

2 Bloor Street West – Zoning Amendment Application – Final Report

Date: February 25, 2020

To: Toronto and East York Community Council

From: Director, Community Planning, Toronto and East York District

Ward: 11 - University-Rosedale

Planning Application Number: 18 221948 STE 27 OZ

SUMMARY

This application proposes to amend the Zoning By-law to permit a mixed-use development with three towers and a new public park. The site consists of two development parcels divided by a new 1,458 square metre public park fronting on Cumberland Street. The west development parcel will be occupied by two towers, 47 and 61-storeys (Towers 'A' and 'B' respectively), connected by a 9-storey base building. The east development parcel will be occupied by a 75-storey tower (Tower 'C') with a base building ranging from 1 to 3 storeys, and a new 125 square metre publicly-accessible open space on Yonge Street.

A total of 1,595 residential units, 13,754 square metres of non-residential floor area, and 256 vehicle parking spaces are proposed.

The proposed development is consistent with the Provincial Policy Statement (2014), conforms with the Growth Plan for the Greater Golden Horseshoe (2019), conforms with all relevant policies of the Official Plan and Site and Area Specific Policies 211 and 225, and is consistent with the Bloor-Yorkville/North Midtown Urban Design Guidelines, Tall Building Guidelines, and Yorkville East of Bay Planning Framework.

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

RECOMMENDATIONS

The City Planning Division recommends that:

1. City Council amend Zoning By-law 438-86, for the lands at 2 Bloor Street West substantially in accordance with the draft Zoning By-law Amendment attached as Attachment No. 6 to the report (February 25, 2020) from the Director, Community Planning, Toronto and East York District.

2. City Council amend City of Toronto Zoning By-law 569-2013 for the lands at 2 Bloor Street West substantially in accordance with the draft Zoning By-law Amendment attached as Attachment No. 7 to the report (February 25, 2020) from the Director, Community Planning, Toronto and East York District.
3. City Council authorizes the City Solicitor to make such stylistic and technical changes to the draft Zoning By-law Amendment as may be required.
4. City Council is amending the zoning by-laws as set out in these recommendations in its capacity as planning approval authority for the proposed development, without prejudice to any of the City's rights as owner and landlord of the lower strata parcel. The ground lease is administered and managed by the Deputy City Manager, Corporate Services (DCM), and the applicant is required to comply with all of the terms of the ground lease, including but not limited to submitting plans for review and approval by the Deputy City Manager, Corporate Services and the General Manager, Toronto Transit Commission, prior to any construction on the lower strata parcel.
5. Before introducing the necessary Bills to Council for enactment, City Council direct that the owner be required to enter into an Agreement pursuant to Section 37 of the Planning Act, and any other necessary agreements, satisfactory to the Chief Planner and Executive Director, City Planning and the City Solicitor, with such Agreement to be registered on title to the lands at 2 Bloor Street West in a manner satisfactory to the City Solicitor to secure the following community benefits at the owner's expense, including:
 - a. a total financial contribution of \$20,000,000.00, whereas City Council recognizes that \$500,000.00 has been already been paid to the City into the Planning Act Reserve Account, and the remaining financial contribution in the amount of \$19,500,000.00 shall be payable to the City prior to issuance of the first above-grade building permit, with such remaining financial contribution amount to be indexed upwardly in accordance with Statistics Canada Residential Building or Non-Residential Building Construction Price Index, as the case may be, for the Toronto Census Metropolitan Area, reported by Statistics Canada in the Building Construction Price Indexes Table 18-10-0135-01, or its successor, calculated from the date of the Section 37 Agreement to the date of payment and; the funds shall be directed as follows:
 - i. \$4,000,000.00 directed towards new and/or capital improvements to existing Affordable Housing in the vicinity of the site;
 - ii. \$500,000.00 directed towards streetscape improvements in the vicinity of the site;
 - iii. the \$500,000.00 already paid to the City through previous permissions, forming part of the total contribution shall continue to be directed towards the provision of streetscaping and landscaping improvements to Bloor Street West and Bloor Street East in the vicinity of the lot described in this By-law; and

iv. \$15,000,000.00 directed towards community facilities and parks within the vicinity of the site.

b. in the event the cash contribution referred to in Recommendation 5 a. above has not been used for the intended purpose within three (3) years of the implementing Zoning By-law Amendment coming into full force and effect, the cash contribution may be redirected for another purpose, at the discretion of the Chief Planner and Executive Director, City Planning, in consultation with the ward Councillor, provided that the purposes are identified in Toronto's Official Plan and will benefit the local community;

c. the following matters are also recommended to be secured in the Section 37 Agreement as matters required to support the development of the site:

i. the publicly accessible open space of not less than 125 square metres fronting onto Yonge Street, as generally shown on Attachment 8 to this report. The applicant shall operate, maintain and repair the open space and install and maintain a sign, at its own expense, stating that members of the public shall be entitled to use the open space at all times of the day and night, 365 days of the year; and the specific location, configuration and design of the open space shall be determined in the context of a site plan approval pursuant to Section 114 of the *City of Toronto Act, 2006*, and secured in a Site Plan Agreement with the City, all to the satisfaction of the Chief Planner and Executive Director, City Planning Division;

ii. a Phasing Plan for the development in a form and content satisfactory and acceptable to the Chief Planner and Executive Director, City Planning in consultation with the General Manager, Transportation Services; General Manager, Parks, Forestry and Recreation; Chief Engineer and Executive Director, Engineering and Construction Services; the Toronto Transit Commission; Director, Real Estate Services and the City Solicitor which will be provided in a satisfactory and acceptable manner to the City prior to Site Plan Approval;

iii. a Functional Servicing and Stormwater Management Report, to the satisfaction of the Chief Engineer & Executive Director, Engineering and Construction Services, and payment for and construction of any necessary improvements to the municipal infrastructure in connection with the site servicing assessment, should it be determined that upgrades are required to the infrastructure to support the development;

iv. provision and maintenance of a continuous publicly-accessible pedestrian connection from Bay Street, at grade, to the concourse level of the Tower 'A', and connecting to the TTC subway station entrance access below Bay Street;

v. maintenance by the applicant and at the applicant's expense of the existing below grade, publicly accessible pedestrian connection beneath Cumberland Street to the concourse level of the building permitted by this

By-law together with the construction, provision and maintenance of a publicly accessible concourse-level corridor between such connection and the Bay subway station;

vi. prior to the earlier of condominium registration and the first residential use of Tower 'C' the construction, provision and maintenance of a continuous publicly-accessible pedestrian connection from Cumberland Street, at grade, to the concourse level of the existing building on Parcel B (as shown on Diagram 1 of Attachment 7 of this report) and connecting to the below-grade pedestrian connection located below Yonge Street leading to the Bloor-Yonge subway station;

vii. provision and maintenance of streetscape improvements adjacent to the lot;

viii. prior to Site Plan Approval for each phase of the development, a Pedestrian Level Wind Study, including wind tunnel analysis report, to the satisfaction of the Chief Planner and Executive Director, City Planning, which identifies recommendations for the pedestrian realm and the outdoor areas of the base buildings to mitigate wind impacts year-round, and the owner will implement and maintain in support of the development all recommended mitigation measures to the satisfaction of the Chief Planner and Executive Director, City Planning;

ix. prior to the issuance of Site Plan Approval, a Construction Management Plan and Neighbourhood Communication Strategy to the satisfaction of the Chief Planner and Executive Director, City Planning Division in consultation with the Executive Director, Engineering and Construction Services and the ward Councillor;

x. warning clauses, to be inserted in all offers to purchase, agreements of purchase and sale or agreements to lease, and condominium declaration documents for each south-facing unit within Towers 'A' and 'B' (shown on Attachment 8), to advise of the legal possibility that office or residential buildings may be erected on the lands south of the public lane which runs along the south property line of the site, with undetermined height and massing;

xi. prior to the earlier of condominium registration and the first residential use of Tower 'C' (shown on Attachment 8), relocation by the applicant of the existing public art currently located on the Yonge Street frontage to the new publicly accessible open space required in 5.c.i above, and maintenance by the applicant of the public art, to the satisfaction of the Chief Planner and Executive Director, City Planning;

xii. a minimum 4.0 metre wide publicly-accessible pedestrian walkway, inclusive of structural support columns and a minimum 2.1 metre pedestrian clearway, on the south side of Cumberland Street, forming part of the colonnade for the base building of Towers 'A' and 'B';

xiii. construction and maintenance by the applicant of the development of the Site in accordance with Tier 1 performance measures of the Toronto Green Standard, and the owner will be encouraged to achieve Toronto Green Standard, Tier 2 or higher, where appropriate through the Site Plan Approval process;

xiv. amendment to the existing ground lease for the site and related ancillary documents to decrease and surrender the leased lands for the purpose of parkland dedication as it relates to this application only, shall not result in any form of rent reduction or any negative financial implication or loss to the City, and shall be on terms approved by the Executive Director, Corporate Real Estate Management, in consultation with the General Manager, Parks, Forestry and Recreation, and in a form satisfactory to the City Solicitor; and

xv. prior to Site Plan Approval for each phase of the development, the owner shall submit a Shadow Study, to the satisfaction of the Chief Planner and Executive Director, City Planning, showing no net-new shadow on Jesse Ketchum Park from 10:18 a.m. to 4:18 p.m. during the spring and fall equinox.

6. City Council require that the conditions related to the conveyance of the required parkland dedication having an area of 1,458.6 square metres be satisfied prior to the issuance of the first above grade building permit for the lands, and for greater certainty, the conditions include the partial release of the leasehold interest on the City-owned lands identified for park purposes and conveyance of the strata lands above the lands identified for park purposes, including any required environmental and structural works, all satisfactory to the General Manager, Parks, Forestry and Recreation, the Director, Real Estate Services and the City Solicitor.

7. City Council direct the City Solicitor to secure such matters as outlined in the memorandum from Parks, Forestry and Recreation dated February 24, 2020, to the satisfaction of the General Manager, Parks, Forestry and Recreation and the City Solicitor.

8. 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, Park, Forestry and 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.

9. City Council direct that Toronto Transit Commission below-grade pedestrian connection in Recommendation 5.c.iv. and 5.c.vi shall also be subject to the following:

a. the applicant will complete the Toronto Transit Commission pedestrian connection, at the sole cost and expense of the owner, and at no cost to the City or the Toronto Transit Commission, and a public access easement, or license as applicable, shall be provided to the City concurrently to provide access through the interior of any buildings as may be required to the Toronto Transit Commission pedestrian connection to Bay Subway Station and Bloor/Yonge Subway Station in a manner and form satisfactory to the Director, Real Estate Services, the Toronto Transit Commission, and the City Solicitor;

FINANCIAL IMPACT

City Planning confirms that there are no financial implications resulting from the recommendations included in the report in the current budget year or in future years.

DECISION HISTORY

On December 1, 2 and 3, 2008, City Council adopted GM19.13 which authorized lease amendments and the sale of the upper strata parcel of the site, starting at 9.1 metres above grade, to the then tenant, OMERS Realty Management Corporation. The upper strata parcel was removed from the lease, and the lower strata parcel (up to 9.1 metres above grade) was retained in City ownership, with the lease continued. The applicant/tenant has two options to extend the ground lease to August 31, 2107.

On March 8, 2011 the Ontario Municipal Board approved a Zoning By-law Amendment (By-law 787-2010) for the subject site, permitting a mixed-use development consisting of 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 across the entire parcel.

On March 27, 2012, the Committee of Adjustment approved a Consent Application to sever the property into two lots. The first lot consisting of the existing 34-storey office building (CIBC tower) located at the northwest corner of Yonge Street and Bloor Street. The second lot being the subject site occupied by an existing two-storey commercial building and subject to site specific zoning by-law 787-2010.

The current application was submitted on September 7, 2018 and deemed complete on November 23, 2018. A Preliminary Report on the application was adopted by Toronto and East York Community Council on February 14, 2019 authorizing staff to conduct a community consultation meeting with an expanded notification area. Community consultation is summarized in the comments section of this report.

CONSULTATION WITH APPLICANT

A pre-application meeting was held on April 17, 2018. The focus of discussion at the meetings was the proposal's conformity with the Official Plan and with Site and Area Specific Policies 211 and 225, and the Yorkville East of Bay Planning Framework.

After the submission of the application, consultation meetings with the applicant were held throughout 2018, 2019, and 2020 to discuss concerns and resolve issues identified during the review of the application.

SITE AND SURROUNDING AREA

The subject site is located on the south side of Cumberland Street and extends from Yonge Street to Bay Street. The Line 2 subway tunnel runs directly under the subject site. A public laneway known as Mayfair Mews is located directly to the south of the site. The site is currently occupied by a two-storey commercial building known as Cumberland Terrace Mall. The below-grade concourse level has pedestrian connections to all of the surrounding properties, as well as to both the Bloor/Yonge Subway Station and the Bay Street Subway Station.

For clarity the address 2 Bloor Street West applies to both the subject site and the existing 34-storey office building (CIBC tower) at the northwest corner of Yonge Street and Bloor Street. For the purposes of this report, the address 2 Bloor Street West will be used for the subject site which does not include the CIBC tower.

The L-shaped site has a frontage of 203 metres on Cumberland Street, 24 metres on Bay Street, and a frontage of 45 metres on Yonge Street. The total site area is 5,794 square metres.

Ownership:

The site is comprised of an upper strata parcel and a lower strata parcel, with separate ownerships. The lower strata parcel, being the below-grade portion and above-grade to a height of 9.1 metres (30 feet), is owned by the City, the applicant has an existing ground lease on the lower strata parcel. The applicant/tenant has two options to extend the ground lease to August 31, 2107. For any redevelopment, the applicant/tenant is required to comply with the terms of the ground lease.

The upper strata parcel, being the area above a height of 9.1 metres (30 feet), was sold by the City in 2009 and is now owned by the applicant. As part of the sale in 2009, a Reciprocal Agreement was entered into, to integrate the various components of the site when it is redeveloped, so that the condominium development which is built starting above the second storey will have the necessary rights of support, access and associated facilities in order to function, subject to refinement once the proposed development has been constructed and the exact location of all of the elements can be identified on as-built plans.

Before commencing any demolition or construction on the lower strata parcel, the tenant must submit plans for review and approval by the Deputy City Manager, Corporate Services (DCM) and the General Manager of Toronto Transit Commission, not to be unreasonably withheld. In addition, no building or structure in whole or in part on the lower strata parcel shall interfere with the use of such lands for subway purposes.

Notwithstanding that part of the lower strata lands may be given up by the tenant and surrendered back to the City for parkland dedication, community benefits space, or any other purpose, and the leased area may be decreased, rent and all other payments in the ground lease to be paid by the tenant shall remain unchanged for the balance of the current term, and extended terms.

This report is being considered by City Council in its capacity as planning approval authority for the proposed development, without prejudice to any of the City's rights as owner and landlord of the lower strata parcel. The ground lease is administered and managed by the DCM, and the applicant is required to comply with all of the terms of the ground lease, including but not limited to submitting plans for review and approval by the DCM, prior to any construction on the lower strata parcel.

In this report and recommendations, references to the "owner" or the "applicant" are in reference to the applicant who made the zoning by-law amendment application. References to the "City" mean the City of Toronto, as the municipality.

Uses and structures near the site include:

The Yorkville East of Bay area is comprised of a mix of tall buildings, low-rise commercial buildings, office buildings, and a number of approved mixed-use developments in various stages of construction.

North: of Cumberland Street are:

- a 10-storey office building on Bay Street (1235 Bay Street);
- a mixed-use development currently under construction with two residential towers 40 and 62 storeys in height, and a new public park connecting Yorkville Avenue and Cumberland Street (27-37 Yorkville Avenue);
- a series of five low-rise commercial buildings; and
- a 51-storey mixed-use development currently under construction fronting onto Yonge Street, with a new public lane and pedestrian walkway connecting Yorkville Avenue and Cumberland Street (2-8 Cumberland Street).

South: of the public lane known as "Mayfair Mews" and fronting onto Bloor Street West, are a 15-storey office building at the corner of Bay Street and Bloor Street West (60 Bloor Street West), a three-storey commercial building with zoning permissions for a 71-storey mixed-use building (50 Bloor Street West), and a 34-storey office building at the northwest corner of Yonge Street and Bloor Street West (2 Bloor Street West).

East: of Yonge Street is the Hudson Bay Centre (2 Bloor Street East) located on the east side of Yonge Street, which includes a 34-storey office building. At the southeast corner of Yonge Street and Asquith Avenue are a series of low-rise commercial buildings with zoning approval for a 25-storey mixed-use building (767-773 Yonge Street).

West: of Bay Street on the south side of Cumberland Street are a 9-storey office building (1240 Bay Street) and a 12-storey office building (1200 Bay Street). On the north side of Cumberland Street is an 18-storey mixed use building (1250 Bay Street).

See Attachment 2 for the Location Map.

PROPOSAL

The proposal is for a mixed-use development consisting of three towers and a new public park. The new 1,458 square metre public park will front onto Cumberland Street and divide the site into two development parcels (see Attachment 8 for Site Context drawing). Two towers are proposed to be located on the west development parcel and one tower located on the east development parcel.

TTC Subway and Concourse

A below-grade concourse level, occupied by retail uses, will be located under the entire site and will have pedestrian connections to all of the surrounding properties, as well as to both the Bloor/Yonge Subway Station and the Bay Street Subway Station. The Line 2 subway tunnel runs directly under the subject site.

Public Park and Open Space

The new public park ("**Park**") will be located in the centre of the site fronting onto Cumberland Street. The Park will be rectangular in shape and approximately 24 metres deep, 61 metres wide, and 1458 square metres in area. The design of the Park will be finalized as part of the Site Plan approval process. The concourse level continues under the Park.

A new public open space ("**Yonge Open Space**") will be located on Yonge Street, south of the proposed tower. The Yonge Open Space will be a minimum of 125 square metres in area, and will be adjacent to outdoor patio space for retail uses located in the base building of the Yonge Street tower.

A 6.0 metre wide walkway, adjacent to the east side of the Park, will complete the Town Hall Walkway, opening up views from Bloor Street West north to Town Hall Park.

West Development Parcel

The west parcel will be occupied by two towers, 47 and 61-storeys (175.0 metres and 216.0 metres, including mechanical), referred to as Towers 'A' and 'B' respectively. Tower 'A' will be located at the corner of Bay Street and Cumberland Street, and Tower 'B' will be located mid-block adjacent to the Park. The two towers will be connected by a 9-storey (46.3 metres) base building.

The base building will have retail uses at-grade and on the second floor. The third floor will have the bicycle parking and garbage rooms. Due to the location of the Line 2 subway tunnel the vehicle parking for both the east and west development parcels will be located on floors 4 through 5 of the base building. A total of 7,351 square metres of office space will be located on floors 6 through 8. The 9th floor will have indoor amenity space, with residential units in the towers above.

The west parcel base building extends to the north and south property lines. A 4.0 metre wide colonnade, including structural support and minimum 2.1 metre pedestrian clearway, is provided on Cumberland Street. On Bay Street the base building is setback 3.0 metres from the property line. On the east side, the base building will be setback 6.0 metres from the new public park.

Tower 'A' will have a step back of 3.0 metres above a height of 108 metres on the Bay Street frontage. Towers 'A' and 'B' will have a separation distance of 25 metres, and floor plates of 732 square metres.

East Development Parcel

The east parcel will be occupied by a 75-storey tower (254 metres, including mechanical), referred to as Tower 'C', with a base building ranging from 1 to 3-storeys. The building will have retail uses at-grade and on the second floor. Bicycle parking will be on the third floor, and amenity space on the 4th floor, with residential units in the tower above.

The east parcel base building will be setback 3.0 metres from Cumberland Street, 0.6 metres from Yonge Street, and 9.0 metres from the Park. Tower 'C' will step back 3.0 metres above the 3rd floor on the Yonge Street frontage, and will cantilever 3.0 metres on the west side adjacent to the Park. Tower 'C' will have a floor plate of 750 square metres.

The east and west parcels will have a total of 13,754 square metres of non-residential gross floor area including 7,351 square metres of office space. A total of 1,595 dwelling units are proposed in 121,095 square metres of residential gross floor area. The total density for the site is 23.3 times the area of the lot. The unit mix is as follows: 88 studio (5.5%), 948 one-bedroom (59.4%), 396 two-bedroom (24.8%), and 163 three-bedroom (10.2%).

The following chart provides further details regarding floor area for the proposed development:

Table No. 1: Development Statistics

	Residential Units	Gross Floor Area (square metres)		
		Residential	Non-Residential	
			Commercial	Office
West Development Parcel	905	71,270	1,355	7,351
East Development Parcel	690	49,296	1,044	0
Concourse (below-grade)	NA	529	4,004	0
TOTAL	1595	121,095	6,403	7,351

The parking garage is located in the west parcel and will be accessed from Cumberland Street, and will contain a total of 256 parking spaces. A total of 1,665 bicycle parking spaces will be provided. Loading spaces will be provided in base buildings of both the west and east parcels and will be accessed from Mayfair Mews.

A total of 3,351 square metres (2.1 square metres per unit) of indoor amenity space, and 1,171 square metres (0.73 square metres per unit) of outdoor amenity space are proposed. The total amenity space proposed is 4,522 square metres (2.83 square metres per unit).

The development will be built in two phases, the west parcel being developed first along with the Park, and the east parcel will be the second phase along with the Yonge Open Space.

See Attachment 1 for Application Data Sheet, Attachment 8 for the Context Plan, and Attachments 9 to 12 for the elevations.

Reasons for Application

The proposed three towers with heights of 175.0 metres, 216.0 metres, and 254 metres, and a density of 23.3 times the area of the lot exceeds the site specific zoning by-law permissions for two towers with heights of 102.9 metres and 170 metres, and a density of 13.8 times the area of the lot.

APPLICATION BACKGROUND

Application Submission Requirements

The following reports/studies were submitted in support of the application:

- Survey Plan;
- Architectural Plans, Elevations, Sections;
- Landscape Plans;
- Civil Plans;
- Shadow Study;
- Arborist Report;
- Energy Efficiency Report;
- Community Services and Facilities Study;
- Draft Zoning By-law Amendments;
- Heritage Impact Statement;
- Hydrogeological Report;
- Noise Impact Study;
- Pedestrian Level Wind Study;
- Planning Rationale;
- Public Consultation Strategy Report;
- Functional Servicing Report;
- Toronto Green Standard Checklist;
- Transportation Impact Study;
- Vibration Study;
- Phase One Environmental Site Assessment.

All submission materials can be found at the following link: <https://aic.to/2BloorStW>

Agency Circulation Outcomes

The application together with the applicable reports noted above, have been circulated to all appropriate agencies and City Divisions. Responses received have been used to assist in evaluating the application and to formulate appropriate Zoning By-law standards.

Statutory Public Meeting Comments

In making its decision with regard to this application, City Council will have the opportunity to view the oral submissions made at the statutory public meeting held by the Toronto and East York Community Council for this application, as these submissions are broadcast live over the internet and recorded for review.

POLICY CONSIDERATIONS

Provincial Land-Use Policies: Provincial Policy Statement and Provincial Plans

Provincial Policy Statements and geographically specific Provincial Plans, along with municipal Official Plans, provide a policy framework for planning and development in the Province. This framework is implemented through a range of land use controls such as zoning by-laws, plans of subdivision and site plans.

The Provincial Policy Statement (2014)

The Provincial Policy Statement (2014) (the "PPS") provides policy direction province-wide on land use planning and development to promote strong communities, a strong economy, and a clean and healthy environment. It includes policies on key issues that affect communities, such as:

- The efficient and wise use and management of land and infrastructure over the long term in order to minimize impacts on air, water and other resources;
- Protection of the natural and built environment;
- Building strong, sustainable and resilient communities that enhance health and social well-being by ensuring opportunities exist locally for employment;
- Residential development promoting a mix of housing; recreation, parks and open space; and transportation choices that increase the use of active transportation and transit; and
- Encouraging a sense of place in communities, by promoting well-designed built form and by conserving features that help define local character.

The provincial policy-led planning system recognizes and addresses the complex inter-relationships among environmental, economic and social factors in land use planning. The PPS supports a comprehensive, integrated and long-term approach to planning, and recognizes linkages among policy areas.

The PPS is issued under Section 3 of the *Planning Act* and all decisions of Council in respect of the exercise of any authority that affects a planning matter shall be consistent with the PPS. Comments, submissions or advice affecting a planning matter that are provided by Council shall also be consistent with the PPS.

The PPS recognizes and acknowledges the Official Plan as an important document for implementing the policies within the PPS. Policy 4.7 of the PPS states that, "The official plan is the most important vehicle for implementation of this Provincial Policy Statement. Comprehensive, integrated and long-term planning is best achieved through official plans."

Provincial Plans

Provincial Plans are intended to be read in their entirety and relevant policies are to be applied to each situation. The policies of the Plans represent minimum standards. Council may go beyond these minimum standards to address matters of local importance, unless doing so would conflict with any policies of the Plans.

All decisions of Council in respect of the exercise of any authority that affects a planning matter shall be consistent with the PPS and shall conform with Provincial Plans. All comments, submissions or advice affecting a planning matter that are provided by Council shall also be consistent with the PPS and conform with Provincial Plans.

A Place to Grow: Growth Plan for the Greater Golden Horseshoe (2019)

A Place to Grow: Growth Plan for the Greater Golden Horseshoe (2019) (the "Growth Plan (2019)") came into effect on May 16, 2019. This new plan replaces the previous Growth Plan for the Greater Golden Horseshoe, 2017. The Growth Plan (2019) continues to provide a strategic framework for managing growth and environmental protection in the Greater Golden Horseshoe region, of which the City forms an integral part. The Growth Plan (2019) establishes policies that require implementation through a Municipal Comprehensive Review (MCR), which is a requirement pursuant to Section 26 of the *Planning Act* that comprehensively applies the policies and schedules of the Growth Plan (2019), including the establishment of minimum density targets for and the delineation of strategic growth areas, the conversion of provincially significant employment zones, and others.

Policies not expressly linked to a MCR can be applied as part of the review process for development applications, in advance of the next MCR. These policies include:

- Directing municipalities to make more efficient use of land, resources and infrastructure to reduce sprawl, contribute to environmental sustainability and provide for a more compact built form and a vibrant public realm;
- Directing municipalities to engage in an integrated approach to infrastructure planning and investment optimization as part of the land use planning process;
- Achieving complete communities with access to a diverse range of housing options, protected employment zones, public service facilities, recreation and green space that better connect transit to where people live and work;
- Retaining viable lands designated as employment areas and ensuring redevelopment of lands outside of employment areas retain space for jobs to be accommodated on site;
- Minimizing the negative impacts of climate change by undertaking stormwater management planning that assesses the impacts of extreme weather events and incorporates green infrastructure; and

- Recognizing the importance of watershed planning for the protection of the quality and quantity of water and hydrologic features and areas.

The Growth Plan (2019) builds upon the policy foundation provided by the PPS and provides more specific land use planning policies to address issues facing the GGH region. The policies of the Growth Plan (2019) take precedence over the policies of the PPS to the extent of any conflict, except where the relevant legislation provides otherwise.

In accordance with Section 3 of the *Planning Act* all decisions of Council in respect of the exercise of any authority that affects a planning matter shall conform with the Growth Plan. Comments, submissions or advice affecting a planning matter that are provided by Council shall also conform with the Growth Plan.

The Growth Plan (2019) contains policies pertaining to population and employment densities that should be planned for in major transit station areas (MTSAs) along priority transit corridors or subway lines. MTSAs are generally defined as the area within an approximately 500 to 800 metre radius of a transit station, representing about a 10-minute walk. The Growth Plan requires that, at the time of the next municipal comprehensive review (MCR), the City will update its Official Plan to delineate MTSA boundaries and demonstrate how the MTSAs will achieve appropriate densities and built form at that time, and this approval does not impact this matter that will require a MCR.

Toronto Official Plan

The applications are being reviewed against the policies of the City of Toronto Official Plan and Site and Area Specific Policy 211, as follows:

The Official Plan locates the subject site within the *Downtown and Central Waterfront*, as shown on Map 2, the Urban Structure map of the Official Plan, and designates it as *Mixed Use Areas*, as shown on Map 17.

The Official Plan identifies that the *Downtown* will continue to evolve as a healthy and attractive place to live and work, as new development that supports the reurbanization strategy and the goals for *Downtown*, is attracted to the area. In particular, Section 2.2.1.1 of the Plan identifies that the *Downtown* policies of the Plan will shape the City's future by accommodating development that provides a full range of housing opportunities for *Downtown* workers and reduces the demand for in-bound commuting.

Policy 2.2(2) directs growth to the *Downtown, Centres, Avenues, and Employment Areas* in order to efficiently use existing infrastructure, create a concentration of jobs and people in areas well served by transit, and facilitate cultural and economic activity. Policy 2.2.1(1) specifies a "minimum combined gross density target of 400 jobs and residents per hectare for *Downtown*, which delineates the urban growth centre for the purposes of the Growth Plan." This development is not required to achieve the minimum gross density target of persons and jobs in the *Downtown*. New development is to build on "the strength of the *Downtown* as the premier employment centre in the GTA" as per Policy 2.2.1(1)(b).

The *Mixed Use Areas* designation in the Official Plan provides for a broad range of commercial, residential and institutional uses, in single 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.

The Built Form policies in the Official Plan (3.1.2) state that new development will be located and organized to fit with its existing and/or planned context. The Built Form Tall Building Policies (3.1.3) state that tall buildings come with larger civic responsibilities and obligations than other buildings. To ensure that tall buildings fit within their existing and/or planned context and limit local impacts, built form principles will be applied to the location and design of tall buildings. Proposals will demonstrate how the building and site design will contribute to and reinforce the overall City structure and relate to the existing and/or planned context.

The applications have been reviewed against the Official Plan policies and/or planning studies described above as well as the policies of the Official Plan as a whole.

See Attachment No. 3: Official Plan Land Use Map.

SASP 211 - Bloor Yorkville/North Midtown Area

The structure for the Bloor-Yorkville/North Midtown Area is provided in Area Specific Policy 211 of the Official Plan. Policy 211 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 surrounding lower rise areas. This transition is important to reinforce the diversity of built form and use, to foster the stability of *Neighbourhoods*.

The tallest buildings in the Bloor-Yorkville/North Midtown Area will be located in the Height Peak in the vicinity of the intersection of Yonge and Bloor Streets. Buildings will step down from the Yonge and Bloor Street intersection in descending ridges of height along Yonge Street, Bloor Street and along portions of Avenue Road, Bay and Church Streets called Height Ridges. The Height Peak and Height Ridges are illustrated on

Map 2 of Policy 211. The subject site is located within the Height Peak, with the exception of the west edge which is located in the Height Ridge.

See Attachment No. 4: Official Plan - Site and Area Specific Policy 211 (Map 2).

SASP 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. The subject site is identified as having a below grade pedestrian walkway with connections to surrounding sites to the north, south, east, and west.

OPA 406 - TOcore: Planning Downtown

City Council adopted OPA 406 on July 27, 2018. OPA 406 included amendments to the *Downtown* section of the Official Plan and Map 6 of the Official Plan and brought forward a new Secondary Plan for the entire *Downtown* area.

On August 9, 2018 the City's application under Section 26 of the *Planning Act* was sent to the Minister of Municipal Affairs and Housing (MMAH) for approval. The Ministry issued its decision regarding OPA 406 on June 5, 2019.

The subject site is designated Mixed Use Areas 1 in OPA 406.

As part of the decision the Ministry revised the Plan to add the following transition policy: "This Plan does not apply to applications for official plan amendment, zoning by-law amendment, draft plan of subdivision or condominium approval, site plan approval, consent or minor variance which were complete prior to the approval of this Plan and which are not withdrawn. In-force site-specific official plan and/or zoning by-law amendments shall be deemed to conform with this Plan." Given that this application was complete prior to June 5, 2019, OPA 406, the new *Downtown* Secondary Plan, does not apply to this application.

OPA 352 - Downtown Tall Building Setback Area

On October 5-7, 2016, City Council adopted Official Plan Amendment (OPA) 352 – Downtown Tall Building Setback Area (currently under appeal). The purpose of OPA 352 is to establish the policy context for tall building setbacks and separation distances between tower portions of tall buildings Downtown. At the same meeting, City Council adopted area-specific Zoning By-laws 1106-2016 and 1107-2016 (also under appeal), which provide the detailed performance standards for portions of buildings above 24 metres in height.

The provisions of the new Tall Building Setback Zoning By-law do not apply to this site.

Zoning

The site is zoned CR T7.8 C4.5 R7.8 (commercial residential) under former City of Toronto Zoning By-law 438-86, as amended, and has been further amended by By-law 787-2010. The Zoning By-law 787-2010 permits a mixed-use development consisting of 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, and a density of 13.8 times the lot area.

Yorkville - East of Bay Planning Framework

City Council adopted the Yorkville – East of Bay Planning Framework on August 25, 2014. The Framework applies to the area of Yorkville located between Bay Street and Yonge Street, from Bloor Street to Davenport Road. The Framework is founded on a vision, goals and objectives for the pedestrian environment and connectivity, and for the location of tall buildings and their built form criteria.

The Planning Framework identifies two key mid-block pedestrian connections to be created by a series of parks, open spaces, linear parks and walkways. These north/south linear park and walkway systems are named by their defining features - Town Hall Walkway and Clock Tower Walkway. The Planning Framework also identifies the built form criteria for existing, approved, proposed and possible future tall building sites.

The subject site is identified as Approved Tall Building sites No. 8 and 9, and forms part of the southern ends of both the Clock Tower Walkway system and the Town Hall Walkway system. The built form objectives for the sites are as follows:

Site No. 8:

- reduce podium height;
- shift tower west and create a pedestrian walkway and open space on either side of tower;
- design tower with no projecting balconies;
- provide widened sidewalk with weather protection features; and
- limit incremental shadow on open spaces and shadow sensitive areas.

Site No. 9:

- provide widened driveway and pedestrian walkway.

The Planning Framework also indicates that the cross streets within the Yorkville – East of Bay area each have their own identities to be strengthened with new development. Cumberland Street is identified as a "Pedestrian Shopping Street" and should be developed with the objective of creating a pedestrian-oriented shopping street. This character will be strengthened in accordance with the following objectives:

- design as a shopping street with narrowly articulated store fronts;
- design streetscape with a consistent paving pattern from building-face to building face;
- maximize sidewalk width by setting back buildings and ground floor;
- provide for moveable bollards to expand the pedestrian realm seasonally;

- provide street furniture with a variety of seating options;
- provide weather protection for pedestrians; and
- introduce Privately-Owned Publicly-Accessible Space (POPS) signage and way finding to the walkways and open spaces.

The underground pedestrian network through the Yorkville – East of Bay area will remain intact and be improved in terms of the quality of retail servicing residents, workers and visitors. While there may be opportunities to expand the network further north, preference will be given to the objective of creating a dynamic and animated public realm at grade. Currently, the system links the Bay and Yonge subway stations through Cumberland Terrace and connects north to the Toronto Parking Authority (TPA) parking garage on Cumberland Street.

Bloor-Yorkville/North Midtown Urban Design Guidelines

The Bloor-Yorkville/North Midtown Urban Design Guidelines were approved by City Council in July 2004 and are intended to 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 Yonge-Yorkville Precinct.

The guidelines provide direction on urban scale using the same Built Form Height Peaks and Ridges map found in SASP 211. The guidelines state that the Height Peak is the appropriate location for the tallest buildings in Bloor-Yorkville/North Midtown. The site is located within the Height Peak. Within the Height Peak the guidelines note that on dense urban sites a minimum separation distance of 15 metres above the street wall must be achieved.

Bloor-Yorkville/North Midtown: Planning Framework & Implementation Strategy

The Bloor-Yorkville/North Midtown: Planning Framework & Implementation Strategy report (August 2015) was prepared by The Planning Partnership, Greenberg Consultants Inc., ERA Architects, and Michael Spaziani Architect Inc., on behalf of the Bloor-Yorkville Business Improvement Association, ABC Residents Association, Greater Yorkville Residents Association, and Yonge Bay Bloor Business Association.

The objective of this community-led Planning Framework and Implementation Strategy is to address concerns over tall buildings and intensification. It outlines where development should and should not occur, the types of uses and built form that are

appropriate, how future development applications will be analyzed, and the future planning approval processes that are required.

The report has two parts: an overview of the history, and current policy and development context; and, a policy framework and implementation strategies, and separate pedestrian realm network plan. The report organizes the Bloor-Yorkville/North Midtown area into 3 districts: the primary development districts; the corridor districts; and, the stable neighbourhood districts. Each district contains precincts, some of which are broken down into segments. Targeted planning policies are proposed for each district, precinct, and segment.

This majority of the site is located in the Urban Core within the Primary Development District. Within the Urban Core Precinct, the conditional maximum building height shall generally be 50 storeys or 190 metres. The Planning Framework & Implementation Strategy calls for a minimum separation between residential towers of 25 metres.

However, the Planning Framework & Implementation Strategy states that in dense urban sites such as within the Primary Development District, less tower separation distances may be considered where shadowing, sky view and privacy impacts are appropriately addressed. The distance between large massed towers will depend on the uses and configuration of units. While a 15-metre separation is appropriate in dense areas for office uses, a 25-metre separation is required for a residential tower to ensure adequate privacy and views.

The western edge of the site is located within the Bay-Yorkville Corridor within the Corridor Districts. Within the Bay-Yorkville Corridor the conditional maximum building height is 20-storeys or 75 metres.

The report was tabled at the October 13, 2016 Toronto and East York Community Council and staff were directed to consider the report in preparation of the Secondary Plan for Bloor-Yorkville/North Midtown.

Tall Building Design Guidelines

City Council has adopted city-wide Tall Building Design Guidelines and directed City Planning staff to use these Guidelines in the evaluation of 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.

The site is located within an area that is also subject to the Downtown Tall Buildings: Vision and Supplementary Design Guidelines. This document identifies where tall buildings belong Downtown, and establishes a framework to regulate their height, form and contextual relationship to their surroundings. The Downtown Vision and Supplementary Design Guidelines should be used together with the city-wide Tall Building Design Guidelines to evaluate Downtown tall building proposals.

Draft Growing Up Urban Design Guidelines

In July 2017, Toronto City Council adopted the Draft Growing Up Urban Design Guidelines and directed City Planning staff to apply the "Growing Up Guidelines" in the evaluation of new and under review multi-unit residential development proposals. The objective of the Growing Up Guidelines is for developments to increase liveability for larger households, including families with children, at the neighbourhood, building and unit scale.

Site Plan Control

The application is subject to Site Plan Control. A Site Plan Control application has not been submitted.

COMMUNITY CONSULTATION

A community meeting was held on February 21, 2019 and attended by approximately 50 members of the public. At the meeting City staff and the applicant's team gave presentations on the site and surrounding area, the planning framework, and the original proposal. Following the presentations, residents participated in round table discussions regarding the proposed development.

The attendees asked questions and expressed a number of comments, issues and concerns, including:

- Bay Street tower is too tall;
- Shadow impacts on Jessie Ketchum Park;
- Traffic generated by the proposed development will add to congested street;
- Increased ridership on the subway line which seems to be at capacity.
- Height and density of the proposed development needs to be reduced;
- Need for more soft landscaping/green space within the new public park;
- Greater mix of uses should be provided, including more office space;
- Width of the existing sidewalks on Cumberland Street need to be increased;
- Proportion of family sized units needs to be increased;
- Wind impacts on the public realm;
- Proposed new public park, and open space on Yonge Street, will positively contribute to the area; and
- Site is in need of revitalization.

These comments were considered in Planning staff's review of the original submission. The applicant responded to the comments above in a resubmission made on August 8, 2019.

COMMENTS

Staff are recommending Zoning By-law amendments for the site that represent good planning. The existing site specific zoning by-law permits a base building extending across the entire site, maintaining existing site walk widths with limited on-site open space and two towers above. The applicant designed their initial proposal to fit within and expand upon the Yorkville East of Bay Planning Framework introducing a significant amount of on-site open space and an additional tower. Through pre-application discussions and the development review process the applicant improved the proposal by mitigating shadow impacts, reducing heights, increasing setbacks to the new Park, and increasing sidewalk widths around the entire site.

Planning Act

It is staff's opinion that the proposed development has regard for the relevant matters of provincial interest, including: the orderly development of safe and healthy communities; the adequate provision of a full range of housing; the appropriate location of growth and development; the supply, efficient use and conservation of energy and water; the adequate provision and efficient use of communication, transportation, sewage and water services and waste management systems; and the promotion of a built form that is well designed, encourages a sense of place, and provides for public spaces that are of high quality, safe, accessible, attractive and vibrant.

These provincial interests are further articulated through the PPS (2014) and the Growth Plan (2019).

Provincial Policy Statement and Provincial Plans

The proposal has been reviewed and evaluated against the PPS (2014) and A Place to Grow: Growth Plan for Greater Golden Horseshoe (2019). Staff have determined that the proposal is consistent with the PPS and conforms with the Growth Plan.

The proposal is consistent with the PPS (2014). The proposed intensification and redevelopment can be accommodated, subject to the recommendations in this report in securing the appropriate upgrades/improvements, as necessary, to public infrastructure and securing appropriate community benefits to accommodate the increased density on the site (Policy 1.1.3.3). The intensification will meet appropriate development standards (Policy 1.1.3.4) discussed further in this report.

The PPS requires provisions to be made for an appropriate range of housing types and densities to meet projected requirements of current and future residents. The PPS states that healthy, livable and safe communities are achieved, amongst other means, by accommodating a range of residential, employment, institutional and other uses to meet long-term needs, facilitating all forms of residential intensification and redevelopment, promoting densities for new housing which effectively use land, resources, infrastructure and public services, and support the use of public transit. The proposal to provide a mix of residential, office and retail space is consistent with accommodating a mix of uses to meet long-term needs.

Policy 1.5.1 (b) of the PPS indicates that healthy, active communities should be promoted by "planning and providing for a full range of equitable distribution of publicly-accessible built and natural settings for recreation, including facilities, parklands, public spaces, open space areas...". The proposal provides an on-site parkland dedication which connects to and expands an existing and planned network of parks and open spaces, which is encouraged through the Yorkville - East of Bay Planning Framework.

In regard to efficient use of infrastructure and transportation systems, the proposal is located near the intersection of the Bloor and Yonge subway lines with direct access to both Bay Street station and Bloor-Yonge station. It promotes a land use pattern, density and mix of uses that limits vehicle trips, and through the inclusion of new open space provides for increased pedestrian connectivity supporting the use of transit and active transportation as stated in Policy 1.6.7.4.

Policy 4.7 of the PPS indicates that the Official Plan is the most important vehicle for implementation of the PPS and that Official Plans shall identify provincial interests, as identified in Section 2 of the *Planning Act*, which includes the promotion of a well-designed built form. The proposed development is consistent with Official Plan policies and provides a well-designed built form and provides intensification and redevelopment in an appropriate location in a built form that has respect for its local context.

Policy 2.2.1(4) of the Growth Plan states that applying the policies of the Growth Plan will support the achievement of complete communities through, among other matters, providing a diverse mix of land uses, providing a more compact built form and a vibrant public realm, including public open spaces. The proposed development provides a mix of uses including residential, office, and retail, and provides a compact built form with new public open spaces supporting the achievement of complete communities.

The proposal conforms with the Growth Plan (2019). Growth Plan Policy 2.2.2 (3) requires municipalities to develop a strategy to achieve the minimum intensification target and intensification through delineated built-up areas, which will, among other things, encourage intensification generally to achieve the desired urban structure, identify strategic growth areas to support achievement of the intensification target and recognize them as a key focus for development, and identify the appropriate type and scale of development and transition of built form to adjacent areas. The proposal represents an appropriate level of intensification on this site that will ensure and optimize the viability of existing and planned infrastructure as implemented through the City's Official Plan and other implementation tools.

Policy 2.2.3(1) of the Growth Plan requires that Urban Growth Centres will be planned to serve as high-density major employment centres. The proposed office space contributes to an increase in office space in a location that currently does not have office uses and has direct access to two subway stations.

This proposal is consistent with the PPS (2014) and conforms to the Growth Plan (2019) as it promotes residential intensification through the efficient use of land to meet the long-term housing needs of an Urban Growth Centre (UGC). The proposal provides healthy, livable and safe communities that make a substantial contribution to the parks and open space system of the area.

Site Organization / Yorkville – East of Bay Area

The site organization is acceptable. The proposal is appropriately massed and situated within the Yorkville East of Bay area to fit within the urban structure for Yorkville, while minimizing potential impacts and improving pedestrian access and comfort.

The new Park completes and expands upon the public realm vision set out in the Yorkville East of Bay Planning Framework, providing more public open space than is called for in the Planning Framework, connecting the Town Hall Walkway to the east and the Clock Tower Walkway to the west. A 6.0 metre wide open space on the east side of the Park will complete the Town Hall Walkway, opening up views from Bloor Street West north to Town Hall Park.

The parking garage entrance has been purposely located in the west development parcel close to Bay Street where two-way traffic is permitted on Cumberland Street. This location reduces dependence on the easterly portion of Cumberland Street for vehicular movement and creates opportunities to increase pedestrian connectivity between the new public park on the north side of Cumberland Street and the Park that is part of this proposal.

Land Use

The application has been reviewed against the Official Plan policies, applicable SASPs, and planning frameworks as well as the policies of the Toronto Official Plan as a whole. Given the existing and the planned context for the subject property and the surrounding area, Planning staff are of the opinion that the proposed mix of residential and non-residential uses are appropriate for the site.

The proposed uses are permitted within the *Mixed Use Areas* of the Official Plan and in the CR zone of both Zoning By-laws. The Downtown Tall Building Supplementary Guidelines identifies Cumberland Street as a priority retail street and the Bloor-Yorkville/North Midtown Urban Design Guidelines identifies Cumberland Street as a Highly Animated Street where the primary use is retail/commercial uses. The proposed retail uses on the ground and second floor are consistent with these objectives.

OPA 406 states that the *Downtown* will continue to be an economic driver for the city, region and province, with the protection and promotion of non-residential uses in, among other areas, the Bloor-Bay Office Corridor to allow for long-term employment growth. Policy 6.7.1 of OPA 406 states that development within the Bloor-Bay Office Corridor will be encouraged to provide a net gain of gross floor area for office uses. The proposed new office space, located in the base building of the west development parcel, contributes to the required growth in office use.

The development will create a balance of high quality commercial, residential, and open space uses that meet the needs of the local community as anticipated in the Official Plan for *Mixed Use Areas*, the Tall Building Guidelines, and the Bloor-Yorkville/North Midtown Urban Design Guidelines, and the Yorkville East of Bay Planning Framework. The new Park, fronting onto Cumberland Street, will further contribute to a highly animated street by providing a new public open space adjacent to a mix of uses

Density, Height

The heights of the proposed towers and the density of the proposal are acceptable as the proposal fits with the existing and planned context while minimizing the impacts relating to height, and meets the policies of the Official Plan.

SASP 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 is to direct the tallest buildings around the Yonge Street and Bloor Street intersection, known as the Height Peak. The Height Ridges provide a transition in scale from the Height Peak with lesser height and physical scale than the Height Peak, and in a form compatible with adjacent areas.

The Height Ridge, as identified in SASP 211 and in the Urban Design Guidelines, is oval in shape and extends across the majority of the subject site with a small portion of the site on Bay Street labelled as Height Ridge.

Tower 'C' is the tallest of the proposed towers at 254 metres (including 16.5 metre mechanical penthouse) and is located on Yonge Street, close to the intersection of Yonge Street and Bloor Street. The tower is lower than the most recent approval in the Height Peak at 1 Bloor Street West, which has an approved height of 306 metres; and is the same height as the recently constructed tower at 1 Bloor Street East.

Tower 'B' is located mid-block on Cumberland Street with a height of 216 metres (including 13.0 metre mechanical penthouse). The proposed tower is lower in height than other approvals within the Height Peak that are located closer to the intersection of Yonge Street and Bloor Street, such as the approved tower to the south at 50 Bloor Street West which has a permitted height of 230 metres (including mechanical). Tower 'B' provides for a lowering of height within the Height Peak as distance from the Yonge and Bloor intersection increases.

Tower 'A' is located at the west end of the site on Bay Street with a height of 175.0 metres (including 13.0 metre mechanical penthouse). The proposed tower provides a step down of height on the west edge of the Height Peak, and is lower in height than the Four Seasons Hotel (204 metres) to the north at Bay Street and Yorkville Avenue, which is in the Bay Street Height Ridge.

The density is 23.3 times the area of the lot. The proposed density is lower than recently approved site specific Zoning By-laws of developments located within the Height Peak area, including the recently approved development at 1 Bloor Street West which has an approved density of 28.3 times the area of the lot.

The new Park on Cumberland Street and Yonge Open Space help to mitigate the impacts of the density by providing high-quality open space that is equal to 27% of the site area, as well as widened sidewalks all around the site.

The height and density of the proposed development are acceptable as the proposal fits with the existing and planned context while mitigating the impacts relating to the height.

Massing

Base buildings

Planning staff are satisfied with the massing and design of the base building portion of the proposed towers. The Official Plan states that base buildings shall be massed to support the appropriate scale of adjacent streets, parks and open spaces, and to minimize the impacts of parking and servicing uses.

The east development parcel, containing Tower 'C', has an appropriate base building height of 3-storeys (16.9 metres) to fit within the character of Yonge Street. The portion of the base building to the south of the tower will be 1-storey in height with a 125 square metre open space fronting on Yonge Street, providing further relief to the Yonge Street sidewalk and public realm. On the west side, adjacent to the public park, the base building will be setback 9.0 metres to provide separation from the park, allow for retail patio space, and to complete the Town Hall Walkway required by the Yorkville East of Bay Planning Framework. On Cumberland Street the base building for Tower 'C' will be setback 3.0 metres to create a 6.0 metre sidewalk.

The west development parcel base building, for Towers 'A' and 'B', has a maximum height of 9-storeys (46.2 metres). The height of the base building is acceptable in this instance as it is required to accommodate above-grade vehicular parking due to the subway tunnel and the required concourse pedestrian connections, and the proposed new office space. The ability to locate these uses within a lower base building was restricted by the provision of a new on-site public park and publicly accessible open space equal to 27% of the site area. To mitigate the massing of the base building, a 3.0 metre setback is provided from the Bay Street property line increasing the sidewalk width. On Cumberland Street the ground floor will set back a minimum of 4.0 metres, in the form of a colonnade with a minimum 2.1 metre wide pedestrian clearway, to provide for an expanded pedestrian realm. On the east side, adjacent to the public park, the base building will be setback 6.0 metres from the park to provide separation and allowing for retail patio space. To the south the base building is setback 3.0 metres from the centre line of the lane. This is appropriate as the proposed uses are compatible with the office and commercial uses to the south and do not result in privacy issues.

The design of the base buildings will be further reviewed through the Site Plan process to ensure that it mitigates impacts on the public realm and focuses on providing a high-quality public realm along Cumberland Street.

Middle Portion of the Towers

Planning staff are satisfied with the massing and design of the middle portion of the proposed towers. The Official Plan states that the design, floor plate size and shape of the middle component shall have appropriate dimensions for the site. Towers shall be located and oriented in relation to the base building and adjacent buildings to fit within the existing and planned context.

On the east development parcel, Tower 'C' has been located and massed to respect the low scale streetwall character on Yonge Street, to mitigate privacy impacts, and to allow for open space and a view corridor from Mayfair Mews to Town Hall Park. The tower is set back 3.0 metres from Cumberland Street, and 18 metres from the south property line. On the west side the tower is set back 6.0 metres from the public park and is

aligned with the approved tower at 2-8 Cumberland Street to the north to ensure that the new Town Hall Walkway is open to the sky. On Yonge Street the tower is setback 3.0 metres, providing a transition between the canyon type building to the south at the corner of Yonge Street and Bloor Street, and the larger tower setbacks provided above the heritage buildings to the north.

Section 3.2.1 of the Tall Building Guidelines states that the tower floor plate should be limited to 750 square metres or less per floor, including all built area within the building, but excluding balconies. Tower 'C' has a maximum floor plate of 750 square metres.

The Tall Building Guidelines requires a minimum 25 metre tower separation distance to all nearby towers. The Bloor-Yorkville/North Midtown Urban Design Guidelines provide further direction on urban scale, in particular the guidelines note that on dense urban sites within the Height Peak a minimum separation distance of 15 metres above the street wall must be achieved. To the southwest Tower 'C' will have a separation distance of 25 metres to the approved tower at 50 Bloor Street West. To the south the tower has a separation of 20 metres to the existing office building ("CIBC" building). The separation distance is acceptable in this instance due to the policy context for the height peak, the office use to the south, and the restriction on projecting balconies on the south façade of the proposed tower.

A separation distance of approximately 16 metres is provided to the approved tower on the north side of Cumberland Street. This is acceptable in this instance due to the narrow right-of-way of Cumberland Street combined with the policy context that acknowledges the dense urban sites within the Height Peak allowing for a reduced tower separation distance. Privacy impacts will be mitigated by restricting projecting balconies on the north façade of Tower 'C'. The proposed separation distance is an increase over the previous approval for the site which would have resulted in a tower separation of approximately 13 metres. To the west the tower achieves a separation of 74 metres from Tower 'B' on the west development parcel.

On the west development parcel Towers 'A' and 'B' have been located and massed with appropriate dimensions for the site given the policy and surrounding context. Both of the towers have maximum tower floor plates of 732 square metres. Towers 'A' and 'B' have a tower separation of 25 metres from each other. To the north Towers 'A' and 'B' are both located 17 metres from the approved and under construction towers at 27-37 Yorkville Avenue. In this instance the tower separation is acceptable due to the narrow right-of-way of Cumberland Street combined with the policy context that acknowledges the dense urban sites within the Height Peak allowing for a reduced tower separation distance. The proposed towers do not have projecting balconies on the north façade and are located so that there are no direct views between the towers, further mitigating the privacy impacts.

To the south both Towers 'A' and 'B' have a setback of 3.0 metres from the centre line of the public laneway. This is acceptable for Tower 'B' as it results in a tower separation distance of 30 metres from the approved tower at 50 Bloor Street West. For Tower 'A' this results in a separation of approximately 9 metres, including the public lane, between the proposed base building and the existing 15-storey office building at 60 Bloor Street West. This is appropriate in this instance as the proposed uses in the base building are

compatible with the office and commercial uses to the south and do not result in privacy issues.

The site to the south at 60 Bloor Street West has potential to redevelop with a tall building given its location within the Height Peak and the size of the site. In order to address future tower separation distance to Tower 'A', and to mitigate potential future privacy impacts, the applicant has worked with City staff and the property owner to the south through the application process. The applicant has provided written confirmation from the property owner at 60 Bloor Street West accepting the proposed location of Tower 'A' and the impacts this will have on any future development at 60 Bloor Street West, including providing an appropriate separation distance to Tower 'A'. Should the property at 60 Bloor Street West redevelop, there is sufficient space to achieve an appropriate tower separation to Tower 'A', and accommodate a new development in a form that is in keeping with the current Planning Framework that would be applied to the site. To further mitigate future privacy impacts the majority of the units in Tower 'A' face east and west reducing the number of units with views to the south.

Tower Top

Planning staff are satisfied with the top portion of the proposed towers. An appropriate design for the top of a tall building is influenced by many factors, which may include location, height, built form composition, architectural expression, and overall 'fit' within the existing context of the city skyline.

The proposed top of the towers is a simple design, which suits the overall architecture of the tower and fits within the Bloor-Yorkville and city skyline. The mechanical penthouse designs will be further reviewed and secured through the Site Plan Application process.

Public Realm

Section 3.1 of the Official Plan directs that high quality architectural, landscape and urban design and construction will be promoted within new developments to enhance the quality of the public realm. The Built Form policies require that new development will provide amenity for adjacent streets and open spaces. The Built Form – Tall Building policies requires that tall buildings will provide high-quality and usable publicly accessible open space areas. The *Mixed Use* policies further reinforce the importance of the public realm.

Park

The proposed development advances the Official Plan's public realm policy objectives, and the objectives of the Yorkville East of Bay Planning Framework in a number of ways including wider sidewalks, a new Park, publicly accessible open space, and pedestrian connections.

The proposal has been designed to provide a high-quality public realm along with the proposed buildings. The Park completes and expands upon the public realm vision set out in the Yorkville East of Bay Planning Framework, connecting the Town Hall Walkway and the Clock Tower Walkway.

Walkways

The Clock Tower Walkway will terminate at the west end of the new Park. On the north side of Cumberland Street a new public park will extend the Clock Tower Walkway to Yorkville Avenue as part of two recently approved developments at 27-37 Yorkville Avenue and 11 Yorkville Avenue. The Clock Tower Walkway will extend further south to Bloor Street West internally through the future development to the south at 50 Bloor Street West.

The east end of the new public park will be next to a 6.0 metre wide walkway that forms part of the Town Hall Walkway. The Town Hall Walkway will run from Bloor Street West to Town Hall Park and consist of the portion of Mayfair Mews extending to Bloor Street West, a 6.0 metre wide walkway located adjacent to the Tower 'C' base building and the Park, and a new 7.5 metre wide pedestrian connection provided by the developments to the north at 1 Yorkville Avenue and 2-8 Cumberland Street.

This new Park and pedestrian connection will contribute to place making within the rapidly changing Yorkville East of Bay neighbourhood.

Yonge Open Space

The streetscape on Yonge Street will be improved with a new publicly accessible open space approximately 125 square meters in size. The open space will be located on Yonge Street to the south of Tower 'C'. Staff consider the proposed open space to be a positive element of the proposal. Staff recommend that the open space be secured in the Section 37 Agreement and its final design be secured through the Site Plan Control approval process.

Streetscape

The development criteria for *Mixed Use Areas* call for development to provide an attractive, comfortable and safe pedestrian environment, and to locate and screen service areas, ramps and garbage storage to minimize the impact on adjacent streets. Area Specific Policy 211 states that pedestrian activity is a vital component of the Bloor Yorkville/North Midtown Area and the amenity of public sidewalks and views to open space and parks will be maintained and enhanced with high quality, coordinated streetscape. Views through and to significant sites can also assist in encouraging and directing greater pedestrian movement in all areas.

Cumberland Street is identified as a Priority Retail Street in the Tall Buildings Guidelines, where at least 60 percent of the frontage should be glazed and transparent. The layout of the ground floor level of the proposal has been designed to maximize the amount of retail frontage along Cumberland Street.

The Official Plan states that new development will provide amenity for adjacent streets and open spaces to make these areas attractive, interesting, comfortable and functional for pedestrians. The Urban Design Guidelines identify a range of opportunities to improve and expand the public network of parks, open spaces, pedestrian links, forecourts, courtyards, and the quality of the pedestrian environment along the existing road network. In addition, the Bloor-Yorkville/North Midtown Urban Design Guidelines identify the character type of Cumberland Street as a 'Primary Pedestrian Street' where development shall be sensitive to pedestrian comfort and visual interests. Pre-eminent

considerations include reinforcing the human scale, pedestrian priority and a vibrant street life including sidewalk cafes and 'spill-out' retail activities.

The proposed development satisfies the Official Plan policies by locating the loading access off of the public lane, and providing for a safe, pedestrian friendly streetscape. On the west development parcel, the base building for Towers 'A' and 'B' will have a setback of 4.0 metres from the north property line on the ground floor, in the form of a colonnade including support columns and a minimum 2.1 metre pedestrian clearway, increasing the existing sidewalk on Cumberland Street from 3.0 metres to 7.0 metres in width. On the east development parcel the base building for Tower 'C' is setback 3.0 metres on Cumberland Street, increasing the sidewalk width to 6.0 metres. The Bay street sidewalk will be increased to 9.0 metres. The sidewalk on Yonge Street will be a minimum of 4.2 metres, in line with the existing CIBC tower at 2 Bloor Street West that will remain.

Planning staff are satisfied that the proposed interface with the pedestrian realm, including the Park, Yonge Open Space, walkway, and widened sidewalks. Final landscaping details and streetscape treatments will be coordinated with other development applications along Cumberland Street and secured through Site Plan Control.

Sun, Shadow

The shadow impact resulting from the proposal is acceptable. 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.

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 Downtown Tall Buildings 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 21. 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 including the *Neighbourhoods* and *Natural Areas* to the east of Yonge Street, 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.

Planning staff have assessed the proposed development in terms of the incremental impact resulting from the proposed 47, 61, and 75-storey towers and are satisfied that it adequately limits shadow on the *Neighbourhoods*, shadow sensitive areas, parks, publicly accessible open spaces and natural areas.

On September/March 21, at 9:18 AM the shadow extends beyond Hazelton Avenue in a northwest direction. While there is some incremental shadow on properties within the Yorkville Triangle Precinct along Hazelton Avenue, the new shadow is minimal at this time. The mechanical penthouse of Tower 'B' currently has a small shadow on Jessie Ketchum Park at 10:18 AM, the applicant has agreed to sculpt the mechanical penthouse so that there is no new net shadow cast on Jessie Ketchum Park. As the shadow moves through the afternoon, incremental shadow is cast over the library on Yorkville Avenue at 1:18 PM, Town Hall Square Park at 2:18 PM. After 3:18 PM, the shadow cast falls in line with the shadows of existing and approved buildings with some incremental shadow on Rosedale Valley Ravine.

On June 21, when the sun is at its highest point, there are no new shadows on Jesse Ketchum Schoolyard, the Yorkville Triangle Precinct, Frank Stollery Parkette or the Asquith Collier neighbourhood at any point during the day.

Wind

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

The applicant submitted a Pedestrian Level Wind Study and an addendum, dated November 20, 2018 and August 1, 2019, prepared by RWDI, based on wind tunnel testing. The study involves wind tunnel measurements of pedestrian wind speeds using a physical scale model, combined with meteorological data integration, to assess pedestrian comfort and safety at key areas within and surrounding the development site. Grade-level pedestrian areas considered in this study include surrounding sidewalks, laneways, walkways, building access points, transit stops, open space, and parks. Wind conditions are also measured on the level nine amenity terrace.

Based on the wind tunnel test results, and experience with similar developments in Toronto, the study finds the wind conditions within and surrounding the full study site will be acceptable for the intended pedestrian uses on a seasonal basis.

The study finds the wind comfort in the new public park in the centre of the site is acceptable for sitting and standing during the summer months, and for a mix of standing and strolling or better throughout the rest of the year. Specifically, areas near the building façade are generally comfortable for sitting and standing throughout the spring, summer, and autumn without the need for mitigation. Wind mitigation considerations will be further explored during the review of the Site Plan Control application.

The wind comfort along the sidewalk on Cumberland Street is acceptable or better for walking throughout the year. The wind study finds that the proposal is not expected to contribute to increased wind speeds at the intersection of Cumberland Street and Yonge Street as compared to the present conditions, and may result in calmer winds in this area.

Traffic Impact Assessment

The applicant submitted a Transportation Impact Study and an addendum, dated September, 2018 and August 2, 2019, prepared by BA Group, in support of their application. Given the level of estimated trip generation, the consultant concludes that the proposal can be appropriately accommodated on the area road network.

Based on a review of the documentation provided by the consultant, and taking into account the nature of the applications for this project, Transportation Services staff agree with the above-noted conclusion.

Parking

Site Specific Zoning By-law 787-2010 requires a minimum of 959 vehicular parking spaces as follows. A total of 256 vehicular parking spaces, including 6 car-share spaces, are to be provided in a 2-level above-grade parking garage located on floors 4 and 5 of the west development parcel, and will be accessed from Cumberland Street.

The vehicular parking for the site is located above grade due to the location of the Line 2 subway tunnel and the SASP 225 requirement for below-grade pedestrian connections under the entire site.

The applicant's transportation consultant has justified the reduction in the residential parking supply given the following: recent reduced residential parking supply ratio approvals; parking characteristics of other developments located in areas with a similar transportation context; the availability of car-share and bike-share facilities in the area surrounding the site; and a review of parking demands observed at other residential condominiums.

The consultant justified the reduction in non-residential parking supply based upon the following considerations: the site context and the wide range of non-automobile alternatives provided in the vicinity of the site; employment and amenity areas as well as shopping and service uses within the immediate vicinity of the development; and a review of the availability of public parking facilities in the area surrounding the site.

A total of 1,665 bicycle parking spaces are proposed, including 1,436 resident bicycle parking spaces, 160 visitor bicycle parking spaces, and 69 non-residential bicycle parking spaces.

Transportation Services staff has reviewed the submitted studies and accept the proposed parking supply.

Loading

The west development parcel will have three loading spaces, including one Type-G and two Type-C spaces. The loading spaces will be located within the base building of the west parcel and will be accessed from Mayfair Mews.

The east development parcel will have five loading spaces, including one Type-G, one Type-B, and three Type-C spaces. The loading spaces will be located in the one-storey

base building on the southern portion of east development parcel and will be accessed from Mayfair Mews.

Transportation Services staff have determined that the proposed number of loading spaces is acceptable. The owner is advised that additional comments and requirements regarding site access design, site circulation and site layout will be provided in conjunction with the site plan application for the project.

Transit

The site currently has below grade publicly-accessible pedestrian access to both Bloor-Yonge subway station and Bay subway station. The access to these subway stations will be maintained and improved as part of the proposed development. On the Bay Street frontage, the entrance to Bay station will be improved to have elevator access from ground level to the concourse level.

Below-Grade Pedestrian Connections

The proposed development meets the requirements of Site and Area Specific Policy 225 of the Official Plan by maintaining and enhancing the existing below-grade pedestrian connections to surrounding sites to the north, south, east, and west.

The existing concourse level will be maintained with connections to both the Bay subway station and the Bloor-Yonge subway station, a pedestrian tunnel north under Cumberland Street to the development at 27-37 Yorkville Avenue, a connection south to 60 Bloor Street West, and a connection south to 50 Bloor Street West. The proposed development will maintain the network of below-grade connections within this block and to adjacent sites.

Servicing

The applicant has submitted a Functional Servicing Report, prepared by Odan Detech Consulting Engineers, dated September 6, 2018 and revised on July 29, 2019 and December 11, 2019, and a Hydrogeological Investigation, prepared by Terraprobe, dated August 29, 2018, all in support of the proposal. Engineering and Construction Services and Toronto Water staff have reviewed the submitted materials and determined they are acceptable.

Community Services Assessment

Community Services and Facilities (CS&F) are an essential part of vibrant, strong and complete communities. CS&F are the lands, buildings and structures for the provision of programs and services provided or subsidized by the City or other public agencies, boards and commissions, such as recreation, libraries, childcare, schools, public health, human services, cultural services and employment services.

The timely provision of community services and facilities is as important to the livability of the City's neighbourhoods as "hard" services like sewer, water, roads and transit. The City's Official Plan establishes and recognizes that the provision of and investment in community services and facilities supports healthy, safe, liveable, and accessible communities. Providing for a full range of community services and facilities in areas experiencing major or incremental growth, is a responsibility shared by the City, public agencies and the development community.

The proposed development will provide \$15,000,000 in community benefits, as a portion of the Section 37 contribution under the *Planning Act*, to be used for community facilities and parks in the vicinity of the site.

Open Space/Parkland

The Official Plan contains policies to ensure that Toronto's systems of parks and open spaces are maintained, enhanced and expanded. Map 8B of the City of Toronto Official Plan shows local parkland provisions across the City. The lands which are the subject of this application are in an area with 1.57 to 2.99 hectares of local parkland per 1,000 people. The site is in a parkland priority area, as per Chapter 415, Article III, of the Toronto Municipal Code.

The application proposes three new residential towers of 47, 61 and 75 storeys along the south side of Cumberland Street integrated with and atop mixed use base buildings. The proposal includes 13,754 square metres of non-residential gross floor area and 121,095 square metres of residential gross floor area comprising 1,595 units. The existing 34-storey office building at the northwest corner of Yonge Street and Bloor Street will remain intact.

The applicant is required to satisfy the parkland dedication requirement through an on-site dedication in order to enhance the provision of and access to public parkland for the development's future residents and neighbours.

The applicant has proposed a 1,458.6 square metre public Park mid-block having extensive frontage on Cumberland Street and a depth of approximately 24 metres. The location and configuration of the proposed park is ideal and will create a connection between the Clock Tower Walkway and the Town Hall Walkway as described in the Yorkville East of Bay Planning Framework.

The City currently has ownership of the subject property, below grade and up to 9.1 metres (30 feet) above grade. The current lease is for 33 years and will expire on August 31, 2037. The tenant has an option to extend for 33 years to August 31, 2070, and a further option to extend the lease for 37 years to August 31, 2107. The applicant

owns the strata lands above the parcel, from 9.1 metres above ground and up, over the portion of land being proposed for parkland conveyance. Satisfaction of the parkland dedication for this proposal will involve a partial (1,458.6 square metre) release from the ground lease, where the applicant will be required to release their leasehold interest over the location of the proposed parkland so that there is no interest remaining by the applicant on those lands. The applicant will also be required to convey the strata lands, which, collectively with the partial release of the leasehold interest, will create a stratified parkland conveyance, without any encumbrances or interests in land at, and above grade, with the transfer of the strata lands above the proposed park from the owner of such strata lands to the City.

Notwithstanding that part of the lower strata lands may be given up by the tenant and surrendered back to the City for parkland dedication, and the leased area may be decreased, rent and all other payments in the ground lease to be paid by the tenant shall remain unchanged for the balance of the current term, and extended terms.

Indoor/Outdoor Amenity Space

Zoning By-law 438-86 requires a minimum of 2.0 square metres per unit each of indoor and outdoor amenity space, and By-law 569-2013 requires a combined amenity space of 4.0 square metres per unit.

The applicant is proposing a total of 3,351 square metres (2.1 square metres per unit) of indoor amenity space, and 1,171 square metres (0.73 square metres per unit) of outdoor amenity space is proposed on the roof of the base building, accessible from the indoor amenity space. The total amenity space proposed is 4,522 square metres (2.83 square metres per unit). In this instance, the provision of 27% of the site as publicly-accessible open space and Parks restricts the ability to provide outdoor amenity space, as such Planning staff are satisfied with the amount and location of amenity space proposed.

Family-Sized Units

The proposed development includes 1,595 residential units. The proposed unit breakdown includes 88 studio units (5.5%), 948 one-bedroom units (59.4%), 396 two-bedroom units (24.8%), and 163 three-bedroom units (10.2%). Staff seek to secure a minimum of 25% of units as two-bedroom units and 10% of units as three-bedroom units, consistent with Official Plan objectives to create a diversity of unit types. This is also consistent with the City's "Growing Up" study which emphasizes the need to accommodate the growing demand for family housing in vertical communities. A minimum of 10% three-bedroom units will be secured in the Zoning By-law and Section 37 Agreement.

Tree Preservation

The applicant proposes the removal of 3 City-owned trees located in the Yonge Street right-of-way. The applicant will be required to provide a total of 3 replacement trees within the right-of-way as compensation under the City Street Tree By-law. The location of replacement trees will be determined as part of the Site Plan Application to the satisfaction of the General Manager of Parks, Forestry and Recreation.

Toronto Green Standard

Council has adopted the four-tier Toronto Green Standard (TGS). The TGS is a set of performance measures for green development. Applications for Zoning By-law Amendments, Draft Plans of Subdivision and Site Plan Control are required to meet and demonstrate compliance with Tier 1 of the Toronto Green Standard. Tiers 2, 3 and 4 are voluntary, higher levels of performance with financial incentives. Tier 1 performance measures are secured on site plan drawings and through a Site Plan Agreement or Registered Plan of Subdivision.

The applicant is required to meet Tier 1 of the TGS. The site specific zoning by-law, and future site plan agreement, will secure performance measures for various Tier 1 development features, including, but not limited to, the following:

- Cycling Infrastructure, providing secure bicycle parking accessible by a dedicated bicycle elevator;
- Storage and Collection of Recycling and Organic Waste, such as two waste chutes, one dual sorter for garbage and organic waste and the second dedicated to recycling will be provided for each condominium.

Other applicable TGS performance measures will be secured through the Site Plan Approval process, including a review of opportunities to achieve Tier 2 or higher.

Section 37

The Official Plan contains policies pertaining to the provision of community benefits in exchange 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 existing Zoning By-law, the application is consistent with the objectives and policies of the Official Plan, and thus constitutes good planning.

The following community benefits are recommended to be secured in the Section 37 Agreement:

- \$4,000,000.00 for new/and or capital improvements to Affordable Housing;
- \$500,000.00 for streetscape improvements;
- \$500,000.00 already paid to the City through previous permissions, for streetscaping and landscaping to Bloor Street West and Bloor Street East; and
- \$15,000,000.00 for community facilities and parks.

The following matters of convenience are also recommended to be secured in the Section 37 Agreement:

- A publicly accessible space of not less than 125 square metres fronting onto Yonge Street ('Yonge Open Space');
- A phasing plan for the development;
- A publicly accessible pedestrian connection from Bay Street to the concourse level of the proposed building and connecting to the TTC subway station entrance access below Bay Street;
- Maintenance of the existing publicly accessible pedestrian connection beneath Cumberland Street to the concourse level of the proposed building;
- A publicly accessible pedestrian connection from Cumberland Street to the concourse level of Tower 'C' and connecting to the concourse level of the existing building on Parcel B (shown on Diagram 1 of Attachment 7);
- Streetscape improvements adjacent to the site;
- A Pedestrian Level Wind Study, including wind tunnel analysis, will be submitted for each phase of the development, with the mitigation recommendations to be implemented and maintained by the owner;
- A Construction Management Plan will be submitted as part of each phase of the development;
- Relocate existing public art on the Yonge Street frontage to the new Yonge Open Space;
- A minimum 4.0 metre wide publicly-accessible pedestrian walkway, inclusive of structural support columns and a minimum 2.1 metre pedestrian clearway, on the south side of Cumberland Street, forming part of the colonnade for the base building of Towers 'A' and 'B'; and
- A shadow study showing no net-new shadow on Jesse Ketchum Park from 10:18a.m. to 4:18p.m. during the spring and fall equinox;

Conclusion

The proposal has been reviewed against the policies of the PPS (2014), the Growth Plan (2019), and the Toronto Official Plan. Staff are of the opinion that the proposal is consistent with the PPS (2014) and conforms with the Growth Plan (2019).

Furthermore, the proposal conforms to the Toronto Official Plan, including the applicable Site and Area Specific Policies, particularly as it relates to *Mixed Use Areas* and *Downtown* policies.

Staff worked with the applicant to ensure that the development included a significant contribution of open space to realize the completion of the Yorkville - East of Bay Planning Framework. Staff find that this proposal fits in with the existing and planned context of Bloor-Yorkville and the proposal is appropriate. Section 37 contributions have also been agreed upon and will be secured in a Section 37 Agreement. City Planning recommends that Council approve the Zoning Amendment applications.

CONTACT

David Driedger, Senior Planner
Tel. No. 416-392-7613
E-mail: David.Driedger@toronto.ca

SIGNATURE

Lynda H. Macdonald, MCIP, RPP, OALA, FCSLA,
Director Community Planning,
Toronto and East York District

ATTACHMENTS

City of Toronto Data/Drawings

- Attachment 1: Application Data Sheet
- Attachment 2: Location Map
- Attachment 3: Official Plan Land Use Map
- Attachment 4: Official Plan - Site and Area Specific Policy 211 (Map 2)
- Attachment 5: Existing Zoning By-law Map
- Attachment 6: Draft Zoning By-law Amendment (438-86)
- Attachment 7: Draft Zoning By-law Amendment (569-2013)

Applicant Submitted Drawings

- Attachment 8: Context Plan
- Attachment 9: North Elevation
- Attachment 10: South Elevation
- Attachment 11: Tower 'C' Elevations
- Attachment 12: Tower 'A' & 'B' Elevations

Attachment 1: Application Data Sheet

Municipal Address: 2 Bloor Street West **Date Received:** September 7, 2018

Application Number: 18 221948 STE 27 OZ

Application Type: Zoning Amendment

Project Description: A mixed-use development with three towers 47, 61, and 75 storeys, and a new public park.

Applicant	Agent	Architect	Owner
Bloor CT Acquisition LP, 66 Wellington Street West, PO Box 163	Bloor CT Acquisition LP, 66 Wellington Street West, PO Box 163	Giannone Petricone Associates, 492 Wellington Street West, Toronto, ON	Bloor CT Acquisition LP, 66 Wellington Street West, PO Box 163

EXISTING PLANNING CONTROLS

Official Plan Designation: Mixed Use Areas **Site Specific Provision:** Y

Zoning: CR **Heritage Designation:** N

Height Limit (m): 170 **Site Plan Control Area:** Y

PROJECT INFORMATION

Site Area (sq m): 5,794 **Frontage (m):** 203 **Depth (m):** 24

Building Data	Existing	Retained	Proposed	Total
Ground Floor Area (sq m):	5,793		2,449	2,449
Residential GFA (sq m):			121,095	121,095
Non-Residential GFA (sq m):	7,630		13,753	13,753
Total GFA (sq m):	7,630		134,848	134,848
Height - Storeys:	2		75	75
Height - Metres:	14		254	254

Lot Coverage Ratio (%): 42.27 **Floor Space Index:** 23.3

Floor Area Breakdown	Above Grade (sq m)	Below Grade (sq m)
Residential GFA:	120,566	529
Retail GFA:	2,399	4,004
Office GFA:	7,351	

Industrial GFA:

Institutional/Other GFA:

Residential Units by Tenure	Existing	Retained	Proposed	Total
Rental:				
Freehold:				
Condominium:			1,595	1,595
Other:				
Total Units:			1,595	1,595

Total Residential Units by Size

	Rooms	Bachelor	1 Bedroom	2 Bedroom	3+ Bedroom
Retained:					
Proposed:		88	948	396	163
Total Units:		88	948	396	163

Parking and Loading

Parking Spaces:	256	Bicycle Parking Spaces:	1,665	Loading Docks:	8
----------------------------	-----	------------------------------------	-------	---------------------------	---

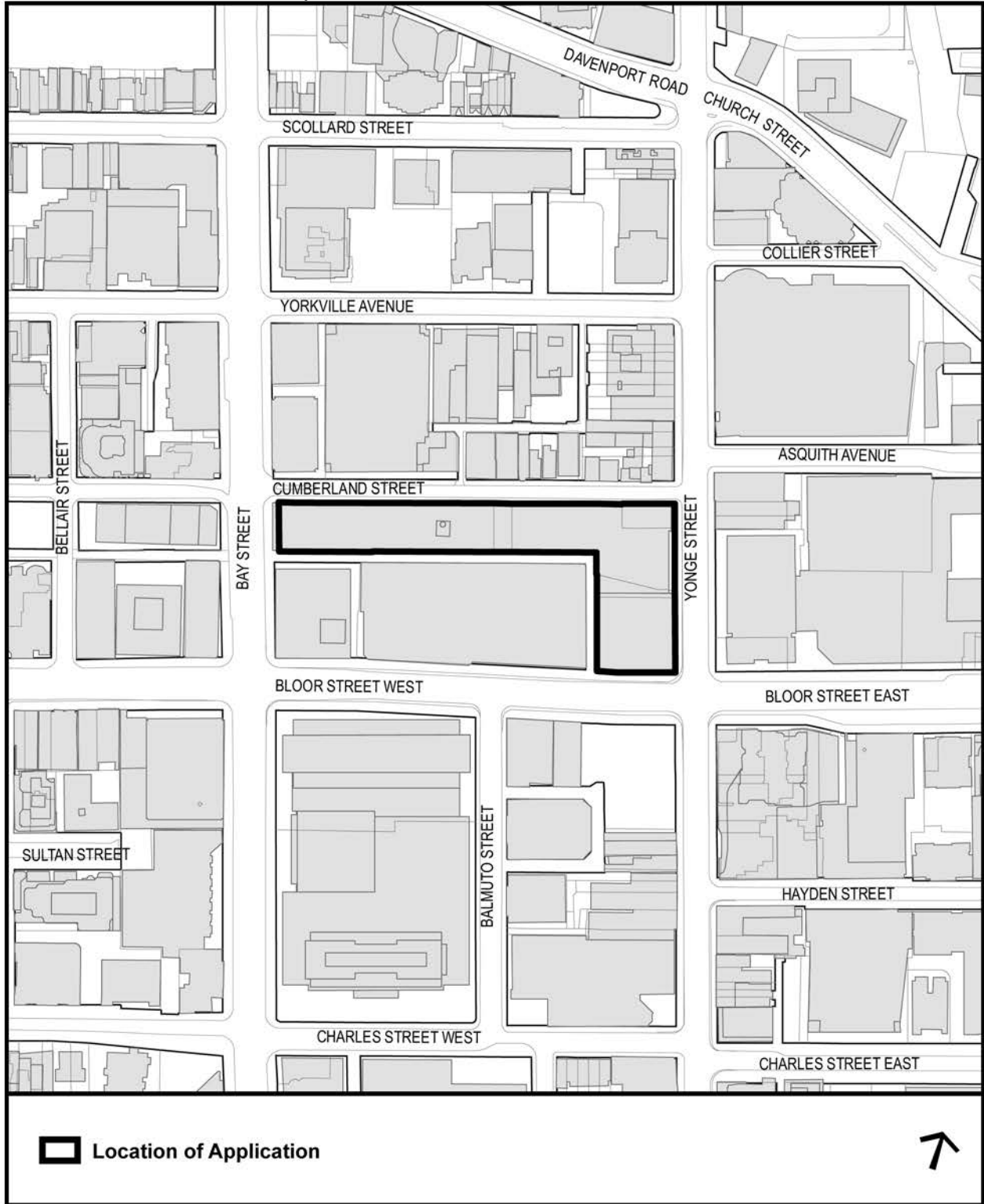
CONTACT:

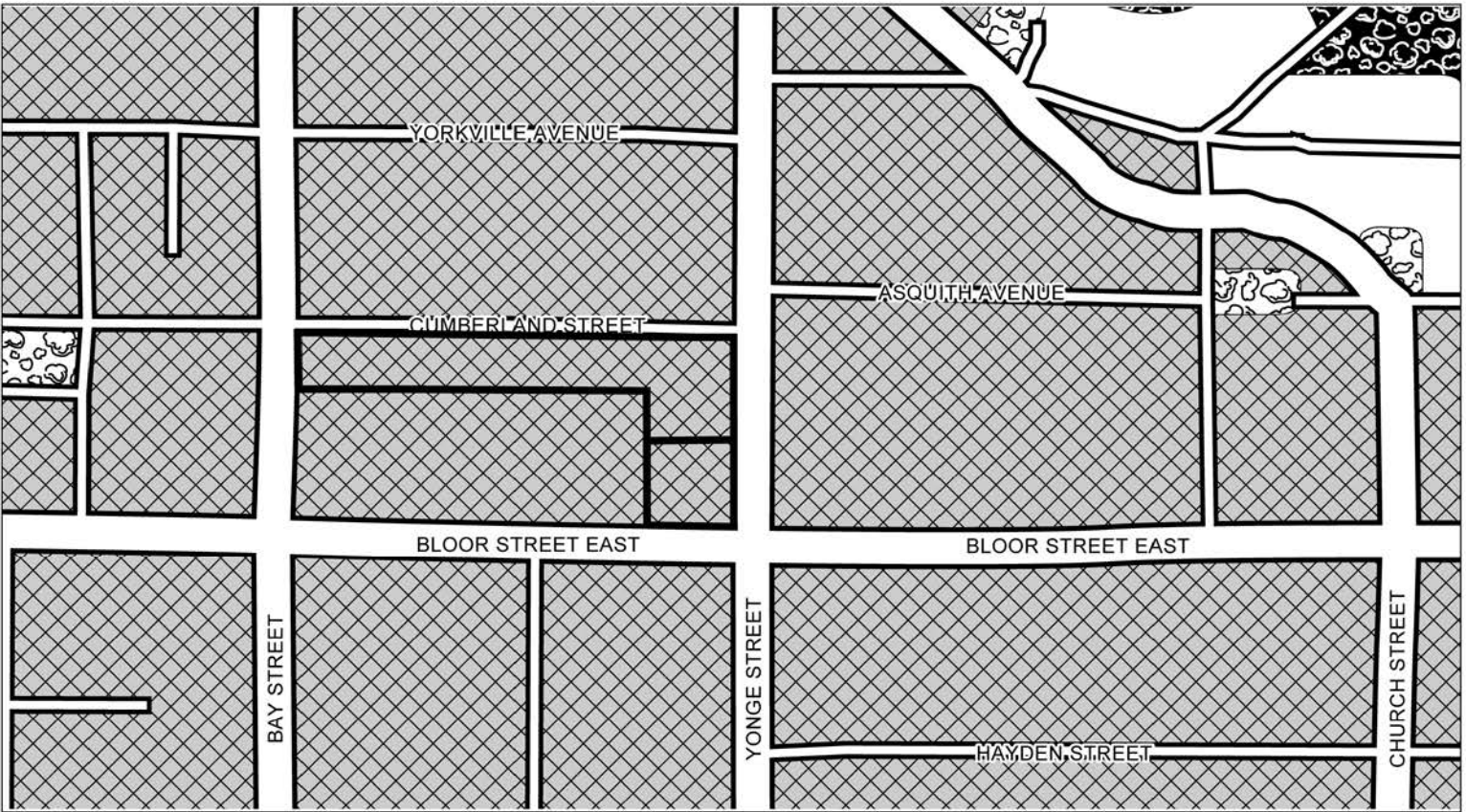
David Driedger, Senior Planner

416-392-7613

David.Driedger@toronto.ca

Attachment 2: Location Map





TORONTO
Official Plan Land Use Map

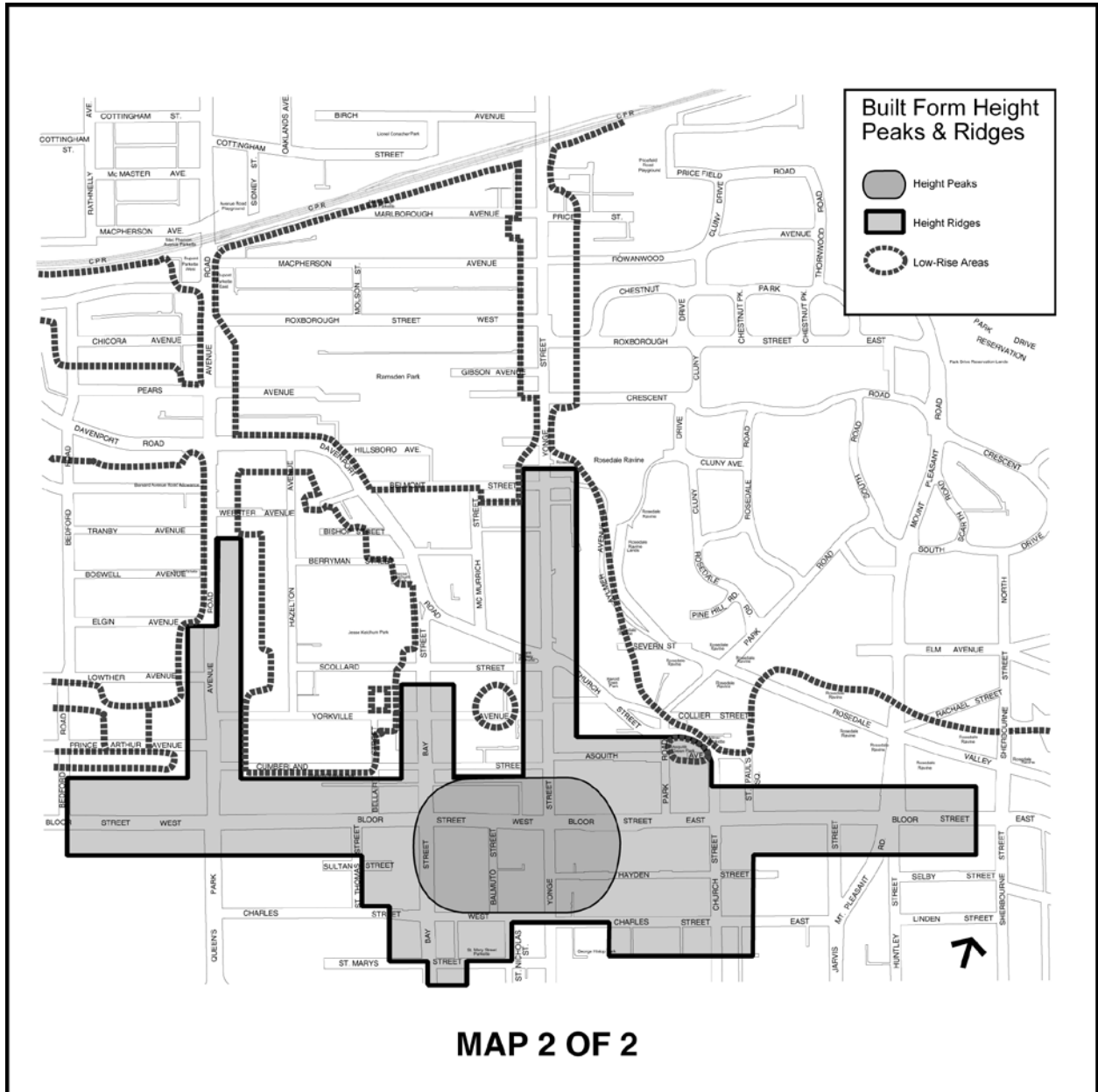
2 Bloor Street West

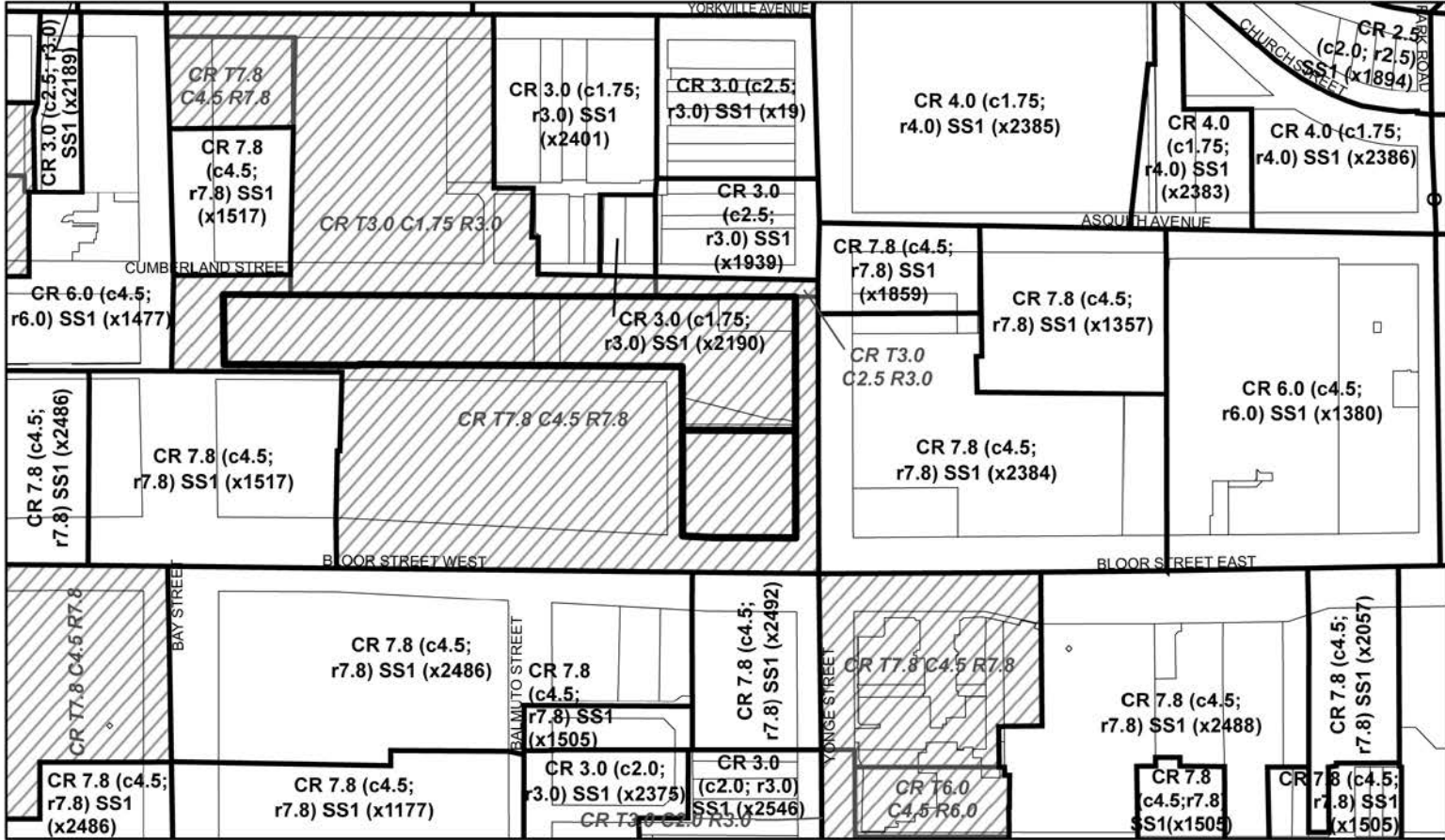
File # 18 221948 STE 27 0Z

- | | |
|---|--|
|  Location of Application |  Parks & Open Space Areas |
|  Neighbourhoods |  Natural Areas |
|  Mixed Use Areas |  Parks |

↑
 Not to Scale
 11/29/2018

Attachment 4: Official Plan - Site and Area Specific Policy 211 (Map 2)





Zoning By-law 569-2013

2 Bloor Street West

File # 18 221948 STE 27 0Z



Location of Application

R Residential CR Commercial Residential
 O Open Space



See Former City of Toronto By-Law No. 438-86
 CR Mixed-Use District



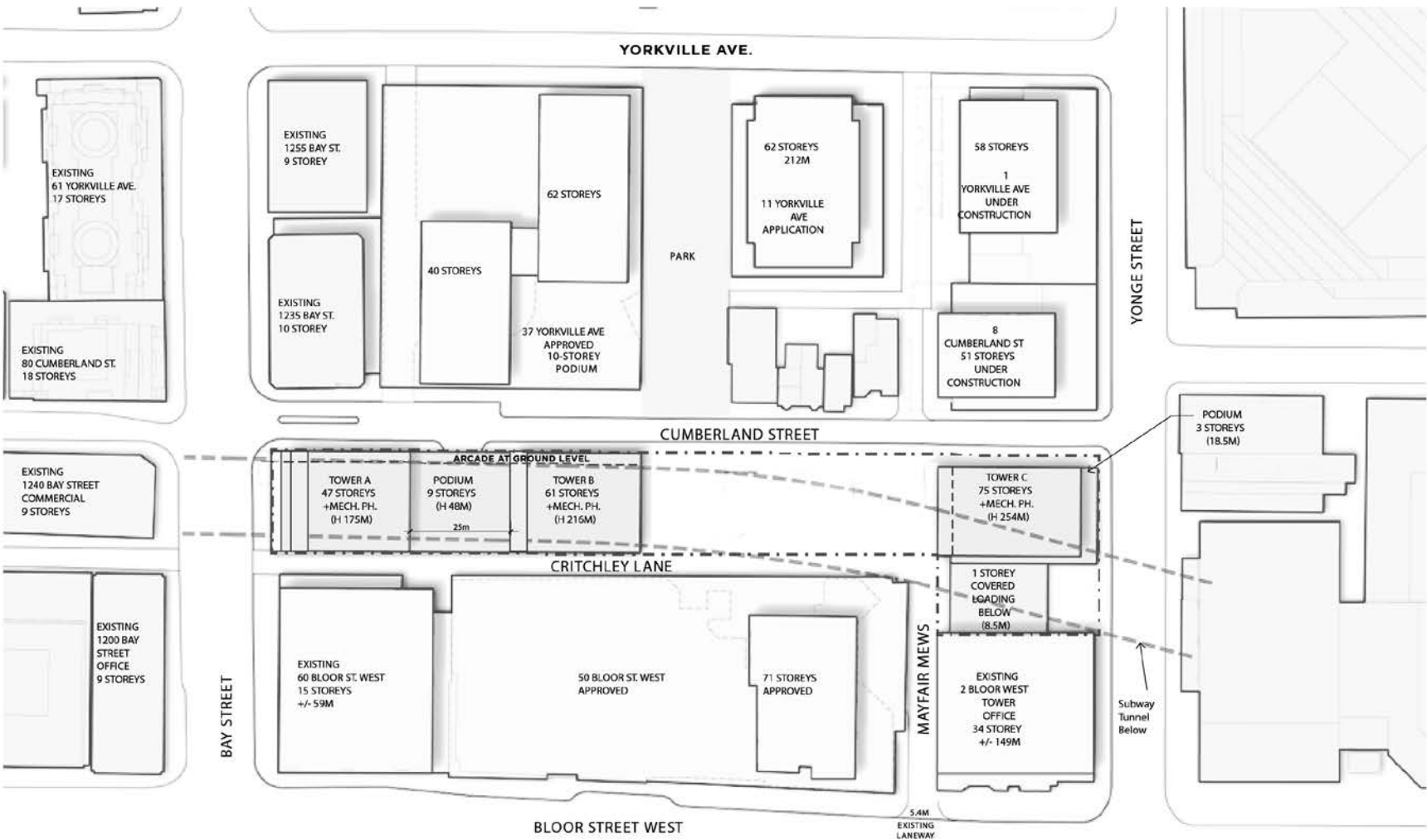
Not to Scale
 Extracted: 11/29/2018

Attachment 6: Draft Zoning By-law Amendment (438-86)

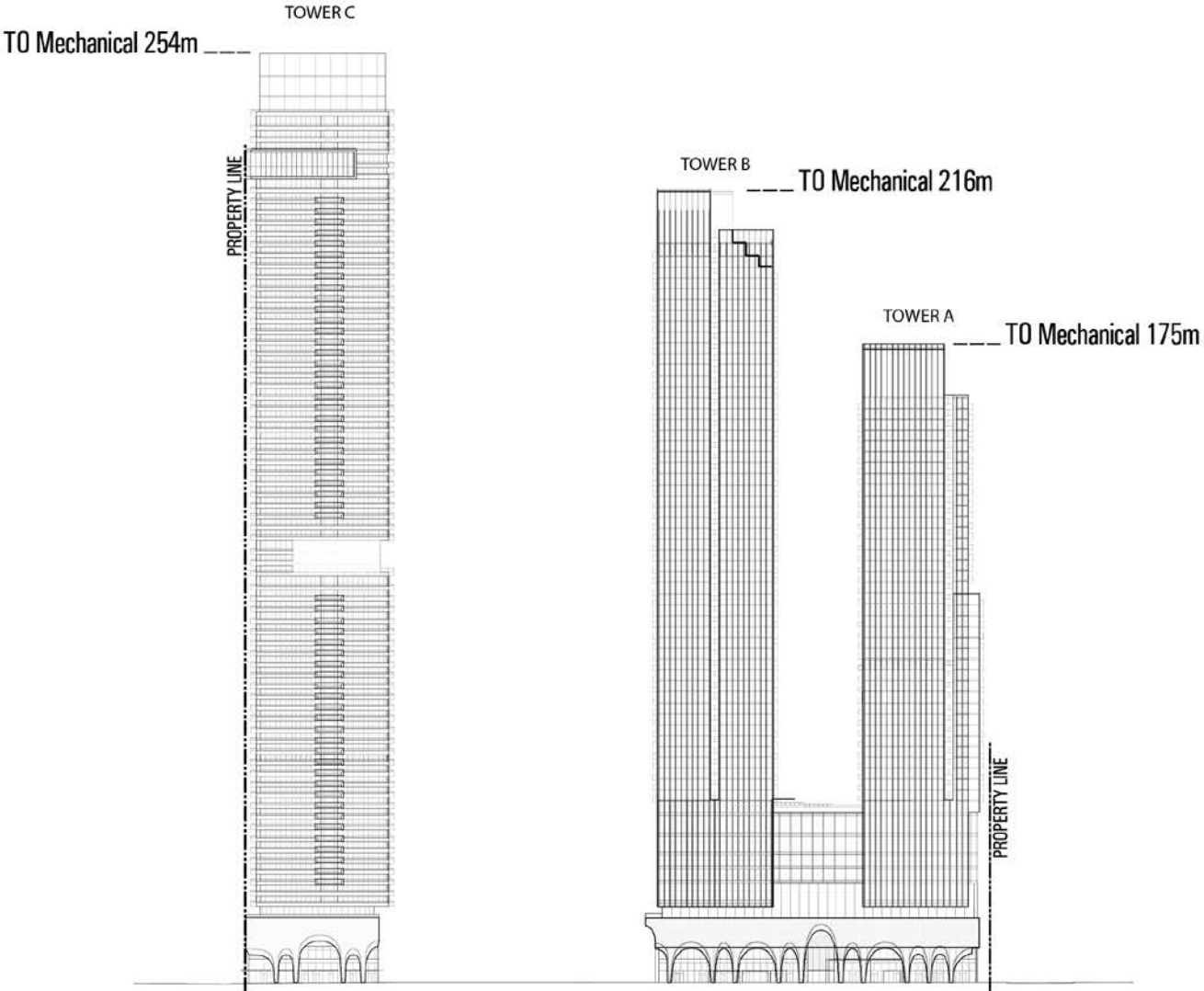
To be provided prior to the March 12, 2020 Community Council meeting

Attachment 7: Draft Zoning By-law Amendment (569-2013)

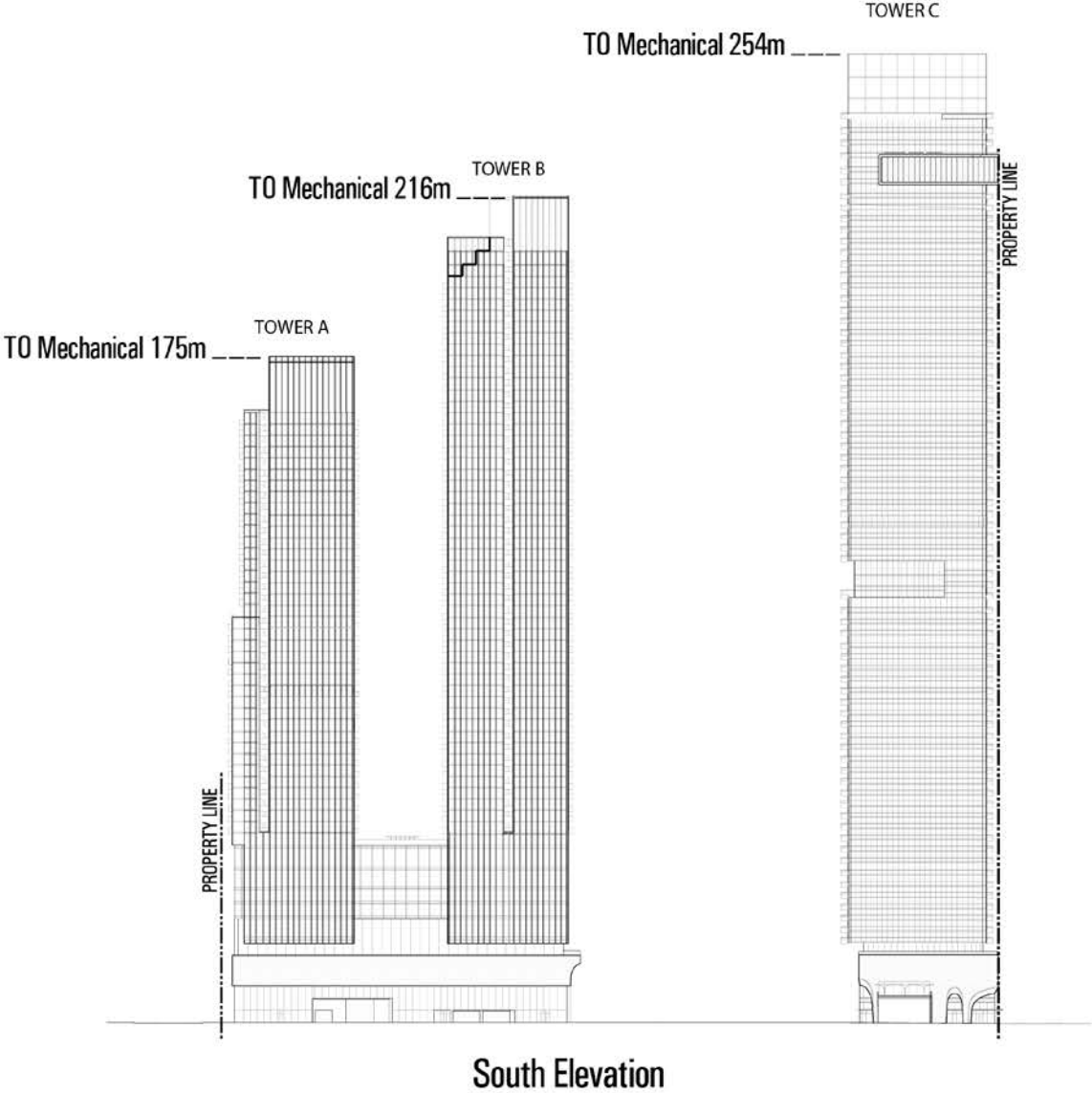
To be provided prior to the March 12, 2020 Community Council meeting

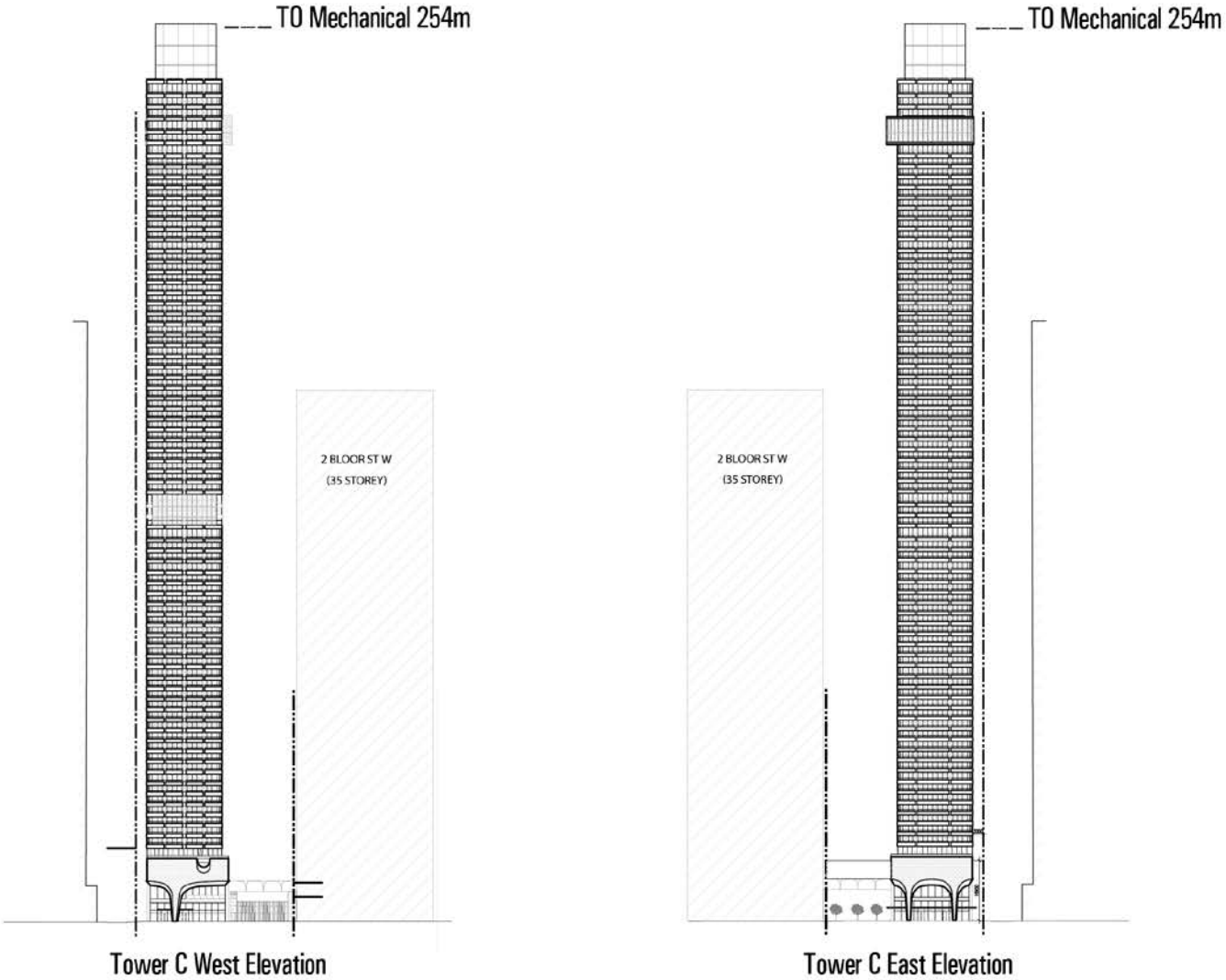


Context Plan

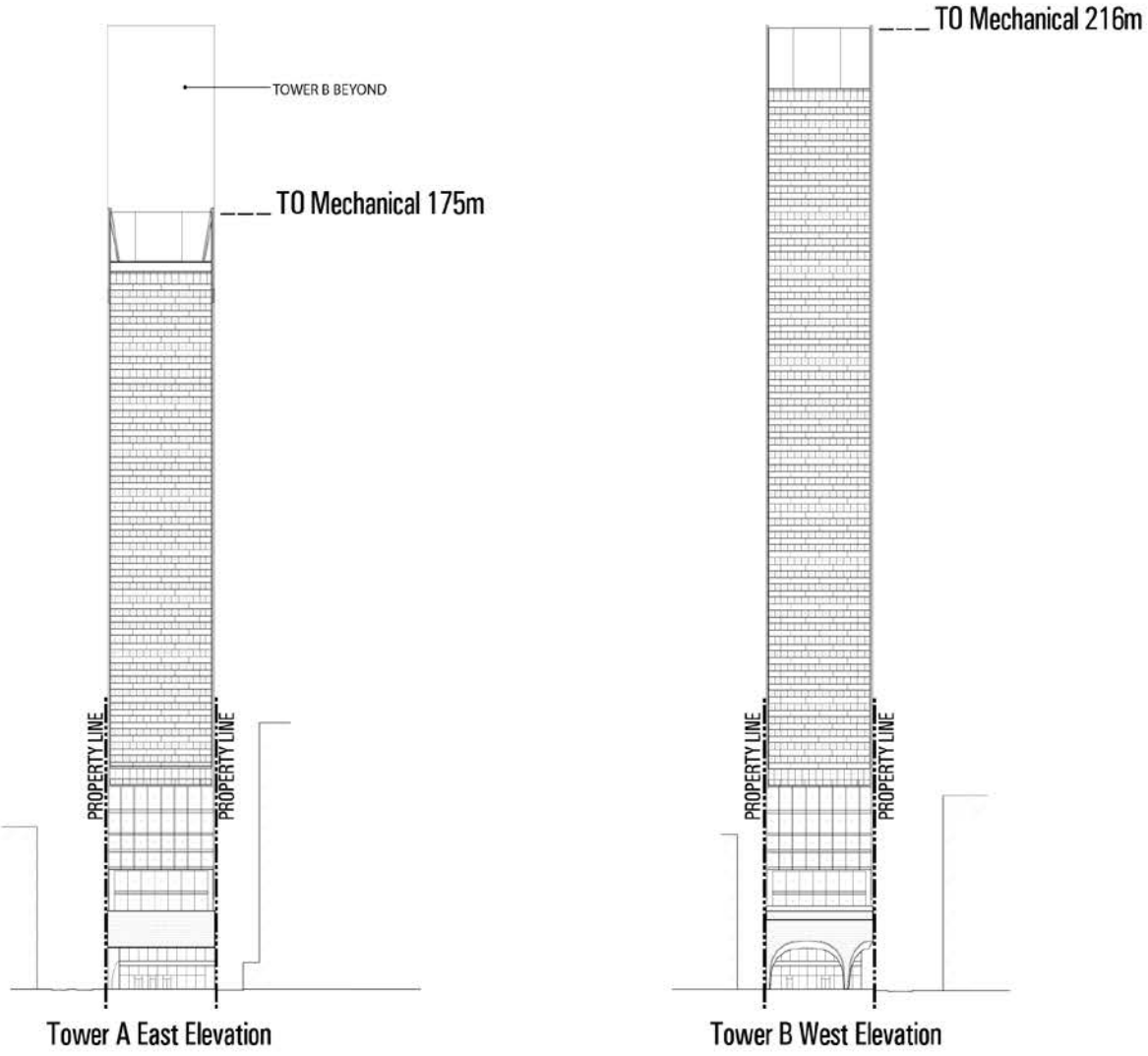


North Elevation





Tower C Elevations



Tower A & B Elevations