

483-491 Bay Street and 20 Albert Street – Zoning Amendment Application – Preliminary Report

Date: December 2, 2019

To: Toronto and East York Community Council

From: Director, Community Planning, Toronto and East York District

Ward 13 - Toronto Centre

Planning Application Number: 19 239929 STE 13 OZ

Notice of Complete Application Issued: October 23, 2019

Current Uses on Site: A 10-storey and a 15-storey office building, linked by an indoor atrium, with a total existing 88,691 square metres of gross floor area.

SUMMARY

This report provides information and identifies a preliminary set of issues regarding the application located at 483-491 Bay Street and 20 Albert Street for a 60-storey addition on top of an existing 10-storey office tower. Staff are currently reviewing the application. It has been circulated to all appropriate agencies and City divisions for comment. Staff will proceed to schedule a community consultation meeting for the application with the Ward Councillor.

RECOMMENDATIONS

The City Planning Division recommends that:

1. Staff schedule a community consultation meeting for the application located at 483-491 Bay Street and 20 Albert Street together with the Ward Councillor.
2. Notice for the community consultation meeting be given to landowners and residents within 120 metres of the application site, and to additional residents, institutions and owners to be determined in consultation with the Ward Councillor, with any additional mailing costs to be borne by the applicant.

FINANCIAL IMPACT

The recommendations in this report have no financial impact.

DECISION HISTORY

The applicant is one of the appellants to the Official Plan Amendment 352 (Downtown Tall Buildings Setback Area Specific Policy) and its implementing By-laws, appeals to the Local Planning Advisory Tribunal.

ISSUE BACKGROUND

Application Description

This application proposes to amend zoning by-law provisions for the property at 483-491 Bay Street and 20 Albert Street to permit a 60-storey addition on top of the existing 10-storey office building (being the easterly of the two existing office towers). The 10-storey office building would be retained as an office building.

The proposed 70-storey (226.63 metres including the mechanical penthouse) building would contain a total of 133,697 square metres of gross floor area including both the existing buildings and the addition. The proposed residential addition would be 45,006 square metres and include 590 residential units. The application proposes: 56 bachelor units (9%), 342 one-bedroom units (58%), 118 two-bedroom units (20%), and 74 three-bedroom units (13%). The applicant is also proposing 1,189 square meters of indoor and 1,095 square metres of outdoor amenity space. The floor space index (FSI) for the development would be 11.7 times the area of the lot (By-law 569-2013).

The applicant is also proposing a 15-storey addition, on the north side of the existing atrium, for a new elevator core and entrance lobby to service the above noted residential addition.

Detailed project information is found on the City's Application Information Centre at:

<https://www.toronto.ca/city-government/planning-development/application-information-centre/>

See Attachment 1 and 2 of this report for a three dimensional representation of the project in context, Attachment 3 and 4 for Location Map and Site Plan as well as Attachment 6 for the Application Data Sheet.

Provincial Policy Statement and Provincial Plans

Land use planning in the Province of Ontario is a policy led system. Any decision of Council related to this application is required to be consistent with the Provincial Policy Statement (2014) (the "PPS"), and to conform with applicable Provincial Plans which, in the case of the City of Toronto, include: the Growth Plan for the Greater Golden Horseshoe (2019) and, where applicable, the Greenbelt Plan (2017). The PPS and all Provincial Plans may be found on the Ministry of Municipal Affairs and Housing website.

A Place to Grow: Growth Plan for the Greater Golden Horseshoe (2019)

A Place to Grow: Growth Plan for the Greater Golden Horseshoe (2019) (the "Growth Plan (2019)") came into effect on May 16, 2019. This new plan replaces the previous Growth Plan for the Greater Golden Horseshoe, 2017. The Growth Plan (2019) continues to provide a strategic framework for managing growth and environmental protection in the Greater Golden Horseshoe region, of which the City forms an integral part. The Growth Plan (2019) establishes policies that require implementation through a Municipal Comprehensive Review (MCR), which is a requirement pursuant to Section 26 of the Planning Act that comprehensively applies the policies and schedules of the Growth Plan (2019), including the establishment of minimum density targets for and the delineation of strategic growth areas, the conversion of provincially significant employment zones, and others.

Policies not expressly linked to a MCR can be applied as part of the review process for development applications, in advance of the next MCR. These policies include:

- Directing municipalities to make more efficient use of land, resources and infrastructure to reduce sprawl, contribute to environmental sustainability and provide for a more compact built form and a vibrant public realm;
- Directing municipalities to engage in an integrated approach to infrastructure planning and investment optimization as part of the land use planning process;
- Achieving complete communities with access to a diverse range of housing options, protected employment zones, public service facilities, recreation and green space that better connect transit to where people live and work;
- Retaining viable lands designated as employment areas and ensuring redevelopment of lands outside of employment areas retain space for jobs to be accommodated on site;
- 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 (2019) 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 (2019) 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.

The Growth Plan (2019) contains policies pertaining to population and employment densities that should be planned for in major transit station areas ("MTSAs") along priority transit corridors or subway lines. MTSAs are generally defined as the area within an approximately 500 to 800 metre radius of a transit station, representing about a 10-minute walk. The Growth Plan requires that, at the time of the next MCR, the City update its Official Plan to delineate MTSA boundaries and demonstrate how the MTSAs achieve appropriate densities. At the time of the MCR, municipalities can make a request to the Province for alternative targets to those set out in the Growth Plan. Major Transit Station Area boundaries will not be delineated until such time as the City initiates and completes an MCR in conformity with the Growth Plan 2019.

Toronto Official Plan Policies and Planning Studies

The City of Toronto Official Plan is a comprehensive policy document that guides development in the City, providing direction for managing the size, location, and built form compatibility of different land uses and the provision of municipal services and facilities. Authority for the Official Plan derives from The Planning Act of Ontario. The PPS recognizes the Official Plan as the most important document for its implementation. Toronto Official Plan policies related to building complete communities, including heritage preservation and environmental stewardship may be applicable to any application. Toronto Official Plan policies may be found here: <https://www.toronto.ca/city-government/planning-development/official-plan-guidelines/official-plan/>

The current application is located on lands shown as Downtown and Central Waterfront on Map 2 of the Official Plan and *Mixed Use Areas* on Map 18 as shown on Attachment 5.

The Downtown Plan

City Council adopted OPA 406 on July 27, 2018. OPA 406 included amendments to the Downtown section of the Official Plan and Map 6 of the Official Plan and brought forward a new Secondary Plan for the entire Downtown area. On August 9, 2018 the City's application under Section 26 of the Planning Act was sent to the Minister of Municipal Affairs and Housing (MMAH) for approval. The Ministry issued its decision regarding OPA 406 on June 5, 2019.

This site is located on Map 41-3 of the Downtown Plan and is designated Mixed Use Areas 1 - Growth. This designation includes areas with the greatest heights, the highest intensity of development and largest proportion of non-residential uses.

Official Plan Amendment No. 231 - Office Replacement Policies

The office replacement policies of OPA 231 require the provision of office space on sites designated Mixed Use Areas containing 1,000 square metres or more of office space, where residential development is proposed. The existing buildings on the site

have a total office floor area of 88,691 square metres. The applications propose no change in the office space and hence the proposal would conform to OPA 231. It is noted that although the applicant is not an appellant to the OPA 231 appeals, they were granted Party status.

Zoning By-laws

The site is zoned CR T7.8 C4.5 R7.8 under Zoning By-law 438-86 with a maximum height of 61 metres. The site is not zoned under By-law 569-2013.

The site is subject to certain permission and exception provisions, including: street related retail and entertainment provisions, the prohibition of commercial parking garages or private commercial garages and angular plane provisions.

The City's Zoning By-law 569-2013 may be found here: <https://www.toronto.ca/city-government/planning-development/zoning-by-law-preliminary-zoning-reviews/zoning-by-law-569-2013-2/>

Design Guidelines

The following design guideline(s) will be used in the evaluation of this application:

- City-wide Tall Building Design Guidelines
- Downtown Tall Buildings Vision and Supplementary Design Guidelines; and
- Growing up Design Guidelines

The City's Design Guidelines may be found here: <https://www.toronto.ca/city-government/planning-development/official-plan-guidelines/design-guidelines/>

Site Plan Control

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

COMMENTS

Reasons for the Application

The proposal requires an amendment to the Zoning By-law 438-86 for properties at 483-491 Bay Street and 20 Albert Street to permit the proposed density, height and parking requirements, among others. As the site is not presently zoned by By-law 569-2013, any amendment would also need to bring the site into the 569-2013 By-law and include appropriate performance standards such as permitted density; building heights and setbacks as well as parking standards.

ISSUES TO BE RESOLVED

The application has been circulated to City divisions and public agencies for comment. At this stage in the review, the following preliminary issues have been identified:

Provincial Policies and Plans Consistency/Conformity

Staff will evaluate these planning applications to determine their consistency with the PPS (2014) and conformity with the Growth Plan (2019). Given the explicit link between Provincial Policy and the Official Plan, consistency with the PPS and conformity with the Growth Plan will largely be determined by conformity with the Official Plan.

Official Plan Conformity

Staff will continue to evaluate this planning application to determine the application's conformity to the Official Plan including the recently approved Downtown Plan, OPA 406.

Built Form, Planned and Built Context

Staff will continue to assess the suitability of the proposed height, massing, and other built form issues based on Section 2 d), j), p) and r) of the Planning Act; the Growth Plan (2019), the City's Official Plan policies and the City's Tall Building Design Guidelines and the Downtown Tall Building Design Guidelines.

Staff will continue to assess:

- the appropriate mix of land-uses including opportunities for additional office space and the potential for including on-site community space and/or affordable housing as part of a complete community;
- the appropriate building height, massing and tower setbacks particularly to the adjacent Trinity Square Park, the Eaton Centre and the existing and proposed context;
- The appropriate form of the building in terms of a clear base building (podium), middle (shaft) and top;
- shadowing and wind impacts on adjacent Trinity Square Park, public realm and private outdoor amenity space;
- appropriate uses fronting James Street and potential for improvements to the James Street public realm;
- opportunities arising out of the development of the Onario Line and the requirements for new station in the vicinity of the site;

- the amount of outdoor amenity space; and
- ensuring conformity with the old City Hall heritage view corridor protection and helicopter flight path.

Tree Preservation

The application is subject to the provisions of the City of Toronto Municipal Code, Chapter 813 Articles II (Street Trees By-law) and III (Private Tree By-law). The applicant has submitted an Arborist Survey and Report which outlines that there are 38 trees on and within 6 metres of the site of which 21 are publicly-owned. The application has been circulated to Urban Forestry for review and comment.

Heritage Impact & Conservation

The subject site is within the Old City Hall View corridor, the proposed addition has been designed to be outside but adjacent to this view corridor. The City has also initiated an Official Plan Amendment process with the intent of modifying this view corridor to enhance the view protection policies to and beyond Old City Hall. The draft Amendment can be found here

<https://www.toronto.ca/legdocs/mmis/2018/te/bgnd/backgroundfile-118130.pdf>

A Heritage Impact Assessment was submitted and is currently under review by City staff.

Community Services and Facilities

Community Services and Facilities (CS&F) are an essential part of vibrant, strong and complete communities. CS&F are the lands, buildings and structures used for the provision of programs and services provided or subsidized by the City or other public agencies, boards and commissions. They include recreation, libraries, childcare, schools, public health, human services, cultural services and employment services, etc. The timely provision of community services and facilities is as important to the livability of the City's neighbourhoods as "hard" services like sewer, water, roads and transit. The City's Official Plan establishes and recognizes that the provision of and investment in community services and facilities supports healthy, safe, liveable, and accessible communities. Providing for a full range of community services and facilities in areas experiencing major or incremental growth, is a responsibility shared by the City, public agencies and the development community.

A CS&F Study and a Complete Community Assessment were submitted with the application and are currently under review by City staff.

Infrastructure/Service Capacity

Staff is reviewing the application to determine if there is sufficient infrastructure capacity (roads, transit, water, sewage, hydro) to accommodate the proposed development. The applicant has submitted the following studies and reports which are being reviewed by

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Engineering and Construction Services staff: a Functional Servicing and Stormwater Management Report; Hydrogeological Report; Geotechnical Study; and Urban Transportation Considerations report.

Staff will continue to assess:

- the servicing report provided by the applicant, to evaluate the effects of the development on the City's municipal servicing infrastructure and identify and provide the rationale for any new infrastructure and upgrades to existing infrastructure, necessary to provide adequate servicing to the proposed development; and
- the transportation report submitted by the applicant, to evaluate the effects of the development on the transportation system including impacts to parking, and to identify any transportation improvements that are necessary to accommodate the travel demands and impacts generated by the development.

Helicopter Flight Path

The proposal is outside but adjacent to the Obstacle Limitation Surface for the St. Michael's Hospital Heliport, as identified in City By-law 1432-2017. The proposal is currently under review by City staff and hospital representatives.

Toronto Green Standard

Council has adopted the four-tier Toronto Green Standard (TGS). The TGS is a set of performance measures for green development. Applications for Zoning By-law Amendments, Draft Plans of Subdivision and Site Plan Control are required to meet and demonstrate compliance with Tier 1 of the Toronto Green Standard. Tiers 2, 3 and 4 are voluntary, higher levels of performance with financial incentives. Tier 1 performance measures are secured on site plan drawings and through a Site Plan Agreement or Registered Plan of Subdivision. The Application is being reviewed by staff for compliance with Tier 1 performance standards. Staff will encourage the applicant to pursue Tier 2 performance measures.

Section 37 Community Benefits

The Official Plan provides for the use of Section 37 of the Planning Act to pass by-laws for increases in height and/or density not otherwise permitted by the Zoning By-law in return for the provision by the applicant of community benefits in the form of capital facilities. It is standard to secure community benefits in a Section 37 Agreement which is then registered on title.

Further discussion with the Ward Councillor, City staff, residents and the applicant will be required to determine the extent and nature of the Section 37 community benefits should the proposal proceed to approval in some form.

Other Matters

Additional issues may be identified through the review of the application, agency comments and the community consultation process.

CONTACT

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SIGNATURE

Lynda H. Macdonald, MCIP, RPP, OALA, FCSLA
Director, Community Planning, Toronto and East York District

ATTACHMENTS**City of Toronto Drawings**

Attachment 1: 3D Model of Proposal in Context - Looking Northwest

Attachment 2: 3D Model of Proposal in Context - Looking Southeast

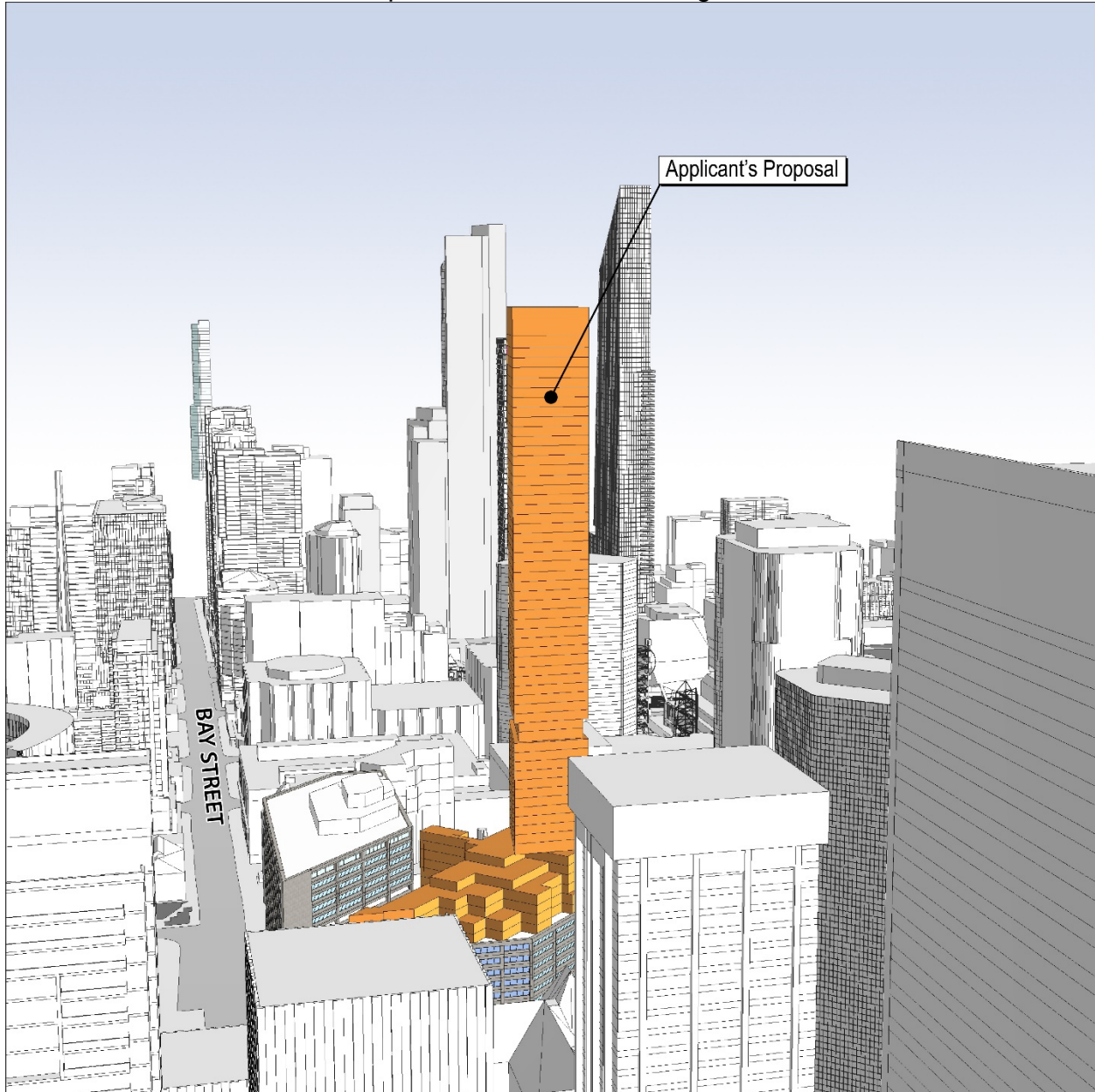
Attachment 3: Location Map

Attachment 4: Site Plan

Attachment 5: Official Plan Map

Attachment 6: Application Data Sheet

Attachment 1: 3D Model of Proposal in Context - Looking Northwest

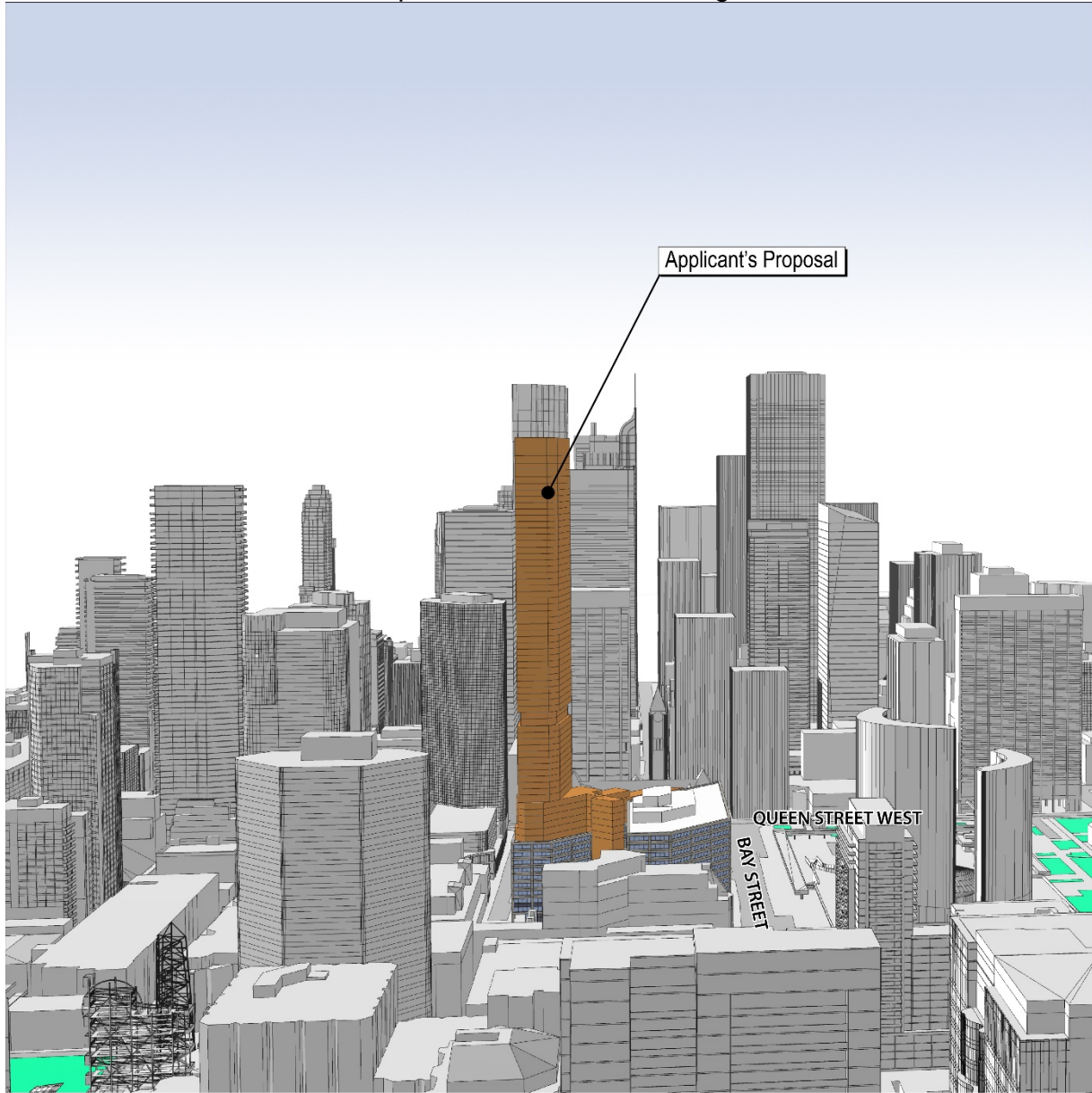


View of Applicant's Proposal Looking Northwest



11/26/2019

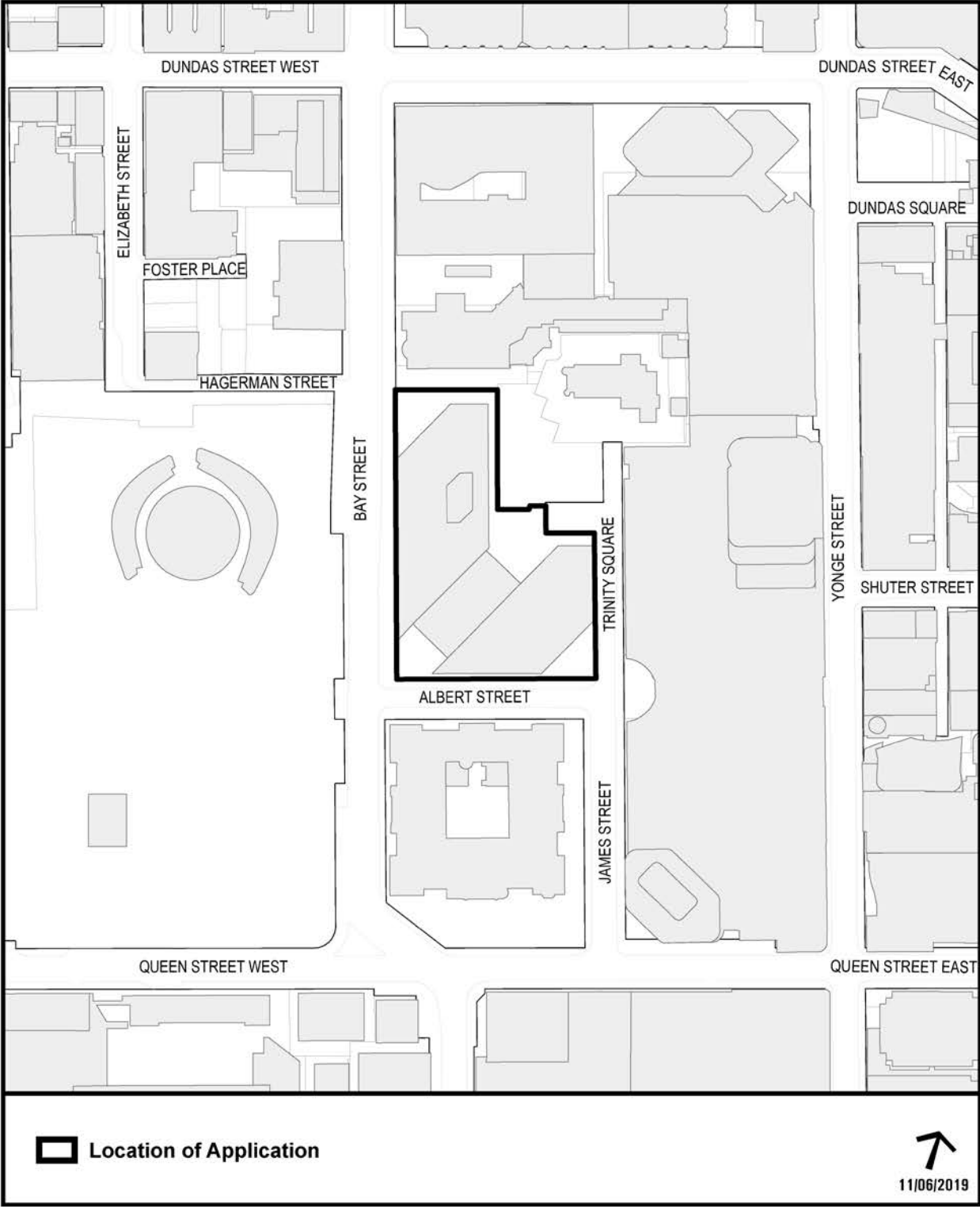
Attachment 2: 3D Model of Proposal in Context - Looking Southeast



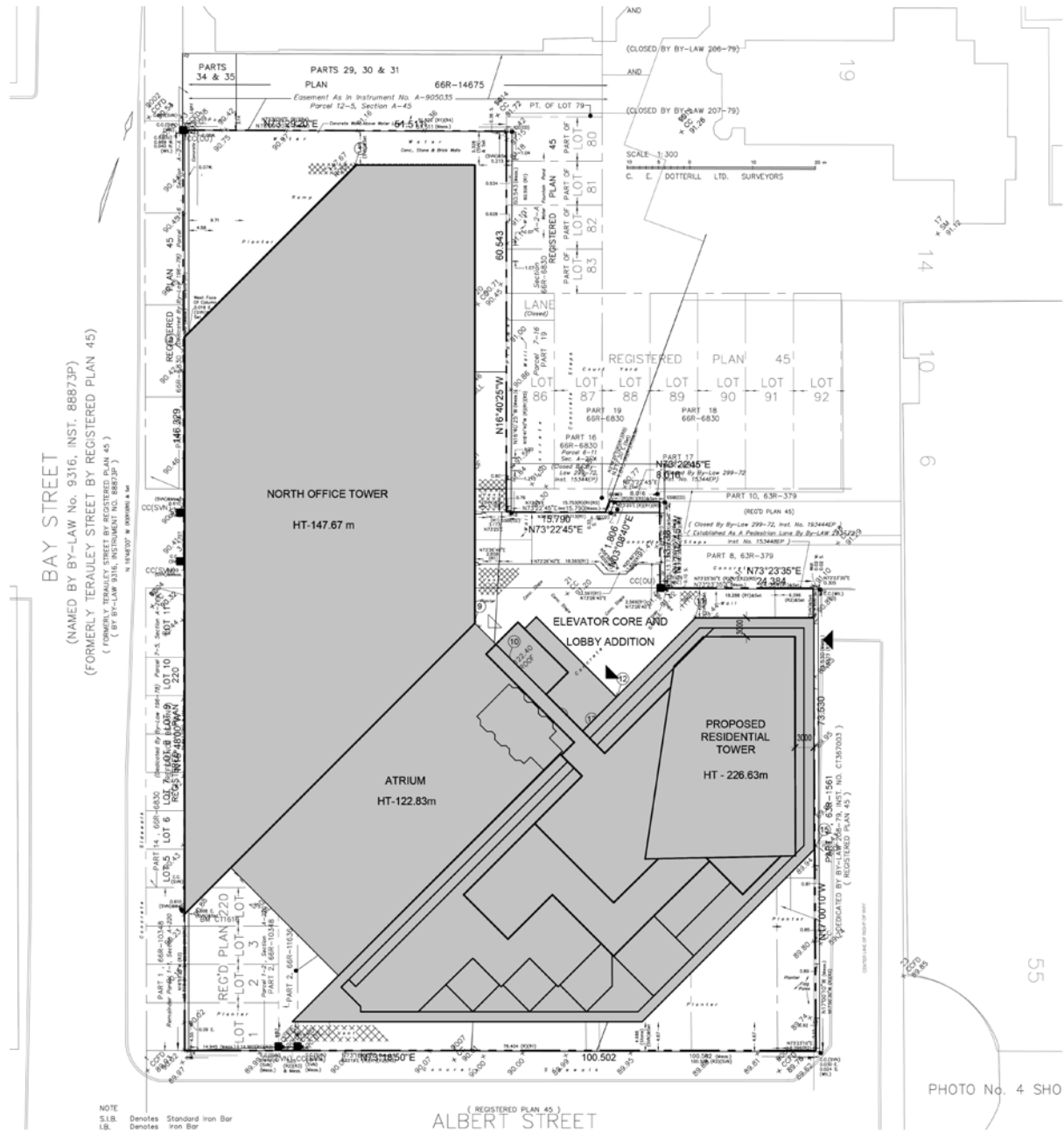
View of Applicant's Proposal Looking Southeast



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Attachment 4: Site Plan



Site Plan



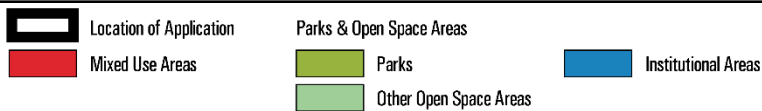
Attachment 5: Official Plan Map



483 - 491 Bay Street and 20 Albert Street

Official Plan Land Use Map #18

File # 19 239929 STE 13 0Z



↑
Not to Scale
11/08/2019

APPLICATION DATA SHEET

Municipal Address: 483 BAY ST **Date Received:** October 23, 2019

Application Number: 19 239929 STE 13 OZ

Application Type: OPA / Rezoning, Rezoning

Project Description: Zoning By-law Amendment Application for a proposed 60-storey addition atop the eastern portion of the existing 10-storey office building. The total height will be 70-storeys. The proposal will include 45,006 square metres of new residential floor area and 590 dwelling units.

Applicant	Agent	Architect	Owner
4609482 CANADA LIMITED		IBI Group	BTS REALTY LIMITED PARTNERSHIP

EXISTING PLANNING CONTROLS

Official Plan Designation:	Mixed Use Areas	Site Specific Provision:
Zoning:	CR7.8 (C4.5; R7.8)	Heritage Designation:
Height Limit (m):	61	Site Plan Control Area: Y

PROJECT INFORMATION

Site Area (sq m): 11,431 Frontage (m): Depth (m):

Building Data	Existing	Retained	Proposed	Total
Ground Floor Area (sq m):	6,509	6,509	210	6,719
Residential GFA (sq m):			45,006	45,006
Non-Res GFA (sq m):	88,691	88,691		88,691
Total GFA (sq m):	88,691	88,691	45,006	133,697
Height - Storeys:	10 east tower	10	70	70
Height - Metres:	38 east tower	38	219	219

Lot Coverage Ratio (%): 58.78 Floor Space Index: 11.7

Floor Area Breakdown	Above Grade (sq m)	Below Grade (sq m)
Residential GFA:	45,006	
Retail GFA:		
Office GFA:	88,691	
Industrial GFA:		
Institutional/Other GFA:		

Residential Units by Tenure	Existing	Retained	Proposed	Total
Rental:				
Freehold:				
Condominium:			590	590
Other:				
Total Units:			590	590

Total Residential Units by Size

	Rooms	Bachelor	1 Bedroom	2 Bedroom	3+ Bedroom
Retained:					
Proposed:		56	342	118	74
Total Units:		56	342	118	74

Parking and Loading

Parking Spaces:	551	Bicycle Parking Spaces:	736	Loading Docks:	4
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