



STAFF REPORT

Committee of Adjustment Application

Date:	April 23, 2018
To:	Chair and Members of the Committee of Adjustment Toronto and East York District c/o Anita MacLeod, Manager & Deputy Secretary-Treasurer Toronto and East York
From:	Acting Director, Community Planning, Toronto and East York District
Ward:	Ward 20, Trinity-Spadina
Reference:	File No. A1321/17TEY Address: 16 York Street Applicant: Block 9A Developments Agent: Kim Kovar Application to be heard: April 25, 2018

RECOMMENDATION

City Planning staff respectfully recommend that the Committee of Adjustment **refuse** Application A1321/17TEY.

APPLICATION

The application seeks relief from Section 8 and Section 16 of site-specific Zoning By-law 494-2009 by reducing the total length of street related retail uses along the entire street frontage of the site, and reducing the total width of commercial space fronting onto Bremner Boulevard.

COMMENTS

The site is located on the southwest corner of York Street and Bremner Boulevard. The site is designated *Mixed Use Areas* in the City of Toronto Official Plan. *Mixed Use Areas* permit a broad array of uses, including, but not limited to residential, office, retail and services, recreation, and cultural activities. The purpose of the *Mixed Use Areas* land designation is to encourage Torontonians to live, work, and shop in the same area. Official Plan Policy 3.5.3.4 specifically speaks to animating street frontages with retail oriented uses and activities.

Site Specific Zoning By-law 494-2009

In 2009, City Council adopted site-specific Zoning By-law 494-2009 to permit a multi-tower redevelopment the site, including two residential towers (67 and 57-storeys), and a 32-storey office building, which is the subject of this application. The Zoning By-law includes specific requirements related to the permitted uses, building massing, and the amount of street-related

retail and services along the building face, and more specifically, along the portion fronting Bremner Boulevard.

Street-related Retail Performance Standards

Zoning By-law 494-2009 was the result of a comprehensive review, which included consultation with the local community, York Quay Neighbourhood Association, and the Entertainment District Master Plan. The outcome of this process was a clear intention of animating Bremner Boulevard and York Street with glass frontages and street-related retail and services visible to the street. The resulting site-specific Zoning By-law included performance standards that implement these objectives by requiring street-related retail and service uses to occupy a **minimum of 40% of the building face**, as well as a **minimum of 40% of the building frontage along Bremner Boulevard**.

Current Proposal

City Planning staff note that the site received Committee of Adjustment approval in 2011 for a reduction of street-related retail and service uses along the building face to 38%, and along Bremner Boulevard to 26%. The current proposal seeks to further **reduce the street-related retail and service uses along the entire building face to 33%, and 21% for the portion along Bremner Boulevard**. The current proposal, if approved, would further erode the street-related retail and services presence along the building face, and more severely, along Bremner Boulevard, further diminishing the building's ability to provide animation along its frontage.


Staff have spoken to the applicant regarding City Planning's concerns, and also note that the Zoning By-law performance standards have been in place since 2009, providing ample time for a development to incorporate the requirements into its ground floor design and layout.

As such, City Planning Staff are of the opinion that the proposed variances sought in this application do not meet the intent of site-specific Zoning By-law 494-2009 and therefore, should be refused.

CONTACT

Mladen Kukic, Assistant Planner
Tel: 416-392-9434
E-mail: Mladen.Kukic@toronto.ca

SIGNATURE

Lynda H. Macdonald
Acting Director, Community Planning
Toronto and East York District

Copy: Councillor Cressy, Ward 20, Trinity-Spadina
Kim Kovar, Agent