

**2, 6 & 8 Gloucester Street and 601–613 Yonge Street –
Zoning Amendment Application – Final Report**

Date:	March 7, 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 216486 STE 27 OZ

SUMMARY

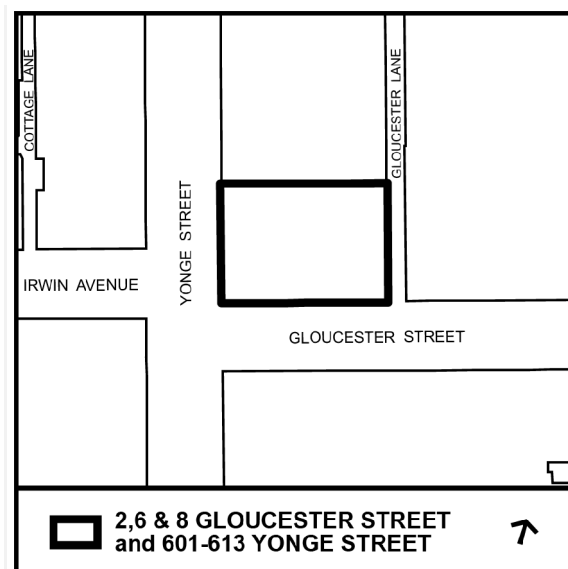
The proposed redevelopment is for a 34-storey mixed-use development containing 232 residential units and commercial space at grade. The proposal retains the existing 5-storey heritage building on the west side of the property at 2 Gloucester Street (the former Masonic Hall including 601-613 Yonge Street). The existing rear addition at 6 Gloucester Street which includes the back half of 8 Gloucester Street would be demolished. The existing pair of semi-detached 2 ½-storey buildings at 8 Gloucester Street are to be rehabilitated and incorporated into the base of the new development. The proposed overall height of the building would be 114 metres including a mechanical penthouse. Access to a four level underground parking garage with 66 parking spaces is proposed from Gloucester Lane.

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 438-86, as amended, for the lands at 2, 6 and 8 Gloucester Street and 601-613 Yonge Street substantially



in accordance with the draft Zoning By-law Amendment attached as Attachment No. 8 to the report dated March 7, 2013.

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. City Council require that the applicant provide sufficient parking on site as outlined in the Engineering and Construction Services memo of January 23, 2013 as discussed in the report dated, March 7, 2013, from the Director, Community Planning, Toronto and East York District.
4. City Council direct that should the expansion of the Norman Jewison Park occur due to the elimination of the 33 Toronto Parking Authority spaces that abut the park, the General Manager, Park, Forestry and Recreation may consider that the amount above the first 5% of cash-in-lieu parkland be deposited into the alternative rate parkland reserve account to acquire the land occupied by the 33 Toronto Parking Authority spaces.
5. Before introducing the necessary Bills to City Council for enactment, City Council require the owner of the lands at 2, 6 and 8 Gloucester Street and 601-613 Yonge Street to enter into one or more Agreement(s) pursuant to Section 37 of the Planning Act as follows to secure the following at the owner's expense:
 - a. a cash payment of \$1,400,000 payable prior to the issuance of an above-grade building permit as follows:
 - i. \$140,000 for the purpose of capital improvements for Toronto Community Housing Corporation residential facilities in Ward 27; and
 - ii. \$500,000 for the purpose of capital improvements to the Toronto Reference Library; and
 - iii. \$760,000 for the purpose of local streetscape and parkland improvements, as determined by the Chief Planner and Executive Director, City Planning in consultation with the Ward Councillor.
 - b. The owner provide verification that a minimum of \$100,000 has been spent towards the design and installation of an art feature to be located on-site, prior to condominium registration, to the satisfaction of the Chief Planner and Executive Director.
 - c. Require that the cash amounts identified in 5a. and b. above shall be indexed upwardly in accordance with the Statistics Canada Non-Residential Construction Price Index for Toronto for the period from the date of the execution of the Section 37 Agreement to the date of payment.

- d. The following matters are to be secured in the Section 37 Agreement as a legal convenience to support development:
 - i. A conveyance for the right-of-way widening purposes along the east side of the site with a minimum width of 0.72 metres with the exception of the area adjacent to 8 Gloucester Street facade. Such lands to be free and clear of encumbrances and subject to a right-of-way for access purposes until such time as the said lands have been laid out and dedicated for a public highway.
 - ii. The owner shall agree through the Site Plan Approval process to satisfy the criteria for the holding symbol to be lifted as identified in the Draft Zoning By-law, to this report.

- 6. City Council consent to the alteration of the heritage property at 2-8 Gloucester Street, including the demolition of the structure on 6 Gloucester Street, to allow for the construction of a 34-storey residential condominium building substantially in accordance with the plans and drawings prepared by Hariri Pontarini Architects Inc. dated November 21, 2012, the HIA Assessment (HIA) prepared by ERA Architects Inc. dated June 10, 2011 with final revisions/addendums dated July 30, 2012, and the Condition Assessment, 8 and 12 Gloucester Street, prepared by ERA Architects Inc. as revised July 30, 2012 subject to the following conditions.
 - a. Prior to final Site Plan Approval, the owner shall:
 - i. Provide a detailed Conservation Plan detailing all conservation work required in accordance with the HIA and the Condition Assessment referenced in Recommendation 6 above, for the heritage property at 2-8 Gloucester Street including a detailed estimate of costs associated with this conservation work, to be prepared by a qualified heritage consultant to the satisfaction of the Manager, Heritage Preservation Services;
 - ii. Submit an Interpretation Plan that interprets the cultural heritage value of the property at 2-8 Gloucester Street and describes the evolution of the site, to the satisfaction of the Manager, Heritage Preservation Services;
 - iii. Submit a Lighting Plan that describes how the Yonge Street elevation of the heritage property at 2-8 Gloucester Street will be sensitively illuminated at night to enhance the building's heritage character and landmark status to the satisfaction of the Manager, Heritage Preservation Services.

 - b. Prior to the issuance of any heritage permit, the owner shall:

- i. Submit final binding permit plans and drawings for the alterations and new construction, satisfactory to the Manager, Heritage Preservations Services;
 - ii. Provide a Letter of Credit in a form and amount satisfactory to the Manager, Heritage Preservation Services to secure the approved conservation work; and
 - iii. Enter into a Heritage Easement Agreement with the City for the heritage property at 2-8 Gloucester Street.
- c. Prior to the release of the Letter of Credit, the owner shall:
- i. Provide replacement Schedule B photographs for the Heritage Easement Agreement for the heritage property at 2-8 Gloucester Street to the satisfaction of the Manager, Heritage Preservations Services; and
 - ii. Provide a certificate of completion prepared by a qualified heritage consultant confirming that the conservation work has been completed in accordance with the approved Conservation Plan to the satisfaction of the Manager, Heritage Preservation Services.
- d. City Council grant authority for the City Solicitor to amend the Heritage Easement Agreement under Section 37 of the Ontario Heritage Act with the owner of the property.
- e. City Council amend By-law No. 532-82 of the former City of Toronto under Section 30.1 of the Ontario Heritage Act to revise the Reasons for Designation to explain the cultural heritage value or interest of the property at 2-8 Gloucester Street and describe its heritage values.
- f. City Council authorize the City Solicitor to introduce the necessary bill in Council amending By-law 532-82 of the former City of Toronto pursuant to Part IV, Section 30.1 of the Ontario Heritage Act.
- g. City Council authorize the City Solicitor to introduce any necessary Bills in Council authorizing the entering into of a Heritage Easement Agreement for the property at 2-8 Gloucester Street.

Financial Impact

The recommendations in this report have no financial impact.

DECISION HISTORY

On September 12, 2011, the Toronto and East York Community Council considered a Preliminary Report dated August 15, 2011, from the Director, Community Planning, Toronto and East York District. Toronto and East York Community Council adopted the recommendations within that report and can be found at:

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2011.TE9.32>

ISSUE BACKGROUND

Proposal

The original submission dated June 13, 2011 was for a 29-storey mixed-use development containing 211 residential units with commercial uses at-grade and the retention of the existing 20 residential condominium units at 2 Gloucester Street. Also proposed were a total of 34 residential vehicular parking spaces on 2 levels below grade and zero visitor parking spaces. The total bicycle parking spaces proposed were 327 consisting of 278 resident spaces and 49 visitor spaces. The proposal included moving the heritage building at 8 Gloucester Street approximately 4 metres closer to Gloucester Street.

The applicant's final submission proposes the redevelopment of the lands to permit a 34-storey mixed-use condominium containing 232 residential units with commercial uses at-grade and the retention of the existing 20 residential condominium units at 2 Gloucester Street. As part of this proposal the applicant is providing a minimum of 13% of all new residential units as 3-bedroom.

The applicant proposes a total of 66 residential vehicular parking spaces and zero visitor spaces on 4 levels below-grade. A total of 288 bicycle parking spaces are proposed consisting of 228 resident spaces and 60 residential visitor spaces. The loading area and garbage storage are proposed to be enclosed on the ground level towards the rear of the site with access from a driveway off of Gloucester Lane.

The total commercial space proposed is approximately 275.5 metres to be located in the existing pair of 2 ½-storey semi-detached buildings on south-east corner of the site to be accessed from Gloucester Street. There are five City owned street trees situated within the Gloucester Street City road allowance. The development proposes to remove three trees as indicated in the applicant's arborist report. Further details related to the street trees will be assessed through the site plan review process.

A summary of the changes to the proposal is listed below.

Category	First Submission June 13, 2011	Fourth Submission November 28, 2012
Site Area	1489 m ²	1489 m ²
Approximate Tower Setback - to bldg face and excludes heritage bldgs: - North - ranges	1.5 to 3.6 m	5.5 m

- South	2.1 m	2.1 m
- East	1.2 m	0.65 m
- West	17.5 m	16.5 m
Floor Space Index	14.06	14.36
Tower Floor Plate Size - average	601m ²	565 m ²
Building Height (inc. mech.'s)	100 m	114 m
Gross Floor Area	20,928 m ²	21,382 m ²
Number of Units	Studio - 87 One Bedroom - 79 Two Bedroom - 45 + 20 existing condominium units at 2 Gloucester St.	Studio - 112 One Bedroom - 60 Two Bedroom – 31 Three Bedroom - 29 + 20 existing condominium units at 2 Gloucester St.
Total Indoor + Outdoor Amenity Space	844 m ²	718 m ²
Bicycle Parking	327	288
Vehicular Parking	34	66
Loading Spaces – Type G	1 Type G	1 Type G

Refer to Attachment No. 7 for the Application Data Sheet.

Site and Surrounding Area

The site is located on the north-east corner of Yonge and Gloucester Streets and extends east to Gloucester Lane. The site is approximately 1,489 square metres in area, generally rectangular in shape and has approximately 33 metres of frontage along Yonge Street and 46 metres of frontage along Gloucester Street. The site is occupied by a 5-storey mixed use heritage building at 2 Gloucester Street (the former Masonic Hall including 601-613 Yonge Street) on the north-east corner which contains commercial and residential uses. At 2 Gloucester Street is the residential stairwell for the Masonic Hall. Directly east, the site then steps down to a 2-storey restaurant, Fire on the East Side at 6 Gloucester Street. Adjacent and to the east is a pair of semi-detached heritage buildings containing the Olympic Pizza Café and Fly nightclub at 8 Gloucester Street.

Surrounding uses include:

North: a production studio and office (Yorktown Productions) in a designated heritage building at 18 Gloucester Lane abutting the site, along with a mix of low to mid-rise commercial and business uses north to Isabella Street. The George Hislop Park extends northward opposite from the Norman Jewison Park to complete the linear park system. An application has been submitted for a 40-storey mixed-use residential development under File No. 12 260124 STE 27 OZ at 625-637 Yonge Street and the application is currently under review.

South: a 2-storey building at the corner of Yonge and Gloucester Streets containing mixed-uses. Adjacent on the east side on Gloucester Street is a vehicular laneway, three 2 ½-storey residential semi-detached homes, the Canning Gardens Park which

extends southward opposite the Norman Jewison Park, a 2-storey restaurant (Bumpkins) and a row of townhomes. An application has been submitted for a 50-storey mixed-use residential development under File No. 12 235622 STE 27 OZ at 587-599 Yonge Street and the application is currently under review.

East: a public laneway, Gloucester Lane with a Toronto Parking Authority (TPA) parking lot containing 33 spaces abuts the property running north to Isabella Street, adjacent is the Norman Jewison Park which is part of a linear park system, on the east side of the park is a 23-storey residential tower and a row of townhomes sited northward.

West: on the west side of Yonge Street are a row of 3-storey designated heritage buildings. Uses include retail, restaurant, office spaces with residential units above.

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 application was reviewed against the policies in the Official Plan including those in Chapter Two, "Downtown", "Public Realm", and "Built Form" sections of the Plan. Chapter Two of the Official Plan – Shaping the City identifies that the downtown area offers opportunities for substantial employment and residential growth, but that this growth is not anticipated to be uniform. Rather, it is expected that the physical setting of many areas will remain unchanged and that design guidelines specific to districts of historic or distinct character will be implemented to ensure new development fits into the context of existing built form, streets, setbacks and heights.

Chapter Three – Building a Successful City identifies that most of the City's future development will be infill and redevelopment and, as such, will need to fit in, respect and improve the character of the surrounding area. Development will be located, organized and massed to fit harmoniously with its existing and/or planned context. Development will limit its impacts on neighbouring properties and the public realm by respecting street proportions, creating appropriate transitions in scale, providing for adequate light and privacy, and limiting shadow and wind impacts.

In addition, Policy 3.1.5.2 of the Official Plan states that "Heritage resources on properties listed on the City's Inventory of Heritage Properties will be conserved." "Development adjacent to properties on the City's Inventory will respect the scale, character and form of the heritage buildings and landscapes." Development adjacent to properties on the City's *Inventory of Heritage Properties*, will respect the scale, character and form of the heritage buildings and landscapes.

The subject site is within the *Downtown* on Map 2 - Urban Structure. Policy 2.2.1 specifically indicates that growth will be directed to the downtown.

In the Official Plan, the *Downtown* is described as, "the oldest, most dense and most complex part of the urban landscape, with a rich variety of building forms and activities."

The Official Plan Policy 2.2.1.3 outlines where the quality of the *Downtown* will be improved by:

- recognizing the high maintenance needs of streets, open spaces and City services in this heavy demand area; and
- enhancing existing parks and acquiring new parkland where feasible.

In addition, the Official Plan Policy 2.2.1.5 acknowledges the importance of "(t)he architectural and cultural heritage of *Downtown* will be preserved by designating buildings, districts and open spaces with heritage significance and by working with owners to restore and maintain historic buildings." In Policy 2.2.1.6, the Plan further states that "(d)esign guidelines specific to districts of historic or distinct character will be developed and applied to ensure new development respects the context of such districts in terms of the development's fit with existing streets, setbacks, heights and relationship to landmark buildings."

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

The Official Plan also includes Development Criteria (Policy 4.5.2) to help guide new development in Mixed Use Areas, including in particular:

- to create a balance of high quality commercial, residential, institutional and open space uses that reduces automobile dependency and meets the needs of the local community;

- to locate and mass new buildings to provide a transition between areas of different development intensity and scale, as necessary to achieve the objectives of this Plan, through means of providing appropriate setbacks and/or a stepping down of heights, particularly towards lower scale *Neighbourhoods*;
- to locate and mass new buildings so as to adequately limit shadow impacts on adjacent *Neighbourhoods*, particularly during spring and fall equinoxes;
- to locate and mass new buildings to frame the edges of streets and parks with good proportion and maintain sunlight and comfortable wind conditions for pedestrians on adjacent streets, parks and open spaces;
- to provide an attractive, comfortable and safe pedestrian environment;
- to take advantage of nearby transit services;
- to provide good site access and circulation and an adequate supply of parking for residents and visitors;
- to locate and screen service areas, ramps and garbage storage to minimize the impact on adjacent streets and residences; and
- to provide indoor and outdoor recreation space for building residents in every significant multi-unit residential development.

The Toronto Official Plan is available on the City's website at:
www.toronto.ca/planning/official_plan/introduction.htm

North Downtown Yonge Street Planning Framework

The area of Yonge Street between College Street/Carlton Street to Bloor Street is changing. Contrary to several other areas within the Downtown and Central Waterfront Area, this part of Yonge Street is not subject to a Secondary Plan or Special Policy Area. A better understanding of the evolving neighbourhood and planned context of this area of Yonge Street is required prior to making any decisions on this and other recently received development applications. Planning staff have started the North Downtown Yonge Street Planning Framework process which has involved extensive community and stakeholder consultation and a charrette. The North Downtown Yonge Street Planning Framework includes in the study process a review of the built form of the area, special places and streets, pedestrian improvements, open space, heritage, view terminus and the Green Development Standards among other considerations. The review provided through this process will take into consideration other ongoing work that is currently underway within the City and particularly the downtown area including the Tall Buildings Vision and Performance Standards Design Guidelines.

The study process will result in the preparation of an area specific Official Plan Amendment and urban design guidelines for the North Downtown Yonge Street

neighbourhood generally bounded by Charles Street, Bay Street, Church Street and College/Carlton Street. Consultation has included the Downtown Yonge Neighbourhood Business Improvement Area, and representatives from the Bloor East Neighbourhood Association, Greater Yorkville Residents Association, Bay Cloverhill Community Association and Church Wellesley Neighbourhood Association. Where possible these guidelines should compliment and be coordinated with other City and community heritage, economic and social development/revitalization initiatives. A final report on the study process and the Official Plan Amendment is anticipated in the second quarter of 2013.

Further updates to the North Downtown Yonge Street Planning Framework may be found on the City's website at:

<http://www.toronto.ca/planning/northyongeplanningframework.htm>

Heritage Conservation District Study

At their meeting of October 2, 3 and 4, 2012 City Council authorized the study of a Heritage Conservation District under Section 40(1) of the Ontario Heritage Act. Historic Yonge Street was nominated by the Bay Cloverhill Community Association and the Church Wellesley Neighbourhood Association. The boundary of the study area is just north of Davenport Road to the north, Bay Street to the west, Church Street to the east, and College-Carleton Street to the south. This area coincides with the study area of the North Downtown Yonge Street Planning Framework (NDYSPF). The request for the proposed Historic Yonge Street Heritage Conservation District study has resulted from the community consultation and working group process of the NDYSPF. The subject site is within the Yonge Street Heritage Conservation District study area.

Zoning

The site is zoned 'CR' commercial/residential permitting a wide range of residential, commercial, institutional, parks and open space uses. The density allowed is T3.0 C2.0 R3.0 which permits up to 3.0 times the lot area. A maximum height of 18 metres is permitted with the addition of 5 metres for rooftop mechanical equipment. Attachment 6 provides an excerpt of the Zoning map for the site and immediate area.

Tall Buildings

In July 2012, Toronto City Council adopted the Downtown Tall Buildings Vision and Performance Standards Design Guidelines and directed City Planning staff to use these Guidelines in the evaluation of all new and current tall buildings development proposals falling within the Guideline boundaries. The Guidelines identify where tall buildings belong Downtown and establish a framework to regulate their height, form and relationship to their surroundings. They focus on enhancing the pedestrian environment; and heritage resources and improving the quality of life (access to natural light, sky views and privacy) for people living and working Downtown. The Guidelines included a vision statement for downtown tall buildings; maps with identify "High Street" and "Secondary High Street" locations, recommended heights and building typologies for these streets; and twenty-three Performance Standards relating to the base conditions or tower portions of tall buildings or to their contextual fit within the Guideline area. Guideline details are available at:

<http://www.toronto.ca/planning/tallbuildingstudy.htm>.

The subject property is located at the corner of Yonge Street and Gloucester Street and is located within the Downtown Tall Buildings Vision and Performance Standards Design Guideline boundaries. The Guidelines were used to evaluate this proposal. Yonge Street is identified as a "Special Character Street" through Maps 1 to 3, and is identified as a "Priority Retail Street" on Map 4. As a Special Character Street, Yonge Street is recognized for its overall heritage value and iconic stature but also its accommodation for differing redevelopment potential along specific segments of the street. Specific heights of the tower portion of a tall building proposal on Yonge Street will be determined on a site-by-site basis, taking into account the heights of adjacent buildings; heights proposed along adjacent High Streets and Secondary High Streets; and the possible negative impacts of tall building development on adjacent open space and parks, landmark views and heritage resources. A tower set back of 20 metres (when heritage resources are present) and 10 metres (where there are no heritage resources) should apply for all tall building development sites or blocks within the Yonge Street Special Character Street.

Site Plan Control

The proposed development is subject to site plan control. The applicant has not yet submitted an application.

Reasons for Application

The proposed building exceeds the maximum height of 18 metres permitted in the zoning by-law by approximately 90.5 metres, exclusive of a 5.5 metre mechanical penthouse. In addition, there are deficiencies related to; lot line setbacks, outdoor amenity space, outdoor common space, resident and visitor parking spaces, the size of the parking spaces, and the penetration of the angular plane along Yonge Street. Additional areas of non-compliance are included in the draft zoning by-law (Attachment 8).

Community Consultation

A community consultation meeting was held on October 25, 2011 with Planning staff, the applicant, the Ward Councillor and approximately 43 members of the community. The proposed zoning amendments were discussed at the meeting. Following presentations by Planning staff and the applicant's consultants, the floor was opened up for comments and questions from the community.

The concerns expressed by residents included:

- concerns with the proposed height and density;
- the project is too close to Yonge Street;
- proposal needs to be discussed in context of the North Downtown Yonge Street Planning Framework;
- proposal needs to provide for seniors and families, and it does not meet the needs for affordable housing;
- proposal design is unsympathetic and maximizes developer's profit;
- proposed development will ruin the heritage character of the area and resembles every glass tower in area;

- respectful development with the preservation of the historic site;
- design eliminates outdoor cafes; Fire on the East Side and Olympic Pizza;
- neighbourhood needs more businesses that will contribute to street vitality;
- why is the 8 Gloucester building being moved to the edge of the sidewalk;
- preservation needed for sense of space;
- development needs to be sensitive to surrounding uses;
- Section 37 community benefits needed for area residents;
- concern for loss of sunlight from resident building, tower would obstruct sunlight from adjacent park;
- development is inappropriate for its location to a park;
- the proposed development is too close to the property lines;
- concerns with privacy and adjacency issues;
- concern that the proposal may set a precedent;
- what is purpose of height by-law if the height if proposed height exceeds it?
- proposal should encourage bicycle usage, not vehicles; and
- with more residents in the area, improvements are needed to transit.

Comments were also received from members of the public in writing and by e-mail after the public meeting expressing similar concerns to those noted above. Also, this site was, as well as other sites, discussed at the community meetings for the North Downtown Yonge Street Planning Framework study.

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

Provincial Policy Statement and Provincial Plans

The proposal supports and is consistent with the 2005 Provincial Policy Statement (PPS) which sets out policy direction on matters of provincial interest related to land use planning and development. This application complies with the policies of the PPS with regard to building strong communities by promoting efficient land use.

Policy 1.1.1(b) promotes an appropriate range and mix of residential, employment (including industrial, commercial and institutional uses), recreational and open space uses to meet long-term needs.

Policy 1.1.1(g) ensuring that necessary *infrastructure* and *public service facilities* are or will be available to meet current and projected needs.

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 supports the development of viable choices and plans for public transit and other alternative transportation modes.

The proposal development complies with the above policies and other relevant policies of the Provincial Policy Statement and Plans by proposing a mixed-use development that is desirable, ensuring that sufficient infrastructure will be available and by being within a short walk to transit.

The proposal also meets the policies of the Provincial Growth Plan. The Growth Plan promotes increasing intensification of the existing built-up area with a focus on areas of the

City such as providing a mix of jobs and housing to create opportunities to work close to where they live. Section 2.2.2(h) of the Growth Plan promotes "encouraging cities and towns to develop as *complete communities* with a diverse mix of land uses, a range and mix of employment and housing styles, high quality public open space and easy access to local stores and services."

The site is located on Yonge Street which is a main downtown artery with a subway line. The area contains a diverse mix of residential, commercial and office uses allowing the opportunity for residents to live near where they work and to have good accessibility to a diverse range of services nearby.

Land Use

The proposed mixed-use residential development is consistent with the land use provisions of the Official Plan and is appropriate for the site. Intensification is appropriate for this site given its location along the Yonge Street corridor and walking distance to the Wellesley subway station and surface transit routes. It is also walking distance to the Bloor subway station providing an east-west transit connection.

The site is within the *Downtown and Central Waterfront* area as shown on Map 6 – Urban Structure of the Official Plan. Policy 2.2.1.1(a-c) for the *Downtown* area anticipates new development to support the Plan's re-urbanization strategies and goals such as, building on the strength of the *Downtown* as a premier employment centre, providing a full range of housing for workers and reducing the demand for in-bound commuting.

The Official Plan also identifies the site as being within a *Mixed-Use Areas*, which is intended to provide a wide range of uses so that "Torontonians will be able to live, work, and shop in the same area, or even the same building, giving people an opportunity to depend less on their cars, and create districts along transit routes that are animated, attractive and safe at all hours."

Density, Height, Massing

Density

The proposed total density is 14.36 times its lot area, which exceeds the current Zoning By-law permission of a total of 3.0 times the lot area.

The current direction of the Official Plan and provincial planning documents identify the *Downtown and Central Waterfront Area* as locations for intensification. Growth will be

directed to the *Downtown* in order to concentrate jobs and people in areas well served by surface transit.

The density for the proposal exceeds the Zoning By-law permissions however, with respect to development in the area, the subject site falls within the density range approved by City Council or the Ontario Municipal Board.

Property Address	Density
9-11 Grenville Street	24.15
606-616 Yonge Street/5-9 St. Joseph	14.42
42 Charles Street East	13.8
15 St. Mary St/65-67 St. Nicholas Street	10.6

Height

The proposed height is 34-storeys and 109 metres exclusive of the mechanical penthouse and (114 metres inclusive of mechanical penthouse). The height exceeds the current Zoning By-law permission of 18 metres. The height has been increased from the original submission from 29-storeys and 94 metres (100 metres inclusive of mechanical penthouse). The increase of 5-storeys and 15 metres is the result of reducing the floor plate by an average of 36 square metres per floor and by increasing the north tower setback from the 1.5 to 5.5 metres on floors 3 to 6. Staff support these revisions. The increase in tower height results in additional shadow impact on Norman Jewison and George Hislop Parks than the original proposal. This impact will be discussed in the Sun, Shadow, Wind Section of the report.

The height of the building is broken up through the stepping back of the tower from the base and the 33rd and 34th and the mechanical penthouse floors are stepped back from the typical mid tower floor plate.

The subject site is within the height range with developments in the area. Comparable developments in the area are:

Property Address	# of Storeys	Metres (inc. mechanicals)
606-616 Yonge Street/5-9 St. Joseph	48	152
15 St. Mary St/65-67 St. Nicholas Street	29	100

Massing

The subject site is a corner property on Yonge Street with an area of 1489 square metres. The full retention and protection of the former Masonic Hall at 2 Gloucester Street has been a priority when reviewing the development application. While the combined properties are considered to be an appropriate tower site, the full retention and protection of the former Masonic Hall provides challenges to locating a tower on this site. The applicant proposes full retention and protection of the former Masonic Hall and thereby has set the tower back approximately 16.5 metres from Yonge Street.

This planning application was submitted in June 2011. The application date predates the July 2012 City Council adoption of the Downtown Tall Buildings Vision and Performance Standards. The section of Yonge Street between Front Street and Davenport Road was designated as the "Yonge Street Special Character Street". The Downtown Tall Buildings performance standards require a tower setback of 20 metres from Yonge Street where heritage buildings exist on the property. The heights of towers along Yonge Street in the Special Character Area are to be determined through further study of Yonge Street and through site-by-site analysis.

The application date also is prior to City Council direction in July 2011 directing Planning staff to complete a North Downtown Yonge Street Planning Framework (College/Carlton Streets, Bloor Street, Bay Street and Church Street). The North Downtown Yonge Street Planning Framework's boundaries include the subject property. The Framework's review was to include more clarity on permissible building heights on this section of Yonge Street and tower setbacks. An Official Plan Amendment with a revised angular plane of 75 degrees at a height of 18 metres along the Yonge Street property line has been discussed through public consultations and at the City's Design Review Panel. At the community consultation meetings members of the public requested that this application be tested against this proposed policy. Applying this provision would result in the proposed tower being terraced at the top, a reduction in height and/or a smaller tower floorplate and shifting the tower to the east. There is no room to shift the tower east as it is already abutting the area of the site proposed for the Gloucester Lane widening. The tower floorplate could be slimmed up but it is currently at an average size of 564 square metres which is well below the maximum 750 square metre tower floorplate and the tower is highly articulated.

Given the circumstances on this site and the context, staff are satisfied that the intent of both the Downtown Tall Buildings performance standards and emerging direction on the North Downtown Yonge Street Planning Framework are met with a 34 storey terraced and highly articulated tower that is setback 16.5 metres from Yonge Street.

On the south elevation, staff have worked with the applicant to ensure that the building façade appropriately integrates the existing heritage buildings. The 5-storey (former) Masonic Hall corner building roofline and the adjacent existing residential lobby at 2 Gloucester Street step down to the roofline of the proposed 4-storey lobby façade, and steps down again to the pair of 2½ -storey semi-detached buildings at 8 Gloucester Street which terminate the development site at Gloucester Lane. The proposal is for a brick and glass treatment to provide a compatible relationship with the materials of the heritage buildings. In addition, at ground level the applicant will contribute a minimum of \$100,000 through secured Section 37 Community Benefits towards the design and installation of an art feature. This art feature will animate Gloucester Street and provide a positive street presence.

Internalized on the ground floor south elevation, proposed is the residential lobby area. At the north end of the floor the applicant proposes the loading and garbage areas with a service entrance off of Gloucester Lane. At the south-east corner of the site at 8 Gloucester Street, the proposal is for the existing pair of semis buildings to be moved approximately 4

metres closer to the Gloucester Street frontage to provide additional development area and align the building at the property line. Given that the rear portion of the semis were constructed in the early 1970's, Heritage staff have agreed to allow the applicant to remove that area of the building. The existing commercial uses in the pair of semis consist of Fire on The East Side restaurant and Fly night club, and the proposal is to continue maintaining commercial uses to serve area residents. The proposed tower separation between 2-8 Gloucester Street and the proposed tower at 593-599 Yonge Street is approximately 48 metres.

On the west end of the site, framing the proposed development is the 5-storey former Masonic Hall building which provides a physical separation distance between Yonge Street and the proposed development of approximately 16.5 metres except for balcony projections which are proposed to extend up to 2 metres in depth over the Masonic Hall.

On the north elevation there is a blank wall condition at the property line on the first and second levels designed to eliminate any potential privacy or overlook issues into the adjacent building to the north. This proposed condition is similar to the existing condition where the first two levels of the building extend to the north property line. Above the second floor, proposed is a tower setback approximately 5.5 metres to allow for light views into the adjacent building windows at 18 Gloucester Lane that has an approximate building width of 10.8 metres and an approximate depth of 17.5 metres. After careful analysis, staff have determined that even if the property at 18 Gloucester Lane were to be redeveloped, given the size of the site, it would not meet the criteria for a tall building site. The tower element is setback approximately 5.5 metres from the north property line. Given the site constraints with the existing Masonic Hall and pair of semi-detached buildings, the tower is limited in ability to shift further southward. The proposed tower separation to the proposed tower at 625 Yonge Street is 45 metres. The property at 619 Yonge Street to the north of 18 Gloucester Lane would be most suitably developed in conjunction with 625 Yonge Street and not as a tower development site on its own.

Also on the north elevation, Juliet balconies are proposed only on floors 4, 5 and 6 given that these three floors project directly over the outdoor amenity space located on the third level. Landscaping is proposed along the north side of the amenity area to provide both a physical and visual buffer to the adjacent building. Privacy screens are proposed to be installed on the east elevation. Further details of the landscaping and architectural design treatments will be secured through the Site Plan Approval process.

On the east elevation, the proposed development is approximately setback approximately 0.65 metres at the base of the building from Gloucester Lane and increases to 1.2 metres with the tower element, except for the balcony projections. The public lane condition provides a separation to the adjacent Norman Jewison Park and to the adjacent row of townhouses and apartment towers to the east of the park. The proposed tower separation to the existing tower at 30 Gloucester Street and the proposed tower at 2-8 Gloucester Street is 36 metres.

Sun, Shadow, Wind

The *Mixed Use Areas* policies in the Official Plan, Section 4.5 Policy 2(e), provides direction for new development which states that development will contribute to the quality of life by locating and massing new buildings to frame the edges of streets and parks with good proportion and maintain sunlight and comfortable wind conditions for pedestrians on adjacent streets, parks and open spaces.

Based on the Shadow Studies provided by the applicant, the proposed development casts increased shadows onto the adjacent park from 1:18 p.m. until 3:18 p.m. across Norman Jewison and George Hislop Parks to the east during the spring and fall equinoxes.

The Downtown Tall Buildings Vision and Performance Standards require no new net shadow on Norman Jewison Park and George Hislop Park between noon and 2:00 p.m. on September 21st. If a sun/shadow study shows that the proposed tall building casts new net shadow on any park between these hours, the tower will have to be reduced in height or size and/or otherwise re-designed and re-oriented to meet the sunlight protection standards.

During the time of public consultation on the Downtown Tall Buildings Vision and Performance Standards it was understood that adherence to this standard would be a challenge for small downtown parks such as Alexander Park, Canning Gardens, Norman Jewison Park, and George Hislop Park. These parks are small rectangular parks that run north-south parallel to Yonge Street and are used for passive recreation and enjoying sunlight. The as-of-right zoning permissions for the lands between Yonge Street and these parks have a considerable impact on the remaining sunlight on the parks. Many previous City Council or Ontario Municipal Board development approvals such as 9-21 Grenville Street and 5 St. Joseph Street have resulted in new net shadow increments on these parks.

Staff have assessed the potential for a new sunlight protection standard to be used for Alexander Park, Canning Gardens, Norman Jewison and George Hislop Parks to protect the remaining areas of sunlight. The approach would be similar to College Park which has the following sunlight standard:

50% of the College Park must be in sunlight at 12:18 p.m. on September 21st and that an average of not less than 40% of College Park, measured hourly, is in sunlight between 11:18 a.m. and 3:18 p.m. on the same day.

While this is an emerging direction, the standard is not currently in place. Staff are satisfied that the intent of this direction would be maintained with the approval of a slim 34-storey tower on the subject property. This approval also addresses the need to consider the shadow impacts on downtown linear parks as discussed during in the Downtown Tall Buildings process, acknowledging that this application predated the approval of the guidelines.

In addition, the applicant has submitted a Pedestrian Level Wind Study to examine potential wind conditions on and around the subject site. The consultant concluded that the

proposed development will have no adverse impacts for pedestrian activity on and around the site and in the adjacent park.

Amenity Space

The Zoning By-law requires the indoor and outdoor amenity space of a minimum of 2 square metres per dwelling unit. The amount required for the subject site is at a total of 464 square metres each indoor and outdoor amenity space. The applicant is proposing a total of 490 square metres for the indoor space which will be located on the second and third levels and 227.9 square metres for the outdoor amenity space to be located on the third level. The indoor amenity space proposed surpasses the Zoning By-law requirement however the outdoor space is deficient by approximately 236.1 square metres. The public park which can be easily accessed by the residents is proposed to be improved through Section 37 funding.

Bicycle Parking

Zoning By-law 438-86 requires a total of 239 bicycle parking spaces consisting of 186 residential, 46 residential visitor, 1 retail, and 6 retail visitor spaces. The applicant is providing a total of 288 spaces consisting of 120 residential to be located on the fourth floor and 108 spaces located on the fifth floor in secured rooms. Sixty visitor spaces are proposed to be located in a secured room on the first level. Staff are satisfied with the proposed bicycle parking provision. Improvements to the amount, type and location of bicycle parking will be required through the site plan application process.

Traffic Impact, Access, Parking

Parking

The applicant is proposing a total of 66 parking spaces in 4 levels of underground garage consisting of 66 resident spaces and 0 visitor spaces. The applicant submitted a Traffic Impact Study completed by BA Group which indicated that the parking provided was adequate. However, staff have reviewed the study and require additional information to support the proposed parking. Staff have indicated that they do not support the proposed reduction in the resident parking supply from the required approximately 99 residential spaces and 14 visitor spaces to the proposed 66 residential spaces and 0 visitor spaces. Although the detailed design can be finalized through the site plan process, the number of spaces should be addressed through the rezoning process. According to the Engineering and Construction Services staff comments dated January 23, 2013 the following is required:

- that the applicant comply with the updated parking supply requirements as proposed through the repealed Zoning By-law 1156-2010 as they are based on more recent data than the current Zoning By-law 438-86 standards;
- as an alternative to the above, the Owners transportation consultant can submit acceptable justification in respect of the residential parking reduction;
- the applicant comply with the parking space dimensional requirements of By-law 438-86 with the exception of 32 small car spaces; and

- satisfy all outstanding issues with respect to the Traffic Impact Study.

Loading/Access

Access to the proposed site is off of Gloucester Lane. The driveway is to be located at the north-east end of the site. In support of the proposal, the applicant's transportation consultant submitted a Transportation Impact Study (TIS) dated September 20, 2012. In this study, the consultant concluded that site traffic can be accommodated on the adjacent road network. Staff have reviewed the supporting documentation and concur with the consultant's conclusion.

The applicant is proposing one Type G loading space as required by By-law 438-86. The loading space is enclosed within the ground level of the building and is accessed from Gloucester Lane. Engineering and Construction Services staff have reviewed the proposed loading area and find it to be acceptable for the needs of the building and to meet the requirements of the zoning by-law.

Lane Widening

The Official Plan Policy 2.2.3 directs that the City's transportation network will be maintained and developed to support the growth management objectives of the Plan. The policies provide for the acquisition of lands to ensure that public lanes serving commercial, mixed commercial-residential, on at least one side will be at least 6 metres wide. The conveyance of land to widen the lane to the standard width may be required.

Through the Engineering and Construction Services review of the proposal to achieve an appropriate lane width, it was determined that conveyance of land by the applicant of 0.72 metre is required on the west side of Gloucester Lane, with the exception of the area directly adjacent to 8 Gloucester Street where the façade will be maintained. The conveyance will be implemented through the Site Plan Approval process. In addition, Section 37 funding has been allocated for improvements with respect to the bricking of Gloucester Lane.

Servicing

The applicant has submitted a functional servicing report prepared by MMM Group Limited. In this report, the consultant concludes that available water flow does not meet the minimum requirements of the Water Supply for Public Fire protection as required by Fire Underwriters Survey. The consultant's proposed solution to address this water issue is to remove the existing 150mm on Gloucester Street and to install a new 300mm watermain by the developer and at no cost to the City.

Engineering and Construction Services staff have reviewed the most recent version of the Functional Servicing Report submitted in support of the application, and have found it satisfactory for the purposes of the rezoning application. Additional details will be addressed through the site plan review process.

In order to ensure that all site servicing issues resulting from the rezoning application are identified and resolved, staff have recommended that a holding provision be included in the zoning by-law for the subject site. In order to lift the holding provision, the applicant would need to address the following condition.

- i. The Owner is required to make satisfactory arrangements for the removal of the existing 150 mm watermain on Gloucester Street and the installation of a new 300 mm watermain and provide financial security, submit engineering and inspection fees provide insurance, as required, to the Executive Director, Engineering and Construction Services.

Heritage

The portion of the subject site at 2, 6 and 8 Gloucester Street and 601-613 Yonge Street contains the Masonic Hall, a late 19th century building which is designated under Part IV, Section 29 of the *Ontario Heritage Act* By-law No. 532-82. There is also a pair of semi-detached buildings located at 8 Gloucester Street known as the Charles Levey Houses, also of a late 19th century origin with a later rear addition in 1972.

The applicant intends on integrating the new development with the existing heritage buildings. The applicant has submitted a Heritage Impact Assessment (HIA), dated June 10, 2011, prepared by E.R.A. Architects Inc., which was circulated to staff for review. The purpose of the HIA report is to provide information on the heritage resources that may be affected by the proposed redevelopment of the site. The HIA proposes an overall approach to the conservation of the cultural heritage value of the property and its heritage attributes.

In addition, the applicant has submitted a Condition Assessment report as revised, July 30, 2012 that reviews the condition and existing construction of the building at 8 Gloucester Street and considered retention strategies. The proposal is for a portion of the existing building to be relocated temporarily during the construction period to the public boulevard and then ultimately relocated to approximately 4 metres from the original location towards the south property line to allow for additional space for the new development and to align the building along the street edge.

A separate staff report for the alteration of the aforementioned designated heritage property, to amend the designating By-law and the authority to enter into a heritage easement agreement for the subject property from the Manager, Heritage Preservation Services, will be before the Toronto Preservation Services Board.

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.

The application proposes 232 new residential units and 889 m² of non-residential uses on a site with a new area of 1,489 m². At the alternative rate of 0.4 hectares per 300 units specified in By-law 1020-2010, the parkland dedication requirement is 0.309 hectares or 207.7% 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 requirement is 144 m².

The applicant proposes to satisfy the parkland dedication requirement through cash-in-lieu. This is appropriate as an on-site parkland dedication requirement of 144 m² would not be of a useable size and the site would be encumbered with below grade parking. The actual amount of cash-in-lieu to be paid will be determined at the time of issuance of the building permit.

Should an expansion of the Norman Jewison Park occur due to the relocation or removal of the 33 Toronto Parking Authority spaces that abut the park, it is anticipated that the above 5% cash-in-lieu of parkland may be used to acquire the land. It is estimated that this acquisition would expand the park by approximately 688 square metres.

Streetscape and Pedestrian Amenity

The Development Criteria for *Mixed Use Areas* in the Official Plan calls for development to provide an attractive, comfortable and safe pedestrian environment, and locate and screen service areas, ramps and garbage storage to minimize the impact on adjacent streets and residences. The proposed development satisfied these policies. In addition, landscaping details for the streetscape improvements and on-site landscaped will be reviewed against the City's Streetscape Guidelines and secured through the Site Plan Approval process. The proposal will result in bricking of the abutting Gloucester Lane and animating the laneway. The Gloucester Street sidewalk width is approximately 5.5 metres.

Through the community consultation process for the subject site and the public consultation process for the North Downtown Yonge Street Planning Framework improvements were identified for the streetscape and parkland, some of which pertain to the subject site. The improvements include:

- lighting, including the removal of the "wall-pack" lights on Yonge Street particularly on the heritage structures;
- the provision of appropriate decorative street lights on street poles;
- the modification of the pedestrian crossings of Gloucester Street and Isabella Street with table top brick crosswalks to provide physical and visual connection between the linear park system;
- improvements to the linear park system including Norman Jewison Park such as enhanced lighting, additional landscaping, and play structures; and

- expansion of the Norman Jewison Park by the removal of the Toronto Parking Authority spaces along the west side of the park.

In addition, the applicant is providing an art feature on-site within the front courtyard area on Gloucester Street to a minimum of \$100,000. The applicant is intending to pursue an independently commissioned design process.

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. The site specific zoning by-law will secure performance measures for the following Tier 1 development features: Automobile Infrastructure, Cycling Infrastructure, Storage and Collection of Recycling and Organic Waste. However the applicant is requesting for a reduction with the parking standards. Other applicable TGS performance measures will be secured through the Site Plan Approval process.

Section 37

Section 37 of the *Planning Act* allows the City to grant increased density and/or height in exchange for community benefits. Community benefits are specific capital facilities (or cash contributions for specific capital facilities) and can include: parkland and/or park improvements above and beyond the parkland dedication; public art, streetscape improvements on the public boulevard not abutting the site; and other works detailed in Section 5.1.1.6 of the Official Plan. Section 37 may also be used as may otherwise be agreed upon, subject to the policies contained in Chapter 5 of the Official Plan.

The community benefits must bear a reasonable planning relationship to the proposed development including at a minimum, an appropriate geographic relationship and the addressing of planning issues associated with the development (e.g., local shortage of parkland).

The community benefits recommended to be secured in the Section 37 agreement are as follows:

- a. a cash payment of \$1,400,000 payable prior to the issuance of an above-grade building permit as follows:
 - i. \$140,000 for the purpose of capital improvements to Toronto Community Housing Corporation residential facilities in Ward 27; and
 - ii. \$500,000 for the purpose of capital improvements to the Toronto Reference Library; and

- iii. \$760,000 for the purpose of local streetscape and parkland improvements, as determined by the Chief Planner and Executive Director, City Planning in consultation with the Ward Councillor.
- b. The owner provide verification that a minimum of \$100,000 has been spent towards the design and installation of an art feature to be located on-site, prior to condominium registration, to the satisfaction of the Chief Planner and Executive Director.
- c. Require that the cash amounts identified in a. and b. above shall be indexed upwardly in accordance with the Statistics Canada Non-Residential Construction Price Index for Toronto for the period from the date of the execution of the Section 37 Agreement to the date of payment.
- d. The following matters are to be secured in the Section 37 Agreement as a legal convenience to support development:
 - i. A conveyance for right-of-way widening purposes along the east side of the site with a minimum width of 0.72 metres with the exception of the area adjacent to 8 Gloucester Street facade. Such lands to be free and clear of encumbrances and subject to a right-of-way for access purposes until such time as the said lands have been laid out and dedicated for a public highway.

CONCLUSION

The application has been carefully considered with respect to compatibility and fit with the surrounding context. As such, Planning staff recommend approval of the proposed Zoning By-law Amendment.

CONTACT

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SIGNATURE

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

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ATTACHMENTS

Attachment 1: Site Plan

Attachment 2: North Elevation

Attachment 3: South Elevation

Attachment 4: East Elevation

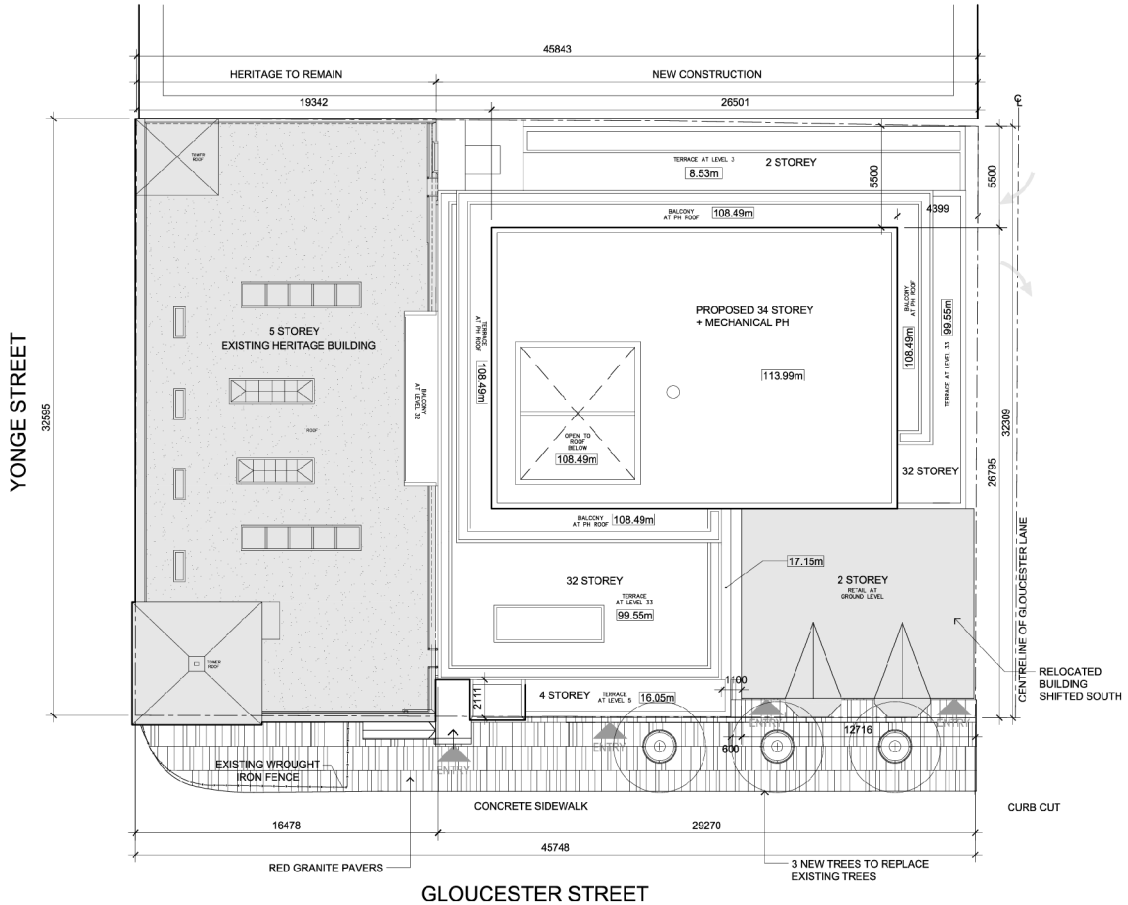
Attachment 5: West Elevation

Attachment 6: Zoning

Attachment 7: Application Data Sheet

Attachment 8: Draft Zoning By-law Amendment

Attachment 1: Site Plan



Site Plan

Applicant's Submitted Drawing

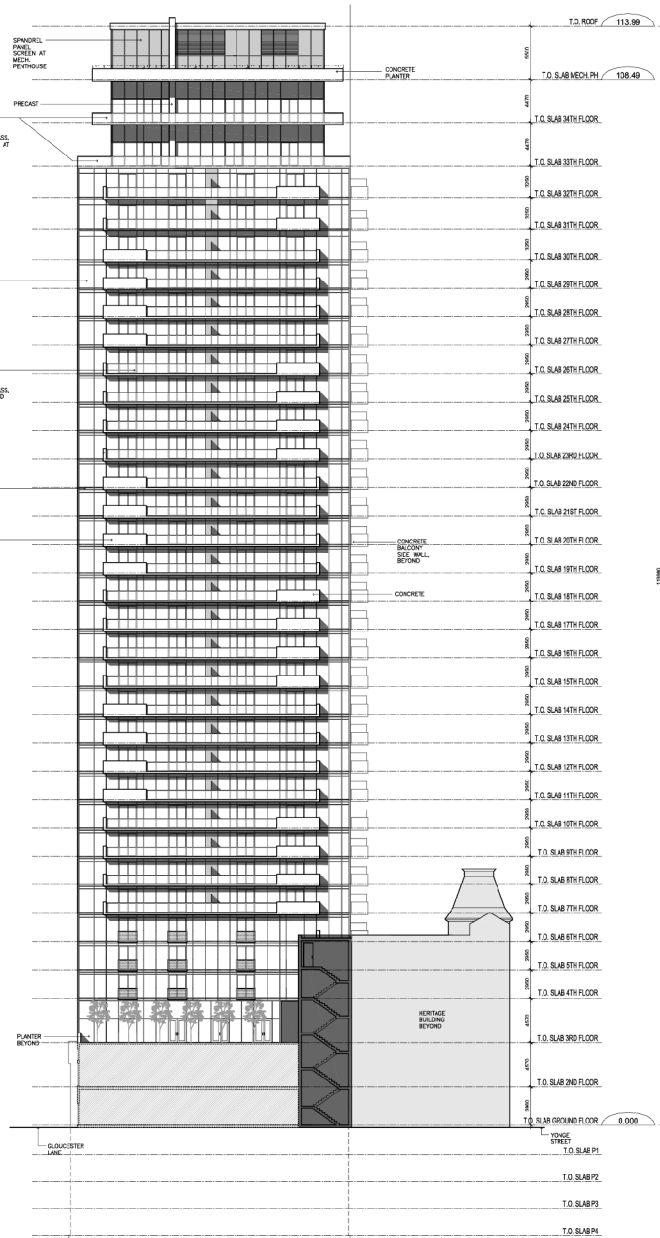
Not to Scale 

01/16/2013

2,6 & 8 Gloucester Street
and 601-613 Yonge Street

File # 11 216486 02

Attachment 2: North Elevation



North Elevation

Elevations

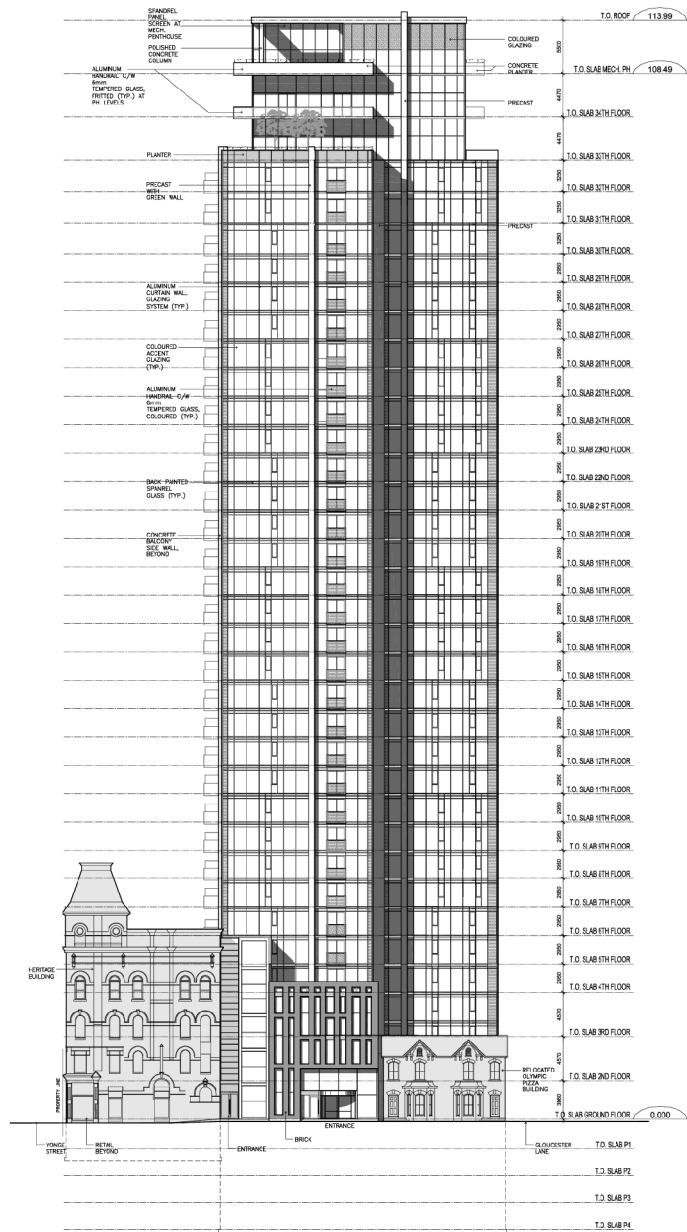
Applicant's Submitted Drawing

Not to Scale
01/16/2013

2,6 & 8 Gloucester Street
and 601-613 Yonge Street

File # 11 216486 0Z

Attachment 3: South Elevation



South Elevation

Elevations

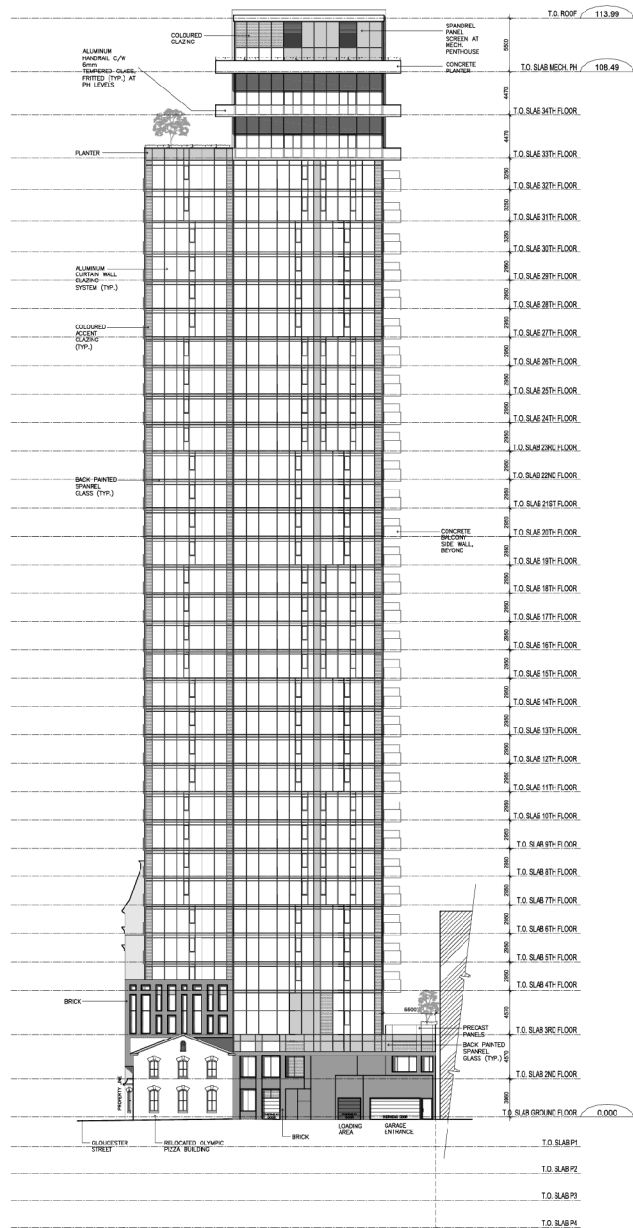
Applicant's Submitted Drawing

Not to Scale
01/16/2013

2,6 & 8 Gloucester Street
and 601-613 Yonge Street

File # 11 216486 0Z

Attachment 4: East Elevation



East Elevation

Elevations

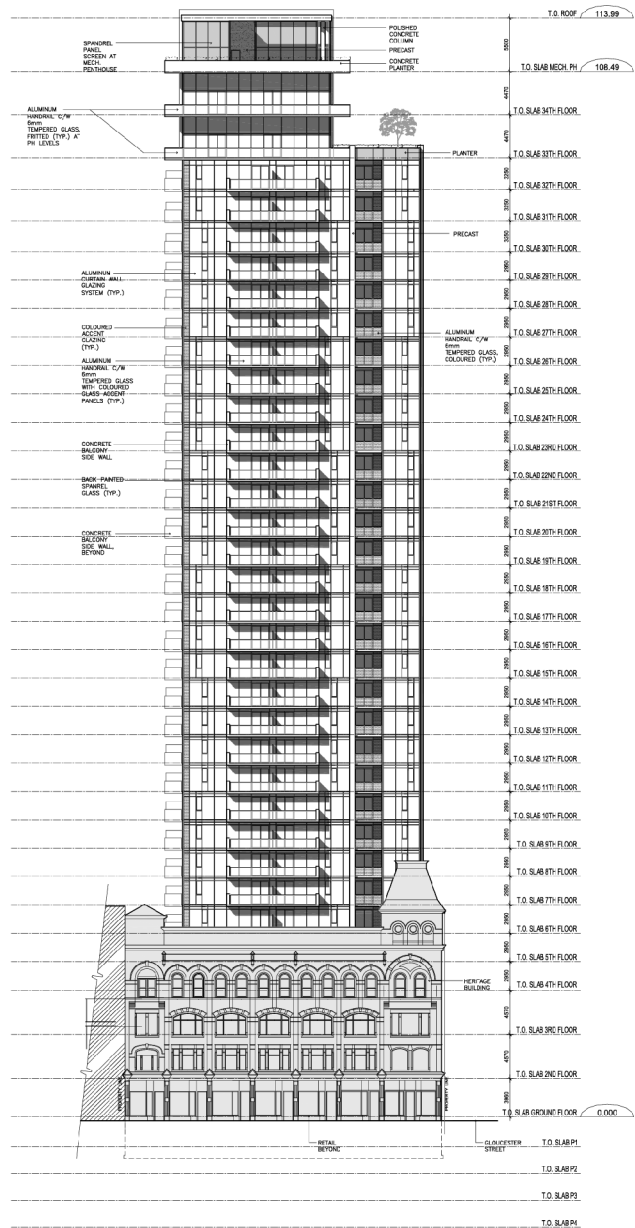
Applicant's Submitted Drawing

Not to Scale
01/16/2013

2,6 & 8 Gloucester Street
and 601-613 Yonge Street

File # 11 216486 0Z

Attachment 5: West Elevation



West Elevation

Elevations

Applicant's Submitted Drawing

Not to Scale
01/16/2013

2,6 & 8 Gloucester Street
and 601-613 Yonge Street

File # 11 216486 0Z

Attachment 7: Application Data Sheet

Application Type: Rezoning
 Details: Rezoning, Standard
 Application Number: 11 216486 STE 27 OZ
 Application Date: June 10, 2011
 Municipal Address: 2, 6 & 8 Gloucester Street and 601-613 Yonge Street
 Location Description: PLAN 81 LOT 2 TO LOT 4 << ENTRANCE ADDRESS FOR 601 YONGE ST
 **GRID S2708
 Project Description: Proposed is a 34-storey mixed-use residential condominium with retail uses at grade and 4 levels of below grade parking, and the retention of 2 Gloucester Street Masonic Hall 5-storey heritage building and 8 Gloucester Street pair of 2 ½ -storey semi-detached heritage buildings.

Applicant:	Agent:	Architect:	Owner:
Fraser Milner Casgrain LLP 77 King St. W., Suite 400 Toronto Dominion Centre Toronto, ON, M5K 0A1	same as applicant	Hariri Pontarini Architects 602 King Street West Toronto, ON M5V 1M6	Angel Developments Inc. 2 Gloucester St., Suite 401 Toronto, ON, M4Y 1L5

PLANNING CONTROLS

Official Plan Designation:	Mixed Use Areas	Site Specific Provision:	N
Zoning:	CR T3.0 C2.0 R3.0	Historical Status:	Y
Height Limit (m):	18	Site Plan Control Area:	Y

PROJECT INFORMATION

Site Area (sq. m):	1489	Height:	Storeys: 34
Frontage (m):	45.7	Metres:	114 (inc. mechanical penthouse)
Depth (m):	32.3		
Total Ground Floor Area (sq. m):	1143		Total
Total Residential GFA (sq. m):	20493	Parking Spaces:	66
Total Non-Residential GFA (sq. m):	889	Loading Docks:	1
Total GFA (sq. m):	21382		
Lot Coverage Ratio (%):	76.8		
Floor Space Index:	14.36		

DWELLING UNITS

Tenure Type:	Condo	%
Existing Units:	20	8
Bachelor:	112	44
1 Bedroom:	60	24
2 Bedroom:	31	12
3 Bedroom:	29	12
Total Units:	252	100%

FLOOR AREA BREAKDOWN (upon project completion)

	Above Grade	Below Grade
Residential GFA (sq. m):	20493	0
Retail GFA (sq. m):	889	0
Office GFA (sq. m):	0	0
Industrial GFA (sq. m):	0	0
Institutional/Other GFA (sq. m):	0	0

CONTACT: **PLANNER NAME:** **Diane Silver, Planner**
TELEPHONE: **(416) 397-4648** **Email: dsilver2@toronto.ca**

Attachment 8: Draft Zoning By-law

CITY OF TORONTO BY-LAW No. ____-2013

To amend the general Zoning by-law No. 438-86, as amended, of the former City of Toronto with respect to the lands municipally known as 2, 6, and 8 Gloucester Street and 601–613 Yonge Street.

WHEREAS authority is given to the Council of a municipality by Section 34 of the *Planning Act*, R.S.O. 1990, c.P. 13, as amended, to pass Zoning By-laws;

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*;

WHEREAS Council of the City of Toronto, at its meeting on _____, 2013, determined to amend the former City of Toronto Zoning By-law No. 438-86 with respect to lands known municipally in the year 2013 as 2, 6, and 8 Gloucester Street and 601-613 Yonge Street;

WHEREAS pursuant to Section 37 of the *Planning Act*, the Council of a municipality may in a By-law under Section 34 of the *Planning Act*, authorize increases in the *height* or density of development beyond those otherwise permitted by the by-law in return for the provision of such facilities, services or matters as are set in the by-law; and

WHEREAS Subsection 37(3) of the *Planning Act* provides that, where an *owner* of land elects to provide facilities, services or matters in return for an increase in *height* and density of development, the municipality may require the *owner* to enter into one or more agreements with the municipality dealing with the facilities, services or matters; 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

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(t) 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, as amended shall continue to apply to the *lot*.
4. None of the provisions of Section 4(2)(a), 4(5)(b), 4(12), 4(13), 4(14)(a), 4(16), 8(3) Part I, 8(3) Part I 3(a), 8(3) Part III 1(a), 12(2) 260(i) & (ii) of By-law No. 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 2, 6, and 8 Gloucester Street and 601-613 Yonge 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 combined *residential gross floor area* and *non-residential gross floor area* shall not exceed 21,400 square metres;
 - (c) the *residential gross floor area* shall not exceed 20,500 square metres;
 - (d) the *non-residential gross floor area* shall not exceed 900 square metres;
 - (e) 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, awnings and building cornices are permitted outside the heavy line shown on Map 2;
 - (ii) balconies, except levels 4, 5, and 6 only on the north elevations which may extend to a maximum horizontal projection from an exterior building wall of 1.85 metres that may extend beyond the heavy lines;
 - (iii) lighting fixtures, ornamental elements, parapets, trellises, eaves, window sills, guardrails, balustrades, railings, stairs, stair enclosures, wheel chair ramps, vents, underground garage ramps, landscape and

public art features which may extend beyond the heavy lines shown on the attached Map 2; and

- (iv) for the *Heritage Building* only the following features attached to the *Heritage Building* may project beyond its building envelope: light fixtures, eaves, parapets, roof and wall vents, guardrails, stairs and landings, terraces, wheelchair ramps, fences and gates, retaining and landscape walls, planters, landscape elements and public art features;

- (f) the *height* of any building or structure or portion thereof, does not exceed those *heights* as indicated on the attached Map 2;

- (g) Comply with the following parking space requirements as follows:

Studio Units	0.30 spaces per unit
1 Bedroom Units	0.50 spaces per unit
2-Bedroom Units	0.80 spaces per unit
3+ Bedroom Units	1.00 spaces per unit
Visitors	0.10 spaces per unit

- (h) Despite the minimum width dimension for *parking space* in sections 4(17) (a) – (e) of By-law No. 438-86 as amended, a maximum of 32 required *parking spaces* for residents are permitted having a minimum width of 2.5 metres and a minimum length of 4.9 metres;

- (i) A minimum of 228 resident *bicycle parking spaces* be provided in a *stacked bicycle parking* system with the following minimum dimensions:

vertical clearance	1.2 metres
centre-to-centre separation distance	0.35 metres
length	1.6 metres

- (j) A minimum of 60 visitor *bicycle parking spaces* be provided in a *stacked bicycle parking* system with the following minimum dimensions:

vertical clearance	1.2 metres
centre-to-centre separation distance	0.35 metres
length	1.6 metres

- (k) A minimum of 228 square metres of *outdoor amenity space* shall be provided and maintained on the *lot*;

- (l) A minimum of 490 square metres of *indoor amenity space* shall be provided and maintained on the *lot*;

- (m) The *owner* shall provide a minimum of ten percent (10%) of the residential units the building having at least three bedrooms to the portion of the building or structure located wholly in the areas delineated by heavy lines on the attached Map 2;
 - (n) Despite Section 8(3) Part II 1(a) (ii) windows of the proposed building shall be permitted within 5.5 metres of the existing *Heritage Building* on the *lot*.
 - (n) A *temporary sales office* shall be permitted on the *lot*.
6. 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.
 7. 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*.
 8. For the purposes of this By-law, all italicized words and expressions have the same meanings as defined in By-law 438-86, as amended, with the exception of the following:
 - (a) “*grade*” means 111.0 metres Canadian Geodetic Datum;
 - (b) “*height*” means the vertical distance between *grade* and the highest point of the roof, building or structure shown on Map 2;
 - (c) “*stacked bicycle parking system*” means a horizontal bicycle parking space that is positioned above or below another bicycle parking space and equipped with a mechanical device providing floor level access to both bicycle parking spaces;
 - (d) “*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*;
 - (e) each other word or expression that is italicized shall have the same meaning as each such word or expression as defined in By-law No. 438-86, as amended.
 9. Despite any existing or future severance, partition or division of the *lot*, the provisions of this by-law shall apply to the whole *lot* as if no severance, partition or division occurred.

10. The lands zoned with the “(h)” symbol delineated by heavy lines on Map 1 attached to and forming part of this By-law shall not be used for any purpose other than those uses and buildings as existing on the site as of 2013 until the “(h)” symbol has been removed. An amending by-law to remove the “(h)” symbol shall be enacted by City Council when the following condition has been fulfilled to the satisfaction of Council:

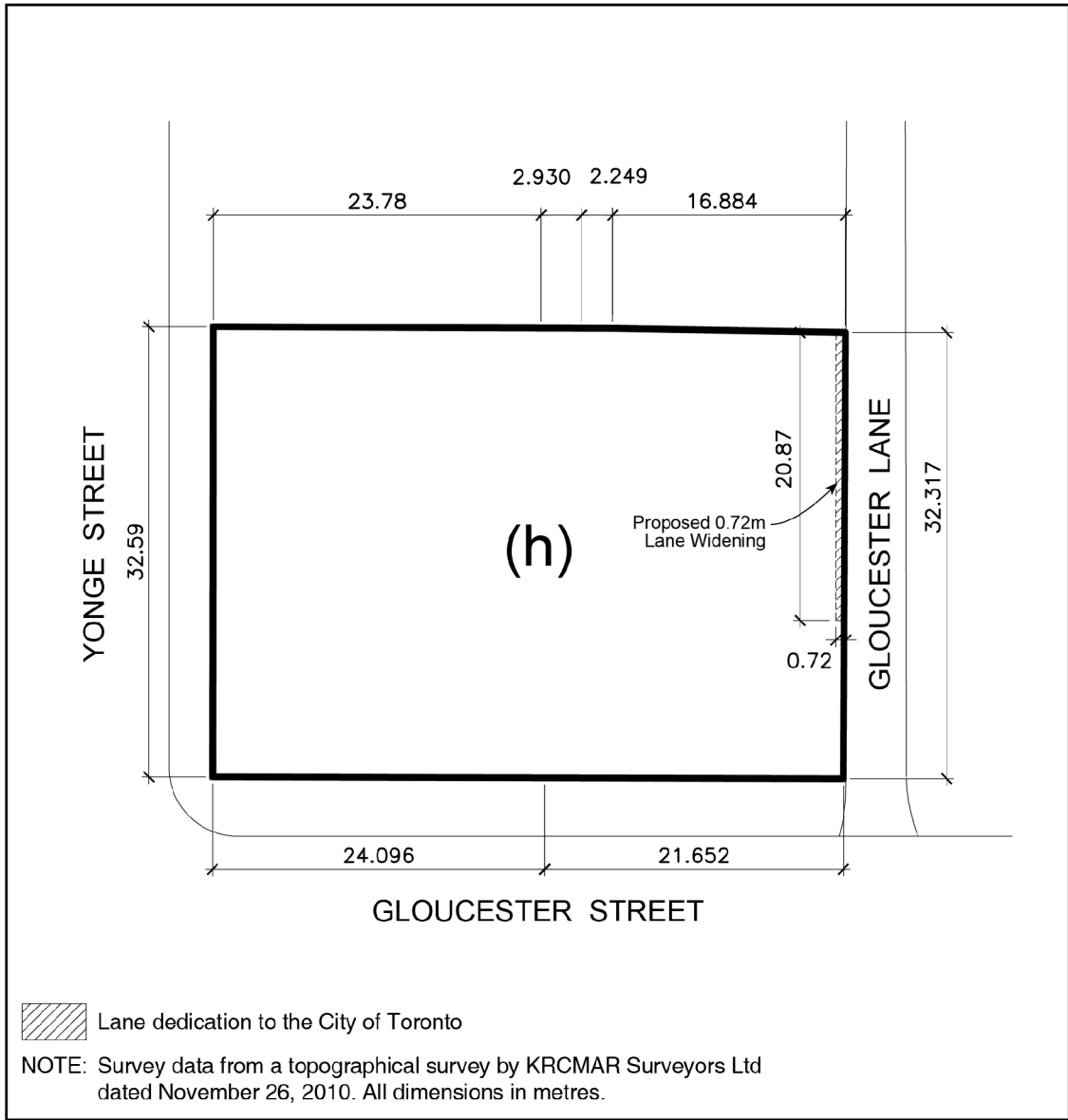
- (i) The Owner is required to make satisfactory arrangements for the removal of the existing 150 mm watermain on Gloucester Street and the installation of a new 300 mm watermain and provide financial security, submit engineering and inspection fees provide insurance, as required, to the Executive Director, Engineering and Construction Services.

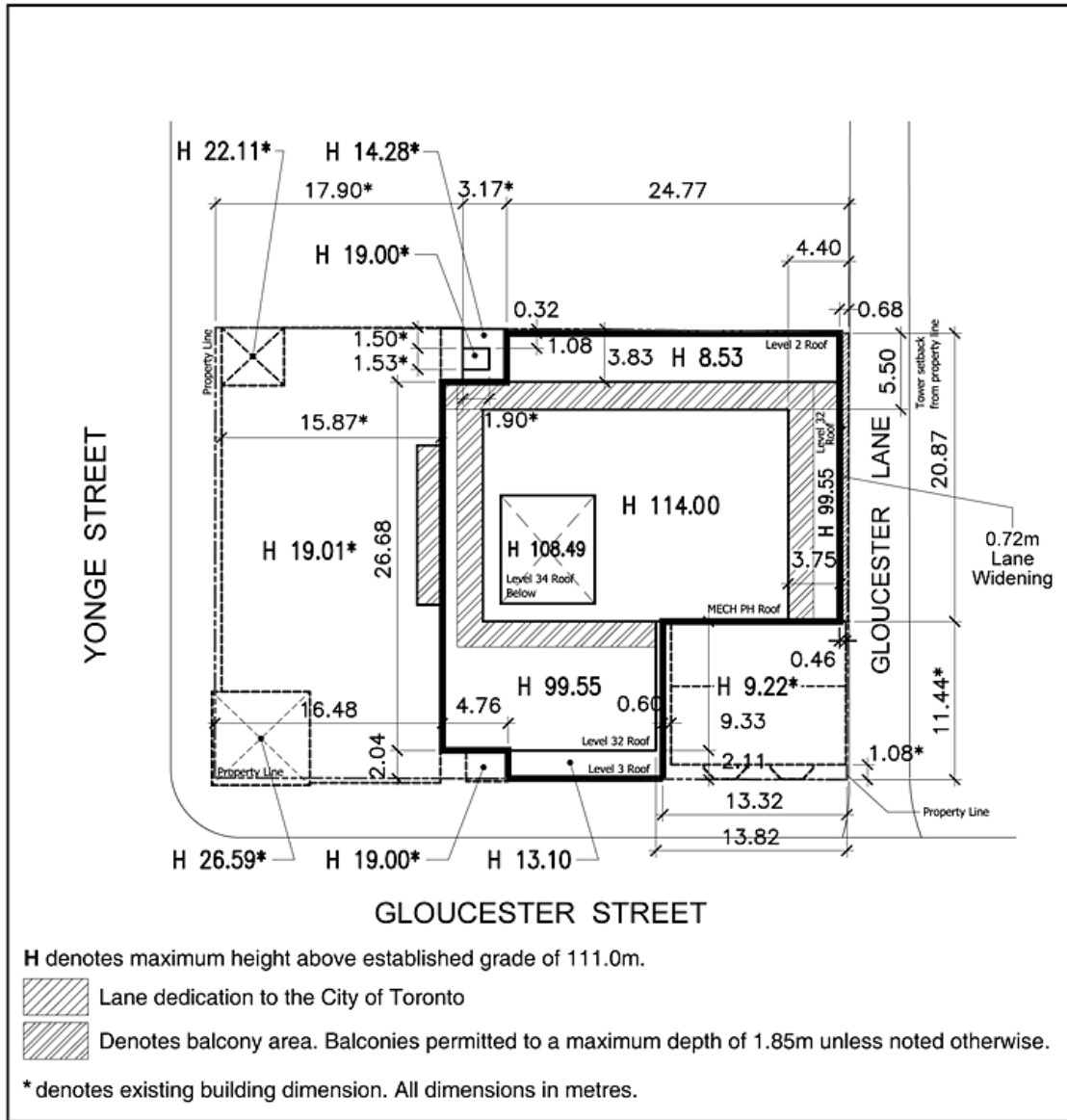
ENACTED AND PASSED this ____ day of _____, A.D. 20_

ROB FORD
Mayor

ULLI WATKISS
City Clerk

City of Toronto
Corporate Seal





Appendix 1 to Attachment 8 – Zoning By-law Amendment

APPENDIX 1 Section 37 Provisions

The facilities, services and matters set out herein are the matters required to be provided by the *owner* of the *lot* at its expense 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* and the owner with conditions providing for indexing escalation of both the financial contributions, and letters of credit, 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) a cash payment of \$1,400,000 payable prior to the issuance of an above-grade building permit as follows:
 - i. \$140,000 for the purpose of capital improvements to Toronto Community Housing Corporation residential facilities in Ward 27; and
 - ii. \$500,000 for the purpose of capital improvements to the Toronto Reference Library; and
 - iii. \$760,000 for the purpose of local streetscape and parkland improvements, as determined by the Chief Planner and Executive Director, City Planning in consultation with the Ward Councillor.
- b) The *owner* provide verification that a minimum of \$100,000 has been spent towards the design and installation of a public art feature to be located on-site, prior to condominium registration, to the satisfaction of the Chief Planner and Executive Director.
- c) Require that the cash amounts identified in a. and b. above shall be indexed upwardly in accordance with the Statistics Canada Non-Residential Construction Price Index for Toronto for the period from the date of the execution of the Section 37 Agreement to the date of payment.
- d) The following matters are to be secured in the Section 37 Agreement as a legal convenience to support development:
 - i. A conveyance for right-of-way widening purposes along the east side of the site with a minimum width of 0.72 metres with the exception of the area adjacent to 8 Gloucester Street facade. Such lands to be free and clear of encumbrances and subject to a right-of-way for access purposes

until such time as the said lands have been laid out and dedicated for a public highway.