

511 Bremner Blvd (known as Blocks 33 and 37) – Zoning Amendment Application – Final Report

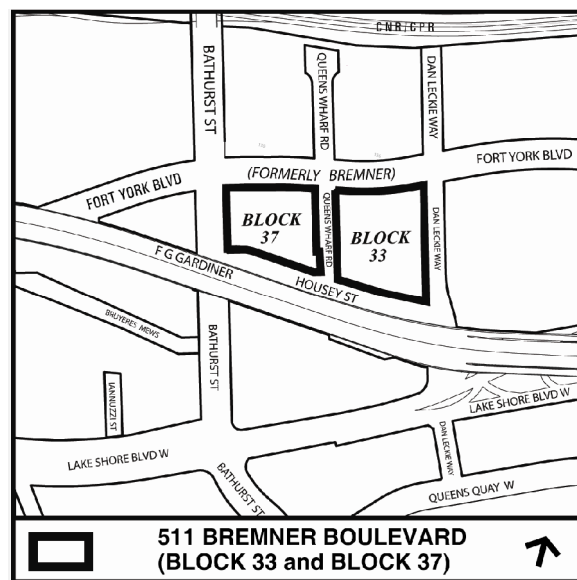
Date:	May 18, 2012
To:	Toronto and East York Community Council
From:	Director, Community Planning, Toronto and East York District
Wards:	Ward 20 – Trinity-Spadina
Reference Number:	11 176275 STE 20 OZ

SUMMARY

This application proposes to develop 2 blocks within the Railway Lands West Secondary Plan area, on the lands municipally known as 511 Bremner Boulevard. The 2 Blocks are known as Blocks 33 and 37. The applicant is seeking to construct two residential buildings with heights of 39 and 41 storeys on Block 33. The overall heights of the towers would be 109 and 120 metres respectively, containing a total of 943 residential dwelling units. The proposed gross floor area proposed for Block 33 would be 1,031 m² of non-residential gross floor area and 63,513m² of residential gross floor area. An overall density of 7.2 times the lot area is proposed for Block 33.

Block 37 is proposed to contain three residential buildings with heights of 8, 19 and 30-storeys. The overall heights of the buildings are proposed to be 28, 54, and 85 metres respectively, containing a total of 581 residential dwelling units. The proposed overall gross floor area for Block 37 is 42,676m², of which, 40,877m² will be residential gross floor area, with the remaining 1,799 m² being non-residential gross floor area. An overall density of 6.98 times the lot area is proposed for this Block.

The total gross floor area proposed for both Blocks is 107,220 m² and an overall density of 7.12 times is proposed. A total of 1,524 residential dwelling units are now proposed for



both Blocks.

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

RECOMMENDATIONS

The City Planning Division recommends that:

1. City Council amend Zoning By-law 1994-0805, for the lands at 511 Bremner Boulevard, known as Blocks 33 and 37 in the Railway Lands West, substantially in accordance with the draft zoning by-law amendment attached as Attachment No.7 to the report dated May 18, 2012 from the Director, Community Planning, Toronto and East York District.
2. City Council authorize the City Solicitor to make such stylistic and technical changes to the draft zoning by-law amendment as may be required.
3. Before introducing the necessary Bills to City Council for enactment, City Council require the owner to enter into an amended Agreement pursuant to Section 37 of the *Planning Act* as follows:
 - a. The additional community benefits recommended to be secured in the Section 37 Agreement are as follows:
 - i. A cash contribution in the amount of \$2,000,000, indexed and payable prior to the issuance of the first above-grade building permit for the development of Block 33, the amount to be used as follows:
 - a. 10% of the cash contribution, in this case, \$200,000, shall be payable upon Bills coming into force for the development of the Block 33, the amount to be used for capital improvements to public and/or affordable housing in Ward 20.
 - b. The balance of \$ 1,800,000, shall be indexed and payable prior to the issuance of any above-grade building permit for the development of Block 33, to be used in the vicinity within Ward 20, for one or more of the following:
 - the design and construction of Mouth of the Creek Park;
 - community, cultural and/or arts facilities;
 - parkland and/or open space improvements;
 - streetscape improvements:
 - ii. At least Ten Percent (10%), of the total number of dwelling units, to be constructed in the building shall be capable of being designed as three bedroom units in compliance with the provisions of the Ontario Building Code, and these dwelling units are to be shown on any marketing plans as

three bedroom units and to be marketed as potential three bedroom units. These units may be sold and/or constructed with fewer bedrooms with provisions in the condominium documentation to allow renovation to three bedroom units.

4. Before introducing the necessary Bills to City Council for enactment, City Council require the applicant to obtain Notice of Approval conditions for Block 33, issued by the Director, Community Planning, Toronto and East York District.

Financial Impact

The recommendations in this report have no financial impact.

DECISION HISTORY

City staff attended an Ontario Municipal Board (OMB) hearing regarding a previous proposal that was submitted to the City in 2000 for this site. In October 2003, City staff appeared before the OMB with a settlement position, which primarily focused on the height and built form of the development proposal. In an OMB decision dated November 18, 2003, the Board allowed the Official Plan and Zoning By-law Amendment appeals in part. The Board withheld its order regarding the approval of the amendments until advised by the City that the necessary agreements had been entered into and other relevant matters were attended to. The Board's final order was issued in 2005.

The site is subject to Site Specific Zoning By-law 964-2005 (OMB). The site specific Zoning By-law allows for a maximum of 2 residential towers on Block 33, with a maximum combined gross floor area of 53,228 m² and maximum heights of 92 and 98 metres (approximately 30 and 32 storeys). Block 37 allows for a maximum of 1 residential tower on the site, a maximum combined gross floor area of 35,907 m² and a maximum tower height of 83 metres (approximately 27 storeys).

ISSUE BACKGROUND

Proposal

This application proposes to develop two blocks within the Railway Lands West Secondary Plan area known as Blocks 33 and 37. The applicant is seeking to construct two residential buildings of 39 and 41 storeys, with overall heights of 109 and 120 metres respectively, on Block 33. The two towers are proposed to contain a total of 943 residential dwelling units. The proposed gross floor area for Block 33 would be 1,031 m² of non-residential gross floor area and 63,513m² of residential gross floor area. An overall density of 7.2 times the lot area is proposed for Block 33.

The applicant has further revised their proposal for Block 37, increasing the heights of two of the three buildings by adding one additional storey to each of the two buildings. Block 37 is proposed to contain three residential buildings with heights of 8, 19 and 30-storeys. The overall heights of the buildings are proposed to be 28, 54, and 85 metres respectively and are proposed to contain a total of 581 residential dwelling units. The proposed overall gross floor area for this Block is 42,676m² of which 40,877m² will be residential gross floor area, with the remaining

1,799 m² allocated towards non-residential uses. An overall density of 6.98 times the lot area is proposed for this Block.

The total gross floor area proposed for both Blocks is 107,220 m² with an overall density of 7.12 times is proposed. A total of 1,524 residential dwelling units are now proposed for both Blocks.

Site and Surrounding Area

The subject site is located in the Railway Lands West neighbourhood and is comprised of two blocks which are known as Block 33 and Block 37. Blocks 33 and 37 are bounded by Fort York Boulevard to the north, Dan Leckie Way to the east, Housey Street to the south, and Bathurst Street to the west. The Blocks are bisected in a north-south direction by the proposed Queens Wharf Road. Block 33 has a site area of 8940m² and Block 37 has a site area of 6114m². The combined site area for the two Blocks is 15,054m².

Development in the vicinity of the site is as follows:

North: To the north of the subject site are Toronto Community Housing Corporation owned Blocks 36 and 32, and the railway corridor. Block 32 is currently under construction for a 41 storey building with a total of 427 residential units. Block 36 has been approved for a 29 storey residential building containing a total of 364 residential units. Block 36 will also include a 2-storey Toronto Public Library.

South: Immediately south of the site is the Gardiner Expressway. Further south is a 28 storey residential building.

East: East of Dan Leckie Way is Canoe Landing Park. Further east is Block 31 which is owned by the City and is anticipated to be developed for two schools, a community centre, day care and affordable housing.

West: To the west is the Fort York Neighbourhood, a new neighbourhood with housing in the form of towers on podiums. Development in the Fort York Neighbourhood ranges in height from 4 to 36 storeys. The Fort York Neighbourhood includes the Fort York National Historic Site in its northern half.

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

The subject site is located in the Downtown and Central Waterfront policy area, and is designated as *Mixed Use Areas*. The *Mixed Use Areas* designation permits a broad range of commercial, residential and institutional uses and includes policies and development criteria to guide development and its transition between areas of different development intensity and scale.

The subject site is also within the Railway Lands West Secondary Plan. Major objectives of the Railway Lands West Secondary Plan are to: develop the lands as an integral part of the Downtown; to minimize the effects of the road and rail corridors; to unite the central City with the Central Waterfront; and to satisfy a broad range of commercial, residential, institutional, cultural, recreational, parks and opens space needs that are compatible with the present and future utilization of the Rail Corridor for rail use. The Secondary Plan outlines a number of structure, form and physical amenity policies.

The site is identified as *Mixed Use Areas "H"* and *"J"* on Map 19-3 of the Secondary Plan. This area is referred to as the Bathurst Spadina Neighbourhood, and is to be regarded as a predominantly residential area containing dwelling units in a variety of housing types and forms and available to a wide range of households, ages and incomes. *Mixed Use Areas "H"* and *"J"* are intended to contain dwelling units at high densities. In addition to residential development, the Secondary Plan identifies that this neighbourhood is intended to contain local street-related retail and service uses and community services and facilities.

Zoning

The site is subject to Site Specific Zoning By-law 964-2005 (OMB). The site specific Zoning By-law allows for a maximum of 2 residential towers on Block 33, with a maximum combined gross floor area of 53,228 m² and maximum heights of 92 and 98 metres. Block 37 allows for a maximum of 1 residential tower on the site, a maximum combined gross floor area of 35,907 m² and a maximum tower height of 83 metres.

Site Plan Control

An application for site plan control has been submitted for Block 33. At time of writing of this report, a site plan control application for Block 37 remains outstanding.

Reasons for the Application

A Zoning By-law Amendment application is required to permit the height and density of the proposal, as well as to allow for additional towers on the Blocks.

Community Consultation

A Community Consultation meeting was held on October 12, 2011. Approximately 15 members of the public were in attendance at the meeting.

Issues and matters raised and discussed at the Community Consultation meeting were as follows:

- Vehicular Access: Some participants identified that there are issues with other developments in the area primarily with poorly delineated driveway and sidewalks in the courtyard which results in pedestrian and vehicular conflicts. They inquired about whether that applicant is prepared to look at a different approach at this site.
- Density: General questions about the density proposed and how they differ from the 2005 Ontario Municipal Board approval.
- Family Units/Affordability: Questions were asked about increasing the amount of family units in these buildings. Some participants inquired about making the family units more affordably priced.
- Schools and Parks: Some participants inquired about the status of the schools in the Railway Lands West, and timing associated with the construction of the schools. Individuals also identified the need for a dog run and/or play structures in the parks.
- Retail uses at grade: Inquiries were made about whether there is sufficient space for uses such as patios to animate the streets and sidewalk areas. Concerns were identified about creating substandard sized sidewalks.
- Cycling: Questions were raised regarding the cycling infrastructure that is proposed as part of this development.

Many of these issues are addressed in this report. Technical issues such as the driveway and vehicular access and the cycling infrastructure will be secured through the Site Plan Control application.

Agency Circulation

The application was circulated to all appropriate agencies and City divisions.

COMMENTS

Provincial Policy Statement and Provincial Plans

Staff have reviewed the proposal and determined that it is consistent with the Provincial Policy Statement, and does not conflict with the Growth Plan for the Greater Golden Horseshoe.

Land Use

The subject site is within the Railway Lands West Secondary Plan and is identified as *Mixed Use Areas "H" and "J"* on Map 19-3 of the Secondary Plan. The major objectives of the Railway Lands West Secondary Plan and policies specific to this area were outlined earlier in this report. The applicant's proposal is consistent with the policies contained within the Secondary Plan as they relate to this area.

Density

The Railway Lands Secondary Plan identifies that *Mixed Use Areas "C" "E" "F" "H" and "J"* will contain dwelling units at high densities. The subject Blocks are identified as *Mixed Use Areas "H" and "J"* and the Secondary Plan. The proposed overall densities for these Blocks at 7.2 and 6.98 times the lot area are appropriate and in keeping with the policies contained within the Official Plan and the Secondary Plan.

Height

The applicant proposes to construct 5 buildings ranging in height from 8 to 41-storeys (28 metres to 120 metres). The proposed heights are consistent with the heights that have been built on the surrounding blocks and within the Railway Lands West area. Due to the Railway Lands close proximity to the Fort York National Historic Site, there is a need to decrease buildings heights towards Bathurst Street. The need exists in order to limit the shadow impacts on the National Historic Site. The applicants proposal to develop Block 37 with buildings that range in height from 8 to 30 storeys on that Block ensures that the amount of shadow cast on Fort York is limited to the southern periphery, and only during the to the early hours of the morning. When the applicant's proposal is reviewed in the context of the surrounding area Planning Staff are of the opinion that the heights proposed for this development are appropriate.

Massing, Built Form and Public Realm

The Railway Lands West Secondary Plan contains policies which speak to achieving an attractive, inviting, comfortable and safe public realm in the Railway Lands West. In effort to achieve these goals, buildings are required to:

- clearly define and give form to the edges of streets, parks and open spaces; create and enhance pedestrian views and sight lines;
- reinforce the visual continuity and spatial definition of streets and open spaces;
- contribute to the creation of public streets, parks and open spaces with pleasing proportions and appropriate scale;
- ensure that primary building entrances are located on public streets; and
- achieve harmonious relationships with adjacent buildings with respect to building massing, setbacks, texture, architectural detail and rhythm.

The objectives contained within the Plan are addressed by the applicant's proposal, which provides appropriate setbacks between buildings; contains podiums with active uses at grade; and varies the building heights between areas of different development intensity and scale. The location and massing of the buildings has been done in a manner that is consistent with existing approvals in the surrounding neighbourhood and is in keeping with the policies contained within the Railway Land West Secondary Plan.

Shadows

The Official Plan contains policies to protect the utility of parks by reducing shadowing. Section 3.1.2 Built Form, Policy 3(e) states: “New development will be massed to fit harmoniously into its existing and/or planned context, and will limit its impacts on neighbouring streets, parks, open spaces and properties by minimizing any additional shadowing and uncomfortable wind conditions on neighbouring parks as necessary to preserve their utility.” Section 3.2.3 Parks and Open Spaces, Policy 3 states: “The effects of development from adjacent properties, including additional shadows, noise, traffic and wind on parks and open spaces will be minimized as necessary to preserve their utility.”

The site is in close proximity to two City parks and a National Historic Site. Due to the Blocks proximity to such features, it is necessary to ensure that new development does not negatively impact these important resources. The applicant's proposal to develop Block 37 with buildings that range in height from 8 to 30 storeys limits the amount of shadow cast on Fort York.

Block 33 is adjacent to Canoe Landing Park. This park is the central park in the Railway Lands, and will also serve as the play yards for the schools once they are built. There will be shadows cast on this park by the developments as proposed. Staff is of the opinion that the amount of additional new shadow on Canoe Landing Park by the proposed developments is acceptable.

Parking

The application proposes to provide a total of 609 parking spaces at Block 33, of which, 552 will be for the exclusive use of residents, with 57 as residential visitor parking spaces. No parking spaces are proposed for the non-residential component of the development. At Block 37, the applicant proposes to provide a total of 417 parking spaces, of which 381 will be for the exclusive use of residents, 35 will be for visitors, and 1 for the non-residential component of the development. All parking will be located underground. The principle access points for the underground garages will be from Housey Street. The parking ratios proposed by the applicant appear to be in keeping with the minimum parking requirements contained within the base By-law for the Railway Lands West. Under the base Zoning for the Railway Lands West, no retail parking is required if the non-residential gross floor area proposed within a building does not exceed 1.0 times the area of the lot.

The City's Technical Services Division has not had an opportunity to review and comment on the revised reports from the applicant's transportation consultant with respect to the amount of residential parking provided. Staff recommends holding the introduction of the Bills until Notice of Approval conditions been issued in order to ensure that any issues raised by the Technical Services Division have been addressed to the satisfaction of the Executive Director, Technical Services Division. Should substantial modifications to the parking ratios and performance standards in the draft Zoning By-law be required, Staff will report back to Toronto and East York Community Council prior to the introduction of Bills.

Bathurst Street Reconstruction/Tie-ins

Bathurst Street and the Bathurst Street bridge are to be reconstructed, as per the "Infrastructure Improvements in the Fort York and Railway Lands West Neighbourhood Class Environmental Assessment Study". The reconstruction will not occur until after 2015, but will result in different

elevations of Bathurst Street between Fort York Boulevard and Housey Street, than the elevations that exist today. There is the possibility that Block 37 will be constructed prior to the reconstruction of Bathurst Street, which means that the roads, sidewalks, and landscaping abutting Bathurst Street, Fort York Boulevard and Housey Street, will have to be constructed twice, once at the interim grade and once at final grade. Technical Services had identified that it may be advantageous to consider deferral of the construction of these elements along Fort York Boulevard and Bathurst Street, so that they are constructed once at final grade. The cost-sharing responsibilities as set out in the existing agreements for this site require further review and resolution.

Technical Services requires additional information from the applicant regarding the interim tie-in conditions. In the revised Traffic Study, the consultant has indicated that the applicant intends to complete construction of the Fort York Boulevard "interim tie-in" to Bathurst Street prior to the occupancy of Block 33. The report also identifies that the applicant is proposing to complete the construction of Housey Street west of Dan Leckie Way and its connection to Bathurst Street on an interim basis prior to occupancy of both Blocks 33 and 37. Technical Services staff have not had sufficient time to review the revised documentation at the time of writing of this report. Once Technical Services staff have provided comments, any conditions related to cost sharing and timing of infrastructure can be included in a revised Section 37 agreement.

Loading

The applicant is proposing to provide 1 Type G/B space, and 1 informal loading space for moving operations for Block 33 and 1 shared Type G/B space, and 1 Type B loading space for Block 37. The applicant proposes to have some loading activity take place in the drive courts of both the Blocks. The information has been submitted but had not been reviewed at the time of writing of this report.

Should the City's Technical Services Division determine that the loading spaces proposed are not sufficient, the performance standards contained within the attached draft Zoning By-law will be amended prior to the introduction of Bills.

Residential Amenity Areas

Section 3.1.2.6 of the Official Plan states that every significant new multi-unit residential development will provide indoor and outdoor amenity space for residents of the new development, in addition to identifying that each resident will have access to outdoor amenity spaces. The base By-law for the Railway Lands West requires that a minimum of 1.5m² per unit of indoor and outdoor amenity space be provided on these two Blocks.

The current proposal seeks to provide 1,970m² of indoor amenity space and 1,824m² of outdoor amenity space at Block 33. At Block 37, 321m² of indoor amenity space and 587m² of outdoor amenity space are proposed. The applicant proposes to provide shared amenity space for the two Blocks, and although shared amenity spaces across two properties is not ideal, the proposal is acceptable. Conditions regarding the shared amenity space will be secured in the Draft Plan of Condominium. The amount and location of residential amenity space is acceptable.

Open Space/Parkland

The Section 37 agreement registered on title requires that a parkland levy of \$533.00 per unit be paid to the City for construction of parkland in the Railway Lands West. In addition to the levy requirement, Staff have secured a lump sum payment of \$2,000,000 as part of the Section 37 contribution for the additional units proposed which may go towards a number of items in Ward 20, including the design and construction of Mouth of the Creek Park.

Municipal Infrastructure

Technical Services has identified that as a condition of approval of the Zoning By-law amendment application, the applicant is required to pay for and construct any improvements to the municipal infrastructure in connection with the Functional Servicing reports should it be determined that improvements to municipal infrastructure is required to support the development of these sites.

Toronto Green 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.

Green Roof

The applicant has indicated that they are unable to meet the green roof requirements under the authority of Section 108 of the City of Toronto Act on Block 33. As such, a variance to the Green Roof By-law will be required.

A variance to the Green Roof By-law allows a smaller amount of green roof than is required under the Bylaw, provided that a cash-in-lieu payment of \$200/m² is made for the reduced green roof area. In this instance, the applicant is required to provide 1,732 m² of green roof on Block 33. The applicant proposes to provide 693m² of green roof at this Block. Based on the cash-in-lieu requirement, the applicant will be required to pay \$207,800 for the green roof deficiency should the variance be approved. The applicant has not applied for the variance application to date.

The applicant has not applied for Site Plan Control for Block 37, and as such, Staff are unable to determine if a green roof deficiency on that Block exists at this time. If a deficiency exists on Block 37, the applicant will be required to make a variance application for that Block and pay the cash-in-lieu amount for the deficiency.

Section 37

A Section 37 is registered on title for these 2 Blocks. It is recommended that the Section 37 agreement be amended to add the following clauses:

- i. A cash contribution in the amount of \$2,000,000, indexed and payable prior to the issuance of any above-grade building permits for the development of Block 33, the amount to be used as follows:
 - a. 10% of the cash contribution, in this case, \$200,000, shall be payable upon bills coming into force for the development of the Block 33, the amount to be used for capital improvements to public and/or affordable housing in Ward 20.
 - b. The balance of \$ 1,800,000, shall be indexed and payable prior to the issuance of any above-grade building permits for the development of the Block 33, the amount to be used in the vicinity, within Ward 20, for one or more of the following:
 - the design and construction of Mouth of Creek Park;
 - community, cultural and/or arts facilities;
 - parkland and/or open space improvements;
 - streetscape improvements.
- ii. At least Ten Percent (10%), of the total number of dwelling units, to be constructed in the building shall be capable of being designed as three bedroom units in compliance with the provisions of the Ontario Building Code, and these dwelling units are to be shown on any marketing plans as three bedroom units and to be marketed as potential three bedroom units. These units may be sold and/or constructed with fewer bedrooms with provisions in the condominium documentation to allow renovation to three bedroom units.

Public Art

The Railway Lands West Secondary Plan identifies that each landowner in the Secondary Plan area is required to prepare and submit for approval a Public Art Plan, prior to, or in conjunction with, its first site plan application for its holdings. The Public Art Plan is required to provide: a general description of the guidelines for the Public Art Plan; identification of public art priorities and potential site opportunities; a description of proposed competition methods for the selection of artists and art projects; a preliminary estimate of budget; and a description of the administration process required to implement the Public Art Plan.

The existing Section 37 Agreement for Blocks 33 and 37 of the Railway Lands West contains conditions and requirements associated with Public Art. The agreement identifies that for each tower erected on each development Block that exceeds 20,000m² of residential gross floor area,

non-residential gross floor area, or any combination thereof, the owner is required to pay or contribute 1% of the gross construction cost of the tower in accordance with the District Public Art Plan and Block Public Art Plan. The agreement also identifies that the owner is required to prepare a district public art plan that addresses the owners land at these blocks, to the Toronto Public Art Commission for recommendation through the Chief Planner.

In accordance with the public art provisions, the public art consultant for the applicant has prepared a District Public Art Plan, and a Block Public Art Plan, for the area, both of which have been accepted. The owner has selected the artists and is working with them to create the art, which will be located in the publicly accessible areas of the two blocks.

Development Charges

The density permitted on site as-of-right is subject to development levies as per the Railway Lands Agreements. The additional density will subject to development charges. The actual charge will assessed and collected upon issuance of the building permit.

Conclusion

Subject to the further resolution of technical matters outlined within this report, the proposal is appropriate development for the site. Planning staff recommend approval of the proposal consistent with the draft Zoning By-law as contained within Attachment 7.

Should the review of outstanding technical information result in significant revisions to the performance standards contained within the draft Zoning By-law, staff will report back at a later date with a supplementary report outlining the modifications required, and the reasons for such.

CONTACT

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SIGNATURE

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

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ATTACHMENTS

Attachment 1: Site Plan
Attachment 2: South Elevations

- Attachment3: North Elevations
- Attachment 4: East Elevation
- Attachment 5: West Elevation
- Attachment 6: Zoning
- Attachment 7: Draft Zoning By-law Amendment

Attachment 1: Site Plan



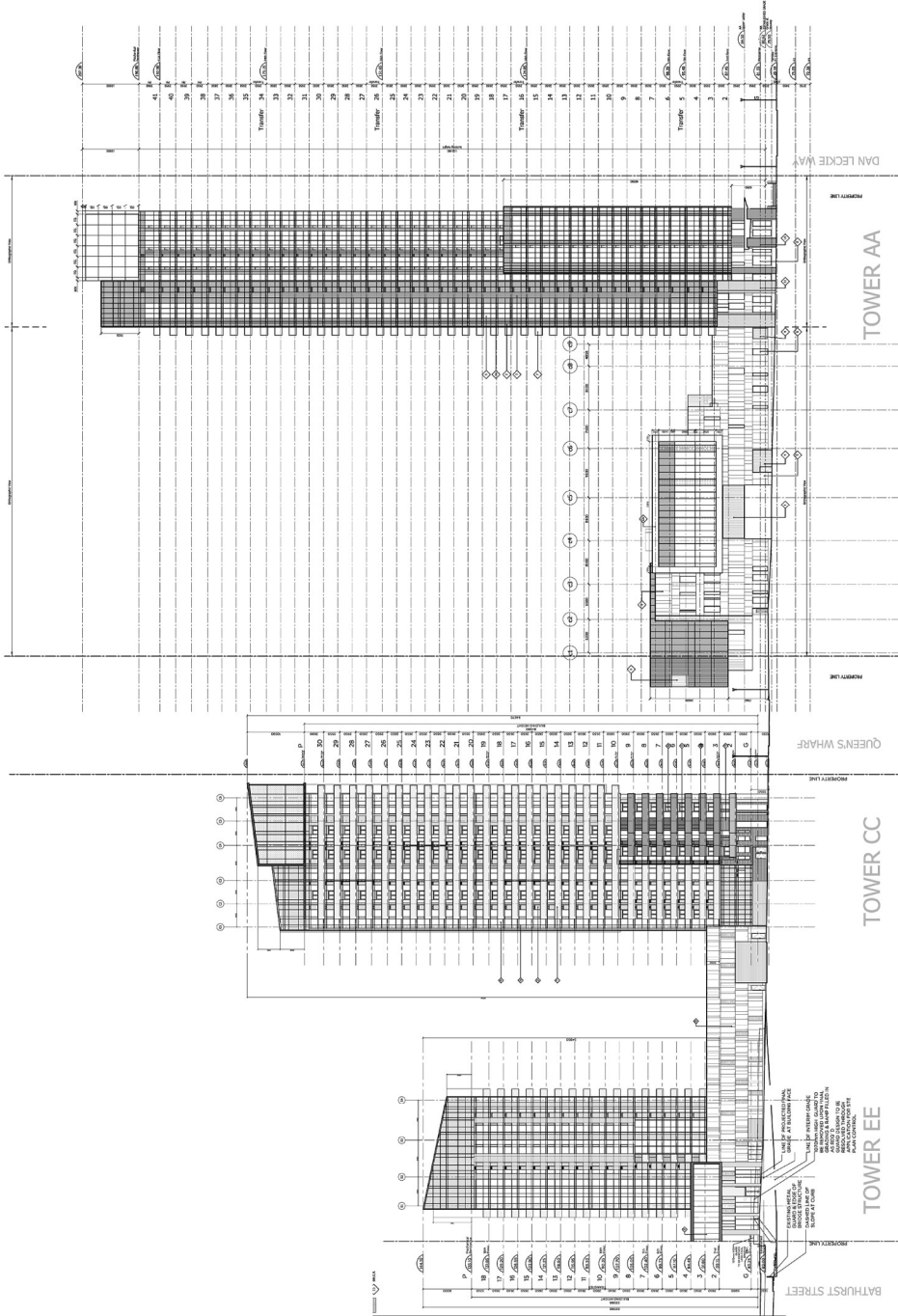
Site Plan

Applicant's Submitted Drawing

Not to Scale
05/11/2012

File # 11 176275 0Z

Attachment 2: South Elevations



511 Bremner Boulevard (Block 33 and Block 37)

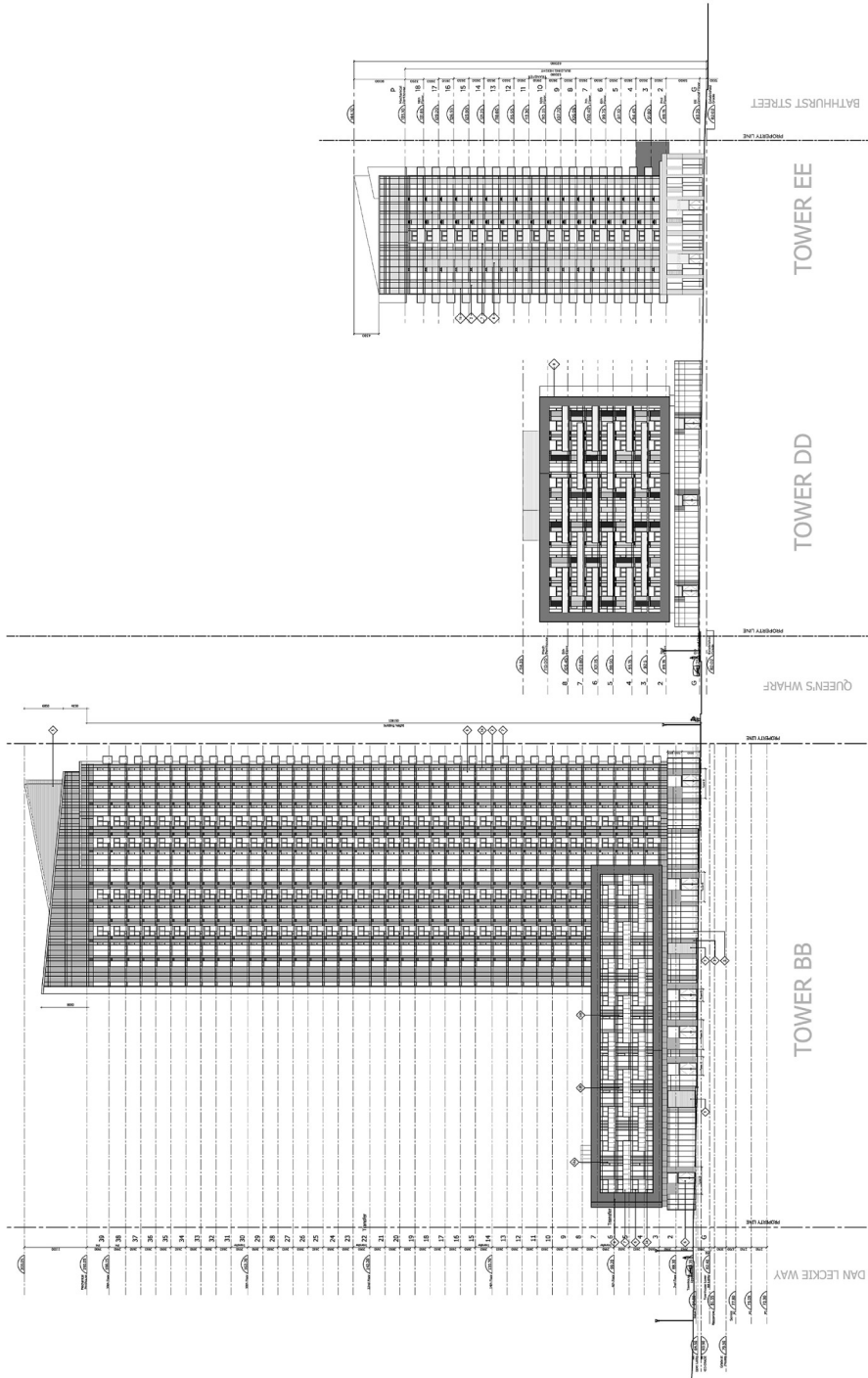
South Elevations

Applicant's Submitted Drawing

Not to Scale
05/11/2012

File # 11 176275 0Z

Attachment 3: North Elevations



North Elevations

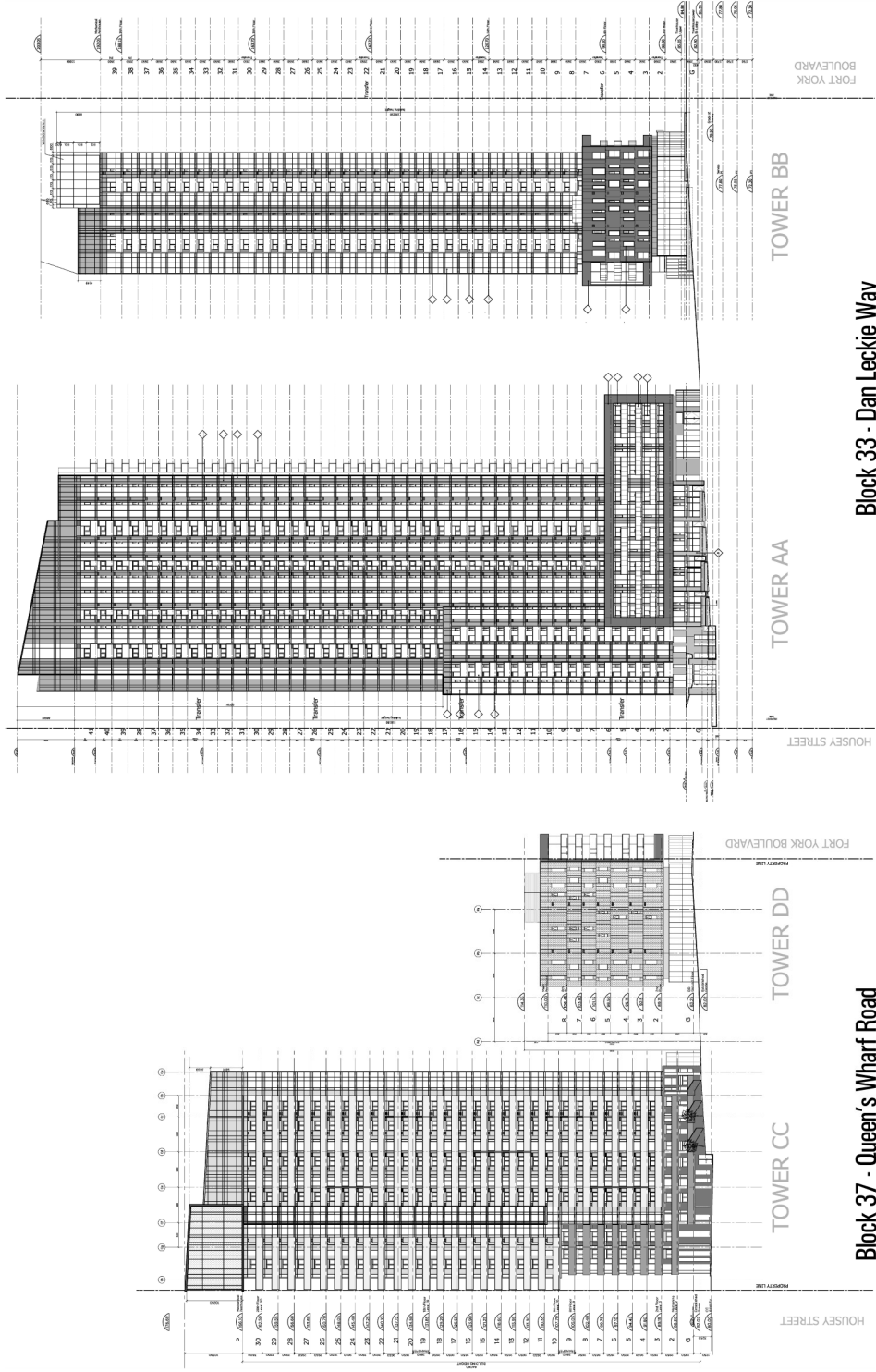
511 Bremner Boulevard (Block 33 and Block 37)

Applicant's Submitted Drawing

Not to Scale
05/11/2012

File # 11 176275 0Z

Attachment 4: East Elevations



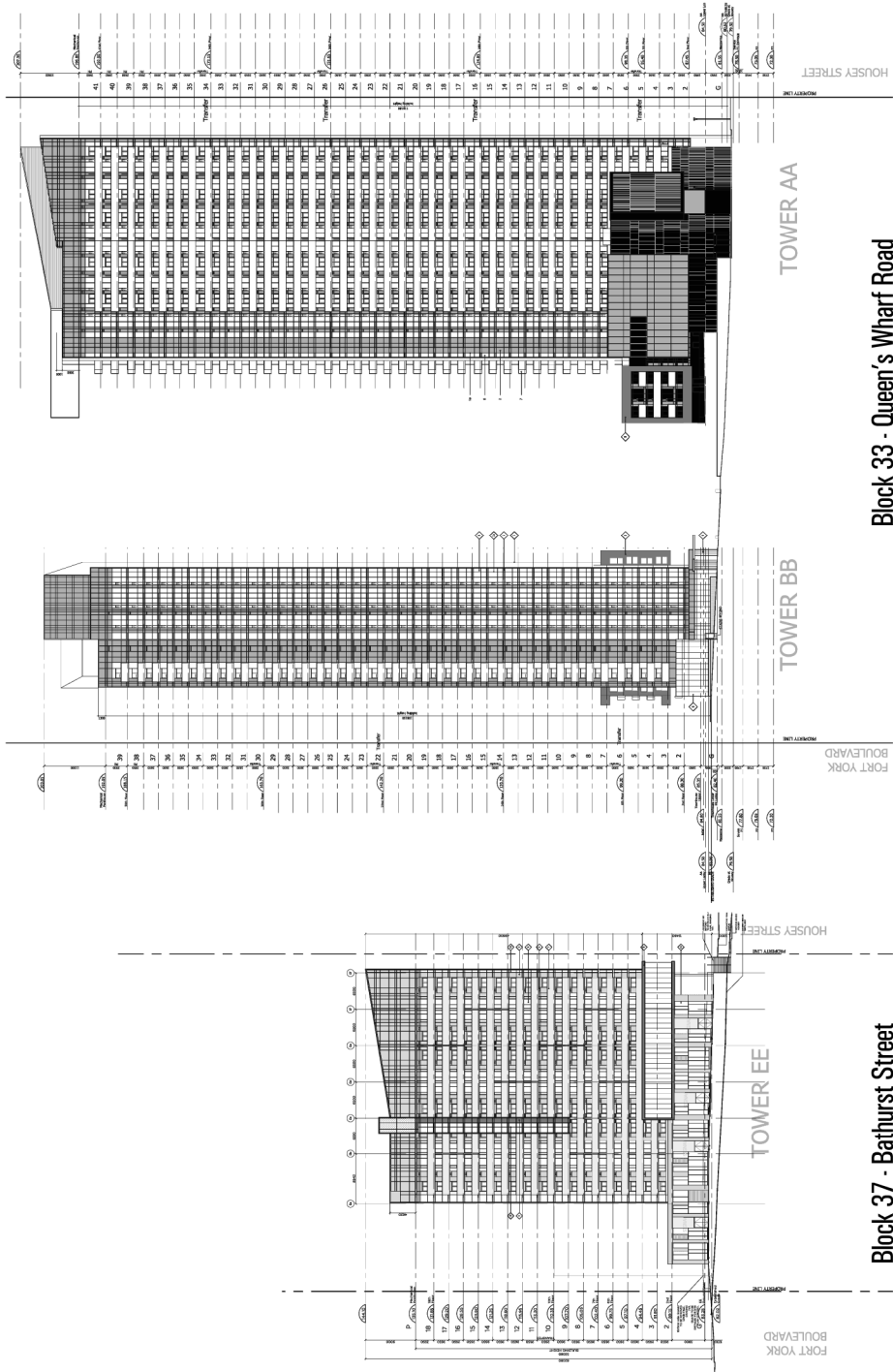
East Elevations

Applicant's Submitted Drawing

Not to Scale
05/11/2012

File # 11 176275 0Z

Attachment 5: West Elevations



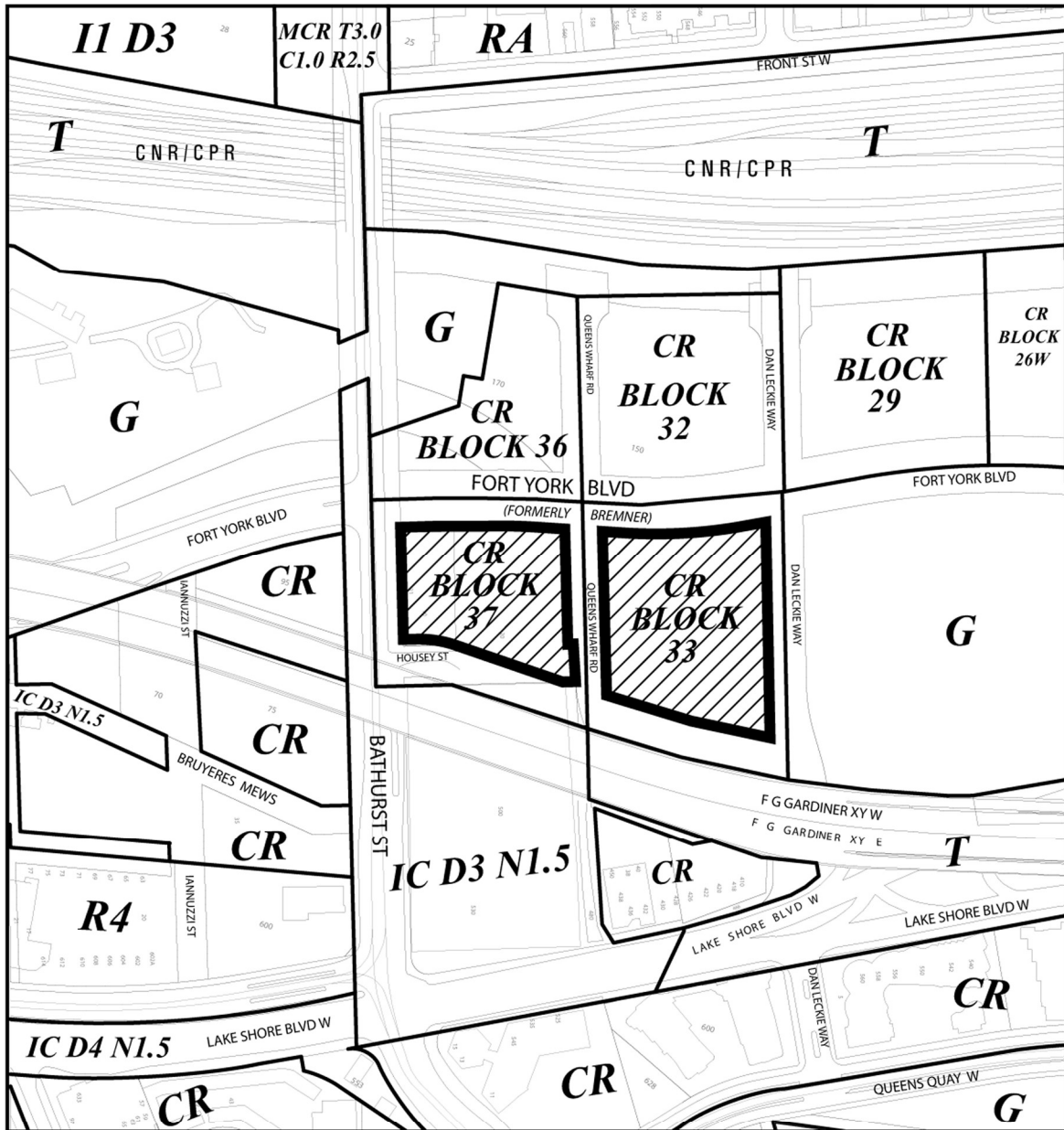
West Elevations

Applicant's Submitted Drawing

Not to Scale
05/11/2012

File # 11 176275 0Z

Attachment 6: Zoning



Zoning City of Toronto By-law 438-86

**511 Bremner Boulevard
(Block 33 and Block 37)**

File # 11_176275_02

G Parks District
 CR Mixed Use District
 MCR Mixed Use District
 RA Mixed Use District
 I1 Industrial District

IC Industrial District
 T Industrial District
 (h) Holding District



Not to Scale
 Zoning By-law 438-86 as amended
 Extracted 05/30/2011

Attachment 7: Draft Zoning By-law

CITY OF TORONTO

BY-LAW No. ~- 2011

To amend By-law 1994-0805 of the former City of Toronto, with respect to lands in the Railway Lands West known as Blocks 33 and 37

WHEREAS authority is given to Council by Section 34 of the *Planning Act*, R.S.O. 1990, c.P. 13 as amended, to pass this by-law; and

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

NOW THEREFORE By-law No. 1994-0805 of the former City of Toronto, being a by-law “To regulate the use of lands and the erection, use, bulk, height, spacing of 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 Railway Lands West”, as amended, is hereby further amended as follows:

1. By-law No. 1994-0805, as amended, is further amended for *block 33* and *block 37* by:
 - (1) amending Height and Minimum Lot Frontage Map 50G-321 contained in Appendix “B”, in respect of *block 33* and *block 37* as shown on the Height Map attached to this By-law; and
 - (2) amending Maps 4 and 7, in respect of *block 33* and *block 37* as shown on Maps 4 and 7 attached hereto.
2. Except as otherwise provided herein, the provisions of By-law No. 1994-0805, as amended, shall continue to apply to *block 33* and *block 37*.

DEFINITIONS

3. Subsection (1) of Section 2 entitled **DEFINITIONS** is amended as follows:
 - (1) the definition of “*grade*” is deleted and replaced with the following:

“*grade*”
for all lands except *block 33* and *block 37*, means the average elevation of the sidewalk(s) or where there is no sidewalk, of the roadway(s) in front of the *lot* on which the building is or is to be erected, and for *block 33* and *block 37*, *grade* shall mean:

 - (i) 83.90 metres Canadian Geodetic Datum with respect to that portion of *block 33* with a *height* limit of 109 metres;

- (ii) 80.62 metres Canadian Geodetic Datum with respect to that portion of *block 33* with a *height* limit of 120 metres; and
 - (iii) 82.02 metres Canadian Geodetic Datum with respect to *block 37*;
- (2) the definition of *residential gross floor area* is amended by deleting the word “and” at the end of paragraph (v), adding the word “and” at the end of paragraph (vi) and adding the following new paragraph (vii) immediately following paragraph (vi):
- “(vii) in the case of *block 33* and *block 37*, a part of the building or structure above or below *grade* that is used for the parking of motor vehicles or bicycles, storage, *residential amenity space* or other *accessory* use;”

PARKING SPACES

4. Subsection (5) of Section 4 entitled **PARKING SPACES: WHEN REQUIRED, NUMBER, LOCATION AND TYPE** is amended by replacing the phrase “paragraphs (b) to (p)” with the phrase “paragraphs (b) to (r)” in paragraph (a), and adding the following new paragraphs (q) and (r) immediately following paragraph (p):
- “(q) In respect of *block 37*, notwithstanding Subsection 4(5)(a), in calculating the minimum and maximum number of *parking spaces* permitted to be provided on the *lot*, *parking spaces* provided for any non-residential use may be used by all non-residential uses on the *lot*, and in all other respects SCHEDULE 1 and the provisions of paragraphs (a) to (p), inclusive, of this Section 4(5) shall apply.”
- “(r) In respect of *block 37*, notwithstanding Section 2 Definitions- “*parking space*”, out of the total supply of required *parking spaces* provided, nine (9) *parking spaces* may have minimum dimensions of 2.5m by 5.9m and three (3) *parking spaces* may have a minimum dimension of 2.6m by 5.4m.

RESIDENTIAL AMENITY SPACE

5. The table in subsection (7) of Section 4 entitled **RESIDENTIAL AMENITY SPACE** is amended by adding the following phrase immediately following the phrase “2 square metres of *residential amenity space* for each *dwelling unit*, except that for any *block* containing greater than 40,000 square metres of *residential gross floor area*, 1.5 square metres of *residential amenity space* for each *dwelling unit* is to be provided”:
- “and in the case of *block 33* and *block 37* *residential amenity space* required to be provided on *block 37* may be provided on *block 33* to serve residents of both *block 37* and *block 33* and indoor *residential amenity space* may be provided in contiguous or non-contiguous multi-purpose rooms”

and by adding the following phrase immediately following the phrase “2 square metres of *residential amenity space* for each *dwelling unit* of which at least 40 square metres is to be provided in a location adjoining or directly accessible from the indoor *residential amenity space*”:

“except that in the case of *block 33* and *block 37* this requirement shall not apply, and 1.25 square metres of *residential amenity space* located outdoors for each *dwelling unit* shall be provided and such space may be provided in part on *block 33* to serve residents of both *block 37* and *block 33*”

DENSITY

6. The table in Regulation 1 of Section 7 PART I entitled **MAXIMUM FLOOR AREA: MIXED USE, NON-RESIDENTIAL AND RESIDENTIAL BUILDINGS** is amended by:

- (1) deleting the two rows with the phrases “*block 33*” and “*block 37*” in COLUMN A and replacing them with the two rows set out in the following table:

COLUMN A BLOCK	COLUMN B MAXIMUM NON-RESIDENTIAL GROSS FLOOR AREA (square metres)	COLUMN C MAXIMUM RESIDENTIAL GROSS FLOOR AREA (square metres)	COLUMN D MAXIMUM COMBINED FLOOR AREA (square metres)
<i>block 33</i>	1,031	63,513	64,544
<i>block 37</i>	1,799	40,877	42,676

ENTRANCE TO COMMERCIAL BUILDINGS

7. Regulation 2 of Section 7 Part 1 entitled **ENTRANCE TO COMMERCIAL BUILDINGS** is amended by adding the words “except in the case of *block 33* and *block 37*,” in the first line of paragraph (ii) immediately following the number “(ii)” and immediately before the words “the main floor level”

EXCEPTIONS

8. Exception (11) in Section 10, entitled **BLOCKS 24, 25, 26E, 26W, 29, 33 and 37 BUILDING TOWERS (1080-2006)** is amended by replacing paragraphs (e) and (f) with the following:

BLOCK 33

- (e)
- (i) Despite Section 4(3)(a) no person shall erect or use a building or structure on *block 33* having a *height* of more than 26 metres;
 - (ii) Subparagraph (i) shall not apply to prevent the erection or use of building towers which exceeds the said *height* limit provided:
 - (A) With respect to the portion of *block 33* having a height limit of 120 metres,
 - (I) Each floor in a tower located above the 26 metre *height* limit, contains no more than 770 square metres of *residential gross floor area*, and each floor located above a *height* of 48 metres contains no more than 740 square metres of *residential gross floor area*;
 - (II) No more than one such tower is located within this portion of *block 33*; and
 - (III) No part of the tower exceeds the applicable *height* limit stipulated by Section 4(3)(a) other than rooftop structures and elements permitted by and complying with subparagraph (iii) of this paragraph (e) of Exception (11).;
 - (B) With respect to the portion of *block 33* having a height limit of 109 metres,
 - (I) Each floor in a tower located above the 26 metre *height* limit, contains no more than 726 square metres of *residential gross floor area*;
 - (II) No more than one such tower is located within this portion of *block 33*; and
 - (III) No part of the tower exceeds the applicable *height* limit stipulated by Section 4(3)(a) other than rooftop structures and elements permitted by and complying with subparagraph (iii) of this paragraph (e) of Exception (11);
 - (iii) Despite Section 4(3)(a), the rooftop structures and elements listed in section 4(3)(a)(i) shall not be permitted on a building constructed within *block 33*, except for on the roof of a building tower located above a *height* of 26 metres in accordance with the following:
 - (A) The maximum *height* of the top of such elements or structure is no higher than the sum of 11 metres plus the

height limit applicable to the tower, and as shown on Schedule ~ attached to this By-law; and

- (B) There is no restriction on the location of, the area of the roof occupied by, or the width of such elements or structures;
- (iv) At least ten percent (10%), of the total number of *dwelling units* to be constructed in the buildings on Block 33 and Block 37 collectively, shall be capable of being designed as three bedroom units in compliance with the provisions of the Ontario Building Code, and these *dwelling units* are to be shown on the marketing plans as three bedroom units and to be marketed as potential three bedroom units. These units may be sold and/or constructed with fewer bedrooms with provisions in the condominium documentation to allow renovation to three bedroom units. On Block 33, not less than 10% of the total *dwelling units* on the *lot* shall be such *dwelling units*.

BLOCK 37

- (f)
 - (i) Despite Section 4(3)(a), no person shall erect or use a building or structure on *block 37* having a *height* of more than 26 metres;
 - (ii) Subparagraph (i) shall not apply to prevent the erection or use of buildings that exceed the said *height* limit, provided:
 - (A) With respect to the portion of *block 37* having a *height* limit of 85 metres,
 - (I) Each floor in the tower, located above a *height* of 26 metres, contains no more than 750 square metres of *residential gross floor area*;
 - (II) No more than one such tower is located within this portion of *block 37*; and
 - (III) No part of the tower exceeds the applicable *height* limit stipulated by Section 4(3)(a) other than rooftop structures and elements permitted by and complying with subparagraph (iii) of this paragraph (f) of Exception (11)
 - (B) With respect to the portion of *block 37* having a *height* limit of 54 metres

- (I) Each floor in the tower, located above a *height* of 26 metres, contains no more than 750 square metres of *residential gross floor area*;
 - (II) No more than one such tower is located within this portion of *block 37*; and
 - (III) No part of the tower exceeds the applicable height limit stipulated by Section 4(3)(a) other than rooftop structures and elements permitted by and complying with subparagraph (iii) of this paragraph (f) of Exception (11).
- (C) With respect to the portion of *block 37* having a *height* limit of 28 metres,
- (I) Each floor in the building located above a *height* of 26 metres, contains no more than 750 m² of *residential gross floor area*;
 - (II) No more than one such building is located within this portion of *block 37*; and
 - (III) No part of the building exceeds the applicable height limit stipulated by Section 4(3)(a) other than rooftop structures and elements permitted by and complying with subparagraph (iv) of this paragraph (f) of Exception (11);
- (iii) With respect to the portions of *block 37* having *height* limits of 54 metres and 85 metres, despite Section 4(3)(a), the rooftop structures and elements listed in Section 4(3)(a)(i) shall not be permitted on buildings constructed within said portions of *block 37*, except for on the roofs of towers located above a *height* of 26 metres in accordance with the following:
- (A) The maximum *height* of such element or structure is no higher than the sum of 9 metres plus the *height* limit applicable to the tower, and as shown on Schedule ~ attached to this By-law; and
 - (B) There is no restriction on the location of, the area of the roof occupied by, or the width of such elements or structures;
- (iv) With respect to the portion of *block 37* having a *height* limits of 85 metres, despite Section 4(3)(a), the rooftop structures and elements listed in Section 4(3)(a)(i) shall not be permitted on a building constructed

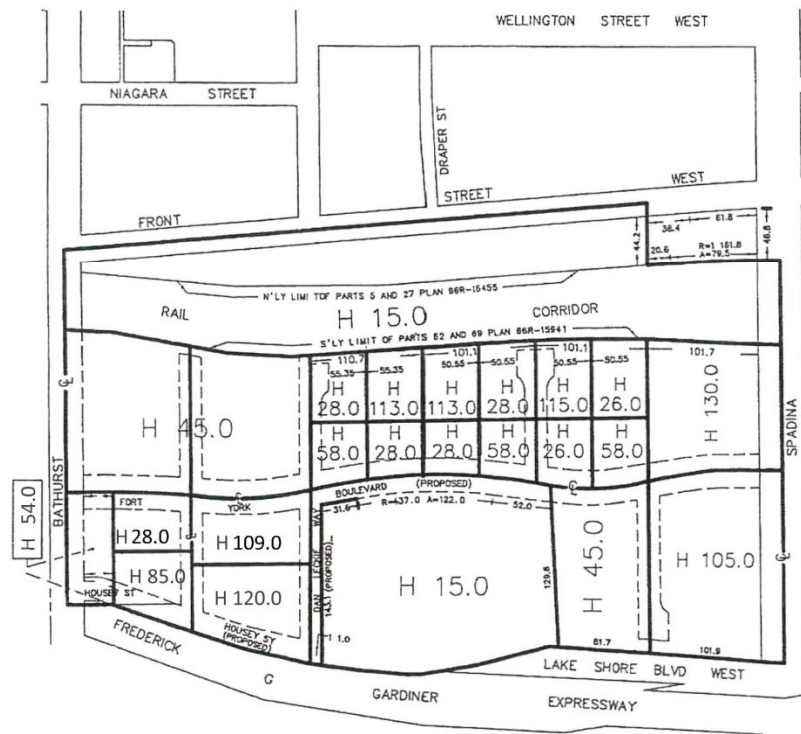
within *block 37*, except for on the roof of a building located above a *height* of 26 metres in accordance with the following:

- (A) The maximum *height* of such element or structure is no higher than the sum of 11 metres plus the *height* limit above 26 metres applicable to the building; and
 - (B) There is no restriction on the location of, the area of the roof occupied by, or the width of such elements or structures;
- (v) At least ten percent (10%), of the total number of *dwelling units* to be constructed in the buildings on Block 33 and Block 37 collectively, shall be capable of being designed as three bedroom units in compliance with the provisions of the Ontario Building Code, and these *dwelling units* are to be shown on the marketing plans as three bedroom units and to be marketed as potential three bedroom units. These units may be sold and/or constructed with fewer bedrooms with provisions in the condominium documentation to allow renovation to three bedroom units.
9. Exception (16) in Section 10, entitled **TERRACES AND COLONNADES – BLOCKS 24, 25, 26E, 26W, 29, 33 AND 37** is amended by adding the words “except in the case of *block 33* and *block 37*” in the first line of paragraph (c) immediately following the letter “(c)” and immediately before the words “a colonnade, in accordance with”
10. Section 10 is amended by adding the following clauses to Exception 18, following paragraph (10):
- (10A) A cash contribution in the amount of \$2,000,000, indexed and payable prior to the issuance of the first above-grade building permit for the development of Block 33, the amount to be used as follows:
 - a. 10% of the cash contribution, in this case, \$200,000, shall be payable upon Bills coming into force for the development of the *block 33*, the amount to be used for capital improvements to public and/or affordable housing in Ward 20.
 - b. The balance of \$ 1,800,000, shall be indexed and payable prior to the issuance of any above-grade building permit for the development of *block 33*, to be used in the vicinity within Ward 20, for one or more of the following:
 - the design and construction of Mouth of the Creek Park;
 - community, cultural and/or arts facilities;
 - parkland and/or open space improvements;
 - streetscape improvements:

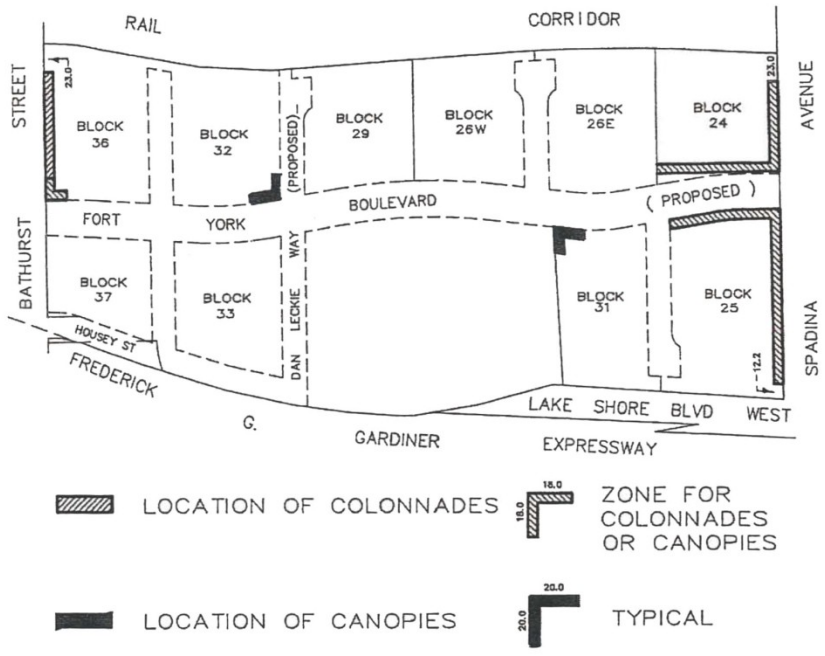
(10B) At least Ten Percent (10%), of the total number of dwelling units, to be constructed in the building shall be capable of being designed as three bedroom units in compliance with the provisions of the Ontario Building Code, and these dwelling units are to be shown on any marketing plans as three bedroom units and to be marketed as potential three bedroom units. These units may be sold and/or constructed with fewer bedrooms with provisions in the condominium documentation to allow renovation to three bedroom units.

11. Within the lands shown on Map 1 attached to this By-law, no person shall use any land or erect or use any building or structure unless the following municipal services are provided to the lot line and the following provisions are complied with:

- (a) all new public roads have been constructed to a minimum of base curb and base asphalt and are connected to an existing public highway, and
- (b) all water mains and sanitary sewers, and appropriate appurtenances, have been installed and are operational.



Height Map 4a Spadina Avenue & 100 Fort York Boulevard
 Applicant's Submitted Drawing
 Not to Scale



Map 7 4a Spadina Avenue & 100 Fort York Boulevard
 Applicant's Submitted Drawing
 Not to Scale ↑