centralize the Provincial Government offices to a location in close proximity to the Legislative Building.

Density, Height, Massing

Density and Height

The overall gross floor area of the development is 80,662 square metres or 9.65 times the area of the lot and a proposed height of 192 metres. This is comparable density and height to recent developments in the area including 770 Bay Street at 12.0 times density (102 metres); 832 Bay Street at 15.0 times density (160 metres) and 825 Bay Street at 17.0 times density (147 metres). Although the building is higher than the adjacent residential buildings, the proposed height and massing of the building will further contribute to the evolving Bay Street height ridge. Planning staff support the additional height; the building is located adjacent to Bay Street which is considered a street that can accommodate the additional height and density.

Built Form and Massing

The Design Criteria for the Review of Tall Building Proposals has been used to review the proposal.

The building is to be an environmentally sustainable (green technology) government office building. The orientation of the mass of the building (east-west orientation) is designed with narrow eastern and western exposures with a larger southern exposure to track the movement of the sun, maximizing the

solar benefits of winter heat gain and light penetration. The building is designed so that each façade is different from the others, responding to the unique climatic conditions of its specific orientation.

The proposed tower dimensions are 84 metres by 28 metres resulting in a floorplate of approximately 2,352 square metres. The proposed building is oriented in an east west direction to allow most of the shadows to fall within the Government Office complex block rather than on adjacent high rise residential properties.

Large buildings are required to be articulated to break down the mass of the building and to create “street interest” and enhance sky line character. Commercial floor plates exceeding 1,860 square metres of gross floor construction area are required to be articulated architecturally to minimize shadows, loss of sky view and wind conditions in adjacent open space.

An animated street frontage along Grosvenor Street with wide setbacks and landscaped public realm is proposed. The taller elements of the building have been set back appropriately. No podium is proposed along Bay Street or Grosvenor Street. The City of Toronto Tall Buildings Guidelines would generally promote towers to have podiums to mitigate wind impacts and integrate with the adjacent context. In this case the adjacent context is one of towers designed in a Modernist Architectural Style which in lieu of podiums are lined with two-storey colonnades at their base. The entire Government Office complex (with the exception of the Whitney Block heritage building) is connected at ground level by a two-storey colonnade. The existing buildings have large setbacks from Wellesley Street West, Bay Street and Grosvenor Street resulting in generously landscaped open spaces. Also, the wind study does not indicate that additional wind mitigation is required. A podium expansion within the Grosvenor Street setback would further block the views and detract from the proposed gateway feature planning staff are trying to establish with Queen’s Park. A podium expansion on Bay Street is not required given the colonnade and 13.4 metre wide pedestrian area at grade proposed along Bay Street. For the reasons above planning staff are comfortable with the proposed grade relationship of the tower which would emulate the same design approach as found within the existing office block. Having said this, flexibility has been provided in the draft zoning by-law map to shift the tower (of the same floor plate) either west and/or north to achieve possible step backs from both Bay Street and Grosvenor Streets during the site plan application process.

Given these considerations, the massing, density and height of this proposal are acceptable.

Setbacks

The proposed tower setback is 13.4 metres from Bay Street. The location of the tower provides generous separation distances from other buildings within the Government Office complex and surrounding residential buildings. As Attachment 1a; Context Plan shows, the proposed building would be a minimum of 37-44 metres from the Opera Place mixed use buildings (887 Bay Street and 889 Bay Street), 34 metres from the Mowat Block (900 Bay Street) to the north, 43 metres from the 50-storey Burano mixed use building (832 Bay Street) to the south, and 46 metres from the Hepburn Block (80 Grosvenor Street) to the west. The tower location provides significant view exposure and frames the street edge along Bay Street. The proposed setback along Bay Street will not affect the view corridor north and south on Bay Street.

The proposed tower setback is 17.4 metres from Grosvenor Street. The setback from Grosvenor Street is generous with significant landscaping including new street trees, furniture and internal walkways within the colonnade, and internal sidewalks.

Sun, Shadow, Wind

Section 3.1.3 (Built Form) and Sections 4.5.2(d) and (e) of the Official Plan includes a policy that tall buildings must minimize the negative impact of shadows on adjacent *Neighbourhoods*, public spaces including streets, parks and open spaces. The applicant has submitted a Shadow Analysis prepared by WZMH architects dated March 31, 2010.

The proposed 45-storey building will introduce additional shadow impact on the neighbouring properties designated *Mixed Use Areas* and *Open Space*, beyond that which would be anticipated under the as-of-right zoning conditions.

During the March 21/September 21 condition, the proposed building casts a shadow of approximately 45 minutes starting at 3:18 p.m. over the public open space (Opera Place Park) located on the east side of the Opera Place condominium just south of Bredalbane Street. The 17-storey Opera Place condominium located on the east side of Bay just north of Grosvenor Street casts the same shadow onto this open space during the same time period.

The majority of the shadows will fall onto the existing Government Office complex west and north of the subject property. No individual residential property will experience more than 45 minutes of additional shadow on the existing residential condominiums on the east side of Bay Street from Grosvenor Street to Wellesley Street West. The residential buildings on the north side of Wellesley Street West west of Bay Street, will not experience any additional shadowing from this proposed building during this time of year.

A Wind study was conducted by GME dated March 30, 2010. The results of the study show most areas around the building will experience conditions suitable for sitting and standing. Nonetheless, some sidewalk areas will experience moderately increased wind speeds compared to existing conditions. The placing of the building east-west blocks the westerly winds and the results indicate that outdoor spaces will not experience conditions too windy for walking or that could be considered unsafe for elderly persons. Planning staff accept the results of the study and no mitigation is recommended to improve pedestrian wind conditions.

Gateway Feature

The proposed development is located just east of the University of Toronto Secondary Plan and the Provincial buildings. City Planning staff have requested along Grosvenor Street a gateway feature. The applicant has designed a public space with 80 weather protected bicycle spaces, street furniture, extensive tree plantings on the property within the 9.64 metre setback from the proposed building and double rows of trees on the public right-of-way for the entire length of the property on Grosvenor Street.

Pedestrian Amenity

The applicant proposes a 5.5 metre by 9 metre colonnade on the south and east sides of the building and internal courtyard on the north side of the building. This design provides adequate weather protection for the proposed building and adds to the continuous colonnade within the Government Office complex. Colonnades are particularly important as they assist in improving experienced microclimate and wind conditions at the pedestrian level.

The 13.4 metre setback from Bay Street and 17.4 metre setback from Grosvenor Street will provide generous amounts of pedestrian amenity space including extensive streetscaping particularly along Grosvenor Street and street trees along Bay Street.

This area has a high concentration of pedestrians. Wide and clear sidewalks are a key component of City Councils approved Accessibility Plan and the Pedestrian Charter. The proposed pedestrian infrastructure including design, width and location of sidewalks and the design location of the colonnade will be reviewed in detail at the Site Plan Approval application stage.

Cycling Infrastructure

The applicant proposes to provide a minimum of 394 bicycle parking spaces to be located within the below grade parking garage at the P1 level and on the ground floor. Zoning By-law 438-86 does not specifically require any bicycle parking spaces for *institutional* facilities such as this office building, however, at the Site Plan Application stage staff will be recommending that additional spaces be located within the building's main entrance and within the parking garage. These spaces should be weather protected and not be in combination with proposed storage lockers. Bicycle parking is encouraged by the Transportation Demand Management Plan and Toronto Green Standards.

The site is well served by the Bay Street Clearway, College Street, Wellesley Street and Elizabeth Street bicycle lanes. Planning staff are working with Pedestrian and Cycling Infrastructure to extend the existing Elizabeth Street bike lanes (College Street to Gerrard Street West) from Queen's Park to City Hall which would serve this development.

Transit Infrastructure

The site is well served by public transit with one streetcar line, the 506 Carlton Street streetcar, which operates between High Park Loop and Main Street subway.

In addition to this streetcar line there is bus service along Bay Street. The 6 Bay bus route operates between Queens Quay and Dupont Street. The site is also within a five minute walk of College Station to the east and Queen's Park Station to the west on the Yonge/University Subway.

Traffic Impact, Access and Parking

A Traffic Impact Study prepared by MMM Group Limited and subsequent addendum have been submitted and reviewed by Technical Services Division staff. The consultant has concluded that the

project will not generate any significant change in traffic activity or have any undue adverse impact on the adjacent road system. Transportation Services staff are satisfied with the Study.

Technical Services staff further advised that the proposed provision of 450 below grade parking spaces is acceptable.

As noted earlier, all directional access including access to the underground parking garage will be provided from the southern edge of the site on Grosvenor Street. Transportation Services staff are satisfied with the proposed access arrangement.

The Official Plan encourages development at locations well served by a full range of transportation options so as to reduce reliance on the private automobile. The site is in proximity to public transit operations, particularly the Yonge and University subway lines, and its location in the downtown provides convenient walking and cycling opportunities to a range of destinations.

Loading

Five loading spaces are proposed to serve the project, three type “C” and two type “B”. Sufficient area is provided near the proposed loading spaces so that vehicles can enter and exit the spaces. Transportation Services staff are satisfied with the location and number of loading spaces. Further detailed review of the loading spaces will be undertaken during the Site Plan approval stage.

Servicing

Staff are generally satisfied that the existing City infrastructure has adequate capacity to support the development proposal. Additional requirements will be secured in the Site Plan Agreement, including a site servicing plan, grading plan, and stormwater management report for review and acceptance by the Executive Director of Technical Services Division.

The costs of any municipal services upgrades required to support the development will be borne by the applicant and will be required prior to site plan approval.

Urban Forestry

A Tree Preservation Plan was submitted as part of the submission package. There are 19 trees situated on or in close proximity of this site that qualify for protection under the City’s Private Tree by-law.

Urban Forestry has further requested that the owner conduct as part of Site Plan control, an investigation of underground utilities prior to proposing new tree plantings within the City road allowance.

During the Site Plan control process, Planning staff will secure landscaping surrounding this site. The applicant should be advised that where trees are to be planted on City road allowance, the property owner will be required to provide a security deposit of \$583/tree which covers the cost of tree planting and maintenance for a period of two years. The deposit will be refunded two years from the date the trees were planted upon Urban Forestry confirming that the trees are in good and maintainable condition.

The applicant is proposing significant streetscape improvements along Bay Street and Grosvenor Street. The location and type of streetscape will be reviewed in detail at the Site Plan Approval application stage.

Open Space/Parkland

Alternate park levy does not apply to office type uses.

Toronto Green Development Standard

The proposal is subject to the new mandatory Green Development Standard. The applicant has indicated that they will achieve Tier 1 targets in all 5 categories (air quality, greenhouse gas emissions, water quality, quantity and efficiency, ecology and solid waste). As noted earlier, a green roof has been proposed on top of the podium on the third floor and on the roof.

Section 37 – Community Benefits

The Official Plan contains policies pertaining to the provision of community benefits for increases in height and/or density pursuant to Section 37 of the Planning Act. Although Section 37 benefits do not apply to Government Office buildings, the applicant has agreed to provide a public art contribution.

The community benefits recommended to be secured in the Section 37 agreement are as follows:

- (a) Prior to the issuance of the first building permit, pay to the City the sum of \$50,000 for public art to be located on a publicly accessible portion of the lot to the satisfaction of the Chief Planner and Executive Director, City Planning Division;

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

- (b) As part of the Site Plan Approval process, the owner shall provide 1:50 scale drawings for the Bay Street and Grosvenor Street elevations of the podium and two floors above, with building materials labelled;
- (c) The owner shall incorporate in the construction of the building, and thereafter maintain, exterior building and landscape materials to the satisfaction of the Chief Planner and Executive Director, City Planning Division;
- (d) Provide and maintain an irrigation system for proposed trees within the public road allowance including an automatic timer, designed to be water efficient by a Certified Landscape Irrigation Auditor (CLIA), and constructed with a back flow preventer irrigation system for all new trees in the public rights-of-ways satisfactory to the Executive Director, Technical Services and General Manager, Parks, Forestry and Recreation;
- (e) Build in conformity with the Toronto Green Standard Checklist received by the Chief Planner and Executive Director, City Planning Division on January 29, 2010;

- (f) Enter into a Site Plan Agreement to the satisfaction of the Chief Planner and Executive Director of City Planning, under Section 114 of the *City of Toronto Act, 2006*; and
- (g) Prior to final site plan approval the owner will:
1. Retain a consultant archaeologist, licensed by the Ministry of Culture under the provisions of the Ontario Heritage Act (R.S.O 1990 as amended), to carry out a Stage 1 archaeological assessment of the entire development property and follow through on recommendations to mitigate, through preservation or resource removal and documentation, adverse impacts to any significant archaeological resources found. The assessment is to be completed in accordance with the 2009 Final Draft - Standards and Guidelines for Consulting Archaeologists, Ministry of Culture. Should the archaeological assessment process continue beyond a Stage 1 assessment, any recommendations for Stages 2- 4 mitigation strategies must be reviewed and approved by Heritage Preservation Services prior to commencement of the site mitigation.
 2. Submit a copy of the relevant assessment report(s) to the Heritage Preservation Services Unit in both hard copy format and as an Acrobat PDF file on compact disk.
 3. Incorporate significant archaeological resources and findings into the proposed development through either in situ preservation and interpretation where feasible, or commemorate and interpret the resources through exhibition development on site including, but not limited to, commemorative plaquing.
 4. Ensure no demolition, construction, grading or other soil disturbances shall take place on the subject property prior to the City's Planning Division (Heritage Preservation Services Unit) and the Ministry of Culture (Heritage Operations Unit) confirming in writing that all archaeological licensing and technical review requirements have been satisfied.
 5. Submit to the Executive Director of Technical Services for review and acceptance, a site servicing review to demonstrate how this site will be serviced and whether the existing municipal infrastructure is adequate.

Development Charges

Development charges are not applied to public institutional uses.

Conclusion

City Planning is supportive of the proposed development and the required Zoning By-law amendment. The site, because of its size and location, is able to accommodate additional density and height. The building has been located and massed to be compatible with the adjacent buildings in this Mixed Use Areas designated neighbourhood.

CONTACT

Michael Hynes, Senior Planner
Tel. No. 416-397-1761
Fax No. 416-392-1330
E-mail: mhynes@toronto.ca

SIGNATURE

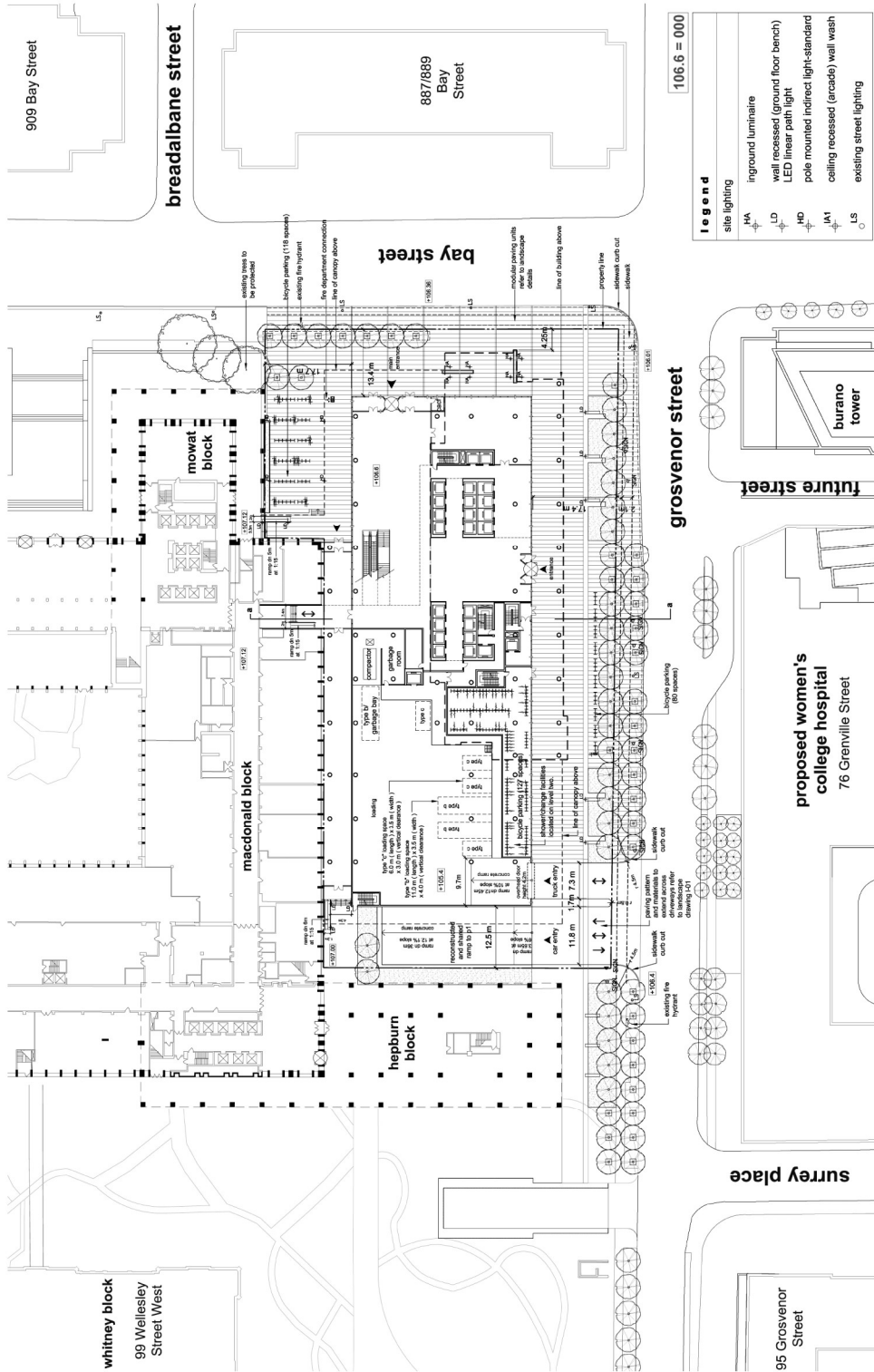
Raymond David, Director
Community Planning, Toronto and East York District

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ATTACHMENTS

Attachment 1: Site Plan
Attachment 1a: Context Plan
Attachment 2: Elevations
Attachment 3: Zoning
Attachment 4: University of Toronto Secondary Plan
Attachment 5: Application Data Sheet
Attachment 6: Draft Zoning By-law Amendment

Attachment 1: Site Plan



Site Plan

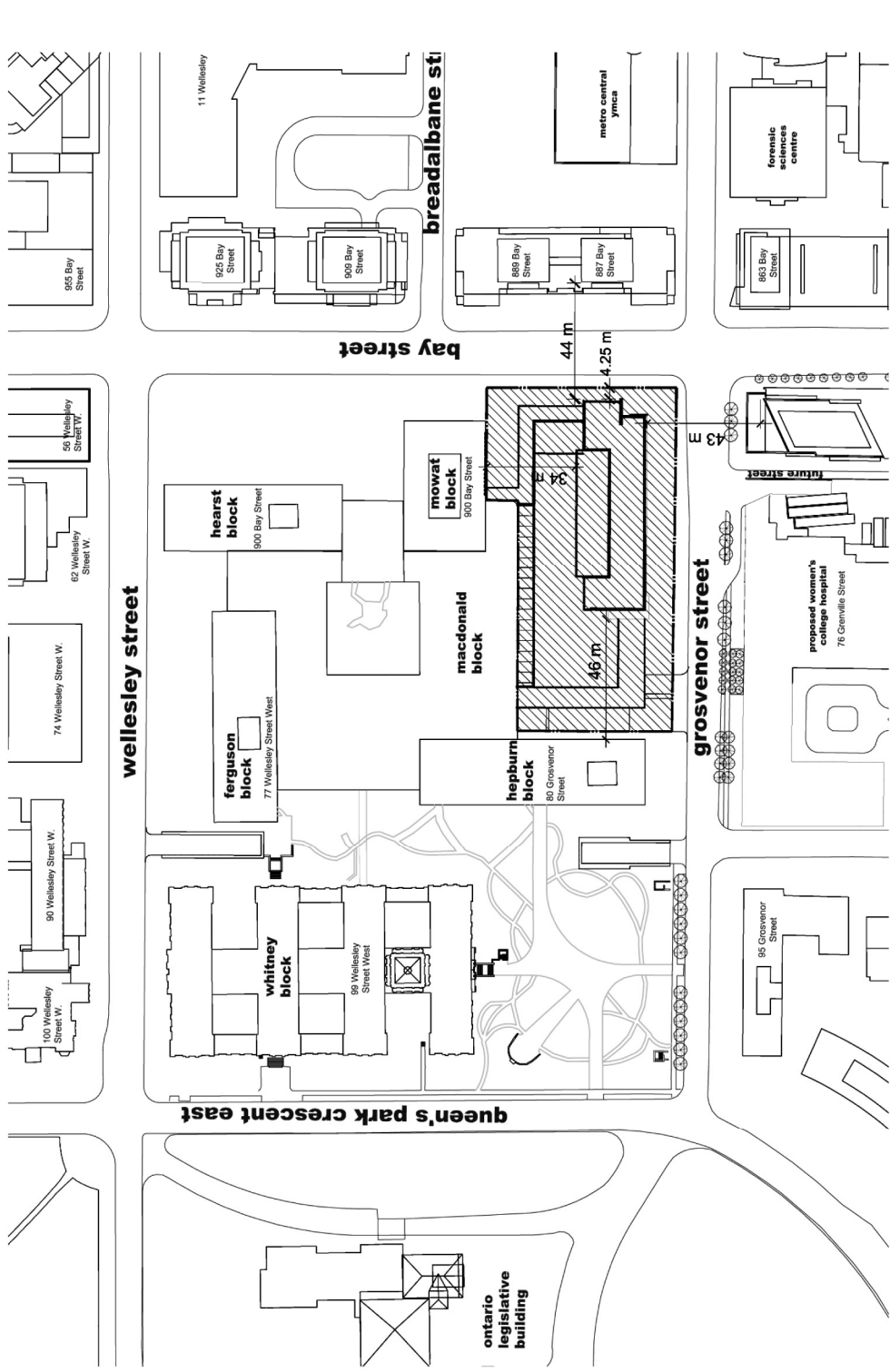
Applicant's Submitted Drawing

Not to Scale
05/14/2010



File # 10_111610

Attachment 1a: Context Plan



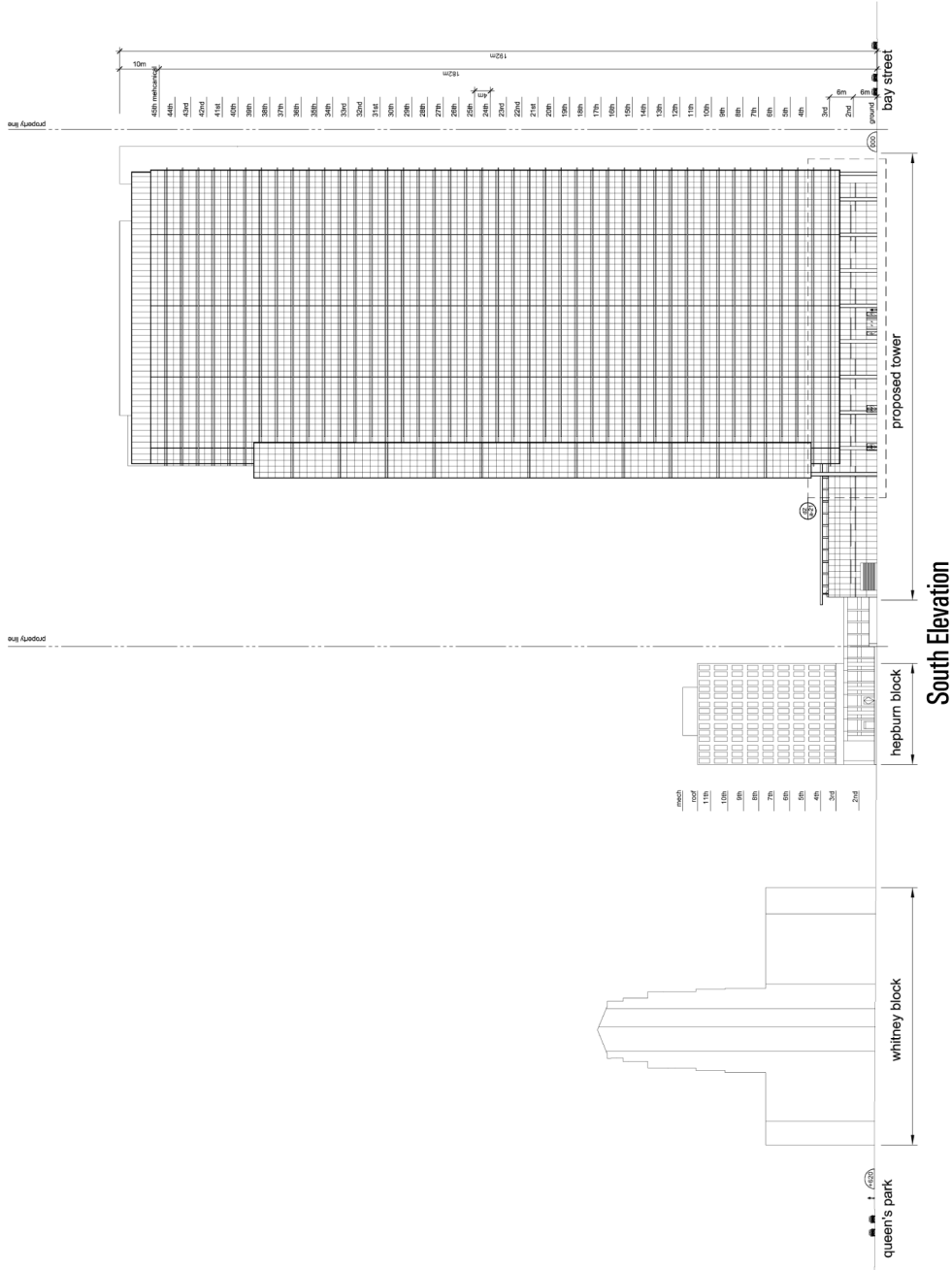
880 Bay Street, 60 Grosvenor Street
and a portion of 900 Bay Street

File # 10_111610

Context Plan
Applicant's Submitted Drawing
Not to Scale
05/14/2010



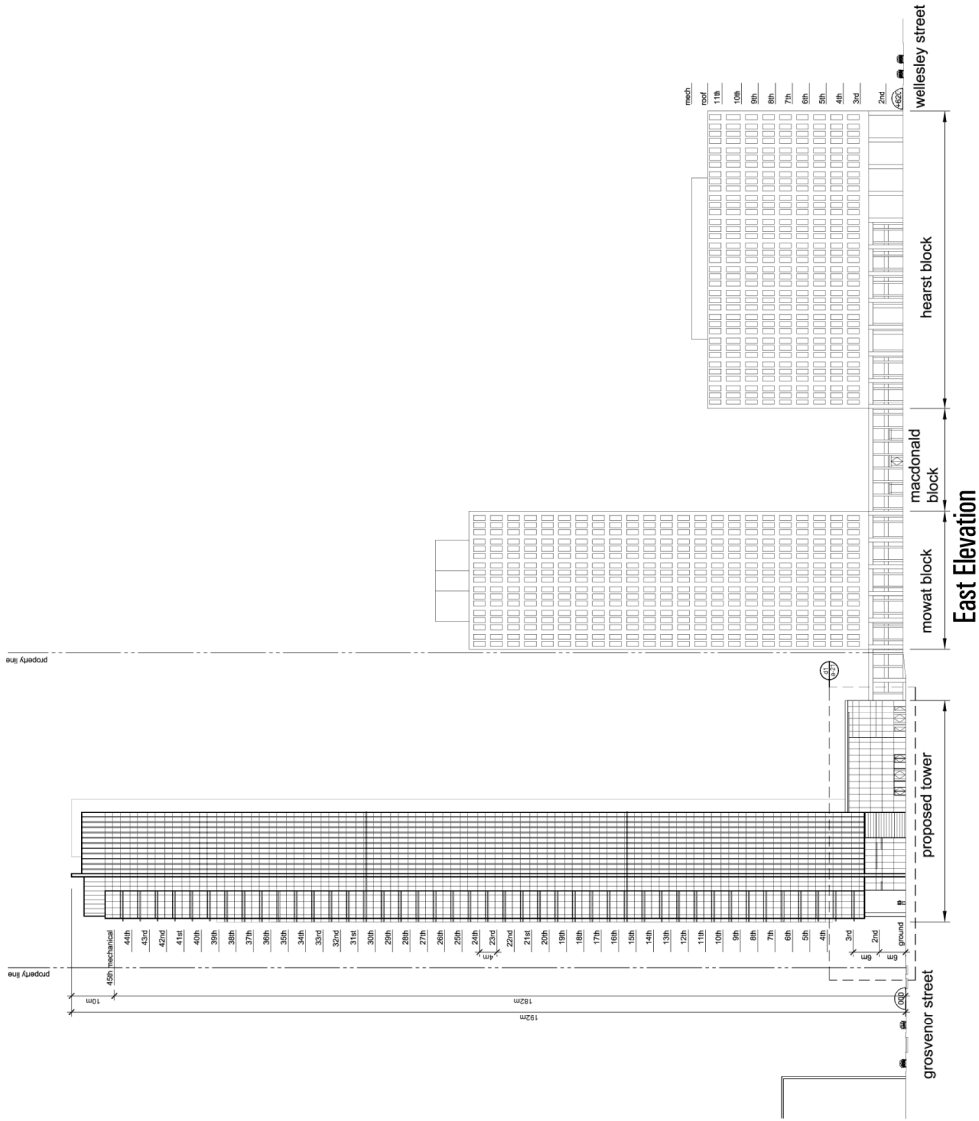
Attachment 2a: South Elevation



Elevations
 Applicant's Submitted Drawing
 Not to Scale
 05/14/2010

880 Bay Street, 60 Grosvenor Street
 and a portion of 900 Bay Street
 File # 10_111610

Attachment 2b: East Elevation



East Elevation

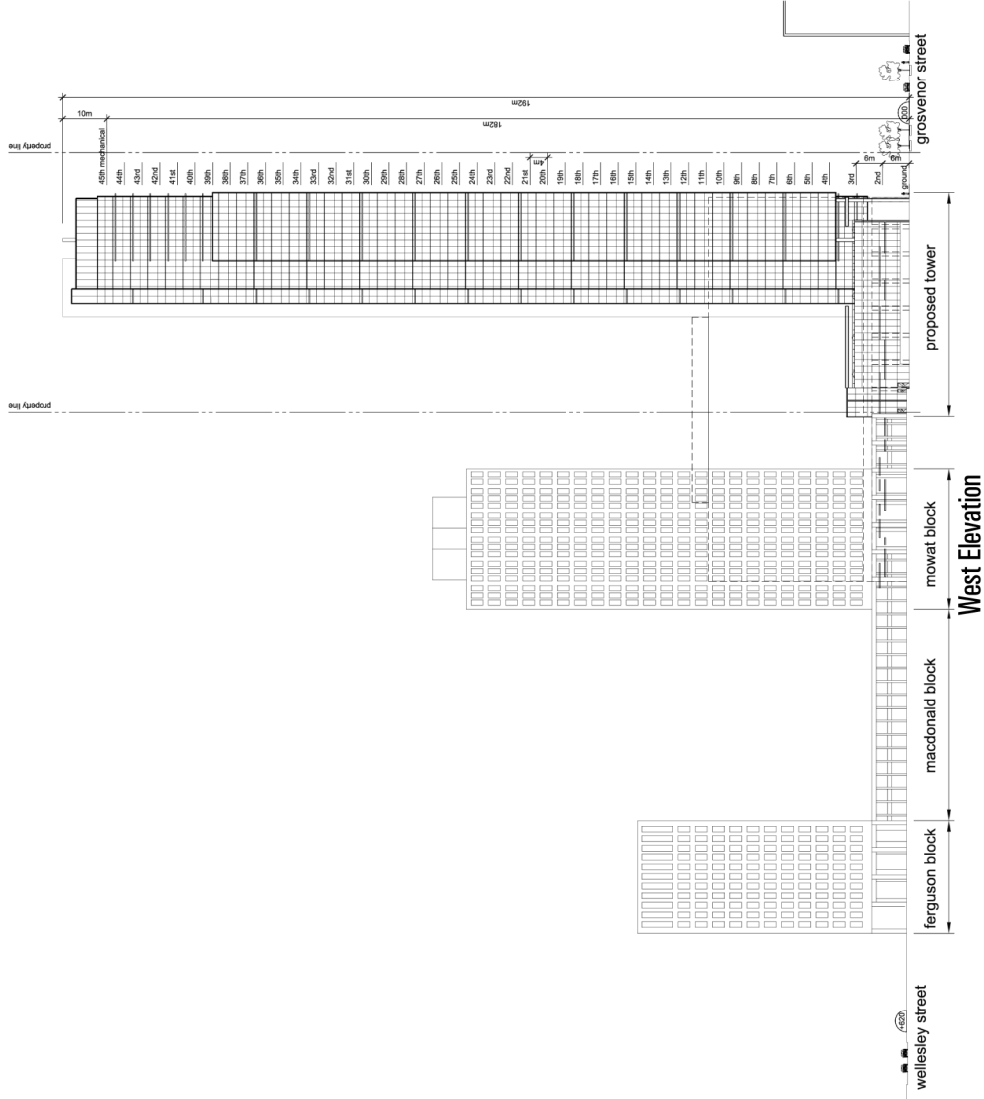
880 Bay Street, 60 Grosvenor Street
and a portion of 900 Bay Street

File # 10_111610

Elevations
Applicant's Submitted Drawing

Not to Scale
05/14/2010

Attachment 2c: West Elevation



**880 Bay Street, 60 Grosvenor Street
and a portion of 900 Bay Street**

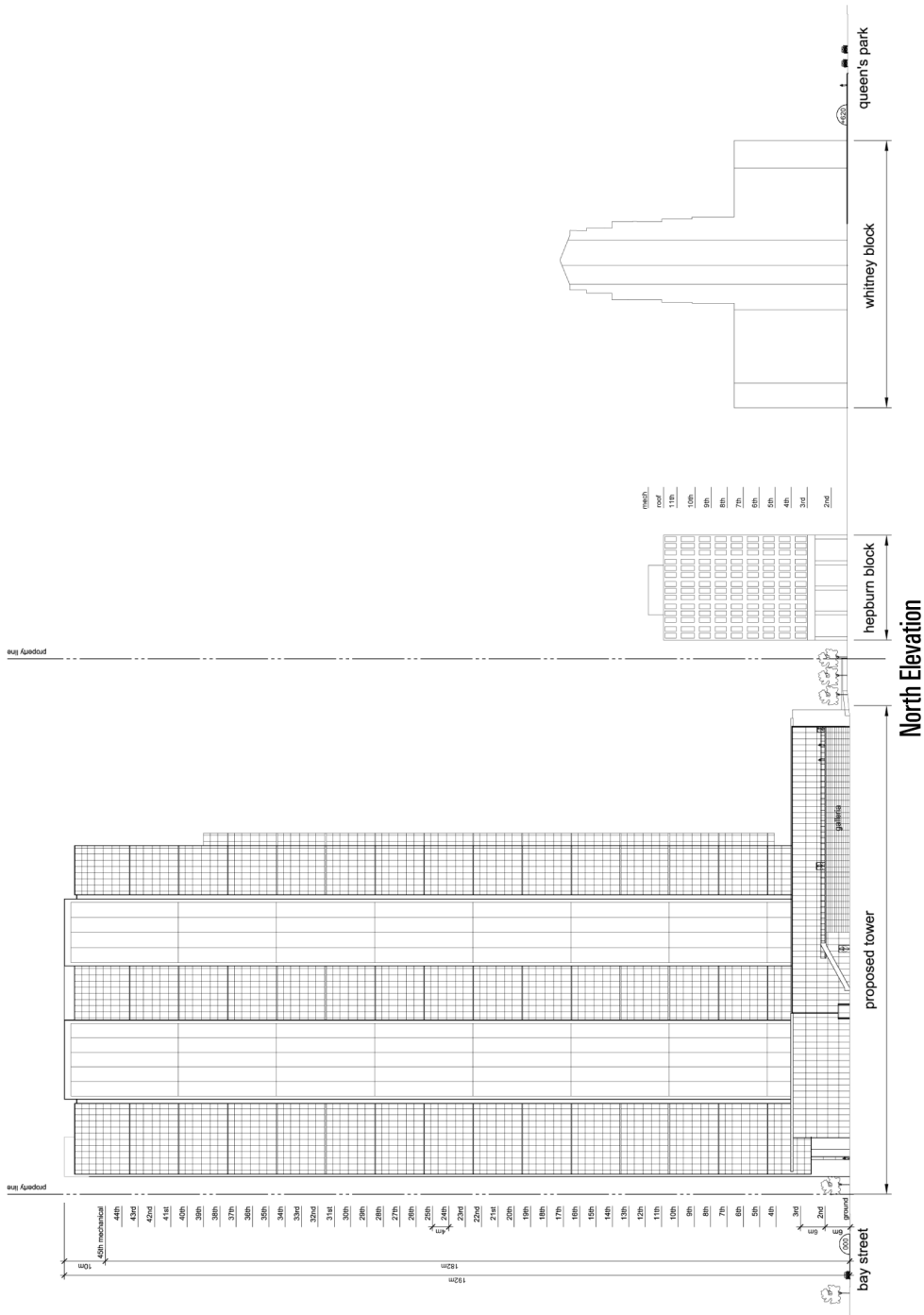
File # 10_111610

Elevations

Applicant's Submitted Drawing

Not to Scale
05/14/2010

Attachment 2d: North Elevation



**880 Bay Street, 60 Grosvenor Street
and a portion of 900 Bay Street**

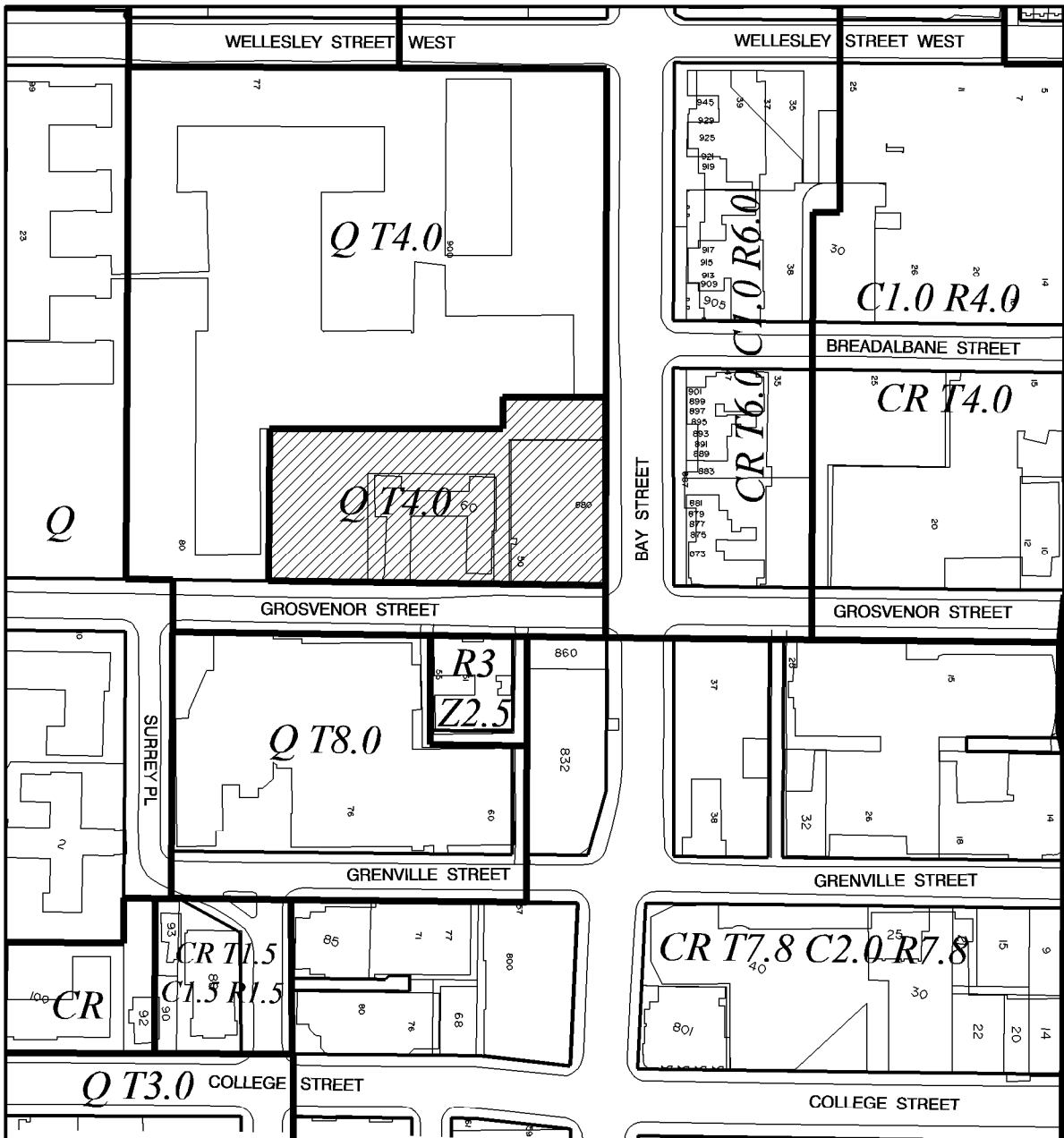
File # 10_111610

Elevations

Applicant's Submitted Drawing

Not to Scale
05/14/2010

Attachment 3: Zoning



TORONTO City Planning
Zoning

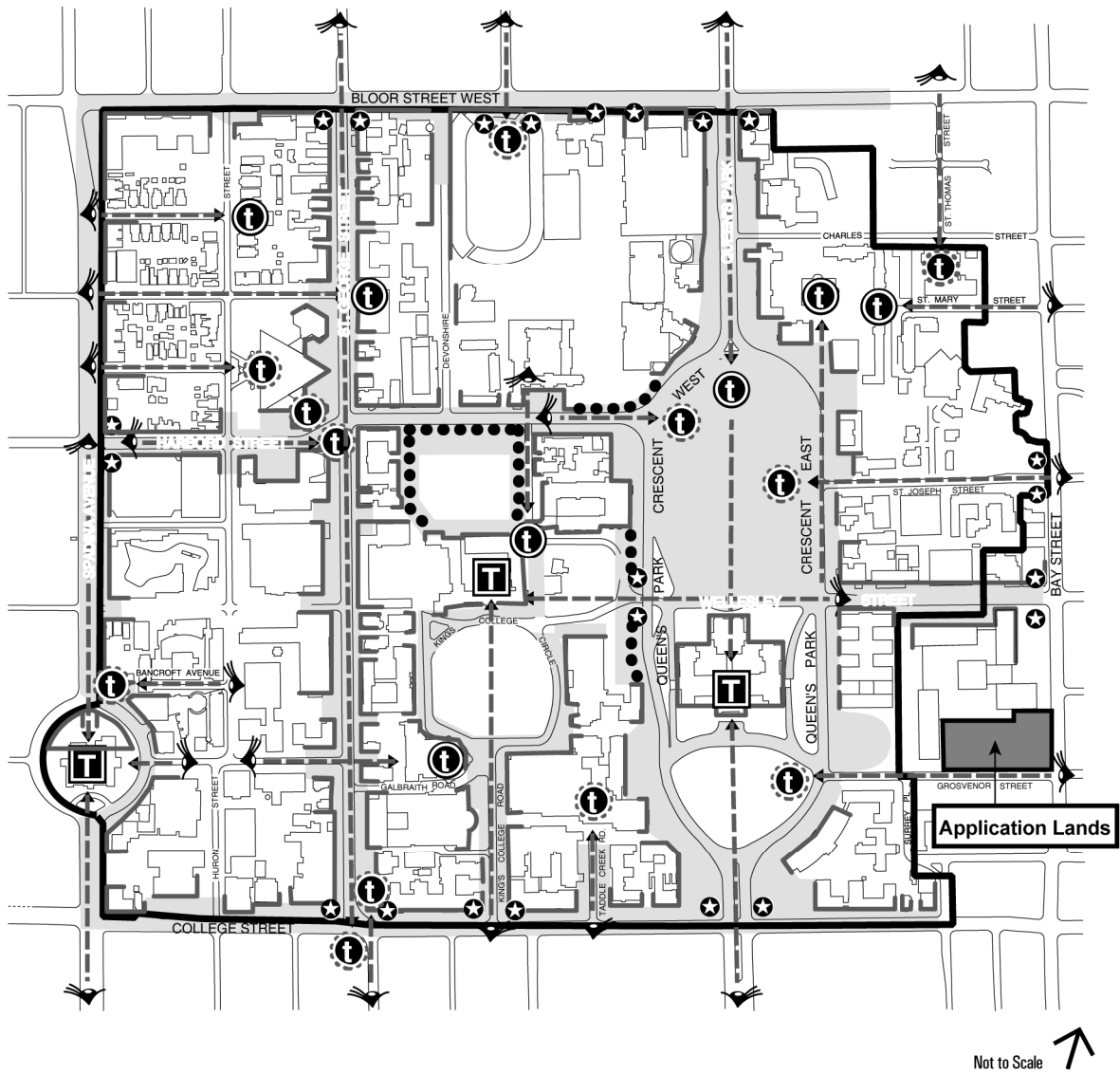
880 Bay Street, 60 Grosvenor Street
and a portion of 900 Bay Street
File # 10_111610

- R3 Residential District
- CR Mixed-Use District
- Q Mixed-Use District



Not to Scale
Zoning By-law 438-86 as amended
Extracted 02/03/2010

Attachment 4: University of Toronto Secondary Plan



University of Toronto Secondary Plan
 MAP 20-4 Primary Street Spaces, Vistas and "Gateways" - Structure Plan

- Secondary Plan Boundary
- Existing and Potential Street Building Edge
- Primary Street Space
- Landscape Edge
- Major View Terminus
- Local View Terminus
- Potential View Terminus
- Viewpoint
- Existing and Potential Gateways (major University Area and Queen's Park Government Area entrances)

Attachment 5: Application Data Sheet

Application Type	Rezoning	Application Number:	10 111610 STE 27 OZ
Details	Gold Star	Application Date:	January 29, 2010
Municipal Address:	880 Bay Street, 60 Grovesnor Street and a portion of 900 Bay Street		
Location Description:	Northwest corner of Bay Street and Grosvenor Street		
Project Description:	Rezoning application for a new 45-storey Provincial government office building including a 10-metre high mechanical penthouse, 3 levels of underground parking and 450 parking spaces.		

Applicant:	Agent:	Architect:	Owner:
MMM Group 100 Commerce Valley Drive West Thornhill, ON L3T 0A1	MMM Group 100 Commerce Valley Drive West Thornhill, ON L3T 0A1	WZMH Architects 95 St. Clair Avenue West Suite 1500 Toronto, ON M4V 1N6	Management Board Secretariat 1 Dundas Street West, Suite 2000 Toronto, ON M5G 2L5

PLANNING CONTROLS

Official Plan Designation:	Institutional Areas Adjacent to University of Toronto Secondary Plan	Site Specific Provision:	N
Zoning:	Q T4.0	Historical Status:	N
Height Limit (m):	30	Site Plan Control Area:	Y

PROJECT INFORMATION

Site Area (sq. m):	8349	Height:	Storeys:	45
Frontage (m):	72.4 on Bay Street		Metres:	192 including a 10-metre mechanical penthouse
Depth (m):	134.38 on Grosvenor Street			
Total Ground Floor Area (sq. m):	4318		Total	
Total Residential GFA (sq. m):	0		Parking Spaces:	450
Total Non-Residential GFA (sq. m):	80622		Loading Spaces	5 – 2 Type 'B' and 3 Type 'C'
Total GFA (sq. m):	80622			
Lot Coverage Ratio (%):	52.1			
Floor Space Index:	9.65			

DWELLING UNITS

FLOOR AREA BREAKDOWN (upon project completion)

		Above Grade		Below Grade	
Tenure Type:					
Rooms:	0	Residential GFA (sq. m):	0		0
Bachelor:	0	Retail GFA (sq. m):	0		0
1 Bedroom:	0	Office GFA (sq. m):	80622		0
2 Bedroom:	0	Industrial GFA (sq. m):	0		0
3 + Bedroom:	0	Institutional/Other GFA (sq. m):	0		0
Total Units:	0				

CONTACT: PLANNER NAME: Michael Hynes, Senior Planner – mhynes@toronto.ca
TELEPHONE: 416-397-1761

**Attachment 6: Draft Zoning By-law Amendment
CITY OF TORONTO**

BY-LAW No. XX-2010

To amend the General Zoning By-law No. 438-86 of the former City of Toronto, as amended, with respect to lands municipally known as 880 Bay Street, a portion of 900 Bay Street and 60 Grosvenor Street.

WHEREAS the Council of the City of Toronto has been requested to amend Zoning By-law No. 438-86 of the former City of Toronto, as amended, pursuant to Section 34 of the *Planning Act*, R.S.O. 1990, c. P.13, as amended, with respect to lands known municipally as 880 Bay Street, a portion of 900 Bay Street and 60 Grosvenor Street,

WHEREAS Council of the City of Toronto has provided adequate information to the public and has held at least one public meeting in accordance with the *Planning Act*;

WHEREAS pursuant to Section 37 of the *Planning Act*, the Council of the Municipality may, in a by-law passed under Section 34 of the *Planning Act*, authorize increases in the height or density of development beyond that otherwise permitted by by-law 438-86, as amended, in return for the provision of such facilities, services and matters as are set out in the by-law;

WHEREAS Subsection 37(3) of the *Planning Act* provides that, where an *owner* of land elects to provide facilities, services or matters in return for any increase in the height or density of development, the Municipality may require the *owner* to enter into one or more agreements with the Municipality dealing with the facilities, services and matters;

WHEREAS the *owner* of the lands hereinafter referred to has elected to provide the facilities, services and matters as are hereinafter set forth;

WHEREAS the increase in the height permitted hereunder, beyond that otherwise permitted on the lands by By-law No. 438-86, as amended, is to be permitted subject to the provision of the facilities, services and matters set out in this By-law and to be secured by one or more agreements between the *owner* of the lands and the City of Toronto (hereinafter referred to as the “City”);

WHEREAS the Official Plan of the City of Toronto contains provisions relating to the authorization of the height and density of development;

WHEREAS Council has required the *owner* of the aforesaid lands to enter into one or more agreements to secure certain facilities, services and matters in connection with the aforesaid lands set forth in the By-law;

NOW THEREFORE the Council of the City of Toronto HEREBY ENACTS as follows:

1. Pursuant to Section 37 of the *Planning Act*, the *heights* and *density* of development permitted in this By-law are permitted subject to compliance with all of the conditions set out in this By-law including the provision by the *owner* of the *lot* of the facilities, services and matters set out in Appendix 1 hereof, to the City at the *owner's* sole expense and in accordance with and subject to the agreement referred to in Section 4(n) of this By-law.
2. Upon execution and registration of an agreement or agreements with the *owner* of the *lot* pursuant to Section 37 of the *Planning Act* securing the provision of the facilities, services or matters set out in Appendix 1 hereof, the *lot* is subject to the provisions of this By-law, provided that in the event the said agreement(s) requires the provision of a facility, service or matter as a precondition to the issuance of a building permit, the *owner* may not erect or use such building until the *owner* has satisfied the said requirements.
3. Except as otherwise provided herein, the provisions of By-law No. 438-86, as amended, shall continue to apply to the *lot*.
4. None of the provisions of Sections 2(1) definitions "*bicycle parking space*", "*grade*", 4(2)(a), 4(5)(b), 4(8)(b), 8(2) 7(a)(ii), 8(3) Part I 1 of By-law 438-86 of the former City of Toronto, being "A By-law to regulate the use of land and the erection, use, bulk, height, spacing or and other matters relating to buildings and structures and to prohibit certain uses of lands and the erection and use of certain buildings and structures in various areas of the City of Toronto", shall apply to prevent the erection and use of a building or buildings including a *parking garage* on the lands municipally known as 880 Bay Street, a portion of 900 Bay Street and 60 Grosvenor Street (hereinafter referred to as the *lot*), provided:
 - (a) the *lot* consists of at least the lands delineated by heavy lines on the attached Map 1;
 - (b) the total *non-residential gross floor area* of the building or buildings erected on the *lot* shall not exceed 80,700 square metres;
 - (c) the total *net floor area* of the building or buildings erected on the *lot* shall not exceed 74,800 square metres;
 - (d) the maximum *non-residential gross floor area* of a typical tower floor of the building shall not exceed 2,352 square metres;
 - (e) the maximum tower floor plate shall not exceed 84.2 metres by 28.2 metres;
 - (f) the *height* of all buildings or structures erected within the *lot* shall not exceed 192 metres above *grade*;

- (g) structures on the roof of any building used for outside or open air recreation, maintenance, safety, or wind protection purposes, including roof top chimney stacks, vents and air intakes are permitted, provided:
 - (i) the maximum *height* of the top of such structures is no higher than the maximum *height* pursuant to Section 4(c) of this By-law; and
 - (ii) the structure does not enclose space so as to constitute a form of penthouse.
- (h) no person shall erect or use a building or structure on the *lot* having a greater *height* than the *height* limits specified by the numbers in metres as shown on Map 2 exclusive of the rooftop structures and equipment permitted by paragraphs 4(e) of this By-law;
- (i) at least two *loading space – type B* shall be provided and maintained on the *lot*;
- (j) at least three *loading space - type C* shall be provided and maintained on the *lot*;
- (k) a minimum of 1 *parking space* per 166.5 square metres of *net floor area* shall be provided and maintained below *grade* on the *lot*;
- (l) a minimum of .49 *bicycle parking space* per 100 square metres of *non-residential gross floor area* shall be provided and maintained on the *lot*;
- (m) a *public garage* be permitted;
- (n) the *owner* of the *lot* enters into and registers on title to the *lot* an agreement with the City pursuant to Section 37(3) of the *Planning Act*, to the City Solicitor’s satisfaction, to secure the matters in Appendix 1.

5. For the purposes of this By-law,

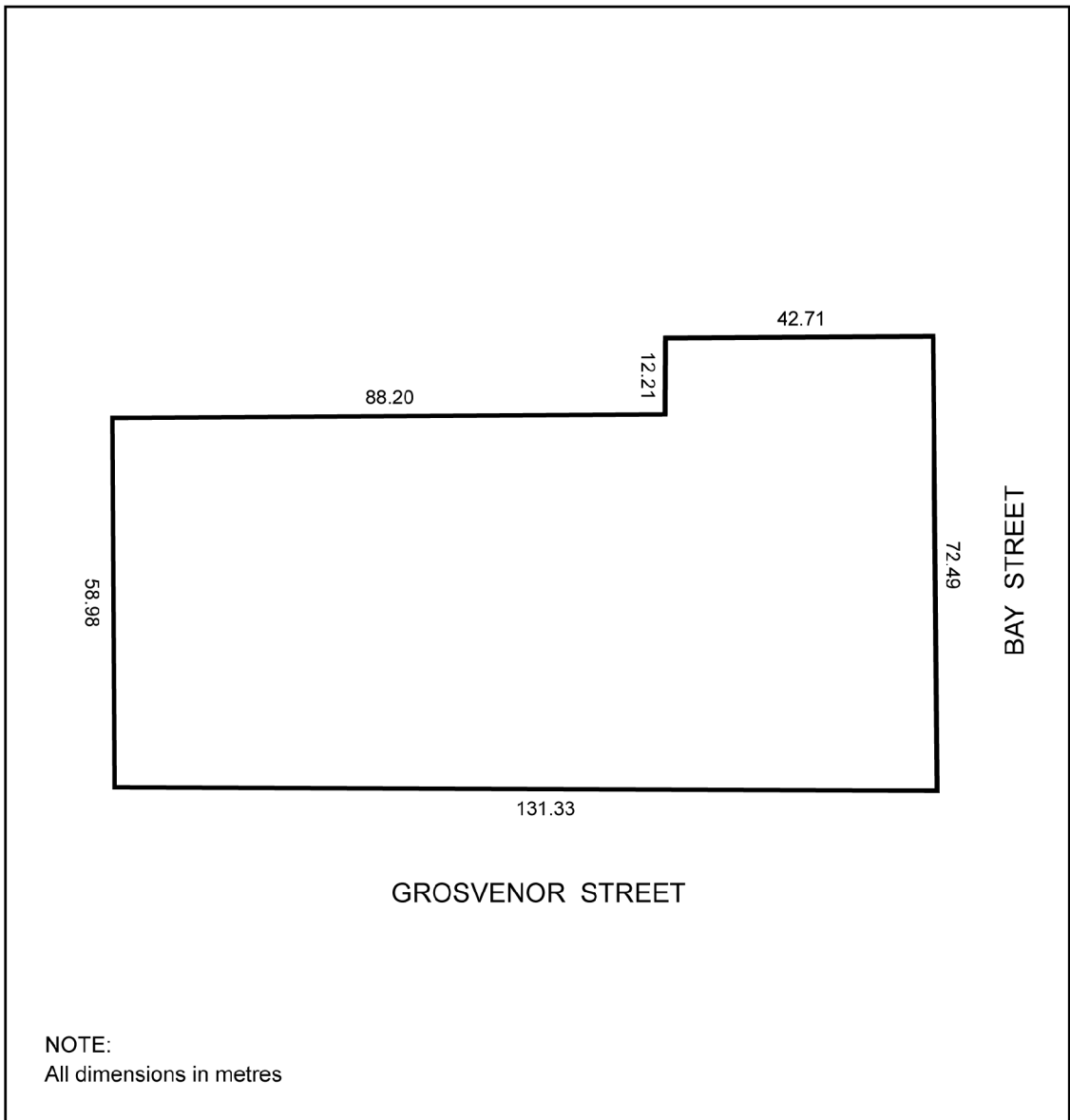
- (a) “*height*” shall mean the vertical distance in metres between *grade* and the highest point of the building or structure,
- (b) “*grade*” means 106.6 metres above Canadian Geodetic Datum;
- (c) “*owner*” means the owner of the fee simple of the site or any part thereof,
- (d) “*lot*” means the lands outlined by heavy lines on Map 1 attached to this By-law;

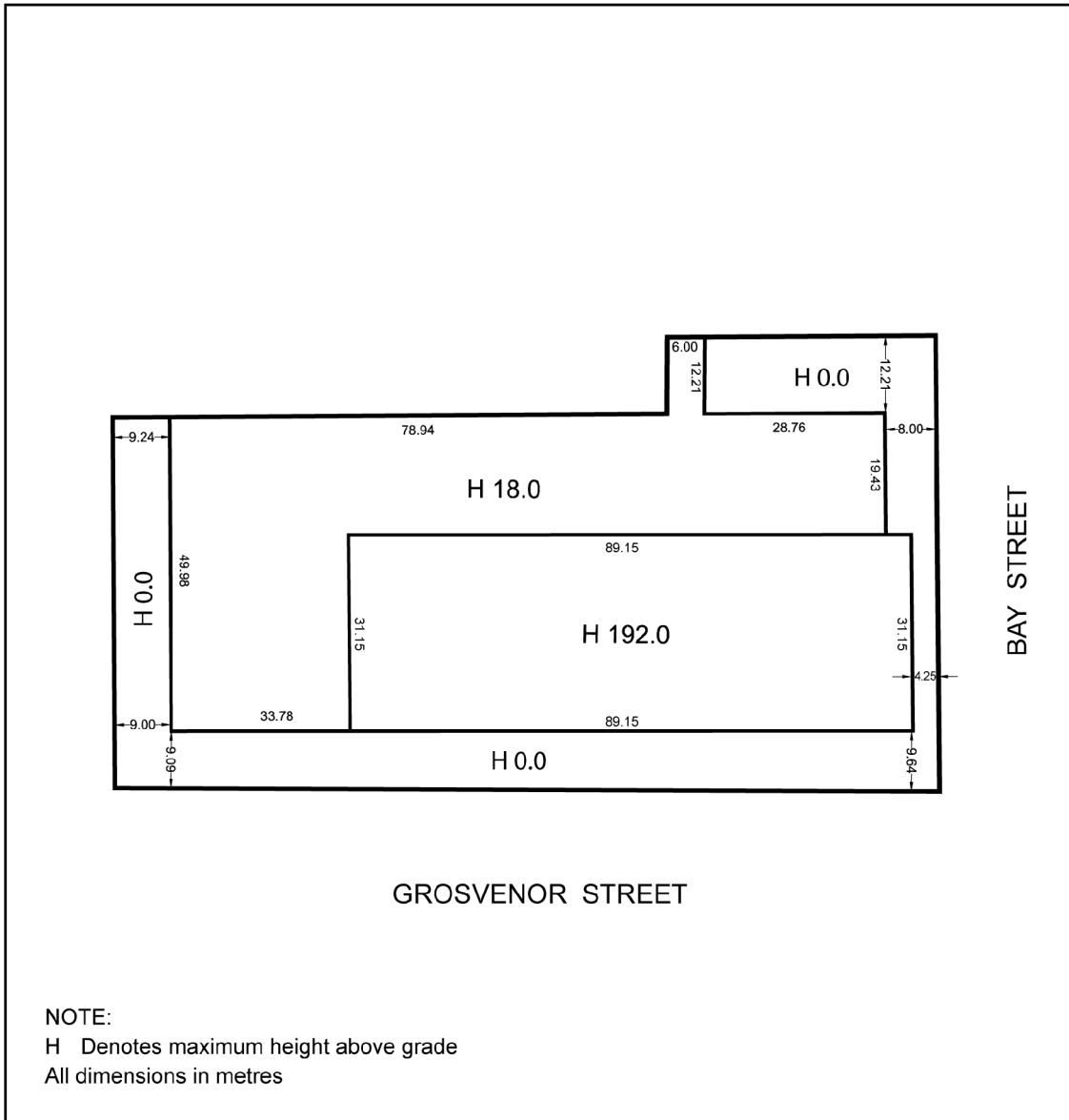
- (e) each word or expression that is italicized in the By-law herein shall have the same meaning as each word or expression as defined in By-law No. 438-86, as amended.
6. Building permit issuance with respect to the lands to which this By-law applies shall be dependant upon satisfaction of the provisions in the By-law and in the Section 37 Agreement relating to building permit issuance, including the provision of monetary payments and the provision of financial securities.

ENACTED AND PASSED this xx day of xx, A.D. 2010.

DAVID R. MILLER, ULLI S. WATKISS,
 Mayor City Clerk

(Corporate Seal)





APPENDIX 1
Section 37 Provisions

The facilities, services and matters set out herein are the facilities, services and matters required to be provided by the *owner* of the *lot* to the *City* in accordance with an agreement or agreements, pursuant to Section 37(3) of the *Planning Act*, in a form satisfactory to the *City* with conditions providing for indexed escalation of all financial contributions, no credit for development charges, indemnity, insurance, GST, termination and unwinding, and registration and priority of agreement:

The community benefits recommended to be secured in the Section 37 agreement are as follows:

- (a) Prior to the issuance of the first building permit, pay to the City the sum of \$50,000 for public art to be located on a publicly accessible portion of the lot to the satisfaction of the Chief Planner and Executive Director, City Planning Division;

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

- (b) As part of the Site Plan Approval process, the owner shall provide 1:50 scale drawings for the Bay Street and Grosvenor Street elevations of the podium and two floors above, with building materials labelled;
- (c) The owner shall incorporate in the construction of the building, and thereafter maintain, exterior building and landscape materials to the satisfaction of the Chief Planner and Executive Director, City Planning Division;
- (d) Provide and maintain an irrigation system for proposed trees within the public road allowance including an automatic timer, designed to be water efficient by a Certified Landscape Irrigation Auditor (CLIA), and constructed with a back flow preventer irrigation system for all new trees in the public rights-of-ways satisfactory to the Executive Director, Technical Services and General Manager, Parks, Forestry and Recreation;
- (e) Build in conformity with the Toronto Green Standard Checklist received by the Chief Planner and Executive Director, City Planning Division on January 29, 2010;
- (f) Enter into a Site Plan Agreement to the satisfaction of the Chief Planner and Executive Director of City Planning, under Section 114 of the *City of Toronto Act, 2006*; and
- (g) Prior to final site plan approval the owner will:

1. Retain a consultant archaeologist, licensed by the Ministry of Culture under the provisions of the Ontario Heritage Act (R.S.O 1990 as amended), to carry out a Stage 1 archaeological assessment of the entire development property and follow through on recommendations to mitigate, through preservation or resource removal and documentation, adverse impacts to any significant archaeological resources found. The assessment is to be completed in accordance with the 2009 Final Draft - Standards and Guidelines for Consulting Archaeologists, Ministry of Culture. Should the archaeological assessment process continue beyond a Stage 1 assessment, any recommendations for Stages 2- 4 mitigation strategies must be reviewed and approved by Heritage Preservation Services prior to commencement of the site mitigation.
2. Submit a copy of the relevant assessment report(s) to the Heritage Preservation Services Unit in both hard copy format and as an Acrobat PDF file on compact disk.
3. Incorporate significant archaeological resources and findings into the proposed development through either in situ preservation and interpretation where feasible, or commemorate and interpret the resources through exhibition development on site including, but not limited to, commemorative plaquing.
4. Ensure no demolition, construction, grading or other soil disturbances shall take place on the subject property prior to the City's Planning Division (Heritage Preservation Services Unit) and the Ministry of Culture (Heritage Operations Unit) confirming in writing that all archaeological licensing and technical review requirements have been satisfied.
5. Submit to the Executive Director of Technical Services for review and acceptance, a site servicing review to demonstrate how this site will be serviced and whether the existing municipal infrastructure is adequate.