

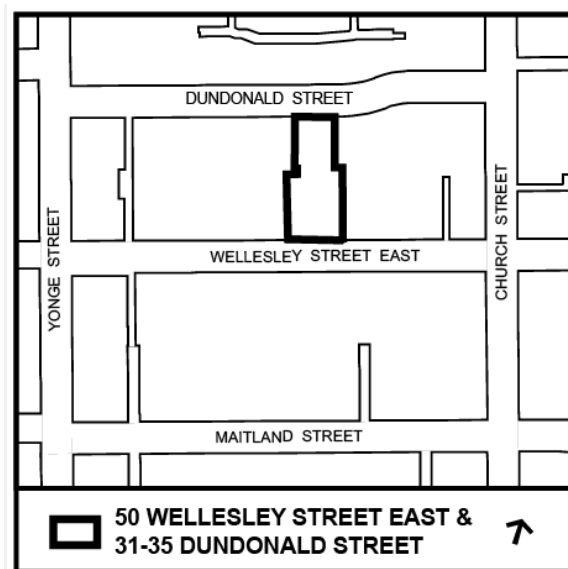
**50 Wellesley Street East and 31-35 Dundonald Street –
Official Plan Amendment and Zoning Amendment
Applications – Request for Direction Report**

Date:	November 2, 2015
To:	City Council
From:	Chief Planner and Executive Director, City Planning
Wards:	Ward 27 – Toronto Centre-Rosedale
Reference Number:	P:\2015\Cluster B\PLN\CC15137 (14-159828 STE 27 OZ and 15 149822 STE 27 SA)

SUMMARY

Official Plan and Zoning By-law Amendment applications and an associated Site Plan application have been submitted to permit the development of a 37-storey tower with 365 residential units and commercial uses at grade on the property currently known as 50 Wellesley Street East. The development would also consist of two (2) semi-detached dwellings and a row of townhouses with six (6) units on the properties currently known as 31, 33 and 35 Dundonald Street. All of the buildings are to be connected by a 3 level underground parking garage with access from Wellesley Street East. The garage would have a total of 163 vehicular parking spaces, including 117 for residents and 46 spaces on the Parking Level 1 for the Toronto Parking Authority, which will also serve as spaces for visitors.

The overall development would have a total gross floor area of 27,433 square metres, consisting of 27,173 square metres of residential and 270 square metres of commercial.



The Zoning By-law Amendment and Official Plan Amendment applications were referred to the Ontario Municipal Board by the applicant due to Council's failure to make a decision on the applications within the time prescribed by the *Planning Act*.

The Zoning By-law Amendment application was appealed to the Ontario Municipal Board (OMB) on October 2, 2014, with an amended appeal on August 10, 2015. The Official Plan Amendment application was appealed to the OMB on August 10, 2015. The Site Plan application was referred to the OMB on October 8, 2015. An OMB prehearing is scheduled for November 23, 2015.

This report reviews and recommends support for the applications to amend the Official Plan and Zoning By-law and the Site plan application, subject to certain conditions as set out in this report.

RECOMMENDATIONS

The City Planning Division recommends that:

1. City Council authorize the City Solicitor, the Chief Planner and other appropriate staff to attend the Ontario Municipal Board hearing as necessary.
2. City Council support the Official Plan Amendment and Zoning By-law Amendment applications for the reasons set out in this report from the Chief Planner and Executive Director, City Planning dated November 2, 2015, subject the following conditions being addressed to the satisfaction of the City Solicitor;
 - a. The owner shall enter into an Agreement pursuant to Section 37 of the *Planning Act*, to be registered on title, to the satisfaction of the City Solicitor, to secure the following:
 - i. Prior to the issuance of the first above-grade building permit the owner shall pay to the City the sum of \$1,000,000.00, consisting of \$200,000.00 to be allocated to Toronto Community Housing capital improvement and/or new affordable housing and/or new community or cultural space in Ward 27, and \$800,000.00 for local area streetscape and park improvements in Ward 27, all to be to the satisfaction of the Chief Planner and Executive Director, City Planning Division, in consultation with the local councillor.
 - ii. Require that the cash amounts identified in (i) above, to be increased by upwards indexing in accordance the Non-Residential Construction Price Index for the Toronto CMA, reported by Statistics Canada or its successor, calculated from the date of the Section 37 Agreement to the date of each such payment to the City.

The following matters are also recommended to be secured in the Section 37 Agreement as a legal convenience to support the development:

- iii. the provision of a minimum of 15 dwelling units shall be 3-bedroom units having a minimum size of 83.6 sq.m. (900 sq.ft.), of which 10 may be grade-related units;
 - iv. the provision of a public pedestrian access easement in favour of the City along the entire Wellesley Street East frontage, having a minimum depth of 1.5 metres, and over the walkway located on the east side of the site to provide access to the commercial parking garage entrance;
 - v. the provision of a short term parking space on the ground floor for deliveries;
 - vi. the owner shall pay for and construct any improvements to the municipal infrastructure in connection with the site servicing assessment, should it be determined that upgrades are required to the infrastructure to support this development, to the satisfaction of the Executive Director, Engineering and Construction Services Division; and
 - vii. the owner shall provide a tree replanting guarantee deposit payment associated with the white oak tree as established through the Private Tree By-law permit process.
- b) The owner shall address the following comments to the satisfaction of the Executive Director, Engineering and Construction Services Division;
- i. The owner shall submit a revised Site Servicing Assessment and Stormwater Management Implementation Report and revised Site Servicing and Grading Plan to address concerns outlined in the letter dated September 8, 2015 to the applicant's consulting engineer GHD.
3. City Council authorize the City Solicitor, in consultation with the Chief Planner and Executive Director, City Planning Division, to make such stylistic and technical changes to the draft Official Plan Amendment and draft Zoning By-law Amendments as may be required to give effect to the intent of the recommendations contained in this report.
4. City Council direct staff to issue a permit for the destruction of the white oak tree located at 37 Dundonald Street and for injury and destruction of other trees identified in the submitted arborist reports and in the Tree Management Plan prepared by the Planning Partnership, dated September 22, 2015; such permit issuance to be subject to routine requirements including the establishing of an appropriate tree replanting plan.

5. City Council authorize the City Solicitor and appropriate staff to continue discussions with the applicant respecting the final version of the Official Plan Amendment and Zoning By-law Amendments and the final site plans and conditions of site plan approval.
6. City Council 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.

DECISION HISTORY

In 2005, City Council approved amendments to the Official Plan and Zoning By-law 483-86, to permit the construction of a 28-storey residential building with commercial uses at grade and residential above at 50 Wellesley Street East. By-law No. 675-2005 and Official Plan Amendment No. 346 were enacted by City Council. The owner of 40 Wellesley Street East, the adjacent property, appealed the By-law and Official Plan Amendments, which resulted in an Ontario Municipal Board (OMB) hearing in 2006.

The Ontario Municipal Board (OMB) issued a decision dated September 25, 2006, approving Official Plan and Zoning By-law amendments for a 28-storey tower, subject to two technical revisions, including revisions to the building envelope. The OMB finalized their approval in a decision dated November 10, 2006.

On May 22, 2014, an application was submitted by Plazacorp to amend the Official Plan and Zoning By-law to permit a 37-storey building on the site. At its August 12, 2014 meeting, Toronto and East York Community Council received a Preliminary Report on the application. Community Council directed that City Planning staff schedule a community consultation meeting with the Ward Councillor with the notice for the community consultation meeting being given to landowners and residents within 120 metres of the site, and to additional residents and owners to be determined in consultation with the Ward Councillor.

The Preliminary Report is available at:

<http://www.toronto.ca/legdocs/mmis/2014/te/bgrd/backgroundfile-71801.pdf>

In 2014 and 2015, Plazacorp also attended meetings with Planning staff and the Ward Councillor regarding the development potential for the Toronto Parking Authority (TPA) surface parking lot at 15 Wellesley Street East located across from 50 Wellesley Street East, which Plazacorp has conditionally purchased. The parking authority included a condition in the sale of the parking lot that some of their lost parking spaces be provided in the new development on the site or within the immediate area. A number of scenarios were prepared to incorporate the parking spaces and it was determined that given the

subway tunnel beneath the site at 15 Wellesley Street East, that on-site replacement parking could only be provided in an above-grade parking garage. As an alternative, Planning staff suggested that a new substantial open space/park be included on a portion of the site fronting Wellesley Street East as part of the redevelopment plans. An above-grade parking garage at 15 Wellesley Street East would conflict with this goal. Plazacorp considered options for providing the replacement parking authority spaces off-site, including within the proposed development at 50 Wellesley Street East.

In April 2015, Plazacorp submitted a revised application for 50 Wellesley Street East to also include 31, 33 and 35 Dundonald Street. The addition of these properties allowed for the P1 parking level of the proposed underground parking garage to be extended and incorporate a portion of the replacement TPA spaces, originally intended to be provided at 15 Wellesley Street East. The proposal also included a row of townhouses fronting Dundonald Street. Subsequent revisions have been made to the application and the current proposal is now for two semi-detached dwellings fronting Dundonald Street with a row of townhouses directly behind.

City Planning staff held a community consultation meeting with the Ward Councillor on April 9, 2015, where the revised application with the Dundonald Street properties was presented. In addition, the applicant met with the adjacent landowners and also held two working group sessions with the Dundonald Street residents to discuss at design options for the proposed semi-detached dwellings.

ISSUE BACKGROUND

Proposal

The current proposal presented in this report and which is before the OMB is for a 37-storey tower, including a 4-storey base building, with 365 residential units and commercial space at grade on the 50 Wellesley Street East site and two (2) semi-detached dwellings and a row of townhouse with six (6) units on the 31, 33 and 35 Dundonald Street properties. All are connected by an underground parking garage. The overall development would have a total gross floor area of 27,433 square metres, consisting of 27,173 square metres of residential and 270 square metres of commercial, yielding a density of 9.9 times the entire development parcel.

The proposed base building ranges in height from 2 to 4-storeys or 5.5 metres and 15 metres. The 2-storey portion is adjacent to the Paul Kane House property and Paul Kane parkette with setbacks ranging from 0.9 to 1.4 metres along this edge. The 4-storey portion is on the property line directly adjacent to the 4-storey base building for the new tower development at 40 Wellesley Street East. The building would also have a 6 metre setback from the front property line on Wellesley Street East to provide a widened sidewalk and publicly accessible area along the front of the building.

The proposed height of the tower is 108 metres to the top of the residential floor and 114.5 metres to the roof of the mechanical penthouse. The proposed tower has been shifted east towards the Paul Kane House and Parkette to provide a greater separation

distance from the 35-storey tower on the adjacent 40 Wellesley Street East that was approved by the OMB. Above the fifth floor, the proposed tower is setback approximately 12.5 metres from the west property line, as opposed to the 5.5 metres from the 2006 approval. Along the east property line, there would be setbacks of 3.7 to 4.1 metres. The floor of the tower is 750 square metres.

The semi-detached dwellings that would front Dundonald Street are three (3) storeys in height and generally range from 11.4 metres to the top of the roof terraces to 14.30 metres to the roof of the houses. There are enclosed staircases in the rear of dwellings to provide access to the underground parking that are approximately 4.5metres in height. The townhouses located behind the semi-detached dwellings are also three (3) storeys in height or approximately 13.5 metres to the roof. The proposed dwellings are to have minimum side yard setbacks of 0.4 metres to the east and west property lines, with the exception of the west side yard setback of the townhouses adjacent to 19 Dundonald Street where a pedestrian right-of-way access is being maintained.

As mentioned, all of the buildings are to be connected by a 3 level underground parking garage with access from Wellesley Street East, located on the west side of the development. The garage would have a total of 163 vehicular parking spaces, including 117 for residents and 46 spaces on the Parking Level 1 for the TPA and visitors. A total of 403 bicycle parking spaces are proposed, including a ground floor bicycle room with 14 resident bicycle lockers and 38 visitor bicycle spaces. Visitors to the Paul Kane House will be able to access the public parking garage to a parking space for pick-up, drop-off or deliveries.

The driveway provides access to the parking garage and loading and servicing areas. All vehicular access to the subject property and the TPA parking is provided off the Wellesley Street portion of the subject property, avoiding impact on Dundonald Street. A Type G loading space and a short term parking space for deliveries would be located on the ground floor accessed from the driveway.

The proposed development would provide the required 2.0 square metre per dwelling unit of indoor and outdoor residential amenity space or 730 square metres for each amenity space. Indoor amenity space is to be provided on the 2nd, 3rd and 4th floor levels, including an amenity gym, yoga room, event space, media and billiard games room, and two guest suites. The outdoor amenity area to be provided on the roof of the base building.

The proposed tower consists of 365 units broken down as follows.

Unit Type	Number of Units
One bedroom	59
One bedroom + Den	164
Two bedroom	128
Three bedroom	14

The 4 semi-detached and 6 townhouse dwellings will each have three bedrooms.

Site and Surrounding Area

The development site includes 50 Wellesley Street East, which is located on the north side of Wellesley Street East, between Yonge Street and Church Street, and 31, 33 and 35 Dundonald Street, which are three single detached lots located immediately to the north.

The overall site is approximately 2,766 square metres in area with a frontage of 37.27 metres along Wellesley Street East and 25.76 metres on Dundonald Street with an overall depth of approximately 86 metres, extending from the Wellesley Street frontage to the Dundonald Street frontage.

Uses and structures near the site include:

North: On the north side of Dundonald Street are 2 to 2.5 storey houses.

South: On the south side of Wellesley Street East is the 8-storey Orthopaedic and Arthritic Institute, which is affiliated with Sunnybrook and Women's College Health Sciences Centre.

East: To the east on Dundonald Street is an existing single detached house municipally known as 37 Dundonald Street. Along Wellesley Street East, the site abuts the Paul Kane Parkette and Paul Kane House, which includes a 3-storey designated heritage building.

West: To the west on Dundonald Street is an 8-storey residential building. A recent approval for the site at 17 Dundonald Street permits a 19-storey mixed-use building. At 40 Wellesley Street East there is an approval for a 35-storey mixed-use building. Further west, is a 23-storey residential building and the Wellesley TTC subway station.

Provincial Policy Statement and Provincial Plans

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

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

and cultivating a culture of conservation. City Council's planning decisions are required to conform, or not conflict, with the Growth Plan for the Greater Golden Horseshoe.

Official Plan

The Official Plan places the site within the Downtown and Central Waterfront on Map 2 "Urban Structure". The commentary section for Section 2.2.1, Downtown: the Heart of the City, identifies that the Downtown offers opportunities for substantial employment and residential growth, but the growth will not be spread uniformly across the whole of Downtown. Rather, it is expected that the physical setting of many areas will remain unchanged and that design guidelines specific to districts of historic or distinct character will be developed and applied to ensure that new development respects the context of such districts in terms of the development's fit with existing streets, setbacks, and heights and relationship to landmark buildings, (refer to Policy 2.2.1.6).

In Chapter Three – Building a Successful City, Policy 3.1.1- Public Realm promotes quality architecture, landscape and urban design and construction that ensures that new development enhances the quality of the public realm.

In the commentary section of Section 3.1.2, Built Form, it is identified that most of the City's future development will be infill and redevelopment sites and, as such, will need to fit in, respect and improve the character of the surrounding area. It also states that developments must be conceived not only in terms of the individual building site and program, but also in terms of how that site, building and its facades fit within the existing and/or planned context of the neighbourhood and the City. Each new building should promote and achieve the overall objectives of the Official Plan.

Policy 3.1.2.1 states that new development will be located and organized to fit with its existing and/or planned context, and frame and support adjacent streets, parks and open spaces to improve the safety, pedestrian interest and casual views to these spaces from the development through various strategies, including by preserving existing mature trees wherever possible and incorporating them into landscaping designs.

Policy 3.1.2.2 states that new development will locate and organize vehicle parking, vehicular access, service areas and utilities to minimize their impact on the property and on surrounding properties and to improve the safety and attractiveness of adjacent streets, parks and open spaces by:

- a. using shared service areas where possible within development block(s) including public and private lanes, driveways and service courts;
- b. consolidating and minimizing the width of driveways and curb cuts across the public sidewalk;
- c. integrating services and utility functions within buildings where possible;
- d. providing underground parking where appropriate;
- e. limiting surface parking between the front face of a building and the public street or sidewalk; and

- f. integrating above-ground parking structures, where permitted or appropriate, with building design, and have usable building space at grade facing adjacent streets, parks and open spaces.

Policy 3.1.2.3 states that new development will be massed and its exterior façade will be designed to fit harmoniously into its existing and/or planned context, and will limit its impact on neighbouring streets, parks, open spaces and properties by:

- a. massing new buildings to frame adjacent streets and open spaces in a way that respects the existing and/or planned street proportion;
- b. incorporating exterior design elements, their form, scale, proportion, pattern and materials, and their sustainable design, to influence the character, scale and appearance of the development;
- c. creating appropriate transitions in scale to neighbouring existing and/or planned buildings for the purpose of achieving the objectives of this Plan;
- d. providing for adequate light and privacy;
- e. adequately limiting any resulting shadowing of, and uncomfortable wind conditions on, neighbouring streets, properties and open spaces, having regard for the varied nature of such areas; and
- f. minimizing any additional shadowing and uncomfortable wind conditions on neighbouring parks as necessary to preserve their utility.

Policy 3.1.2.4 states that new development will be massed to define the edges of streets, parks and open spaces at good proportion. Taller buildings will be located to ensure adequate access to sky view for the proposed and future use of these areas.

The Policies of Section 3.1.3 also makes it clear that Tall buildings come with larger civic responsibilities and obligations than other buildings. To ensure that tall buildings fit within their existing and/or planned context and limit local impacts, additional built form principles will be applied to the location and design of tall buildings.

Policy 3.1.3.1 requires that Tall buildings should be designed to consist of three parts, carefully integrated into a single whole:

- a. base building – provide definition and support at an appropriate scale for adjacent streets, parks and open spaces, integrate with adjacent buildings, minimize the impact of parking and servicing uses;
- b. middle (shaft) – design the floor plate size and shape with appropriate dimensions for the site, locate and orient it on the site and in relationship to the base building and adjacent buildings in a manner that satisfies the provisions of this Section; and
- c. top – design the top of tall buildings to contribute to the skyline character and integrate roof top mechanical systems into the design.

Policy 3.1.3.2 requires Tall building proposals address key urban design considerations, including:

- a. meeting the built form principles of the Plan;
- b. demonstrating how the proposed building and site design will contribute to and reinforce the overall City structure;
- c. demonstrating how the proposed building and site design relate to the existing and/or planned context;
- d. taking into account the relationship of the site to topography and other tall buildings;
- e. providing high quality, comfortable and usable publicly accessible open space areas; and
- f. meeting other goals and objectives of the Plan.

Policy 3.4.1 states that in order to support strong communities, a competitive economy and a high quality of life, public and private city-building activities and changes to the built environment will be environmentally friendly based on a number of initiatives, including preserving and enhancing the urban forest by providing suitable growing environments for trees, increasing tree canopy coverage and diversity, especially of long-lived native and large shade trees; and regulating the injury and destruction of trees.

The 50 Wellesley Street portion of the site is designated *Mixed Use Areas* on Map 18 – Land Use Plan in the Official Plan and is subject to Policy 4.5. This designation permits a range of residential, commercial and institutional uses. The Plan includes criteria that directs the form and quality of development in this land use designation. It is the intent that development will:

- a. create a balance of high quality commercial, residential, institutional and open space uses that reduces automobile dependency and meets the needs of the local community;
- b. provide for new jobs and homes for Toronto's growing population on underutilized lands in areas such as in the *Downtown* and designated *Mixed Use Areas*;
- c. locate and mass new buildings to provide a transition between areas of different development intensity and scale, as necessary to achieve the objectives of the Plan, through means such as providing appropriate setbacks and/or a stepping down of heights, particularly towards lower scale *Neighbourhoods*;
- d. locate and mass buildings so as to adequately limit shadow impacts on adjacent *Neighbourhoods*, particularly during the spring and fall equinoxes;
- e. locate and mass 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;
- f. provide an attractive, comfortable and safe pedestrian environment;
- g. have access to schools, parks, community centres, libraries, and childcare;
- h. take advantage of nearby transit services;
- i. provide good site access and circulation and an adequate supply of parking for residents and visitors;

- j. locate and screen service areas, ramps and garbage storage to minimize the impact on adjacent streets and residences; and
- k. provide indoor and outdoor recreation space for building residents in every significant multi-unit residential development.

The properties at 31-35 Dundonald Street are designated *Apartment Neighbourhoods* on Map 18 – Land Use Plan in the Official Plan and is subject to Policy 4.2. This designation is distinguished from low-rise *Neighbourhoods* because of a greater scale of buildings is permitted and different scale-related criteria are needed to guide development. Built up Apartment Neighbourhoods are stable areas of the City where significant growth is generally not anticipated, however there may be opportunities for additional townhouses or apartments on underutilized sites which will need to be evaluated based on certain criteria. Development in *Apartment Neighbourhoods* will contribute to the quality of life by:

- a. locating and massing new buildings to provide a transition between areas of different development intensity and scale, as necessary to achieve the objectives of the Official Plan, through means such as providing setbacks from, and/or stepping down of heights towards, lower-scale *Neighbourhoods*;
- b. locating and massing new buildings so as to adequately limit shadow impacts on properties in adjacent lower-scale Neighbourhoods, particularly during the spring and fall equinoxes;
- c. locating and massing new buildings to frame the edge of streets and parks with good proportion and maintain sunlight and comfortable wind conditions for pedestrians on adjacent streets, parks and open spaces;
- d. including sufficient off-street motor vehicle and bicycle parking for residents and visitors;
- e. locating and screening service areas, ramps and garbage storage to minimize the impact on adjacent streets and residences;
- f. providing indoor and outdoor recreation space for buildings residents in every significant multi-unit residential development;
- g. providing ground floor uses that enhance the safety, amenity and animation of adjacent streets and open spaces; and
- h. providing buildings that conform to the principles of universal design, and whenever possible contain units that are accessible or adaptable for persons with physical disabilities.

North Downtown Yonge Street Planning Framework

At its meeting of June 22, 2011, Toronto and East York Community Council, directed staff to undertake the North Downtown Yonge Street Planning Framework study in response to the Downtown Tall Buildings Study and concerns regarding the extent and type of applications being received in the area. The boundary for the study area generally included Bay Street on the west, Bloor Street to the north, Church Street to the east and College/Carlton Streets to the south. The study was to consider mixed use sites in the area with potential for intensification and revitalization and recommend a framework for

future redevelopment that City Council could use as a guide for consideration of individual redevelopment proposals within the area.

The study had an extensive public engagement process which provided 13 opportunities for the public to have input into the study. The opportunities included: 3 community consultation meetings; 2 design charrettes; a community walk; 5 working group meetings and 2 public meetings before Community Council.

Through the more detailed review that resulted from the study, staff determined that to adequately address the amount and type of development that was currently in process in the area and anticipated in the future, a policy framework should be developed to link the City of Toronto Official Plan policies to the proposed North Downtown Yonge Urban Design Guidelines for the area. This policy framework resulted in an area specific Official Plan Amendment. The subject site is located within this area.

On November 15, 2013, City Council enacted By-law 1507-2013 for Official Plan Amendment No. 183 (OPA No. 183), being the North Downtown Yonge Site and Area Specific Policy 382. Approximately 20 appeals were received on the new OPA, including an appeal for 50 Wellesley Street East.

The 50 Wellesley Street East portion of the site is within the Wellesley/Wood Character Area of the North Downtown Yonge OPA and Urban Design Guidelines. The area is characterized as being a stable area consisting primarily of "tower in the park" apartment buildings, low-rise, mid-rise and high-rise residential buildings, as well as a mix of institutional, office and retail uses. The *Mixed Use Areas* portion of this Character Area are considered appropriate for limited infill growth subject to the following development policies:

- Development/redevelopment within the Wellesley/Wood Character Area shall be located and massed so as to minimize net new shadow impacts on adjacent lower-rise areas designated *Neighbourhoods* and *Apartment Neighbourhoods* at all times of the day and for all seasons of the year; and
- Development/redevelopment must provide an appropriate transition in scale and height between designated *Mixed Use Areas* where there is more intensive forms of development/redevelopment and lower-scaled development in areas designated *Apartment Neighbourhoods* within this Character Area and in areas designated *Neighbourhoods* in the adjacent Character Areas.

The properties at 31-35 Dundonald Street are within the Gloucester/ Dundonald Character Area of the North Downtown Yonge OPA and Urban Design Guidelines. This area is seen as a stable area with low-rise residential being the predominant building type. Significant growth and intensification are not intended within this Character Area; however, sensitive low scale infill development that respects and reinforces the general

physical character, pattern, scale, massing setbacks and heritage value of this Character area, may be permitted. The area specific policies include, the following:

- Where a more intense form of development/redevelopment than the prevailing building types has been approved within or adjacent to the Gloucester/Dundonald Character Area, it will not be considered to be the prevailing building type in the assessment of development/redevelopment proposals in the Gloucester/Dundonald Character Area.
- The Gloucester/Dundonald Character Area will be protected from new net shadow impacts resulting from development/redevelopment in the adjacent Character Areas. All development/redevelopment within the Yonge Street Character Area, the Wellesley/ Wood Character Area and the Church Street Village Character Area will be located and massed so as to minimize new net shadow impacts on the Gloucester/ Dundonald Character Area at all times of the day and for all seasons of the year.
- Development/redevelopment must provide an appropriate transition in scale and height between more intensive forms of development/ redevelopment in the adjacent Character Areas down to the lower-scaled development/redevelopment of the Gloucester/ Dundonald Character Area.

There are also area-wide policies in Official Plan Amendment No. 183, Site and Area Specific Policy 382 related to heritage, parks and open space, the public realm, urban design, incentives and interpretation that must also be considered when reviewing any application within this area.

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, 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 building proposal. The Downtown Guidelines are available at <http://www.toronto.ca/planning/tallbuildingstudy.htm#guidelines>

The portion of the site to support the proposed tower is located on Wellesley Street East that is identified as a "High Street" with a Tower and Base typology in the Downtown Tall Buildings Guidelines. The height range identified for this site is 20 storeys to 35 storeys (62 metres to 107 metres). The proposed height at 37-storeys or approximately 108 metres to the top of the residential floor and generally falls within the height range for this portion of Wellesley Street East and is similar in height in metres to the 35-storey building approved by the Ontario Municipal Board at 40 Wellesley Street East.

TOcore: Planning Toronto's Downtown

On May 13, 2014, Toronto and East York Community Council considered a staff report regarding 'TOcore: Planning Toronto's Downtown', along with a related background document entitled 'Trends and Issues in the Intensification of Downtown'. These reports along with additional information are available on the study website at: www.toronto.ca/tocore

TOcore is looking at how Toronto's Downtown should grow, with both a renewed planning framework and the necessary infrastructure to remain a great place to live, work, learn and play. TOcore is in its initial 'taking stock' phase, which involves an analysis of existing conditions, growth trends and priority issues in the Downtown. The study team will be reporting back to TEYCC by the end of 2015 on the results of Phase One and the priorities for Phase Two, "Planning and Analysis". The review of this application has been informed by the issues being considered under TOcore.

Zoning

The 50 Wellesley Street East portion of the site has a site specific by-law No. 675-2005 that was approved by the OMB in 2006 to permit a 28-storey building on the site. The maximum height is set at 82.5 metres (not including mechanical penthouse) and a total gross floor area of 18,605 square metres. The by-law requires 3.7, 5.8 and 6.3 metre setbacks from the south lot line fronting Wellesley Street, up to 5.7 metres from the east lot line and a 0.0 metre setback from the north and west lot lines. The by-law also requires the tower to be located a minimum 5.5 metres from the west and east property lines.

The properties at 31-35 Dundonald Street are within the new City of Toronto Zoning By-law 569-2013 and are zoned Residential Zone (d.1.0) (x874). Maximum permitted height is 12 metres. Permitted residential building types include detached and semi-detached houses, townhouses, duplexes, triplexes, fourplexes and apartment buildings, subject to the criteria set out in the zoning by-law. Exception R 874 refers to site-specific

provisions of the subject property, and the prevailing sections in By-law 438-86 including Section 12(2) 132 that prohibits a commercial parking garage or private commercial garage.

Site Plan Control

A site plan control approval application has been submitted to the City for the proposed development, which is also before the OMB.

Reasons for Application

The Official Plan Amendment has been submitted to establish a Site and Area Specific Policy for the subject site that describes the proposed development, including minimum tower setbacks and will provide for lower-rise residential building in the form of semi-detached and townhouses/rowhouses on the Dundonald portion of the site. It will also include the permission for a commercial parking garage.

The Zoning By-law Amendment has been submitted to establish uses and development standards for the proposed development related to, among other matters, maximum density and building height, commercial and residential floor area, number of residential units, parking and loading requirements, building envelopes, required indoor and outdoor amenity space and setbacks. It has also been submitted to permit a commercial parking garage in the underground parking garage.

Design Review Panel

The original submission with the proposed 37-storey tower was presented to the Design Review Panel on November 13, 2014. City staff outlined the area context, history and area policy priorities and sought Panel's advice on: revised massing (from what was approved) in response to the adjacent OMB approved development at 40 Wellesley Street East; base building expression and Wellesley Street public realm; integration of tower as base, middle and top; and the relationship to the Park and Paul Kane House, particularly at grade.

The Panel acknowledged the efforts to improve the tower separation from 40 Wellesley Street East and was appreciative of the overall design approach and response to circumstances, but requested the applicant to look at design options to further improve the relationship between the two towers, if possible.

The Panel was particularly interested in the potential for a positive relationship between the east face of the development and Paul Kane Parkette. While it is understood that there are ownership issues, potential conflicts with the existing garden design style, maintenance details, and grading challenges to resolve, the opportunity to frame the west edge of this public park and create a positive public realm impact seemed of undeniable value, and critical to the design's success. With a socially animated edge and a formal façade that addresses the garden, the park and residential building should form a comprehensive whole. With respect to the articulation and materiality of the tower's east façade, the panel believed that the east façade would be improved by more restraint, and thus would be better suited to complete this urbane public realm composition.

In response the comments from the Panel, the east façade of the tower was modified and the ground floor was set back further along the east edge adjacent to the Paul Kane parkette with a new patio area to help integrate the proposed development with the adjacent park space. Further opportunities to integrate these spaces can be considered as part of a redesign of the park.

Community Consultation

City Planning staff held a community consultation meeting with the Ward Councillor on April 9, 2015, at the 519 Church Street Community Centre. City Parks and Transportation Services staff were also in attendance. Approximately 50 residents attended the meeting, as well as the applicant's consulting team. The meeting included an open house format with presentations from City Planning staff and the applicant.

Comments and concerns raised at the meeting and in written comments submitted to City Planning generally related to the following issues:

TOPIC	COMMENTS
Planning and Design	<ul style="list-style-type: none"> • Height of building • Provision of family sized units • Interface and overlook concerns for the units at 19 Dundonald Street • Proximity to the other buildings • Relationship to Dundonald Street must be given more thought to respect the character of the area <ul style="list-style-type: none"> - Steps up to the door similar to other houses on the street - Better roof lines - Materials similar with brick character on the street • Provisions for dogs • Move vents off setback
Parks, Open Space and Amenity	<ul style="list-style-type: none"> • Location of new trees • Buffer from the property at 19 Dundonald St. • Move the barbeques away from Dundonald St. towards the east side of the common space of the building • Leave the design of Paul Kane parkette as is • Provide trees at the northwest corner of 50 Wellesley Street East to screen views down into 19 Dundonald St. • Consideration for wall façade treatment adjacent to patios at 19 Dundonald Street • Upset that some trees are proposed to be removed • Concern that dogs will end up using the Paul Kane parkette • Provide replacement trees • Setback the back so that there is more space on the sidewalk

Traffic and Transportation	<ul style="list-style-type: none"> • Car access in unworkable – cars will exit and enter onto a dedicated bike lane, bus route and single lane traffic. • Conflict between pedestrians and site traffic • Not a good idea to move the Parking Authority spaces to this site due to accessibility
Shadow	<ul style="list-style-type: none"> • Shadow impact on the neighbourhood to the north
Construction Management	<ul style="list-style-type: none"> • Limited or No construction access on Dundonald Street • Coordinate construction management for 50 Wellesley Street East, 40 Wellesley Street East and 17 Dundonald Street

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 development standards.

COMMENTS

Provincial Policy Statement and Provincial Plans

The proposal is consistent with the Provincial Policy Statement (PPS). The PPS sets the policy foundation for regulating development and use of land. The PPS promotes additional density through intensification and redevelopment to accommodate an appropriate range and mix of employment opportunities, housing and other land uses to meet projected needs for a time horizon of up to 20 years.

In regards to the efficient use of infrastructure and transportation systems, the PPS promotes a land use pattern, density and mix of uses that minimize the length and number of vehicle trips and support the development of viable choices and plans for public transit and other alternative transportation modes. The proposed development is within steps of the Wellesley subway station.

This proposal conforms and does not conflict with the Growth Plan for the Greater Golden Horseshoe. The Growth Plan provides a framework for managing future growth in order to build strong prosperous communities. The Growth Plan directs a significant portion of new growth to built-up areas of the community through intensification to ensure and maximize the viability of existing and planned infrastructure.

Land Use

The Wellesley Street portion of the site is designated *Mixed Use Areas* which encourages mixed-used developments similar to the proposed 37-storey building which provides both residential and retail uses.

The Dundonald Street portion of the site is designated *Apartment Neighbourhoods* and the proposed townhouses and semi-detached dwellings are consistent with its use policies. The proposed Official Plan Amendment is to recognize that the underground commercial parking garage would extend beneath the Dundonald Street portion of the site. The amendment is supportable as the parking garage is only accessible from Wellesley Street East and will have no impact on Dundonald Street.

Density, Height, Massing

The proposal was reviewed in context of the Official Plan Policies related to Built Form and the Public Realm and the updated City-Wide Tall Building Design Guidelines, (May 2013) that integrates and builds upon the previous studies and guidelines to establish a new, unified set of performance measures for the evaluation of all tall building development applications across the entire city. These guidelines assist in the implementation of certain objectives of the Official Plan. These Tall Building Design Guidelines are organized by Site Context, Site Organization, Tall Building Design and Pedestrian Realm. The Downtown Tall Buildings: Vision and Supplementary Design Guidelines (May 2013) includes additional guidelines for the downtown area. Given the townhouse component of the proposal, the Infill Townhouse Guidelines were also taken into account in the review of the application.

Consideration was also given to the policies and design guidelines for Official Plan Amendment No. 183 (OPA No. 183), being the North Downtown Yonge Site and Area Specific Policy 382, particularly as it relates to the applicable character areas, specifically the Wellesley/Wood Character Area for the 50 Wellesley Street East portion of the site, and Gloucester/ Dundonald Character Area for 31-35 Dundonald Street.

The proposed height of the tower at 37-storeys or approximately 108 metres to the top of the residential floor generally falls within the height range for this portion of Wellesley Street East in The Downtown Tall Buildings: Vision and Supplementary Design Guidelines and is similar in height in metres to the building approved by the Ontario Municipal Board at 40 Wellesley Street East. The tower has been sited approximately 12.5 metres from the west property line to improve the tower separation from the tower at 40 Wellesley Street East.

The proposed tower development respects the Built Form policies in the Official Plan, as the tower fits in, respects and improves the character of the surrounding area not only in terms of the individual building site and program, but also in terms of how the site, building and its facades fit within the existing and planned context.

The vehicle parking and service areas and utilities have been located within the building to minimize their impact on the property and on surrounding properties and vehicular access is located from Wellesley Street East and will not impact Dundonald Street, which is a local residential street.

The tower has been massed to define the edges of streets, parks and open spaces at good proportion, and the revised siting of the tower with the increased westerly setback ensures

adequate access to sky view rather than creating a wall effect that would have resulted from the previous 28-storey approval.

It has also been designed with an appropriately scaled 2 to 4-storey base building, taking into account the 4-storey base building for the new building at 40 Wellesley Street East and the scale of the Paul Kane House. The ground floor has been setback along the front to improve the pedestrian realm on Wellesley Street. It also has been set back along the east side yard to allow for a patio area for the proposed commercial space that will allow the development to integrate and animate with the adjacent park space. The tower respects the desired maximum floor plate of 750 square metres and the top has been designed to integrate roof top mechanical systems into the design.

The proposal also meets the development criteria set out in the Official Plan for new developments in *Mixed Use Areas* and *Apartment Neighbourhoods*. There is a mix of uses within the tower and the proposed semi-detached and townhouses provide a transition towards the lower scale *Neighbourhoods* on the north side of Dundonald Street. The siting and scale of the buildings at 3-storeys are appropriate given the existing built form context on Dundonald Street which includes a mix of low rise, midrise and tower buildings.

As mentioned, shadow impacts were taken into account and the new siting of the proposed tower will allow sunlight to penetrate into the *Neighbourhoods*. Adequate parking has been provided and servicing has been designed to minimize impact on Dundonald Street. Sufficient indoor and outdoor recreation space is being provided within the tower for the future residents.

Although the proposed townhouses are part of a comprehensive tower development and not considered to be a typical infill townhouse project, consideration has been given to the infill townhouse guidelines as appropriate. A walkway adjacent to the semi-detached dwelling directly fronting Dundonald Street provides access for the townhouses to the street. No above-grade parking is being proposed for the townhouses and the project has been able to preserve the character of the neighbourhood streetscapes. All service functions have been internalized to limit any impact on the streets and careful consideration has been given to the townhouses to be attractive, well-proportioned and integrate with neighbouring buildings.

With respect to Official Plan Amendment No. 183 (OPA No. 183), being the North Downtown Yonge Site and Area Specific Policy 382, the development maintains the overall intent for new development in Wellesley/Wood Character Area and Gloucester/Dundonald Character Area. Shadow impacts and the scale of development to provide appropriate transition has been taken into account as previously mentioned. As well, impacts on the public realm and urban design have also been part of the review of this proposal, including a review at the City Design Review Panel.

Wind, Sun and 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.

Section 5.6.1 of Official Plan Amendment 183, states that development /redevelopment within the Wellesley Wood Character Area will be located and massed so as to minimize new net shadow impacts on adjacent lower-rise areas designated *Neighbourhoods* and *Apartment Neighbourhoods* at all times of the day and for all seasons of the year. Section 5.7.4 also states that development/redevelopment will cast no new net shadow on the parkland forming part of 519 Church Street community hub for a period of 6 hours generally between the hours of 10:00 AM and 4:00 PM on March 21st and September 21st.

The applicant has submitted wind studies and shadow diagrams required for a tower proposal at this scale.

RWDI consultants prepared a pedestrian level wind study to assess wind comfort from the proposed tower. The study involved wind tunnel measurements of pedestrian wind speeds using a physical scale model, combined with meteorological data integration, to assess pedestrian comfort and safety at key areas within and surrounding the development site. This included surrounding sidewalks, building access points, the Paul Kane House Parkette adjacent to the development site, and a retail patio on Wellesley Street East. Wind conditions were also measured on the townhouse patios and on the second and fifth level elevated amenity terraces.

The wind conditions over all pedestrian-sensitive areas within and surrounding the development site were found to be acceptable for the intended pedestrian uses on an annual and seasonal basis. As well, wind conditions over the elevated outdoor amenity terraces on the second and fifth levels were found to be comfortable for sitting or more sedentary activities throughout the year.

Additionally, within the context of typical weather patterns, no areas over the study site were found to experience conditions too windy for walking or that could be considered unsafe.

Shadow diagrams were prepared by Quadrangle architects to demonstrate the shadow impacts of the proposal at the spring and fall equinoxes and on June 21st and December 21st. All diagrams were prepared in 1 hour increments between 9:18 am to 6:18 pm. The shadow diagrams illustrated the shadow from the previously approved 28-storey building and the shadow from the proposed 37-storey building along with the incremental shadow.

The diagrams illustrated that although the shadow from the 37-storey building may extend further north, with the increased west side yard setback, there is now a break in

the shadow from the adjacent 35-storey tower approved for 40 Wellesley Street East, which is an improvement from the previous 28-storey proposal. This break allows sunlight to penetrate into the adjacent low rise neighbourhood rather than having a solid shadow through this area. As well, the reconfiguration and slim design of the tower allows the shadow to move quickly over the area. The shadow impact on Paul Kane parkette is similar to the previous approval.

With respect to shadow impacts on the parkland forming part of 519 Church Street community hub, the shadow diagrams illustrate that there is no new net shadow for the desired 6 hours generally between the hours of 10:00 AM and 4:00 PM on March 21st and September 21st. The studies show that shadow begins to encroach in to this area around 4:00 pm.

Traffic Impact, Access, Parking

A Traffic Impact Assessment was reviewed for this proposal. The documentation provided by BA Group indicated that the proposal is expected to generate approximately 75 and 85 net two-way trips during the AM and PM Peak Hours. Based on the review of the documentation provided by the consultant, and taking into account the nature of the application for this project, Transportation Services staff concur that the proposed development will have minimal traffic impacts at the intersections within the area.

Vehicular access is to be from a driveway off of Wellesley Street East. A total of 163 vehicular parking spaces are proposed to serve this project located within a three level underground parking garage, consisting of 117 for residents and 46 spaces on the Parking Level 1 for the Toronto Parking Authority. The applicant submitted a study concluding that the proposed resident supply will appropriately accommodate the needs of the project, based on the number of parking spaces sold to date and the estimated parking demand generated for the remaining unsold units.

Although there is no allocated visitor parking spaces, the plan includes a 46 space commercial parking garage, located on the P1 level to accommodate any visitors, which is found to be acceptable.

A Type G loading is located within the building and Transportation Services staff is satisfied that the access to the loading space from the ramp of off Wellesley Street East is fully functional and acceptable. It should also be noted that a short term parking space will be provided on the Ground Floor for deliveries.

Servicing

There are services (watermain and sanitary sewer) in the vicinity of this site that may potentially be available to service this development.

As a condition of the Official Plan and Zoning By-law Amendment applications, the owner is to submit a revised Site Servicing Assessment and Stormwater Management Implementation Report and revised Site Servicing and Grading Plan to address concerns outlined in the letter dated September 8, 2015 to the consulting engineer GHD.

Development Engineering staff has reviewed the supporting servicing material and is requesting that the owner provide documentation to demonstrate that adequate measures, applicable agreements and permits have been signed or issued by Toronto Water (Environmental Monitoring & Protection) relating to the proposed pumping of the foundation drain. The discharge of foundation drain must be in accordance to Toronto Municipal Code, Chapter 681 Sewers. The quality limits for discharge into the sanitary or combined sewers must satisfy the limits listed in Table 1 of Chapter 681. The quality limits for discharge into the storm sewers must satisfy the limits as listed in Table 2 of Chapter 681. This condition is required to be satisfied prior to final site plan approval.

There will a provision in the Section 37 agreement that will require the owner to pay for and construct any improvements to the municipal infrastructure in connection with the site servicing assessment, should it be determined that upgrades are required to the infrastructure to support this development, to the satisfaction of the Executive Director, Engineering and Construction Services Division.

Solid Waste Management

The project has been designed to provide built lift compacted garbage, recycling and organic collection services within the building. Collection of waste materials will be in accordance with the City requirements from new developments, Chapter 844, Solid Waste of the Municipal Code. It should be noted however that the commercial component of the development is ineligible for City of Toronto collection and the owner must store, transport and make arrangements for collection of all waste materials separately from the residential component, in accordance with Chapter 841, Solid Waste of the Municipal Code. Separate waste and recycling containers are to be utilised and it will be necessary for the retail sector to have these bins identified as "Retail Waste Only".

The Type G loading space can be used by both residential and commercial sectors, however, the commercial component must arrange for their collection days to be scheduled to be opposite days from those of the residential collection days.

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 parkland acquisition priority area, as per Chapter 415, Article III of the Toronto Municipal Code.

The application is for the construction of one tower building with 270m² of non-residential gross floor area and 365 residential units. The development will also include 10 additional units in the form of semi-detached dwellings and townhomes.

At the alternative rate of 0.4 hectares per 300 units specified in Chapter 415, Article III of the Toronto Municipal Code, the parkland dedication requirement is 5,000 m² or 183% of

the site area. However, for sites that are less than 1 hectare in size, a cap of 10% of the development site is applied to the residential use while the non-residential use is subject to a 2% parkland dedication. In total, the parkland dedication requirement is 274m².

The applicant is required to satisfy the parkland dedication requirement through cash-in-lieu. This is appropriate as the site is encumbered by the underground parking structure.

The actual amount of cash-in-lieu to be paid will be determined at the time of issuance of the building permit. As well, the applicant will be required to address any limiting distance requirements in the *Ontario Building code Act, 1992* for the adjacent to Paul Kane Parkette, prior to the issuance of any above grade buildings permits. The landscape details adjacent to Paul Kane Parkette are to be finalized as part of the site plan approval.

Streetscape

As mentioned, the building would have a 6 metre setback from the front property line on Wellesley Street East that will provide a widened sidewalk and publicly accessible area along the front of the building.

There may be an opportunity as part of site plan approval to revisit the streetscape treatment along this portion of Wellesley Street East in a comprehensive manner as part of the redevelopment of the subject site and the adjacent tower development at 40 Wellesley Street East.

Urban Forestry – Street Trees and Private Trees

A permit application was received by Urban Forestry from Wellesley Residences Corporation (Plazacorp Investments Limited) proposing to remove seven (7) City owned trees, injure two (2) City owned trees, remove two (2) privately owned trees and injure one (1) privately owned tree. The permit application was received by Urban Forestry in connection with Official Plan Amendment, Zoning by-law Amendment and Site Plan Control applications to permit the redevelopment of lands for a 37 storey residential tower with ground floor retail space and semi-detached houses fronting Dundonald Street and a row of townhouses at the rear at 50 Wellesley Street East and 31, 33 and 35 Dundonald Street ("the site").

The following is a list of the trees which were included in the permit application:

City owned trees

Tree # in Arborist Report	Species	DBH (cm)	Condition	Application
1	Elm cultivar	5	Fair to Good	To remove
2	Honey locust	5	Good	To remove
3	Elm cultivar	5	Good	To remove
4	Crabapple	13	Good	To remove
13	Freeman maple	2	Good	To remove
14	White mulberry	12	Fair to Good	To remove

15	Silver maple	69	Fair to Good	To injure
16	Magnolia	9	Good	To remove
17	Silver maple	115	Good	To injure

Privately owned trees

Tree # in Arborist Report	Species	DBH (cm)	Condition	Application
6	White oak	85*	Fair to Good	To injure
9	Green ash	52	Fair to Good	To remove
12	Norway maple	50-60	Fair to Good	To Remove

* Tree Removal & Protection Plan, Drawing No. L1.01, prepared by The Planning Partnership inventoried Tree # 6 as 80 cm.

Under the provisions of Section 813-19 of the City of Toronto Municipal Code, Chapter 813, Trees, Article III, notice of application signs were posted on the subject properties for the minimum 14 day posting period. The posting period expired on Friday, September 25, 2015. Eleven (11) letters of objection were received by Urban Forestry in response to the public notice of application.

Urban Forestry reviewed the request for a permit to remove seven (7) City owned trees, injure two (2) City owned trees, remove two (2) privately owned trees and injure one (1) privately owned tree. Urban Forestry has reviewed the following supporting documents which were submitted in connection with the permit application:

- Tree Investigation and Opinion Report – 50 Wellesley Street East + 31-35 Dundonald Street, prepared by Michael Ormston-Holloway of The Planning Partnership Ltd., dated September 15, 2015;
- Tree Management Plan – 37 + 29 Dundonald Street, prepared by The Planning Partnership Ltd., dated September 22, 2015;
- 50 Wellesley and 31-35 Dundonald – Peer Review Comments on Tree Investigation and Opinion Report and Tree Management Plan, prepared by Ian W. Bruce of Bruce Tree Expert Company Ltd., dated September 29, 2015.

The issuance of a permit related to the above noted application was refused by City of Toronto, Urban Forestry on October 2, 2015, given the privately owned white oak situated in the rear yard of 37 Dundonald Street and the City owned silver maple situated within the Dundonald Street City road allowance fronting 37 Dundonald Street are healthy, mature, long-lived, native large shade trees.

Notwithstanding that the applicant's consultants have submitted reports and a tree management plan to save the tree at 37 Dundonald, it is Urban Forestry staff's opinion that the tree will not survive. It should be noted that building permits are required to be issued by the City when site plan approval has been obtained for a project, notwithstanding impacts on trees. As mentioned, the Site Plan application has been appealed to the Ontario Municipal Board. Given that Section 5.6.1 of the Official Plan

requires that the Plan be read as a whole for priority setting and decision making, it is Planning staff's opinion that, on balance, that Council support the proposed development and authorize the destruction of the white oak tree.

The applicant shall provide a tree replanting guarantee deposit payment associated with the white oak tree as established through the Private Tree By-law permit process. The applicant can continue to undertake their tree management plan for the white oak tree if they desire; the tree replanting deposit will be returned if the white oak tree is in a healthy condition and has not significantly declined after a period of 5 years following completion of the construction.

Toronto Green Standard

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

The applicant is required to meet Tier 1 of the TGS. The site specific zoning by-laws will secure performance measures of Tier 1 development features such as Automobile Infrastructure, Cycling Infrastructure, Storage and Collection of Recycling and Organic Waste. Other TGS performance standards will be secured through the Site Plan Approval process.

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 established in consultation with the Ward Councillor if the project is considered to be good planning and recommended for approval.

Community benefits can include (among other capital facilities): parkland, non-profit arts and cultural, community or child care facilities, streetscape improvements on the public boulevard not abutting the site; and other works detailed in policy 5.1.1.6 of the Official Plan. The community benefits must bear a reasonable relationship to the proposed development, including at a minimum, an appropriate geographic relationship and the addressing of the planning issues associated with the development. (e.g., local shortage of parkland, provision of new parks facilities).

Community benefits have been secured for the density and height above and beyond the 28-storey building that was previously approved for the site. The community benefits recommended to be provided by and at the Owner's expense and secured in the Section 37 Agreement are as follows:

Prior to the issuance of the first above grade building permit the owner shall provide the following cash contributions:

- i. \$1,000,000.00, consisting of \$200,000.00 to be allocated to Toronto Community Housing capital improvement and/or new affordable housing and/or new community or cultural space in Ward 27, and \$800,000.00 for local area streetscape and park improvements in Ward 27, all to be to the satisfaction of the Chief Planner and Executive Director, City Planning Division, in consultation with the local councillor.
- ii. Require that the cash amounts identified in (i) above, to be increased by upwards indexing in accordance the Non-Residential Construction Price Index for the Toronto CMA, reported by Statistics Canada or its successor, calculated from the date of the Section 37 Agreement to the date of each such payment to the City.

The following matters are also recommended to be secured in the Section 37 Agreement as a legal convenience to support the development:

- iii. the provision of a minimum of 15 dwelling units shall be 3-bedroom units having a minimum size of 83.6 sq.m. (900 sq.ft.), of which 10 may be grade-related units;
- iv. the provision of a public pedestrian access easement in favour of the City along the entire Wellesley Street East frontage, having a minimum depth of 1.5 metres, and over the walkway located on the east side of the site to provide access to the commercial parking garage entrance;
- v. the provision of a short term parking space on the ground floor for deliveries;
- vi. the owner shall pay for and construct any improvements to the municipal infrastructure in connection with the site servicing assessment, should it be determined that upgrades are required to the infrastructure to support this development, to the satisfaction of the Executive Director, Engineering and Construction Services Division; and

- vii. the owner shall provide a tree replanting guarantee deposit payment associated with the white oak tree as established through the Private Tree By-law permit process.

CONTACT

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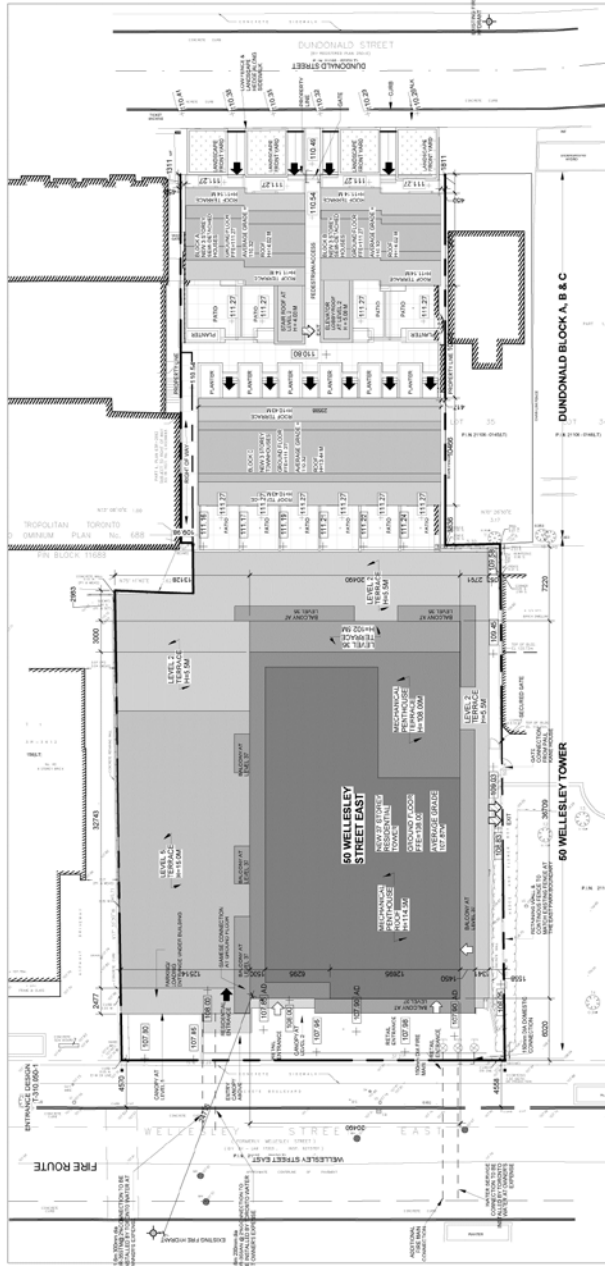
SIGNATURE

Jennifer Keesmaat, MES, MCIP, RPP
Chief Planner and Executive Director
City Planning Division

ATTACHMENTS

- Attachment 1: Site Plan
- Attachment 2: Ground Floor Plan
- Attachment 3: 2nd Floor Plan
- Attachment 4: 5th Floor Plan
- Attachment 5: Parking Level 1
- Attachment 6: East Elevation - Tower
- Attachment 7: North Elevation- Tower
- Attachment 8: West Elevation - Tower
- Attachment 9: South Elevation – Tower
- Attachment 10: Townhouse Elevations
- Attachment 11: Semi-Detached Elevations
- Attachment 12: Tree Removal and Protection Plan
- Attachment 13: Ground Level Landscape Plan
- Attachment 14: Ground Level Detail and Planting Plan
- Attachment 15: Existing Zoning
- Attachment 16: Existing Official Plan
- Attachment 17: Application Data Sheet

Attachment 1: Site Plan



Site Plan

Applicant's Submitted Drawing

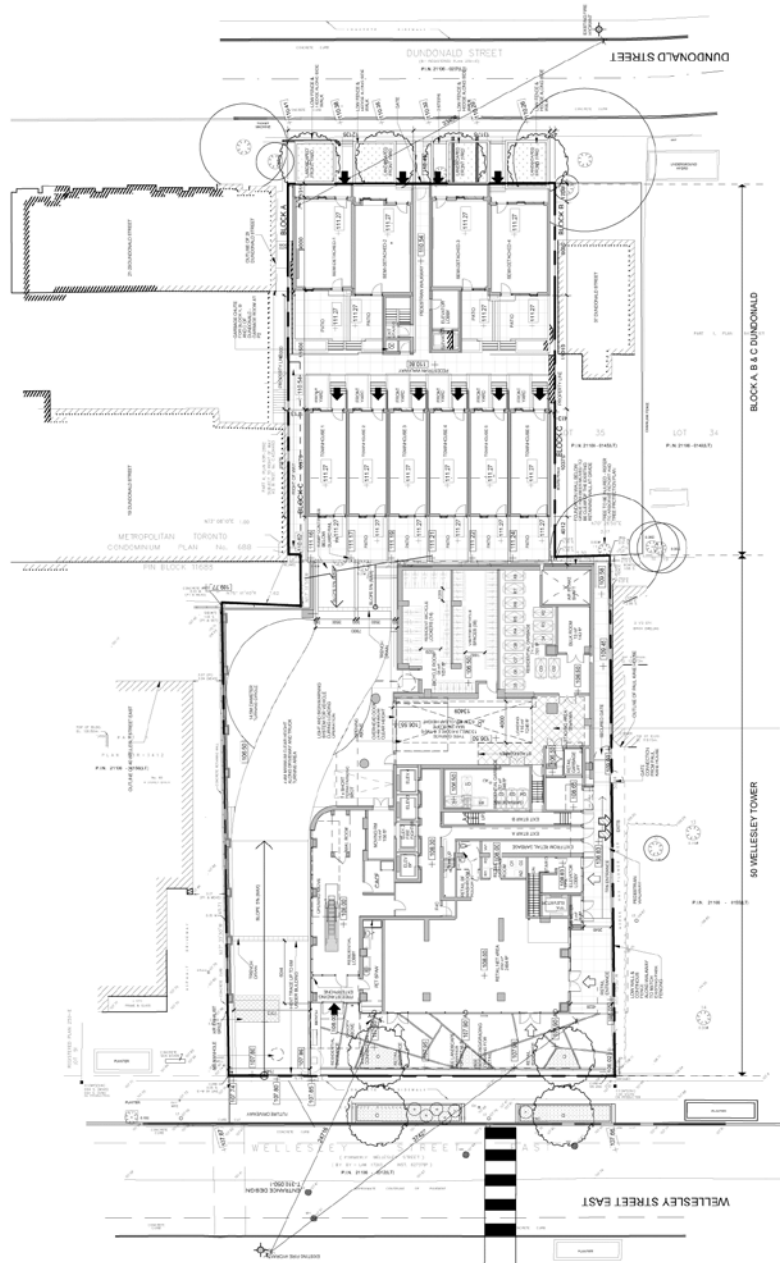
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08/06/14

50 Wellesley Street East and 31-35 Dundonald Street

File # 14_159828 STE 27 OZ

Attachment 2: Ground Floor Plan



Ground Floor Plan

Applicant's Submitted Drawing

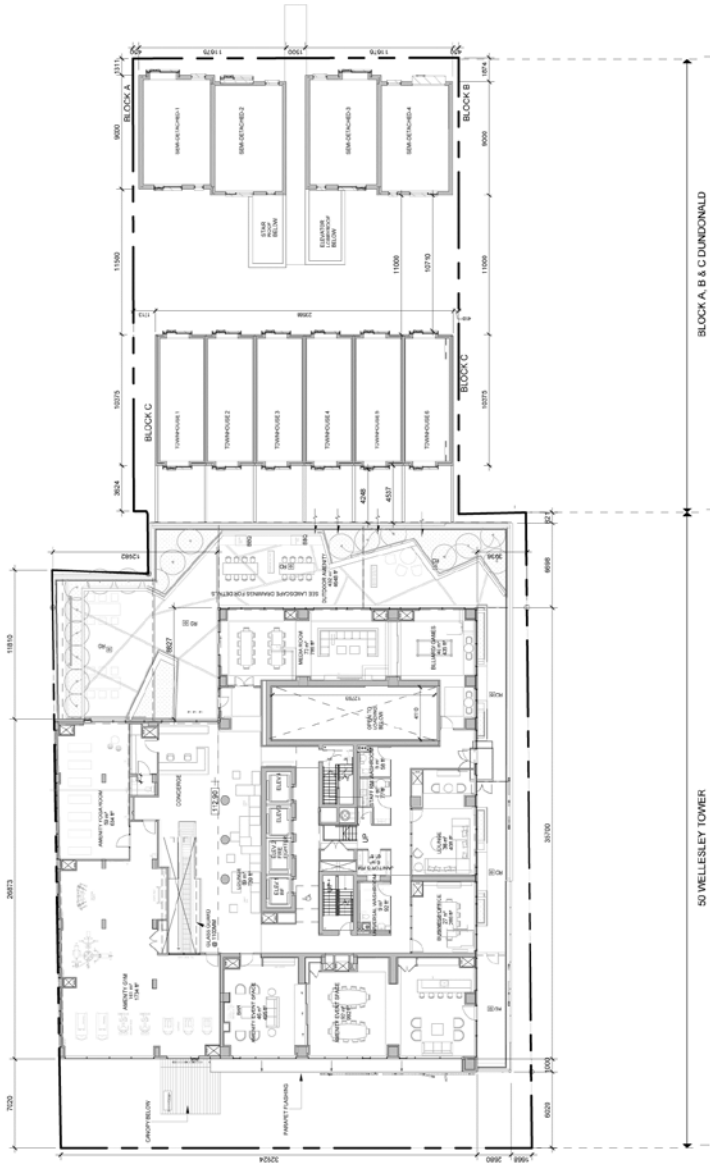
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08/06/14

50 Wellesley Street East
and 31-35 Dundonald Street

File # 14_159828 STE 27 OZ

Attachment 3: 2nd Floor Plan



2nd Floor Plan

Applicant's Submitted Drawing

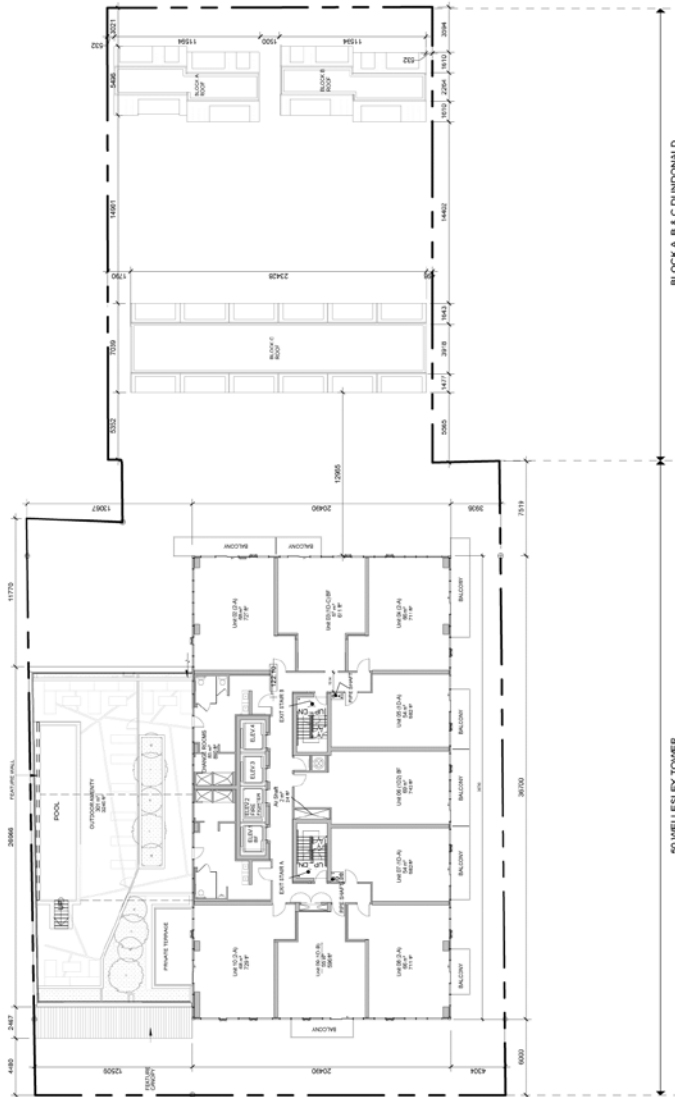
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50 Wellesley Street East and 31-35 Dundonald Street


File # 14_159828 STE 27 OZ

Attachment 4: 5th Floor Plan



5th Floor Plan

Applicant's Submitted Drawing

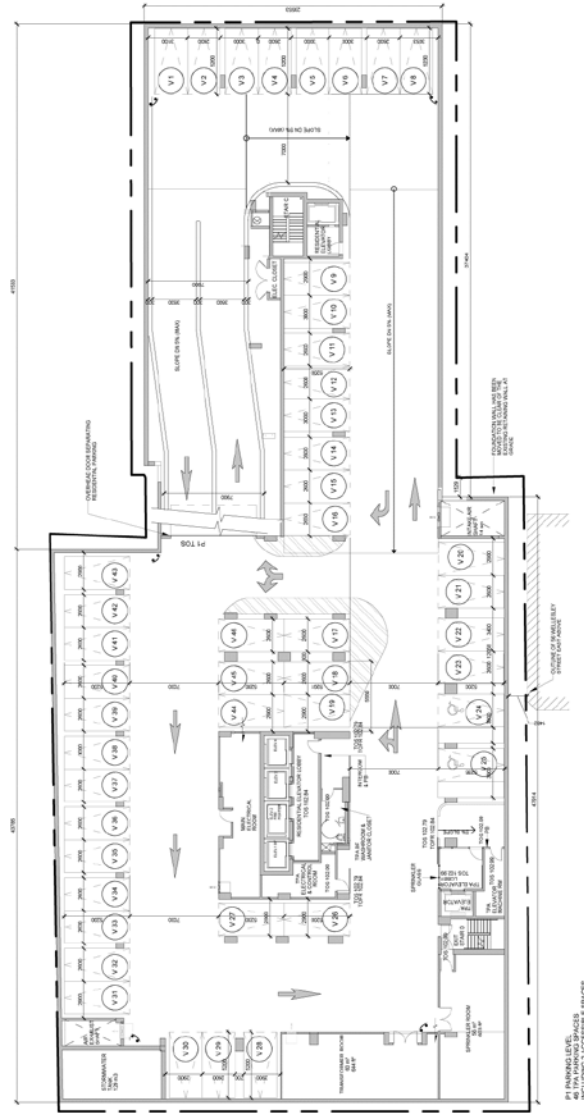
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08/06/14

50 Wellesley Street East
and 31-35 Dundonald Street

File # 14_159828 STE 27 OZ

Attachment 5: Parking Level 1



Parking Level 1

Applicant's Submitted Drawing

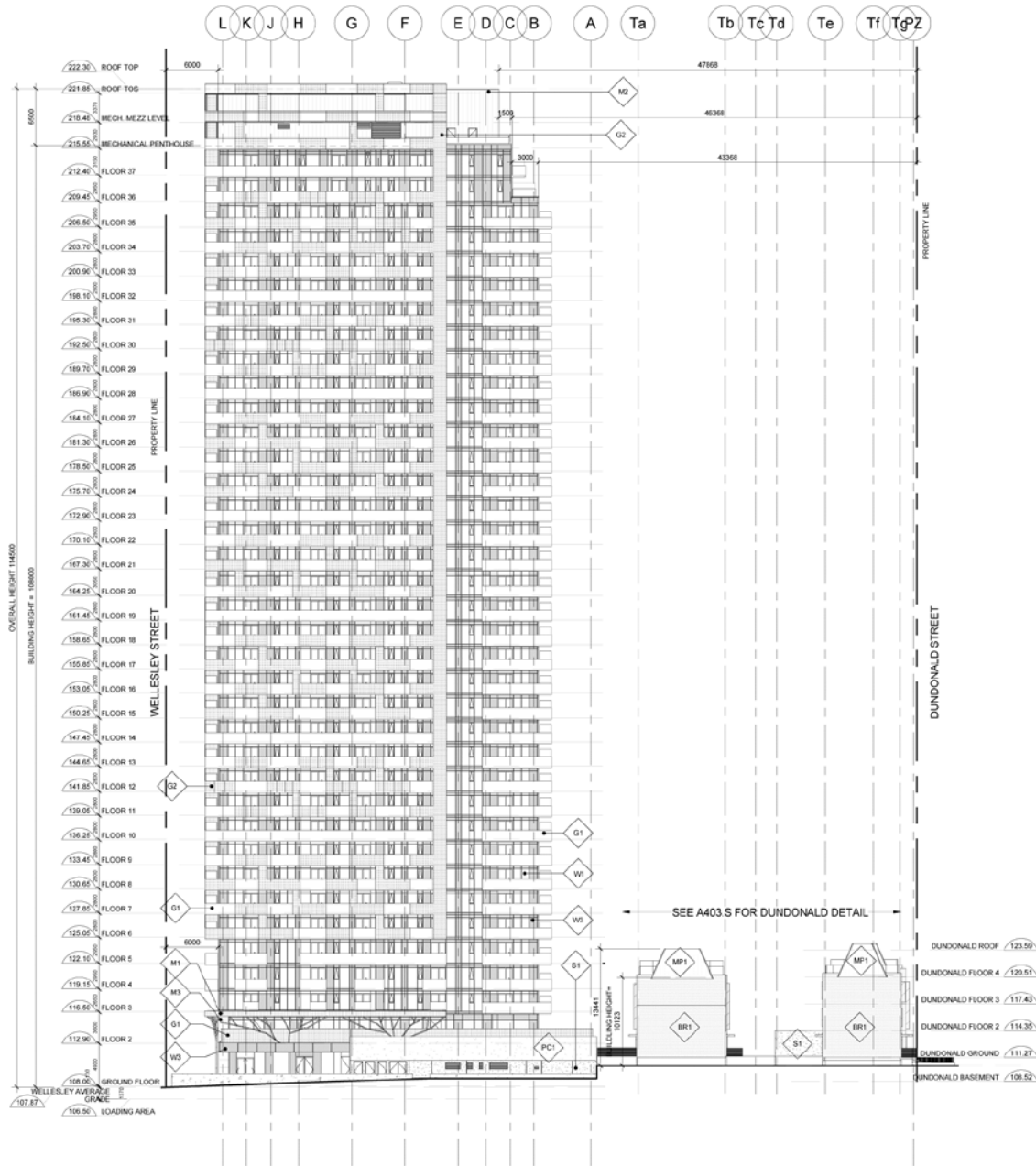
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08/06/14

50 Wellesley Street East
and 31-35 Dundonald Street

File # 14_159828 STE 27 OZ

Attachment 6: East Elevation - Tower



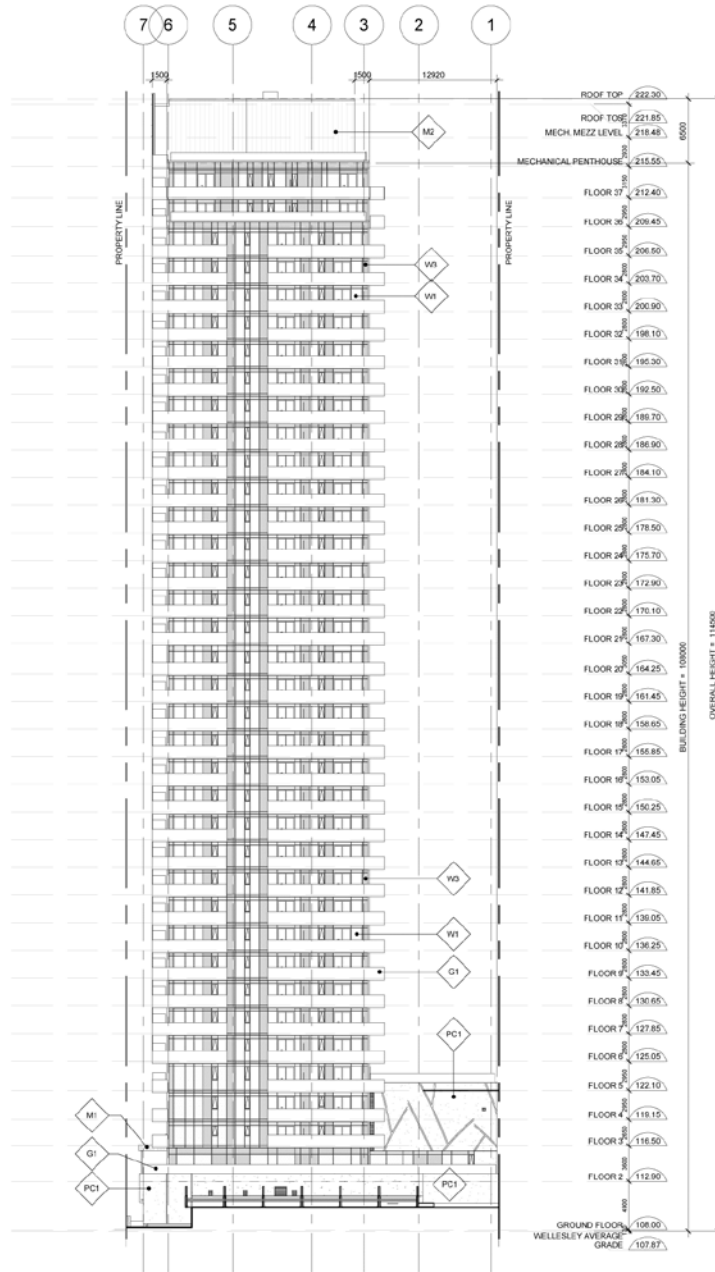
Applicant's Submitted Drawing

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08/06/2015

50 Wellesley Street East and 31-35 Dundonald Street

File # 14 159828 STE 27 OZ

Attachment 7: North Elevation- Tower



North Elevation

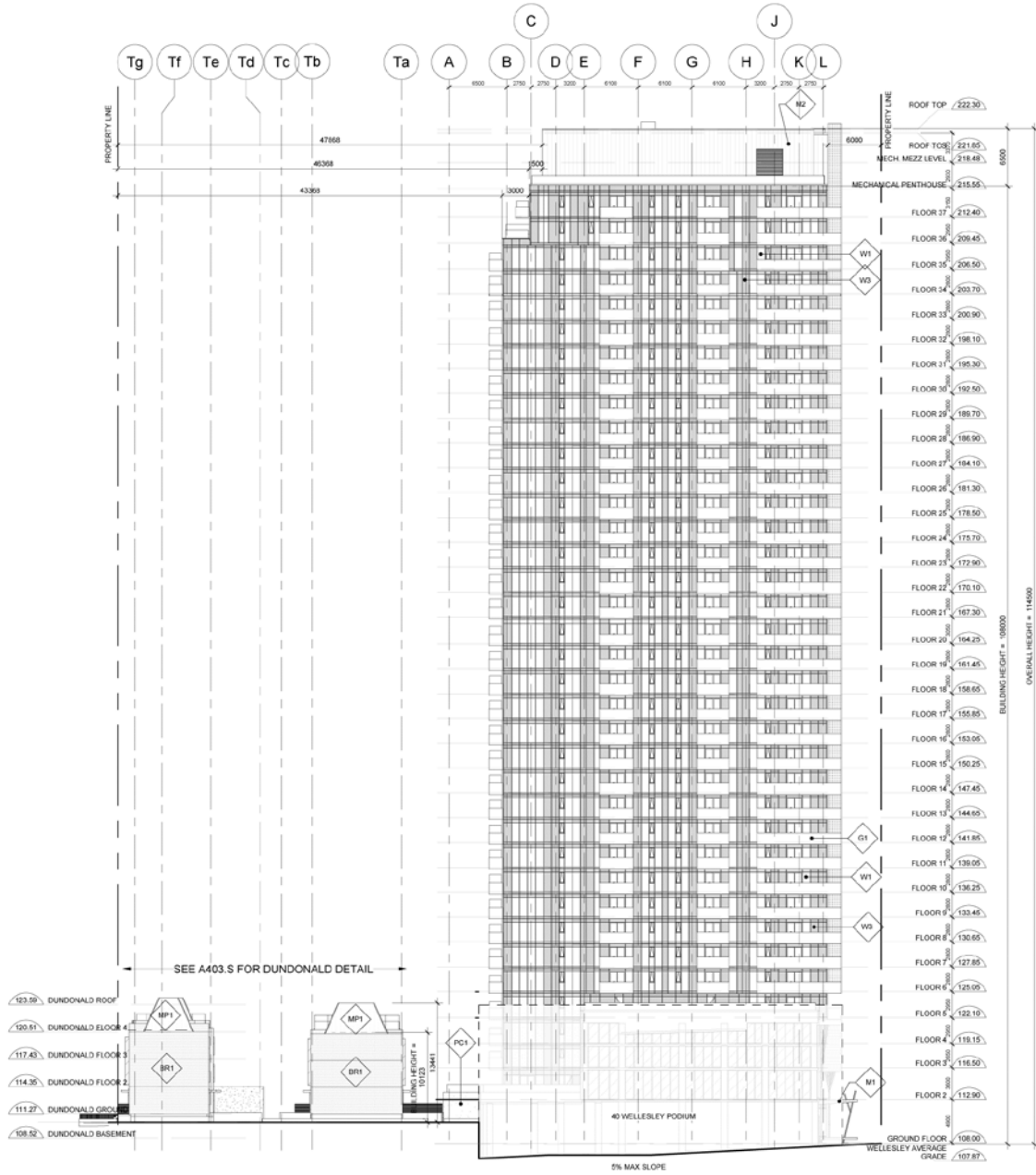
Applicant's Submitted Drawing

Not to Scale
08/06/2015

**50 Wellesley Street East
and 31-35 Dundonald Street**

File # 14 159828 STE 27 OZ

Attachment 8: West Elevation - Tower



West Elevation

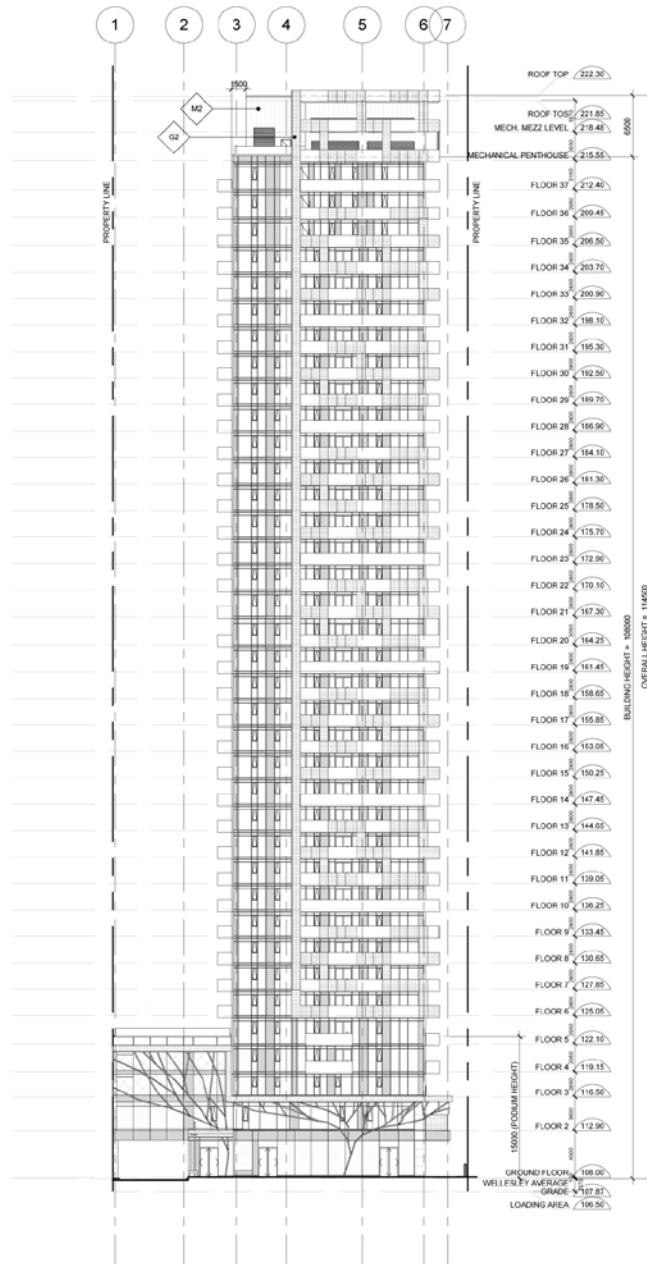
Applicant's Submitted Drawing

Not to Scale
08/06/2015

50 Wellesley Street East and 31-35 Dundonald Street

File # 14 159828 STE 27 OZ

Attachment 9: South Elevation – Tower



South Elevation

Applicant's Submitted Drawing

Not to Scale
08/06/2015

**50 Wellesley Street East
and 31-35 Dundonald Street**

File # 14 159828 STE 27 OZ

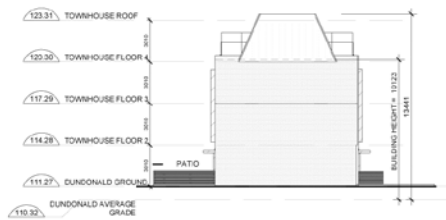
Attachment 10: Townhouse Elevations



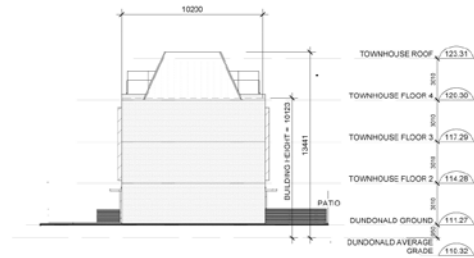
6
A403 S TOWNHOUSES NORTH ELEVATION



3
A403 S TOWNHOUSES SOUTH ELEVATION



2
A403 S EAST ELEVATION



4
A403 S WEST ELEVATION

Townhouse Elevations

Applicant's Submitted Drawing

Not to Scale
08/06/2015

50 Wellesley Street East and 31-35 Dundonald Street

File # 14 159828 STE 27 OZ

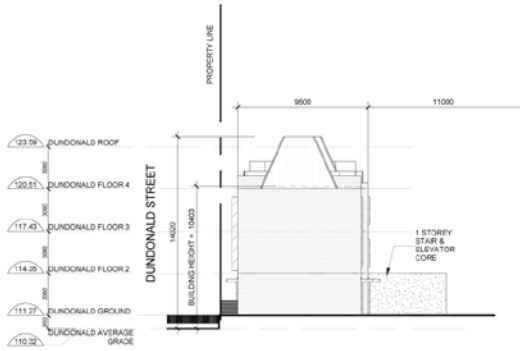
Attachment 11: Semi-Detached Elevations



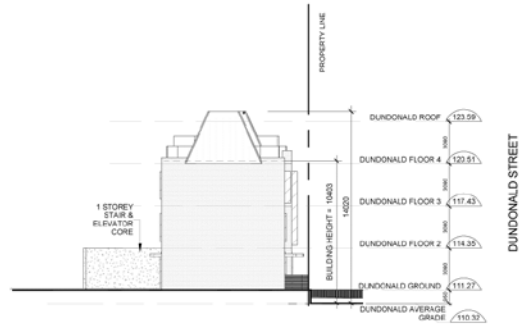
1
A403.S SEMI-DETACHED NORTH ELEVATION



5
A403.S SEMI-DETACHED SOUTH ELEVATION



4
A403.S WEST ELEVATION



A403.S EAST ELEVATION

Semi-Detached Elevations

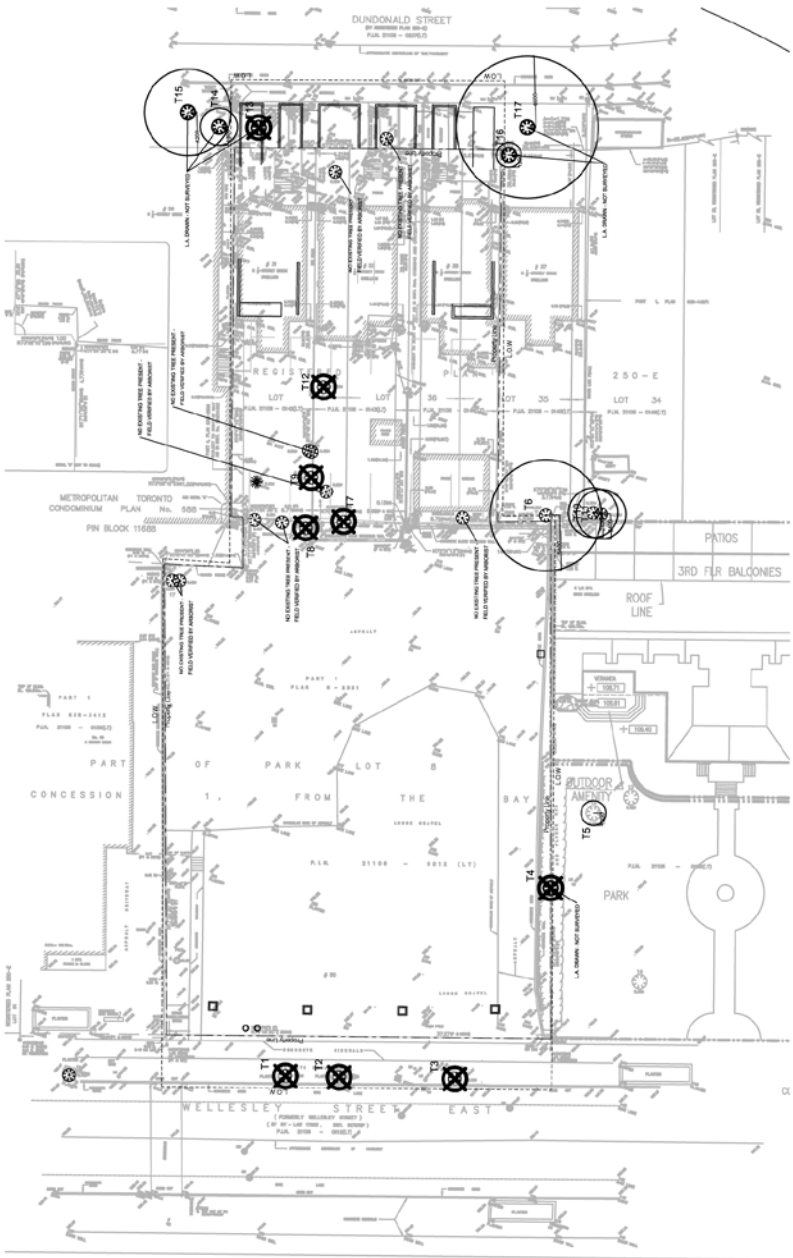
Applicant's Submitted Drawing

Not to Scale
08/06/2015

50 Wellesley Street East and 31-35 Dundonald Street


File # 14 159828 STE 27 OZ

Attachment 12: Tree Removal and Protection Plan



Tree Removal & Protection Plan

Applicant's Submitted Drawing

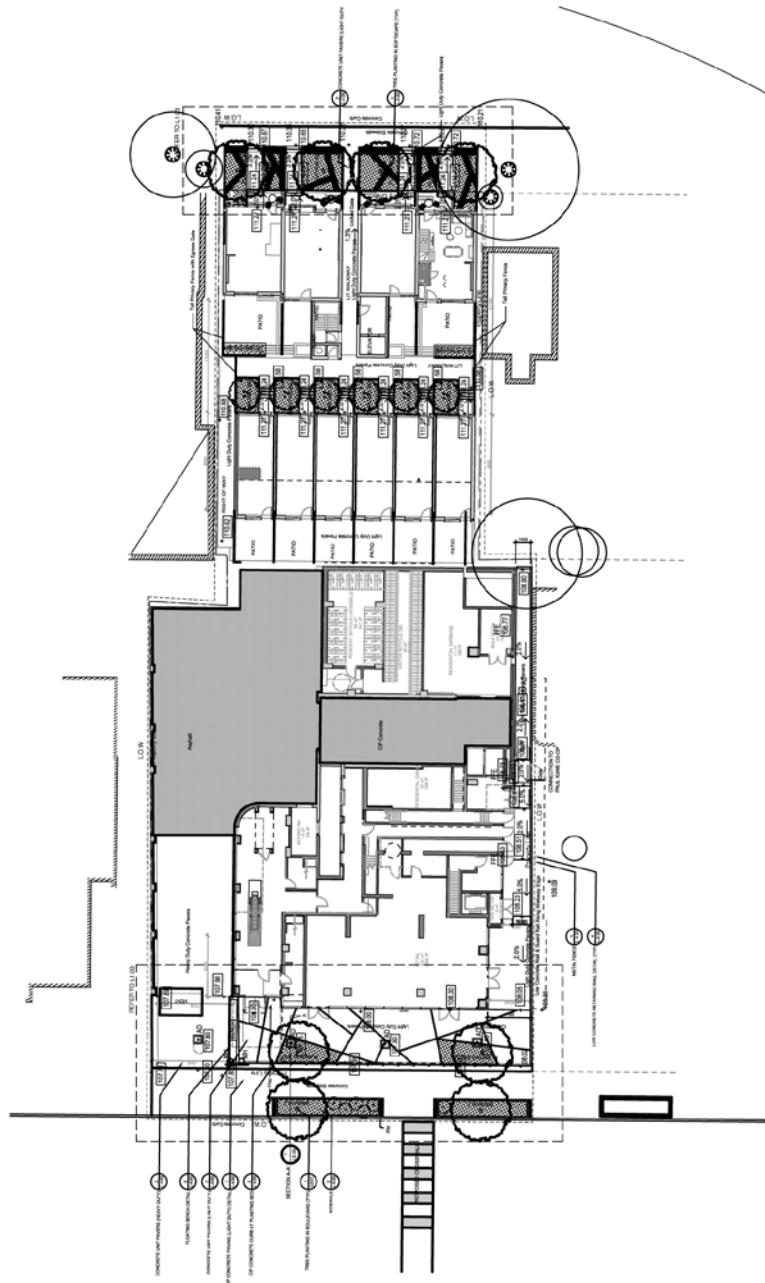
Not to Scale 

08/06/14

**50 Wellesley Street East
and 31-35 Dundonald Street**

File # 14_159828 STE 27 OZ

Attachment 13: Ground Level Landscape Plan



Ground Level Landscape Plan

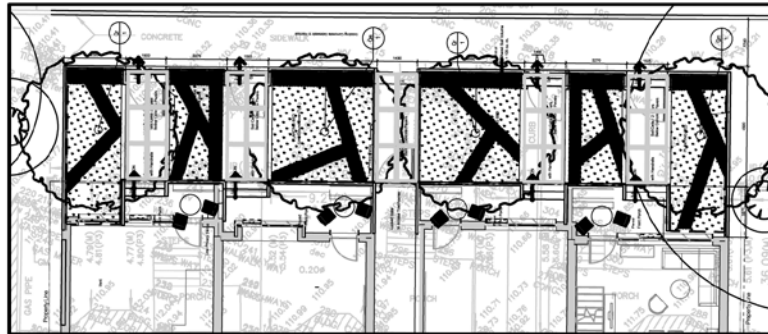
Applicant's Submitted Drawing

Not to Scale 
08/06/14

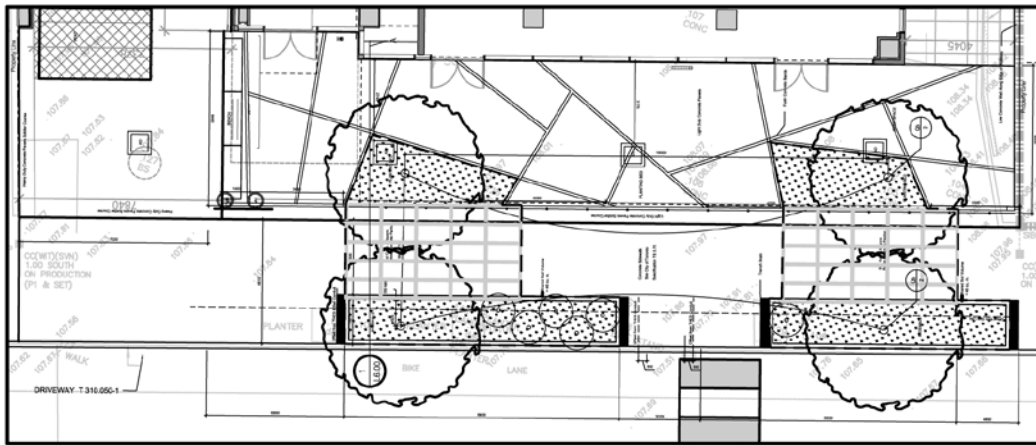
50 Wellesley Street East
and 31-35 Dundonald Street

File # 14_159828 STE 27 OZ

Attachment 14: Ground Level Detail and Planting Plan



3 DUNDONALD STREETScape



1 WELLESLEY STREETScape

Ground Level Detail & Planting Plan

Applicant's Submitted Drawing

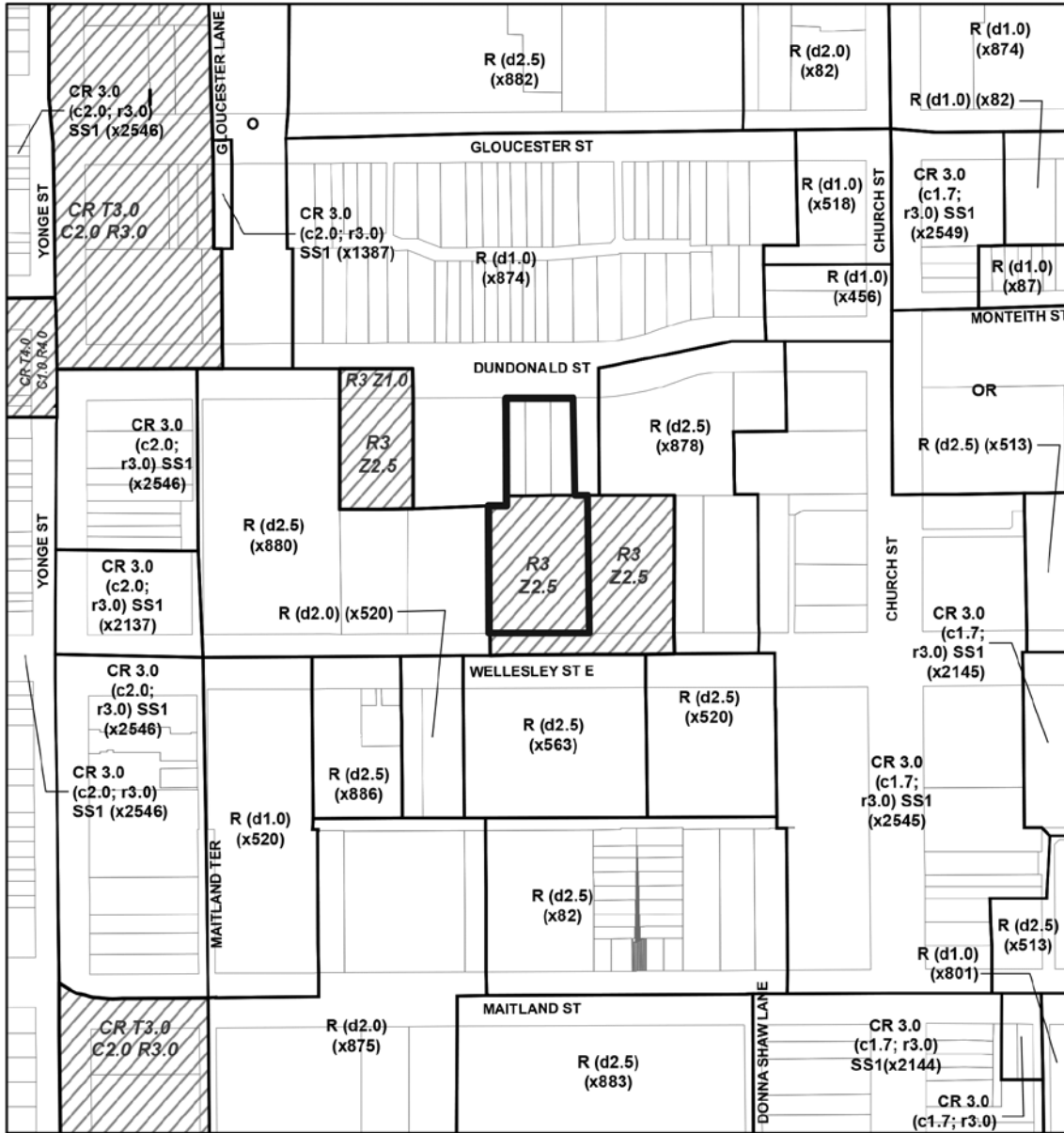
Not to Scale 

08/06/14

50 Wellesley Street East
and 31-35 Dundonald Street

File # 14_159828 STE 27 OZ

Attachment 15: Existing Zoning



Zoning By-law 569-2013

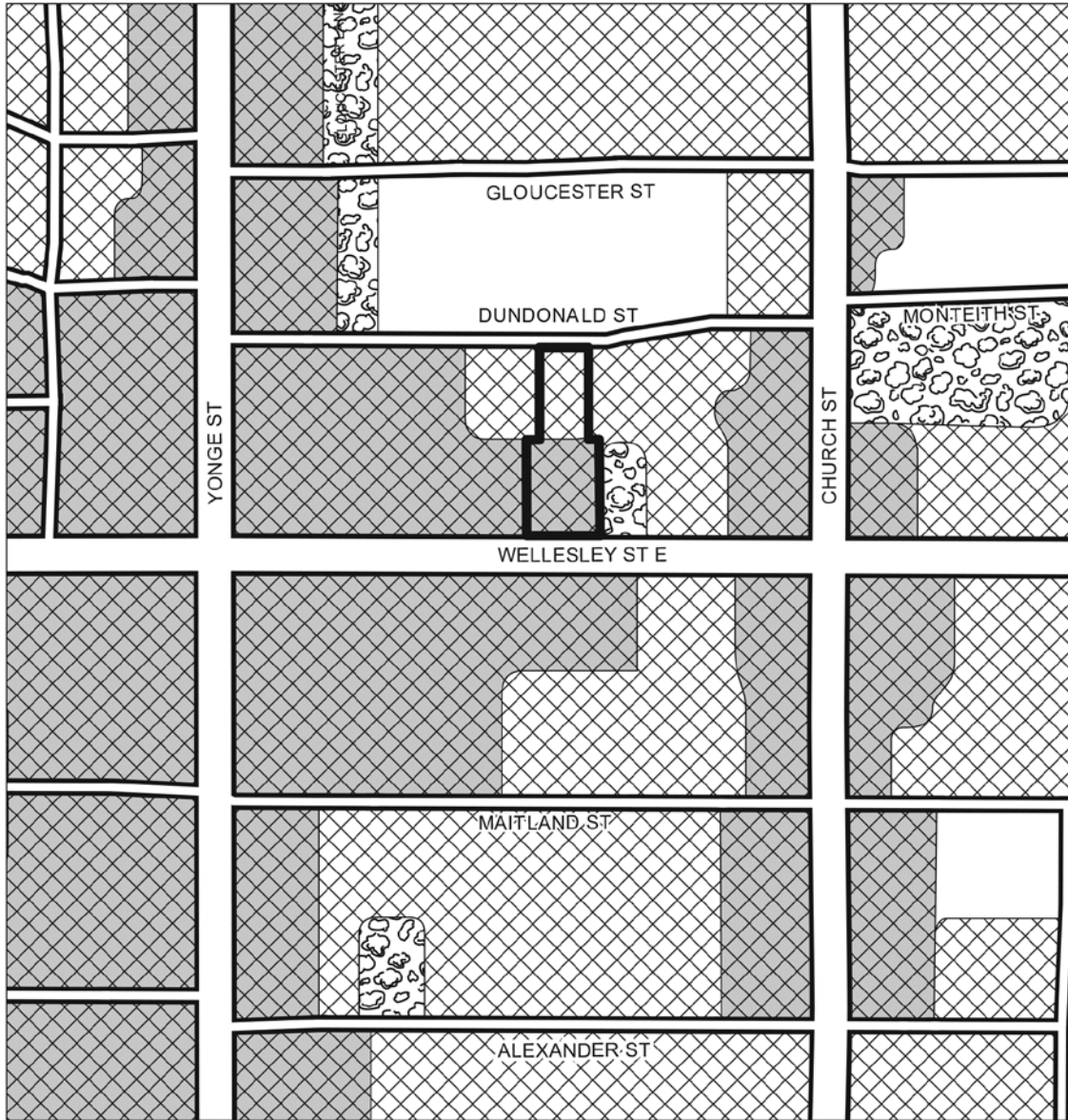
**50 Wellesley Street East
and 31-35 Dundonald Street**

File # 14 159828 STE 27 OZ

- | | |
|--|--|
| <ul style="list-style-type: none"> Location of Application R Residential CR Commercial Residential O Open Space OR Open Space Recreation | <ul style="list-style-type: none"> See Former City of Toronto Bylaw No. 438-86 CR Mixed-Use District R3 Residential District |
|--|--|

Not to Scale
 Extracted: 08/05/2015



Attachment 16: Existing Official Plan



TORONTO City Planning
Extract from Official Plan

**50 Wellesley Street East
 and 31-35 Dundonald Street**

File # 14 159828 STE 27 0Z

- | | |
|--|--|
|  Site Location |  Parks & Open Space Areas |
|  Neighbourhoods |  Parks |
|  Apartment Neighbourhoods | |
|  Mixed Use Areas | |


 Not to Scale
 08/05/2015

Attachment 17: Application Data Sheet

Application Type	Official Plan Amendment & Rezoning	Application Number:	14 159828 STE 27 OZ
Details	OPA & Rezoning, Standard	Application Date:	May 22, 2014 Revised April 2015
Municipal Address:	50 Wellesley St E and 31-35 Dundonald St		
Location Description:	North side of Wellesley Street East, between Yonge Street and Church Street		
Project Description:	Official Plan and Zoning By-law Amendment applications have been submitted to permit a 37-storey mixed use building on Wellesley Street with ground floor retail; and semi-detached houses fronting Dundonald Street, with a row of townhouses to the rear (3 storeys, 10 units total). Three levels of underground parking are proposed with a Toronto Parking Authority Garage on P1. Associated Site Plan File 15 149822 STE 27 SA		

Applicant/Agent:	Architect:	Owner:
MC CARTHY TETRAULT LLP c/o Cynthia MacDougall	Quadrangle Architects Limited	Wellesley Residences Corp.

PLANNING CONTROLS

Official Plan Designation:	Mixed Use Areas and Apartment Neighbourhoods	Site Specific Provision:	OPA 346
Zoning:	Site Specific 675-2005 OMB approved & R(d.1.0) (x874) in By-law 569-2013	Historical Status:	
Height Limit (m):	82.5 metres 28-storeys and 12 metres	Site Plan Control Area:	Y

PROJECT INFORMATION

Site Area (sq. m):	2765.6 sq.m.	Height:	Storeys:	37-storey for tower 3-storeys for Semis & Towns
Frontage (m):	37.27 on Wellesley 25.76 on Dundonald		Metres:	For tower 114.5 – mech roof
Depth (m):	86 metres			
Total Residential GFA (sq. m):	27,173			Total
Total Non-Residential GFA (sq. m):	270		Parking Spaces:	163
Total GFA (sq. m):	27,443		Loading Docks	1
Floor Space Index:	9.9			

DWELLING UNITS

FLOOR AREA BREAKDOWN (upon project completion)

		Above Grade	Below Grade
Tenure Type:	Condo		
Rooms:	Residential GFA (sq. m):	27,173	0
1 Bedroom:	223	270	0
2 Bedroom:	128	0	0
3 + Bedroom:	14	0	0
	+ 4 semis		
	+ 6 towns		
Total Units:	375		