

**25 Ontario Street – Zoning Amendment Application –  
Final Report**

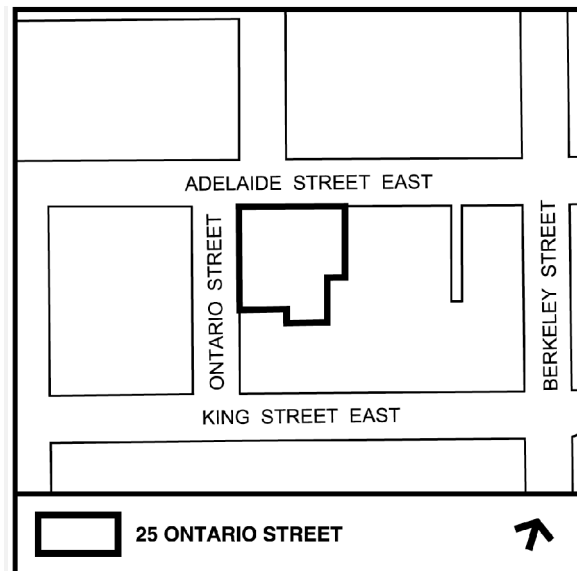
<b>Date:</b>	December 18, 2012
<b>To:</b>	Toronto and East York Community Council
<b>From:</b>	Director, Community Planning, Toronto and East York District
<b>Wards:</b>	Ward 28 – Toronto Centre-Rosedale
<b>Reference Numbers:</b>	11 327900 STE 28 OZ & 11 327912 STE 28 SA

**SUMMARY**

This application proposes the re-development of the property at 25 Ontario Street with a 21-storey mixed-use building, consisting of commercial uses on the ground floor and a residential condominium above. The proposal includes the retention of the north and west walls of the existing listed heritage building. A total of 219 dwelling units, including 35% at two-bedroom or larger, and 198 vehicular parking spaces in five levels of below-grade parking are proposed. The applicant is seeking to attain Tier Two of the Toronto Green Standard for the proposed development.

The proposed building, with its heritage retention and contextually sensitive massing represents the type of built form that is consistent with the planning framework and emerging built form for this area of King-Parliament.

This report reviews and recommends approval of the application to amend the Zoning By-law.



## RECOMMENDATIONS

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### The City Planning Division recommends that:

1. City Council amend Zoning By-law 438-86, for the lands at 25 Ontario Street substantially in accordance with the draft Zoning By-law Amendment attached as Attachment No. 13 to the report dated December 18, 2012, from the Director, Community Planning, Toronto and East York District
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. Before introducing the necessary Bills to City Council for enactment, City Council require the Owner to enter into a Heritage Easement Agreement pursuant to Section 37 of the Ontario Heritage Act.
4. Before 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:
    - i. An indexed cash contribution of \$400,000.00 which will be allocated towards the North St. Lawrence Market redevelopment, the implementation of the Heritage Lighting Master Plan for Old Town Toronto and the Heritage Interpretation Master Plan for Old Town Toronto, and local streetscape improvements, the design of which will be to the satisfaction of the Chief Planner and Executive Director, City Planning Division.
  - b. The following matters are also recommended to be secured in the Section 37 Agreement as a legal convenience to support development:
    - i. At least ten, three-bedroom dwelling units, bedroom to be defined as a habitable room which meets the requirements of the Ontario Building Code, shall be provided in the building.
    - ii. The Owner shall construct and maintain the development in accordance with Tier 1 - required, and Tier 2 - enhanced, 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.
    - iii. design and construction of proposed development on the *lot* substantially in conformity with the architectural design identified on elevation plans on file with the Chief Planner and Executive Director,

prepared by Burka Architects, dated November 30, 2012, to the satisfaction of the Chief Planner and Executive Director, the details of which, including the exterior materials, will be refined on approved plans and drawings in the context of site plan approval pursuant to Section 114, of the City of Toronto Act, 2006, as amended and, as applicable, Section 41 of the Planning Act, as amended, and secured in a Site Plan Agreement with the City.

- iv. Prior to final site plan approval the owner shall provide a noise impact study and emissions study, which shall be peer reviewed by the city at the owner's cost; the owner shall incorporate appropriate mitigation, attenuation or equivalent measures into the design of the proposed building in response to the findings of the peer reviewed studies, to the satisfaction of the Chief Planner and Executive Director, City Planning Division.
- v. Prior to final site plan approval, the owner shall provide a pedestrian level wind study to the satisfaction of the Chief Planner and Executive Director, City Planning Division.
- vi. Prior to Final Site Plan approval, the owner shall:
  - a. Provide a detailed Conservation Plan for the conservation work described in the HIA, prepared by a qualified heritage consultant detailing all recommended interventions, and estimated costs for all conservation work satisfactory to the Manager, Heritage Preservation Services.
  - b. Submit final landscape plans and drawings, satisfactory to the Manager, Heritage Preservation Services.
  - c. Submit an Interpretation Plan that fully interprets the heritage values of the Drug Trading Company Administrative Office to the satisfaction of the Manager, Heritage Preservation Services.
  - d. Submit a Lighting Plan that describes how the building will be sensitively illuminated at night to enhance the building's heritage character to the satisfaction of the Manager, Heritage Preservation Services.
- vii. Prior to the issuance of any heritage permit for the heritage property, 25 Ontario Street, including a permit for the demolition, excavation, and or shoring of the subject property, the applicant shall provide the following to the satisfaction of the Manager, Heritage Preservation Services; the owner shall:

- a. Submit final building permit plans and drawings for the alterations and new construction, satisfactory to the Manager, Heritage Preservation Services.
  - b. Provide a Letter of Credit in accordance with the approved Conservation Plan in a form and amount satisfactory to the Manager, Heritage Preservation Services to secure the approved conservation work.
  - c. Prior to the release of the Letter of Credit, the owner shall provide replacement Heritage Easement Agreement photographs and a certificate of completion prepared by a qualified heritage consultant confirming that the conservation work has been completed in accordance with the approved Conservation Plan to the satisfaction of the Manager, Heritage Preservation Services.
- viii. The Owner retain a consultant archaeologist, licensed by the Ministry of Culture and Tourism under the provisions of the Ontario Heritage Act (R.S.O 1990 as amended) to carry out a Stage 2 archaeological resource assessment of the subject property and follow through on recommendations to mitigate, through preservation or resource removal and documentation, adverse impacts to any significant archaeological resources found. (i.e., Stage 3-4).

The assessment is to be completed in accordance with the 2011 Standards and Guidelines for Consulting Archaeologists, Ministry of Culture and Tourism. Should the archaeological assessment process continue beyond a Stage 2 assessment, any recommendations for Stages 3- 4 mitigation strategies must be reviewed and approved by Heritage Preservation Services prior to commencement of the site mitigation.

- a. The Owner shall ensure that no demolition, construction, grading or other soil disturbances shall take place on the subject property prior to the City's Planning Division (Heritage Preservation Services Unit) and the Ministry of Culture and Tourism (Heritage Operations Unit) confirming in writing that all archaeological licensing and technical review requirements have been satisfied.
- b. Prior to final Site Plan approval, the Owner shall submit a copy of the relevant assessment report(s) to the Heritage Preservation Services Unit in both hard copy format and as an Acrobat PDF file on compact disk.

- c. Prior to final Site Plan approval the Owner shall incorporate significant archaeological resources and findings into the proposed development through either *in situ* preservation and interpretation where feasible, or commemorate and interpret the resources through exhibition development on site including, but not limited to, commemorative plaquing.
- d. Prior to the release of any above grade permit for the subject property, the Owner shall provide a Letter of Credit in a form and amount satisfactory to the Manager, Heritage Preservation Services, to secure any on-site interpretation as may be required.
- e. Prior to the return of the Letter of Credit, the owner shall implement site interpretation as may be required, to the satisfaction of the Manager, Heritage Preservation Services.

### **Financial Impact**

The recommendations in this report have no financial impact.

### **DECISION HISTORY**

At its meeting of February 14, 2012, Toronto and East York Community Council (TEYCC) considered a preliminary report on the application. TEYCC directed that staff hold a community consultation meeting with landowners and residents within 120 metres of the site and additional residents in determined in consultation with the Ward Councillor. The preliminary report is available on the City's website at: <http://www.toronto.ca/legdocs/mmis/2012/te/bgrd/backgroundfile-44608.pdf>.

### **ISSUE BACKGROUND**

#### **Proposal**

Torli Office Limited Partnership, a subsidiary of Euromart Group, is the owner of the property at 25 Ontario Street. They have submitted rezoning and site plan applications seeking permission for the construction of a 21-storey (69.1 metre) mixed-use building with restaurant and retail uses at grade and a residential condominium above. The project would incorporate the north and west walls of the existing two storey, listed (and proposed to be designated) heritage building. There are three basic components to the massing of the proposed development: 1) the retained heritage building, incorporated as a base building; 2) an eight-storey (30 metre) 'shoulder' building; and 3) a slimmer upper level tower.

The north and west walls of the heritage building, which are proposed to be retained 'in situ', were built to the lot lines. To the east of this building along the Adelaide Street East frontage, the new shoulder building is proposed to be setback 4.5 metres from the north lot line. The shoulder building also has a proposed stepback above the heritage building

of 4.5 metres along both the west and north facades. The upper tower portion has a proposed stepback from the heritage building (and the north and west lot lines) of 6 metres. The shoulder building is built to the property line on both the east and south sides. The upper tower portion is stepped back between 8.5 and 15 metres from the property line to the east and between 11 and 17 metres from the south property line. The total height of the proposed tower at 21 storeys is 69.1 metres to the top of the roof line, 74.6 metres including the mechanical penthouse.

The applicant is proposing a total of 219 units with a unit mix of 7 studios (3% of the total units), 125 one-bedrooms (57%), 77 two-bedrooms (35%) and 10 three-bedrooms (5%). The proposed gross floor area for the entire project is 19,990 square meters, comprised of 19,390 square metres of residential space and 600 square meters of non-residential space, currently anticipated as restaurant/retail uses. This creates a proposed density of ten times the area of the lot.

Indoor amenity space for condominium residents is proposed on the ground floor, along the southern portion of the Ontario Street frontage. Both indoor and outdoor space are proposed on the 9<sup>th</sup> floor. A total of 569 square meters of indoor space and 491 square meters of outdoor space are proposed.

Pedestrian access to the residential component of the development is proposed through the original heritage building entrance along the Ontario Street frontage. Access to the proposed restaurant is proposed from both the primary heritage entrance along Ontario Street and another existing entrance within the heritage building on Adelaide Street East. An additional retail space is proposed within the ground floor of the stepped back 'shoulder building' further east along Adelaide Street East. Vehicular access for parking and loading is proposed at the north east corner of the site along Adelaide Street East between the retained heritage building and the new retail space. The vehicular entrance would be right-in, right-out only, given that Adelaide Street East is currently one-way in an easterly direction.

A total of 198 parking spaces on five levels of below-grade parking and one type G loading space, at the southeast corner of the site on the ground level, are proposed. A total of 227 bike parking spaces are proposed to be allocated as follows: 51 spaces for visitors/commercial users and 10 for residents on the ground floor with 166 spaces for residents on the P1 level.

Attachments 1-6 show the applicant's site plan, proposed rendering and elevations for the project. Additional site and development statistics are included in the application data sheet, Attachment 12.

## Site and Surrounding Area

### Site

The subject property, at the southeast corner of Adelaide Street East and Ontario Street, is flat and essentially square in shape. The land area is 1,999 square meters with 44.5 metres of frontage along Ontario Street and 45.3 metres on Adelaide Street East. At present, the western side of the site is occupied with a two-storey red brick and limestone building, with the eastern portion of the site serving as ancillary surface parking.

The first floor of the existing building was constructed in 1942, with a second storey added in 1946. The building was designed by Margison and Babcock, an engineering firm also responsible for the first headquarters of Metro Toronto at the southwest corner of Adelaide Street East and Church Street. It was originally designed for and occupied by the Drug Trading Company (precursor to I.D.A.) until the late 1980s when it was renovated for other commercial users, the most recent being SunTV. The building was listed on the City's Inventory of heritage properties in 1974.

There are five city-owned trees in the City's boulevard along the Ontario Street frontage of the property, with no other trees on the Adelaide Street East frontage or anywhere on the subject property.

### Surrounding Area

The property is within the original ten blocks of the Old Town of York, bounded by Adelaide Street East (formerly Duke Street) to the north, Berkeley Street to the east, Front Street East to the south and George Street to the west. Originally surveyed in 1793 by Lieutenant –Governor John Graves Simcoe, this was the first area of Toronto to be laid out with a grid of streets and blocks. It is now considered part of the King-Parliament area, a district characterized by historic red-brick buildings, retrofitted former warehouses, contemporary residential and office buildings and several vacant parcels used as surface parking areas. Within the immediate context, the following uses surround the site:

North: across from the subject property at the northeast corner of Adelaide Street East and Ontario Street are two and four-storey buildings containing a bar/restaurant and production studio, respectively; at the northwest corner of Adelaide Street East and Ontario Street are a surface parking lot and two-storey commercial building, which form the subject of another rezoning application at 424-460 Adelaide Street East (file no. 10-215620 STE 28 OZ, known as 'Axiom') proposing a mixed-use building of two towers (20 and 18 storeys), with an open space courtyard at the corner; immediately west of this property at 406 Adelaide Street East is an approved 22-storey mixed-use project with an open space courtyard fronting Adelaide Street East, now under construction (file no. 07-275041 STE 28 OZ, known as 'Ivory');

West: on the west side of Ontario Street adjacent is a five-storey, red-brick, former warehouse building (built for and previously occupied by The Drug Trading Company, the same original occupants of the subject property's heritage building); this building is currently used as office, studio and production spaces;

South: immediately south of the subject property is an eight-storey office building, known as the SAS building, with retail on the ground floor, fronting on King Street East; and

East: abutting the site to the east is a 14-storey masonry and charcoal-brick residential building; finished in 2009, this building has a central courtyard on the west side with at-grade retail, fronting on King Street East.

### **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.

The PPS also directs that significant built heritage resources and cultural heritage landscapes shall be conserved. Properties included on the City's Inventory of Heritage Properties are considered to be significant in this context. 'Conserved' is defined as 'the identification, protection, use and/or management of cultural heritage and archaeological resources in such a way that their heritage values, attributes and integrity are retained'. This may be addressed through a conservation plan or heritage impact assessment. 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. The Plan references cultural heritage sites as valuable assets that must be wisely protected and managed as part of planning for future growth.

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**

The site is located in the *Downtown and Central Waterfront* area on Map 2 – Urban Structure in the Official Plan and is designated *Regeneration Areas* on Map 18 – Land Use Plan. It is also within the boundaries of the King-Parliament Secondary Plan.



As an area where growth is anticipated and encouraged, the Official Plan provides for new development in the *Downtown* that: builds on the strength of the area as an employment centre, provides for a range of housing opportunities and supports and enhances the speciality districts. The Official Plan directs growth to the *Downtown* in order to achieve multiple City objectives. Among other things, this promotes the efficient use of municipal services and infrastructure; concentrates jobs and people in areas well served by transit; promotes mixed-use development to increase opportunities for living close to work and to encourage walking and cycling; improves air quality; and reduces greenhouse gas emissions by reducing reliance on the private automobile. These objectives are all in keeping with the vision for a more liveable City.

This re-urbanization strategy recognizes that the level of growth will not be uniform across the *Downtown* given its diversity. The policies of Section 2.2.1 encourage a full range of housing opportunities through residential intensification. The policies of Section 2.2.6 for the *Downtown* provide that design guidelines specific to districts of historic and distinct character will be developed to ensure new development respects the context of such districts in terms of its fit with existing streets, setbacks, heights and relationship to landmark buildings.

The Official Plan recognizes that most of the City's future development will be infill and as such will need to fit in, respect and improve the character of the surrounding area. As a result, the built form policies of Section 3.1.2.2 seek to ensure that new development is located, organized and massed to fit harmoniously with the existing and/or planned context and will limit its impacts on neighbouring streets, parks, open spaces and properties. Among other things this harmony is achieved by: massing new buildings to frame adjacent streets in a way that respects the existing and/or planned street proportion, creating appropriate transitions in scale to neighbouring or existing planned buildings, providing for adequate light and privacy and adequately limiting any resulting shadowing of, and uncomfortable wind conditions, on neighbouring streets and properties.

Policy 3.1.5.2 of the Official Plan states that heritage resources on properties listed on the City's Inventory of Heritage Properties will be conserved. It goes on to state that where increased in density are sought and where only a portion of the conserved building or structure is kept, that portion must contain the features of historic and/or architectural value or interest for which the building was designated.

### **Policies for *Regeneration Areas***

A broad mix of commercial, residential, light industrial, parks and open space, institutional, live/work and utility uses are permitted within *Regeneration Areas* to promote reinvestment and revitalization.

The policies of Section 4.7.2 for *Regeneration Areas* require that the framework for new development in these areas be set out in a Secondary Plan. Section 5.2.1.1 provides that secondary plans are intended to apply to defined areas and adapt and implement the objectives, policies, land use designations, and overall planning approach of the Official

Plan to fit the local context. Section 5.2.1.3 of the Official Plan provides that Secondary Plans will promote a desired type and form of physical development for the area.

Section 4.7.2 gives direction on the intent of Secondary Plans for *Regeneration Areas* and provides that they will guide revitalization through matters such as:

- urban design guidelines related to the unique character of the area
- strategies to promote greening and community improvements
- a heritage strategy identifying important heritage resources, conserving them and ensuring new buildings are compatible with adjacent heritage resources
- transportation policies that encourage transit, walking and cycling in preference to private automobile use and
- environmental policies to ensure that lands are cleaned appropriately for new development.

The land use designations of the site and surrounding area can be found in Attachment 7. The Toronto Official Plan is available on the City's website at: [www.toronto.ca/planning/official\\_plan/introduction.htm](http://www.toronto.ca/planning/official_plan/introduction.htm).

### **King-Parliament Secondary Plan**

The site is situated in the King-Parliament Secondary Plan Area and within a sub-area of King-Parliament identified as the Jarvis-Parliament Regeneration Area. The King-Parliament Secondary Plan provides a framework for reinvestment and development, intended to encourage a wide range of uses that are mutually compatible and complement the existing built form character and scale of the area. Within this context, the Jarvis-Parliament Regeneration Area is intended as an area targeted for growth.

The Secondary Plan includes policies for Areas of Special Identity within King-Parliament. The subject property is within the Old Town of York Area of Special Identity, as shown on Attachment 9, depicting Map 15-3 from the King-Parliament Secondary Plan. The Plan references the requirement for urban design policies to be implemented to protect these areas of Special Identity.

The Urban Structure and Built Form policies within Section 3 of the King-Parliament Secondary Plan provide that new buildings will be sited and massed to provide adequate light, view and privacy for neighbouring properties and achieve a compatible relationship with their built form context through consideration of such matters as building height, massing, scale, setbacks, stepbacks, roof line and profile, and architectural character and expression. Buildings adjacent to streets, parks and open spaces will be massed to provide appropriate proportional relationships, and designed to minimize the wind and shadowing impact on the streets, parks or open spaces.

In the context of the King-Parliament area, these principles require special consideration when reviewing development proposals to ensure that new development reinforces and enhances the historic built form that makes this area of the City so distinct. The heritage and community improvement policies of Section 4 recognize heritage buildings as

essential elements of the physical character of King-Parliament. Section 4.4 provides that new buildings should achieve a compatible relationship with heritage buildings in their context, through consideration of matters such as building height, massing, scale, setbacks, stepbacks, roofline and profile, and architectural character and expression.

To assist in the implementation of the Secondary Plan's objectives, urban structure and built form principles, and heritage and community improvement policies, Section 5 encourages the removal of existing surface parking in King-Parliament with priority given to the removal of surface parking around heritage buildings and in Areas of Special Identity. The Secondary Plan also includes initiatives and policies that promote community improvement and measures to strengthen the pedestrian environment.

The King-Parliament Secondary Plan is available on the City's website at: [www.toronto.ca/planning/official\\_plan/pdf\\_secondary/15\\_king\\_parliament\\_dec2010.pdf](http://www.toronto.ca/planning/official_plan/pdf_secondary/15_king_parliament_dec2010.pdf).

### **King-Parliament Urban Design Guidelines**

Along with the Official Plan and King-Parliament Secondary Plan policies, the Urban Design Guidelines for King-Parliament seek to reinforce the physical character and identity of the area. As mentioned, the subject property is within the Old Town of York Area of Special Identity, the original 10 blocks of the City of Toronto from 1793. This area is recognizable as having a special pattern of small, square blocks within generally larger, more rectangular blocks. Under General Site Plan Issues, the guidelines speak to new development respecting the historical and urban design significance of the area. The guidelines also contain an objective that new buildings will reinforce the scale and continuity of street wall enclosure along the street.

The King-Parliament Urban Design Guidelines are available on the City's website at: [www.toronto.ca/planning/urbdesign/pdf/14kingparliament.pdf](http://www.toronto.ca/planning/urbdesign/pdf/14kingparliament.pdf).

### **King-Parliament Community Improvement Plan**

The Community Improvement Plan for King-Parliament provides a framework for the improvements within the area to attract new investment. The plan speaks to the importance of the retention of existing heritage buildings and enhancing the public realm through streetscape improvements. Specific mention is made of Ontario Street and the potential to create a pedestrian environment that is safer, greener, and more usable than the current condition.

### **Tall Building Guidelines**

Toronto City Council approved the use of the document, "Design Criteria for Review of Tall Building Proposals" in June, 2006 and in April, 2010 extended authorization of its use. A tall building is generally defined as a building that is taller than the road right-of-way adjacent to the site. In this case, the right-of-way for Adelaide Street East is 20 metres wide according to Official Plan Map 3 – Right-of-Way Widths Associated with Existing Major Streets. As such, the proposed building at 69.1 metres in height is considered a tall building. The Design Criteria provide policy recommendations for tall buildings on issues of building placement and orientation, entrances, heritage

conservation, massing of base buildings, tower floor plates, separation distances, pedestrian realm considerations, sustainable design and transition. This document was used to assess the proposed building.

The City's "Design Criteria for Review of Tall Building Proposals" can be found on the City's website at: <http://www.toronto.ca/planning/urbdesign/index.htm>.

## **Zoning**

Under the former City of Toronto Zoning By-law 438-86, as amended, the site is zoned RA (Reinvestment Area) District, which permits a wide array of commercial, light industrial, institutional, recreational and residential uses. This zoning specifies a maximum height of 26 metres, plus an additional five metres for a mechanical penthouse.

Section 12(2) 246 of By-law 438-86 contains provisions for buildings in the King-Parliament area with respect to upper level setbacks, building depth, parking and loading. Buildings are permitted to extend to the front lot line and to the side lot lines to a depth of 25 metres from a street. Beyond a depth of 25 metres, buildings must be setback a minimum of 7.5 metres from a side lot line. A minimum 7.5 metre setback from the rear lot line is also required. A three metre upper level setback from the property line abutting a street is required for that portion of a building exceeding 20 metres in height. The zoning by-law also has requirements for minimum indoor and outdoor amenity space.

Attachments 10 and 11 provide excerpts of the zoning and permitted height maps for the site and vicinity.

## **Site Plan Control**

The proposed development is subject to site plan control. A site plan control application has been submitted and is being reviewed concurrently with the zoning amendment application (file: 11 327912 STE 28 SA).

The applicant has been working with City staff to make revisions to the site plan in response to division and agency comments, and as a result, site plan review is nearing completion. Should Council approve the zoning amendment application, it is anticipated that a Notice of Approval Conditions on the site plan control application could be issued within the next few months.

## **Reasons for Application**

The proposed building, at 69.1 metres to the roof line, exceeds the maximum height of 26 metres permitted in the zoning by-law. Other areas of non-compliance with the zoning bylaw include:

- the maximum permitted mechanical penthouse height is 5 metres whereas 5.5 metres is proposed; and
- a minimum setback of 7.5 metres is required from the south and east property lines

- for that portion of the building exceeding 25 metres in depth, whereas the proposed building is setback 0.6 metres from the south and east property lines for the portion beyond 25 metres in depth.

## **Community Consultation**

A community consultation meeting was held on March 22, 2012. Approximately 12 members of the public attended the meeting in addition to planning staff, the local Councillor and the applicant. The proposal at the time included a 21-storey mixed use building and the retention of the north and west walls of the listed heritage building. Residents were generally supportive of the proposed development. The following issues of concern were raised:

- need larger sized, family-oriented units;
- need more variety in the building design;
- brick should be used in the lower levels of the new building;
- need to pedestrianize the entrance into the building from Adelaide Street East;
- possibility for increased traffic and reduced availability of on-street parking;
- possibility of vehicular entrance on Ontario Street;
- possibility of converting Ontario Street to two-way;
- need more bicycle parking at grade; and
- need more street animation through street furniture and building lighting.

## **Agency Circulation**

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

## **Design Review Panel**

The proposed building was presented to the City's Design Review Panel (DRP) on two occasions, the first on March 19, 2012 and the second on June 7, 2012.

At the first DRP hearing, the applicant presented the original application, which consisted of a 21-storey overall building height, with a glass tower above, accented by predominantly vertical pre-cast concrete columns. In voting for redesign of the project, the panel expressed the following concerns:

- need to create a more robust, 'shoulder'-type of building above the retained heritage building, that provides a more contextual response to the warehouse buildings in the vicinity through a more defined height, brickish materials and punched openings;
- the tower above the shoulder building should be more distinctly differentiated from the shoulder building through stepbacks and more transparent glazing materials;
- eliminate the use of pre-cast concrete;
- need to increase the stepbacks of any part of the building above the retained heritage building, so that it can be more readily differentiated from the pedestrian perspective; and

- need more of a pedestrian focus for landscaping and paving in the internal 'courtyard' area.

A substantially revised proposal was brought back to the DRP for a second review. The proposal consisted of a more-pronounced shoulder building, a change in materials and a redesigned interior courtyard. The Panel provided the following comments in voting to not support the revisions:

- significant improvements from the last iteration;
- need to lower the height of the proposed shoulder building to more adequately relate to the surrounding warehouse character;
- need to simplify the architecture, especially with the shoulder building; and
- need a greater contribution to the public realm in terms of pedestrian amenity.

## **COMMENTS**

### **Provincial Policy Statement and Provincial Plans**

The proposal is consistent with the objectives of the PPS. It provides a density of residential uses that efficiently uses land, resources and existing infrastructure and represents an intensification of built form within an established settlement area in a manner that is consistent with the Official Plan. It also conserves two walls of an identified heritage building as part of the built form envelope.

The proposal conforms and does not conflict with the Growth Plan for the Greater Golden Horseshoe. The subject property is within an Urban Growth Centre and provides a significant portion of required new growth for the City through intensification. It helps to reduce dependence on the automobile through the development of a mixed-use, transit supportive, pedestrian friendly project. The project responds to the requirement of cultivating a culture of conservation through preservation and appropriate alteration in this context of two walls of a heritage building.

### **Land Use**

The proposed development is consistent with the uses anticipated in the Official Plan and King Parliament Secondary Plan for Regeneration Areas, including residential and retail commercial. The current Zoning By-law designation of Reinvestment Area District permits the proposed residential and commercial uses. The site is suitably located for intensification, due to its proximity to the downtown and to urban infrastructure. The proposed retail space at the ground level along the Adelaide Street East and Ontario Street frontages will help to enliven the street frontage.

### **Height, Massing, Built Form, Density**

The application has been assessed in the context of the planning framework for King-Parliament. More specifically, staff examined the proposal under the guidance of the policies for the Jarvis-Parliament Regeneration Area, one of the seven sub-planning areas in the King-Parliament Secondary Plan area. On an even smaller scale, the immediate

existing and planned context of the area surrounding the intersection of Adelaide Street East and Ontario Street, as well as the abutting properties, were evaluated through the lens of the proposed development. Staff also utilized the input received from the public, the Design Review Panel, and City agencies and divisions in helping to formulate the recommendations on this application.

The overall height of 21 storeys and 69.1 metres appropriately responds to both the larger and immediate contexts. It represents a transition down from the tallest building in the King-Parliament Regeneration Area and is within the realm of the approved and proposed projects in the immediate vicinity. The proposed height can also be further rationalized when evaluating the original zoning bylaw for King-Parliament, which provided for the potential to increase height in exchange for the preservation of a heritage building. This has been done on several occasions in the area. The preservation of the north and west elevations of the heritage building on the property is a critical component of this project and helps to justify the proposed height. Staff are comfortable that the proposal, with the heritage component included, is compatible and respectful of the immediate and larger context.

The height of the proposal, while similar in number of storeys, is slightly higher in metres than the approved developments in the vicinity. This occurs as a result of the preserved heritage building and the pursuit of the enhanced Tier Two of the Toronto Green Standard, specifically:

- the existing heritage building contains a recessed ground floor, so it was actually a two and a half storey building; retaining the structure with this floor level retained would not meet current guidelines for accessibility, so the applicant was encouraged to convert the building to two storeys with higher floor to ceiling heights; as a result, the ground floor and second floor heights, at 5.6 metres and 4.3 metres, respectively, are higher than would be typically found in mixed-use condominium buildings in the area;
- an extra metre has been added to the 8<sup>th</sup> floor to accommodate the additional soil depth required for the large caliper trees that were added on the 9<sup>th</sup> floor terrace, as requested by staff and the Design Review Panel; and
- an extra metre has been added to the 21<sup>st</sup> floor to provide increased ceiling space for mechanical ducting of the Energy Recovery Ventilation system, which is required to meet the Tier Two energy modeling requirements of the Toronto Green Standard.

This project proposes a 'hybrid' type of tower; it is not a typical podium-tower development. It preserves two walls of a heritage building in situ as its base, then steps back 4.5 metres to an eight-storey 'shoulder building', and further steps back a total of 6 metres to a more contemporary tower. These distances were increased in response to the second DRP hearing. These substantial stepbacks, beyond the zoning bylaw requirement of a three metre stepback for any building above a base, are a significant factor in staff support of the proposal. As well, in order to address the other concerns from the DRP at

the second hearing, the height of the shoulder building was reduced from 10 to 8 storeys and the materials and articulation in the shoulder building were simplified.

The revised shoulder building helps to relate the proposal to the surrounding buildings, including the red-brick converted warehouse on the west side of Ontario Street, the adjacent residential building to the east and the office building to the south. It also helps to provide an on-site transition between the retained heritage building and the upper tower. The upper tower above the 9<sup>th</sup> floor is sited on the property to allow for adequate separation distances from the abutting buildings and to minimize impacts on the open space courtyard to the east.

There are no density limits within the King-Parliament Secondary Plan or the Reinvestment Area district zoning for the area. Overall building density, however, is still a tool used to evaluate the size of a building's envelope. The proposed density, at 10 times the area of the lot, is within the range of approved buildings in the area, especially considering the constraints imposed by the in-situ preservation of the heritage building.

### **Sun, Shadow, Wind**

The applicant has submitted a shadow study to demonstrate shadow impacts of the proposal during the spring and fall equinoxes (March 21 and September 21). The study identifies the shadows cast by the existing buildings, the as-of-right building envelope and the proposed 21-storey building. Although there are no parks in the vicinity of the subject property, there are open spaces that form part of the approved and proposed developments on the north side of Adelaide Street East. There are also rear yards affiliated with lower-rise residential form buildings along Berkeley Street to the east and a new courtyard associated with the adjacent 15-storey residential building to the east.

The proposed development does not cast shadow during the spring and fall equinoxes on the open space of the 'Ivory' project at 406 Adelaide Street East. Although the open space area proposed as part of the 'Axiom' project at the northwest corner of Adelaide Street East and Ontario Street would be shadowed by the proposal, it would also be shadowed by the as-of-right envelope for the subject property. Furthermore, this shadow lasts for only one hour in the morning. There is a patio area affiliated with a restaurant on the ground floor of the building at the northeast corner of Adelaide Street East and Ontario Street, which will be impacted by mid-day shadow from the proposal. Similarly, this space would also be impacted by the as-of-right envelope's shadow. Finally, the proposal does cast shadow for a one to two hour period in the afternoon on the rear yards of the house form building at the northwest corner of Adelaide Street East and Ontario Street. These yards are currently surface parking lots and could be re-developed as part of the adjacent parcel to the west, which is a future development site. The shadow impacts created by the proposed building are acceptable, especially considering the potential shadows created by the as-of-right envelope.

A Pedestrian Wind Assessment was provided with the original application submission. The study concluded that the wind conditions around the site are expected to be suitable for standing or walking throughout the site. Mitigation measures are recommended for



the private terraces on the third floor and the amenity space on the 9<sup>th</sup> floor. Staff recommend that a more fulsome wind evaluation be conducted prior to final site plan approval. The results of this study should take into account a number of factors, namely, the redesign of the shoulder building and tower above, the revised landscaped open spaces at grade and on the 9<sup>th</sup> floor, and the inclusion of the approved and proposed projects on the north side of Adelaide Street East in the wind modelling. The results of the study, including recommended mitigation measures, can be addressed at the site plan approval stage and would not entail zoning envelope changes.

## **Heritage**

The applicant has provided a revised heritage impact assessment that has been accepted by Heritage Preservation Services staff. A report entitled, "Alterations to a Heritage Property, Intention to Designate under Part IV, Section 29 of the Ontario Heritage Act, and Authority to Enter into a Heritage Easement Agreement – 25 Ontario Street" was presented to the Toronto Preservation Board by Heritage Preservations Services staff on November 26, 2012. The recommendations contained within the report were approved at that meeting and will be presented to Toronto and East York Community Council concurrently with this report. In the report, staff have requested that prior to the proposed site specific Zoning By-Law coming into force and effect, the owner shall enter into a Heritage Easement Agreement with the City for the heritage property at 25 Ontario Street, to be registered on title. The report also recommended that City Council designate the property under Part IV Section 29 of the Ontario Heritage Act. Prior to the issuance of final site plan approval, staff have also requested that the following additional plans be provided in support of the application: Conservation Plan, Lighting Plan, Heritage Interpretation Plan and revised Landscape Plan.

They key components for the recommended approval of this project from a heritage perspective are:

- the retention 'in situ' of the north and west walls of the listed (and soon to be designated) heritage building;
- the proposed 4.5 metre setback of the shoulder building from the retained heritage building, ensuring the adequate legibility and differentiation of the heritage component from a pedestrian perspective;
- the materials, massing and articulation of the proposed shoulder building have been revised to more adequately address the surrounding warehouse character; and
- the upper tower has been further stepped back from the shoulder building and revised entirely in glazing as a means of distinguishing it from both the heritage and shoulder components of the proposal.

As a result of the findings of the Stage 1 Archaeological Assessment, a Stage 2 Archaeological Assessment is required. Heritage Preservation Services staff have requested that no demolition, construction, grading or other soil disturbances shall take place on the property until the archaeological requirements have been satisfied. Further, they have also requested the archaeological work be conducted prior to final site plan approval.

## **Unit Mix**

The Official Plan supports a range of housing types and staff, as well as several local residents and the St. Lawrence Neighbourhood Association, have been consistently requesting larger unit types in new developments to facilitate the attraction of families to the area. The key idea is for new residential buildings to open up the possibility of not catering entirely to smaller, investor-oriented units and subsequently, more transient residents. The applicant has agreed to amend the plans to provide ten 3-bedroom apartments through a redesign of the floor plans. Out of the 219 proposed units, a total of 87 or 35% will be two-bedroom or larger units. As mentioned, 10 units, or 5% of the total units will be three bedrooms. Staff are satisfied with these revisions, as the building will provide the required range of housing options consistent with the Official Plan. It is recommended that the requirement for ten 3-bedroom units be secured in the Section 37 agreement.

## **Traffic Impact and Vehicular Access**

The applicant has provided a transportation impact study. The report indicates that the development proposal will generate approximately 65 to 70 trips during both the AM and PM peak hours, respectively. The consultant concludes that the proposed development can be adequately accommodated on the adjacent road system. Transportation Services staff has reviewed the study and concur with this conclusion.

The site fronts onto Adelaide Street East, a one way street eastbound and Ontario Street, a one way street southbound. Typically, staff would prefer a development to be accessed from a rear lane or the lower priority of two flanking streets. As a result of the (staff supported) proposal to retain the existing heritage building, which runs the entire length of the Ontario Street frontage, it is not possible for vehicular access to occur off of Ontario Street. The access will therefore occur via a new internal driveway to the east of the retained heritage building along Adelaide Street East. This new driveway will provide access to resident and visitor vehicles, loading trucks, and bikes, as well as secondary pedestrian access to the residential lobby. The layout and orientation of the proposed vehicular access is acceptable.

## **Parking and Loading**

The applicant has proposed a total of 198 parking spaces in five levels of below-grade parking. This includes 185 spaces dedicated to residents and 13 for visitors, which exceeds the zoning bylaw requirement by 50 spaces. Each of the excess spaces will be provided with roughed-in conduits to allow for future electrical outlets for electric vehicles, as required by the Toronto Green Standard for over-supplied residential parking. Transportation Services staff have reviewed the proposed parking provisions and find them acceptable.

Staff recommends the following parking minimum and maximum parking standards be included in the site specific by-law:

<b>Dwelling Unit Type</b>	<b>Parking Ratio</b>
Studio	0.3 spaces/unit minimum 0.8 spaces/unit maximum
1 Bedroom	0.5 spaces/unit minimum 0.8 spaces/unit maximum
2 Bedroom	0.75 spaces/unit minimum 1.0 spaces/unit maximum
3 Bedroom	1.2 spaces/unit 1.5 spaces/unit maximum
Visitor	0.06 spaces/unit

The applicant is proposing one type G loading space at the southeast corner of the building. The proposed loading facilities have been deemed satisfactory from a zoning perspective to both transportation services and solid waste management staff.

### **Bike Parking**

The revised proposal responds to a key city objective of promoting alternative, active transportation options, particularly cycling. There are 61 bike parking spaces proposed on the ground level, all of which are easily accessible through the interior courtyard with minimal obstacles. These spaces are all secure, weather protected and intended for a combination of residents, visitors and commercial users. The applicant has also agreed to provide the remaining resident bike parking spaces in the P1 level, all of which are secure and easily accessible via the vehicular ramp.

### **Open Space/Parkland**

The Official Plan contains policies to ensure that Toronto's system of parks and open spaces are maintained, enhanced and expanded. Map 8B of the Official Plan shows local parkland provision across the City. The lands which are the 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 applicant proposes 219 residential units and 600 m<sup>2</sup> of non-residential uses on a site with a net area of 1,999 m<sup>2</sup>. At the alternative rate of 0.4 hectares per 300 units specified in By-law 1020-2010, the parkland dedication requirement is 0.29 hectares (2920 m<sup>2</sup>) or 146 % of the site area. However, for sites that are less than 1 hectare in size, a cap of 10% applies to the residential use while the non-residential use is subject to a 2% parkland dedication. In total, the parkland dedication requirement is 195 m<sup>2</sup>.

The applicant is required to satisfy the parkland dedication requirement through cash-in-lieu. This is appropriate as an on-site parkland dedication requirement of 195 m<sup>2</sup> would not be of a useable size and the site would be encumbered with below grade parking. The actual amount of the cash-in-lieu is determined at the time of issuance of a building permit.

## **Streetscape**

As a result of the retained heritage building, it is not possible to increase the width of the sidewalks abutting the subject property. The applicant is proposing, however, a number of streetscape improvements to enhance the pedestrian experience, in response to staff, DRP and resident concerns. A new continuous tree trench with soil volume to support four new large-calliper trees is proposed along Ontario Street. Significant to this design is that the tree trench will be situated adjacent to the curb, rather than the previous trees, which were in a landscaped boulevard abutting the building. The new location provides for a more adequate buffer for pedestrians from vehicular travel along Ontario Street, as well as contributing to the shading of the pedestrian realm.

The Ontario Street frontage will also be enhanced with a decorative paver treatment at the building entrance, continuous paver treatments adjacent to the road way affiliated with the tree trench, two new benches, and new planting beds adjacent to the retained building. The applicant is also proposing enhanced pavers in front of the restaurant entrance along Adelaide Street East, as well as within the entire interior courtyard where the vehicular access, loading and at-grade bike parking is located. The new retail space at the eastern edge of the Adelaide Street East frontage has been set back 4.5 metres to allow for the two new trees and a patio area abutting the building.

Continuous weather protection was not able to be provided due to the retained heritage building and the desire to minimize any interventions to this structure. Bike parking rings and new lighting in accordance with the Heritage Lighting Master Plan for Old Town Toronto will be secured as part of the site plan approval process.

## **Tree Preservation**

An Arborist Report was submitted with the revised application. There are no trees on the subject property and five existing trees within the City's right-of-way adjacent to the site along Ontario Street. Two of these trees are in poor condition and none of them are larger than 30 cm diameter at breast height, the typical standard for retention. As mentioned, the applicant is proposing to remove these five trees and replace them with four 70cm calliper trees in a continuous tree trench along Ontario Street. Two 60cm calliper trees are proposed for the landscaped space in front of the proposed retail space along Adelaide Street East, east of the retained heritage building and vehicular access driveway. Urban Forestry staff have reviewed the revised Arborist Report and landscape plan, and are satisfied with the recommendations.

## **Servicing**

The applicant has satisfied Technical Services that the existing City infrastructure has adequate capacity to support the development proposal in terms of water, sanitary sewer and stormwater drainage.

## **Noise and Emissions**

In the late stages of the rezoning process for this application, the City was made aware of potential concerns from the owners of the adjacent office building to the south (the SAS building), regarding impacts of noise and emissions from their operations. This issue was not raised by the representatives from this building at the public consultation meeting held on the proposal in March 2012. The SAS building houses data storage equipment which requires full-time chilling equipment and an industrial-sized back-up power generator with an affiliated diesel exhaust vent. There is a concern that this equipment could create noise and/or air quality concerns for future residents of the proposed condominium, particularly with respect to proposed units and outdoor amenity space on the south side of the proposed building. City staff are confident that these concerns can be addressed through the more detailed site plan approval process; however, out of an abundance of caution, we are recommending that the applicant undertake both a noise study and emissions study. These studies will be peer reviewed to assess the impact of the equipment on the proposed development and to provide recommendations on the design of appropriate mitigation, attenuation or other measures. The design measures would need to be finalized prior to final site plan approval.

## **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, and have indicated that they will also pursue the voluntary Tier 2 of the TGS, which includes possible refunds against Development Charges payable for the development.

The site specific zoning by-law will secure performance measures for the following Tier 1 development features:

- roughed-in conduits for electrical vehicle plug in for the 50 vehicular parking spaces in excess of the zoning bylaw requirement;
- resident, visitor and commercial bike parking at grade;
- all resident bike parking on the P1 level;
- waste management facilities; and
- minimum green roof dimensions and locations.

The following Tier 2 performance measures are being pursued and will be secured, along with the other applicable TGS measures through the Site Plan Approval process:

- high albedo surface materials on 75% of the site's hard surfaces;
- 41.3% energy efficiency over the Model National Energy Code for Buildings;
- low-flow fixtures installed in all units to achieve 30% reduction in potable water consumption;
- drought resistant spaces and rainwater harvesting used to achieve 50% reduction in potable water consumption for irrigation;
- in-suite smart meters in all residential units;
- at least 15% recycled content in building materials; and
- at least 75% of construction demolition debris is recycled.

### **Section 37**

The proposal represents an increase in height permitted by the Zoning By-law. It is appropriate to secure a package of public benefits in exchange for the requested increase in height permission pursuant to Section 37 of the Planning Act.

The community benefits recommended to be secured in the Section 37 agreement are as follows:

1. An indexed cash contribution of \$400,000.00 which will be allocated towards the North St. Lawrence Market redevelopment, the implementation of the Heritage Lighting Master Plan for Old Town Toronto and the Heritage Interpretation Master Plan for Old Town Toronto, and local streetscape improvements, the design of which will be to the satisfaction of the Chief Planner and Executive Director, City Planning Division.
2. The following matters are also recommended to be secured in the Section 37 Agreement as a legal convenience to support development:
  - i. At least ten, three-bedroom dwelling units, bedroom to be defined as a habitable room which meets the requirements of the Ontario Building Code, shall be provided in the building.
  - ii. The Owner shall construct and maintain the development in accordance with Tier 1 – required, and Tier 2 – enhanced, 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.
  - iii. design and construction of proposed development on the *lot* substantially in conformity with the architectural design identified on

elevation plans on file with the Chief Planner and Executive Director, prepared by Burka Architects, dated November 30, 2012, to the satisfaction of the Chief Planner and Executive Director, the details of which, including the exterior materials, will be refined on approved plans and drawings in the context of site plan approval pursuant to Section 114, of the City of Toronto Act, 2006, as amended and, as applicable, Section 41 of the Planning Act, as amended, and secured in a Site Plan Agreement with the City;

- iv. Prior to final site plan approval the owner shall provide a noise impact study and emissions study, which shall be peer reviewed by the city at the owner's cost; the owner shall incorporate appropriate mitigation, attenuation or equivalent measures into the design of the proposed building in response to the findings of the peer reviewed studies, to the satisfaction of the Chief Planner and Executive Director, City Planning Division.
- v. Prior to final site plan approval, the owner shall provide a pedestrian level wind study to the satisfaction of the Chief Planner and Executive Director, City Planning Division.
- vi. Prior to Final Site Plan approval, the owner shall:
  - a. Provide a detailed Conservation Plan for the conservation work described in the HIA, prepared by a qualified heritage consultant detailing all recommended interventions, and estimated costs for all conservation work satisfactory to the Manager, Heritage Preservation Services;
  - b. Submit final landscape plans and drawings, satisfactory to the Manager, Heritage Preservation Services;
  - c. Submit an Interpretation Plan that fully interprets the heritage values of the Drug Trading Company Administrative Office to the satisfaction of the Manager, Heritage Preservation Services;
  - d. Submit a Lighting Plan that describes how the building will be sensitively illuminated at night to enhance the building's heritage character to the satisfaction of the Manager, Heritage Preservation Services;
- vii. Prior to the issuance of any heritage permit for the heritage property, 25 Ontario Street, including a permit for the demolition, excavation, and or shoring of the subject property, the applicant

shall provide the following to the satisfaction of the Manager, Heritage Preservation Services; the owner shall:

- a. Submit final building permit plans and drawings for the alterations and new construction, satisfactory to the Manager, Heritage Preservation Services;
  - b. Provide a Letter of Credit in accordance with the approved Conservation Plan in a form and amount satisfactory to the Manager, Heritage Preservation Services to secure the approved conservation work; and
  - c. Prior to the release of the Letter of Credit, the owner shall provide replacement Heritage Easement Agreement photographs and a certificate of completion prepared by a qualified heritage consultant confirming that the conservation work has been completed in accordance with the approved Conservation Plan to the satisfaction of the Manager, Heritage Preservation Services.
- viii. The Owner retain a consultant archaeologist, licensed by the Ministry of Culture and Tourism under the provisions of the Ontario Heritage Act (R.S.O 1990 as amended) to carry out a Stage 2 archaeological resource assessment of the subject property and follow through on recommendations to mitigate, through preservation or resource removal and documentation, adverse impacts to any significant archaeological resources found (i.e. Stage 3-4).

The assessment is to be completed in accordance with the 2011 Standards and Guidelines for Consulting Archaeologists, Ministry of Culture and Tourism. Should the archaeological assessment process continue beyond a Stage 2 assessment, any recommendations for Stages 3- 4 mitigation strategies must be reviewed and approved by Heritage Preservation Services prior to commencement of the site mitigation.

- a. The Owner shall ensure that no demolition, construction, grading or other soil disturbances shall take place on the subject property prior to the City's Planning Division (Heritage Preservation Services Unit) and the Ministry of Culture and Tourism (Heritage Operations Unit) confirming in writing that all archaeological licensing and technical review requirements have been satisfied.



- b. Prior to final Site Plan approval, the Owner shall submit a copy of their relevant assessment report(s) to the Heritage Preservation Services Unit in both hard copy format and as an Acrobat PDF file on compact disk.
- c. Prior to final Site Plan approval the Owner shall incorporate significant archaeological resources and findings into the proposed development through either *in situ* preservation and interpretation where feasible, or commemorate and interpret the resources through exhibition development on site including, but not limited to, commemorative plaquing.
- d. Prior to the release of any above grade permit for the subject property, the Owner shall provide a Letter of Credit in a form and amount satisfactory to the Manager, Heritage Preservation Services, to secure any on-site interpretation as may be required.
- e. Prior to the return of the Letter of Credit, the owner shall implement site interpretation as may be required, to the satisfaction of the Manager, Heritage Preservation Services.

## **Conclusions**

The application outlined and discussed in this report proposes a 21-storey mixed-use building involving the partial preservation of a listed heritage building within the original 10 blocks of the Old Town of York. The applicant has made several revisions in response to comments provided by City staff, the Design Review Panel and the public in order to insert it more respectfully into this sensitive heritage context. The built form is supportable in large part because of the heritage retention, the 4.5 metre stepback of the shoulder building and 6 metre stepback of the taller tower above and the compatibility of the overall building height with the immediate built form context.

The pursuit of Tier Two of the Toronto Green Standard, the inclusion of 35% of the units at two bedrooms or more (including 5% three bedrooms) and the focus on quality bike parking facilities all contribute to the proposal's positive addition to the area. The supportive response from the community is also an important contribution to staff support for this proposal.

City Planning recommends that Council approve the proposed zoning by-law amendment application, which is included as Attachment 13 to this report. This is a development proposal that fits in and respects the heritage character of the Old Town of York, consistent with the planning framework for King-Parliament.

## **CONTACT**

Willie Macrae, Planner

Tel. No. 416-392-7572

Fax No. 416-392-1330

E-mail: [wmacrae@toronto.ca](mailto:wmacrae@toronto.ca)

## **SIGNATURE**

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Gregg Lintern, MCIP, RPP  
Director, Community Planning  
Toronto and East York District

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## **ATTACHMENTS**

Attachment 1: Site Plan

Attachment 2: Applicant's Rendering

Attachment 3: North Elevation

Attachment 4: West Elevation

Attachment 5: South Elevation

Attachment 6: East Elevation

Attachment 7: Official Plan Designations

Attachment 8: King-Parliament Secondary Plan Map 15-2

Attachment 9: King-Parliament Secondary Plan Map 15-3

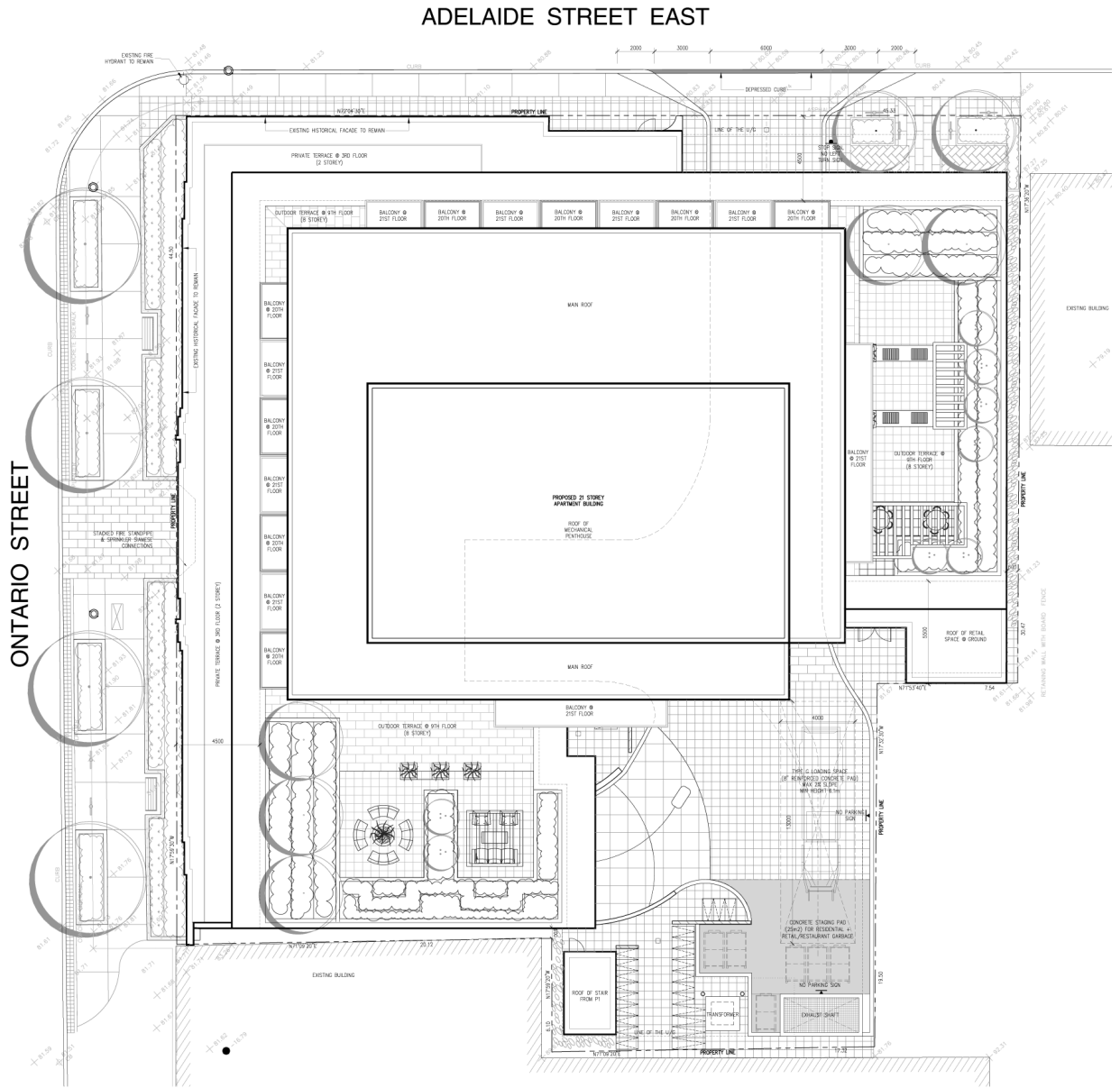
Attachment 10: Existing Zoning

Attachment 11: Permitted Heights

Attachment 12: Application Data Sheet

Attachment 13: Draft Zoning By-law Amendment

# Attachment 1: Site Plan



Site Plan

Applicant's Submitted Drawing

Not to Scale  
09/25/2012



25 Ontario Street

File # 11 327900 OZ

## Attachment 2: Applicant's Rendering



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**Applicant's Proposed Rendering**

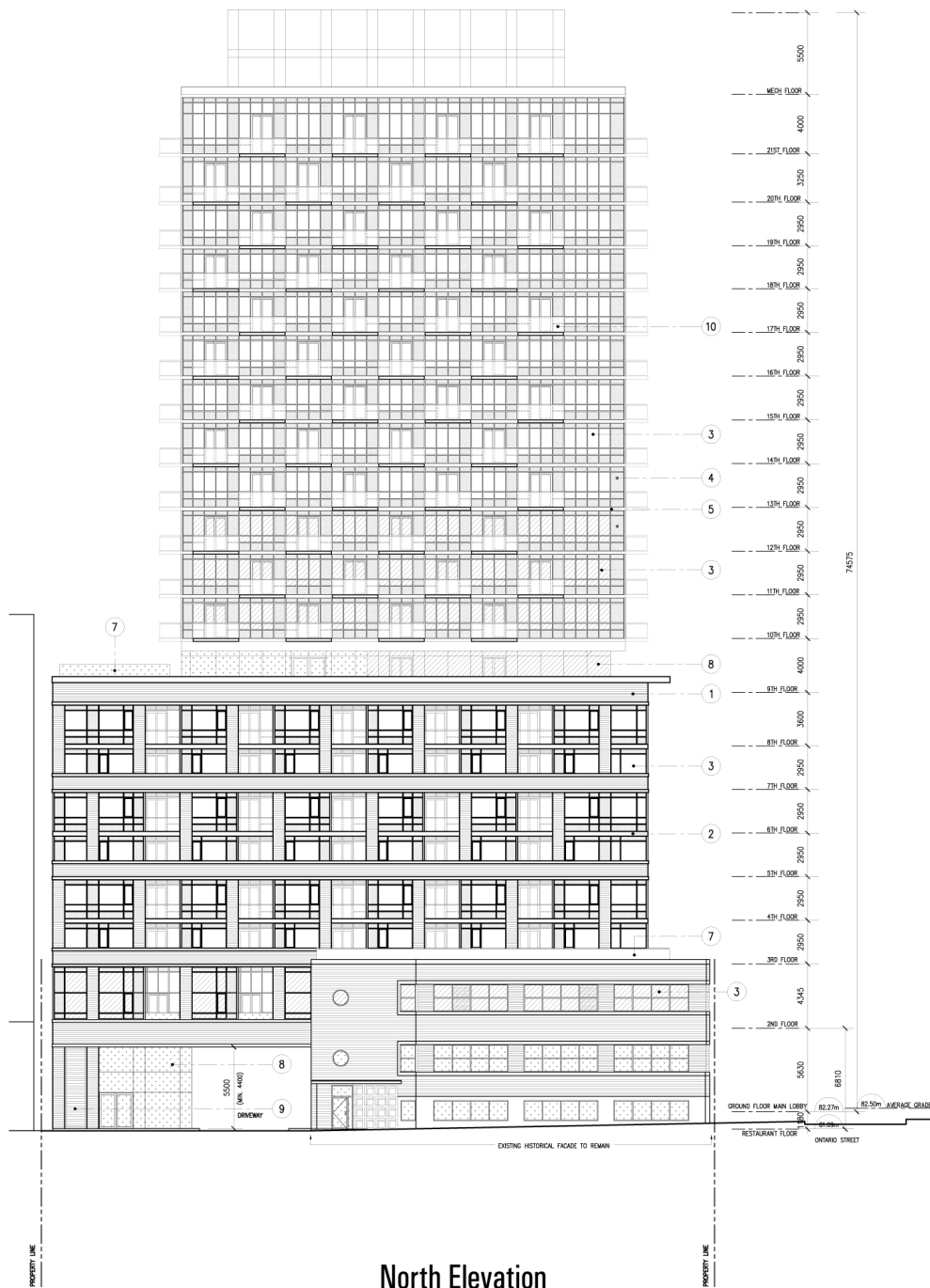
**25 Ontario Street**

Applicant's Submitted Drawing

Not to Scale  
09/25/2012

File # 11 327900 0Z

### Attachment 3: North Elevation



North Elevation

## Elevations

## 25 Ontario Street

Applicant's Submitted Drawing

Not to Scale  
09/25/2012

File # 11 327900 OZ

## Attachment 4: West Elevation



West Elevation

### Elevations

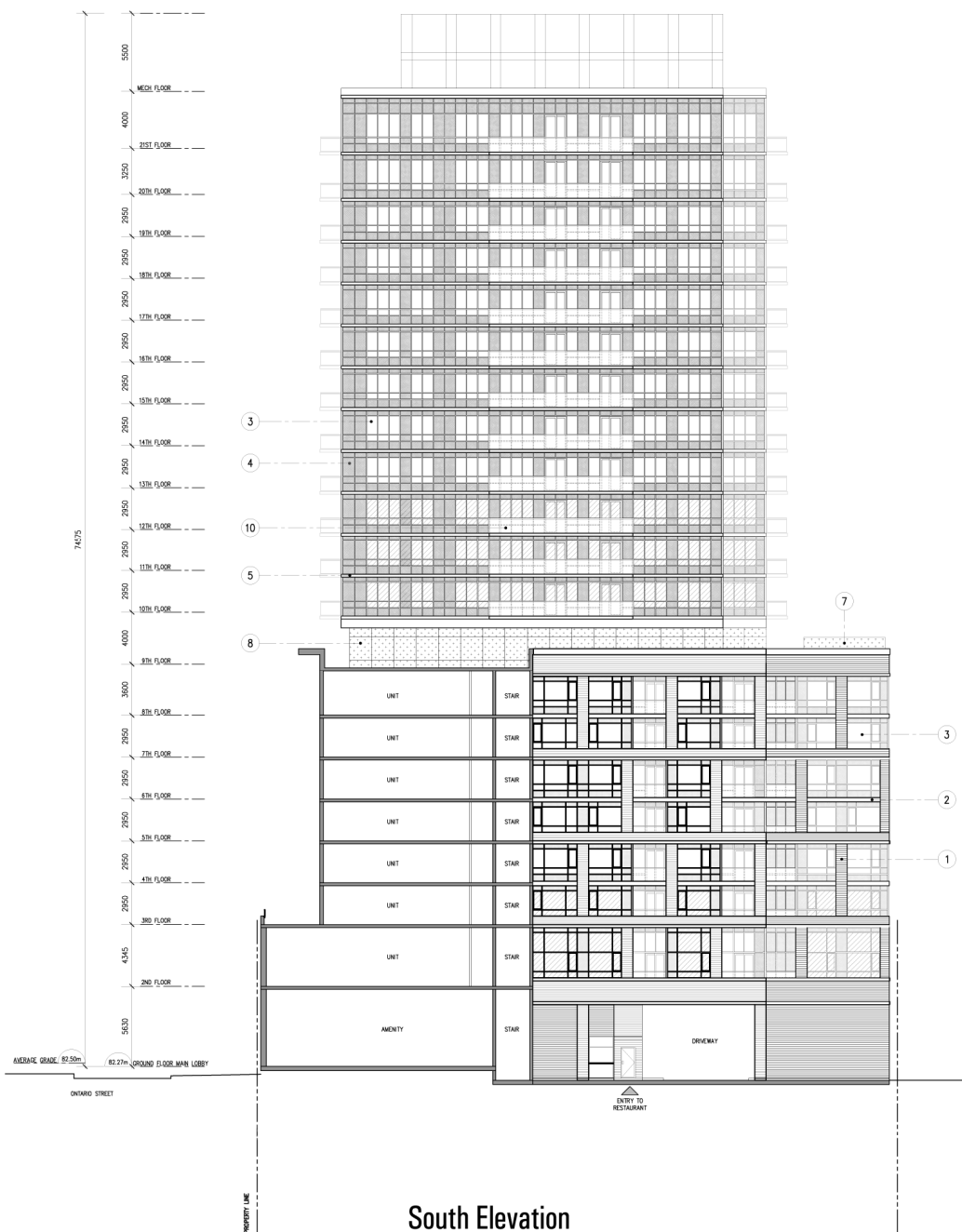
Applicant's Submitted Drawing

Not to Scale  
09/25/2012

25 Ontario Street

File # 11 327900 0Z

## Attachment 5: South Elevation



### Elevations

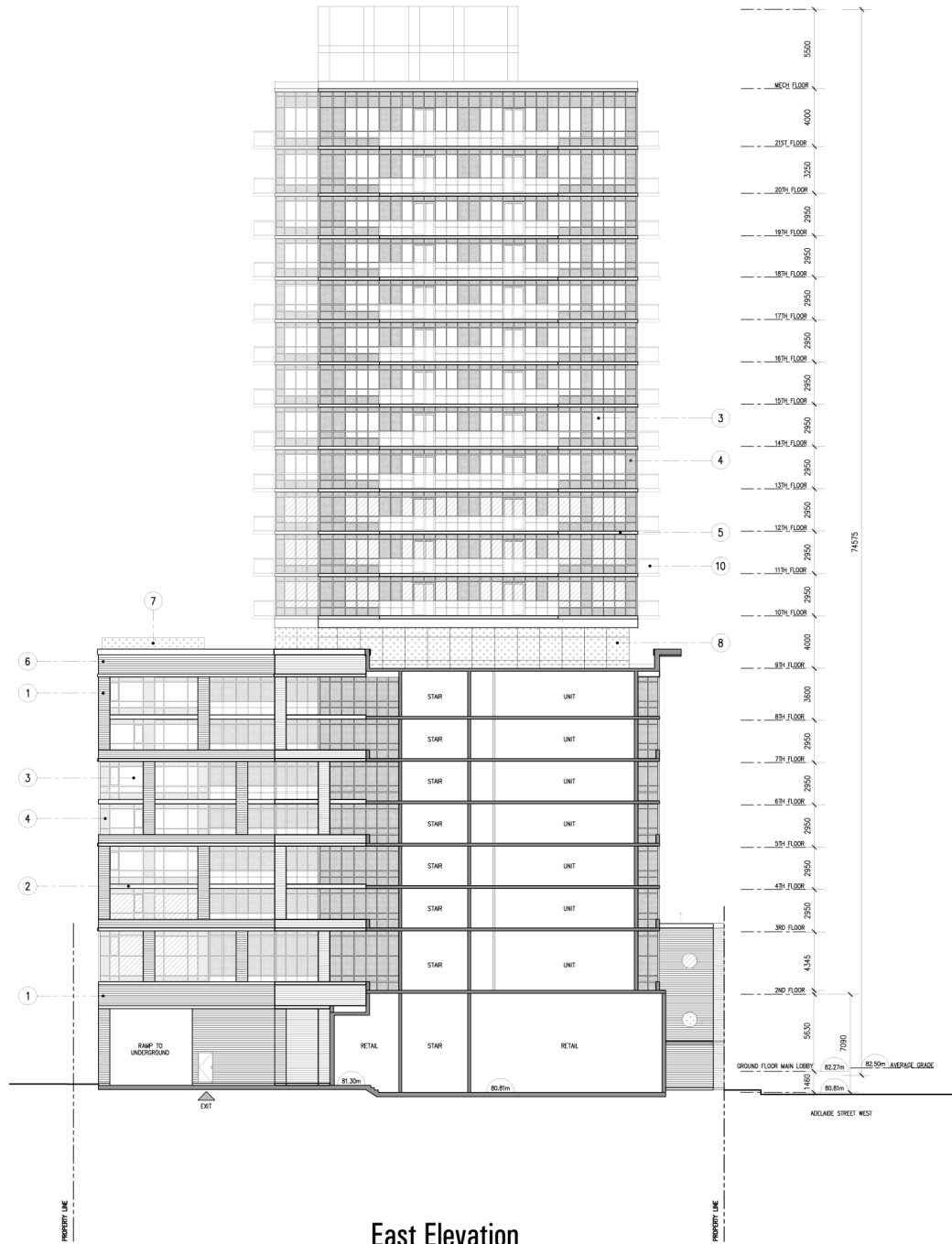
**25 Ontario Street**

Applicant's Submitted Drawing

Not to Scale  
09/25/2012

File # 11 327900 OZ

# Attachment 6: East Elevation



## Elevations

## 25 Ontario Street

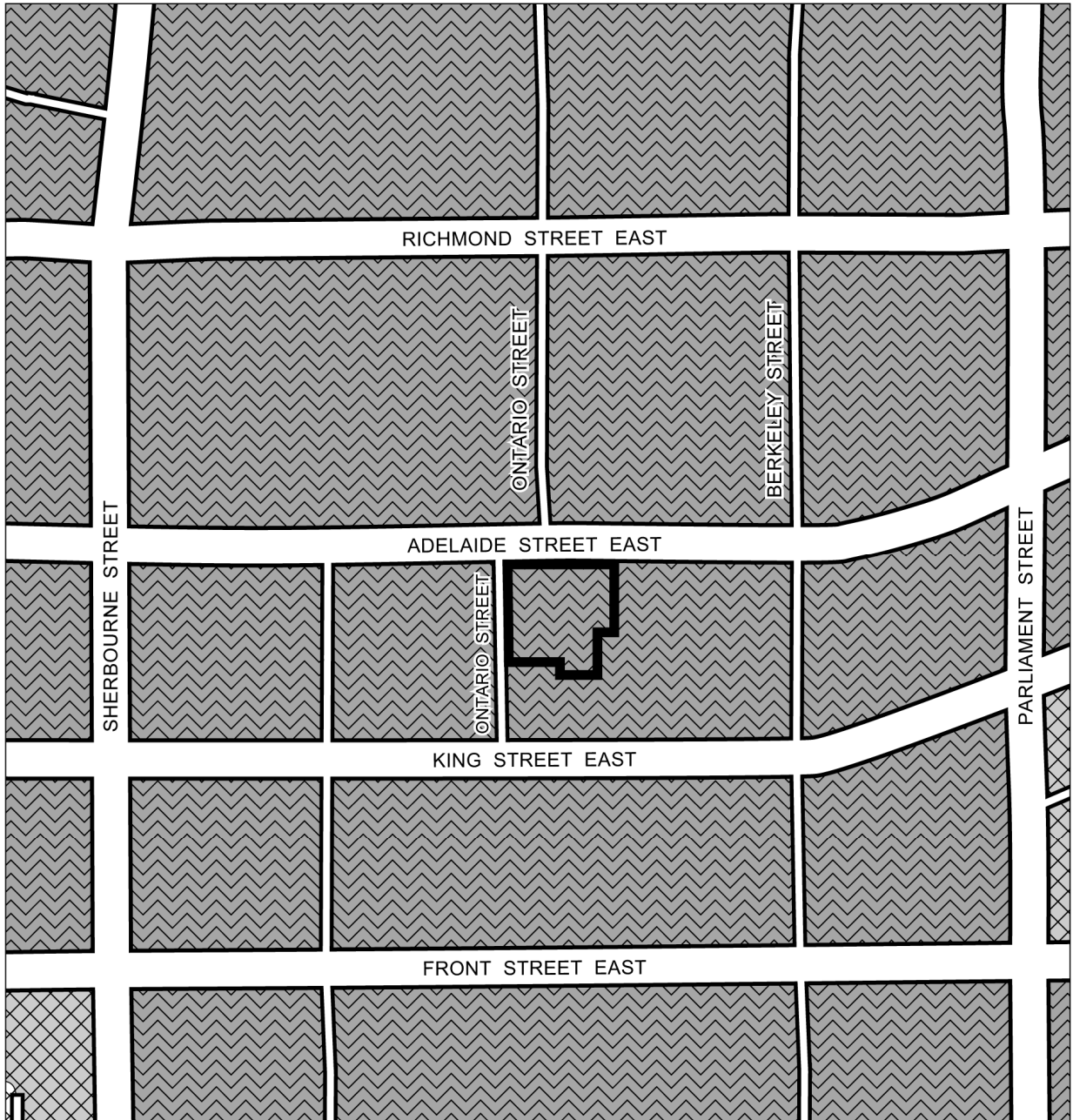
Applicant's Submitted Drawing

Not to Scale  
09/25/2012

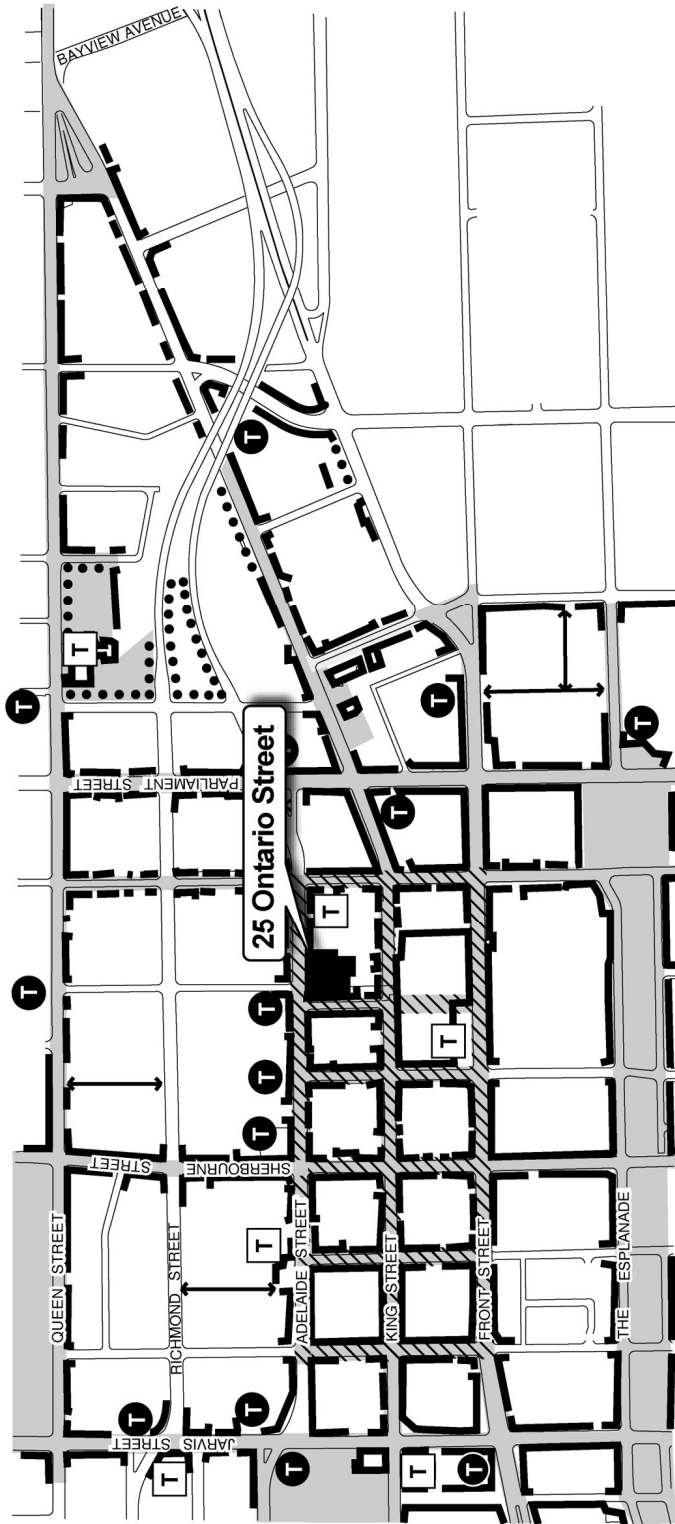
File # 11 327900 0Z



Attachment 7: Official Plan



# Attachment 8: King-Parliament Secondary Plan Map 2

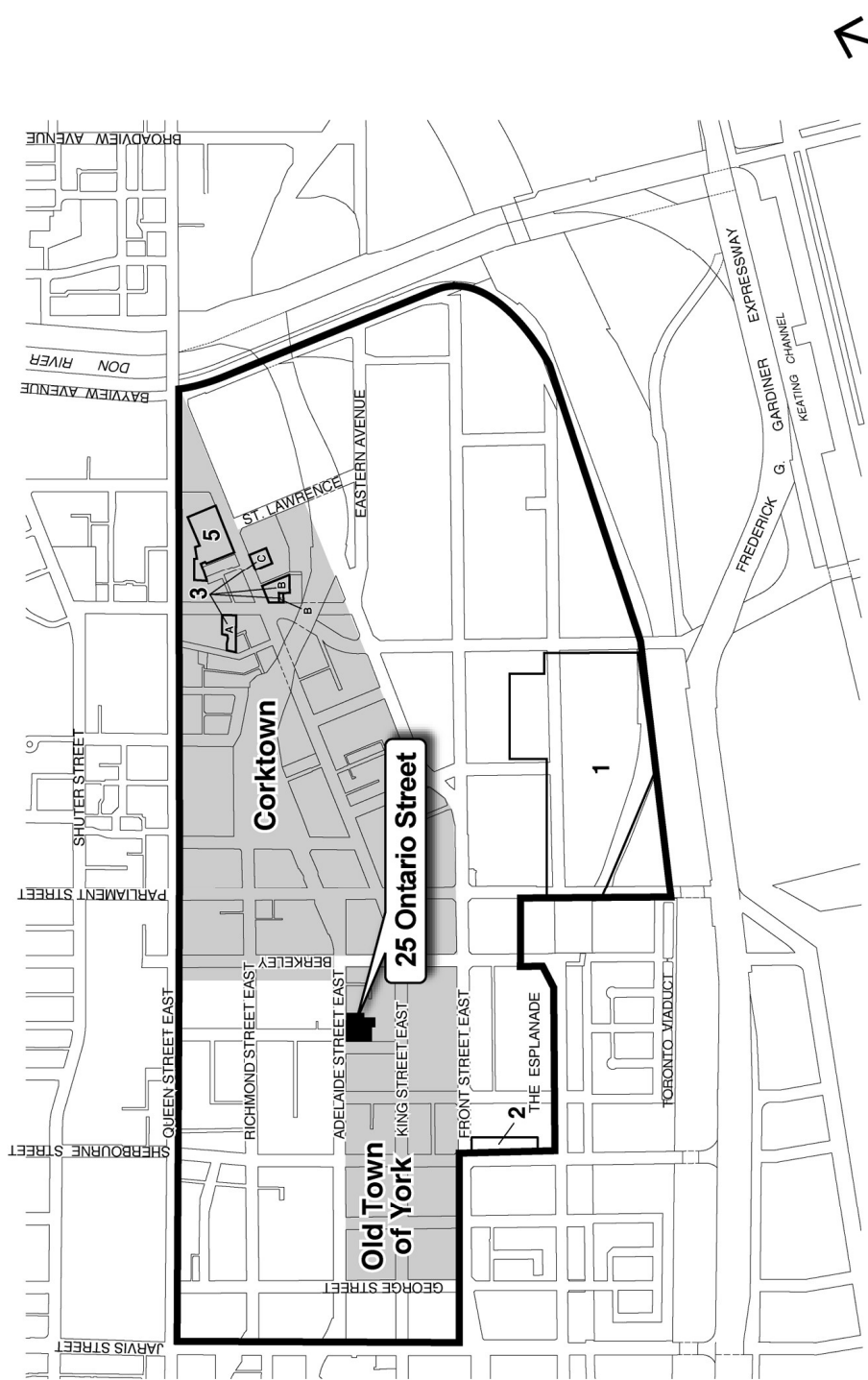


## King-Parliament Secondary Plan MAP 15-2 Urban Structure

- Potential View Terminus
- Existing View Terminus
- Landscape Edge
- 10 Original City Blocks
- Existing and Potential Building Edge
- Area for Streetscape Improvement
- Potential Mid-block Connections
- Significant Street and Open Space

October 2009

# Attachment 9: King-Parliament Secondary Plan Map 3



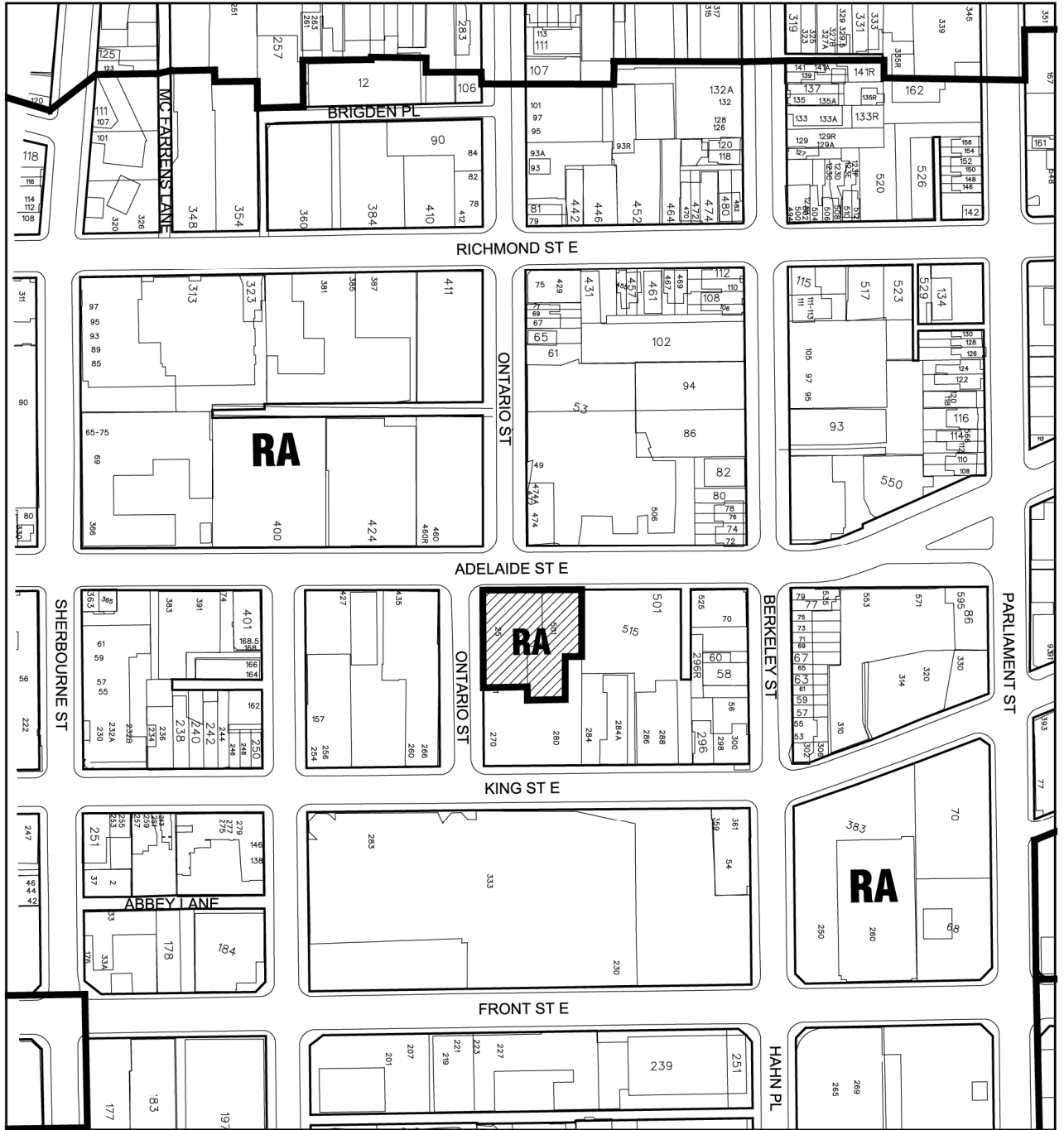
**TORONTO**  
City Planning Division

**King-Parliament Secondary Plan**  
MAP 15-3 Areas of Special Identity

Secondary Plan Boundary  
Areas of Special Identity  
Site and Area Specific Policies

October 2009

# Attachment 10: Zoning



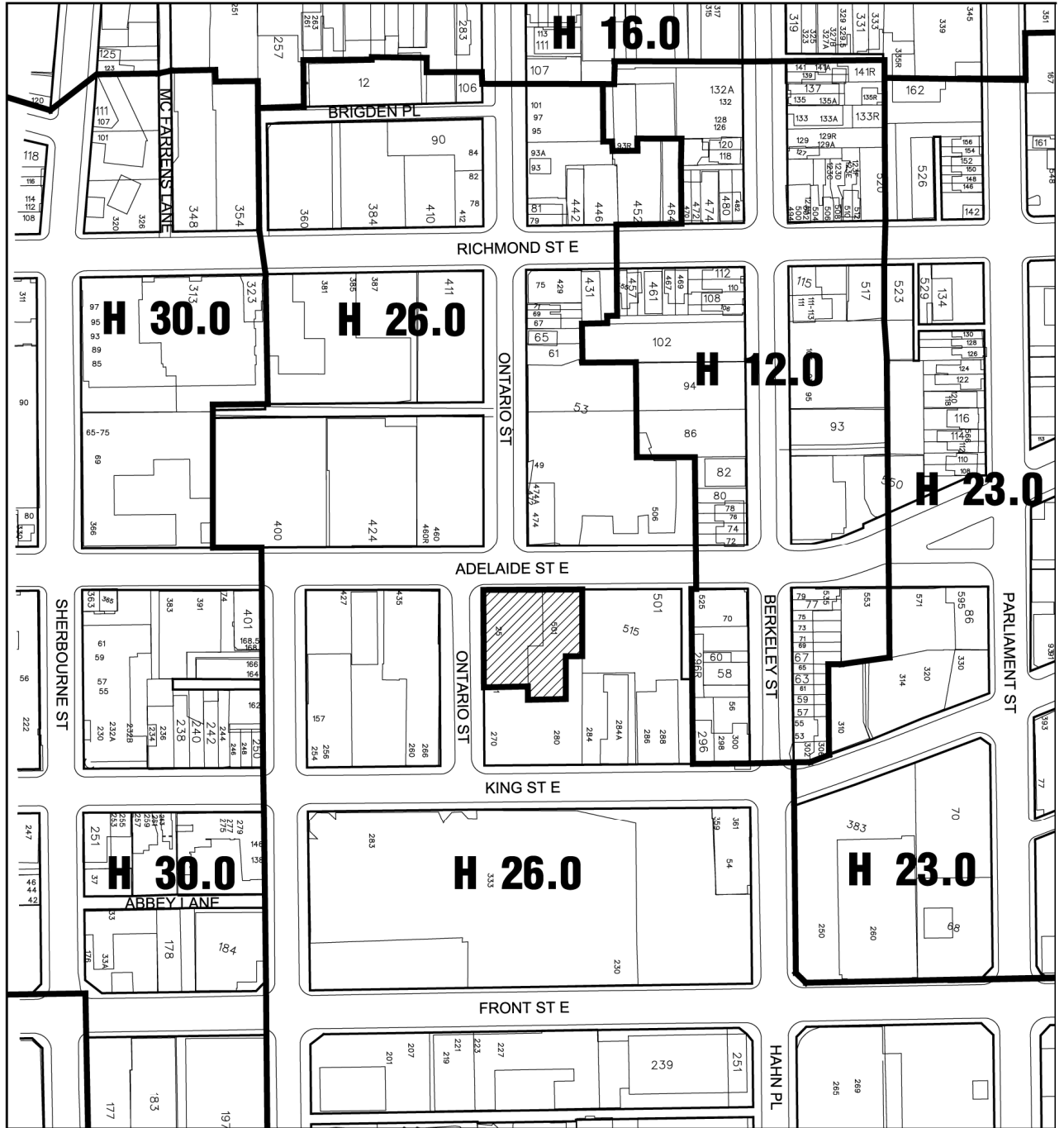
**25 Ontario Street**  
File # 11 327900 0Z

RA Mixed-Use District



Not to Scale  
Zoning By-law 438-86 (as amended)  
Extracted 01/09/2012

# Attachment 11: Permitted Heights



**TORONTO** City Planning  
**Height Limits**

**25 Ontario Street**  
 File # 11 327900 0Z

RA Mixed-Use District



Not to Scale  
 Zoning By-law 438-86 (as amended)  
 Extracted 01/18/2012

## Attachment 12: Application Data Sheet

Application Type	Rezoning	Application Number:	11 327900 STE 28 OZ
Details	Rezoning, Standard	Application Date:	December 19, 2011

Municipal Address: 25 ONTARIO STREET

Location Description: PLAN 136E PT LOTS B TO D TOWN LOT 5 PT TOWN LOTS 3 & 4 S/S ADELAIDE ST PT TOWN LOTS 4 & 5 RP 63R3762 PART 2 \*\*GRID S2808

Project Description: Revised rezoning application to permit the re-development of the lands, involving the retention of the west and north facades of the listed heritage building on the site and a new 21-storey mixed- use building with retail at grade and residential condominium above. Included in the proposal are 219 dwelling units and 198 parking spaces in five levels of below-grade parking. The applicant will pursue Tier Two of the Toronto Green Standard.

<b>Applicant:</b>	<b>Agent:</b>	<b>Architect:</b>	<b>Owner:</b>
Urban Strategies 197 Spadina Ave, Suite 600 Toronto, ON M5T 2C8		Burka Architects Inc. 4800 Dufferin Street, Ste 201 Toronto, ON M3H 5S9	Torli Office Limited Partnership 121 Richmond St. W. Toronto, ON M5H 2K1

### PLANNING CONTROLS

Official Plan Designation:	Regeneration Areas	Site Specific Provision:	
Zoning:	RA	Historical Status:	listed
Height Limit (m):	26	Site Plan Control Area:	Y

### PROJECT INFORMATION

Site Area (sq. m):	1999	Height:	Storeys:	21
Frontage (m):	44.5		Metres:	69.1
Depth (m):	44.3			
Total Ground Floor Area (sq. m):	1100			<b>Total</b>
Total Residential GFA (sq. m):	19390		Parking Spaces:	198
Total Non-Residential GFA (sq. m):	600		Loading Docks	1
Total GFA (sq. m):	19990			
Lot Coverage Ratio (%):	55.03			
Floor Space Index:	10			

### DWELLING UNITS

Tenure Type:	Condo
Rooms:	0
Studio:	7 (3%)
1 Bedroom:	125 (57%)
2 Bedroom:	77 (35%)
3 + Bedroom:	10 (5%)
Total Units:	219

### FLOOR AREA BREAKDOWN (upon project completion)

	Above Grade	Below Grade
Residential GFA (sq. m):	19390	0
Retail GFA (sq. m):	600	0
Office GFA (sq. m):	0	0
Industrial GFA (sq. m):	0	0
Institutional/Other GFA (sq. m):	0	0

<b>CONTACT:</b>	<b>PLANNER NAME:</b>	<b>Willie Macrae, Planner</b>
	<b>TELEPHONE:</b>	<b>416-392-7572 or <a href="mailto:wmacrae@toronto.ca">wmacrae@toronto.ca</a></b>

## Attachment 13: Draft Zoning By-law Amendment

Authority: Toronto and East York Community Council Item ~ ,  
as adopted by City of Toronto Council on ~, 2013  
Enacted by Council: ~, 2013

### CITY OF TORONTO

Bill No. ~

#### BY-LAW No. ~-2013

**To amend the former City of Toronto General Zoning By-law No. 438-86, as amended,  
with respect to the lands municipally known as 25 Ontario Street.**

WHEREAS the Council of the City of Toronto has been requested to amend its Zoning By-law pursuant to Section 34 of the *Planning Act*, R.S.O. 1990, c. P.13, as amended, with respect to lands known municipally in the year 2012 as 25 Ontario Street; and

WHEREAS the Council of the City of Toronto has conducted a public meeting under Section 34 of the *Planning Act* regarding the proposed Zoning By-law amendment; and

WHEREAS Subsection 37(3) of the *Planning Act* provides that, where an owner of land elects to provide facilities, services, or matters in return for any increase in the height or density of development, the Municipality may require the owner to enter into one or more agreements with the Municipality dealing with the facilities, services, and matters; and

WHEREAS the owner of the lands hereinafter referred to has elected to provide the facilities, services, and matters as are hereinafter set forth; and

WHEREAS the increase in the height of development permitted hereunder, beyond that otherwise permitted on the lands by By-law No. 438-86, as amended, is to be permitted in return for the provision of the facilities, services and matters set out in this By-law and to be secured by one or more agreements between the owner of the lands and the City of Toronto (hereinafter referred to as the “City”); and

WHEREAS the Council of the City has required the owner of the aforesaid lands to enter into one or more agreements for the provision of certain facilities, services, and matters in return for the increases in height permitted in this By-law;

The Council of the City of Toronto HEREBY ENACTS as follows:

1. None of the provisions of Sections 2(1) with respect to the definition of *bicycle parking space – occupant, bicycle parking space – visitor, grade, lot, owner, parking space, sales office* and Sections 4(2)(a), 4(12), 4(13), 4(16), 4(17), 7(3), and 12(2)246 of Zoning By-law No. 438-86 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* which may contain dwelling units and non-residential uses, including uses *accessory* thereto, provided that:

- (a) For the purposes of this By-law, the *lot* shall consist of the lands delineated by heavy lines on Map 1 attached to and forming part of this By-law.
- (b) Not more than 219 *dwelling units* are erected on the *lot*, of which not less than 35% of the total number of *dwelling units* shall contain two *bedrooms* and not less than 5% of the total number of *dwelling units* shall contain three *bedrooms*.
- (c) The total *residential gross floor area* and *non-residential gross floor area* erected or used on the *lot* shall not exceed 19,990 square metres, of which a minimum of 600 square metres of *non-residential gross floor area* shall be located on the first *storey* of the building.
- (d) No portion of any building erected above finished ground level is located outside the areas delineated by heavy lines shown on Map 2 attached to and forming part of this By-law, with the exception of the following:
  - (i) lighting fixtures, cornices, sills, eaves, canopies, window washing equipment, parapets, railings, privacy screens, terraces, patios, cabanas, planters, balustrades, bollards, stairs, covered stairs or stair enclosures, awnings, fences and safety railings, trellises, underground garage ramps and accessory structures, - guardrails, chimneys, vents, stacks, mechanical fans, retaining walls, wheel chair ramps, ornamental or architectural features, structures and elements related to outdoor patios, landscape features, and art installations may extend beyond the heavy lines shown on the attached Map 2.; and
  - (ii) balconies may extend beyond the heavy lines shown on Map 2 in the locations shown on Map 2 to a maximum horizontal projection of 1.5 metres.
- (e) No person shall erect or use a building or structure on the *lot* having a greater *height*, in metres than the *height* in metres specified by the numbers following the letter H on the attached Map 2, provided this does not prevent:
  - (i) the erection or use of the structures, elements and enclosures permitted by Section 1.(5) of this By-law;
  - (ii) elements on the roof of the building or structure used for green roof technology or alternative roofing system, provided the maximum vertical projection of such elements is no higher than 0.5 metres above the *height* limits shown on Map 2;
  - (iii) roof top stacks and vents to a maximum vertical projection of 3.0 metres above the height limits shown on Map 2.
- (f) No person shall erect or use a building or structure on the *lot* which exceeds the number of *storeys* specified by the numbers following the letter "S" in the areas delineated on Map 2.
- (g) *Residential amenity space* shall be provided and maintained on the *lot* in accordance with the following minimum requirements:
  - (i) 2.5 square metres of indoor *residential amenity space* shall be provided per *dwelling unit*, above finished ground level, in a multipurpose room or rooms; and



- (ii) 2.24 square metres of outdoor *residential amenity space* shall be provided per *dwelling unit*, above finished ground level, all of which shall be provided in a location adjoining or directly accessible from the indoor *residential amenity space*.
  - (h) *Parking spaces* shall be provided and maintained on the *lot* in accordance with the following requirements:
    - (i) a minimum of 0.3 and a maximum of 0.8 *parking spaces* per *studio dwelling unit*;
    - (ii) a minimum of 0.5 and a maximum of 0.8 *parking spaces* per one *bedroom dwelling unit*;
    - (iii) a minimum of 0.75 and a maximum of 1.0 *parking spaces* per two *bedroom dwelling unit*;
    - (iv) a minimum of 1.2 and a maximum of 1.5 *parking spaces* per *dwelling unit* containing three or more *bedrooms*;
    - (v) a minimum of 0.06 *parking spaces* per *dwelling unit* shall be provided for visitors; and
    - (vi) any *parking spaces* provided above the minimum ratios shall be equipped with roughed-in conduits to allow for electrical outlets for electric vehicles.
  - (i) *Bicycle parking spaces* shall be provided and maintained on the *lot* in accordance with the following requirements:
    - Residential:
      - (i) a minimum of 0.8 *bicycle parking spaces* per *dwelling unit* for occupants, of which a minimum of 5% shall be located in a secure, weather protected area at finished ground level and the remainder shall be located in a secure area within the P1 level;
      - (ii) a minimum of 0.2 *bicycle parking spaces* per *dwelling unit* for visitors, all of which shall be located at finished ground level.
    - Non-Residential:
      - (iii) a minimum of seven *bicycle parking spaces* shall be provided for occupants and visitors of the *non-residential gross floor area*, all of which shall be located in a secure, weather protected area at finished ground level;
  - (j) A minimum of one *loading space-type G* shall be provided on the *lot*.
2. Pursuant to Section 37 of the *Planning Act*, and subject to compliance with the provisions of this By-law, the increase in height of the development on the *lot* beyond that otherwise permitted in By-law No. 438-86, as amended, is permitted in return for the provision by the *owner* to the City of the following facilities, services and matters at the *owner's* sole expense:

- A. Prior to issuance of the first above grade building permit for the proposed development on the *lot*, the *owner* shall:
- i) provide the City with a cash payment by way of certified cheque payable to the Treasurer, City of Toronto, in the amount of \$400,000.00 to be applied at the discretion of the City as determined by the Chief Planner and Executive Director, in consultation with the Ward Councillor, towards the North St. Lawrence Market redevelopment, the implementation of the Heritage Lighting Master Plan for Old Town Toronto and the Heritage Interpretation Master Plan for Old Town Toronto and local streetscape improvements, the design of which will be to the satisfaction of the Chief Planner and Executive Director, City Planning Division.

Such amount to be indexed upwardly in accordance with the Statistics Canada Non-Residential Construction Price Index for Toronto, calculated from the date of the Section 37 Agreement to the date of payment;

- B. the *owner* shall enter into one or more agreements with the City pursuant to Section 37 of the *Planning Act* which are registered on title to the *lot* to the satisfaction of the City to secure:
- a) the matters provided for in Section 2.A.i) above;
  - b) the provision and maintenance by the *owner* of the following:
    - i. At least ten, three-bedroom dwelling units, bedroom to be defined as a habitable room which meets the requirements of the Ontario Building Code, shall be provided in the building.
    - ii. The Owner shall construct and maintain the development in accordance with Tier 2 enhanced 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.
    - iii. Design and construction of proposed development on the *lot* substantially in conformity with the architectural design identified on elevation plans on file with the Chief Planner and Executive Director, prepared by Burka Architects, dated November 30, 2012, to the satisfaction of the Chief Planner and Executive Director, the details of which, including the exterior materials, will be refined on approved plans and drawings in the context of site plan approval pursuant to Section 114, of the City of Toronto Act, 2006, as amended and, as applicable, Section 41 of the Planning Act, as amended, and secured in a Site Plan Agreement with the City.

- iv. Prior to final site plan approval the owner shall provide a noise impact study and emissions study, which shall be peer reviewed by the city at the owner's cost; the owner shall incorporate appropriate mitigation, attenuation or equivalent measures into the design of the proposed building in response to the findings of the peer reviewed studies, to the satisfaction of the Chief Planner and Executive Director, City Planning Division.
- v. Prior to final site plan approval, the owner shall provide a pedestrian level wind study to the satisfaction of the Chief Planner and Executive Director, City Planning Division.
- vi. Prior to Final Site Plan approval, the owner shall:
  - a. Provide a detailed Conservation Plan for the conservation work described in the HIA, prepared by a qualified heritage consultant detailing all recommended interventions, and estimated costs for all conservation work satisfactory to the Manager, Heritage Preservation Services;
  - b. Submit final landscape plans and drawings, satisfactory to the Manager, Heritage Preservation Services;
  - c. Submit an Interpretation Plan that fully interprets the heritage values of the Drug Trading Company Administrative Office to the satisfaction of the Manager, Heritage Preservation Services; and
  - d. Submit a Lighting Plan that describes how the building will be sensitively illuminated at night to enhance the building's heritage character to the satisfaction of the Manager, Heritage Preservation Services.
- vii. Prior to the issuance of any heritage permit for the heritage property, 25 Ontario Street, including a permit for the demolition, excavation, and or shoring of the subject property, the applicant shall provide the following to the satisfaction of the Manager, Heritage Preservation Services; the owner shall:
  - a. Submit final building permit plans and drawings for the alterations and new construction, satisfactory to the Manager, Heritage Preservation Services;
  - b. Provide a Letter of Credit in accordance with the approved Conservation Plan in a form and amount satisfactory to the

Manager, Heritage Preservation Services to secure the approved conservation work; and

- c. Prior to the release of the Letter of Credit, the owner shall provide replacement Heritage Easement Agreement photographs and a certificate of completion prepared by a qualified heritage consultant confirming that the conservation work has been completed in accordance with the approved Conservation Plan to the satisfaction of the Manager, Heritage Preservation Services.
- viii. The Owner retain a consultant archaeologist, licensed by the Ministry of Culture and Tourism under the provisions of the Ontario Heritage Act (R.S.O 1990 as amended) to carry out a Stage 2 archaeological resource assessment of the subject property and follow through on recommendations to mitigate, through preservation or resource removal and documentation, adverse impacts to any significant archaeological resources found. (i.e. Stage 3-4).

The assessment is to be completed in accordance with the 2011 Standards and Guidelines for Consulting Archaeologists, Ministry of Culture and Tourism. Should the archaeological assessment process continue beyond a Stage 2 assessment, any recommendations for Stages 3- 4 mitigation strategies must be reviewed and approved by Heritage Preservation Services prior to commencement of the site mitigation.

- a. The Owner shall ensure that no demolition, construction, grading or other soil disturbances shall take place on the subject property prior to the City's Planning Division (Heritage Preservation Services Unit) and the Ministry of Culture and Tourism (Heritage Operations Unit) confirming in writing that all archaeological licensing and technical review requirements have been satisfied.
- b. Prior to final Site Plan approval, the Owner shall submit a copy of the relevant assessment report(s) to the Heritage Preservation Services Unit in both hard copy format and as an Acrobat PDF file on compact disk.
- c. Prior to final Site Plan approval the Owner shall incorporate significant archaeological resources and findings into the proposed development through either *in situ* preservation and interpretation where feasible, or commemorate and interpret the resources through exhibition development on site including, but not limited to, commemorative plaquing.

- d. Prior to the release of any above grade permit for the subject property, the Owner shall provide a Letter of Credit in a form and amount satisfactory to the Manager, Heritage Preservation Services, to secure any on-site interpretation as may be required.
  - e. Prior to the return of the Letter of Credit, the owner shall implement site interpretation as may be required, to the satisfaction of the Manager, Heritage Preservation Services.
- 3. None of the provisions of this By-law or By-law No. 438-86, as amended, as of the date of the passing of this By-law, shall apply to prevent a *sales office* on the *lot*.
  - 4. Despite any existing or future severance, partition, or division of the *lot*, the provisions of this By-law shall apply to the whole of the *lot* as if no severance, partition or division occurred.
  - 5. Definitions:

For the purposes of this By-law, each word or expression that is italicized in this By-law shall have the same meaning as each such word or expression as defined in the said By-law No. 438-86, as amended, except for the following:

- (a) “*bicycle parking space*” means an area that is equipped with a bicycle rack, stacker or locker for the purpose of parking and securing bicycles, and
  - (i) where the bicycles are to be parked on a horizontal surface, has horizontal dimensions of at least 0.6 metres by 1.8 metres and vertical dimension of at least 1.9 metres;
  - (ii) where the bicycles are to be parked in a vertical position, has horizontal dimensions of at least 0.6 metres by 0.9 metres and a vertical dimension of at least 1.9 metres; and
- (b) “*grade*” means 82.5 metres Canadian Geodetic Datum;
- (c) “*lot*” means the lands delineated by heavy lines on Map 1 attached to this By-law;
- (d) “*owner*” shall mean the registered owner of the *lot* in fee simple;
- (e) “*parking space*” means:
  - A. an unimpeded area that has dimensions not less than those prescribed by subsection 4(17), Minimum Parking Space Dimensions;
- (f) “*sales office*” means a building or structure for the purpose of marketing and sales related to use(s) permitted on the *lot*; and,
- (g) “*storey*” means a level of the building or structure located between a floor and a ceiling or roof immediately above, excluding those areas of the building labelled as mechanical penthouse on Map 2, and the first *storey* shall be the first level of the building which

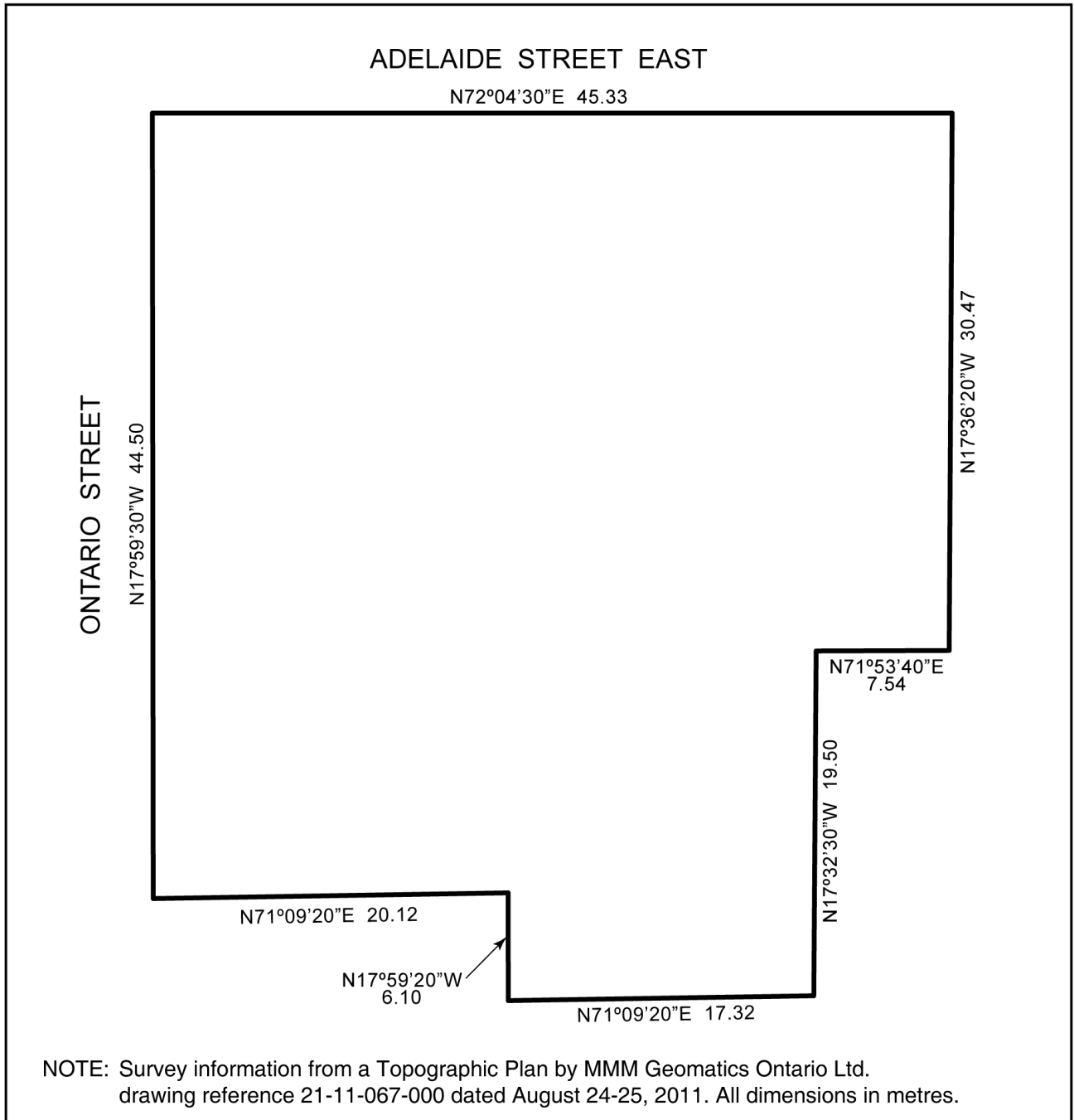
contains the main entrance to the residential portion of the building. For clarity, a *storey* does not include levels of the building occupied by an underground garage.

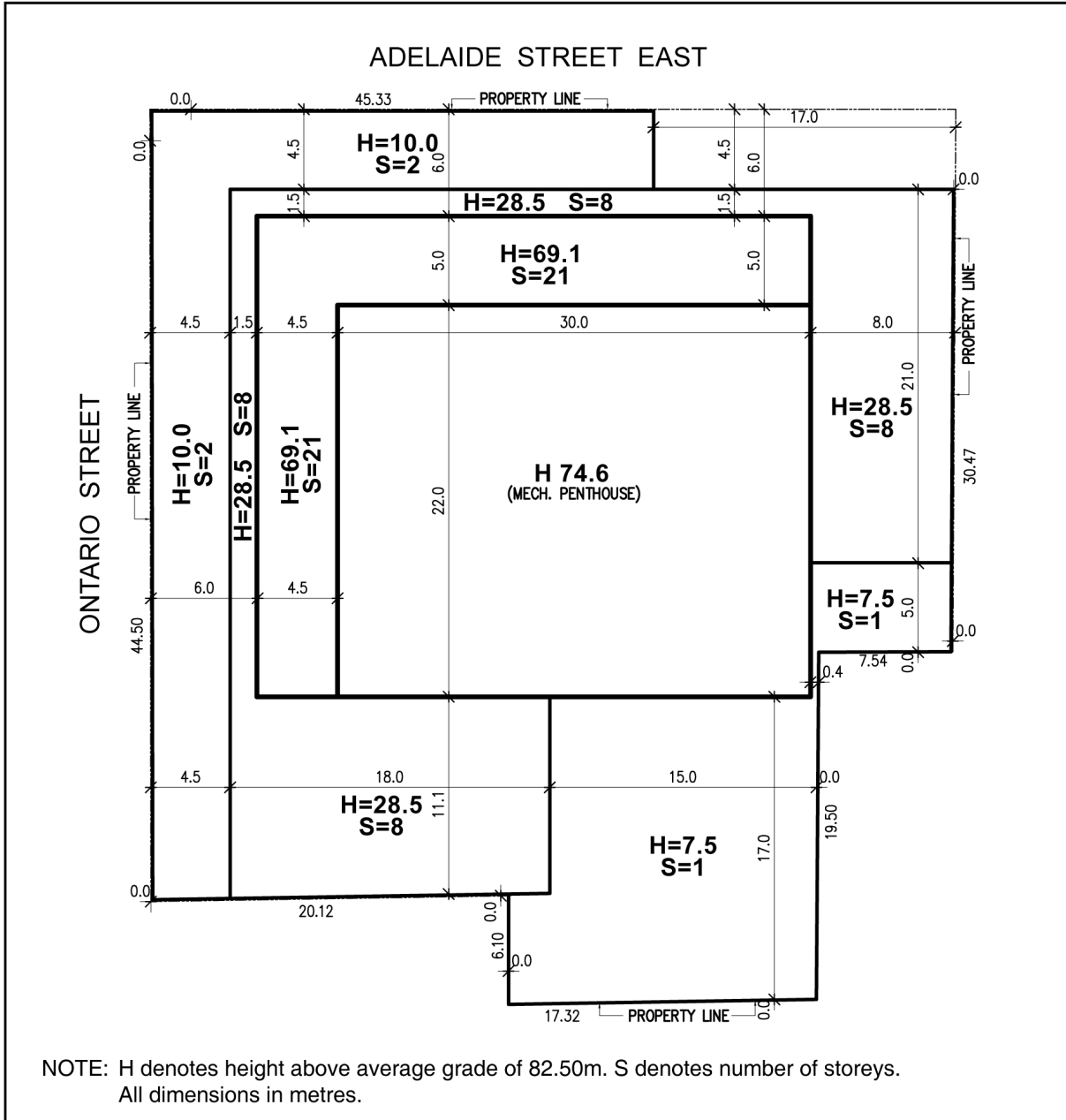
ENACTED AND PASSED this ~ day of ~, A.D. 2012.

Mayor

(Corporate Seal)

ULLI S. WATKISS,  
City Clerk





25 Ontario Street

File # 11 327900 0Z



Not to Scale  
 12/17/2012