



STAFF REPORT ACTION REQUIRED

587 to 599 Yonge Street, 2 to 4 Dundonald Street, and 7 to 9 Gloucester Street - Zoning Amendment Application - Request for Direction Report

Date:	March 14, 2016
To:	Toronto and East York Community Council
From:	Director, Community Planning, Toronto and East York District
Wards:	Ward 27 – Toronto Centre-Rosedale
Reference Number:	12 235622 STE 27 OZ OMB File No. PL130332

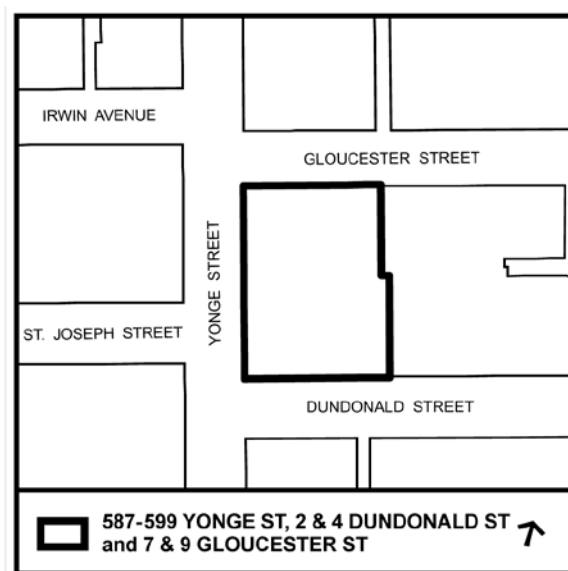
SUMMARY

The applicant proposes to redevelop the site with a 44-storey residential tower (148 metres including mechanical penthouse) on a 4-storey base containing retail commercial uses with 528 residential condominium units.

In April 2013, the applicants appealed the rezoning application to the Ontario Municipal Board (OMB) as a result of Council's failure to make a decision on the application within the statutory timeframe. On August 5, 2015 the OMB was notified that City staff and the applicant had reached a settlement. The Board withheld its order until being notified by the city solicitor that a section 37 agreement had been executed and that site servicing was satisfactory to the City. The section 37 agreement was executed in the summer of 2015. The Board has not issued an Order to date.

In the summer of 2015, the applicant approached Planning staff with amendments and revisions to the proposed built form. The applicant submitted a Site Plan application in November 2015 which reflects these revisions to the built form.

Staff have reviewed the revisions to the built



form, and the associated changes to the OMB-approved site specific Zoning By-law and Section 37 Agreement. The revisions to the proposal are detailed in this report and generally include: changes to the podium design; minor built form changes; an increase in total number of dwelling units; changes to percentage of dwelling types; changes to the residential parking ratio and total number of commercial parking spaces; and other small technical changes to the draft Zoning By-law and Section 37 to reflect the revised plans. Site servicing issues have been resolved and staff consider the changes to the built form and site specific zoning by-law to be acceptable.

It is staff's opinion that the most recent submission of plans dated February 26, 2016 is appropriate. Staff is recommending that the revised application be supported.

RECOMMENDATIONS

The City Planning Division recommends that:

1. City Council authorize the City Solicitor together with City Planning staff and other staff, as necessary, to support the revised proposal for the property at 587 to 599 Yonge Street, 2 to 4 Dundonald Street, 7 to 9 Gloucester Street substantially in accordance with the plans dated February 26, 2016, by architectsAlliance, and the revised draft Zoning By-law, attached as Attachment 1, at the Ontario Municipal Board.
2. City Council authorize the City Solicitor and the Chief Planner and Executive Director, City Planning to continue to work with the applicant on the final form of the draft Zoning By-law Amendment, if necessary, to be presented to the Ontario Municipal Board.
3. City Council instruct the City Solicitor to request the Ontario Municipal Board to withhold its final order for the lands at 587 to 599 Yonge Street, 2 to 4 Dundonald Street, 7 to 9 Gloucester Street until the Owner enters into an amending agreement pursuant to Section 37 of the Planning Act that will reflect the revisions to the plans and zoning by-law amendment as described in this report, only.

Financial Impact

There are no financial implications resulting from the adoption of this report.

DECISION HISTORY

The zoning by-law amendment application for a 49-storey, 163 metre high mixed use condominium building with retail uses in the base of the building at 587 to 599 Yonge Street, 2 to 4 Dundonald Street, 7 to 9 Gloucester Street was submitted to the City on August 24, 2012. On April 5, 2013, the City Clerk's Office received notification that the applicant filed an appeal to the OMB citing Council's failure to make a decision on the application within the time prescribed by the Planning Act. On July 8, 2014 City Council adopted Staff's recommendations to attend the OMB in support of a revised proposal.

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2014.TE33.17>

On August 5, 2015 the OMB was notified that City staff and the applicant had reached a settlement. The Board withheld its order until being notified by the city solicitor that a section 37 agreement had been executed and that site servicing was satisfactory to the City. The section 37 agreement was executed in the summer of 2015. The Board has not issued an Order to date and has been asked to hold its order in abeyance pending Council's decision respecting the revised proposal.

On January 19, 2016 City Council referred back a Request for Direction report from Community Planning dated December 17, 2015 to the April 5, 2016 meeting of the Toronto and East York Community Council.

ISSUE BACKGROUND

In the summer of 2015, the development site was purchased by a new owner, Cresford Capital Corporation. The new owner met with City Planning, Urban Design, Heritage Preservation and Legal staff to discuss changes to the previous proposal that was appealed to the OMB. The proposed changes to the rezoning proposal were submitted as part of the Site Plan application and reviewed by staff from various divisions.

The proposed changes are detailed below:

Built Form/Urban Design

1. The 4-storey podium has been designed to wrap the towers along the west and south facades as well as a portion of the east façade at a consistent height of 18 metres throughout;
2. The 18-storey tower has been slight elongated to the north (by 0.4 metres), however the overall length of the tower has been reduced from 27.7 metres to 24.3 metres;

3. A mechanical penthouse has been added to the 18-storey tower resulting in a height increase from 61.4 metres to 66.55 metres;
4. The width of the 44-storey tower has been reduced from 29.3 metres to 21.3 metres and elongated to the north so that the longest portion of the tower is proposed to be 38.4 metres rather than 32.1 metres;
5. A new TTC subway entrance on Dundonald Street that has been incorporated into the development and includes payment turnstiles/gates that provide access to Wellesley station via a below-grade tunnel;

Residential Dwelling Units

6. The overall number of residential dwelling units has increased from 420 units to 528 units (a 25% increase);
7. The average unit size has been reduced by 10 square metres;
8. 21% of residential dwelling units are 2 bedroom plus den and three or more bedrooms (exceeding the 10% requirement);

Parking

9. The proposed parking has changed as follows:

	Previous proposal (420 units)	Min. Required under OMB-approved Zoning By-law (528 units)	Revised Proposal (528 units)
Total Parking Spaces	192	232	232
Residential Parking Ratio	0.39	0.39	0.21
Residential Parking Spaces	166	206	111
Residential Visitor Parking Spaces	5	5	5
Commercial Parking Spaces	21	21	116

Other

1. Grade is measured from 110.75 metres above sea level based on Geodetic Survey of Canada 1929 mean sea level vertical datum;
2. Changes to OMB-approved Zoning By-law and Height Map 2 to reflect changes to built form and other revisions, as set out in this report; and
3. Minor changes to section 37 conditions and agreement, but only to the extent that these instruments will have to be revised/amended to refer to the revised architectural plans by architectsAlliance dated February 26, 2016. For clarity, there will be no amendment to the section 37 agreement with respect to those items listed in the June 11, 2014 report from the Director, Community Planning, Toronto and East York District to be provided or secured within an agreement entered into, pursuant to Section 37.
<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2014.TE33.17>

Provincial Policy Statement and Provincial Plans

The Provincial Policy Statement (PPS), 2014 provides policy direction on matters of provincial interest related to land use planning and development. These policies support the goal of enhancing the quality of life for all Ontarians. Key policy objectives include: building strong healthy communities; wise use and management of resources and protecting public health and safety. The PPS recognizes that local context and character is important. Policies are outcome-oriented, and some policies provide flexibility in their implementation provided that provincial interests are upheld. 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.

COMMENTS

Provincial Policy Statement and Provincial Plans

This application implements the PPS direction of intensification through appropriate levels of growth as directed by the Official Plan taking into consideration the established character and context of an area while making efficient use of existing infrastructure. The proposal preserves a built heritage resource by incorporating the heritage properties in the site for adaptive reuse while preserving its heritage value.

The proposed development 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 in order to make use of existing infrastructure. The site is within an Urban Growth Centre and conforms to the policies set out in the Growth Plan for the Greater Golden Horseshoe.

The proposal is consistent with the Provincial Policy Statement 2014 and conforms to and does not conflict with the Growth Plan for the Greater Golden Horseshoe.

Official Plan

The subject site is designated *Mixed Use Areas* on Map 18, Land Use Plan 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.

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

North Downtown Yonge Area Specific Policy 382

The North Downtown Yonge 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 of around 16 metres and shallow lot depths of approximately 18, 25 or 30 metres.

The site is subject to the height provisions of the North Downtown Yonge Area Specific Policy 382 and is identified as being in the Height Core Area which permits a maximum height of 18 metres. The Height Core Area policy also includes an angular plane of 75 degrees which is measured at a height of 18 metres as measured from the Yonge Street property line. Additional height in excess of 18 metres may be considered on a site depending on the depth of the property and subject to the angular plane.

The North Downtown Yonge Urban Design Guidelines provide further direction for 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 6. It places the site within the Core Area where there is a large concentration of heritage properties.

Site Plan Control

The proposed development is subject to site plan control. An application for Site Plan Approval was submitted in November 2015.

Revised Proposal

Built Form/Urban Design

Staff consider the revised built form an improvement from the previous proposal. The revised proposal continues to achieve and conform to the urban design guidelines for this block as detailed in North Downtown Yonge Area Specific Policy 382. It should be noted that there are no changes to the previous approved density.

Residential Dwelling Units

The increase in the percentage of 2 and 3 bedrooms helps achieve the general objective of the creation of family-sized units in the downtown.

While OMB-approved Zoning By-law does not provide a maximum permitted total number of units, staff have concerns about the 25% increase in the number of units and the decrease in average unit size. The revised proposal achieves the required indoor and outdoor amenity space requirements given the increase in units and will help mitigate some of the negative impacts resulting from additional units.

Parking and Access

The applicant submitted a revised Parking study which concluded that the revised parking proposal is adequate for the proposed development and downtown area. Transportation Services staff have indicated that they are in support of the revised parking proposal.

Servicing

Engineering and Construction Services staff have reviewed the most recent version of the Functional Servicing Report (FSR) and Combined Sewer Study dated December 24, 2015 and an appending letter dated February 15, 2016 submitted in support of the application. Staff advise that the information is acceptable with respect to the municipal engineering related Zoning By-law Amendment requirements.

Heritage Preservation

The subject site contains properties that were identified through the North Downtown Yonge Urban Design Guidelines as having potential for inclusion on the City Inventory of Heritage Properties. The owner of the subject site originally submitted a Heritage Impact Assessment that specifically identified the row houses at 7 and 9 Gloucester Street as having significant cultural heritage value based on Ontario Regulation 9/06 Criteria for Determining Cultural Heritage Value. On August 25, 2014 City Council adopted a motion including 7 and 9 Gloucester Street on the Heritage Register and stated its intention to designate the properties under Part IV, Section 29 of the *Ontario Heritage Act*. A complete list of protected attributes was included as Attachment No. 3 to the associated staff report. No notices of objection were filed with the City Clerk's office within the 30-day appeal period, and a designating by-law is pending. The properties currently have the same level of protection as any other property designated under Part IV of the *Ontario Heritage Act*.

The applicant submitted a revised Heritage Impact Assessment to reflect the changes in the Rezoning proposal. The revised proposal ensures the *in situ* conservation of the buildings at 7 and 9 Gloucester Street. Heritage Preservation staff maintain that the rear wings of the building can be removed as per the revised proposal as they are not identified as heritage attributes. As well, the character building at 587 Yonge Street will be replaced with a 3-storey brick feature in keeping with the built form and character of the south and west facades of the character building in accordance with revised plans. The proposed height of the character building remains at 10.3 metres.

Conclusion

The applicant's revised proposal dated February 26, 2016 for the Zoning By-law Amendment for 587-599 Yonge Street, 2-4 Dundonald Street and 7-9 Gloucester Street has been carefully considered and reviewed by staff. The revised proposal conforms with the Official Plan and the North Downtown Yonge Area Specific Policy 382 and is consistent with Council-approved guidelines. Also, the proposal reinforces and respects the physical character of the existing neighbourhood. Therefore Planning staff recommend that City Council support the revised proposal dated February 26, 2016.

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: Draft Zoning By-law
Attachment 2: Site Plan
Attachment 3: South Elevation
Attachment 4: North Elevation
Attachment 5: East Elevation
Attachment 6: West Elevation
Attachment 7: TTC Connection Tunnel – Ground Level
Attachment 8: TTC Connection Tunnel – P1 Level
Attachment 9: Zoning
Attachment 10: Revised Application Data Sheet

Attachment 1: Draft Zoning By-law

Authority: Ontario Municipal Board Order issued on _____ in Board File No. PL130332

CITY OF TORONTO BY-LAW No. ____-2016(OMB)

To amend former City of Toronto Zoning By-law No. 438-86, as amended, respecting the lands municipally known as 587 to 599 Yonge Street, 2 and 4 Dundonald Street, and 7 and 9 Gloucester Street.

Whereas the owner of the lands known as 587 to 599 Yonge Street, 2 and 4 Dundonald Street, and 7 and 9 Gloucester Street appealed a proposed zoning by-law amendment to the Ontario Municipal Board; and

Whereas the Ontario Municipal Board, by its Decision/Order issued on _____, 2014 in Board File No. PL130332, approved amendments to the former City of Toronto Zoning By-law No. 438-86, as amended, with respect to those lands;

Therefore pursuant to the Order of the Ontario Municipal Board, former City of Toronto By-law No. 438-86 is amended as follows:

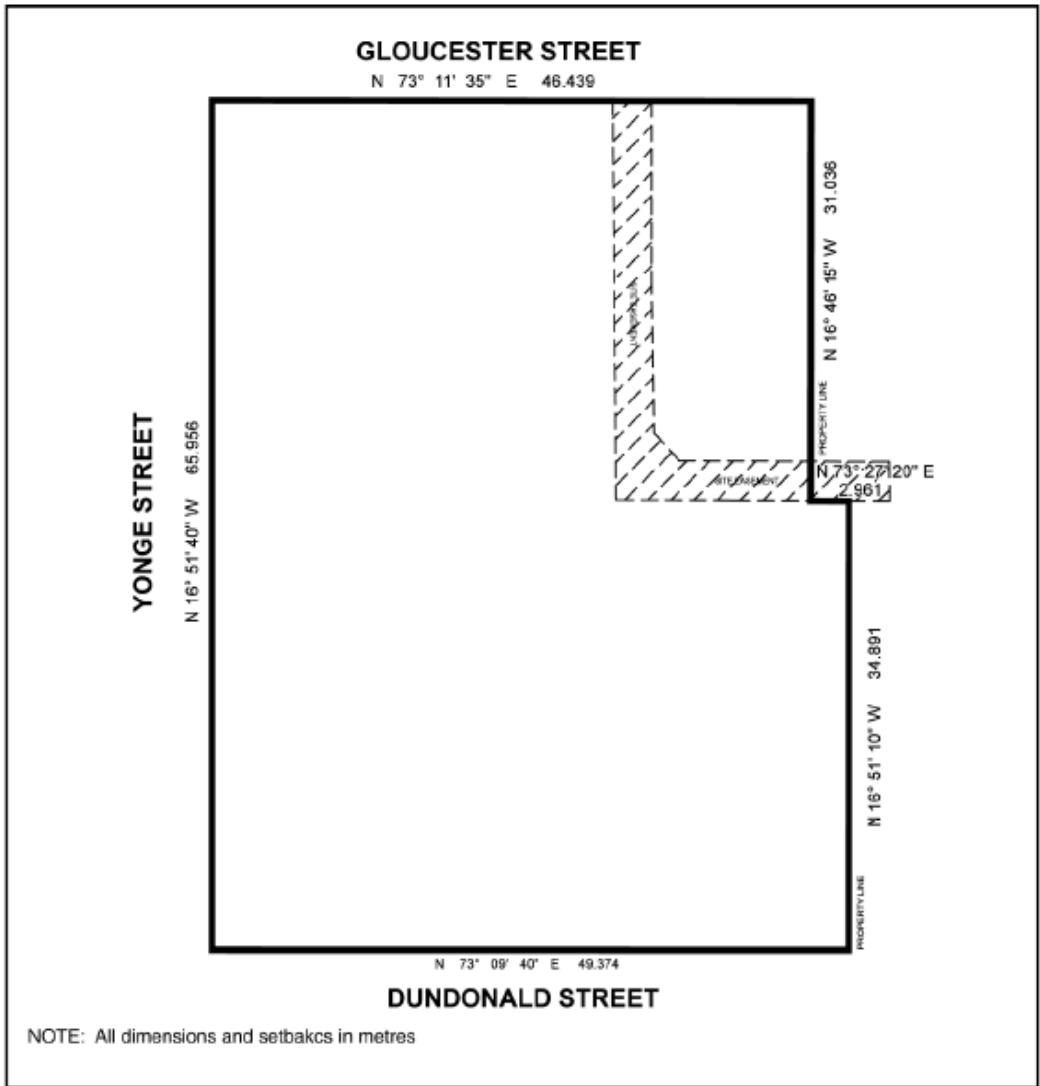
1. Pursuant to Section 37 of the *Planning Act*, the height and density of development permitted in this By-law are permitted subject to compliance with the conditions set out in this By-law and in return for the provision by the *owner* of the *site* of the facilities, services and matters set out in Appendix 1 hereof, the provisions of which shall be secured by an agreement or agreements pursuant to Section 37(3) of the *Planning Act*.
2. Upon execution and registration of an agreement or agreements with the *owner* of the *site* pursuant to Section 37 of the *Planning Act* securing the provision of the facilities, services and matters set out in Appendix 1 hereof, the *site* 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* shall continue to apply to the *site*.
5. None of the provisions of Sections 2(1) with respect to the definition of “*grade*” and “*height*” and none of the provisions of Sections 4(2)(a), 4(5)(b), 4(8)(b), 4(12), 4(13), 8(3) Part I 1-3(a), 8(3) Part II 1(a), 8(3) Part III 1(a), 8(3) Part XI 2 and 12(2) 260 of *By-law No. 438-86* shall apply to prevent the erection or use of a *mixed-use building* within the *site* which may contain *dwelling units* and non-residential uses and *accessory* uses thereto including an underground *parking garage*, *commercial parking garage*, together with the maintenance of the *existing 7 and 9 Gloucester Street buildings*, provided that all of the provisions of this By-law are complied with.

6. The *lot* on which the uses are located shall comprise at least the *site*.
7. The total combined *residential gross floor area* and *non-residential gross floor area* on the *site* shall not exceed 38,500 square metres.
8. The total *residential gross floor area* on the *site* shall not exceed 35,100 square metres.
9. The total *non-residential gross floor area* on the *site* shall not exceed 3,400 square metres.
10. The total number of *storeys* erected or used in the *mixed-use building* shall not exceed 44, excluding the mechanical penthouse.
11. At least ten per cent (10%) of all *dwelling units* erected or used on the *site* shall have two bedroom plus den and three or more bedrooms, in compliance with the provisions of the *Ontario Building Code*.
12. The minimum floor to ceiling height of the ground floors of the *mixed-use building* erected or used along Yonge Street, Dundonald Street and Gloucester Street shall be 6 metres for a minimum depth of 5 metres.
13. In addition to the *street-related retail and service use* requirements contained in Section 12(2) 259 of *By-law No. 438-86*, each *street-related retail and service use* located on the ground floor of the *mixed-use building* shall have a maximum ground floor *non-residential gross floor area* of 600 square metres.
14. The setback from the north property boundary of the *site* to the face of the *mixed-use building* shall be a minimum of 10 metres at ground level to a height of 6 metres and for a distance of 26.24 metres from the west property boundary of the *site*, which set back area shall be used only as a public plaza and pedestrian clearway.
15. No part of any building or structure erected on the *site* shall be located above the angular plane drawn from *grade*, at the Yonge Street property line commencing at a height of 18 metres above *grade*, and then angling upwards at an angle of 75 degrees away from Yonge Street over the *site*.
16. No part of any building or structure erected on the *site* shall be located above *grade* other than within a *building envelope*, except for: columns, cornices, canopies, awnings, skylights, ornamental elements, wind mitigation elements, trellises, lighting fixtures, screens, balconies, fences, landscape and public art elements, water features, retaining walls, window washing equipment, eaves, window sills, wheelchair ramps, vents, ramps to an underground garage, stairways, railings, rooftop and mechanical elements.
17. The *height* of each portion of a building or structure erected above *grade* within the *site*, shall in respect of each *building envelope* area, have a maximum *height* in metres as shown following the symbol H on the attached Map 2 for the corresponding *building envelope* area.
18. The preceding section of this By-law does not apply to prevent the erection or use above the said *height* limits of:
 - (a) those structural projections permitted to be outside a *building envelope* by Section 16 hereof;
 - (b) a railing or railings, a parapet, including roof drainage, thermal insulation and roof ballast, which may be located above the *height* limits of each of the roof levels of the building provided the maximum vertical dimension of any such element does not exceed 1.1 metres; and

- (c) window washing equipment, stairs and stair enclosures, elevator and garbage chute overruns, lightning rods, exhaust flues, landscape and green roof elements, partitions dividing outdoor recreation areas, trellises, lighting fixtures, ornamental elements, eaves, water features, guardrails, balustrades, wheel chair ramps, vents, underground garage ramps, wind mitigation and public art elements, canopies, awnings and building cornices, which may be located above the *height* limits of each of the roof levels of the building provided the maximum vertical dimension of any such element does not exceed 3.0 metres, but no such element is permitted above the mechanical penthouse roof level *height* of 148.0 metres.
- 19.** *Parking spaces* shall be provided and maintained on the *site* in an underground *parking garage* in accordance with the following minimum requirements:
- (a) 0.21 *parking spaces* for each *dwelling unit* for the use of the residents of the *mixed-use building*;
 - (b) 5 *parking spaces* for the exclusive use of residential visitors to the *dwelling units* of the *mixed-use building* to be painted and signed to indicate they are for the exclusive use of the residential visitors, and
 - (b) a minimum of 116 *parking spaces* for the shared use of visitors to the *dwelling units* and occupants of and visitors to the non-residential uses on the *site* which, notwithstanding subsection 12(2)(132) of *By-law No. 438-86*, may be provided as an *accessory use* in an underground *commercial parking garage* on the *site*.
- 20.** At least one *loading space-type B* and one *loading space - type G* shall be provided and maintained on the *site*.
- 21.** *Bicycle parking spaces* shall be provided and maintained on the *site* for the residents, occupants of the non-residential uses and visitors to the *mixed-use building* in accordance with the following minimum requirements:
- (a) for residential occupants, a minimum of 0.8 *bicycle parking spaces – occupant per dwelling unit*, shall be provided in a secure weather protected location;
 - (b) for visitors and non-residential occupants, a minimum of 0.2 *bicycle parking spaces – visitor per dwelling unit*, shall be provided,
 - (i) inside on the ground floor,
 - (ii) outside the building at ground level in a weather protected location where possible and/or,
 - (iii) notwithstanding the definition of *bicycle parking space – visitor* in Section 2(1) of *By-law No. 438-86*, a *bicycle parking space – visitor* may be provided within the first level below the ground floor or a secured room; and
 - (c) notwithstanding the definition of *bicycle parking space – occupant* and *bicycle parking space – visitor* in Section 2(1) of *By-law No. 438-86*, a *bicycle parking space – occupant* and *bicycle parking space – visitor* may be provided in a bicycle stacker provided the minimum dimensions for each *bicycle parking space* shall be 1.85 metres in length, 0.45 metres in width and 1.32 metres in height.
- 27.** A minimum of 2 square metres of indoor *residential amenity space per dwelling unit* shall be provided and maintained on the *site* in contiguous or non-contiguous rooms at least one of which contains a kitchen and a washroom.

28. A minimum of 2 square metres of outdoor *residential amenity space* per *dwelling unit* shall be provided and maintained on the *site* of which at least 40 square metres shall be accessible from the indoor *residential amenity space*.
29. For clarity, all Appendices and Maps attached to this By-law are incorporated into this By-law and are deemed to be a part of this By-law.
30. None of the provisions of this By-law shall apply to prevent a *temporary sales office* on the *site*.
31. Within the *site*, 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.
32. Despite any existing or future severance, partition or division of the *site*, the provisions of this By-law shall apply to the whole of the *site* as if no severance, partition or division occurred.
33. For the purposes of this By-law, the following words and expressions shall have the following meaning:
 - (a) "*building envelope*" means a building envelope for each height area within the *site* as shown by an "H", and as delineated by the lines on Map 2 attached hereto;
 - (b) "*By-law No. 438-86*" means By-law No. 438-86, as amended, of the former City of Toronto;
 - (c) "*City*" means the City of Toronto;
 - (d) "*existing 7 and 9 Gloucester Street buildings*" shall mean those buildings existing in the year 2013 on the lands known as 7 and 9 Gloucester Street and shall include only those portions of the existing buildings which were identified in the Statement of Significance: 7-11 Gloucester Street (Reasons for Designation) attached as Attachment 3 to the report (June 19, 2014) from the Director, Urban Design, City Planning Division;
 - (e) "*grade*" means 110.75 metres above sea level based on Geodetic Survey of Canada 1929 mean sea level vertical datum (1978 Southern Ontario Adjustment);
 - (f) "*height*" means the vertical distance between *grade* and the highest point of the building or structure;
 - (g) "*owner*" means the fee simple owner(s) of the *site*;
 - (h) "*parking garage*" may also include a *commercial parking garage*;
 - (i) "*site*" means those lands delineated collectively by heavy lines on Map 1;
 - (j) "*temporary sales office*" means a temporary building or structure used exclusively for the initial sale and/or initial leasing of *dwelling units* or non-residential uses to be erected on the *site*; and
 - (k) each other word or expression which is italicized in this By-law shall have the same meaning as each such word or expression as defined in *By-law No. 438-86*.

PURSUANT TO THE ORDER OF THE ONTARIO MUNICIPAL BOARD ISSUED ON _____ IN BOARD FILE NO. PL130332

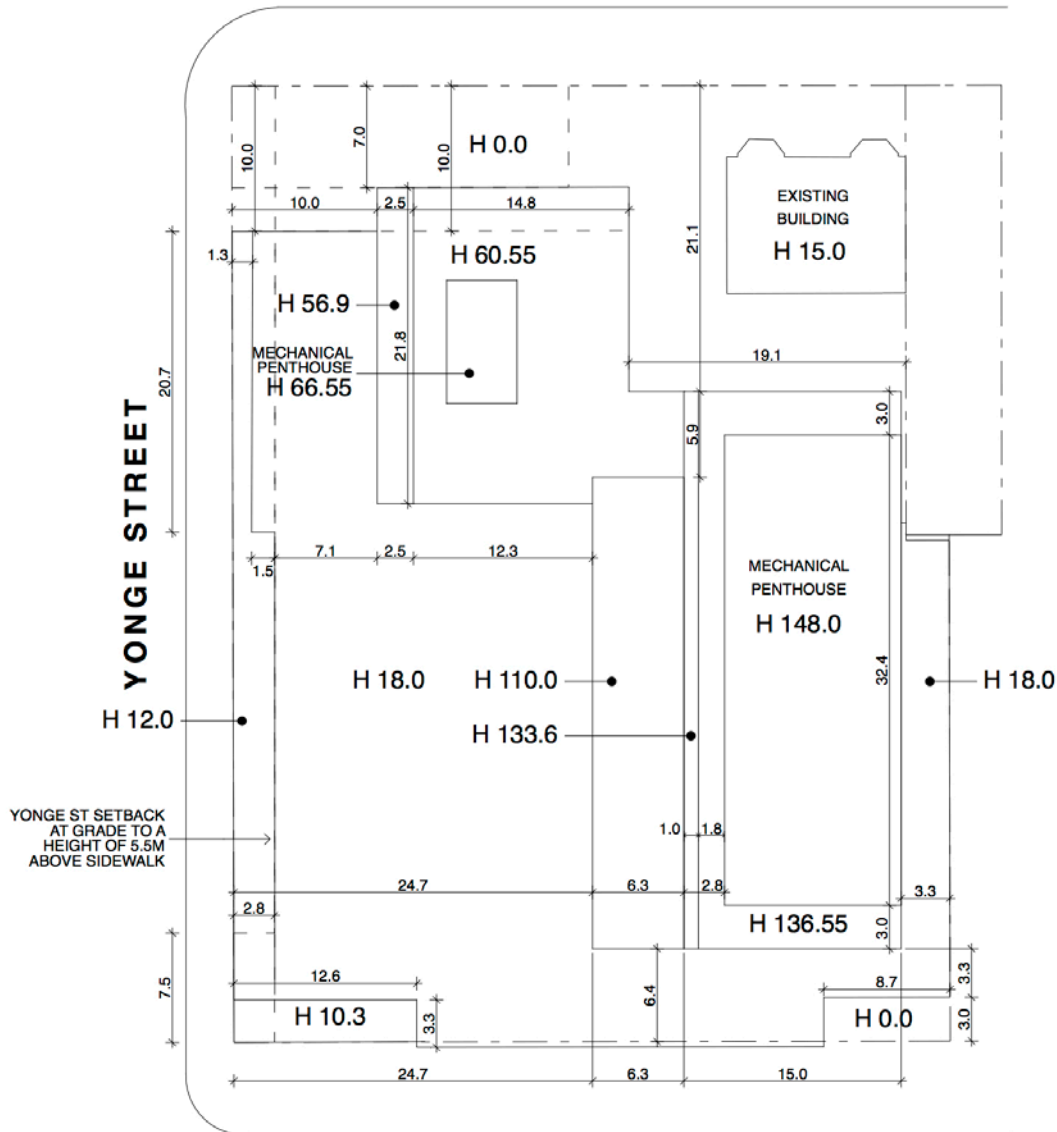


TORONTO City Planning
Map 1

587-599 Yonge Street, 2-4 Dundonald
and 7-9 Gloucester Street
File # 12 235622

↑
Not to Scale
05/30/2014

GLOUCESTER STREET



DUNDONALD STREET

NOTE: H DENOTES HEIGHT IN METRES ABOVE GRADE.
 GRADE = GEODETIC ELEVATION OF 110.75
 ALL DIMENSIONS AND SETBACKS IN METRES

MAP 2

587-599 Yonge Street, 2-4 Dundonald
 and 7-9 Gloucester Street

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 *site* 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* with conditions providing for indexing escalation of the financial contributions, and letters of credit, indemnity, insurance, HST, termination and unwinding, and registration and priority of agreement:

1. The *owner* shall design and construct local park improvements in James Canning Park and in the immediate area to a maximum cost to the *owner* of \$1,200,000 secured through a Letter of Credit to the satisfaction of the *City* and in consultation with the General Manager, Parks, Forestry and Recreation and the Ward Councillor and the Chief Planner and Executive Director, City Planning;
2. Prior to issuance of the first above grade building permit, the *owner* shall submit a cost estimate and all the necessary plans for the park improvement to be approved by the General Manager, Parks, Forestry and Recreation.
3. Prior to issuance of the first above grade building permit, the *owner* shall post an irrevocable Letter of Credit in the amount of 120% of the value of the approved estimate to the satisfaction of the General Manager, Parks, Forestry & Recreation.
4. Occupation of the existing parkland is prohibited unless a Park Occupation Permit (POP) has been obtained from PF&R's Planning, Design and Development section. The POP, if approved, will outline in detail the insurance requirements, extent of area permitted, permitted use, tree removal and replacement, duration, restoration plan and costs, and compensation to the satisfaction of the General Manager, PFR. The POP must be secured prior to the issuance of any shoring and excavation permits. The *owner* will indemnify the *City* against any claim during any interim use of or work carried out by the applicant on the park.
5. The *owner* shall agree that the construction of the Park Improvements shall be completed within two years after the date of issuance of the first above grade building permit to the satisfaction of the General Manager, Parks, Forestry & Recreation. Unforeseen delays (e.g. weather) resulting in the late delivery of the Park Improvements shall be taken into consideration and at the discretion of the General Manager, Parks, Forestry & Recreation when determining a revised delivery date for the Park Improvements.
6. Upon satisfactory completion of the construction and installation of the Park Improvements shall be required to guarantee such work and associated materials. The *owner* shall provide certification from their Landscape Architect certifying that all work has been completed in accordance with the approved drawings. Upon the *City's* acceptance of the certificate, the Letter of Credit(s) will be released less 20% which will be retained for the 2 year guarantee –Parkland Warranty Period.

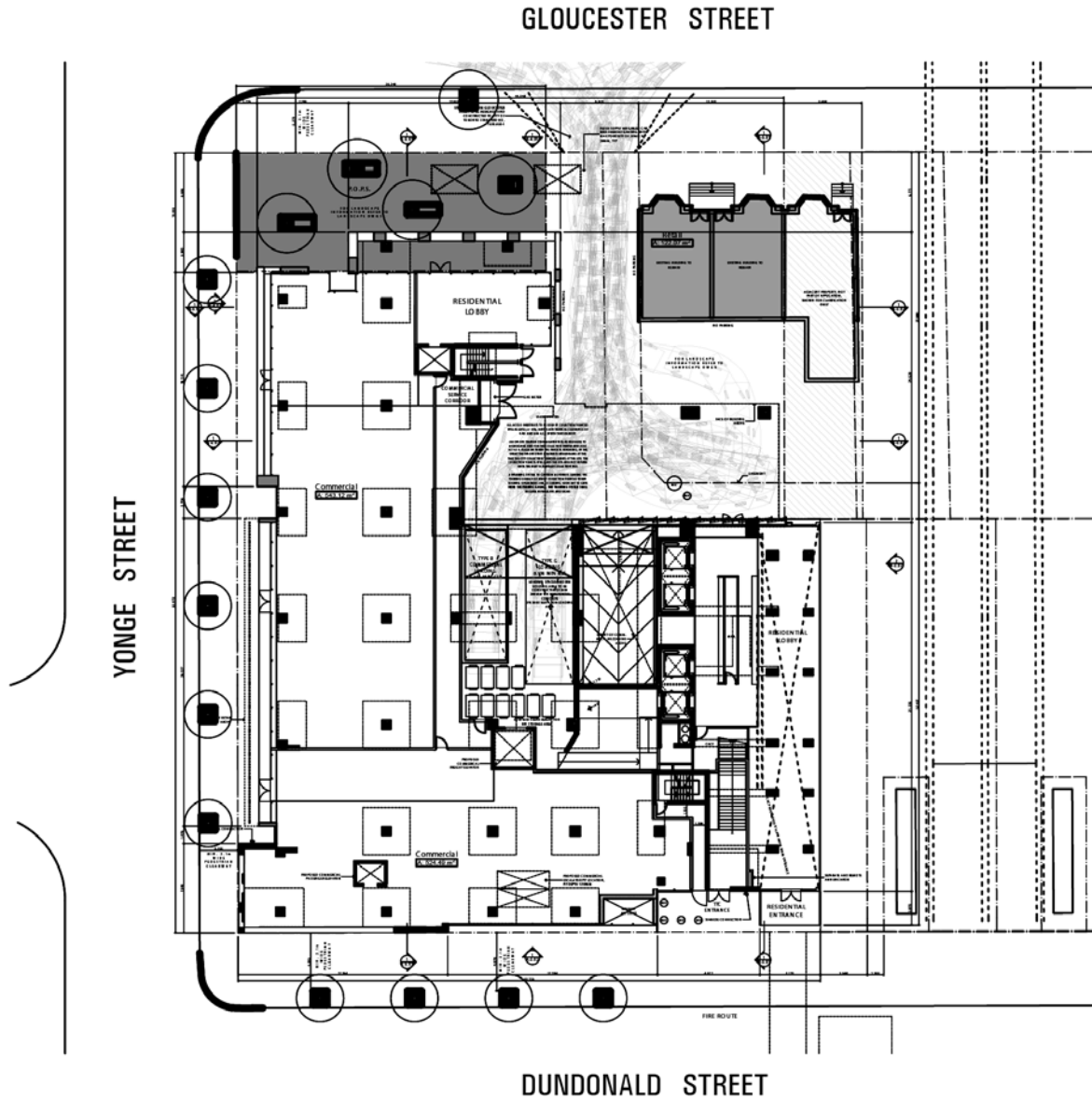
7. Upon the expiry of the Parkland Warranty Period, the outstanding park security shall be released to the *owner* provided that:
 - a. there are no outstanding claims against the remaining park security;
 - b. no liens have been registered against the parkland;
 - c. the *owner* has provided the *City* with written confirmation that it has not received notice of any claim for lien affecting the parkland;
 - d. all deficiencies have been rectified; and
 - e. the *owner* has provided to the *City* the certificate of the parkland Landscape Architect providing evidence that all lien periods under the *Construction Lien Act* affecting the parkland have expired.
8. The *owner* shall agree that as-built drawings in print/hardcopy and electronic format shall be submitted to Parks, Forestry and Recreation. A complete set of “as built” plans shall be provided electronically on CD in the latest version of AutoCAD, two (2) sets full size bond hard copy and one (1) set 11X17 format to the General Manager, Parks, Forestry and Recreation. The plans shall include, but not limited to specifications, locations of all hidden services, and all deviations from the design drawings, shop drawings, inspection reports, minutes of meeting, site instructions, change orders, invoices, certificates, progress images, warranties, close out documentation, compliance letters (for any play structures and safety surfaces), manuals etc. The files are to be organized in folders, including a file index and submitted. Written warranties and related documents such as lists of contractor, sub-contractors together with contact persons, telephone numbers, warranty expiry dates and operating manuals.
9. The *owner* shall provide \$500,000.00 towards public art which may be used within the public plaza at the north end of the site.
10. The *owner* shall pay \$1,500,000 towards the Toronto Community Housing Corporation for capital improvements and/or community, cultural or recreational space improvements in the local area to be paid prior to the issuance of the first above grade building permit.
11. The *owner* shall provide and design at the expense of the *owner*, a privately owned, publicly accessible pedestrian plaza at the north end of the site with a minimum depth of 10 metres at grade measured to the face of the building to a height of 6 metres and minimum depth of 7 metres measured to the face of the building above 6 metres and a minimum width of 23.2 metres and minimum area of 245 square metres, with final design and access to be secured through the site plan approval process and which may contain public art and patio space for the adjoining retail uses as shown on the plans submitted into City Planning by architectsAlliance and dated February 26, 2016.

12. The *owner* shall agree that 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 plaza, (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.
13. The *owner* shall agree that the wind mitigation measures listed in the submitted Wind Study shall be implemented to ensure that the wind effects are acceptable.
14. The *owner* shall agree that at least 10% of the total number of dwelling units to be constructed on the lot shall contain family sized units of two bedroom plus den and three or more bedrooms in compliance with the provisions of the Ontario Building Code.
15. The *owner* shall provide a setback along the Yonge Street frontage of a minimum width of 2.8 metres except in the location of the character building and shall design and construct an upgraded streetscape for Yonge Street, Gloucester Street and Dundonald Street along the frontage of the site including upgraded pavement treatment and landscaping in accordance with Vibrant Streets Design Guidelines to be secured through the site plan process.
16. The *owner* shall design and construct an upgraded architectural façade treatment for the base and the tower, including pedestrian weather protection along each frontage of the site all in accordance with the North Downtown Yonge Street Urban Design Guidelines.
17. The *owner* shall retain the south and west facades of the character building known as 587 Yonge Street and located at the southwest corner of the site (north east corner of Yonge Street and Dundonald Street) and incorporate these facades into the final design of the base of the building or to replace the building with a three storey brick feature in keeping with the built form and character of the south and west facades of the existing building known as 587 Yonge Street substantially in accordance with the architectural drawings submitted by architectsAlliance date stamped February 26, 2016 and to be further refined through the site plan approval process.
18. The *owner* shall submit a monitoring protocol and demolition plan to be completed by the consultant archaeologist for the demolition of the Yonge Street structures to ensure that the archaeological resources are not impacted during the demolition process.
19. The *owner* shall agree to all archaeological requirements for Stage 2-3 archaeological assessment as well as the provision for any additional Stage 4 archaeological assessment is to be fully secured as follows:
 - a. As a pre-approval condition of a site plan application for the subject properties, the *owner* will retain a consultant licensed by the Ministry of Culture, Tourism

and Sport under the provisions of the *Ontario Heritage Act* (R.S.O 1990 as amended) to carry out a Stage 2-3 archaeological resource assessment of the subject property and follow through on recommendations to mitigate, through preservation or resource removal and documentation, adverse impacts to any significant archaeological resources found. (i.e. Stage 4);

- b. The assessment is to be completed in accordance with the 2011 Standards and Guidelines for Consulting Archaeologists, Ministry of Culture, Tourism and Sport. Should the archaeological assessment process continue beyond a Stage 2-3 assessment, any recommendations for Stage 4 mitigation strategies must be reviewed and approved by Heritage Preservation Services prior to commencement of the site mitigation;
 - c. The *owner* will submit a copy of the relevant assessment report(s) to the Heritage Preservation Services Unit in both hard copy format and as an Acrobat PDF file on compact disk;
 - d. The *owner* will incorporate significant archaeological resources and findings into the proposed development through either in-situ preservation and interpretation where feasible, or commemorate and interpret the resources through exhibition development on site including, but not limited to, commemorative plaquing; and,
 - e. The *owner* will ensure no construction, grading or other soil disturbances shall take place on the subject property prior to the City's Planning Division (Heritage Preservation Services Unit) and the Ministry of Culture and Tourism (Heritage Operations Unit) confirming in writing that all archaeological licensing and technical review requirements have been satisfied.
20. The *owner* shall apply for and complete the approval process to seek permission to remove *City* street trees and trees from a *City* park as protected under the City of Toronto's Street Tree By-law and the City of Toronto Park's By-law.
21. The *owner* shall agree to not object to the heritage designation of the property at 7-9 Gloucester Street.
22. The *owner* shall agree as a condition of site plan approval and prior to the issuance of any permits, to provide a detailed construction management plan for the site.

Attachment 2: Site Plan



Site Plan

Applicant's Submitted Drawing

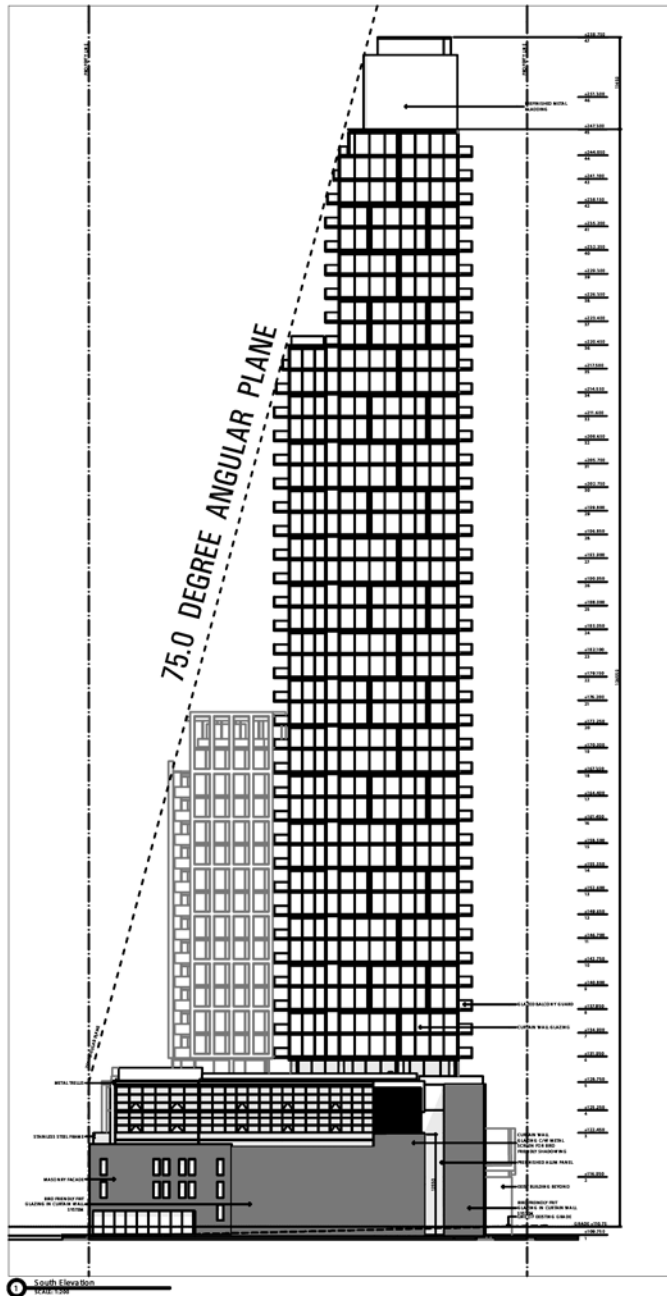
Not to Scale
03/18/2016



**587-599 Yonge Street, 2 & 4 Dundonald Street,
and 7 & 9 Gloucester Street**

File # 12 235622 STE 27 OZ

Attachment 3: South Elevation



South Elevation

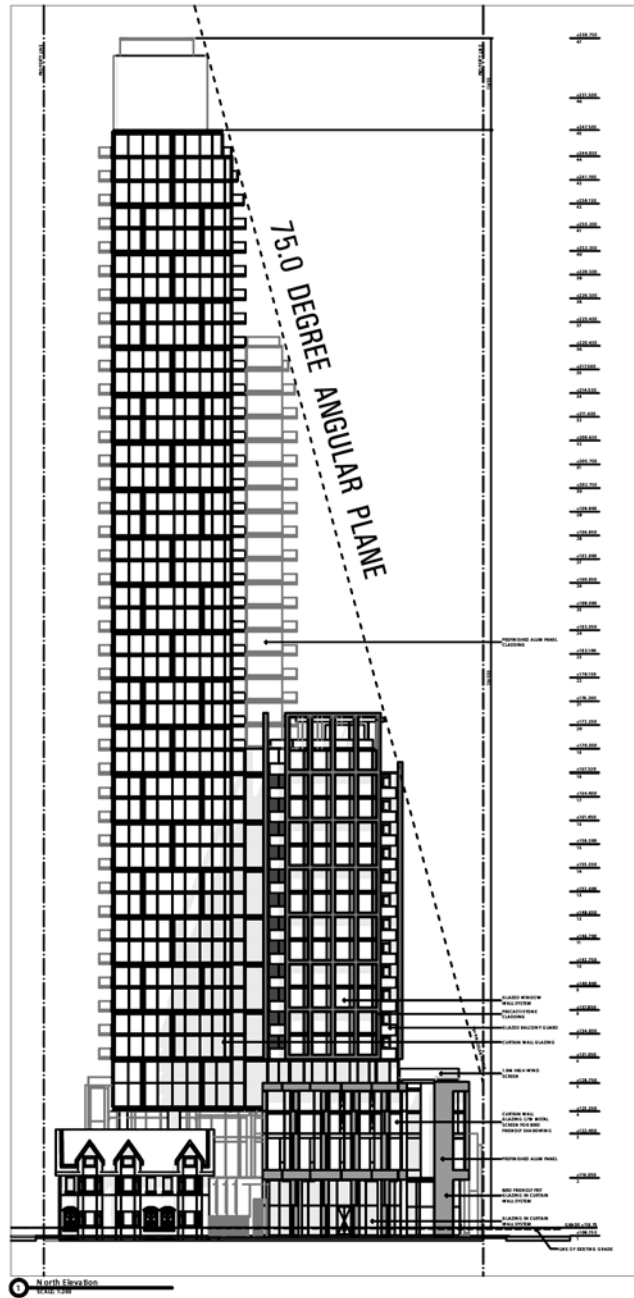
Applicant's Submitted Drawing

Not to Scale
03/18/2016

**587-599 Yonge Street, 2 & 4 Dundonald Street,
and 7 & 9 Gloucester Street**

File # 12 235622 STE 27 OZ

Attachment 4: North Elevation



North Elevation

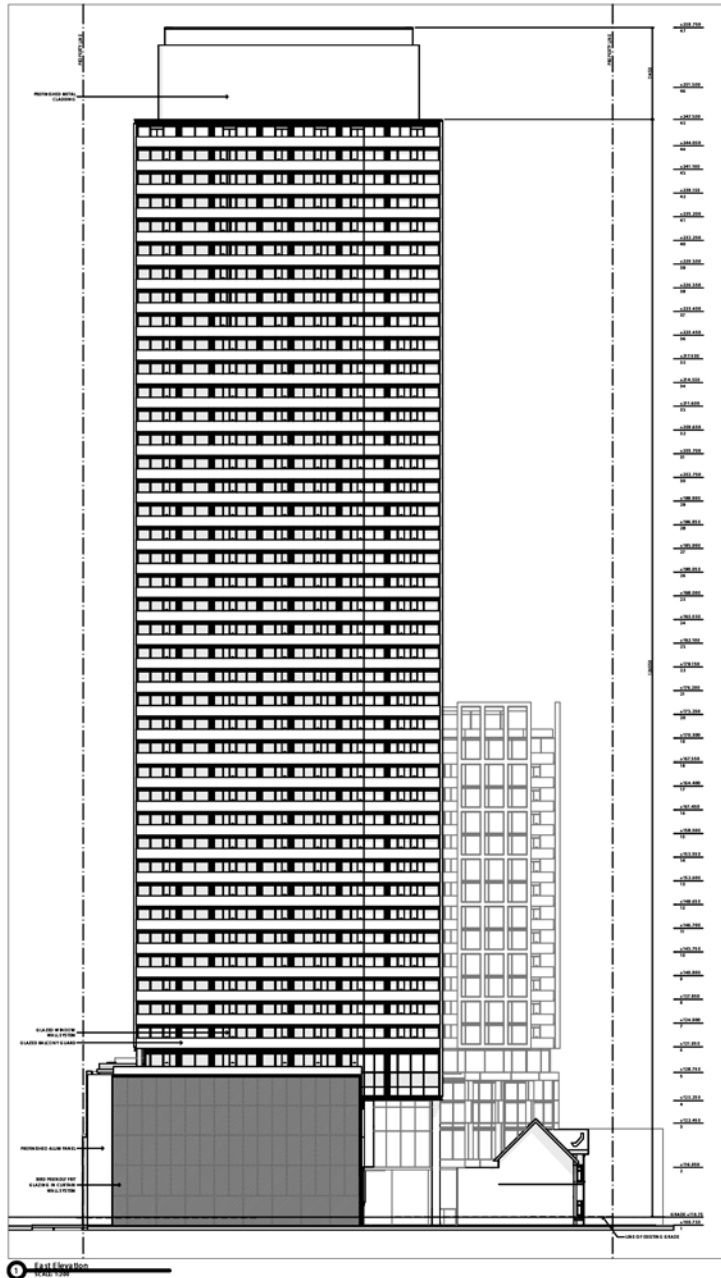
Applicant's Submitted Drawing

Not to Scale
03/18/2016

587-599 Yonge Street, 2 & 4 Dundonald Street,
and 7 & 9 Gloucester Street

File # 12 235622 STE 27 OZ

Attachment 5: East Elevation



East Elevation

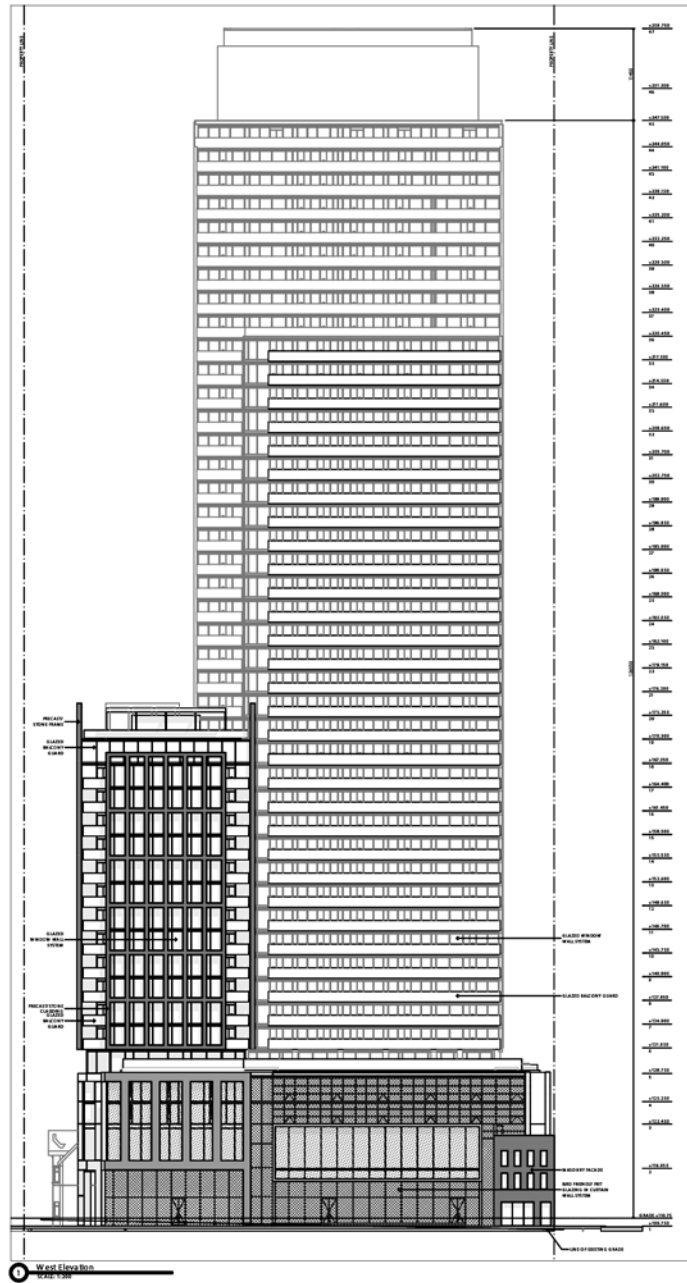
Applicant's Submitted Drawing

Not to Scale
03/18/2016

587-599 Yonge Street, 2 & 4 Dundonald Street,
and 7 & 9 Gloucester Street

File # 12 235622 STE 27 0Z

Attachment 6: West Elevation



West Elevation

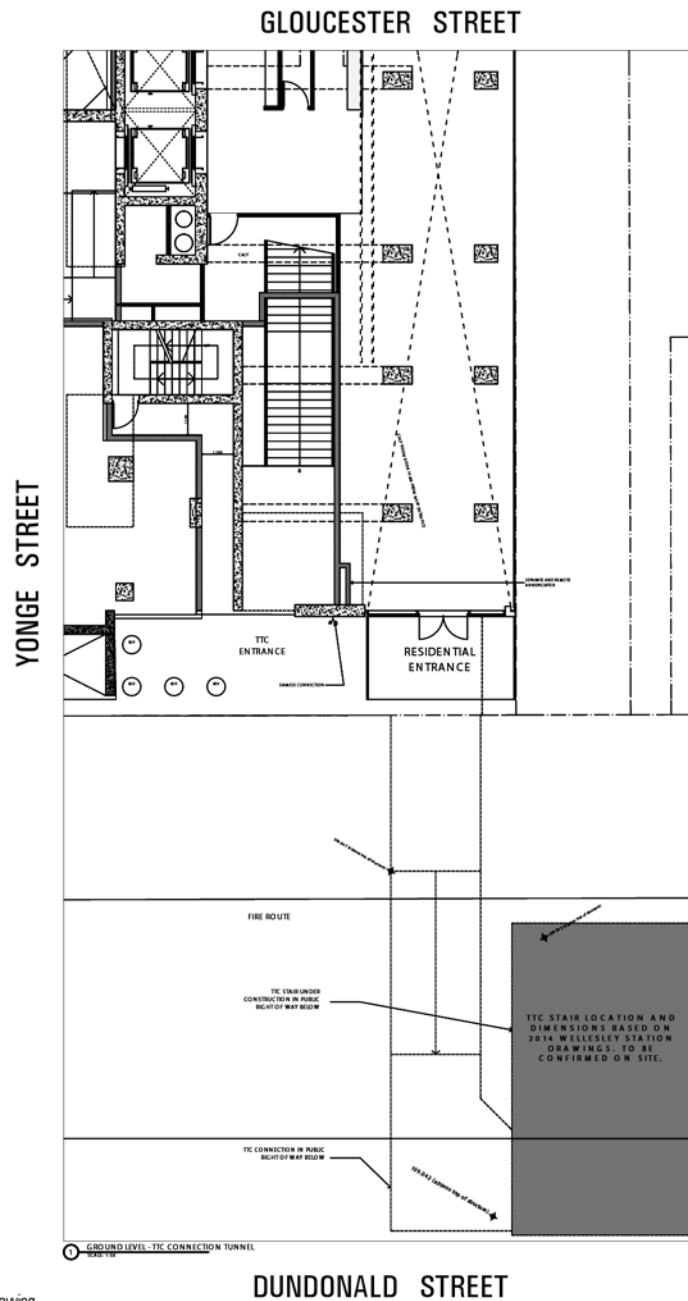
Applicant's Submitted Drawing

Not to Scale
03/18/2016

587-599 Yonge Street, 2 & 4 Dundonald Street,
and 7 & 9 Gloucester Street

File # 12 235622 STE 27 0Z

Attachment 7: TTC Connection Tunnel – Ground Level



NOTE: Applicant's Submitted Drawing

**TTC Connection Tunnel
at Ground Level**

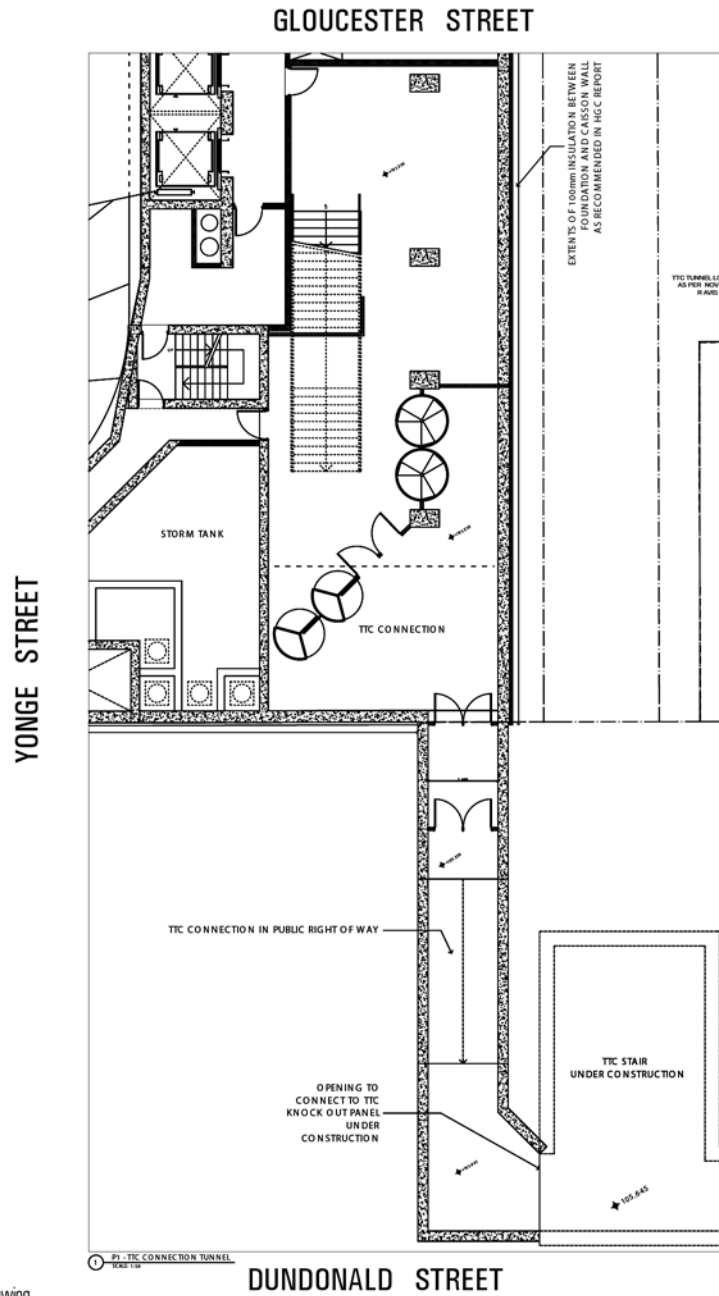
**587-599 Yonge Street, 2 & 4 Dundonald Street,
and 7 & 9 Gloucester Street**

Not to Scale
03/18/2016



File # 12 235622 STE 27 0Z

Attachment 8: TTC Connection Tunnel –P1 Level



NOTE: Applicant's Submitted Drawing

**TTC Connection Tunnel
at P1 Level**

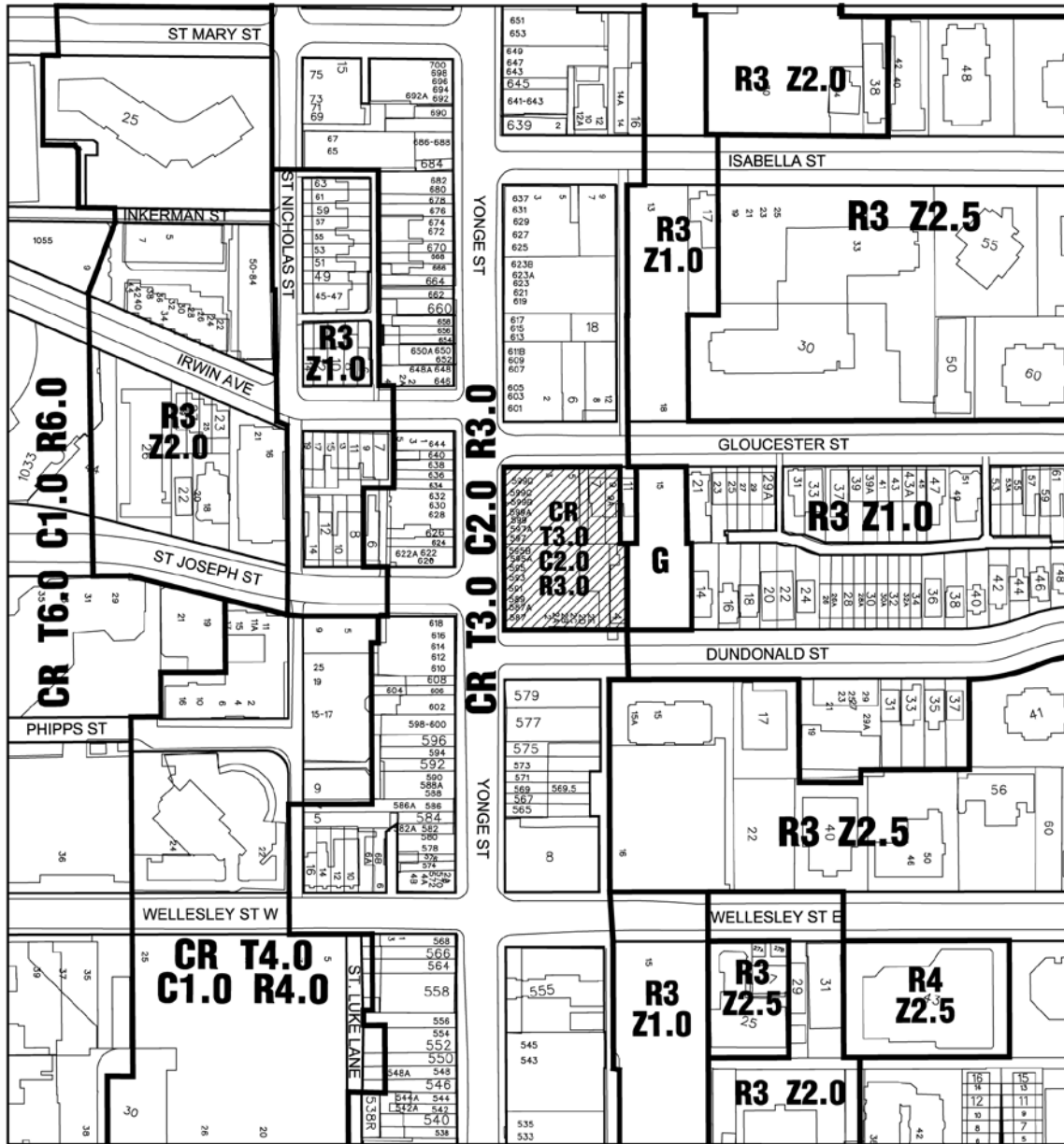
**587-599 Yonge Street, 2 & 4 Dundonald Street,
and 7 & 9 Gloucester Street**

Not to Scale
03/18/2016



File # 12 235622 STE 27 0Z

Attachment 9: Zoning



TORONTO City Planning
Zoning

587-599 Yonge Street, 2 & 4 Dundonald Street
 and 7 & 9 Gloucester Street
 File # 12 235622 0Z

- CR Mixed-Use District
- R3 Residential District
- R4 Residential District
- G Parks District

↑
 Not to Scale
 Zoning By-law 438-86 (as amended)
 Extracted 09/13/2012

Attachment 10: Revised Application Data Sheet

APPLICATION DATA SHEET

Application Type	Rezoning	Application Number:	12 235622 STE 27 OZ
Details	Rezoning, Standard	Application Date:	August 24, 2012
Municipal Address:	593 YONGE ST		
Location Description:	PLAN 250E LOTS 9 TO 12 **GRID S2708		
Project Description:	Proposal to construct a 44 storey mixed use building with 528 residential units, commercial at grade, below grade parking and a TTC entrance and tunnel. Designated Heritage buildings will be conserved in situ. Revised plans dated Feb 26, 2016.		

Applicant:	Agent:	Architect:	Owner:
AIRD & BERLIS LLP		architectsAlliance	Cresford Capital Corporation

PLANNING CONTROLS

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

PROJECT INFORMATION

Site Area (sq. m):	3164.4	Height:	Storeys:	44
Frontage (m):	46.4		Metres:	145
Depth (m):	66			
Total Ground Floor Area (sq. m):	2054			Total
Total Residential GFA (sq. m):	34977		Parking Spaces:	232
Total Non-Residential GFA (sq. m):	3360		Loading Docks	2
Total GFA (sq. m):	38337			
Lot Coverage Ratio (%):	65			
Floor Space Index:	12.1			

DWELLING UNITS

FLOOR AREA BREAKDOWN (upon project completion)

		Above Grade	Below Grade
Tenure Type:	Condo		
Rooms:	0	Residential GFA (sq. m):	34977
Bachelor:	111	Retail GFA (sq. m):	3360
1 Bedroom:	178	Office GFA (sq. m):	0
2 Bedroom:	129	Industrial GFA (sq. m):	0
3 + Bedroom:	110	Institutional/Other GFA (sq. m):	0
Total Units:	528		

CONTACT: **PLANNER NAME:** **Sipo Maphangoh, Planner** smaphan@toronto.ca; 416-338-2478