

297 College Street– Zoning Applications – Final Report

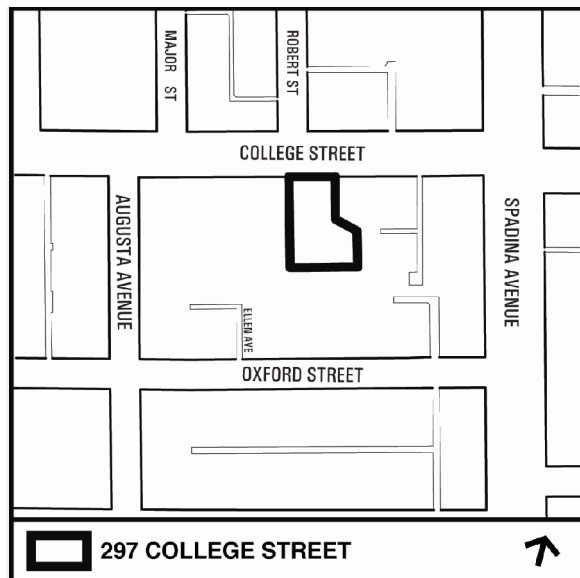
Date:	August 20, 2012
To:	Toronto and East York Community Council
From:	Director, Community Planning, Toronto and East York District
Wards:	Ward 20 – Trinity-Spadina
Reference Number:	11 267875 STE 20 OZ

SUMMARY

This application proposes to redevelop the lands at 297 College Street with a new 15-storey mixed use building.

The proposed development will have an overall gross floor area of 18,890 square metres, of which, 2,882 square metres will be for non-residential gross floor area. The application proposes a total of 226 residential dwelling units. The proposal includes 185 below-grade parking spaces and 170 bicycle parking spaces in four levels of underground parking. The project will have an overall density of approximately 8.4 times the lot area.

This report reviews and recommends approval of the application to amend the Zoning By-law including modifications to the current proposal as described in this report. Planning Staff have recommended that the building height be decreased, building setbacks be increased, and the amount of residential parking be increased.



RECOMMENDATIONS

The City Planning Division recommends that:

1. City Council amend the former City of Toronto Zoning By-law 438-86, as amended, for the lands at 297 College Street substantially in accordance with the draft Zoning By-law Amendment attached as Attachment No. 7 to the report from the Director, Community Planning, Toronto and East York District (August 20, 2012).
2. City Council authorize the City Solicitor to make such stylistic and technical changes to the draft Zoning By-law Amendment as may be required.
3. Prior to introducing the necessary Bills to City Council for enactment, City Council require the owner to enter into an Agreement pursuant to Section 37 of the Planning Act as follows:
 - a. The community benefits recommended to be secured in the Section 37 Agreement are as follows:
 1. A cash contribution in the amount of \$600,000, which shall be indexed and payable prior to the issuance of any above-grade building permit, to be used towards capital improvements to Toronto Community Housing Corporation projects in Ward 20.
 2. The conveyance of 38m² of gross floor area, at-grade, at no cost to the Toronto Arts Council.
 3. A cash contribution of \$50,000 to the Toronto Arts Council, which shall be indexed and payable prior to the issuance of any above-grade building permit, for any work necessary to finish the 38m² of space reference above.
 4. The provision of a publically accessible open space/pedestrian linkage, landscaped to the satisfaction of the Chief Planner and Executive Director, City Planning Division, located adjacent to the Toronto Community Housing Development at 34 Oxford Street.
 5. A cash contribution of \$125,000, which shall be indexed and payable prior to the issuance of any above-grade building permit, to be used towards streetscape improvements in the immediate area.

- b. The following matters are also recommended to be secured in the Section 37 agreement as a legal convenience to support development:
 1. The owner shall include 1:50 scale drawings for the first to seventh storey elevations with building materials labelled and the drawings having a sufficient level of detail to illustrate how the building will be perceived by the pedestrian. The drawings shall be submitted to the City Planning Division, for review and acceptance by the Chief Planner and Executive Director, City Planning Division
 2. The owner shall construct and maintain the development in accordance with Tier 1 performance measures of the Toronto Green Standard, as adopted by Toronto City Council at its meeting held on October 26 and 27, 2009 through the adoption of item PG32.3 of the Planning and Growth Committee.
4. Prior to the introduction of the necessary Bills to City Council for enactment, the owner shall provide the City with executed copies of the Limiting Distance Agreement, and Right-of-way Easement Agreement, as entered into with the adjacent property owner located at 34 Oxford Street, and necessary in order to facilitate the development as proposed.

Financial Impact

The recommendations in this report have no financial impact.

ISSUE BACKGROUND

Proposal

The applicant proposes to redevelop the site at 297 College Street with a 15-storey mixed use building. The proposal seeks to provide the first 2 storeys of the development for commercial purposes, with residential above. The applicant's proposed development seeks an overall building height of 52.8 metres, excluding mechanical penthouse, an overall gross floor area of 18,890 square metres, of which, 2,882 square metres will be non-residential gross floor area. The application proposes a total of 226 residential dwelling units, 185 parking spaces and 170 bicycle parking spaces in four levels of underground parking. An overall density of approximately 8.4 times the lot area is proposed.

As part of the application, the applicant is seeking to access the site via a shared driveway with the property located immediately west of the site. The applicant and adjacent landowner have indicated that this configuration has been approved in principle, and they anticipate finalizing the necessary agreements in the near future.

Site and Surrounding Area

The subject site is located on the south side of College Street, west of Spadina Avenue, and is currently occupied by a 3-storey place of worship with a large front yard parking area. The subject site is irregular in shape, and has a frontage of approximately 32 metres at College Street, although wider at the southern boundary of the site, and a depth of approximately 61 metres. The overall site area is approximately 2,239 square metres.

Development in the vicinity is as follows:

North: Development on the north side of College Street consists of mixed use buildings ranging in height from 2 to 6 storeys.

East: Immediately east of the site is a 2-storey building and a surface parking area. Further east, College Street consists of mixed-use and institutional buildings ranging in height from 1 to 4 storeys.

South: Immediately south of the site are townhouses. Further south of the site is Kensington Market.

West: Immediately west of the subject site is a 4-storey building currently operated by Toronto Community Housing Corporation. Further west, College Street consists of mixed use buildings ranging in height from 1 to 3 storeys.

Provincial Policy Statement and Provincial Plans

The Provincial Policy Statement (PPS) provides policy direction on matters of provincial interest related to land use planning and development. The PPS sets the policy foundation for regulating the development and use of land. The key objectives include: building strong communities; wise use and management of resources; and, protecting public health and safety. City Council's planning decisions are required to be consistent with the PPS.

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

City Council's planning decisions are required by the Planning Act, to conform, or not conflict, with the Growth Plan for the Greater Golden Horseshoe.

Official Plan

Map 2 of the Official Plan identifies that the subject site is located within the *Downtown*, one of the areas of the city which can accommodate a vibrant mix of residential and employment growth. The Official Plan also identifies that the *Downtown* will continue to evolve as a healthy and attractive place to live and work, as new development that supports the reurbanization strategy and the goals for *Downtown*, is attracted to the area.

In particular, Section 2.2.1.1 of the Plan identifies that the *Downtown* policies of the Plan will shape the City's future by accommodating development that:

- builds on the strength of *Downtown* as the premier employment centre in the GTA; and
- provides a full range of housing opportunities for *Downtown* workers and reduces the demand for in-bound commuting.

The Plan contains policies regarding tall buildings in the city. Tall buildings are identified as those whose height is typically greater than the width of the adjacent road allowance. The Plan also limits tall buildings to parts of the *Downtown*, *Centres*, and other areas of the city where they are specifically permitted by a Secondary Plan or Zoning By-law.

The Official Plan also sets out key urban design considerations when considering a tall building proposal. Although the Plan identifies the *Downtown* as one of the areas which can accommodate growth, Section 3.1.3 identifies that tall buildings are desirable in the right places, but also acknowledges that they are not appropriate in all locations. When tall buildings are poorly located or designed, they can physically and visually overwhelm adjacent streets, parks and neighbourhoods. The Plan acknowledges that tall buildings are also only one form of intensification, with most of the proposed intensification anticipated to be achieved with street oriented, grade related or mid-rise type buildings.

The Built Form policies, contained within section 3.1.2 of the Official Plan emphasise the importance of ensuring that new development fits within its existing and/or planned context, while limiting impacts on neighbouring streets, parks and open spaces. New buildings are required to provide appropriate massing and transition in scale that will respect the character of the surrounding area. The Healthy Neighbourhoods Section of the Official Plan identifies that the intensification of land adjacent to neighbourhoods will be carefully controlled so that neighbourhoods are protected from negative impact. The plan also states that developments in *Mixed Use Areas* that are adjacent or close to *Neighbourhoods* will, among other matters, be compatible with those *Neighbourhoods*, provide a gradual transition of scale and density, and maintain adequate light and privacy for residents in those *Neighbourhoods*.

The subject site is designated *Mixed Use Areas* in the Official Plan. This designation permits a broad range of commercial, residential and institutional uses and includes

policies and development criteria to guide development and its transition between areas of different development intensity and scale.

The development criteria in *Mixed Use Areas* includes, but is not limited to:

- creating a balance of high quality commercial, residential, institutional and open space uses that reduces automobile dependency and meets the needs of the local community;
- providing for new jobs and homes for Toronto's growing population on underutilized lands;
- locating and massing new buildings to provide a transition between areas of different development intensity and scale;
- locating and massing new buildings to frame the edges of streets and parks;
- providing an attractive, comfortable and safe pedestrian environment;
- providing good site access and circulation and an adequate supply of parking for residents and visitors;
- locating and screening service areas, ramps and garbage storage to minimize the impact on adjacent streets and residences; and
- providing indoor and outdoor recreation space for building residents in every significant multi-residential development.

Zoning

The subject site is zoned MCR T3.0 C2.0 R2.5 in the former City of Toronto Zoning By-law 438-86. The MCR Zone permits a range of residential and commercial uses within this zoning category to a maximum height of 16.0 metres.

Site Plan Control

The subject site and development are subject to Site Plan Control. An application for Site Plan Control has been submitted and is being reviewed concurrently with the Zoning By-law Amendment application.

Downtown Tall Buildings Vision and Performance Standards Design Guidelines

In July of 2012, Toronto City Council adopted the Downtown Tall Buildings Vision and Performance Standards Design Guidelines and directed City Planning staff to use these Guidelines in the evaluation of all new and current tall building development proposals falling within the Guideline boundaries. The Guidelines identify where tall buildings belong Downtown and establish a framework to regulate their height, form and relationship to their surroundings. They focus on enhancing the pedestrian environment; minimizing shadowing of sidewalks, parks and public squares; protecting landmark

views and heritage resources and improving the quality of life (access to natural light, sky views and privacy) for people living and working Downtown.

The Guidelines include a vision statement for downtown tall buildings; maps which identify "High Street" and "Secondary High Street" locations, recommended heights and building typologies for these streets; and twenty-three Performance Standards relating to the base conditions or tower portions of tall buildings or to their contextual fit within the Guideline area. Guideline details are available at <http://www.toronto.ca/planning/tallbuildingstudy.htm>.

College Street Avenues Urban Design Study

In 2003, City Council authorized the second round of *Avenues* Studies, including a study of College Street. An Avenues Study for College Street between Spadina Avenue and Ossington Avenue was completed in 2004. The study area included the College Street right-of-way, properties fronting onto the north and south sides of College Street within the MCR Zone and abutting lanes.

The consultants' studies included the College Street Avenues Urban Design Study, completed by Brook McIlroy Inc (BMI), and the College Street Urban Design Study Transportation report completed by Totten Sims Hubicki (TSH). The key objective of the consultants work was to recommend an urban design framework for new development and redevelopment on College Street in consideration of the existing built form, the operational characteristics of the street, and the comments and input of local stakeholders. Detailed considerations of amendments to the Zoning By-law and the public realm to support and implement the urban design recommendations did not form part of the consultant's studies.

The consultant's study identified specific sites and locations as appropriate for intensification and provided heights, setback, and step-back recommendations based on surrounding conditions and characteristics, right-of-way width and lot depth. The locations identified in the consultant's study as having the greatest development potential are the northwest and southwest corners of the Spadina Avenue and College Street intersection, and the southwest corner of Bathurst Street and College Street. The consultant's report also identified that heights should transition down from these areas of intensification.

A Final Report from City Planning was before City Council at its meeting of April 12-15, 2005. That report recommended that City Council receive the College Street Avenues Urban Design Study report by BMI and the College Street Urban Design Study Transportation Report by TSH.

Reasons for Application

The proposed construction of a 15-storey mixed use building at a density of 8.4 times the lot area exceeds the 3.0 times the lot area density permitted by the former City of Toronto By-law 438-86, as amended.

At 15-storeys or 52.8 metres in height, the proposed mixed commercial-residential building will need an amendment to the former City of Toronto By-law 438-86, as amended, to exceed the permitted height of 16 metres.

Other areas of non-compliance requiring zoning amendments to permit the proposed mixed-use development are identified in the draft Zoning By-law Amendment (refer to Attachment 7).

Community Consultation

A Community Consultation Meeting was held on December 5, 2011 at the Lillian Smith Library. Approximately 60 members of the public were in attendance at this meeting. Concerns that were expressed at that meeting and in written comments submitted subsequent to that meeting include:

- Height and massing of the proposed building;
- Impacts on adjacent neighbourhood and potential loss of light and privacy;
- Precedent that the building will have on College Street as it relates to new development;
- How the proposed building will be serviced and the impacts (ie. noise) on adjacent residents; and
- Concerns with the potential increase in traffic and number of cars generated by this proposal, and the shared driveway proposed.

Planning staff endeavoured to answer the questions asked by those in attendance at the Community Consultation meeting, and required revisions to be made to the plans. Further detail is provided in the comments section of this report.

Agency Circulation

The application was circulated to all appropriate agencies and City divisions. Responses received have been used to assist in evaluating the application and to formulate appropriate by-law standards.

COMMENTS

Provincial Policy Statement and Provincial Plans

Staff have reviewed the proposal and determined that it is consistent with the Provincial Policy Statement, and does not conflict with the Growth Plan for the Greater Golden Horseshoe.

Land Use

The Provincial Policy Statement indicates that the Official Plan is to direct development to suitable areas. Intensification and redevelopment is to be provided in areas that take into account the existing building stock or area, and availability of infrastructure and public service facilities that meet projected needs.

The subject site is designated *Mixed Use Areas* in the Official Plan. The Official Plan identifies that these areas are intended to achieve a multitude of planning objectives by combining a broad array of residential, office, retail and service uses. *Mixed Use Areas* are intended to be areas which allow residents to live, work and shop in the same area, even in the same building, giving individuals an opportunity to be less dependent upon their automobiles, while creating districts along transit routes that are animated, attractive, and safe. Although *Mixed Use Areas* will absorb most of the anticipated increase in retail, office and service uses in the City, not all *Mixed Use Areas* will experience the same scale or intensity of development. The highest buildings and greatest intensity will occur in the *Downtown*, with decreased intensity and scale in the *Centres* and along *Avenues*.

The development criteria contained within Section 4.5.2 of the Official Plan seeks to ensure that, among other matters, development in *Mixed Use Areas* creates a balance of high quality commercial, residential, institutional uses that reduce automobile dependency while meeting the needs of the local community. The Plan also seeks to create and sustain well paid, stable, safe and fulfilling employment opportunities on lands designated *Mixed Use Areas*. Staff have determined that the proposed development, with minor amendments, is appropriate for this site and generally complies with *Mixed Use Areas* policies contained within the Official Plan.

Downtown Tall Buildings Vision and Performance Standards Design Guidelines

The Guidelines identify where tall buildings belong Downtown and establish a framework to regulate their height, form and relationship to their surroundings. They focus on enhancing the pedestrian environment; minimizing shadowing of sidewalks, parks and public squares; protecting landmark views and heritage resources and improving the quality of life (access to natural light, sky views and privacy) for people living and working Downtown. The Guidelines include a vision statement for downtown tall buildings; maps which identify "High Street" and "Secondary High Street" locations, recommended heights and building typologies for these streets; and twenty-three Performance Standards relating to the base conditions or tower portions of tall buildings or to their contextual fit within the Guideline area.

The subject property is located on College Street which is identified as a Special Study Street on Map 1. The portion of College Street between McCaul Street and Bathurst Street is not intended as a "High Street". The north side of this segment of College Street is exempt from the Downtown Tall Buildings Vision and Performance Standards

Design Guidelines as it comprises the University of Toronto Secondary Plan Area and is subject to its own set of guidelines. However, due to the strong institutional presence found on the street, City Planning staff will be conducting a study in the future for both sides of College Street, generally from University Avenue to Bathurst Street, to address: land uses and the inclusion of institutional uses within mixed-use buildings; building scale and height; and public realm design including streetscape improvements.

Height

The *Downtown* is one of the areas of the city which is intended to accommodate a vibrant mix of residential and employment growth. The Official Plan identifies that the *Downtown* will continue to evolve as a healthy and attractive place to live and work, as new development that supports the reurbanization strategy and the goals for *Downtown* is attracted to the area. The Official Plan policies provide a framework for change and the planned context that will emerge over time. Often the planned context is also informed by other factors which support growth such as site configuration, the availability of higher order transit, amenities, and land use patterns.

Unlike other areas within the *Downtown*, this portion of College Street has not experienced much growth or development, and thus the current context of College Street is low rise in form, with buildings ranging in height from 1 to 6-storeys. The applicant's proposed 15-storey building, with a proposed height of approximately 52 metres plus mechanical penthouse, is currently taller than any existing building in the immediate area. The BMI College Street Avenue Study identified that this site had the potential to develop with heights ranging from 9 to 11-storeys, or between 32 to 39 metres, plus mechanical penthouse.

Staff have reviewed the applicant's proposal, as well as the surrounding context and suggested that the applicant reduce the overall height of their building so that it is in closer compliance with the recommendations contained within the BMI College Street Avenue Study. Staff have identified that they would be satisfied with a height that is slightly taller than that proposed by the BMI College Street Avenue Study for this site, suggesting that the overall building height be reduced to 46 metres, plus 4 metres for mechanical penthouse, or approximately 13-storeys. The height, as proposed by City Planning Staff, is acceptable in this instance due to the subject site's location and lot size. Although the proposal is higher than what currently exists on College Street between Spadina Avenue and Bathurst Street, the subject sites size and location allows for a taller than mid-rise development in this instance. The lands on the north side of College Street, as well as the lands on the south side of the street, west of Augusta Street to Bathurst Street, consist of smaller, shallower lots, with greater potential impact on abutting *Neighbourhoods*. The modified overall height is contained within the draft Zoning By-law Amendment attached to this report, as contained within Attachment 7.

Building Siting and Massing

The Official Plan Built Form policies stress the importance of new development fitting harmoniously into its existing and/or planned context and limiting its impacts on

neighbouring streets, parks, open spaces and properties. The policies contained within the Official Plan assist in the review of development applications. The Official Plan identifies that developments may be considered not only in terms of the individual building and site, but also in terms of how that building and site fit within the context of the neighbourhood and the City.

The applicant's proposal consists of a building where the podium would have a street wall height of 24.5 metres at the 7th storey, half a metre taller than the 80% of the right-of-way width (24 metres) as prescribed by the Tall Buildings Guidelines. The podium then steps back 3-metres, above the 7th storey to an overall podium height of 31.1 metres, which is one metre taller than the width of the right-of-way, which is 30 metres at this point. The applicant also proposes balcony projections within the 3-metre step back. Staff are recommending that there should be no projections, including balconies, into the step back area described above.

The tower element of the proposal is asymmetrical and located closer to College Street. Staff have recommended to the applicant that the tower be setback a minimum of 14 metres from the rear property line, in an effort to mitigate impacts of the development on the neighbourhood to the south. In addition, the mechanical penthouse is currently setback 9 metres from the east property line. Staff are recommending that this setback be increased to 10 metres. As with the podium, the draft Zoning By-law Amendment does not allow for balcony projections within the rear setback. City Planning Staff's recommended height reduction and increases in building step backs as described, will result in a built form which is acceptable on this site. Staff's modifications are contained within the draft Zoning By-law Amendment contained within Attachment No. 7, attached to this report.

Sun, Shadow, Wind

The applicant was required to submit a sun/shadow study showing the comparable shadows of an as-of-right development (within the required setbacks and height limit) and the proposed development. An analysis of the shadow impact study submitted by the applicant shows that during the peak sunlight hours of 9:18 a.m. to 2:18 p.m. on September 21 and March 21 (the vernal and autumnal equinoxes), the north sidewalk of College Street will be shadowed. The shadows do not extend into the *Neighbourhoods* north of College Street.

Traffic Impact Study

A Urban Transportation Considerations Report was submitted as part of the application. In that study, the consultant estimates that the proposal will generate 110, 150 and 160 net two-way trips during the weekday morning, weekday afternoon and Saturday midday peak hours, respectively. The consultant concludes that the proposal can be accommodated on the adjacent road network without the need for any road improvements.

The City's Technical Services Division has identified that there are still outstanding issues which require resolution with respect to the parking and loading facilities for the

project, prior to the acceptance of the traffic impacts of the proposal. Should the City's Technical Services Division determine that the loading spaces proposed and the allocation of parking are not sufficient, the performance standards contained within the attached draft Zoning By-law will be amended prior to the introduction of Bills.

Driveway Access and Site Circulation

The applicant proposes a 6-metre wide north-south private laneway access to the site, that extends immediately west of the site on adjacent lands from College Street to Oxford Street. This laneway currently operates in a one-way northbound direction. As part of this application, the laneway is proposed to be converted to two-way operation from College Street to the site entrance driveway. The remaining portion of the laneway is proposed to be converted to a pedestrian-only zone, except for minimal vehicular traffic to access the garbage area on the adjacent lands.

The City is supportive of this proposed access, but will require that the owner and the adjacent land owner at 34 Oxford Street enter into the appropriate right-of-way agreement in order to secure access rights over the long term. The applicant and adjacent landowner have indicated that positive discussions regarding the right-of-way agreement are on-going, and that they expect to secure access rights over the driveway/laneway on shortly. Staff have recommended holding Bills until such time as the owner provides staff with a copy of the executed agreement to ensure that the development can proceed.

Parking

The applicant proposes to provide 185 parking spaces as part of this proposal, of which, 55 are proposed to be allocated for residents with the remaining 130 allocated to a public commercial parking garage. All parking is proposed to be below grade, within a 4 level parking garage.

The overall amount of parking proposed is generally consistent with the overall amount of parking required for the proposed uses, but the proposed allocation of 55 residential parking spaces is unacceptable. The allocation of 55-parking spaces to residential parking is less than half of the estimated parking demand. The applicant has not provided an acceptable justification for a reduction this significant. It is recommended that parking spaces be provided for residential uses as per the ratios contained within the attached Zoning By-law Amendment, with any surplus spaces allocated towards the commercial parking garage.

The reduction as proposed by the applicant is unacceptable, as the site is within an area where off-site parking is in short supply. The site is located within parking area 6C, where the City has issued 250 parking permits to residents, which exceeds the parking supply for that area which is 234 parking spaces. There is a significant concern that a parking shortfall as proposed by the applicant will result in increased demand on on-street parking which is not appropriate. In addition, the close proximity of the site to the University of Toronto, which has limited parking, also increases the local demand.

The applicant is able to satisfy the requirement for parking on-site as part of this development proposal. The draft Zoning By-law Amendment attached to this report contains a parking ratio which is satisfactory to the Technical Services Division.

Bicycle Parking

The Official Plan contains policies which encourage reduced automobile dependency as well as promoting alternative modes of transportation. The policies contained within the Plan attempt to increase the opportunities for better walking and cycling conditions for residents of the City.

Policy 2.4.7 states, “Policies, programs and infrastructure will be introduced to create a safe, comfortable, and bicycle friendly environment that encourages people of all ages to cycle for everyday transportation and enjoyment including... the provision of bicycle parking facilities in new developments”. The development will provide 136 bicycle parking spaces for the exclusive use of residents on parking levels P1-P4. In addition, 34 visitor bicycle parking spaces will be provided in a secured visitor parking area located on level P2. The number and location of bicycle parking spaces is sufficient.

Residential Amenity Areas

Section 3.1.2.6 of the Official Plan states that every significant new multi-unit residential development will provide indoor and outdoor amenity space for residents of the new development, in addition to identifying that each resident will have access to outdoor amenity spaces. In addition, the former City of Toronto Zoning By-law requires that a minimum of 2m² per unit of indoor and outdoor amenity space be provided.

The applicant proposes to provide 300 square metres of indoor amenity space. The indoor amenity space is proposed to be located on the 3rd-level, and is adjacent to a 245 square metre outdoor amenity terrace. While the indoor and outdoor amenity spaces are less than what is required by the Zoning By-law, the configuration of the indoor and outdoor space is appropriate in this instance. The configuration of the common spaces provides a sense of continuity between the areas and allows for spill over from indoor to outdoor amenity space in the warmer months thereby allowing the spaces to function as one large amenity area. The amount and configuration of indoor and outdoor amenity space as proposed by the applicant is acceptable.

Full Range of Housing

The Official Plan provides direction to provide a full range of housing in terms of form, tenure and affordability. The provision of this range of housing across the City and within neighbourhoods is important to achieving the diversity required to meet current and future needs of residents, and to provide economic competitiveness and social cohesion. The applicant proposes to provide 10% of units as 3-bedroom units. In this instance, and based on unit count, the applicant is proposing to provide 23, 3-bedroom units. The number of 3-bedroom units will be secured as a performance standard in the draft Zoning By-law attached to this report.

Parkland Dedication

The Official Plan contains policies to ensure that Toronto's system of parks and open spaces are maintained and expanded. Map 8B of the Toronto Official Plan shows local parkland provisions across the City. The lands which are subject of this application are in an area with 0 to 0.42 hectares of local parkland per 1,000 people. The site is in the lowest quintile of current provisions of parkland. The site is in a parkland priority area, as per the City Wide Parkland Dedication By-law 1020-2010.

The application proposes 226 residential units and 2,882m² of non-residential uses on a site with a net area of 2,239m². At the alternative rate of 0.4 hectares per 300 units specified in By-law 1020-2010, the parkland dedication requirement is 0.301 hectares or 130.8% of the site area. For sites that are less than 1 hectare in size, a cap of 10% is applied to the residential use while the non-residential use is subject to a 2% parkland dedication.

The applicant proposes to satisfy the parkland dedication requirement through cash-in-lieu. This is appropriate as an on-site parkland dedication requirement of this development would not be of a usable size and the site would be encumbered with below grade parking. The actual amount of cash-in-lieu to be paid will be determined at the time of issuance of the building permit.

Trees

Toronto's urban forest plays an important role in making Toronto a clean and beautiful city. Trees enhance all new development projects, enhancing both the quality and value of the built environment. The city's Official Plan recommends policies that have been adopted by City Council that call 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 and 40 percent.

The applicant submitted an Arborist Report with their application. There are 5 trees privately owned trees on the subject site. Two of the trees are located near the south west corner of the site, and will require removal in order to accommodate the development of the site as proposed. Where tree planting to replace trees removed is not physically possible on-site at a replacement ratio of 3:1, the Parks, Forestry and Recreation Division will accept a cash-in-lieu payment. For this development the applicant is proposing the removal of two trees, which would require six replacement trees to be planted. The applicant does not propose any on-site tree planting, and as such will be required to provide a cash-in-lieu payment for six (6) trees. This payment will be required as a condition of Site Plan Control.

Toronto Green Standard

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

quality, reduce green house gas emissions and enhance the natural environment.

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

Section 37

Section 37 of the Planning Act allows the City to authorize increased density and/or height in return for the provision of services, facilities or matters. The Official Plan contains provisions authorizing these Section 37 matters, provided the density and/or height increase are consistent with the objectives of the Official Plan regarding building form and physical environment. Section 5.1.1.4 of the Plan allows Section 37 to be used for development with more than 10,000 square metres of gross floor area where the zoning by-law amendment increases the permitted density by at least 1,500 square metres and/or significantly increases the permitted height.

Given the increase in proposed height, the Official Plan would require the provision of Section 37 benefits. The applicant has agreed to the following Section 37 contribution. The benefits to be secured would be as follows:

1. A cash contribution in the amount of \$600,000, which shall be indexed and payable prior to the issuance of any above-grade building permit, to be used towards capital improvements to Toronto Community Housing Corporation projects in Ward 20.
2. The conveyance of 38m² of gross floor area, at grade, at no cost to the Toronto Arts Council.
3. A cash contribution of \$50,000 to the Toronto Arts Council, which shall be indexed and payable prior to the issuance of any above-grade building permit, for any work necessary to finish the 38m² of space reference above.
4. The provision of a publically accessible open space/pedestrian linkage, landscaped to the satisfaction of the Chief Planner and Executive Director, City Planning Division, located adjacent to the Toronto Community Housing Development at 34 Oxford Street.
5. A cash contribution of \$150,000, which shall be indexed and payable prior to the issuance of any above-grade building permit, to be used towards streetscape improvements in the immediate area.

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

1. The owner shall include 1:50 scale drawings for the first to seventh storey elevations with building materials labelled and the drawings having a sufficient level of detail to illustrate how the building will be perceived by the pedestrian. The drawings shall be submitted to the City Planning Division, for review and acceptance by the Chief Planner and Executive Director, City Planning Division; and
2. The owner shall construct and maintain the development in accordance with Tier 1 performance measures of the Toronto Green Standard, as adopted by Toronto City Council at its meeting held on October 26 and 27, 2009 through the adoption of item PG32.3 of the Planning and Growth Committee.

Conclusion

Subject to the modifications as recommended by staff, the proposal is acceptable for the site. Planning staff recommend approval of the proposal in a revised form that is consistent with the draft zoning by-law as contained within Attachment 7.

CONTACT

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SIGNATURE

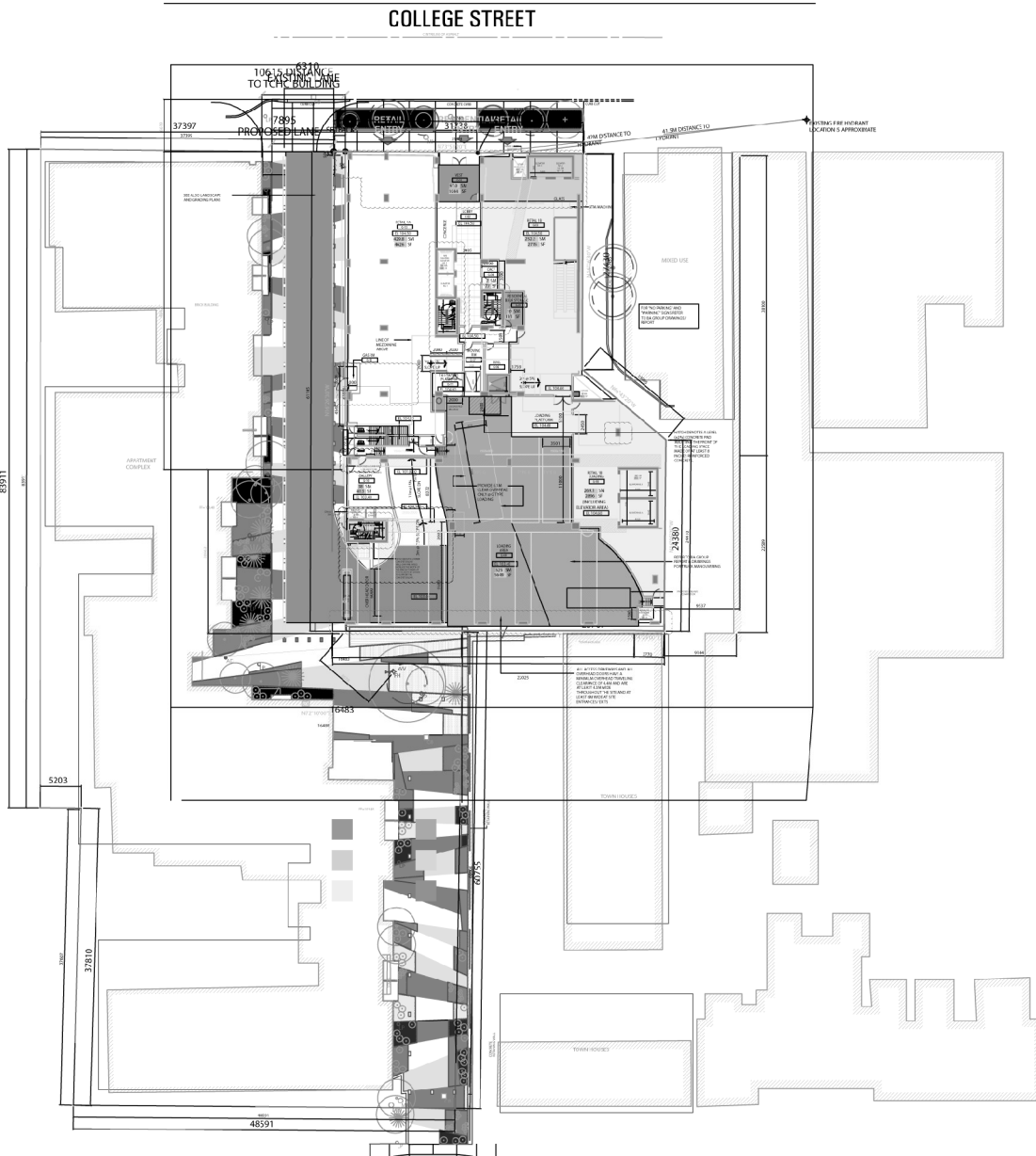
Raymond David, Director
Community Planning, Toronto and East York District

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ATTACHMENTS

Attachment 1: Site Plan
Attachment 2: North Elevation
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Attachment 6: Zoning
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Attachment 1: Site Plan



Site Plan

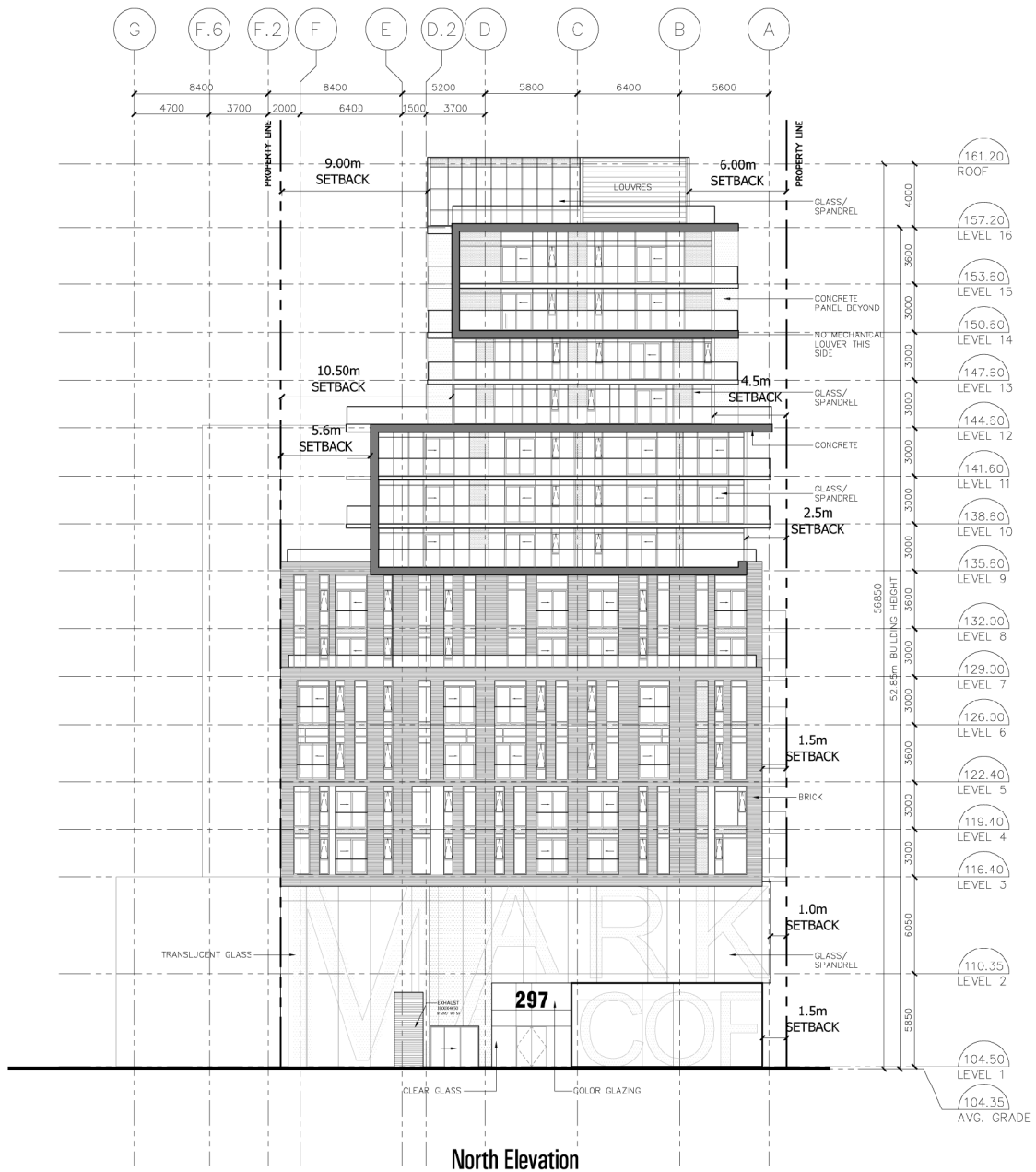
297 College Street

Applicant's Submitted Drawing

Not to Scale 

File # 11 267875 02

Attachment 2: North Elevation



Elevation

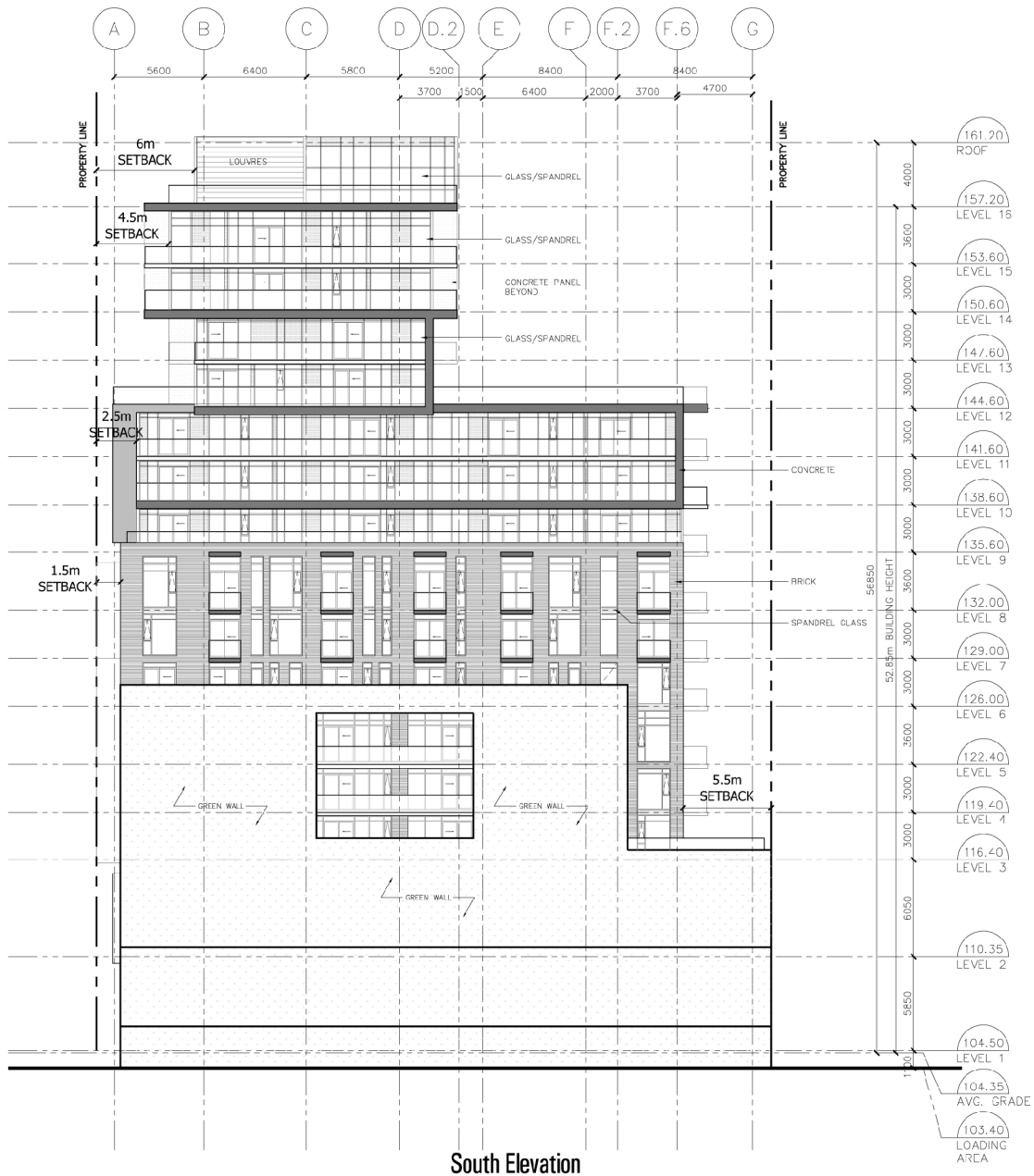
297 College Street

Applicant's Submitted Drawing

Not to Scale
08/07/2012

File # 11 267875 OZ

Attachment 3: South Elevation



Elevation

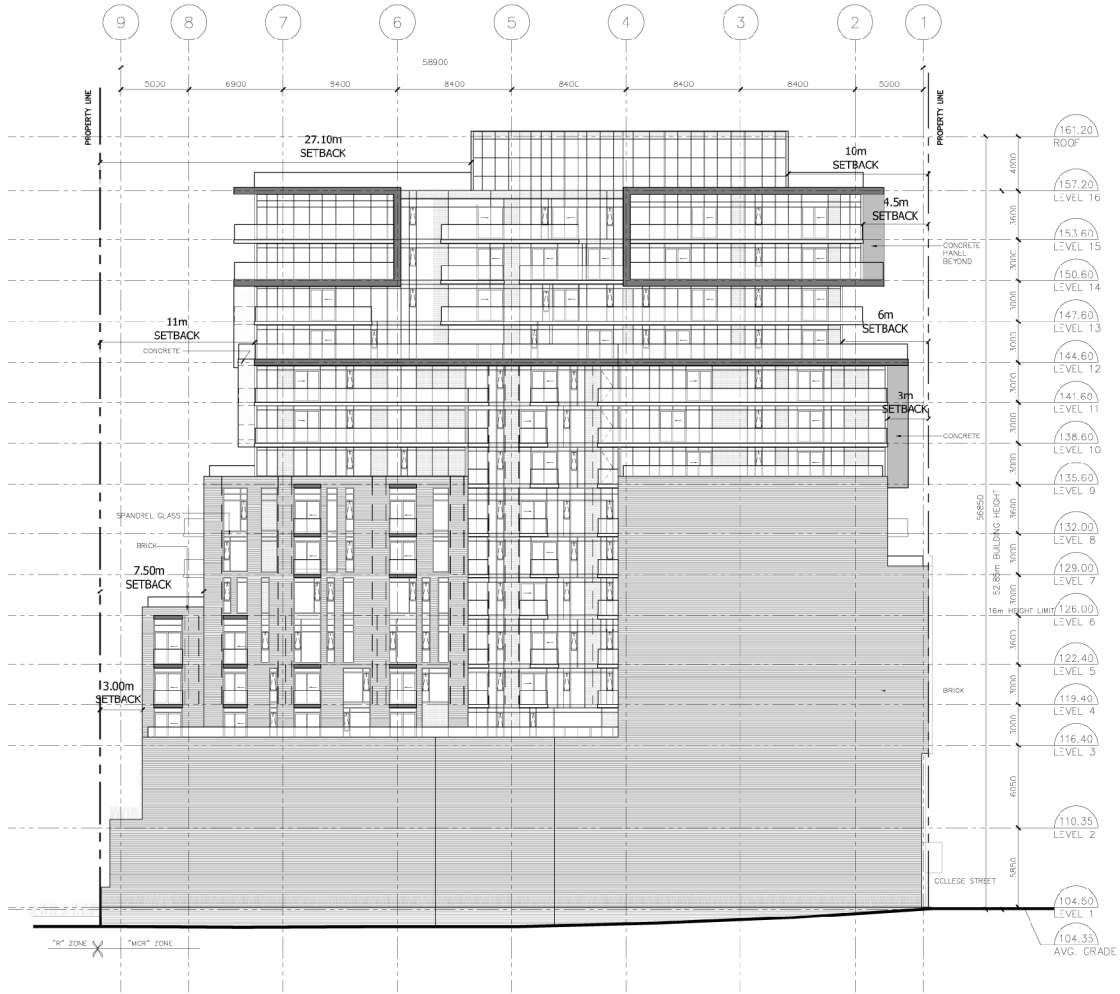
297 College Street

Applicant's Submitted Drawing

Not to Scale
08/07/2012

File # 11 267875 OZ

Attachment 4: East Elevation



East Elevation

Elevation

Applicant's Submitted Drawing

Not to Scale
08/07/2012

297 College Street

File # 11 267875 OZ

Attachment 5: West Elevation



West Elevation

Elevation

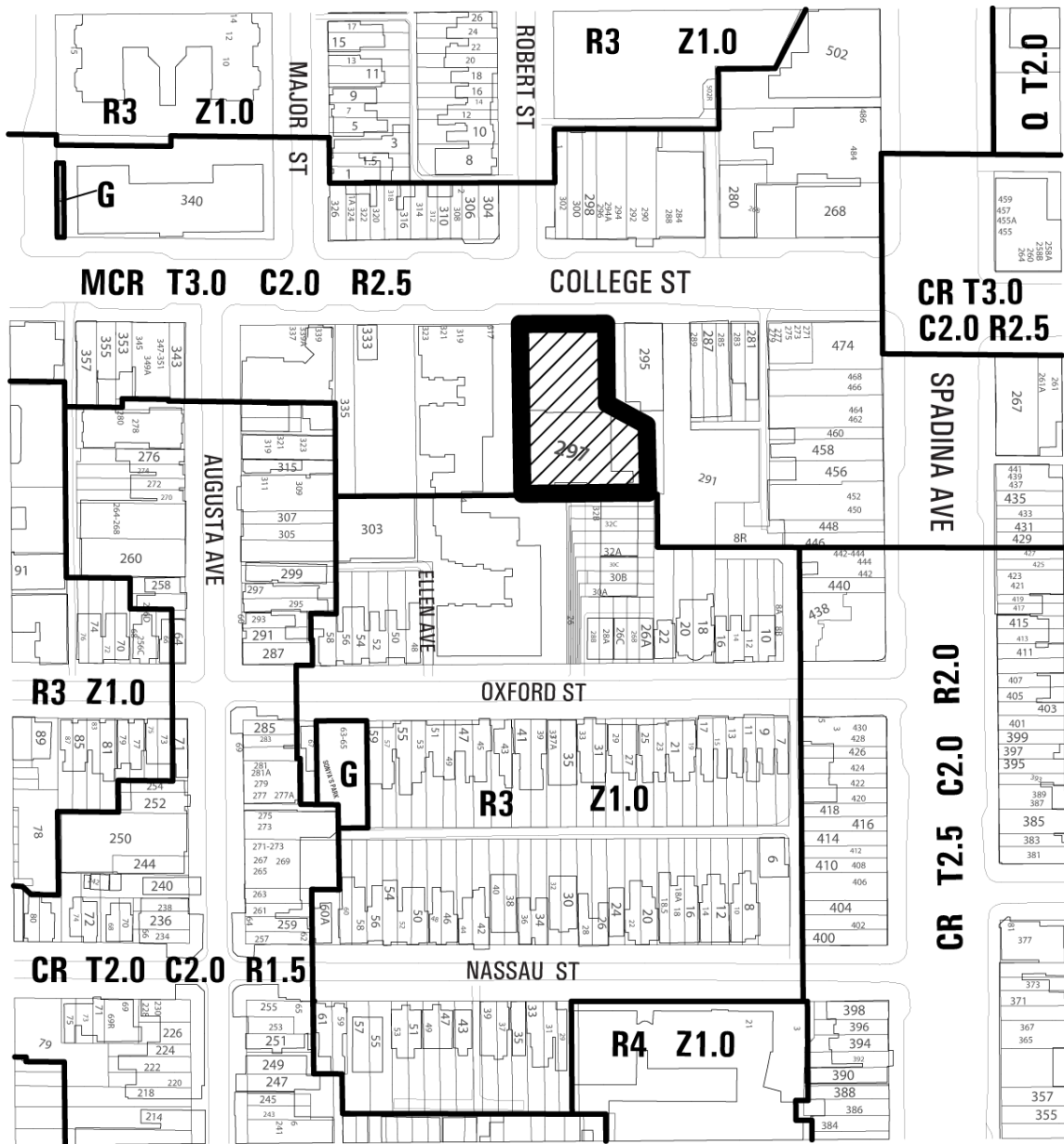
297 College Street

Applicant's Submitted Drawing

Not to Scale
08/07/2012

File # 11 267875 0Z

Attachment 6: Zoning



Zoning City of Toronto By-law 438-86

297 College Street

File # 11_267875_02

- G Parks District
- R3 Residential District
- R4 Residential District
- CR Mixed Use District
- MCR Mixed Use District
- Q Mixed Use District



Not to Scale
Zoning By-law 438-86 as amended
Extracted 09/26/2011

Attachment 7: Draft Zoning By-law Amendment

CITY OF TORONTO

Bill No. ~

BY-LAW No. ~-2012

**To amend former City of Toronto Zoning By-law No. 438-86, as amended,
with respect to the lands municipally known as 297 College St**

WHEREAS authority is given to Council by Section 34 of the *Planning Act*, R.S.O. 1990, c.P. 13, as amended, to pass this By-law; and

AND WHEREAS the Council of the City of Toronto has provided adequate information to the public and has conducted at least one public meeting under Section 34 of the *Planning Act* regarding the proposed Zoning By-law amendment;

AND WHEREAS the Council of the City of Toronto, at its meeting on ~, 2012, determined to amend Zoning By-law No. 438-86;

THEREFORE By-law No. 438-86, the General Zoning By-law of the former City of Toronto, as amended, is further amended as follows:

1. The lands subject to this By-law are those lands outlined by a heavy black line and identified as “297 College Street” as shown on Map “1” attached hereto.
2. Section 12(2) to the Zoning By-law 438-86, is further amended by adding a new Section 12(2) 356 immediately after Section 12(2) 355 of the By-law as follows:

None of the provisions of Sections 4(2),(5),(12), 8(3) Part I (1),(3)(A), 8(3) Part II (A)(II), (4)(C)(I), of By-law 438-86 of the former City of Toronto, being “A By-law to regulate the use of land and the erection, use, bulk, height, spacing of and other matters relating to buildings and structures and to prohibit certain uses of lands and the erection and use of certain buildings and structures in various areas of the City of Toronto” as amended, shall apply to prevent the erection and use of a *mixed-use* building on the *lot*, provided that:

- (1) the *lot* on which the *mixed-use building* is located comprises of the lands outlined by heavy lines on Map 1 attached to and forming part of this By-law;
- (2) the total combined *residential gross floor area* and *non-residential gross floor area* on the *lot* shall not exceed 17,700 square metres, provided:
 - (i) the *residential gross floor area* shall not exceed 14,850 square metres;

- (ii) the *non-residential gross floor area* shall be a minimum of 2,500 square metres; and
- (3) a maximum of 226 *dwelling units* may be provided on the *lot*;
- (4) a minimum of ten percent (10%) of the total number of *dwelling units*, shall be constructed in the building on *lot*, and shall be capable of being designed as three bedroom units in compliance with the provisions of the Ontario Building Code.
- (5) the *mixed-use building*, including all mechanical equipment, stair enclosures and elevator overruns, is located wholly within the areas delineated by heavy lines and the *height* limits specified by the numbers following the symbol “H” as shown on Map 2, attached and forming part of this By-law, with the following exceptions:
 - (i) the maximum height for terraces and balcony guards, elements of a green roof and insulation and roof surface materials, planters, railings, parapets, window washing equipment, ornamental architectural features, chimney stacks and structures used for safety or wind protection purposes shall be the sum of 1.5 metres and the applicable height limit shown on Map “2”;
 - (ii) the maximum height for divider screens shall be the sum of 2.0 metres and the applicable height limit shown on Map “2”;
 - (iii) the maximum height for a ladder for maintenance purposes shall not exceed the sum of 1.2 metre and the applicable height limit shown on Map “2”;
 - (iv) canopies, provided they extend no more than 2.0 metres beyond the areas delineated by heavy lines on Map “2” attached to and forming part of this By-law;
 - (v) none of the building elements listed in (i), (ii), (iii), and (iv) above may extend beyond the *lot* lines;
- (6) (a) residential *parking spaces* shall be provided on the *lot* in accordance with the following standards:

Unit Type	Minimum Parking Requirement	Maximum Parking Requirement
Bachelor Unit	0.3 spaces per unit	0.4 spaces per unit

1-Bedroom Unit	0.5 spaces per unit	0.7 spaces per unit
2-Bedroom Unit	0.8 spaces per unit	1.2 spaces per unit
3+ Bedroom Unit	1.0 spaces per unit	1.5 spaces per unit
Visitor Parking	0.1 spaces per unit	N/A

(b) *parking spaces* for the non-residential uses shall be provided on the *lot* in accordance with the following standards:

Use	Minimum Parking Requirement	Maximum Parking Requirement
Retail Uses	1.0 spaces per 100 square metres of gross floor area	3.5 spaces per 100 square metres of gross floor area
Grocery Store	1.0 spaces per 100 square metres of gross floor area	4.5 spaces per 100 square metres of gross floor area

(c) *parking spaces* for the non-residential uses may be provided for in a *commercial parking garage* located on the *lot*.

- (7) a minimum of 170 *bicycle parking spaces* shall be provided and maintained on the *lot*, of which;
- (i) a total of 136 *bicycle parking spaces* shall be provided and maintained for the exclusive use of residents of the building, and shall be located on the parking levels below *grade* in the building located on the *lot*;
 - (ii) a total of 34 *bicycle parking spaces* shall be provided and maintained for the exclusive use of visitors, and shall be located on parking level P1 or P2 below *grade* in the building located on the *lot*, and accessed via the building vestibule or lobby.

- (8) a minimum of 300 square metres of indoor *residential amenity space* shall be provided in a multi-purpose room or rooms at least one of which contains a kitchen and a washroom;
 - (9) a minimum of 245 square meters of *outdoor amenity space* shall be provided on the third *storey* of the *mixed use building*, shall be contiguous with the *indoor amenity space*, and shall accessed via the *indoor amenity space* area.
3. Pursuant to Section 37 of the Planning Act, the heights and density of the development contemplated by this By-law are permitted subject to compliance with all of the conditions set out in this By-law and in return for the provision by the owner of the *lot*, of the following facilities, services and matters to the City at the owner's sole expense and in accordance with and subject to the agreement referred to in Section 3(j) herein:
- (a) A cash contribution in the amount of \$600,000, which shall be indexed and payable prior to the issuance of any above-grade building permit, to be used towards capital improvements to Toronto Community Housing Corporation projects in Ward 20.
 - (b) The conveyance of 38m² of gross floor area, at grade, at no cost to the Toronto Arts Council.
 - (c) A cash contribution of \$50,000 to the Toronto Arts Council, which shall be indexed and payable prior to the issuance of any above-grade building permit, for any work necessary to finish the 38m² of space reference above.
 - (d) The provision of a publically accessible open space/pedestrian linkage, landscaped to the satisfaction of the Chief Planner and Executive Director, City Planning Division, located adjacent to the Toronto Community Housing Development at 34 Oxford Street.
 - (e) A cash contribution of \$150,000, which shall be indexed and payable prior to the issuance of any above-grade building permit, to be used towards streetscape improvements in the immediate area.

The following matters are secured for legal convenience:

- (f) the owner shall include 1:50 scale drawings for the first to seventh storey elevations with building materials labeled and the drawings having a sufficient level of detail to illustrate how the building will be perceived by the pedestrian. The drawings

shall be submitted to the City Planning Division, for review and acceptance by the Chief Planner and Executive Director, City Planning Division.

- (g) the owner shall construct and maintain the development in accordance with Tier 1 performance measures of the Toronto Green Standard, as adopted by Toronto City Council at its meeting held on October 26 and 27, 2009 through the adoption of item PG32.3 of the Planning and Growth Committee.
- (h) the payments required in clauses (a) through (e) herein, shall increase in accordance with the increase in the Non-Residential Construction Price Index for the Toronto CMA, reported quarterly by Statistics Canada in Construction Price Statistics Publication No. 62-007-XPB, or its successor, calculated from the date of execution of the Section 37 Agreement or, if the site specific by-laws for the project are appealed to the Ontario Municipal Board, from the date of the Board order approving the by-laws, to the date of submission of the funds by the owner to the City.
- (i) the payments required in clauses (a) through (e) herein shall be paid prior to the issuance of the first above *grade* building permit to permit construction of a building or a portion of a building on the *lot*.
- (j) the owner of the lands enters into an agreement with the City of Toronto pursuant to Section 37 of the *Planning Act*, to secure the facilities, services and matters required in Section 3(a) through (e) herein and registers such agreement against title to the *lot* as a first charge, all to the satisfaction of the City Solicitor.

4. Within the lands shown on Map 1 attached to this By-law, no person shall use any land or erect or use any building or structure unless the following municipal services are provided to the lot line and the following provisions are complied with:

- (a) all new public roads have been constructed to a minimum of base curb and base asphalt and are connected to an existing public highway, and
- (b) all water mains and sanitary sewers, and appropriate appurtenances, have been installed and are operational.

5. Despite any future severance, partition or division of the *lot* as shown on Map 1, the provisions of this By-law shall apply as if no severance, partition or division occurred.
6. Except as otherwise provided herein, the provisions of By-law No. 438-86, as amended, shall continue to apply to the *lot*.

ENACTED AND PASSED this ~ day of ~, A.D. 20~.

ROB FORD,
Mayor

ULLI S. WATKISS,
City Clerk

(Corporate Seal)

MAP 1 (to be inserted prior to September 11, 2012 TEYCC)

MAP 2 (to be inserted prior to September 11, 2012 TEYCC)

Attachment 8: Application Data Sheet

Application Type	Rezoning	Application Number:	11 267875 STE 20 OZ
Details	Rezoning, Standard	Application Date:	September 1, 2011
Municipal Address:	297 COLLEGE ST		
Location Description:	PLAN D10 LOT 3 PT LOTS 2 & 4 EXEMPT IN PART PER SEC.3(1)3 (I) OF THE ASSMT ACT R.S.O. (90) C.A.31. **GRID S2008		
Project Description:	Rezoning application to permit the redevelopment of the lands for the purposes of a new mixed use building, 15 storeys in height , 2 stories for commercial purposes complete w 226 residential units above and 185 parking spaces in a four level below grade parking facility , the first two levels being for commercial parking purposes.		

Applicant:	Agent:	Architect:	Owner:
Tribute (College Street) Limited		CORE Architects	Tribute (College Street) Limited

Planning Controls

Official Plan Designation:	Mixed Use Areas	Site Specific Provision:	
Zoning:	MCR T3.0 C2.0 R2.5	Historical Status:	
Height Limit (m):	16	Site Plan Control Area:	Y

Project Information

Site Area (sq. m):	2239	Height: Storeys:	15
Frontage (m):	31	Metres:	52.8
Depth (m):	60		
Total Ground Floor Area (sq. m):	2115		Total
Total Residential GFA (sq. m):	16008	Parking Spaces:	185
Total Non-Residential GFA (sq. m):	2882	Loading Docks	3
Total GFA (sq. m):	18890		
Lot Coverage Ratio (%):	94.5		
Floor Space Index:	8.4		

Dwelling Units

Floor Area Breakdown (upon project completion)

Tenure Type:	Condo		Above Grade	Below Grade
Rooms:	0	Residential GFA (sq. m):	16008	0
Bachelor:	1	Retail GFA (sq. m):	2882	0
1 Bedroom:	152	Office GFA (sq. m):	0	0
2 Bedroom:	50	Industrial GFA (sq. m):	0	0
3 + Bedroom:	23	Institutional/Other GFA (sq. m):	0	0
Total Units:	226			

Contact:	Planner Name:	Marian Prejel, Senior Planner
	Telephone:	(416) 392-9337

