

481 University Avenue, 210 Dundas Street West, 70 Centre Avenue and 137 Edward Street - Zoning Amendment Application - Final Report

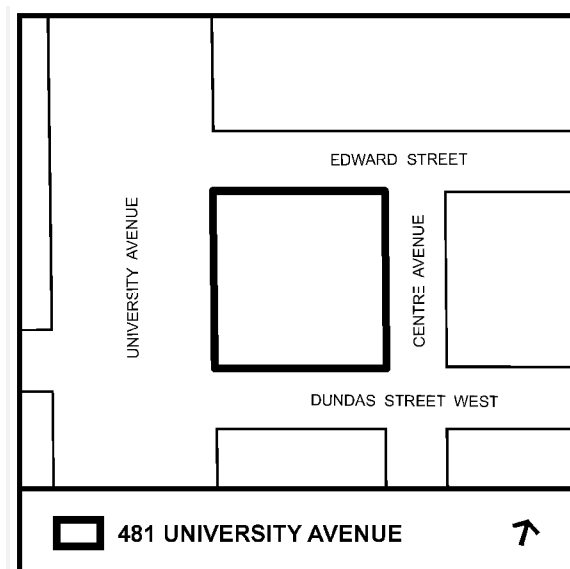
Date:	July 17, 2014
To:	Toronto and East York Community Council
From:	Director, Community Planning, Toronto and East York District
Wards:	Ward 27 – Toronto Centre-Rosedale
Reference Number:	13 123864 STE 27 OZ

SUMMARY

This application proposes to construct a 55-storey residential tower including a 10-storey commercial office/retail base at 481 University Avenue, 210 Dundas Street West, 70 Centre Avenue and 137 Edward Street.

City Staff worked closely with the applicant prior to submission and during the rezoning application to address issues of height and setback and secure improvements to the public realm. City Staff have completed a review of the proposal and find that the application represents a substantial improvement to the existing public realm and adds to a growing residential community at Dundas Street West and University Avenue. Furthermore, the application retains, intact, an important heritage building at 481 University, internalizes the TTC staircase at Dundas Street West and University Avenue and substantially achieves the recommendations of the Tall Building Guidelines as well as applicable Provincial and Municipal Policy.

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



RECOMMENDATIONS

The City Planning Division recommends that:

1. City Council amend Zoning By-law No. 438-86, as amended, for the lands at 481 University Avenue, 210 Dundas Street West, 70 Centre Avenue and 137 Edward Street substantially in accordance with the draft Zoning By-law Amendment attached as Attachment No. 8 to the report (July 17, 2014) 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 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. The owner shall internalize the TTC Staircase at the northeast corner of University Avenue and Dundas Street West to the satisfaction of the Chief Planner and Executive Director, City Planning and the Chief Executive Officer of the Toronto Transit Commission.
 - ii. The owner shall design and construct a pedestrian promenade along Dundas Street West to the satisfaction of the Chief Planner and Executive Director, City Planning, including:
 - a) public art and public realm improvements to the pedestrian promenade through a design and implementation process satisfactory to the Chief Planner and Executive Director,
 - b) the provision of a public easement in favour of the City for pedestrians along the Dundas Street West Promenade frontage, with the owner's covenant to indemnify the City of Toronto in respect to the Pedestrian Promenade.
 - iii. The owner shall retain and restore the primary University Avenue and Dundas Street West elevations of the office building at 481 University Avenue and printing plant at 210 Dundas Street West in accordance with the Heritage Impact Assessment revised September 6, 2013 prepared by ERA Architects Inc.

- iv. The estimated value of the foregoing work is a minimum of \$7,000,000.00. A cost estimate for items "ii" and "iii" will be submitted to the satisfaction of the Chief Planner and Executive Director, City Planning.

Financial Impact

The recommendations in this report have no financial impact.

DECISION HISTORY

At its meeting of June 26, 2007, Toronto City Council repealed By-law No. 13409, "a By-law to impose certain restrictions on the use of land fronting or abutting on University Avenue." By-law 13409 was enacted in 1928 when the City was granted authority to extend University Avenue from its then terminus of Queen Street West to Fleet Street. The *University Avenue Extension Act* simultaneously allowed the City of Toronto to regulate building materials and signage along University Avenue as well. While By-law No. 13409 was repealed, it was replaced with revised sign by-law provisions. Building materials are now regulated through Section 114 of the *City of Toronto Act*. On June 9, 1976, the building at 481 University Avenue was listed on the City's inventory of Heritage Properties by City Council.

At its meeting of October 2, 3 and 4, 2013, Toronto City Council adopted the recommendations of the report from the Director, Toronto and East York Community Council that amended the Official Plan to protect the views of the Legislative Assembly of Ontario. The Official Plan Amendments were subsequently appealed to the Ontario Municipal Board.

On September 12, 2011, Toronto and East York Community Council directed the City Planning Division "to report back to the Toronto and East York Community Council with a preliminary report detailing steps for protecting views to Old City Hall and City Hall from the south that are significant from a heritage and urban design perspective".

On April 9, 2013, Toronto and East York Community Council adopted a preliminary report on 481 University Avenue, 210 Dundas Street West, 70 Centre Avenue and 137 Edward Street from the Director, Community Planning, Toronto and East York District.

ISSUE BACKGROUND

Proposal

The applicant is proposing a 55-storey mixed-use building (173.75 metres), including a 10-storey commercial office/retail base (36.5 metres) at the addresses known municipally as 481 University Avenue, 210 Dundas Street West, 70 Centre Avenue and 137 Edward Street. The proposal consists of a tower and base building. The base building is formed from the existing office building which currently occupies the whole block bounded by University Avenue, Edward Street, Centre Street and Dundas Street West. The current proposal would keep the existing building in place to a depth of one bay along the University Avenue, Edward Street and Dundas Street West elevations, with modifications to the Centre Street Elevation. Further details of the proposal are located in Table 1 below.

Table 1 – Summary of Revisions to the Application

Category	First Submission February 26, 2013	Second Submission December 23, 2014	Final Submission April 1, 2014 (Engineering Concerns Only)
Site Area	3,592 m ²	3,592 m ²	3,592 m ²
Proposed Tower Setbacks			
University Avenue	10.2 m	10.2 m	10.2 m
Dundas Street West	28 m	30.5 m	30.5 m
Centre Street	0 m	3.0 m	3.0 m
Edward Street	1.3 m	4.0 m	4.0 m
Proposed Base Setback at Grade			
University Avenue	0.0 m	0.0 m	0.0 m
Dundas Street West	5.2 m	5.2 m	5.2 m
Centre Street	0.0 m	0.0 m	0.0 m
Edward Street	0.0 m	0.0 m	0.0 m
Tower Floorplate (approximate average)	1,020 m ²	1,000 m ²	1,000 m ²
Gross Floor Area (above grade)			
Total Residential	49,858 m ²	50,439 m ²	50,439 m ²
Non-Residential	25,399 m ²	25,543 m ²	25,543 m ²
Total	75,257 m ²	75,982 m ²	75,982 m ²
Floor Space Index	20.5	21.0	21.0
Number of Units			
Studio	134 (18 %)	134 (18 %)	134 (18 %)
One-Bedroom	328 (44%)	328 (44%)	328 (44%)
Two-Bedroom	219 (29%)	219 (29%)	219 (29%)
Three-Bedroom	67 (9%)	67 (9%)	67 (9%)
Total	748	748	748
Ground Floor Height	5.75 m	5.75 m	5.75 m
Sidewalk - Dundas Street West	8.3	8.3	8.3
Sidewalk - University Avenue	10.2	10.2	10.2
Sidewalk - Centre Street	5.5	5.5	5.5
Sidewalk – Edward Street	3.0	3.0	3.0
Proposed Vehicular Parking (residential:visitor:office:retail)	378 (290:29:40:19)	378 (290:29:40:19)	378 (290:29:40:19)
Proposed Bicycle Parking (residential:visitor:office:retail)	855 (598:150:90:17)	855 (598:150:90:17)	855 (598:150:90:17)
Loading Spaces			
Type G	1 Type G	1 Type G	1 Type G
Type B	2 Type B	2 Type B	2 Type B
Type C	2 Type C	2 Type C	2 Type C
Amenity Space			
Interior Residential	1,556 (2.00 m ² /unit)	1,556 (2.00 m ² /unit)	1,556 (2.00 m ² /unit)
Exterior Residential	1,481 (2.00 m ² /unit)	1,481 (2.00 m ² /unit)	1,481 (2.00 m ² /unit)
Total Amenity Space Provided	3,037 m ²	3,037 m ²	3,037 m ²

Category	First Submission February 26, 2013	Second Submission December 23, 2014	Final Submission April 1, 2014 (Engineering Concerns Only)
Building Height (including mechanical penthouse and architectural elements)	184.5	184.5	184.5

Site and Surrounding Area

The subject site is located at the northeast corner of Dundas Street West and University Avenue. The site encompasses a full city block with a frontage of 61 metres along University Avenue, 59 metres along Dundas Street West, 61 metres along Centre Avenue and 59 metres along Edward Street, for a total area of 3,593 square metres. There are currently four adjoining buildings on the site, which contain a variety of commercial offices, as well as retail uses at grade. The building at 481 University Avenue is 10 storeys in height, the building at 210 Dundas Street West is 9 storeys in height, and the remaining two buildings are each 4-storeys in height. The four buildings currently on the site are all listed heritage properties except the Printing Plant addition building on Edward Street.

North: To the north of the site, across Edward Street, is a 20-storey office building (505 University Avenue and 136 Edward Street) whose main entrances face University Avenue. The side wall of this building faces the subject site.

East: To the east of the site, across Centre Avenue, is a 6-storey above grade parking garage, which occupies the south portion of the block. The north portion of the block consists of a 15-storey office building (123 Edward Street). The building has no residential units and a density of approximately 10.1.

South: To the south of the site, across Dundas Street West, is a 2-storey retail building along the east side of the block and a 5-storey office building along the west side of the block. The side walls of these buildings face the subject site.

West: To the west of the site, across University Avenue, is an 18-storey office building (480 University Avenue). The site has approved zoning permissions to allow for the construction of 37 storeys of residential above the existing office building (file no. 12 236896 STE 20 OZ).

Provincial Policy Statement and Provincial Plans

The Provincial Policy Statement (PPS), 2014 provides policy direction on matters of provincial interest related to land use planning and development. These policies support the goal of enhancing the quality of life for all Ontarians. Key policy objectives include: building strong healthy communities; wise use and management of resources and protecting public health and safety. The PPS recognizes that local context and character is important. Policies are outcome-oriented, and some policies provide flexibility in their implementation provided that provincial interests are upheld. 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. The proposal is consistent with the Provincial Policy Statement 2014 and conforms to and does not conflict with the Growth Plan for the Greater Golden Horseshoe.

Official Plan

Chapter 2 – Shaping the City

Section 2.2.1 Downtown: The Heart of Toronto

The proposed development is located in the *Downtown* area as defined by Map 2 of the City of Toronto Official Plan. Section 2.2.1 outlines the policies for development within the *Downtown*. The downtown is where most of the growth in the City of Toronto is expected to occur. The *Downtown* will continue to evolve as the premier employment area of the City of Toronto and provide a range of housing for those working in the area. The City will also explore opportunities to maintain and improve the public realm.

Transportation within the *Downtown* is expected to be accommodated by transit. Priority will be given to transit improvements in the *Downtown* and transit vehicles will be given priority on streets within the *Downtown* particularly those with streetcars. A program of improvements will be implemented to enhance the pedestrian environment and efforts made to improve the safety of walking and cycling *Downtown*.

Chapter 3 – Built Form

Section 3.1.3 Built Form – Tall Buildings

The applicant is proposing to construct a Tall Building. Policy 3.1.3 states that Tall Buildings come with larger civic responsibilities than buildings of a smaller scale. In addition to speaking about specific built form characteristics, the policy states that proposals for Tall Buildings clearly demonstrate how they relate to the existing and planned context, take into account their relationship with the topography and other tall buildings and how they meet the other objectives of the Official Plan.

Section 3.1.5 Heritage Resources

The site of the proposed development contains four heritage buildings, with three of the four are listed in the City of Toronto's inventory of Heritage Properties. Policy 3.1.5 of the Official Plan requires that significant heritage resources be conserved by listing, designating and entering into conservation agreements with owners. The Plan also offers incentives for the preservation of heritage resources, allowing additional density to be granted in exchange for the preservation of a heritage resource providing it does not exceed the gross floor area of the heritage resource.

Section 3.2.3 Parks and Open Spaces

To the south east of the proposed development is Nathan Phillips Square. Policy 3.2.3 of the Official Plan speaks to maintaining and enhancing Toronto's system of parks and open spaces and states that the effects of development from adjacent properties (shadows, wind, etc.) will be minimized to preserve their utility. It outlines a parkland acquisition strategy, grants authority to levy a parkland dedication or alternative cash-in-lieu and calls for the expansion of the existing network of parks and open spaces.

Chapter 4 – Land Use Designations

Section 4.5 Mixed Use Areas

The site of the proposed development is in an area designated *Mixed Use Areas* in the Official Plan. *Mixed Use Areas* are intended to provide a broad range of commercial, residential and institutional uses in single-use or mixed-use buildings. Development within *Mixed Use Areas* should provide for new jobs and homes on underutilized lands, while locating and massing new buildings to provide a transition between areas of different development intensity and scale. Furthermore, development in *Mixed Use Areas* should be located and massed to frame the edges of streets and parks with good proportion and maintain sunlight and comfortable wind conditions for pedestrians on adjacent streets, parks and open spaces.

Development in *Mixed Use Areas* should also provide attractive, comfortable and safe pedestrian environments and have access to schools, parks and community centres as well as libraries and childcare. It should also take advantage of nearby transit services; provide good site access and circulation as well as an adequate supply of both visitor and resident parking. In addition, service areas should be located to minimize impacts on adjacent streets. Any new multi-unit residential development should provide indoor and outdoor amenity space for residents. Compliance with other relevant policies of the Official Plan including the environment and transportation will also be addressed.

Zoning

The property is zoned CR T7.8 C4.5 R7.8 in the City of Toronto By-law 438-86. This zoning permits a wide variety of residential, retail and commercial uses. The maximum permitted height on the site is 76 metres. Zoning By-law 569-2013 does not apply to this site.

Site Plan Control

The proposed development will be subject to site plan control. A site plan control application has not been submitted to date.

City-Wide 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>

Policy 1 in Section 5.3.2 Implementation Plans and Strategies for City-Building, the Official Plan states that Guidelines will be adopted to advance the vision, objectives, and policies of the Plan. Urban Design guidelines specifically are intended "to provide a more detailed framework for built form and public improvements in growth areas." The Tall Building Design Guidelines serve this policy intent, helping to implement Chapter 3.1 The Built Environment and other policies within the Plan related to the design and development of tall buildings in Toronto.

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 specific Downtown streets that are most suitable for tall building development, establishes a height range along these streets and provides a set of supplementary Downtown specific design guidelines which address Downtown built form and context. The Downtown Vision and Supplementary Design Guidelines were used together with the city-wide Tall Building Design Guidelines in the evaluation of this tall building proposal. The Downtown Guidelines are available at <http://www.toronto.ca/planning/tallbuildingstudy.htm#guidelines>.

The site abuts Dundas Street West, University Avenue, Centre Street and Edward Street. Dundas Street West and University Avenue are identified as "High Streets" within the Downtown Tall Buildings: vision and Supplementary Guidelines. Centre Street and Edward Street are identified as "Secondary High Streets". The height range identified for University Avenue is 25 to 45 storeys (77 metres to 137 metres). Dundas Street west has recommended heights of 20 storeys to 35 storeys (62 metres to 107 metres).

Reasons for Application

The height of the project exceeds the maximum permitted height in the zoning by-law by 98 metres, and the proposed density is approximately three times higher than that permitted in the zoning by-law. The applicant is also seeking a smaller than permitted parking ratio, among other potential areas of zoning relief.

Community Consultation

On April 15, 2013, a community consultation meeting was held. At the meeting, residents primarily raised concerns about the impacts on Grange Park. Residents were further concerned about the cumulative impacts arising from the residential units at 480 University Avenue and 481 University Avenue on local infrastructure, including local parks. Residents were less concerned about the impacts of the built form from a sunlight and micro-climatic aspect, but more concerned about the overall density of the project. There were also some concerns raised about the cumulative impact of 480 and 481 University Avenue on the operation of the Dundas streetcar.

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

The proposal consists of a residential tower being constructed as an addition to a commercial office building with retail at grade. The analysis of the proposed built form should be understood within this context.

Provincial Policy Statement and Provincial Plans

The Provincial Policy Statement, 2014 ("PPS, 2014") states in section 1.1.1 b) that municipalities shall create sustainable communities by: "accommodating an appropriate range and mix of residential (including second units, affordable housing and housing for older person), employment (including industrial, and commercial), institutional (including places of worship, cemeteries and long-term care homes), recreation, park and open space, and other uses to meet long-term needs". Furthermore, the PPS states, in Section 4.7, that the Official Plan is the most important vehicle for implementing the Provincial Policy Statement. The proposed addition of residential units, retention of commercial office space and introduction of larger scale retail, is consistent with these policies and the policies of the City of Toronto Official Plan which is the vehicle for the PPS. For this reason, the proposal is consistent with the PPS.

The Growth Plan for the Greater Golden Horseshoe ("The Growth Plan") designates Toronto as a growth area and Downtown Toronto as an *Urban Growth Centre*. It also requires municipalities to set targets for residential and employment intensification. The Growth Plan for the Greater Golden Horseshoe states that: "population and employment growth will be accommodated by directing a significant portion of new growth to the *built-up areas* of the community through *intensification*", and by: "encouraging cities and towns to develop as *complete communities* with a diverse mix of land uses, a range and mix of employment and housing types...". The proposed residential development acts to support these policies. However, the additional units proposed are not necessary to meet the growth targets forecast by the Province of Ontario for the City of Toronto. That being said, the proposal conforms and does not conflict with the Growth Plan for the Greater Golden Horseshoe.

Land Use

In December of 2013, City Council adopted proposed Official Plan No. 231 which contains new policies with respect to Employment Areas and Economic Health and land use designations. One of the new policies adopted by Council states: "at the same time, existing office space in these transit-rich areas needs to be sustained, not demolished to make way for new residential buildings. Where a residential development is proposed on sites with over 1000 square metres of employment space in these areas served by rapid transit where residential uses are already permitted, the development must also result in an increase of employment space". The application was submitted prior to the adoption of this policy by City Council. There is currently 23,260 square metres of Commercial Office Space within the existing built form. The applicant is proposing to reconstruct 22,488 square metres of that space. This is a reduction of 772 square metres or 3 percent. Although the proposal does not comply with Official Plan Amendment No. 231, the loss of commercial office space is minimal and a direct result of structural changes required in the commercial office building serving as the base of the residential tower.

Although it is conceivable that additional office space could have been added in the residential portion of the tower, this is where the larger three-bedroom units are proposed. Taking into consideration that the application was submitted prior to the adoption of OPA No. 231 and given the structural issues that must be overcome in order to construct the building, staff believe the proposed commercial office space is acceptable.

The proposed development is designated as *Mixed Use Areas* in the Official Plan. The uses proposed for the project are retail, commercial office and residential. This constitutes a mixed-use building and complies with the land use provisions for *Mixed Use Areas* in the Official Plan. Furthermore, the area is located in the *Downtown and Central Waterfront Areas* of the Official Plan. Section 2.2.1 of the Official Plan, policy 1 states that the: "*Downtown* will continue to evolve as a healthy and attractive place to live and work as new development that supports the reurbanization strategy and the goals of the *Downtown* is attracted to the area". In particular, the *Downtown* will provide: "a full range of housing opportunities for *Downtown* workers and reduce[s] the demand for in-bound commuting." The proposed residential component of the building acts to support these policies as does the retention of commercial office space in the proposal.

Built Form and Massing

The consolidated Tall Building Design Guidelines and the Downtown Tall Buildings Vision and Supplementary Design Guidelines ("The Guidelines") were used to evaluate the proposal. The applicant is proposing to construct a new residential tower on top of an existing commercial office building that is a listed heritage structure under Part IV of the *Heritage Act*. Furthermore, the impact on the view corridor of City Hall as well as the view of the legislature looking north on University Avenue were factors. Lastly, Chapter 3 of the Official Plan requires that projects be evaluated within their existing and planned context. The built form, massing and height revisions were also influenced by these considerations.

The project is comprised of a residential tower sitting on top of a commercial base building. This is the form recommended by the Guidelines for all four streets that bound the subject property. The form, however, departs from the Guidelines in two areas: maximum base building height and maximum recommended floor plate. The Guidelines recommend that a base building have a maximum height of 80 percent of the right-of-way. In the case of this project that would be 48 metres for University Avenue and 18 metres for Dundas Street West. The height of the base building actually complies with the recommended heights on University Avenue, but is taller than what would normally be recommended for Centre Street, Edward Street and Dundas Street West. The "base building", however, is an existing commercial office building that is also a listed heritage structure. The applicant is proposing to maintain the University Avenue and Dundas Street frontages intact. For this reason staff believe the height of the base building is appropriate and reflective of the prevailing character of the area.

The floor plate of the proposed office tower exceeds the recommended maximum of 750 square metres at approximately 1,000 square metres. Staff looked at multiple options when determining an appropriate built form for the tower. One of the proposed options was two towers on the site. It is possible to fit two towers on this block with the separation distance of 25 metres and the maximum recommended floor plate of 750 square metres.

This was not desirable for a number of reasons, however. Towers of 750 square metres are generally desirable because, among other things, the shadow of the tower "moves" more quickly while minimizing the loss of skyviews for pedestrians. In this case, placing two towers on the site would negate the beneficial effect of the fast "moving" shadow. Furthermore, the towers would have to be placed closer to University Avenue and Dundas Street West to maintain the 25 metre separation distance.

This would negatively impact the amount of skyview for pedestrians at grade, ceremonial views of the legislature looking north and wind effects at grade. The current configuration includes substantial setbacks from both University Avenue and Dundas Street West (10 metres and 30 metres, respectively) which mitigates those concerns. In this case, the larger tower floor plate represented an improvement over a two tower scenario. Furthermore, the prevailing context of the area is that of larger floor plate buildings, including the recent approval at 480 University Avenue. For these reasons staff believe the larger floor plate to be acceptable.

Height

The Downtown Tall Building Guidelines recommend a maximum height of 77 metres to 137 metres (25 storeys to 45 storeys) on University Avenue and a maximum height of 62 metres to 107 metres (20 storeys to 35 storeys) on Dundas Street West. The Guidelines also provide for an additional 30 metres (or ten storeys) on properties at the four corners of a subway stations and where heritage properties are respected. Therefore, the maximum recommended height for this project is 87 metres to 147 metres (35 to 55 storeys). Although the proposed height of the project does meet the 55-storeys requirement, at 184.5 metres, it is taller than the guideline height. Furthermore, the building does not lie within the helicopter flight path for the Hospital for Sick Children.

When the applicant first met with staff, a building of 88 storeys was proposed. Staff were not supportive of this approach as it impacted the view corridor to City Hall when looking north west from the corner of Queen Street West and Bay Street. The revised proposed height of 184.5 metres lies below the silhouette of City Hall and respects the view corridor. Furthermore, because the building is constructed on top of an existing commercial office building, with larger floor to ceiling heights, a certain amount of additional height is to be expected and is consistent with the proposal at 480 University Avenue which was approved at 190 metres. Lastly, the impacts of the height from a sunlight and shadowing perspective are minimal and acceptable. For these reasons, staff support the proposed height of the proposal.

Stepbacks and Separation Distances

The proposed tower has a 10 metre stepback distance from University Avenue and 30 metres from Dundas Street West. There are also 3 metre stepback from Edward Street and Centre Street. This meets or exceeds the minimum recommended stepbacks as outlined in the Tall Building Guidelines. The stepback from University Avenue, in particular, allows for the views towards the legislature to be preserved while respecting the heritage assets on site. The 30 metre setback from Dundas Street West helps maintain skyview for pedestrians, mitigate wind effects at grade and respects the heritage structure as well. The proposed tower, as situated, will also allow for a 25 metre separation distance between any future towers regardless of frontage. For these reasons, staff support the proposed stepbacks and separations distances.

Heritage

Heritage Preservation Services has reviewed plans and drawings prepared by B+H Architects dated February 12, 2013 and the revised Heritage Impact Assessment prepared by ERA Architects Inc. dated September 6, 2013.

The conservation of the façades at 481 University and 210 Dundas Street West as a means of rehabilitation has been planned with respect for the heritage integrity of the buildings. The *in situ* preservation of at least a one bay width of 210 Dundas Street building and the proposed significant step-back of the tower from the heritage façades distinguishes the heritage buildings from the new development in three dimensions.

The retention of the Elizabeth Wyn Wood bas-reliefs *in situ* was considered as part of the conservation strategy. However, the original design intent of the sculptures was that they be integral to the building. Due to this original design intent and further urban design considerations, such as the obstruction of pedestrian traffic and the entrance of the proposed colonnade, it is recommended that the bas-reliefs be incorporated into the new width of the entrance. Staff are now satisfied that this is a reasonable solution and will secure the careful relocation of the sculptures within the required Conservation Plan.

The proposed restoration of the facades of both buildings, including the restoration of the entrance podium of 481 University Avenue to its original materiality, strongly contributes to the quality of the project. While the proposed arcade will require a loss of some heritage fabric, the overall impact of improved pedestrian flow and integration into the TTC systems is necessary for this location, the application also protects for a possible PATH access to the east.

This intervention is a sensitive adaptation of the south façade that allows for compatible contemporary use and allows the depth of the building as a three dimensional volume to be experienced at the pedestrian level. The inclusion of the bas-reliefs within this public space and the restoration of the clock on the south elevation will help to mitigate this intervention.

City staff will continue to work with the applicant to find an appropriate solution that allows for the retention of the building façade at 70 Centre Street. While staff appreciates the need for vehicular circulation and loading at an optimum location, this should not be at the cost of a listed heritage building. Further discussions will take place during the Site Plan review.

The project will result in the designation of two significant buildings under Part IV of the Ontario Heritage Act, and will secure their long term protection with heritage easement agreements registered on title.

Sun, Shadow, Wind

The proposed development does not cast any net new shadows on parks, such as Grange Park, or opens spaces or low scale development such as designated *neighbourhoods* in the Official Plan. Furthermore, there is no significant net new shadow on the public realm, particularly University Avenue.

A pedestrian level wind analysis was completed by consultants hired by the applicant and reviewed by Staff. The report found that in most cases there would not be any changes to the wind effects at grade and, in some cases, wind effects would actually improve. Furthermore, it found that wind conditions on the private outdoor amenity space would be comfortable.

Amenity Space

The applicant is proposing approximately 2 metres per unit of both indoor and outdoor amenity space. This generally complies with the standards in the zoning by-law.

View Corridor for City Hall

The proposed height of 184.5 metres does not rise above the silhouette of City Hall when looked at from the corner of Bay Street and Queen Street West. As one moves west along Queen Street West, the proposed building is viewed separately from City Hall and no longer has an impact on the View Corridor. This represents a substantial improvement over the pre-application proposal of 88 storeys and is supportable by Staff.

Pedestrian Amenity

A substantial aspect of this project is the addition of a pedestrian arcade on Dundas Street West. The Dundas Street West frontage of the building is proposed to be modified by opening up the columns and setting the interior of the building back by approximately 5 meters. This effectively widens the sidewalk on Dundas Street West from 3 metres to 8 metres. The new pedestrian arcade will be further improved through the provision of public art and lighting to be secured through Section 37 of the *Planning Act*.

Cycling Amenity

The applicant is proposing that the full complement of bicycle parking be supplied in the development. Furthermore, two changing rooms and shower facilities are proposed for those cycling to work in the office component. This meets the Toronto Green Standard and is an improvement over the existing conditions.

Traffic Impact, Access, Parking and Servicing

Engineering and Construction Services have concluding their review of the applicant's submitted studies. Staff are satisfied with the proposed configuration of loading and that the proposal can be serviced with municipal infrastructure. The proposed parking reduction is not supported or the owner's proposal to have residential visitor parking provided in a commercial parking garage. The owner is required to provide the following parking:

Studio Units	0.30 parking spaces for each dwelling unit
1-bedroom Units	0.50 parking spaces for each dwelling unit
2-bedroom Units	0.75 parking space for each dwelling unit
3+ bedroom Units	1.20 parking spaces for each dwelling unit
Residential Visitor Parking	0.10 parking space for each dwelling unit

The owner is further allowed a reduction of four resident *parking spaces* for each *car-share parking space* provided on the site. The maximum reduction permitted by this means be capped by the application of the following formula: $4 \times (\text{Total No. of Units} \div 60)$, rounded down to the nearest whole number.

Open Space/Parkland

The Official Plan contains policies to ensure that Toronto's system of parks and open spaces are maintain, enhanced and expanded. Map 8B of the Toronto Official Plan shows local parkland provisions 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 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 748 residential units and 25,399 square metres of non residential uses on a site with a net area of 3,593 square metres. At the alternative rate of 0.4 hectares per 300 units specified in By-law 1020-2010, the parkland dedication requirement is 0.99 hectares or 418% 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 262 square metres.

The applicant 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 that would be of a useable size and the site would be fully encumbered with below grade parking. The actual amount of cash-in-lieu to be paid will be determined at the time of issuance of the building permit.

Toronto Green Standard

On October 27, 2009 City Council adopted the two-tiered Toronto Green Standard (TGS). The TGS is a set of performance measures for green development. Tier 1 is required for new development. Tier 2 is a voluntary, higher level of performance with financial incentives. Achieving the Toronto Green Standard will improve air and water quality, reduce green house gas emissions and enhance the natural environment. The applicant is required to meet Tier 1 of the TGS. The site specific zoning by-law will secure performance measures for the following Tier 1 development features: Automobile Infrastructure and Cycling Infrastructure, as well as, Storage and Collection of Recycling and Organic Waste.

Section 37

Section 37 of the *Planning Act* allows the City to grant increased density and/or height in exchange for community benefits. Community benefits are specific capital facilities (or cash contributions for specific capital facilities) and can include: parkland and/or park improvements above and beyond the parkland dedication; public art; streetscape improvements on the public boulevard not abutting the site, Heritage Conservation District studies identified in the Official Plan; and other works detailed in Section 5.1.1.6 of the Official Plan. Section 37 may also be used as may otherwise be agreed upon, subject to the policies contained in Chapter 5 of the Official Plan.

The community benefits must bear a reasonable planning relationship to the proposed development including at a minimum, an appropriate geographic relationship and the addressing of planning issues associated with the development (e.g. local shortage of parkland, replacement rental apartment units).

The Section 37 benefits for this project include substantial improvements to the public realm of Dundas Street West, Centre Avenue, University Avenue and Edward Street that are above what would normally be secured as part of the Site Plan process. In particular, a new pedestrian promenade with public art and enhanced lighting will significantly improve sidewalk widths and pedestrian flow on Dundas Street West. In addition, the external staircase at Dundas Street West and University Avenue will be removed and a new internal connection will be established into the commercial and retail space at 481 University Avenue. This will improve the flow of pedestrians while also providing a weather protected entrance to the TTC.

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

1. The owner shall internalize the TTC Staircase at the northeast corner of University Avenue and Dundas Street West to the satisfaction of the Chief Planner and Executive Director, City Planning and the Chief Executive Officer of the Toronto Transit Commission.
2. The owner shall design and construct a pedestrian promenade along Dundas Street West to the satisfaction of the Chief Planner and Executive Director, City Planning, including:
 - c) public art and public realm improvements to the pedestrian promenade through a design and implementation process satisfactory to the Chief Planner and Executive Director,
 - d) the provision of a public easement in favour of the City for pedestrians along the Dundas Street West Promenade frontage, with the owner's covenant to indemnify the City of Toronto in respect to the Pedestrian Promenade.
3. The owner shall retain and restore the primary University Avenue and Dundas Street West elevations of the office building at 481 University Avenue and printing plant at 210 Dundas Street West in accordance with the Heritage Impact Assessment revised September 6, 2013 prepared by ERA Architects Inc.
4. The estimated value of the foregoing work is a minimum of \$7,000,000.00. A cost estimate for items 2 and 3 will be submitted to the satisfaction of the Chief Planner and Executive Director, City Planning.

Although no monetary contribution is being taken as part of this project, the value of the proposed Section 37 improvements is estimated to be 11 million dollars.

CONCLUSION

The applicant worked closely to address Staff concerns in regards to the view corridor of City Hall and heritage prior to submission of their application. Although the application deviates from the Tall Building Guidelines in some respects, the overall intent of the guidelines is met, while respecting the policies of the Official Plan. The application represents a good opportunity to create a true mixed-use development within the downtown while also making substantial improvements to the public realm with a direct connection to the TTC Dundas Subway Station. City Planning Staff believe that the application is in the public interest and represents good planning.

CONTACT

Giulio Cescato, Planner
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Fax No. 416-392-1330
E-mail: gcescat@toronto.ca

SIGNATURE

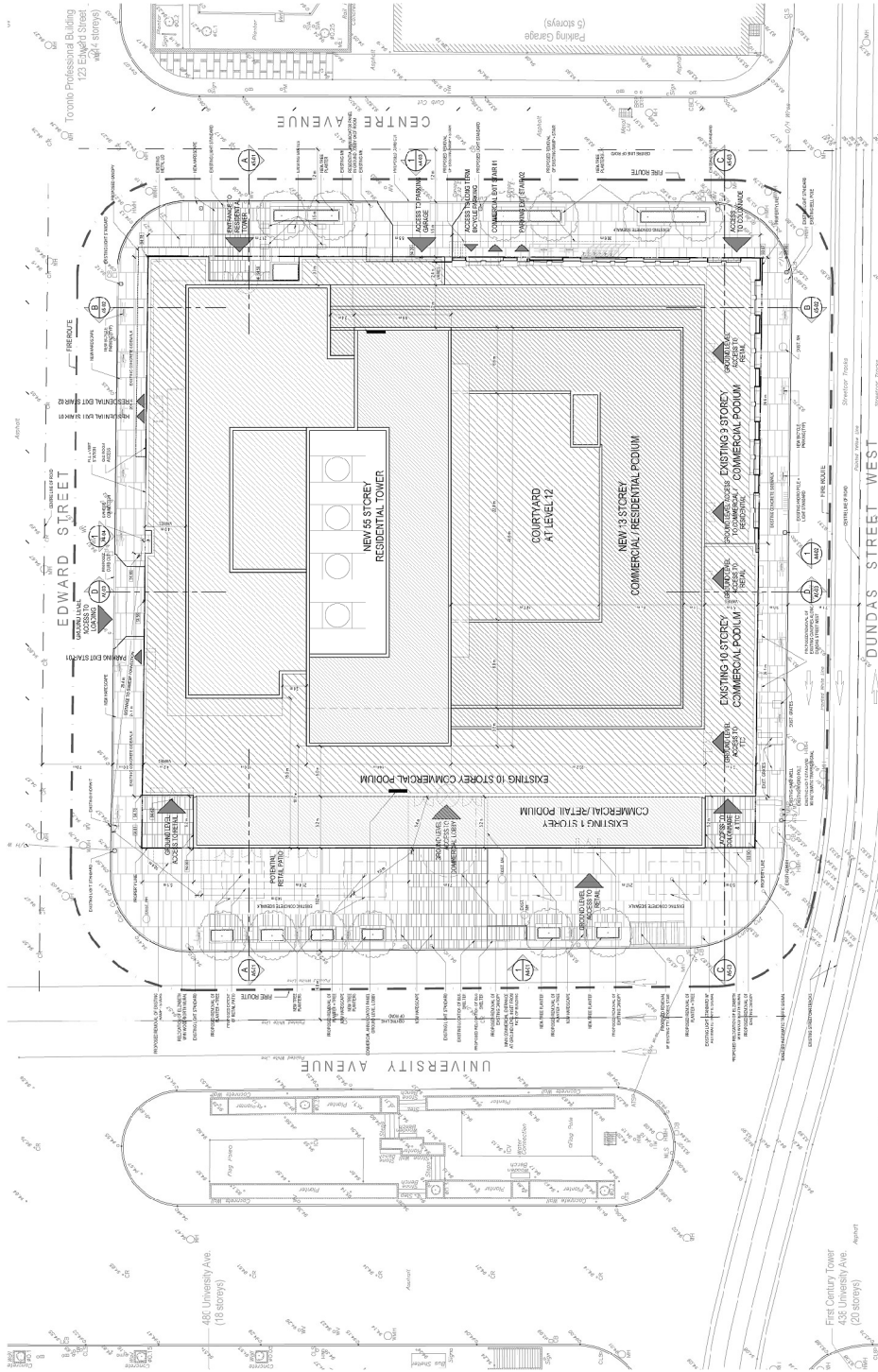
Gregg Lintern, MCIP, RPP,
Director, Community Planning
Toronto and East York District

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ATTACHMENTS

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

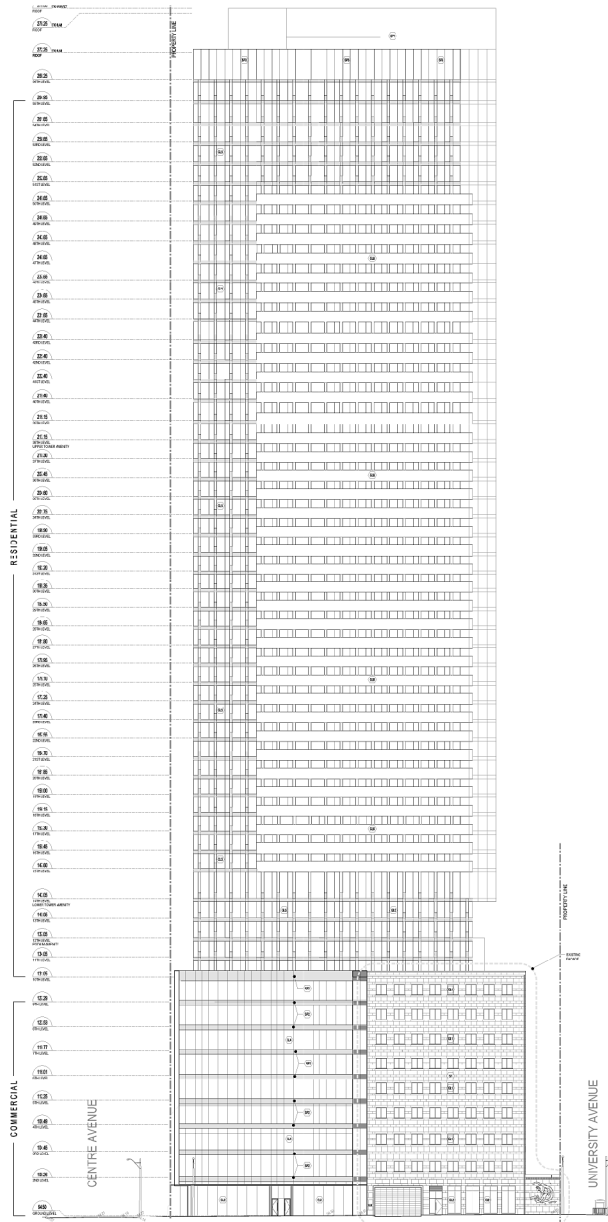
Attachment 1: Site Plan



Site Plan
 Applicant's Submitted Drawing
 Not to Scale
 02/26/2014

481 University Avenue
 File # 13 123864-02

Attachment 2: North Elevation



North Elevation

Elevations

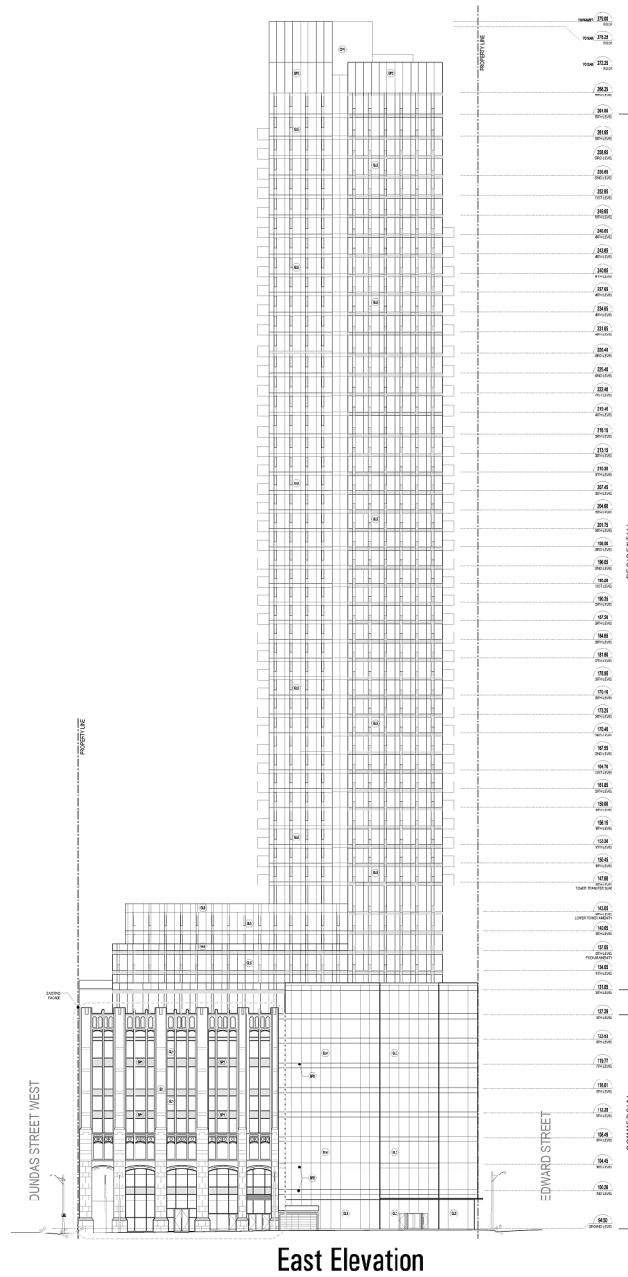
Applicant's Submitted Drawing

Not to Scale
02/26/2014

481 University Avenue

File # 13 123864 0Z

Attachment 3: East Elevation



Elevations

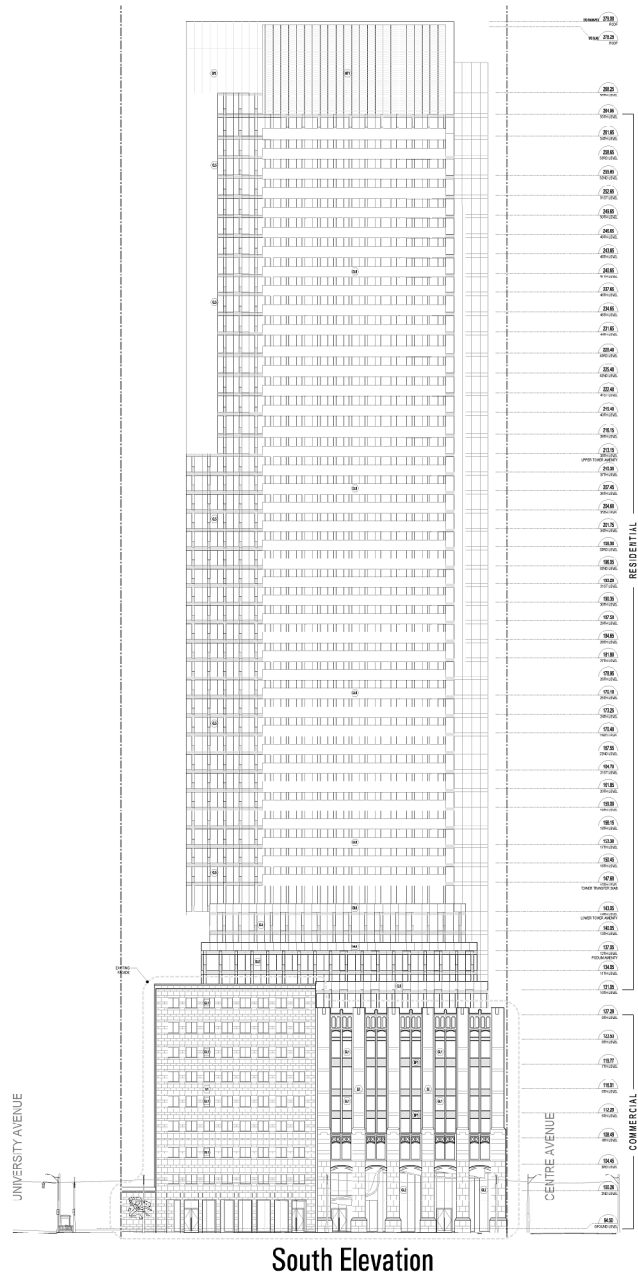
Applicant's Submitted Drawing

Not to Scale
02/26/2014

481 University Avenue

File # 13 123864 0Z

Attachment 4: South Elevation



Elevations

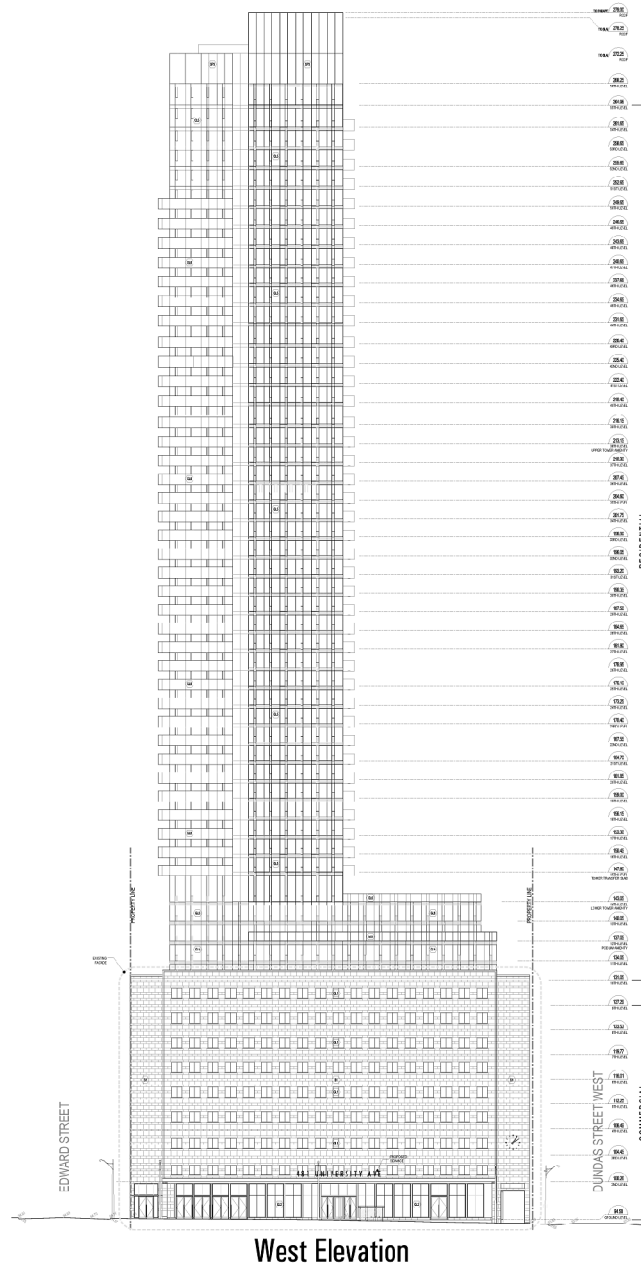
Applicant's Submitted Drawing

Not to Scale
02/26/2014

481 University Avenue

File # 13 123864 0Z

Attachment 5: West Elevation



Elevations

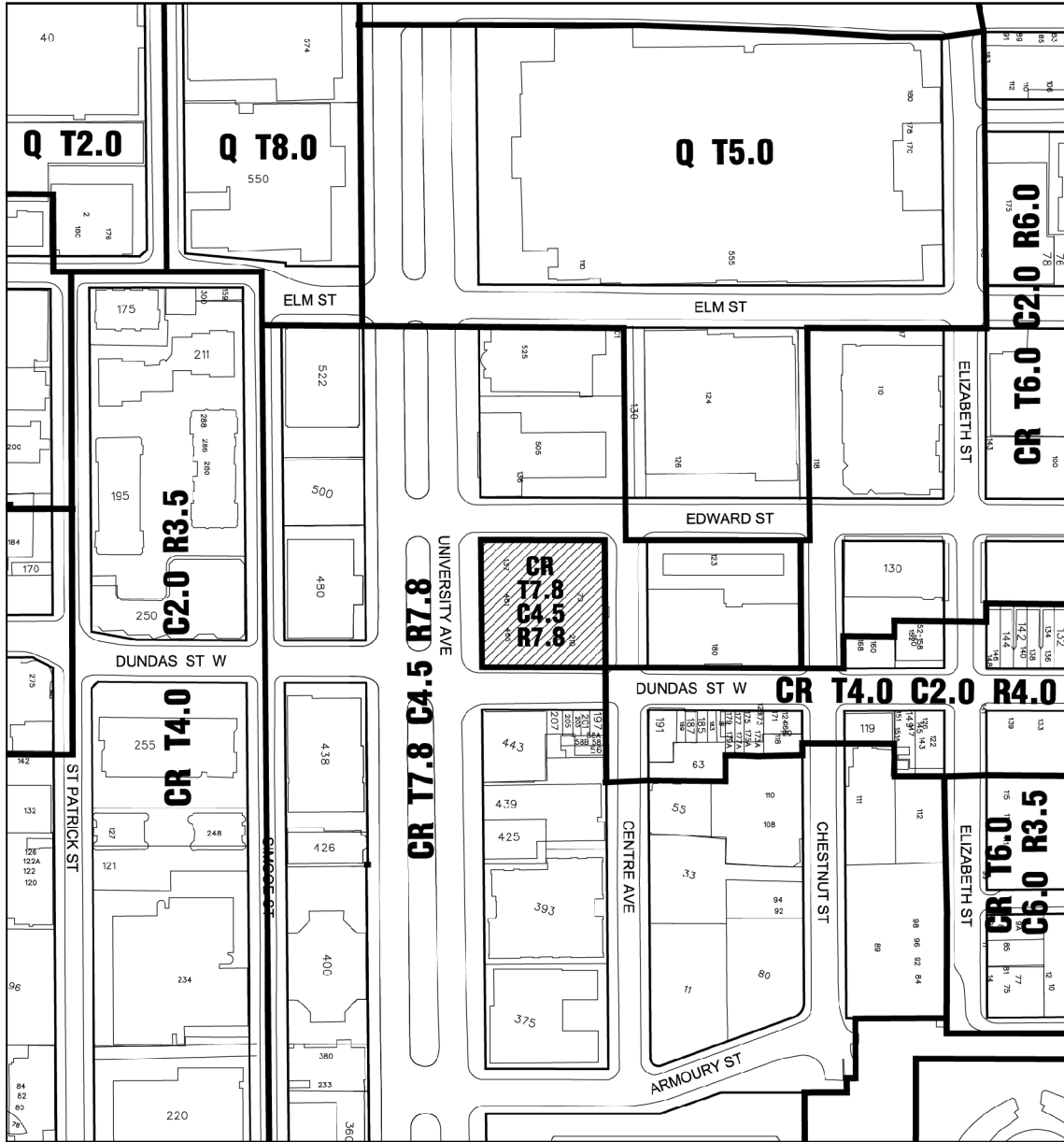
Applicant's Submitted Drawing

Not to Scale
02/26/2014

481 University Avenue

File # 13 123864 OZ

Attachment 6: Zoning



481 University Avenue

File # 13 123864 0Z

CR Mixed-Use District
Q Mixed-Use District



Not to Scale
Zoning By-law 438-86 (as amended)
Extracted 03/08/2013

Attachment 7: Application Data Sheet

Application Type	Rezoning	Application Number:	13 123864 STE 27 OZ
Details	Rezoning, Standard	Application Date:	February 22, 2013
Municipal Address:	481 UNIVERSITY AVE		
Location Description:	PLAN 147 LOTS 16 TO 20 E/S UNIVERSITY AVE AND LOTS 16 TO 20 W/S CENTRE AVE **GRID S2711		
Project Description:	Rezoning application to permit the re-development of the lands for the purposes of a new mixed use building, 55 stories in height complete with 50,439m2 (748 units) of residential space, 3,055m2 of retail space and 22,488m2 of office space. This proposal includes a total of 378 parking spaces all of which are below grade.		

Applicant:	Agent:	Architect:	Owner:
Urban Strategies Inc. 197 Spadina Avenue, Toronto, ON M5T 2C8	Urban Strategies Inc. 197 Spadina Avenue, Toronto, ON M5T 2C8	B+H Architects 481 University Ave. Ste. 300 Toronto, ON M5G 2P3	481 Uni Investments Inc. 4576 Yonge St. Ste. 700 Toronto, ON M2N 6N4

PLANNING CONTROLS

Official Plan Designation:	Mixed Use Areas	Site Specific Provision: N
Zoning:	CR T7.8 C4.5 R7.8	Historical Status: Y
Height Limit (m):	76 metres	Site Plan Control Area: Y

PROJECT INFORMATION

Site Area (sq. m):	3548.9	Height:	Storeys:	55
Frontage (m):	61		Metres:	184.5
Depth (m):	58.2			
Total Ground Floor Area (sq. m):	3129			Total
Total Residential GFA (sq. m):	50439		Parking Spaces:	378
Total Non-Residential GFA (sq. m):	25543		Loading Docks	4
Total GFA (sq. m):	75982			
Lot Coverage Ratio (%):	0			
Floor Space Index:	21			

DWELLING UNITS

FLOOR AREA BREAKDOWN (upon project completion)

Tenure Type:	Condo		Above Grade	Below Grade
Rooms:	0	Residential GFA (sq. m):	50439	0
Bachelor:	134 (18%)	Retail GFA (sq. m):	3055	0
1 Bedroom:	328 (44%)	Office GFA (sq. m):	22488	0
2 Bedroom:	219 (29%)	Industrial GFA (sq. m):	0	0
3 + Bedroom:	67 (9%)	Institutional/Other GFA (sq. m):	0	0
Total Units:	748			

CONTACT:	PLANNER NAME:	Giulio Cescato, Planner
	TELEPHONE:	(416) 392-0459
	EMAIL:	gcescat@toronto.ca

Attachment 8: Draft Zoning By-law Amendment

Authority: Toronto and East York Community Council Item -----, as adopted by City of Toronto Council on _____, 2014

CITY OF TORONTO

Bill No.

BY-LAW No. -2014

To amend General Zoning By-law No. 438-86 of the former City of Toronto respecting the lands municipally known in the year 2013 as 481 University Avenue, 210 Dundas Street West, 70 Centre Avenue and 137 Edward 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 2013 as 481 University Avenue, 210 Dundas Street West, 70 Centre Avenue and 137 Edward Street;

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

Whereas the Council of the City of Toronto has determined to amend *By-law No. 438-86* in respect of the *site*;

The Council of the City of Toronto enacts:

1. Pursuant to Section 37 of the *Planning Act*, the heights and density of development permitted by this By-law within the *site* are permitted subject to compliance with the conditions set out in this By-law and in return for the provision by the *owner* of the *site* of the facilities, services and matters set out in Appendix 1 of this By-law, the provisions of which shall be secured by an agreement or agreements pursuant to Section 37(3) of the *Planning Act*.
2. Upon execution and registration of an agreement or agreements with the *owner* of the *site* pursuant to Section 37 of the *Planning Act*, securing the provision of the facilities, services and matters set out in Appendix 1 of this By-law, the *site* is subject to the provisions of this By-law, provided that in the event the said agreement(s) requires the provision of a facility, service or matter as a precondition to the issuance of a building permit, the *owner* may not erect or use such building until the *owner* has satisfied the said requirements.
3. None of the provisions of Section 2 with respect to *bicycle parking space – occupant*, *bicycle parking space – visitor*, *height* and *grade* and Sections 4(2)(a), 4(5)(b) and (c), 4(8)(b), 4(12), 4(16), 8(1)(f)(b)(vii), 8(3) Part I 1, 2 and 3(a), 8(3) Part III 1(a), 8(3) Part XI(2), 12(2)132 and 12(2)259 of *By-law No. 438-86*, shall apply to prevent the erection and use of a *mixed-use building*, including uses accessory thereto, and an underground parking garage on the *site* provided that:

- (a) the *lot* on which the building is located comprises at least the *site*;
- (b) the total *residential gross floor area* erected or used on the *site* does not exceed 50,500 square metres;
- (c) the total *non-residential gross floor area* erected or used on the *site* does not exceed 25,600 square metres;
- (d) the total combined *non-residential gross floor area* and *residential gross floor area* erected or used on the *site* does not exceed 76,100 square metres;
- (e) no part of any building or structure erected or used above *grade* is located otherwise than wholly within a *building envelope*;
- (f) nothing in Section 1(e) hereof shall prevent the following elements from projecting beyond a *building envelope*:
 - (i) eaves, cornices, lighting fixtures, fences and safety railings, trellises, balustrades, chimneys, vents, wheelchair ramps, retaining walls, landscape features, ornamental structures, walkways, stairs, covered stairs and or stair enclosures associated with an entrance or exit from an underground parking garage, stair landings, decks, planters, and public art features; and
 - (ii) canopies to a maximum horizontal projection of not more than 1 metre;
- (g) no part of any building or structure to be erected on the *site* shall exceed the *height* limits in metres specified by the numbers following the symbol "H" as shown on Map 2 and a maximum of 55 storeys;
- (h) nothing in Section 1(g) hereof shall prevent the following elements or structures from projecting above the *height* limits shown on Map 2:
 - (i) a railing or railings, a parapet, including roof drainage, thermal insulation and roof ballast, located at each of the roof levels of the building provided the maximum vertical dimension of any such element does not exceed 1.1 metres; and
 - (ii) window washing equipment, stairs and stair enclosures, elevator and garbage chute overruns, lightning rods, exhaust flues, landscape and green roof elements, partitions dividing outdoor recreation areas, trellises, lighting fixtures, ornamental elements, eaves, water features, guardrails, balustrades, wheelchair ramps, vents, underground garage ramps, wind mitigation and public art elements, canopies, awnings and building cornices located above the *height* of each of the roof levels of the building provided the maximum vertical dimension of any such element does not exceed 3.0 metres;

- (i) Provide a minimum number of resident *parking spaces* on the *site* in accordance with the following minimum ratios:

Studio Units	0.30 parking spaces for each <i>dwelling unit</i>
1-bedroom Units	0.50 parking spaces for each <i>dwelling unit</i>
2-bedroom Units	0.75 parking space for each <i>dwelling unit</i>
3+ bedroom Units	1.20 parking spaces for each <i>dwelling unit</i>
Residential Visitor Parking	0.10 parking space for each <i>dwelling unit</i>

Provided further that:

A reduction of four resident *parking spaces* will be permitted for each *car-share parking space* provided on the *site* and that the maximum reduction permitted by this means be capped by the application of the following formula:

$4 \times (\text{Total No. of Units} \div 60)$, rounded down to the nearest whole number.

- (j) Bicycle parking shall be provided with the following minimum ratios:

Residential <i>Dwelling Units</i>	0.8 <i>bicycle parking spaces</i> for each <i>dwelling unit</i>
Visitor parking	0.2 <i>bicycle parking spaces</i> for each <i>dwelling unit</i>

A minimum of 90 *bicycle parking spaces* will be provided for commercial office space uses and 17 *bicycle parking spaces* for retail uses.

- (k) A minimum of two shower and changing facilities will be provided in the *site*.
- (l) not less than 1.8 square metres for each *dwelling unit* of outdoor *residential amenity space* shall be provided and maintained on the *site*;
- (m) not less than 2.17 square metres for each *dwelling unit* of indoor *residential amenity space* shall be provided and maintained on the *site* in a room or rooms at least one of which contains a kitchen and a bathroom;
- (n) A minimum of nine percent of the total *dwelling units* shall be three-bedroom *dwelling units* and a minimum of one percent of the total *dwelling units* shall be two-bedroom plus den *dwelling units*.
- (o) One *loading space – type G*, one *loading space – type B* and two *loading spaces – type C* shall be provided and maintained on the *site*;
4. Despite any existing or future severance, partition or division of the *site*, the provisions of this by-law shall apply to the whole *site* as if no severance, partition or division occurred.

5. None of the provisions of this By-law shall apply to prevent a *temporary sales office* on the *site*.
6. Within the *site*, no person shall use any land or erect or use any building or structure unless the following municipal services are provided to the *lot line* and the following provisions are complied with:
 - (a) all new public roads have been constructed to a minimum of base curb and base asphalt and are connected to an existing public highway; and
 - (b) all water mains and sanitary sewers, and appropriate appurtenances, have been installed and are operational.
7. Except as otherwise provided herein, the provisions of *By-law No. 438-86* shall continue to apply to the *site*.
8. For the purposes of the By-law, the following expressions shall have the following meaning:
 - (a) “*building envelope*” means a building envelope as delineated by heavy lines on Map 2 attached to this By-law;
 - (b) “*By-law No. 438-86*” means By-law No. 438-86, as amended, of the former City of Toronto;
 - (c) “*car-share parking space*” means a parking space used exclusively for the parking of a motor vehicle available for short term rental, including an option for hourly rental, for the use of at least the occupants of a building erected within the *site*;
 - (e) “*Chief Planner*” means the City of Toronto Chief Planner and Executive Director;
 - (f) “*City*” means the City of Toronto;
 - (g) “*grade*” shall mean, 94.5 metres above sea level based on Geodetic Survey of Canada 1929 mean sea level vertical datum (1978 Southern Ontario Adjustment);
 - (i) “*height*” shall mean the vertical distance between *grade* and the highest point of a building or structure;
 - (j) “*owner*” means the owner of the fee simple of the *site* or any part thereof;
 - (k) “*site*” means the lands delineated by heavy lines on Map 1 attached to this By-law;

- (l) “*temporary sales office*” means a building, structure, facility or trailer on the *site* used for the purpose of the sale of *dwelling units* to be erected on the *site*; and
- (m) each other word or expression, which is italicized in this by-law, shall have the same meaning as each such word or expression as defined in *By-law No. 438-86*.

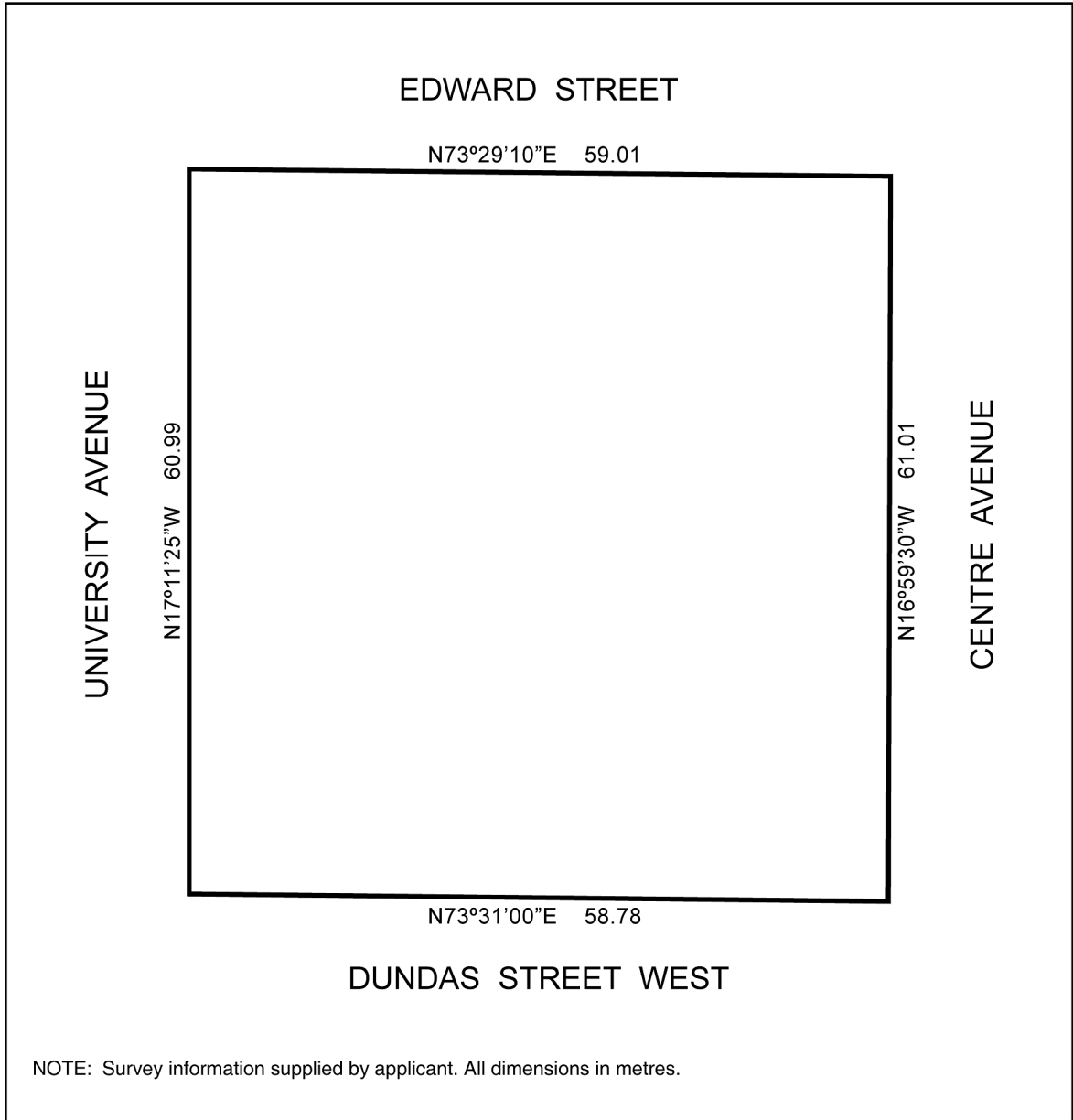
Enacted and passed on **(clerk to insert the date)**, 2014.

Frances Nunziata,
Speaker

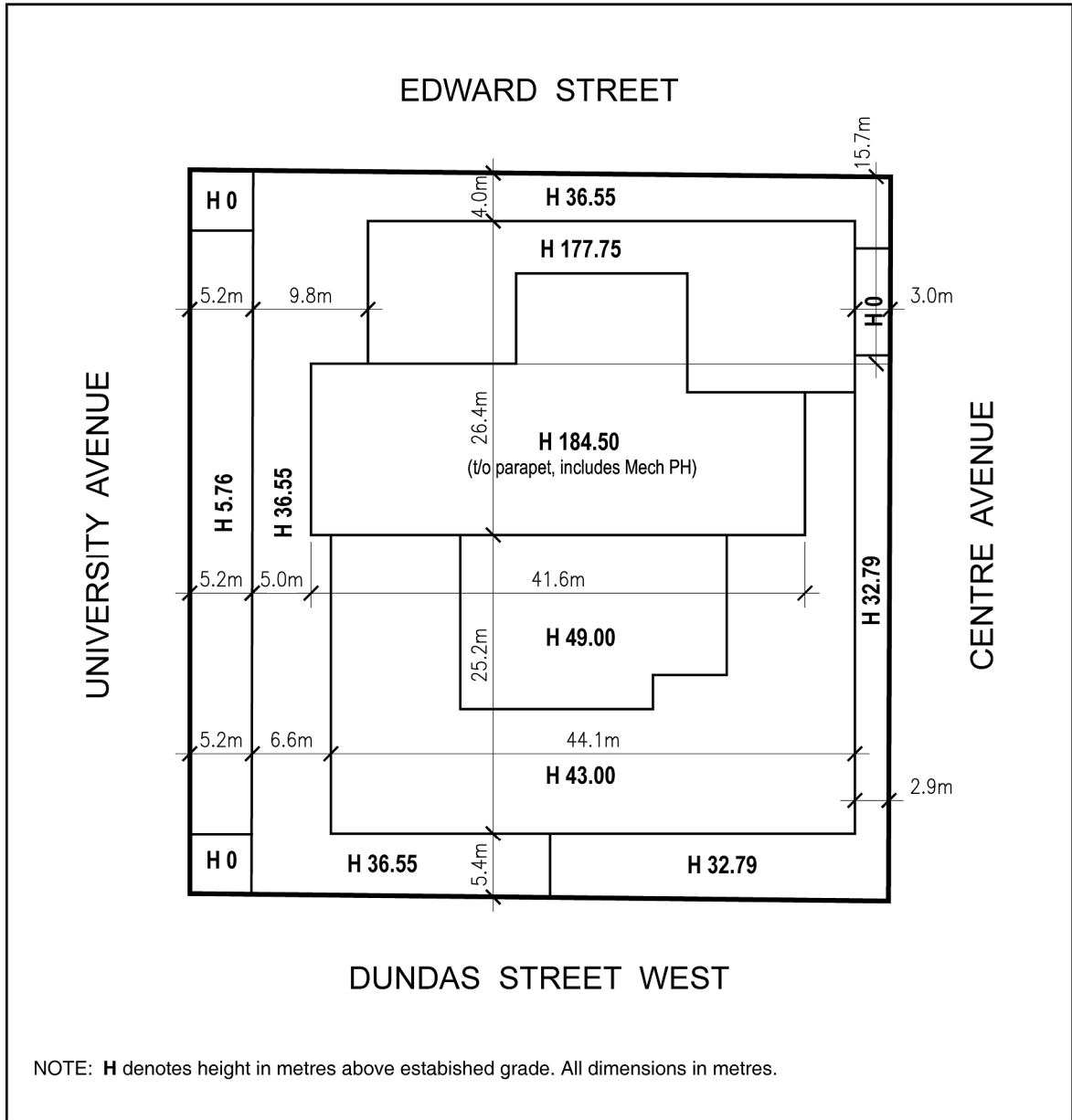
Ulli S. Watkiss,
City Clerk

(Seal of the City)

Map 1



Map 2



Appendix 1: Council Authorities to Implement Matters Pursuant to the Section 37 Agreement

The facilities, services and matters set out herein are the matters required to be provided by the *owner* of the *site* at its expense to the *City* in accordance with an agreement or agreements, pursuant to Section 37(3) of the *Planning Act*, in a form satisfactory to the *City* with conditions providing for indexing escalation of both the financial contributions and letters of credit, indemnity, insurance, GST, termination and unwinding, and registration and priority of agreement:

1. The owner shall internalize the TTC Staircase at the northeast corner of University Avenue and Dundas Street West to the satisfaction of the Chief Planner and Executive Director, City Planning and the Chief Executive Officer of the Toronto Transit Commission.
2. The owner shall design and construct a pedestrian promenade along Dundas Street West to the satisfaction of the Chief Planner and Executive Director, City Planning, including:
 - e) public art and public realm improvements to the pedestrian promenade through a design and implementation process satisfactory to the Chief Planner and Executive Director,
 - f) the provision of a public easement in favour of the City for pedestrians along the Dundas Street West Promenade frontage, with the owner's covenant to indemnify the City of Toronto in respect to the Pedestrian Promenade.
3. The owner shall retain and restore the primary University Avenue and Dundas Street West elevations of the office building at 481 University Avenue and printing plant at 210 Dundas Street West in accordance with the Heritage Impact Assessment revised September 6, 2013 prepared by ERA Architects Inc.
4. The estimated value of the foregoing work is a minimum of \$7,000,000.00. A cost estimate for items 2 and 3 will be submitted to the satisfaction of the Chief Planner and Executive Director, City Planning.
5. The owner will not object to the designation of the buildings at 481 University Avenue and 210 Dundas Street West as recommended in the Report from the Director, Urban Design, City Planning Division dated June 26, 2014.