



## STAFF REPORT ACTION REQUIRED

### 9-21 Grenville Street Zoning Amendment Application – Final Report

<b>Date:</b>	September 15, 2011
<b>To:</b>	Toronto and East York Community Council
<b>From:</b>	Director, Community Planning, Toronto and East York District
<b>Wards:</b>	Ward 27 – Toronto Centre-Rosedale
<b>Reference Number:</b>	10 313898 STE 27 OZ

## SUMMARY

The applicant proposes a 52-storey mixed use building with 487 residential units and approximately 427 square metres of retail space.

This report reviews and recommends approval of the construction of a 46-storey mixed use building with 427 residential units and approximately 427 square metres of non-residential space on a 0.134 hectare (0.330 acre) site.

The proposal meets the intent of the City's Official Plan for intensification in *Mixed Use Areas* and generally reflects the principles expressed in the City's Design Criteria for the Review of Tall Building guidelines.

## RECOMMENDATIONS

**The City Planning Division recommends that:**

1. City Council amend Zoning By-law 438-86, for the lands at 9-21 Grenville Street substantially in accordance with the draft Zoning By-law Amendment attached as Attachment No. 6, to the report dated September 15, 2011, from the Director of 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. Before introducing the necessary Bills, City Council require the Owner receive approval from City Council under Section 34 of the Ontario Heritage Act.
4. Before introducing the necessary Bills to City Council for enactment, City Council require the owner of the lands at 9-21 Grenville Street 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 above-grade permit, pay to the City the sum of \$1,800,000 consisting of \$950,000 towards improvements to the College Subway station and Wellesley Subway station, \$500,000 towards the upgrade of St. Luke Lane and \$350,000 towards widening the sidewalks on Grenville Street and Wood Street.
  - b. Require that the cash amounts identified in a) above shall be indexed annually in accordance with the Non-Residential Construction Price Index for the Toronto CMA, reported quarterly by statistics Canada in Construction Price Statistics Publication No. 62-007-XPB, or its successor, calculated from the date of execution of the Section 37 Agreement to the date of submission of the funds by the owner to the City.
  - c. A public art contribution in accordance with the Percent for Public Art Program for a value not less than one percent of the gross construction cost.

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

- d. The owner shall pay for and construct any improvements to the municipal infrastructure in connection with the Functional Servicing Report, as reviewed and accepted by the Executive Director of Technical Services, should it be determined that improvements to such infrastructure are required to support the development.
- e. The implementation of any wind mitigation measures required by the applicant's wind study, satisfactory to the Chief Planner and Executive Director, City Planning Division, to be submitted as part of a revised application for Site Plan Approval.
- f. Prior to final site plan approval the owner shall:
  1. In the event that deeply buried archaeological remains are encountered on the property during construction activities, the Heritage Operations Unit of the

Ministry of Tourism and Culture be notified immediately at (416) 314-7146 as well as the City of Toronto, Heritage Preservation Services Unit (416) 338-1096.

2. In the event that human remains are encountered during construction, the proponent should immediately contact both the Ministry of Tourism and Culture, and the Registrar or Deputy Registrar of Cemeteries at the Cemeteries Regulation Unit, Ministry of Government Services, (416) 326-8393.
  3. Provide and maintain an irrigation system, at the applicant's expense, for proposed trees within the public road allowances including an automatic timer, designed to be water efficient by a Certified Landscape Irrigation Auditor (CLIA) and constructed with a back flow preventer to the satisfaction of the Executive Director, Technical Services Division, and requirement to maintain in good order and operation.
  4. 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.
  5. Submit a stormwater management report, a site servicing plan and site grading, drainage and landscape plans.
  6. Provide plans that show continuous weather protection with a minimum depth of 3 metres along Grenville Street for newly constructed.
  7. Convey to the City a 0.3 metre wide strip of land across the entire length of the property abutting St. Luke Lane.
  8. The owner shall provide a minimum of ten percent (10%) of the residential units in the building having at least three bedrooms.
5. City Council 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.

## **BACKGROUND**

### **History of Planning Application**

#### **Pre-Application Consultation – Committee of Adjustment**

On February 19 and May 6, 2010, City staff held pre-application meetings with the applicant to discuss the development proposal and the planning process. Planning staff strongly

recommended that the applicant submit a rezoning application as the requested height, density, reduced outdoor amenity space and reduction in loading spaces were not issues that were considered minor in nature and were more appropriately considered through the rezoning process.

The heritage building was proposed to be relocated to the east side of the site and encased in an atrium building within the front entrance to the proposed building along Grenville Street.

The applicant then submitted a Committee of Adjustment application. On September 22, 2010 the Committee of Adjustment reviewed a request (A0657/10 TEY) by Lifetime Developments to permit a proposed 149.7 metre high (by-law permits 46 metres) 46-storey mixed-use residential condominium with a total non-residential and residential gross floor area of 30,878 square metres (by-law permits 10,498.8 square metres), density of 21.83 times the area of the lot (by-law permits 7.8 times the area of the lot), no common outdoor amenity space (2 square metres per unit is required) and no Type "B" and "C" loading spaces (both Type "B" and "C" are required).

The Committee of Adjustment refused the variance request and determined that the variances were not considered minor in nature. The applicant appealed the refusal to the Ontario Municipal Board.

### **Pre-Application Consultation - Rezoning**

As a result of the Committee's refusal, the City held several pre-application meetings (October 5, 2010, October 26, 2010, November 1, 2010 and November 15, 2010) to discuss the potential for the submission of a rezoning application, details of the development proposal as well as the potential appeal of the refusal decision to the Ontario Municipal Board (OMB). The applicant appealed the refusal decision by the Committee of Adjustment in November 2010 and the OMB file remains open. The applicant has since decided not to pursue an Ontario Municipal Board hearing but to proceed with the submission of a rezoning application.

During these pre-application meetings, staff expressed concerns over the heritage conservation strategy for the listed heritage building (21 Grenville Street) which included relocating the existing building into an atrium on the east side of the lot where staff recommended that the building remain in-situ adjacent to 25 Grenville Street. Discussion with the applicant also included height and density of the proposed building, setbacks from adjacent buildings and the proposed built form and massing, as well as complete application submission requirements.

### **Original Proposal**

The original application, submitted in December 2010, proposed a 52-storey residential tower with a maximum height of 167.2 metres including mechanical and a one storey large atrium (podium). The proposal included the retention in-situ of the heritage building at 21 Grenville Street on the west side of the site and a publicly accessible landscaped open space fronting onto Grenville Street.

The height of the building had increased by six storeys from the original site plan and Committee of Adjustment applications.

## Revised Proposal

In March 2011, the applicant took part in a Working Group Meeting with the area residents and local Councilor. Through this working group process, which will be discussed in detail later in this report, the members of the working group and the local Councilor supported the relocation of the heritage building to the east side adjacent to St. Luke Lane with minor changes to the built form, podium location and separation distance between buildings.

Below is a table that outlines the history of the development proposal.

**TABLE A**

<b>Application</b>	<b>Height</b>	<b>Heritage – 21 Grenville St.</b>	<b>Units</b>	<b>Total Residential &amp; Non- residential g.f.a.</b>	<b>Residential g.f.a.</b>	<b>Density</b>	<b>Parking Spaces Required/ Provided</b>
Pre- Application	146.15 m 46 storeys	Relocated to east side in Atrium	356	30,868 sq. m	29,381 sq. m	25	285/128
Site Plan Application, - June 21, 2010	149.1 m 46 storeys	Relocated to east side in Atrium	356	30,919 sq. m	29,381 sq. m	25	278/143
Committee of Adjustment	149.7 m 46 storeys	Relocated to east side in Atrium	356	30,878 sq. m	29,381 sq. m	22.9	229/107
Original Application	167.2 m 52 storeys	Retained in situ	438	30,963 sq. m	30,843 sq. m	23.0	309/129
Revised Application - July 2011	169.9 m 52 storeys	Relocated to east side of lot, abutting St. Luke Lane	487	32,500 sq. m	32,073 sq. m	24	332/175

The proposal submitted in July 2011 included a 52-storey residential building with a 4-storey podium. The total height to the top of the mechanical penthouse was proposed at 169.9 metres. A total of 487 residential units was proposed. The unit breakdown proposed was: 25 bachelor units (5%), 292 one-bedroom units (60%), 121 two-bedroom units (25%) and 49 three-bedroom units (10%).

The applicant proposed a residential gross floor area of 32,073 square metres and a non-residential gross floor area of 427 square metres of retail floor space to be located within the existing designated heritage building and on the ground floor along Grenville Street for a total of 32,500 square metres of gross floor area. This equates to a floor space index of 24.0 times the lot area. As noted earlier, 21 Grenville Street is a designated building and is proposed to be retained and relocated to the east side of the property along St. Luke Lane.

The approximate floor plate of the proposed development is 660 square metres which is below the Tall Buildings guideline of 750 square metres.

The applicant proposed seven levels of underground parking for total of 180 parking spaces (which include 8 car share spaces and 29 visitor spaces). Access to the parking garage is proposed to be located along the existing north-south city owned St. Luke Lane. Access to the loading (one Type "G" space) and service area will also be provided at this laneway.

A total of 495 bicycle parking spaces were proposed of which 334 are located in the parking garage levels.

A total of 974 square metres of indoor amenity space was proposed on floors two, three and four and 239 square metres of outdoor amenity space was proposed on the third floor.

The proposed tower is generally square in shape and off-set approximately 6 metres away from 25 Grenville Street and 10 metres from the centreline of St. Luke Lane.

The designated heritage building (21 Grenville Street) is proposed to be relocated from its existing position (abutting 25 Grenville Street) to the east side adjacent to St. Luke Lane. The applicant proposes to cantilever the building over the relocated heritage building on the east side starting on the 4<sup>th</sup> floor.

The Application Data Sheet in Attachment 5 provides additional information on the proposal.

## **Site and Surrounding Area**

The site is located at the southwest corner of Grenville Street and St. Luke Lane. The site is located less than 100 metres from College Station and is located in the Downtown Yonge Business Improvement Area. The 1,346 square metre site is half a block west of Yonge Street and is square in shape.

The property is currently occupied by a commercial parking lot and a three-storey designated heritage building (constructed in 1873) currently used as an office (21 Grenville Street). The heritage building is to be conserved and relocated to the east side of the lot to be used as a new retail space.

The site sits within the College and Yonge Street area surrounded by a range of building type and land uses.

South: a mix of low and mid-rise buildings fronting onto the north side of College Street, generally including retail and service commercial uses at-grade with office or institutional uses above; College Park fronts on the south side of College Street.

East: a two-storey building fronting onto Yonge Street which includes a bank and several commercial establishments. Above these commercial establishments is office space with windows primarily facing onto Yonge Street.

North: west of St. Luke Lane is the 16-storey Peregrine Co-op residential building, with the Ontario Civil Service Credit Union on the first two floors (18 Grenville Street). Just west of this building is the one-storey Chief Coroner office building at 26 Grenville Street, and further west is the 11-storey F.J Harz Company Building, now a residential co-op at 32 Grenville Street. At the northwest corner of Grenville Street and Yonge Street is a one-storey McDonald's restaurant that faces onto Yonge Street (470 Yonge Street).

West: 25 Grenville Street, a 27-storey residential condominium with windows facing north and south, and units having no balconies.

## **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 on Map 2 Urban Structure. 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 must provide a transition between areas of different intensity and scale, including a stepping down of heights towards lower scale neighbourhood. Shadow impacts must be minimized and an attractive, safe and comfortable pedestrian environment be provided.

The Plan also states that the *Downtown and Central Waterfront* area, with its dramatic skyline, is Toronto's image to the world and to itself: comfortable, cosmopolitan, civil, urbane and diverse. Parts of the downtown will see development to house new residents and new jobs. Every home

built within the downtown area offsets the need for in-bound commuting each day. Mixed use is a key ingredient to the successful functioning of downtown and by creating accessibility through proximity.

The Plan states that the highest buildings and greatest intensity occur in the downtown. As such, the proposal was reviewed for conformity with the Built Form – Tall Building policies of the Plan, which outline built form principles that are applied to the location and design of such buildings.

Other important policies relevant to this application include those in the “Downtown”, “Public Realm”, “Built Form” and “Built Form – Tall Buildings” sections of the Plan. To assist with the implementation of these policies, the City has prepared "The Design Criteria for Review of Tall Building Proposals" guidelines. The City will review the proposed development for compliance with the guidelines.

The Toronto Official Plan is available on the City’s website at:  
[www.toronto.ca/planning/official\\_plan/introduction.htm](http://www.toronto.ca/planning/official_plan/introduction.htm)

The City’s "Design Criteria for Review of Tall Building Proposals" guidelines is also available on the City’s website at:  
[www.toronto.ca/planning/pdf/tallbuildings\\_udg\\_aug17\\_final.pdf](http://www.toronto.ca/planning/pdf/tallbuildings_udg_aug17_final.pdf)

## **Design Criteria for the Review of Tall Building Proposals**

The City’s ‘Design Criteria for the Review of Tall Building Proposals’ provide guidelines for the design and evaluation of tall buildings in the City. Aimed to implement the built form policies of the City’s Official Plan, they include measurable criteria and qualitative indicators to assist in the review of tall building proposals. Criteria and indicators are related to four main areas: site context, site organization, building massing and the pedestrian realm.

In considering site context, tall building proposals must address concerns related to transitions between taller buildings and lower scale features nearby. Measures such as height limits, setbacks, stepbacks and angular planes are used to achieve appropriate transitions in scale and the protection of sunlight and sky views.

Design criteria related to site organization address issues of building placement and orientation; location of building entrances; servicing and parking requirements; and enhancement of adjacent streets and open spaces.

Building massing is a critical consideration in assessing tall buildings. The scale of the base component of a tall building should have good street proportion to maintain access to sunlight and sky views along the street, should integrate with adjacent buildings and should minimize the impacts of parking and servicing uses. To break down the mass of the building, smaller floor plates and building articulation is recommended. Adequate space between tall building elements allows for appropriate light and privacy for existing and new buildings, as well as allowing appropriate sunlight, wind and sky view to adjacent streets, parks, open spaces and properties. Conditions beyond the required by-law minimums are often required to achieve light, view and



privacy. The criteria include a minimum spacing of 25 metres between the shafts of tall building elements.

New tall buildings are expected to enhance the public realm by providing active frontages, and high quality streetscape and landscape design elements. To reduce negative impacts of taller buildings elements, a minimum stepback of 3 metres for the taller building parts from the street edge of the base building is required. Other considerations include: weather protection; limiting shadowing impacts and uncomfortable wind conditions on nearby streets, properties and open spaces; as well as minimizing additional shadowing on neighbouring parks to preserve their utility.

## **Zoning**

The site is zoned CR T7.8 C2.0 R7.8 under Zoning By-law 438-86. This zoning designation permits a variety of mixed uses including residential. The maximum permitted density is 7.8 times the lot area, with 2.0 times the lot area for commercial uses and 7.8 times the lot area for residential uses. The maximum height permitted is 46 metres.

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

## **Site Plan Control**

The proposed development is subject to site plan control. An application for Site Plan Approval has been submitted (10-196552 STE 27 SA).

## **Reasons for Application**

The proposed height and density do not comply with Zoning By-law 438-86.

Variances to the Zoning By-law include but are not limited to the following:

- a total parking of 180 is being provided while the by-law requires 332 spaces;
- the total permitted density of 7.8 times the area of the lot is exceeded by approximately 24 times the area of the lot;
- the building height of 169.9 metres significantly exceeds the permitted height of 46 metres; and-
- a proposed outdoor amenity space of 239 square metres is provided while the by-law requires 974 square metres.

## **Community Consultation**

A community consultation meeting was held on February 9, 2011 and was attended by 88 residents. Issues raised at the meeting and submitted on comment sheets distributed at the meeting include:

1. concern about traffic and loading from St. Luke Lane and the impact on the adjacent streets;
2. concern about density, height and the shadow this proposed building may have on the adjacent properties;

3. concern about the heritage building and suggestions to relocate the building to the east side of property;
4. concern about tower precedent;
5. concern about the impact this proposed building may have on 18 Grenville outdoor amenity space and views south from 25 Grenville Street;
6. request for more retail at the ground level along Grenville Street; and
7. request for a green development standard compliant building.

At the conclusion of the meeting the Ward Councillor recommended a working group process to explore possible changes to the application. City Planning staff also received written comments after the community consultation meeting.

#### Working Group Process:

The purpose of a working group process is to assemble area stakeholders to facilitate community input on the application. A Working Group was formed made up of representatives from three adjacent buildings (25 Grenville Street, 18 Grenville Street and 832 Bay Street); the Downtown Yonge Business Improvement Area, the Native Child Organization (30 College Street) and the Bay Cloverhill Community Association.

These representatives worked with City Planning staff and the applicant's team and met on four occasions (March 24, 2011, April 8, 2011 and April 27, 2011 and June 30, 2011). Working Group sessions were open to the public and well attended.

During the March 24, 2011 meeting the applicant provided a review of the development proposal including the height, setbacks, lack of podium, massing, location of heritage, parking, loading, access and proposed open space along Grenville Street. Members of the Working Group felt that the existing heritage building (21 Grenville Street) would be "hemmed in" beside a really tall building which will have a blank wall on its west façade. Members also thought that the proposed landscaped space in the front of the building may be problematic and lead to confusion regarding what is considered private and public space.

The Working Group members also expressed the following concerns:

- 1) minimal setback from the tower to the south property line;
- 2) height – recommend 39-storeys, the development is located on a side street and does not have the capacity to support a tall building;
- 3) shadow on the surrounding community should be minimized; and
- 4) zero lot line separation distance between the proposed development and 25 Grenville Street.

During the April 8, 2011 working group meeting, the applicant presented the working group with a further alternative which showed the following:

- 1) relocation of the heritage building from the west side abutting 25 Grenville Street to a stand-alone building on the east side of the site along St. Luke Lane;

- 2) 4-storey podium;
- 3) removal of the private/public open space along Grenville Street;
- 4) primary entrance to the condominium would be from St. Luke Lane; and
- 5) proposed setbacks:
  - (i) 4.65 metre setback from south property line;
  - (ii) 4.00 metre setback from Grenville Street;
  - (iii) 7.18 metre setback on the east side; and
  - (iv) 6.00 metre setback on the west side.

The Working Group members expressed the following concerns with this new alternative:

- 1) shift the tower to the east to protect the privacy of the residents living at 25 Grenville Street;
- 2) shift the tower in a north/south direction to provide more spacing between the proposed tower and 25 Grenville Street;
- 3) working group members suggested a six metre separation distance between the buildings from 25 Grenville Street;
- 4) working group members were concerned about the impact the proposed height and massing may have on the existing outdoor amenity space on the roof of 18 Grenville Street;
- 5) the main entrance to the proposed residential tower should be at Grenville Street;
- 6) the laneway should be upgraded including quality stone work, appropriate lighting; and
- 7) members are concerned about loading pedestrian and vehicle traffic that will be using St. Luke Lane.

During the April 27, 2011 working group meeting, the applicant presented the working group with further changes to the development proposal including:

- 1) six metre separation distance between the proposed tower and 25 Grenville Street;
- 2) relocation of the heritage building along St. Luke Lane attached to the proposed residential tower;
- 3) relocation of the main entrance to the residential tower from St. Luke Lane to Grenville Street; and
- 4) the tower shifted south 4.25 metres in order to reduce any impact of privacy on 25 Grenville Street.

The Working Group members expressed the following concerns with this new alternative:

- 1) height – 25 stories is more appropriate;
- 2) the building should be slender because shadows travel faster on surrounding buildings;
- 3) the proposed development is on a small site that does not accommodate this new density; and
- 4) Section 37 funds should be used for community benefit initiatives.

A final Working Group meeting was set up on June 30, 2011 to discuss Section 37 Benefits, massing, setbacks, visitor parking spaces, heritage relocation and retail access.

The Working Group members provided the following additional comments during this meeting:

- 1) align the proposed podium with the front of 25 Grenville Street;
- 2) move the heritage building closer to the street;
- 3) animate Grenville Street by providing more entrances into the retail units; and
- 4) increase the amount of visitor parking spaces.

The applicant responded each time with alterations to the schemes. Some issues were addressed to the community's satisfaction and others were not resolved.

## **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 (PPS). The PPS encourages additional density through intensification and redevelopment to accommodate an appropriate range and mix of employment opportunities, housing and other land uses to meet projected needs for a time horizon of up to 20 years (Policy 1.1.2).

Intensification shall meet appropriate development standards (Policy 1.1.3.4), which is discussed further in this report under the subheading Density and Site Massing.

Policy 1.6.5.4 promotes a land use pattern, density and mix of uses that minimize the length and number of vehicle trips and support the development of viable choices and plans for public transit and other alternative transportation modes, including commuter rail and bus. While this development provides a sufficient number of parking spaces to support the development, it is within a relatively short walking distance to two subway stops, namely Wellesley station and College station (which is less than 100 metres away).

The proposal conforms and does not conflict with the Growth Plan for the Greater Golden Horseshoe. The Growth Plan requires that a significant portion of new population and employment growth be directed to the built-up areas of the Greater Golden Horseshoe within intensification areas. Municipal official plans are viewed as the key vehicle through which the policy objectives of the Growth Plan are to be implemented and as such, Policy 6 of Section 2.2.3 requires that municipalities will identify intensification areas in their respective official plan. Policy 7 of Section 2.2.3 of the Growth Plan outlines the objectives in official plan for intensification areas, including ensuring appropriate transitions of built form to adjacent areas.

This site is located within the Toronto: Downtown Urban Growth Centre as illustrated in the Growth Plan. The City of Toronto's Official Plan conforms to the Growth Plan by identifying the *Downtown* and *Central Waterfront* areas as an intensification area on Map 2.

## **Land Use**

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. The site is near:

- public transit, in particular the Yonge/University and Bloor/Danforth subway lines;
- community facilities;
- places of employment;
- retail stores and services; and
- places of entertainment.

The site's proximity to these attributes make this site well suited for redevelopment, intensification and the introduction of a variety of uses, including residential uses.

Retail is proposed within the relocated heritage building and along the frontage of Grenville Street which helps to animate the street. This proposed retail is supported by the Yonge Street Business Improvement Area.

## **Proposed and Recommended Development**

Staff are recommending a reduced height, massing, density and unit count than that proposed by the applicant in the revised submission. Taken together, what has been proposed overdevelops the site and requires modification.

The following sections outline staff concerns and provide recommendations on what modifications to the project are appropriate. While staff recommend these changes, staff support the applicant's general approach which is a tall, slender tower appropriately positioned and massed on the site, with a relocation of the heritage building to the St Luke Lane frontage.

## **Height – Proposed and Recommended**

The original submission proposed a tower height of 52 storeys (169.9 metres), which staff consider to be contextually too high for the area. The subject property is currently a parking lot and heritage building on the south side of Grenville Street between Bay Street (a zoned height ridge) and Yonge Street. The site is within 100 metres of higher order transit lines including the College subway station and the College/Carlton streetcar line, and is within an existing cluster of taller buildings. The heights in the immediate area include 50 storeys (Burano – 832 Bay Street), 43 storeys (The Met – 21 Carlton Street) and 43 storeys (Murano – 825 Bay Street). These existing adjacent condominiums are within proximity of Yonge Street and College Street or within the height ridge of Bay Street. The proposed 52 storeys will be higher than any other building within the area excluding the Aura at College Park with 75 storeys at Yonge Street at Gerrard Street East. The Aura was evaluated under a site specific by-law applying to the entire College Park block.

The original request on this site was for 46 storeys and the applicant made a submission through the Committee of Adjustment for a minor variance to permit this height and was denied and was

encouraged to go through a rezoning application. The current submission, as noted above, is for 6 additional floors.

Planning staff, the working group and the local Councilor have been working with the applicant to address the issue of shadowing on parks and adjacent existing outdoor amenity spaces, relocation of heritage, height, built form and massing issues (detailed discussion of density and massing found below). The issue of height has always been a contentious issue with the residents and staff.

Planning staff support a 46-storey residential building on the subject property. The property is located in the Downtown where additional height and density are permitted in appropriate locations. The area heights are more comparable to the 46-storey height originally proposed. At 46 storeys there continues to be adequate space between the tall buildings for appropriate light and privacy for existing buildings as well as allowing appropriate sunlight, conformity with existing built form character (existing buildings built to cover the full width of their sites), wind and skyviews.

### **Density and Site Massing – Proposed and Recommended**

The *Mixed Use Areas* provisions of the Official Plan provide a list of criteria that directs the design of proposed new developments within this designation. The development has been designed to adhere to the following *Mixed Use Areas* criteria:

- locate and mass new buildings so as to frame edges of streets and maintain sunlight and comfortable wind conditions for pedestrians on adjacent streets and in parks and open spaces.

This block of Grenville Street is characterized with buildings that have been built to cover the full width of their sites. The applicant is achieving the same built form as currently permitted on this street.

The proposed tower is setback 4.6 metres from Grenville Street and the tower is proposed to be located in the middle of the lot fronting Grenville Street and relocates the existing designated heritage building on the east side of the lot. The setbacks also maintain or ensure:

- the view corridor for residents at 18 Grenville Street looking south – 6 metre setback between this proposed development and 25 Grenville Street which provides a view corridor for the outdoor amenity space on top of the roof of 18 Grenville Street (the tower was moved east to protect those residents at 25 Grenville Street as suggested by the Working Group);
- an appropriate setback between as-of-right zoned buildings on Yonge Street is maintained; and
- the separation distance between this development and 25 Grenville is appropriate.

The overall gross floor area of the recommended 46-storey development is 28,000 square metres or 21 times the area of the lot (or 13.2 over and above the as-of-right). This is higher density to recent developments in the area including 770 Bay Street at 12.0 times density and 832 Bay

Street at 15.0 times density. The high number is attributable to the small lot size. The proposed density represents an increase from 7.8 times coverage permitted (approximately 10,452 square metres). As a result of the reduced gross floor area, the unit numbers have been reduced. As discussed above, the proposal's additional density and height in excess of the underlying zoning permission is achieved in an acceptable built form that can be appropriately accommodated on this site given its built context.

#### Conformity with Tall Buildings Guidelines

The Tall Buildings Urban Design Guidelines recommend a maximum tower floorplate of 750 square metres. Tower dimensions of no more than 27.4 by 27.4 metres are suggested. Building articulation is recommended for floor plates above this amount. The proposed tower floorplate is approximately 660 square metres and the dimensions of the building are 30 metres by 22 metres. The massing is appropriate as the building is articulated and has acceptable shadow impacts (as discussed later in this report).

The Tall Buildings Urban Design Guidelines recommends a three-metre to five-metre stepback for a tower from a podium. The applicant proposes a 4.6 metre stepback from the podium along Grenville Street and a 4.65 metre stepback (which includes the 1.5 metre balcony width) along the 3 metre wide private laneway to the south.

An animated street frontage incorporating the heritage building and four-storey podium building along Grenville Street and St. Luke Lane is proposed. The taller elements of the building have been setback appropriately to reduce their presence onto the street and the existing heritage building is being relocated and conserved.

#### East/West Setbacks

A 13.28 metre separation distance is proposed to the lot line at 458 Yonge Street (RBC Site) across St. Luke Lane. The tower portion will be more than 30 metres away from Yonge Street. A six metre setback is being proposed by the applicant from the tower portion to the existing building at 25 Grenville Street up to the 25th floor.

The applicant proposes that floors 26 to 52 be cantilevered such that a 4 metre setback is proposed for these floors to the west property line. Staff do not support this cantilever. The view corridor and skyview from 18 Grenville Street looking south is better maintained with the proposed 6 metre separation distance.

The building at 25 Grenville Street has north and south facing windows and has no balconies. The proposed south wall of the building is located 4.62 metres south of 25 Grenville Street which would retain skyview and light for those residents living in the south facing units in 25 Grenville Street.

The applicant is also proposing on the east side of the lot a 7.18 metre setback from the 4<sup>th</sup> floor to the 52<sup>nd</sup> floor thereby resulting in a 1.7 metre cantilever over the relocated heritage building. Staff do not support this cantilever.

The applicant is also proposing to put a blank wall on the west side of their building adjacent to 25 Grenville Street. Planning staff will ensure through site plan control that the proposed west wall on the new building is appropriately treated adjacent to 25 Grenville Street.

#### Impact on 14, 20 and 22 College Street

The proposed stepback from the south property line to the proposed tower is 4.65 metres. The width of the south private laneway is approximately 3 metres for a total separation distance of 7.65 metres. Currently the buildings at 14, 20 and 22 College Street abut the private laneway at the north lot line. While the combination of 14, 20 and 22 College Street have some development potential as one site, the site is significantly constrained for a tall building for the following reasons:

- fourteen and twenty-two College Street are listed heritage buildings and make up the majority of the combined lot;
- The Native Child institutional building is less likely to be redeveloped (at 22 College Street);
- the combined site has existing access limitations. There is no parking for the site and all access and loading are from St Luke Lane or from the narrow private laneway which is currently used for loading, unloading and waste collection; and
- canyon built form typology along College Street is characterized by high streetwalls with buildings that have been built to cover the full width of their sites. The redevelopment of this combined site will introduce some stepbacks and setbacks along College Street which will reduce the likelihood of this site being considered a tall buildings site.

Planning staff would not likely support any additional development on top of these existing heritage buildings. Twenty College Street (Fran's restaurant) is not considered large enough to accommodate any additional height or density (over and above the as-of-right).

### Heritage

The relocation of the Heritage building from the west side of the site to the east side of the site adjacent to St Luke Lane is not supported by Heritage Preservation Services and in their opinion this proposal does not conform with the Standards and Guidelines for the Conservation of Historic Places in Canada, where minimal intervention is a guiding principle.

The original circulation (see Table A above) was to retain in-situ the existing designated heritage building. Originally, Community Planning and Heritage Preservation Staff worked with the applicant to retain the building and design a residential condominium around the heritage building.

After further consultation, Community Planning staff working with the applicant, the Councilor and the Working Group support the relocation of the heritage building to the east side of the property for the following reasons:

- 1) The proposed location along St. Luke Lane would allow for a 20 metre minimum separation distance between the tower portion of this development and a potential



building massing at the RBC site across St. Luke Lane. This conforms to the Tall Buildings policy for separation distance between towers. Leaving the heritage building in its existing location resulted in a proposed separation distance of 11 metres.

- 2) The proposed location along St. Luke Lane would animate the street (as the heritage building is proposed to have retail on the ground floor). The heritage building would provide a soft street edge acting as a podium with the tower above.
- 3) This location would also comply with CPTED principles "eyes of the street" and would allow for an improvement to the laneway in concert with potential development at the RBC site. The existing built form of the heritage building along St. Luke Lane creates a safer pedestrian environment within the laneway and provides an appropriate scale facing the laneway.
- 4) The proposed location would sit proudly (in alignment with 25 Grenville Street) with clear views from Yonge Street - it would be difficult to design a building around the existing heritage building without creating a built form that has blank walls straight up from the heritage building.
- 5) Relocating the heritage building allows for the tower to move closer to Grenville Street and partially obscures the flat featureless east end wall of 25 Grenville Street.
- 6) Allows the podium along Grenville Street to extend to the north property line (abutting 25 Grenville Street) which defines a better scale for pedestrian traffic. The retention of the heritage building would create indentations (setbacks) in the pedestrian space along Grenville Street with very limited podium space (in order to accommodate the building to sit proudly along the street significant changes to the development will be required).

Heritage Preservation Services (HPS) staff do not support the current proposal as the project's mitigation strategy would not be able to retain and reinforce the heritage values that currently exist at the site.

A Heritage Impact Assessment and Heritage Relocation Plan was submitted on July 15, 2011 by ERA Architects for the relocation of the Heritage Building. Community Planning Staff are requesting that prior to final site plan approval, the applicant must satisfy Heritage Preservation Services with the relocation of the heritage building at 21 Grenville Street with an approved Heritage Impact Assessment and Heritage Relocation Plan.

The conservation strategy should conserve the heritage attributes of the buildings while adapting them for future occupancies which will further activate the surrounding streets and provide for an improved pedestrian environment.

## **Sun and Shadow**

Section 3.1.3 (Built Form) and Sections 4.5.2(d) and (e) of the Official Plan include policies 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 architect Architects Alliance dated December 2010.

The proposed 52-storey building will introduce additional shadow impact on the neighbouring properties designated *Mixed Use Areas* and *Parks* beyond that which would be anticipated under as-of-right zoning conditions (See Attachment 3).

During the March 21/September 21 condition, the proposed building casts a shadow of approximately 45 minutes starting at 11:18 a.m. over the Opera Place Park. The Park is already in shadow from adjacent buildings in the area at this time. The north and south Opera Place parks are not impacted by new shadow for the proposed tower between 12 PM and 4 PM.

During the same period, the proposed shadow will further cast an additional shadow of approximately 2 hours over the outdoor roof top amenity space for 18 Grenville Street (16 storeys) on the north side of Grenville Street just east of Yonge Street. Both the proposed 52 and the recommended 46-storey height would cast more shadow on this private amenity space than the 15-storey (46-metre) as of right zoning. While there are no sunlight protection standards for private amenity space, the slender size of the tower does mitigate the impact.

The staff recommended height of the building of 46 storeys reduces the shadow impact on September 21 and March 21 on Opera Place and Alexander Park which are small parks in a parkland deficient area primarily used for sunlight enjoyment.

## **Wind Analysis**

The Official Plan policies require new development to be massed to fit harmoniously into its existing and/or planned context. This includes minimizing adverse effects of winds on neighbouring streets, properties and all exterior pedestrian areas. The applicant has submitted a Pedestrian Wind Commentary of the conditions created by the proposed building from Gradient Microclimate Engineering Inc. dated May 26, 2011. Their analysis concludes that the pedestrian wind conditions at the main entrances along Grenville Street will be suitable for the expected use of the area, which is standing and strolling or walking. Wind conditions elsewhere along St. Luke Lane and at the rear of the building are expected to be calm due to the protection afforded by neighbouring buildings. The location of the podium and proposed setbacks on the north and west building facades are effective wind control measures. Staff are satisfied with these conclusions and find the resultant wind conditions satisfactory.

## **Traffic Impact, Access, Parking**

A Traffic Impact Study prepared by LEA Consulting and subsequent addendums have been submitted and reviewed by Transportation Services 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.

The Owner will be required to convey to the City a 0.3 metre wide strip of land across the entire length of the property abutting St. Luke Lane. This conveyance will be required during the site plan control process.

Transportation Services staff further advised that the proposed provision of below-grade parking spaces in seven levels of underground parking is acceptable. The applicant is also proposing car-sharing and visitor parking spaces. The visitor parking will operate as a paid parking facility. The area is well served by on-street parking that could be used by visitors.

The draft Zoning By-law amendment attached to this report provides Transportation Services' recommended minimum parking ratios to provide flexibility with respect to the number and mix of residential units.

<b>Dwelling unit Type</b>	<b>Parking Ratio</b>
Bachelor Units	0.10 spaces per unit
1-bedroom Units	0.20 spaces per unit
2-bedroom Units	0.54 spaces per unit
3+ bedroom Units	1.00 spaces per unit
Visitors	0.06 spaces per unit

### **Residential Amenity Space**

The general Zoning By-law requires two square metres of common outdoor and indoor residential amenity space per unit. The proposed indoor amenity space meets the by-law requirement but the proposed outdoor amenity space is deficient. The draft Zoning By-law amendment attached to this report provides a minimum of 0.49 square metres per unit of outdoor amenity space. The amount of outdoor amenity space proposed is acceptable given the limitations of the site. In addition, minimizing shadow on nearby parks is considered important given this outdoor space deficiency.

### **Pedestrian Infrastructure – Weather Protection**

The applicant proposes no weather protected canopies along the main entrance to the condominium and along the proposed retail uses along Grenville Street. Continuous weather protection is particularly important as it assists in improving microclimate and wind conditions experienced at the pedestrian level. Staff require continuous weather protection with a minimum depth of 3 metres and will be secured through the site plan approval stage.

The proposed pedestrian infrastructure including design, width and location of sidewalks will also be reviewed in detail at the Site Plan approval stage. The Downtown Yonge Business Improvement Area proposes to brick St. Luke Lane. The applicant supports upgrading and animating this lane.

### **Cycling and Transit Infrastructure**

The site is well served by the Bay Street Clearway, College Street, Wellesley Street, Elizabeth Street and Gerrard Street bicycle lanes.

Planning staff propose that the applicant provide a minimum of 427 bicycle parking spaces which includes 336 bicycle parking spaces for residents (0.8/unit) and 91 bicycle parking spaces for visitors and retail (0.2/unit).

The site is well served by public transit including a five minute walk to College/Wellesley Subway Stations to the east and 10 minute walk to the Queens Park Subway Station to the west on the Yonge/University Line and in close proximity to the College/Carlton Streetcar Line.

## **Servicing**

The applicant will have to pay for all upgrades to existing services to service this development including the removal of the existing 150mm watermain on Grenville Street and the installation of a new 300mm watermain and provide financial security, submit engineering and inspection fees and provide insurance. This and other conditions 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.

## **Open Space/Parkland**

The Official Plan contains policies to ensure that Toronto's system of parks and open spaces are maintained, enhanced and expanded. Map 8B of the Toronto Official Plan shows local parkland provisions across the City. The lands which are the subject of this application are in an area with 0 to 0.42 hectares of local parkland per 1,000 people. The site is in the lowest quintile of current provision of parkland. The site is in a parkland priority area, as per the City Wide Parkland Dedication By-law 1020-2010.

Planning staff propose 427 residential units and 427 m<sup>2</sup> of non residential uses on a site with a net area of 1,346 m<sup>2</sup>. At the alternative rate of 0.4 hectares per 300 units specified in By-law 1020-2010, the parkland dedication requirement is 0.584 hectares or 433.8% of the site area. However, for sites that are less than 1 hectare in size, a cap of 10% is applied to the residential use while the non-residential use is subject to a 2% parkland dedication. In total, the parkland dedication requirement is approximately 134.6 m<sup>2</sup>. The applicant proposes cash-in-lieu of parkland which is acceptable to staff.

## **Urban Forestry/Streetscape**

The Official Plan's development criteria in *Mixed Use Areas* call for development to provide an attractive, comfortable and safe pedestrian environment, and to locate and screen service areas, ramps and garbage storage to minimize the impact on adjacent streets and residences. The proposed development satisfies these policies, in part by locating garbage, loading and service areas to the interior of St. Luke Lane, and by providing a landscaped streetscape along Grenville Street.

The streetscape adjacent to the development site, as shown in submitted landscape plans, will be reinforced and improved through consistent street tree plantings on Grenville Street. Further details with respect to landscaping, street tree planting and weather protection in the form of entrance awnings or canopies will be assessed at the time of Site Plan review.

## **Toronto Green Development Standard**

On October 27, 2009 City Council adopted the two-tiered Toronto Green Standard (TGS). The TGS is a set of performance measures for green development. Tier 1 is required for new development. Tier 2 is a voluntary, higher level of performance with financial incentives. Achieving the Toronto Green Standard will improve air and water quality, reduce green house gas emissions and enhance the natural environment. The applicant is required to meet Tier 1 of the TGS.

Other applicable TGS performance measures will be secured through the Site Plan Approval process.

The Toronto Green Development Standards Checklist submitted by the applicant indicates that the proposed development is intended to meet several Tier 1 performance targets. Some of the targets to be met include the following:

- All exterior light fixtures are shielded;
- Storage and collection areas for recycling and organic waste are within or attached to the building;
- Meets and exceeds the number of bicycle parking spaces; and
- Urban Heat Island at grade – the applicant has indicated that the hardscape will be high albedo.

## **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. The community benefits recommended to be secured in the Section 37 agreement are as follows.

Before introducing the necessary Bills to City Council for enactment, City Council require the owner of the lands at 9-21 Grenville Street 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 above-grade permit, pay to the City the sum of \$1,800,000 consisting of \$950,000 towards improvements to the College Subway station and Wellesley Subway station, \$500,000 towards the upgrade of St. Luke Lane and \$350,000 towards widening the sidewalks on Grenville Street and Wood Street;
- b) Require that the cash amounts identified in a) above shall be indexed annually in accordance with the Non-Residential Construction Price Index for the Toronto CMA, reported quarterly by statistics Canada in Construction Price Statistics Publication No. 62-007-XPB, or its successor, calculated from the date of execution of the Section 37 Agreement to the date of submission of the funds by the owner to the City;

- c) A public art contribution in accordance with the Percent for Public Art Program for a value not less than one percent of the gross construction cost;

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

- d) The owner shall pay for and construct any improvements to the municipal infrastructure in connection with the Functional Servicing Report, as reviewed and accepted by the Executive Director of Technical Services, should it be determined that improvements to such infrastructure are required to support the development;
- e) The implementation of any wind mitigation measures required by the applicant's wind study, satisfactory to the Chief Planner and Executive Director, City Planning Division, to be submitted as part of a revised application for Site Plan Approval;
- f) Prior to final site plan approval the owner shall:
  - 1. In the event that deeply buried archaeological remains are encountered on the property during construction activities, the Heritage Operations Unit of the Ministry of Tourism and Culture be notified immediately at (416) 314-7146 as well as the City of Toronto, Heritage Preservation Services Unit (416) 338-1096;
  - 2. In the event that human remains are encountered during construction, the proponent should immediately contact both the Ministry of Tourism and Culture, and the Registrar or Deputy Registrar of Cemeteries at the Cemeteries Regulation Unit, Ministry of Government Services, (416) 326-8393;
  - 3. Provide and maintain an irrigation system, at the applicant's expense, for proposed trees within the public road allowances including an automatic timer, designed to be water efficient by a Certified Landscape Irrigation Auditor (CLIA) and constructed with a back flow preventer to the satisfaction of the Executive Director, Technical Services Division, and requirement to maintain in good order and operation;
  - 4. 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;
  - 5. Submit a stormwater management report, a site servicing plan and site grading, drainage and landscape plans;
  - 6. Provide plans that show continuous weather protection with a minimum depth of 3 metres along Grenville Street for newly constructed;

7. Convey to the City a 0.3 metre wide strip of land across the entire length of the property abutting St. Luke Lane; and
8. The owner shall provide a minimum of ten percent (10%) of the residential units in the building having at least three bedrooms.

### **North Downtown Yonge Street Planning Framework Study**

Planning staff are in the process of undertaking an Urban Design Review Study formally called the North Downtown Yonge Street Planning Framework Study with boundaries from College Street/Carlton Street to Bloor Street and from Bay Street to Church Street. This Planning Framework was started in July 2011 and the submission of this rezoning application was formally submitted in December 2010 and in June 2010 for the Committee of Adjustment. Due to the extensive community consultation on this application and Planning Staff timeline for reporting requirements, Planning staff has deemed this application to be exempt from this framework review.

### **Tenure**

All residential units will be part of a condominium corporation. An application for draft plan of condominium approval is required.

### **Development Charges**

It is estimated that the development charges for this project will be \$2,810,528 (based on 46-storeys). This is an estimate. The actual charge is assessed and collected upon issuance of the building permit.

### **Conclusion**

City Planning is supportive of a 46-storey residential condominium development and the required Zoning By-law amendment. The proposal with modifications recommended in this report, represents an appropriate redevelopment of an existing vacant parking lot. The site is large enough to accommodate additional density and height and is within 100 metres of higher order transit including the College subway station and the College/Carlton streetcar line and is in close proximity to similar tall buildings.

At 46-storeys, the building has been located and massed to be contextually compatible with the adjacent buildings and to mitigate negative impacts on sky views, shadow, distance separation and wind.

## **CONTACT**

Michael Hynes, Senior Planner

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Fax No. 416-392-1330

E-mail: mhynes@toronto.ca

## **SIGNATURE**

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

(p:\2011\Cluster B\pln\teycc6704574084) - vc

## **ATTACHMENTS**

Attachment 1: Site Plan

Attachment 2: Elevations

Attachment 3: Zoning

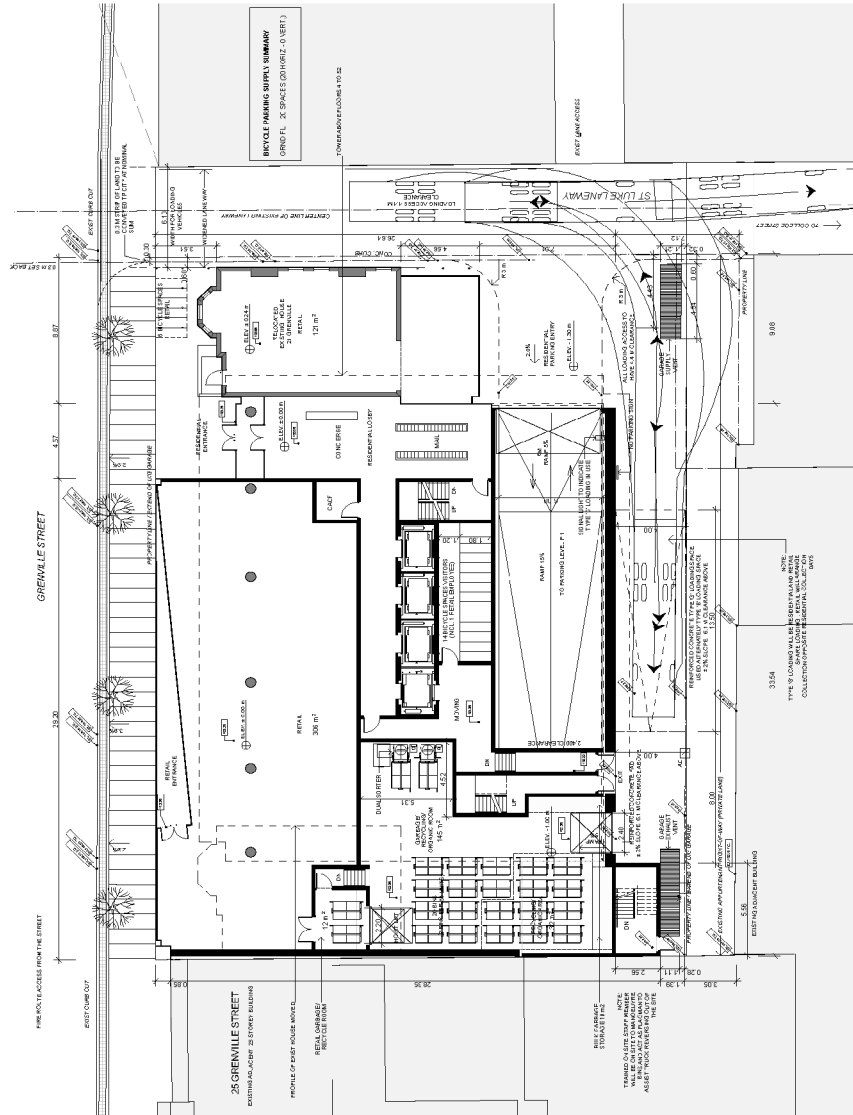
Attachment 4: Official Plan

Attachment 5: Application Data Sheet

Attachment 6: Draft Zoning By-law Amendment:



## Plan



## Site Plan

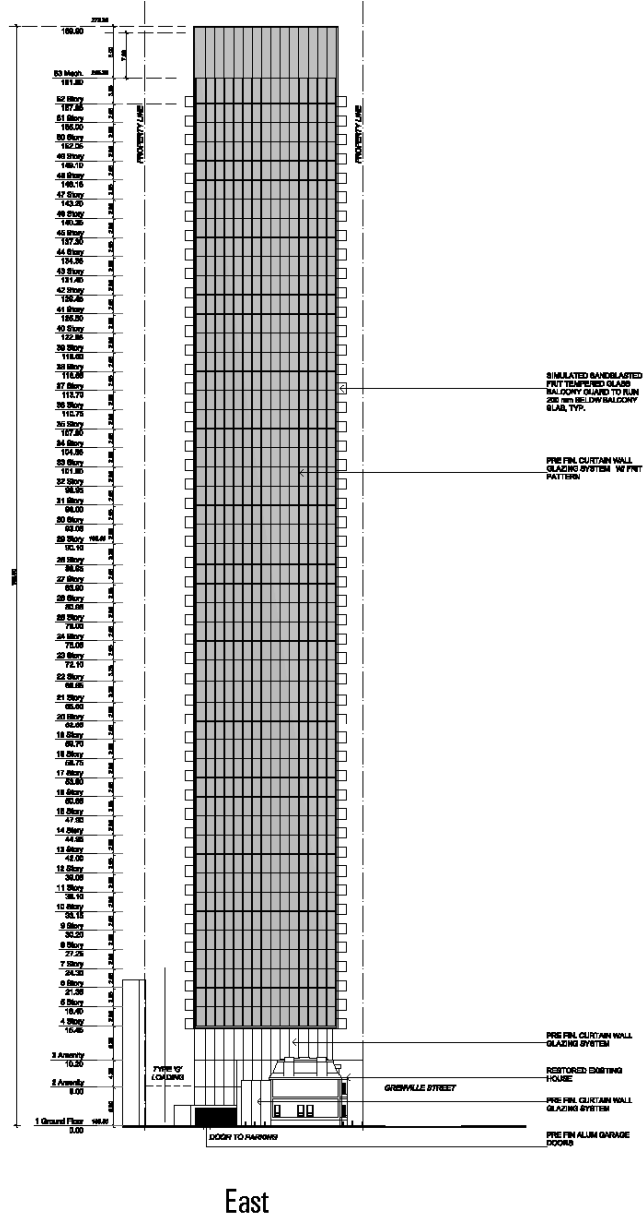
### Applicant's Submitted Drawing

Not to Scale  
06/20/2011

**9-21 Grenville Street**

File # 10 313898 0Z

## Attachment 2: East Elevation



## Elevations

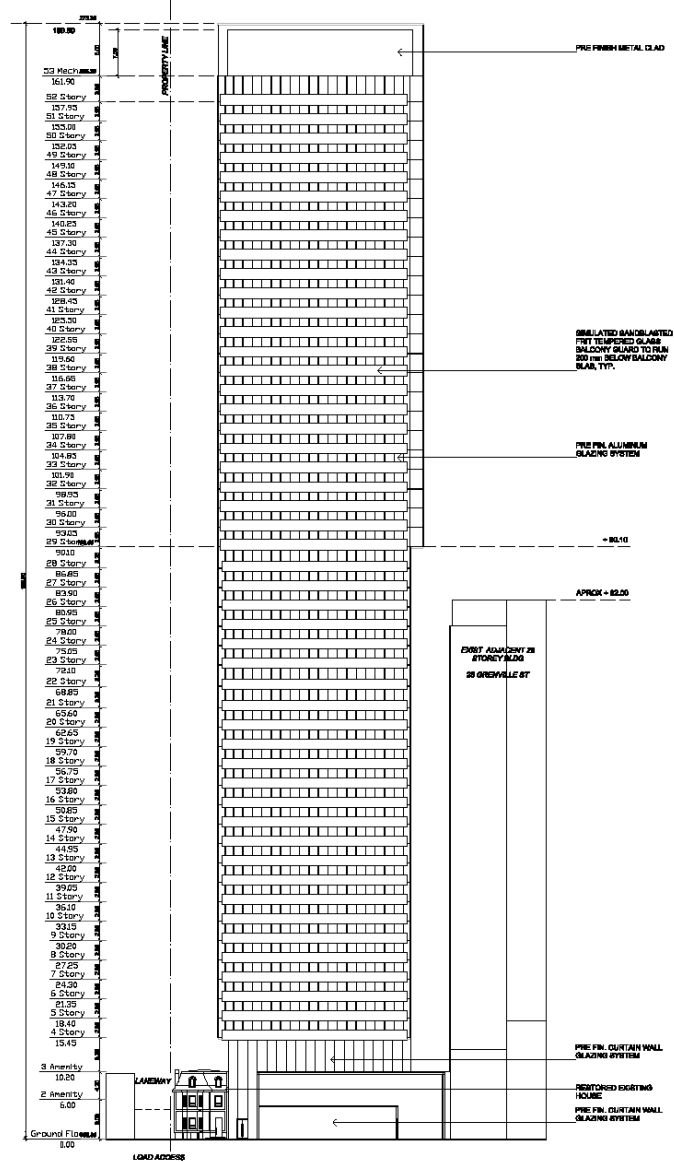
Applicant's Submitted Drawing

Not to Scale  
06/27/2011

9-21 Grenville Street

File # 10 313898 OZ

## North Elevation



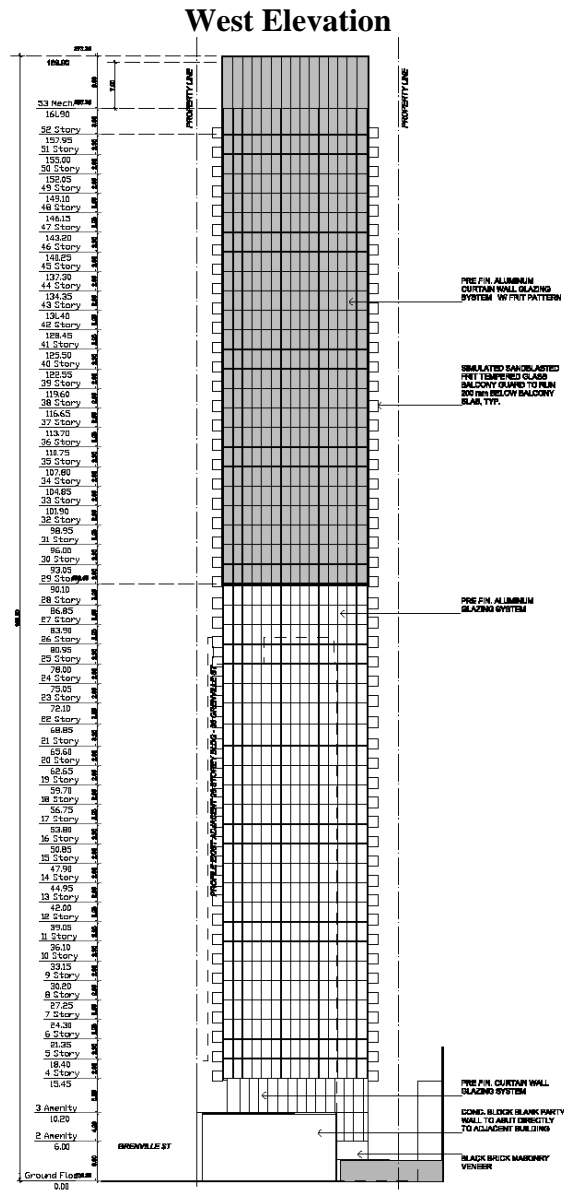
## Elevations

Applicant's Submitted Drawing

Not to Scale  
06/27/2011

## 9-21 Grenville Street

File # 10 313898 02



## Elevations

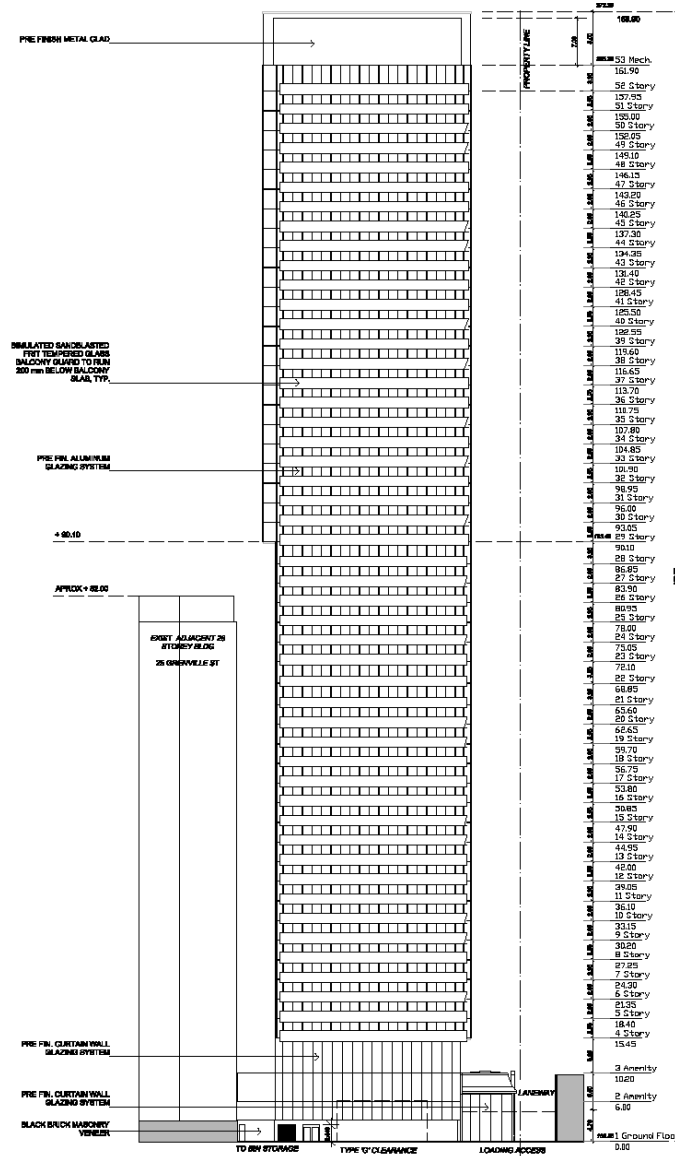
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Not to Scale  
06/27/2011

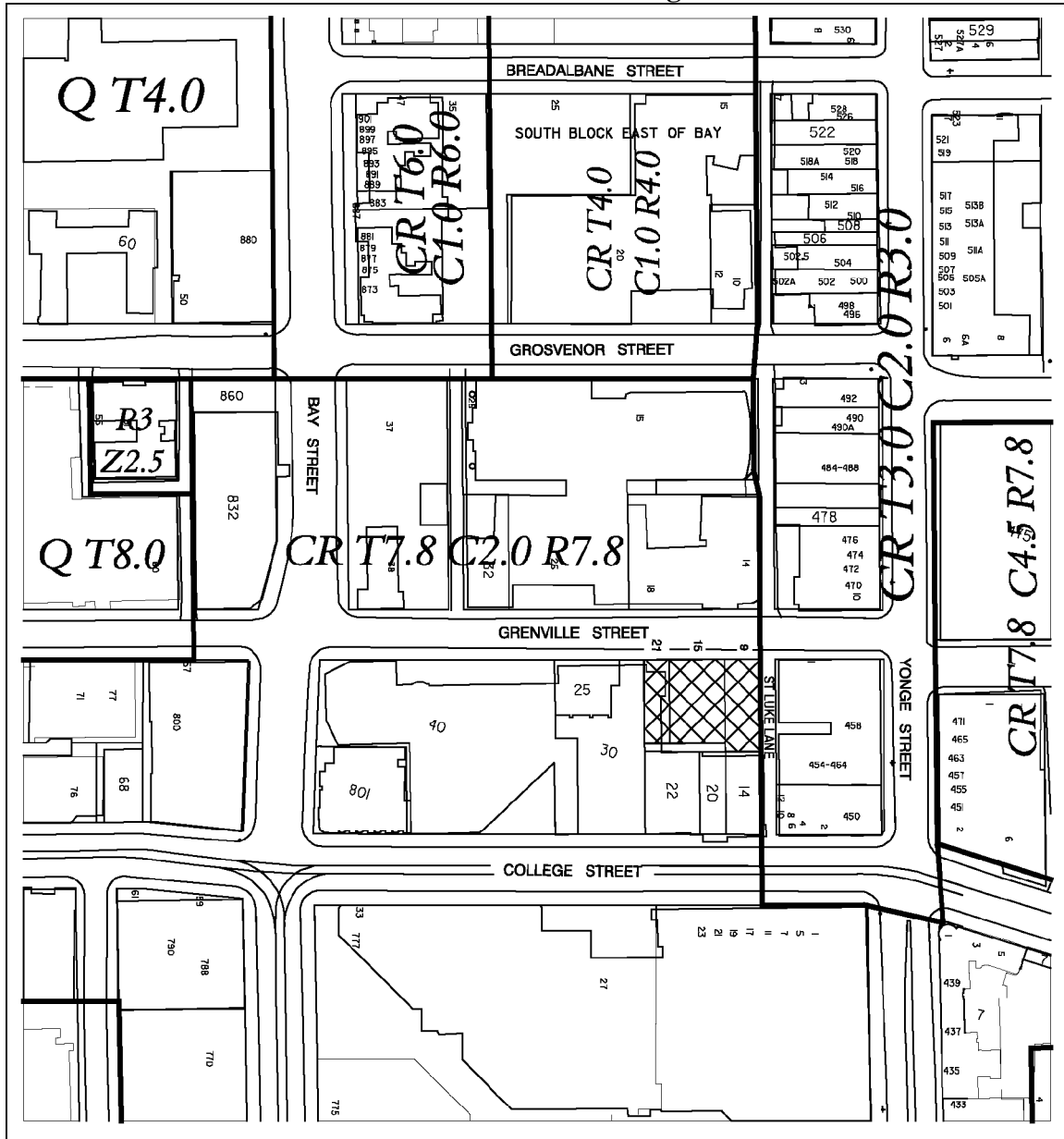
9-21 Grenville Street

File # 10 313898 02

## South Elevation



### Attachment 3: Zoning



**Toronto** City Planning  
Zoning

9-21 Grenville Street

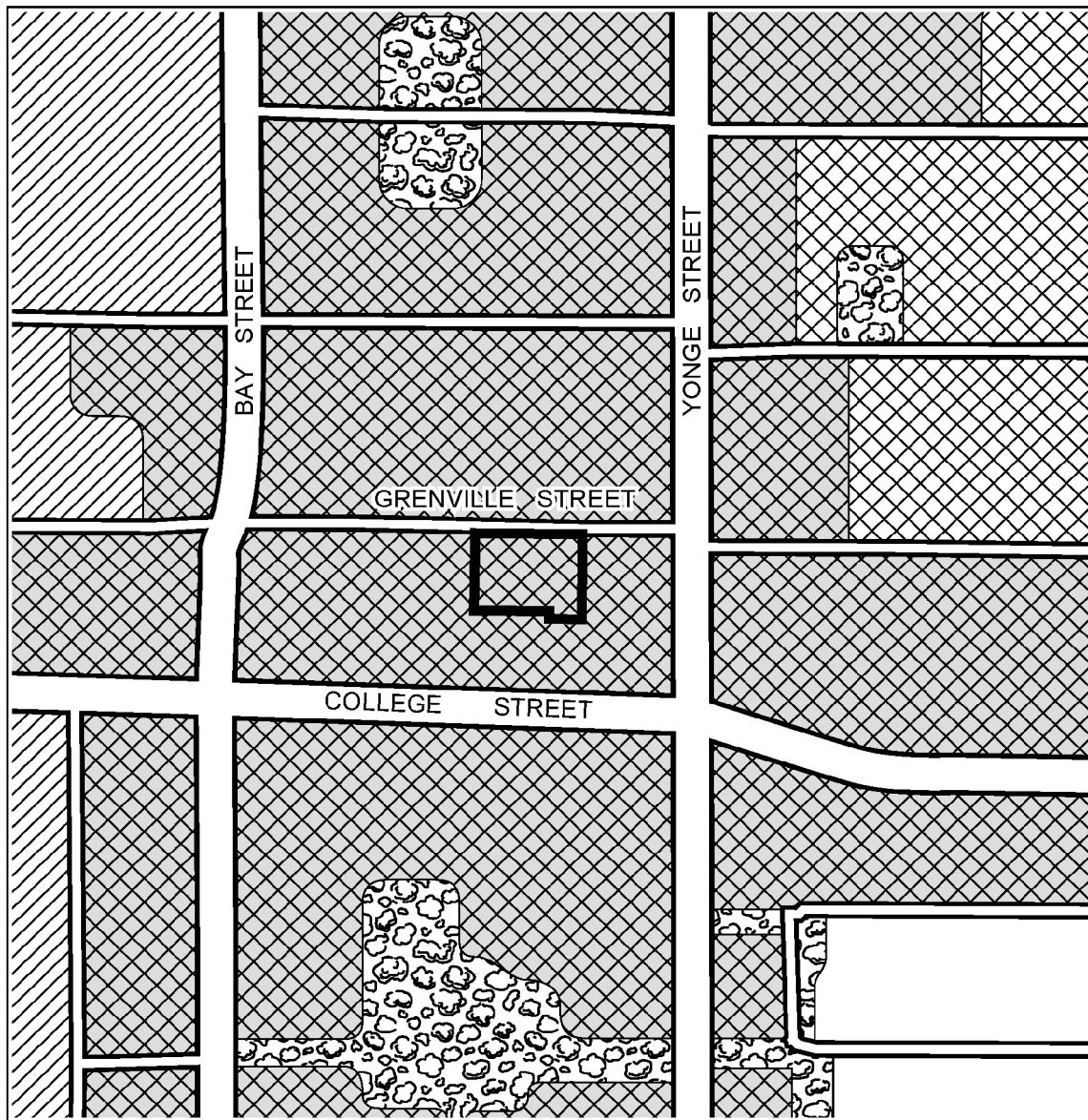
File # 10\_313898

CR Mixed-Use District  
Q Mixed-Use District



Not to Scale  
Zoning By-law 438-86 as amended  
Extracted 12/22/10

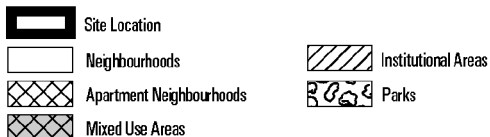
## Attachment 4: Official Plan



**Toronto** City Planning  
Official Plan

9-21 Grenville Street

File # 10\_313898



  
Not to Scale  
12/23/10

## Attachment 5: Application Data Sheet

Application Type	Rezoning	Application Number:	10 313898 STE 27 OZ
Details	Rezoning, Standard	Application Date:	December 14, 2010

Municipal Address: 9-21 Grenville Street

Location Description: PLAN 159 PT LOT 106 RP 63R963 PARTS 1 2 & 3 SUBJ TO ROW OVER PARTS 2 & 3  
\*\*GRID S2709

Project Description: Rezoning application to permit a 52-storey mixed use building with 7-levels of below grade parking, 487 residential units and retail on the ground level to be located in the existing heritage building (21 Grenville Street).

<b>Applicant:</b>	<b>Agent:</b>	<b>Architect:</b>	<b>Owner:</b>
Sherman, Brown, Dryer, Karol 5075 Yonge Street, Suite 900 Toronto, ON M2N 6C6	Sherman, Brown, Dryer, Karol 5075 Yonge Street, Suite 900 Toronto, ON M2N 6C6	Architect Alliance 205-317 Adelaide Street W Toronto, ON, M5V 1P9	7338520 Canada Inc Lifetime Developments 270 Drumlin Circle, Suite 5 Concord, Ontario L4K 3E2 .

### PLANNING CONTROLS

Official Plan Designation:	Mixed Use Areas	Site Specific Provision:	No
Zoning:	CR T7.8 C2.0 R7.8	Historical Status:	Yes
Height Limit (m):	46	Site Plan Control Area:	Yes

### PROJECT INFORMATION

Site Area (sq. m):	1346	Height:	Storeys:	52
Frontage (m):	42.63		Metres:	169.92 (top of roof)
Depth (m):	31.57 approximately			
Total Ground Floor Area (sq. m):	671			<b>Total</b>
Total Residential GFA (sq. m):	32,075		Parking Spaces:	180
Total Non-Residential GFA (sq. m):	427		Loading Docks	1
Total GFA (sq. m):	32,502			
Lot Coverage Ratio (%):	49.9			
Floor Space Index:	24			

### DWELLING UNITS

### FLOOR AREA BREAKDOWN (upon project completion)

Tenure Type:	Condo		<b>Above Grade</b>	<b>Below Grade</b>
Rooms:	0	Residential GFA (sq. m):	32,075	0
Bachelor:	25	Retail GFA (sq. m):	427	0
1 Bedroom:	292	Office GFA (sq. m):	0	0
2 Bedroom:	121	Industrial GFA (sq. m):	0	0
3 + Bedroom:	49	Institutional/Other GFA (sq. m):	0	0
Total Units:	487			

**CONTACT:**      **PLANNER NAME:**      Michael Hynes, Senior Planner, mhynes@toronto.ca  
**TELEPHONE:**      416-397-1746



## **Attachment 6: Draft Zoning By-law Amendment**

Authority: Toronto and East York Community Council Item ● as adopted by City of  
Toronto Council on ●  
Enacted by Council: \_\_\_\_\_, 2011

### **CITY OF TORONTO BY-LAW No. \_\_\_\_ - 2011**

#### **To amend General Zoning By-law No. 438-86, as amended, of the former City of Toronto with respect to the lands known municipally in the year 2011 as 9-21 Grenville Street**

WHEREAS the Council of the City of Toronto has been requested to amend its By-law pursuant to Section 34 of the *Planning Act*, R.S.O. 1990, c. P.13, as amended, with respect to lands known municipally in the year 2011 as 9-21 Grenville Street; and

WHEREAS the Council of the City of Toronto conducted a public meeting under Section 34 of the *Planning Act* regarding the proposed zoning by-law amendment; and

WHEREAS Subsection 37(3) of the *Planning Act*, the Council of the Municipality may, in a by-law passed under Section 34 of the *Planning Act*, authorize increase in the height or density of development beyond that otherwise permitted by By-law No. 438-86, as amended, in return for the provision of such facilities, services and matters as are set out in the By-law; and

WHEREAS the *owner* of the land that is the subject of this By-law has elected to provide the facilities, services and matters as are hereinafter set forth; and

WHEREAS the increase in the density or height permitted hereunder, beyond that otherwise permitted on the land by By-law No. 438-86, as amended, are to be permitted in return for 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 such land and the City of Toronto (hereinafter referred to as the “City”); and

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

WHEREAS Council has required the *owner* of the aforesaid lands to enter into one or more agreements dealing with certain facilities, services and matters in return for the increases in height and density in connection with the aforesaid land as permitted in this By-law;

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 and in return for the provision by the *owner* of the *lot* of the following

facilities, services and matters set out in Appendix 1 hereof, to the City as the *owner's* sole expense and in accordance with and subject to the agreement referred to in Section 4(l) 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 and 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, shall continue to apply to the *lot*.
4. None of the provisions of Sections 4(2)(a), 4(5), 4(12), 4(13), 4(17), 8(3) Part I 1, 8(3) Part I 3(a) 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 of land 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”, as amended, shall apply to prevent the erection or use of a mixed use building on the lands municipally known as 9-21 Grenville Street (hereinafter referred to as the *lot*), provided that:
  - (a) the *lot* comprises the lands delineated by heavy lines on Map 1 attached to and forming part of this By-law;
  - (b) the *residential gross floor area* shall not exceed 27,500 square metres;
  - (c) the *residential gross floor area* and *non-residential gross floor area* shall not exceed 28,000 square metres;
  - (d) no portion of the building or structure erected on the *lot* or used above *grade* is located otherwise than wholly within the areas delineated by heavy lines on the attached Map 2 subject to the following:
    - (i) canopies, eaves, awnings and building cornices are permitted outside the heavy line shown on Map 2; and
    - (ii) balconies, lighting fixtures, ornamental or architectural elements, parapets, landings and associated railings, planters, trellises, window sills, bay windows, guardrails, balustrades, mullions, railings, stairs, stair enclosures, wheelchair ramps, underground garage ramps, landscape and public art features which may extend beyond the heavy lines shown on the attached Map 2;

- (e) the heights of any building or structure erected on the *lot* shall not exceed the heights in metres shown on the attached Map 2, including mechanical and roof top elements such as decorative elements, except for:
  - (i) window washing equipment and aircraft warning lights;
- (f) a minimum of 0.49 square metres per unit of outdoor *amenity space* is provided;
- (g) a minimum of 427 *bicycle parking spaces* shall be provided and maintained on the *lot* for the residents of and visitors to the building in accordance with the following:
  - (i) for residents, a minimum of 336 *bicycle parking spaces – occupant*, to be provided in the following floors:
    - 2<sup>nd</sup> Floor – 50 *bicycle parking space*
    - P1 – 30 *bicycle parking spaces*
    - P2 – 64 *bicycle parking spaces*
    - P3 – 192 *bicycle parking spaces*
  - (ii) for visitors, not less than 91 *bicycle parking spaces – visitor*, to be provided at *grade* and on the second floor; and
  - (iii) *bicycle parking spaces* shall be common element and not combined with storage lockers for *dwelling units*.
- (h) provide and maintain a minimum number of parking spaces on the site to serve this development in accordance with the following minimum ratios:
 

Bachelor Units	0.10 spaces per unit
1-bedroom Units	0.20 spaces per unit
2-bedroom Units	0.54 space per unit
3+ bedroom Units	1.00 spaces per unit
Visitors	0.06 spaces per unit
- (i) The maximum resident parking space reduction permitted by the provision of car-share parking spaces is capped for the subject development by the application of the following formula:
  - 4 x (Total No. of Units ÷ 60), rounded down to the nearest whole number
- (j) at least one *loading space – type G* shall be provided and maintained on the *lot*;
- (k) the owner shall provide a minimum of ten percent (10%) of the residential units in the building having at least three bedrooms;

- (l) provide a minimum of 6 metre height on the ground floor for new construction not including the designated heritage building; and
  - (m) the *owner* of the *lot* enters into an agreement with the City, pursuant to Section 37(3) of the *Planning Act*, to secure the facilities, services and matters referred to in Appendix 1 attached to this By-law and that such an agreement be registered on title to the *lot*.
5. Notwithstanding Section 6(1) (f) of By-law No. 438-86, no person shall use a lot or erect or use a building within the site for any purpose except one or more of the following uses,
- (i) an apartment building containing 46 storeys;
  - (ii) a *retail store* having a maximum of 500 square metres on the ground floor (including the relocated/expanded Heritage building on the south side, contained within the new building envelope); and
  - (ii) uses accessory thereto, including a *commercial parking garage* located below finished ground level,
6. None of the provisions of By-law No. 438-86 shall apply to prevent a *temporary sales office* on the lot.
7. For the purposes of this By-law,
- (a) "*car-share*" shall mean the practice where a number of people share the use of one or more motor vehicles that are owned by a profit or non-profit car-sharing organization, such *car-share* motor vehicles to be made available for short term rental, including hourly rental. *Car-share* organizations may require that the *car-share* motor vehicles be reserved in advance, charge fees based on time and/or kilometers driven, and set membership requirements of the car-sharing organization, including the payment of a membership fee that may or may not be refundable;
  - (b) "*car-share parking space*" shall mean a *parking space* exclusively reserved and signed for a car used only for *car-share* purposes and such *car-share* is for the use of at least the occupants of the building;
  - (c) "*grade*" means 103.36 metres Canadian Geodetic Datum;
  - (d) "*height*" means the vertical distance between *grade* and the highest point of the roof, building or structure shown on Map 2;
  - (e) *temporary sales office* means a building, structure, facility or trailer on the *lot* used for the purpose of the sale of *dwelling units* to be erected on the *lot*;

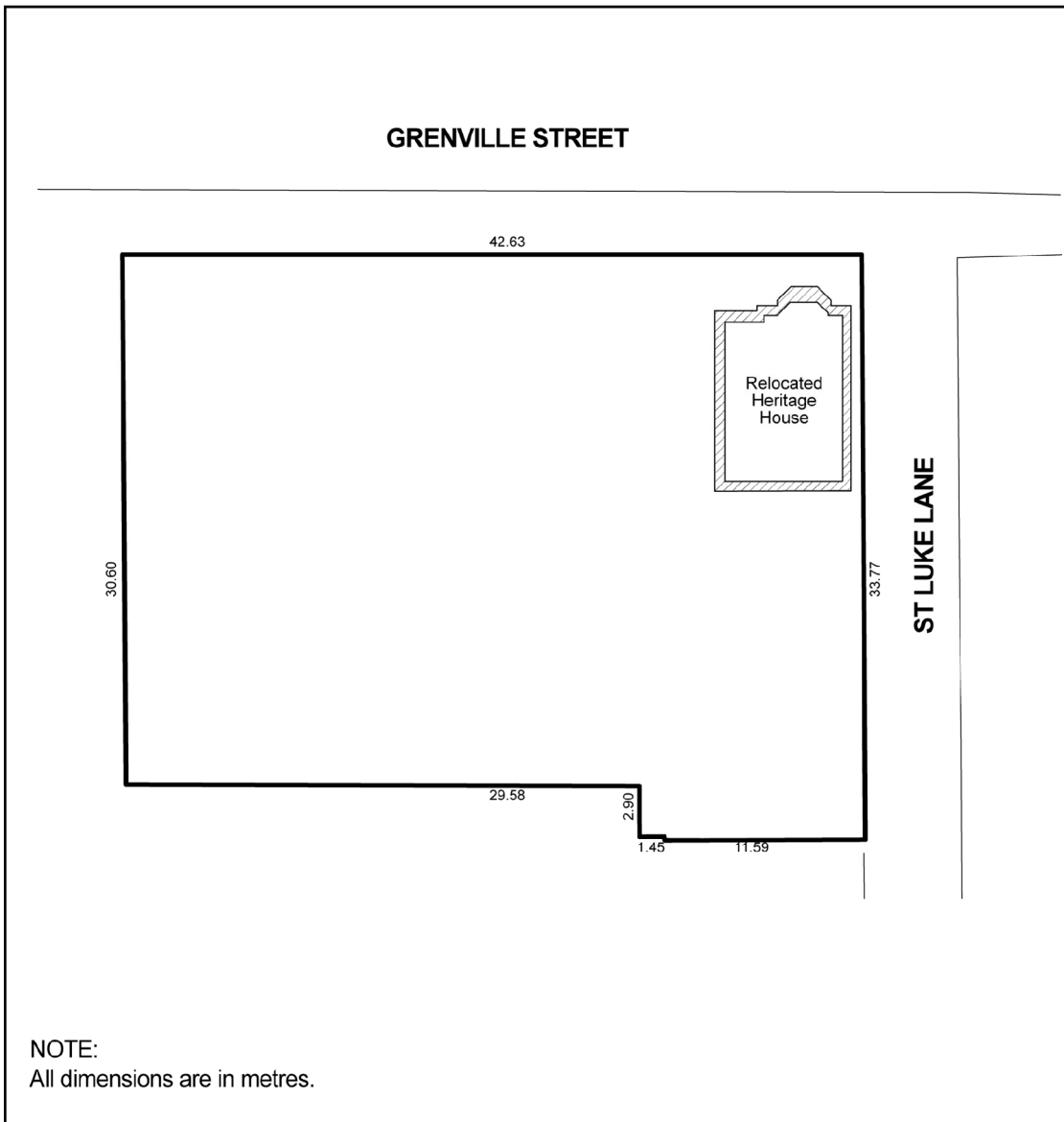
- (f) each word or expression that is italicized in the By-law herein shall have the same meaning as each word or expression as defined in By-law No. 438-86, as amended.
8. Building permit issuance with respect to the lands to which this By-law applies shall be dependent upon satisfaction of the provisions 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.

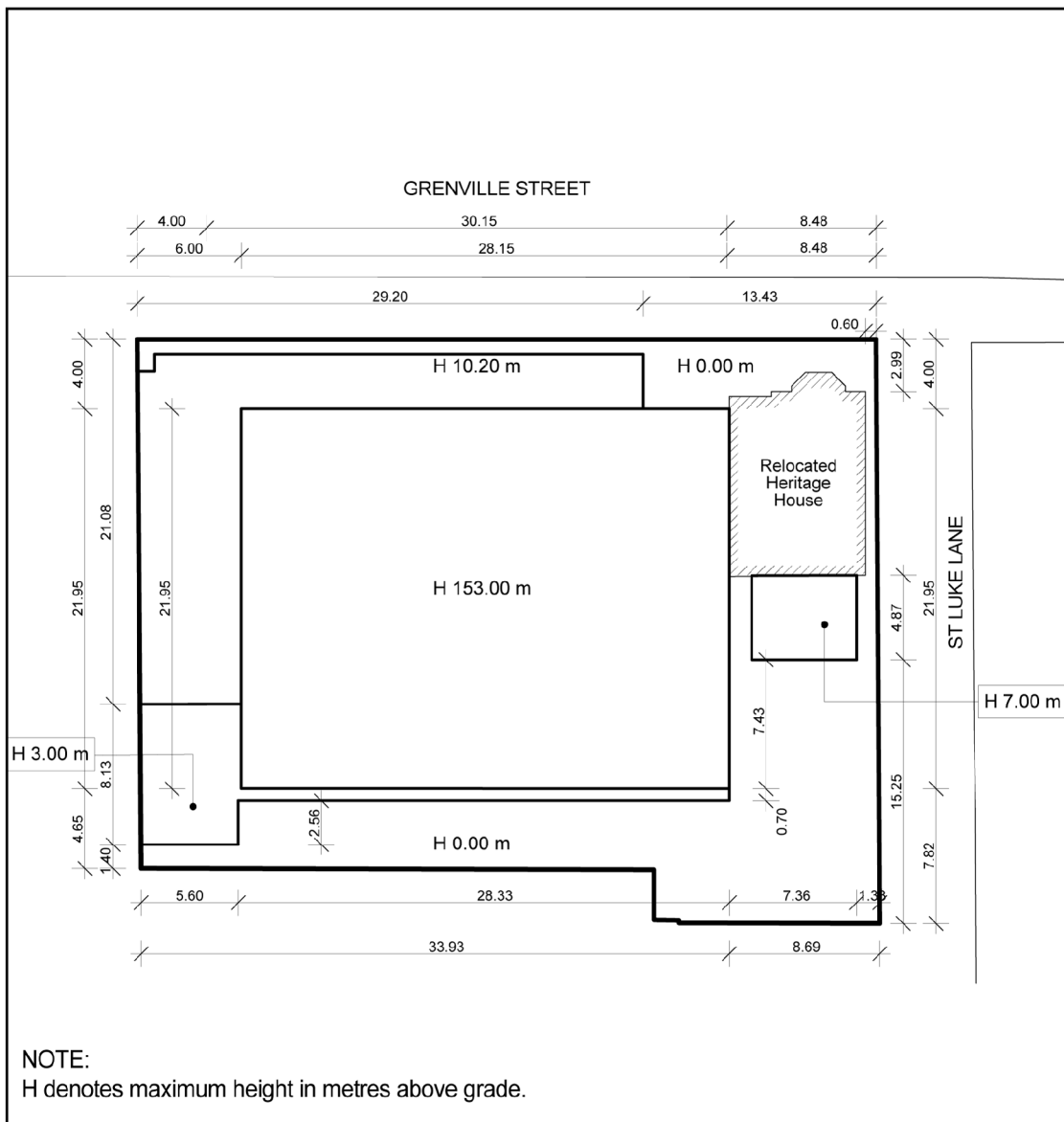
ENACTED AND PASSED this ~ day of ~, A.D. 2011.

ROB FORD,  
Mayor

ULLI S. WATKISS,  
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 above-grade permit, pay to the City the sum of \$1,800,000 consisting of \$950,000 towards improvements to the College Subway station and Wellesley Subway station, \$500,000 towards the upgrade of St. Luke Lane and \$350,000 towards widening the sidewalks on Grenville Street and Wood Street;
- b) Require that the cash amounts identified in a) above shall be indexed annually in accordance with the Non-Residential Construction Price Index for the Toronto CMA, reported quarterly by statistics Canada in Construction Price Statistics Publication No. 62-007-XPB, or its successor, calculated from the date of execution of the Section 37 Agreement to the date of submission of the funds by the owner to the City;
- c) A public art contribution in accordance with the Percent for Public Art Program for a value not less than one percent of the gross construction cost;

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

- d) The owner shall pay for and construct any improvements to the municipal infrastructure in connection with the Functional Servicing Report, as reviewed and accepted by the Executive Director of Technical Services, should it be determined that improvements to such infrastructure are required to support the development;
- e) The implementation of any wind mitigation measures required by the applicant's wind study, satisfactory to the Chief Planner and Executive Director, City Planning Division, to be submitted as part of a revised application for Site Plan Approval;
- f) Prior to final site plan approval the owner shall:



1. In the event that deeply buried archaeological remains are encountered on the property during construction activities, the Heritage Operations Unit of the Ministry of Tourism and Culture be notified immediately at (416) 314-7146 as well as the City of Toronto, Heritage Preservation Services Unit (416) 338-1096;
2. In the event that human remains are encountered during construction, the proponent should immediately contact both the Ministry of Tourism and Culture, and the Registrar or Deputy Registrar of Cemeteries at the Cemeteries Regulation Unit, Ministry of Government Services, (416) 326-8393;
3. Architectural plans, elevations and landscape drawings will be secured to the satisfaction of the Chief Planner and Executive Director, City Planning Division in conjunction with the Site Plan Application, and the owner shall provide 1:50 scale elevation drawings for the podium illustrating materials and finishes to the satisfaction of the Chief Planner and Executive Director, City Planning Division;
4. The owner shall incorporate in the construction of the building, and there after maintain, exterior building and landscape materials to the satisfaction of the Chief Planner and Executive Director, City Planning Division;
5. Provide and maintain an irrigation system, at the applicant's expense, for proposed trees within the public road allowances including an automatic timer, designed to be water efficient by a Certified Landscape Irrigation Auditor (CLIA) and constructed with a back flow preventer to the satisfaction of the Executive Director, Technical Services Division, and requirement to maintain in good order and operation;
6. 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;
7. Build in conformity with the Toronto Green Standard Checklist received by the Chief Planner and Executive Director, City Planning Division on June 1, 2011;
8. Submit a stormwater management report, a site servicing plan and site grading, drainage and landscape plans;
9. Provide plans that show continuous weather protection with a minimum depth of 3 metres along Grenville Street for newly constructed;
10. Convey to the City a 0.3 metre wide strip of land across the entire length of the property abutting St. Luke Lane; and

11. The owner shall provide a minimum of ten percent (10%) of the residential units in the building having at least three bedrooms.