

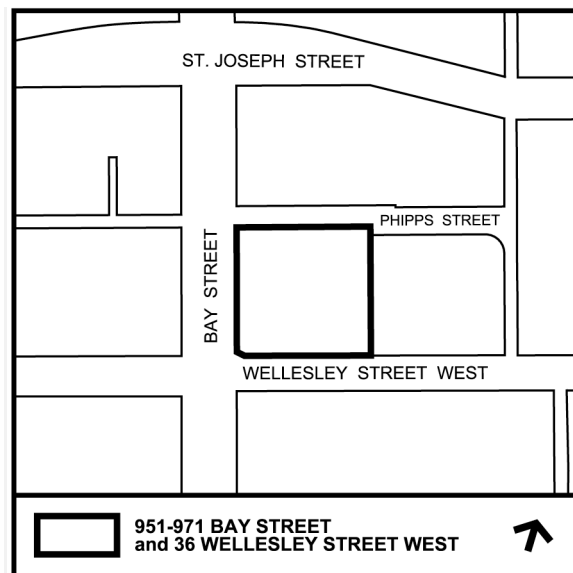
**951 – 971 Bay Street and 36 Wellesley Street West –
Official Plan and Zoning By-law Amendments – Rental
Housing Demolition Application – Final Report**

Date:	May 31, 2013
To:	Toronto and East York Community Council
From:	Director, Community Planning, Toronto and East York District
Wards:	Ward 27 – Toronto Centre-Rosedale
Reference Number:	12 133688 STE 27 OZ and 12 133695 STE 27 RH

SUMMARY

The former Sutton Place Hotel is located at 951-971 Bay Street and 36 Wellesley Street West. The applicant proposes renovations and additions to the Sutton Place Hotel building to create a mixed-use building with a total of 727 residential units and ancillary retail uses at grade. The proposed additions to the building include a 9-storey addition to the top of the existing tower, increasing the height of the tower from 32 storeys to 41 storeys, and additions to the base of the building to create an 8-storey podium. The proposal includes 78 residential rental units to replace those rental units to be demolished as part of the proposal. The proponent has also submitted a Rental Housing Demolition and Conversion application.

The form and scale of the proposed development is appropriate within the context of the area. The proposal will result in improvements to the adjacent public realm. It will have acceptable impacts on the surrounding area and provide rental replacement consistent with the intent of the Official Plan. Tenant assistance and compensation will be secured to meet City standards.



This report reviews and recommends approval of the applications to amend the Official Plan and Zoning By-law. The report recommends provisions to secure a parking standard higher than that proposed by the applicant. This report also recommends approval of the application for Rental Housing Demolition and Conversion.

RECOMMENDATIONS

The City Planning Division recommends that:

1. City Council amend the Official Plan, for the lands at 951-971 Bay Street and 36 Wellesley Street West substantially in accordance with the draft Official Plan Amendment attached as Attachment No. 9 to the report (May 31, 2013) from the Director, Community Planning, Toronto and East York District.
2. City Council amend Zoning By-law 438-86, for the lands at 951-971 Bay Street substantially in accordance with the draft Zoning By-law Amendment to be provided prior to the Toronto and East York Community Council meeting of June 18, 2013.
3. City Council authorize the City Solicitor to make such stylistic and technical changes to the draft Official Plan Amendment and/or draft Zoning By-law Amendment as may be required.
4. City Council:
 - a. authorize the City Solicitor to revise the draft Zoning By-law with respect to parking standards if the applicant provides justification for a reduced parking standard to the satisfaction of the General Manager of Transportation Services; and
 - b. determine pursuant to Section 34(17) of the Planning Act that no further notice with respect to such revision is required.
5. 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. Prior to issuance of the first above-grade building permit, pay to the City the sum of \$4,250,000, consisting of the following:
 - a. \$3,525,000 to be dedicated within a 200 metre radius of the site to parkland acquisition, park construction, and/or local streetscape improvements to the satisfaction of the Chief Planner and

Executive Director, City Planning Division in consultation with the local Councillor;

- b. \$425,000 to be dedicated to capital improvements of Toronto Community Housing Corporation properties in Ward 27 to the satisfaction of the Chief Planner and Executive Director, City Planning Division in consultation with the local Councillor; and
 - c. \$300,000 to be dedicated to the provision of bike share facilities at locations near the development to the satisfaction of the Chief Planner and Executive Director, City Planning Division in consultation with the local Councillor.
- ii. Require that the cash amounts identified in (i) above shall be indexed annually in accordance with 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 to the date of submission of the funds by the owner to the City.
 - iii. The provision and maintenance on site of at least 78 replacement rental units, comprising 16 bachelor, at least thirty-seven 1-bedroom or greater and twenty-five 2-bedroom units. At least 28 of the replacement rental units shall have mid-range rents.
 - iv. Tenant relocation and assistance, including the right for eligible tenants to return to a replacement unit and compensation to lessen the hardship of moving.
- b. The following matters are also recommended to be secured in the Section 37 Agreement as a legal convenience to support development:
 - i. conveyance to the City for public highway purposes a 0.71 metre wide strip of land the full extent of the site abutting the north limit of Wellesley Street West, to a minimum depth of 1.2 metres;
 - ii. conveyance to the City for public highway purposes a 4.0 metre wide strip of land the full extent of the site abutting the south limit of Phipps Street, to a minimum depth of 1.2 metres, excluding levels 2 through 8, inclusive, of the building's podium;
 - iii. rights-of-way/easements for 24-hour public access to the entirety of the colonnades along the Wellesley Street West and Bay Street frontages of the development; and

- iv. a minimum of 65 units, or 9% of all units, will be 3-bedroom units or have an average size of 950 square feet.
6. Before introducing the necessary Bills to City Council for enactment, City Council require that notice of approval conditions have been issued under Section 41 of the *Planning Act* and Section 114 of the *City of Toronto Act*. Among others, the following matters are specifically required to be addressed through the Site Plan Approval:
 - a. separation of garbage and recyclable waste for the residential components of the building;
 - b. access to a retail waste storage for all retail units;
 - c. residential waste rooms of a size in accordance with "City of Toronto Requirements for Garbage, Recycling and Organics Collection for New Developments, Revised May 2012";
 - d. updated movement diagrams demonstrating access to the Type G and Type B loading spaces;
 - e. signing for small car parking spaces to the satisfaction of the General Manager of Transportation Services;
 - f. appropriate mitigation of wind impacts on Wellesley Street West and on the development's outdoor amenity areas; and
 - g. appropriate privacy screens, glazing, and window placement with respect to terraces and residential windows within 5.5 metres of the site's east property line.
7. City Council approve the application to demolish the 161 existing residential units, of which 78 are residential rental housing units, located at 951-961 Bay Street and 36 Wellesley Street West pursuant to Municipal Code Chapters 667 and 363, subject to the following conditions under Chapter 667 which provide for the replacement of rental housing:
 - a. The owner shall provide and maintain at least seventy-eight (78) replacement rental housing units on the subject site for a period of at least 20 years, comprising 16 bachelor units, at least thirty-seven 1-bedroom or greater units and at least twenty-five 2-bedroom units, of which at least 28 units shall have mid-range rents and as further detailed in the draft zoning by-law;
 - b. The owner shall provide tenant relocation assistance including the right for eligible tenants to return to a replacement rental housing unit and

compensation for moving to the satisfaction of the Chief Planner and Executive Director, City Planning Division and as further detailed in the draft zoning by-law;

- c. The owner shall enter into and register one or more Section 111 Agreement(s) to secure the conditions outlined in (a) and (b) above and as described in the draft zoning by-law amendment to the satisfaction of the City Solicitor and the Chief Planner and Executive Director, City Planning Division;
 - d. The owner shall enter into and register a Section 118 Restriction under the Land Titles Act agreeing not to transfer or charge those parts of the lands comprising the 78 replacement rental units, to the satisfaction of the City Solicitor, without the written consent of the Chief Planner and Executive Director, City Planning Division or her designate, to assist with securing the Section 111 Agreement against future owners and encumbrances of the lands.
8. City Council authorize the Chief Planner and Executive Director, City Planning Division to issue preliminary approval to the application under Municipal Code Chapter 667 for any of the existing rental housing buildings in either phase of the development after the latest of the following has occurred:
- a. satisfaction of, or the securing of, conditions in Recommendation 1;
 - b. Official Plan and Zoning By-law amendments permitting the development have come into full force and effect; and
 - c. The issuance of the Site Plan Approval for the development by the Chief Planner and Executive Director, City Planning or her designate, pursuant to Section 114 of the City of Toronto Act, 2006.
9. City Council authorize the Chief Building Official to issue a Section 111 permit under Municipal Code Chapter 667 after the Chief Planner and Executive Director, City Planning Division has given the preliminary approval referred to in Recommendation 8.
10. City Council authorize the Chief Building Official to issue a demolition permit under Section 33 of the Planning Act no earlier than issuance of the first building permit of the development, and after the Chief Planner and Executive Director, City Planning Division has given the preliminary approval referred to in Recommendation 8, which permit may be included in the demolition permit for Chapter 667 under 363-11.1, of the Municipal Code, on condition that:
- a. the owner complete a residential building on site no later than three (3) years from the day demolition of the residential units commences; and

- b. should the owner fail to complete the new building within the time specified in condition (a), the City Clerk shall be entitled to enter on the collector's roll, to be collected in a like manner as municipal taxes, the sum of twenty thousand dollars (\$20,000.00) for each dwelling unit for which a demolition permit is issued, and that each sum shall, until payment, be a lien or charge upon the land for which the demolition permit is issued.
11. City Council authorize the appropriate City officials to take such actions as are necessary to implement the foregoing, including execution of the Section 37 and Section 111 Agreements.

Financial Impact

The recommendations in this report have no financial impact.

ISSUE BACKGROUND

Proposal

The proposal is for renovations and additions to the existing Sutton Place Hotel building. The existing building was constructed in the late 1960s with both hotel rooms and rental apartment units and operated as the Sutton Place Hotel until June 2012. The existing building on the site is 32 storeys (100 metres) including a podium at the base of the building ranging from one to three storeys. The existing development comprises 35,548 square metres of non-residential gross floor area (GFA) and 3,922 square metres of residential GFA, for a total of 39,470 square metres.

The proposal would renovate much of the existing structure and demolish demising walls and units on each of the existing floors, while constructing additions at the base and to the top of the building. The proposal includes 49,200 square metres of gross floor area (GFA) including 47,650 square metres of residential GFA and 1,550 square metres of non-residential GFA. The proposed GFA results in a density of 12.7 times the area of the lot. The development will include 727 residential units (649 condominium and 78 rental) and retail space at grade. The 78 residential rental units are proposed as replacement for existing units to be demolished as a result of the tower renovation.

The proposed development will be a total of 41 storeys (130 metres plus a 9 metres mechanical penthouse). A nine-storey addition is proposed to the top of the tower, increasing the height from the existing 32 storeys (100 metres). The addition would have a step-back from the edge of the existing tower of 2 metres from the west, south and east sides and ranging from 3 to 8 metres on the north side. The tower will be re-clad and balconies will be added. The tower will be occupied by residential condominium units.

The applicant proposes to demolish a portion of the existing podium on the east side of the building, and construct additions on the Wellesley Street West, Bay Street, and Phipps Street frontages, forming a podium generally 8 storeys (27 metres) high in a U-

shape open to the east property line. The podium will contain street-related retail uses, residential amenity space, and residential units, including the 78 rental units.

The existing building includes approximately 200 parking spaces located in a 3-level underground garage, with access from Bay Street. The proposal will remove the existing hotel lay-by and garage access on Bay Street and reconfigure the existing garage to provide 251 parking spaces (42 visitor and 209 residential) with access from Phipps Street. The applicant has proposed that 141 of these spaces will be substandard with respect to zoning requirements for parking space dimensions, due to constraints of the existing structure.

The proposal also includes 221 bicycle parking spaces, comprising 40 visitor spaces located outside along Phipps Street and 181 spaces located on the first level of the underground garage. One Type G and one Type B loading space are provided, with service access from Phipps Street.

The following changes are among those that have been incorporated into the proposal since the time of the original submission in March 2012:

- Sculpting of the top of the building to reduce the proposed shadow impacts on Cloverhill Park;
- Reduction in the unit count from 772 to 727 units;
- Increase in the number of proposed rental replacement units from 43 to 78;
- Changes in the mix of unit types;
- Provision of indoor and outdoor residential amenity space closer to compliance with the Zoning By-law standards;
- Introduction of colonnades on the Bay Street and Wellesley Street West frontages; and
- Adjustments to setbacks and setbacks from the east property line.

Site and Surrounding Area

The site is located on the northeast corner of Bay Street and Wellesley Street West. The site is 3,879 square metres in size with frontage along Bay Street, Wellesley Street West and Phipps Street.

The site currently contains the Sutton Place Hotel. The hotel was constructed in the 1960's and originally contained 375 hotel rooms in the lower 18 floors of the building, and 161 rental dwelling units in the upper 14 floors. Recent information submitted by the applicant indicates that 17 tenant households continue to live in the building at the present time.

The main tower of the current building is 32 storeys high with a floor plate of approximately 1,107 square metres. To the east of the tower is a podium building that covers the remainder of the site, and varies in height from a 1-storey portion along Wellesley Street West, to a 3-storey portion along the east property line.

The surrounding uses are as follows:

South: The south side of the site is bounded by Wellesley Street West. Across Wellesley Street West is the Allegro, a two-tower development (each at 32-storeys) fronting onto Bay Street.

East: Immediately to the east is Century Plaza, a 28-storey condominium at 24 Wellesley Street West.

North: The north side of the site is bounded by Phipps Street. On the north side of Phipps Street is a 35-storey condominium at 1001 Bay Street.

West: The west side of the site is bounded by Bay Street. Across Bay Street is a 17-storey commercial office building at the corner of Bay Street and Wellesley Street West. The site immediately to the north of this building is 984 – 1000 Bay Street, where the Ontario Municipal Board recently approved a settlement between the owner and the City for a zoning by-law amendment to permit a 32-storey residential condominium building. (File no. 11 318491 STE 27 OZ)

Planning Act

Section 2 of the Planning Act identifies matters of provincial interest to which Council shall have regard in carrying out their responsibilities under the Act. Among others, these include: (g) the minimization of waste; (i) the adequate provision and distribution of educational, health, social, cultural and recreational facilities; (j) the adequate provision of a full range of housing; (p) the appropriate location of growth and development; and (q) the promotion of development that is designed to be sustainable, to support public transit and to be oriented to pedestrians.

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 to conform, or not conflict, with the Growth Plan for the Greater Golden Horseshoe.

Official Plan

The Urban Structure Map of the Official Plan (Map 2) places the site within the Downtown and Central Waterfront. The Downtown is intended to evolve as new development that supports the reurbanization strategy and the goals for Downtown is attracted to the area.

The Official Plan's land use designation for the site is "Mixed Use Areas", which provides for a broad range of residential, commercial and institutional uses, in single use or mixed use buildings, as well as parks and open spaces and utilities. Development criteria for Mixed Use Areas direct the use, form, quality, and acceptable impacts of development.

Section 3.2.1 of the Official Plan provides policies with respect to housing, including policies to provide and maintain a full range of housing, including rental housing. Policy 6 of Section 3.2.1 sets out the criteria under which to consider new development that would have the effect of removing all or a part of a private building or related group of buildings, and would result in the loss of six or more rental housing units. Planning approvals for such development are to secure: i) at least the same number, size and type of rental housing units be replaced and maintained with rents similar to those in effect at the time the redevelopment application is made; ii) for a period of at least 10 years, rents for replacement units will be the rent at first occupancy increased annually by not more than the Provincial Rent Increase Guideline; and iii) an acceptable tenant relocation and assistance plan addressing the right to return to occupy one of the replacement units at similar rents, the provision of alternative accommodation at similar rents, and other assistance to lessen hardship.

The Official Plan is intended to be read as a whole. It is available on the City's website. (www.toronto.ca/planning/official_plan/introduction.htm)

Zoning

The site is zoned CR T6.0 C1.0 R6.0 under Zoning By-law 438-86. This zoning designation permits a variety of uses including a range of residential uses and the former hotel use. The maximum permitted density is 6.0 times the lot area, with up to 1.0 times the lot area for commercial uses and 6.0 times the lot area for residential uses. The maximum height permitted is 46 metres.

The site is also subject to site-specific Zoning By-law 21926, which permits the existing 32-storey building on the site and outlines site-specific provisions related to density, use, parking, setbacks and height. Subsequent Committee of Adjustment decisions in 1966 and 1986 allowed for increases in permitted gross floor area up to 38,335 square metres, representing a floor space index of 9.9 times the area of the lot.

Tall Building Design Guidelines

In May 2013, Toronto City Council adopted the updated city-wide Tall Building Design Guidelines and directed City Planning staff to use these Guidelines in the evaluation of

all new and current tall building development applications. The guidelines establish a unified set of performance measures for the evaluation of tall building proposals to ensure that they fit within their context and minimize their local impacts. The city-wide Guidelines are available at <http://www.toronto.ca/planning/tallbuildingdesign.htm>

This project is located within an area that is also subject to the Downtown Tall Buildings: Vision and Supplementary Design Guidelines (adopted by City Council in July 2012 and consolidated with the city-wide Tall Building Design Guidelines May 2013). This document identifies where tall buildings belong Downtown, and establishes a framework to regulate their height, form and contextual relationship to their surroundings. The Downtown Vision and Supplementary Design Guidelines should be used together with the city-wide Tall Building Design Guidelines to evaluate new and current Downtown tall building proposals. The Downtown Tall Buildings Guidelines are available at <http://www.toronto.ca/planning/tallbuildingstudy.htm#guidelines>

The subject property is located on Bay Street, which is identified as a High Street on Map 1. The site also abuts Wellesley Street West, also identified as a high street on Map 1. This portion of Bay Street falls within the 30 (92 metres) to 50 (152 metres) storey height range on Map 2 and this portion of Wellesley Street West falls within the 20 (62 metres) to 35 (107 metres) storey height range. Both streets are identified as a tower-podium form typology on Map 3 and both are identified as Priority Retail Streets on Map 4.

Site Plan Control

The proposed development is subject to site plan control. An application for Site Plan Approval has not been submitted but will be required.

City of Toronto Act, Section 111 (Rental Housing Demolition and Conversion By-law)

Section 111 of the City of Toronto Act, 2006 authorizes Council to regulate the demolition and conversion of residential rental properties in the City. By-law No. 885-2007 (also known as the Rental Housing Demolition and Conversion By-law), which established Chapter 667 of the Municipal Code, was enacted by City Council on July 19, 2007.

The By-law makes it an offence to demolish the whole or any part of a residential rental property where there are six or more dwelling units, unless approval has been granted for a Section 111 permit for the demolition. In addition, approval of related planning applications, such as a rezoning, should be conditional upon the applicant receiving a Section 111 permit. City Council may impose conditions on the approval of the Section 111 permit, which typically involve the replacement of rental housing and assistance to any tenants affected by the proposed demolition. The conditions are based on the Official Plan policies and established practices the City has in place when considering rental housing demolition. City Council's decisions on the approval or refusal of a Section 111 permit are not subject to appeal to the Ontario Municipal Board.

If the demolition of rental housing is approved under Municipal Code 667, approval to issue a demolition permit for residential buildings under Municipal Code 363 and Section 33 of the Planning Act is also required. The applicant has submitted an application for a Section 111 permit pursuant to Chapter 667 of the City of Toronto Municipal Code for the demolition of the existing rental units.

Reasons for Application

The proposed development requires an amendment to the Official Plan because the proposed rental replacement units do not meet the requirements of Policy 6 of Section 3.2.1 with respect to the same size of rental units.

The existing site-specific zoning by-law provides for development that is primarily hotel with limits on the extent of related residential uses and does not accommodate the proposed development with respect to use, height or density. The proposed development requires a Zoning By-Law amendment because the permitted residential density on site is 6.0 times the area of the lot (23,274 square metres), whereas the proposed residential density is 12.3 times the area of the lot (47,650 square metres). The proposal exceeds the total GFA permitted by both the underlying zoning designation and the site-specific by-law. The height of the proposal is 130 metres plus a 9 metre mechanical penthouse, whereas the Zoning By-law limits height on the site to 46 metres and the existing site-specific by-law, as varied, limits height to 100 metres. The proposal does not comply with a number of other zoning standards as discussed below in this report.

Community Consultation

The City Planning Division held a community consultation meeting regarding the proposed development on May 29, 2012. Approximately 60 members of the public attended, as well as the Ward Councillor, representatives of the applicant, and their consulting team. The public raised a range of issues and comments at the meeting including: concerns with the proposed height; the concentration of tall buildings in the neighbourhood; shadow impacts; the built form relationship to the neighbouring building at 24 Wellesley Street West; wind impacts; unit sizes; transportation impacts; and pedestrian conditions. Some residents expressed interest in retaining the hotel use on the site. A number of the building's tenants attended the meeting expressing concerns with respect to rental replacement and their rights as tenants.

Residential tenants of the building wrote to Planning staff early in the application process, identifying a range of issues with the proposed development, including the proposed rental replacement and the importance of the hotel operation to provide amenity for the rental units. Extensive communication through phone calls and emails has taken place with tenants, who have frequently expressed concern with issues related to management of the property since the closure of the hotel accommodation and the impacts on the enjoyment of their units, as well as concerns about proposed rental replacement and their rights as tenants.

City Planning held a tenant consultation meeting on the proposed demolition on December 3, 2012. Approximately 16 tenants attended. The majority of the tenants are

represented by two separate lawyers, both of whom were in attendance at the meeting. Key concerns from the meeting included:

- 161 units should be replaced as part of the redevelopment. All 161 units were originally residential rental units and have been lost by attrition over time;
- Units were not legally converted to short-term hotel use and therefore should still be counted as residential rental housing;
- The past owner benefited by the units being taxed as residential rental, yet they are now claiming that the units were not rental housing;
- Concern that location on Phipps Street is not an appropriate rental replacement location;
- The proposed location of replacement rental units are in an undesirable location of the proposed building (overlooking Phipps Street, which has a narrow right-of-way that is more like a lane than a street); and
- Proposed unit sizes are smaller and of inferior quality.

In addition to the tenant consultation meeting, city staff attended a number of meetings with tenants hosted by the applicant. Many of the concerns raised above, as well as concerns regarding the maintenance and operation of the building, were also raised at these meetings.

Staff have also twice met with members of the Bay Cloverhill Community Association to discuss the proposal, who have focussed on issues related to the design of the podium and adjacent areas of the public realm, shadow and wind impacts, and the interface of the building with the surrounding community.

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

The proposed development is generally consistent with the Provincial Policy Statement. The proposal is located within an area of the city that is designated for growth and represents efficient use of land and existing transportation and servicing infrastructure. The site will continue to contribute to a full range of housing and the provision of housing for low to moderate income households as a result of the proposed rental replacement units.

The proposal conforms and does not conflict with the Growth Plan for the Greater Golden Horseshoe. The Growth Plan requirements that a significant portion of new population and employment growth be directed to the built-up areas of the Greater Golden Horseshoe within intensification areas. Section 3.1 of the Growth Plan states, "In the case of housing, there is an underlying societal need for affordable housing in many

municipalities that is heightened by growth pressures." Municipal official plans are viewed as the key vehicle through which the policy objectives of the Growth Plan are to be implemented.

Tall Building Guidelines

The proposal addresses and meets nearly all of the applicable guidelines contained within the "Tall Building Design Guidelines" and the "Downtown Tall Buildings: Vision and Supplementary Design Guidelines", including among others those guidelines respecting: fit and transition in scale; building placement; building address and entrances; site servicing, access, and parking; tall building design; base building scale and height; street animation; first floor height; separation distances; and pedestrian weather protection.

Land Use

The proposed residential and retail land uses are provided for by the site's Official Plan designation (*Mixed Use Areas*). The proposed mix of uses – primarily residential with ancillary retail – is consistent with the mix permitted by the Zoning By-law, which permits buildings that are entirely residential on the site. The retail use at grade is consistent with the identification of Bay Street as a Priority Retail Street in the "Downtown Tall Buildings: Vision and Supplementary Design Guidelines".

The existing development on the site is permitted by a site-specific zoning by-law, as varied by the Committee of Adjustment. Under this permission, the Sutton Place Hotel operated within the existing building up until June 2012, providing commercial uses and local employment opportunities as part of the neighbourhood's overall mix. Because of the positive contributions of this use, City Planning staff encouraged the applicant to continue a hotel use or other commercial use (e.g. office) on the site. The applicant has advised that they do not see a successful business case for a hotel use on the site. With respect to office uses, the architect has advised that the shear wall network of the building to be retained on the site is difficult and cost-prohibitive to convert to desirable office space.

Density

The proposed density of 12.7 times the area of the site is comparable to recent approved and constructed development in the area and the proposed GFA can be accommodated within a built form that is appropriate for this portion of Bay Street. Notwithstanding the proposed density increase, the development meets or acceptably provides for development standards on the site as discussed in this report, with the exception of parking.

Height, Massing, and Separation Distances

The proposed tower height of 130 metres plus a 9 metre mechanical penthouse is within the range of heights of tall residential buildings that exist and are approved along Bay Street corridor and is generally appropriate for this area. The built form of the proposal meets the applicable policies of the Official Plan. The proposed height and tower-podium form of development is consistent with the scale and form of development

anticipated by the "Downtown Tall Buildings: Vision and Supplementary Design Guidelines". The tower addition is set back more than 12.5 metres from the centre lines of the adjacent streets and more than 35 metres from the east property line.

The floorplate of the proposed tower exceeds the 750 square metres recommended by the Tall Building Guidelines. This is reasonable, as in this case the floor plate size is determined by the structure of the existing tower. Step-backs are proposed at the 32nd floor, 39th floor, and above in order to sculpt the building in a way that reduces shadow impacts on Cloverhill Park. Shadow and wind impacts of the proposal are otherwise addressed below.

An important feature of the proposed development is the 8-storey podium that will be added to the base of the building. The tower-podium form is consistent with Official Plan policies respecting tall buildings and the various Tall Buildings guidelines. The height of the podium represents an appropriate relationship between height and the width of the adjacent Bay Street right-of-way. The podium will have benefits including: strong definition of the adjacent streetscape and public realm; mitigation of wind impacts in some locations; and moderation of the inconsistent setback of development on the west side of Bay Street between development south of Wellesley Street West relative to development north of Phipps Street.

Residents of the adjacent residential building at 24 Wellesley Street West have raised questions to understand any impacts of the proposed development on their building, particularly with respect to separation distances from residential windows facing the proposed development. The U-shape of the podium results in generous separation distances for much of the length of the east property line. The podium has no setback from the east property line at floors 1 – 3 of the southerly wing and floors 1 – 5 of the northerly wing. In these locations, there are no proposed windows facing the side property line and there are no impacts on the light, view or privacy of the adjacent development.

In other locations, step-backs (visible on Attachments 3 and 4 showing the North and South Elevations) result in the following separation distances of the podium from the east property line:

Southerly wing floors 3 – 6: 4.5 – 5.0 metres
Southerly wing floors 7 – 8: 11.0 metres
Northerly wing floor 6: 5.0 metres
Northerly wing floors 7 – 8: 11.0 metres

As a result of proposed east-facing residential windows on floors 3 – 6 of the southerly wing and floor 6 of the northerly wing, the proposal does not comply with the Zoning By-law standards that require a 5.5 metre setback of residential windows from the property line. A total of 8 units in the proposed development on floors have windows with facing distances of 4.5 or 5.0 metres from the property line. The reason for the reduction in setback relates to the structure of the existing below-grade parking garage.

Staff are willing to accept the reduced setback in consideration of the constraints of the existing structure; the degree of non-compliance with the zoning standard; the small number of units affected; the mid-rise height of the podium; and the ability to design the affected units in a way that all will have some windows facing the street. Furthermore, there are no residential windows to be impacted on the adjacent portion of 24 Wellesley West.

Shadow Impacts

The applicant has provided sun/shadow studies to assess shadow impacts on March 21 and September 21 (spring and autumnal equinox) and on June 21 (summer solstice). In the opinion of staff, the shadow impacts of the development are acceptable and consistent with the City's policy framework.

Since the original application, the proponent has modified the plans to sculpt the upper storeys of the proposed development to reduce shadow impact on the southern portion of Cloverhill Park to the northwest of the site. Under the current proposal, shadow impacts begin to creep onto the edges of the southern portion of the park on March/September by 10:48 am and have nearly crossed the park by 11:48 am. Shadow impacts have left the park by noon. The primary impact therefore lasts less than one hour late in the morning on March/September 21. There are no shadow impacts on the park on June 21.

Cloverhill Park does not meet the criteria to be classified as a Signature Park in the “Downtown Tall Buildings: Vision and Supplementary Design Guidelines”. The Guidelines recommend that parks other than Signature Parks be protected from new net shadow between the hours of noon and 2 p.m. on September 21. As noted above, the proposal results in no shadow impact during these hours.

The City's policy framework, including both the Official Plan and Tall Building Design Guidelines, does not specifically address shadow impacts on private amenity areas. The incremental shadow impact resulting from the proposed development on the outdoor amenity areas of neighbouring apartment buildings is minimal on June 21. The impact is extensive during March/September 21 around the noon hour at 1001 Bay Street and after 5:00 pm at 24 Wellesley Street West, with large swaths of the amenity areas covered by additional shadow. However, staff believe that the impacts are acceptable given the relatively limited amount of time of these shadow impacts.

Wind Impacts

A number of community members have consistently raised concerns about existing wind conditions on Wellesley Street West and Bay Street surrounding the site.

The applicant has submitted a pedestrian level wind study to understand impacts of the proposed development on wind conditions. The study predicts modest improvements to wind conditions at a number of locations surrounding the site. However, the study also predicts increases to pedestrian-level wind conditions at times of the year in certain locations. While the study is acceptable overall, the City Planning Division will require

the applicant to propose further wind mitigation measures which will be secured through the Site Plan Approval process.

The wind study did not address potential wind impacts on the development's proposed outdoor amenity space, which will be addressed through Site Plan review.

Residential Amenity Space

Zoning standards would require 2.0 square metres of indoor amenity space per unit, resulting in a 1,464 square metres of indoor amenity space for the 727 proposed units. The proposal includes 1,430 square metres of indoor amenity space, or 1.967 square metres per unit. The minor shortfall of indoor amenity space is acceptable to staff and the draft zoning by-law will require 1.95 square metres of indoor amenity space per unit.

The proposal includes 1,000 square metres of outdoor amenity space. The standards of the Zoning By-law would require 1,464 square metres of outdoor amenity space for the number of proposed units.

The 1,000 square metres of outdoor amenity space comprise an outdoor deck at the 2nd storey adjacent to the indoor amenity areas and a large outdoor deck at the 9th storey, both on the roof of the podium. The proposed outdoor amenity is appropriately located in the building and generally consolidated into usable spaces. The outdoor space incorporates those areas of the building that can provide good quality space. The amount of outdoor amenity space is acceptable given the site conditions.

The draft zoning by-law will secure the availability and use of the both the indoor and outdoor amenity space to residents of both the condominium-registered and the rental component of the building. Site Plan Approval will secure the design and location of the building's amenity space.

The Zoning By-law also sets minimum requirements for common outdoor space for non-residential and mixed use developments in the Central Core. The purpose of this portion of the Zoning By-law is to provide outdoor space as public amenity associated with commercial development. The proposed development provides no common outdoor space, whereas 523.67 square metres is required. Staff are not concerned with the lack of common outdoor space, as the non-residential component of the proposal is entirely retail and the proposed colonnades adjacent to existing sidewalks will provide space for pedestrians.

Unit Count, Mix, and Sizes

The proposal includes a total of 727 units. Unit count is a relevant metric to understand the proposal, given that requirements for amenity space and parking are determined by the number and mix of units. The revisions submitted in March 2013 brought the proposal closer to compliance with these standards as a result of the reduction in the number of units.

The following table identifies unit mix and sizes for the proposed development.

Unit Type	Number of Units	Average Unit Size
Bachelor	120	34 sq. metres
1-Bedroom	297	51 sq. metres
2-Bedroom	240	73 sq. metres
3-Bedroom	70	95 sq. metres

The proposal provides a range of unit types. The average unit size meets the requirements of the Zoning By-law for development in mixed use districts. The Section 37 agreement will secure a minimum of 65 units, or 9% of all units, will be 3-bedroom units or have an average size of 950 square feet.

Traffic Impact

The Transportation Services Division has reviewed the traffic impact analysis submitted by the applicant and advises that the traffic impacts of the proposal are acceptable.

The proposal will secure land for a future 0.71 metre widening on the north side of Wellesley Street West and a future 4.0 metre widening of Phipps Street.

Parking

The parking standard of the City's zoning by-law would require a minimum of 451 resident parking spaces and 44 visitor parking spaces. Transportation Services staff advise that the parking demand that is anticipated from the project matches the zoning standard.

The applicant proposes to provide parking within the re-configured space of the existing parking garage. With this limitation, the proposed development will contain 209 resident parking spaces and 42 visitor parking spaces. The parking study prepared by BA Consulting and submitted by the applicant concludes: "The provision of on-site resident parking will need to be explored further through the development process." Nonetheless, the Parking Study concludes that the proposed parking supply is appropriate based on proximity of the site to subway access, constraints resulting from re-use of the existing parking garage, and consistency with recently approved projects in the area.

Transportation Services staff have advised that 42 visitor parking spaces for the project are acceptable; however, the proposed shortfall in resident parking has not been adequately justified. Transportation Services staff instead recommend resident parking standards consistent with the Zoning By-law unless further justification for a reduction in resident parking standards is provided satisfactory to the General Manager of Transportation Services.

As an alternative parking option, the applicant has proposed providing up to 29 of the required visitor parking spaces off-site, within 300 metres of the proposed development. In this case, the on-site visitor parking supply would be reduced to 13 and the number of resident parking spaces would be increased to 237. Transportation Services staff is

unable to consider whether this arrangement would be satisfactory without a proposal that identifies the location, access, and degree of perpetuity of the proposed off-site parking.

Based on the advice of Transportation Services staff, the draft zoning by-law does not relieve the proposed development from zoning standards for residential parking. If the applicant is able to provide rationale for a reduction in residential parking standards that is acceptable to the General Manager of Transportation Services, then this report recommends that the City Solicitor be authorized to incorporate a reduced residential parking standard in the site-specific zoning by-law.

The dimensions of some of the proposed parking spaces are also deficient with respect to current zoning standards. Structural constraints of the underground garage limit the ability to make all spaces comply with current dimensional requirements. Transportation Services has accepted the proposed dimensions, but has certain requirements related to small car parking spaces which must be implemented through the Site Plan Approval process.

Bicycle Parking

The proposal includes 221 bicycle parking spaces, comprising 181 spaces for residents and 40 spaces for visitors. The proposed bicycle parking exceeds zoning by-law requirements but is less than the 736 spaces required by the Toronto Green Standard.

Staff will continue to work with the applicant through Site Plan Review to identify opportunities in the development to provide more bicycle parking.

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 Toronto Official Plan shows local parkland provisions across the City. The lands site is 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 provision of parkland. The site is in a parkland priority area, as per the City-wide Parkland Dedication By-law 1020-2010.

The application proposes 649 additional residential units and 1,550 square metres of non-residential uses on a site with a net area of 3,879 square metres. At the alternative rate of 0.4 hectares per 300 units specified in By-law 1020-2010, the parkland dedication requirement is 0.865 hectares or 230% of the site area. However, 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. In total, the parkland dedication requirement is 378 square metres.

The Parks, Forestry & Recreation Division would consider an off-site parkland dedication at 11 Wellesley Street West, subject to conformity with Policy 7 of Section 3.2.3 of the Official Plan. If an off-site dedication is not possible, then the application is required to satisfy the parkland dedication requirement through cash-in lieu. This is appropriate as there is no location for an on-site parkland dedication and the site would

be fully encumbered below grade. The actual amount of cash-in-lieu to be paid will be determined at the time of issuance of a building permit.

Streetscape and Pedestrian Amenity

Both Wellesley Street West and Bay Street in the vicinity of the site experience high volumes of pedestrians. The proposed development presents a number of elements beneficial to the streetscape abutting the site. The proposed podium presents an improvement to the adjacent streetscape by enclosing and defining the street as public space. Retail uses in the podium will animate all three street frontages. The height of the ground floor is approximately 5 metres, meeting the Tall Building Design Guidelines.

The reconfiguration of the access to the existing underground parking garage from Bay Street to Phipps Streets will provide a fundamental improvement to the streetscape and pedestrian conditions along Bay Street.

The proposal has incorporated colonnades on both the Bay Street and Wellesley Street West frontages. The Section 37 agreement will secure 24-hour public access to both colonnades to ensure that they function as extensions of the publicly-owned sidewalk.

The Wellesley Street colonnade extends the colonnade on the adjacent development to the east. While the colonnade will be interrupted near Bay Street due to existing structural elements of the building, the colonnade will provide weather protection and an additional pedestrian space ranging in width from approximately 2.0 to 3.0 metres.)

Along Bay Street, due to the existing structure of the building and the desire to provide a podium, it is not feasible for the development to provide a total of 10 metres of pedestrian space to match the pedestrian space provided by development on blocks south of Wellesley Street West. The applicant has instead provided a colonnade generally 3.0 metres wide to provide additional space for pedestrians, as well as weather protection. The colonnade will complement the adjacent 5 metre public sidewalk on Bay Street. Since the March 2013 revised submission, the applicant has committed to providing a continuous colonnade along Bay Street that is not blocked by the residential condominium entrance.

The proponent has submitted a landscape plan with the application showing street trees planted on all three street frontages. The five street trees proposed for Bay Street are to be planted in a continuous bioswale similar to that located on the blocks south of the development site. Street tree planting details will be secured through the Site Plan Approval process.

Rental Housing

The Sutton Place Hotel building was originally constructed with up to 161 rental housing units on floors 19 through 32, comprised of 38 bachelors, 79 1-bedroom, 40 2-bedroom, 1 3-bedroom units and 1 4-bedroom unit.

Newspaper clippings from the time advertised the units as luxury rental housing with full access to the hotel's amenities and services. The units continued to be rented and operated as rental housing into the mid to late 1990's. According to the applicant, the practice of the previous owner was to not re-rent units once they became vacant. In or near the year 2000, the previous owner began to convert many of the existing rental units into furnished short-term hotel suites, which they were legally entitled to do at the time. The exact date that each unit was converted to furnished hotel suites is not clear; however, based on multiple information sources, it appears as though approximately 83 of the 161 units were converted to furnished suites.

The tenants remaining in the building continued to rent their units as typical rental housing. At the time of the application, 20 tenants were still living in Sutton Place, all of which were long-time tenants having resided in the building for anywhere between 15 and 40 years. The hotel use closed operation in June 2012, leaving the tenants as the only remaining occupants of the building. The hotel closing also meant that tenants have not had access to amenities previously included as part of the building and as part of their tenancy.

Determination of the Number of Rental Units

The Official Plan and the Rental Housing Demolition and Conversion By-law define rental housing as residential housing units that are rented, including vacant units. In the case of Sutton Place, given that many of the units were converted to furnished hotel suites, a number of sources were reviewed to determine the history and last use of the units. Many of the non-tenanted units were left vacant, but not converted to hotel suites. The following records were thoroughly reviewed to help paint a fulsome picture of the history and use of the rental units:

- Municipal Property Assessment Corporation (MPAC) records;
- Rent Rolls for the property;
- Interior photos of each of the existing units on floors 19 through 32;
- Web pages listing units as short-term furnished rentals and travel reviews of the units;
- The historical Provincial Rent Registry; and
- Affidavits submitted from: the previous General Manager of the Hotel; a previous resident of the furnished hotel suites; and a previous and long-time Bellman for the Sutton Place Hotel.

Web postings and previous rent rolls show that the furnished suites were rented under the names "Apartments on Bay Street" and "La Grande Residences". Web postings show listed rental rates for weekly, bi-weekly and monthly stays.

As previously noted, none of the reference material identified the date that each of the rental units converted to furnished suites. As such, it was not possible to determine how long each of the furnished suites was used as such. However, given records that show the conversion began in early 2000, it is reasonable to assume that most of the 83 units were converted in the early 2000's.

The previous property owner, however, did not inform MPAC that the units had converted to furnished hotel suites, thereby benefiting from the lower tax rate for residential rental housing. While it is unfortunate that the previous owner did not properly inform MPAC of the change of use, it does not mean that the units had not converted to furnished suites.

Given the unique history of the building, an overall assessment of the number of rental units required to be replaced under the City's Official Plan and Rental Demolition By-law was made. Based on all the reference material, it was determined that 78 units were considered to be rental housing, consisting of sixteen bachelor, thirty-six 1-bedroom, twenty-four 2-bedroom, and one 4-bedroom units.

Replacement Rental Housing

The proposal is to replace the existing unit mix with a slightly different unit mix. It was agreed that the individual 4-bedroom unit could be replaced with one 1-bedroom unit and one 2-bedroom unit. Should the allowable gross floor area permit, staff will work with the applicant to instead replace the 4-bedroom unit with two 2-bedroom units in order to more appropriately replace the same number of bedrooms overall.

At least 21 of the replacement rental units will have access to individual balconies or terraces. Tenants of the replacement rental units will have equal access to the development's visitor and tenant parking, loading spaces and bicycle parking. Tenants will also have shared access to the amenity space for the condominium, which will include recreational and lounge areas. Tenants will also be provided with their own exclusive outdoor and indoor amenity space.

The rental units will be protected as rental housing with no application permitted for demolition or conversion to condominium for a minimum period of 20 years.

Rental Unit Sizes

When the Sutton Place apartments were constructed, a number of large sized rental units were provided. For instance, the building includes a 1-bedroom unit of approximately 1,200 square feet and a number of 2-bedroom units of approximately 1,150 square feet. Staff recognized that rental replacement in the new building of some of the very large sized units was not feasible. Additionally, designs for the new units will offer a more effective use of space allowing for a modest reduction in size from what currently exists. On average, replacement bachelor units will be 10% smaller than existing, and 1- and 2-bedroom replacement rental units approximately 30% smaller than existing units. Replacement rental unit sizes will range from about 365-453 square feet for a bachelor, 467-685 square feet for a 1-bedroom unit and 741-920 square feet for a 2-bedroom unit.

Rents

Based on the last known rents for each of the units, 8 of the 78 units were considered to have mid-range rents. Mid-range rents are those that are up to one and a half times

average market rent for the City of Toronto. The remaining units all had high-end rents, or those greater than one and a half times average market rent.

The applicant has agreed to provide at least 28 units with mid-range rents, in part to compensate for the reduction in average unit sizes, which will comprise eight bachelor, at least twelve 1-bedroom and at least eight 2-bedroom units. The mid-range units will be integrated throughout each of the floors of the rental portion of the building and will include a mix of unit sizes. The provision of 36% of the units as mid-range will ensure that a somewhat affordable mix of rental units will be maintained in the area. Mid-range rents will be secured and maintained for at least 10 years and thereafter until the expiry of the 20 year rental replacement period for any tenant who moves in during the first 10 year period, followed by a phasing-in of market rents.

Tenant Relocation and Assistance Plan

The applicant and City staff have developed and agreed to a comprehensive tenant relocation and assistance plan that is consistent with City policies and practices and that will be detailed and secured in the zoning by-law and both the Section 37 and Section 111 Agreements. The plan provides for a generous compensation package to account for a number of factors, including the significant length of tenancy of all the tenants, the reduction in unit sizes, and the change of location within the building for the replacement rental units.

Tenant assistance will be provided, at a minimum, as follows:

- right to return to a replacement rental unit at a similar rent;
- at least 6 months notice prior to having to move;
- moving allowance of \$2,500 to move out and \$2,500 to move back to a replacement rental unit;
- rental subsidy of \$1,200 per month for a period of 12 months to account for the period that tenants may have to relocate and pay higher rent;
- 12 months rent as compensation, inclusive of the *Residential Tenancies Act* requirements for rent compensation; and
- additional assistance for tenants with special needs.

Tenants are given the option to choose a replacement rental unit based on seniority. As there are only 17 tenants remaining in the building, should they choose to return to a replacement rental unit, they will have ample choice between units of different size, location and bedroom type as returning tenants will be entitled to select one of the 78 replacement units prior to the units being rented to the public.

Through their lawyers, the tenants are engaging with the applicant in on-going discussions regarding the total compensation package. The applicant has offered tenants additional compensation should they choose to move out of the building early or choose not to return to a replacement rental unit. Tenants are not required to move-out early or decide they do not want to return to replacement rental unit. However, should an

individual decide now that these choices make sense for their personal circumstances, they may choose to accept additional compensation.

As of the time of this report, agreement has not been reached between the tenants and the applicant on a final compensation package. One individual who was determined to be a special needs tenant due to his age and length of tenure was provided with a compensation package early in order to allow him to move into a senior's retirement building where he would be more appropriately housed.

The tenant relocation and assistance plan outlined above exceeds the typical assistance secured by the City in other rental demolition applications. It is understood that the tenants may continue to negotiate additional assistance through their lawyers. The assistance outlined above will be secured as minimum amounts and may be exceeded should the applicant and tenants agree to additional levels of compensation.

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. Applicable TGS performance measures will be secured through the Site Plan Approval process.

Section 37

The applicant has agreed to a package of public benefits in exchange for the proposed increase in height and density. This report recommends that the following community benefits be secured in the Section 37 agreement:

1. A cash contribution of \$3,525,000 to be dedicated to parkland acquisition, park construction, and/or local streetscape improvements within a 200 metre radius of the site.
2. A cash contribution of \$425,000 dedicated to capital improvements for local Toronto Community Housing Corporation properties located within Ward 27;
3. A cash contribution of \$300,000 for the provision of bike-share facilities at locations near the development,
4. The provision and maintenance on the site of at least 78 replacement rental units, comprising sixteen bachelor, at least thirty-seven 1-bedroom or greater and twenty-five 2-bedroom units. At least 28 of the replacement rental units shall have mid-range rents.
5. Tenant relocation and assistance, including the right for eligible tenants to return to a replacement unit and compensation to lessen the hardship of moving.

At its meeting of October 30 – November 1, 2012, City Council requested the City manager and the Chief Corporate Officer to negotiate the acquisition of 11 Wellesley Street West, in part or in whole, from Infrastructure Ontario or subsequent owner for park purposes. It is anticipated that the Section 37 contribution dedicated to parkland acquisition, park construction, and local streetscape improvements will support this purpose.

The negotiated Section 37 benefits for this application do not secure public art. In this case, priority has been placed on parkland acquisition and park construction near the site as an important investment in the public realm.

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

1. Conveyance to the City for public highway purposes a 0.71 metre wide strip of land the full extent of the site abutting the north limit of Wellesley Street West, to a minimum depth of 1.2 metres.
2. Conveyance to the City for public highway purposes a 4.0 metre wide strip of land the full extent of the site abutting the south limit of Phipps Street, to a minimum depth of 1.2 metres, excluding levels 2 through 8, inclusive, of the building's podium.
3. Rights-of-way/easements for 24-hour public access to the entirety of the colonnades on the Wellesley Street West and Bay Street frontages
4. A minimum of 65 units, or 9% of all units, will be 3-bedroom units or have an average size of 950 square feet,

Geotechnical and Structural Feasibility

A development proponent must typically satisfy geotechnical and structural requirements through the process to obtain a building permit. These matters are generally not considerations in assessing a rezoning application, as the development process addresses these matters through other avenues.

In the case of the Sutton Place Hotel site, a number of community members raised questions and concerns about the geotechnical suitability of the site for a larger building than currently exists and the viability of building an addition on the existing structure. Joblonsky, Ast and Partners Consulting Engineers and McClymont & Rak Engineers have provided information with respect to these matters on behalf of the applicant. Toronto Building staff have reviewed the submission and are not generally concerned with the feasibility of the proposed additions; however, they will require certain information to verify concrete strength and sway and acceleration of upper storeys at the time the proponent applies for a building permit.

CONTACT

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SIGNATURE

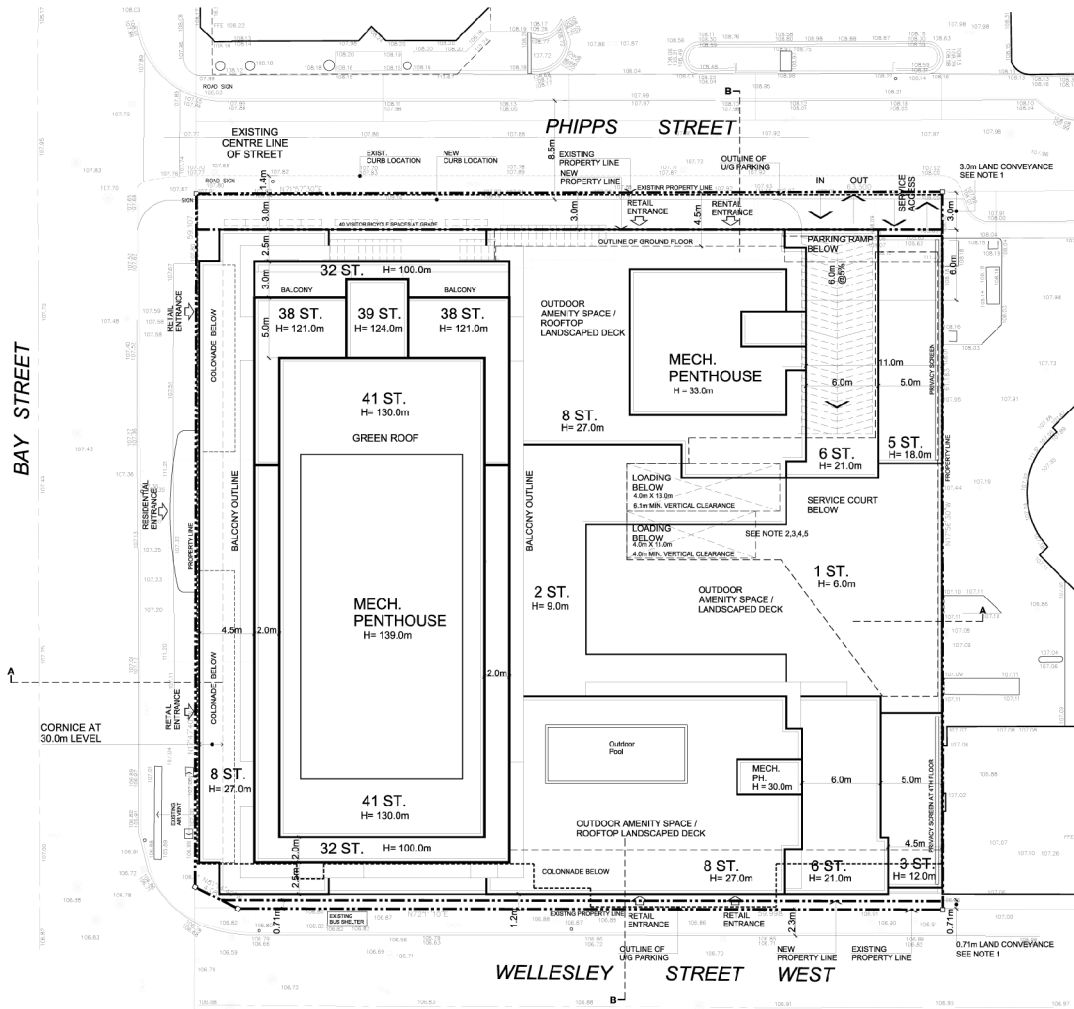
Gregg Lintern, MCIP, RPP
Director, Community Planning, Toronto and East York District

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ATTACHMENTS

Attachment 1: Site Plan
Attachment 2: West Elevation
Attachment 3: North Elevation
Attachment 4: South Elevation
Attachment 5: East Elevation
Attachment 6: Zoning
Attachment 7: Official Plan
Attachment 8: Application Data Sheet
Attachment 9: Draft Official Plan Amendment

Attachment 1: Site Plan



Site Plan

951-971 Bay Street and 36 Wellesley Street West

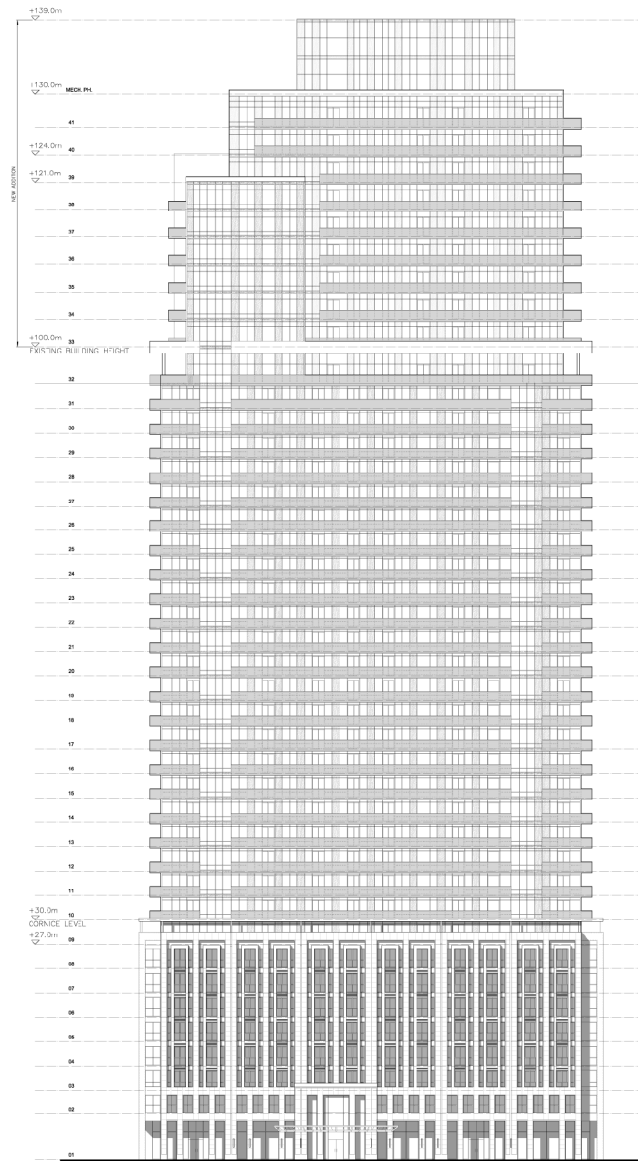
Applicant's Submitted Drawing

Not to Scale
05/22/2013



File # 12 133688 OZ

Attachment 2: West Elevation



West Elevation

Elevations

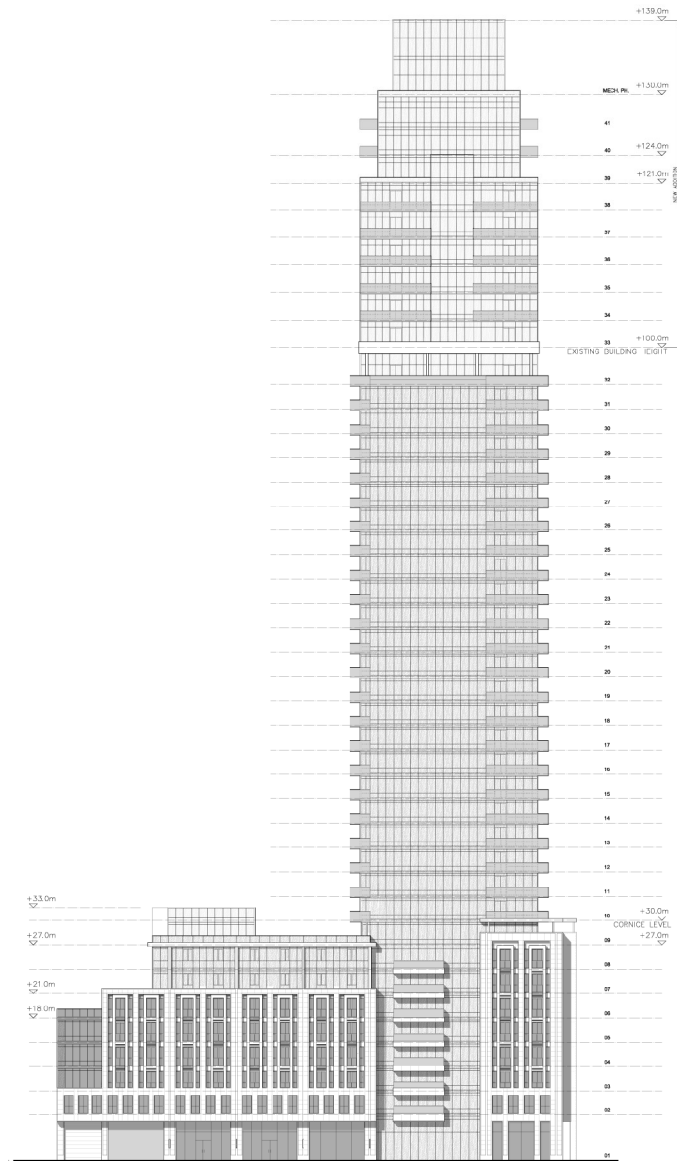
951-971 Bay Street and 36 Wellesley Street West

Applicant's Submitted Drawing

Not to Scale
05/22/2013

File # 12 133688 0Z

Attachment 3: North Elevation



North Elevation

Elevations

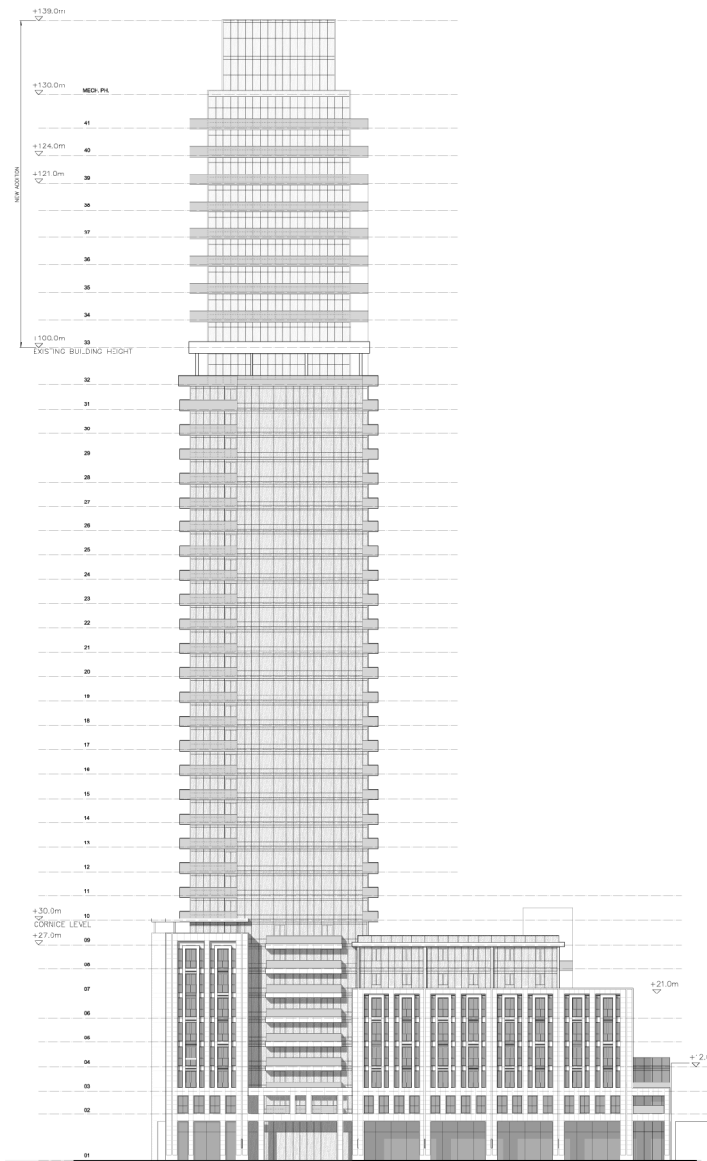
951-971 Bay Street and 36 Wellesley Street West

Applicant's Submitted Drawing

Not to Scale
05/22/2013

File # 12 133688 0Z

Attachment 4: South Elevation



South Elevation

Elevations

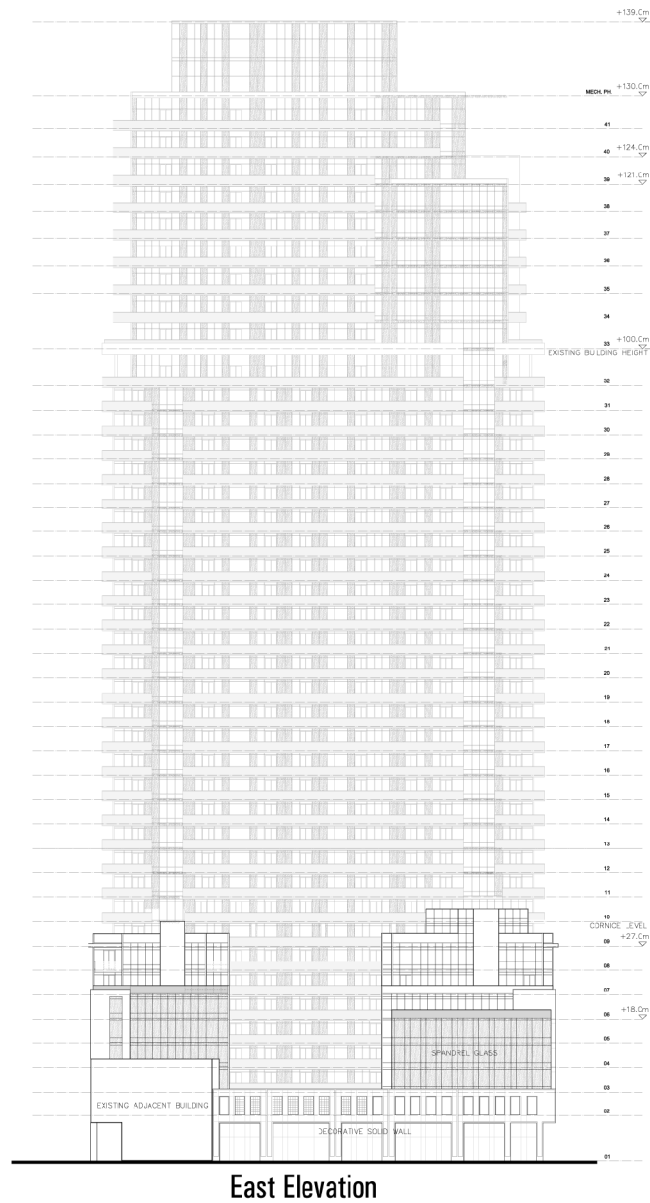
951-971 Bay Street and 36 Wellesley Street West

Applicant's Submitted Drawing

Not to Scale
05/22/2013

File # 12 133688 0Z

Attachment 5: East Elevation



Elevations

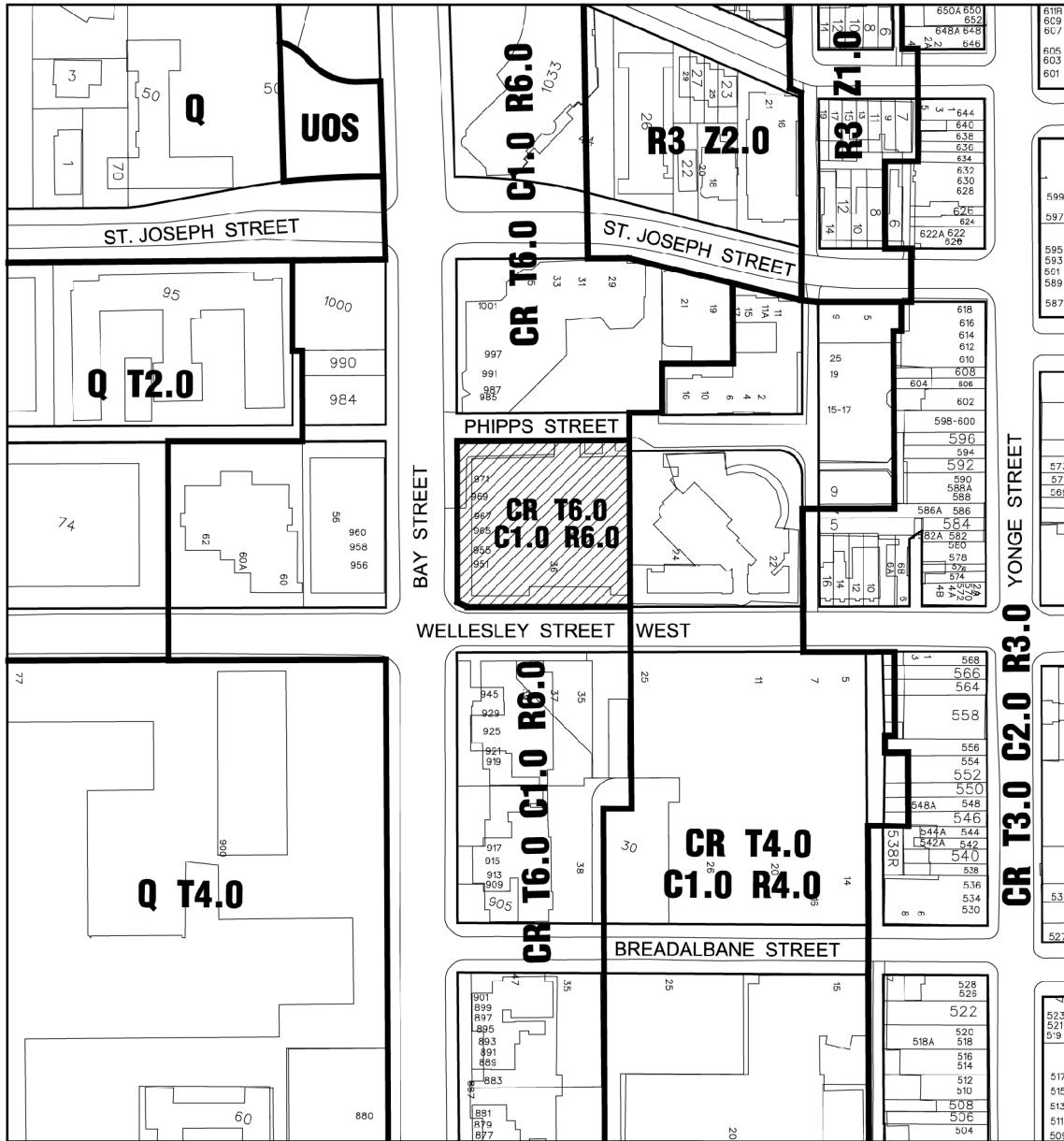
951-971 Bay Street and 36 Wellesley Street West

Applicant's Submitted Drawing

Not to Scale
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File # 12 133688 0Z

Attachment 6: Zoning



951-971 Bay Street and 36 Wellesley Street West

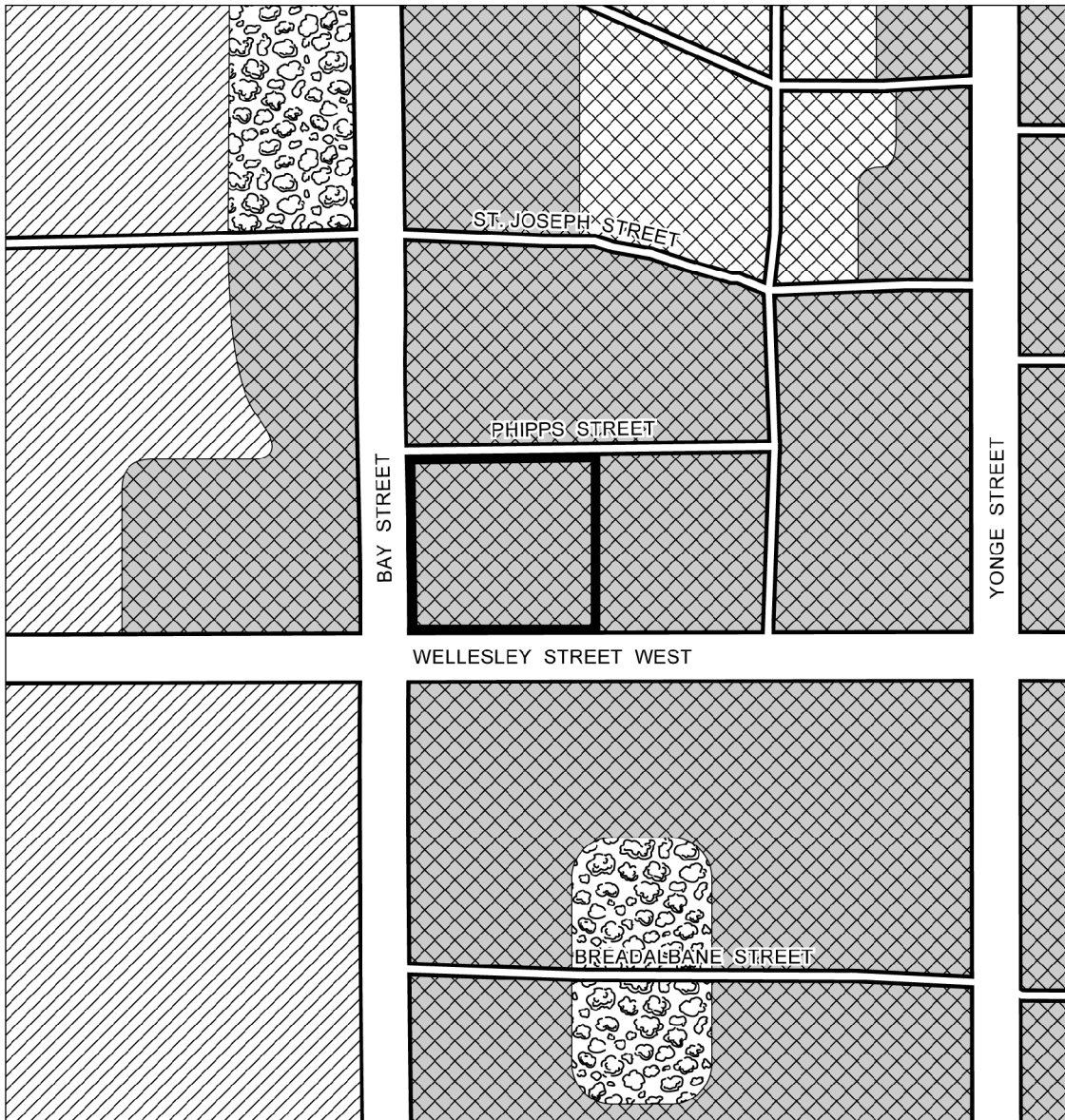
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- CR Mixed-Use District
- Q Mixed-Use District
- R3 Residential District



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Zoning By-law 438-86 (as amended)
Extracted 03/15/2012







Attachment 7: Official Plan



TORONTO City Planning
Official Plan

951-971 Bay Street and 36 Wellesley Street West

File # 12 133688 0Z

- | | |
|--|--|
|  Site Location |  Parks & Open Space Areas |
|  Apartment Neighbourhoods |  Parks |
|  Mixed Use Areas | |
|  Institutional Areas | |


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 03/15/2012

Attachment 8: Application Data Sheet

Application Type	Official Plan Amendment & Rezoning	Application Number:	12 133688 STE 27 OZ
Details	OPA & Rezoning, Standard	Application Date:	March 7, 2012
Municipal Address:	951-971 BAY STREET AND 36 WELLESLEY STREET WEST		
Location Description:	**GRID S2707		
Project Description:	OPA and Rezoning to permit renovations and additions to Sutton Place Hotel to create a mixed-use building with retail uses at grade and a total of 727 residential units (649 condo and 78 rental).		

Applicant:	Agent:	Architect:	Owner:
BOUSFIELDS INC 3 CHURCH ST, SUITE 200 TORONTO, ON, M5E 1M2	BOUSEFIELDS INC. 3 CHURCH ST, SUITE 200 TORONTO, ON, M5E 1M2	PAGE & STEELE 95 ST CLAIR WEST, SUITE 200, TORONTO, ON, M4V 1N6	LANTERRA (BAY COLLEGE) LIMITED, 3625 DUFFERIN ST, SUITE 500, TORONTO ON, M3K 1N4

PLANNING CONTROLS

Official Plan Designation:	Mixed Use Areas	Site Specific Provision:	By-law 21926
Zoning:	CR T6.0 C1.0 R6.0	Historical Status:	N
Height Limit (m):	46 (100 site specific)	Site Plan Control Area:	Y

PROJECT INFORMATION

Site Area (sq. m):	3879	Height:	Storeys:	41
Frontage (m):	59.11		Metres:	130 + mechanical
Depth (m):	63.66			
Total Ground Floor Area (sq. m):	3485			
Total Residential GFA (sq. m):	47650		Parking Spaces:	Total 251 (including small car spaces)
Total Non-Residential GFA (sq. m):	1550		Loading Docks	2
Total GFA (sq. m):	49200			
Lot Coverage Ratio (%):	89.8%			
Floor Space Index:	12.7			

DWELLING UNITS

FLOOR AREA BREAKDOWN (upon project completion)

Tenure Type:	Condo, Rental			Above Grade	Below Grade
Rooms:	0	0	Residential GFA (sq. m):	47650	0
Bachelor:	104	16	Retail GFA (sq. m):	1550	0
1 Bedroom:	260	37	Office GFA (sq. m):	0	0
2 Bedroom:	215	25	Industrial GFA (sq. m):	0	0
3 + Bedroom:	70	0	Institutional/Other GFA (sq. m):	0	0
Total Units:	649	78			

Attachment 9: Draft Official Plan Amendment

Authority: Toronto and East York Community Council Item ~ as adopted by City of Toronto Council on ~, 20~

Enacted by Council: ~, 20~

CITY OF TORONTO

Bill No. ~

BY-LAW No. ~-20~

**To adopt an amendment to the Official Plan
for the City of Toronto
respecting the lands known municipally in the year 2013, as
951-971 Bay Street & 36 Wellesley Street West**

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

WHEREAS Council of the City of Toronto has provided adequate information to the public and has held at least one public meeting in accordance with the *Planning Act*;

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

1. The attached Amendment No. 224 to the Official Plan is hereby adopted pursuant to the *Planning Act*, as amended.

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

ROB FORD,
Mayor

ULLI S. WATKISS,
City Clerk

(Corporate Seal)

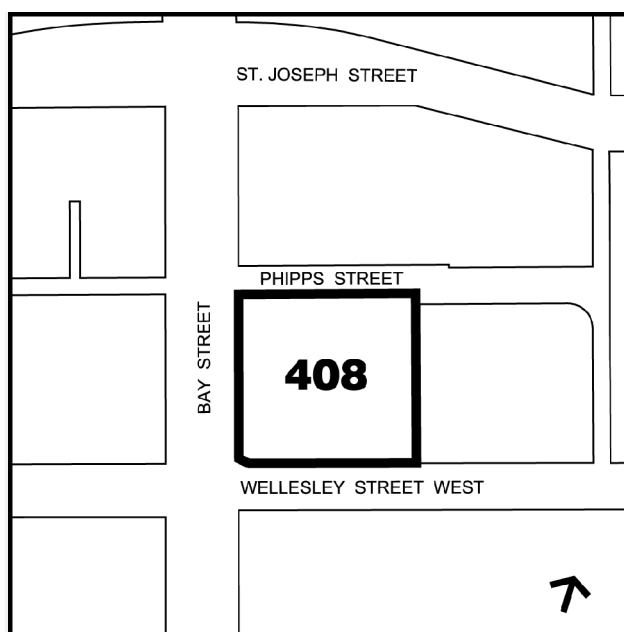
AMENDMENT NO. 224 TO THE OFFICIAL PLAN
LANDS MUNICIPALLY KNOWN IN THE YEAR 2013 AS
951 to 971 Bay Street
& 36 Wellesley Street West

The Official Plan of the City of Toronto is amended as follows:

1. Chapter 7, Site and Area Specific Policies, is amended by adding Site and Area Specific Policy No. 408 for the lands known municipally in 2012 as 915 to 971 Bay Street and 36 Wellesley Street West, as follows:

408. 951 to 971 Bay Street and 36 Wellesley Street West

The replacement of the same number, type and size of rental units is not required provided that at least 78 replacement rental units, comprising bachelor units, at least 37 one-bedroom units and at least 25 two-bedroom units, are provided. Replacement rental unit sizes may be smaller by no more than about 10% on average for bachelor units and about 30% on average for one- and two-bedroom units compared to existing rental unit sizes. At least 28 of the replacement rental units, comprising bachelor units, at least 12 one-bedroom units, and at least 8 two-bedroom units, shall have mid-range rents.



2. Chapter 7, Maps 28 and 29, Site and Area Specific Policies, is revised to add the lands known municipally in 2013 as 951-971 Bay Street and 36 Wellesley Street West shown on the map above as Site and Area Specific Policy No. 408.