TORONTO

STAFF REPORT
ACTION REQUIRED

20-26 Lombard Street and 25 Richmond Street East– Request for Directions

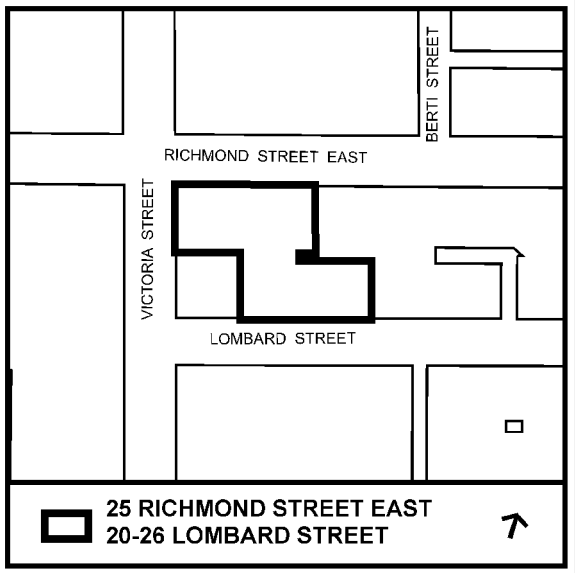
Date:	July 16, 2014
To:	Toronto and East York Community Council
From:	Director, Community Planning, Toronto and East York District
Wards:	Ward 28 – Toronto Centre-Rosedale
Reference Number:	13 197153 STE 28 OZ

SUMMARY

This application proposes to redevelop the subject site at 20 Lombard Street (25 Richmond Street East) and 26 Lombard Street. The proposal is for a mixed-use commercial-residential development that consists of a 50-storey tower (165 metres in height including the mechanical penthouse, and 159 metres in height excluding mechanical penthouse) with a 4-storey (approximately 17.5 metres in height) podium. The proposal also includes the retention in situ, alteration and restoration of the two existing 4-storey designated heritage buildings at 26 Lombard Street, which are proposed to contain a total of 12 residential dwelling units on the second, third and fourth storeys and the residential lobby together with 325 square metres of retail space at grade.

A total of 689 residential dwelling units are proposed, together with 285 vehicular parking spaces and 760 bicycle parking spaces in an underground garage. The total proposed gross floor area is approximately 17.9 times the lot area.

The applicant has appealed its application for a Zoning By-law Amendment to the Ontario Municipal Board prior to Council making a decision on the application. This report reviews and recommends refusal of the application's proposed building height.



RECOMMENDATIONS

The City Planning Division recommends that:

1. City Council authorize the City Solicitor, together with City Planning staff and any other appropriate staff, to oppose the applicant's appeal respecting the Zoning By-law Amendment application for 20-26 Lombard Street and 25 Richmond Street East and attend the Ontario Municipal Board hearing in opposition to such appeal, and retain such experts as the City Solicitor may determine are appropriate in support of the position recommended in the report dated July 16, 2014 from the Director, Community Planning, Toronto and East York District.

2. City Council authorize City Planning in consultation with the Ward Councillor to secure services, facilities or matters pursuant to Section 37 of the Planning Act as may be required by the Chief Planner should the proposal be approved in some form by the Ontario Municipal Board.

3. City Council authorize City staff to continue discussions with the applicant on a revised proposal which addresses the issues set out in this report.

Financial Impact

The recommendations in this report have no financial impact.

DECISION HISTORY

Pre-application consultation meetings were held in May 2012 with the applicant to discuss the proposed redevelopment concept. Staff indicated that the proposals presented by the applicant at those meetings exceeded supportable heights.

A Zoning By-law Amendment was submitted on July 2, 2013 for the lands at 20 Lombard (25 Richmond Street East) and 26 Lombard Street. A preliminary staff report was issued on September 10, 2013 and a community consultation meeting was held on October 15, 2013. The preliminary staff report can be found here: http://www.toronto.ca/legdocs/mmis/2013/te/bgrd/backgroundfile-60846.pdf

The preliminary report raised several issues with the application, in particular, the proposed height. Several meetings were held with City staff and the applicant to address concerns and some progress has been made on a range of issues resulting in revisions. No resolution has been reached to date pertaining to the proposed height.

The applicant submitted an application for Site Plan Control on December 24, 2013.

On February 18, 2014 the City Clerk's Office received notification that the applicant filed an appeal of the Zoning By-law Amendment and Site Plan Control application to the OMB, citing Council's failure to make a decision on the applications within the

prescribed timelines of the *Planning Act*. An Ontario Municipal Board hearing has been scheduled to commence on March 9, 2015 for 12 days.

ISSUE BACKGROUND

Proposal

The initial proposal called for two towers on the site. As a consequence of the site configuration and the lack of separation distance between the proposed towers, the applicant revised the proposal to link the two towers together to form one tower. As a result, the most current proposal has a 2-tire height of 50 and 45-storeys, as well as a two part floor plate.

The applicant now proposes the redevelopment of the lands to permit a 50 and 45-storey mixed-use commercial/residential condominium containing 689 residential dwelling units with retail space at grade along Richmond Street East, Victoria Street and Lombard Street. The applicant proposes a total of 285 vehicular parking spaces including 243 resident parking spaces, 42 residential visitors/retail parking spaces that are commercial pay parking, and 2 car share spaces, on 7 levels below grade. Parking would be accessible from Lombard Street. Also proposed are 760 bicycle parking spaces including 716 spaces for residents and 44 visitor spaces. The applicant is proposing to locate 50 visitor parking spaces on the public Right-of-Way. It is important to note that, to date, the applicant has failed to provide confirmation of ownership of an orphan parcel of land located within the development site, which forms part of the parking access ramp.

The proposed height of the tower is 159 metres excluding the mechanical equipment, and a total of 165 metres including the mechanical equipment. The residential gross floor area is proposed to be 51,899 square metres and in addition, there are 1,071 square metres for commercial gross floor area yielding a density at 17.9 times the area of the lot. The proposed floor plate is approximately 1,150 square metres. There are two loading spaces, one Type G and one Type C located on the ground floor and accessible from Lombard Street.

At the base of the tower is a 4-storey podium, which includes the retention of the two existing designated heritage buildings at 26 Lombard Street. The heritage buildings will include 325 square metres of retail space at grade and a total of 12 residential dwelling units on the 2nd, 3rd and 4th storeys. The heritage buildings will be connected to the new proposed tower through a bridge that will link the fourth storey of the proposed tower with the proposed additional storey above the heritage building. This link will be set back from Lombard Street. The owner requires approval under the Ontario Heritage Act for the proposed alterations to the 2 existing designated heritage buildings at 26 Lombard Street.

The proposal consists of 689 units. The proposed residential unit breakdown is as follows:

Unit Type	Number of Units
Studio	3
One bedroom	468
Two bedroom	218
Three bedroom	0

The proposed indoor and outdoor amenity space is to be located on the 4th, 5th and 45th levels for an approximate total of 1234 square metres of indoor amenity space and 838 square metres of outdoor amenity space.

A public pedestrian at-grade laneway is proposed providing access from Lombard Street to Victoria Street between the subject site and the adjacent property to the west. The proposed setbacks from the building envelope to curb are as follows:

Richmond Street Setback	4.25 metres
Victoria Street Setback	3.5 metres
Lombard Street Setback	2.8 metres

Revisions to the Proposal
On July 7, 2014 the applicant proposed minor revisions to the most recent submission dated December 24, 2013. The revisions to the building include: a shift to the north portion of the tower by 1.2 metres to the west; a marginal shift to the south portion of the tower by 0.9 metres to the east, and an increased ground-level setback along the Richmond Street East frontage to 4.25 metres from the building face to street curb.

The full retention and protection of the designated heritage buildings at 26 Lombard Street has been a priority when reviewing the development application. Staff do not typically support proposals to cantilever new development over heritage buildings. The applicant is proposing to cantilever balconies over the heritage property. Originally these east facing balconies were proposed to have run the entire length of the east elevation of the proposed tower. Through revisions, the applicant has mitigated the visual impact of these cantilevers on the heritage building by removing the forward 2/3rds of this balcony (the section closest to Lombard Street) from the 6th through 12th floors. This revision will result in visible balcony cantilevers over the heritage building from the thirteenth level of the tower up to the top residential floor. A 1.5 metre cantilever approximately twenty metres above the heritage building (at the 13th level) should not have a significant impact on the heritage character of the property.

Site and Surrounding Area

The site is located on the southeast corner of Richmond Street East and Victoria Street. The irregular shaped site is 2,965 square metres in size with frontage of 56.4 metres along Richmond Street East, 27.8 metres along Victoria Street and 55.8 metres along Lombard Street.

The site is comprised of 26 Lombard Street which is a designated heritage property containing two 4-storey semi-detached commercial buildings, located in the southeast corner of the site together with the lands at 20 Lombard Street (25 Richmond Street East) which are currently occupied by a surface parking lot with access from Richmond Street East and Lombard Street.

The surrounding uses are as following:

South: The development site is adjacent to the designated heritage property at 75 Victoria Street (formerly known as 73 and 81 Victoria Street). The Comstock Building (formerly 73 Victoria Street) is located on the northeast corner of Victoria Street and Lombard Street. It was constructed c1890 and was listed on the City of Toronto`s Inventory of Heritage Properties by Toronto City Council on June 20, 1973, and designated under Part IV of the Ontario Heritage Act by Council on October 3, 1988 by City of Toronto By-law 854-88. Further south is Lombard Street, beyond which is a 16-storey office building.

East: A 1-storey TTC utility building on Richmond Street East and a 7-storey office/commercial building on Lombard Street, beyond which is a 27-storey residential building.

North: Richmond Street East, beyond which is a 14-storey residential condominium building with retail at-grade, located at the northeast corner of Victoria Street and Richmond Street East. Immediately to the east of the condominium is a six-storey parking garage with retail at-grade.

West: Victoria Street, beyond which is a hotel, approximately 22-storeys in height.

Provincial Policy Statement and Provincial Plans

The Provincial Policy Statement 2014 (PPS) provides policy direction on matters of provincial interest related to land use planning and development. The PPS sets the policy foundation for regulating the development and use of land. Key objectives include: building strong communities; wise use and management of resources; and protecting public health and safety. City Council's planning decisions are required to be consistent with the PPS.

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

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

Official Plan

The subject property is located within the *Downtown and Central Waterfront* area on Map 2- Urban Structure in the Official Plan. This site is designated as *Mixed Use Areas* on Map 18 – Land Use Plan in the Official Plan. The property is surrounded by properties also designated *Mixed Use Areas*.

The application was reviewed against the policies in the Official Plan including those in Chapter 2, "Downtown", "Public Realm", and "Built Form" sections of the Plan. Chapter 2 of the Official Plan – Shaping the City identifies that the downtown area offers opportunities for substantial employment and residential growth, but that this growth is not anticipated to be uniform.

Chapter 3- Building a Successful City identifies that most of the City's future development will be infill redevelopment and, as such, will need to fit in, respect and improve the character of the surrounding area. Development will be located, organized and massed to fit harmoniously with its existing and/or planned context. Development will limit its impact on neighbouring properties and the public realm by: respecting street proportions; creating appropriate transition in scale; providing for adequate light and privacy; and limiting shadowing and wind impacts.

Policy 3.1.5.2 of the Official Plan states that "Heritage resources on properties listed in the City's Inventory of Heritage Properties will be conserved." "Development adjacent to properties on the City's Inventory will respect the scale, character and form of the heritage buildings and landscape."

The subject site is within the *Downtown* on Map 2 – Urban Structure, Policy 2.2.1 specifically indicates that growth will be directed to the downtown. In the Official Plan, the *Downtown* is described as, "the oldest, most dense and most complex part of the urban landscape, with a rich variety of building forms and activities."

The Mixed Use Areas designation permits a broad range of commercial, residential and institutional uses and includes policies and development criteria to guide development and its transition between areas of different development intensity and scale.

The development criteria in *Mixed Use Areas* include:

- creating a balance of high quality commercial, residential, institutional and open space uses that reduces automobile dependency and meets the needs of the local community;

- providing for new jobs and homes for Toronto's growing population on underutilized lands;

- locating and massing new buildings to provide transition between areas of different development intensity and scale;

- locating and massing new buildings to frame the edges of streets and parks;

- providing an attractive, comfortable and safe pedestrian environment;

- providing good site access and circulation and an adequate supply of parking for residents and visitors;

- locating and massing new buildings so as to adequately limit shadow impacts on adjacent Neighbourhoods particularly during the fall and spring equinoxes;

- locating and screening service areas, ramps and garbage storage to minimize the impact on adjacent streets and residences; and

- providing indoor and outdoor recreation space for building residents in every significant multi-residential development.

Tall Building Design Guidelines

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

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

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

The Guidelines identify where tall buildings belong in the Downtown and establish a framework to regulate their height, form and relationship to their surroundings. They

focus on enhancing the pedestrian environment; minimizing shadowing of sidewalks, parks and public spaces; protecting landmark views and heritage resources and improving the quality of life (access to natural light, sky views and privacy) for people living and working Downtown.

The Guidelines include: a vision statement for downtown tall buildings; maps which identify "High Street" and "Secondary High Street" locations, recommended heights and building typologies for these streets; and twenty-three Performance Standards relating to the base conditions or tower portions of tall building or to their contextual fit within the Guideline area.

The Richmond Street East lot frontage is identified as a "High Street" with a Tower and Base typology in the Downtown Tall Buildings Guidelines. The Lombard and Victoria Streets lot frontages are identified as "Secondary Street". The height range identified for the site is 20 storeys to 35 storeys (62 metres to 107 metres).

Zoning

On May 9, 2013, Toronto City Council enacted City –wide Zoning By-law 569-2013. Under the new Zoning By-law, the site is zoned CR 7.8 (C4.5, R 7.8) SS1 with exceptions 2601 and 2314. The maximum building height permitted under Zoning By-law 569-2013 is 61 metres. Both exceptions indicate that Section 12(1) 398 of Zoning By-law 438-86 will prevail.

Site specific exception 12(1) (398) of Zoning By-law 438-86 limits the maximum building height to 16 metres in the northwest portion of the site and to 20 metres in the southeast portion of the site. Through the middle of the site, the site specific exception provides for a podium height of 16 metres along both Richmond Street East and Lombard Street. The exception then requires a small step back from these streets to a height of 61 metres with zero side yard setbacks and then permits a step up to a height of 72 metres, not including the height of the mechanical equipment (Attachment 6). These are provisions of Site Specific By-law 0425-1993.

Reasons for Application

The Zoning By-law Amendment application proposes a building that exceeds the permitted maximum building height of 61 metres by approximately 104 metres, for a proposed building height of approximately 165 metres, including the mechanical penthouse.

The permitted density on the site is 7.8 times the lot area. The development is comprised of a total gross floor area of 53, 526 square metres, resulting in a density of 17.9 times the lot area. A Zoning By-law amendment is therefore required. A number of additional areas of non-compliance with the Zoning By-laws have been identified.

Community Consultation

Planning staff, in coordination with the local Councillor held a community consultation meeting on October 15, 2013. Approximately 50 members of the public attended the

meeting. The attendees asked questions and raised a number of comments, issues and concerns, including: concerns of height and density of the proposal; the massing and siting of the tower in relation to the surrounding buildings on Lombard Street; wind and shadow impacts on outdoor amenity space; the traffic generated as a result of the proposed development; and, vehicular access and ramp locations. Other members of the public have emailed and submitted letters outlining similar concerns.

Agency Circulation

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

COMMENTS

The site's location with frontages along Richmond Street East, Victoria Street and Lombard Street is an atypical site configuration that spans a large portion of that block. This type of site benefits from a coherent approach to development that takes into consideration the context of the entire block. As such, the siting of the tower has been evaluated in the context of protecting the existing heritage buildings and its location vis-à-vis other existing or potential tall buildings.

Provincial Policy Statement and Provincial Plans

The Provincial Policy Statement (2014) (PPS) promotes the appropriate intensification and efficient use of land, recognizing that land use must be carefully managed to accommodate appropriate development to meet the full range of current and future needs, while achieving efficient development patterns.

The Planning Act states that municipalities must have regard for matters of provincial interest. Section 2(d) specifically refers to "the conservation of features of significant architectural, cultural, historical, archaeological or scientific interest."

In the PPS 2014, " Policy 1.1.3.3 states planning authorities shall identify appropriate locations and promote opportunities for intensification and redevelopment where this can be accommodated taking into account existing building stock or areas, including *brownfield sites*, and the availability of suitable existing or planned *infrastructure* and *public service facilities* required to accommodate project needs.

Provincial Policy Statement defines "conserved" as "the identification, protection, use and/or management of built heritage resources in a manner that ensures their cultural heritage value or interest is retained under the Ontario Heritage Act."

Provincial Policy Statement 2.6.1 directs that "Significant built heritage resources and significant cultural heritage landscapes shall be conserved." Properties included on the City's Inventory of Heritage Properties are considered to be significant in this context.

Policy 2.6.3 directs that "planning authorities shall not permit development and site alteration on adjacent lands to protected heritage property except where the proposed

development and site alteration has been evaluated and it has been demonstrated that the heritage attributes of the protected heritage property will be conserved."

Policy 4.7 states 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.

Official Plans shall identify provincial interests and set out appropriate land use designations and policies. To determine the significance of some natural heritage features and other resources, evaluation may be required.

Official Plans should also coordinate cross-boundary matters to complement the actions of other planning authorities and promote mutually beneficial solutions. Official plans shall provide clear, reasonable and attainable policies to protect provincial interests and direct development to suitable areas.

Staff have reviewed the proposal and have determined that it is consistent with the Provincial Policy Statement, and does not conflict with the Growth Plan for the Great Golden Horseshoe.

Land Use

From a use perspective, the proposal for mixed-use residential development is consistent with the land use provisions of the Official Plan and is appropriate for the site. The site is within the *Downtown and Central Waterfront* area as shown on Map 6 – Urban Structure of the Official Plan. Policy 2.2.1.1(a-c) for the *Downtown* area anticipates new development to support the Plan's re-urbanization strategies and goals such as, building on the strength of the *Downtown* as a premier employment centre, providing a full range of housing for workers and reducing the demand for in-bound commuting.

The Official Plan also identifies the site as being within a *Mixed-Use Area*, which is intended to provide a wide range of uses so that "Torontonians will be able to live, work, and shop in the same area, or even the same building, giving people an opportunity to depend less on their cars, and create districts along transit routes that are animated, attractive and safe at all hours."

Height

Section 3.1.2.3 (Built Form) of the Official Plan states that new development will be massed and its exterior façade designed to fit harmoniously into its existing and/or planned context. The proposal is higher than its existing and planned context of up to 45 storeys approved at 35-45 Lombard Street & 98-110 Church Street (Spire Condominium) and lower heights on nearby local streets.

The Financial District boundary is defined on Map 6 Downtown and Central Waterfront Boundaries of the Official Plan. The background text in Section 2.2.1, which provide context for the policies, is clear in stating that "Toronto's Financial District is Canada's premier business office centre. This is where commercial activity is most intense with a

concentration of larger architecturally significant landmark buildings. "It also continues by stating "building heights and densities are greatest in the Financial District, tapering through the commercial and institutional districts..."

The applicant's rationale for the proposed height is its proximity to the Financial District and some other tall buildings. However the subject site is not within the Financial District's boundaries. The table below indicates the City Council approved density and height of developments which are within a 250 metre radius from the subject site. All of these developments are within the Mixed Use Area designation and in close proximity to, but outside of the Financial District.

Address	Proposal	Height (metres)	Height (Storeys)	Density	Floor Plate (sq.m)	Official Plan Designation
35-45 Lombard St & 98-110 Church St	1 Tower	145	45	10.46	640	Mixed Use Area
64-70 Shuter St	1 Tower	91.75	28	17.97	610	Mixed Use Area
30 Mutual St	3 Towers	79	28	9.8	670-770	Mixed Use Area
167 Church St	1 Tower	76.8	28	10.47	805	Mixed Use Area
197 Yonge St	1 Tower	207.68	60	26.57	906	Mixed Use Area

All of these buildings, with the exception of 197 Yonge Street (which was not recommended for approval by Planning staff), are lower in height than the proposed 50-storey tower.

The proposed height should be more reflective of its surrounding context. The proposed development is too tall in the context, with the tallest building in the vicinity outside of the Financial District being 45 storeys at Spire Condominium (35-45 Lombard Street and 98-110 Church Street). Planning staff supported the 45 storeys height at the Spire development as, among other matters, the proposal received a density transfer to the site from the St. James Church and comprises a single tower with a small floor plate that is almost half the floor plate size of the proposed development. It is important to note, that the density transfer achieved great public benefits by ensuring the preservation of the historic church building and its open space character.

The proposed development is on a site outside of the Financial District and according to the *Downtown Tall Buildings Vision and Performance Standard Design Guidelines* may be appropriate to be in a height range of 20-35 storeys. The established fabric of the Financial District cannot be compared to the surrounding context of the development site,

as greater heights have been approved in the Financial District simply due to the fact that the area has been identified to accommodate greater height limits. The *Downtown Tall Buildings Vision and Performance Standard Design Guidelines* identifies new development within the Financial District to accommodate heights at 45-storeys and taller. The following table indicates the densities and heights of office and residential condominium developments in the Financial District that have been approved by City Council.

Address	Height (metres)	Height (Storeys)	Density	Floor Plate (sq.m)
333 Bay Street	309	68	45.7	----
1 King Street W	176	51	6.1	----
180-188 University Ave	214	65	18.3	----
40 Scott St	204	58	15.3	Lower Floors – 920 25th Floor - 787 45th Floor - 764
1 Front St	200	57	6.24	800

The proposed height should be more reflective of its surrounding context of up to 45-storeys in height. The proposed height and density is an indication of overdevelopment of the site. Staff and the applicant are continuing to discuss the issue of height. The results of these discussions may be reported to Community Council or City Council in a Supplementary Report outlining further revisions to the building height.

Massing

The proposed building represents a base and tower typology as provided by the City-wide Tall Building Guidelines and the Downtown Supplementary Guidelines ("The Guidelines"). The proposed built form deviates from a number of the Guideline standards. Where the proposal differs considerably, is in the massing of the tower which has a large floor plate of 1,150 square metres, where the Guidelines recommend a maximum floor plate of 750 square metres. The proposed massing has been improved from the as-of-right 0 metre zoning setbacks by increasing the tower setbacks as follows:

Location	Tower setback between property line to balcony face	Tower setback between property line and buildings face
Tower setback to the south property line adjacent to 75 Victoria Street & 2 Lombard Street	3.5 metres	5.5 metres
Tower setback to the east property line adjacent to75 Victoria Street	6.5 metres	9 metres

Tower setback to the east property line adjacent to 35 Richmond Street East	9.4 metres	11.25 metres
Tower setback to the east property line adjacent to 36 Lombard Street	22.5 metres	24 metres

The initial two towers proposed were linked and offset to minimize privacy impacts on its own site and to create more open space between the proposed tower and the adjacent properties. Planning staff are satisfied with the linked design and the tower separation.

The proposed tower setback is 6.8 metres and 3.2 metres from 75 Victoria Street, as opposed to the recommended 12.5 metres. The property at 75 Victoria Street consists of three-storey designated heritage building. Due to the size of the lot and heritage designation of the existing building, the property is unlikely to be redeveloped. Staff have concluded that the site would not accommodate a tower once the 12.5 metre tower setback standard is applied to the site. The proposed tower setback to the east property line adjacent to 35 Richmond Street East is 9 metres from building face to property line. The adjacent site at 35 Richmond Street East is currently a TTC transformer site and is unlikely to be redeveloped. It is important to note, that the combination of the proposed 9 metre tower setback and the 23.5 metre lot width of 35 Richmond Street East would provide the minimum tower separation standard for any possible future tall building at 45 Richmond Street East. Similarly, the proposed east tower setback along Lombard Street is 22.5 metres, which provides the minimum 12.5 metre separation distance to the sites to the east of the subject site. Lands on the remainder of the block would require further study to determine the appropriateness and configuration of addition development.

Sun & Shadow

The *Mixed Use Areas* policies in the Official Plan, Section 4.5 Policy 2(e), provides direction for new development which states that development will contribute to the quality of life by locating and massing new buildings to frame the edges of streets and parks with good proportion and maintain sunlight and comfortable wind conditions for pedestrians on adjacent streets, parks and open spaces.

The applicant has submitted a Shadow Study for the spring and fall equinoxes. The study indicates that the proposed building will create new shadows past 1:18 p.m. onto the north side of Queen Street East sidewalk, which would also be shadowed by any as-of-right development on the south side of Queen Street East.

Wind

The applicant has provided a Pedestrian Level Wind Assessment. A wind tunnel test has not been conducted for this proposal. Based on the consultant's assessment, wind conditions on and around the site, if redeveloped as proposed, are predicted to be reasonably comfortable under normal wind conditions. The consultant has recommended mitigative measures for the outdoor amenity area and private terraces which may experience greater than normal wind conditions.

Heritage

The property at 26 Lombard Street includes the R.G. McLean Building and the Barclay Building. These four-storey buildings formed part of the first group of buildings listed on the City of Toronto's Inventory of Heritage Properties by Toronto City Council on June 20, 1973. They were subsequently designated by Toronto City Council under Part IV of the Ontario Heritage Act on September 10, 1982. The buildings are located mid-block on the north side of Lombard Street between Victoria Street and Church Street.

The R.G. McLean building was constructed in 1890, while the Barclay Building was constructed in 1894. They both have design value as examples of Romanesque Revival style architecture with distinctive design features including a "heavy" appearance achieved through the use of large rusticated stone work and inset windows. On its principle elevation, the R.G. McLean building features bartizans at the parapet level, stone arches at the base, and moulded brickwork and terracotta detailing.

The R.G. McLean Building and the Barclay Building have associative cultural heritage value through their association with the late 19th and early 20th century printing industry in Toronto. The buildings were constructed for the printing industry and housed business related to publishing, printing, and book binding. The Barclay Building was originally home to the prominent Grip printing and publishing company. At first the buildings functioned independently, but in the first decade of the twentieth century the Barclay Building was purchased by R.G. McLean and the buildings have operated as a single building since this time.

The development site is adjacent to the designated heritage property at 75 Victoria Street (formerly known as 73 and 81 Victoria Street). The Comstock Building (formerly 73 Victoria Street) is located on the northeast corner of Victoria Street and Lombard Street. It was constructed c1890 and was listed on the City of Toronto`s Inventory of Heritage Properties by Toronto City Council on June 20, 1973, and designated under Part IV of the Ontario Heritage Act by Council on October 3, 1988 by City of Toronto By-law 854-88.

The Strand Hotel (formerly 81 Victoria Street) is located on the east side of Victoria Street immediately north of the Comstock Building. The Strand Hotel was constructed in 1907-8 and was listed on the City of Toronto`s Inventory of Heritage Properties on July 11, 1988, and designated under Part IV of the Ontario Heritage Act by Council on October 3, 1988 by City of Toronto By-law 854-88.

Parking, Access & Servicing

The applicant is proposing a total of 285 parking spaces in 7 levels of underground garage which would consist of 243 resident parking spaces and 42 residential visitor/commercial spaces with the latter proposed to operate as shared residential visitor/commercial parking. The applicant submitted a Traffic Impact Study completed by BA Group which indicated that the parking provided was adequate. However, staff have reviewed the study and have indicated that they do not support the proposed reduction in the parking space dimensions and resident parking supply from the required approximately 395 residential spaces and 40 visitor spaces to the proposed 243 residential

spaces and 42 residential visitor/retail spaces. Although the detailed design can be finalized through the site plan process, the number of spaces should be addressed through the rezoning process. According to the Engineering and Construction Services staff comments dated December 12, 2013, the following is required:

- that the applicant provide and maintain a minimum number of resident and residential visitor parking spaces on the site to serve this development in accordance with the following minimum ratios, except that a reduction of three resident spaces be allowed for each of the two proposed car-share parking spaces:

    - Bachelor Units 0.3 spaces per unit
    - 1-Bedroom Units 0.5 spaces per unit
    - 2- Bedroom Units 0.8 spaces per unit
    - 3 + Bedroom Units 1.0 spaces per unit
    - Residential Visitors 0.06 spaces per uni

The proposed underground parking garage would have access from Lombard Street on the south of the site.

The applicant is proposing one Type G loading space and one Type C loading space to be located within the building on the ground floor, accessed by the vehicular access off of Lombard Street.

Open Space/Parkland

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

The application proposed 689 residential units and 1,071 square metres of non-residential uses on a site with a net area of 2,965 square metres. At the alterative rate of 0.4 per 300 units specified in By-law 1020-2010, the parkland dedication requirement is 0.910 hectares or 313% of the site area. However, for sites that are less than 1 hectare in size, a cap of 10% is applied to the residential use while the non-residential use is subject to a 2% parkland dedication. In total, the parkland dedication required is 292 square metres.

The applicant is required to satisfy the parkland dedication requirement through cash-in-lieu. This is appropriate as there is no location for on-site parkland dedication that would be of a useable size.

The actual amount of cash-in-lieu to be paid would be determined at the time of issuance of the building permit.

Streetscape and Public Realm

The proposed streetscape plan will provide six street trees along the Richmond Street East frontage and four along the Lombard Street frontage. Proposed are 13 bicycle rings along Richmond Street frontage, 3 rings on Victoria Street and 7 rings along the Lombard Street frontage.

The existing sidewalk widths are 3.5 metres along Victoria and Richmond Streets, and 2.8 metres along Lombard Street. The minimum required 2.1 metres pedestrian clearance is provided along Victoria and Richmond Street. However, the proposal does not meet the minimum requirement along Lombard Street because the proposed podium setback is aligned with the adjacent heritage buildings at 26 Lombard Street to provide a uniform setback from the street.

The applicant is proposing an at-grade pedestrian walkway that provides a connection from Lombard Street to Victoria Street between the subject site and the adjacent property to the west. The proposed walkway is approximately 4.6 metres in width, which is wider than the minimum 4 metres required by the City's Privately Owned Publicly-Accessible Space (POPS) Design Guidelines. The POPS Guidelines state that safety and comfort shall be encouraged throughout the walkways by lining them with active uses that are accessible from the walkway in order to increase pedestrian activity, as well as windows for overlook and permeability. The applicant is proposing retail uses along the walkway, and the materials and lighting along the connection will be determined through the site plan process.

Toronto Green Standard

On October 27, 2009 City Council adopted the two-tiered Toronto Green Standard (TGS). The TGS is a set of performance measures for green development. Tier 1 is required for new development. Tier 2 is a voluntary, higher level of performance with financial incentives. Achieving the Toronto Green Standard will improve air and water quality, reduce green house gas emissions and enhance the natural environment.

The applicant is required to meet Tier 1 of the TGS.

Section 37

Section 37 of the *Planning Act* allows the City to enter into an agreement with an applicant to grant a height and/or density increase for a particular project that is greater than what the zoning by-law would otherwise permit in return for community benefits. Details of a Section 37 Agreement between the applicant and the City are determined, in consultation with the Ward Councillor, if the project is ultimately considered to be good planning and recommended for approval.

While the applicant is aware of the Official Plan policies on Section 37 and staff's intention to implement them, no fulsome discussions were held regarding community benefits, as the planning issues have not been fully resolved. In the event, that the OMB permits additional density and/or height beyond that permitted in Zoning By-law 438-86,

as amended, the City should request that the OMB withhold their final order until the City has secured appropriate community benefits to the satisfaction of the Chief Planner in consultation with the Ward Councillor, and such benefits should be secured through a site specific zoning by-law amendment and in further detail through a Section 37 Agreement.

CONTACT

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Fax No. 416-392-1330
E-mail: jrenaud2@toronto.ca

SIGNATURE

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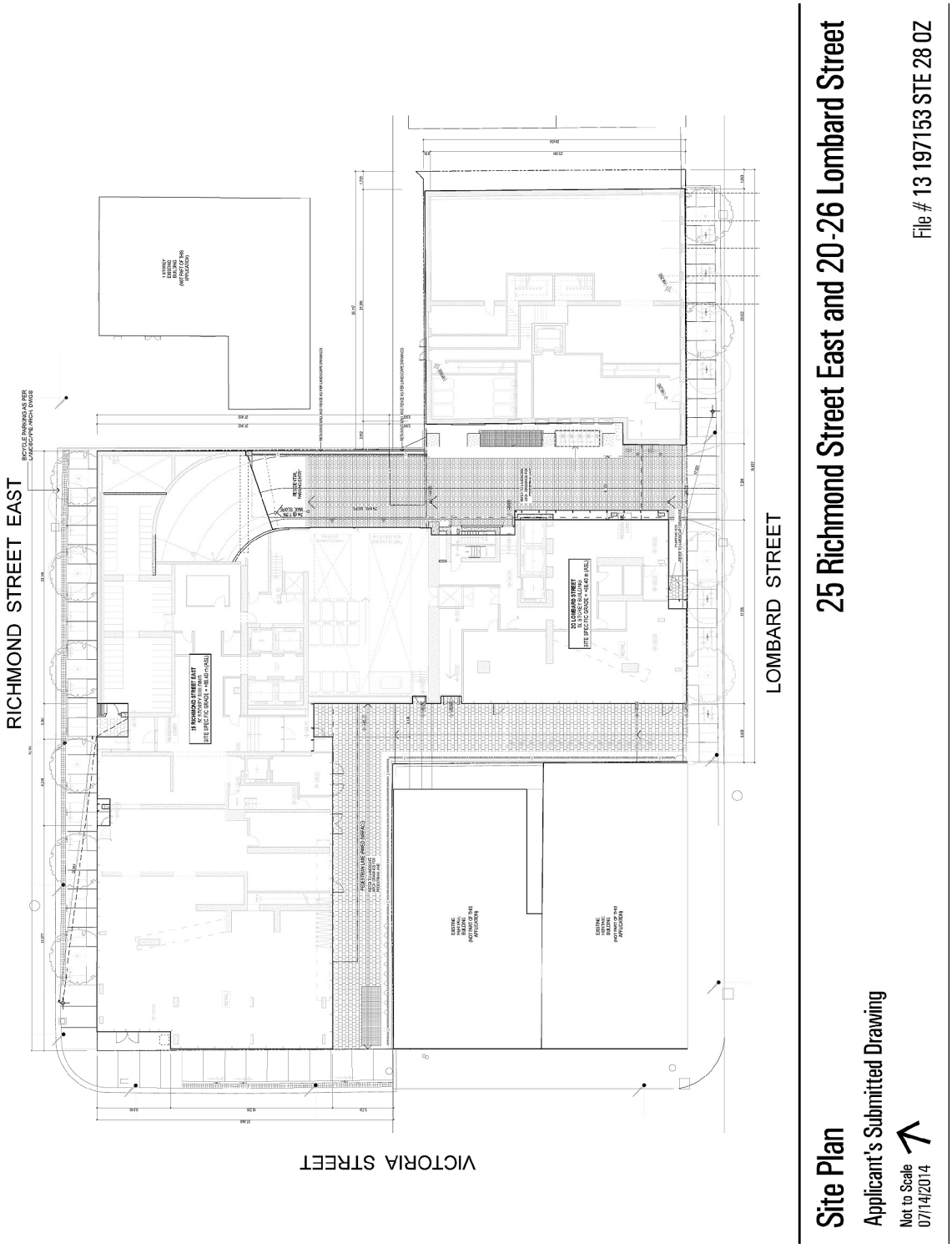
Gregg Lintern, MCIP, RPP
Director, Community Planning
Toronto and East York District

(P:\2014\Cluster B\pln\TEYCC\18096440093.doc) – smc

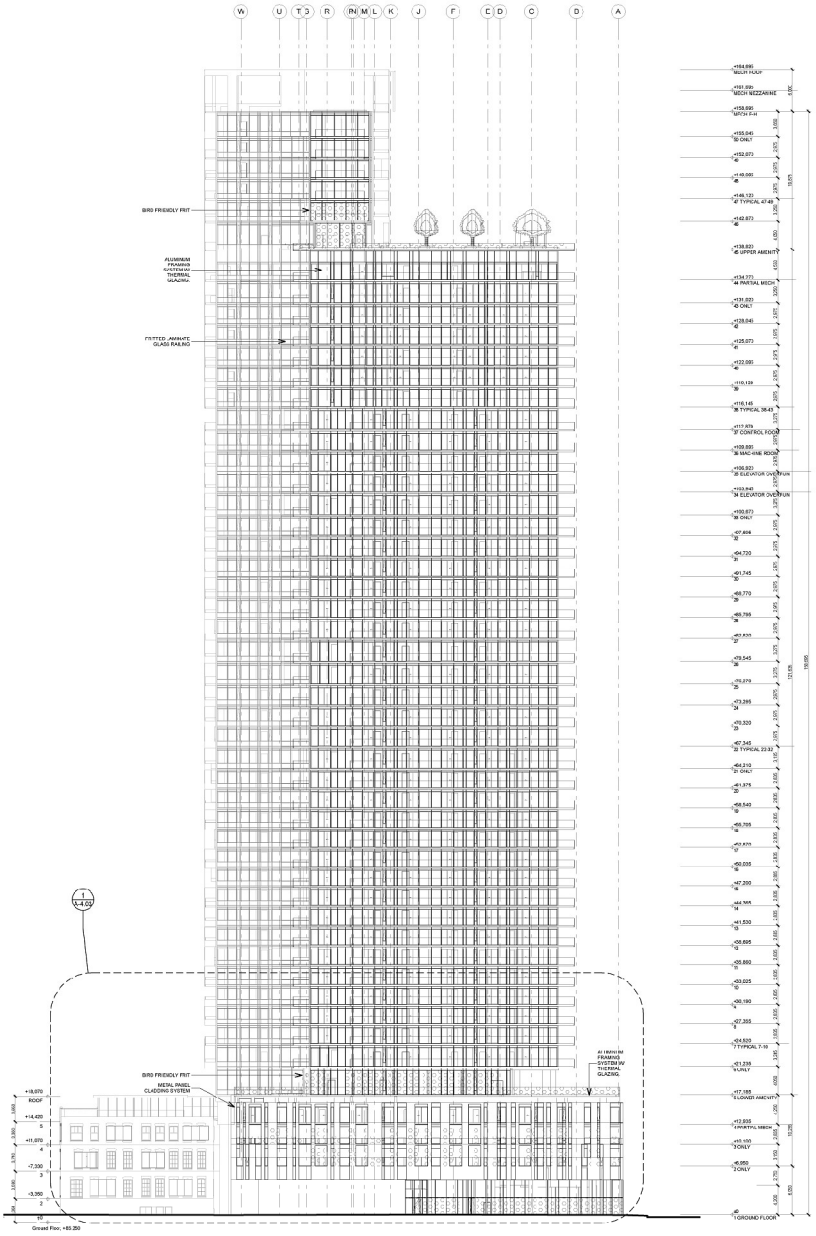
ATTACHMENTS

Attachment 1: Site Plan
Attachment 2: North Elevation
Attachment 3: South Elevation
Attachment 4: East Elevation
Attachment 5: West Elevation
Attachment 6: Height Zoning Map
Attachment 7: Zoning Map
Attachment 8: Application Data Sheet

Attachment 1: Site Plan



Attachment 2: North Elevation



North Elevation

Elevations

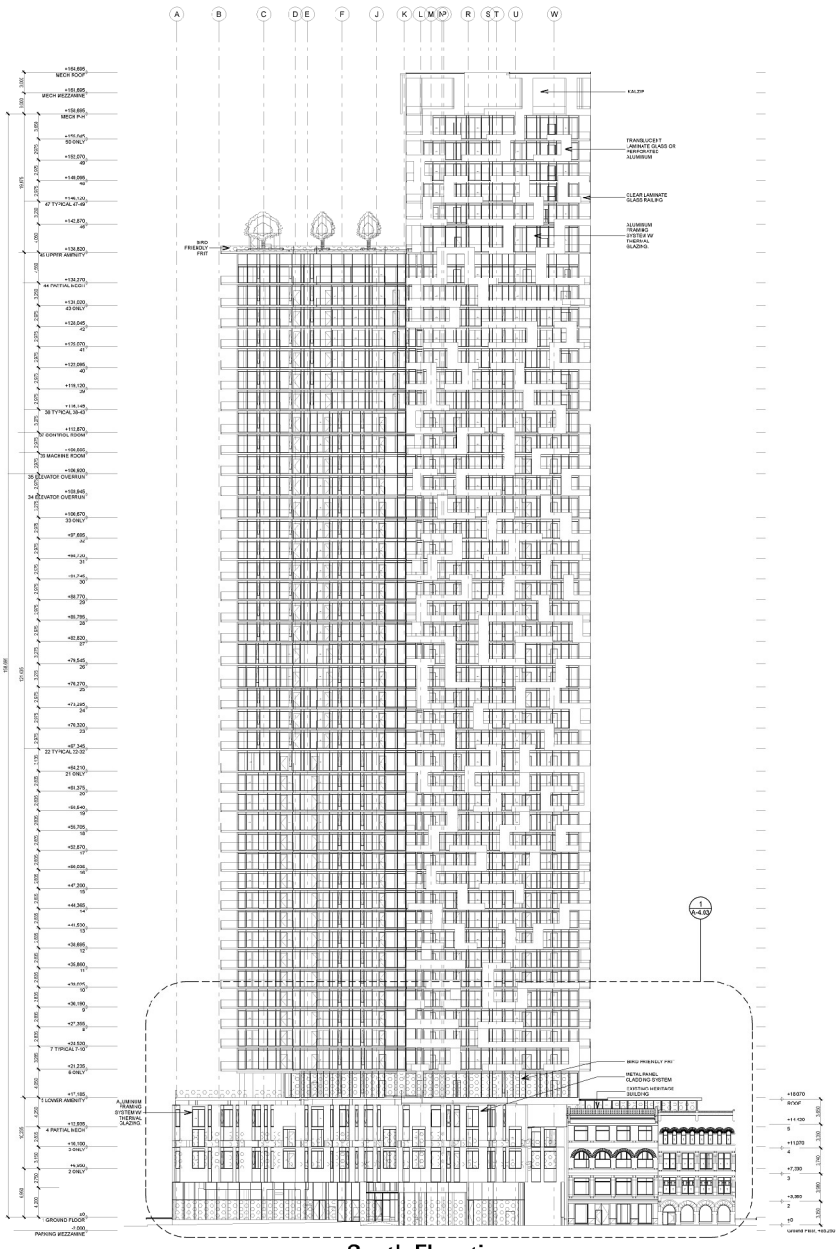
25 Richmond Street East and 20-26 Lombard Street

Applicant's Submitted Drawing

Not to Scale
07/14/2014

File # 13 197153 STE 28 OZ

Attachment 3: South Elevation



South Elevation

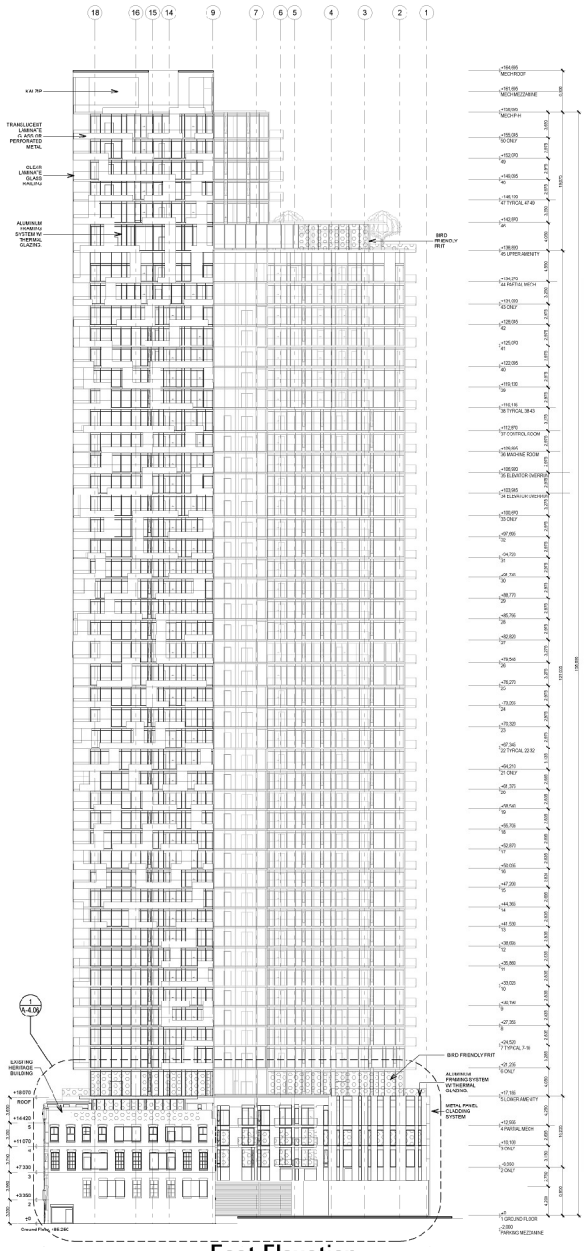
Elevations — **25 Richmond Street East and 20-26 Lombard Street**

Applicant's Submitted Drawing

Not to Scale
07/14/2014

File # 13 197153 STE 28 OZ

Attachment 4: East Elevation



East Elevation

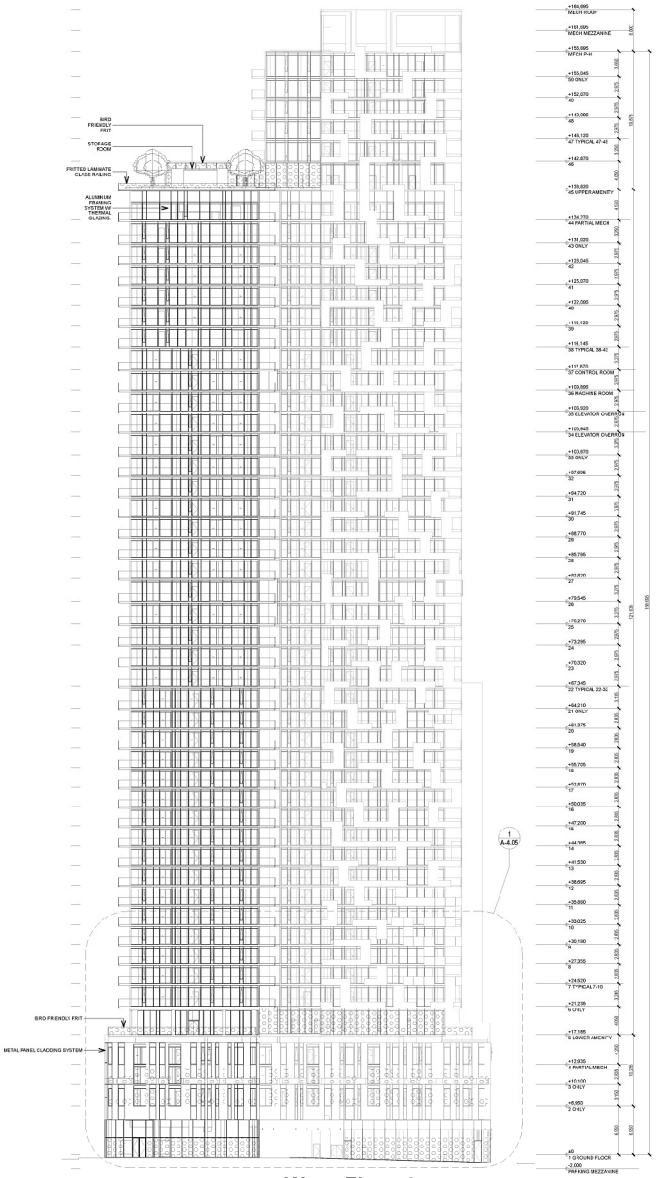
Elevations — **25 Richmond Street East and 20-26 Lombard Street**

Applicant's Submitted Drawing

Not to Scale
07/14/2014

File # 13 197153 STE 28 OZ

Attachment 5: West Elevation



West Elevation

Elevations

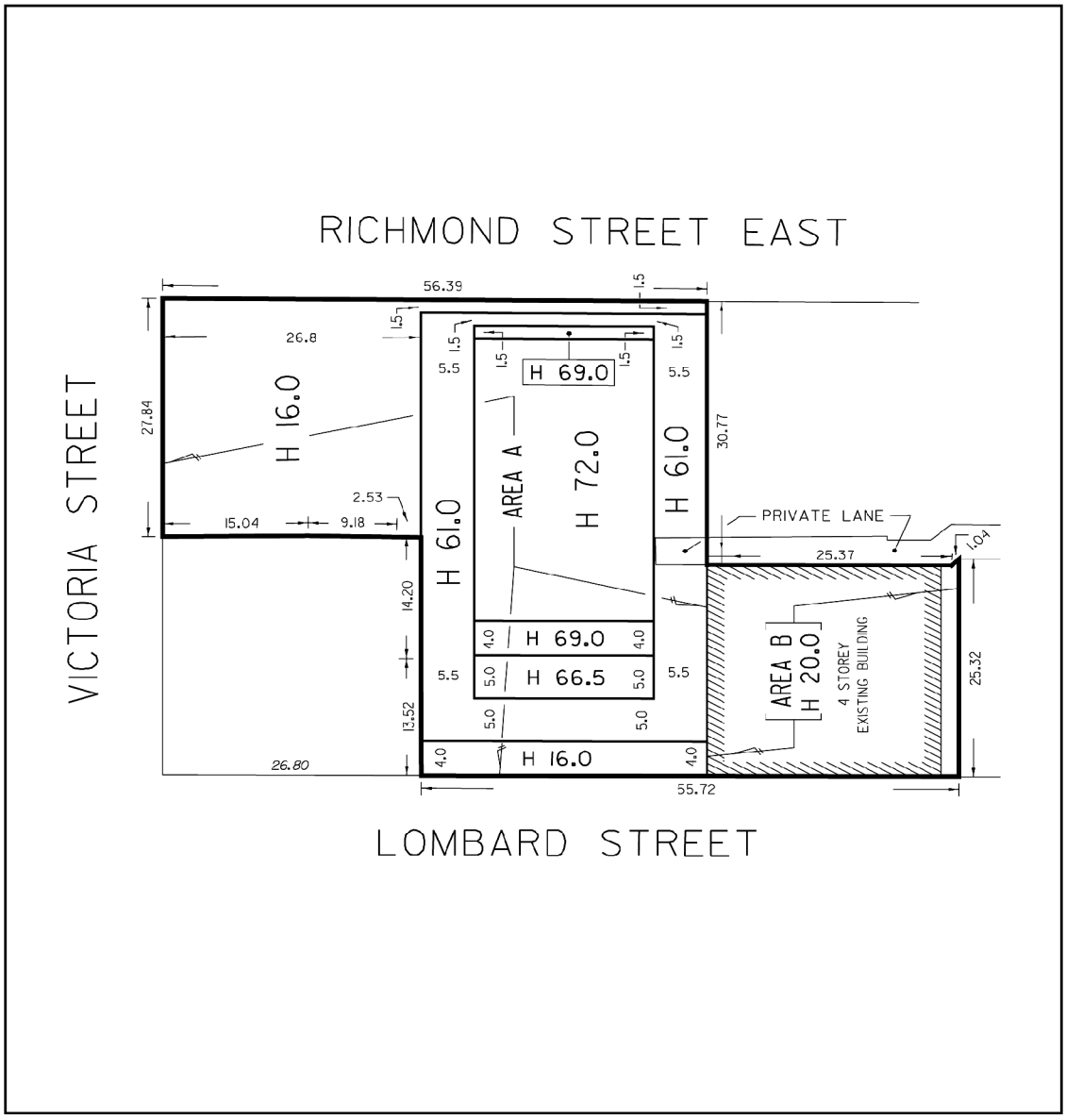
25 Richmond Street East and 20-26 Lombard Street

Applicant's Submitted Drawing

Not to Scale
07/14/2014

File # 13 197153 STE 28 OZ

Attachment 6: Height Zoning



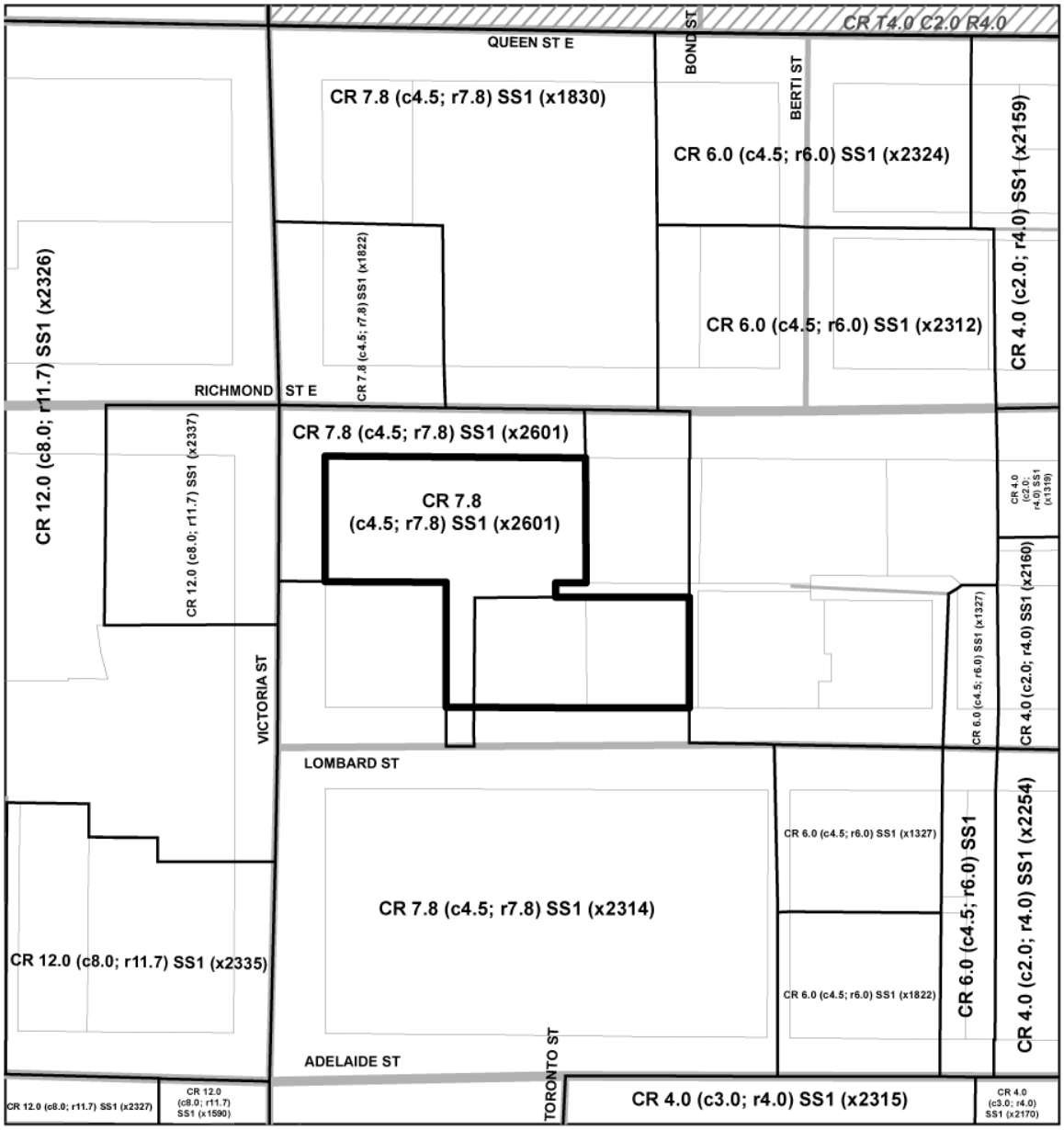
TORONTO City Planning

Height Map - Former City of Toronto By-law 438-86
Section 12(1) 398

25 Richmond Street East
20 - 26 Lombard Street
File # 13 197153 OZ

Not to Scale
08/19/2013

Attachment 7: Zoning



TORONTO City Planning

25 Richmond Street East & 20-26 Lombard Street

Zoning By-law 569-2013

File # 13 197153

Location of Application

CR Commercial Residential

See Former City of Toronto Bylaw No. 438-86

CR Mixed-Use District

Not to Scale

Extracted 08/01/2013

Attachment 8: Application Data Sheet

Application Type	Rezoning	Application Number:	13 197153 STE 28 OZ
Details	Rezoning, Standard	Application Date:	July 2, 2013
Municipal Address:	20 Lombard Street (convience address 25 Richmond Street East) & 26 Lombard Street		
Location Description:	PLAN 8A PT LOTS 5 TO 7 RP 63R1508 PARTS 2 TO 4 << ENTRANCE ADDRESS FOR 20 LOMBARD ST **GRID S2807		
Project Description:	To propose a mixed-use development with the preservation and restoration of the four storey heritage building (Lombard Street) and the construction of a new 50-storey tower with a four-storey podium containing street related retail uses and residential condominium. A publically accessible pedestrian route framed by retail uses connects from Lombard Street through to Victoria Street. Retail uses are also provided along Lombard Street, Victoria Street and Richmond Street.		

Applicant:	**Agent:**	**Architect:**	**Owner:**
Richmond Victoria Limited Partnership 3751 Victoria Park Avenue Toronto, ON M1W 3Z4	Steven Nightingale Great Gulf 3751 Victoria Park Avenue Toronto, ON M1W 3Z4	architects Alliance 205-317 Adelaide Street W Toronto, ON M5V 1P9	501321 N B LTD 9 Tremont Road Toronto, ON M9B 3X3

PLANNING CONTROLS

Official Plan Designation:	Mixed Use Areas	Site Specific Provision:	Exemptions 2601 & 2314 By-law 569-2013
Zoning:	CR T7.8 C4.5 R7.8	Historical Status:	Y
Height Limit (m):	61 (Exemption 72)	Site Plan Control Area:	Y

PROJECT INFORMATION

Site Area (sq. m):	2,965	Height:	Storeys:	50
Frontage (m):	27.84		Metres:	158.9
Depth (m):	59.4			
Total Ground Floor Area (sq. m):	2,215			**Total**
Total Residential GFA (sq. m):	52,455		Parking Spaces:	286
Total Non-Residential GFA (sq. m):	1,079		Loading Docks	2
Total GFA (sq. m):	52,966			
Lot Coverage Ratio (%):	74.7			
Floor Space Index:	17.9			

DWELLING UNITS **FLOOR AREA BREAKDOWN** (upon project completion)

Tenure Type:	Condo		**Above Grade**	**Below Grade**
Rooms:	0	Residential GFA (sq. m):	51,899	0
Bachelor:	3	Retail GFA (sq. m):	1,067	0
1 Bedroom:	468	Office GFA (sq. m):	0	0
2 Bedroom:	218	Industrial GFA (sq. m):	0	0
3 + Bedroom:	0	Institutional/Other GFA (sq. m):	0	0
Total Units:	689			