

**501 to 521 Yonge Street; 6 to 8 Alexander Street and 23 Maitland Street – Zoning Amendment Application – Final Report**

<b>Date:</b>	September 23, 2013
<b>To:</b>	Toronto and East York Community Council
<b>From:</b>	Director, Community Planning, Toronto and East York District
<b>Wards:</b>	Ward 27 – Toronto Centre-Rosedale
<b>Reference Number:</b>	11 187996 STE 27 OZ

**SUMMARY**

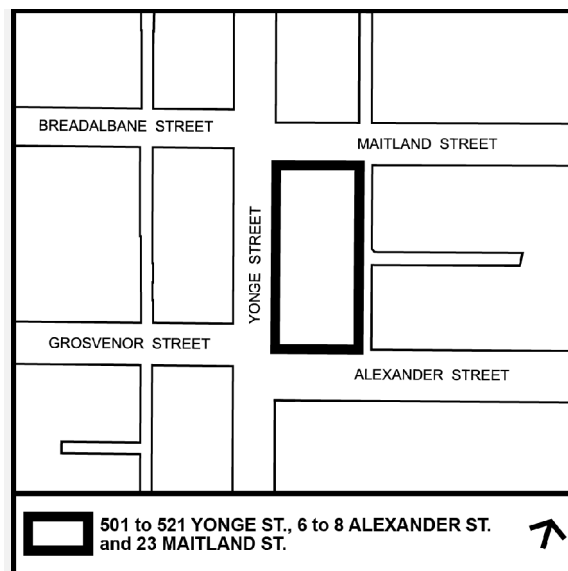
This application proposes to redevelop the site with a mixed use development with two towers of 23 and 52-storeys (80 and 174 metres respectively including mechanical penthouse) containing a combined total of 776 residential units. The towers are proposed on a common 4 to 7-storey base (14 to 28 metres) containing retail at grade, above grade parking and amenity space. The applicant is proposing to demolish the existing two storey building.

This report reviews and recommends approval in principle of the Zoning By-law Amendment subject some minor revisions to the provision of parking in accordance with the requirements as set out in this report.

**RECOMMENDATIONS**

**The City Planning Division recommends that:**

1. City Council amend former City of Toronto Zoning By-law 438-86, as amended for the lands at 501-521 Yonge Street, 6 to 8 Alexander Street and 23 Maitland Street substantially in accordance with the draft Zoning By-law Amendment attached as Attachment No. 7 to report



(September 23, 2013) from the Director, Community Planning, Toronto and East York District.

2. City Council authorize the City Solicitor to make such stylistic and technical changes to the draft Zoning By-law Amendment as may be required.
3. City Council require that the applicant provide sufficient parking on site as outlined in the Engineering and Construction Services memo of August 21, 2013 and discussed in the report (September 23, 2013) from the Director, Community Planning, Toronto and East York District.
4. Before introducing the necessary Bills to City Council for enactment, City Council require the Owner to revise the plans as follows to the satisfaction of the Chief Planner and Executive Director of Planning:
  - a. modify the north tower to comply with the angular plane requirements of the North Downtown Yonge Area Specific Policy 382 and the North Downtown Yonge Urban Design Guidelines;
  - b. explore all options for increasing the amount of exterior amenity space to be provided on the site; and
  - c. revise the height of the south tower to a maximum of 170 metres including mechanical penthouse.
5. Before introducing the necessary Bills to City Council for enactment, City Council require the Owner to enter into one or more Agreement(s) pursuant to Section 37 of the Planning Act to secure the following at the owner's sole expense all to the satisfaction of the Chief Planner and Executive Director of Planning in consultation with appropriate civic officials and the Ward Councillor:
  - a. Prior to the issuance of above grade permits unless indicated otherwise provide a cash contribution of \$5,000,000 which is to be used for the following:
    - i. \$3,350,000 local streetscape improvements and laneway improvements not abutting the site in the area including along Yonge Street and Maitland Terrace;
    - ii. \$450,000 for affordable housing and Toronto Community Housing capital improvements within Ward 27;
    - iii. \$500,000 towards public art to be paid at time of first building permit in accordance with the Percent for Public Art Program;
    - iv. \$200,000 for capital improvements to The Hincks-Dellcrest Treatment Centre, a non-profit facility located on Jarvis Street; and
    - v. \$500,000 for parkland acquisition and/or (park) improvements in the area.

- b. Require that the cash amounts identified in Recommendation 5.a. 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;
- c. The following matters are also recommended to be secured in the Section 37 Agreement as a legal convenience prior to the issuance of site plan approval to support development all to the satisfaction of the Chief Planner and Executive Director of Planning in consultation with the appropriate civic officials and the Ward Councillor:
  - i. The owner agrees to an additional contribution for local area park acquisition and/or improvements in the immediate area which may include 5 to 25 Wellesley Street West and 14 to 26 Breadalbane Street;
  - ii. The wind mitigation measures listed in the submitted Wind Study shall be implemented to ensure that the wind effects are acceptable;
  - iii. At least 10% of the total number of dwelling units to be constructed on the lot shall contain at least three or more bedrooms in compliance with the provisions of the Ontario Building Code;
  - iv. Require the owner to pay for and construct any improvements to the municipal infrastructure in connection with the Functional Servicing Report as accepted by the Executive Director of Engineering and Construction Services, should it be determined that improvements to infrastructure are required to support the development;
  - v. Require the owner to design and construct upgraded streetscape for Yonge Street and Maitland Terrace from Maitland Street to Alexander Street and Alexander Street and Maitland Street along the frontage of the site including a pedestrian walkway (laneway only), upgraded pavement treatment and landscaping to be secured through the site plan process;
  - vi. Require the owner to design and construct upgraded façade treatment for the above grade parking, pedestrian weather protection to a minimum of 3 metres in width along Yonge Street, Maitland Street and Alexander Street and to provide a maximum frontage for a retail unit of 5 metres along Yonge Street substantially in accordance with the plans for file 11-187996 STE 27 OZ dated 21/03/2013 revision #3 dated 02/07/2013 entitled "Project Renderings", "North, West Elevations" and "South, East Elevations".

- vii. As a condition of site plan approval and prior to the occupancy of the building, the owner shall convey to the City an easement(s) for 24-hour public access to the pedestrian area over the setback area along the Yonge Street, Alexander Street and Maitland Street frontages, (the “City Easements”), for nominal consideration and to the satisfaction of the City Solicitor, and shall maintain these areas free and clear of encumbrances for pedestrian use, in perpetuity, and shall pay all costs associated with the preparation and registration of all necessary documents and plans, to the satisfaction of the Executive Director, Engineering and Construction Services; and
- viii As a condition of site plan approval and prior to the issuance of any permits require a detailed construction management plan for the site.

### **Financial Impact**

The recommendations in this report have no financial impact.

## **DECISION HISTORY**

### **Pre-Application Consultation**

Pre-application consultation meetings were held with the applicant on January 4, 2011, January 12, 2011 and April 15, 2011. At the meetings in January the proponent outlined the proposal for two towers of 60 storeys. Discussions centred around the amount of parking that should be provided, the base expression and streetscape. During these meetings staff expressed concerns over the height, density, tower step-backs, shadow, façade treatment of above grade parking, height of the base and TTC tunnel issues.

At the pre-application meeting in April the applicant provided a detailed overview of their proposal. The proposal included two towers each with a height of 58 storeys on a common base. The proposed base was 7-storeys and contained above grade parking because of the TTC Yonge subway line bisecting the property below grade. Vehicular access and loading to the site was proposed to be from Maitland Terrace approximately in the middle of the site. During these meetings staff expressed concerns over masking the above grade parking, need to animate all streetscapes, access, tower step-backs, built form and massing, height, shadow, density and phasing.

## **ISSUE BACKGROUND**

### **Proposal**

The original proposal was submitted May 5, 2011 and has now been revised by the applicant in consultation with Planning staff and members of the public to address concerns related to built form, height, massing, density, loading, access and egress, shadow and heritage adjacency. As a result of the preliminary report for this application staff were directed by Council to undertake the North Downtown Yonge Planning Framework. The area for this study was generally bounded by the fronting properties on Bay Street, Church Street, Charles Street and

College/Carlton Street. The property is located within this study area. The applicant participated in the study process and has revised the application in accordance with the direction for the resultant Site and Area Specific Policy 382 and urban design guidelines that were approved by Toronto and East York Community Council at their meeting of September 10, 2013 and is scheduled to be before City Council at their meeting of October 8, 9, 2013.

### ***Original Proposal***

The original proposal included redeveloping the existing retail commercial site and parking lot to construct two 58-storey residential rectangular point towers (192 metres including mechanical penthouse) on a common 7-storey base (23 metres) containing retail at grade and five levels of above grade parking and one level of below grade bicycle parking. The development proposed a total of 960 residential units. Please refer to Table 1 below.

The proposed at grade setbacks to the base were zero around the majority of the site. There was a setback at the southwest corner for the public art space. The separation distance between the towers was 23.0 metres to the tower face (20 metres to the balcony face). The north tower was setback 3.0 metres from the north property line, 8.0 metres from the west property line and 9.0 metres from the east property line. The south tower was proposed to be setback 3.0 metres from the south property line, 10.0 metres from the west property line and 7.0 metres from the east property line. All setbacks are measured from the property line to the building face.

### ***Revised Proposal***

The original proposal was revised generally as follows with the details of the new plans to be discussed further throughout this report. The revisions include:

- reducing the tower heights and articulating the towers to differentiate them;
- redesigning the base of the building to respond to the heritage context, staff and resident concerns;
- revising the tower floorplates to differentiate between the towers;
- revising the setbacks from the east, north and west;
- increasing the amount of indoor amenity space and distributing it in the development;
- increasing the amount of bicycle parking;
- providing 10% of the units as 3-bedroom or convertible to 3-bedroom;
- increase in the amount of parking provided; and
- wrapping the retail and residential use around the north end of the site in the base to animate the north and east façade.

**Table 1 – Summary of Revisions to the Application**

	<b>First Submission May, 2011</b>	<b>Second Submission March, 2013</b>	<b>Third Submission August, 2013</b>
Site Area	3,492 sq.m.	3,492 sq.m.	3,492 sq.m.
Tower Floorplate (approximate average)			
North Tower	655 sq.m.	707 sq.m.	707 sq.m.
South Tower	678 sq.m.	852 sq.m.	852 sq. m
Gross Floor Area (above grade)			
Total Residential	70,230 sq.m.	51,912 sq.m.	51,916 sq.m.
Non-Residential	<u>1,255 sq.m.</u>	<u>1,266 sq.m.</u>	<u>1,266 sq.m.</u>
Total	71,485 sq.m.	53,179 sq.m.	53,183 sq.m.
Floor Space Index	20.47 x lot area	15.2 x lot area	15.2 x lot area
Setbacks and Separation (from tower face):			
North Tower face to the north property line	3 metres	3 metres	3 metres
North Tower face to the east property line	9 metres	7 metres	7 metres
North Tower face to the west property line	8 metres	10 metres	10 metres
Between the residential towers (no balconies)	23 metres	20 metres	20 metres
South Tower face to the south property line	3 metres	3 metres	3 metres
South Tower face to the east property line	7 metres	2 metres	2 metres
South Tower face to the west property line	10 metres	10 metres	10 metres
Number of Units	960	776	776
Proposed Vehicular Parking	360	235	235
Proposed Bicycle Parking			
Resident	768	621	621
Visitor	192	156	155
Loading Spaces			
Type G	1 space	1 space	1 space
Type B	1 space	1 space	1 space
Interior Residential Amenity Space	1,419 sq.m. (1.47sq.m. per unit)	1,573 sq.m. (2sq.m. per unit)	1,646 sq.m. (2.1 sq.m. per unit)
Exterior Residential Amenity Space	1,509 sq.m. (1.57 sq.m. per unit)	782 sq.m. (1 sq.m. per unit)	635 sq.m. (0.818 sq.m. per unit)
Building Height (including mechanical penthouse and architectural elements)			
North Tower	58 storeys (192 metres)	23 storeys (80 metres)	23 storeys (80 metres)
South Tower	58 storeys (192 metres)	52 storeys (174 metres)	52 storeys (174 metres)

## **Site and Surrounding Area**

The site is located on the east side of Yonge Street and bounded by Maitland Street to the north, Maitland Terrace to the east and Alexander Street to the south. The subject site is 0.34 ha in size with frontage of 88.0 metres along Yonge Street and depth of 39.66 metres.

The site currently contains a 2-storey commercial building that includes restaurants and small retail vendors on the ground level and a mix of office and retail on the second floor. The easterly portion of the site is currently being used as surface parking and car share spaces.

The surrounding land uses:

South: Alexander Street beyond which is the Marriott Hotel, and to the southeast, Maple Leaf Gardens, a mix of residential buildings, to the southwest the Clock Tower at 484 Yonge Street, mix of residential, commercial office buildings and heritage properties.

East: Maitland Terrace beyond which are several residential buildings between 17 and 26 storeys some of which are listed heritage properties, Buddies in Bad Times Theatre, Alexander Parkette.

North: Maitland Street beyond which are low rise retail commercial uses along Yonge Street some of which are listed heritage properties, a Toronto Parking Authority parking lot, mix of residential uses to the north east along Maitland Street.

West: Yonge Street and on the west side, low rise retail commercial some of which are listed heritage properties, further west is the YMCA, and a mix of residential and office buildings.

## **Provincial Policy Statement and Provincial Plans**

The Provincial Policy Statement (PPS) provides policy direction on matters of provincial interest related to land use planning and development. The PPS sets the policy foundation for regulating the development and use of land. The key objectives include: building strong communities; wise use and management of resources; and, protecting public health and safety. City Council's planning decisions are required to be consistent with the PPS.

The Growth Plan for the Greater Golden Horseshoe provides a framework for managing growth in the Greater Golden Horseshoe including: directions for where and how to grow; the provision of infrastructure to support growth; and protecting natural systems and cultivating a culture of conservation.

City Council's planning decisions are required by the Planning Act, to conform, or not conflict, with the Growth Plan for the Greater Golden Horseshoe.

## **Official Plan**

The Official Plan places the site within the Downtown and Central Waterfront urban structure area. The site is designated “Mixed Use Areas” on Map 18 – Land Use Plan in the Official Plan. This designation permits a range of residential, commercial and institutional uses. The Plan includes criteria that direct the form and quality of development in this land use designation. The criteria state that new buildings provide a transition between areas of different intensity and scale, including a stepping down of heights towards lower scale neighbourhoods; minimizing shadow impacts and provision of an attractive, safe and comfortable pedestrian environment.

This application has been reviewed against the policies in the Official Plan including those in the “Downtown”, “Public Realm”, and “Built Form” sections of the Plan.

([www.toronto.ca/planning/official\\_plan/introduction.htm](http://www.toronto.ca/planning/official_plan/introduction.htm)).

## **North Downtown Yonge Area Specific Policy and Urban Design Guidelines**

The area of Yonge Street between College Street/Carlton Street to Charles Street, Bay Street to Church Street is subject to the North Downtown Yonge Area Specific Policy 382, Official Plan Amendment 183 (OPA 183) and North Downtown Yonge Urban Design Guidelines that was adopted by Toronto and East York Community Council at their meeting of September 10, 2013. At the time of writing of this report these documents were scheduled for City Council meeting of October 8, 9, 2013.

Upon adoption, the site is within the Yonge Street Character Area. The North Downtown Yonge Urban Design Guidelines characterize the area as having a strong heritage fabric, predominantly low-rise main street building typology with a prevailing street wall height of 2-4 storeys, narrow retail frontages and shallow lot depths. The site is subject to the height provisions of OPA 183 and is identified as being partly in the Transition Area and partly in the Core Area to which an angular plane of 75 degrees taken at a height of 18 metres as measured from the Yonge Street property line also applies.

## **Zoning**

The site is zoned CR T3.0 C2.0 R3.0 under Zoning By-law 438-86. This zoning designation permits a variety of mixed uses including residential. The maximum permitted density is 3 times the lot area, with 2 times the lot area for commercial uses and 3 times the lot area for residential uses. The maximum height permitted is 18 metres. This area of Yonge Street is also subject to an angular plane of 44 degrees taken at a height of 16 metres as measured from the Yonge Street property line.

## **Tall Building Design Guidelines**

In May 2013, Toronto City Council adopted the updated city-wide Tall Building Design Guidelines and directed City Planning staff to use these Guidelines in the evaluation of all new and current tall building development applications. The guidelines establish a unified set of performance measures for the evaluation of tall building proposals to ensure that they fit within their context and minimize their local impacts. The city-wide Guidelines are available at <http://www.toronto.ca/planning/tallbuildingdesign.htm>



Policy 1 in Section 5.3.2 - Implementation Plans and Strategies for City-Building of the Official Plan states that Guidelines will be adopted to advance the vision, objectives, and policies of the Plan. Urban Design guidelines specifically are intended "to provide a more detailed framework for built form and public improvements in growth areas." The Tall Building Design Guidelines serve this policy intent, helping to implement Chapter 3.1 The Built Environment and other policies within the Plan related to the design and development of tall buildings in Toronto.

The application for the subject site has been evaluated in accordance with the Tall Building Design Guidelines. Staff are of the opinion that the application meets the intent of the guidelines in terms of height, massing, setbacks and tower floorplate.

This project is located within an area that is also subject to the Downtown Tall Buildings: Vision and Supplementary Design Guidelines (adopted by City Council in July 2012 and consolidated with the city-wide Tall Building Design Guidelines May 2013). This document identifies specific Downtown streets that are most suitable for tall building development, establishes a height range along these streets and provides a set of supplementary Downtown specific design guidelines which address Downtown built form and context. Yonge Street is also shown as a priority retail street in the Downtown Tall Building Vision and Supplementary Design Guidelines. The Downtown Vision and Supplementary Design Guidelines were used together with the city-wide Tall Building Design Guidelines in the evaluation of this tall building proposal. The Downtown Tall Building Guidelines are available at <http://www.toronto.ca/planning/tallbuildingstudy.htm#guidelines>

### **Site Plan Control**

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

### **Reasons for Application**

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

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

- a total parking of 235 spaces is being provided while the by-law requires 534 spaces;
- the total permitted residential density of 3 times the area of the lot is exceeded as the applicant is proposing a density of 15.2 times the area of the lot;
- the tower heights of 80 and 174 metres (including mechanical penthouse) significantly exceeds the permitted height of 18 metres;
- a proposed outdoor amenity space of 635 square metres is provided while the by-law requires 1,552 square metres.

Additional areas of non-compliance are addressed in this report.

## **Community Consultation**

### ***Meeting***

A community consultation meeting was held November 9, 2011 at the YMCA on Grosvenor Street for the public to review the applicant's submission and ask questions of City staff and the applicant. The meeting was attended by approximately 150 people. Issues raised included the following:

- built form and height;
- setback of the towers;
- separation distance between towers on the site and to the neighbouring developments;
- shadow on Yonge Street and neighbouring properties;
- increased density and impact on neighbourhood;
- additional traffic in the area and particularly on Alexander Street, Maitland Street and Maitland Terrace;
- above grade parking creates "dead zone" along the façade and the second floor should be animated with office use;
- design and lighting of above grade parking and impact on 25 Maitland Street (abutting building to the east);
- retail should replicate current pattern along Yonge Street of narrow frontages;
- increased parking demand in the area as the proposal is providing reduced parking;
- increased pedestrian traffic and narrow sidewalk widths;
- lack of community services in the area in response to increased development;
- concern with taking away the retail along Yonge Street;
- inadequate green space in the community; and
- the status of the North Downtown Yonge Planning Framework and the ability of this development to be in line with the direction of the study.

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.

### ***Working group***

In response to the concerns raised at the community consultation meeting staff worked with the local Councillor's office in putting together a working group for further discussion regarding the site. The working group process for the subject site involved five meetings with representatives from the applicant, staff, and stakeholders in the area. There was also the development of a page on the City of Toronto web site that was updated through the process with links to the information as it was released. Concurrent with the process for this application was the ongoing community consultation and study process for the North Downtown Yonge Street Planning Framework (NDYSPF). The evolving direction of the NDYSPF informed the evolution of the plans for this site. The following is a brief summary of the working group discussion.

DATE	AREA OF DISCUSSION
February 23, 2012	Introductions and review terms of reference - Over view of application status by City Planning - Review of height and built form by applicant - Discussion of height and built form issues
March 27, 2012	Review revised terms of reference - Discussion of base content, configuration, height and relationship to the street
April 26, 2012	- Wrap up discussion of base content, configuration, height and relationship to the street - Discussion of transportation, streetscape and laneway related issues and streetscape
May 17, 2012	- Wrap-up discussion of transportation and laneway-related issues and streetscape - Review of revisions to height and built form
June 4, 2012	- Discussion of height and built form - Wrap up discussion of any outstanding issues

Detailed notes were taken throughout the working group process. The comments from the working group were incorporated into the review of the application. The application has been revised since the initial working group as a result of this detailed review and in response to comments and discussion through the working group process.

### City of Toronto Design Review Panel

The application was before the City of Toronto Design Review Panel on October 16, 2012, and February 21, 2013. The Panel voted for redesign at the first meeting where the original proposal of two 58-storey towers was reviewed. The Panel provided direction to the applicant in terms of revisions to address the density and the impact on livability both within the site and in the public realm. The Panel also thought that the proposed development created an inappropriate transition to the lower heights along Yonge Street north of the site. The applicant was asked to:

- develop a passive shading strategy that effectively addresses facades of the tower and base;
- increase on-site open space/pedestrian realm to contribute to the linear park/mews context;
- reduce development density and conform with the minimum standards in the Tall Building Guidelines including exploring a single tower concept, and rethinking the parking strategy; and
- develop a high quality, well landscaped pedestrian friendly mews along Maitland Terrace.

The applicant revised the plans in accordance with the direction from the panel and in response to the working group process. At the second meeting the Panel voted for support of the project where the revised plans were presented with the two towers at 23 and 52-storeys and a revised base condition.

## 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 is consistent with the Provincial Policy Statement (PPS). It contributes to the efficient use of land, infrastructure and public service facilities by intensifying an area that is designated and available for urban mixed use.

The PPS encourages additional density through intensification and redevelopment to accommodate an appropriate range and mix of employment opportunities, housing and other land uses to meet projected needs for a time horizon of up to 20 years (Policy 1.1.2). Intensification shall meet appropriate development standards (Policy 1.1.3.4), which is discussed further in this report under the subheading Density and Site Massing.

Policy 1.6.5.4 promotes a land use pattern, density and mix of uses that minimize the length and number of vehicle trips, and support the development of viable choices and plans for public transit and other alternative transportation modes, including commuter rail and bus. The recommendation for this development is to provide a sufficient number of parking spaces to support the development. The site is immediately adjacent to the College Street stop on the Yonge Street subway line with access from College Street as well as to the east/west College Street streetcar line, the north/south Yonge Street night bus and one block east from the north/south Bay Street bus.

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 major transit station areas.

## Land Use

### *Official Plan*

The subject site is designated *Mixed Use Areas* on Map 18, Land Use Plan (December 2010) of the Toronto Official Plan. It is anticipated that *Mixed Use Areas* will absorb most of the expected increase in retail, office and service employment in Toronto in the coming decades, as well as much of the new housing. Development criteria in *Mixed Use Areas* are set out in Section 4.5 of the Official Plan and include the following:

- 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;
- 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 such as providing appropriate setbacks and/or a stepping down of heights;

- take advantage of nearby transit services;
- 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;
- provide good site access and circulation and an adequate supply of parking for residents and visitors; and
- locate and screen service areas, ramps and garbage storage to minimize the impact on adjacent streets and residences.

In addition to the *Mixed Use Areas* development criteria and the desire to promote good design on its own merits, the Official Plan also emphasizes the manner in which the building and site fit within the context of the neighbourhood and City (Section 3.1.2 of the Official Plan). This is to be achieved in a number of ways including locating buildings parallel to the street with a consistent front yard set-back, locating main building entrances so that they are clearly visible and directly accessible from the public sidewalk, and by providing ground floor uses that have view into and, where possible, access to adjacent streets, parks and open spaces.

The proposed intensification in residential use and the provision of office space and retail is appropriate for this site.

## Density, Height, Massing

### *Density*

The proposed density at 15.2 times the area of the lot, exceeds the current underlying zoning permissions of the Zoning By-law of 3 times the lot area for a mixed use and 2 times the lot area for a commercial building.

The density of developments that have been recently approved and under construction in this area increases from Wellesley Street going south to College Street as follows:

<b>Development</b>	<b>Density</b>
Sutton Place Hotel (recent approval) redevelopment at the north east corner of Wellesley Street and Bay Street (951-971 Bay Street, 36 Wellesley Street West)	12.7 x the lot area
The Burano - west side of Bay Street between Grenville Street and Grosvenor Street (832 and 860 Bay Street) - the tower is situated to the north end of the site	15 x the lot area
The Murano - east side of Bay Street between Grosvenor Street and Grenville Street (38 Grosvenor Street, 37 Grenville Street) - the height of the towers step up to the south	15.37 x the lot area

454-464 Yonge Street - the south west corner of Yonge Street and Grenville Street (recently approved) - this development is integrated with the Oddfellows Hall	25 x the lot area for the site 20 x the lot area for the block
9-21 Grenville Street	21 x the lot area

The density proposed by the applicant is within the range of other similar mixed use and residential developments in the area.

The proposed density of the site is found to be acceptable in this particular location due to this block being within the height Transition Area and Core Area of the proposed North Downtown Yonge Site and Area Specific Policy 382, and the site is in close proximity to a variety of transit lines, and would have supportive retail and commercial uses. Staff are of the opinion that the density of the development is appropriate for this particular site.

***Height, Massing and Separation Distances***

The North Downtown Yonge Site and Area Specific Policy 382 provides direction in how development should respond to its historic main street context, reinforcing a pedestrian friendly micro-climate and retail uses along the street. The site is within the Yonge Street Character Area which is characterized by a strong heritage fabric, predominantly low-rise main street building typology with a prevailing street wall height of 2-4 storeys, narrow retail frontages and shallow lot depths. The site is subject to the height provisions of the North Downtown Yonge Area Specific Policy 382 and is identified as being partly in the Transition Area and partly in the Core Area to which an angular plane of 75 degrees taken at a height of 18 metres as measured from the Yonge Street property line also applies.

The North Downtown Yonge Urban Design Guidelines provide further direction and implementation of the policy. Within the Yonge Street Character Area the North Downtown Yonge Urban Design Guidelines provide a block-by-block analysis for Yonge Street from College/Carlton Streets to Charles Street. The subject site is within Block 3 which recognizes that the subject site is within the Transition Area and Core Area. The design of the subject site addressed in the urban design guidelines for this block is the following:

- the base building should have permeable materials in the ground floor façade in order to create animated street frontages for visibility, interaction and safety;
- the base will create a continuous streetwall with active retail at-grade, defined by clear entrances and signage facing on to Yonge Street;
- new storefront widths should not exceed 6 metres on this block;
- to provide an appropriate height transition, the taller portion of the proposed development will be located on the south side of the property with a minimum setback of 10 metres from the face of the base fronting onto Yonge Street. Development on the north side of the block will conform to a 75 degree angular plane starting above the 18 metre high base

for the tower; and

- the southern and northern edges of the property should be associated with a gathering place and contribute to the expansion of the open space network through creating a forecourt, generous landscape area or plaza/outdoor café with exemplary design and potential public art.

The original proposed height of the two residential towers was 58 storeys (207 metres including mechanical penthouse). The applicant has worked with staff and through the working group process has since revised the height of the two towers to 52-storeys (174 metres including mechanical penthouse) for the south tower and 23-storeys (80 metres including mechanical penthouse) for the north tower.

The revised height proposed on the subject site is in keeping with the heights that exist and are approved in the surrounding area. To the east and south east of the subject site are existing residential buildings with a height of 45 to 85 metres (15 to 28 storeys) that are a "tower in the park" style of development. The North Downtown Yonge Site and Area Specific Policy 382 and the North Downtown Yonge Urban Design Guidelines recognizes the subject site as being partly within the Transition Area (south end of the subject site) and partly within the Core Area (north end of the subject site) of the Height Areas. The Site and Area Specific Policy provides direction for the Transition Area height to be generally in the range of 170 metres or 45 storeys with the maximum height only being considered if certain potential impacts of height have been addressed including: heritage properties located on or adjacent to the site, sunlight in parks and open space in the vicinity of the site, views of prominent and heritage properties, structure and landscapes on or adjacent to the development site and accommodating satisfactory tower separation and setback distances. The height in the Core Area is 18 metres with additional height achievable through the application of an angular plane of 75 degrees measured from 18 metres in height at the Yonge Street property line. The application as currently proposed exceeds the height in the Transition Area for the south tower and intrudes into the angular plane for the north tower. Staff are recommending that the height of the south tower be reduced to 170 metres and that the north tower be sculptured to respect the angular plane requirement in keeping with the Site and Area Specific Policy 382 and the North Downtown Yonge Urban Design Guidelines. This may result in the rear of the north tower slightly increasing in height and the front of the tower decreasing in height to respect the angular plane.

The North Downtown Yonge Area Specific Policy 382 and North Downtown Yonge Urban Design Guidelines direct that a minimum separation distance be provided between towers of 25 metres or 12.5 metres to the property line. To the east of the north tower is a 6 metre public lane and then 25 Maitland Street, an 18-storey (53 metre) residential condominium development. The north tower is 7 metres from the easterly property boundary and approximately 10 metres from the centre line of the abutting lane, Maitland Terrace. The tower at 25 Maitland Street is an inverse L-shaped building that steps back along the along the west side of the building. The setback of the adjacent tower to the mid-point of the lane is approximately 8 metres at the closest point. To address the adjacency concerns, the applicant has pushed the north tower to the north end of the site to minimize the overlap of the buildings. This provides a minimum setback of 18 to 19.6 metres at the closest point between the buildings for a width of approximately 5.5 metres

along the face of the westerly edge of 25 Maitland Street. The majority of the building is over 25 metres away from the proposed north tower of the subject site.

The proposed height and tower base form of development is consistent with the scale and form of development anticipated by the North Downtown Yonge Site and Area Specific Policy 382 and the North Downtown Yonge Urban Design Guidelines. The north and south towers are both set back 10 metres from the Yonge Street property line. The base of the building is set back 3.65 metres from the property line at the south end of the site and 2.68 metres at the north end of the site with a minimum sidewalk width of 6.4 metres that includes both public and private realm. The base height steps from 24 metres at the south end to 14 metres at the north end. The separation distance between the towers is 20 metres which is less than the recommended 25 metres (measured between towers, 22 metres between balcony face) of the Tall Building Guidelines and the North Downtown Yonge Urban Design Guidelines. The applicant is proposing 20 metres between towers with no balconies between the towers and with the facing units oriented to the east and west for all of the facing units in the north tower and the majority of the facing units in the south tower. This is further mitigated by the tower heights stepping down from 52 storeys to 23 storeys.

The floorplate of the proposed north tower is 707 sq.m. which is less than the 750 square metres recommended by the Tall Building Guidelines and the North Downtown Yonge Urban Design Guidelines. The floorplate of the south tower is 852 sq.m. which exceeds the recommended size. Although this is not preferable, in this particular development it is generally acceptable with the redesign of the site including the increased articulation on each façade of the south tower, the reduced the height and size of the north tower and redesign of the base of the building to clearly demarcate the transition from the Height Peak to the Core Area of Yonge Street.

The north and east side façade of the proposed development has also been revised since the original submission in response to the comments from staff and the working group. Concerns were expressed about the lack of animation and design presence along the north and east side of the site abutting Maitland Terrace and the adjacent residential condominium. The applicant has revised the plans to wrap the retail around the north east corner and to relocate the residential lobby for the north tower to the east side of the site with visitor bicycle storage immediately adjacent the lobby to the south. Residential units have been introduced at levels 4 and 5 around the north end of the base to animate each side. The façade of the base has been articulated and vertically clad with glass and masonry around the north end and narrower bands of stone and clear glazing around the south end of the base to define the transition from the south to the north. The parking garage is proposed within 3 ½ levels above grade with access off of Maitland Terrace. The revisions to the façade also masks the above grade parking garage ramp on the mezzanine level and the spaces on the two floors above. The details of the design will be implemented through the site plan approval process particularly regarding the treatment of the above grade parking.

The tower-base form is consistent with Official Plan policies respecting tall buildings and the various Tall Buildings Guidelines. The height of the base represents an appropriate relationship between height and the width of the adjacent Yonge Street, Alexander Street and Maitland Street and provides an appropriate transition from the Height Peak to the Core Area of Yonge Street.



The height of the base is also in keeping with the streetwall height requirement of the proposed North Downtown Yonge Site and Area Specific Policy 382 and the North Downtown Yonge Urban Design Guidelines. The base will have benefits including: strong definition of the adjacent streetscape and public realm and mitigation of wind impacts.

Staff are of the opinion that the height of the tower and massing for the site is generally in keeping with the heights of the area. The height and massing responds to the comments of the City of Toronto Design Review Panel and is also in keeping with the direction of the North Downtown Yonge Site and Area Specific Policy 382 and the North Downtown Yonge Urban Design Guidelines. Staff are recommending that the height of the south tower and the design of the north tower be revised to comply with the angular plane and height requirements of the Site and Area Specific Policy 382 and the North Downtown Yonge Urban Design Guidelines.

### **Sun, Shadow, Wind**

Section 3.1.3 (Built Form) of the Official Plan includes a policy that tall buildings must minimize the negative impact of shadows on adjacent public spaces including streets, parks and open spaces. The applicant has submitted a shadow analysis reflecting the revised plans to illustrate the shadows created by the proposed development during March 21<sup>st</sup> and June 21<sup>st</sup> between the hours of 9:18 a.m. and 6:18 p.m.

The North Downtown Yonge Area Specific Policy 382 policy 6.2.9 directs that development/redevelopment not cast any new net shadow on Opera Place Park between 12 Noon and 2:00 p.m. on March and September 21<sup>st</sup>. The policy provides for additional shadow protection between 10:00 am to 4:00 pm on March and September 21<sup>st</sup> if the park is expanded. The proposed development does not cast any increased shadow on either the south or north part of the existing configuration of Opera Place Park between. The owner of the subject site is also the owner of the site at 5 to 25 Wellesley Street West and 14 to 26 Breadalbane Street (referred to as 11 Wellesley Street West). A rezoning application has been submitted on the site for a mixed use development consisting of two residential towers at 45 (146 metres including mechanical penthouse) and 54 (172 metres including mechanical penthouse) storeys including a 9-storey and 10-storey inverted L-shaped base that connects the two towers. At the community consultation meeting held for the 11 Wellesley Street West site, the applicant presented a one tower scheme that would reduce the development parcel and increase the amount of parkland on the block.

The owner is working with the Councillor's office and staff to achieve the additional parkland for the north Opera Place Park site. If additional parkland is achieved, there may be a slight shadow impact from the subject site at the south-east corner and the north east corner of what may be parkland between the hours of 10:18 a.m. to 11:18 a.m. The revisions in the design of the subject site has reduced but not eliminated the impact. If the one tower scheme proceeds on the 11 Wellesley Street West site, the shadow on the north east corner of Opera Place Park North may be eliminated by the shadow from the tower. Since the one tower scheme is still at a preliminary stage staff cannot determine what may be the net shadow impact on any future parkland but can only evaluate the shadow impact on the site as currently proposed. With the current application in place, there is no shadow impact on Opera Place Park North. The subject site is in compliance with policy 6.2.9, staff are satisfied that the shadow impacts are acceptable.

## **Residential Amenity Space**

Zoning standards require 2.0 square metres of indoor and outdoor amenity space per unit, resulting in 1,552 square metres of indoor amenity space and 1,552 square metres of outdoor space for the 776 proposed units.

The proposed indoor amenity space of 1,646 sq.m. is in excess of the requirement of the Zoning By-law. Indoor amenity space is being provided on the 6<sup>th</sup> and 7<sup>th</sup> floor between the towers and in the south tower. The 6<sup>th</sup> floor also has outdoor terraces and on the east, west and south sides.

The proposal includes 635 square metres of outdoor amenity space or 0.82 square metres per unit or 42 percent of the total required outdoor amenity space. The outdoor amenity space comprises outdoor terraces on the east, west and south side of the building on the 6<sup>th</sup> floor. The proposed outdoor amenity is appropriately located in the building and generally consolidated into usable spaces. The outdoor space incorporates those areas of the building that can provide good quality space.

This area of the downtown has been identified as an underserved area for parkland. Outdoor amenity space serves to offset parkland deficiencies by providing residents the opportunity for outdoor space within their development. Staff recommend that the applicant review the plans in further detail to identify opportunities for additional outdoor amenity area prior to bills being brought forward to Council. With the revisions required to comply with the angular plane opportunities for rooftop amenity space may now be possible.

The draft zoning by-law will secure the availability, type and use of both the indoor and outdoor amenity space to residents of the building. Site Plan Approval will secure the design and location of the building's amenity space.

## **Streetscape**

The North Downtown Yonge Area Specific Policy 382 and the North Downtown Yonge Urban Design Guidelines provide direction regarding public realm and streetscape for Yonge Street and the surrounding area. The applicant has addressed the public realm through the following revisions to the plans:

- set back the base of the building along Yonge Street to provide a minimum 6.4 metre pedestrian area comprised of public and private realm;
- set back the building at the north end of the site to widen the pedestrian, additional space will be required if a sidewalk café is desired;
- continuous pedestrian weather protection is provided along the frontage of Alexander Street, Maitland Street and the Yonge Street frontage along the top of the ground floor retail at a height of approximately 4.5 metres at the north end to 6 metres at the south end due to the slope of the site;
- the laneway is a minimum 6 metres with a pedestrian walkway along the west side of the lane connecting Maitland Street to Alexander Street;

- lay-by's with rolled curbs have been provided along the laneway for drop-off areas adjacent to the residential lobbies; and
- the laneway is proposed to have special upgraded pavement treatment to be reviewed in further detail through the site plan process.

The draft zoning by-law includes the appropriate requirements with the remaining elements to be reviewed in further detail through the site plan review and approval process.

Yonge Street is a priority retail street. The current Zoning By-law requires that a minimum of 60% of the Yonge Street frontage at grade should be retail in order to animate the street. The applicant is meeting that intent of this provision by providing all of the Yonge Street frontage as retail space. The North Downtown Yonge Site and Area Specific Policy require store frontage widths at grade along Yonge Street to be consistent with the average width of at grade retail that is currently found within two blocks to the north and south of a given site along either side of Yonge Street. The average width of retail in the area varies with a greater width along the Marriott Hotel to the south and smaller widths to the north and across the street on the west side of Yonge Street. The design of the base will provide opportunity for narrow retail frontages similar to those found to the north of the site and immediately opposite the site. Staff are satisfied that the intent of the priority retail provision and the North Downtown Yonge Site and Area Specific Policy is met. A maximum at-grade retail frontage of 5 metres per unit will be secured in the zoning by-law

## Traffic Impact, Access, Parking

### *Parking and Access*

The applicant is proposing a total of 235 parking spaces in 3½ levels of above grade garage with access off of Maitland Terrace. The location of the site immediately above the Yonge Street subway negates the possibility of below grade parking. The applicant submitted a Traffic Impact Study completed by BA Group which indicated that the parking provided was adequate. However, City Staff have reviewed the study and require additional information to support the proposed parking. The applicant provided two options for parking with option 2 being implemented in the event that a new public parking facility is constructed within 300 meters of the site. Staff have indicated that they do not support the proposed reduction in the parking supply summarized in the following:

Type of unit	Proposed by Applicant		Required by By-law 569-2013
	Option 1	Option 2	
Resident	185 spaces	216 spaces	475 spaces (463 less car share calculation)
Visitor	47 spaces	16 spaces	77 spaces
Car Share	3 spaces	3 spaces	3 spaces (option)
Total	235 spaces	235 spaces	458 spaces

According to the Engineering and Construction Services comments dated June 27, 2013 the following are required:

- that the applicant comply with the updated parking supply requirements as proposed through By-law 569-2013 as they are based on more recent data than the current Zoning By-law 438-86 standards;
- clarify the amount of bachelor units that are greater than 45 sq.m. in size;
- the applicant comply with the parking space dimensional requirements except for the maximum of 5 parking spaces which may have minimum widths of 2.58 metres and a maximum of 5 spaces which contain an obstruction on one side which may have a minimum width of 2.57 metres;
- identify the sub-standard spaces clearly on the plans; and
- revise the site plan and streetscaping plan to comply with the City's Vibrant Streets Design Guidelines.

The draft zoning by-law reflects the recommended minimum parking standards.

### ***Loading/Access***

Access to the site is to/from Maitland Terrace along the east side of the site. The access driveway and loading spaces are located wholly within the base of the building under the south tower and would be enclosed by overhead doors. There are two loading spaces, one Type G space and one Type B space as required for the site. The applicant has provided the required number and type of loading spaces.

### **Bicycle Parking**

The proposal includes 776 bicycle parking spaces, comprising 621 spaces for residents and 155 spaces for visitors. Resident bicycle parking is provided above grade on the mezzanine level and below grade on the P1 and P2 level with access from the regular elevators. It is suggested that the applicant review the elevators to re-allocate one elevator in each building to be dedicated to access bicycle areas. Additional spaces are located at grade for visitor spaces. The applicant is providing a mix of bicycle lockers, spaces and stackers. The proposed bicycle parking exceeds zoning by-law and meets the Toronto Green Standard requirements. Staff are satisfied with the provision of bicycle parking on the site for the residents and visitors.

### **Servicing**

Engineering and Construction Services staff have reviewed the most recent version of the Functional Servicing Report (FSR) submitted in support of the application for 501-521 Yonge Street, 6-8 Alexander Street and 23 Maitland Street and are satisfied at this point in time. Additional information will be required through the site plan review and approval process all to the satisfaction of the Executive Director of Engineering and Construction Services prior to site plan approval.

## **Open Space/Parkland**

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

The application proposes 776 residential units and 1,266 sq.m. non-residential uses on a site with a net area of 3,492 square metres. At the alternative rate of 0.4 hectares per 300 units specified in By-law 1020-2010, the parkland dedication requirement is 1.03 hectares or 303% of the site area. However, for sites that are less than 1 hectare in size a cap of 10% is applied to the residential use while the non-residential use is subject to a 2% parkland dedication. In total the parkland dedication would be 343 square metres.

The Parks, Forestry & Recreation Division would consider an off-site parkland dedication subject to conformity with Policy 7 of Section 3.2.3 of the Official Plan and subject to this Department's requirements for parkland conveyance. If an off-site dedication is not possible, then the applicant is required to satisfy the parkland dedication requirement through cash-in lieu. This is appropriate as there is no location for an on-site parkland dedication and the site would be fully encumbered below grade with a TTC subway tunnel. The actual amount of cash-in-lieu to be paid will be determined at the time of issuance of a building permit.

## **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.

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 can include (among other capital facilities): parkland, non-profit arts and cultural, community or child care facilities, streetscape improvements on the public boulevard not abutting the site; and other works detailed in policy 5.1.1.6 of the Official Plan. The community benefits must bear a reasonable relationship to the proposed development, including at a minimum, an appropriate geographic relationship and the

addressing of the planning issues associated with the development. (e.g., local shortage of parkland, provision of new parks facilities).

The community benefits recommended to be secured in the Section 37 agreement for a mixed-use development with two towers of 23 and 52 storeys (80 and 174 metres respectively) as follows:

Before introducing the necessary Bills to City Council for enactment, City Council require the Owner to enter into one or more Agreement(s) pursuant to Section 37 of the Planning Act to secure the following at the owner's sole expense all to the satisfaction of the Chief Planner and Executive Director of Planning in consultation with appropriate civic officials and the Ward Councillor:

- a. Prior to the issuance of above grade permits unless indicated otherwise provide a cash contribution of \$5,000,000 which is to be used for the following:
  - i. \$3,350,000 local streetscape improvements and laneway improvements not abutting the site in the area including along Yonge Street and Maitland Terrace;
  - ii. \$450,000 for affordable housing and Toronto Community Housing capital improvements within Ward 27;
  - iii. \$500,000 towards public art to be paid at time of first building permit in accordance with the Percent for Public Art Program;
  - iv. \$200,000 for capital improvements to The Hincks-Dellcrest Treatment Centre, a non-profit facility located on Jarvis Street; and
  - v. \$500,000 for parkland acquisition and/or (park) improvements in the area.
- b. Require that the cash amounts identified in 5a 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;
- c. The following matters are also recommended to be secured in the Section 37 Agreement as a legal convenience prior to the issuance of site plan approval to support development all to the satisfaction of the Chief Planner and Executive Director of Planning in consultation with the appropriate civic officials and the Ward Councillor:
  - i. The owner agrees to an additional contribution for local area park acquisition and/or improvements in the immediate area which may include 5 to 25 Wellesley Street West and 14 to 26 Breadalbane Street;

- ii. The wind mitigation measures listed in the submitted Wind Study shall be implemented to ensure that the wind effects are acceptable;
- iii. At least 10% of the total number of dwelling units to be constructed on the lot shall contain at least three or more bedrooms in compliance with the provisions of the Ontario Building Code;
- iv. Require the owner to pay for and construct any improvements to the municipal infrastructure in connection with the Functional Servicing Report as accepted by the Executive Director of Engineering and Construction Services, should it be determined that improvements to infrastructure are required to support the development;
- v. Require the owner to design and construct upgraded streetscape for Yonge Street and Maitland Terrace from Maitland Street to Alexander Street and Alexander Street and Maitland Street along the frontage of the site including a pedestrian walkway (laneway only), upgraded pavement treatment and landscaping to be secured through the site plan process;
- vi. Require the owner to design and construct upgraded façade treatment for the above grade parking, pedestrian weather protection to a minimum of 3 metres in width along Yonge Street, Maitland Street and Alexander Street and to provide a maximum frontage for a retail unit of 5 metres along Yonge Street substantially in accordance with the plans for file 11-187996 STE 27 OZ dated 21/03/2013 revision #3 dated 02/07/2013 entitled "Project Renderings", "North, West Elevations" and "South, East Elevations".
- vii. As a condition of site plan approval and prior to the occupancy of the building, the owner shall convey to the City an easement(s) for 24-hour public access to the pedestrian area over the setback area along the Yonge Street, Alexander Street and Maitland Street frontages, (the "City Easements"), for nominal consideration and to the satisfaction of the City Solicitor, and shall maintain these areas free and clear of encumbrances for pedestrian use, in perpetuity, and shall pay all costs associated with the preparation and registration of all necessary documents and plans, to the satisfaction of the Executive Director, Engineering and Construction Services; and

- viii As a condition of site plan approval and prior to the issuance of any permits require a detailed construction management plan for the site.

## **CONTACT**

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E-mail: shensto@toronto.ca

## **SIGNATURE**

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

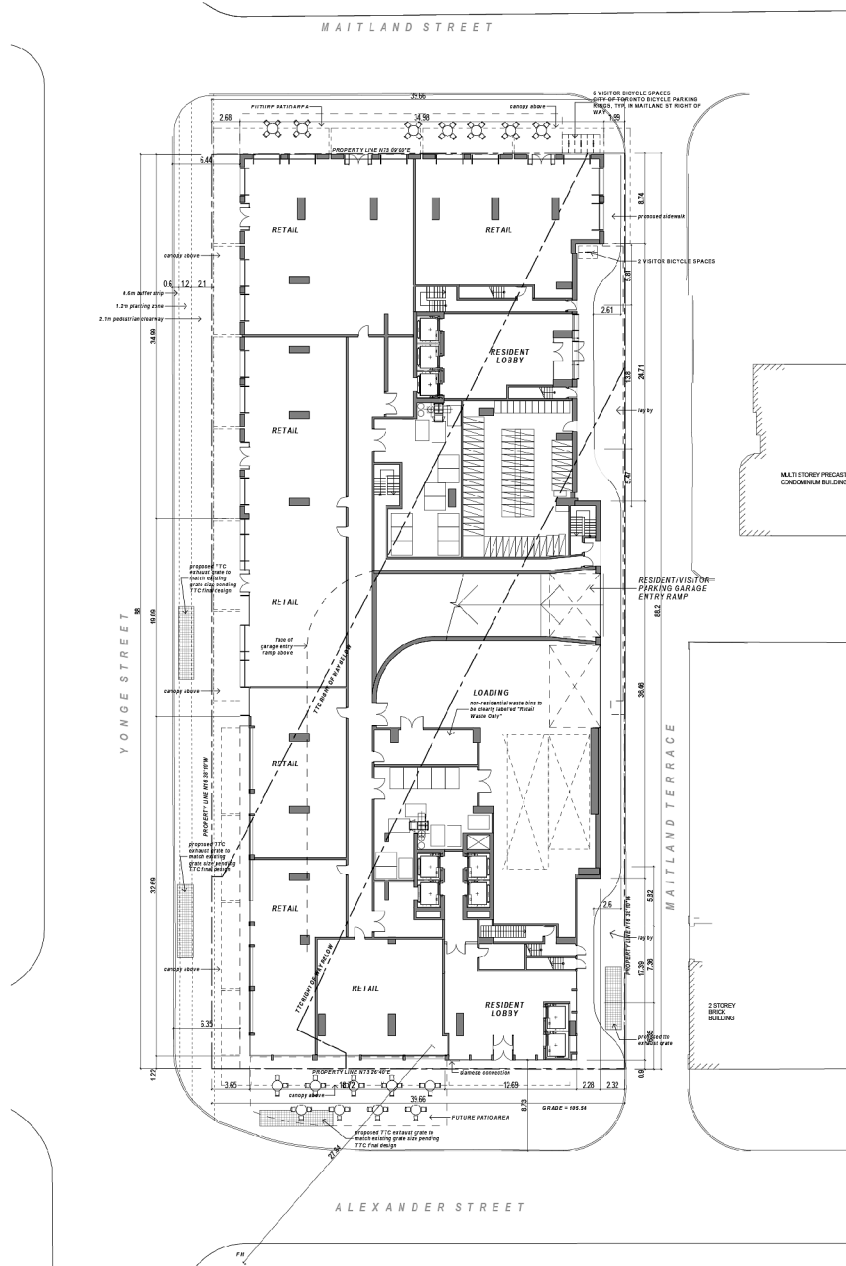
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## **ATTACHMENTS**

- Attachment 1: Site Plan
- Attachment 2: West Elevation
- Attachment 3: North Elevation
- Attachment 4: South Elevation
- Attachment 5: East Elevation
- Attachment 6: Zoning
- Attachment 7: Draft Zoning By-law Amendment
- Attachment 8: Application Data Sheet



# Attachment 1: Site Plan



## Site Plan

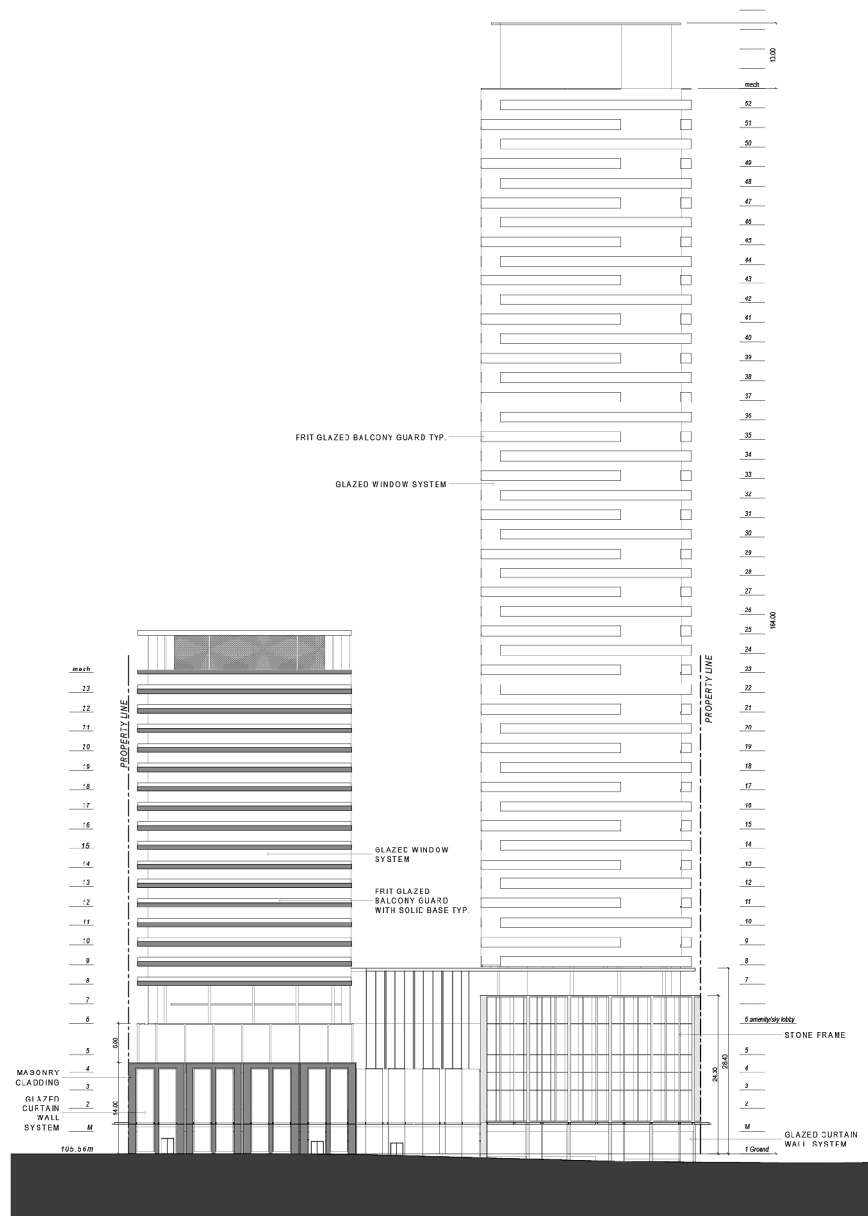
Applicant's Submitted Drawing

Not to Scale   
09/17/2013

## 501-521 Yonge Street, 6-8 Alexander Street and 23 Maitland Street

File # 11 187996 0Z

## Attachment 2: West Elevation



West Elevation

### Elevations

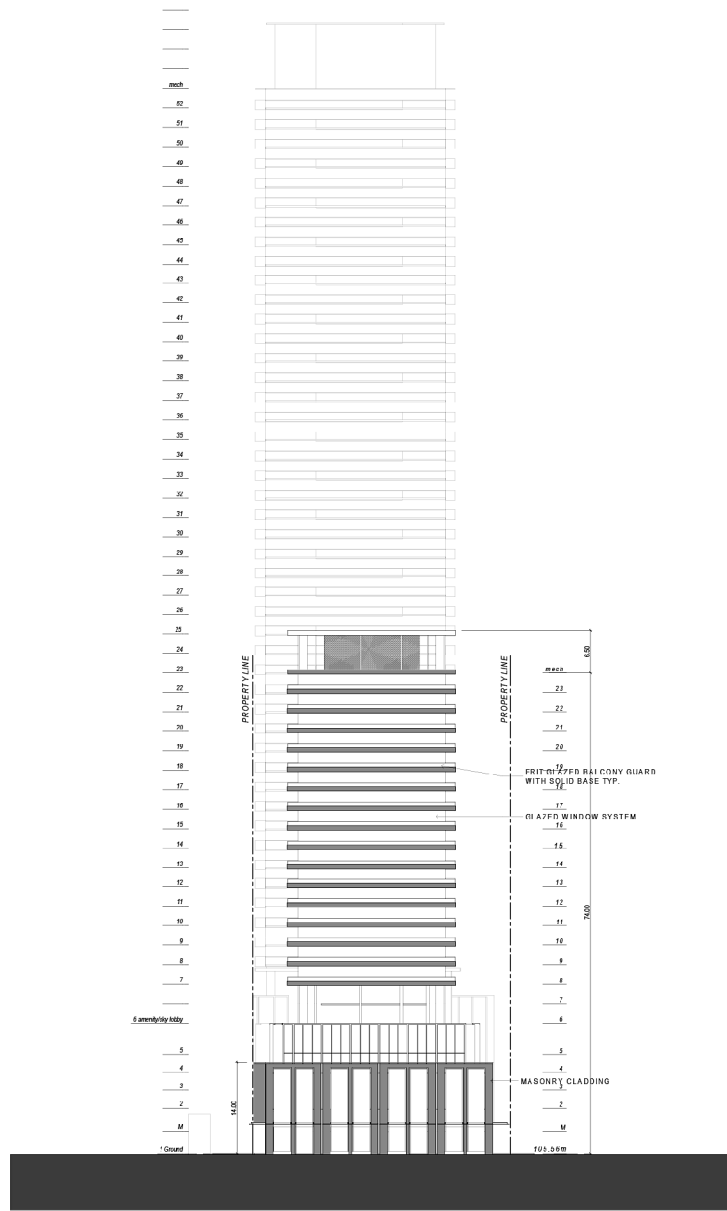
Applicant's Submitted Drawing

Not to Scale  
09/17/2013

501-521 Yonge Street, 6-8 Alexander Street  
and 23 Maitland Street

File # 11 187996 02

### Attachment 3: North Elevation



North Elevation

## Elevations

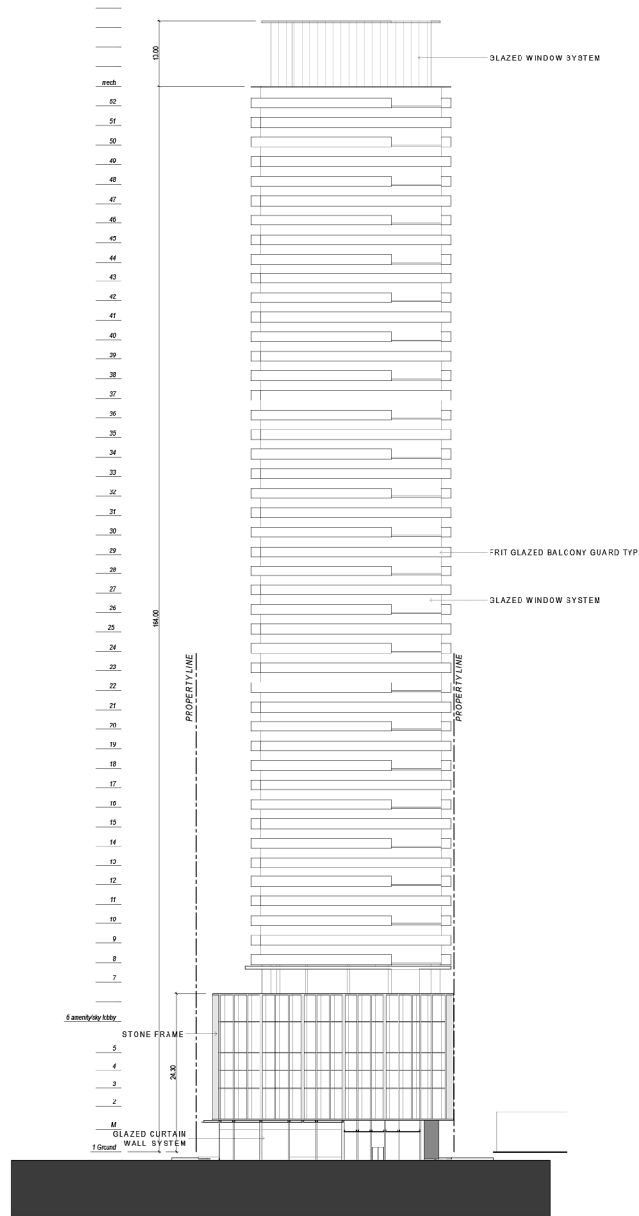
Applicant's Submitted Drawing

Not to Scale  
09/17/2013

501-521 Yonge Street, 6-8 Alexander Street  
and 23 Maitland Street

File # 11 187996 0Z

## Attachment 4: South Elevation



South Elevation

### Elevations

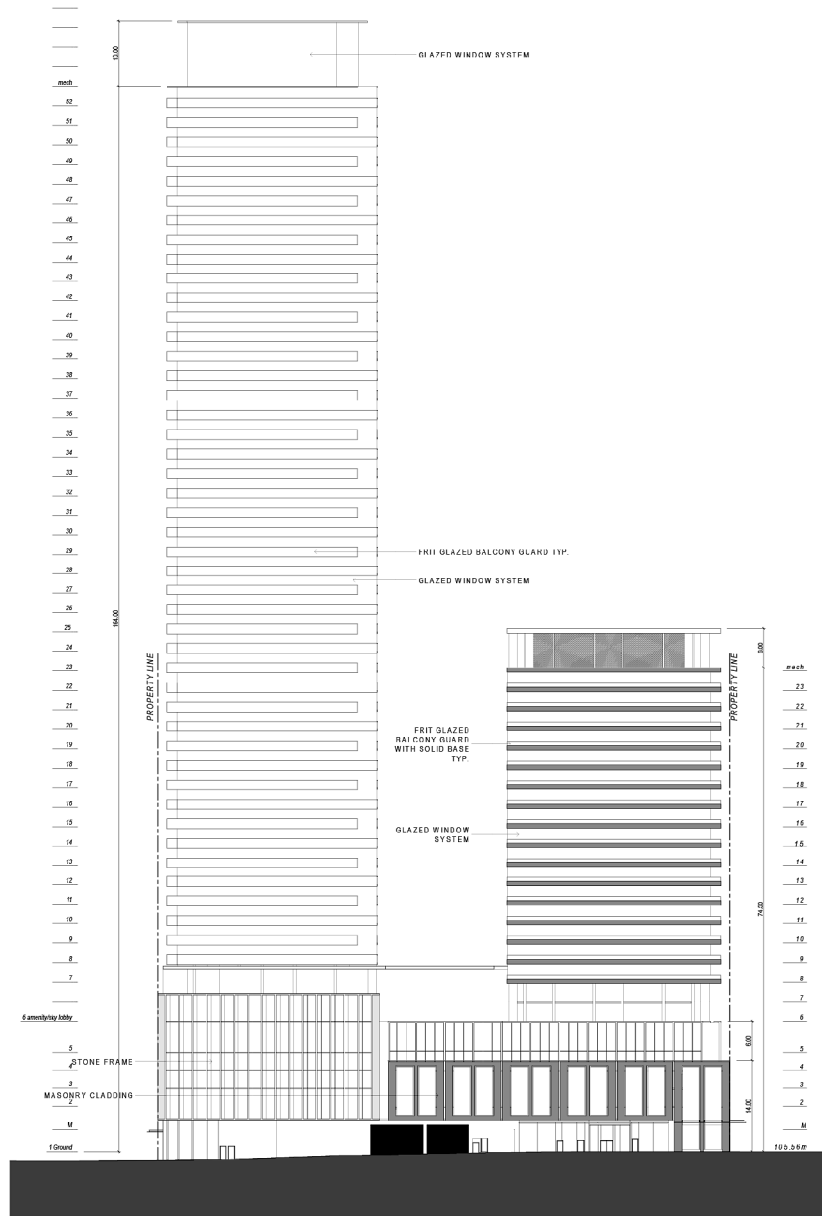
Applicant's Submitted Drawing

Not to Scale  
09/17/2013

501-521 Yonge Street, 6-8 Alexander Street  
and 23 Maitland Street

File # 11 187996 0Z

## Attachment 5: East Elevation



East Elevation

### Elevations

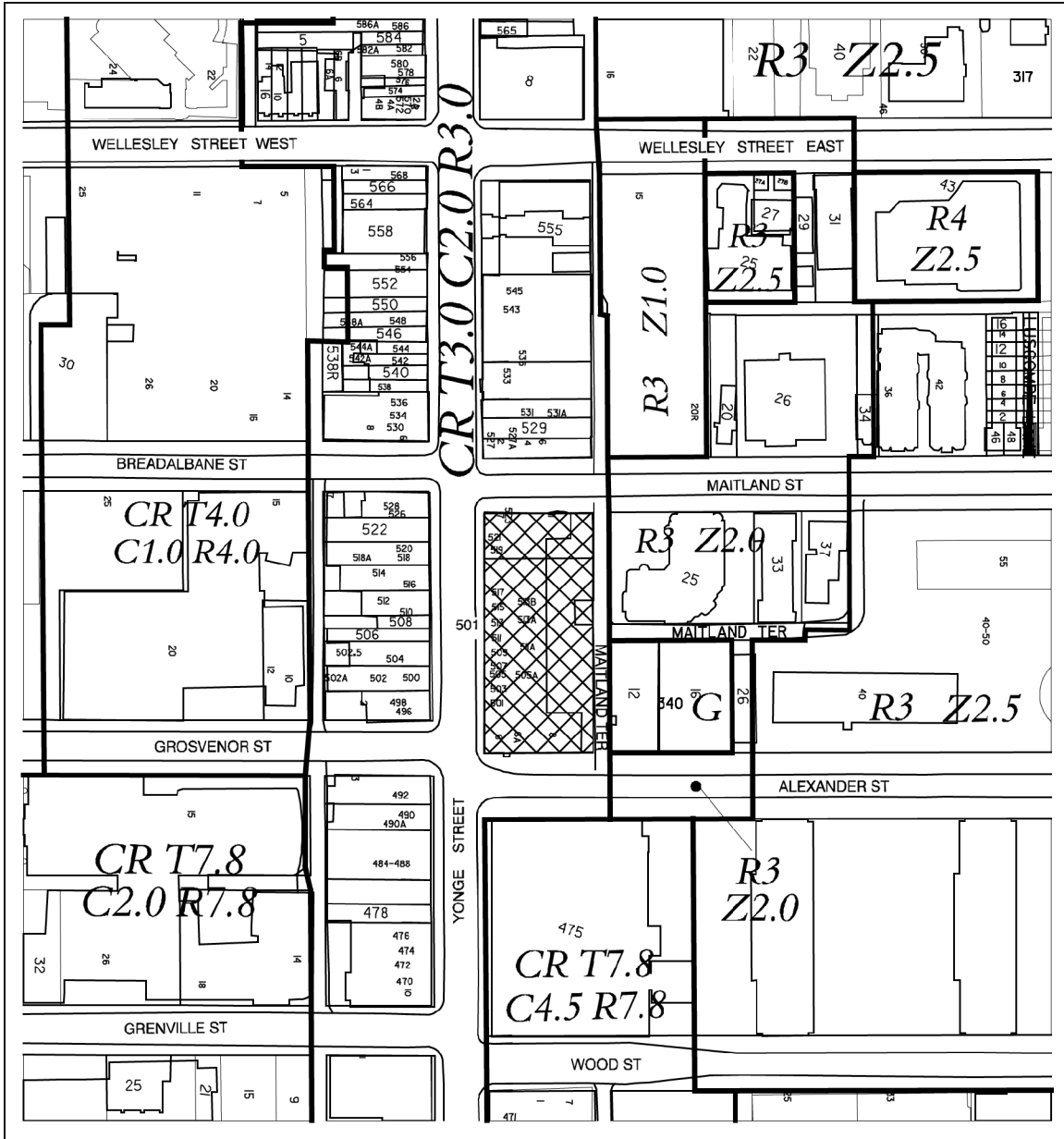
Applicant's Submitted Drawing

Not to Scale  
09/17/2013

501-521 Yonge Street, 6-8 Alexander Street  
and 23 Maitland Street

File # 11 187996 0Z

# Attachment 6: Zoning



501 Yonge Street  
File # 11\_187996\_OZ

- G Parks District
- R3 Residential District
- CR Mixed-Use District



Not to Scale  
Zoning By-law 438-86 as amended  
Extracted 05/26/11

## **Attachment 7: Draft Zoning By-law Amendment**

Authority: Toronto and East York Community Council Item ~ as adopted by City of Toronto Council on ~, 20~  
Enacted by Council: ~, 20~

### **CITY OF TORONTO**

**Bill No. ~**

**BY-LAW No. ~-20~**

**To amend the General Zoning By-law No. ~, of the former City of Toronto with respect to the lands municipally known as 501-521 Yonge Street, 6-8 Alexander Street, 23 Maitland Street.**

WHEREAS the Council of the City of Toronto has been requested to amend its Zoning By-law pursuant to Section 34 of the *Planning Act*, R.S.O. 1990, c.P. 13, as amended, with respect to the lands known municipally in the year 2013 as 501-521 Yonge Street, 6-8 Alexander Street, 23 Maitland Street; and

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

WHEREAS pursuant to Section 37 of the *Planning Act*, the Council of the Municipality may, in a by-law passed under Section 34 of the *Planning Act*, authorize increases in the height or density of development beyond that otherwise permitted by By-law No. 438-86, as amended, in return for the provision of such facilities, services or matters as are set out 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 any increase in the height or 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 *owner* of the lands hereinafter referred to has elected to provide the facilities, services or matters as are hereinafter set forth; and

WHEREAS the increase in the height permitted hereunder, beyond that otherwise permitted on the lands by By-law No. 438-86, as amended, is to be permitted subject to the provision of the facilities, services or matters set out in this By-law and to be secured by one or more agreements between the *owner* of the lands and the City of Toronto (hereinafter referred to as the “City”); and

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

WHEREAS Council has required the *owner* of the aforesaid lands to enter into one or more agreements to secure certain facilities, services or matters in connection with the aforesaid lands set forth in the By-law;

The Council of the City of Toronto HEREBY ENACTS as follows:

1. Pursuant to Section 37 of the *Planning Act*, the *heights* and density of development permitted in this By-law are permitted subject to compliance with the conditions set out in this By-law and in return for the provision by the *owner* of the *lot* of the facilities, services and matters set out in Appendix 1 hereof, the provisions of which shall be secured by an agreement or agreement's pursuant to Section 37(3) of the *Planning Act*.
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. Wherever in this By-law a provision is stated to be conditional upon the execution and registration of an agreement entered into with the *City* pursuant to Section 37 of the *Planning Act*, then once such agreement has been executed and registered, such conditional provisions shall continue to be effective notwithstanding any subsequent release or discharge of all or any part of such agreement.
4. Except as otherwise provided herein, the provisions of *By-law No. 438-86*, as amended shall continue to apply to the *lot*.
5. None of the provisions of Section 2(1) with respect to the definition of *grade*, *height*, *bicycle parking space – occupant*, and *bicycle space – visitor*, 4(2)(a), 4(5)(b)(f), 4(12), 4(13)(a) and (d), 8(3) Part I 1 and 3(a), 8(3) Part III 1(a), 12(2) 160, 12(2) 260, 12(2) 208 of *By-law No. 438-86* of the former City of Toronto, shall apply to prevent the erection or use of a *mixed- use building* within the *lot* which may contain *dwelling units* and non-residential uses and *accessory* uses thereto including a *parking garage* provided that all of the provisions of this By-law are complied with.
  - (a) the *lot* on which the uses are located shall comprise the *Parcel A Lands* and *Parcel B Lands* as shown on Map 1 attached to and forming part of this By-law;
  - (b) the *residential gross floor area* and *non-residential gross floor area* on the *lot* shall not exceed 53,190 square metres;
  - (c) the *residential gross floor area* shall not exceed 51,920 square metres;
  - (d) the *non-residential gross floor area* shall not exceed 1,270 square metres;
  - (e) the total *dwelling units* erected or used on the *loti* shall not exceed 776;
  - (f) at least ten per cent (10%) of all total *dwelling units* erected or used on the *lot* shall have three or more bedrooms;



- (g) the minimum ground floor height along Yonge Street, Maitland Street and Alexander Street shall be 5 metres for a minimum depth of 5 metres;
- (h) continuous weather protection with a minimum depth of 3 metres shall be provided along Yonge Street;
- (i) a minimum amount of outdoor *residential amenity space* shall be provided and maintained on the lot equal to the greater of 635 square metres or 0.818 square metres per dwelling unit in a location adjoining or directly accessible from a portion of the indoor *residential amenity space*;
- (j) a minimum amount of indoor *residential amenity space* shall be provided and maintained on the lot equal to the greater of 1,646 square metres or 2.1 square metres per dwelling unit to be provided in a multi-purpose room or rooms, at least one of which contains a kitchen and a washroom;
- (k) no portion of the *mixed-use building* shall be located otherwise than wholly within the areas delineated by heavy lines on Map 2 attached to and forming part of this By-law and no portion of the *mixed-use building* including the mechanical and roof top elements shall have a *height* in metres greater than the *height* limits specified by the numbers following the symbol H on Map 2;
- (l) notwithstanding Section 5(i) above the height of each portion of a building or structure erected above-grade on the *lot*, in respect of each *building envelope* area, has a maximum height in metres as shown following the symbol “H” on Map 2, including mechanical and roof top elements, except for:
  - (i) canopies, awnings and building cornices;
  - (ii) window washing equipment, lighting fixtures, ornamental elements, lightning rods, parapets, trellises, eaves, window sills, guardrails, balustrades, railings, stairs, stair enclosures, wheel chair ramps, vents, ventilating equipment, landscape and green roof elements, partitions dividing outdoor recreation areas, wind mitigation, chimney stack, exhaust flues, garbage chute overrun, and public art elements;
- (m) no part of any building or structure erected on the *lot* shall be located above grade other than within a *building envelope*, except for:
  - (i) canopies, awnings and building cornices;
  - (ii) window washing equipment, lighting fixtures, ornamental elements, lightning rods, parapets, trellises, eaves, window sills, guardrails, balustrades, railings, stairs, stair enclosures, wheel chair ramps, vents, underground garage ramps, landscape and green roof elements, partitions

dividing outdoor recreation area, trellises, wind mitigation and public art elements;

- (l) parking spaces shall be provided and maintained on the site in a parking garage accordance with the following minimum requirements:
  - (i) bachelor dwelling units – a minimum of 0.3 parking spaces for each bachelor dwelling unit;
  - (ii) one-bedroom *dwelling units* – a minimum of 0.5 *parking spaces* for each one-bedroom *dwelling unit*;
  - (iii) two-bedroom *dwelling units* – a minimum of 0.8 *parking spaces* for each two-bedroom *dwelling unit*;
  - (iv) three and more bedroom *dwelling units* – a minimum of 1.0 *parking spaces* for each *dwelling unit* containing three or more bedrooms;
  - (v) a minimum of 0.1 *parking spaces* for visitors for each *dwelling unit*;
  - (vi) no *parking spaces* shall be required for non-residential uses on the *lot*;
  - (vii) for each car-share *parking space* provided on the *site*, the minimum resident parking required may be reduced by four *parking spaces*;
- (m) at least one *Loading space-Type G* and one *Loading space-Type B* is provided and maintained on the *lot*;
- (n) the minimum number of *bicycle parking spaces* to be provided on the *lot* shall be as follows:
  - (i) for residential uses, a minimum of 1.0 *bicycle parking spaces* per *dwelling unit*, of which 0.8 *bicycle parking spaces* – *occupant per dwelling unit* and 0.2 *bicycle parking spaces* – *visitor per dwelling unit*; and,
  - (ii) for uses listed in Section 8(1)(f)(b)(iv), (v), and (vi) of By-law No. 438-86, *bicycle parking spaces* shall be provided in accordance with Section 4(13) of By-law No. 438-86;
- (o) if the *mixed-use building* is constructed in phases, the first phase of construction shall occur on *Parcel A* and notwithstanding Sections 5(b), (c), (d), (j), (k), (l), (n) above, prior to the completion of construction on *Parcel B*:
  - (i) the combined *residential gross floor area* and *non-residential gross floor area* on *Parcel A* shall not exceed 42,405 square metres, of which not more than 41,135 square metres shall be *residential gross floor area* and not more than 1,270 square metres shall be *non-residential gross floor area*;

- (ii) a minimum of 109 *parking spaces* for residents, 36 *parking spaces* for visitors and 3 *car-share parking spaces* shall be provided and maintained on the *lot*;
  - (iii) notwithstanding Section 5(o)(ii) above, up to 23 of the required visitor *parking spaces* may be provided off-site in a parking facility located within 300 metres of the *lot*;
  - (iv) a minimum of 892 square metres of indoor *residential amenity space* and a minimum of 306 square metres of outdoor *residential amenity space* shall be provided and maintained on the *lot*; and
  - (v) a minimum of 486 *bicycle parking spaces* shall be provided and maintained on the *lot* for residents and a minimum of 115 *bicycle parking spaces* shall be provided and maintained on the *lot* for visitors to the *mixed-use building*.
- (p) none of the provisions of this By-law shall apply to prevent a *temporary sales office* on the *lot*.
6. Within the *lot*, no person shall use any land or erect or use any building or structure unless the following municipal services are provided to the lot line and the following provisions are complied with:
- (a) all new public roads have been constructed to a minimum of base curb and base asphalt and are connected to an existing public highway, and
  - (b) all water mains and sanitary sewers, and appropriate appurtenances, have been installed and are operational.
7. For the purposes of this By-law, all italicized words and expressions have the same meanings as defined in By-law No. 438-86, as amended, with the exception of the following:
- (a) "*grade*" means the established grade of 105.56 metres Canadian Geodetic Datum shown on Map 2;
  - (b) "*height*" means the vertical distance between *grade* and the highest point of the roof, building or structure shown on Map 2;
  - (c) "*lot*" means
  - (d) "*building envelope*" means a building envelope for each height area within the *lot* as shown by an "H" and as delineated by the lines on Map 2;
  - (e) "*residential gross floor area*" means the aggregate of the areas of each floor and the space occupied by walls and stairs, above and below *grade*, of the residential portion of a *mixed-use building*, measured between the exterior faces of the

exterior walls of the building or structure, at the level of each floor exclusive of the following areas:

- (i) a room or enclosed area, including its enclosing walls within the building above or below *grade* that is used exclusively for the accommodation of heating, cooling, ventilating, electrical, mechanical (other than escalators) or telecommunications equipment that serves the building;
  - (ii) loading facilities above or below *grade* required by this By-law;
  - (iii) a part of the building above or below *grade* that is used for the parking or storage of motor vehicles or bicycles;
  - (iv) *residential amenity space*; and
  - (v) a part of the building below *grade* that is used for storage or other *accessory* use.
- (f) "*non-residential gross floor area*" means the aggregate of the areas of each floor and the spaces occupied by walls and stairs, above or below *grade*, of the non-residential portion of a *mixed-use building*, measured between the exterior faces of the exterior walls of the building at the level of each floor, exclusive of the following areas:
- (i) a room or enclosed area, including its enclosing walls, within the building above or below *grade* that is use exclusively for the accommodation of heating, cooling, ventilating, electrical, mechanical (other than escalators) or telecommunications equipment that service the building;
  - (ii) loading facilities above or below *grade* required by this By-law;
  - (iii) a part of the building above or below *grade* that is used for the parking or storage of motor vehicles or bicycles; and
  - (iv) a part of the building below *grade* that is used for storage or other *accessory* use;
- (g) "*bicycle parking space*" means an area that is equipped with a bicycle rack, bicycle stacker or locker for the purpose of parking and securing bicycles, and:
- (i) where the bicycles are to be parked in a horizontal position, and except in the case of a bicycle stacker, has horizontal dimensions of at least 0.6 metres by 1.8 metres and a vertical dimension of at least 1.9 metres; and
  - (ii) where the bicycles are to be parked in a vertical position, has horizontal dimensions of at least 0.6 metres by 1.2 metres and a vertical dimension of at least 1.9 metres;

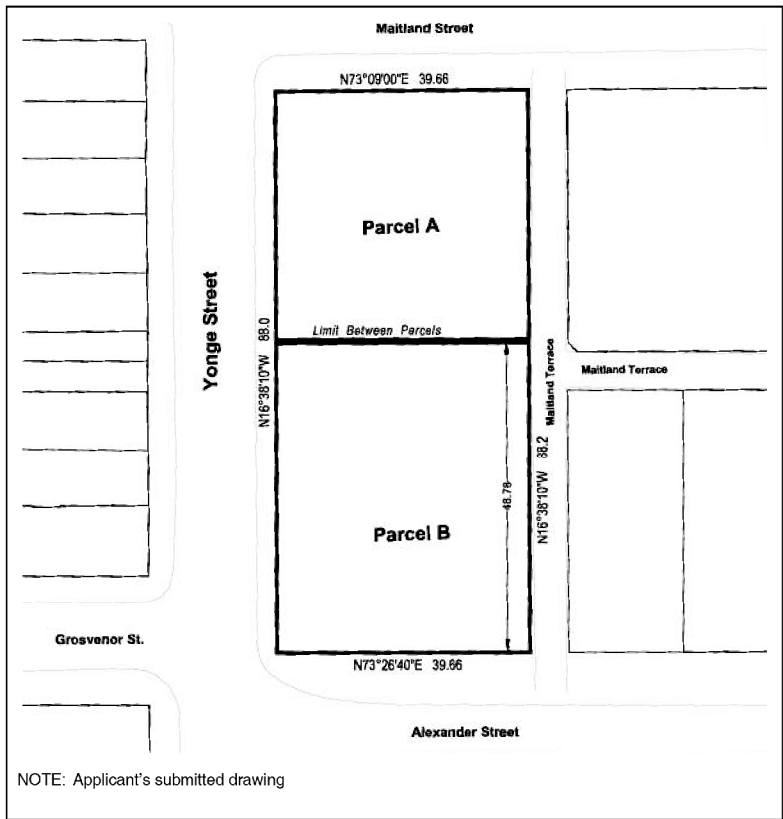
- (h) *"bicycle parking space – occupant"* means a *"bicycle parking space"* provided in a secured room or area;
  - (i) *"bicycle parking space – visitor"* means a *"bicycle parking space"* that may be provided outdoors or indoors but not within a secured room, enclosure or locker;
  - (j) *"car-share parking space"* means a *parking space* used exclusively for the parking of a *car-share motor vehicle*;
  - (k) *"car-share"* means the practice where a number of people share the use of one or more cars that are owned by a profit or non-profit car-sharing organization and where such organization may require that use of cars be reserved in advance, charge fees based on time and/or kilometres driven, and set membership requirements of the car-sharing organization, including the payment of a membership fee that may or may not be refundable;
  - (l) *"Parcel A Lands"* and *"Parcel B Lands"* shall mean the areas identified as *Parcel A* and *Parcel B* respectively on Map 1 attached to and forming part of this By-law;
  - (m) *"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*.
- 8.** Notwithstanding any existing or future severances, partition, or division of the *lot*, the provisions of this By-law shall apply to the whole of the *lot* as if no severance, partition or division had occurred.
- 9.** Within the *lot*, no person shall use any land or erect or use any building or structure unless the following municipal services are provided to the lot line and the following provisions are complied with:
- (a) all new public roads have been constructed to a minimum of base curb and base asphalt and are connected to an existing public highway, and
  - (b) all water mains and sanitary sewers, and appropriate appurtenances, have been installed and are operational.

ENACTED AND PASSED this ~ day of ~, A.D. 20~.

ROB FORD,  
Mayor

ULLI S. WATKISS,  
City Clerk

(Corporate Seal)

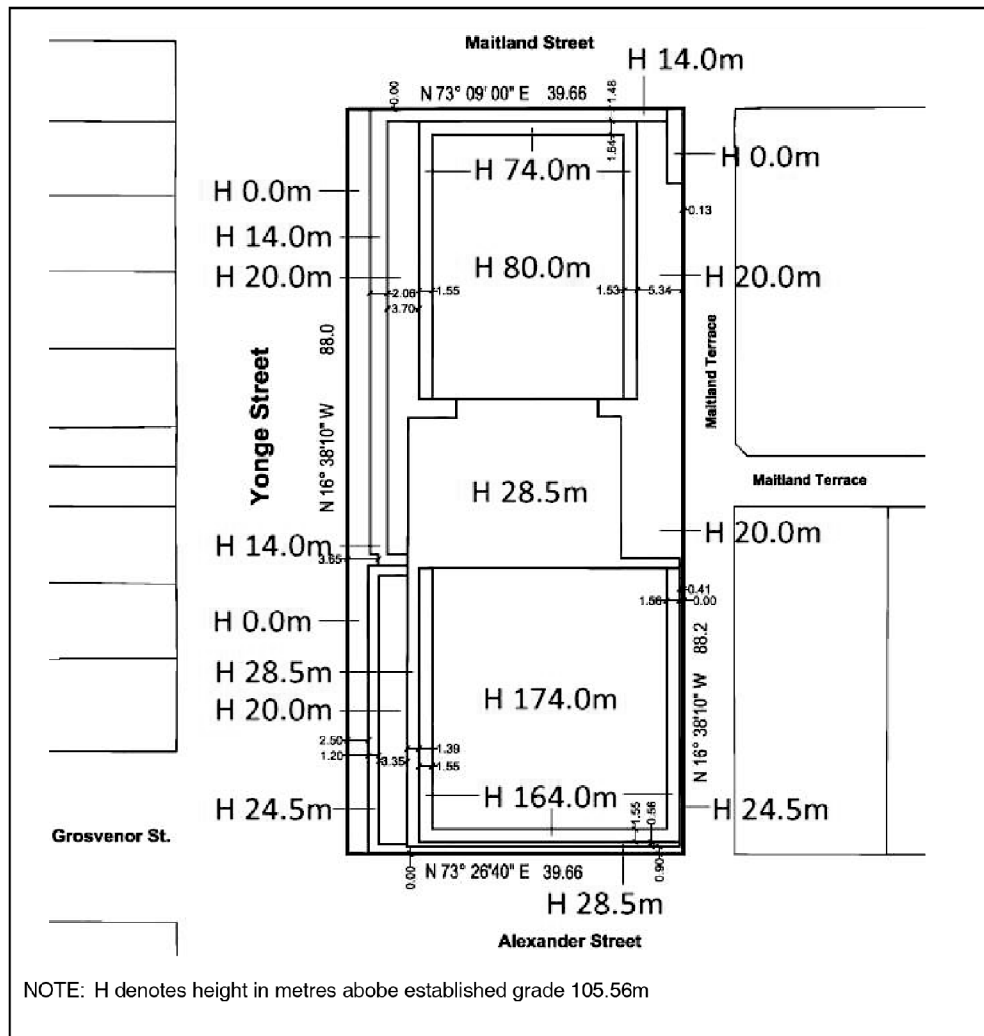


**TORONTO** City Planning  
Map 1

501-521 Yonge Street, 6-8 Alexander Street  
and 23 Maitland Street

File # 11 187996 02

↑  
Not to Scale  
09/17/2013



## **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 to be secured in the Section 37 agreement are as follows:

Before introducing the necessary Bills to City Council for enactment, City Council require the Owner to enter into one or more Agreement(s) pursuant to Section 37 of the Planning Act to secure the following at the owner's sole expense all to the satisfaction of the Chief Planner and Executive Director of Planning in consultation with appropriate civic officials and the Ward Councillor:

- a. Prior to the issuance of above grade permits unless indicated otherwise provide a cash contribution of \$5,000,000 which is to be used for the following:
  - i. \$3,350,000 local streetscape improvements and laneway improvements not abutting the site in the area including along Yonge Street and Maitland Terrace;
  - ii. \$450,000 for affordable housing and Toronto Community Housing capital improvements within Ward 27;
  - iii. \$500,000 towards public art to be paid at time of first building permit in accordance with the Percent for Public Art Program;
  - iv. \$200,000 for capital improvements to The Hincks-Dellcrest Treatment Centre, a non-profit facility located on Jarvis Street; and
  - v. \$500,000 for parkland acquisition and/or (park) improvements in the area.
- b. Require that the cash amounts identified in 5a 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;
- c. The following matters are also recommended to be secured in the Section 37 Agreement as a legal convenience prior to the issuance of site plan approval to support development all to the satisfaction of the Chief Planner and Executive Director of Planning in consultation with the appropriate civic officials and the Ward Councillor:



- i. The owner agrees to an additional contribution for local area park acquisition and/or improvements in the immediate area which may include 5 to 25 Wellesley Street West and 14 to 26 Breadalbane Street;
- ii. The wind mitigation measures listed in the submitted Wind Study shall be implemented to ensure that the wind effects are acceptable;
- iii. At least 10% of the total number of dwelling units to be constructed on the lot shall contain at least three or more bedrooms in compliance with the provisions of the Ontario Building Code;
- iv. Require the owner to pay for and construct any improvements to the municipal infrastructure in connection with the Functional Servicing Report as accepted by the Executive Director of Engineering and Construction Services, should it be determined that improvements to infrastructure are required to support the development;
- v. Require the owner to design and construct upgraded streetscape for Yonge Street and Maitland Terrace from Maitland Street to Alexander Street and Alexander Street and Maitland Street along the frontage of the site including a pedestrian walkway (laneway only), upgraded pavement treatment and landscaping to be secured through the site plan process;
- vi. Require the owner to design and construct upgraded façade treatment for the above grade parking, pedestrian weather protection to a minimum of 3 metres in width along Yonge Street, Maitland Street and Alexander Street and to provide a maximum frontage for a retail unit of 5 metres along Yonge Street substantially in accordance with the plans for file 11-187996 STE 27 OZ dated 21/03/2013 revision #3 dated 02/07/2013 entitled "Project Renderings", "North, West Elevations" and "South, East Elevations".
- vii. As a condition of site plan approval and prior to the occupancy of the building, the owner shall convey to the City an easement(s) for 24-hour public access to the pedestrian area over the setback area along the Yonge Street, Alexander Street and Maitland Street frontages, (the "City Easements"), for nominal consideration and to the satisfaction of the City Solicitor, and shall maintain these areas free and clear of encumbrances for pedestrian use, in perpetuity, and shall pay all costs associated with the preparation and registration of all necessary documents and plans, to the satisfaction of the Executive Director, Engineering and Construction Services; and
- viii. As a condition of site plan approval and prior to the issuance of any permits require a detailed construction management plan for the site.

## Attachment 8: Application Data Sheet

Application Type	Rezoning	Application Number:	11 187996 STE 27 OZ
Details	Rezoning, Standard	Application Date:	May 5, 2011
		Revision Dates:	April 2013, July 2013
Municipal Address:	501 to 521 YONGE STREET, 6 TO 8 ALEXANDER STREET AND 23 MAITLAND STREET		
Location Description:	**GRID S2710		
Project Description:	An application to amend City of Toronto Zoning By-law No. 438-86 to permit a mixed use development. Original application proposed two 58-storey towers containing 960 residential condominium units on a shared 7-storey base. The base would contain retail uses at grade and five storeys of above grade parking. The revised proposal is for a 23-storey tower and a 52-storey tower (80 and 174 metres including mechanical penthouse) containing 776 residential condominium units on a shared 4 to 7-storey base. The base would contain retail uses at grade and five storeys of above grade parking with 185 parking spaces for residents and 47 parking spaces for visitors. Above grade parking is required because the TTC subway tunnel runs the length of the property. Driveway access and servicing would be from Maitland Place. The lobbies for the residential condominiums would be on Alexander Street and Maitland Street.		

**Applicant:**  
 AIRD AND BERLIS  
 181 Bay Street  
 Suite 1600  
 Toronto, Ontario  
 M5J 2T9

**Agent:**  
 ARCHITECTS ALLIANCE

**Owner:**  
 LANTERRA 501 YONGE  
 DEVELOPMENTS LTD.  
 2811 Dufferin Street,  
 Toronto, Ontario M6B 3R9

### PLANNING CONTROLS

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

### PROJECT INFORMATION

Site Area (sq. m):	3,492	Height: Storeys:	52
Frontage (m):	88.02	Metres:	164
Depth (m):	39.66		
Total Ground Floor Area (sq. m):	2,885		<b>Total</b>
Total Residential GFA (sq. m):	51,916	Parking Spaces:	235
Total Non-Residential GFA (sq. m):	1,266	Loading Docks	2
Total GFA (sq. m):	53,182		
Lot Coverage Ratio (%):	82.6		
Floor Space Index:	15.2		

### DWELLING UNITS

Tenure Type:	Condo
Rooms:	0
Bachelor:	19 (2%)
1 Bedroom:	502 (65%)
2 Bedroom:	177 (23%)
3 + Bedroom:	78 (10%)
Total Units:	776 (100%)

### FLOOR AREA BREAKDOWN (upon project completion)

	Above Grade	Below Grade
Residential GFA (sq. m):	51,916	0
Retail GFA (sq. m):	1,266	0
Office GFA (sq. m):	0	0
Industrial GFA (sq. m):	0	0
Institutional/Other GFA (sq. m):	0	0

**CONTACT: PLANNER NAME:** Sarah Henstock, Senior Planner  
**TELEPHONE:** 416-392-7196 - **E-MAIL:** shensto@toronto.ca