



**STAFF REPORT
ACTION REQUIRED**

**1,3,5,7, 9 Sultan Street and 11 St. Thomas Street –
Zoning Amendment Application - Preliminary Report**

Date:	January 18, 2011
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 313261 STE 27 OZ

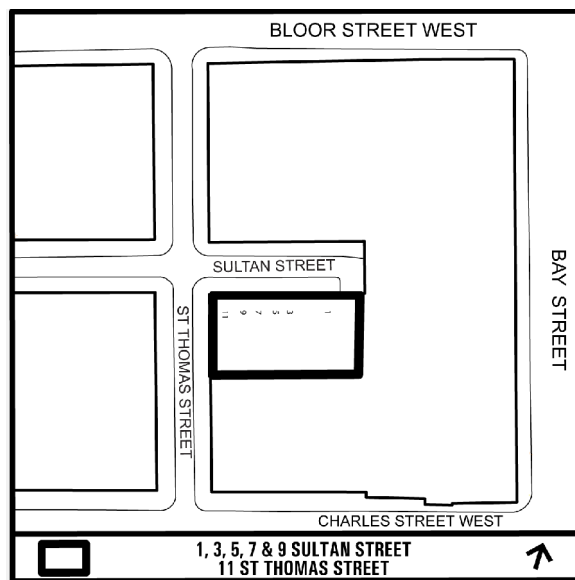
SUMMARY

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

The applicant proposes to redevelop the site with a 9-storey office building with 70 parking spaces and three levels of underground parking. This application further proposes to integrate a portion of the existing four designated heritage buildings into the built form of the proposed office building.

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

The next step is to conduct a community consultation meeting to allow the public to review the application and provide feedback.



RECOMMENDATIONS

The City Planning Division recommends that:

1. Staff be directed to schedule a community consultation meeting for the lands at 1, 3, 5, 7, 9 Sultan Street and 11 St. Thomas Street 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

A pre-application community consultation meeting was held on Wednesday October 6th, 2010. The proposal was for a 9-storey office building integrated with the existing four designated heritage buildings. Planning staff identified some concerns over the size, depth and integration of the office building massing in relation to the existing heritage buildings, and further concerns with the proposed setbacks and impact on adjacent uses.

ISSUE BACKGROUND

Proposal

The applicant is proposing to develop over and to the rear of the four existing designated heritage buildings (1,3,5,7,9 Sultan Street and 11 St. Thomas Street) a 9-storey office building with retail at grade. Access to the office units will be at grade at St. Thomas Street, while retail access will be at Sultan Street.

The project proposes a non-residential gross floor area of 9,430 square metres. This equates to a floor space index of 5.6 times the lot area.

The proposal provides three levels of underground parking for total of 70 parking spaces (which include 1 handicap and 17 visitor spaces). Access to the parking garage is proposed to be located on the north east corner of the site at Sultan Street. Access to the loading (one Type "B" space) and service area will also be provided at Sultan Street.

A total of 48 bicycle parking spaces are proposed, consisting of 28 visitor bicycle parking spaces and 20 occupant bicycle parking spaces on the P1 level.

A total of 1176 square metres of outdoor amenity space is being proposed on the 3rd, 4th, 9th and roof of the proposed building.

Site and Surrounding Area

The site is located at the southeast corner of Sultan Street and St. Thomas Street. The site is rectangular in shape and is approximately 1,688 square metres in area.

All four properties are designated heritage buildings with heritage easement agreements. The existing buildings' office and retail functions are to be retained with internal changes for a new office lobby at and above these buildings and retail space at ground level.

South: a 28-storey residential condominium (One St. Thomas).

West: a vacant parcel of land including a 4-storey rental housing building (23 Sultan Street). The entire parcel of land has approvals to permit combined 23-storey and 10-storey residential buildings and is currently being reviewed through the site plan control process (10 269773 STE 27 SA).

North: a 9-storey residential condominium (8 Sultan Street) and further east of this building is a 6-storey co-op housing building (2 Sultan Street). Further east is 77 Bloor Street West which is a 20-storey office building having servicing and loading access at Sultan Street.

East: 1166 Bay Street, a 22-storey residential condominium with windows facing east and west.

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 Areas” 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.

Compliance with other relevant policies of the new Official Plan including the environment and transportation will also be addressed.

This application will be reviewed against the policies in the Official Plan including those in the “Downtown”, “Public Realm”, and “Built Form” sections of the Plan (www.toronto.ca/planning/official_plan/introduction.htm).

The proposal will be reviewed against Official Plan Site and Area Specific Policy number 152. This policy seeks the retention of the heritage character of 1-9 Sultan Street and 11 St. Thomas Street.

The proposal will 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 (www.toronto.ca/planning/urbdesign/index.htm).

The proposal will be reviewed for conformity with the Bloor Yorkville Urban Design Guidelines (<http://www.toronto.ca/planning/urbdesign/blooryorkville.htm>).

Zoning

The site is zoned CR T3.0 C2.0 R3.0 under Zoning By-law 438-86. This zoning designation permits a variety of mixed uses including office. The maximum permitted density is 3.0 times the lot area, with a maximum 2.0 times for commercial uses, and 3.0 times for residential uses. The maximum height permitted is 18 metres.

At its meeting of August 25 - 27, 2010, City Council adopted a new city-wide Zoning By-law for the City of Toronto. By-law 1156-2010 has been appealed in its entirety and is now before the Ontario Municipal Board. No hearing dates have been set. While the appeals are ongoing, the provisions of both the former zoning by-laws and the new zoning by-law are in effect for sites that are subject to By-law 1156-2010.

Under the new City of Toronto Zoning By-law 1156-2010 (under appeal), the site is zoned CR 3.0 (C2.0 R3.0 (SS1(X2364))), a mixed-use area district, which permits a number of residential uses, as well as other complementary non-residential uses. The site has a total density permission limit of 3.0 times the lot area, 2.0 times the lot area for

commercial uses and 3.0 times the lot area for residential uses. The maximum height permission is 18 metres.

Attachment 3 provides excerpts of the zoning maps for the site and immediate area.

Site Plan Control

The proposed development is subject to site plan control. An application for site plan control has not yet been submitted, but will be required.

Tree Preservation

There are a total of 5 trees on this site subject to the City's Public Street Tree By-law. These trees need to be protected during the development process. The applicant has submitted an arborist report and a tree preservation plan which will be reviewed by Urban Forestry staff.

Heritage

1, 3, 5, 7, 9 Sultan Street and 11 St. Thomas Street contains four late 19th century house form buildings, all of which are designated under Part IV of the *Ontario Heritage Act*, and registered with two Heritage Easement Agreements with the City. The applicant intends to integrate a portion of each heritage building into the proposed office building.

The applicant has submitted a Heritage Impact Statement, dated December 10, 2010, prepared by E.R.A. Architects Inc., which has been circulated to City staff for their review. The purpose of this Heritage Impact Statement (HIS) is to provide information on the heritage resources that may be affected by the proposed redevelopment of 1, 3, 5, 7, 9 Sultan Street and 11 St. Thomas Street. The HIS proposes an overall approach to the conservation of the cultural heritage value of the property and its heritage attributes.

Reasons for the Application

The proposed height and density do not comply with the Zoning By-laws. The proposed height is 38.79 metres, including rooftop mechanical, which exceeds the permitted height of 18 metres. The proposed density of 5.59 times the lot area exceeds the permitted density of 2.0 times the lot area for office uses.

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: Phase 1 Environmental Site Assessment, Planning and Urban Design Rationale, Arborist Report, Transportation Planning Considerations, Preliminary Wind Study, Shadow Analysis, Toronto Green Standard Checklist, Heritage Impact Statement, Stormwater Management Report and Functional Servicing Report.

City staff issued a notice of completion on December 14, 2010.

Issues to be Resolved

The following issues will need further review and will need to be addressed by the applicant:

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 built form and heritage;
3. conformity with the Design Criteria for Review of Tall Building Proposals, namely the sections on heritage buildings, pedestrian realm and sustainable design;
4. height and density of proposal;
5. other built form and massing issues including, but not limited to: sky view, light penetration, adjacent residential privacy and wind mitigation;
6. 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);
7. heritage impacts, including the integration of the existing heritage buildings into the proposed office building;
8. a review of the number of on-site parking spaces proposed given the sites close proximity to the Bay subway station, and the Green Development Standards;
9. assessment of traffic generation, access and transportation impacts;
10. provision of convenient bicycle parking facilities for employees and visitors;
11. conformity with the Bloor Yorkville Business Improvement Area's streetscape detail;
12. treatment of the ground floor of the building and its relationship to the streetscape and the provision of pedestrian realm weather protection;
13. protection of the existing trees surrounding the site;

14. identification and securing of public benefits pursuant to Section 37 of the *Planning Act* should the proposal be recommended for approval; and
15. the application's adherence to the City's Toronto Green Standard and Green Roof By-law that came into affect January 31, 2010.

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 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

Gregg Lintern, MCIP, RPP
Director, Community Planning, Toronto and East York District

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ATTACHMENTS

Attachment 1: Site Plan

Attachment 2a: East Elevation

Attachment 2b: West Elevation

Attachment 2c: North Elevation

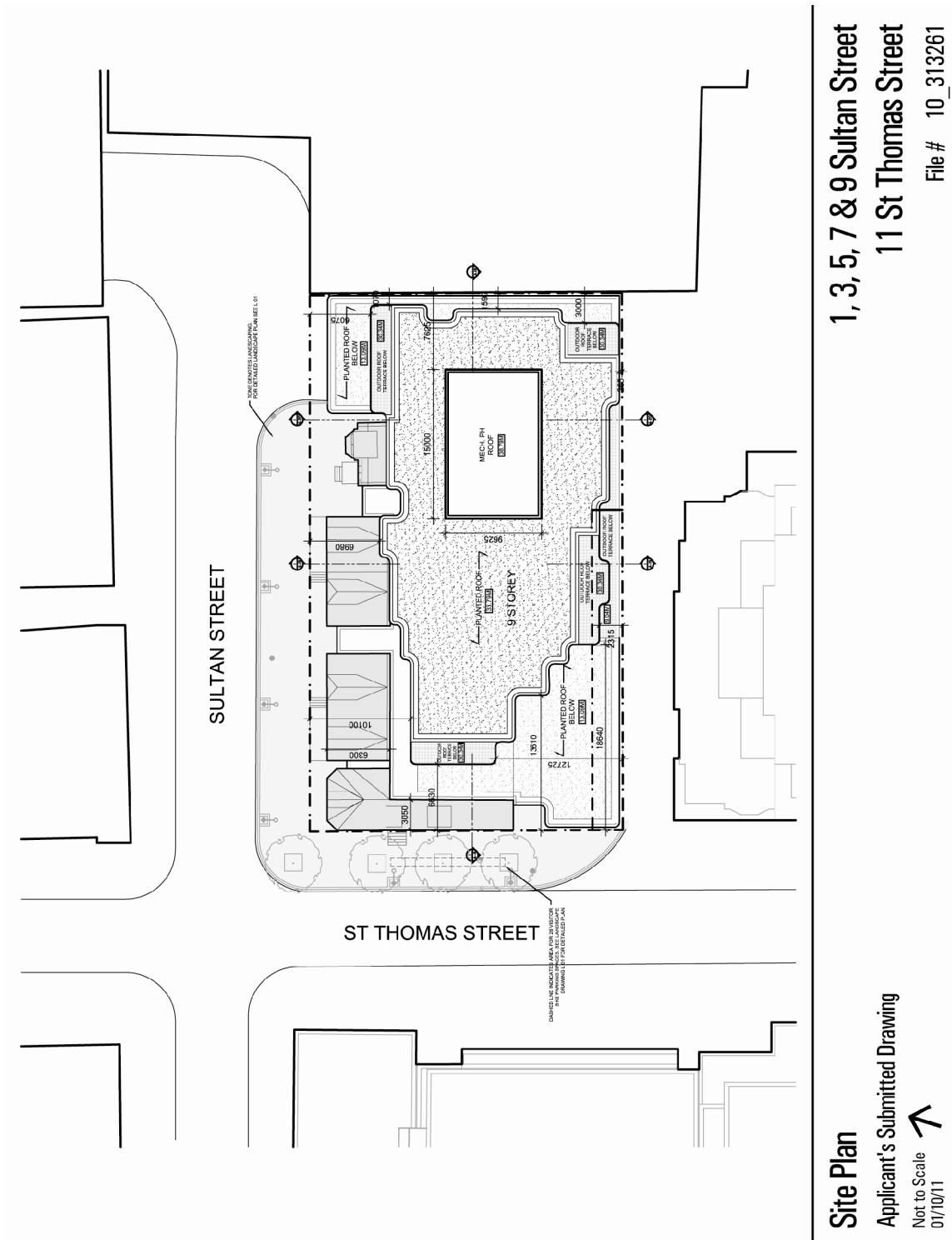
Attachment 2d: South Elevation

Attachment 3a: Zoning By-law 1156-2010

Attachment 3b: Zoning By-law 438-86

Attachment 4: Application Data Sheet

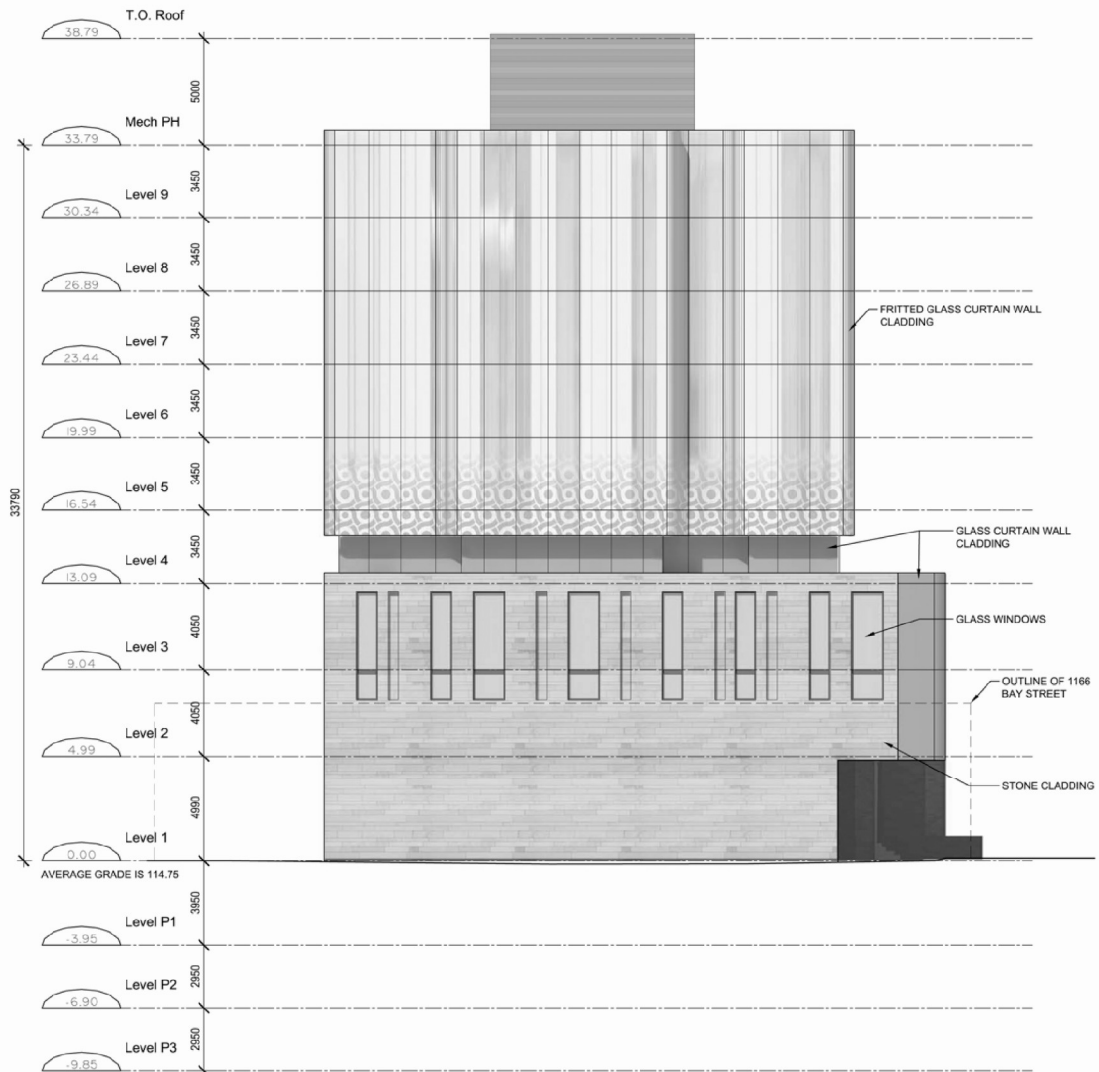
Attachment 1: Site Plan



1, 3, 5, 7 & 9 Sultan Street
 11 St Thomas Street
 File # 10_313261

Site Plan
 Applicant's Submitted Drawing
 Not to Scale
 01/10/11

Attachment 2a: East Elevation



EAST Elevation

Elevations

Applicant's Submitted Drawing

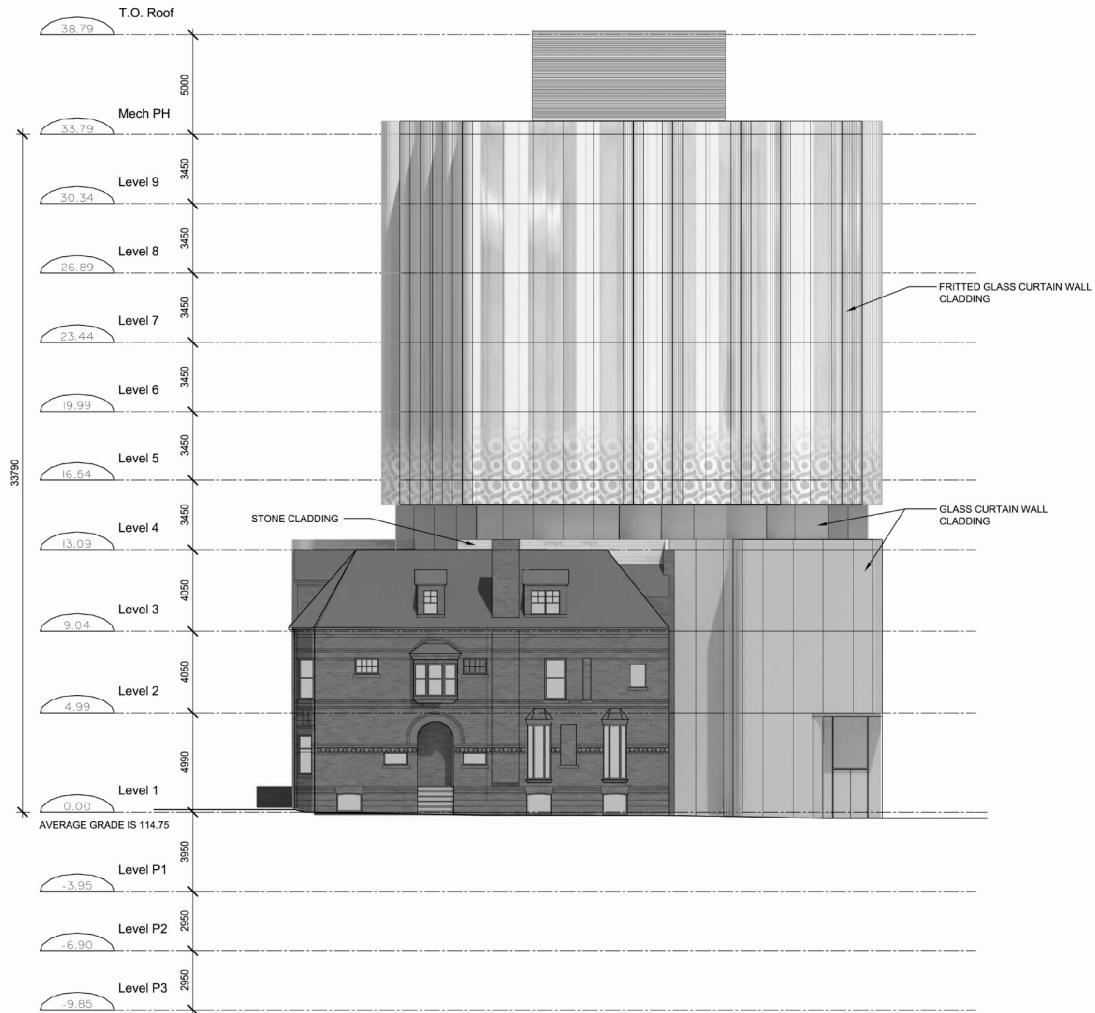
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1, 3, 5, 7, & 9 Sultan Street

11 St Thomas Street

File # 10_313261

Attachment 2b: West Elevation



WEST Elevation

Elevations

Applicant's Submitted Drawing

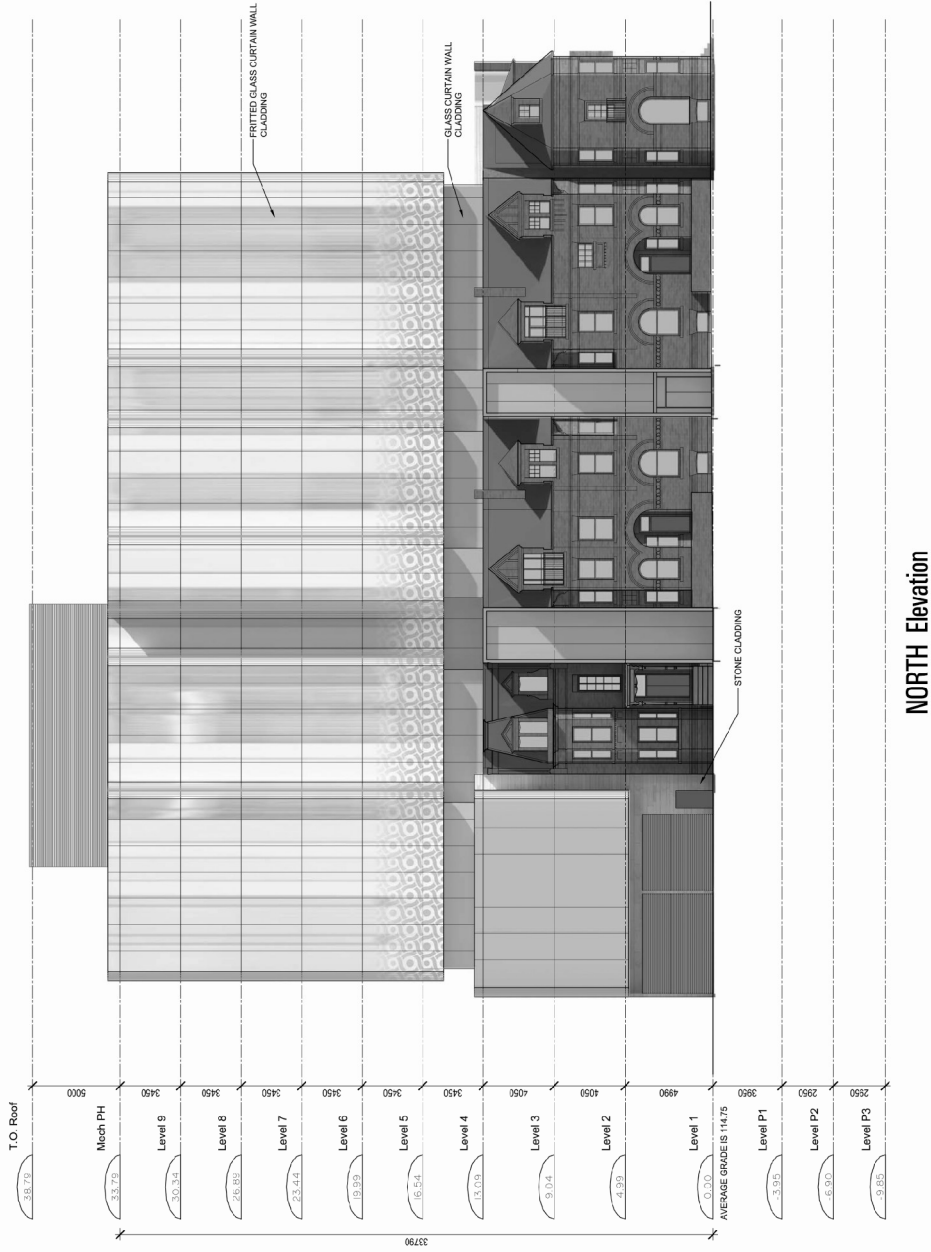
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1, 3, 5, 7, & 9 Sultan Street

11 St Thomas Street

File # 10_313261

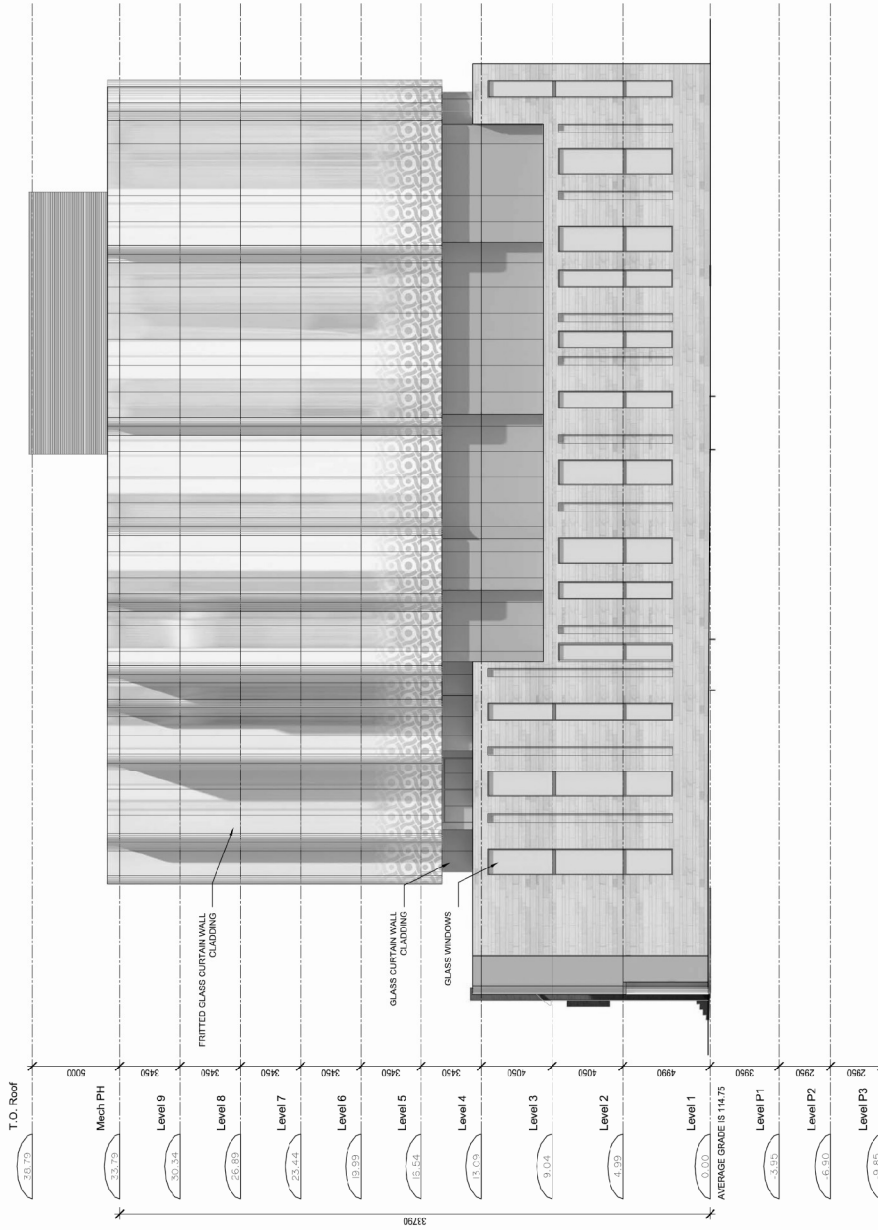
Attachment 2c: North Elevation



Elevations
 Applicant's Submitted Drawing
 Not to Scale
 01/10/11

1, 3, 5, 7 & 9 Sultan Street
11 St Thomas Street
 File # 10_313261

Attachment 2d: South Elevation



SOUTH Elevation

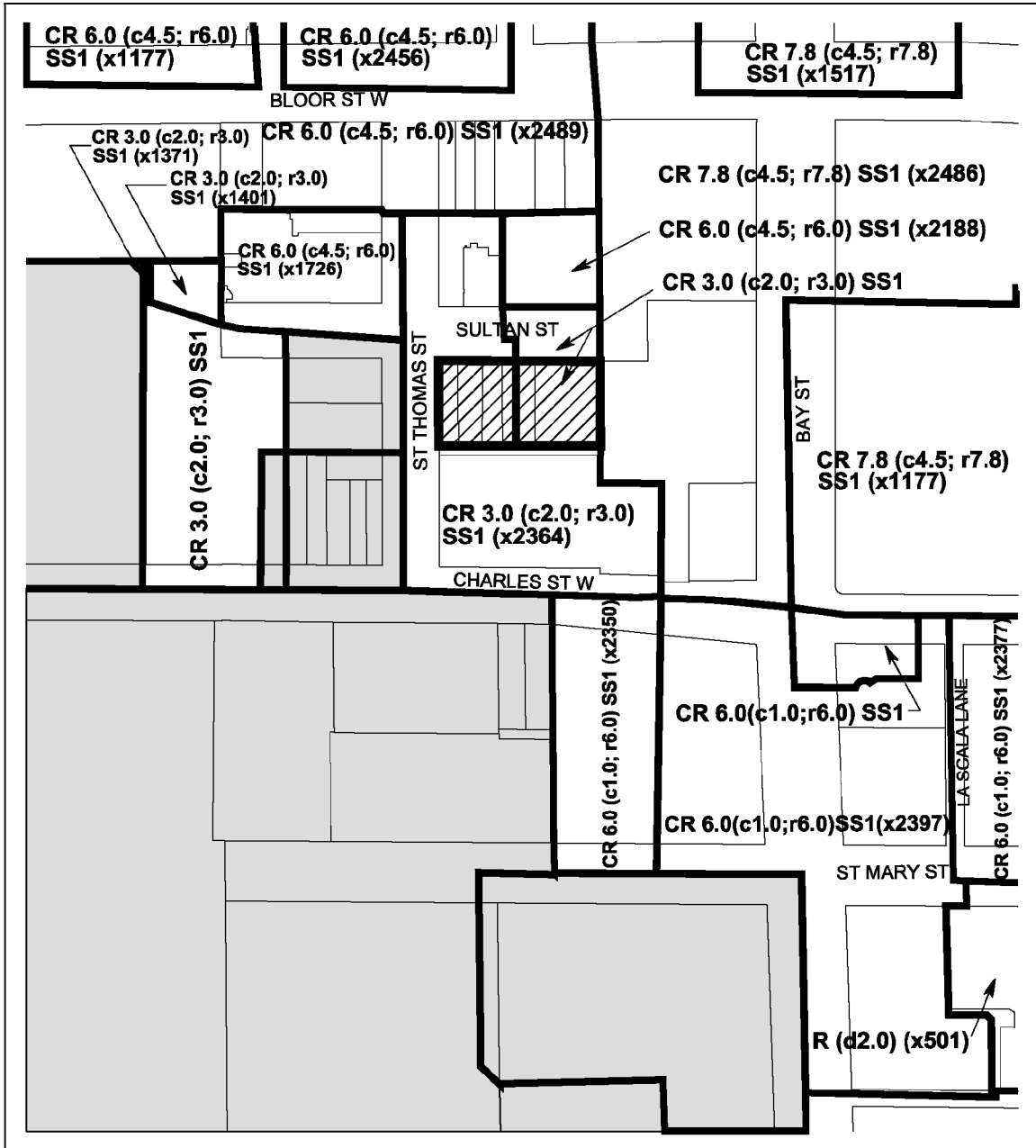
1, 3, 5, 7 & 9 Sultan Street
11 St Thomas Street

File # 10_313261

Elevations
Applicant's Submitted Drawing

Not to Scale
01/10/11

Attachment 3a: Zoning By-law 1156-2010



Zoning-City of Toronto By-law 1156-2010

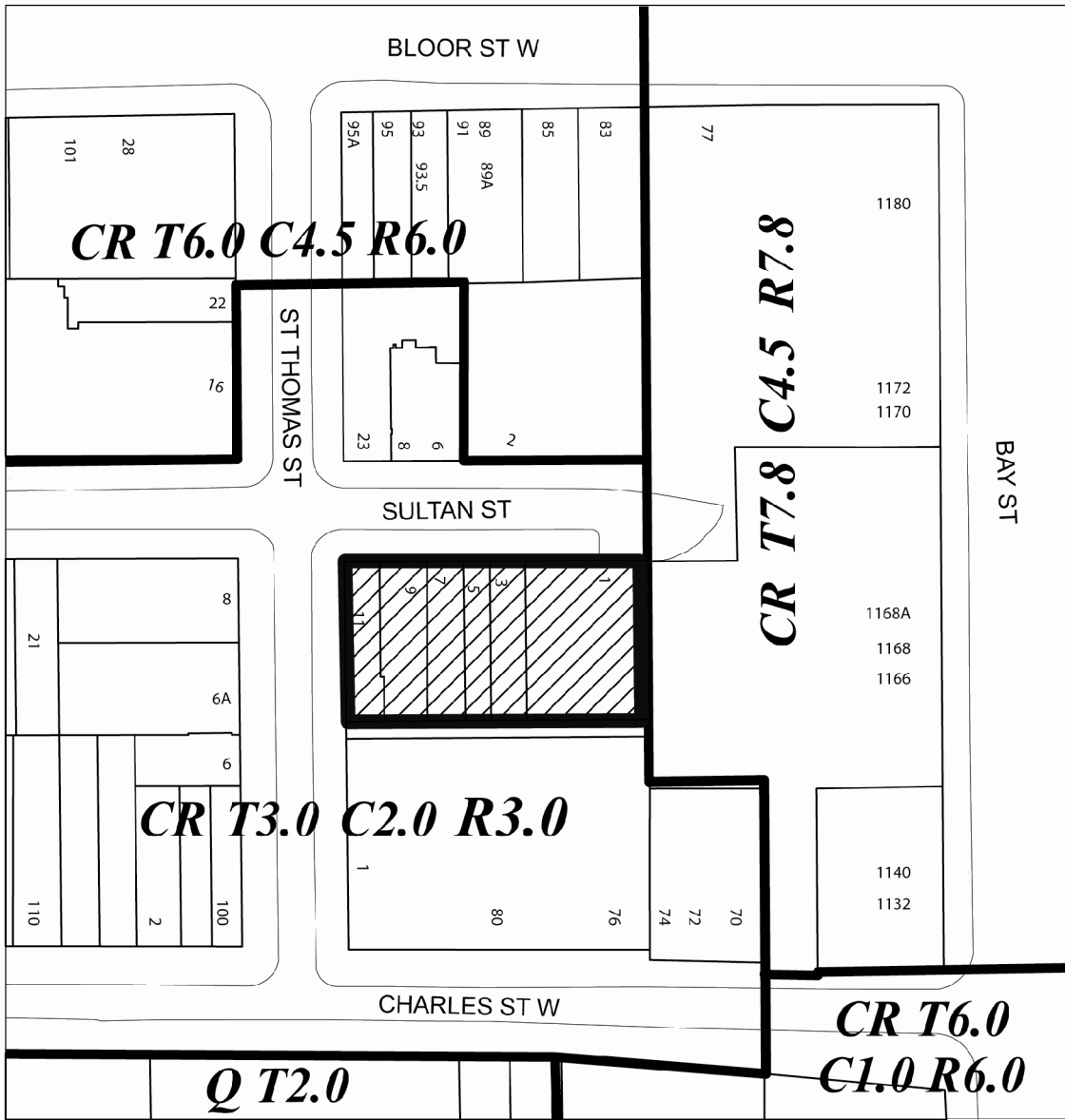
1,3,5,7,9 Sultan Street
11 St Thomas Street
File # 10 313261 0Z

Not Part of By-Law 1156-2010
 Location of Application

R Residential
 CR Commercial Residential

Not to Scale
 12/29/10


Attachment 3b: Zoning By-law 438-86



1, 3, 5, 7, & 9 Sultan Street
11 St Thomas Street

File # 10_313261

-  Site Location
- CR Mixed-Use District
- Q Mixed Use District


Not to Scale
Zoning By-law 438-86 as amended
1/10/11 - MH

Attachment 4: Application Data Sheet

Application Type	Rezoning	Application Number:	10 313261 STE 27 OZ
Details	Rezoning, Standard	Application Date:	December 13, 2010

Municipal Address: 1, 3, 5,7, 9 SULTAN STREET AND 11 ST. THOMAS STREET

Location Description: PLAN 97 LOTS 26 & 27 **GRID S2707

Project Description: Rezoning application to construct a 9 storey office building, 3 levels below grade parking and 70 parking spaces.

Applicant:	Agent:	Architect:	Owner:
Fraser Milner Casgrain 77 King Street West Suite 400 Toronto, ON M5K 0A1	Fraser Milner Casgrain 77 King Street West Suite 400 Toronto, ON M5K 0A1	Hariri Pontarini Architects 602 King Street West Toronto, ON M5V 1M6	St Thomas Commercial Developments Incorporated 3 Sultan Street Toronto, ON M5S 1L6

PLANNING CONTROLS

Official Plan Designation:	Mixed Use Areas	Site Specific Provision:	
Zoning:	CR 3.0 C2.0 R3.0 (1156-2010) CR T3.0 C2.0 R3.0 (438-86)	Historical Status:	Yes
Height Limit (m):	18	Site Plan Control Area:	Yes

PROJECT INFORMATION

Site Area (sq. m):	1688	Height:	Storeys:	9
Frontage (m):	47.45		Metres:	33.79
Depth (m):	31.38			
Total Ground Floor Area (sq. m):	1280			Total
Total Residential GFA (sq. m):	0		Parking Spaces:	70
Total Non-Residential GFA (sq. m):	9430		Loading Docks	1
Total GFA (sq. m):	9430			
Lot Coverage Ratio (%):	75.8			
Floor Space Index:	5.59			

DWELLING UNITS	N/A	FLOOR AREA BREAKDOWN (upon project completion)		
Tenure Type:			Above Grade	Below Grade
Rooms:	0	Residential GFA (sq. m):	0	0
Bachelor:	0	Retail GFA (sq. m):	1104	0
1 Bedroom:	0	Office GFA (sq. m):	8326	0
2 Bedroom:	0	Industrial GFA (sq. m):	0	0
3 + Bedroom:	0	Institutional/Other GFA (sq. m):	0	0
Total Units:	0			

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