

**Preliminary Report
Zoning By-law Amendment
1 Front Street East, Hummingbird Centre**

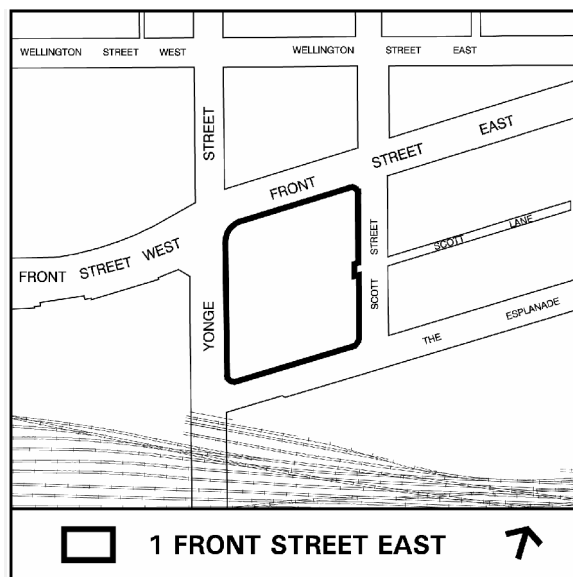
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| Date: | April 12, 2007 |
| To: | Toronto and East York Community Council |
| From: | Director, Community Planning, Toronto and East York District |
| Wards: | Ward 28 – Toronto Centre-Rosedale |
| Reference Number: | File No. 07 114857 STE 28 OZ |

SUMMARY

An application to amend the Zoning By-law has been submitted to permit a mixed use development consisting of an expansion of the Hummingbird Centre for the Performing Arts cultural facility, to be called the ArtsLab, and the addition of a 57-storey residential tower (total height from grade on The Esplanade) located at the southwest corner of the property (northwest corner of Yonge Street and The Esplanade). The majority of the existing heritage building would be retained.

This report provides preliminary information on the above-noted application and seeks Community Council's directions on further processing of the application and on the community consultation process.

The next step is to undertake a community engagement process, which will include an initial open house / information session enabling the public to review the applicant's submission, and ask questions of City staff and the applicant.



RECOMMENDATIONS

The City Planning Division recommends that:

1. staff be directed to schedule an open house / information session together with the Ward Councillor; and
2. notice for the open house / information session be given to landowners and residents within 120 metres of the site.

Financial Impact

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

DECISION HISTORY

City Council at its meeting on July 25, 26, and 27, 2006 approved the Business Plan of the Board of Directors of the Hummingbird Centre for its redevelopment, authorized the execution of the Umbrella Agreement and requested the preparation of the necessary plans and reports for the submission of rezoning and site plan applications under the Planning Act. Owner's authorization for the submission of these applications by Castlepoint Realty Partners Limited is as set out in the Council minutes and executed Umbrella Agreement. The development proposal is the result of an extensive City Council competition for private partner proponents who are supported by an international design team and reflects Option A under the Umbrella Agreement. This option allows for the development of a new cultural component for the Hummingbird Centre.

ISSUE BACKGROUND

Proposal

The application proposes the construction of an ArtsLab cultural component with a gross floor area of 12,775 square metres. This cultural venue is intended to enhance the existing theatre which is to be retained as a heritage component. Also proposed is a residential condominium tower designed by Studio Daniel Libeskind, New York, in association with Page & Steele Architects, Toronto. The residential tower proposal consists of the following:

- total of 57-storeys from grade on The Esplanade with a total height of 205 metres
- a gross floor area of 38,814 square metres
- 480 apartments consisting of 310 one-bedroom units (65%) and 170 two-bedroom units (35%)

The proposed density based on the development site is 6.3 times the area of the site. A total of 336 parking spaces are proposed to be provided off site.

Please see the Application Data Sheet in Attachment 1 for additional information on the proposal. Attachments 2 -7 show the proposal's site plan and elevations.

The applicant proposes to retain the majority of the existing Hummingbird Centre in its current form. The existing building is a designated historic building.

Site and Surrounding Area

The development site is located bounded by Yonge Street, Front Street East, The Esplanade and Scott Street. The site is located within the Financial District and St. Lawrence neighbourhood.

Within the immediate context, the following uses surround the site:

North: across Front Street East, is an office building;

South: across The Esplanade, is a surface parking lot owned by GO Transit, and further east a 32-storey residential condominium building, and further south is the Toronto Terminal Railways;

East: across Scott Street, is the St. Lawrence Centre for the Performing Arts, and a site under construction for the development of a mixed use building with residential condominium towers 32 storeys (west tower) and 15 storeys (east tower) in height.; and

West: across Yonge Street, is a Government of Canada office building.

Provincial Policy Statement

Consistency with the Provincial Policy Statement will be reviewed.

Official Plan

The Toronto Official Plan is now in force. This application will be reviewed against the policies in the Plan.

The site is located within the Downtown and Central Waterfront, and the Financial District on Map 6. The site is designated “Mixed Use Areas” on Map 18 - Land Use Plan in the Toronto Official Plan. This use permits a range of residential, commercial and institutional uses. The Plan includes criteria that direct the form and quality of development in this land use designation.

Other important policies include those in the “Downtown”, “Public Realm”, “Heritage Resources”, “Parks and Open Space” and “Built Form” sections of the Plan. This includes the built form policies for tall buildings. To assist with the implementation of these policies, the City has prepared a study, Design Criteria for Review of Tall Building Proposals. The study provides key urban design criteria that should be brought to bear in the evaluation of tall building applications. The City will review the proposed development for compliance with the study. The applicant’s team has prepared a master plan, as required for larger sites, which will be reviewed.

The Toronto Official Plan is available on the City's website at: www.toronto.ca/planning/official_plan/introduction.htm

The City's Design Criteria for Review of Tall Building Proposals study is also available on the City's website at: www.toronto.ca/planning/urbdesign/index.htm

Zoning

The site is governed by Zoning By-law 438-86, as amended. The site is zoned CR T6.0 C6.0 R6.0 which permits a mix of residential and commercial uses to a maximum density of 6.0 times the area of the lot area, and a height limit of 46 metres. The Zoning By-law has angular planes for the Yonge Street and Front Street frontages.

Other Considerations

The site is located within the boundaries of the St. Lawrence Neighbourhood Focused Urban Design Guidelines, the St. Lawrence Neighbourhood Community Improvement Plan, and the St. Lawrence Market Neighbourhood Business Improvement Area.

Site Plan Control

The proposed development is subject to Site Plan Approval. A Site Plan Approval application has been filed (file: 07 114846 STE 28 SA).

Tree Preservation

The Official Plan calls for an increase in the amount of tree canopy coverage. City Council has adopted the objective of increasing the existing 17 percent tree canopy coverage to between 30 to 40 percent.

The application included a report on the trees located on the development site including the private open space on the west side of the building, and the abutting municipal rights-of-way. The City of Toronto Municipal Code regulates privately and publicly owned trees in the city. The intent is to preserve significant trees and to ensure a sustainable tree canopy and urban forest in Toronto. The existing tree population on the site and abutting streets provides environmental and aesthetic benefits to the neighbourhood. The protection of existing trees and the planting of large growing shade trees on both public and private lands should be an important objective for any proposal for the development site.

Pre-application Discussions

At the request of the applicant, City Planning staff met with the applicant and architect regarding preliminary development concepts for the site in the several times during the last three years. The applicant has held a series of pre-application community meetings.

Since the submission of the application the applicant has also met with representatives of the St. Lawrence Neighbourhood Association regarding the site, its development history and this application. Representatives expressed their interest in participating on a

working committee, which is discussed in the Community Engagement Process section of this report.

Reasons for the Application

Amendments are required to Zoning By-law. The application also exceeds the density permission of 6.0 times the lot area and height permission of 46 metres as set out in the Zoning By-law 438-86, as amended. The proposed tower is above the angular planes established for Yonge Street and Front Street West in the Zoning By-law. Additional areas of non-compliance with the general zoning may be identified as the review of the application advances.

COMMENTS

Issues to be Resolved

The following issues as well as any other issues that may be identified will be assessed:

- appropriateness of the proposal's scale and massing in terms of the built form arrangement on the site, and compatibility and interface with the existing heritage building and surrounding context;
- responding to the site's different opportunities for improvement on the four frontages: Yonge Street, Front Street East, The Esplanade and Scott Street;
- ability to provide an appropriate transition in building height between the scale of the Financial District and the historic St. Lawrence neighbourhood;
- relationship to the heritage resources including Union Station and the Hockey Hall of Fame which are located in the Union Station Heritage Conservation District;
- placement and scale of proposed multi-storey tower with respect to tower separation to existing and proposed multi-storey buildings in the vicinity;
- potential impacts on Berczy Park and adjacent residential properties, including shadow, overlook and privacy;
- suitability of the proposed unit sizes and mix of unit types, with particular emphasis on requiring apartments and amenities suitable for families;
- interface with the lower Yonge Street promenade and The Esplanade promenade and opportunities to enhance these streetscapes;
- pedestrian and vehicular access to and movement on and through the site including below-grade and above-grade PATH connections, and continuous weather protection along street frontages;

- bicycle parking and facilities for both the residential and cultural components of the building;
- contribution to (or detracting from) the local urban environment including the public realm on Front Street East;
- conformance with the St. Lawrence Neighbourhood Focused Urban Design Guidelines;
- incorporation of green development standards such as green roofs and connection to Enwave;
- community benefits under Section 37 of the *Planning Act* should this application, or some variation thereof, proceed; and
- ability to meet the intent and spirit of the Official Plan, Council policies and other applicable planning policies including the Provincial Policy Statement, and to represent good planning and community building.

The application will be circulated to City Divisions for review. This circulation may identify other issues that require resolution.

Community Engagement Process

This report recommends that an initial open house / information session to allow the public to review the applicant's submission, and ask questions of City staff and the applicant.

Given the complexity of the application, it is possible that a working group of community stakeholders may be established as part of the community engagement process. The working committee, if formed, would review the application and assist in the discussion on the built form including scale and massing of the proposal.

Studies / Statements / Reports

The applicant has provided all required studies for staff and external agencies to complete an evaluation of the application.

CONTACT

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SIGNATURE

Gary Wright
Director, Community Planning, Toronto and East York District

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ATTACHMENTS

Attachment 1: Application Data Sheet
Attachment 2: Site Plan (Lower Ground)
Attachment 3: Site Plan (Upper Ground)
Attachment 4: East Elevation
Attachment 5: West Elevation
Attachment 6: North Elevation
Attachment 7: South Elevation
Attachment 8: Official Plan Excerpt
Attachment 9: Zoning By-law Excerpt

Attachment 1: Application Data Sheet

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|------------------|--------------------|---------------------|---------------------|
| Application Type | Rezoning | Application Number: | 07 114857 STE 28 OZ |
| Details | Rezoning, Standard | Application Date: | March 9, 2007 |

Municipal Address: 1 Front Street East, Toronto, ON M5E 1B2

Location Description: Block of land bounded by Yonge Street, Front Street East, The Esplanade and Scott Street

Project Description: Development of a 57- storey residential condominium building and ArtsLab cultural component.

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|--------------------------------------|---------------|--|--|
| Applicant: | Agent: | Architect: | Owner: |
| Aird & Berlis Barrister & Solicitors | | Studio Daniel Libeskind, New York, and Page & Steele Architects, Toronto | The Board of Management for the Hummingbird Centre for the Performing Arts |

PLANNING CONTROLS

| | | | |
|----------------------------|-------------------|--------------------------|---|
| Official Plan Designation: | Mixed Use Areas | Site Specific Provision: | |
| Zoning: | CR T6.0 C6.0 R6.0 | Historical Status: | Y |
| Height Limit (m): | 46 | Site Plan Control Area: | Y |

PROJECT INFORMATION

| | | | | | |
|------------------------------------|-------|---------|-----------------|-----|-------|
| Site Area (sq. m): | 9905 | Height: | Storeys: | 57 | |
| Frontage (m): | 80.07 | | Metres: | 205 | |
| Depth (m): | 99.4 | | | | |
| Total Ground Floor Area (sq. m): | 7108 | | | | Total |
| Total Residential GFA (sq. m): | 39814 | | Parking Spaces: | 336 | |
| Total Non-Residential GFA (sq. m): | 22065 | | Loading Docks | 3 | |
| Total GFA (sq. m): | 61879 | | | | |
| Lot Coverage Ratio (%): | 71.8 | | | | |
| Floor Space Index: | 6.3 | | | | |

DWELLING UNITS

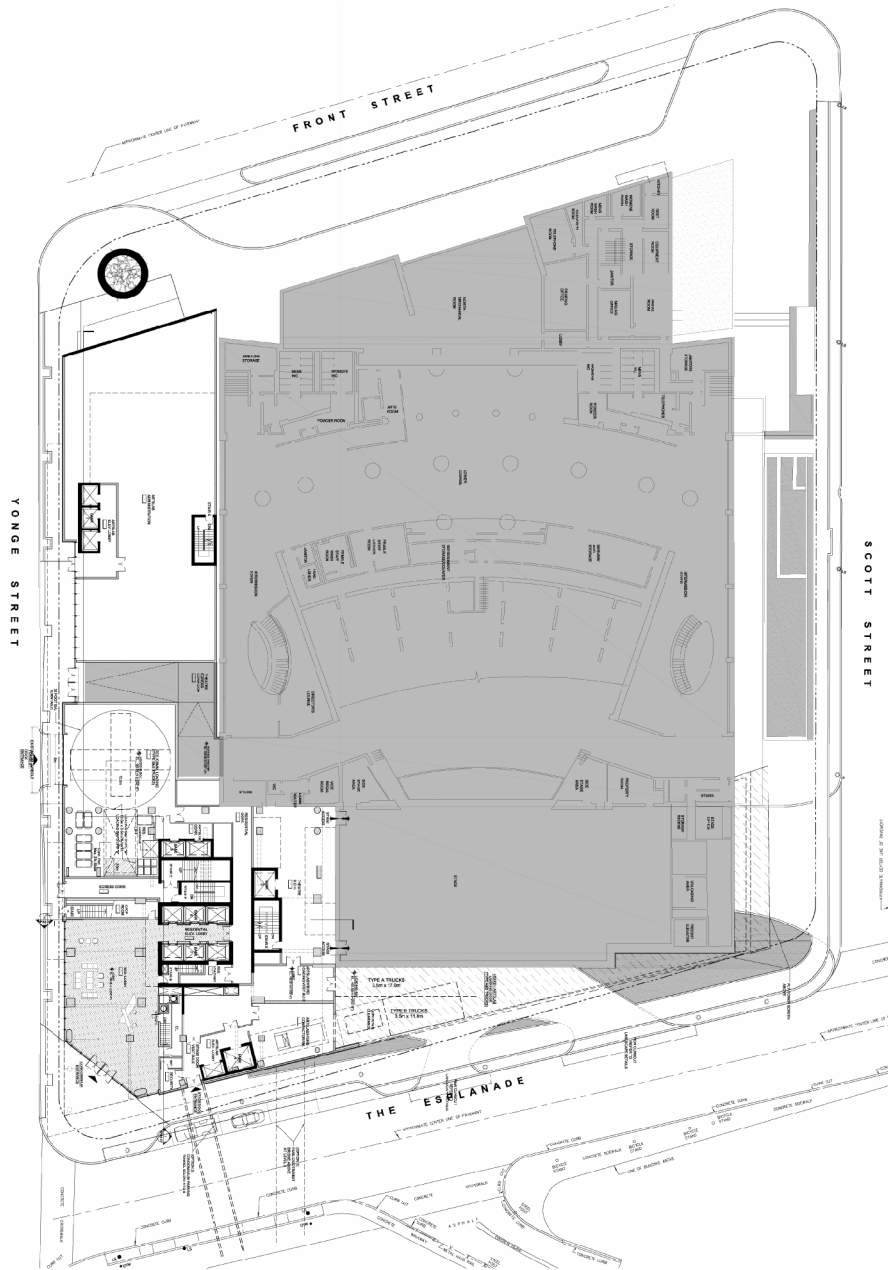
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|--------------|-------|
| Tenure Type: | Condo |
| Rooms: | 0 |
| Bachelor: | 0 |
| 1 Bedroom: | 310 |
| 2 Bedroom: | 170 |
| 3 + Bedroom: | 0 |
| Total Units: | 480 |

FLOOR AREA BREAKDOWN (upon project completion)

| | Above Grade | Below Grade |
|----------------------------------|-------------|-------------|
| Residential GFA (sq. m): | 39814 | 0 |
| Retail GFA (sq. m): | 0 | 0 |
| Office GFA (sq. m): | 0 | 0 |
| Industrial GFA (sq. m): | 0 | 0 |
| Institutional/Other GFA (sq. m): | 22065 | 0 |

CONTACT: PLANNER NAME: Al Rezoski, Senior Planner – Downtown Section
TELEPHONE/EMAIL: (416) 392-0481, arezosk@toronto.ca

Attachment 2: Site Plan (Lower Ground)



Site Plan (Lower Ground)

1 Front Street East

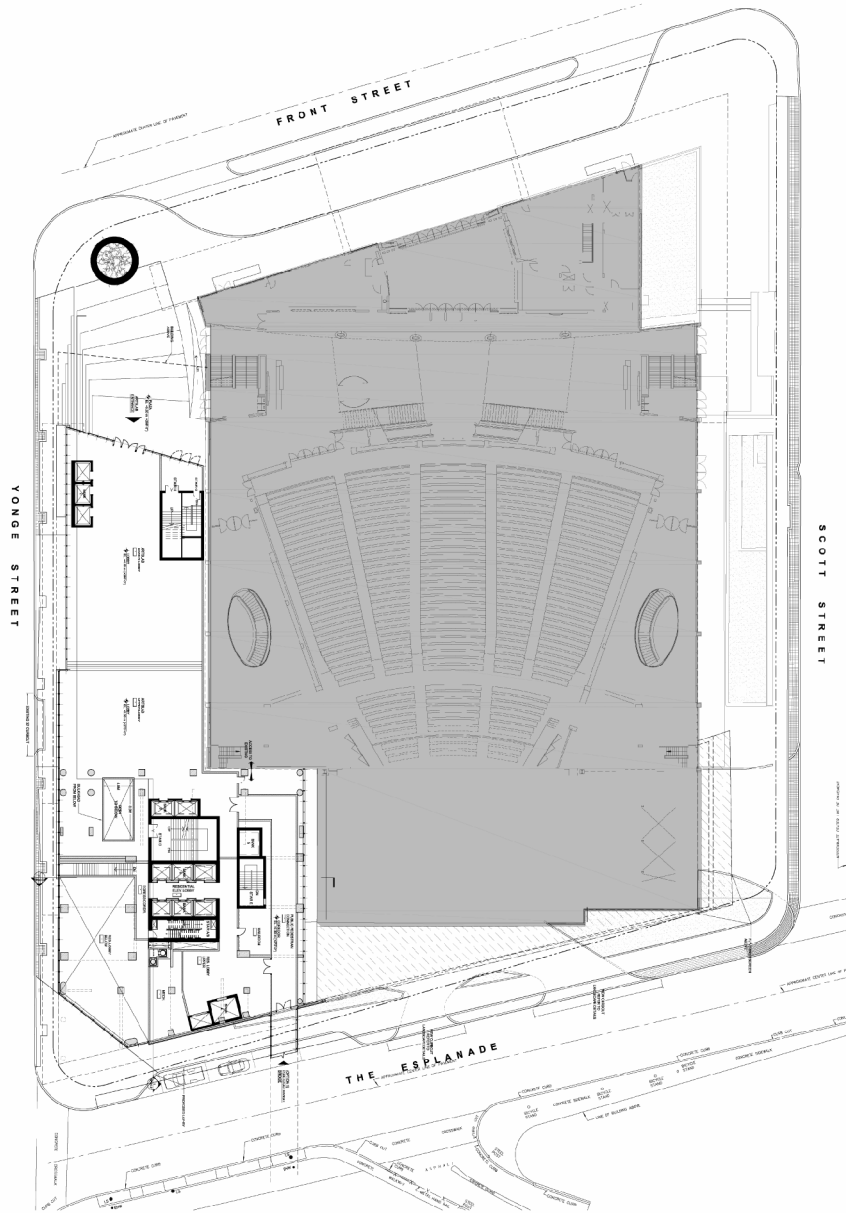
Applicant's Submitted Drawing

Not to Scale
03/13/07



File # 07_114857

Attachment 3: Site Plan (Upper Ground)



Site Plan (Upper Ground)

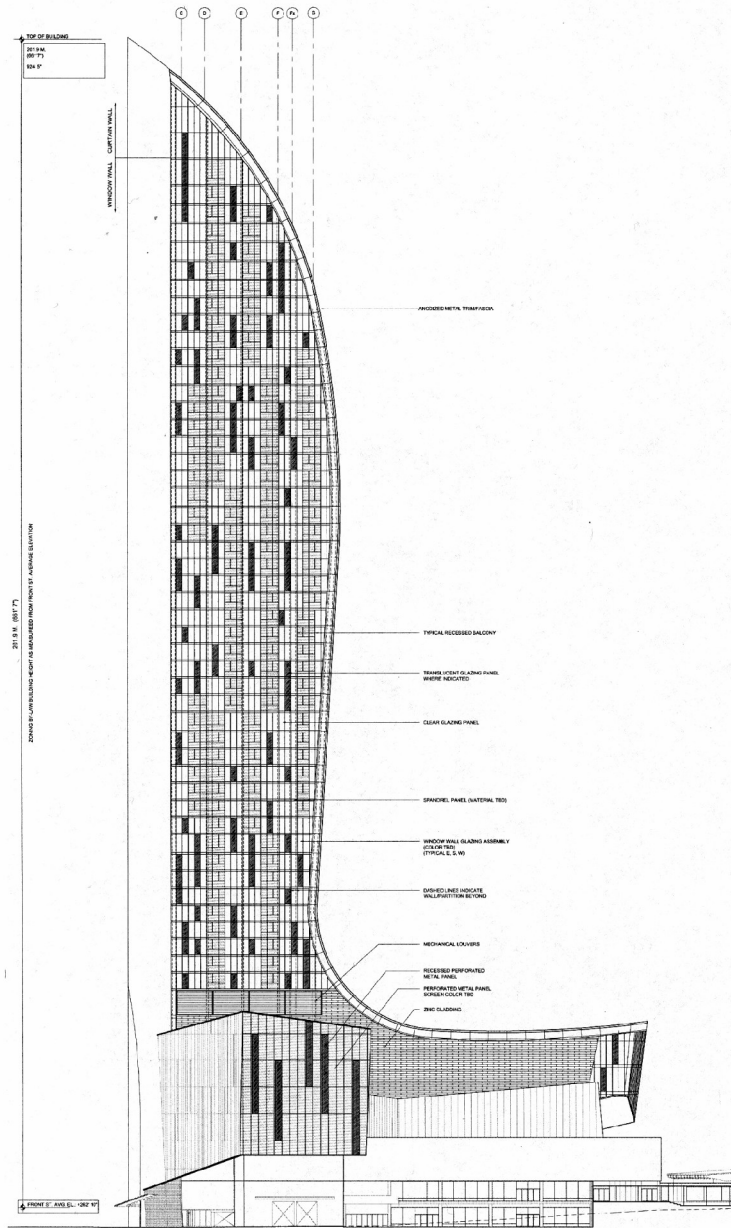
1 Front Street East

Applicant's Submitted Drawing

Not to Scale 

File # 07_114857

Attachment 4: East Elevation



East Elevation

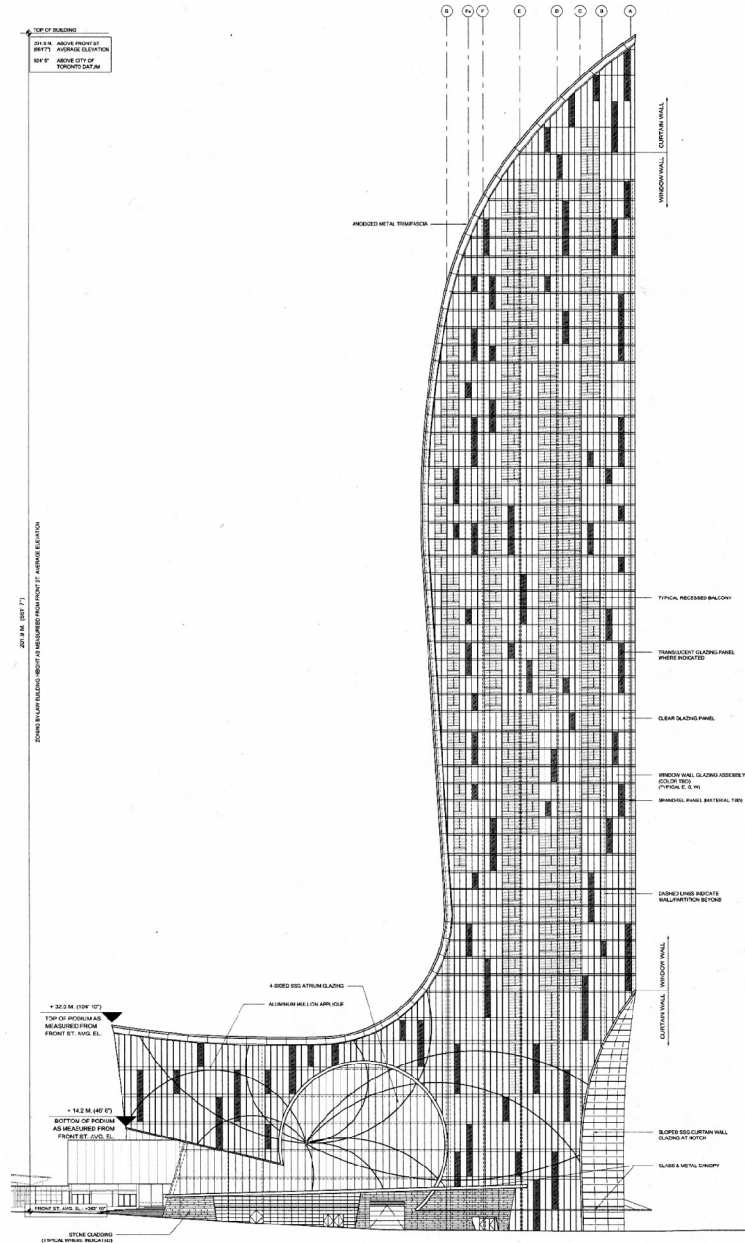
Applicant's Submitted Drawing

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1 Front Street East

File # 07_114857

Attachment 5: West Elevation



West Elevation

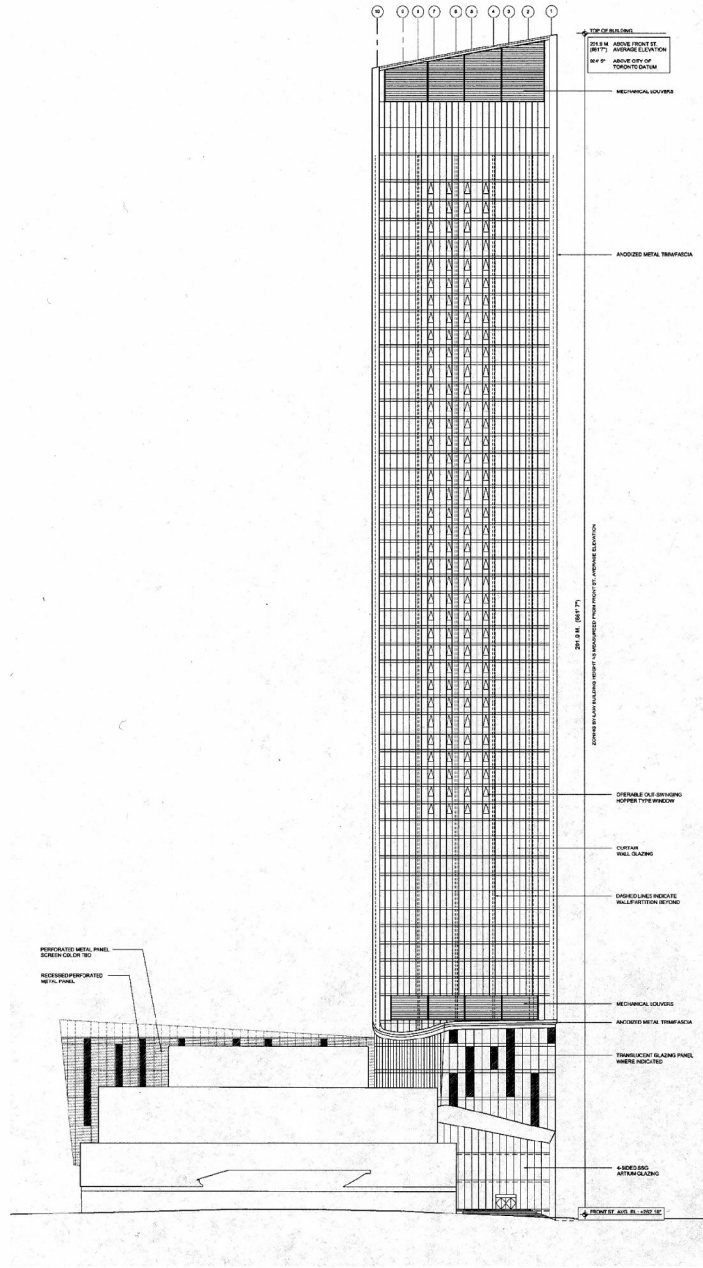
Applicant's Submitted Drawing

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03/13/07

1 Front Street East

File # 07_114857

Attachment 6: North Elevation



North Elevation

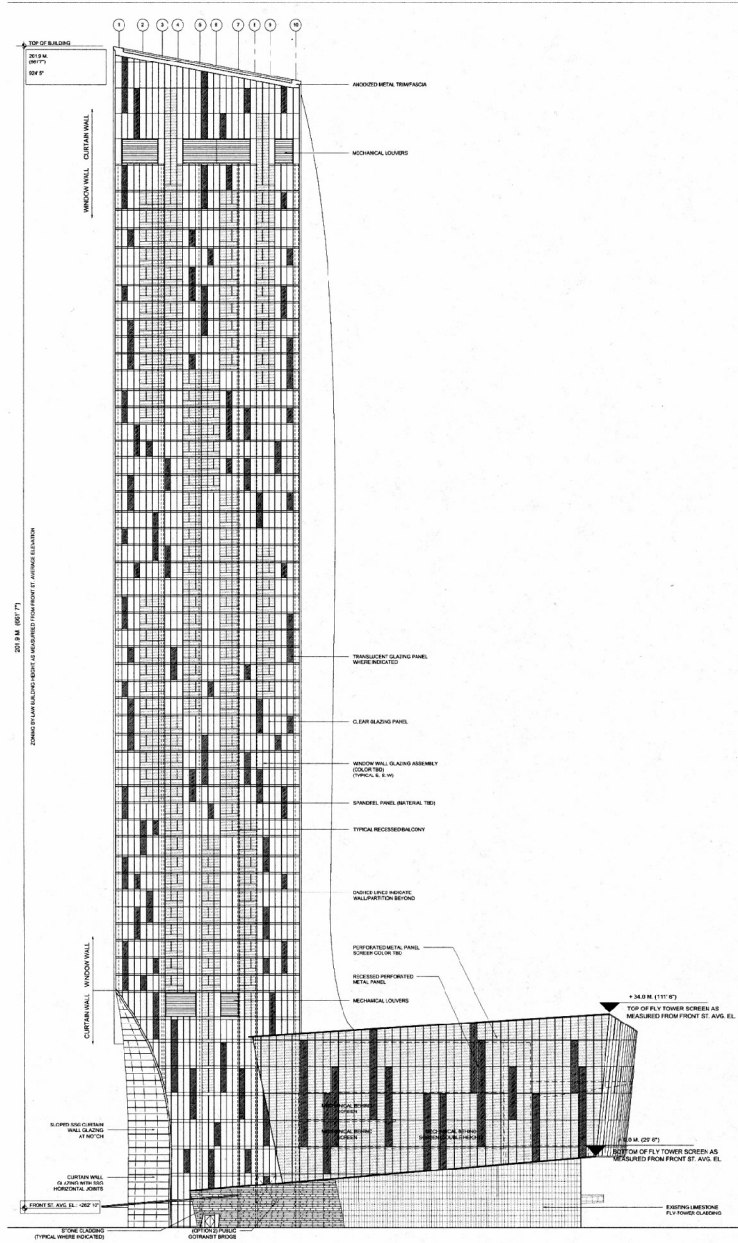
Applicant's Submitted Drawing

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03/13/07

1 Front Street East

File # 07_114857

Attachment 7: South Elevation



South Elevation

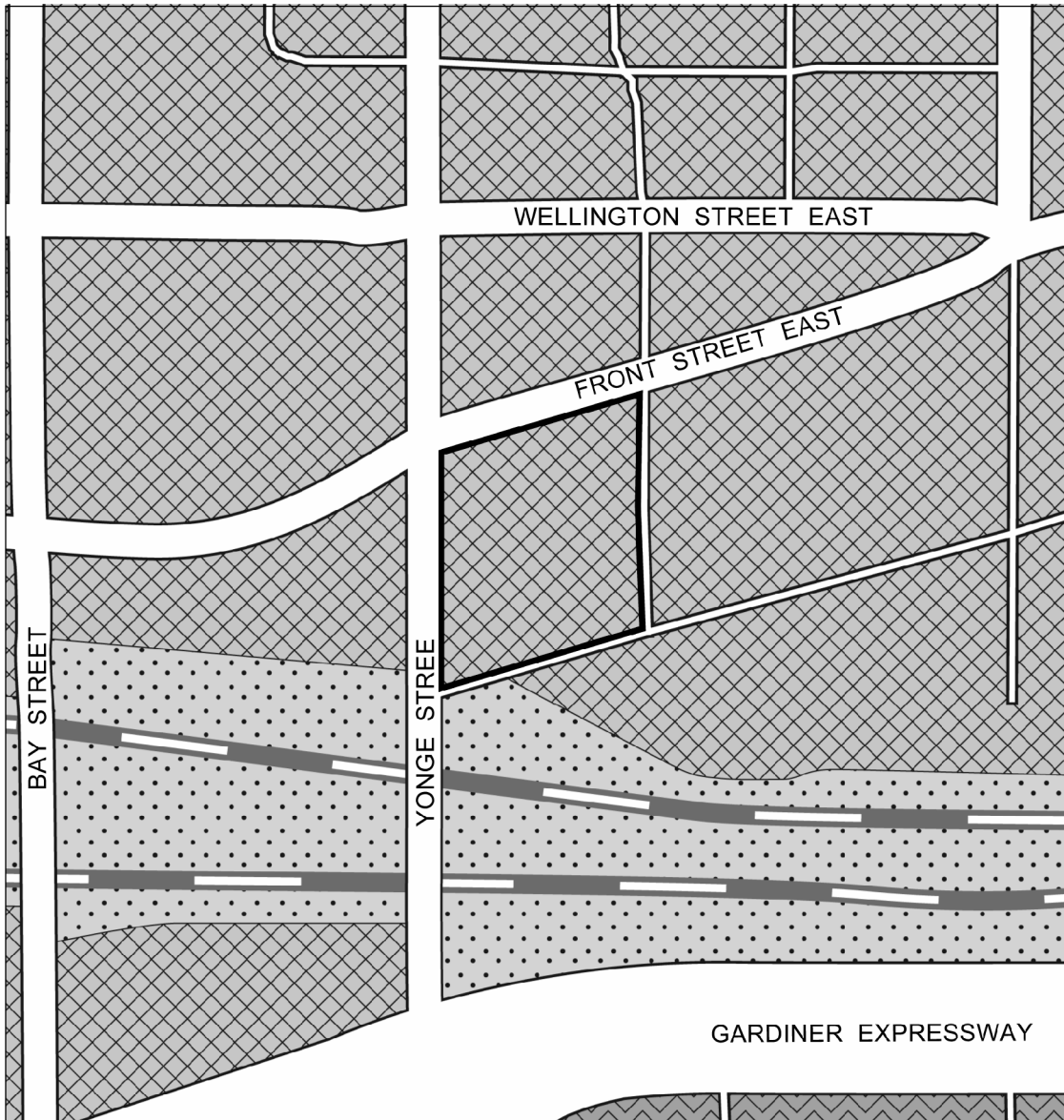
Applicant's Submitted Drawing

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1 Front Street East

File # 07_114857

Attachment 8: Official Plan Excerpt



TORONTO City Planning
Division
Official Plan

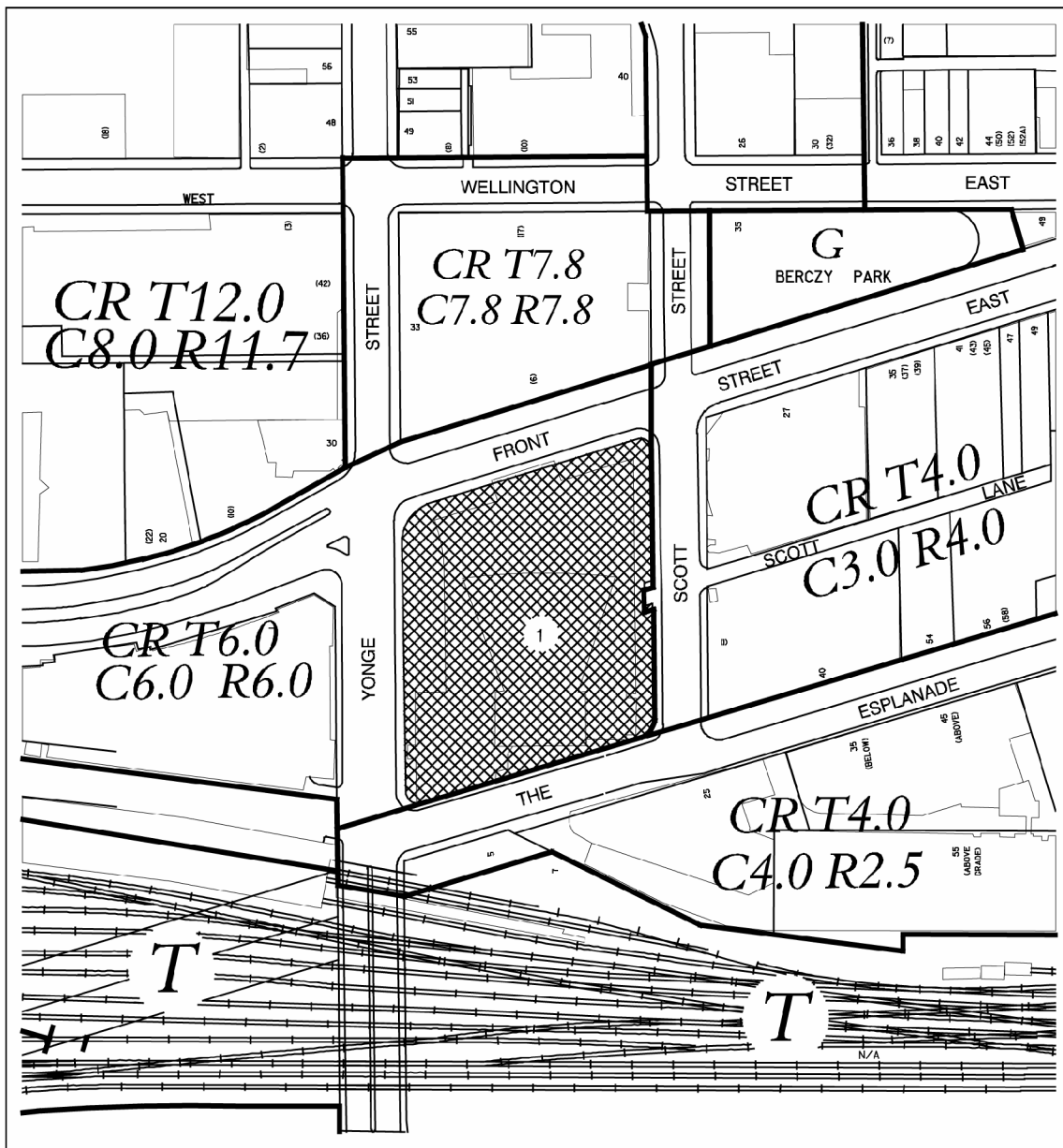
1 Front Street East

File # 07_114857

-  Site Location
-  Mixed Use Areas
-  Regeneration Areas
-  Utility Corridors


Not to Scale
MM/DD/YY

Attachment 9: Zoning By-law Excerpt



TORONTO City Planning Division
Zoning

1 Front Street East
 File # 07_114857

- G Parks District
- CR Mixed-Use District
- T Industrial District



Not to Scale
 Zoning By-law 438-86 as amended
 Extracted 03/13/07 - DR