



STAFF REPORT ACTION REQUIRED

1-11 Bloor Street West, 768-784 Yonge Street and 760-762 Yonge Street Zoning Amendment Application - Final Report

Date:	April 22, 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:	15-128261 STE 27 OZ

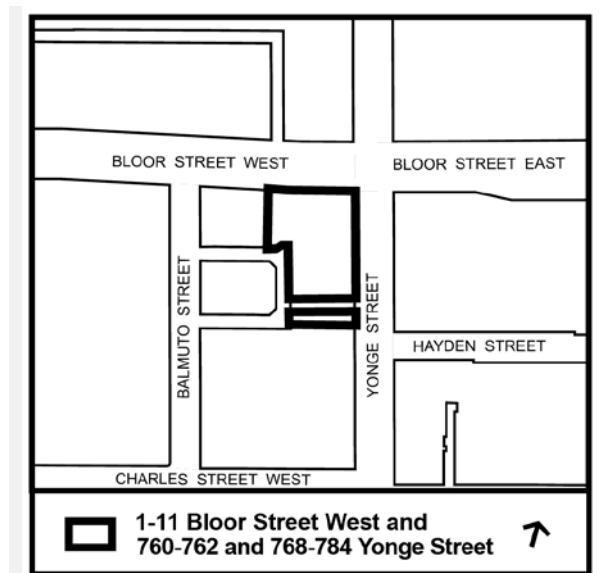
SUMMARY

A new 80-storey (304-metre) mixed-use building is proposed with commercial uses on the concourse level and first 9 storeys, and a residential tower with 416 dwelling units and mechanical floors, at 1-11 Bloor Street West, 768-784 Yonge Street and 760-762 Yonge Street. The proposal conserves, alters and integrates an existing heritage building at 774-776 Yonge Street which is designated under Part IV of the *Ontario Heritage Act*.

A total of 312 vehicular parking spaces are proposed in 4 underground levels (below the concourse level) and 530 bicycle parking spaces are proposed on the P1 level. All vehicles are proposed to access the site via a two-way U-shaped public lane from Balmuto Street. The loading area is proposed to be located on the ground floor adjacent to the public lane.

The proposal is consistent with relevant policies of the Official Plan, the Bloor-Yorkville/North Midtown Urban Design Guidelines and the Tall Building Guidelines.

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



RECOMMENDATIONS

The City Planning Division recommends that:

1. City Council amend Zoning By-law 438-86, as amended, for the lands at 1-11 Bloor Street West, 768-784 Yonge Street and 760-762 Yonge Street substantially in accordance with the draft Zoning By-law Amendment attached as Attachment No. 15 to report dated April 22, 2016.
2. City Council amend City of Toronto Zoning By-law 569-2013 for the lands at 1-11 Bloor Street West, 768-784 Yonge Street and 760-762 Yonge Street substantially in accordance with the draft Zoning By-law Amendment attached as Attachment No. 16 to report dated April 22, 2016.
3. City Council authorize the City Solicitor to make such stylistic and technical changes to the draft Zoning By-law Amendments as may be required.
4. City Council authorize the City Solicitor to make any related revisions to the draft by-laws as the City Solicitor determines are appropriate to give effect to Council's decision.
5. Before introducing the necessary Bills to City Council for enactment, City Council shall require the Owner to enter into a Heritage Easement Agreement with the City to the satisfaction of the Chief Planner and Executive Director, City Planning, the City Solicitor and the Senior Manager, Heritage Preservation Services respecting 774-776 Yonge Street in accordance with the plans and drawings prepared by Foster and Partners dated March 10, 2016, the Heritage Impact Assessment prepared by Goldsmith Borgal & Company Ltd. Architects dated March 28, 2016 (the HIA), and a Conservation Plan satisfactory to the Senior Manager, Heritage Preservation Services, to be prepared by a qualified heritage consultant and that is consistent with the conservation strategy set out in the HIA and provides a detailed description with supporting documentation of the methods for restoration/replacement of the foundations of the retained building elevations at 774-776 Yonge Street.
6. Before introducing the necessary Bills to City Council for enactment, City Council shall require the Owner to enter into one or more agreements with the City pursuant to Section 37 of the Planning Act to the satisfaction of the City Solicitor and the Chief Planner and Executive Director, City Planning, in consultation with the Senior Manager, Heritage Preservation Services. The community benefits to be provided by and at the Owner's expense and secured through the Zoning By-law Amendment and the required Section 37 Agreement are as follows:
 - a. the matters set forth in Recommendations 1 c. i.- iii., 1 d. i. – viii., and 1 e. i. and ii. of the Report of the Chief Planner and Executive Director, City Planning Division to the Toronto Preservation Board and Toronto and East

York Community Council dated April 13, 2016, "Alterations to a Designated Property and Authority to Enter into a Heritage Easement Agreement – 774-776 Yonge Street (William Luke Buildings)";

- b. additional community benefits which will be provided directly to Toronto and East York Community Council;
- c. The following matters are also recommended to be secured in the Section 37 Agreement as a legal convenience to support development:
 - i. the owner shall provide, at its own expense, all to the satisfaction of the Chief Planner and Executive Director, City Planning and the City Solicitor, a minimum area of 27 square metres adjacent to the sidewalk on Bloor Street West, of privately-owned publicly-accessible space (POPS) and public access easements to hand over the POPS, for use by members of the general public, for nominal consideration, to the City, such easement to be conveyed to the City prior to the earlier of the issuance of any site plan approval for the site and the issuance of any heritage permit or building permit for the site and with the specific location, configuration and design to be determined to the satisfaction of the Chief Planner and Executive Director, City Planning Division in the context of site plan approval. The owner shall own, operate, maintain and repair the POPS and install and maintain a sign, at its own expense, stating that members of the public shall be entitled to use the POPS at all times of the day and night, 365 days of the year. The Owner shall have completed the construction of the POPS prior to the earlier of any new commercial or any residential use of the site and registration of any condominium on the site;
 - ii. the owner shall provide, maintain and repair, at its own expense, all to the satisfaction of the Chief Planner and Executive Director, City Planning and the City Solicitor, a publicly accessible pedestrian sidewalk/clearway within the ground floor setback of the tower from the Yonge Street and Bloor Street West sidewalks to the building face, for use by members of the general public, and public access easements, for nominal consideration, to the City, such easement to be conveyed to the City prior to the earlier of the issuance of any site plan approval for the site and the issuance of any heritage permit or building permit for the site and with the specific location, configuration and design to be determined to the satisfaction of the Chief Planner and Executive Director, City Planning Division in the context of site plan approval;
 - iii. the Owner is required to pay to the City, all costs for the installation of traffic control signals at Bloor Street West and Balmuto Street, and prior to Site Plan approval, the Owner will also be required to provide financial security in the amount of \$30,000 to cover the maintenance

and operating costs of the traffic control signals for a period of 5 years, all to the satisfaction of the Executive Director of Engineering and Construction Services;

- iv. the Owner shall at its expense, provide securities to the City and construct a storm sewer in the rear lane to Balmuto Street proposed in the Functional Servicing Report, as accepted by the Executive Director of Engineering and Construction Services, all to the satisfaction of such Executive Director;
- v. the Owner shall at its expense provide knock-out panels along the concourse level of the building for potential future underground pedestrian network connections, to the satisfaction of the Chief Planner and Executive Director, City Planning Division;
- vi. the Owner shall at its expense provide knock-out panels along the concourse level and in the underground parking garage levels for potential future vehicular connections and ramps (on Parcel 2), to the satisfaction of the Chief Planner and Executive Director, City Planning Division;
- vii. the Owner shall at its expense provide and maintain a publicly accessible route, on the concourse level of the building, for use by members of the general public, and public access easements, for nominal consideration, to the City, such easement to be conveyed to the City prior to the earlier of the issuance of any site plan approval for the site, to accommodate linkages through the site for the publicly accessible underground pedestrian network to the satisfaction of the Chief Planner and Executive Director, City Planning Division;
- viii. the Owner shall at its expense construct and maintain a below-grade publicly accessible underground pedestrian tunnel from the site to the Yonge and Bloor TTC subway station, for use by members of the general public, and public access easements, for nominal consideration, to the City, such easement to be conveyed to the City prior to the earlier of the issuance of any site plan approval for the site, as further set out in Recommendations 7 and 8 below;
- ix. the Owner shall at its expense provide and maintain the architectural features of the tower including the expression of the mega columns, diagonal hangers and retail level articulation and cladding to the satisfaction of the Chief Planner and Executive Director, City Planning Division;
- x. the Owner shall provide and maintain on the site at its expense a "pet friendly" area with disposal facilities for the residents of the building to the satisfaction of the Chief Planner and Executive Director, City Planning Division; and,

- xi. the owner shall construct and maintain the development in accordance with Tier 2 performance measures of the Toronto Green Standard, as adopted by Toronto City Council at its meeting of October 26 and 27, 2009.
7. Prior to the earlier of any Site Plan Approval or the issuance of any foundation permit, require the owner to:
- a. provide documentation demonstrating that there is an agreement with an adjoining owner to provide a pedestrian tunnel connecting the retail concourse of the lands at 1-11 Bloor Street West and 768-784 Yonge Street to the Toronto Transit Commission (TTC) Yonge / Bloor Subway Station to the satisfaction of the Chief Planner and Executive Director of the City Planning Division and the City Solicitor;
 - b. Submit a detailed design for a publicly accessible underground pedestrian tunnel connecting to the TTC subway station at Yonge and Bloor to the satisfaction of the Chief Planner, and Executive Director of the City Planning Division, the General Manager, Transportation Services and, the Executive Director, Engineering and Construction Services;
 - c. submit a letter of credit to the City in the amount of eleven million, three hundred thousand dollars (\$11,300,000.00) (amount to be verified following design) and including provision for upwards indexing, to guarantee performance and completion of all obligations relating to construction of the publicly accessible pedestrian tunnel all to the satisfaction of the General Manager, Transportation Services and the Executive Director, Engineering & Construction Services. The security shall be kept in full force and effect until the completion of all works associated with the construction of the publicly accessible pedestrian tunnel, and expiry of all performance and guarantee periods related thereto. For greater certainty, and without limiting the generality of the foregoing, the letter of credit shall guarantee the terms and obligations set out herein, including; the cost of designing, administering, and constructing the publicly accessible pedestrian tunnel; the cost of constructing the future connection within the receiving building, the cost of designing, administering and constructing any required relocation of existing utilities and municipal infrastructure; the cost of design and construction of sidewalks, curbs and roadways on completion of the tunnel, any cost of design by a third party as may be required; the cost of peer review of design, the cost of diversion of transit facilities as well as the costs associated with the implementation of any required traffic control measures during construction; and the cost of all engineering and professional services and related permits;
 - d. submit an application to the Right-of-Way Management Section of Transportation Services and enter into a tunnel agreement in respect of the underground pedestrian network tunnel under the City right-of-way all to

the satisfaction of the General Manager, Transportation Services and the Executive Director, Engineering & Construction Services and the City Solicitor; and

- e. enter into a licence agreement for the proposed underground pedestrian tunnel to the satisfaction of the City Solicitor.
8. Prior to the earlier of any new commercial or any residential use of the site and registration of any condominium on the site, construct in accordance with Attachment No. 13 (Pedestrian Tunnel Terms of Reference) to report dated April 22, 2016, a publicly accessible underground pedestrian tunnel linking the building to the TTC subway station at Yonge and Bloor to the satisfaction of the Chief Planner and Executive Director of the City Planning Division, the General Manager of Transportation Services, and the Executive Director of Engineering and Construction Services;
 9. The owner shall pay for all of the costs associated with:
 - a. the relocation of any underground utilities that are required to facilitate the underground pedestrian network tunnel;
 - b. the construction of the underground pedestrian network tunnel; and,
 - c. the ongoing maintenance of the underground pedestrian network tunnel.
 10. Before introducing the necessary Bills to City Council for enactment, the Owner shall elect in writing to the General Manager, Parks, Forestry and Recreation and the City Solicitor, its decision to provide on-site or off-site parkland dedication as required herein. Failing such election, the Owner shall be deemed to have elected on-site park dedication and shall be required to convey an on-site dedication for public parkland purposes, to the satisfaction of the General Manager, Parks, Forestry and Recreation in consultation with the Chief Planner and Executive Director, City Planning and the Ward Councillor.
 - a. Should the Owner elect or be deemed to elect to provide on-site parkland, the Owner will be required to convey, at no cost, to the City pursuant to Section 42 of the *Planning Act*, RSO 1990, c.P 13, a 0.0245 hectares (245 square metres) portion of the development site, with frontage along Bloor Street West, for public parkland purposes, in a location to the satisfaction of the General Manager, Parks, Forestry and Recreation. The land to be conveyed as on-site parkland shall be free and clear, above and below grade, of all physical obstructions and easements, encumbrances and encroachments, including surface and subsurface easements, unless otherwise approved by the General Manager, Parks, Forestry and Recreation.

- b. Should the Owner elect to provide an off-site parkland dedication, then prior to the issuance of the first foundation building permit for the site the Owner shall satisfy the City Solicitor and the General Manager, Parks, Forestry and Recreation that the Owner has entered into an Agreement of Purchase and Sale for the acquisition of such off-site parkland dedication, for lands satisfactory to the General Manager, Parks, Forestry and Recreation in consultation with the Ward Councillor and as required below:
 - i. The site selected for public parkland purposes shall be equal to the value of the 0.0245 hectares (245 square metres) on-site dedication as appraised by Real Estate Services as of the day before the above grade building permit is issued and located within approximately 1 kilometre of the development site. The location of the off-site parkland shall be to the satisfaction of the General Manager, Parks, Forestry and Recreation in consultation with the Ward Councillor. The land to be conveyed as off-site parkland shall be free and clear, above and below grade, of all physical obstructions and easements, encumbrances and encroachments, including surface and subsurface easements, unless otherwise approved by the General Manager, Parks, Forestry and Recreation.
 - ii. Should the value of the land selected for off-site dedication, satisfactory to the General Manager, Parks, Forestry and Recreation, not be in the full amount equal to the value of the 0.0245 hectares (245 square metres) on-site dedication, the difference is to be paid by the Owner to the City prior to the issuance of any building permit for the site, as cash-in-lieu of dedication, all to the satisfaction of the General Manager, Parks, Forestry and Recreation.
11. Prior to the issuance of the first above grade building permit for the site, the Owner shall convey the parkland dedication either on-site or off-site, in accordance with the election or deemed election, and in accordance with Attachment No. 12 (Parkland Terms of Reference) to report dated April 22, 2016, all to the satisfaction of the General Manager, Parks, Forestry and Recreation and the City Solicitor.
12. The Owner shall pay for the costs of the parkland dedication and the preparation and registration of all relevant documents. The Owner shall provide, to the satisfaction of the City Solicitor, all legal descriptions and applicable reference plans for the parkland dedication.
13. City Council approve a development charge credit against the Parks and Recreation component of the Development Charges for the design and construction by the Owner of the Above Base Park Improvements to the satisfaction of the General Manager, Parks, Forestry & Recreation. The development charge credit shall be in an amount that is the lesser of the cost to the Owner of designing and constructing the Above Base Park Improvements, as

approved by the General Manager, Parks, Forestry & Recreation, and the Parks and Recreation component of development charges payable for the development in accordance with the City's Development Charges By-law, as may be amended from time to time.

14. The Owner shall pay for and construct improvements to the municipal infrastructure in connection with the Functional Servicing Report, as accepted by the Executive Director of Engineering and Construction Services and enter into a Municipal Infrastructure Agreement or other agreement as required for these improvements.
15. City Council approve the installation of traffic control signals at the intersection of Balmuto Street and Bloor Street West, to the satisfaction of the General Manager, Transportation Services, at the applicant's expense.

Financial Impact

The recommendations in this report have no financial impact.

DECISION HISTORY

On March 15, 1974, the property at 774 and 776 Yonge Street was listed on the City of Toronto Inventory of Heritage Properties (now known as the Heritage Register).

On October 2, 3 and 4, 2012, City Council directed staff to initiate the Historic Yonge Street Heritage Conservation District study as a result of the application of prioritization criteria. A link to the report is found below:

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2012.PG17.12>

On February 11, 2015, City Council enacted the Historic Yonge Street Heritage Conservation District Study Area By-law for a period of one year to prohibit and set limitations with respect to the alteration, demolition or removal of buildings or structures within the study area boundaries, while the City completed a heritage conservation district study. A link to the report is found below:

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2015.MM3.38>

On March 31, April 1 and 2, 2015, City Council stated its Intention to Designate the property at 774 Yonge Street (including the addresses of 774½ and 776 Yonge Street) under Part IV, Section 29 of the *Ontario Heritage Act*. A link to the report is found below:

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2015.MM5.14>
<http://www.toronto.ca/legdocs/bylaws/2015/law1296.pdf>

On March 31, April 1 and 2, 2015, City Council amended the Historic Yonge Street Heritage Conservation District Study Area By-law to exclude the properties municipally known as 1, 9 & 11 Bloor Street West and 768, 770, 774, 774-1/2, 776, 780, 782 & 784 Yonge Street, subject to certain conditions. A link to the report is found below:

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2015.MM5.34>

On March 10, 2016, City Council adopted the Historic Yonge Street Heritage Conservation District Plan, dated January 2016, and designated by by-law the Historic Yonge Street Heritage Conservation District. A link to the report is found below:
<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2016.TE14.4>

On April 21, 2016, the Toronto Preservation Board considered a report dated April 13, 2016 from the Chief Planner and Executive Director, City Planning Division on Alterations to a Designated Heritage Property and Authority to Enter into a Heritage Easement Agreement – 774-776 Yonge Street (William Luke Buildings). A link to the report is found below:
<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2016.PB14.4>

ISSUE BACKGROUND

Proposal

A new 80-storey (304-metre) mixed-use building is proposed with commercial uses on the concourse level and first 9 storeys, and a residential tower with 416 dwelling units and mechanical floors, at 1-11 Bloor Street West, 768-784 Yonge Street and 760-762 Yonge Street. The proposal conserves, alters and integrates an existing heritage building at 774-776 Yonge Street which is designated under Part IV of the *Ontario Heritage Act*.

The proposal includes two parcels, as noted in the Draft Site Specific Zoning By-law. Parcel 1 is the mixed-use tower proposal located at 1-11 Bloor Street West and 768-784 Yonge Street. Parcel 2, located at 760-762 Yonge Street, is separated by the property at 764 Yonge Street which is not part of this application and under separate ownership. A height limit is provided for Parcel 2 of 13 metres along the Yonge Street frontage with a 10-metre setback to an overall height of 19 metres, but no architectural plans have been provided. Parcel 2 secures the area as a potential future shared vehicular connection should the neighbouring properties redevelop and be integrated with the proposal on Parcel 1.

On Parcel 1, the tower floor plate is approximately 956 square metres (gross construction area) with a dimension of 31.2 x 31.2 metres and designed with 8 mega-columns along the sides of the tower. The tower setback (excluding the columns) is: 4.15 metres from Yonge Street (the east property line); 0.45 metres from Bloor Street West (the north property line); 26.75 metres from 764 Yonge Street (the south property line); and 12.5 metres from 15 Bloor Street West (the west property line). There are no projecting balconies. The tower is designed with four recessed channels, one along each elevation.

The 80-storeys are comprised of: 9 commercial floors; 61 residential floors; and, 10 mechanical floors distributed at intervals throughout the tower. Above the 80th storey (mechanical floor and private outdoor terrace) is a 10-metre high mechanical area and architectural treatments.

The retail concourse, located on the first underground level, is to form part of the underground pedestrian network in the Bloor-Yorkville Area. The concourse level of the site is proposed to connect to the Yonge-Bloor subway station and Bay subway station as well as north to the Toronto Parking Authority parking garage at 50 Cumberland Street. Knock-out panels are included in the design to provide for future underground pedestrian connections to the west, east and south (see Attachment No. 11).

The proposal contains 416 residential units with the following breakdown:

Unit Type	Number of Units	Percentage	Average Size
1-bedroom	184	44%	60 sq.m. (645 sq.ft.)
2-bedroom	228	55%	124 sq.m (1,335 sq.ft.)
3-bedroom +	4	1%	570 sq.m (6,135 sq.ft.)

The primary entrance to the residential tower and retail complex is located to the west of the tower via a series of elevator lobbies (see Appendix No. 2, Ground Floor Plan). A pedestrian-only walkway of 1.1 metres in width is proposed next to the lobbies and adjacent to the shared pedestrian and vehicle driveway. The private lane is designed to accommodate vehicles which have a legal right-of-way over the existing easement, but is not to be used by any other vehicles. To prevent vehicles from accessing the private driveway, electronic bollards are proposed, which will be monitored by the dock master.

To the south of the tower on Yonge Street is a 9-storey extension of the commercial component which terraces downward to the west (toward the public lane), to the south (toward 764 Yonge Street) and to the east (towards Yonge Street).

The sidewalk widths along Yonge Street (existing 3.6 metres) and Bloor Street West (existing 6.6 metres) along the face of the tower are to be widened. The proposed sidewalk widths (from building face to curb) are approximately 8.5 metres along Bloor Street and 8.9 metres along Yonge Street. The sidewalk narrows to the existing sidewalk width of approximately 3.6 metres along Yonge Street at the heritage building at 774-776 Yonge Street.

A total of 1,193 square metres of indoor amenity space is provided on the 10th and 11th floors and 543 square metres of outdoor amenity space is provided on the 11th floor.

A total of 312 vehicular (301 long-term, 7 short-term and 4 car-share) parking spaces are proposed. The 7 short-term parking spaces, for valet drop-off and pick-up, are located on the concourse level. The remaining parking spaces are located in a 4-level parking garage below the retail concourse level. The majority of the parking spaces are to be provided in stackers. A total of 530 bicycle (378 residential, 50 residential visitor, 45 retail occupant and 60 retail visitor) parking spaces are proposed in the P1 level. A change room and shower facility is also proposed on the P1 level.

All vehicles are proposed to access the site via a two-way public lane with two access points from Balmuto Street. The loading area is located on the ground floor adjacent to the public lane. In total, four loading spaces are proposed- three Type 'B' and one Type 'G'.

Summary of Revisions to Proposal

The current proposal incorporates numerous revisions from the original (March 16, 2015) application as summarized below:

- site size increased by the addition of 768 Yonge Street and 760-762 Yonge Street;
- gross floor area reduced from 41,781 to 40,475 square metres;
- floor space index reduced from 31.5 to 28.3 times the area of the lot;

- height of tower reduced from 319.5 to 292 metres (main roof);
- number of residential units reduced from 544 to 416;
- parking garage reduced from 8 to 4 levels (from 607 to 312 spaces);
- tower shape changed from rectangle to square;
- tower setback from south increased from 8.5 to 26.75 metres;
- tower setback from west (15 Bloor Street) reduced from 23.7 to 12.5 metres;
- conservation of the 774-776 Yonge Street heritage building in situ.

Site and Surrounding Area

The subject site is located on the southwest corner of Bloor Street and Yonge Street within the Bloor-Yorkville area. The 2,843 square metre site includes two separated properties: an 'L'-shaped lot (at 1-11 Bloor Street West, 768-784 Yonge Street) with a frontage of 58.8 metres along Yonge Street and 47.7 metres along Bloor Street West; and, a rectangular-shaped lot (at 760-762 Yonge Street) with a frontage of 8.6 metres.

The site abuts a two-way 'U'-shaped public lane to its west which is approximately 6.0 metres wide and accessed from Balmuto Street. The property at 774-776 Yonge Street is on the City of Toronto Heritage Register.

The properties include:

Address	Description
PARCEL 1	
11 Bloor St W	Vacant lot (previously a 2 and 3-storey non-residential building)
Private Lane	Subject to private right-of-way
1-9 Bloor St W (786 Yonge St)	Vacant lot (previously a 3-storey non-residential building)
784 Yonge St	Vacant lot (previously a 3-storey non-residential building)
780-782 Yonge St	Vacant lot (previously a 3-storey non-residential building)
778 Yonge St	Vacant lot (previously a 2-storey non-residential building)
774-776 Yonge St	3-storey vacant building (designated heritage)
770-772 Yonge St	Vacant lot (previously a 1-storey non-residential building)
768 Yonge St	Vacant 2-storey building (previously non-residential)
PARCEL 2	
760-762 Yonge St	2-storey non-residential building

North: North of Bloor Street is 2 Bloor Street West, an existing 34-storey (146.5-metre) office tower at the northwest corner of Yonge and Bloor Streets linked to a one and two storey retail mall on the south side of Cumberland Street between Bay and Yonge Streets. There is an OMB-approved Site Specific Zoning By-law permitting a 102.9-metre tower at Yonge Street and a 170-metre mid-block tower with a 24.4 and 30.6-metre base building.

West of the office building at 2 Bloor Street West is a group of 4, 3 and 2-storey buildings with retail uses on all levels including the retail concourse linked to 2 Bloor Street West. The 50 Bloor Street West site is referred to as 'The Holt Renfrew Centre' with the anchor tenant being the Holt Renfrew department store. Approved, in principle,

is a 71-storey (230-metre) mixed-use building with an 8-storey (36-metre) retail/office base building (File No. 12 141351 STE 27 OZ).

East of Yonge Street is a 34-storey (134-metre) office tower at 2 Bloor Street East and a 41-storey (123-metre) hotel with the Hudson Bay Centre at its base. The retail concourse under 2 Bloor Street East is linked to the 2 Bloor Street West concourse.

South: Between Parcel 1 and Parcel 2: is 764 Yonge Street a two-storey commercial building (1918) designed in the Art Deco style (former theatre entrance).

South of 760-762 Yonge Street is a row of 2 and 3-storey commercial buildings. Southwest of the public lane are two residential towers fronting onto Balmuto Street. At 35 Balmuto Street is a 48-storey (158-metre) tower called The Uptown Residences and at 13 Balmuto Street is a 34-storey (125-metre) tower called Crystal Blu. At the south end of the block is a 20-storey (60-metre) slab-like mixed use building, extending from Yonge Street to Balmuto Street.

East: East of Yonge Street is a 75-storey (254-metres including mechanical penthouse) residential tower, currently under construction, at 1 Bloor Street East, with retail uses on the first, second and concourse levels.

West: West of the site are two 2-storey commercial buildings occupied by retail (H&M) and a bank (Scotia Bank). West of Balmuto Street is the Manulife Centre. The Manulife Centre fills an entire city block bounded by Bloor Street West, Bay Street, Charles Street West and Balmuto Street. At the north end of the Manulife Centre is an 18-storey (75-metre) mixed-use tower and at the south end of the block is a 51-storey (156-metre) residential tower. The retail concourse at the Manulife Centre is linked under Bloor Street West to the Holt Renfrew Centre retail concourse.

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 designates the subject site as *Mixed Use Areas* and locates it within the *Downtown and Central Waterfront*, as shown on Map 2, the Urban Structure map of the Official Plan.

The *Mixed Use Areas* designation in the Official Plan provides for a broad range of commercial, residential and institutional uses, in single-use or mixed-use buildings, as well as parks and open spaces and utilities.

Development in *Mixed Use Areas* is subject to a number of development criteria. In *Mixed Use Areas*, developments will: locate and mass new buildings to provide a transition between areas of different development intensity and scale; provide appropriate setbacks and/or stepping down of heights, particularly towards lower scale *Neighbourhoods*; locate and mass new buildings so as to adequately limit shadow impacts on adjacent *Neighbourhoods* particularly during the spring and fall equinoxes; provide good site access and circulation and an adequate supply of parking for residents and visitors; provide an attractive, comfortable and safe pedestrian environment; locate and screen service areas, ramps and garbage storage to minimize the impact on adjacent streets and residences; and provide indoor and outdoor recreation space for building residents in every significant multi-unit residential development.

Heritage Policies in the Official Plan state that properties on the Heritage Register will be conserved and maintained consistent with the Standards and Guidelines for the Conservation of Historic Places in Canada, as revised from time to time and adopted by Council (Policy 3.1.5.4).

The Official Plan is intended to be read as a whole. The City structure for the Bloor-Yorkville/North Midtown Area is provided in Site and Area Specific Policy 211 and public network plan in Site and Area Specific Policy 225 of the Official Plan.

Area Specific Policy 211 - Bloor Yorkville/North Midtown Area

The subject site is located within the Height Peak as illustrated on Map 2 in Policy 211. Area Specific Policy 211 in the Official Plan recognizes that the Bloor-Yorkville/North Midtown Area comprises a broad mix of districts with differing intensities, scales and heights in a diversity of building forms. The area includes *Neighbourhoods*, *Apartment Neighbourhoods*, Areas of Special Identity, *Mixed Use Areas*, and open space provided by parks and ravines. The Bloor Yorkville/North Midtown Area forms the north edge of the Downtown and provides for transition in density and scale to the north, east and west.

Area Specific Policy 225 - Lands North and South of Bloor Street Between Park Road and Avenue Road

Area Specific Policy 225 of the Official Plan encourages pedestrian walkways, at or below grade and new parks in locations illustrated on the map within the Policy. No pedestrian route is specifically identified on the map at the subject site.

To review all sections of the Toronto Official Plan refer to the City's website at: www.toronto.ca/planning/official_plan/introduction.htm.

Zoning

On May 9, 2013, City Council enacted city-wide Zoning By-law 569-2013, which is currently under appeal at the Ontario Municipal Board. Therefore, both Zoning By-law 569-2013 and former City of Toronto General Zoning By-law 438-86 currently apply to the site.

Under Zoning By-law 569-2013, the majority of the site is zoned CR 7.8 (c4.5; r7.8) SS1 with a height limit of 61 metres. South of 774 Yonge Street, the site is zoned CR 3.0 (c2.0; r3.0) SS1 with a height limit of 18 metres.

Under Zoning By-law 438-86, the majority of the site is zoned CR 7.8 C4.5 R7.8 with a height limit of 61 metres. South of 774 Yonge Street, the site is zoned CR 3.0 C2.0 R3.0 with a height limit of 18 metres.

In both cases the CR zoning category allows for a broad range of residential and commercial uses with density limits of 7.8 and 3.0 times the area of the lot.

Heritage – Historic Yonge Heritage Conservation District

On March 10, 2016, City Council adopted the Historic Yonge Street Heritage Conservation District Plan dated January 2016. The District Plan will be in full force and effect when any appeals of the Plan received by the City within the legislated timeframe set out in the Ontario Heritage Act have been resolved at the OMB. While not determinative at this time, staff has considered the proposed development in the context of the District Plan in accordance with the Official Plan.

The property at 774-776 Yonge Street is designated under Part IV of the *Ontario Heritage Act*. The William Luke Buildings (1884) have design, associate and contextual values as excellent and well-crafted commercial buildings in the Italianate style. They reflect the late 19th century development of Yonge Street and its character as Toronto's 'main street' where they are historically, visually and physically linked to their surroundings. The building at 774-776 Yonge is the first and only building to stand on its property. The structure is the surviving two of a row of four commercial units constructed in 1885. The two southerly units of the row were demolished in 1938.

In 2008, City Council adopted the Parks Canada document *Standards and Guidelines for the Conservation of Historic Places in Canada* as the official document guiding planning, stewardship and conservation approach for all listed and designated heritage resources within the City of Toronto. *The Standards* include the following:

- Conserve the *heritage value* of a historic place. Do not remove, replace, or substantially alter its intact or repairable *character-defining elements*. Do not move a part of a *historic place* if its current location is a *character-defining element*.
- Conserve heritage value by adopting an approach calling for minimal intervention.
- Find a use for an historic place that requires minimal or no change to its character-defining elements.

- Evaluate the existing condition of character-defining elements to determine the appropriate intervention needed. Use the gentlest means possible for any intervention. Respect heritage value when undertaking an intervention.
- Maintain *character-defining elements* on an ongoing basis. Repair *character-defining elements* by reinforcing their materials using recognized conservation methods. Replace in kind any extensively deteriorated or missing parts of *character-defining elements*, where there are surviving prototypes.
- Make any intervention needed to preserve character-defining elements physically and visually compatible with the historic place and identifiable on close inspection. Document any intervention for future reference.
- Repair rather than replace *character-defining elements*. Where character-defining elements are too severely deteriorated to repair, and where sufficient physical evidence exists, replace them with new elements that match the forms, materials and detailing of sound versions of the same elements.

The *Standards and Guidelines* also include several key definitions. Central to these is the definition of Conservation as all actions or processes that are aimed at safeguarding the character-defining elements of an historic place so as to retain its heritage value and extend its physical life.

Bloor-Yorkville/North Midtown Urban Design Guidelines

The Bloor –Yorkville/North Midtown Urban Design Guidelines (June 2004) give guidance to improve the physical quality of the area and ensure that its special character is respected in terms of new development. The main planning objectives of the Design Guidelines include:

- enhancement of Areas of Special Identity and historic buildings;
- protection of residential areas from adverse impacts of commercial and/or higher density development;
- improvement of public realm and publicly accessible areas; and
- excellence in urban design, architecture, and landscaping.

The Bloor-Yorkville/North Midtown area is comprised of a number of precincts and corridors, each defined by its attributes in terms of function, built form and character. The subject site is located within the Bloor Street Corridor as an Area Wide Gateway.

The Bloor-Yorkville/North Midtown Urban Design Guidelines are available on the City’s website at: <http://www.toronto.ca/planning/urbdesign/blooryorkville.htm>

Tall Building Design Guidelines

In May 2013, 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 tall building development applications. The Guidelines establish a unified set of performance measures for the evaluation of tall building proposals to ensure they fit within their context and minimize their local impacts.

This application 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 in May 2013). This document identifies where tall buildings belong in Downtown, and establishes a framework to regulate their height, form and contextual relationship to their surroundings. The Downtown Tall Buildings Guidelines also contain heritage principles and performance standards.

This site is located on the Yonge Street Special Character Street as illustrated on Map 1 of the Guidelines. This designation recognizes Yonge Street's overall heritage value and iconic stature but accommodates its differing re-development potential along specific segments of the street. In this segment of Yonge Street, towers are to be set back 20 metres where heritage properties are present on-site and 10 metres where there are no on-site heritage properties.

The height range for the area south of Davenport Road to Hayden Street on Yonge Street is 62 – 107 metres, as identified on Map 2 of the Guidelines. The High Streets Typologies Map (Map 3) also identifies the site within the Yonge Street Special Character Street, where appropriate building typologies will be determined on a site-by-site basis. The tall building typology along this portion of Bloor Street West is identified as a Canyon Form. Along Yonge Street's existing historic 'main street' form the Tower-Base Form has been determined as the appropriate tall building typology. Map 4 identifies the Yonge Street and Bloor Street West frontages as Priority Retail Streets, meaning 60 percent of the total building frontage should contain active retail uses.

Additional height of approximately 30 metres can be contemplated on the four corners of subway stations along High Streets, where contextually appropriate and where impacts on heritage properties are respected.

The Downtown Vision and Supplementary Design Guidelines should be used together with the city-wide Tall Building Design Guidelines to evaluate new and current Downtown tall building proposals.

TOcore

On December 9, 2015, City Council adopted a staff report entitled 'TOcore: Planning Toronto's Downtown – Phase 1 – Summary Report and Phase 2 Directions'. The report outlined the deliverables of TOcore which will be a renewed planning framework through a Downtown Secondary Plan and a series of infrastructure strategies. The work for TOcore began on May 13, 2014 when Toronto and East York Community Council adopted a staff report regarding 'TOcore: Planning Toronto's Downtown', along with a related background document entitled 'Trends and Issues in the Intensification of Downtown'.

TOcore is looking at how Toronto's Downtown should grow, with both a renewed planning framework and the necessary physical and social infrastructure to remain a great place to live, work, learn, play and invest. TOcore is in its second phase, which involves drafting policies, plans and strategies. A report back to Toronto and East York Community Council is targeted by the end of 2016 on the results of the second phase and the next steps of implementation. The TOcore website is www.toronto.ca/tocore.

Site Plan Control

The proposal is subject to Site Plan Control. An application (File No. 128257 STE 27 SA) was submitted on March 16, 2015 and is currently under review. The Ward Councillor has requested that the Site Plan application be "bumped-up" for a report to City Council. The Planning staff report will address matters relating to servicing, loading, architectural design and materials, landscaping, pedestrian and vehicular access and circulation and other matters, to be secured in an agreement registered on title that includes the approved plans and drawings.

Reasons for the Application

The application proposes a mixed-use building with a height of 304 metres (including the elevator overruns) and a density of 28.3 times the area of the lot. The proposal exceeds the maximum floor space indices for the site of 7.8 and 3 times the area of the lot and the height limits for the site of 61 and 18 metres. A Zoning By-law amendment is therefore required.

Community Consultation

Individual residents, resident associations, business associations and neighbouring landowners were engaged throughout the review of this application and raised a number of issues. ABC (the Avenue Bay Cottingham Resident Association), GYRA (the Greater Yorkville Resident Association), BENA (the Bloor East Neighbourhood Association), BCCA (the Bay Cloverhill Community Association), Bloor-Yorkville BIA (Business Improvement Area), and the Uptown Residences (35 Balmuto Street, TSCC 2208) are some of the community groups that have participated in the application review process.

There have been numerous letters, phone calls, community meetings, working group meetings and one-on-one meetings. Many issues have been discussed, addressed, and to some, remain unresolved at this stage of the review. The community consultation on this project will continue as another working group has been scheduled, and staff will be required to report to Toronto and East York Community Council regarding the Site Plan Application.

The residents of the condominium apartment building at 35 Balmuto Road have expressed particular concern with the traffic impact on the public lane and local road network resulting from the proposed development. Specifically, the Uptown Residences provided City Planning staff with a letter dated April 13, 2016, outlining its concerns and recommendation. The key recommendation from the Uptown Residences is to reduce the scale of the development and provide an alternative access to the subject site from Yonge Street or Bloor Street. Other recommendations relate to mitigation of the impact on the public lane and local road network.

An overview of the public consultation and comments is outlined below.

Applicant's Pre-application Community Consultation

On March 11, 2015, the applicant hosted a pre-application community consultation meeting at the Park Hyatt Hotel (4 Avenue Road) to present an 80-storey rectangular-shaped tower proposal, listen to comments and answer questions regarding the pending application.

Community Consultation Meeting

On May 14, 2015, Planning staff, in consultation with the Ward Councillor, hosted a community consultation meeting at the Park Hyatt Hotel. Planning staff presented the policy framework and an overview of the application. The applicant provided further details with respect to its rectangular-exoskeleton proposal, and introduced preliminary concepts of a square-shaped tower incorporating a portion of the heritage building at 774-776 Yonge Street.

Following the presentations, City staff facilitated break-out sessions where attendees shared comments and ask questions. The meeting concluded with a question-and-answer period moderated by City Planning staff.

During the break-out sessions, attendees raised the following concerns and comments:

Relating to Heritage:

- incorporate the masonry from the former Stollery building
- retain the existing heritage building in place to respect its location
- set back and or move the heritage building to provide a wider sidewalk
- retain interior of the heritage building
- historic façade on Yonge Street sticks out poorly
- incorporate 780 Yonge Street into the development

Relating to Transportation:

- explore underground pedestrian connection to east and north and secure future connections to TTC
- concerns about congestion on public lane, Balmuto Street, and local street network
- explore new private driveway on lands to the west of the site, and of access directly onto Bloor Street West and Yonge Street
- explore new traffic signals and changing Charles Street from one to two-way to improve traffic flow
- reduce density and parking spaces on-site to reduce impact on the lane
- reduce the amount of retail to reduce loading needs
- need for dock management plan
- current blockages of the lane because of illegal parking and loading
- need for better enforcement on the public lane to keep vehicles moving
- widen the public lane and explore moving the loading space to underground
- pedestrian safety concerns
- support for traffic light on Balmuto Street at Bloor Street West

Relating to Built Form and Public Realm:

- wider sidewalks for pedestrians and cafes, and more public space to animate street
- improve pedestrian comfort, including lighting and wind concerns
- vitality of small scale/fine grain retail on Yonge Street
- the viability of the proposed vertical retail
- need to accommodate open space/amenity for pets
- create a public observation deck and public access to stairwell for charity climb
- overall accessibility issues
- aesthetically beautiful, graceful building that is appropriate for the site

- appreciation for change in building orientation
- expand the site south to include old 'uptown cinema' site
- density is a concern, especially for this intersection
- the tower should be no higher than the tower at 1 Bloor Street East
- shadow studies must acknowledge existing shadows plus collective impact of buildings
- the revised design has an improved sidewalk width on Yonge Street
- create a larger public plaza at the terminus of Mayfair Mews
- do not light the mechanical penthouse
- no cars on Yonge Street from Yorkville Avenue to Charles Street – send them underground in a tunnel
- no traffic access off Yonge/Bloor –to not interfere with pedestrian realm
- need for benches with back support for comfort and benches facing various directions
- more trees, consider a double row of trees, and colourful planting beds
- dedicate money to park development in Yorkville area
- concern with the lack of child care spaces in this growth area

During the question-and-answer portion of the meeting, residents also asked questions, made comments and expressed concerns as follows:

- the proposed height is acceptable and can be accommodated on this site
- the proposal will help improve Yonge and Bloor and the rest of Downtown
- more oversight required to manage lane congestion
- the proposal will help put Toronto on the international stage
- the architecture is powerful and impressive, lucky to have Sir Norman Foster as architect
- the proposal represents diversification and improves character of neighbourhood
- the proposal is an architectural statement – challenge the City to be a partner with the architect / developer
- do not dilute the design
- require open space for the dogs in the neighbourhood
- secure more open space
- concern with capacity of infrastructure to accommodate the growth in the area
- concern with potential wind impacts

Working Group Meetings

The Ward Councillor created a working group comprised of local stakeholders, including neighbouring landowners, and business and resident associations. At the time of the writing of this report, four working group meetings had been held at City Hall to address issues relating to built form/urban design, heritage, traffic, and public realm. An additional working group meeting is scheduled to address Site Plan related matters.

Meeting No. 1 (June 22, 2015): Traffic and Access

The meeting began with an overview by the applicant's transportation consultant of its assessment and recommendations. The overview described its approach which looked at the site conditions, and local and area impacts. The consultant explained that a traffic signal at Bloor Street West and Balmuto Street is worthy of study but was of the opinion that traffic works well without it. Other areas of exploration included: a traffic signal at Balmuto Street and Charles Street; making Charles Street between Balmuto Street and Yonge Street two-way, making Charles Street west of Bay Street two-way to Queen's Park.

There was general support for new underground pedestrian connections under Bloor Street West. Other discussions included the impact on the area road network and differing opinions on a potential traffic signal at Balmuto Street and Bloor Street as well as the valet operation of the parking garage.

Landowners who use the public lane raised concerns with the current and future congestion of vehicles on the lane and its ripple effect on the local road network and questioned why no access is proposed directly from Yonge Street or Bloor Street West. The applicant's consultant advised that the loading will be managed and provide private garbage pickup which can be scheduled. Staff clarified that the access management guidelines recommend taking access from the lower order street and that access off a major arterial road creates potential conflicts and unsafe conditions for pedestrians.

Meeting No. 2 (July 23, 2015): Traffic discussion continued – as well as Height and Density

The working group meeting began with a discussion of the outstanding matters and questions raised previously by the working group regarding transportation issues including: a traffic signal at Balmuto Street and Bloor Street West; converting Charles Street to two-way between Balmuto Street and Yonge Street; valet wait times; and accommodation of moving trucks.

The applicant's traffic consultant provided an update to its traffic analysis including vehicle and pedestrian counts. Given the pedestrian counts along Bloor Street (600-800) and Yonge Street (500) and Balmuto Street (100), the traffic consultant found that the counts provide justification of having the vehicular access off the public lane and Balmuto Street rather than Yonge Street or Bloor Street West. The traffic consultant then compared the potential traffic on the public lane to other lanes in the Midtown area including Cowbell Lane located at Yonge Street and Eglinton Avenue, as well as Mayfair Mews on the north side of Bloor Street West.

The applicant expressed its intention to add car-share to the project in response to the working group comments. The consultant also demonstrated different design options for two-way movement on Charles Street west of Yonge.

Again, there were mixed reactions to the idea of a traffic signal at Balmuto Street and Bloor Street West. Regarding the two-way Charles Street proposal, there appeared to be support from the working group. There were ongoing concerns regarding the number of valet staff required to service the 8 levels of parking (proposed at the time).

The conversation regarding the proposed building height addressed shadow impact on Jesse Ketchum Park, and which buildings (proposed and/or approved) should be included in the shadow study. Wind concerns were also discussed but the applicant's studies required updating. Comments were made that the articulation in the building's massing could mitigate wind impact. The working group opined on height with a variety of perspectives which included the shadow and wind impact assessment, balance of community objectives, views from 35 Balmuto Street, and concerns about setting a precedent for height. Density concerns related to the number of vehicles and the city's infrastructure capacity.

Meeting No. 3 (October 26, 2015): Heritage and Public Realm

The working group meeting began with a presentation by the project architects of the shadow studies in more detail and included shadow studies for October 21 as per previous discussions.

The presentation included an overview of the previously submitted wind study. The applicant also advised that it was looking into providing car share spaces, and updated the group regarding the underground pedestrian connection.

The applicant's presentation also detailed its intent to keep the heritage building in its current location and to transition the proposed building massing southward to form part of the new Historic Yonge Heritage Conservation District. The applicant was still in the process of developing a conservation strategy for the heritage building and was looking into reusing the stone cladding from the former Stollery's building in the proposal.

The applicant's landscape architect discussed its proposed granite paving treatment for the site and the introduction of trees on Yonge Street where none exist today. Its intent is to keep the widened sidewalk uncluttered and provide seating opportunities.

Comments from the working group included: the competing interest of pedestrian space and trees, especially on Yonge Street; the need for a widened sidewalk plus a gathering space (none shown at that time), and not just widened sidewalks; the need for more investment in the public realm; objections were made by the representative of the owner of the neighbouring land to the west, that the plans (at that time) did not show the existing right-of-way over the private lane; and the setback above the heritage building (at that time 2.5 metres).

The working group agreed that no further working meetings would be held until a formal resubmission of the application. The applicant and the representatives of 15 Bloor Street West were asked to discuss their issue regarding easement rights over the private lane outside of the working group meetings.

Meeting No. 4 (February 29, 2016): Overview of All Issues

The working group meeting began with a presentation by City Planning staff followed by the applicant's architect providing an overview of the December 2015 revised submission. Planning staff described the evolution of the design from a rectangular-shaped tower with no heritage conservation to a square-shaped tower with a conserved heritage building and low-rise streetwall along Yonge Street with increased sidewalk widths and a new open space. The applicant also committed to pursuing the City's Tier 2 Toronto Green Standard.

The applicant's traffic consultant then presented its updated assessment based on the reduction in overall residential units and parking spaces and the introduction of 2 car-share spaces. The consultant also updated the group that City staff was independently studying the Charles Street two-way conversion. The traffic consultant continued to suggest that the traffic signal at Balmuto Street and Bloor Street West would help pedestrian and vehicular movement but is not necessary for the application.

The working group raised concerns with the increase in the proposed height (at that time) from 328 metres to 340 metres and its resulting shadow. Members suggested reducing the height to reduce its shadow impact on Jesse Ketchum Park and existing low-rise neighbourhoods.

Much attention was placed on the internal circulation of valets and garbage through the building and the internal management of the loading elevators. Another concern raised was the beeping of

the loading trucks reversing back onto the laneway. Questions were raised about the extent of the heritage preservation of 774-776 Yonge Street and the details of the ground floor restoration. The setback of the building above the heritage building was seen as an improvement.

Members continued to raise concerns over the volume of traffic anticipated on the public lane (especially at peak times) and the sufficiency of the 7 short-term (valet) spaces on the concourse level. Additional issues were raised regarding the interface of the outdoor amenity space and the residential condominium building to the west. The applicant's architect clarified that the outdoor amenity space was for the residents' use only and was a passive space with a lap pool.

Overall, working group members were pleased with the improved public realm which widened the sidewalks and created an open space on Bloor Street West. They wished to see a dog relief station/dog run provided on-site.

The representative for the property at 15 Bloor Street West asked how the proposed entranceway will mitigate the conflict between vehicles and pedestrians over the private lane with a right-of-way in favour of its client. The applicant advised that it is prepared to share the use of its proposed loading space with the owner of 15 Bloor Street West. Other members also raised concern for the safety and visibility of pedestrian access to the tower elevator lobbies. The applicant and neighbouring landowners were encouraged to meet privately to work out the potential of sharing loading facilities with 1 Bloor Street West.

Through each working group meeting, questions and concerns were raised relating to construction matters, as well as loading and valet operations. A further working group meeting would be scheduled to address these Site Plan Control related matters, including the discussion of a construction management plan, loading dock master plan, and an operations management plan regarding the valet parking.

Meeting No. 5 (April 26, 2016): Revised March 2016 Submission / Site Plan Matters

A fifth working group meeting has been scheduled and will take place following the submission of this report.

Design Review Panel

The project was presented to the City of Toronto design review panel on two occasions – May 26, 2015 and March 10, 2016. Some members of the working group and the public attended both Design Review Panel meetings. The Ward Councillor and Planning staff invited local stakeholders to participate in a discussion following the first Design Review Panel meeting, which included other Yorkville area proposals.

First Presentation (May 26, 2015)

The applicant presented its original rectangular-shaped design and the work-in-progress square-shaped tower. The Panel responded that a transformational project of architectural, urban, and social significance is expected for 1 Bloor Street West. The Panel found that the project was well positioned to fulfill those expectations, but is not without its challenges.

The Panel described the project as exciting and collectively agreed this is the right location for a piece of iconic architecture. It stressed that as the tallest building in the city, the architectural language is very important and it is critical that the building be exceptional.

The Panel opined that the proposal's commercial base (first submission) required mitigating strategies to limit the negative impact to the views and access to light on the existing developments to the west. The Panel also suggested that the pedestrian volumes in the area warranted publicly accessible green space at the primary entrance on Bloor Street West; increased the sidewalk width; and increasing the scale, interconnectivity, and visibility to the proposed underground pedestrian concourse link. Further comments regarding the public realm, site access and loading, treatments of blank walls, setbacks and sustainability were discussed.

Second Presentation (March 10, 2016)

The Panel members commended the potential elegance of the tower, with one member noting it was "outstanding". The clarity of the structural expression was appreciated by several members. They noted that it positively generated the form of the tower. The Panel members, however, found the tower proportions to be unresolved.

To realize the potential of this important site, the Panel suggested that the project should: address the existing heritage building context (material sympathetic to the heritage building and area); enhance civic quality of the tower base; improve public connectivity to the TTC subway station; resolve wind control to ensure pedestrian comfort at street level; and, develop podium facades to achieve greater clarity and resolution. Panel members advised that a strong commitment to a public entrance and underground pedestrian routes to the subway for this site, adjacent to the intersection of two major transit lines, is an obligation of the project.

The Panel expressed a general level of concern regarding the increased shadows on Jesse Ketchum school and daycare open spaces, while acknowledging the appropriateness of height at the intersection.

While Panel members appreciated the evolution of the ground plane, many advised greater widths of sidewalks on the north and east sides of the site, and creation of a more significant public space. The Panel reiterated that the location of loading area and the tightness of laneway access remain concerns, and requested auto-turn diagrams to demonstrate its functionality.

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

Located on a prominent corner at the intersection of Yonge Street and Bloor Street, this is a proposal for building of a grand scale with a unique design that has 10 floors of commercial space (including concourse level) and a high residential tower above.

The intent of the review of the proposal by City staff and the direction from its public consideration has been to maintain the essence of this landmark development and its high quality retail space while achieving a host of planning policy and performance objectives that a development of this scale must address. Staff is recommending Zoning By-law amendments for the site that represent good planning.

The application has been under review for over a year. The original rectangular tower and exoskeleton design attracted significant public interest and was formulated without the benefit of any staff input. Staff's preliminary review of the application identified a number of potential concerns including, but not limited to: the size of the development relative to the site area; its spatial relationship to other towers; the lack of heritage conservation; the siting of the tower with no setback from Yonge Street; vehicular and servicing access; and the pedestrian environment.

Since the original application, there have been a number of revisions in response to concerns raised by City Staff, the Design Review Panel, the working group, and individual residents. The first response by the applicant was to increase the size of the site by purchasing the property at 768 Yonge Street and later 760-762 Yonge Street (though it is not contiguous). To achieve the objectives of expanding the public realm and respecting the character of Yonge Street and Bloor Street, the shape and location of the tower was revised. The tower was redesigned to a square-shape, set back from Yonge Street and Bloor Street West, providing wider sidewalks and conserving and integrating the heritage building at 774-774 Yonge Street. The new tower massing provided new opportunities to animate the Yonge Street frontage with the established street wall along the block, which is consistent with the heritage building in the Heritage Conservation District.

Over the course of the review, the massing of the commercial floors south of the tower was improved by reducing the overall height, relocating the mechanical facility for the commercial component into the tower, and stepping down the height to the west, east and south. The massing south of the tower was also set back from the Yonge Street streetwall, the south property line and the residential tower at 35 Balmuto Street to improve the relationship of the proposal to its context.

To address the community's concerns regarding the increased traffic on the public laneway and the local streets, the applicant significantly reduced the number of proposed parking spaces on-site and reduced the number of parking levels. By purchasing and including the property at 760-762 Yonge Street (and not 764 Yonge Street at the time this report was written) as part of the site, the applicant has agreed to design the building and relocate and share vehicular access from 760-762 Yonge Street should the neighbouring properties be redeveloped in the future. The applicant will also provide the necessary knock-out panels to connect future developments to the west along Bloor Street West and south along Yonge Street to the retail concourse level and the parking

garage. This will potentially reduce and centralise the number of vehicle ramps on the public laneway to one location along the widest portion of the public lane.

Finally, the height of the tower was reduced to reduce the overall density of the proposal, to better fit within the Height Peak policy context and to reduce the shadow impact on the Jesse Ketchum School Yard, the Yorkville Triangle neighbourhood and the Asquith Collier neighbourhood.

The revised massing has improved the overall fit of the tower within its context. The proposal is consistent with relevant policies of the Official Plan, the Bloor-Yorkville/North Midtown Urban Design Guidelines and the Tall Building Guidelines, as described below.

Provincial Policy Statement and Provincial Plans

The proposal is consistent with the PPS. In regard to efficient use of infrastructure and transportation systems, the proposal is located near the intersection of the Bloor and Yonge subway lines. It promotes a land use pattern, density and mix of uses that limits vehicle trips and supports the use of transit and active transportation (Policy 1.6.7.4).

Provincial Policy Statement 2.6.1 states that "Significant built heritage resources and cultural heritage landscapes shall be conserved". Properties designated under Part IV of the Act or included on the City's Heritage Register comprise "significant built heritage resources".

In the PPS 2014, "conserved" is defined as "identification, protection, management and use of built heritage resources, cultural heritage landscapes and archaeological resources in a manner that ensures their cultural heritage value or interest is retained under the Ontario Heritage Act.

This proposal conforms to and does not conflict with the Growth Plan for the Greater Golden Horseshoe. It represents new growth in a built-up area that will ensure and maximize the viability of existing and planned infrastructure (Policy 2.2.2).

Land Use

Planning staff are satisfied that the proposed residential and non-residential uses are acceptable. These uses are permitted within the *Mixed Use Areas* of the Official Plan as well as the CR district in the Zoning By-laws. The development will create a balance of high quality commercial, residential, and open space uses that reduces automobile dependency and meets the needs of the local community as anticipated in the Official Plan for *Mixed Use Areas*.

In addition, the Tall Buildings Guidelines identify Yonge Street and Bloor Street as priority retail streets and the local Urban Design Guidelines identify Yonge Street and Bloor Street as Highly Animated Streets where the primary use is retail and commercial uses.

The Draft Site Specific Zoning By-laws accommodate a mix of uses.

Density, Height, Massing

The proposed density, height and massing is acceptable in the context of this site at the Yonge Street and Bloor Street intersection. The Official Plan Area Specific Policy 211 and the Bloor-Yorkville/North Midtown Urban Design Guidelines set out areas called the Height Peak, Height Ridges and Low-Rise Areas. The intent of these local policies and guidelines is to direct the tallest buildings to the Yonge and Bloor Streets intersection, known as the Height Peak. The

subject site is located in the Height Peak as identified in Official Plan Policy 211 and in the Urban Design Guidelines.

The tallest building in the Bloor-Yorkville area should be located at the Yonge and Bloor intersection, as called for by the Official Plan. The Bloor-Yorkville / North Midtown Urban Design Guidelines states that this site is the appropriate location for the tallest buildings in Bloor-Yorkville/North Midtown. The Guidelines describe the Height Peak as the area where buildings reach a pinnacle height providing a landmark at the intersection of the City’s two principal streets and contribute to its skyline.

While this proposal would be the tallest, at 304 metres, and the highest floor space index, of 28.3 times the area of the lot, it is generally in keeping with the built form standards of the other towers at and near the intersection.

Table 1: Built Form Comparisons of Neighbouring Towers

	1 Bloor St W	1 Bloor St E	2 Bloor St W	2 Bloor St E	50 Bloor St W	35 Balmuto St
Height	304m (80 storeys)	As built: 258.5m (75 storeys) <i>Zoning: 279m (and 290m to finials)</i>	146.5m (34 storeys)	133.9m (35 storeys)	230m (71 storeys)	158m (48 storeys)
Floor Plate (sq.m.)	956	918	1380	1707	974	836 and 549
Tower Setbacks (m)	N: 0.8 E: 4.5 W: 12.5 S: 26.75	N: 4.2 E: 21.5 W: 13.0 S: 38.9	N: N/A E: 0.5 W: 2.6 S: 6.3	N: 1.7 E: N/A W: 4.8 S: 6.3	N: 12.8 E: 15.6 W: 70.0 S: 3.2	N: 5.5 E: 7.4 W: 2.0 S: 5.5
Site Size (sq.m.)	2,843	4,690	7,404	15,259	5,920	1,953
Density	28.3	17.3	17.4 <i>(with 2 approved towers on Cumberland St)</i>	13.8	17.1	15.3
Vehicle / Loading Access	Public Lane	Hayden Street	Public Lane <i>Mayfair Mews</i>	Asquith Avenue	Public Lane <i>Mayfair Mews</i>	Public Lane

The proposed height of 304 meters is in keeping with the approved height at 1 Bloor Street East at 290 metre to the top of the architectural finials (which is no longer part of the design of the constructed tower). Like the Council-approved tower at 50 Bloor Street West, the height was reduced from the original application to reduce the shadow impact on the open space at Jesse Ketchum School and the Yorkville Triangle and Asquith Collier low-rise neighbourhoods.

The height of the proposed tower is comparable to recently approved mixed-use towers in terms of storeys. The proposal tower is described as 80 storeys tall, which includes nine floors for mechanical uses, plus the elevator overrun. If the mechanical floors, which are interspersed throughout the tower, are subtracted, the tower is 70 storeys which include 61 residential floors and nine commercial floors, plus the commercial underground concourse level. The increased height of the tower is a result of taller residential floor-to-ceiling heights and the number of commercial floors for the vertical retail complex.

This is a prominent site in the City of Toronto for the reasons discussed above. The Tall Building Guidelines state that when a tall building is proposed on a prominent site, the design and placement of the building and surrounding landscape should respond to the heightened level of importance within the City structure. Well-designed tall buildings on prominent sites can become recognizable landmarks, providing points of orientation and visual interest within the City. The revised square-shaped tower responds best to its surrounding context and protects views from neighbouring tall buildings. In addition, the square tower will be more memorable as a landmark because it will look the same on the skyline regardless of the view point.

The Tall Building Guidelines state that modest increases to the 750 square-metre floor plate can be considered in a mixed-use building with heights greater than 60 storeys. The proposed tower floor plate is 956 square metres, which is in keeping with the floor plates in the immediate Height Peak Area, and continues to achieve the minimum tower setback standards of 12.5 metres to side and rear property lines as called for in the Tall Building Guidelines.

The position and siting of the tower on this corner site is acceptable and fits within the existing and planned context for the site. The Tall Building Guidelines state that tall buildings on corner sites should respond to the setback pattern and alignment of neighbouring buildings on both streets. The redesign of the tower from a rectangular-shaped tower located on the Yonge Street property line to the square-shaped tower set back from Yonge Street provided the opportunity to respond to both the canyon form tower typology of Bloor Street West and the tower-base form found along Yonge Street with transitioning to preserve its historic street wall character. The proposed tower is also offset from the tower at 35 Balmuto Street to improve access to sky view.

South of the tower is an extension of the vertical retail complex. The massing of the retail component is appropriately set back from the Yonge Street streetwall. The setbacks above the additional height and massing over the Yonge Street buildings vary from 5.7 metres back from the heritage building, and 4.5 metres to 10 metres back from the modern extension of the streetwall at the south end of the project.

The staggered setback over the established streetwall was designed to provide visual interest and articulation, and to transition the massing on-site to the 10 metre setback line which is consistent with the built form provisions in the Historic Yonge Heritage Conservation District. The draft zoning by-laws for Parcel 2 at 760-762 Yonge Street also preserves a 10-metre setback above the established streetwall height.

The retail massing is proposed to step down in height to the south and west to improve the facing condition between the existing residential tower at 35 Balmuto Street and the proposal. The step down in height toward the south also transitions to establish a base height for any future development to the south in keeping with the height of the existing historic streetwall height of approximately 13 metres with a minimum setback of 10 metres above the streetwall.

The massing west of the tower on Bloor Street West provides for the circulation of pedestrians. Staff are satisfied with the height and massing of the circulation building as it is set back from Bloor Street and generally in keeping with the height limit along Bloor Street West.

Overall, Planning staff find that the site organization is appropriate in consideration of its location at the Yonge and Bloor Streets intersection; an assessment of the immediate context including

setback patterns, building heights, and relationship to other tall buildings; and, the arrangement of driveways, sidewalks, and open space.

Zoning By-law 438-86 and 569-2013 permit a maximum density of 7.8 times the area of the lot at 1 Bloor Street West. Of the total permitted density, the total permitted commercial density on the site is 4.8 times the area of the lot. The proposed commercial density on the subject site is approximately 5.3 times the area of the lot. Planning staff find the increased commercial density acceptable for this site.

The overall proposed density of 28.5 times the area of the lot is acceptable. The higher density number is attributed to the site size relative to the other tall towers in the area (see Table 1). Staff are satisfied, however, that the proposed tower does not create a precedent for the area, given a very localized policy context in that the proposal is located at the intersection of Yonge Street and Bloor Street, the site is located within the Height Peak, and the tower massing is similar to recently approved towers in the area, and the proposal satisfies the minimum tower setback standards in the Tall Building Guidelines.

Heritage

Staff has reviewed the proposed conservation strategy as set out in the Heritage Impact Assessment prepared by Goldsmith Borgal and Company Ltd., heritage architects for the property at 774-776 Yonge Street, within the broader framework of Official Plan heritage policies and the more specific policies and guidelines of the Historic Yonge Heritage Conservation District Plan. The 774-776 Yonge Street property is the northern limit of the Historic Yonge Heritage Conservation District on the west side of Yonge Street.

The proposal conserves the integrity of the cultural heritage values, attributes, character and three-dimensional form of the heritage building, in situ. The proposal conserves the Yonge Street elevation as well as the north and south elevations to a depth of 5.1 metres.

The proposed retail massing is stepped back 5.79 metres above the heritage building, which is less than the 10 metres required in the Historic Yonge Heritage Conservation District Plan but is improved from earlier iterations of the proposal. Further south on the development at Parcel 1 and fully at Parcel 2, a 10-metre stepback above the 13-metre base height is proposed to transition height back from Yonge Street moving south from Bloor Street.

The development includes a proposed new Yonge Street building elevation at 768, 770 and 772 Yonge Street directly adjacent to the designated property at 774-776 Yonge Street. This new elevation matches the height and setback of the adjacent contributing building, respecting the historic streetwall on this block.

The proposed tower is north of the Heritage Conservation District and set back from the historic streetwall of Yonge Street. The base of the tower provides a reference height of the adjacent heritage property and is appropriately scaled to the pedestrian with a wide sidewalk along Yonge Street. The conservation of the heritage property at 774-776 Yonge Street as part of this development anchors the historic streetscape of this block at the gateway of the Heritage Conservation District.

Sun, Shadow

The shadow impact resulting from the application is acceptable. The Downtown Tall Buildings Design Guidelines state that every effort will be made to design and orient tall buildings to minimize their shadow impact on all publicly accessible parks, open spaces, natural areas and other shadow sensitive areas.

The Tall Buildings Vision and Supplementary Design Guidelines (Guideline No. 2) states that new buildings should be located and designed not to cast any new net shadow on parks between 12:00 PM. and 2:00 PM on September 21st. It also states that new buildings should be designed and located to best mitigate all new net shadowing on Jesse Ketchum Park/Schoolyard and Ramsden Park in the Bloor-Yorkville/North Midtown Area.

The Bloor-Yorkville / North Midtown Urban Design Guidelines identify Shadow Sensitive Areas. The *Neighbourhoods* and Natural Areas to the east of Yonge Street, including the lands that are designated *Neighbourhoods* in the Asquith Collier Precinct, on Collier Street, Park Road and Asquith Avenue, Frank Stollery Parkette on Scollard Street, the Fire Hall clock tower, Library and Town Hall Square Park on Yorkville Avenue, the Village of Yorkville Park, a portion of the Village of Yorkville, the Yorkville Triangle Precinct, and Jesse Ketchum Park are all identified as shadow sensitive areas.

The Official Plan states that development in *Mixed Use Areas* will locate and mass new buildings so as to adequately limit shadow impacts on adjacent *Neighbourhoods*, particularly during the spring and fall equinoxes.

Planning staff have assessed the proposed development in terms of the incremental impact resulting from the proposed 80-storey (304-metre) tower and are satisfied that it adequately limits shadow on the *Neighbourhoods*, shadow sensitive areas, parks, publicly accessible open spaces and natural areas.

The tower height was reduced from the original application to minimize the impact on the Jesse Ketchum Schoolyard and significantly limit the shadow on the Asquith Collier Neighbourhood during the spring and fall equinoxes.

On September/March 21, at 9:18 AM the shadow extends beyond Hazelton Avenue in a northwest direction. Given that shadows are currently (and will be) cast by existing (and approved) buildings, there is minimal new shadow cast in the rear yards of a few buildings on Hazelton Avenue, but not on the Jesse Ketchum Schoolyard. By 10:18 AM, there is some net new shadow on a portion of the Jesse Ketchum Schoolyard adjacent to the shadow from the Four Seasons tower, and by 11:18 AM the shadow is on the east side of Bay Street over the Fire Hall at 34 Yorkville Avenue. The net new shadow on Jesse Ketchum Park first appears sometime after 9:34 AM over the western edge of the School Yard, and then moves east and then south of the central area of the School Yard shortly before 10:34 AM.

On September/March 21, at 12:18 PM, no new incremental shadow is cast as it falls in line with the shadow (which is directly north just west of Yonge Street) from the 58-storey approved tower at 1 Yorkville Avenue. At 1:18 PM there is no net new shadow impact on the public realm.

On September/March 21, between 2:18 PM and 3:18 PM the shadow from the proposal passes along the western edge of the low-rise Asquith-Collier residential neighbourhood. By 5:18 PM the incremental shadow is on the south side of Bloor Street East, before the sun sets.

On June 21, when the sun is at its highest point, there is some incremental shadow on Yorkville Park at 9:18 AM and no incremental shadows on Town Hall Square, Jesse Ketchum Park, Frank Stollery Parkette or the Asquith Collier neighbourhood at any other point during the day.

Wind

Planning staff are satisfied with the wind condition resulting from the proposed development, subject to further assessment during the Site Plan Control process for potential mitigation strategies.

The applicant submitted a revised Pedestrian Level Wind Report, dated March 31, 2016, prepared by RWDI Inc., based on wind tunnel testing of the current proposal. The study involves wind tunnel measurements of pedestrian wind speeds using a physical scale model, combined with meteorological data integration, to assess pedestrian comfort at key areas, including public sidewalks and walkways, parks, and building access points.

Based on the wind tunnel test results, the study finds that wind conditions at all locations are expected to pass the criterion used to assess pedestrian wind safety and wind speeds at grade level for all of the tested configurations throughout the year are suitable for pedestrian usage on sidewalks.

The study finds that wind speeds at the northeast corner of the proposed building along Yonge Street will increase with the addition of the proposed building due to strong prevailing winds from the west downwashing off the north façade of the tower and accelerating around the corner of the building. Downwashing occurs when tall buildings intercept stronger winds at higher elevations and redirect them to ground level and is often the main cause for wind accelerations around large buildings at the pedestrian level. Corner acceleration is also a common wind flow pattern that causes a localized increase in wind activity at building corners.

The study finds that when Council-approved towers are constructed to the northwest, the wind conditions at the northeast corner of the building will improve. Currently, the proposed building would be exposed to prevailing westerly winds due to the low-rise buildings located to the northwest. When the approved towers to the northwest are built, the proposed tower will be sheltered from westerly winds.

The study also finds that the entrances to the proposed development are expected to be comfortable for sitting or standing throughout the year.

Climate-Controlled Pedestrian Network

The applicant has indicated the intent to connect its project into the climate-controlled pedestrian network (not formally branded as the PATH) in the Bloor-Yorkville Area, which connects development throughout the area to an underground retail network and provides direct connection to the Yonge-Bloor and Bay subway stations. The application currently proposes to construct a pedestrian tunnel from its concourse level northward beneath Bloor Street West to the Yonge-

Bloor Subway Station, the Bay Subway Station, the Holt Renfrew Centre and the Manulife Centre. The Urban Transportation Considerations Update, dated December 18, 2015, identifies the connection of this proposed development to the underground pedestrian tunnel system as part of the pedestrian infrastructure improvement.

The underground pedestrian tunnel connection is integral to the proposal. The applicant is required to demonstrate that there is an agreement to connect an approved underground connection into the existing climate-controlled pedestrian network or directly into the Toronto Transit Commission subway. Staff have recommended the necessary conditions to secure the anticipated below grade connection.

The underground connection must be designed and constructed in accordance with the Design Guidelines for PATH and Other Climate-Controlled Pedestrian Networks, dated February 2012.

Roadway Widening

The Official Plan requires a right-of-way width of 27.0 metres for this portion of Bloor Street West, while the current width is 26.2 metres. As a result, a 0.4 metre widening is required for Bloor Street West. There are no additional lands required for road widening purposes for Yonge Street as the Official Plan requirement of a 20 metre wide right-of-way has been satisfied. Furthermore, the public lane abutting the site does not require widening as the lane satisfies the requirements of the Official Plan. The proposal provides a 0.4 metre wide conveyance as a strata conveyance to a minimum of 0.75 metre below finished grade, which is acceptable.

Traffic Impact Assessment

The project is estimated to generate approximately 105 to 110 two-way trips during the AM and PM peak hours, respectively. BA Consulting Group Ltd. indicated in its report that the level of service at the unsignalized intersections of: Charles Street West and Balmuto Street; Balmuto Street and public laneways; and, Bloor Street West and Balmuto Street are forecast to operate at acceptable ranges, other than the northbound left turn at the Bloor Street West and Balmuto Street intersection. The northbound left turn movement will continue to operate with more extended delays and is forecast to operate with a level of service in the 'E' to 'F' range.

BA Consulting Group Ltd. analysed three scenarios to improve overall traffic and congestion in the area that include:

- Scenario A Converting Charles Street West to two-way from Balmuto Street to Yonge Street;
- Scenario B Signalizing the intersection at Bloor Street West and Balmuto Street; and
- Scenario C Combined 'A' and 'B' - signalizing the intersection of Bloor Street West and Balmuto Street, and converting Charles Street West to two-way from Balmuto Street to Yonge Street.

Under the combined Scenario C, the intersection of Bloor Street West and Balmuto Street will operate with more efficiency. BA Consulting Group Ltd. has also conducted a signal warrant analysis at the Bloor Street West and Balmuto Street intersection, resulting in the intersection meeting the signal warrant. The City is currently assessing Scenario A. This report secures implementing Scenario B.

BA Consulting Group Ltd. undertook a traffic signal progression review of the Bloor Street West corridor in the vicinity of the subject site to review the appropriateness of the proposed signal at Balmuto Street and Bloor Street West and the potential impact on upstream and downstream traffic. BA Consulting Group Ltd. concluded that the proposed traffic signal would not impact traffic progression on Bloor Street West/East if appropriate intersection offsets are maintained.

The signals on Bloor Street West and East between Avenue Road and Sherbourne Street operate under the SCOOT (Split Cycle Offset Optimization Technique) central control system, an adaptive traffic system, which prioritizes traffic flows. Taking into account the projected site traffic volumes of the proposed building and the existing volumes, the installation of a new traffic control signal at the intersection of Balmuto Street and Bloor Street West will improve traffic conditions on the area road system.

The owner is required to pay for the cost of the installation of the traffic control signals. Prior to Site Plan approval, the applicant will be required to provide a certified cheque for \$30,000 to cover the maintenance and operating costs of the traffic control signals for a period of 5 years.

Driveway Access and Site Circulation

The subject site is bounded by Bloor Street, Yonge Street to the north and east, and a U-shaped public lane to the south and west. All proposed vehicular and loading is to be from the public lane system (a lower order road), which complies with the standards in the City's Access Management Guidelines.

The proposal complies with the Official Plan which states that new development will locate and organize vehicle parking, vehicular access, service areas and utilities to minimize their impact on the property and on surrounding properties and to improve the safety and attractiveness of adjacent streets, parks and open spaces by using shared service areas where possible within development blocks including public and private lanes, driveways and service courts and consolidating and minimizing the width of driveways and curb cuts across the public sidewalk.

The Tall Building Guidelines also directs new development to locate "back of house" activities, such as loading, servicing, utilities, and vehicle parking, underground or within the building mass, away from the public realm and public view.

The public laneway is a significant asset to the City which helps consolidate vehicular access and loading activity from multiple buildings, minimizing direct access to public streets and disruptions to pedestrians, and shifts loading activity away from the primary frontage of buildings.

Laneways, by their design and use, are not intended to function as streets. Laneways are narrower than streets, reducing the ability for vehicles to travel at high speeds. Therefore, traffic operations and maneuverability in laneways differ from a typical street.

To mitigate the conflict between vehicles exiting the parking garage, the applicant proposed an acceptable warning system near the top of the ramp that warns exiting motorists to watch for pedestrians in the area.

Parking

The application proposes a total of 312 vehicular parking spaces (301 spaces to be shared among the residents, residential visitors and the commercial uses, 4 car-share spaces and 7 short-term/valet spaces). The vehicular parking spaces will be located in a 4-level underground parking garage, other than the 7 short-term spaces which are located in the pick-up/drop-off area on the concourse level.

Parking stackers are proposed for the majority of the parking spaces. All users of the parking stackers must obtain an operating license from the Technical Standards and Safety Authority. The valets are required to obtain the required mechanical parking stacker operating license.

The proposed parking supply is less than what is required in the Zoning By-law (569-2013). The By-law requires a total parking supply of approximately 424 parking spaces (291 resident spaces, 41 residential visitor spaces, 151 retail spaces), compared to the proposed 312 parking spaces.

The proposal provides 4 car-share parking spaces. The Zoning By-law permits a reduction of four resident parking spaces for each car-share parking space provided.

Transportation Services staff find the parking supply and arrangements to be acceptable. Staff reviewed the Urban Transportation Considerations Report and its addendums. The report finds the reduced parking supply appropriate given the review of the area travel characteristics (Based on Transportation Tomorrow Survey, TTS), and the proposed underground pedestrian connection to the Bloor and Yonge subway lines and area public parking garages at the Hudson's Bay Centre, Cumberland/Yorkville Toronto Parking Authority and the Manulife Centre, which all have surplus parking.

The parking supply is to be shared between the residents, residential visitors and the retail users. Although the sharing of parking spaces between residents and non-residents users is relatively uncommon in the City of Toronto, the Urban Transportation Considerations Report indicates that sharing of parking spaces exists at the Manulife Centre, Yonge Eglinton Centre, College Park and Trump International Hotel and Residences.

An Operations Management Plan prepared by BA Consulting Group Ltd. was submitted to Transportation Services, addressing issues pertaining to, among other matters, the management of parking spaces, the valet service, and manoeuvring of vehicles. BA Consulting Group Ltd. conducted a study of a proxy site, namely the Trump International Hotel and Residences' valet operations, which are similar to that planned for this project. The study included observations of peak period inbound and outbound traffic volumes travelling between the valet drop-off area and the parking garage as well as ascertaining the number of valet staff on duty. Based on the number of vehicles serviced per valet per hour and the number of minutes it takes a valet to service one vehicle, a service rate was produced to allow for a reasonable level of queuing and waiting time to the reasonable level for a valet operation. This resulted in vehicles serviced per valet of 10 per hour with a total of 7 valets on duty, which equates to a service time of 6.0 minutes.

The findings and recommendations within the Operations Management Plan is acceptable. The owner must implement and maintain the Operations Management Plan as outlined in the updated

Urban Transportation Considerations Report dated December 18, 2015, prepared by BA Consulting Group Ltd.

The layout of the proposed underground parking structure is generally acceptable. A portion of the proposed parking supply contains parking spaces which do not conform to the normal dimensional requirements of Zoning By-law 569-2013. Some spaces have substandard widths. Given that the parking will be undertaken by the valet service, Transportation Services accept the sub-standard parking spaces. However, these spaces are required to be individually signed designating each compact parking space for use by small cars only.

Loading

The provision of four loading spaces (1 Type 'G' and 3 Type 'B' loading spaces) is acceptable. The loading is to be located adjacent to east edge of the public lane at the rear of the site. The proposal calls for private residential and commercial refuse and recycling pick-up. Refuse and recycling pick-up takes place in the Type 'G' loading space with the adjacent Type 'B' loading space used for collection day bin storage and pick-up which would be scheduled for off-hours to reduce the impacts on the balance of the loading facilities.

The loading space of the project will be accessed directly from the public lane. In order to assess the operation of the proposed loading space, vehicular manoeuvring diagrams have been provided by BA Consulting Group Ltd. showing the appropriate design for vehicles to enter and exit the site onto Balmuto Street in a forward motion, although they need to reverse into the loading space from the public lane. Staff will require a noise mitigation strategy to address the noise resulting from the loading activity off the public lane.

In order to ensure the transportation of goods and services will not occur within the abutting public right-of-way, services connections are required to be provided from the loading spaces and garbage room and the retail units.

Servicing

A Functional Servicing and Stormwater Management Report, prepared by Cole Engineering has been submitted to provide justification of the proposed servicing for the Site Plan Application. The Functional Servicing is acceptable with respect to the requirements of the rezoning by-law application. However revisions are required which will be addressed as part of the review of the Site Plan Application.

Fire Services, requires a fire access route within 3 to 15 metres of the principal entrance. The draft zoning by-law map and plans have been adjusted from the submitted plans to meet the fire access route requirement.

The applicant proposes to provide private collection for both the residential and commercial components to provide scheduled pick-ups which mitigates the impact on the public lane. Solid Waste Management provides bulk lift compacted garbage, recycling and organic collection services to residential components of development subject to the design meeting the requirements the "City of Toronto Requirements for Garbage Collection and Recycling Collection from New Developments and Re-Developments" and Chapter 844, Solid Waste of the Municipal Code. The loading area for residential public collection does not meet the standards

of Solid Waste Management and the commercial component of this development is ineligible for City of Toronto collection.

There are no existing storm sewers within the immediate frontage of this development. The applicant's engineering consultants proposes that the storm sewer system connect to Balmuto Street by means of a new sewer on the existing lane. This has been reviewed in conjunction with Toronto Water and has been accepted in principle.

The consultant has provided analysis showing that there is capacity in the existing Balmuto Street and Charles Street storm system for this development. While servicing from the City lane is not normally recommended, Toronto Water finds that it is desirable to achieve separation of flows from this site without disruption to Yonge Street where possible. Full restoration and reconstruction of the lane will be required.

Any work required to construct, relocate sewers or revise road alignments in the City's right-of-way requires a Municipal Infrastructure Agreement be entered into prior to site plan approval.

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 Official Plan shows local parkland provisions across the City. The subject site is in an area with 0 to 0.42 hectares of local parkland per 1,000 people, the lowest quintile of current provision of parkland. The site is in a parkland acquisition priority area, as per Chapter 415, Article III of the Toronto Municipal Code.

The application proposes an 80-storey building that will contain 416 residential units with 15,117 square metres of non-residential gross floor area. At the alternative rate of 0.4 hectares per 300 units specified in Chapter 415, Article III of the Toronto Municipal Code, the parkland dedication requirement is 5,546 square metres or 235 percent of the site area. However, for sites that are less than 1 hectare in size, a cap of 10 percent of the development site is applied to the residential use while the non-residential use is subject to a 2 percent parkland dedication. In total, the parkland dedication requirement is 245 square metres.

The proposed development is located in an area with low parkland provision currently. Parks, Forestry and Recreation will require the owner to satisfy the parkland dedication requirement through an on-site parkland conveyance with frontage along Bloor Street West, or alternatively, through an off-site parkland conveyance within approximately 1 kilometre of the development site. The location of the on-site or off-site parkland shall be to the satisfaction of the General Manager, Parks, Forestry and Recreation in consultation with the Ward Councillor.

In fulfillment of the parkland dedication requirement for this development, the owner must adhere to Section 42 of the *Planning Act*, RSO 1990 c.P 13 and the policies pertaining to parkland in the Official Plan.

Streetscape / Open Space

Along the primary street frontages of a tall building site, the Tall Building Guidelines call for a sidewalk zone at least 6 metres wide or greater where larger setbacks are established by the existing context or required by the Zoning By-law. Tall buildings at corners, transit nodes, PATH

access points, or other locations with significant pedestrian use, or where there is a substantial change in grade, may require additional setbacks for all or portions of the building frontage to accommodate pedestrian movement and public use.

The application proposes widened sidewalks along the face of the tower on Yonge Street and Bloor Street West, as well as a Privately Owned Publicly-Accessible Space (POPS) on Bloor Street West in front of the elevator bank lobbies. The POPS is 27 square metres in size. The private lane, which is subject to a private right-of-way, adjacent to the pedestrian only walkway to the elevator lobbies, will not be secured as part of the publicly-accessible space.

The sidewalk widths along Yonge Street (existing 3.6 metres) and Bloor Street West (existing 6.6 metres) along the face of the tower are to be widened. The proposed sidewalk widths (from building face to curb) are approximately 8.5 metres along Bloor Street and 8.9 metres along Yonge Street. The total public open space created by setting back the tower from Bloor Street West and Yonge Street is 219 square metres.

The sidewalk will retain its existing width of approximately 3.6 metres along Yonge Street at the heritage building at 774-776 Yonge Street, in keeping with the Historic Yonge Heritage Conservation District.

The applicant has submitted a landscape plan which includes new tree planting and seating on Yonge Street. Those details will be secured as part of the Site Plan review for this proposal.

A POPS and a pedestrian easement for the widened sidewalk will be secured in the Section 37 Agreement which provides a publicly-accessible seating area between the elevator lobby and the sidewalk on Bloor Street West.

Environment, 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 applicant has indicated that it will pursue Tier 2 of the TGS which includes possible refunds against Development Charges payable for the development. The Tier 2 performance measures are being pursued include the design of the building to achieve an improvement of at least 25% energy efficiency compared to a building designed to the current Ontario Building Code. The applicant has committed to meeting the seven core (non-optional) requirements of Tier 2 and an addition three optional requirements:

- Project will treat a minimum of 75% of non-roof hardscaping with a combination of tree shading and permeable pavers (AQ 4.1);
- Energy model will be performed to demonstrate building complies with a minimum 25% energy efficiency improvement over the current Ontario Building Code. Mechanical systems

- will be based on a heat pump system for residential and a 4-pipe system for Retail (GHG 1.3);
- A commissioning agent will be retained for the project (GHG 2.1);
 - Project plumbing fixtures will be provided with flow rates to achieve a minimum of 30% water savings (WQ 4.2);
 - A combination of high efficiency irrigation and drought-tolerant planting materials will be specified to achieve a minimum of 50% water reduction (WQ 4.3);
 - Rooftop architectural lighting will be specified for downwards projection and 100% shielded. Exterior rooftop lighting will be provided with lighting controls to turn off between 11pm and 6am (EC 5.2).

The optional targets include:

- Retail space will be provided with automatic controls to reduce lighting power by 50% between the hours of 11pm and 6am, year round (EC 5.3);
- Provisions will be made for a minimum of 6 electric car charging stations (AQ 1.2);
- Retail areas and each dwelling unit will be provided with thermal energy meters (GHG 2.2).

Section 37

The Official Plan contains policies pertaining to the provision of community benefits for increases in height and/or density pursuant to Section 37 of the *Planning Act*. While the proposed development exceeds the height and density limits of the Zoning By-law, the application is consistent with the objectives and policies of the Official Plan, and thus constitutes good planning.

Before introducing the necessary Bills to City Council for enactment, the owner will be required to enter into an Agreement pursuant to Section 37 of the Planning Act. Details regarding the community benefits recommended to be secured in the Section 37 Agreement will be provided directly to Toronto and East York Community Council.

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SIGNATURE

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

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ATTACHMENTS

- Attachment 1: Site Plan
- Attachment 2: Ground Floor Plan
- Attachment 3: East Elevation (Yonge Street)
- Attachment 4: North Elevation (Bloor Street)
- Attachment 5: South Elevation
- Attachment 6: West Elevation
- Attachment 7: Zoning Map (438-86)
- Attachment 8: Zoning Map (569-2013))
- Attachment 9: Official Plan Land Use Map
- Attachment 10: Official Plan Site and Area Specific Policy 211
- Attachment 11: Potential Future Pedestrian and Vehicular Connections
- Attachment 12: Parkland Terms of Reference
- Attachment 13: Pedestrian Tunnel Terms of Reference
- Attachment 14: Application Data Sheet
- Attachment 15: Draft Zoning By-law Amendment (438-86)
- Attachment 16: Draft Zoning By-law Amendment (569-2013)

Attachment 1: Site Plan



**1-11 Bloor Street West and
768-784 & 760-762 Yonge Street**

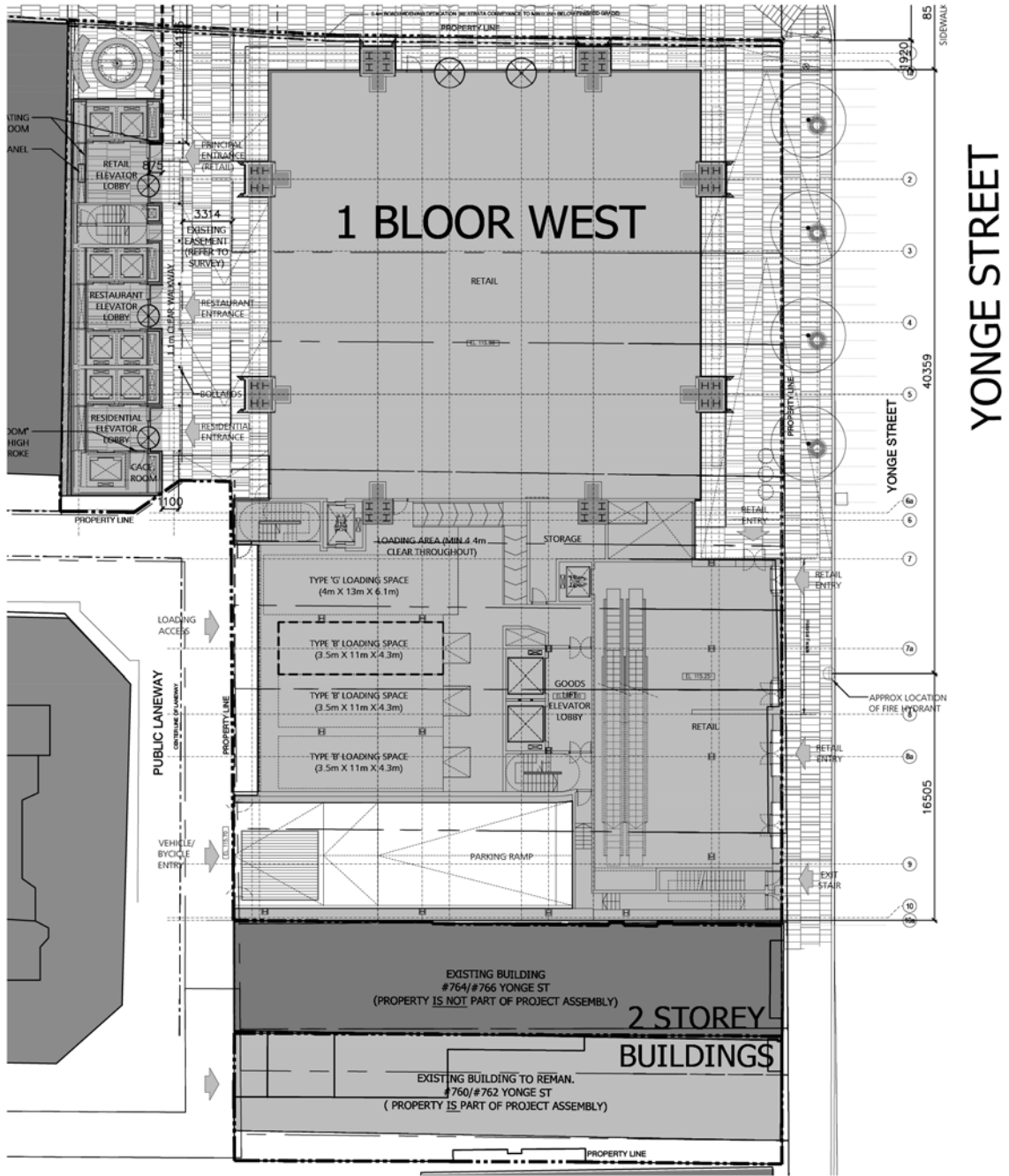
File # 15 128261 STE 27 OZ

Site Plan
Applicant's Submitted Drawing

Not to Scale
03/29/2016



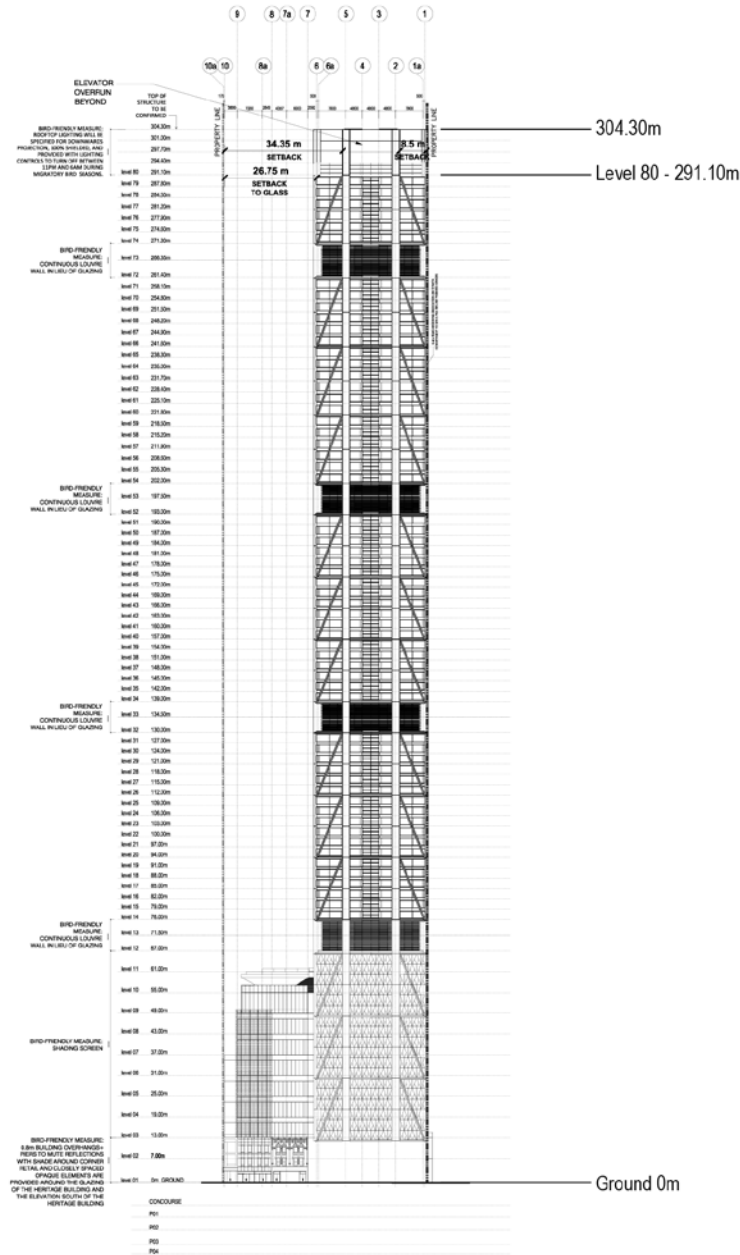
Attachment 2: Ground Floor Plan



Ground Floor Plan
 Applicant's Submitted Drawing
 Not to Scale
 04/06/2016

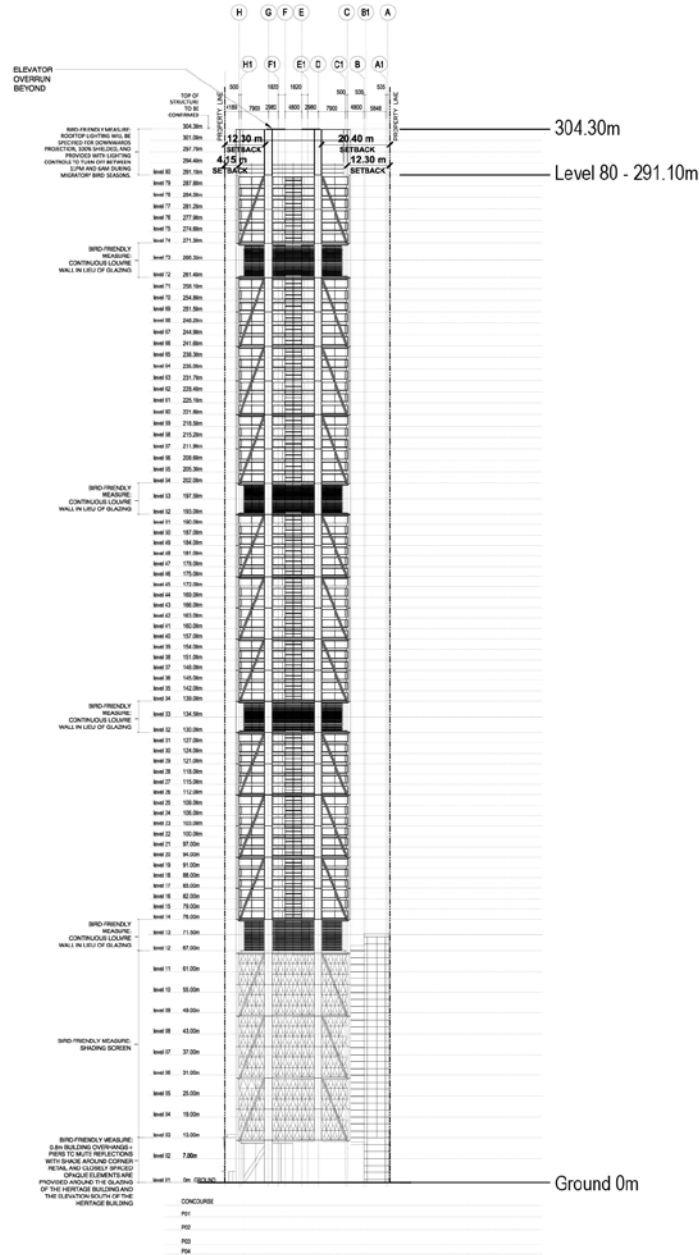
**1-11 Bloor Street West and
 768-784 & 760-762 Yonge Street**
 File # 15 128261 STE 27 OZ

Attachment 3: East Elevation (Yonge Street)



<p>East Elevation Applicant's Submitted Drawing Not to Scale 03/29/2016</p>	<p>1-11 Bloor Street West and 768-784 & 760-762 Yonge Street File # 15 128261 STE 27 OZ</p>
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Attachment 4: North Elevation (Bloor Street)



North Elevation

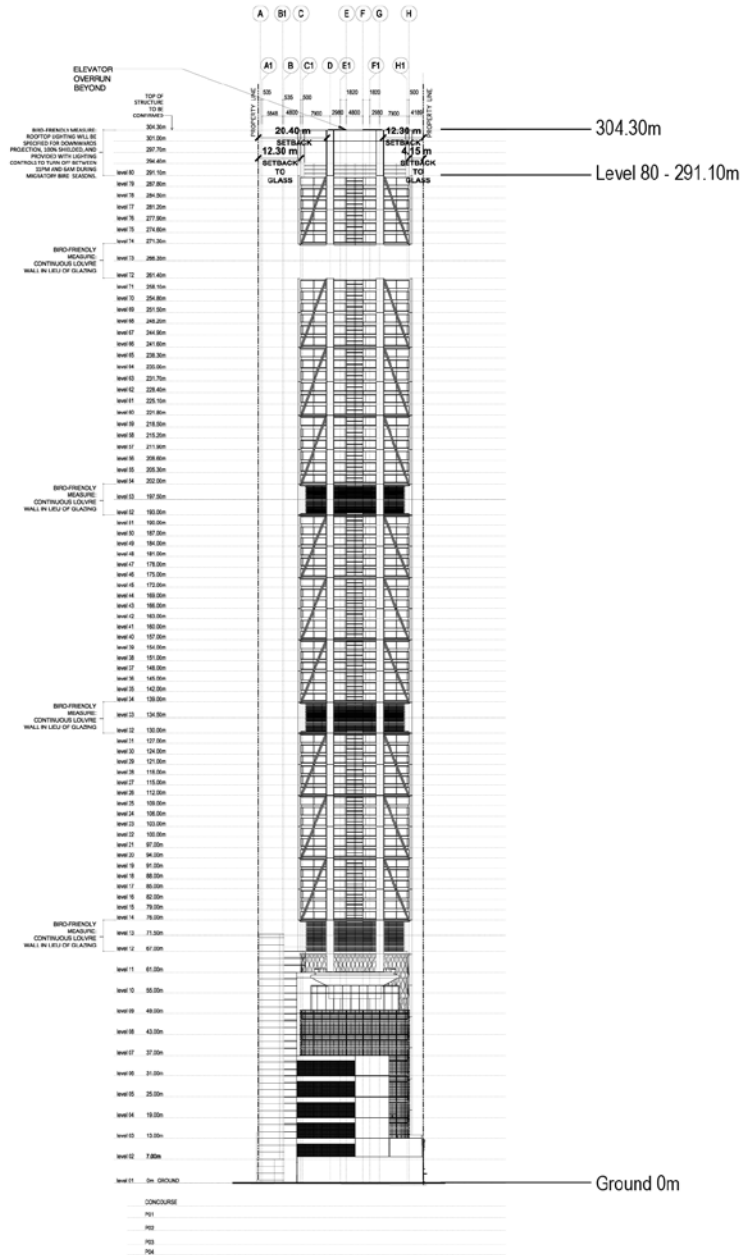
Applicant's Submitted Drawing

Not to Scale
03/29/2016

1-11 Bloor Street West and
768-784 & 760-762 Yonge Street

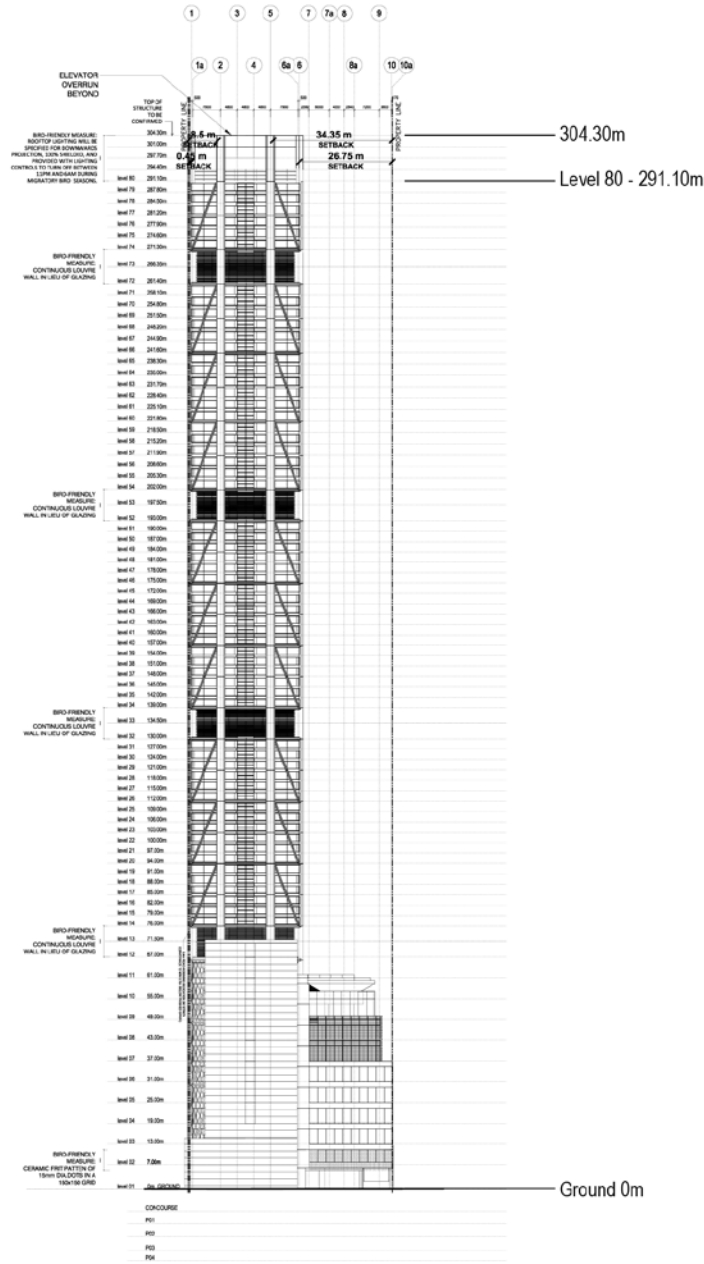
File # 15 128261 STE 27 OZ

Attachment 5: South Elevation



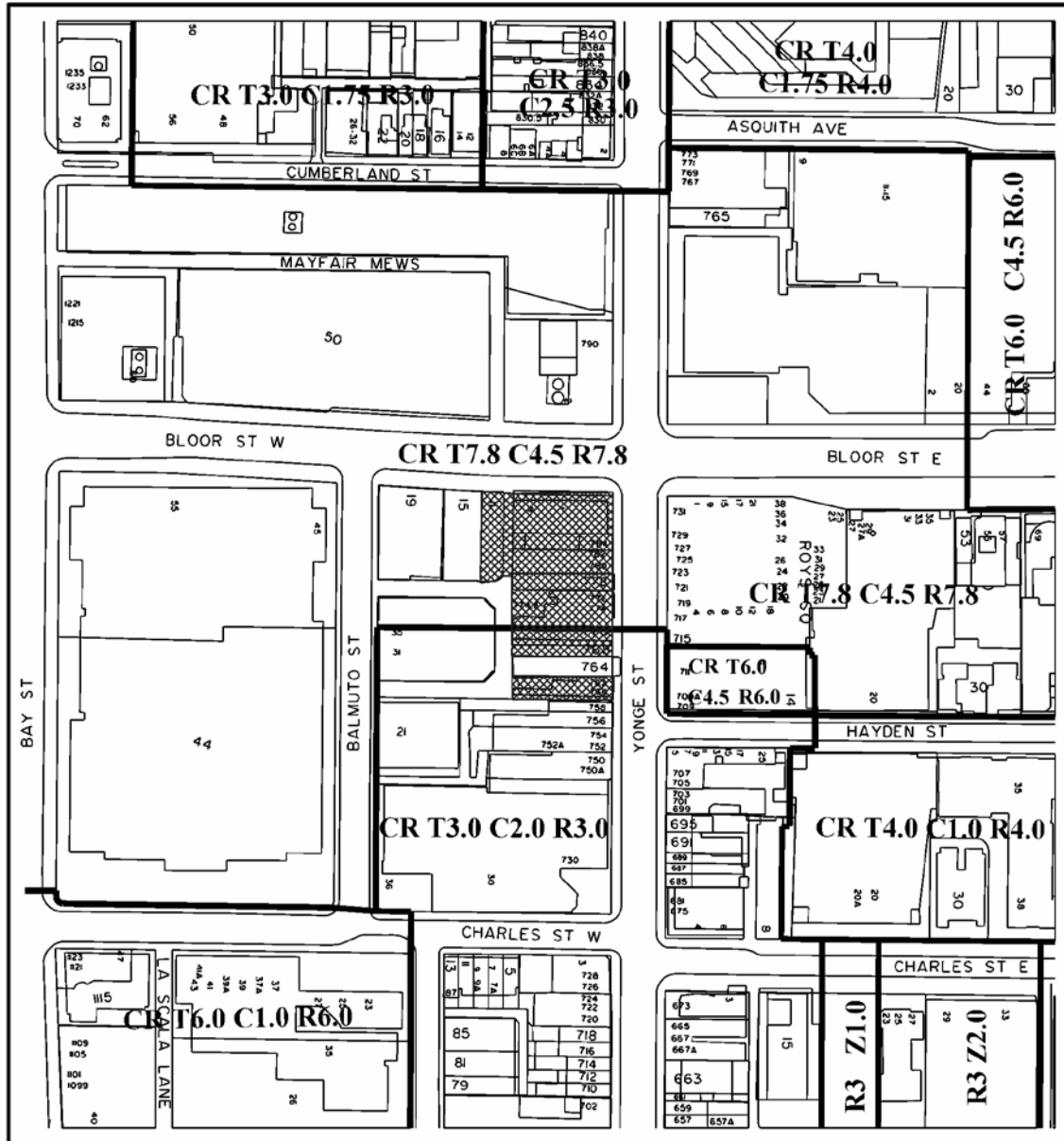
<p>South Elevation</p> <p>Applicant's Submitted Drawing</p> <p>Not to Scale 03/29/2016</p>	<p>1-11 Bloor Street West and 768-784 & 760-762 Yonge Street</p> <p>File # 15 128261 STE 27 OZ</p>	
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Attachment 6: West Elevation



<p>West Elevation</p> <p>Applicant's Submitted Drawing</p> <p>Not to Scale 03/29/2016</p>	<p>1-11 Bloor Street West and 768-784 & 760-762 Yonge Street</p> <p>File # 15 128261 STE 27 OZ</p>	
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Attachment 7: Zoning Map (438-86)



Zoning By-Law No. 438-86

1-11 Bloor Street West and
768-784 & 760-762 Yonge Street

File # 15 128261 STE 27 0Z

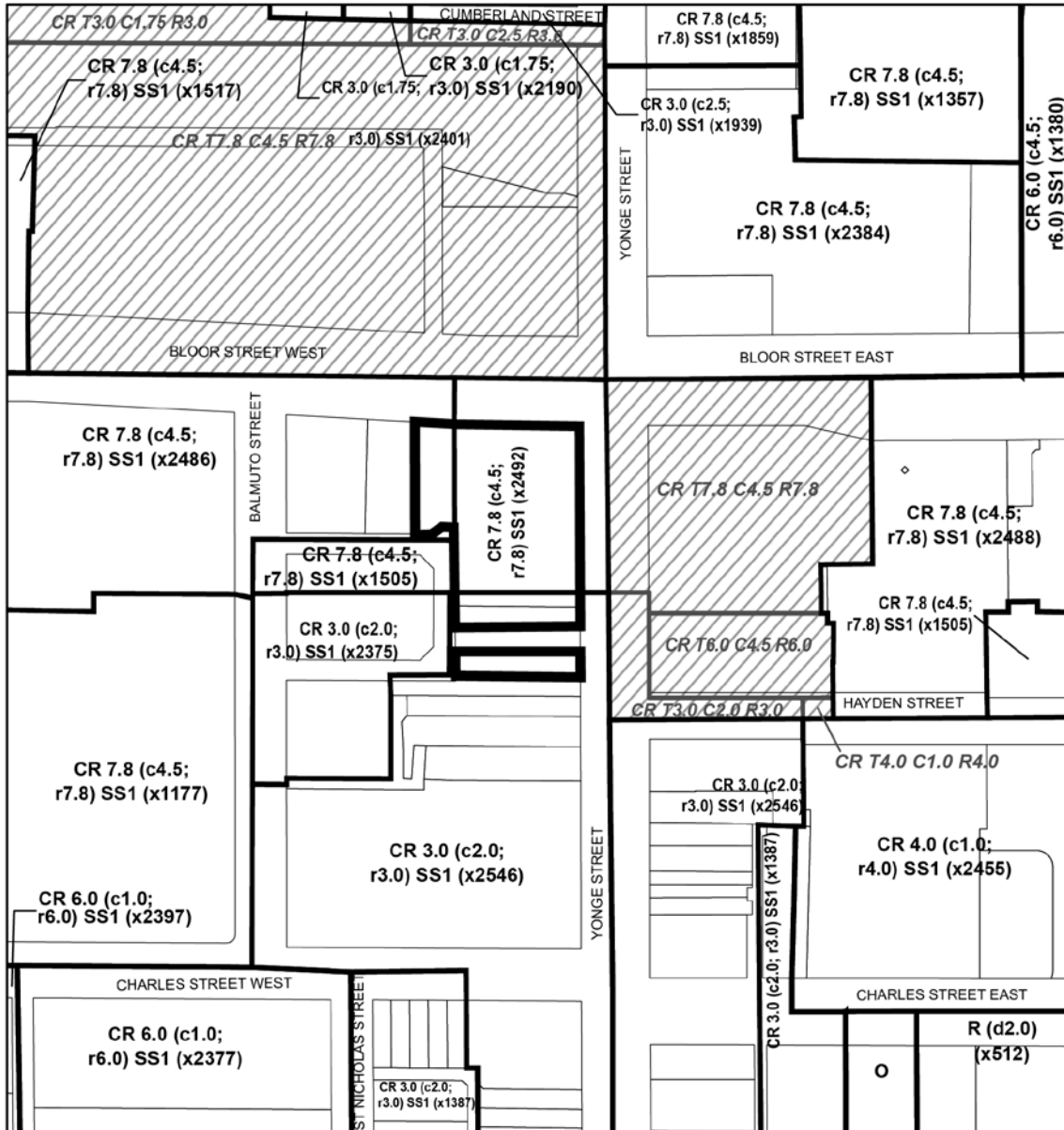
 Location of Application

R3 Residential District
CR Mixed-Use District



Not to Scale
Extracted 03/29/2016

Attachment 8: Zoning Map (569-2013)



1-11 Bloor Street West and 768-784 & 760-762 Yonge Street

Zoning By-Law No. 569-2013

File # 15 128261 STE 27 0Z



R Residential **CR** Commercial Residential
O Open Space



Not to Scale
 Extracted: 03/29/2016

Attachment 9: Official Plan Land Use Map



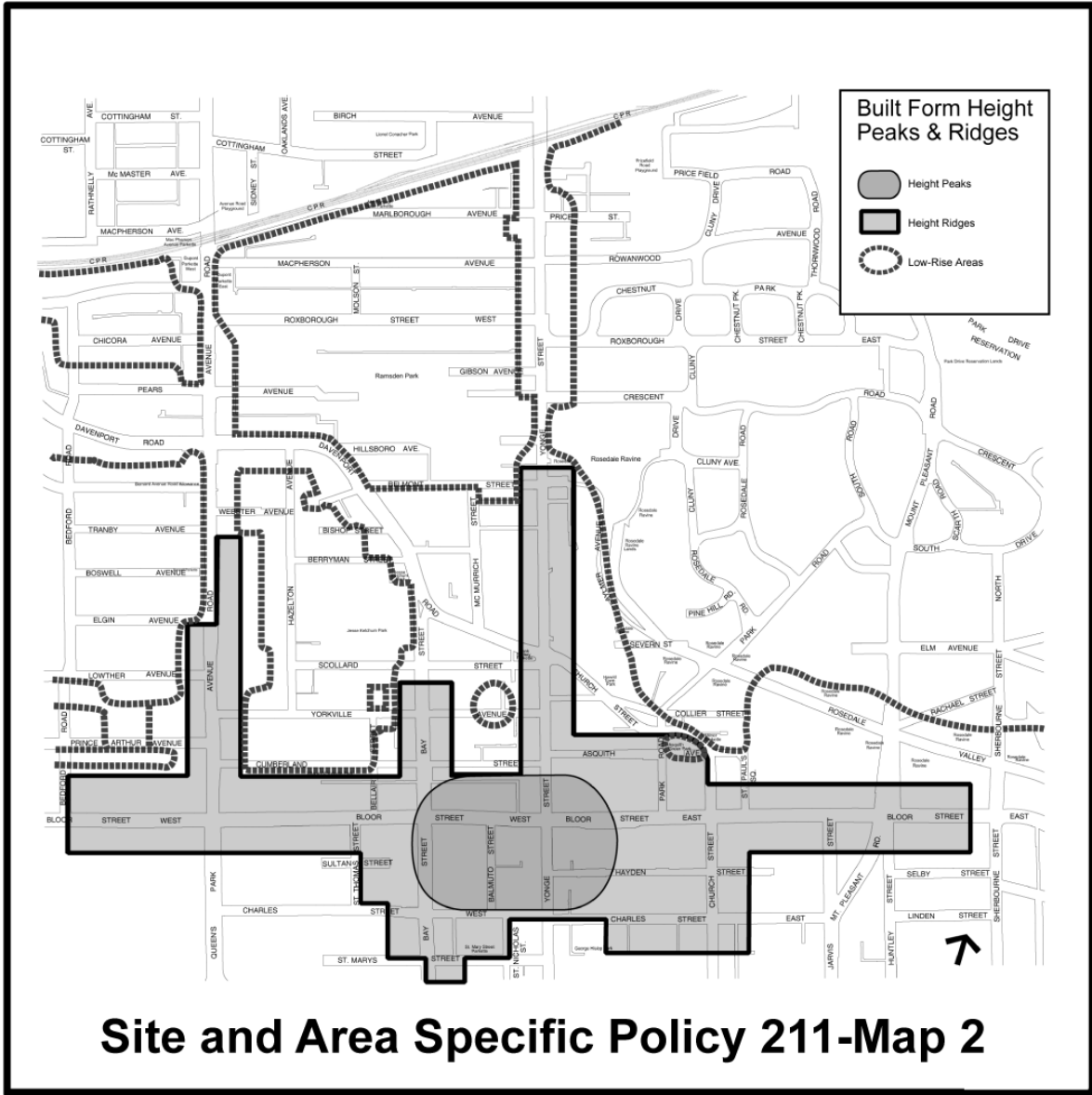
TORONTO
 Extract from Official Plan

1-11 Bloor Street West and
 768-784 & 760-762 Yonge Street
 File # 15 128261 STE 27 0Z

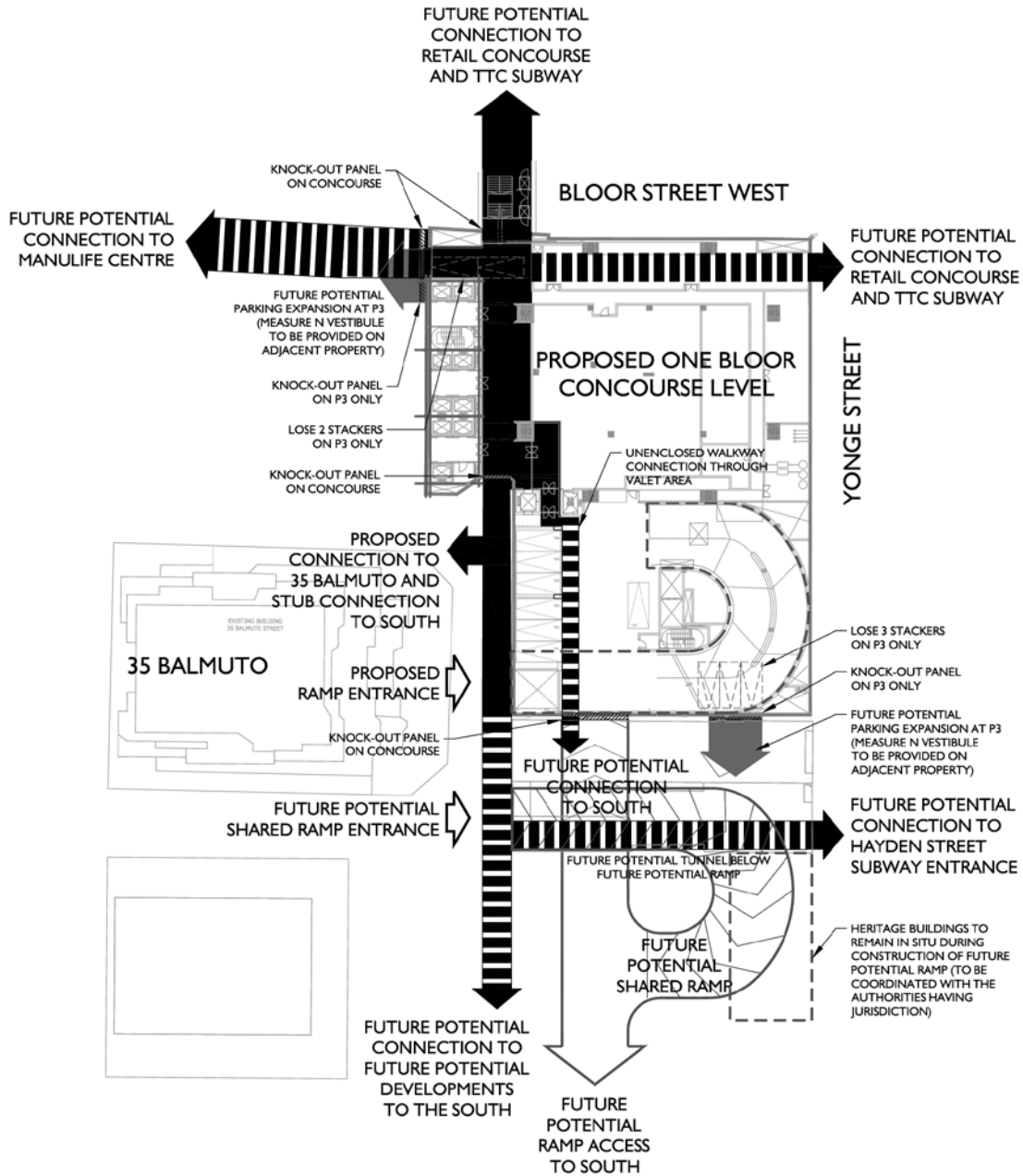
 Site Location	Parks & Open Space Areas	 Institutional Areas
 Neighbourhoods	 Natural Areas	
 Apartment Neighbourhoods	 Parks	
 Mixed Use Areas	 Other Open Space Areas	


 Not to Scale
 03/29/2016

Attachment 10: Official Plan Site and Area Specific Policy 211 – Map 2



Attachment 11: Potential Future Connections



Potential Future Vehicular and Pedestrian Concourse Connections
 Applicant's Submitted Drawing

1-11 Bloor Street West and
 768-784 & 760-762 Yonge Street

Not to Scale
 04/20/2016

File # 15 128261 STE 27 0Z

Attachment 12: Parkland Terms of Reference

1.0 Environmental Site Assessment

Prior to conveying the parkland to the City, the Owner must:

1. Submit a Qualified Person Preliminary Statement Letter, that is dated and signed by the Owner's Qualified Person, as defined in O. Reg. 153/04, as amended, describing the lands to be conveyed to the City, and identifying what environmental documentation will be provided to the City's peer reviewer to support this conveyance; all environmental documentation consistent with O. Reg. 153/04 requirements shall be submitted with reliance extended to the City and its peer reviewer and any limitation on liability and indemnification is to be consistent with Ontario Regulation 153/04, as amended, insurance requirements or such greater amount specified by the Executive Director of Engineering & Construction Services and copy to General Manger, PFR;
2. Pay to the City all costs associated with the City retaining a third-party peer reviewer including all administrative costs to the City, and submit an initial deposit towards the cost of the peer review in the form of a certified cheque, to the Executive Director, Engineering & Construction Services. In addition, the Owner must submit further deposits when requested to cover all costs of retaining a third-party peer reviewer (unused funds will be refunded to the applicant by the City);
3. Submit, to the satisfaction of the City's peer reviewer, all Environmental Site Assessment reports prepared in accordance with the Record of Site Condition Regulation (Ontario Regulation 153/04, as amended) describing the current conditions of the land to be conveyed to the City and the proposed Remedial Action Plan based on the site condition standards approach, to the Executive Director, Engineering and Construction Services;
4. At the completion of the site assessment/remediation process, submit a Statement from the Qualified Person based on the submitted environmental documents, to the Executive Director, Engineering & Construction Services for peer review and concurrence, which states:
 - a. In the opinion of the Qualified Person:
 - i. It is either likely or unlikely that there is off-site contamination resulting from past land uses on the development site that has migrated onto adjacent City lands that would exceed the applicable Site Condition Standards; and
 - ii. To the extent that the opinion in 7.4.1(i) is that past migration is likely, it is either possible or unlikely that such off-site contamination on adjacent City lands poses an adverse effect to the environment or human health.
 - b. Land to be conveyed to the City meets either:

- i. the applicable Ministry Generic Site Condition Standards for the most environmentally sensitive adjacent land use; or
 - ii. the Property Specific Standards as approved by the Ministry for a Risk Assessment/Risk Management Plan which was conducted in accordance with the conditions set out herein.
5. The Qualified Person's statement, referenced in 4 above, will include a Reliance Letter that is dated and signed by the Owner's Qualified Person, as defined in O. Reg. 153/04, as amended, confirming that both the City and the City's peer reviewer can rely on the environmental documentation submitted, consistent with O. Reg. 153/04 requirements, and the Qualified Person's opinion as to the conditions of the site; all environmental documentation consistent with O. Reg. 153/04 requirements and opinions shall be submitted with reliance extended to the City and its peer reviewer and any limitation on liability and indemnification is to be consistent with Ontario Regulation 153/04, as amended, insurance requirements or such greater amount specified by the Executive Director of Engineering & Construction Services.
6. For conveyance of lands requiring a Record of Site Condition:
- a. File the Record of Site Condition on the Ontario Environmental Site Registry; and
 - b. Submit the Ministry's Letter of Acknowledgement of Filing of the RSC confirming that the RSC has been prepared and filed in accordance with O. Reg. 153/04, as amended, to the Executive Director, Engineering & Construction Services and to the General Manager, PFR.

2.0 Park Construction

Base Park Improvements

7. The owner, at its expense, will be responsible for the base construction and installation of the parkland. The Base Park Improvements include the following:
- a. demolition, removal and disposal of all existing materials, buildings and foundations;
 - b. grading inclusive of topsoil supply and placement, minimum of 150 mm;
 - c. sodding #1 nursery grade or equivalent value of other approved park development;
 - d. fencing, where deemed necessary, to the satisfaction of PFR;
 - e. all necessary drainage systems including connections to municipal services as required;
 - f. electrical and water connections (minimum 50 mm) directly to the street line, including back flow preventors, shut off valves, water and hydro meters and chambers;
 - g. street trees along all public road allowances, which abut future City owned parkland; and
 - h. standard park sign (separate certified cheque required).
8. All work is to be completed to the satisfaction of the General Manager, PFR.

9. Prior to the 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 Base Park Improvements for the parkland to the satisfaction of the General Manager, PFR. No credit shall be given towards the Parks and Recreation component of the Development Charges for costs associated with Base Park Improvements.
10. The construction of the Base Park Improvements shall be completed within one year after the issuance of the first above grade building permit for the site, to the satisfaction of the General Manager, PFR. Unforeseen delays (e.g. weather) resulting in the late delivery of the park block shall be taken into consideration and at the discretion of the General Manager, PFR.
11. Should the Owner undertake Base Park Improvements on the park block following conveyance of the park block to the City, the Owner must obtain a Park Occupation Permit (POP) from PFR's Planning, Design and Development section. The POP will outline in detail the insurance requirements, extent of area permitted, permitted use, tree removal and replacement, and duration to the satisfaction of the General Manager, PFR. The Owner will indemnify the City against any claim during any interim use of or work carried out by the Owner on the park.

Temporary Fencing

12. Prior to conveyance of the parkland to the City, the Owner shall be responsible for the installation and maintenance of temporary fencing around the parkland and its maintenance until such time as the development of the park block is completed, to the satisfaction of the General Manager, PFR.

Parkland Grading and Drainage

13. Prior to conveyance of the parkland, the Owner shall ensure that the grading and drainage for the parkland is compatible with the grades of the adjacent lands, to the satisfaction of the General Manager, PFR.
14. The Owner must provide documentation from a qualified environmental engineer that any fill or topsoil brought onto the site meets all applicable laws, regulations and guidelines for use in a public park, to the satisfaction of the General Manager, PFR.

Credit against DC's for Above Base Park Improvements

15. Should the Owner agree to design and construct the Above Base Park Improvement for a development charge credit against the Parks and Recreation component of the Development Charges to the satisfaction of the General Manager, PFR, the following condition applies:
16. The development charge credit shall be in an amount that is the lesser of the cost to the owner of installing the Above Base Park Improvements, as approved by the General Manager, Parks, Forestry & Recreation (PFR), and the Parks and Recreation component of

the development charges payable for the development in accordance with the City's Development Charges By-law, as may be amended from time to time. The Owner is required to submit a design and cost estimate to be approved by the General Manager, PFR and a letter of credit equal to 120% of the approved Above Base Park cost estimate. The design, cost estimate and the letter of credit all satisfactory to the General Manager PFR will be required prior to the issuance of the first above grade building permit for the site.

Above Base Park Improvements

17. The Owner will be responsible to design and construct the Above Base Park Improvements to the satisfaction of the General Manager, PFR. Areas to be addressed in the design of the Park are park programming, sustainable design and plantings, community and public safety, ground surface treatment, seating, vandalism etc. Final design and programming of the parkland shall be at the discretion of the General Manager, PFR.
18. Prior to issuance of the first above grade building permit for the development of the site, the Owner is required to submit working drawings, specifications and landscape plans showing the scope and detail of the work for the Base and Above Park Improvements for review and approval by the General Manager, PFR.
19. The construction of the Above Base Park Improvement shall be completed within one year of the issuance of the first above grade building permit for the site. Unforeseen delays (e.g. weather) resulting in the late delivery of the park shall be taken into consideration and at the discretion of the General Manager, PFR when determining a revised delivery date for the park.
20. Should the Owner undertake Above Base Park Improvements on the park block following conveyance of the park block to the City, the Owner must obtain a Park Occupation Permit (POP) from PFR's Planning, Design and Development section. The POP will outline in detail the insurance requirements, extent of area permitted, permitted use, tree removal and replacement, and duration to the satisfaction of the General Manager, PFR and the Owner will indemnify the City against any claim during any interim use of or work carried out by the Owner on the park, all to the satisfaction of the General Manager, PFR.

Warranty

21. The Owner, upon satisfactory completion of the construction and installation of the Base Park and Above Base Park Improvements will be required to guarantee such work and associated materials. The Owner will provide certification satisfactory to the General Manager, PFR from their Landscape Architect certifying all work has been completed. At that time, the submitted letter(s) of credit for park related development will be released, less 20% which shall be retained for a two-year period as a performance guarantee known as the Parkland Warranty Period.
22. Upon the expiry of the Parkland Warranty Period, the outstanding park security shall be released to the Owner provided that all deficiencies have been rectified to the satisfaction of the General Manager, PFR.

23. As-built drawings in print/hardcopy and electronic format, as well as a georeferenced AutoCAD file shall be submitted to Parks, Forestry & 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, PFR. The plans shall include, but not be 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.
24. Spare or replacement parts, special tools, etc. as provided by manufacturers, if any, are to be provided to the Parks, Forestry & Recreation Division.

Attachment 13: Pedestrian Tunnel Terms of Reference

1. Prior to the construction of the tunnel, provide the City with a refined cost estimate for satisfactory performance and completion of all obligations relating to construction of the publicly accessible pedestrian tunnel in accordance with approved site plans and drawings for approval by the General Manager, Transportation Services and the Executive Director, Engineering & Construction Services and, upon acceptance of the detailed design engineering drawings, the original amount of security may be adjusted at the discretion of the General Manager, Transportation Service and the Executive Director, Engineering & Construction Services to guarantee 120% of the amount of the refined cost estimate;
2. Upon completion of the construction of the publicly accessible pedestrian tunnel and the provision of a certificate of completion from the owners' consulting engineer together with as built drawings, the amount of security held may be reduced at the discretion of the General Manager, Transportation Services and the Executive Director, Engineering & Construction Services pending expiry of all performance and guarantee periods related thereto provided that, in no event, shall the amount of the reduced Security be less than twenty percent (20%) of the original cost based on the accepted cost estimate as may have been refined and provided that the portion of the connection within the commercial phase has also been completed. The reduced security is intended to serve as security during a two year guarantee period related thereto. At the expiry of the guarantee period where any defects in material or workmanship have been corrected as certified by the third party independent engineer supervising the construction and such work is to the satisfaction of the General Manager, Transportation and the Executive Director, Engineering and Construction Services, the security shall be returned to the Owner;
3. Submit a detailed project schedule satisfactory to the General Manager, Transportation Services and the Executive Director, Engineering & Construction Services, which outlines all major milestones in design and construction of the publicly accessible pedestrian tunnel and related works including, but not limited to, initiation of discussion with utility companies for relocates, submission of detailed design drawings for the relocation of any existing utility and municipal infrastructure, all required permit submissions, detailed engineering submissions for tunnel design, submission of a traffic management plan and a construction management plan as well as anticipated construction dates for the utility relocation works, and tunnel construction;
4. unless otherwise agreed to by the General Manager, Transportation Services and the Executive Director, Construction & Engineering Services, the owner shall schedule and complete proposed works as follows:
 - a. the owner shall submit detailed design engineering drawings for all utilities and municipal infrastructure that must be relocated to facilitate the construction of the publicly accessible pedestrian tunnel, to the General Manager, Transportation Services, the Director of Engineering Review, Engineering & Construction Services and the applicable utility companies, for review and acceptance. The owner shall pay all applicable review fees related to the detailed design drawings

and shall obtain all necessary permits and approvals to undertake such works. Utility and municipal infrastructure relocations must be co-ordinated with the construction of the publicly accessible pedestrian tunnel to minimize traffic impacts;

- b. prior to the commencement of construction of the publicly accessible pedestrian tunnel or any related works, including relocation of utilities and municipal infrastructure, the owner shall submit a detailed traffic management plan acceptable to the General Manager, Transportation Services, that identifies which roads will be impacted by such construction;
 - c. prior to the commencement of construction of the publicly accessible pedestrian tunnel or any related works, including relocation of utilities and municipal infrastructure, the owner shall submit a detailed construction management plan acceptable to the Executive Director, Engineering & Construction Services;
 - d. submit to the General Manager, Transportation Services and the Director of Engineering Review, for review and acceptance, the first complete submission of detailed design engineering drawings for the publicly accessible pedestrian tunnel as well as complete applications for all required permits and approvals for the construction of the publicly accessible pedestrian tunnel and related works, with the exception of utility relocations, not later than twelve (12) months prior to the expected date of commencement of construction; and
 - e. the owner shall complete construction of the publicly accessible pedestrian tunnel and all related works, within nine (9) months of commencement and the owner shall manage scheduling in order to limit the any potential street closure.
5. prior to commencement of construction of the publicly accessible pedestrian tunnel or related works by the owner or its agents, detailed design engineering drawings and supporting documentation shall have been accepted by the General Manager, Transportation Services and the Executive Director, Engineering & Construction Services, including applicable sign off of design by the City Peer Reviewer at the owner's expense, and the owner shall have obtained all required permits and approvals to permit construction and maintenance of infrastructure within the City public right of way to the satisfaction of the General Manager, Transportation Services and the Executive Director, Engineering & Construction Services;
 6. the detailed design engineering drawings and construction management plans required may include temporary or periodic closure of sidewalks within the Bloor Street West public right-of-way where alternative adequate public pedestrian clearways satisfactory to the General Manager, Transportation Services are provided during the times identified;
 7. the owner acknowledges and agrees that a condition of issuance of the permits and approvals required for construction and maintenance of the publicly accessible pedestrian tunnel as infrastructure within City public right-of-way will include entering into a tunnel agreement with the City to the satisfaction of the General Manager, Transportation

Services and the Executive Director, Engineering & Construction Services. The tunnel agreement will include, but not be limited to, matters respecting the construction, maintenance, repair, operation, licensing and use of the publicly accessible pedestrian tunnel and specifically provision for peer review of design at the owner's expense, engineering inspection fees, financial securities, construction standards and obligations, submission of as built drawings and applicable certifications, indemnities, insurance, warranties, maintenance and applicable licence fees; and

8. the owner shall complete all construction and related works in connection with the publicly accessible pedestrian tunnel in accordance with the terms of the Section 37 Agreement, the applicable Site Plan Agreements, the accepted construction schedule, the accepted traffic management plan, the accepted construction management plan, the accepted detailed design engineering drawings and supporting documents as well as the terms and conditions of all necessary permits and approvals, including the provisions of a tunnel agreement entered into with the City, all being to the satisfaction of the General Manager, Transportation Services and the Executive Director, Engineering & Construction Services.

Attachment 14: Application Data Sheet

Application Type	Rezoning	Application Number:	15 128261 STE 27 OZ
		Application Date:	March 16, 2015
Municipal Address:	1-11 Bloor Street West and 768-784, 760-762 Yonge Street		
Location Description:	CON 1 FB PT PARK LOT 9 AND RP 63R3142 PART 15 **GRID S2707		
Project Description:	80 storey (304 metres) mixed-use residential building. The first 9 storeys above grade will be retail, as well as the first level below grade.		
Applicant:	Agent:	Architects:	Owner:
Mizrahi Development Group (The One) Inc.	Sherman Brown C/O Adam Brown	Foster + Partners CORE Architects Inc.	Mizrahi Development Group (The One) Inc.

PLANNING CONTROLS

Official Plan Designation:	Mixed Use Areas	Site Specific Provision:	SASP 225, SASP 211
Zoning:	CR 7.8 (c4.5; r7.8) SS1 (x2492)	Historical Status:	Designated Building, HCD
Height Limit (m):	61	Site Plan Control Area:	Y

PROJECT INFORMATION

Site Area (sq. m):	2,843	Height:	Storeys:	80
Frontage (m):	47.7		Metres:	304.3
Depth (m):	54.9			
Total Ground Floor Area (sq. m):	2,140.3			Total
Total Residential GFA (sq. m):	65,335		Parking Spaces:	323
Total Non-Residential GFA (sq. m):	15,117		Loading Docks	4
Total GFA (sq. m):	80,457			
Lot Coverage Ratio (%):	75.3			
Floor Space Index:	28.3			

DWELLING UNITS

FLOOR AREA BREAKDOWN (upon project completion)

			Above Grade	Below Grade
Tenure Type:	Condo			
Rooms:	0	Residential GFA (sq. m):	65,335	0
Bachelor:	0	Retail GFA (sq. m):	15,117	0
1 Bedroom:	184	Office GFA (sq. m):	0	0
2 Bedroom:	228	Industrial GFA (sq. m):	0	0
3 + Bedroom:	4	Institutional/Other GFA (sq. m):	0	0
Total Units:	416			

CONTACT:

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(416) 392-7349
otamir@toronto.ca

Attachment 15: Draft Zoning By-law Amendment (438-86)

CITY OF TORONTO

BY-LAW No. XXX-2016

To amend by-law No. 438-86, as amended, of the former City of Toronto with respect with lands known as 760-762 Yonge Street, 768-784 Yonge Street and 1-11 Bloor Street West.

Whereas authority is given to Council by Section 34 of the Planning Act, R.S.O. 1990, c. P.13, as amended, to pass this By-law with respect to the lands known municipally in the year 2016 as 760-762 Yonge Street, 768-784 Yonge Street and 1-11 Bloor Street West; 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 the Official Plan for the City of Toronto contains provisions relating to the authorization of increases in height and/or density of development; and

Whereas pursuant to Section 37 of the Planning Act, a by-law under Section 34 of the Planning Act, may authorize increases in the height or density of development beyond those otherwise permitted by the by-law and that will be permitted in return for the provision of such facilities, services or matter 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 and matters in return for an increase in the height or density of development, a municipality may require the owner to enter into one or more agreements with the municipality dealing with the facilities, services and matters; and

Whereas the owner of the aforesaid lands has elected to provide the facilities, services and matters hereinafter set out; and

Whereas the increases in height and density permitted beyond that otherwise permitted on the aforesaid lands by By-law No. 438-86, as amended, is to be permitted in return for the provision of the facilities, services and matters set out in this By-law and to be secured by one or more agreements between the owner of the land and the City of Toronto (hereinafter referred to as the "City"); and

Whereas the Council of the City has required the owner of the aforesaid lands to enter into one or more agreements for the provision of certain facilities, services and matters in return for the increases in height and density permitted by this By-law; and

Whereas the Council of the City has determined to amend Zoning By-law No. 438-86, as amended, of the former City of Toronto;

The Council of the City of Toronto enacts:

1. Pursuant to Section 37 of the *Planning Act*, the heights and density of development permitted by this By-law on the lands identified as the *lot* on Map 1 forming part of this By-law are permitted subject to compliance with the conditions set out in By-law and in return for the provision by the owner of the *lot*, of the facilities, services and matters set out in Schedule A hereof, the provisions of which shall be secured by one or more agreements pursuant to Section 37(3) of the *Planning Act*.
2. Upon execution and registration of one or more agreements between the City and the owner of the *lot* on title pursuant to Section 37 of the *Planning Act*, securing the provision of the facilities, services and matters set out in Schedule A hereof, the *lot* is subject to the provisions of this By-law, provided that in the event the said agreement(s) require the provision of a facility, service or matter as a precondition to the issuance of a building permit or a permit issued pursuant to the *Ontario Heritage Act*, such building may not be erected or used until the owner of the loads has satisfied the said requirement.
3. None of the provisions of Section 2 with respect to the definitions of *bicycle parking space – occupant*, *bicycle parking space – visitor*, *grade*, *height*, *lot* and *residential gross floor area* and Sections 4(2)(a), 4(5)(b), 4(8), 4(12), 4(13), 4(17), 8(1)(a), 8(3) Part I, 8(3) Part II 1, 2, 12(2)132, and 12(2)260 of By-law No. 438-86, being “A By-law to regulate the use of land and the erection, use, bulk, height, spacing of and other matters relating to buildings and structures and to prohibit certain uses of land and the erection and use of certain buildings and structures in various areas of the City of Toronto”, shall apply to prevent the erection and use of a *mixed-use building* on the *lot* delineated by dashed lines on the attached Map 1, provided that:
 - (a) the *lot* upon which the proposed building and structure is erected or used comprises at least the lands shown outlined by dashed lines on the attached Map 1;
 - (b) the aggregate of the *residential gross floor area* and *non-residential gross floor area* of buildings and structures on Parcel 1 and Parcel 2 as shown on Map 2 shall not exceed 81,150 square metres, subject to the following:
 - (i) the *residential gross floor area* of buildings and structures shall not exceed 65,400 square metres; and
 - (ii) the *non-residential gross floor area* of buildings and structures shall not exceed 15,900 square metres excluding the *commercial parking garage* and mechanical rooms;
 - (c) *residential amenity space* shall be provided and maintained on the *lot* in accordance with the following rates:
 - (i) a minimum of 2.0 square metres per *dwelling unit* for indoor *residential amenity space*; and

- (ii) a minimum of 1.25 square metres per *dwelling unit* for outdoor *residential amenity space*;
- (d) no portion of a building or structure erected on the *lot* shall have a greater *height* in metres than the *heights* in metres specified by the numbers following the symbol H on the attached Map 2 except that:
- (i) the maximum *height* for mechanical equipment and any associated enclosure structures, wind protection screens, pergolas, trellises, stairs, stair enclosures, building maintenance units and window washing equipment, having a maximum height of the sum of 5.0 metres and the applicable *height* limit shown on Map 2 shall be permitted within any area on Map 2;
 - (ii) the maximum *height* for parapets, railings, lightning rods and elements of a green roof having a maximum height of the sum of 1.5 metres and the applicable *height* limit shown on Map 2 shall be permitted within any area on Map 2;
 - (iii) the maximum *height* for terrace dividers and guard rails having a maximum height of the sum of 3.0 metres and the applicable *height* limit shown on Map 2 shall be permitted within any area on Map 2;
 - (iv) the maximum *height* for roof drainage having a maximum height of the sum of 0.5 metres and the applicable *height* limit shown on Map 2 shall be permitted within any area on Map 2;
 - (v) the maximum *height* for pillars, columns, piers, exoskeleton structures and exoskeleton cladding having a maximum height of the sum of 19.8 metres and the applicable *height* limit shown on Map 2 shall be permitted within the area identified as H 291.1m on Map 2; and
 - (vi) landscaping and public art can extend beyond the applicable *height* limit shown on Map 2 within any area on Map 2;
- (e) no portion of the building above *grade* is located otherwise than wholly within the areas delineated by heavy lines on the attached Map 2, with the exception of the following:
- (i) awnings, canopies and window washing equipment – a maximum of 3.0 metres beyond the heavy lines shown on Map 2;
 - (ii) doors, cornices, ornamental elements, parapets, architectural flutes, columns, piers, pillars, exoskeleton structures, exoskeleton cladding, window sills, light fixtures, art and landscape features and site servicing features – a maximum of 1.2 metres beyond the heavy lines shown on Map 2;
- (f) balconies are not permitted to project beyond the heavy lines shown on Map 2;

- (g) a minimum total number of 312 *parking spaces* shall be provided and maintained on the *lot* in accordance with the following:
- (i) a *commercial parking garage* is permitted on the *lot*;
 - (ii) *parking spaces* are permitted to be shared between residents, residential visitors and non-residential uses;
 - (iii) *parking spaces* for residents, residential visitors and non-residential uses are permitted to be located within a *commercial parking garage*;
 - (iv) a *commercial parking garage* shall be operated as a valet parking system;
 - (v) a minimum of 301 *parking spaces* shall be provided within a *commercial parking garage*, of which a minimum of 200 *parking spaces* shall be provided for residents;
 - (vi) a minimum of 4 *car-share parking spaces* shall be provided;
 - (vii) a minimum of 7 short-term *parking spaces* shall be provided, of which, one short-term *parking space* can be obstructed and shall have a minimum width of 3.9 metres, a minimum length of 5.6 metres and a minimum vertical clearance of 2.1 metres;
- (h) the additional requirements outlined in Sections 2(1) and 4(17) of By-law 438-86 for obstructed *parking spaces* do not apply to a maximum of 35 obstructed *parking spaces* that are required in order to satisfy the residential parking requirements, as set out in section (g) above;
- (i) despite the definition of *parking space*, a maximum of 42 *parking spaces* that are required in order to satisfy the residential parking requirements, as set out in section (g) above, may be provided as 21 *tandem parking spaces*, of which, 14 *tandem parking spaces* may be provided in *parking stackers*;
- (j) despite the definition of *parking stacker* in Section 2(1) of By-law 438-86 and the minimum dimensions set out in Section 4(17) of By-law 438-86, *parking spaces* provided in a *parking stacker* shall have:
- (i) a minimum length of 5.6 metres;
 - (ii) a minimum width of 2.6 metres; and
 - (iii) a minimum vertical clearance of 1.5 metres;
 - (iv) *parking stacker* mechanisms and equipment located within these dimensions
- (k) a minimum of 477 *bicycle parking spaces* shall be provided on the *lot* in accordance with the following:

- (i) a minimum of 387 *bicycle parking spaces – occupant* shall be provided;
 - (ii) a minimum of 90 *bicycle parking spaces – visitor* shall be provided;
 - (l) a minimum of one *loading space - type "G"* and three *loading spaces - type "B"* shall be provided and maintained on the *lot*;
 - (m) a minimum of one *pedestrian connection tunnel* shall be provided.
4. In addition to the permitted uses identified in Section 1, a temporary *sales presentation centre* shall be permitted on the *lot*, and none of the other provisions of this By-law shall apply to such use.
5. For the purposes of this By-law:
- (a) “*bicycle parking space – occupant*” means an area that is equipped with a bicycle locker or a room or bicycle rack for the purpose of parking and securing bicycles, and
 - (i) where the bicycles are to be parked on a horizontal surface, has a horizontal dimension of at least 0.6 metres by 1.8 metres and a vertical dimension of at least 1.9 metres;
 - (ii) where the bicycles are to be parked in a vertical position, has a horizontal dimension of at least 0.6 metres by 1.2 metres and a vertical dimension of at least 1.9 metres; and
 - (iii) notwithstanding (i) and (ii) above, where the bicycles are to be parking in a stacker, being a device that allows parking spaces to be positioned above or below one another with the aid of an elevating mechanism, the parking spaces within the stacker are not be subject to the dimensions outlined in (i) and (ii) above;
 - (b) “*bicycle parking space – visitor*” means an area that is equipped with a room or a bicycle rack for the purpose of parking and securing bicycles, and
 - (i) where the bicycles are to be parked on a horizontal surface, has a horizontal dimension of at least 0.6 metres by 1.8 metres and a vertical dimension of at least 1.9 metres;
 - (ii) where the bicycles are to be parked in a vertical position, has a horizontal dimension of at least 0.6 metres by 1.2 metres and a vertical dimension of at least 1.9 metres; and
 - (iii) notwithstanding (i) and (ii) above, where the bicycles are to be parking in a stacker, being a device that allows parking spaces to be positioned above or below one another with the aid of an elevating mechanism, the parking spaces within the stacker are not be subject to the dimensions outlined in (i) and (ii) above;

- (c) "*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 to use a car-sharing vehicle, a person must meet the membership requirements of the car-sharing organization, including the payment of a membership fee that may or may not be refundable. Cars are reserved in advance and fees for use are normally based on time and/or kilometres driven;
- (d) "*car-share parking space*" means a parking space exclusively for a car used only for car-sharing purposes;
- (e) "*grade*" means 115.8 metres Canadian Geodetic Datum;
- (f) "*height*" means the vertical distance between grade and the highest point of the building or structure except for those elements otherwise prescribed in this By-law;
- (g) "*residential gross floor area*" means the aggregate of the areas of each floor, measured between the exterior faces of the exterior walls of the building or structure at the level of each floor, but excluding:
 - (i) indoor *residential amenity space*;
 - (ii) parking, loading and bicycle parking below established grade;
 - (iii) parking, loading and bicycle parking at or above established grade;
 - (iv) storage rooms, washrooms, electrical, utility, mechanical and ventilation rooms in the basement;
 - (v) shower and change facilities required by this By-law for required *bicycle parking spaces*;
 - (vi) elevator shafts;
 - (vii) garbage shafts;
 - (viii) mechanical rooms; and
 - (ix) exit stairwells in the building; and
- (h) "*tandem parking space*" means an area that includes two *parking spaces*, one of which is not readily accessible for parking and removal of a motor vehicle without the necessity of moving another vehicle;
- (i) "*sales presentation centre*" means a building, structure or facility on the *lot* used for the purpose of the sale of *dwelling units* to be erected on the *lot*;

- (j) "*pedestrian connection tunnel*" shall mean a below-grade walkway that links the building on Parcel 1 to the Yonge and Bloor TTC subway station.
- (k) Each word or expression which is italicized in this By-law shall have the same meaning as each word or expression as defined in the aforesaid By-law No. 438-86, as amended, unless otherwise defined in this By-law.

6. Notwithstanding any severance, 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.

7. Section 37 Provisions

- (a) Pursuant to Section 37 of the *Planning Act*, and subject to compliance with this By-law, the increase in *height* and density of the development is permitted beyond that otherwise permitted on the lands shown on Map 2 in return for the provision by the owner, at the owner's expense of the facilities, services and matters set out in Schedule A hereof and which are secured by one or more agreements pursuant to Section 37(3) of the *Planning Act* that are in a form and registered on title to the lands, to the satisfaction of the City Solicitor.
- (b) Where Schedule A of this By-law requires the owner to provide certain facilities, services or matters prior to the issuance of a building permit, the issuance of such permit shall be dependent on satisfaction of the same.
- (c) The owner shall not use, or permit the use of, a *building* or *structure* erected with an increase in *height* and density pursuant to this By-law unless all provisions of Schedule A are satisfied.

8. Within the *lot*, no person shall use any land or erect any building or structure unless the following municipal services are provided to the lot line and the following provisions are complied with:

- (a) all water mains and sanitary sewers, and appropriate appurtenances, have been installed and are operational.

ENACTED AND PASSED this ____ day of _____, A.D. 2016.

JOHN TORY,
Mayor

ULLI S. WATKISS,
City Clerk

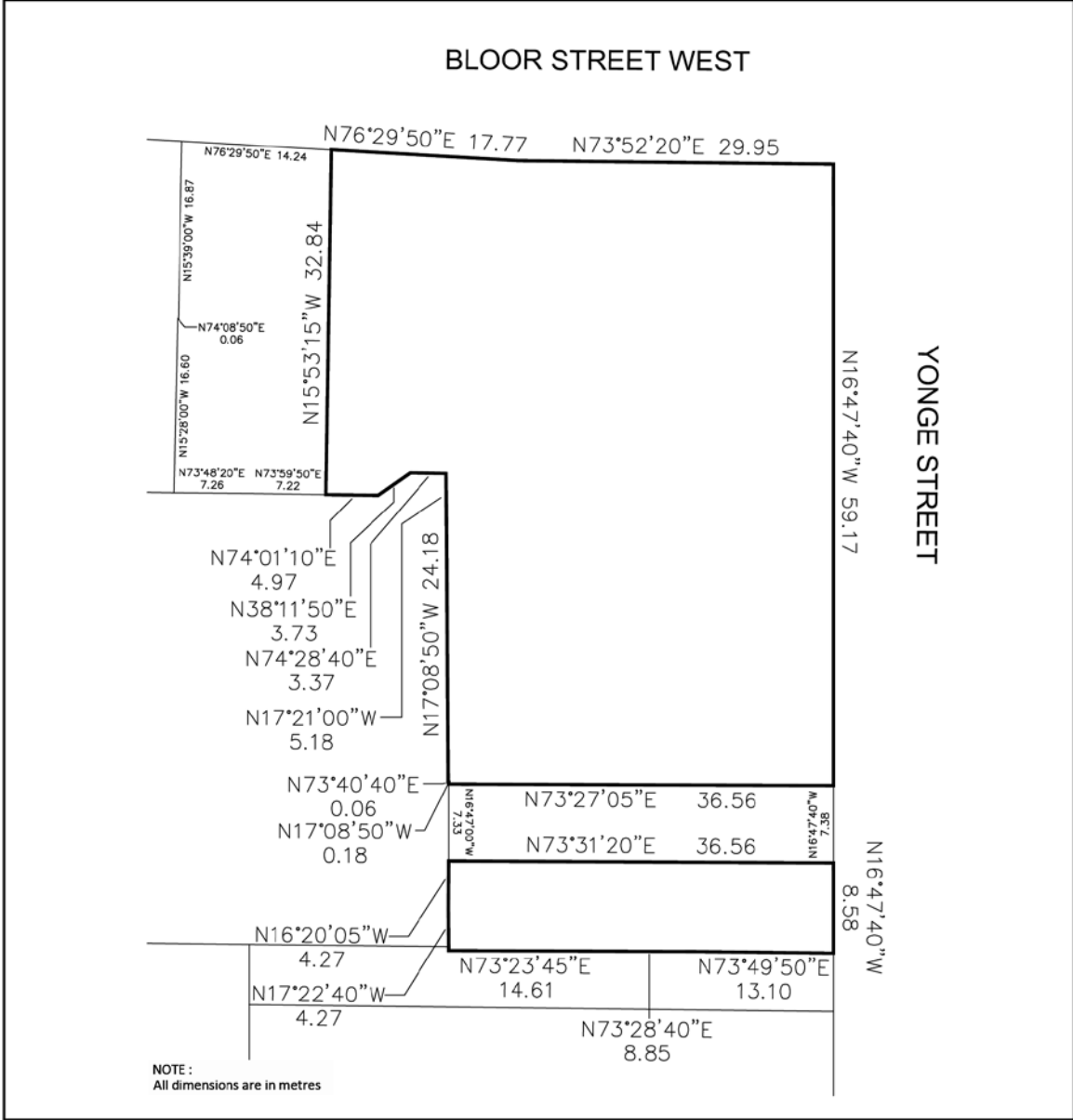
(Seal of the City)

SCHEDULE A

Section 37 Provisions

The facilities, services and matters set out below are required to be provided by the owner of the *lot* at their expense to the *City* in accordance with one or more agreements pursuant to Section 37(3) of the *Planning Act*, in a form satisfactory to the *City* with conditions providing for indexing escalation of both the financial contributions and letters of credit, development charges, indemnity, insurance, GST, HST, termination and unwinding, and registration and priority of agreement:

Community benefits and matters of legal convenience will be inserted.

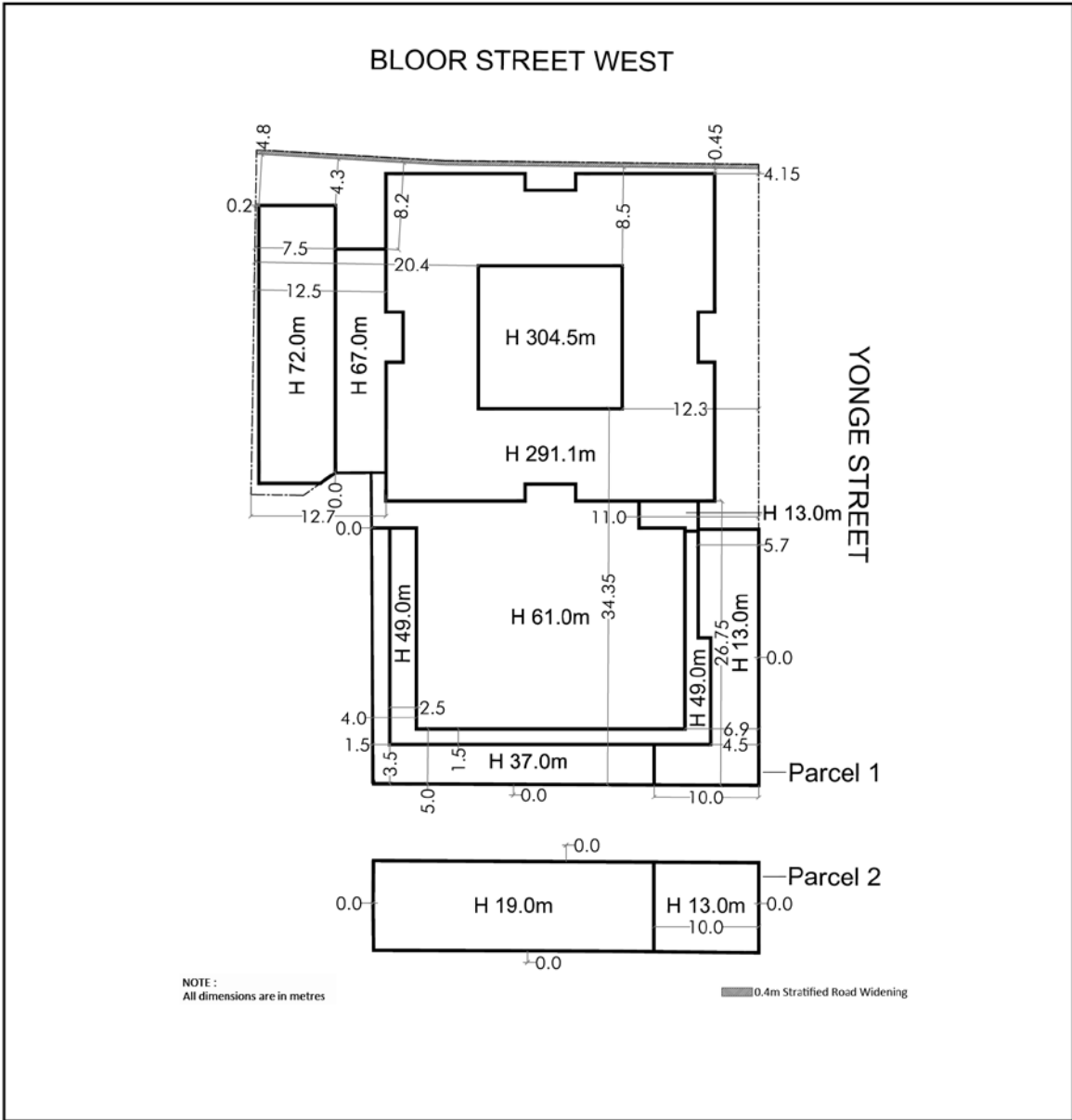


**1-11 Bloor Street West and
768-784 & 760-762 Yonge Street**

File # 15 128261 STE 27 0Z



City of Toronto By-Law 569-2013
Not to Scale
04/15/2016



Attachment 16: Draft Zoning By-law Amendment (569-2013)

CITY OF TORONTO

BY-LAW No. XXX- 2016

To amend Zoning By-law No. 569-2013, as amended, with respect to the lands municipally known in the year 2016 as 760-762 Yonge Street, 768-784 Yonge Street and 1-11 Bloor Street West.

Whereas Council of the City of Toronto has the authority to pursuant to Section 34 of the *Planning Act*, R.S.O. 1990, c. P. 13, as amended, to pass this By-law; and

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

Whereas the Official Plan for the City of Toronto contains provisions relating to the authorization of increases in height and density of development;

Whereas pursuant to Section 37 of the *Planning Act*, a by-law under Section 34 of the *Planning Act*, may authorize increases in the height and density of development beyond those otherwise permitted by the by-law and that will be permitted 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 and matters in return for an 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 and matters; and

Whereas the owner of the aforesaid lands has elected to provide the facilities, services and matters hereinafter set out; and

Whereas the increase in height and density permitted beyond that otherwise permitted on the aforesaid lands by By-law No. 569-2013 as amended, is permitted in return for the provision of the facilities, services and matters set out in this By-law which is secured by one or more agreements between the owner of the land and the City of Toronto;

The Council of the City of Toronto enacts:

1. The lands subject to this By-law are outlined by heavy black lines on Diagram 1 attached to this By-law;
2. The words highlighted in bold type in this By-law have the meaning provided in Zoning By-law No. 569-2013, Chapter 800 Definitions;

3. Zoning By-law No. 569-2013, as amended, is further amended by amending the zone label on the Zoning By-law Map in Section 990.10 respecting the lands outlined by heavy black lines to CR 7.8 (c4.5; r7.8) SS1 (x62), as shown on Diagram 2 attached to this By-law;
4. Zoning By-law No. 569-2013, as amended, is further amended by adding Article 900.11.10 Exception Number 62 so that it reads:

(62) Exception CR 62

The lands, or a portion thereof as noted below, are subject to the following Site Specific Provisions, Prevailing By-laws and Prevailing Sections.

Site Specific Provisions:

- (A) On 760-762 Yonge Street, 768-784 Yonge Street and 1-11 Bloor Street West, none of the regulations of 5.10.40.70, 40.5.40.10(1) and (2), 40.10.40.10(1), 40.10.40.40(1), 40.10.40.50(1), 40.10.40.50(2), 40.10.40.60(1), 40.10.40.70(1)(a), 40.10.50.10(1), 230.5.1.10(9), 900.11.10(2492) and 900.11.10(2546) prevent the erection or use of a building, structure, addition or enlargement if it complies with By-law No. XXX-2016.
- (B) If Schedule 'A' of by-law XXXX-2016 is complied with the following regulations apply;
- (C) Any **building** or **structure** erected on the lands must not exceed the height in metres specified by the numbers following the symbol “H” on Diagram 3 of By-law XXX-2016, with the exception of:
 - i. Window washing equipment, wind protection screens, building maintenance units, pergolas and trellises – a maximum vertical projection of 5.0 metres above the heights shown on Diagram 3 of By-law XXXX-2016;
 - ii. parapets, railings and lightning rods – a maximum vertical projection of 1.5 metres above the heights shown on Diagram 3 of By-law XXXX-2016;
 - iii. terrace dividers and guard rails – a maximum vertical projection of 3.0 metres above the heights shown on Diagram 3 of By-law XXXX-2016;
 - iv. roof drainage – a maximum vertical projection of 0.5 metres above the heights shown on Diagram 3 of By-law XXXX-2016;
 - v. architectural features, landscaping, art, pillars, columns, piers,

exoskeleton structures and exoskeleton cladding – a maximum vertical projection of 19.8 metres above the heights shown on Diagram 3 of By-law XXXX-2016; and

- vi. landscaping and public art;
- (D) In addition to encroachments permitted in Section 40.10.40.60, the following encroachments are permitted to extend beyond the areas delineated by heavy lines on Diagram 3 attached to and forming part of this By-law:
- i. awnings, canopies and window washing equipment – a maximum of 3.0 metres beyond the heavy lines shown on Diagram 3 of By-law XXXX-2016;
 - ii. doors, cornices, ornamental elements, parapets, architectural flutes, columns, piers, pillars, exoskeleton structures, exoskeleton cladding, window sills, light fixtures, art and landscape features and site servicing features – a maximum of 1.2 metres beyond the heavy lines shown on Diagram 3 of By-law XXXX-2016;
- (E) Balconies are not permitted to project beyond the heavy lines shown on Diagram 3 of By-law XXXX-2016;
- (F) The total **gross floor area** of all **buildings** and **structures** on Parcel 1 and Parcel 2 as shown on Diagram 3 of By-law XXX-2016, must not exceed 81,150 square metres, comprised as follows:
- i. residential uses symbolized by the letter ‘r’, permitted by Regulations 40.10.20.10(1)(B) and 40.10.20.20(1)(B), must not exceed 65,400 square metres;
 - ii. non-residential uses symbolized by the letter ‘c’, permitted by Regulations 40.10.20.10(1)(A) and 40.10.20.20(1)(A), must not exceed 15,900 square metres excluding **public parking**;
 - iii. For the purposes of this By-law, in addition to Section 40.5.40.40(1), the calculation of **gross floor area** also excludes the floor area associated with mechanical rooms and indoor **amenity space**;
- (G) Despite 40.10.40.50(1), **amenity space** must be provided at a minimum rate of 3.25 square metres for each **dwelling unit**, of which:
- i. at least 2.0 square metres for each **dwelling unit** is indoor **amenity space**;
 - ii. at least 40.0 square metres is outdoor **amenity space** in a location

adjoining or directly accessible to the indoor **amenity space**; and

- iii. no more than 25% of the outdoor component may be a **green roof**;
- (H) Despite 40.10.40.50(2), no outdoor **amenity space** is required for non-residential uses on the lands;
- (I) Despite the parking requirements outlined in Table 200.5.10.1, a minimum of 312 **parking spaces** must be provided and maintained as follows:
- i. **Public parking** is permitted on the lands;
 - ii. **Parking spaces** are permitted to be shared between residents, residential visitors and non-residential uses;
 - iii. **Parking spaces** for residents, residential visitors and non-residential uses are permitted to be located within **public parking**;
 - iv. **Public parking** must be operated as a valet parking system;
 - v. A minimum of 301 **parking spaces** must be provided within **public parking**, of which, a minimum of 200 **parking spaces** must be available to residents;
 - vi. A minimum of 4 **car-share parking spaces** must be provided;
 - vii. A minimum of 7 short-term **parking spaces** must be provided, of which, one short-term **parking space** can be obstructed and must have the dimensions of an accessible **parking space** as set out in Section 200.15.1(1) and would satisfy the requirements set out in Section 200.15.10(1);
- (J) The additional requirements set out in Section 200.5.1.10(2)(A)(iv) for obstructed **parking spaces** do not apply to a maximum of 35 obstructed **parking spaces** that are required in order to satisfy the residential parking requirements, as set out in section (H) above;
- (K) Despite the dimensions outlined in Section 200.5.1.10(2), **parking spaces** provided in a **parking stacker** can have:
- i. a minimum width of 2.6 metres
 - ii. a minimum length of 5.6 metres; and
 - iii. a minimum vertical clearance of 1.5 metres;
 - iv. **parking stacker** mechanisms and equipment located within these

dimensions;

- (L) Long-term **bicycle parking spaces** and short-term **bicycle parking spaces** can be located below grade;
- (M) Exception CR(x62) shall apply to all of the lands collectively regardless of future severance, partition or division;
- (N) **Height** is measured from the Canadian Geodetic Datum elevation of 115.8 metres;
- (O) A minimum of one pedestrian connection tunnel is required that provides a below-grade walkway linking the building on Parcel 1 to the Yonge and Bloor TTC subway station.

Prevailing By-law and Prevailing Sections

- (P) Section 12(2) 259 of former City of Toronto By-law 438-86

4. Section 37 Provisions

- (b) Pursuant to Section 37 of the Planning Act, and subject to compliance with this By-law, the increase in height and density of the development is permitted beyond that otherwise permitted on the lands shown on Diagram 2 in return for the provision by the owner, at the owner's expense of the facilities, services and matters set out in Schedule A hereof and which are secured by one or more agreements pursuant to Section 37(3) of the Planning Act that are in a form and registered on title to the lands, to the satisfaction of the City Solicitor.
- (c) Where Schedule A of this By-law requires the owner to provide certain facilities, services or matters prior to the issuance of a building permit, the issuance of such permit shall be dependent on satisfaction of the same.
- (d) The owner shall not use, or permit the use of, a building or structure erected with an increase in height and density pursuant to this By-law unless all provisions of Schedule A are satisfied.

Enacted and passed on _____, 2016

JOHN TORY,
Mayor

Ulli S. Watkiss,
City Clerk

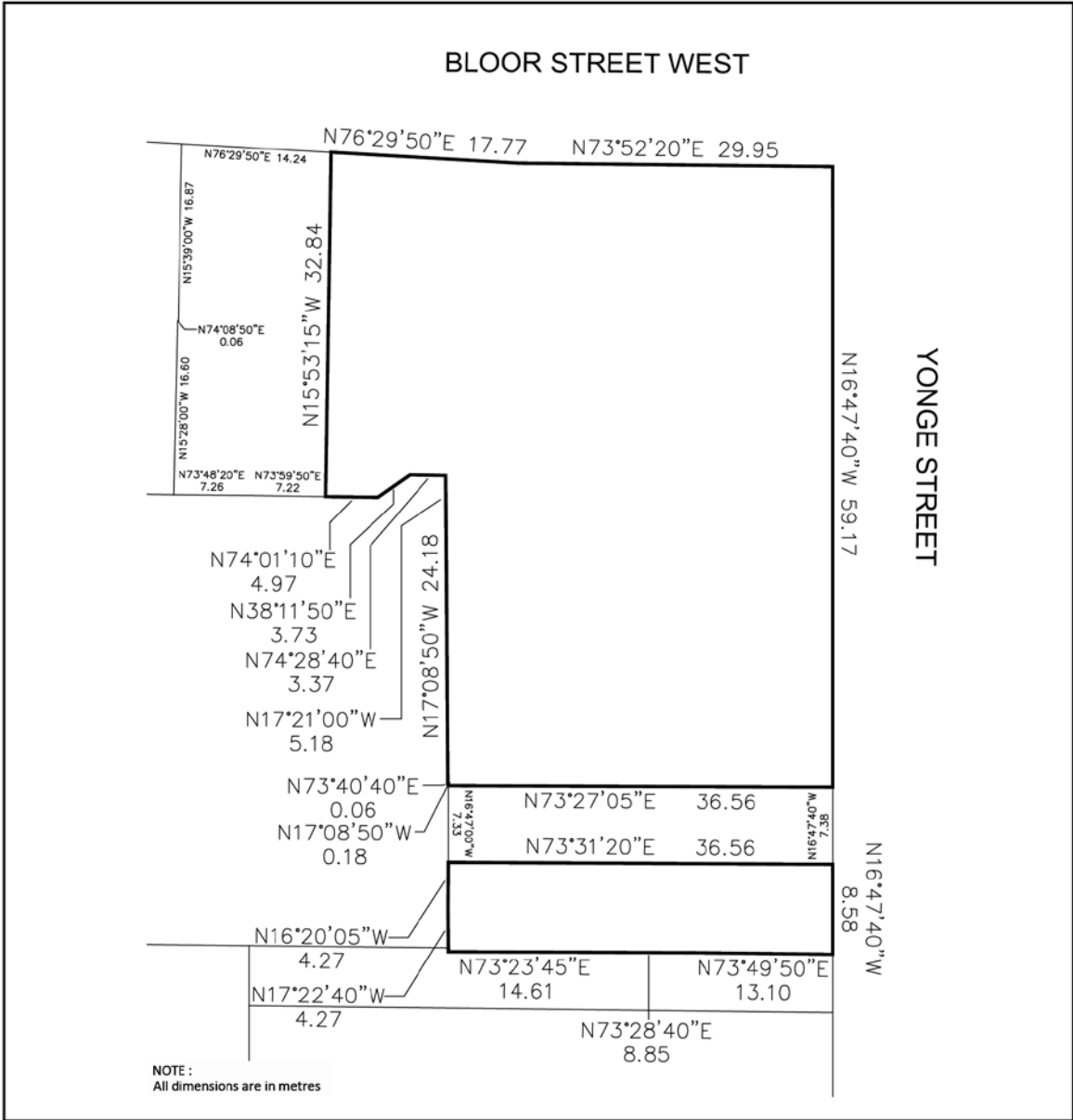
(Seal of the City)

SCHEDULE A

Section 37 Provisions

The facilities, services and matters set out below are required to be provided by the owner of the land on Diagram 2 at their expense to the *City* in accordance with one or more agreements pursuant to Section 37(3) of the *Planning Act*, in a form satisfactory to the *City* with conditions providing for indexing escalation of both the financial contributions and letters of credit, development charges, indemnity, insurance, GST, HST, termination and unwinding, and registration and priority of agreement:

Community benefits and matters of legal convenience will be inserted.



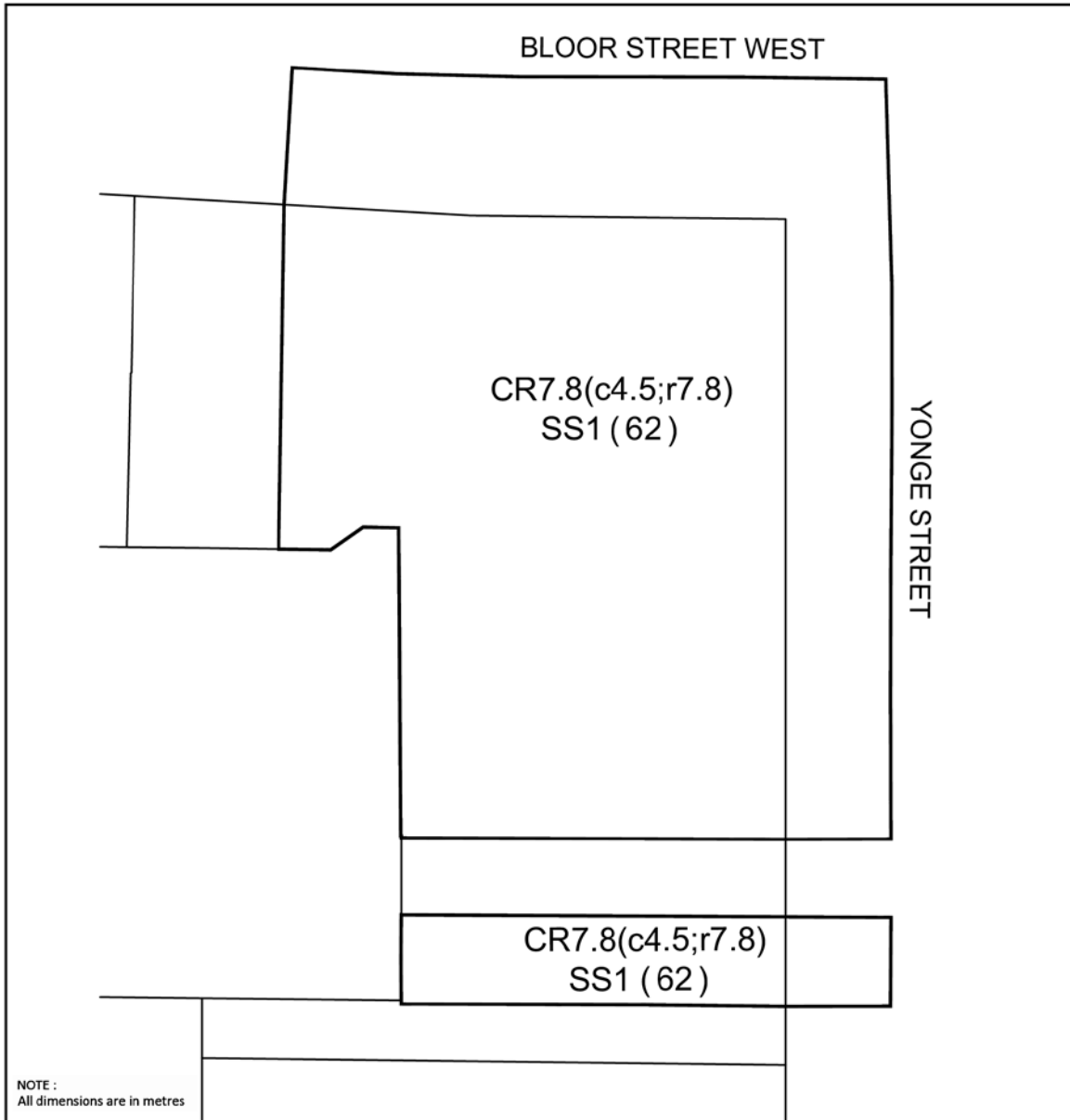
TORONTO
Diagram 1

**1-11 Bloor Street West and
768-784 & 760-762 Yonge Street**

File # 15 128261 STE 27 0Z



City of Toronto By-Law 569-2013
Not to Scale
04/15/2016

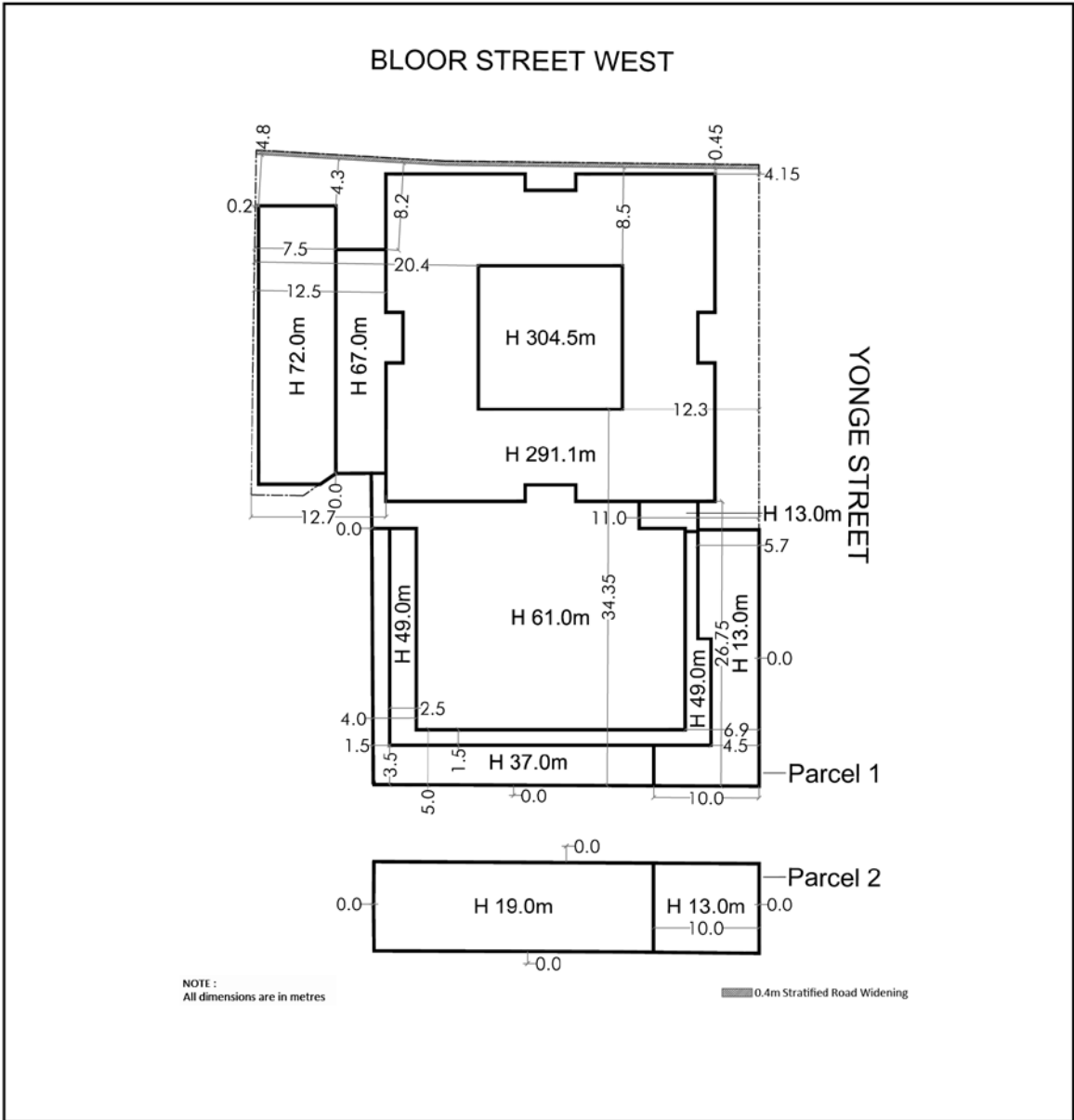


TORONTO
Diagram 2

**1-11 Bloor Street West and
768-784 & 760-762 Yonge Street**
File # 15 128261 STE 27 0Z



City of Toronto By-Law 569-2013
Not to Scale
04/21/2016



TORONTO
Diagram 3

**1-11 Bloor Street West and
768-784 & 760-762 Yonge Street**
File # 15 128261 STE 27 QZ



City of Toronto By-Law 569-2013
Not to Scale
04/15/2016