

19-21 Dundas Square and 252-258 Victoria Street – Site Plan Control Application – Final Report

Date:	January 29, 2013
To:	Toronto and East York Community Council
From:	Director, Community Planning, Toronto and East York District
Wards:	Ward 27 – Toronto Centre-Rosedale
Reference Number:	11 142477 STE 27 SA

SUMMARY

This application proposes to demolish 258 Victoria Street, a designated building under Part IV of the *Heritage Act*, along with a commercial building at 252 Victoria Street. Two other buildings which form part of the site, 19 and 21 Dundas Square, which are also designated under Part IV of the *Heritage Act*, will be retained. The applicant proposes to construct a 39-storey mixed residential commercial building with retail at grade.

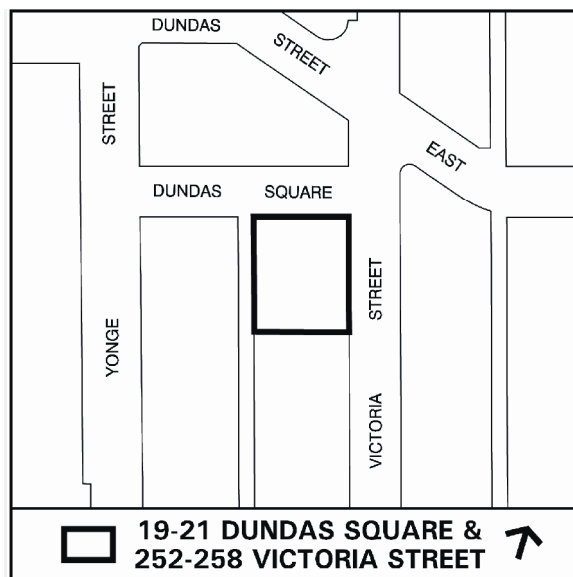
City Planning Staff have finished their review of the site plan for 19-21 Dundas Square and 252-258 Victoria Street and are prepared to issue Notice of Approval Conditions.

This report reviews and recommends approval in principle of the Site Plan Control application.

RECOMMENDATIONS

The City Planning Division recommends that:

1. City Council approve in principle, the conditions set out in Attachment No. 6 to report dated January 29, 2013, from the Director,



Community Planning, Toronto and East York District, the proposal for a 39-storey residential mixed-use building with retail at grade for the lands at 19-21 Dundas Square and 252-258 Victoria Street.

2. City Council delegate back to the Chief Planner and Executive Director, City Planning, or her designate the authority to issue final Site Plan Approval.

Financial Impact

The recommendations in this report have no financial impact.

DECISION HISTORY

At its meeting of November 30 and December 1, 2, 4 and 7, 2009, Toronto City Council adopted the recommendations in the report from the Director, Community Planning, Toronto and East York District (dated October 16, 2009) headed "252-258 Victoria Street and 19-21 Dundas Square – Rezoning Application - Final Report" (file no: 08 153950 STE 27 OZ). At its meeting of February 23, 2010, Toronto City Council enacted site specific by-law 234-2010.

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2009.TE29.7>

On October 25, 2011 the Committee of Adjustment granted a variance allowing for the removal of the proposed new commercial office space and replacing it with more rental units. (file no: A0283/11TEY)

On January 23, 2013, Councillor Wong-Tam referred site plan control application to Toronto and East York Community Council for a decision, in accordance with By-law No. 483-2000.

ISSUE BACKGROUND

Proposal

The applicant proposes to develop the site with a 39-storey mixed-use residential building containing 362 residential units. Two of the three listed buildings (19 and 21 Dundas Square) are to be retained. To support the units the applicant is proposing 453 square metres of indoor amenity space and 430 square metres of outdoor amenity space.

The proposal provides five levels of underground parking for total of 70 parking spaces. Parking and on-site pick-up/drop-off activity is accessed from Victoria Street. The O’Keefe Lane will also be used to access the loading area on the west side of the property.

The proposed redevelopment has a total gross floor area of 30,980 square metres, including the retained office building, comprised of 21,800 square metres of residential, 230 square metres of retail at-grade and 8,150 square metres of office space in the retained buildings (19-21 Dundas Square).

Policy Context

The proposal conforms to all applicable Provincial Policies and the City of Toronto Official Plan. Refer to report from the Director, Community Planning, Toronto and East York District (dated October 16, 2009) headed "252-258 Victoria Street and 19-21 Dundas Square – Rezoning Application - Final Report" for more information on applicable policies.

<http://www.toronto.ca/legdocs/mmis/2009/te/bgrd/backgroundfile-24712.pdf>

Zoning

The property is subject to site specific by-law 234-2010 which allows for the construction of the project outlined above.

Agency Circulation

The application was circulated to all appropriate agencies and City divisions. Responses received have been used to assist in evaluating the application.

COMMENTS

Site Plan

The building is being constructed in accordance with the permissions secured in the site specific by-law. City Planning Staff have worked with the applicant to address site plan concerns such as the exterior built form, The Downtown Yonge BIA landscape requirements and heritage impacts. For further information refer to the site plan drawing in Attachment 1 of this report.

Access, Parking

Access is proposed from Victoria Street with servicing from O'Keefe Lane. Parking will be supplied to the amount secured in the by-law as varied by the Committee of Adjustment and the circulation for the underground garage has been reviewed by technical services.

Servicing

Staff have reviewed the proposed site servicing drawings and reports supplied by the applicant. Several revisions were requested by Staff and were addressed by the applicant. Revisions included changes to the Storm Water Management Plan, Site Servicing and requirements related to the Fire Code. Staff are now satisfied that the proposed development can be serviced in the manner described the applicant's engineers.

Streetscape

City Staff and the applicant worked with the Downtown Yonge Business Improvement Area throughout the site plan process to implement the new proposed standard for Victoria Street and Dundas Square and the requirements were duly secured on the plans. The application conforms to those requirements.

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.

Tier 1 TGS performance measures not previously secured through the Zoning By-law Amendment Approval process have been secured through the Site Plan Approval process, such as materiality, streetscape improvements (e.g. street trees) and the overall energy efficiency of the building.

CONTACT

Giulio Cescato, Planner
Tel. No. 416-392-0459
Fax No. 416-392-1330
E-mail: gcescat@toronto.ca

SIGNATURE

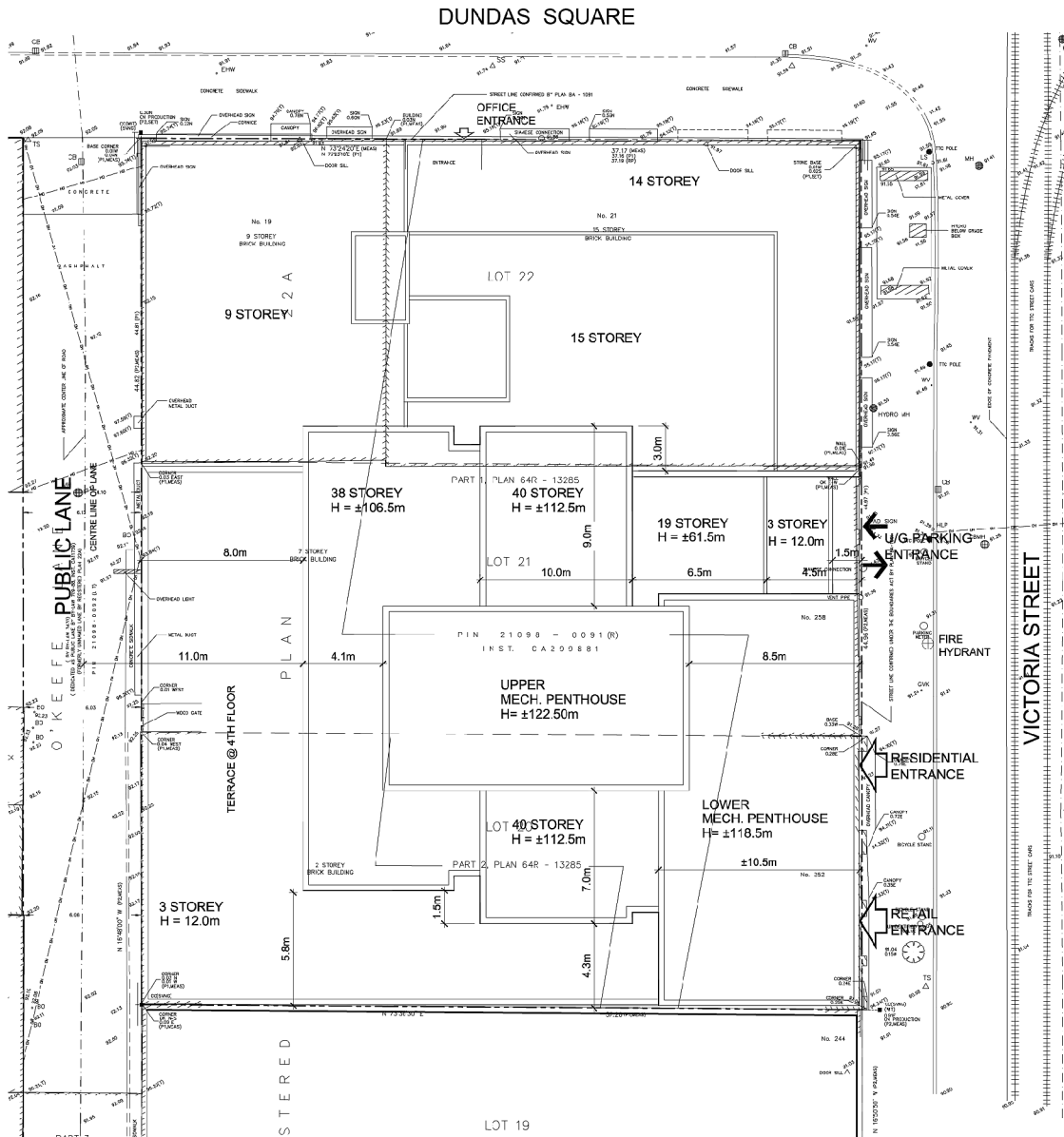
Gregg Lintern, MCIP, RPP
Director, Community Planning
Toronto and East York District

(p:\2013\Cluster B\pln\teycc5218165088) - vc

ATTACHMENTS

Attachment 1: Site Plan
Attachment 2: North Elevation
Attachment 3: East Elevation
Attachment 4: South Elevation
Attachment 5: West Elevation
Attachment 6: Conditions of Site Plan Approval
Attachment 7: Application Data Sheet

Attachment 1: Site Plan



Site Plan

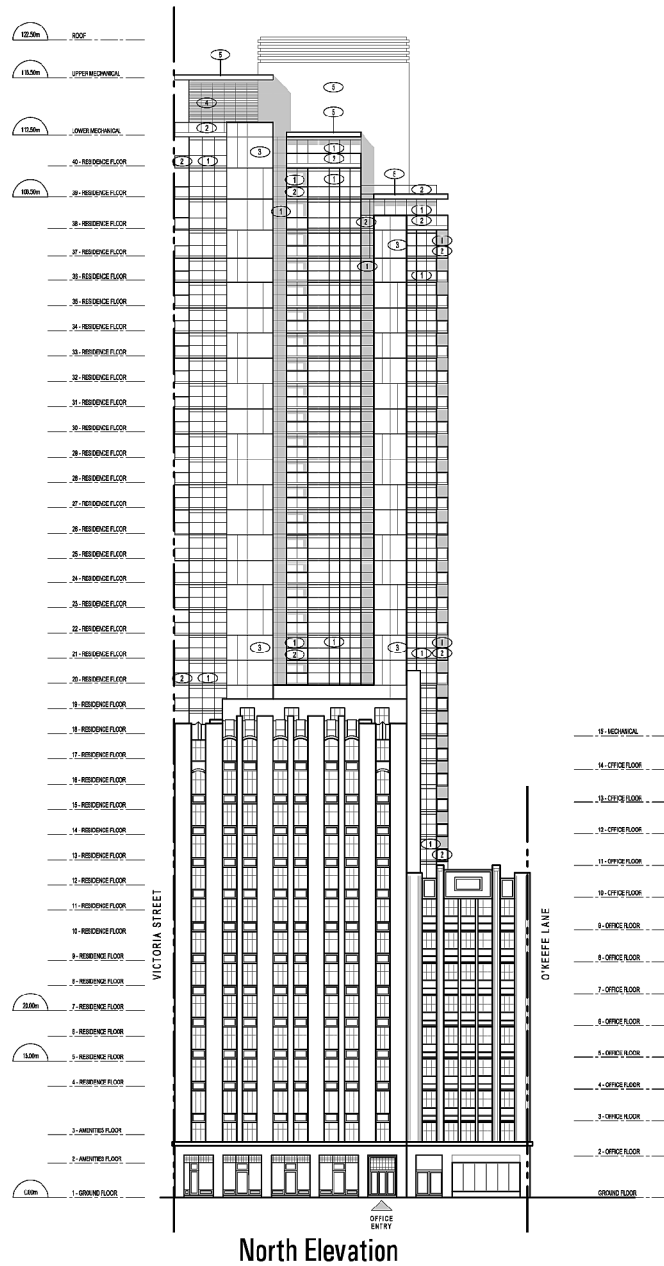
19-21 Dundas Square and 252-258 Victoria Street

Applicant's Submitted Drawing

Not to Scale 
01/28/2013

File # 11 142477 SA

Attachment 2: North Elevation



Elevations

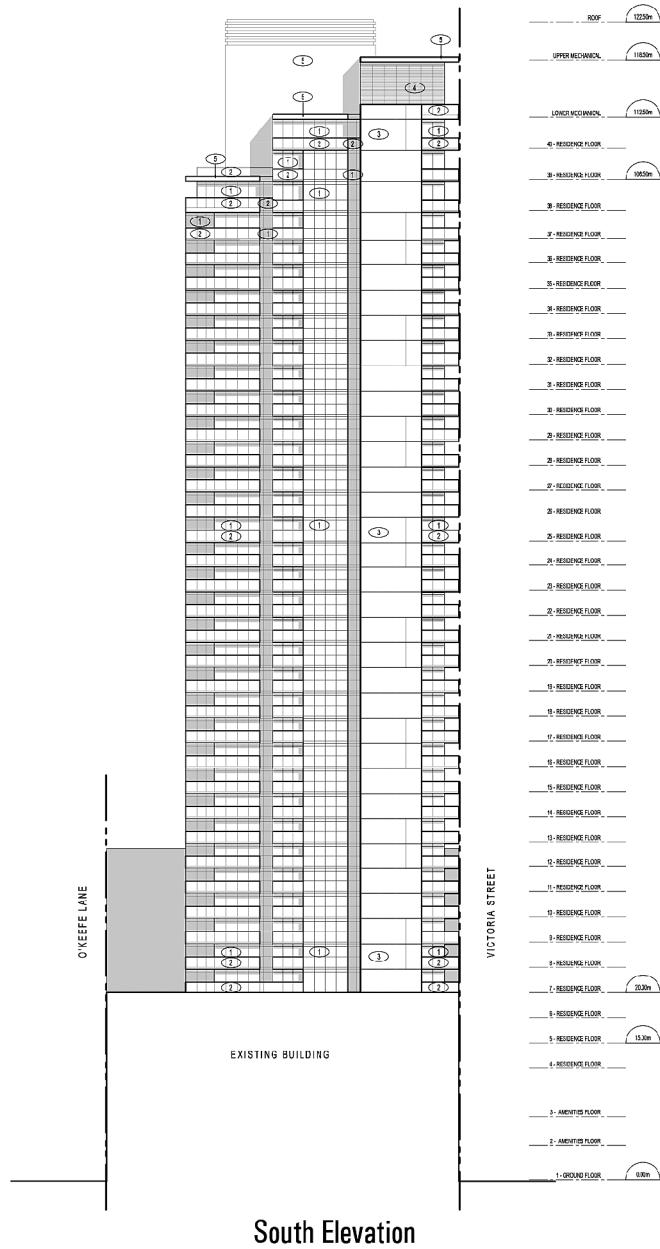
19-21 Dundas Square and 252-258 Victoria Street

Applicant's Submitted Drawing

Not to Scale
01/28/2013

File # 11 142477 SA

Attachment 4: South Elevation



Elevations

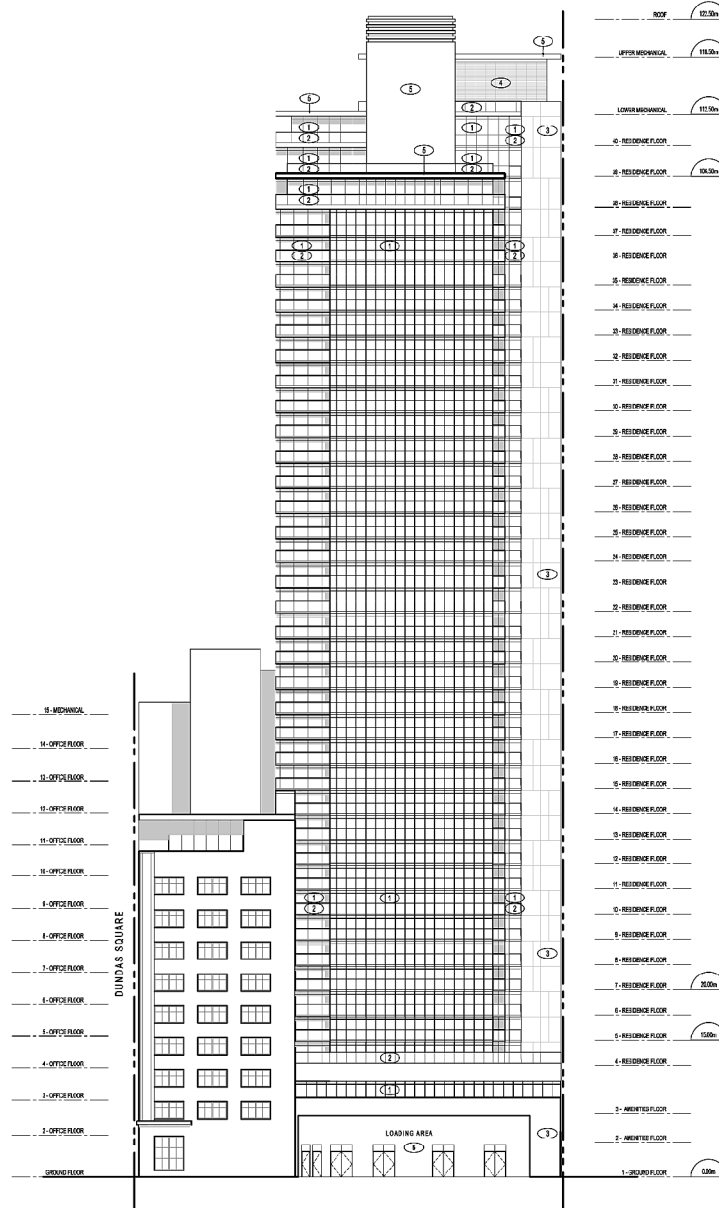
19-21 Dundas Square and 252-258 Victoria Street

Applicant's Submitted Drawing

Not to Scale
01/28/2013

File # 11 142477 SA

Attachment 5: West Elevation



West Elevation

Elevations

19-21 Dundas Square and 252-258 Victoria Street

Applicant's Submitted Drawing

Not to Scale
01/28/2013

File # 11 142477 SA

Attachment 6: Conditions of Site Plan Approval

The City Planning Division Toronto and East York District, has completed the review of the proposal for a 39 storey residential tower with retail at grade, as outlined in the following plans and drawings:

No.	Drawing Title	Prepared By	Date
A001	Context Plan, Project Statistics	Diamond and Schmitt Architects and PAGE + STEELE IBI Group	Dated April 2012 and date stamped November 7, 2012.
A010	Site Plan	Diamond and Schmitt Architects and PAGE + STEELE IBI Group	Dated April 2012 and date stamped November 7, 2012.
A101	Ground Floor Plan	Diamond and Schmitt Architects and PAGE + STEELE IBI Group	Dated April 2012 and date stamped January 25, 2012.
A101a	Loading Plan – Garbage Bin Staging	Diamond and Schmitt Architects and PAGE + STEELE IBI Group	Dated April 2012 and date stamped November 7, 2012.
A102	Second Floor Plan – Amenity Level	Diamond and Schmitt Architects and PAGE + STEELE IBI Group	Dated April 2012 and date stamped November 7, 2012.
A103	3 rd Floor Plan – Amenity Level	Diamond and Schmitt Architects and PAGE + STEELE IBI Group	Dated April 2012 and date stamped November 7, 2012.
A104	4 th Floor Plan	Diamond and Schmitt Architects and PAGE + STEELE IBI Group	Dated April 2012 and date stamped November 7, 2012.
A111	Roof Plan	Diamond and Schmitt Architects and PAGE + STEELE IBI Group	Dated April 2012 and date stamped November 7, 2012.
1:50 Elevations	Building Entrance	Diamond and Schmitt Architects and PAGE + STEELE IBI Group	Dated February 1, 2013 and date stamped February 1, 2013
L1	Landscape Masterplan	NAK Design Group	Dated March 2008 and date stamped January 25, 2012.
07-RE-313	Site Servicing and Grading Plan	Riaboy Engineering	Dated December 2011 and Date stamped December 21, 2011.

A. PRE-APPROVAL CONDITIONS

LEGAL SERVICES – Stephanie Morrow (416) 397-5379

1. Enter into the City’s standard site plan agreement to and including registration of the site plan agreement on title to the subject lands by the City at the owner’s expense.

CITY PLANNING – Giulio Cescato (416) 392-0459

2. Submit an irrevocable letter of credit in the amount of \$163,500 to secure landscaping requirements.

URBAN FORESTRY – Gary LeBlanc (416) 392-0494

3. Submit a fee of \$300 for the application to remove the one City-owned tree proposed to be removed as part of the development application. Urban Forestry requires the approval of the Ward Councillor to permit the removal of the existing City owned street trees. If approved, the applicant will be responsible for removing the trees and for the value and replacement costs associated with the trees.
4. The owner shall conduct an investigation of underground utilities prior to proposing new tree planting within the City road allowance. If planting is not possible due to a utility conflict, a utility locate information sheet from the respective utility company must be provided to the Supervisor of Urban Forestry, Tree Protection & Plan Review.

B. POST APPROVAL CONDITIONS

In addition to the above pre-approval conditions, the following post approval conditions are to be fulfilled by the owner following site plan approval and will be incorporated into a site plan agreement:

The proposed development shall be carried out and maintained in accordance with the plans and drawings referred to herein, to the satisfaction of the City of Toronto.

CITY PLANNING – Giulio Cescato (416) 392-0459

1. The Owner agrees to maintain their streetscape in accordance with the design requirements of the Downtown Yonge Business Improvement Association.
2. Remove all redundant street poles on Dundas Square and Victoria Street frontages to the satisfaction of the Director, City Planning, Toronto and East York District.

ENGINEERING & CONSTRUCTION SERVICES – Darlene Kozelj (416) 397-5120

3. Remove all existing accesses, curb cuts, traffic control sign(s) that are no longer required and reinstate the curb, gutter and boulevard within the City's right-of-way, in accordance with City standards and to the satisfaction of the Executive Director, Engineering and Construction Services.
4. Provide and maintain permanent "No Parking" signs adjacent to the proposed type G and type C loading spaces.

5. Before solid waste collection services are to begin the City will need to be provided with a letter certified by a professional engineer that in all cases where a collection vehicle is required to drive onto or over a supported structure (such as an underground parking garage) the structure can safely support a fully loaded collection vehicle (35,000 kilograms) and conforms to the following:
 - a. Design Code - Ontario Building Code
 - b. Design Load - City bulk lift vehicle in addition Building Code requirements
 - c. Impact Factor - 5% for maximum vehicular speeds to 15 km/h and 30% for higher speeds.
6. Provide a letter from a structural engineer that the P1 level of the parking garage will be designed to hold the SWM tank at maximum capacity.
7. Construct and maintain stormwater management measures/facilities and site grading as recommended in the accepted Stormwater Management Report dated June 2012.
8. Construct and maintain site servicing indicated on the accepted Site Servicing and Grading Plan (Dwg 07-RE-313; last revised October 12, 2012).
9. Provide certification to the Executive Director of Engineering and Construction Services by the Professional Engineer who designed and supervised the construction that the stormwater management facilities and site grading have been constructed in accordance with the accepted Stormwater Management Report and the accepted Grading Plans.
10. Provide certification to the Executive Director of Engineering and Construction Services by the Professional Engineer who designed and supervised the construction, that the site servicing facilities have been constructed in accordance with the accepted drawings.
11. In respect of the existing and proposed encroachments of overhead signs, Siamese connection, canopies, metal ducts and, portions of existing building including basement on the O'Keefe Lane, Dundas Square and Victoria Street public rights-of-way, these encroachments shall be permitted by the City of Toronto pursuant to the following terms:
 - a) The property owner accepts these boulevard areas in their current condition as of the date of the agreement, and shall not call upon the City to do or pay for any work or supply any equipment to make the boulevard more suitable for the uses specified herein.
 - b) All encroachments within the boulevard areas of the adjoining public highways shall be constructed and maintained according with the approved site

- plan/landscape plan, approved by Transportation Services, and the Executive Directors of Engineering and Construction Services and City Planning, subject to any modifications approved by the Right-of-Way Management Unit of Transportation Services in connection with the separate application for work within the public right-of-way.
- c) The owner agrees that they will, at their expense, maintain the encroachments in a state of good repair, free of graffiti, posters, litter, snow and ice, and that vegetation will be maintained in a healthy and vigorous state of growth. The owner shall not make any additions or modifications to the encroachments beyond what is allowed pursuant to the terms of this site plan agreement. The owner further acknowledges that should they neglect to maintain the encroachment(s), then the City, after providing 24 hours notice, shall, at the owner's expense, perform the required maintenance and remove graffiti, posters, litter, snow and ice, and the City may recover its costs in a like manner as municipal taxes.
 - d) The owner agrees that if the City should at any time undertake any widening or other alteration to the adjoining public highway(s) necessitating the removal of any encroachment(s), the City shall not be liable to pay any compensation whatsoever for such removal, nor shall it restore any encroachment that it removes. The encroachments permitted by this agreement shall be removed by owner, at their expense, within 14 days of receiving written notice from the General Manager of Transportation Services or his/her designate. In default of the removal not occurring as requested, the City may carry out the removal, at the owner's expense, and may recover its costs in a like manner as municipal taxes.
 - e) The owners acknowledge that there may exist municipal and/or utility services within, upon or under the boulevard, and acknowledges that the City or the utility responsible for such service(s) may need to undertake repairs or carry out maintenance on such service(s) or to install new service(s). The owner agrees that the City or utility shall have the right to remove the encroachments for the purpose of carrying out such installation, replacement, repair or maintenance. Prior to removing the encroachment the City shall give 48 hours notice of its intention to remove the encroachment for maintenance purposes, except in the case of emergency, in which case no notice shall be required. On completing the installation, replacement, repairs or maintenance, the owner, at their sole expense, shall proceed immediately to restore the encroachments to the condition it was in prior to the commencement of such installation, replacement, repairs or maintenance. Under no circumstances, shall the City be required to so restore the lands, or to compensate the owner for the cost of doing so.
 - f) The owner agrees to defend, save and keep harmless and fully indemnify the city, its officers, employees, agents and other representatives, from and against all actions, claims, suits or damages whatsoever that may be brought or made against the city as a result of the owner's use of the boulevard area of the adjoining public highways.

URBAN FORESTRY – Gary LeBlanc (416) 392-0494

12. The applicant shall have a qualified company implement the approved Landscape Plan and all approved tree preservation and maintenance strategies to the satisfaction of Urban Forestry. As well, prior to construction or grading activities, where necessary to ensure the health and vigour of trees to be preserved, tree maintenance measures must be undertaken by a certified arborist or other qualified expert and according to currently accepted sound arboricultural practices.
13. Tree planting must be completed according to the approved Landscape Plan and to the satisfaction of Urban Forestry within a reasonable time frame. Any proposed revisions to the planting plan must first be approved by Urban Forestry.
14. The site shall be developed and maintained in accordance with the approved plans and conditions of approval associated with the Site Plan, Grading Plan, Site Servicing Plan, Landscape Plan, Building Permit and Tree Permit(s)/Approvals. Any proposed revisions/alterations to the approved plans or permits that affect trees must be approved by Urban Forestry, on behalf of the General Manager of Parks, Forestry & Recreation.
15. The owner shall provide a two-year renewable guarantee for all new tree plantings within the City road allowance and shall notify the Supervisor of Urban Forestry, Tree Protection & Plan Review in writing, of the planting date prior to planting. This date is used to establish the anniversary date of the required two-year renewable guarantee.
16. The owner shall maintain all new tree plantings within the City road allowance in good condition. Trees will be inspected during and prior to the end of the renewable guarantee period. If the trees are in good condition at the end of the renewable guarantee period, the City will assume maintenance and ownership of the trees.
17. The owner shall be responsible for the maintenance or replacement of all new tree plantings within the City road allowance if during or at the end of the renewable guarantee period the trees are not in good condition, require maintenance or require replacement. The owner will be responsible for rectifying the problem as determined by and to the satisfaction of the General Manager of Parks, Forestry & Recreation.
18. The owner shall maintain all newly replanted trees within the City road allowance in good condition and shall provide an additional two-year renewable guarantee.
19. Prior to the issuance of a Landscape Permit (by Transportation Services, Right of Way Management), the owner shall provide a tree planting security deposit in the form of an irrevocable Letter of Credit or certified cheque payable to the Treasurer, City of Toronto, in the amount of \$3,498.00 (\$583.00 per tree subject to change) for new tree planting within the City Road allowance. The deposit will be drawn upon to

cover all costs incurred by the City of Toronto in enforcing and ensuring that the trees are planted and kept in a healthy and vigorous state during the two-year guarantee period. The tree planting security deposit must be submitted to the attention of the Supervisor of Urban Forestry, Tree Protection & Plan Review. Payment must be made in person at the Urban Forestry office located at 50 Booth Avenue, 2nd Floor. Our front reception desk hours are 8:30 a.m. to 3:00 p.m., Monday to Friday.

Site Plan Advisory Comments

The owner is advised that the following approvals and/or permits are required for this development:

1. The owner will be required to obtain separate approval from the Transportation Services Division for any work involving construction, in or occupancy of, the O'Keefe Lane, Dundas Square and Victoria Street public rights-of-way Street rights-of-way. For further information, please contact Right-of-Way Management Section, Toronto and East York District, Construction Activities at 416-392-7877.
2. The Owner is to have regard for the City's Vibrant Streets design guidelines, which are available on the City's website at:
www.toronto.ca/involved/projects/streetfurniture/pdf/vibrant_streets.pdf
3. The Owner is advised that the Public Lane used for accessing the site will be given low priority for winter maintenance by the City, and that the public lanes are salted only, not ploughed.
4. The Owner is advised that any physical or landscaping features that it proposes to install within the O'Keefe Lane, Dundas Square and Victoria Street public rights-of-way require encroachment agreements and approval by the City. The City, at its discretion, will incorporate the encroachment agreement terms into either the Site Plan Agreement and/or a separate encroachment agreement. The owner is responsible for the costs of installing and maintaining these encroachments. Notwithstanding that the encroachments may be approved in principal in connection with the Survey Plan, the Site Plan and the Ground Floor Plan submitted with the site plan application, additional revisions/modifications to the proposed encroachments may be required as part of the more detailed review in connection with the separate application to be submitted to the Right-of-Way Management Unit of Transportation Services for work within the public rights-of-way. For further information regarding encroachment agreements, please contact Joe Colafranceschi, Right-of-Way Management Unit at 416- 392-1525.
5. The Owner is advised of the need to pay the cost for the relocation of any utility poles, including street-lighting, as may be deemed necessary in conjunction with the application to be submitted for work within the public rights-of-way.
6. The Owner is to have regard for the City's Vibrant Streets design guidelines when preparing the landscape drawings for the site. For information, these are available on the City's website at:
www.toronto.ca/involved/projects/streetfurniture/pdf/vibrant_streets.pdf.
7. The owner will be required to make an application to Toronto Water Division for the installation of any proposed services within the right-of-way after acceptance of the stormwater management report and site servicing plan. For further information,

please contact Joe Sinopoli, District Operations, Toronto Water, Toronto East York District at 416-3 338-6526.

8. The applicant should be required to apply for revised municipal numbering prior to filing an application for a building permit. The following municipal addresses have been reserved to identify the components of the development:
 - a) 252 Victoria Street - proposed residential condominium
 - b) 21 Dundas Square - existing commercial component.

Attachment 7: Application Data Sheet

Application Type	Site Plan	Application Number:	11 142477 STE 27 SA
Details	Site Plan, Standard	Application Date:	May 10, 2011
Municipal Address:	252-258 Victoria Street and 19-21 Dundas Square		
Location Description:	Southwest corner of Victoria Street and Dundas Square		
Project Description:	The application includes demolition of one and retention of two historically listed buildings and demolition of 2 storey commercial building. Proposal for a 39 storey mixed-use building with retail on the ground floor.		

Applicant:	Architect:	Owner:
Fraser Milner, 1 First Canadian Place, STE 3900 Toronto, ON M5X 1B2	Diamond and Schmitt Architects 384 Adelaide Street West Ste 300 Toronto, ON M5V 1R7	HNR Properties Ltd. 21 Dundas Square Toronto, ON

PLANNING CONTROLS

Official Plan Designation:	Mixed Use Areas	Site Specific Provision:	174
Zoning:	CR T7.8 C4.5 R7.8	Historical Status:	Yes
Height Limit (m):	61 metres	Site Plan Control Area:	Yes

PROJECT INFORMATION

Site Area (sq. m):	1670	Height:	Storeys: 39
Frontage (m):	37	Metres:	122.5 (10 metres- mech)
Depth (m):	45		
Total Ground Floor Area (sq. m):	749		Total
Total Residential GFA (sq. m):	21,800	Vehicle Parking Spaces:	97
Total Non-Residential GFA (sq. m):	9,180	Bicycle Parking Spaces:	179
		Loading Docks	1 Type G 1 Type C
Total GFA (sq. m):	30,980		
Lot Coverage Ratio (%):	81		
Floor Space Index:	18.5		

DWELLING UNITS

Tenure Type:	Condo
Rooms:	0
Bachelor:	12 5%
1 Bedroom:	206 57%
2 Bedroom:	144 61%
3 + Bedroom:	0
Total Units:	362

FLOOR AREA BREAKDOWN (upon project completion)

	Above Grade	Below Grade
Residential GFA (sq. m):	21,800	0
Retail GFA (sq. m):	230	0
Office GFA (sq. m):	8,950	0
Industrial GFA (sq. m):	0	0
Institutional/Other GFA (sq. m):	0	0

CONTACT:	PLANNER NAME:	Giulio Cescato, Planner
	PHONE:	(416) 392-0459
	EMAIL:	gcscat@toronto.ca