

80 Bloor Street West - Zoning Amendment Application Request for Direction Report

Date:	June 26, 2018
To:	Toronto and East York Community Council
From:	Acting Director, Community Planning, Toronto and East York District
Wards:	Ward 27 – Toronto Centre-Rosedale
Reference Number:	13 248425 STE 27 OZ

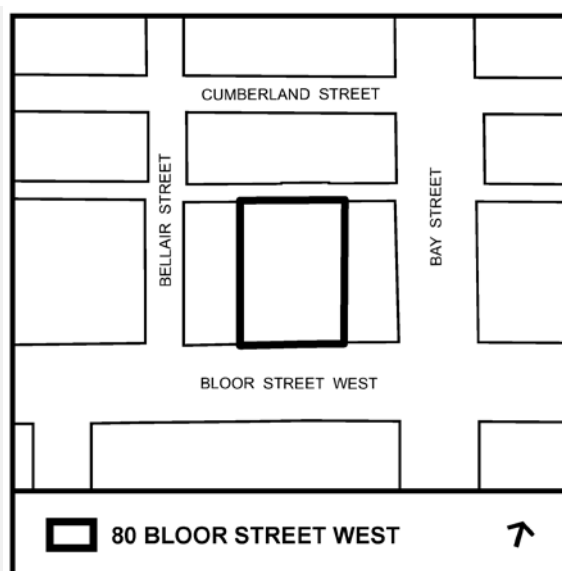
SUMMARY

On August 3, 2017, the owner of the property at 80 Bloor Street West appealed its Zoning By-law Amendment application to the Local Planning Appeal Tribunal (LPAT) due to Council's failure to enact the requested amendment within the time allotted by the *Planning Act*.

This application proposes a new 68-storey (214 metres plus a 10-metre mechanical penthouse) mixed-use building at 80 Bloor Street West with 3,465 square metres of retail and commercial uses on the concourse level, ground, ground mezzanine and second floors, and 39,810 square metres of residential floor area (565 residential units) above. The existing 18-storey commercial/office tower on the site would be demolished. A total of 181 resident vehicular parking spaces are to be provided in a 5-level underground parking garage accessible from Critchley Lane. No parking is proposed for the commercial uses or residential visitors.

The purpose of this report is to seek City Council's direction with respect to the LPAT hearing.

This report recommends that Council direct the City Solicitor, together with appropriate City staff, to oppose the current proposal at



the LPAT, and continue discussions with the applicant in an attempt to resolve the concerns outlined in this report.

The proposal's height and massing does not comply with the policies in the Official Plan; does not fit within the existing and planned context for the Bloor-Yorkville /North Midtown area; and, does not replace the office space currently on site.

RECOMMENDATIONS

The City Planning Division recommends that:

1. City Council direct the City Solicitor, together with City Planning staff and other City staff, to attend the Local Planning Appeal Tribunal hearing to oppose the Zoning By-law amendment (File No. 13 248425 STE 27 OZ) application as proposed; and
2. In the event that the Local Planning Appeal Tribunal allows the appeal in whole or in part, City Council authorize the City Solicitor to request that the Local Planning Appeal Tribunal withhold its final Order to approve the Zoning By-law amendment application until such time as:
 - a. the City and the owner have presented to the Local Planning Appeal Tribunal a Zoning By-law amendment that implements the decision of the Local Planning Appeal Tribunal in a form and substance satisfactory to the Chief Planner and Executive Director, City Planning and the City Solicitor;
 - b. community benefits and other matters in support of the development as are determined appropriate are secured in a Section 37 Agreement executed by the owner to the satisfaction of the Chief Planner and Executive Director, City Planning and the City Solicitor.

Financial Impact

There are no financial implications resulting from the adoption of this report.

DECISION HISTORY

On April 8, 2014, Toronto and East York Community Council considered a Preliminary Report (dated March 5, 2014) regarding this application.

A copy of the report is available at:

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2014.TE31.44>

ISSUE BACKGROUND

Proposal

The proposal calls for the demolition of the existing 18-storey commercial/office tower and the development of a new 68-storey (214 metres plus a 10-metre mechanical penthouse) mixed-use building with 3,465 square metres of retail and commercial uses on the concourse level, ground, ground mezzanine and second floors and 39,810 square metres of residential gross floor area above. The density of the proposed development is 24.7 times the area of the lot.

The proposed 3-storey (12-metre high) base building fills in most of the site. Its ground floor along Bloor Street West consists of a residential lobby and retail space. The residential lobby is located at the easternmost portion of the site and stretches north from Bloor Street West to Critchley Lane. The remaining frontage west of the residential lobby on Bloor Street West is exclusively retail. West of the resident lobby at the rear of the building along Critchley Lane is a loading facility and then the ramp to the underground garage. The second floor is a mezzanine level which consists of visitor and resident bicycle parking only and the third floor (level 2) is retail.

The first floor of the tower and the rooftop of the base building is exclusively residential amenity space. The applicant is proposing a total of 838 square metres of indoor amenity space and 905 square metres of outdoor amenity space.

The proposed tower floor plate is approximately 640 square metres with varying balcony projections along the north and south facades. The proposed tower has no setback from the west and east property lines. The tower's setback from the Bloor Street property line varies between 3 and 6 metres as the tower rises. The varying setbacks and balcony projections create a 'wave-like' façade. The tower is set back approximately 25 metres from the north property line.

The existing sidewalk width along Bloor Street West ranges from approximately 5 to 6.5 metres from curb to property line as the sidewalk widens from east to west. The existing building's columns are set back 0.58 to 1.37 metres from the Bloor Street West property line and the windows are set back approximately 4 metres. The proposed building provides no setback from the property line along Bloor Street West. The columns are located along the property line and the windows on the ground floor appear to be partially recessed approximately 1 metre.

Retail is proposed on the existing concourse level (connection to TTC connection) which is located below Critchley Lane. There does not appear to be a direct connection from the Bay subway station to the residential component.

The proposed building consists of 565 residential units as follows:

Unit Type	Number of Units	Percentage
Studio	85	15%
1-bedroom	300	54%
2-bedroom	123	21%
3-bedroom	57	10%

A total of 181 resident vehicular parking spaces are to be provided in a 5-level underground parking garage accessible from Critchley Lane. No parking is proposed for the commercial uses or residential visitors. A lay-by is proposed along the south side of Critchley Lane as a drop-off zone in front of the residential lobby. A total of 588 residential bicycle parking spaces are proposed including 464 occupant bicycle spaces on levels P1-P5 and the ground floor mezzanine, and 72 visitor bicycle spaces on the ground floor mezzanine level.

All service vehicles and resident vehicles will access the site via Critchley Lane, which extends from Bellair Street to Bay Street. An enclosed Type-G and a Type-B loading space are proposed on the ground floor at Critchley Lane.

No revisions have been made to the application since its submission on October 9, 2013.

Site and Surrounding Area

The subject site is located midblock on the north side of Bloor Street West between Bellair Street and Bay Street. The site is 1,750 square metres with a frontage of 35.4 metres along Bloor Street West and 35.7 metres along Critchley Lane.

Currently, there is an 18-storey office building with access to the underground concourse which connects to the Bay and Bloor/Yonge TTC subway stations. The building has retail on its ground floor and offices above.

Uses and structures near the site include:

North: of Critchley Lane is a nine-storey office building containing retail at grade (1240 Bay Street) and the entrance to the Bay Subway Station.

South: of Bloor Street West is a 20-storey office tower (77 Bloor Street West) and 3-storey retail/commercial buildings.

East: is a 12-storey office building (1200 Bay Street), which fronts onto Bloor Street, Bay Street and Critchley Lane.

West: is a 4 storey retail/office building (82 Bloor Street West), which is the Harry Rosen Toronto flagship store. The building fronts onto Bloor Street West, Bellair Street and Critchley Lane.

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

Section 2 of the *Planning Act* sets out matters of provincial interest, which City Council shall have regard to in carrying out its responsibilities. The matters include:

- (f) the adequate provision and efficient use of communication, transportation, sewage and water services and waste management systems;
- (j) the adequate provision of a full range of housing, including affordable housing;
- (k) the adequate provision of employment opportunities;
- (p) the appropriate location of growth and development;
- (q) the promotion of development that is designed to be sustainable, to support public transit and to be oriented to pedestrians;
- (r) the promotion of a built form that,
 - (i) is well designed;
 - (ii) encourages a sense of place;
 - (iii) provides for public spaces that are of high quality, safe, accessible, attractive, and vibrant

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

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

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

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

The PPS is issued under Section 3 of the *Planning Act* and all decisions of Council in respect of the exercise of any authority that affects a planning matter shall be consistent

with the PPS. Comments, submissions or advice affecting a planning matter that are provided by Council shall also be consistent with the PPS.

The PPS is more than a set of individual policies. It is to be read in its entirety and the relevant policies are to be applied to each situation.

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

The Growth Plan for the Greater Golden Horseshoe (2017) (Growth Plan) provides a strategic framework for managing growth and environmental protection in the Greater Golden Horseshoe region, of which the City forms an integral part, including:

- Establishing minimum density targets within strategic growth areas and related policies directing municipalities to make more efficient use of land, resources and infrastructure to reduce sprawl, cultivate a culture of conservation and promote compact built form and better-designed communities with high quality built form and an attractive and vibrant public realm established through site design and urban design standards;
- Directing municipalities to engage in an integrated approach to infrastructure planning and investment optimization as part of the land use planning process;
- Building complete communities with a diverse range of housing options, public service facilities, recreation and green space that better connect transit to where people live and work;
- Retaining viable employment lands and encouraging municipalities to develop employment strategies to attract and retain jobs;
- Minimizing the negative impacts of climate change by undertaking stormwater management planning that assesses the impacts of extreme weather events and incorporates green infrastructure; and
- Recognizing the importance of watershed planning for the protection of the quality and quantity of water and hydrologic features and areas.

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

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

Provincial Plans are intended to be read in their entirety and relevant policies are to be applied to each situation. The policies of the Plans represent minimum standards. Council

may go beyond these minimum standards to address matters of local importance, unless doing so would conflict with any policies of the Plans.

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

Policy 5.1 of the Growth Plan states that where a municipality must decide on a planning matter before its official plan has been amended to conform with this Plan, or before other applicable planning instruments have been updated accordingly, it must still consider the impact of its decision as it relates to the policies of the Growth Plan which require comprehensive municipal implementation.

Staff have reviewed the proposed development for consistency with the PPS (2014) and for conformity with the Growth Plan (2017). The outcome of staff analysis and review are summarized in the Comments section of the Report.

Official Plan

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

The *Mixed Use Areas* designation in the Official Plan provides for a broad range of commercial, residential and institutional uses, in single-use, or mixed-use buildings, as well as parks and open spaces and utilities.

Development in *Mixed Use Areas* is subject to a number of development criteria to: locate and mass new buildings to provide a transition between areas of different development intensity and scale; provide appropriate setbacks and/or stepping down of heights, particularly towards lower scale *Neighbourhoods*; locate and mass new buildings so as to adequately limit shadow impacts on adjacent *Neighbourhoods* particularly during the spring and fall equinoxes; provide good site access and circulation and an adequate supply of parking for residents and visitors; provide an attractive, comfortable and safe pedestrian environment; locate and screen service areas, ramps and garbage storage to minimize the impact on adjacent streets and residences; and provide indoor and outdoor recreation space for building residents in every significant multi-unit residential development.

The Official Plan (Section 3.1.2, Built Form) states that architects and developers have a civic responsibility to create buildings that not only meet the needs of their clients, tenants and customers, but also the needs of the people who live and work in the area. New development in Toronto will be located and organized to fit with its existing and/or planned context. It will do this by generally locating buildings parallel to the street or along the edge of a park or open space, have a consistent front yard setback, acknowledge the prominence of corner sites, locate entrances so they are clearly visible and provide ground floor uses that have views into and access from the streets. New development will also locate and

organize vehicle parking and vehicular access to minimize their impacts on the public realm. Furthermore, new development will create appropriate transitions in scale to neighbouring existing and/or planned buildings, limit shadowing on streets, properties and open spaces, and minimize any additional shadowing and uncomfortable wind conditions on neighbouring parks as necessary to preserve their utility.

In addition to the policies identified above, new development will also be massed to define the edge of streets, parks and open spaces to ensure adequate access to sky views for the proposed and future uses. New development will provide public amenity, and enhance the public realm through improvements to adjacent boulevards and sidewalks through tree plantings.

The applicant is proposing to construct a tall building. The Official Plan (Section 3.1.3 Built Form – Tall Buildings) states that tall buildings come with larger civic responsibilities than buildings of a smaller scale. In addition to specific built form characteristics, the policy states that proposals for tall buildings should clearly demonstrate how they relate to the existing and planned context, take into account their relationship with the topography and other tall buildings and how they meet the other objectives of the Official Plan.

Site and Area Specific Policy (SASP) 211 – Bloor Yorkville/North Midtown Area

SASP 211 in the Official Plan recognizes that the Bloor-Yorkville/North Midtown area comprises a broad mix of districts with differing intensities, scales and heights in a diversity of building forms. The area includes *Neighbourhoods*, *Apartment Neighbourhoods*, *Areas of Special Identity*, *Mixed Use Areas*, and open space provided by parks and ravines. It forms the north edge of the Downtown and provides for transition in density and scale.

The subject site is located within the Bloor Street Height Ridge as illustrated on Map 2 in SASP 211. Height and density permissions within the Height Ridge generally diminish further from the Height Peak at Yonge/Bloor to provide for a transition in scale. Development along the Height Ridge will be at a lesser height and physical scale than the Bloor/Yonge Height Peak, and in a form compatible with adjacent areas. The subject site is not located within an Area of Special Identity or *Neighbourhoods* as illustrated on Map 1 in SASP 211. The site is near the Low-rise Area and Area of Special Identity called the Village of Yorkville.

Site and Area Specific Policy (SASP) 225 - Lands North and South of Bloor Street Between Park Road and Avenue Road

SASP 225 of the Official Plan encourages pedestrian walkways, at or below grade and new parks in locations illustrated on the map within the Policy. The map identifies an existing underground pedestrian connection to the north of the site, linking with the east-west underground pedestrian mall and Bay and Bloor/Yonge Subway Stations.

Official Plan Amendment 231

At its meeting of December 16, 17 and 18, 2013, City Council adopted amendments to the Official Plan (OPA 231) to implement the results of the Official Plan and Municipal

Comprehensive Review for Economic Health and Employment Lands Policies and Designations and Recommendations of Conversion Requests. Among other matters, OPA 231 introduced amendments aimed to stimulate the growth of new office space and maintain current concentrations of office space near rapid transit, such as the subject site.

OPA 231 was approved by the Minister of Municipal Affairs and Housing in July 2014. Portions of the amendment are under appeal at the LPAT, including an appeal made by the applicant. Although not in full force and effect for the subject lands, OPA 231 represents Council's long-term land use planning direction as it relates to the need to include employment uses on the lands.

TOcore: Planning Downtown

OPA 406 – Downtown Plan

At its May 1, 2018 meeting, Planning and Growth Management (PGM) Committee held a Special Public Meeting pursuant to Section 26 of the *Planning Act* and adopted a staff report entitled 'TOcore: Downtown Plan Official Plan Amendment', as amended, that recommended adoption of the Downtown Plan Official Plan Amendment (OPA 406). OPA 406 includes amendments to Section 2.2.1 and Map 6 of the Official Plan, as well as a new Downtown Plan. Future amendments to existing Secondary Plans and Site and Area Specific Policies located within the Downtown area are recommended to be implemented once OPA 406 comes into force and effect.

At its May 22-24, 2018 meeting, City Council adopted OPA 406, as amended. Pursuant to Section 26 of the *Planning Act*, the Downtown Plan will be forwarded to the Minister of Municipal Affairs for approval. Council has directed Staff to use the policies contained within the Downtown Plan to inform evaluation of current and future development applications in the Downtown Plan area while the OPA is under consideration by the Minister.

The OPA – in conjunction with the associated infrastructure strategies that address water, energy, mobility, parks and public realm and community services and facilities – is the result of a three-year study called TOcore: Planning Downtown. The TOcore study area is generally bounded by Lake Ontario to the south, Bathurst Street to the west, the mid-town rail corridor and Rosedale Valley Road to the north and the Don River to the east. This OPA brings forward a comprehensive and integrated policy framework to shape growth in Toronto's fast-growing Downtown over the next 25 years. It provides the City with a blueprint to align growth management with the provision of infrastructure, sustain liveability, achieve complete communities and ensure there is space for the economy to grow.

As part of the City's Five Year Official Plan Review under Section 26 of the *Planning Act*, OPA 406 is a component of the work program to bring the Official Plan into conformity with the Growth Plan. The OPA is consistent with the Provincial Policy Statement (2014), conforms with the Growth Plan and has regard to matters of provincial interest under Section 2 of the *Planning Act*.

OPA 352 – Downtown Tall Building Setback Area

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

At its meeting on October 2-4, 2017, City Council considered the Proposed Downtown Plan and directed Staff to undertake stakeholder and public consultation on that document and its proposed policies, leading to the Downtown Plan Official Plan Amendment.

Zoning

On May 9, 2013, City Council enacted city-wide Zoning By-law 569-2013, which is currently under appeal at the LPAT. Therefore, both Zoning By-law 569-2013 and former City of Toronto General Zoning By-law 438-86 currently apply to the site.

Under Zoning By-law 569-2013, the site is CR7.8 (c4.5; r7.8) SS1 (x2486) with a height limit of 61 metres and a maximum density of 7.8 times the area of the lot. Under Zoning By-law 438-86, as amended, the property is zoned CR T7.8 C4.5 R7.8 with a height limit of 61 metres and a maximum density of 7.8 times the area of the lot. In both cases the CR zoning category allows for a broad range of residential and commercial uses, subject to various performance standards.

Bloor –Yorkville/North Midtown Urban Design Guidelines

To assist in meeting the objectives of the Official Plan and Area Specific Policy 211 and 225, the Bloor-Yorkville/North Midtown Urban Design Guidelines will be used to provide direction for the review of development applications in the Bloor Yorkville area. These Guidelines will be read in conjunction with the urban design policies in the Official Plan.

The Bloor –Yorkville/North Midtown Urban Design Guidelines were approved by Council in July 2004 and are intended to give guidance to improve the physical quality of the area and ensure that its special character is respected in terms of new development.

The main planning objectives of the Design Guidelines include:

- enhancement of Areas of Special Identity and historic buildings;
- protection of residential areas from adverse impacts of commercial and/or higher density development;
- improvement of public realm and publicly accessible areas; and
- excellence in urban design, architecture, and landscaping.

The Bloor-Yorkville/North Midtown area is comprised of a number of precincts and corridors, each defined by its attributes in terms of function, built form and character. The subject site is located within the Bloor Street Corridor.

Tall Building Design Guidelines

City Council has adopted city-wide Tall Building Design Guidelines and directed City Planning staff to use these Guidelines in the evaluation of tall building development applications. The Guidelines establish a unified set of performance measures for the evaluation of tall building proposals to ensure they fit within their context and minimize their local impacts.

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

This site is located on a High Street as illustrated on Map 1 of the Supplementary Design Guidelines. The height range for this portion of Bloor Street West is 77 – 137 metres (25 storeys – 45 storeys), as identified on Map 2 of the Guidelines. The High Streets Typologies Map (Map 3) also identifies the site as a Canyon Form building typology. Map 4 identifies the Bloor Street frontage as a Priority Retail Street, meaning 60 percent of the total building frontage should contain active retail uses.

The Downtown Vision and Supplementary Design Guidelines should be used together with the city-wide Tall Building Design Guidelines to evaluate new and current Downtown tall building proposals.

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

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

The objective of this community-led Planning Framework and Implementation Strategy is to address concerns over tall buildings and intensification. It outlines where development should and should not occur, the types of uses and built form that are appropriate, how future development applications will be analyzed, and the future planning approval processes that are required.

The report has two parts: an overview of the history, and current policy and development context; and, a policy framework and implementation strategies, and separate pedestrian realm network plan. The report organizes the Bloor-Yorkville/North Midtown area into 3

districts: the primary development districts; the corridor districts; and, the stable neighbourhood districts. Each district contains precincts, some of which are broken down into segments. Targeted planning policies are proposed for each district, precinct, and segment.

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

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

Site Plan Control

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

Reasons for the Application

The application proposes a mixed-use building with a height of 224 metres (including mechanical penthouse) and a density of 24.7 times the area of the lot. The maximum height and permitted density permitted in the Zoning By-laws is 7.8 times the area of the lot and 61 metres plus the mechanical penthouse. A Zoning By-law amendment is therefore required.

Community Consultation

The holding of a community consultation meeting was deferred at the request of the applicant. Shortly after the owner retaining new solicitor, the application was appealed to the LPAT. Planning staff intend to hold a community meeting to present the application to the community prior to the LPAT hearing. In a letter dated May 31, 2018, the counsel for the applicant wrote: "we wish to express our client's renewed interest in engaging the City and other stakeholders in earnest discussion regarding the possibilities for redevelopment of the Property."

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

Over the duration of the review of this application, between the pre-application meeting and the appeal to the LPAT, there were no meetings held with the applicant. Staff anticipated a revision to the application, whether that involved the inclusion of additional lands or the redesign of the proposal. In the end, no revisions were made.

Provincial Policy Statement and Provincial Plans

The proposal has been reviewed and evaluated against the PPS (2014) and the Growth Plan (2017) and have determined that the proposal is not consistent with the PPS and does not conform with the Growth Plan.

The Downtown Plan Official Plan Amendment (OPA 406) – adopted by Council, under review of the Minister of Municipal Affairs and Housing, locates the site in the Bloor-Bay Office Corridor. The Bloor-Bay Office Corridor is an important employment location outside the *Financial District*. This corridor is highly accessible given its proximity to two subway lines and surface transit routes and is critical to *Downtown's* diverse office market. Policy 6.6 states that "Development within the Bloor-Bay Office Corridor will: provide a net gain of gross floor area for office uses; and ensure no net loss of other non-residential gross floor area."

The demolition of the existing office building within the Bloor-Bay Office Corridor without replacing the gross floor area for office use is not consistent with the PPS. Policy 1.3.1 (Employment) states that planning authorities shall promote economic development and competitiveness by:

- a. providing for an appropriate mix and range of employment and institutional uses to meet long-term needs;
- b. providing opportunities for a diversified economic base, including maintaining a range and choice of suitable sites for employment uses which support a wide range of economic activities and ancillary uses, and take into account the needs of existing and future businesses;
- c. encouraging compact, mixed-use development that incorporates compatible employment uses to support liveable and resilient communities; and
- d. ensuring the necessary *infrastructure* is provided to support current and projected needs.

The proposal does not conform with the Growth Plan. The existing office building is considered *Major Office* in the Growth Plan (2017). *Major office* is defined as, freestanding office buildings of approximately 4,000 square metres of floor space or greater, or with approximately 200 jobs or more. The subject site currently has approximately 19,349 square metres of office space. Policy 2.2.5.2 states that *Major office* and appropriate major institutional development will be directed to *urban growth centres*, *major transit station areas* or other *strategic growth areas* with existing or planned *frequent transit* service. This site has direct access to the Bay subway station in *Downtown* Toronto.

Land Use

This application has been reviewed against the Official Plan as a whole. Staff do not support the proposed land use for the site. The application proposes to demolish an existing 16-storey office building (approximately 19,349 square metres of office use) and not replace any of the existing office space in the proposed development.

Official Plan Policy 9 (Section 2.5.1, Supporting the Foundations of Competitiveness) is not in force because it is under appeal at the LPAT in association with OPA 231. It states that:

"New development that includes residential units on a property with at least 1,000 square metres of existing non-residential gross floor area used for offices is required to increase the non-residential gross floor area used for office purposes where the property is located in a *Mixed Use Area* or *Regeneration Area* within:

- a) The *Downtown and Central Waterfront*;
- b) A Centre; or
- c) 500 metres of an existing or an approved and funded subway, light rapid transit or GO train station.

Where site conditions and context do not permit an increase in non-residential office gross floor area on the same site, the required replacement of office floor space may be constructed on a second site, prior to or concurrent with the residential development. The second site will be within a *Mixed Use Area* or *Regeneration Area* in the *Downtown and Central Waterfront*; within a *Mixed Use Area* or *Employment Area* in the same Centre; or within 500 metres of the same existing or approved and funded subway, light rapid transit or GO train station."

Planning staff do not support the proposed residential and retail uses on the site without the replacement of the gross floor area used for offices in the Bloor-Bay Office Corridor and the land use does not meet the intent of the City's Official Plan.

Site Context, Height, Massing

The subject site is the middle of three properties located on a relatively short block between Bay Street and Bellair Street, with a public lane at the rear. The subject site has direct access to the Bay subway station and the other two corner properties do not. The proposal does not plan to link the concourse with the adjacent properties.

The full extent of the tower has been massed with no setbacks from the east and west property lines. This is unacceptable. The Downtown Tall Buildings Vision and Supplementary Design Guidelines refers to this portion of Bloor Street as having a Canyon Form as described in the High Streets Typology Map. Canyon Form is characterized by high street walls with buildings that have been built to cover the full width of their sites. This condition is a historic one that was once strongly encouraged by the former City of Toronto and will continue in those locations where it is currently found.

Canyon form is prevalent on High Streets in the Financial District, and on limited portions of Bloor, College/Carlton, and Dundas Streets. Along Canyon Form street segments, the base height of any new tall building should be built to the height of the existing street wall line as identified in the Downtown Tall Buildings Vision and Supplementary Design Guidelines through Table 5. Above this street wall canyon height, the tower should be set back in

accordance with City-wide Tall Building Design Guideline requirements. The Tall Building Guidelines and OPA 352 require a 25-metre tower separation between towers.

Table 5, of the Guidelines, identifies the base building height at this location at 62 metres (20 storeys). Rather than meeting the Tall Building Guidelines, above the 62-metre base building height, this proposal does not have any side yard setbacks for the full height of the tower. The application as proposed exports its requirement of 12.5 metres (above 62 metres) to the adjacent property lines. The result of which would require the adjacent properties to provide the full 25 metres on their own sites, should they wish to redevelop.

This would limit the development potential of the adjacent properties to the east and west. If locating blank walls (at the property line) up to the full height of the tower is replicated on the adjacent sites, this would result in a block-wide mass which exacerbates the impacts outlined in this report, especially in terms of sky view and shadow impacts.

This block should be designed comprehensively to maximize the amount of office space, open space, sky view, sunlight, and pedestrian linkages. This application fails to respond to the patterns, opportunities and challenges within the surrounding area.

SASP 211 and the Bloor-Yorkville/North Midtown Urban Design Guidelines set out areas called the Height Peak, Height Ridges and Low-Rise Areas. The intent of these local policies and guidelines is to direct the tallest buildings to the Yonge and Bloor Streets intersection, known as the Height Peak. The subject site is located just west of the Height Peak and in the Bloor Street Height Ridge as identified in Official Plan SASP 211 and the Bloor-Yorkville/North Midtown Urban Design Guidelines.

The tallest building in the Bloor-Yorkville area should be located at the Yonge and Bloor intersection, as called for by the Official Plan. Within the Height Peak, there are approvals for a 306-metre tower at 1 Bloor Street West and a 230-metre tower at 50 Bloor Street West. The 68-storey tower (224 metres) is comparable to, and does not adequately step down from, the 230-metre tower at 50 Bloor Street West and it creates unacceptable shadow impacts on the Village of Yorkville Park and the Village of Yorkville as described in the Sun and Shadow Section below.

Sun and Shadow

The shadow impact resulting from the application is not acceptable. The Downtown Tall Buildings Design Guidelines state that every effort will be made to design and orient tall buildings to minimize their shadow impact on all publicly accessible parks, open spaces, natural areas and other shadow sensitive areas.

The Bloor-Yorkville / North Midtown Urban Design Guidelines identify Shadow Sensitive Areas. The area to the north west of the site including the Village of Yorkville Park is identified as Shadow Sensitive Areas.

Policy 3.1.2.3 of the Official Plan 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: 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.

Planning staff have assessed the proposed development in terms of the incremental impact resulting from the proposed 68-storey tower and are concerned with the amount of morning shadow throughout the year (including June 21) on the Village of Yorkville Park and the low-rise Village of Yorkville, Area of Special Identity.

Wind

Planning staff do not accept the conclusions in the applicant's Pedestrian Level Wind Study prepared by Gradient Microclimate Engineering Inc. The study's approach to quantify pedestrian wind conditions over the site is based on Computational Fluid Dynamics (CFD) simulations of wind speeds at selected locations on a reduced scale physical model within a virtual environment.

Based on the simulation, the study concludes that the majority of the grade related areas surrounding the development site will be acceptable for their intended pedestrian use without mitigation throughout the year. At the northwest corner of Bay Street and Bloor Street West, "mildly uncomfortable" wind speeds were predicted during the winter season only, which is most likely representative of existing conditions.

Planning staff require a wind tunnel test which measures existing and future wind conditions for the immediate area including the Village of Yorkville Park on the south side of Cumberland Street, west of Bellair Street.

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 0.78-1.55 hectare per 1000 people, which is the middle provision level. The site is in a parkland priority area, as per Alternative Rate Parkland Dedication By-law No. 1020-2010.

The application proposes 565 residential units on the 1748 square metre site. At the alternative rate of 0.4 hectares per 300 units specified in By-law 1020-2010, the parkland dedication requirement is 0.7533 hectares or 467.71% of the net site area. For sites less than 1 hectare in size, a cap of 10% for the residential portion of the development applies. A 2% parkland requirement is applied to the non-residential portion. In total, the parkland dedication requirement is 0.0164 hectares or 164 square metres.

This application was last commented on by Parks, Forestry and Recreation in 2013. Since that date, TOCore and other studies have identified the great need for more parkland within the downtown core. Because of this, the applicant is requested to satisfy the parkland

dedication through acquiring off-site parkland that will contribute positively to existing parks within 500 metres of the site. The size and location of the parkland would be subject to the approval of the General Manager, Parks, Forestry and Recreation and would be subject to conditions for the conveyance of parkland prior to the issuance of the first above grade building permit. If no off-site location is purchased prior to first above grade building permit, the applicant will be required to provide the parkland dedication as cash-in-lieu.

Climate-Controlled Pedestrian Network

The subject site is currently part of the climate-controlled pedestrian network (not formally branded as the PATH) in the Bloor-Yorkville Area, which connects development throughout the area to an underground retail network and provides direct connection to the Yonge-Bloor and Bay subway stations.

Planning staff are concerned that the underground connection will not connect to the residential tower or other retail areas on site, beyond the retail proposed on the concourse level. The Official Plan encourages maintaining the existing underground pedestrian connection to the retail and office uses on the site and expanding the connection to adjacent sites.

The underground connection must be designed and constructed in accordance with the Design Guidelines for PATH and Other Climate-Controlled Pedestrian Networks, dated February 2012.

Roadway Widening

The Official Plan requires a right-of-way width of 27.0 metres for this portion of Bloor Street West, while the current width is 26.21 metres. As a result, a 0.4 metre widening is required for Bloor Street West.

The site also abuts Critchley Lane, which is accordance with the Official Plan should be widened to a minimum of 6.0 metres. In order to provide for this widening, the owner will be required to convey a 0.26 metre wide strip of land to the full extent of the site abutting Critchley Lane. Any revisions to the plans should illustrate the widening along Bloor Street West and Critchley Lane.

Traffic Impact Assessment

The project is estimated to generate approximately 85 two-way trips during the AM and PM peak hours, respectively. BA Consulting Group Ltd. indicated in its report that the projected site traffic will have minimal impacts on area intersections, and therefore, can be acceptably accommodated on the adjacent road network.

Transportation Services reviewed the consultant's analysis, in 2013, and agreed with the report's conclusion. Further updates may be required given the number of applications which have been submitted in the area since this application was made.

Driveway Access and Site Circulation

The proposed access to the parking and loading facilities for the site is via a public lane known as Critchley Lane. The application proposes a setback area on the east side of the loading facilities which could be used for pick-up and drop-off activity associated with the project. Detailed comments related to site access, and site circulation will be provided with any potential future Site Plan Control application.

Parking

The application proposes a total of 181 residential vehicular parking spaces for the proposed 565 residential dwelling units. The vehicular parking spaces will be located in a 5-level underground parking garage, below the concourse level.

The proposed parking supply is less than what is required in the Zoning By-law (569-2013). The By-laws requires a total parking supply between 401 and 420 parking spaces (336 resident spaces, 34 residential visitor spaces, 31 retail spaces), compared to the proposed 181 parking spaces.

Given the existing office building does not have parking on site, its direct access to the Bay subway station, including other factors, staff accepted the non-provision of parking for the non-residential component.

Transportation Services staff, in 2013, could not support the proposed residential and visitor parking reduction with the information that was provided at the time.

Loading

The proposed provision of one Type-G loading space and one Type-B loading spaces with access of Critchley Lane is consistent with the estimated requirement of Zoning By-law No. 438-86 and 569-2.13, and is acceptable.

The applicant submitted turning manoeuvre diagrams demonstrating that trucks can access the loading space from Critchley Lane. Staff find this acceptable for the purpose of the Zoning By-law Amendment application.

Servicing

A Functional Servicing and Stormwater Management Report has been submitted for this site, together with a Servicing Plan. A number of deficiencies have been identified and the report must be revised and resubmitted to the satisfaction of the Executive Director of Engineering and Construction Services.

Streetscaping and Pedestrian Environment

The subject site is located on one of the City's most prominent pedestrian areas, which has seen significant investment in the pedestrian infrastructure by the City and the local BIA. The proposed base of the tower is should either maintain or increase the setback currently provided on site.

Section 37

Section 37 of the *Planning Act* allows the City to enter into an agreement with an applicant to grant an increase in height and/or density (over and above that permitted by the Zoning By-law) in return for community benefits to be provided by the applicant. Details of a Section 37 Agreement between the applicant and the City would be established if the project is ultimately approved.

Planning staff has not had any discussions with the applicant or Ward Councillor regarding a Section 37 contribution due to staff's concerns with the proposed development as addressed in this report. In the event the LPAT grants additional density and/or height beyond that which is permitted in Zoning By-law, the City will request that the LPAT withhold its final order until the City has an agreement with the applicant to secure the appropriate community benefits.

Conclusion

The proposal has been reviewed against the policies of the PPS (2014), the Growth Plan (2017) and the Official Plan. Staff have determined that the application in its current form, is not consistent with the PPS and does not conform with the Growth Plan. Further, the proposal is not in keeping with the intent of the Official Plan, particularly as it relates to the Built Form, *Mixed Use Areas*, SASP 211, SASP 225 and OPA 231.

CONTACT

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SIGNATURE

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

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ATTACHMENTS

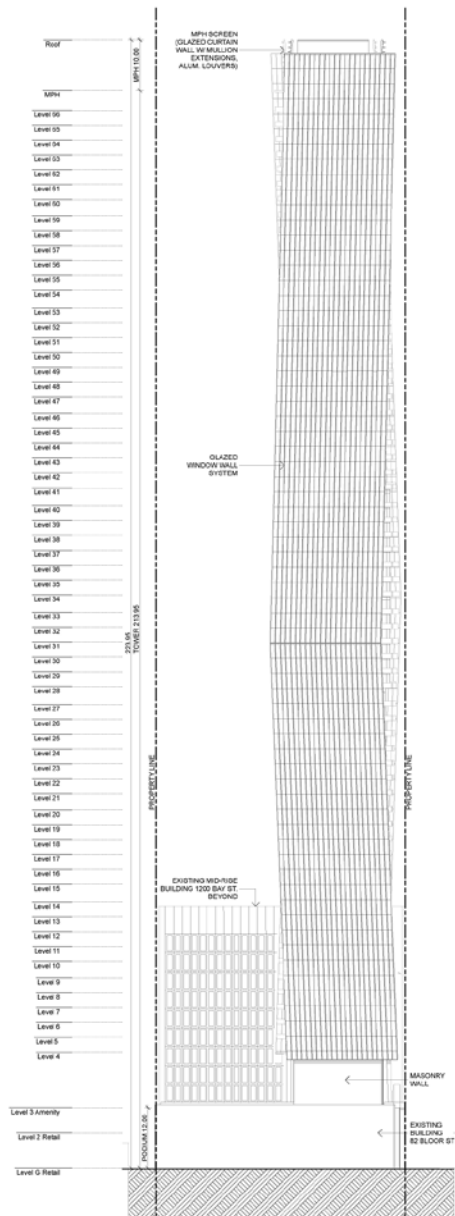
Attachment 1: Site Plan
Attachment 2: West and North Elevations
Attachment 3: East and South Elevations
Attachment 4: Zoning
Attachment 5: Application Data Sheet

Staff report for action – Request for Direction - 80 Bloor Street West

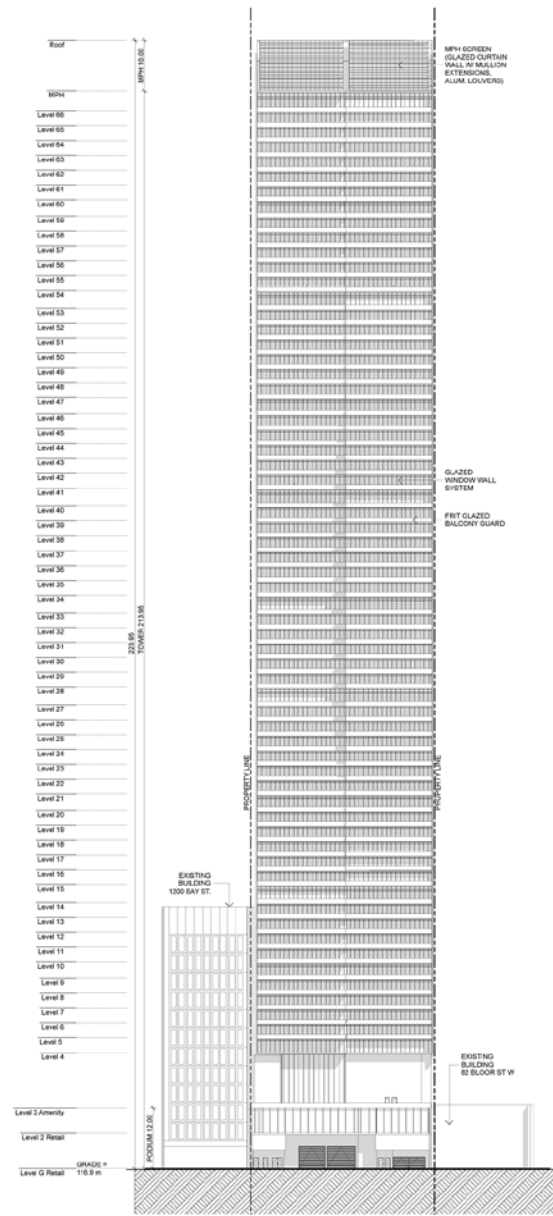


Not to Scale
01/08/2014

Attachment 2: West and North Elevations



West Elevation



North Elevation

Elevations

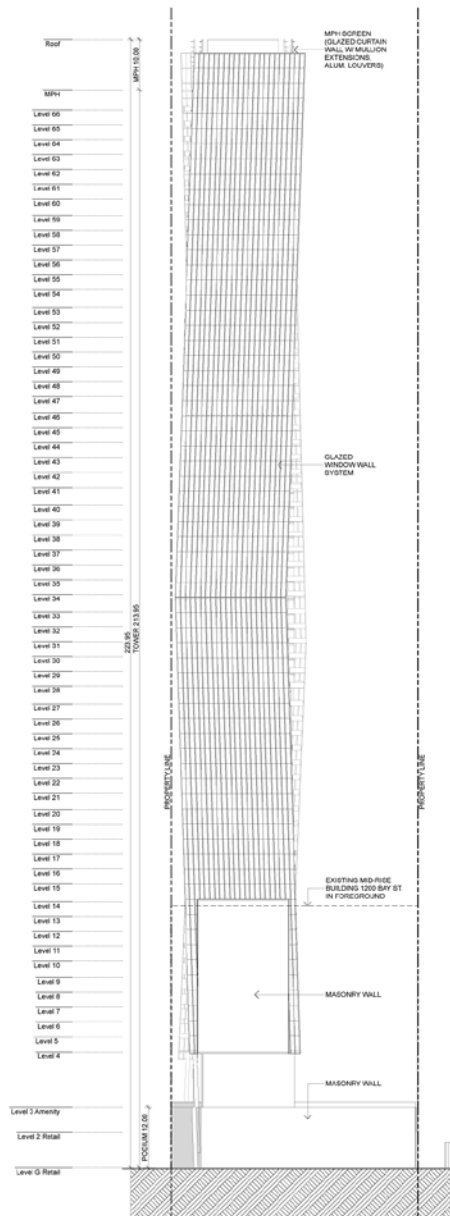
Applicant's Submitted Drawing

Not to Scale
01/08/2014

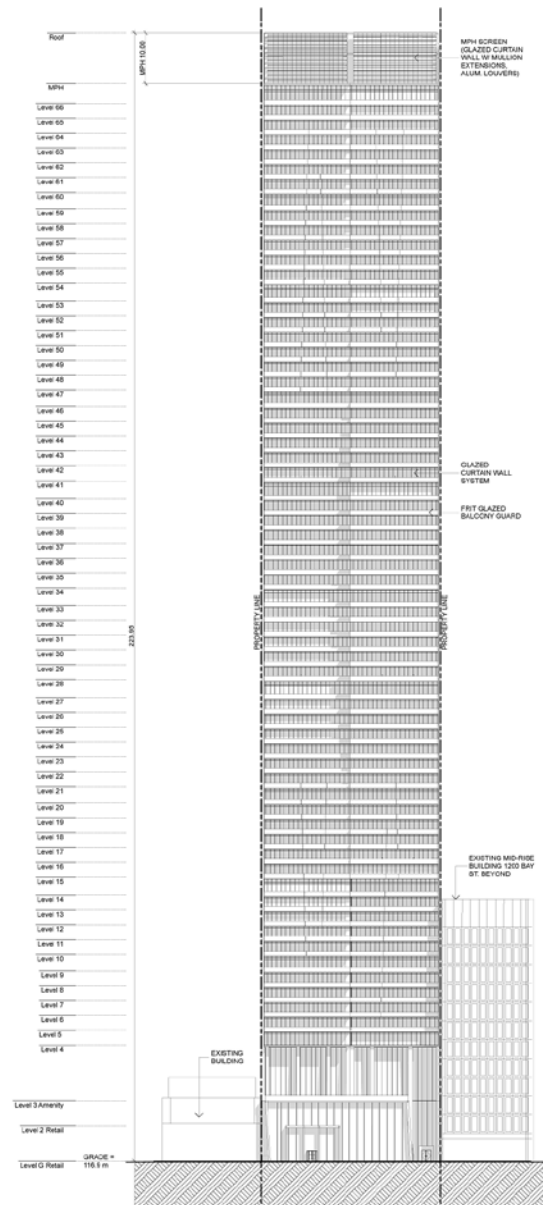
80 Bloor Street West

File # 13 248425 02

Attachment 3: East and South Elevations



East Elevation



South Elevation

Elevations

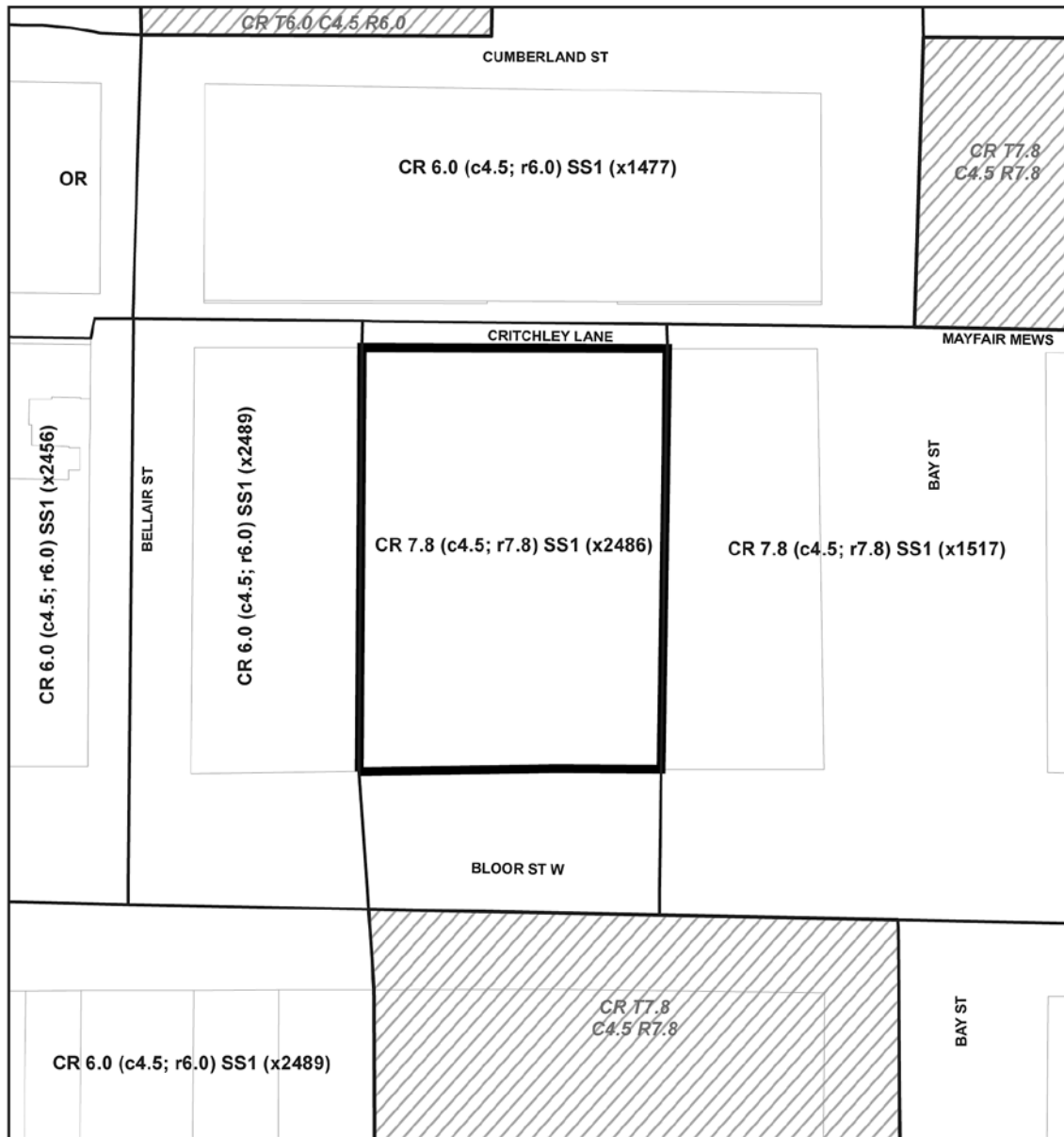
Applicant's Submitted Drawing

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01/08/2014

80 Bloor Street West

File # 13 248425 02

Attachment 4: Zoning



TORONTO City Planning

Zoning By-law 569-2013

80 Bloor Street West

File # 13 248425 STE 27 0Z



Location of Application

CR
OR

Commercial Residential
Open Space Recreation



See Former City of Toronto Bylaw No. 438-86

CR

Mixed-Use District



Not to Scale
Extracted 01/08/2014

Attachment 5: Application Data Sheet

Application Type	Rezoning	Application Number:	13 248425 STE 27 OZ
		Application Date:	October 9, 2013
Municipal Address:	80 Bloor Street West		
Location Description:	PLAN 368 PT LOTS 3 TO 6 RP 63R2251 PARTS 1 & 2 **GRID S2703		
Project Description:	Rezoning application to develop the site into a 68 storey residential mixed use building including 39,810m ² of residential area (85 bachelor units, 300 one-bedrooms, 123 two-bedrooms, and 57 three-bedrooms) and 3,465m ² of retail space. There will be 181 parking spaces provided below grade for residential use.		

Applicant:	Architect:	Owner:
Stikeman Elliott C/O Calvin Lantz	architectsAlliance	Krugarand Corporation

PLANNING CONTROLS

Official Plan Designation:	Mixed Use Areas	Site Specific Provision:	OP 211 + 225
Zoning:	CR 7.8 (c4.5;r7.8)	Historical Status:	N/A
Height Limit (m):	61	Site Plan Control Area:	Yes

PROJECT INFORMATION

Site Area (sq. m):	1,749.7	Height:	Storeys:	68
Frontage (m):	35.86		Metres:	224
Depth (m):	51.4			
Total Ground Floor Area (sq. m):	1,481.3			Total
Total Residential GFA (sq. m):	39,810		Parking Spaces:	181
Total Non-Residential GFA (sq. m):	3,465		Loading Docks	2
Total GFA (sq. m):	43,275			
Lot Coverage Ratio (%):	84.7			
Floor Space Index:	24.7			

DWELLING UNITS

FLOOR AREA BREAKDOWN (upon project completion)

Tenure Type:	Condo		Above Grade	Below Grade
Rooms:	0	Residential GFA (sq. m):	39,810	0
Bachelor:	85	Retail GFA (sq. m):	2,408	1,057
1 Bedroom:	300	Office GFA (sq. m):	0	0
2 Bedroom:	123	Industrial GFA (sq. m):	0	0
3 + Bedroom:	57	Institutional/Other GFA (sq. m):	0	0
Total Units:	565			

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