

395-403 Bloor Street East – Zoning By-law Amendment - Preliminary Report

Date:	July 13, 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 181604 STE 27 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 a 42-storey mixed use building comprising a 2-storey podium and 40-storey tower, with 386 residential units and 1,080 square metres of commercial retail space at grade and on the second floor.

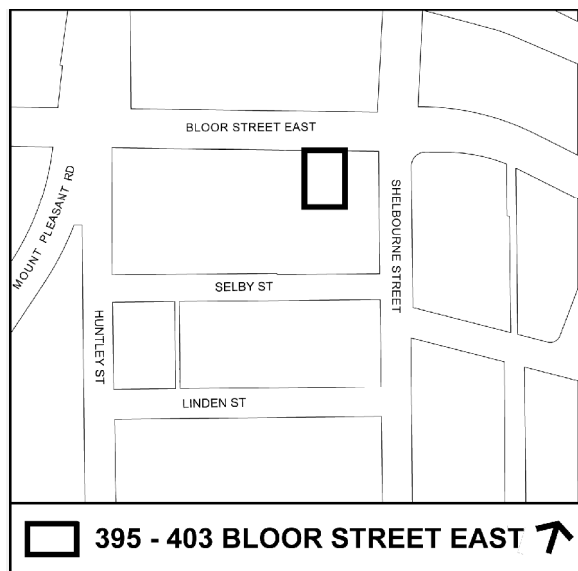
This report provides preliminary information on the above-noted application and seeks Community Council's directions on further processing of the application.

It is anticipated that the Final Report will be targeted for the second quarter of 2011, assuming that all required information is provided in a timely manner.

RECOMMENDATIONS

The City Planning Division recommends that:

1. 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.

Pre-Application Consultation

City staff met with the applicant and their consultant team on three occasions prior to the submission of this application. At the first meeting on October 23, 2008, the applicant presented early conceptual plans for the site, which consisted of a 18-storey tower on a six-storey podium. At that time, staff expressed concern about the second floor above grade parking, accommodating and increasing parking on the site, access to Selby Street and Bloor Street East, proposed west facing windows and balconies and their proximity to existing east facing windows along the east property line of 393 Bloor Street East, and possible shadowing on the Rosedale Valley ravine.

On August 6, 2009, staff were shown a revised scheme consisting of a 40-storey tower (753 square metre floorplate) on a two-storey podium, 316 residential units, 77 on-site parking spaces within a 5 level underground parking garage and a significant increase in density. Concerns raised by staff included the retention of the on-site heritage building, height, the issue of shadow on the Rosedale Valley ravine, the number and location of on-site parking spaces, access to Bloor Street East (whereas options exist to provide access from Shelby Street) and the impact the proposed built form would have on the east facing windows of 393 Bloor Street East, and the proposal's impact on the neighbourhood to the south, which is designated as *Neighbourhoods* in the City's Official Plan.

The third pre-application meeting was held on November 19, 2010. The applicant presented a revised scheme with the same 40-storey height and two-storey podium but adding an additional three parking spaces for a total of 80 spaces. Discussion again revolved around staff's concerns of the proposed built form and massing, location and number of on-site parking spaces and shadowing on the Rosedale Valley ravine. Staff discussed the potential transportation issues including site access and surrounding area traffic impacts, height and bicycle parking requirements.

ISSUE BACKGROUND

Proposal

The applicant is proposing a 42-storey mixed use residential tower with a two-storey podium. The total height to the top of the mechanical penthouse is 140.15 metres. A

total of 386 units are proposed (113 bachelor units, 195 one-bedroom units and 78 two-bedroom units). No three-bedroom units are being proposed.

All properties are proposed to be demolished including 403 Bloor Street East which is a listed heritage building under the City of Toronto Inventory of Heritage properties.

Access to the site is from a 6-metre wide two-way service lane to Bloor Street East and a 2.7 metre wide one way southbound lane easement over 600 Selby Street.

No residential parking spaces are being proposed. Three car-share parking spaces are proposed at ground level. Nine bicycle parking spaces are proposed on the ground floor and 191 bicycle parking spaces are proposed in the basement. The applicant has indicated in the application form that they will supply one Type “B” loading space but a loading space has not been shown on the drawings.

The project proposes a residential gross floor area of 25,284m² and a non-residential gross floor area of 1,080m² (within floors 1 and 2) for a total gross floor area of 26,364m². This equates to a floor space index of 26.09 times the lot area. The proposed tower is slab-like in shape and slightly off-set to the east side of the lot, oriented in a north-south direction. Its proposed diameter is approximately 32 metres X 25.4 metres, with a floorplate of 659m².

The proposed tower setbacks are as follows (all numbers are minimums):

	Floors 1 -2	Floor 3	Floors 4-7	Floors 8-42
North Setback	Zero	2.5 metres	0.6 metres	0.6 metres
South Setback	Zero	5.5 metres	5.5 metres	5.5 metres
East Setback	Zero	Zero	4.0 metres abutting west facing windows at 409 Bloor Street East for a depth of approximately 19 metres from Bloor Street East then zero metres	4.0 metres abutting west facing windows at 409 Bloor Street East for a depth of approximately 19 metres from Bloor Street East then zero metres
West Setback	Zero	Zero – except 5.5 metres abutting the windows at 387 Bloor Street East.	Zero – except 5.5 metres abutting the windows at 387 Bloor Street East	Zero – except 2.0 metres abutting the windows at 387 Bloor Street East – balconies within setback

Proposed amenity space on the third floor consists of 659m² of indoor and 220m² of adjacent outdoor amenity space.

Pedestrian access to the condominium and retail portion of the development is proposed through an entrance at Bloor Street East.

Attachments 1-2 show the proposed site plan and elevations for the project. For a summary of the application details, please refer to the Application Data Sheet in Attachment 4.

Site and Surrounding Area

The properties at 395, 401 and 403 Bloor Street East contain two-storey low-rise structures used for commercial purposes. The property at 403 Bloor Street East also includes a three-storey heritage house behind and attached to the commercial structure fronting the street. As noted earlier, all properties are proposed to be demolished.

The site is square in shape with an area of approximately 980.8 square metres.

Surrounding Uses:

North: an 18-storey residential condominium (388 Bloor Street East – Rosedale Condominiums and the 17-storey residential condominium (360 Bloor Street East) as well as the TD Bank building at the north-west corner of Bloor Street East and Sherbourne Street. Further north is the Rosedale Valley ravine.

South: a vacant parking lot accessed from Selby Street. East of the parking lot is an 8-storey medical arts building at 600 Sherbourne Street. West of the parking lot is the above-grade structured parking of the Greenwin Square development.

West: a 6-storey residential condominium with commercial space at grade (387 Bloor Street East). Further west is the 20-storey Greenwin Square office building (345 Bloor Street East).

East: a 16-storey condominium (419-421 Bloor Street East) at the south-west corner of Bloor Street East and Sherbourne Street. On the east side of Sherbourne Street is a six-storey office building which incorporates the entrance to Sherbourne Subway station.

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

This application will be reviewed against the policies in the Official Plan.

The Official Plan places the site within the Downtown and Central Waterfront urban structure area. The site is designated "Mixed Use Area" on Map 18 – Land Use Plan in the Official Plan. This designation permits a range of residential, commercial and institutional uses. The Plan includes criteria that direct the form and quality of development in this land use designation. The criteria state that new buildings provide a transition between areas of different intensity and scale, including a stepping down of heights towards lower scale neighbourhood; shadow impacts be minimized and an attractive, safe and comfortable pedestrian environment be provided.

The proposal will also be reviewed for conformity with the City's Design Criteria for Review of Tall Building Proposals which outlines built form principles that are applied to the location and design of such buildings. The criteria seek to reduce impacts on adjacent development and encourage excellence in design.

Compliance with other relevant policies of the new Official Plan including the environment and transportation will also be 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 study is also available on the City's website at: www.toronto.ca/planning/urbdesign/index.htm

Zoning

The site is zoned CR T4.0 C2.0 R4.0 which permits a wide range of uses including residential uses, retail, offices, private club, and restaurants. The site has a total density permission of 4.0 times the lot area, 2.0 times the lot area for commercial uses and 4.0 times the lot area for residential uses. The height permission is 30 metres. Among the provisions of the Zoning By-law that apply to this designation the following are particularly relevant to this application:

- the provision of vehicle parking;
- the provision of amenity space; and
- the provision of loading spaces.

Tall Building Guidelines

Toronto City Council approved the use of the document, “Design Criteria for Review of Tall Building Proposals” in June, 2006 and in April, 2010 extended authorization of its use. A tall building is generally defined as a building that is taller than the road right-of-way adjacent to the site. In this case, the right-of-way for Bloor Street East between Jarvis Street and Sherbourne Street is 20 metres wide, and as such, the proposed building at 140.15m in height is considered a tall building. The Design Criteria provide policy recommendations for tall buildings on issues of building placement and orientation, entrances, heritage conservation, massing of base buildings, tower floorplates, separation distances, pedestrian realm considerations, sustainable design and transition. This document will be used to assess the proposed building.

The City’s “Design Criteria for Review of Tall Building Proposals” can be found on the City’s website at: <http://www.toronto.ca/planning/urbdesign/index.htm>.

Site Plan Control

An application for Site Plan Approval has not been made as part of this application. A site plan application will be required.

Heritage

The building at 403 Bloor Street East is a three storey house behind and attached to the commercial structure fronting the street. The subject property is a listed building under the City of Toronto Inventory of Heritage properties. The applicant intends to demolish this heritage building.

A Heritage Impact Statement prepared by E.R.A. Architects Inc., dated May 25, 2010, has been submitted for City staff’s review. The purpose of this Heritage Impact Statement (HIS) is to provide information on the heritage resources that will be affected by the proposed redevelopment of the subject property. The HIS proposes an overall approach to the conservation of the cultural heritage value of the property and its heritage attributes.

Bloor-Yorkville/North Midtown Urban Design Guidelines

City Planning staff will review this application for compliance with the Bloor-Yorkville/North Midtown Urban Design Guidelines. Section 3.1.7 of the guideline states that vehicular access to most development should not be from Bloor Street, but generally located along streets running parallel to Bloor Street. In addition, the area is known to be affected by extreme wind conditions due to the heights and massing of existing buildings and its impact on pedestrians within the immediate area should be carefully reviewed.

One of the key guidelines is to minimize the impacts of new development on the Rosedale Valley ravine. Development of sites adjacent or in close proximity to the ravine should provide information as to the impact of a project on the ravine and how this impact is to be limited.

Reasons for the Application

Variances to Zoning By-law 438-86, as amended, include but are not limited to the following:

- the total parking requirement of 191 parking spaces has not been provided;
- the total permitted density of four times the area of the lot is exceeded by approximately 23 times the area of the lot;
- the building height of 140.15 significantly exceeds the permitted height of 30 metres; and
- the proposed outdoor amenity space is 220 square metres and proposed indoor amenity space is 528 square metres while the by-law requires 772 square metres for both based on the proposed 386 residential units.

Additional areas of non-compliance may be identified through the circulation and review process.

COMMENTS

Application Submission

The following reports/studies were submitted with the application: Planning Justification Report, Transportation Review, Preliminary Wind Study, Shadow Analysis, Toronto Green Standard Checklist, Heritage Impact Statement and Functional Servicing Report.

City staff deemed the application complete on June 22, 2010.

Planning Staff Position – Current Application

A preliminary review of the current application reveals serious project deficiencies and a general lack of fit with the existing and planned context leading staff to consider that this application is not supportable in its current form. However, the application has been circulated for review and a community consultation meeting is recommended in order to determine the nature and extent of changes to be required.

Issues to be Resolved

The following issues, as well as any other issues that may be identified by staff and the public, will need to be addressed by the applicant and reviewed:

1. consistency with the Provincial Policy Statement and the Growth Plan for the Greater Golden Horseshoe;
2. conformity with Official Plan policies, particularly with respect to the sections on *neighbourhoods*, built form, heritage and housing;
3. conformity with the Design Criteria for Review of Tall Building Proposals, namely the sections on transition in scale, heritage buildings, pedestrian realm and sustainable design;
4. conformity with the Bloor-Yorkville/North Midtown Urban Design Guidelines, namely the sections that reference access to Bloor Street, wind and shadow impact on the Rosedale Valley ravine;
5. conformity with Parks Canada's "Standards and Guidelines for the Conservation of Historic Places in Canada", approved by City Council as the official document guiding planning, stewardship and conservation approach for all listed and designated heritage resources within the City (March 3, 4, and 5, 2008);
6. provision of no on-site parking including impacts on the supply of on-street parking in the area;
7. vehicle and truck access to the subject property from Bloor Street East which is discouraged by the Design Criteria for Review of Tall Building Proposals;
8. options to provide site access from Shelby Street;
9. height and density of proposal;
10. other built form and massing issues including, but not limited to: sky view, light penetration, privacy (with respect to window separation to the properties to the east and west), and wind mitigation;
11. shadow impacts on the *Neighbourhoods* designation to the west and east and on Rosedale Valley ravine;

12. heritage impacts, including the proposed demolition of the existing 3-storey listed heritage building or its incorporation into the proposed built form of the proposed residential tower;
13. mix of unit sizes and lack of family-sized units;
14. appropriate servicing to accommodate the proposed development;
15. commitment to providing resident and visitor bicycle parking and a bike share program given the site's proximity to the Wellesley Street and Sherbourne Street bike lanes and soon to be completed Jarvis Street bike lanes;
16. treatment of the ground floor of the building and its relationship to the streetscape and the provision of pedestrian realm weather protection;
17. the application's provision of required indoor and outdoor amenity space and adherence to the City's Toronto Green Standard and Green Roof By-law that came into affect January 31, 2010; and
18. identification and securing of public benefits pursuant to Section 37 of the *Planning Act* should the proposal be recommended for approval.

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

Toronto Green Standard

The Toronto Green Standard (TGS) is a tool to implement the broader environmental policies of the Official Plan. Several of the natural environment policies of the Official Plan encourage green development. These policies are geared to reduce the negative impacts of development on the natural environment through practices such as improved stormwater management, water and energy efficiency, and waste reduction and recycling. These policies also promote development that enhances the natural environment and support green industry.

The TGS Checklist has been submitted by the applicant and is currently under review by City staff for compliance with the Tier 1 performance measures. The applicant has indicated that they will not be pursuing enhanced Tier 2 performance measures and thus will not be eligible for the 20% reduction in development charges.

The Toronto Green Standard guidelines and checklist can be found on the City's website at: <http://www.toronto.ca/planning/environment/greendevlopment.htm>.

Staff will encourage the applicant to review the Bird-Friendly Development Guidelines, adopted by City Council in January, 2006. They provide guidance on how to mitigate bird-related issues through window design and treatment, as well as interior and exterior

lighting. The guidelines can be found on the City's website at:
<http://www.toronto.ca/lightsout/guidelines.htm>

CONTACT

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SIGNATURE

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

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ATTACHMENTS

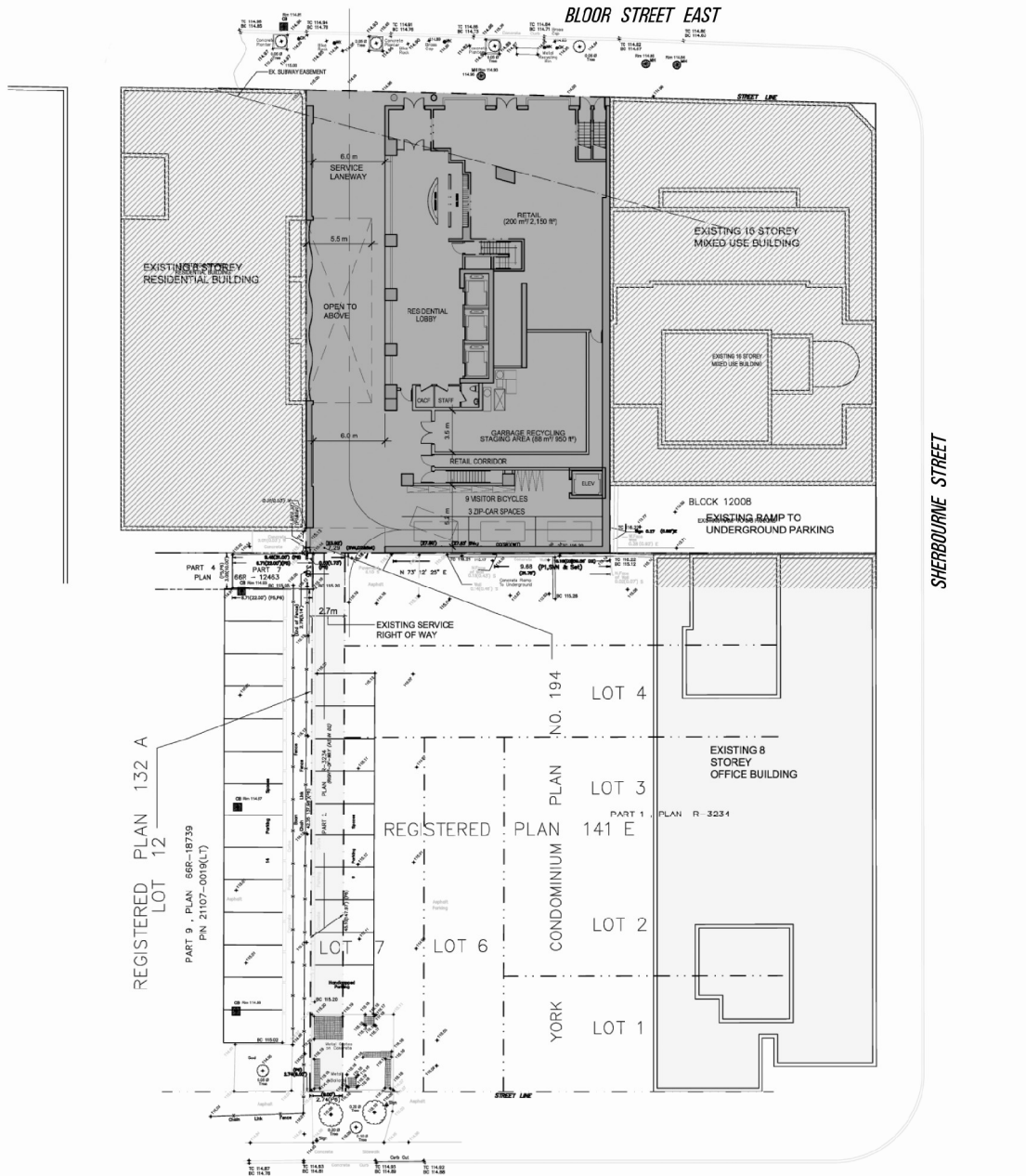
Attachment 1: Site Plan

Attachment 2: Elevations

Attachment 3: Zoning

Attachment 4: Application Data Sheet

Attachment 1: Site Plan



Site Plan

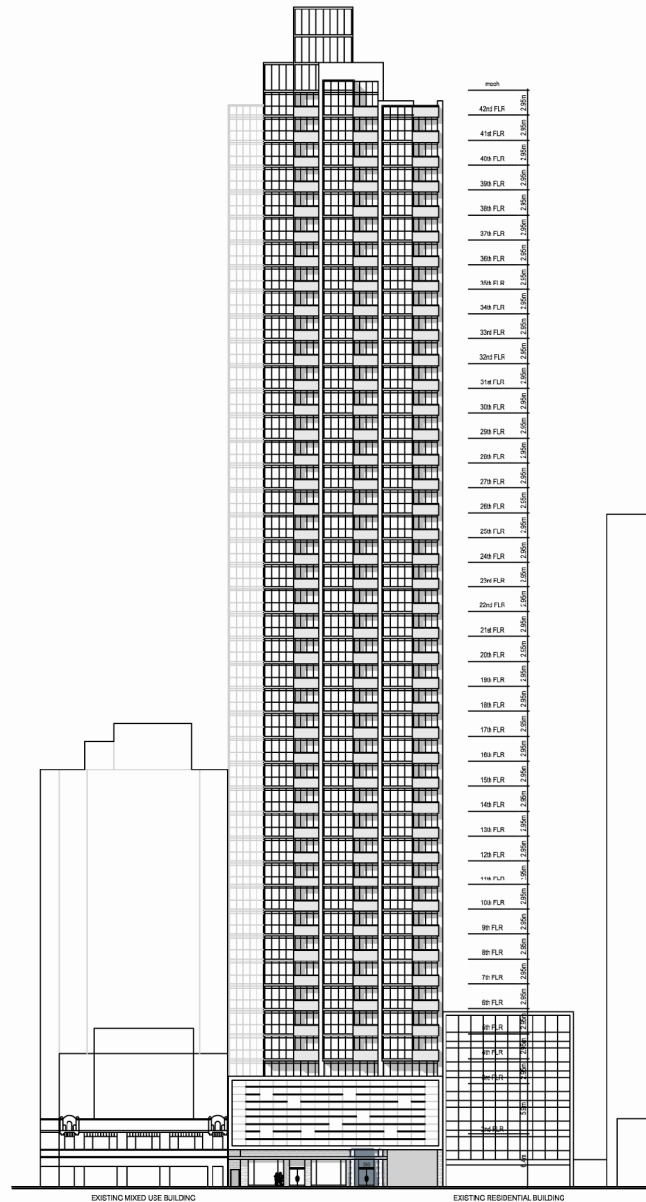
395 - 403 Bloor Street East

Applicant's Submitted Drawing

Not to Scale 

File # 10_181604

Attachment 2a: North Elevation



NORTH ELEVATION (BLOOR STREET)

Elevations

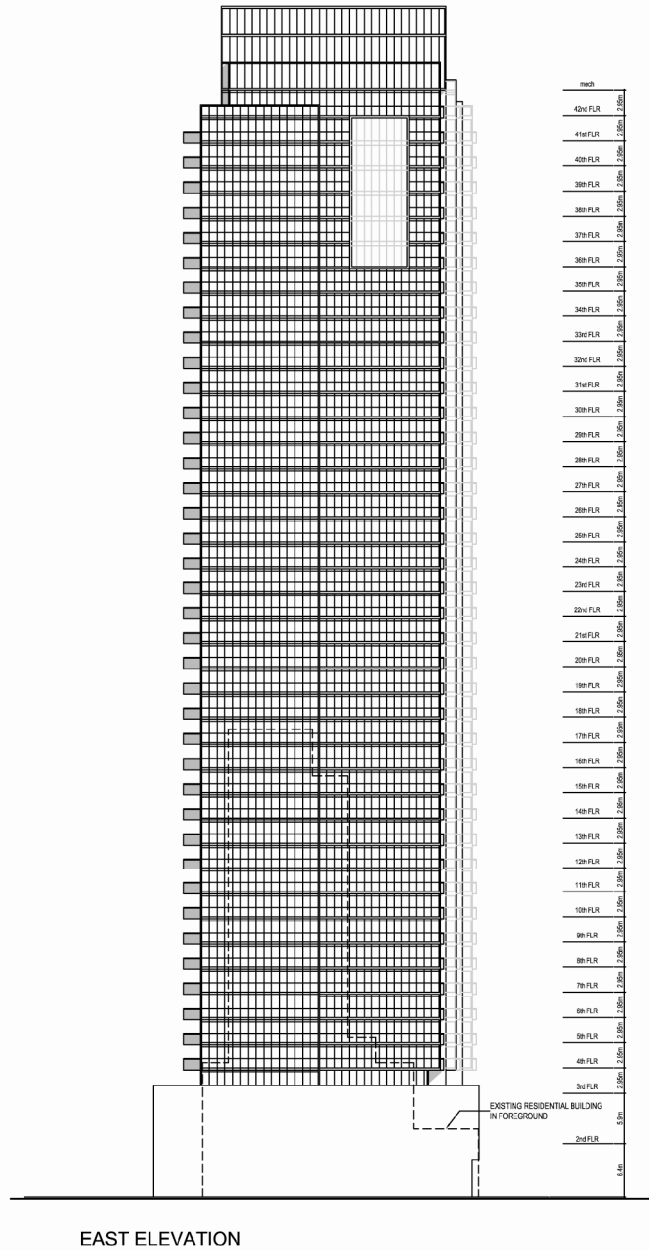
Applicant's Submitted Drawing

Not to Scale
06/22/10

395 - 403 Bloor Street East

File # 10_181604

Attachment 2b: East Elevation



Elevations

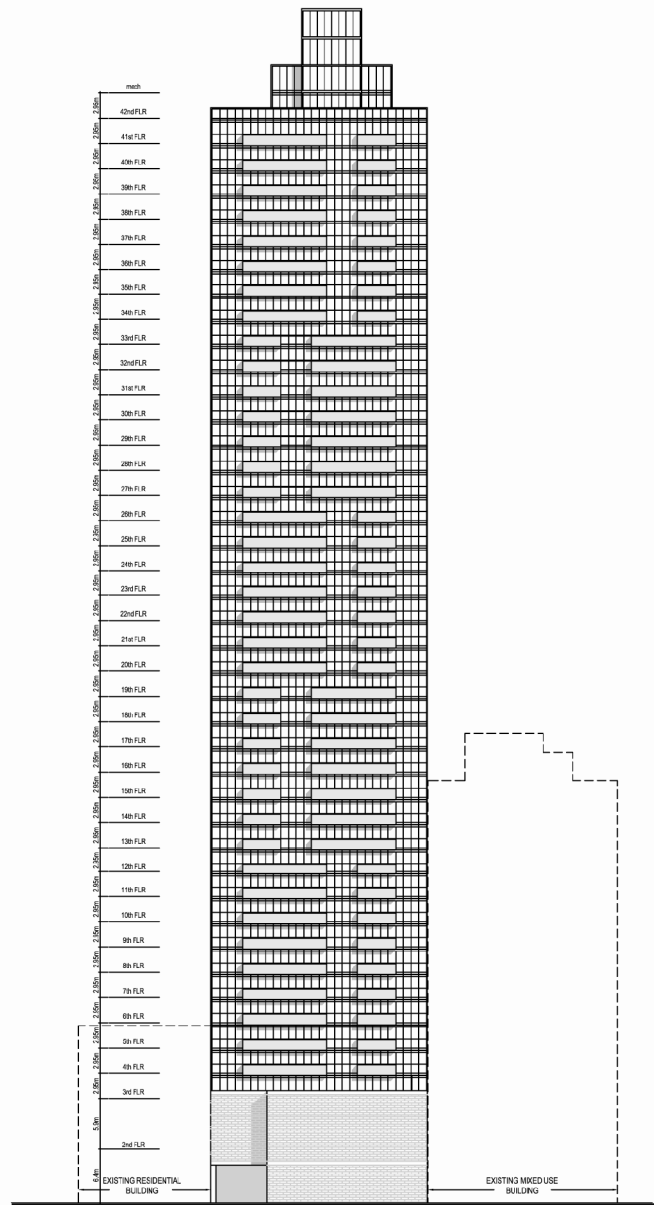
Applicant's Submitted Drawing

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06/22/10

395 - 403 Bloor Street East

File # 10_181604

Attachment 2c: South Elevation



SOUTH ELEVATION

Elevations

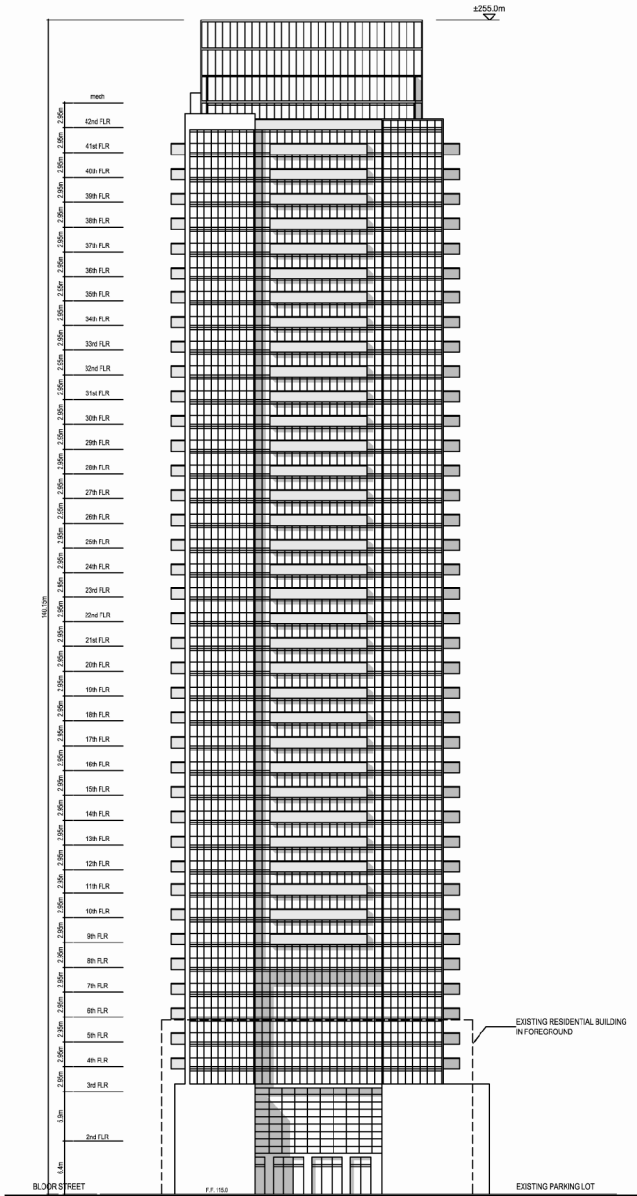
Applicant's Submitted Drawing

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395 - 403 Bloor Street East

File # 10_181604

Attachment 2d: West Elevation



WEST ELEVATION

Elevations

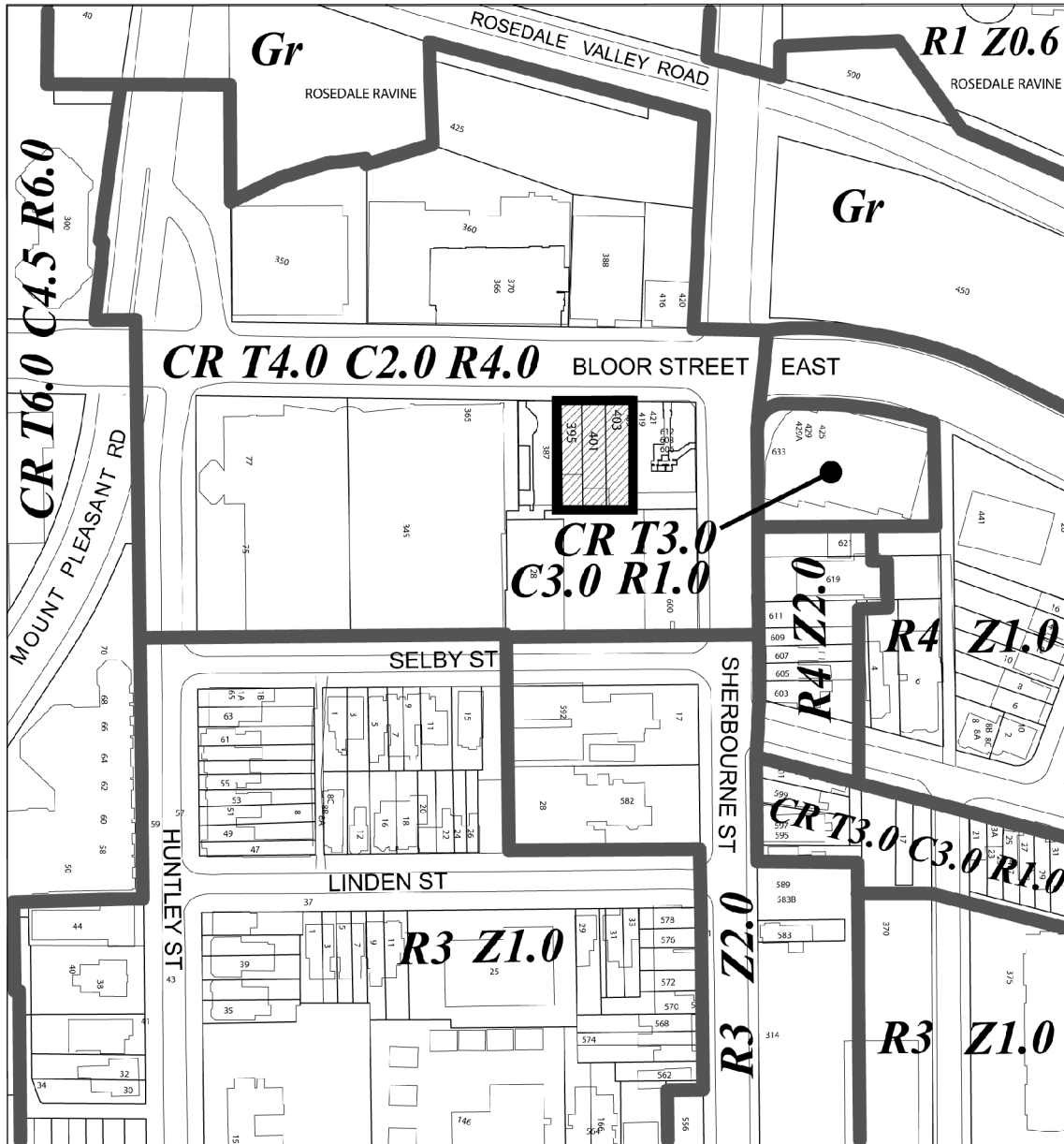
Applicant's Submitted Drawing

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395 - 403 Bloor Street East

File # 10_181604

Attachment 3: Zoning



395 - 403 Bloor Street East

File # 10_181604

R1 Residential District
R3 Residential District
R4 Residential District

GR Parks District
CR Mixed-Use District



Not to Scale
Zoning By-law 438-86 as amended
Extracted 06/22/2010

Attachment 4: Application Data Sheet

Application Type	Rezoning	Application Number:	10 181604 STE 27 OZ
Details	Rezoning, Standard	Application Date:	May 25, 2010
Municipal Address:	395-403 Bloor Street East		
Location Description:	South side of Bloor Street between Sherbourne Street and Huntley Street		
Project Description:	Rezoning application for construction of a 42-storey mixed use building with commercial within the 2-storey podium and 386 residential units. No residential parking is provided. Three auto share parking spaces are proposed.		

Applicant:	Agent:	Architect:	Owner:
Bousfields Inc. 3 Church Street, Suite 200 Toronto, ON M5E 1M2	Same as applicant.	Page and Steele Architects 95 St. Clair Avenue West, Suite 200 Toronto, ON M4V 1N6	1577020 Ontario Ltd. 27 Verwood Avenue Toronto, ON M3H 2K6

PLANNING CONTROLS

Official Plan Designation:	Mixed Use Areas	Site Specific Provision:	N
Zoning:	CR T4.0 C2.0 R4.0	Historical Status:	Y
Height Limit (m):	30	Site Plan Control Area:	Y

PROJECT INFORMATION

Site Area (sq. m):	980.83	Height:	Storeys:	42
Frontage (m):	25.5		Metres:	140.15 (top of mechanical)
Depth (m):	38.5			
Total Ground Floor Area (sq. m):	637			Total
Total Residential GFA (sq. m):	25284		Parking Spaces:	3
Total Non-Residential GFA (sq. m):	1080		Loading Docks	0
Total GFA (sq. m):	26364			
Lot Coverage Ratio (%):	64.9			
Floor Space Index:	26.9			

DWELLING UNITS

Tenure Type:	Condo
Rooms:	0
Bachelor:	113
1 Bedroom:	195
2 Bedroom:	78
3 + Bedroom:	0
Total Units:	386

FLOOR AREA BREAKDOWN (upon project completion)

	Above Grade	Below Grade
Residential GFA (sq. m):	25284	0
Retail GFA (sq. m):	1080	0
Office GFA (sq. m):	0	0
Industrial GFA (sq. m):	0	0
Institutional/Other GFA (sq. m):	0	0

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