

**151 Front Street West, 7 Station Street and 20 York Street
OPA & Rezoning Application 05 105725 STE 20 OZ
Final Report**

Date:	January 26, 2007
To:	Toronto and East York Community Council
From:	Director, Community Planning, Toronto and East York District
Wards:	Ward 20 - Trinity-Spadina
Reference Number:	File No. 05 105725 STE 20 OZ

SUMMARY

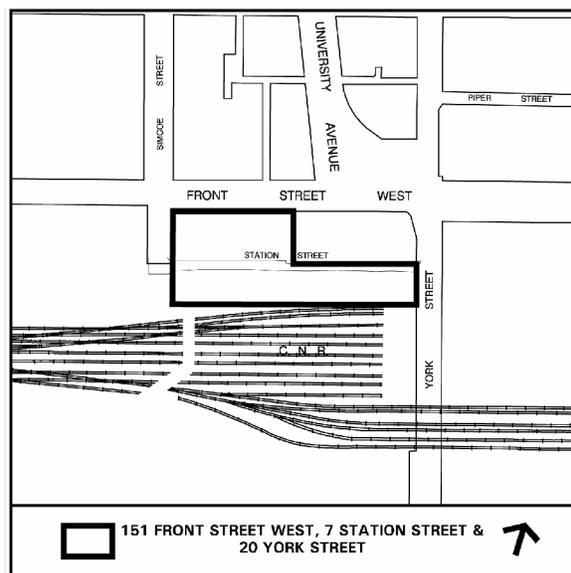
This report reviews and recommends approval of an application to amend the Official Plan and Zoning By-law for a 36-storey office tower and technology centre with parking for 323 vehicles at 151 Front Street West, 7 Station Street and 20 York Street.

The proposal addresses the planning policies and objectives for the area and its built form responds to the context. A Section 37 agreement is recommended to secure community benefits, including a financial contribution towards streetscaping on Simcoe Street, Front Street West and University Avenue.

RECOMMENDATIONS

The City Planning Division recommends that:

1. City Council amend the new Official Plan of the City of Toronto substantially in accordance with Attachment No. 6;



2. City Council amend Zoning By-law 438-86 and 168-93 for the former City of Toronto substantially in accordance with the draft Zoning By-law Amendment attached as Attachment No. 7;
3. City Council authorize the City Solicitor to make such stylistic and technical changes to the draft Official Plan and draft Zoning By-law amendments as may be required;
4. City Council authorize the City Solicitor to make changes to the Precinct B Precinct Agreement, other Railway Lands agreements (including, if appropriate, a further agreement pursuant to the City of Toronto Act, 1971, S.O. 1971, c. 130, as amended), service agreements, and easement agreements as required to secure the matters set out in this report;
5. require the owner, before introducing the necessary Bills to City Council for enactment, to submit to the Executive Director, Technical Services, documentation and/or revised drawings for review and acceptance:
 - (a) final approved drawings of the development with sufficient horizontal and vertical dimensions of the exterior walls of the proposed buildings to enable the preparation of building envelope plans, such plans should be submitted at least three weeks prior to the introduction of Bills in Council;
6. require the owner, before introducing the necessary Bills to City Council for enactment, to execute one or more agreements pursuant to the City of Toronto Act, 1971, S.O. 1971, c. 130, as amended satisfactory to the Chief Planner and Executive Director, City Planning Division, and the City Solicitor, such agreement(s) to be registered against the title of the lands for the development to secure the following facilities, services, and matters:
 - (a) City's right to use the pedestrian walkway in perpetuity through the building(s);
 - (b) provide and maintain within the site a publicly accessible walkway (Galleria) connecting the SkyWalk to Front Street West generally as shown on the Plans prepared by Tampold Architects, dated December 7, 2006, which shall:
 - (i) remain open and accessible to the public between the hours of 6:00 a.m. to 2:00 a.m., 365 days a year; and
 - (ii) be satisfactorily illuminated;
 - (c) provide space within the development site for the construction of any transformer vaults, hydro vaults, Bell maintenance structures, sewer maintenance holes, exhaust and intake vents and stairwell and associated

enclosure satisfactory to the Chief Planner and Executive Director, City Planning Division;

- (d) provide the incorporation, in the construction of the building, of exterior materials to be shown for the podium along Simcoe Street, Front Street West and Station Street, pedestrian weather protection and landscaping materials satisfactory to the Chief Planner and Executive Director, City Planning Division;
- (e) provide and maintain an irrigation system for any proposed trees within the public road allowance, including an automatic timer, designed to be water efficient by a Certified Landscape Irrigation Auditor (CLIA) and constructed with a back flow preventer irrigation system for all new trees in the public rights-of-ways, satisfactory to the Executive Director, Technical Services and General Manager, Parks, Forestry and Recreation;
- (f) provide and maintain the following to permit the installation and mature growth of all proposed plant material, in particular, large growing shade trees to the satisfaction of the Director of Urban Forestry:
 - (i) sandy loam soil (comprising 50 to 60 percent sand, 20 to 40 percent silt, 6 to 10 percent clay, 2 to 5 percent organic, with pH of 7.5 or less) to a sufficient depth of not less than 1 metre;
 - (ii) an engineered draining system which prevents soil saturation; and
 - (iii) a continuous tree trench, in accordance with the Continuous Tree Pit details outlined in the Construction Details Section of the City of Toronto Streetscape Manual.
- (g) before site plan approval, require the owner to provide an architectural plan and/or renderings of the roof of the podium, to include a green roof, or a combination of an appropriately landscaped roof and other architectural design treatment and exterior materials, to the satisfaction of the Chief Planner and Executive Director, City Planning Division;
- (h) provision of knock-out panels to accommodate a potential future connection to the PATH system, satisfactory to the Chief Planner and Executive Director, City Planning Division, and the General Manager of Economic Development; and enter into the Wayfinding Agreement, and to be detailed in an agreement pursuant to Section 41 of the *Planning Act*;
- (i) make all necessary improvements to the PATH system as required in the Wayfinding Agreement and Site Plan Agreement to the satisfaction of the City Solicitor, Transportation Services, City Planning and Economic Development and Culture;

- (j) revisions, if any, to the development to address the recommendations of a Pedestrian Level Wind Study;
 - (k) revisions to the development, or a Letter of Credit, in accordance with the recommendations of a Street Lighting Assessment;
 - (l) comply with any other condition to ensure the orderly development and phasing of the lands as required by the Chief Planner and Executive Director, City Planning Division, acting reasonably;
7. require the applicant to enter into a Site Plan Agreement under Section 41 of the Planning Act;
8. require the following in the Zoning By-law amendment:
- (a) reconstruct the intersection of Station Street and Simcoe Street with minimum curb radii of 12 metres at the southeast corner of the intersection;
 - (b) enter into agreements satisfactory to City Legal, in consultation with Transportation Services, City Planning and GO Transit, to secure the proposed pedestrian access through the building, and the proposed pedestrian arcade on the Simcoe Street frontage of the site, as well as the pedestrian facilities on Station Street;
 - (c) provide and maintain a minimum of 301 non-residential parking spaces and a maximum of 315 parking spaces within the proposed parking garage for this development;
 - (d) provide and maintain 3 Type B, 3 Type C loading spaces and one additional loading space with minimum dimensions of 2.6 metres by six metres by three vertical;
 - (e) submit, for review and acceptance prior to site plan approval, a Transportation Demand Management Plan to the General Manager of Transportation Services, including measures to reduce automobile use;
 - (f) have a qualified Transportation Engineer/Planner certify, in writing, to the General Manager of Transportation Services that the development has been designed and constructed in accordance with the Transportation Demand Management Plan approved by the General Manager, Transportation Services;
 - (g) provide, maintain and operate the Transportation Demand Management measures, facilities and strategies stipulated in the Transportation Demand

Management Plan approved by the General Manager, Transportation Services;

- (h) provide, prior to Site Plan Approval, for any improvements to the municipal infrastructure should it be determined that upgrades to the infrastructure are required to support this development, according to the site servicing review accepted by the Executive Director of Technical Services;
- (i) submit a traffic monitoring report within six months of occupancy of the office building to identify vehicular trip distribution patterns associated with the project and identify mitigating measures to address any poor levels of service experienced at Front Street West/Simcoe Street, Station Street/York Street, Station Street/Simcoe Street, York Street/University Street/Front Street West and York Street/Bremner Boulevard intersections, for the review and approval of the General Manager of Transportation Services;
- (j) provide a Letter of Credit in the amount of \$50,000 to cover the costs associated with the following measures, as deemed appropriate by the General Manager of Transportation Services:
 - (i) implementing mitigating measures such as changes to traffic regulations and installation of regulatory signage; and
 - (ii) implementing the approved signal timing modification and signal phasing adjustments identified at the Front Street West/Simcoe Street, Station Street/York Street, Station Street/Simcoe Street, York Street/University Street/Front Street West and York Street/Bremner Boulevard intersections, which are attributable, in part, to this development, if any;
- (k) prior to Site Plan Approval the owner shall:
 - (i) submit revised drawings that further refine the design of the transition between the SkyWalk atrium and the new internal corridor to the satisfaction of the Manager of Heritage Preservation Services;
 - (ii) submit revised 1:50 scale drawings of the elevations of the front facades of 20 York Street and 151 Front Street West to the satisfaction of the Manager of Heritage Preservation Services;
 - (iii) submit a detailed landscape plan for the subject property, to the satisfaction of the Manager, Heritage Preservation Services;

- (iv) provide plans for interpretive panels or other interpretive materials to communicate the development history of the property: the research, design, and location of the interpretive materials will be to the satisfaction of the Manager of Heritage Preservation Services;
 - (v) provide a Letter of Credit in a form and in an amount satisfactory to the Manager, Heritage Preservation Services to secure all work for the research, production and installation of interpretive materials referred to in condition (iv);
 - (l) prior to the release of the Letter of Credit the owner shall obtain final approval for the interpretive materials erected on the property from the Manager, Heritage Preservation Services.
9. before introducing the necessary Bills to City Council for enactment, authorize the appropriate City officials and require the owner to execute one or more agreements pursuant to Section 37 of the *Planning Act* satisfactory to the Chief Planner and Executive Director, City Planning Division, and the City Solicitor, such agreements to be registered on title to the lands in a manner satisfactory to the City Solicitor, to secure the following facilities, services and matters:
- (a) a contribution of \$1.5 million, prior to the issuance of an above grade building permit for any development, for the following local community improvement initiatives:
 - (i) \$150,000 for the capital improvement of affordable housing in Ward 20;
 - (ii) exclusive of the frontages of the subject lands, \$1,000,000 for streetscaping improvements on Front Street West between University Avenue and Spadina Avenue, Simcoe Street between the railway corridor and Queen Street West including bicycle lanes, and University Avenue between Front Street West and King Street West;
 - (iii) \$350,000 for weather protection and improvements to the four at-grade TCC stairways at St. Andrew subway station;
 - (b) provide a public art contribution in accordance with the City of Toronto's Percent for Public Art Program for a value not less than one percent of the gross construction cost, indexed annually, of all buildings and structures on the lands to be paid at time of first building permit;

- (c) provide the City of documentation as to LEED certification of the development and the marketing materials that will include information on LEED certification as follows:
 - 1. in conjunction with the construction and marketing of the Development, the Owner shall provide to the Chief Planner such documentation as the Chief Planner shall request with respect to LEED Certification of the Development and the marketing materials that will include information on LEED Certification;
 - 2. the owner shall:
 - (a) use reasonable commercial efforts to obtain LEED Certification of the buildings;
 - (b) prior to receiving Site Plan Approval, register the development with the CaGBC (the “LEED Registration”) and provide written confirmation of the LEED Registration to the Chief Planner;
 - (c) prior to the occupancy of the building, to make the LEED Application and provide to the Chief Planner a copy of the LEED Application together with written confirmation that it has been submitted and, if requested by the Chief Planner, copies of all documentation submitted with the LEED Application to the CaGBC;
 - (d) upon the receipt of a CaGBC Report provide, if requested to the Chief Planner, a copy of such CaGBC Report;
 - (e) provide a response to the CaGBC regarding any CaGBC Report, provide if requested to the Chief Planner a copy of any documentation submitted to the CaGBC by the owner in response to such CaGBC Report;
 - (f) upon the owner receiving notification of the CaGBC’s decision as to whether LEED Certification of the Building has been granted, to provide if requested to the Chief Planner a copy of such notification; and
 - (g) provide, if requested by the Chief Planner, a copy of the owner’s marketing materials for the Development that contain information regarding LEED and LEED Certification;
- 10. authorize City officials to take all necessary steps, including the execution of agreements and documents, to give effect to the above-noted recommendations.

Financial Impact

The recommendations in this report have no financial impact.

ISSUE BACKGROUND

History

In 1986, the Ontario Municipal Board approved the Part II Plan for the Railway Lands under the Official Plan for the former City of Toronto. The south portion of the subject property (7 Station Street and 20 York Street) was designated Precinct 7. A Precinct 7 (York Station) Precinct Agreement was registered on title on October 28, 1988. In 1990, the City conducted a review of the 1985 Official Plan. This resulted in changes to the Plan in the areas of land use, density, height, community services and facilities and the environment. In 1991, a Part II Plan was developed for Railway Lands East. The Railway Lands East Area A Zoning By-law (168-93) was deemed to have come into force pursuant to the Ontario Municipal Board Order dated October 25, 1994. The part of the property south of 151 Front Street West was zoned as CR-Block 6 by the Zoning By-law.

In 1999, City Council authorized amendments to the Precinct 7 Precinct Agreement and Development Agreements to permit a commercial building housing a dot com facility and to permit a temporary reduction to the functional width of the SkyWalk on the subject property from 9 metres to 6 metres. In 2000, a site plan application for an 11-storey building with two mechanical floors at the roof level was approved. The proposed building was to accommodate fibre-optic and telecommunications infrastructure. The owner of the property did not pursue the development.

In addition to the regulatory background, additional relevant contextual issues include:

- (a) City Council approved the Union Station Master Plan in December 2004. This plan outlines the boundaries of the Union Station urban design study area as Simcoe Street, Wellington Street, Yonge Street and the Gardiner Expressway. The property is located within this study area and has an integral role in the City's PATH system as the SkyWalk passes through the property at 20 York Street and 7 Station Street. The Union Station Master Plan has identified that a northwesterly extension of the PATH system should be investigated as part of ongoing work related to the Master Plan study.
- (b) The Canadian National Express Building and York Teamway at 20 York Street was listed as a historical building by City Council on February 1, 2 and 3, 2005.
- (c) A Union Station District Plan was prepared in May 2006 and was presented to Planning and Transportation Committee in June 2006. The plan outlines the boundaries of the Union Station urban design study area as Simcoe Street/railway/Rees Street on the west, Harbour Street on the south, Yonge Street on the east and Wellington Street on the north. The plan contains design

guidelines for the area and classifies 151 Front Street and the SkyWalk as character contributing buildings. The plan was adopted at the June 27, 28, and 29, 2006 City Council meeting.

- (d) The site is located at the south end of Simcoe Street. A tunnel to connect Simcoe Street and Lower Simcoe Street is proposed and has been given design approval by the City. Construction of the tunnel started in September 2006.

Over the last year, City staff has had discussions with the applicant, which have resulted in the current proposal, which is the subject of this report. A Preliminary Report, dated March 14, 2005, was adopted at the March 30, 2005 Toronto and East York Community Council meeting. The report outlined a number of issues to be resolved, as well as required reports and studies to assist staff in their review.

Proposal

The proposed development consists of an office building and technology centre, with a shared lobby and galleria. Above grade parking is integrated into the development under the SkyWalk and in above ground floors. Although a portion of the existing SkyWalk would be demolished during construction, the SkyWalk and all existing walkway connections and exits will be replaced. The current building on the eastern edge of the 20 York Street property, the eastern portion of the SkyWalk building and the 151 Front Street West building (other than the addition of the galleria and canopies over the Front Street West and Simcoe Street sidewalks) will not be redeveloped.

The office tower is proposed for the southwest portion of the site along Simcoe Street just north of the railway, and is sited on the 20 York Street and 7 Station Street properties. This building will be the equivalent of 26 storeys, starting from the 11th floor of the redevelopment and rising to the 36th floor. The total gross floor area of the office tower will be 55,575 square metres. The 10th floor will house the mechanical and electrical services to support the office tower. The tower is designed to cantilever over a portion of the existing technology centre at 151 Front Street West.

The new technology centre, sited on 20 York Street and 7 Station Street, will be located on a portion of floors 4 to 6 and all of floors 7 to 9. The remainder of floors 4 to 6 will contain parking (parking is also provided on floors 1, 2 and 3). As each level of parking has a lower floor to ceiling height than the lobby and tech centre floors there are a total of nine levels of above grade parking. The total gross floor area of the new technology centre will be 8,337 square metres.

The applicant proposes that the office tower and the technology centre would share a two-storey lobby situated on Simcoe Street. The 2nd floor of the lobby (skylobby) would cross over Station Street and connect with a 1-storey windowed galleria that would be constructed within a portion of the first floor of the 151 Front Street technology centre, along the Simcoe Street edge. This would allow access to the office tower and technology centre from both Front Street West and Simcoe Street. The Skylobby would connect by a

stairway and escalators to the SkyWalk, which would be located on a portion of the 2nd and 3rd floors of the redevelopment (aligned with the railway corridor).

The total proposed gross floor area for the development is 111,325 square metres, of which 32,112 square metres represents the existing floor area of the technology centre and the easterly portion of the SkyWalk and 79,213 square metres is new construction including the proposed parking structure, the new technology centre and the office tower.

The total site density would be 11.1 times the lot area.

For a summary of the application, refer to Attachment 1: Application Data Sheet.

Site and Surrounding Area

The 10,030 square metre irregularly shaped site is located at the southeast corner of Front Street West and Simcoe Street. It is located in the Financial District and the southern portion of the property (7 Station Street and 20 York Street) is located in the Railway Lands East (Block 6).

The property is occupied by the following:

- 151 Front Street West: 8-storey technology centre;
- 20 York Street: a 1 to 4-storey commercial building containing an enclosed pedestrian walkway known as the SkyWalk; and
- 7 Station Street: a private driveway and surface parking area.

Vehicular access to the property is via York Street and Simcoe Street.

Immediately surrounding the site are:

North: a 20-storey commercial building at the southwest corner of Front Street West and York Street (Citibank Place), beyond which is Front Street West, and beyond is a commercial parking lot and commercial buildings ranging in height from six to seven storeys

South: the Toronto Terminal Railway and Canadian National Railway, beyond which is vacant land in Railway Lands East zoned for a 37-storey commercial and residential development

East: a 20-storey commercial building at the southwest corner of Front Street West and York Street (Citibank Place), beyond which is York Street, and beyond which is Union Station

West: Simcoe Street, and beyond is a 25-storey InterContinental Hotel and the Toronto Convention Centre, and on the north side of Front Street is the 33-storey Simcoe Place office building.

Provincial Policy

Issued under the authority of Section 3 of the Planning Act, the Provincial Policy Statement (PPS) provides policy direction on matters of provincial interest related to land use planning and development.

On March 1, 2005, a new PPS came into effect and replaces the policies that had been issued on May 22, 1996 and amended in 1997. The proposal is consistent with the PPS sections including 1.6.5 Transportation, 1.8.1 Energy and Air Quality and 2.6 Cultural Heritage and Archaeology. In addition, Section 1.3 relating to Employment Areas contains the following policies that will be implemented:

- 1.3.1 Planning authorities shall promote economic development and competitiveness by:
- a) providing for an appropriate mix and range of employment (including industrial, commercial and institutional uses) to meet long term needs;
 - b) providing opportunities for a diversified economic base, including maintaining a range and choice of suitable sites for employment uses which support a wide range of economic activities and ancillary uses, and take into account the needs of existing and future businesses;
 - c) planning for, protecting and preserving employment areas for current and future uses; and
 - d) ensuring the necessary infrastructure is provided to support current and projected needs.

Council is required to make decisions on planning matters that are consistent with the PPS policies.

Official Plan

The Official Plan designates the site as “Mixed Use Area” within the Downtown and Central Waterfront urban structure area and within the Financial District. Mixed Use Areas permit a broad range of commercial, residential and institutional uses, in single or mixed use buildings. The new Plan contains development criteria that will direct the form and quality of development in this area. The criteria direct that the massing of new buildings provide a transition between areas of different development intensity and scale; minimize shadow impacts adjacent areas; provide an attractive, safe and comfortable pedestrian environment; that parking, loading, amenities and other good site planning principles are complied with; and that transit services are in proximity and accessible to the site.

The Plan also states that the highest buildings and greatest intensity occur in the downtown, particularly in the Financial District. As such, the proposal was reviewed for

conformity with the Built Form - Tall Buildings policies of the new Plan, which outline built form principles that are applied to the location and design of such buildings.

Zoning

The 151 Front Street West portion of the site is governed by By-law No. 438-86 as amended and is zoned CR T12.0 C8.0 R11.7. The By-law permits a mixed-use commercial-residential building containing a total building density of 12 times the lot area and a height of 76 metres. A commercial building with no residential floor area is permitted with a total building density of 8 times the lot area.

The 7 Station Street and 20 York Street portion of the site is governed by Railway Lands East A By-law 168-93 as amended and is zoned CR Block 6. This By-law permits a commercial building containing a total building density of 8 times the lot area and a height of 137 metres. No residential density accrues to these lands.

Site Plan Control

An application for Site Plan Approval (06 198574 STE 20 SA) has been filed and is in circulation for comments.

Reasons for Application

The proposed development, specifically the above-grade parking component, does not comply with Section 3.6 in the Railway Lands East Secondary Plan. As such, a modification to the Plan is required.

The proposed building density of the development is 11 times the area of the lot, exceeds the By-law permission of 8 times the area of the lot for commercial development.

In addition, the proposed height of the 36-storey office tower is 172.4 metres from grade on Simcoe Street, whereas By-law 438-86 permits a maximum height of 76 metres on 151 Front Street and By-law 168-93 permits a maximum height of 137 metres.

Community Consultation

A community consultation meeting on the proposal was held on November 7, 2005. Three members of the public attended the meeting, all representing Citibank Place. In general, comments related to the loading activities and operations of Station Street during and after construction of the proposed development.

Agency Circulation

The application was circulated to all appropriate agencies and City divisions. Responses received have been used to assist in evaluating the application and to formulate appropriate by-law standards.

COMMENTS

The proposal was reviewed in terms of fit and context within the existing neighbourhood. Comments are provided below:

Land Use

The proposal to redevelop the site for expanded technology uses and a new office tower is consistent with Official Plan policies for the Financial District and Railway Lands that encourage a broad range of commercial, residential and institutional uses, in single or mixed use buildings. The location is close to Union Station and would be directly connected to the station via the PATH system. The site is well served by public transit options including GO Transit and TTC subway routes. The site is abutting Simcoe Street. When the Simcoe Street tunnel is completed in 2008, the site will have convenient access to the Gardiner Expressway and Lake Shore Boulevard. The redevelopment of the site for expanded technology uses and a new office tower is compatible with surrounding land uses in and on the boundary of the Financial District.

Density, Height, Massing

The total proposed density for the site is 11.1 times the area of the lot. The density is comparable to other developments in the area and is supportable given the location of the property in the Financial District, proximity to Union Station, and Lake Shore Boulevard/Gardiner Expressway.

The major streets of the City's Financial District including Yonge, Bay, and York Street have traditionally been and continue to be the City's primary locations for tall, landmark buildings. Many of these buildings also exceed the permitted height limit of generally 137 metres. The proposed height of the office tower, 172.4 metres, is generally in keeping with the height of other office and residential condominium proposals in or near the Financial District that have been before City Council. These include: the Ritz-Carleton at 230 Front Street (188 metres to the top of the residential floors), the Trump Tower at 33 Bay Street (276 metres to top of the residential floors), Bay Adelaide Centre at 40 Adelaide Street West (218 metres), and Shangri-la at 180-188 University Avenue (214 metres to the top of the residential floors). Near the site within the Financial District are taller towers such as the Royal Bank Plaza, South Tower at 200 Bay Street (175 metres) and BCE Place towers (195 metres and 255 metres).

Within the Financial District, the lands to the east (25 York Street) are zoned for an office building with a height of 160 metres and the lands to the east of the Air Canada Centre at 45 Bay Street are zoned for an office building with a height of 181 metres.

The office tower is proposed for the southwest corner of the site along Simcoe Street. The majority of the tower foot-print is situated on 7 Station Street and 20 York Street, with a small portion cantilevered over 151 Front Street West.

Staff are of the opinion that the height of the tower is in keeping with the heights of the buildings within the Financial District.

The proposal was reviewed against the Design Criteria for Review of Tall Buildings Proposals guidelines. The applicant has designed a building with an appropriate base, middle and top. A three-metre setback from the podium to the tower is proposed along Simcoe Street, which is acceptable. The floorplate is in keeping with the guidelines.

The guidelines discourage the use of above grade parking. The existing utility services under Station Street and constraints related to the existing development of 151 Front Street West do not permit the parking to be located below grade. The masking of the above grade parking will be addressed at the time of Site Plan Approval application review.

Sun, Shadow, Wind

Section 3.1.3 (Built Form) of the new Official Plan includes a policy that tall buildings must minimize the negative impact of shadows on adjacent public spaces including streets, parks and open spaces. The applicant has submitted a Shadow Analysis prepared by Tampold Architects dated April 2, 2005 and staff are satisfied with the level of shadowing on other nearby Financial District properties, which are zoned for high-rise development.

The new Official Plan and the Railway Land East Secondary Plan policies require new development to be massed to fit harmoniously into its existing and/or planned context. This includes minimizing adverse effects of wind on parks, open spaces, neighbouring streets, properties and all exterior pedestrian areas. The applicant has submitted a wind analysis of the conditions created by this proposal from Daley Ferraro Associates dated May 2, 2005. Their analysis concludes that no mitigation measures are required as the site will not experience any significant adverse wind or snow conditions due to the construction of the proposed building. However, due to minor revisions to the podium level of the development, as well as the tower's roof configuration, a revised microclimate study is required. Should any detrimental conditions be identified, the applicant will be required to resolve them and if necessary revise the drawings prior to the approval of the Site Plan application.

Heritage Preservation

The development site is within the Union Station Heritage Conservation District designated by Council on July 27, 2006. Buildings identified in the Heritage Conservation District Plan as contributing to the heritage character of the District include 20 York Street, the SkyWalk atrium and 151 Front Street West. These buildings are subject to the Guidelines for alterations to contributing buildings. The building at 20 York Street is also listed on the City of Toronto's Inventory of Heritage Properties. The proposed development will not have a direct impact on the heritage attributes of the listed building at 20 York Street, however portions of the building attached to 20 York Street will be renovated. The entrance and facades of 151 Front Street will be altered as will the SkyWalk. The transition point where the remaining SkyWalk atrium changes to the internal corridor in the new tower must be sensitive to the heritage character of the SkyWalk. Prior to Site Plan approval, the proposed alteration of the facades of 151 Front Street will be reviewed under the Union Station Heritage Conservation District Guidelines to determine the appropriate treatment of these facades.

Due to the limited extent of soil disturbance activity, an archaeological assessment will not be required for this project.

Vibration Assessment

The south façade of the proposed development is located adjacent to the Union Station rail corridor right-of-way. As such, the applicant was required to submit a vibration assessment investigating railway ground-borne vibration. A Preliminary Vibration Assessment Study dated June 15, 2005 and prepared by Marshall Macklin Monaghan (MMM) was submitted. Their analysis indicated a slight excess in maximum recorded vibration levels occurred for some train pass-bys on Track 1. Therefore, MMM recommends that a more detailed analysis be undertaken of ground borne vibration due to train pass-bys at the design stage. If at this time it is determined that the ground borne vibration exceeds the vibration criteria, then the design of the building will incorporate appropriate vibration isolation design measures to ensure that the building complies with the applicable criteria. The applicant will be required to provide a revised Vibration Assessment from MMM, and if necessary, incorporate vibration mitigating measures and revised drawings, prior to approval of the Site Plan application.

Pedestrian Infrastructure

The site is well served by the existing PATH system which connects Union Station to the Convention Centre. The existing SkyWalk will be modified with the construction of the office tower and will continue to provide PATH route through the site. The Simcoe Street tunnel will provide a new pedestrian connection between the Financial District and Central Waterfront. The existing streetscapes on Front Street West between University Avenue and Spadina Avenue, Simcoe Street between Queen Street West and the railway, University Avenue between King Street West and Front Street West are in a state of disrepair. Staff recommend Section 37 contributions to improve streetscapes and pedestrian conditions in the vicinity of the proposed development.

Pedestrian safety along Station Street is a concern because the office tower would be built over this private street and thereby create a tunnel effect. Staff will ensure that Site Plan Approval plans include pedestrian scale light fixtures and other security measures to result in “eyes on the street”.

The applicant proposes to widen sidewalks on the north and south side of Station Street and add landscaping. The applicant proposes to retain eight parking spaces on Station Street and have three driveways. The multiple driveways will pose a challenge for pedestrians. Staff will review the driveway and sidewalk layouts at the time of Site Plan Approval application review to improve sightlines and signage at driveway crossings.

Continuous weather protection with a minimum clear width of three metres is desirable along all street frontages. Canopies or colonnades are particularly important as they assist in improving experienced microclimate and wind conditions at the pedestrian level. Weather protection is a high priority given the Official Plan policies to promote walking and to discourage automobile dependence. Staff recommend that the zoning by-law include a provision to provide continuous weather protection with a minimum width of three metres along the Simcoe Street frontages of the proposed office tower. At the time of Site Plan Approval application review, staff will ensure that weather protection is

improved along the Front Street West and Simcoe Street frontages of 151 Front Street West.

Cycling Infrastructure

The applicant proposes to provide bicycle parking and commuter showers in accordance with the Zoning By-law. The facilities are proposed to be conveniently located at-grade in a glazed room abutting Station Street. Staff recommend that the Site Plan Approval plans show the separation of the commuter showers and bicycle parking areas.

The site is well served by the Bay Street Clearway, Shuter Street, Queens Quay, Beverley/St. George Street, and Sherbourne Street bicycle lanes. Bike Plan designates Richmond Street, Adelaide Street, Simcoe Street and Bremner Boulevard for bicycle lanes. In light of the proximity to cycling routes and the applicant's commitment to LEED certification, staff recommend that the amount of bicycle parking be increased. The applicant is reviewing staff's request to increase the amount of bicycle parking. Additional bicycle parking will be secured at the time of site plan review. The applicant has been advised that bicycle parking is to be provided on the P1, ground floor or second floor in a weather protected and secure location. The applicant has been advised that BikeShare has expressed an interest in locating a facility within the Financial District. The landscape plan submitted does not show bicycle post and lock-up rings on abutting streets and therefore needs to be amended.

Cycling lanes will be installed on Simcoe Street and Lower Simcoe Street from Queen Street to Queens Quay in 2008 when the Simcoe Street tunnel opens.

Transit Infrastructure

The site is well served by transit as it is within a five minute walk via streets or the PATH system to Union Station, the University/Yonge subway line and the King streetcar line. LRT service is anticipated on Bremner Boulevard. The existing four TTC St. Andrew station stairways at the intersection of King Street West and University Avenue are not weather protected and are missing signage. Staff recommend that Section 37 funding for community benefits be allocated to improve weather protect and improve the TTC stairways.

Traffic Impact, Access, Parking

The applicant has submitted a Traffic Impact Study and Transportation Demand Management Plan. Both documents have been reviewed by staff and are acceptable. Access for the development is via Station Street and is satisfactory. A total of 343 parking spaces are proposed. The proposed parking supply is satisfactory.

Noise Impact Study

A Preliminary Noise Impact Study, dated June 2005, and prepared by Marshall Macklin Monaghan (MMM) was submitted for review. The study concluded that indoor sound levels for the proposed development will exceed the Ministry of the Environment recommended objectives sound levels. Accordingly, as a condition of Site Plan

Approval, the development will require the implementation of indoor noise control measures as follows:

- a) The entire development be fully air-conditioned;
- b) All windows that have exposure to the southerly rail tracks, must be upgraded to meet the following specifications (as per Figure 3.1 in the Preliminary Noise Impact Study dated June 2005, prepared by Marshall Macklin Monaghan):
 - (i) Minimum STC-39 rated windows are required for all office and technology centre windows along the south and southwest facade of the building;
 - (ii) Minimum STC-32 rated windows are required for all office and technology centre windows along the west facade of the building; and
 - (iii) Minimum STC-35 rated windows are required for all office windows along the east facade of the building.

LEED – Leadership in Energy and Environmental Design

An issue discussed throughout the review process was LEED certification. The applicant has responded by making a commitment that this development will be LEED certified. This will require special design and construction techniques to be used in order to meet the LEED criteria. The proposal was reviewed with the Toronto Green Development Standard and the Green Development Standard Checklist. The checklist address items such as improving air quality, energy efficiency, water efficiency, solid water reduction, and ecology (light pollution reduction and adherence to Bird Friendly Development Guidelines). The provision of documentation related to applying for LEED certification will be a requirement in the Section 37 Agreement.

Landscaping

Staff and the local Councillor have strongly encouraged the applicant to incorporate a green roof into the proposed development. A green roof is a vegetated area that becomes part of the building's roof. Green roof systems exist which install plant material on top of areas reserved for stormwater retention, so that the roof of the addition can also be used for stormwater management. Aside from its environmental benefits, a green roof is appropriate for this development, because the proposed development will have overlook from several office towers in the area.

The applicant has submitted a plan for a green roof on the podium of the building. Staff will continue to seek a green roof through the Site Plan Approval process. Staff recommend that the site plan not be approved until the applicant provides an architectural plan and/or renderings of the roof, to include a green roof, or a combination of an appropriately landscaped roof and other architectural design treatment and exterior materials, to the satisfaction of the Chief Planner.

The landscape plan submitted with the site plan application shows streetscape improvements to Station Street, Front Street West and Simcoe Street. Landscaping will be reviewed through the Site Plan Approval process.

Section 37 Community Benefits

As a result of the density increase proposed, the applicant has agreed to a package of community benefits that contribute to the improvement of the local area. The applicant has agreed to provide the following benefits:

1. a contribution of \$1.5 million prior to the issuance of an above grade building permit for any development, for the following local community improvement initiatives:
 - (i) \$150,000 for the capital improvement of affordable housing in Ward 20;
 - (ii) exclusive of the frontages of the subject lands, \$1,000,000 for streetscaping improvements on Front Street West between University Avenue and Spadina Avenue, Simcoe Street between the railway corridor and Queen Street West including bicycle lanes, and University Avenue between Front Street West and King Street West;
 - (iii) \$350,000 for weather protection and improvements to the four at-grade TCC stairways at St. Andrew subway station;
2. provide a public art contribution in accordance with the City of Toronto's Percent for Public Art Program for a value not less than one percent of the gross construction cost, indexed annually, of all buildings and structures on the lands to be paid at time of first building permit; and
3. provide the City of documentation as to LEED certification of the development and the marketing materials that will include information on LEED certification.

Development Charges

It is estimated that the Development Charges for this project will be zero as there is no new retail area and office space is not included in the calculation. This is an estimate. The actual charge is assessed and collected upon issuance of the Building Permit.

CONTACT

Al Rezoski, Senior Planner
Ph: (416) 392-0481
Fax: (416) 392-1330
Email: arezosk@toronto.ca

SIGNATURE

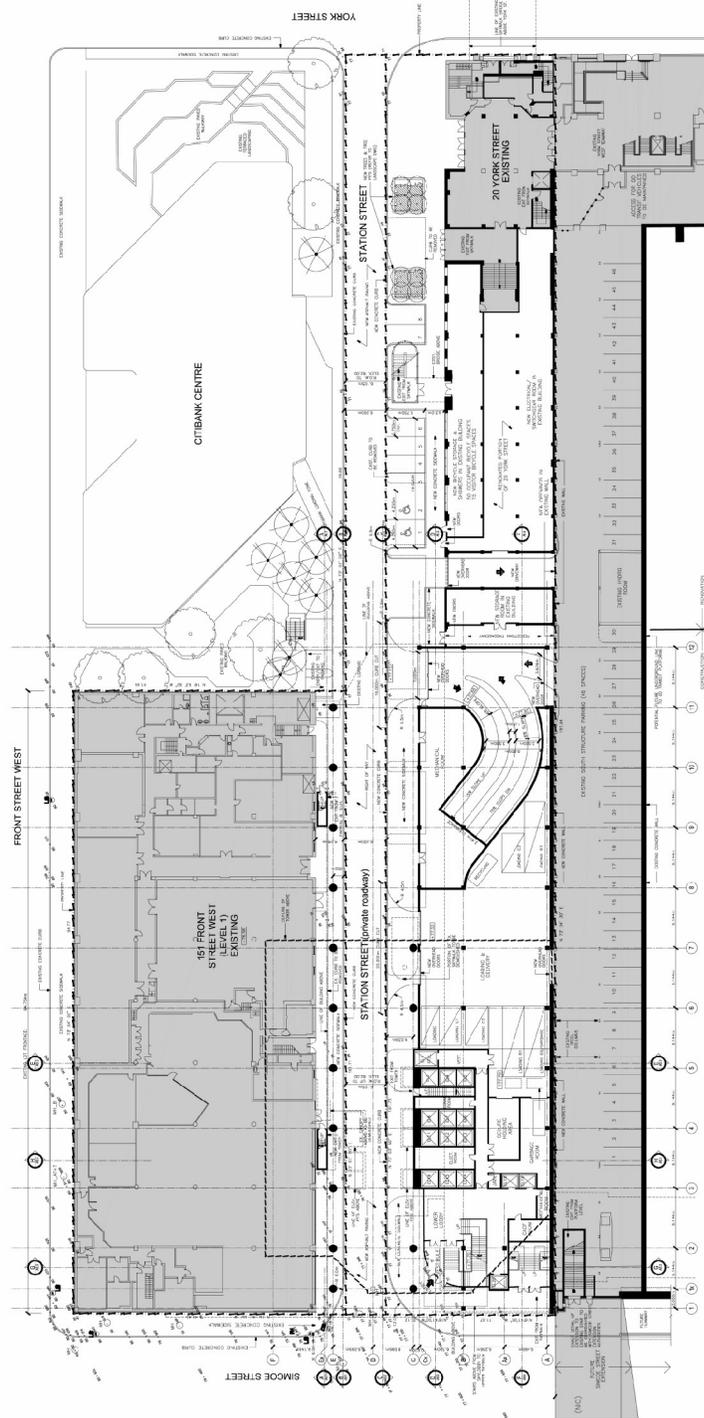
Gary Wright, Director
Community Planning, Toronto and East York District

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ATTACHMENTS

Attachment 1: Site Plan
Attachment 2: Elevations (a and b)
Attachment 3: Official Plan
Attachment 4: Zoning
Attachment 5: Application Data Sheet
Attachment 6: Draft Official Plan Amendment
Attachment 7: Draft Zoning By-law Amendment

Attachment 1: Site Plan



151 Front Street West, 7 Station Street & 20 York Street

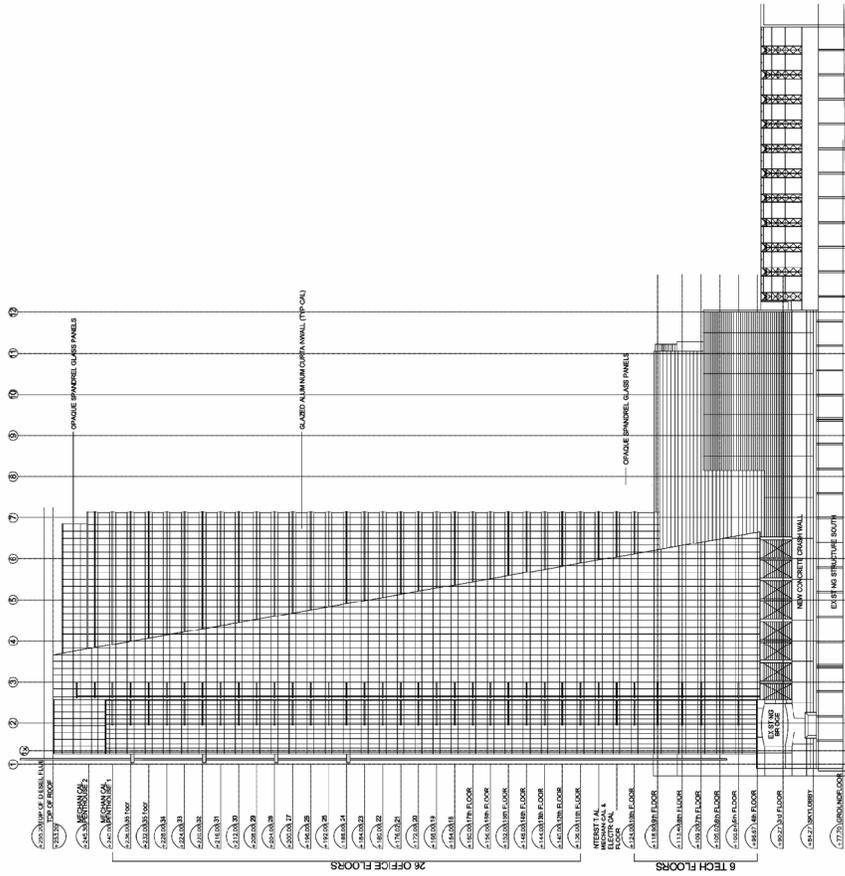
Site Plan

Applicant's Submitted Drawing

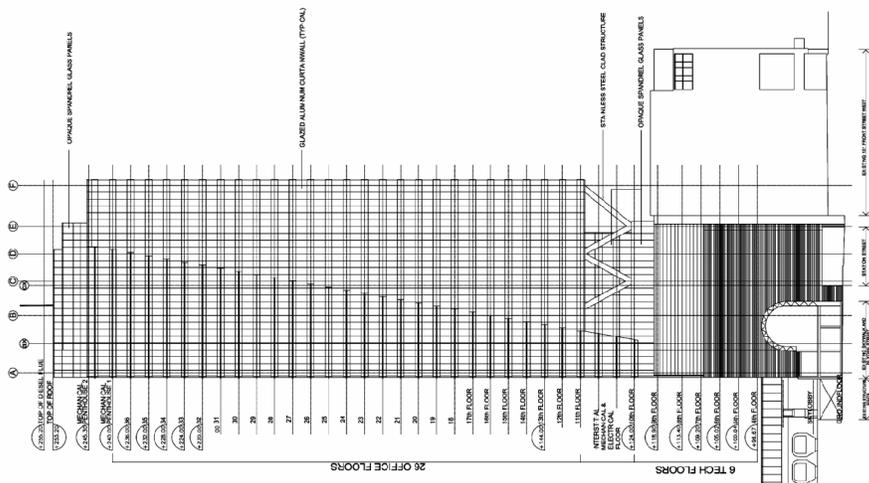
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File # 05_105725

Attachment 2a: Elevations



SOUTH ELEVATION



EAST ELEVATION

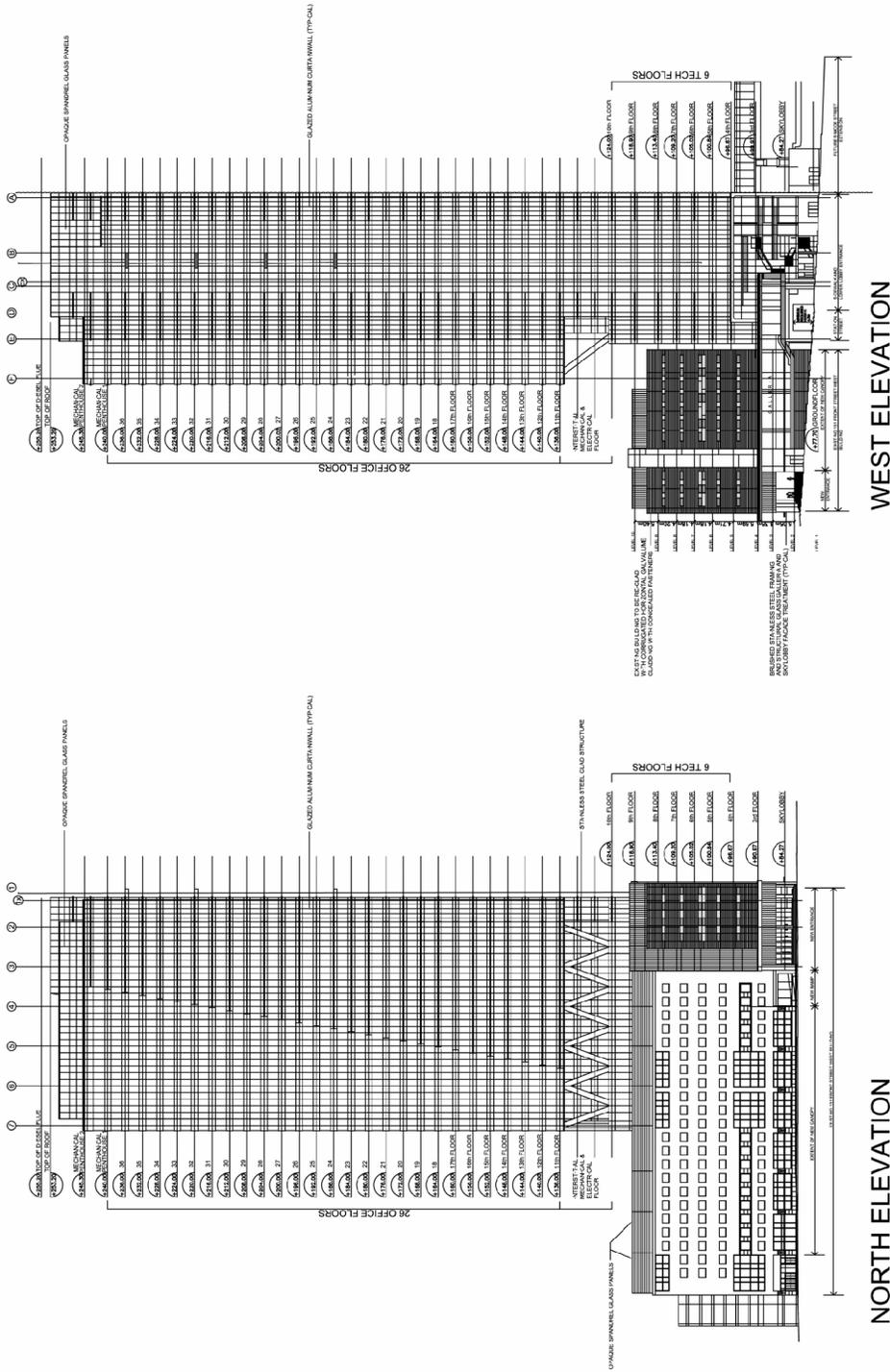
151 Front Street West, 7 Station Street & 20 York Street

Elevations
Applicant's Submitted Drawing

File # 05_105725

Not to Scale
01/25/07

Attachment 2b: Elevations



NORTH ELEVATION

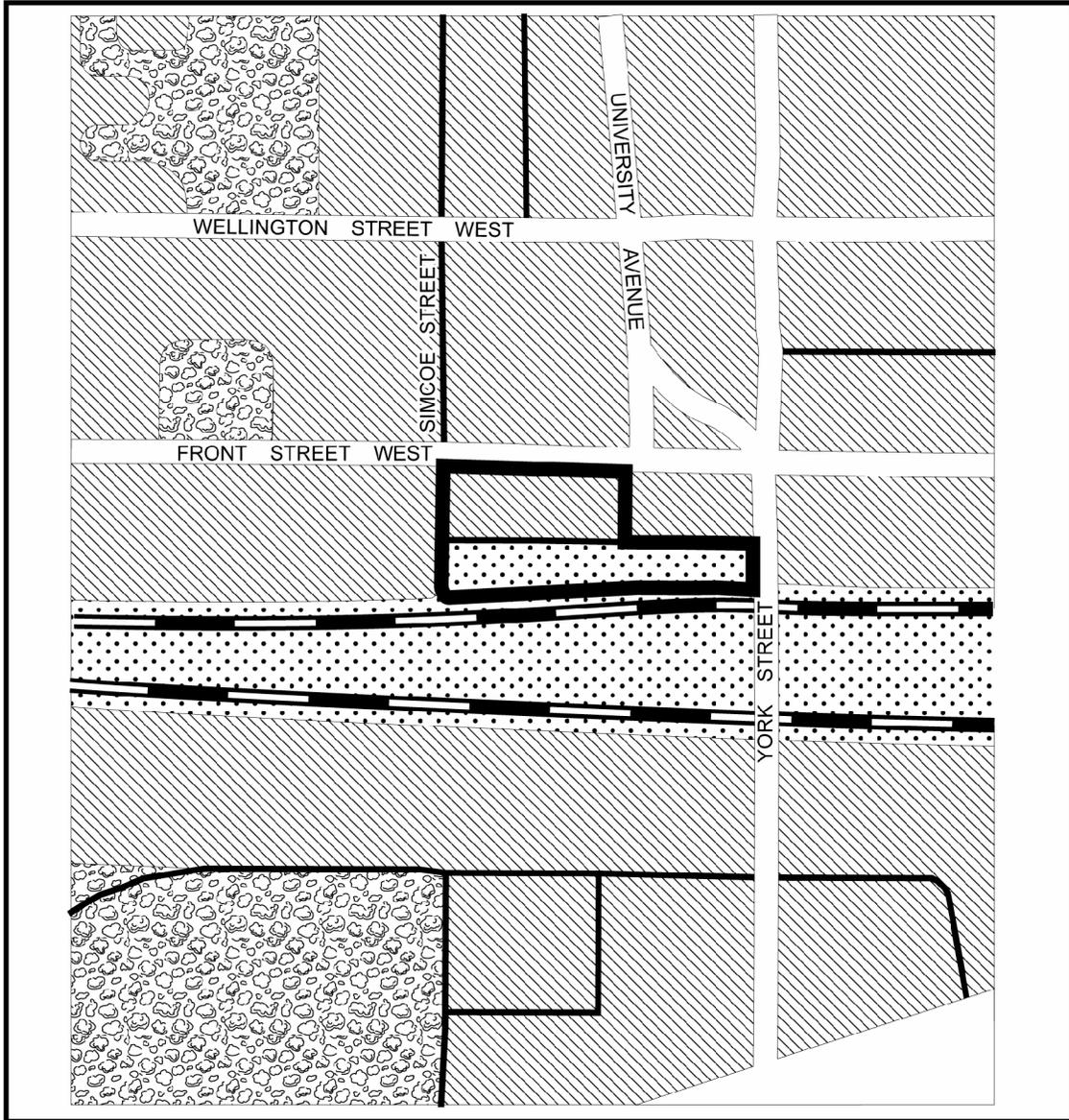
WEST ELEVATION

Elevations
 Applicant's Submitted Drawing
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151 Front Street West, 7 Station Street & 20 York Street

File # 05_105725

Attachment 3: Official Plan (Map)



TORONTO City Planning Division
Official Plan

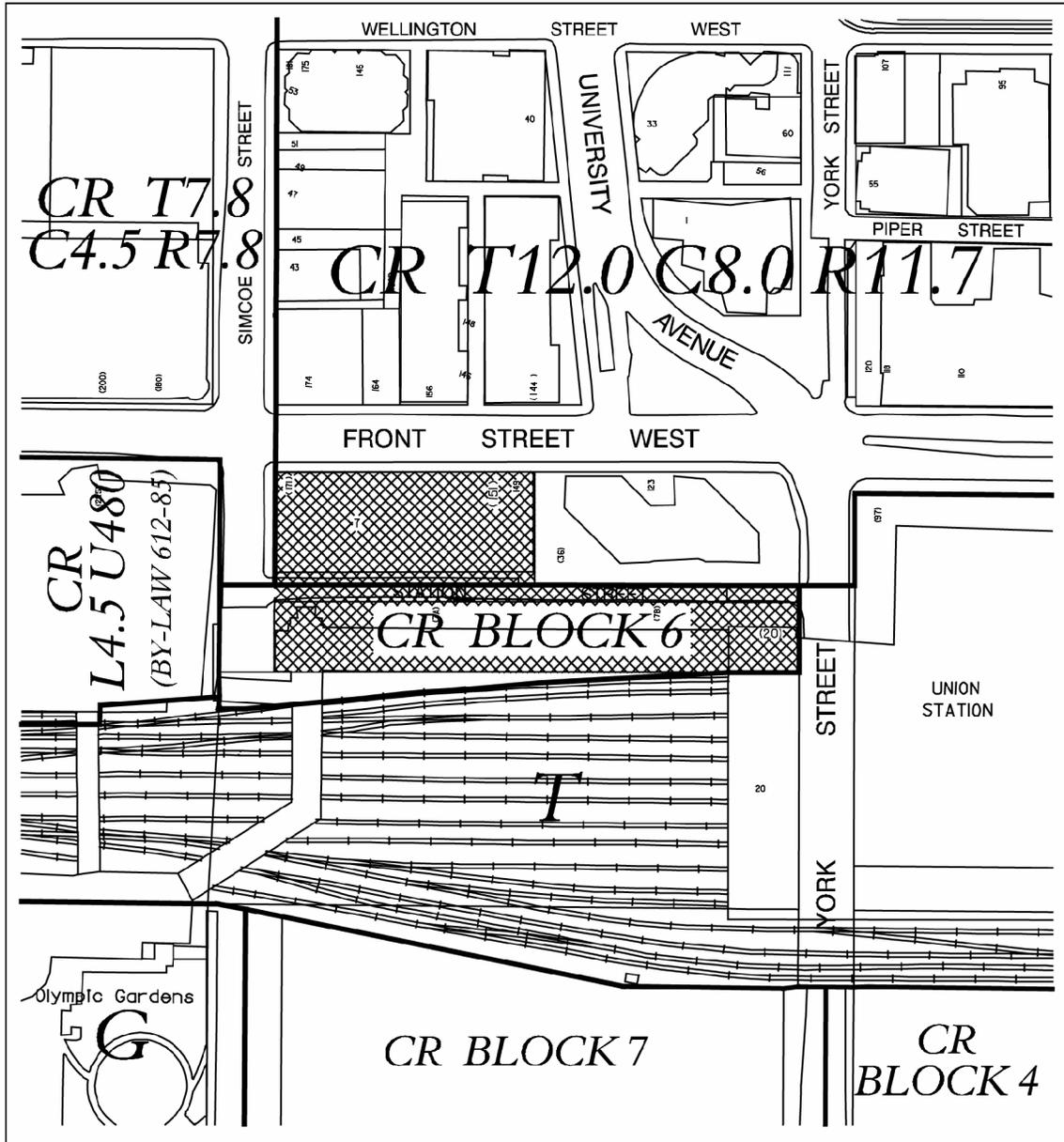
151 Front St. West, 7 Station St. & 20 York St.

File # 05_105725

- | | | | |
|--|--|---|---|
|  Site |  Mixed Use Areas |  Parks |  Utility Corridors |
| |  Parks and Open Space Areas | | |

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Attachment 4: Zoning



TORONTO Urban Development Services
Zoning

151 Front Street West, 7 Station Street & 20 York Street

File # 05_105725

- G Parks District
- CR Mixed-Use District
- T Industrial District



Not to Scale
 Zoning By-law 438-86 as amended
 Extracted 02/15/05 - TA

Attachment 5: Application Data Sheet

Application Type	Official Plan Amendment & Rezoning	Application Number:	05 105725 STE 20 OZ/ 06 198574 STE 20 SA
Details	OPA & Rezoning, Standard	Application Date:	January 31, 2005
Municipal Address:	151 Front Street West, 7 Station Street, 20 York Street		
Location Description:	Southeast corner of Front Street West and Simcoe Street		
Project Description:	Proposed 36-storey office building and technology centre		

Applicant:	Agent:	Architect:	Owner:
Urban Strategies 197 Spadina Avenue Suite 600, Toronto, ON (416) 340-9004	N/A	Tampold Architects 1196 Queen Street West Toronto, ON (416) 538-4056	151 Front Street Holdings Ltd. & 20 York Street Holdings Ltd., 151 Front Street West, Suite 600, Toronto, ON (416) 365-7029

PLANNING CONTROLS

Official Plan Designation:	Mixed Use Areas, Utility Corridors, Railway Lands East (Mixed Use Areas)	Site Specific Provision:	612-85, 568-91, 138-03
Zoning:	CR T12.0 C8.0 R11.7, CR Block 6	Historical Status:	Y, 20 York Street is listed
Height Limit (m):	76, 137	Site Plan Control Area:	Y

PROJECT INFORMATION

Site Area (sq. m):	10030	Height: Storeys:	36
Frontage (m):	94	Metres:	172.4
Depth (m):	73		
Total Ground Floor Area (sq. m):	6946		Total
Total Residential GFA (sq. m):	0	Parking Spaces:	323
Total Non-Residential GFA (sq. m):	111325	Loading Docks	7
Total GFA (sq. m):	111325		
Lot Coverage Ratio (%):	69		
Floor Space Index:	11.1		

DWELLING UNITS

FLOOR AREA BREAKDOWN (upon project completion)

		Above Grade	Below Grade
Tenure Type:			
Rooms:	0	Residential GFA (sq. m):	0
Bachelor:	0	Retail GFA (sq. m):	0
1 Bedroom:	0	Office GFA (sq. m):	55575
2 Bedroom:	0	Parking GFA (sq. m):	15301
3 + Bedroom:	0	Industrial/Other GFA (sq. m):	40449
Total Units:	0		

CONTACT: PLANNER NAME: Al Rezoski, Senior Planner – Downtown Section
TELEPHONE: (416) 392-0481

Attachment 6: Draft Official Plan Amendment

CITY OF TORONTO

BY-LAW No. XXX-2007

To adopt Amendment No. XXX to the Official Plan of the City of Toronto respecting lands municipally known in the year 2007 as 151 Front Street West, 7 Station Street and 20 York Street.

WHEREAS authority is given to Council by the *Planning Act*, R.S.O. 1990, c.P. 13, as amended, to pass this By-law; and

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

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

1. The attached Amendment No. XXX to the Official Plan is hereby adopted pursuant to the *Planning Act*, R.S.O. 1990, c.P. 13, as amended.

ENACTED AND PASSED this xx th day of , A.D. 2007.

DAVID R. MILLER,
Mayor

ULLI S. WATKISS
City Clerk

(Corporate Seal)

AMENDMENT NO. 19 TO THE OFFICIAL PLAN

**LANDS MUNICIPALLY KNOWN IN THE YEAR 2007 AS 151 FRONT STREET WEST,
7 STATION STREET AND 20 YORK STREET**

The following text and maps constitute Amendment No. 19 to the City of Toronto Official Plan (being an amendment to the provisions of the Toronto Official Plan and the Railway Lands East Secondary Plan).

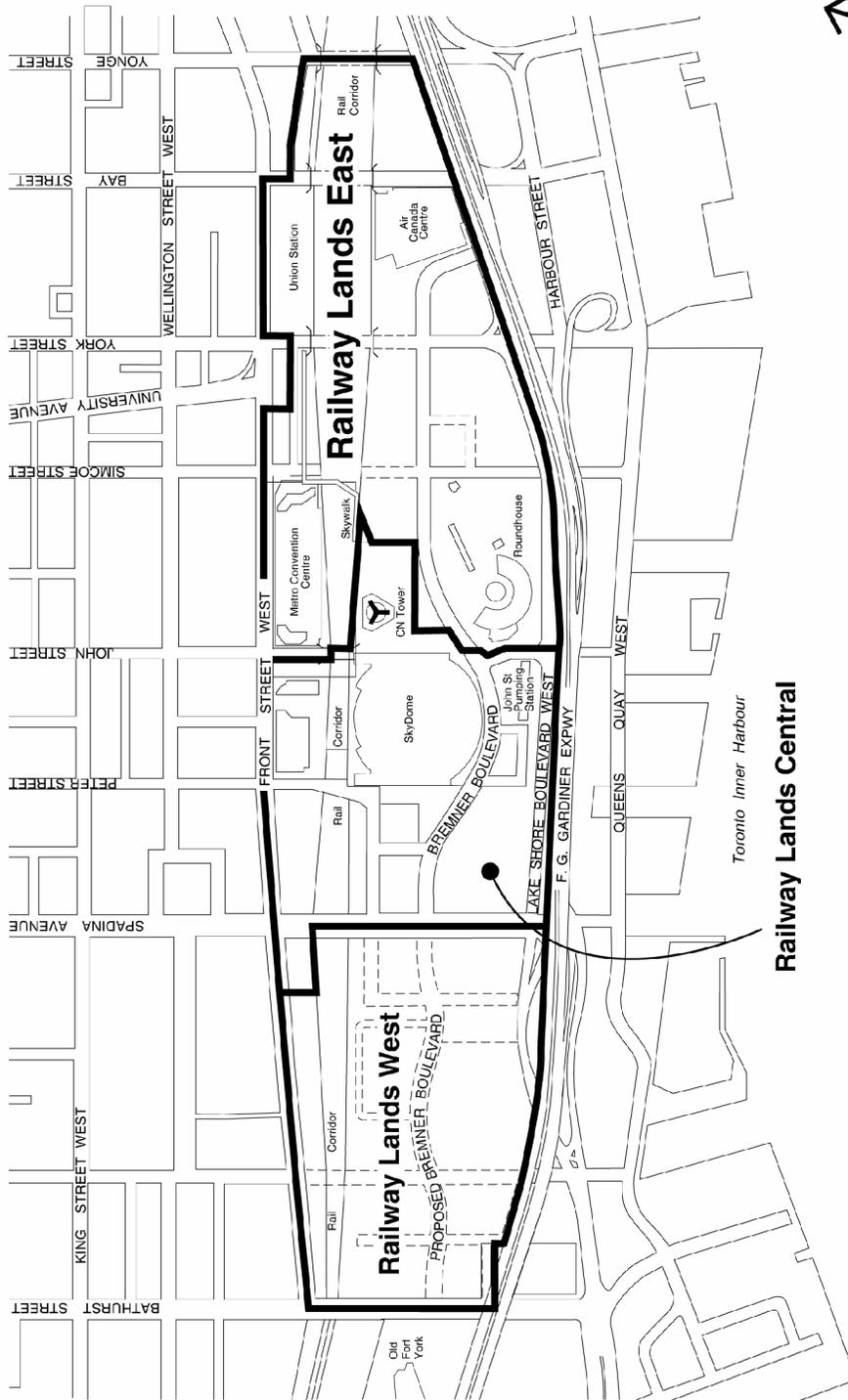
The Section headed “Purpose and Location” is explanatory only, and shall not constitute part of this amendment.

PURPOSE AND LOCATION:

The amendment is to include lands municipally known in 2007 as 151 Front Street West in the Railway Lands East Secondary Plan, and to permit above grade parking on lands municipally known in 2007 as 7 Station Street and 20 York Street.

OFFICIAL PLAN AMENDMENT:

1. The secondary plan boundaries of the Railway Lands East Secondary Plan are amended on the following maps to include the lands municipally know in the year 2007 as 151 Front Street West:
 - a. Map 17-1, Railway Lands East Secondary Plan, Context Map as shown on attached Map 17-1;
 - b. Map 17-2, Railway Lands East Secondary Plan, Land Use Plan as shown on attached Map 17-2;
 - c. Map 17-3, Railway Lands East Secondary Plan, Parks and Open Space as shown on attached Map 17-3;
 - d. Map 17-4, Railway Lands East Secondary Plan, Streets, Blocks and Pedestrian Routes as shown on attached Map 17-4;
 - e. Map 17-5, Railway Lands East Secondary Plan, Precincts Plan as shown on attached Map 17-5; and
 - f. Map 35, Secondary Plan Key Map as shown on attached Map 35.
2. Map 18, Land Use Plan is amended by redesignating the lands known in 2007 as 20 & 7 from Utility Corridors to Mixed Use Areas as shown on attached Map 1;
3. Section 10.3.2 of the Railway Lands East Secondary Plan is deleted and replaced with the following:
 - 10.3.2 Notwithstanding Section 10.3.1, in order to encourage comprehensive redevelopment provided for in Section 10.5.1 of this Secondary Plan, the City upon receipt of a comprehensive application which consolidates this area with lands to the north known as 151 Front Street West, may pass a by-law to include residential gross floor area in Mixed Use Area 'A'.
4. A new Section 3.7 is added to the Railway Lands East Secondary Plan as follows:
 - 3.7 Notwithstanding Section 3.6 of this plan, above-grade parking will be permitted on lands municipally known in the year 2007 as 7 Station Street and 20 York Street.

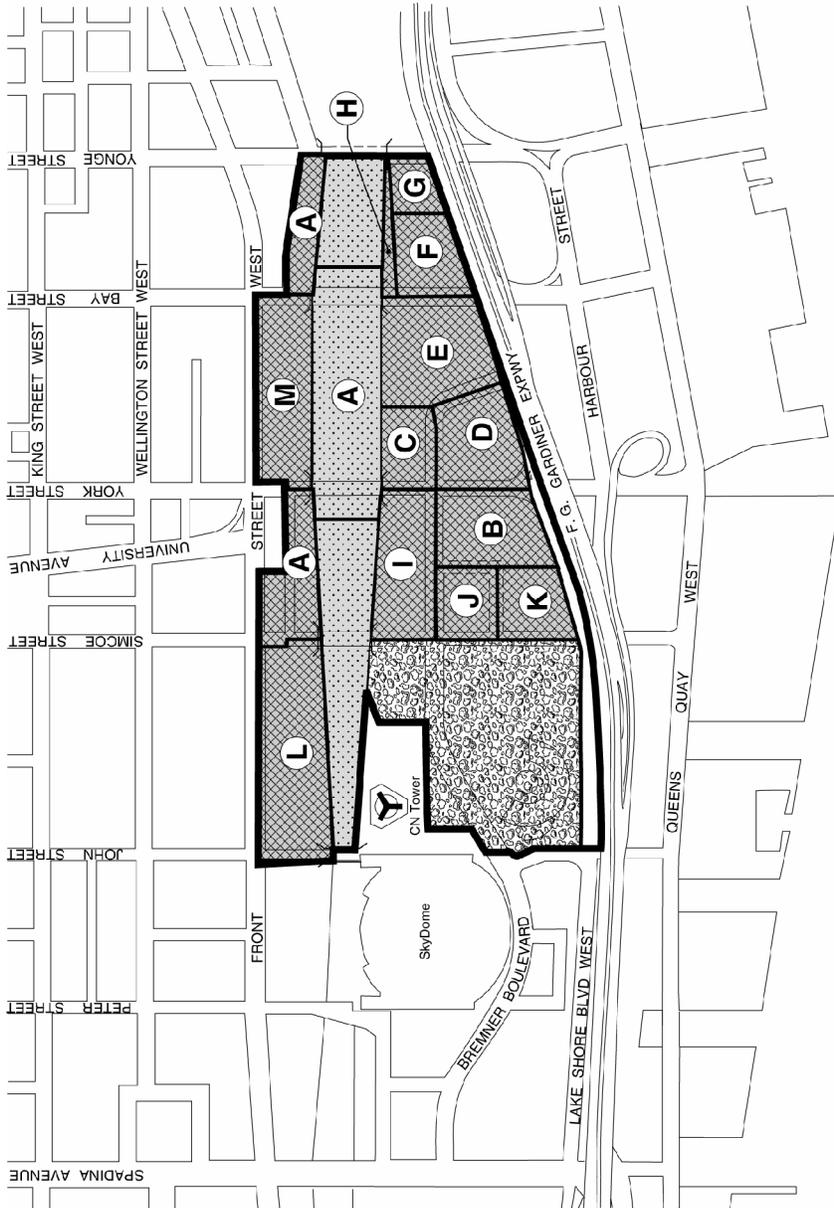


Official Plan Amendment # 19 (Railway Lands East Secondary Plan)

MAP 17-1 Context Map

— Boundaries of Railway Lands West, Central and East

January 2007



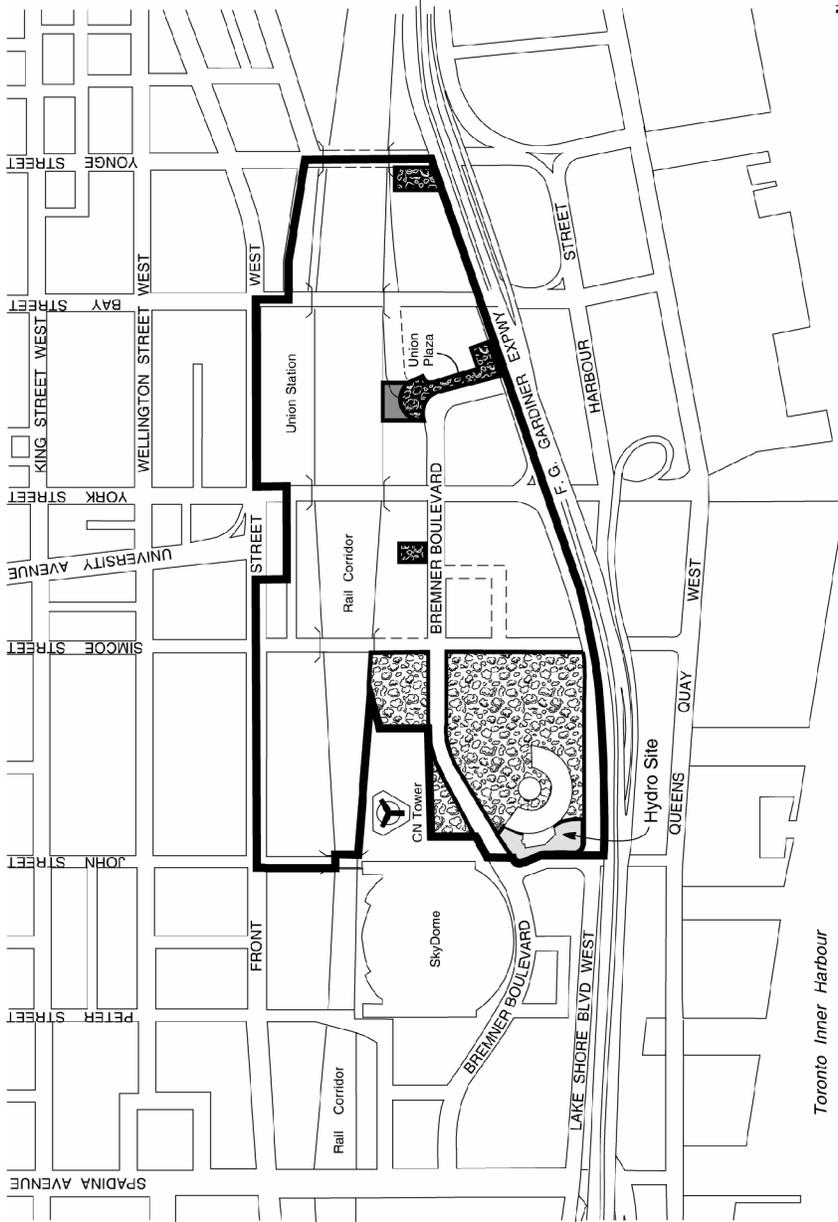
Toronto Inner Harbour



Official Plan Amendment # 19 (Railway Lands East Secondary Plan)

MAP 17-2 Land Use Plan

- Secondary Plan Boundary
- Mixed Use Areas
- Utility Corridors
- Parks and Open Space Areas



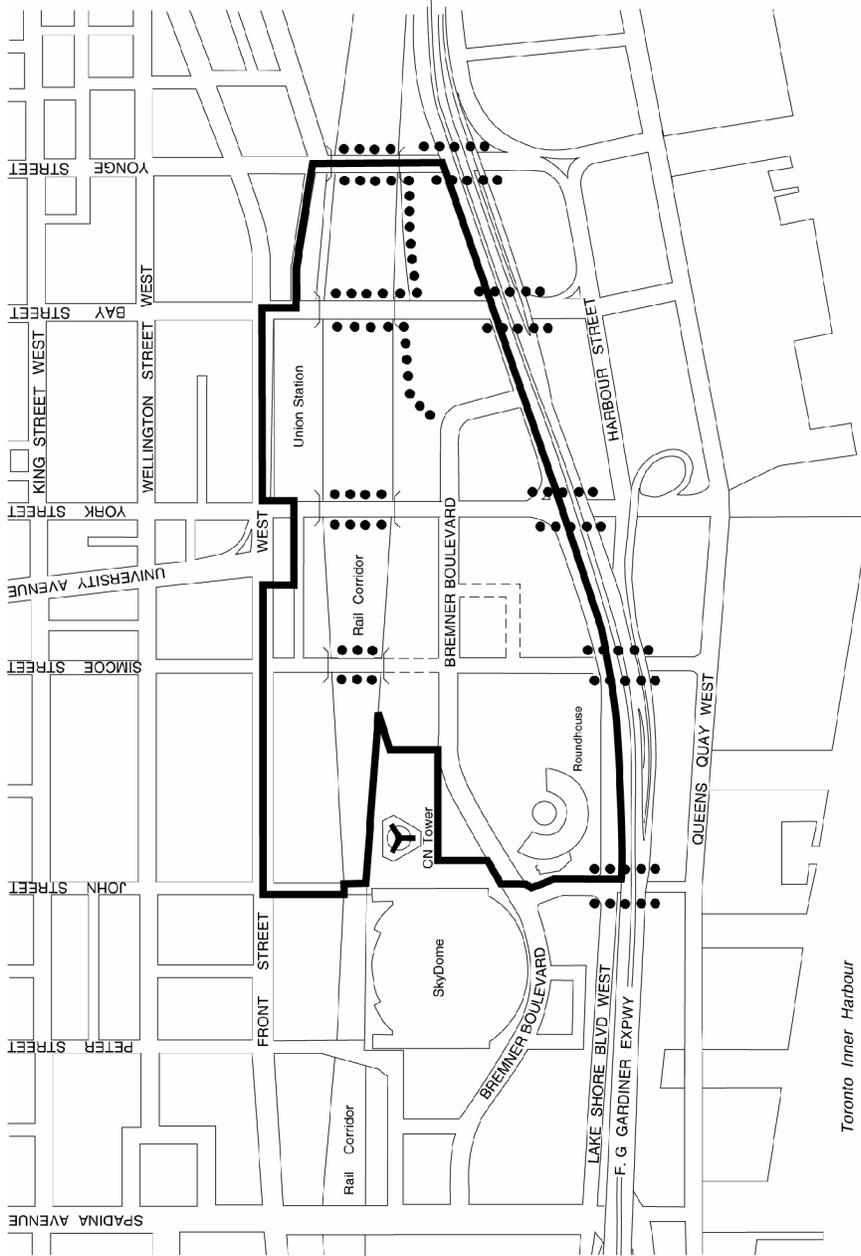
Toronto Inner Harbour



Official Plan Amendment # 19 (Railway Lands East Secondary Plan)
MAP 17-3 Parks and Open Space

-  Secondary Plan Boundary
-  Lands to be Leased or Conveyed to the City for Parks Purposes
-  Public Accessible Open Space
-  Public Building
-  HYDRO SITE: Parts 2, 3, 4, 5, 6, 7, 8 and 9 on the Plan Registered in the Lands Registry Division of Toronto as No. 64R-13541

January 2007



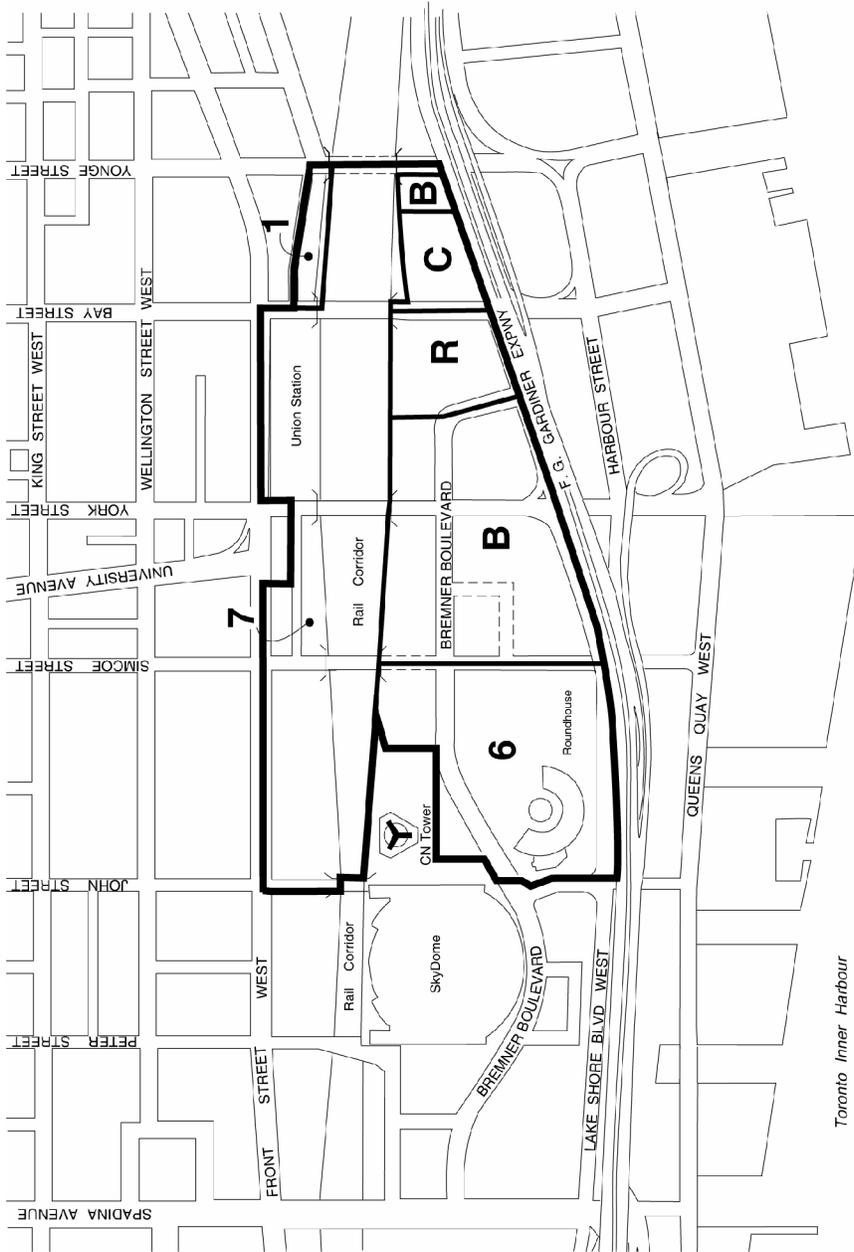
Toronto Inner Harbour

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Official Plan Amendment # 19 (Railway Lands East Secondary Plan)
 MAP 17-4 Streets, Blocks and Pedestrian Routes

- Secondary Plan Boundary
- Improved at-grade Pedestrian Routes and Rail Corridor Underpasses
- - - Proposed Roads



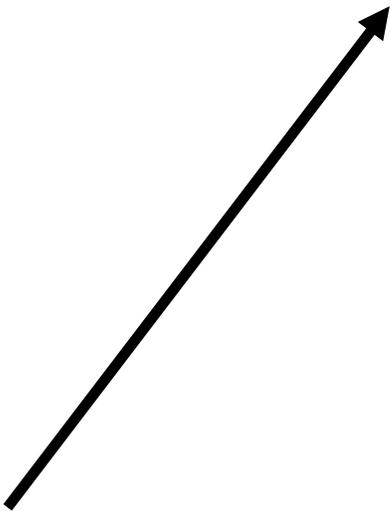
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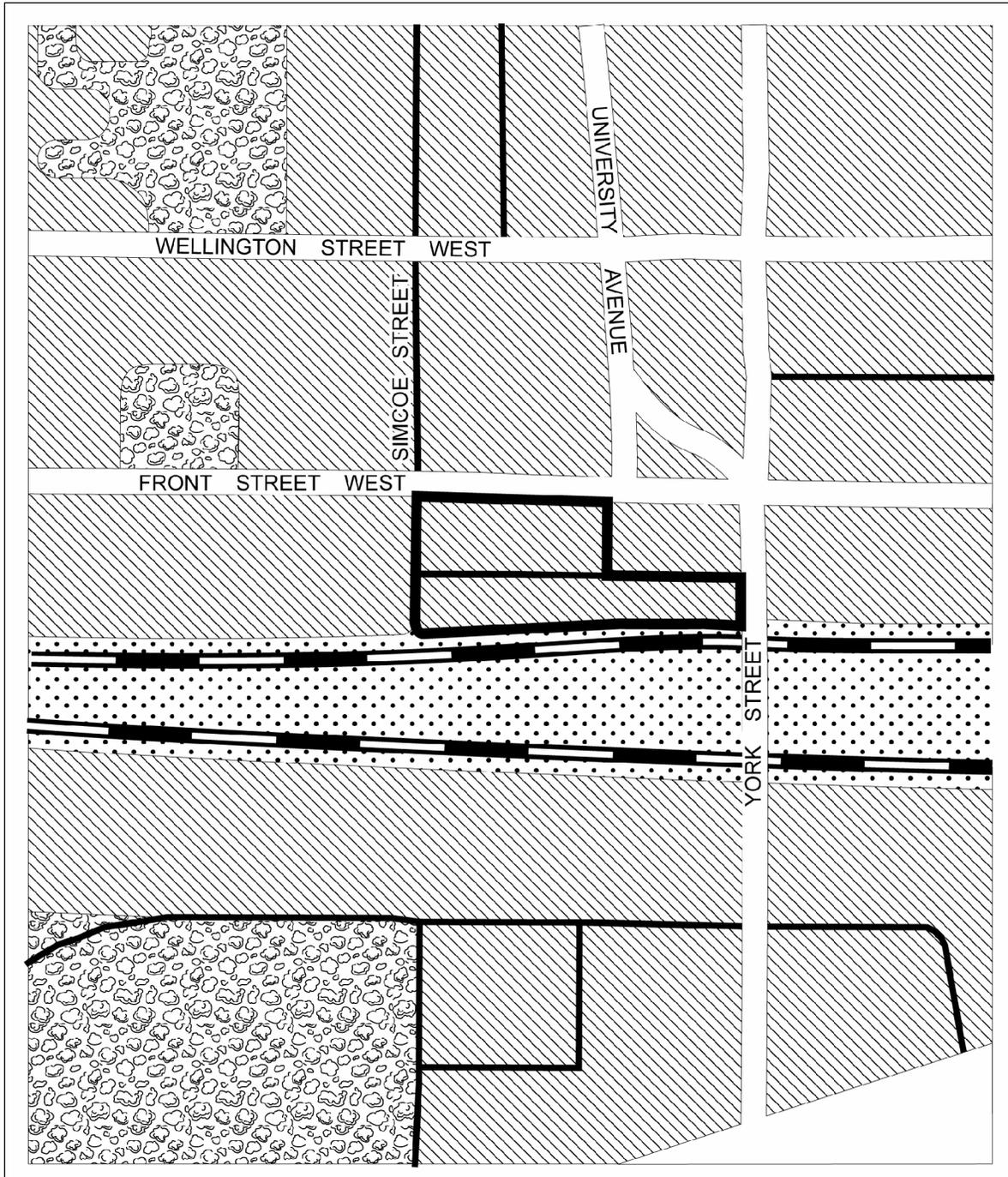
Official Plan Amendment # 19 (Railway Lands East Secondary Plan)

MAP 17-5 Precincts Plan

- Secondary Plan Boundary
- Precinct Areas



Note: 151 Front Street West is to be included in the Railway Lands East Secondary Plan



Official Plan Amendment # 19

151 Front St. West, 7 Station St. & 20 York St.

File # 05_105725

- | | | | |
|--|------------------------|---------------------|-------------------|
| Site Location - from Utility Corridor to Mixed Use Areas | Natural Areas | Institutional Areas | Utility Corridors |
| Neighbourhoods | Parks | Regeneration Areas | |
| Apartment Neighbourhoods | Other Open Space Areas | Employment Areas | |
| Mixed Use Areas | | | |



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01/24/07

CITY OF TORONTO

BY-LAW No. ~~XXX~~-2007

To amend the General Zoning By-law No. 438-86 of the former City of Toronto and the Railway Lands East Area A Zoning By-law No. 168-93 of the former City of Toronto, with respect to lands municipally known in the year 2007 as 151 Front Street West, 7 Station Street and 20 York Street.

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

WHEREAS the Toronto and East York Community Council conducted a public meeting on February 13, 2007, under Section 34 of the *Planning Act* regarding the Zoning Amendment; and

WHEREAS the Council of the City of Toronto, at its meeting on _____, 2007, determined to amend Zoning By-law No. 438-86 and Zoning By-law No. 168-93, as amended, of the former City of Toronto;

NOW THEREFORE the Council of the City of Toronto HEREBY ENACTS as follows:

1. Pursuant to Section 37 of the *Planning Act*, the heights and density of development permitted by this By-law are permitted subject to compliance with the conditions set out in this By-law and in return for the provision by the *owner* of the *site* of the facilities, services and matters set out in Appendix “1” hereof, the provisions of which shall be secured by an agreement or agreements pursuant to Section 37(3) of the *Planning Act*.
2. Upon execution and registration of an agreement or agreements with the *owner* of the *site* pursuant to Section 37 of the *Planning Act* securing the provisions of the facilities, services and matters set out in Appendix “1” hereof, the *site* is subject to the provisions of this By-law, provided that in the event the said agreement(s) requires the provision of a facility, service or matter as a precondition to the issuance of a building permit, the *owner* may not erect or use such building until the *owner* has satisfied the said requirements.
3. District Map 50G-323 contained in Appendix A and Height and Minimum Lot Frontage Map 50G-323 contained in Appendix B of Zoning By-law 438-86 of the former City of Toronto, as amended, is amended to delete 151 Front Street West in accordance with the boundaries shown on Map 1 attached to and forming part of this By-law.
4. District Map 50G-323 contained in Appendix A and Height and Minimum Lot Frontage Map 50G-323 contained in Appendix B of Railway Lands East Area A Zoning By-law No. 168-93, as amended, is amended to add 151 Front Street West in accordance with the boundaries shown on Map 1 attached to and forming part of this By-law.

5. Appendix E Map 1 of Railway Lands East Area A Zoning By-law No. 168-93, as amended, is amended to add 151 Front Street West in accordance with the boundaries shown on Map 1 attached to and forming part of this By-law.
6. None of the provisions of Sections 2(1) “*height*”, and “*grade*”, 4(3)(a), 4(5)(b), 4(6)(b), 6(3) Part I 1 (a), 6(3) Part I 3(a) and 6(3) Part III 1 of Railway Lands East Area A Zoning By-law 168-93, as amended, being “A By-law to regulate the use of land and the erection, use, bulk, height, spacing of and other matters relating to buildings and structures and to prohibit certain uses of lands and the erection and use of certain buildings and structures in the Railway Lands East Area A” shall apply to prevent the erection and use on the *site* of a *non-residential building* including *technology centre* uses and any of the uses permitted in Sections 6(1)(b)(i)-(v) and (x).

- (1) the *non-residential gross floor area* of all buildings on the *site* does not exceed 96,050 square metres, exclusive of above-grade parking not exceeding 15,325 square metres;
- (2) (a) No portion of any building or structure erected and used above *grade* on the *site* is located otherwise than wholly within the areas delineated by heavy lines on Map 1 attached hereto;
- (b) No portion of any building or structure erected and used above *grade* on the *site* shall have a greater *height* in metres than the *height* limit specified by the numbers following the symbol “H” shown on Map 2 attached hereto, including any elements otherwise permitted in Section 4(3) of the aforesaid By-law No. 168-93;
- (c) Paragraphs (a) and (b) shall not apply to the type of structure listed in the column entitled “Structure” in the following chart, provided that the restrictions set out opposite the structure in the column entitled “Maximum Permitted Projection” are complied with:

Structure	Maximum Permitted Projection
Parapets, planters, flower boxes, ornamental or architectural elements, roof build up and finishes, exhaust fans and flues, safety railings, window washing equipment	Maximum 1.0 metre projection, provided the height of such “Structure” is not greater than 2.0 metres above the height limits established in Section 3 of this By-law
Eaves, lighting fixtures, cornices, ornamental or architectural elements, balustrades, mullions, window sills	Maximum 1.0 metre projection, provided that the height of the “Structure” is no higher than that portion of the building to which it is attached
Canopies	Maximum 3.0 metre projection

Ramps, wheelchair ramps and/or stairs (and associated structures) servicing an above grade parking garage	Maximum 3.0 metre projection
Stairs, stair enclosures, landings and associated railings	No restriction, provided the height of such “Structure” does not exceed 3.0 metres
Public Art features	No restriction in extent of projection or height of Structure
Exhaust flues, lightning rods	Maximum 5.0 metre height
Rooftop generators	Maximum 3.5 metre height
Decorative spire	Maximum 9.0 metre height
Antennae	Maximum 25.0 metre height

- (3) (a) a minimum of 1 parking space for each 275 square metres of *net floor area*, or fraction equal to or greater than one-half thereof, and a maximum of 1 *parking space* for each 305 square metres of *non-residential gross floor area*, excluding above grade parking, or fraction equal to or greater than one-half thereof, shall be provided and maintained on the *site*; and
- (b) notwithstanding Paragraph (a), a maximum of 323 *parking spaces* shall be provided and maintained on the site.
- (4) a minimum of 4 *loading spaces – type C* and 3 *loading spaces type B*, provided that one of the required *loading spaces – type C* may have a minimum width of 2.6 metres, minimum length of six metres and minimum height of three metres;
- (5) continuous weather protection for pedestrians with a minimum depth of 3 metres shall be provided along the frontage of Simcoe Street from the north limit of Station Street to the southern property boundary;
- (6) the owner shall reconstruct the intersection of Station Street and Simcoe Street with minimum curb radii of 12 metres at the southeast corner of the intersection;
- (7) the owner shall enter into agreements satisfactory to City Legal, in consultation with Transportation Services, City Planning and GO Transit, to secure the proposed pedestrian access through the building, and the proposed pedestrian arcade on the Simcoe Street frontage of the site, as well as the pedestrian facilities on Station Street;
- (8) the owner shall provide and maintain a minimum of 301 non-residential parking spaces and a maximum of 315 parking spaces within the proposed parking garage for this development;

- (9) the owner shall submit, for review and acceptance prior to site plan approval, a Transportation Demand Management Plan to the General Manager of Transportation Services, including measures to reduce automobile use;
- (10) the owner shall have a qualified Transportation Engineer/Planner certify, in writing, to the General Manager of Transportation Services that the development has been designed and constructed in accordance with the Transportation Demand Management Plan approved by the General Manager, Transportation Services;
- (11) the owner shall provide, maintain and operate the Transportation Demand Management measures, facilities and strategies stipulated in the Transportation Demand Management Plan approved by the General Manager, Transportation Services;
- (12) the owner shall provide, prior to Site Plan Approval, for any improvements to the municipal infrastructure should it be determined that upgrades to the infrastructure are required to support this development, according to the site servicing review accepted by the Executive Director of Technical Services;
- (13) the owner shall submit a traffic monitoring report within six months of occupancy of the office building to identify vehicular trip distribution patterns associated with the project and identify mitigating measures to address any poor levels of service experienced at Front Street West/Simcoe Street, Station Street/York Street, Station Street/Simcoe Street, York Street/University Street/Front Street West and York Street/Bremner Boulevard intersections, for the review and approval of the General Manager of Transportation Services;
- (14) the owner shall provide a Letter of Credit in the amount of \$50,000 to cover the costs associated with the following measures, as deemed appropriate by the General Manager of Transportation Services:
 - (i) implementing mitigating measures such as changes to traffic regulations and installation of regulatory signage; and
 - (ii) implementing the approved signal timing modification and signal phasing adjustments identified at the Front Street West/Simcoe Street, Station Street/York Street, Station Street/Simcoe Street, York Street/University Street/Front Street West and York Street/Bremner Boulevard intersections, which are attributable, in part, to this development, if any;
- (15) prior to Site Plan Approval the owner shall:
 - (i) submit revised drawings that further refine the design of the transition between the SkyWalk atrium and the new internal corridor to the satisfaction of the Manager of Heritage Preservation Services;

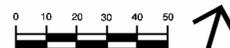
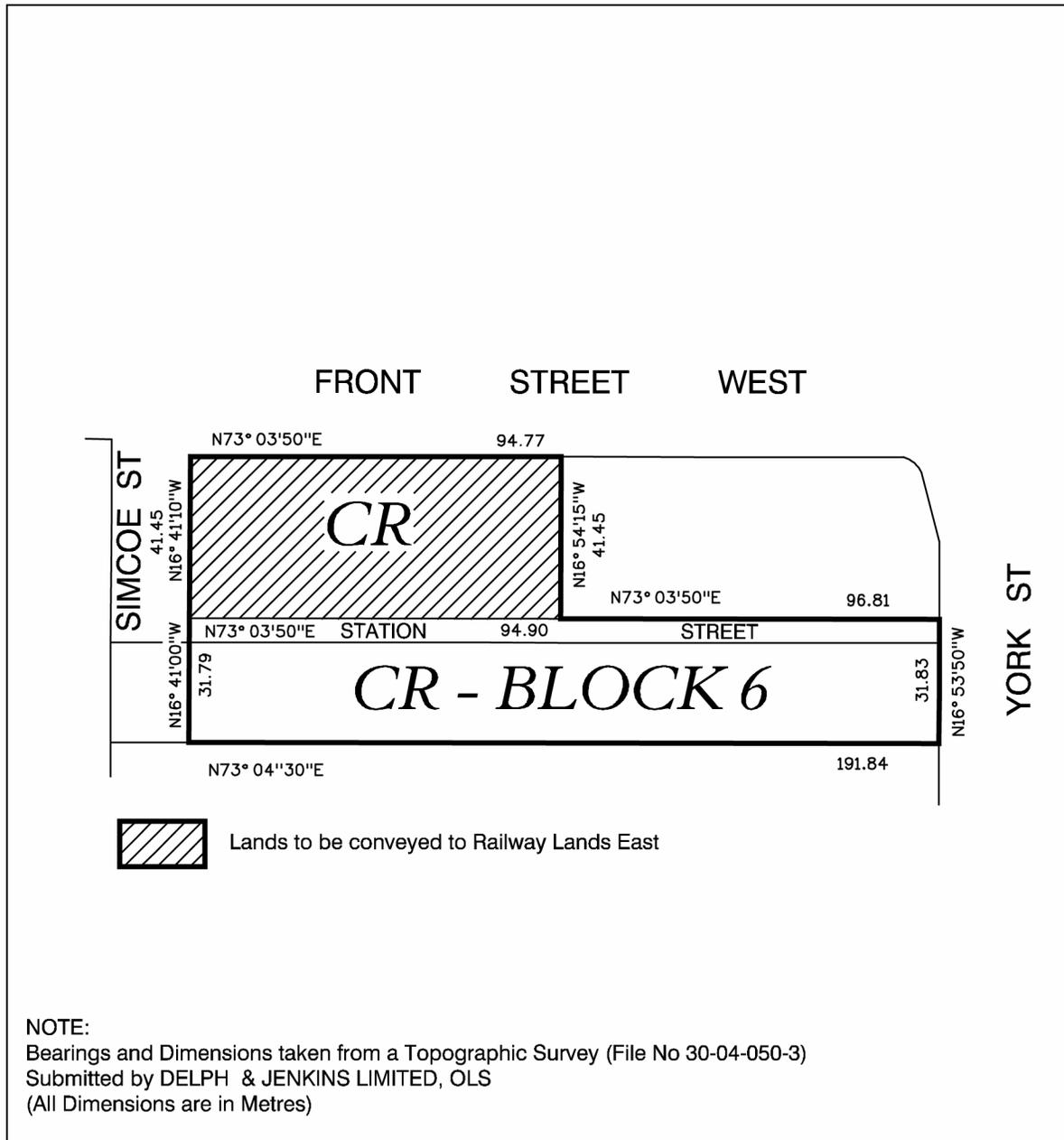
- (ii) submit revised 1:50 scale drawings of the elevations of the front facades of 20 York Street and 151 Front Street West to the satisfaction of the Manager of Heritage Preservation Services;
 - (iii) submit a detailed landscape plan for the subject property, to the satisfaction of the Manager, Heritage Preservation Services;
 - (iv) provide plans for interpretive panels or other interpretive materials to communicate the development history of the property: the research, design, and location of the interpretive materials will be to the satisfaction of the Manager of Heritage Preservation Services;
 - (v) provide a Letter of Credit in a form and in an amount satisfactory to the Manager, Heritage Preservation Services to secure all work for the research, production and installation of interpretive materials referred to in condition (iv);
- (16) prior to the release of the Letter of Credit the owner shall obtain final approval for the interpretive materials erected on the property from the Manager, Heritage Preservation Services.
7. (1) Within the lands shown on Map 2 attached to this By-law, no person shall use any land or erect or use any building or structure unless the following municipal services are provided to the lot line and the following provisions are complied with:
- (a) all new public roads have been constructed to a minimum of base curb and base asphalt and are connected to an existing public highway, and
 - (b) all water mains and sanitary sewers, and appropriate appurtenances, have been installed and are operational;
- (2) Paragraph (1) shall not apply to any buildings or structures existing on January 1, 2007 within the lands shown on Map 2 attached hereto.
8. None of the provisions of the aforesaid By-law No. 168-93 as amended shall prevent the maintenance and use of the *non-residential buildings* existing on the *site* on January 1, 2007 for any of the uses listed in Section 6(1)(b) of said By-law.
9. For the purposes of this By-law:
- a. “*City*” means the City of Toronto,
 - b. “*grade*” means an elevation of 80.8 metres above sea level based on Geodetic Survey of Canada 1929 mean sea level vertical datum (1978 Southern Ontario Adjustment);
 - c. “*owner*” means the owner of the fee simple of the *site* or any part thereof,

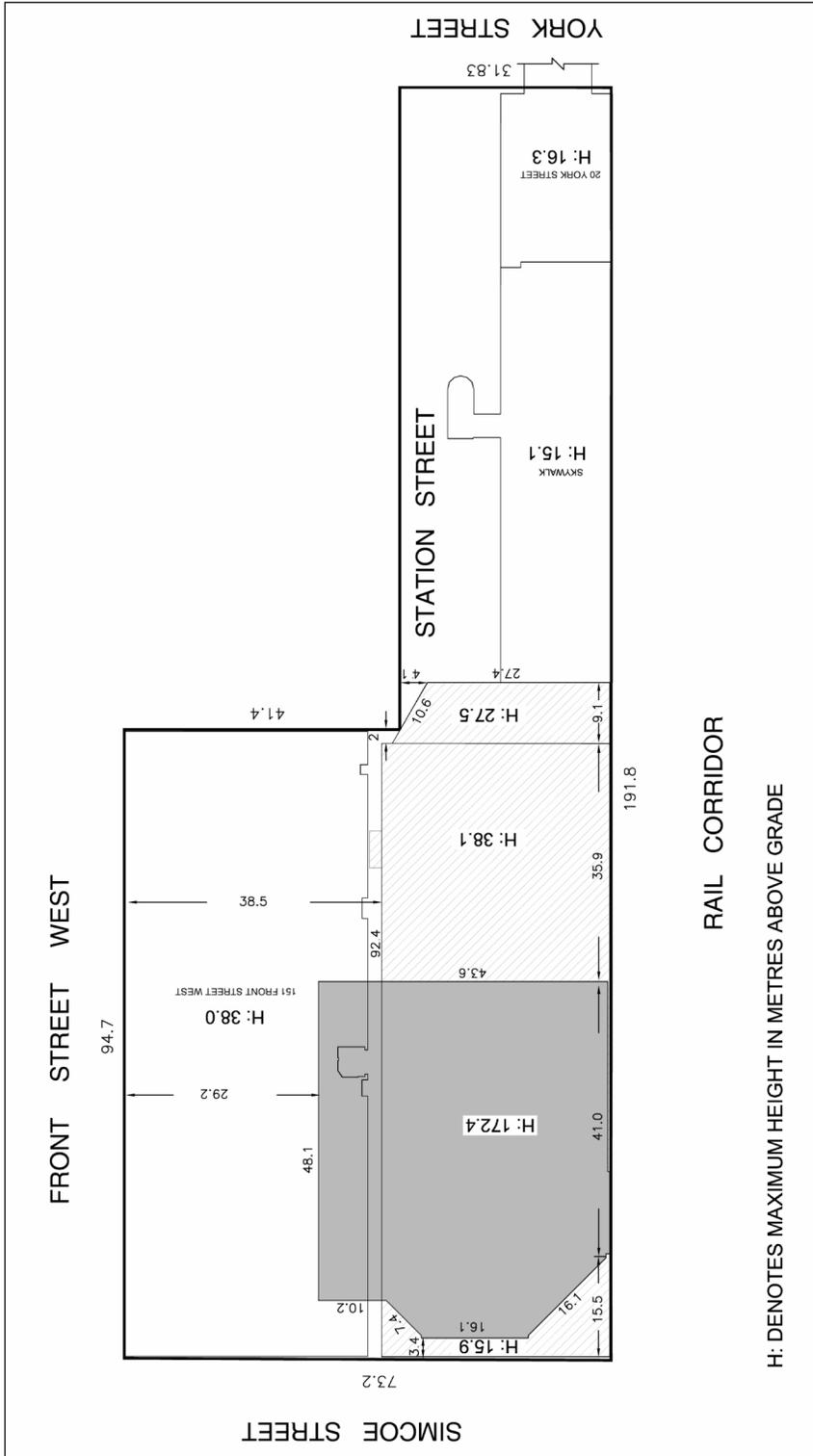
- d. “*site*” means those lands delineated by heavy lines on Map 1 attached hereto;
 - e. “*technology centre*” means a building or portion of a building used for telecommunications purposes, data centre purposes, corporate data networks, local and long distance telephone, internet peering, critical data storage facilities, and other similar uses; and
 - f. each other word or expression, which is italicized in this by-law, shall have the same meaning as each such word or expression as defined in the said By-law No. 168-93, as amended.
10. Despite any future severance, partition or division of the *site* into two or more parcels, the provisions of this By-law shall continue to apply to the *site* as if no severance, partition or division had occurred.
 11. For clarity, the *site* shall be deemed to be a lot for the purposes of the proposed building.
 12. For clarity, Appendix 1 attached to this By-law is incorporated into this by-law and is deemed to be a part of this By-law.

ENACTED AND PASSED this XXth day of XXX, A.D. 2007.

DAVID R. MILLER, Mayor	ULLI S. WATKISS City Clerk
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(Corporate Seal)





H: DENOTES MAXIMUM HEIGHT IN METRES ABOVE GRADE



Map 2

151 Front Street West, 7 Station Street & 20 York Street

File # 05_105725

←
Note to Scale
MM/DD/YY

MAP 2

Appendix 1
Section 37 Community Benefits

1. A contributions of \$1.5 million, prior to the issuance of an above grade building permit for any development, for the following local community improvement initiatives:
 - a. \$150,000 for the capital improvement of affordable housing in Ward 20;
 - b. exclusive of the frontages of the subject lands, \$1,000,000 for streetscaping improvements on Front Street West between University Avenue and Spadina Avenue, Simcoe Street between the railway corridor and Queen Street West including bicycle lanes, and University Avenue between Front Street West and King Street West; and
 - c. \$350,000 for weather protection and improvements to the four at-grade TCC stairways at St. Andrew subway station.
2. Provide a public art contribution in accordance with the City of Toronto's Percent for Public Art Program for a value not less than one percent of the gross construction cost, indexed annually, of all buildings and structures on the lands to be paid at time of first building permit;
3. Provide the City of documentation as to LEED certification of the development and the marketing materials that will include information on LEED certification as follows:
 - i. in conjunction with the construction and marketing of the Development, the Owner shall provide to the Chief Planner such documentation as the Chief Planner shall request with respect to LEED Certification of the Development and the marketing materials that will include information on LEED Certification;
 - ii. the owner shall:
 - (a) use reasonable commercial efforts to obtain LEED Certification of the buildings;
 - (b) prior to receiving Site Plan Approval, register the development with the CaGBC (the "LEED Registration") and provide written confirmation of the LEED Registration to the Chief Planner;
 - (c) prior to the occupancy of the building, to make the LEED Application and provide to the Chief Planner a copy of the LEED Application together with written confirmation that it has been submitted and, if requested by the Chief Planner, copies of all documentation submitted with the LEED Application to the CaGBC;

- (d) upon the receipt of an CaGBC Report provide, if requested to the Chief Planner, a copy of such CaGBC Report;
- (e) provide a response to the CaGBC regarding any CaGBC Report, provide if requested to the Chief Planner a copy of any documentation submitted to the CaGBC by the owner in response to such CaGBC Report;
- (f) upon the owner receiving notification of the CaGBC's decision as to whether LEED Certification of the Building has been granted, to provide if requested to the Chief Planner a copy of such notification; and
- (g) provide, if requested by the Chief Planner, a copy of the owner's marketing materials for the Development that contain information regarding LEED and LEED Certification.