



STAFF REPORT ACTION REQUIRED

387 to 403 Bloor Street East and 28 Selby Street – Zoning Amendment Application - Preliminary Report

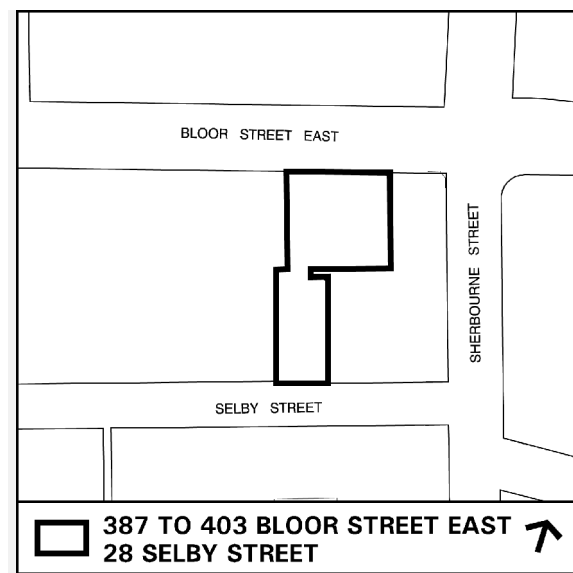
Date:	January 21, 2013
To:	Toronto and East York Community Council
From:	Director, Community Planning, Toronto and East York District
Wards:	Ward 27 – Toronto Centre-Rosedale
Reference Number:	12 290796 STE 27 OZ

SUMMARY

This application has been submitted to permit a mixed use development of a 49-storey (including an 8-storey base) and a 12-storey residential building including a connecting one-storey base. The development would include 582 residential units and 1,395 square metres of retail space. A total of 173 parking spaces would be provided in a 4-level underground parking garage.

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

It is recommended that a community consultation meeting be scheduled by staff, in consultation with the Ward Councillor. A Final Report and public meeting under the *Planning Act* to consider the application is targeted for late 2013, provided that the issues raised in this report and through the review of the application are satisfactorily resolved, and that any requested information and revised application is submitted by the applicant in a timely manner.



RECOMMENDATIONS

The City Planning Division recommends that:

1. Staff be directed to schedule a community consultation meeting for the lands at 387 to 403 Bloor Street East and 28 Selby Street together with the Ward Councillor.
2. Notice for the community consultation meeting be given to landowners and residents within 120 metres of the site.
3. Notice for the public meeting under the Planning Act be given according to the regulations under the Planning Act.

Financial Impact

The recommendations in this report have no financial impact.

DECISION HISTORY

A previous application was submitted in 2010 for a portion of the subject site to permit a 42-storey mixed use building comprising of a 2-storey podium and 40-storey tower, with 386 residential units and 1,080 square metres of commercial retail space at grade and on the second floor. (File 10 181604 STE 27 OZ)

A Preliminary Report dated July 13, 2010 identified a number of deficiencies with the proposal, a general lack of fit with the existing and planned context and concluded that staff could not support the development in its current form. The list of issues to be resolved included:

1. Consistency with the Provincial Policy Statement and the Growth Plan for the Greater Golden Horseshoe;
2. Conformity with Official Plan policies, particularly with respect to *Neighbourhoods*, built form, heritage and housing policies;
3. Conformity with the Design Criteria for Review of Tall Building Proposals, namely the sections on transition in scale, heritage buildings, pedestrian realm and sustainable design;
4. Conformity with the Bloor-Yorkville/North Midtown Urban Design Guidelines, namely the sections that reference access to Bloor Street East, wind and shadow impact on the Rosedale Valley ravine;
5. For the building at 403 Bloor Street East, conformity with Parks Canada's "Standards and Guidelines for the Conservation of Historic Places in Canada", approved by City Council as the official document guiding planning, stewardship and conservation approach for all listed and designated heritage resources within the City (March 3, 4, and 5, 2008);

6. Provision of no on-site parking including impacts on the supply of on-street parking in the area;
7. Vehicle and truck access to the subject property from Bloor Street East which is discouraged by the Design Criteria for Review of Tall Building Proposals;
8. Options to provide site access from Shelby Street;
9. Height and density of proposal;
10. Other built form and massing issues including, but not limited to: sky view, light penetration, privacy (with respect to window separation to the properties to the east and west), and wind mitigation;
11. Shadow impacts on the *Neighbourhoods* designation to the west and east and on Rosedale Valley ravine;
12. Heritage impacts, including the proposed demolition of the existing 3-storey listed heritage building or its incorporation into the proposed built form of the proposed residential tower;
13. Mix of unit sizes and lack of family-sized units;
14. Appropriate servicing to accommodate the proposed development;
15. Commitment to providing resident and visitor bicycle parking and a bike share program given the site's proximity to the Wellesley Street and Sherbourne Street bike lanes and then soon to be completed Jarvis Street bike lanes;
16. Treatment of the ground floor of the building and its relationship to the streetscape and the provision of pedestrian realm weather protection; and
17. The application's provision of required indoor and outdoor amenity space and adherence to the City's Toronto Green Standard and Green Roof By-law.

At the August 17, 2010 Toronto and East York Community Council meeting the Preliminary Report was approved and staff were directed to hold a community meeting. The community meeting was held on January 27, 2011. The application was withdrawn on December 7, 2012 as a result of the current application being filed.

Pre-Application Consultation

A pre-application consultation meeting was held on November 28, 2012 with the applicant to discuss a revised proposal that included additional lands, specifically 387 Bloor Street East and 28 Selby Street. Complete application submission requirements were also discussed.

Staff raised concerns related to, among other items, height of the buildings and the buildings setbacks to the abutting buildings and expected closer compliance with the Downtown Tall Buildings Vision and Performance Standards and Design Guidelines. Staff also reminded that the applicant that there were a

number of issues that were identified for the previous application that will need to be addressed in a new submission, including, but not limited to, shadow impacts on the Rosedale Valley and neighbourhoods to the east and west, access and parking, treatment of the ground floor of the building and its relationship to the streetscape, and the provision of pedestrian realm weather protection.

ISSUE BACKGROUND

Proposal

This application has been submitted to permit a development of a 49-storey building (including an 8-storey base) fronting Bloor Street East and a 12-storey residential building fronting Selby Street joined by a one-storey mixed-use base element. The overall development would have a total gross floor area of 45,850 square metres (44,455 sq.m. of residential GFA and 1,395 sq.m. of commercial) for a total Floor Space Index of 20.1. The development would include 582 residential units and 1,395 square metres of retail space. A total of 173 parking spaces would be provided in a 4-level underground parking garage with access from a driveway to Selby Street. A total of 465 residential bicycle parking spaces are proposed on the mezzanine and P1 level, and 116 visitor bicycle parking spaces are proposed on the P1 level. A total of 732 square metres of indoor amenity space would be provided on the first and second floor of the 49-storey building and 230 square metres in 12-storey building. A 517 square metre outdoor amenity space would be provided on the roof of the base building that joins to the two buildings.

All properties are proposed to be demolished including 403 Bloor Street East which is a listed heritage building under the City of Toronto Inventory of Heritage properties.

Bloor Street East Building

This 49-storey building includes an 8-storey base that steps down to 2-storeys at Bloor Street East and to one storey towards the middle of the site. The podium includes 1,395 square metres of retail space. Pedestrian access to this building is from Bloor Street East.

The tower would rise to a height of 155 metres (excluding the mechanical penthouse) and has a typical floor plate of 750 square metres. The portion of the tower which faces existing windows of the adjacent 20-storey office building to the west is set back 6.3 metres from the lot line, with a separation distance of 10.8 metres to the windows of the office building.

To the east, a setback of 6.1 metres is proposed from the tower to the wall of 16-storey condominium to the east.

A sidewalk width of 4.9 metres is provided along Bloor Street East. Five street trees are proposed along Bloor Street East.

Selby Street Building

This 12-storey building would have a height of 41 metres (excluding mechanical penthouse). The north face of the building would be set back 20 metres from the south face of the proposed tower on Bloor Street East. Balconies would encroach into both sides of the setback.

Three street trees are proposed along Selby Street. No sidewalk widening is proposed on Selby Street.

Heritage

The property located at 403 Bloor Street East is listed on the City of Toronto's Inventory of Heritage Properties on July 14, 1983 for architectural reasons.

The Heritage Impact Statement report from ERA Architects Inc., submitted with the application for review, describes the property as having a two-and-a-half storey former residence constructed in the later part of the 19th century when the neighbourhood was a low-rise upscale neighbourhood. Since the early 1920's the ground floor of the property has been used for commercial purposes with the upper storeys providing rental accommodation. During the 1950's a commercial podium was constructed around the base of the former residence.

The Heritage Impact Statement report indicates that 403 Bloor Street East contains marginal heritage value as its architectural integrity has been severely eroded and that photo documentation prior to the removal of the building is the most appropriate strategy.

Site and Surrounding Area

The properties at 395 to 403 Bloor Street support low rise commercial buildings, with 403 Bloor Street having a three-storey house behind it. The property at 387 Bloor Street East contains a 6-storey residential condominium building with 10 residential condominium units and commercial space at grade. The property at 28 Selby Street is a surface parking lot. The property is crossed at the north end by the TTC Bloor Danforth subway tunnel. The overall development site is irregular in shape with frontage on both Bloor Street East and Selby Street having a total site area of 2,280 square metres.

Surrounding Uses:

South: Selby Street is to the south of the site. Directly across on the south side of Selby Street is the Clarion Hotel & Selby Suites property located at the southwest corner of Sherbourne Street and Selby Street, one block south of Bloor Street East. A development application has been submitted to permit a 52-storey (179.6 metre) tall residential tower including a 3-storey base with grade related units for a total of 499 dwelling units (File 12 193918 STE 27 OZ);

To the south of the site there is also the James Cooper Heritage Mansion and 32-storey residential tower development.

Directly southwest of the site is an area designated *Neighbourhood* in the Official Plan with low rise 2 to 3-storey house form dwellings. Some of the dwellings have been converted to bed and breakfast houses. Further west on Jarvis Street there are existing and recently approved residential towers ranging from 27 to 49-storeys in height.

West: A 20-storey commercial office tower is located on the south side of Bloor Street East, and just west of this property towards Jarvis Street is a 26-storey residential building;

East: Sherbourne Street is to the east of the site. Across from the site on the east side of Sherbourne Street are low rise mixed-use commercial retail and residential uses, heritage rowhouses at 603 to 607 Sherbourne Street, St. James Town West Park and Trinity Evangelical Lutheran Church. Northeast of the site, at the southeast corner of Bloor Street East and Sherbourne Street is an office building with a height of approximately 10-storeys and the Sherbourne Subway Station. Further northeast is the Rosedale Valley ravine.

Within the blocks bounded by Bloor Street East, Sherbourne Street, Howard Street and Parliament Street an application to amend the Official Plan and Zoning By-law has been submitted (file 10 2477063 STE 28 OZ). The current proposal includes four residential towers with heights of 45, 45, 37 and 12-storeys with some retail at grade, a 4-storey townhouse block, an on-site park, heritage preservation of 603 Sherbourne Street, partial retention of 605-607 Sherbourne Street houses, and relocation of the building at 76 Howard Street to another vacant site in the neighbourhood. A total of 1,235 units are proposed.

North: An 18-storey residential condominium (388 Bloor Street East – Rosedale Condominiums and the 17-storey residential condominium (360 Bloor Street East) as well as the TD Bank building at the north-west corner of Bloor Street East and Sherbourne Street. Further north is the Rosedale Valley ravine.

Provincial Policy Statement and Provincial Plans

The Provincial Policy Statement (PPS) provides policy direction on matters of provincial interest related to land use planning and development. The PPS sets the policy foundation for regulating the development and use of land. The key objectives include: building strong communities; wise use and management of resources; and, protecting public health and safety. The PPS also includes policies regarding the conservation of significant built heritage resources and significant cultural heritage landscapes. 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.

Staff will review the proposed development for consistency with the PPS and for conformity with the Growth Plan for the Greater Golden Horseshoe.

Official Plan

The Official Plan places the site within the Downtown and Central Waterfront on Map 2 "Urban Structure". The site is designated "*Mixed Use Areas*" on Map 18 – Land Use Plan in the Official Plan. This designation permits a range of residential, commercial and institutional uses. The Plan includes criteria that directs the form and quality of development in this land use designation. The criteria state that: new buildings provide a transition between areas of different intensity and scale, including appropriate setbacks and/or a stepping down of heights towards lower scale *Neighbourhoods*; shadow impacts be minimized; and an attractive, safe and comfortable pedestrian environment be provided, among other criteria. Generally, it is the intent that development will:

- create a balance of high quality commercial, residential, institutional and open space uses that reduces automobile dependency and meets the needs of the local community;
- provide for new jobs and homes for Toronto's growing population on underutilized lands;
- locate and mass new buildings to provide a transition between areas of different development intensity and scale, as necessary to achieve the objectives of the Plan, through means such as providing appropriate setbacks and/or a stepping down of heights, particularly towards lower scale *Neighbourhoods*;
- locate and mass buildings so as to adequately limit shadow impacts on adjacent *Neighbourhoods*, particularly during the spring and fall equinoxes;
- locate and mass buildings 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;
- provide an attractive, comfortable and safe pedestrian environment;
- have access to schools, parks, community centres, libraries, and childcare;
- take advantage of nearby transit services;
- provide good site access and circulation and an adequate supply of parking for residents and visitors;
- locate and screen service areas, ramps and garbage storage to minimize the impact on adjacent streets and residences; and
- provide indoor and outdoor recreation space for building residents in every significant multi-unit residential development.

The Official Plan policies regarding heritage resources set out directions for conserving our heritage through listing properties, designating them and entering into conservation agreements. Once a property is listed on the City's *Inventory of Heritage Properties* it is to be conserved and any development proposal on a heritage property requires a Heritage Impact Statement. Development adjacent to properties on the City's *Inventory of Heritage Properties* will respect the scale, character and form of heritage buildings and landscapes.

Section 3.2.2 of the Official Plan addresses the provision community services and facilities in areas experiencing major or incremental growth. Strategies for providing new infrastructure or improving existing facilities will be developed for areas that are inadequately served or experiencing major growth.

Compliance with these and other relevant policies of the Official Plan including built form, heritage conservation, environment and transportation, will be addressed in Staff's Final Report.

Downtown Tall Buildings Vision and Performance Standards Design Guidelines

In July of 2012, Toronto City Council adopted the Downtown Tall Buildings Vision and Performance Standards Design Guidelines and directed City Planning staff to use these Guidelines in the evaluation of all new and current tall building development proposals falling within the Guideline boundaries. The Guidelines identify where tall buildings belong Downtown and establish a framework to regulate their height, form and relationship to their surroundings. They focus on enhancing the pedestrian environment; minimizing shadowing of sidewalks, parks and public squares; protecting landmark views and heritage resources and improving the quality of life (access to natural light, sky views and privacy) for people living and working Downtown. The Guidelines include a vision statement for downtown tall buildings; maps which identify "High Street" and "Secondary High Street" locations, recommended heights and building typologies for these streets; and twenty-three Performance Standards relating to the base conditions or tower portions of tall buildings or to their contextual fit within the Guideline area. Guideline details are available at: <http://www.toronto.ca/planning/tallbuildingstudy.htm>.

The subject property is located on Bloor Street East which is identified as a High Street on Map 1. This portion of Bloor Street falls within a height range of 62 metres to 107 metres (20 storeys to 35 storeys) on Map 2, is identified as Tower Podium form on Map 3 and is identified as a Priority Retail Street on Map 4.

The Selby Street frontage is not identified as either a High Street or Secondary High Street.

Bloor-Yorkville/North Midtown (BYNM) Urban Design Guidelines

The proposed application will also be reviewed within the context of the Bloor-Yorkville/North Midtown (BYNM) Urban Design Guidelines, which recommend height transitions from a peak at Yonge Street and Bloor Street, to height ridges which extend east from the Yonge/Bloor Street intersection. Protection of the Rosedale Valley Ravine from shadow impacts are also relevant for the site.

Zoning

The site is zoned CR T4.0 C2.0 R4.0 which permits a wide range of uses including residential uses, retail, offices, private club, and restaurants. The site has a total density permission of 4.0 times the lot area, 2.0 times the lot area for commercial uses and 4.0 times the lot area for residential uses. The height permission is 30 metres.

Site Plan Control

The proposed development is subject to Site Plan Control approval. The Site Plan application has not been submitted.

Tree Preservation

Urban Forestry staff are reviewing the development plans to determine the impact on any existing mature trees. The owner will be required to obtain the necessary permits prior to removing any trees.

Reasons for the Application

The Zoning By-law Amendment has been submitted to establish uses and the development standards for the proposed development related to, among other matters, maximum density and height, commercial and residential floor area, number and mix of residential units, parking and loading requirements, building envelopes and required landscape and amenity space.

All areas of non-compliance with Zoning By-law No. 438-86 will be identified through the circulation and review process.

COMMENTS

Application Submission

The following reports/studies were submitted with the application:

- Rental Housing Demolition and Conversion – Declaration of Use and Screening Form
- Planning and Urban Design Rationale Report from Bousfields Inc.
- Heritage Impact Statement
- Sun/Shadow Study
- Transportation Review
- Toronto and Green Standard Checklist
- Functional Servicing Report
- Pedestrian level Wind Study
- Tree Inventory Plan and Arborist Report

A Notification of Incomplete Application issued on December 24, 2012 identifies the outstanding material required for a complete application submission as follows:

- Confirmation of ownership of the subject lands 387 to 403 Bloor Street East and 28 Selby Street;
- Draft Zoning By-law Amendment (text and schedule);
- Community Services and Facility Study;
- Natural Heritage Impact Study (to include a Shadow Impact Analysis on the adjacent ravine lands along with cross sections showing the extent of shading as it related to topography and tree height);
- Noise Impact Study;
- Archaeological Assessment;
- Vibration Study;
- Geotechnical Study;

- Site Servicing and Stormwater Management Report and associated plans; and
- Contaminated Site Assessment.

The applicant was also requested to provide a summary of all of the previous and current uses of each building on the development site. This information is to be reviewed to determine the required process for any identified previous or current residential rental units on the site. This information will also provide confirmation of the current commercial uses and floor area on the site.

Issues to be Resolved

A number of significant issues have been identified that will need to be addressed, many of which were identified for the previous development application. There are concerns with the following:

1. Consistency with the Provincial Policy Statement and the Growth Plan for the Greater Golden Horseshoe;
2. Conformity with Official Plan policies, particularly with respect to the sections on *Neighbourhoods*, built form, heritage and housing;
3. Conformity with the Downtown Tall Buildings Vision and Performance Standards Design Guidelines. Built form concerns including: site size, height and density of the proposal, separation distance from surrounding buildings, shadow impacts on surrounding properties, open space and massing issues including, but not limited to: setbacks, step-backs, views, sky view, light penetration, privacy, wind mitigation and pedestrian realm weather protection;
4. Conformity with the Bloor-Yorkville/North Midtown Urban Design Guidelines, including shadow impact on the Rosedale Valley ravine;
5. Shadow impacts on the *Neighbourhoods* designation to the west and east and on Rosedale Valley ravine;
6. Conformity with Parks Canada's "Standards and Guidelines for the Conservation of Historic Places in Canada", approved by City Council as the official document guiding planning, stewardship and conservation approach for all listed and designated heritage resources within the City (March 3, 4, and 5, 2008);
7. Heritage impacts, including the proposed demolition of the existing 3-storey listed heritage building or its incorporation into the proposed built form of the proposed residential tower;
8. Mix of unit sizes particularly the provision of family sized units;
9. Provision of replacement commercial floor area along the Bloor Street East frontage;
10. Assessment of traffic generation, access and transportation impacts;

11. Assessment of the impact on the TTC Bloor Danforth subway tunnel that traverses the northern part of the property;
12. Commitment to providing resident and visitor bicycle parking and a bike share program given the site's proximity to the Wellesley Street, Bloor Street East, Sherbourne Street bike lanes;
13. Appropriate servicing to accommodate the proposed development;
14. Adequacy of community services and parkland in the area;
15. Provision of required indoor and outdoor amenity space and adherence to the City's Toronto Green Standard and Green Roof By-law; and
16. Identification and securing of public benefits pursuant to Section 37 of the *Planning Act* should a redevelopment be recommended for approval.

Additional issues may be identified through the review of the application, agency comments and the community consultation process.

CONTACT

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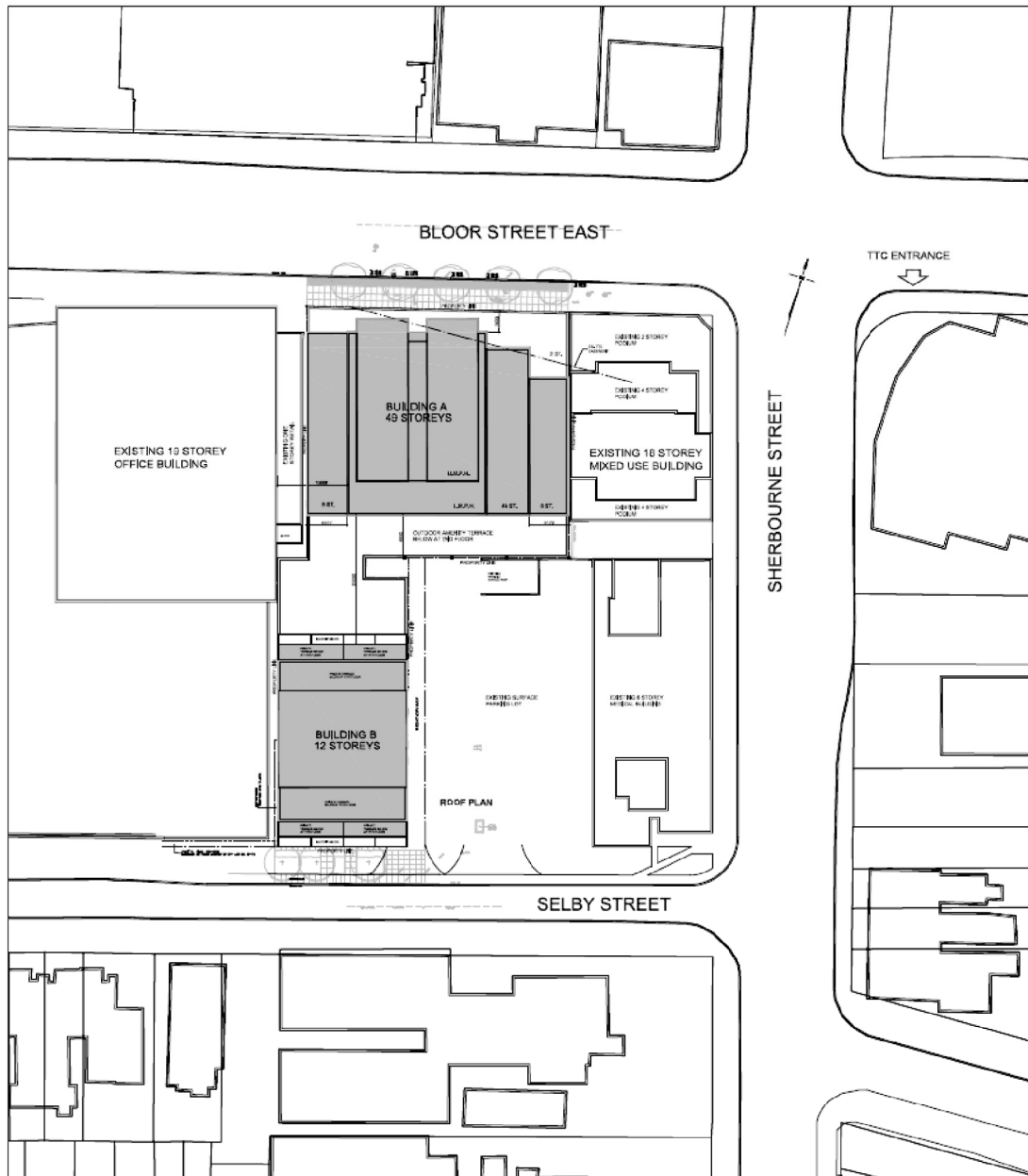
Gregg Lintern, MCIP, RPP
Director, Community Planning
Toronto and East York District

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ATTACHMENTS

Attachment 1: Site Plan
Attachment 2: North Elevation
Attachment 3: South Elevation
Attachment 4: East Elevation
Attachment 5: West Elevation
Attachment 6: Existing Zoning
Attachment 7: Application Data Sheet

Attachment 1: Site Plan



Site Plan

387 to 403 Bloor Street East and 28 Selby Street

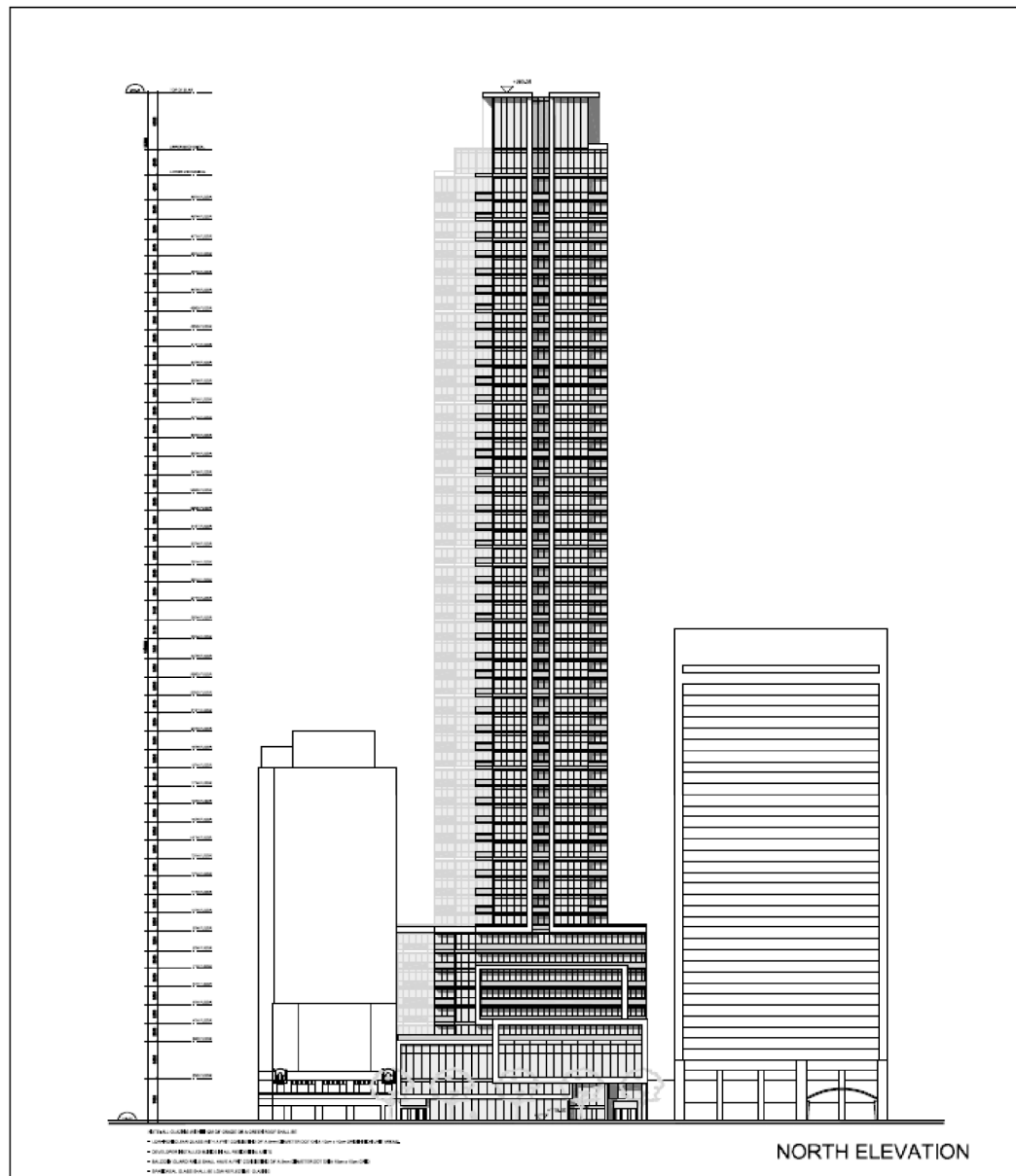
Applicant's Submitted Drawing

Not to Scale
01/18/2013



File # 12_290796_02

Attachment 2: North Elevation



North Elevation

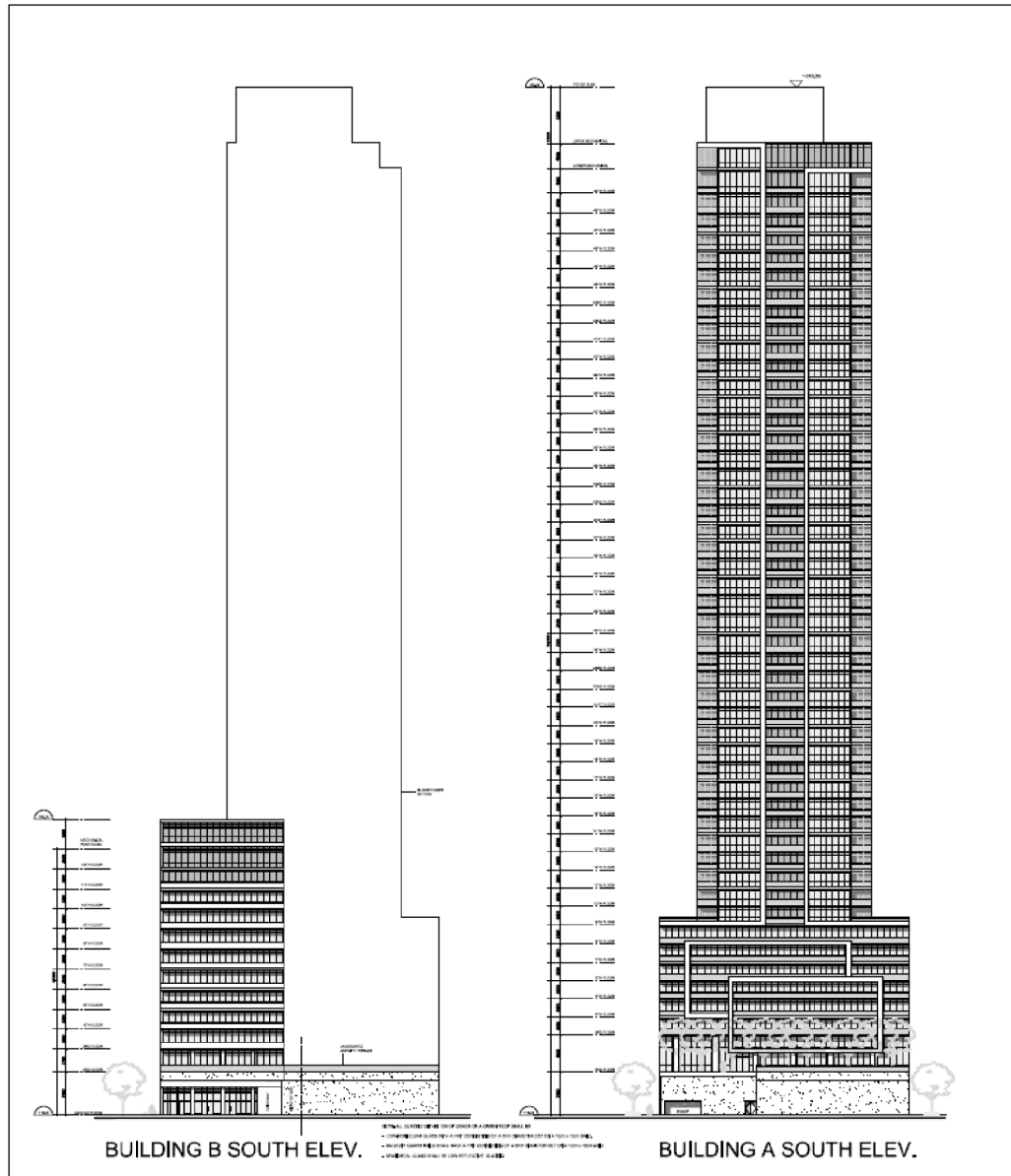
387 to 403 Bloor Street East and 28 Selby Street

Applicant's Submitted Drawing

Not to Scale
01/18/2013

File # 12_290796_02

Attachment 3: South Elevation



South Elevation

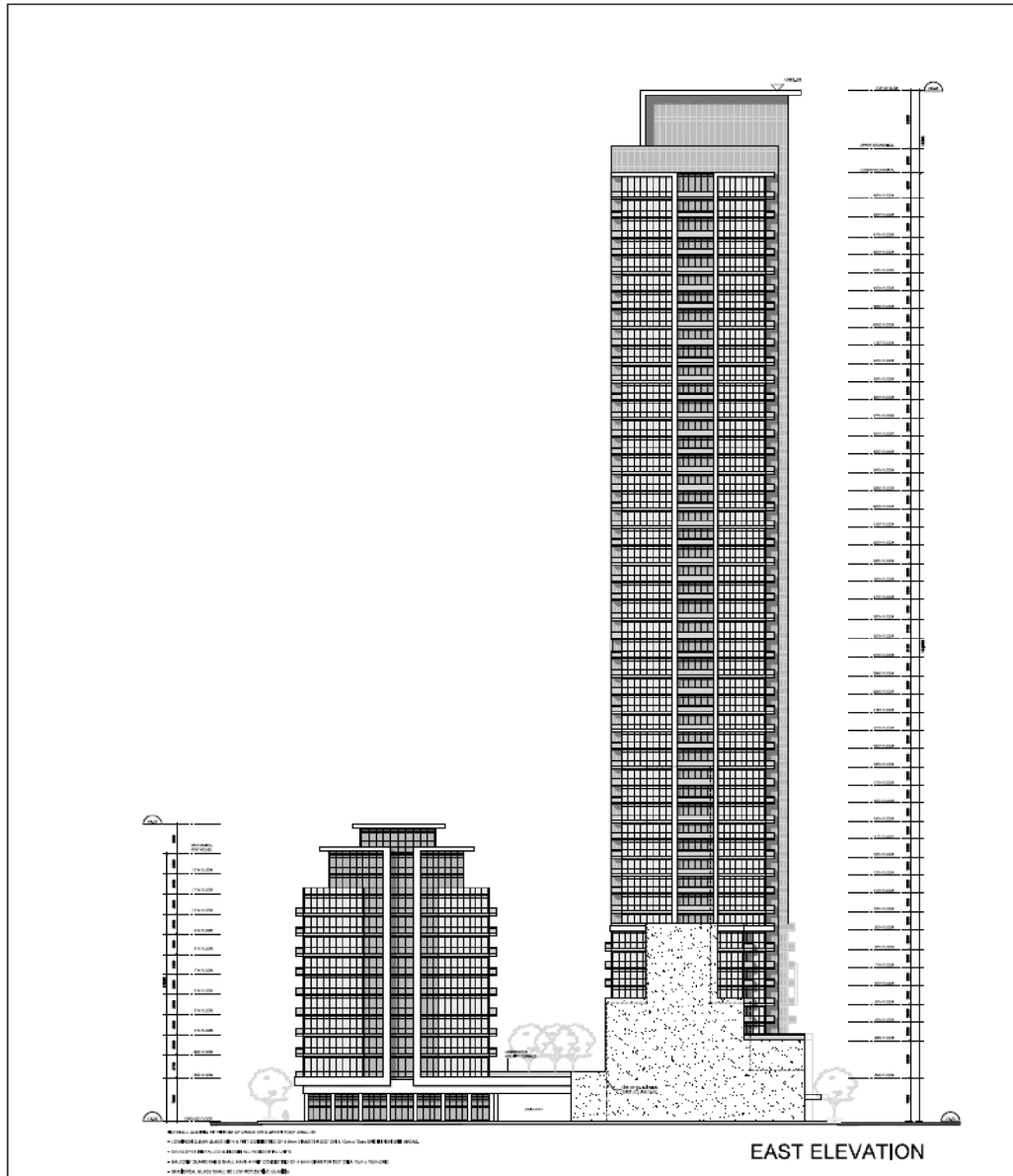
Applicant's Submitted Drawing

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01/18/2013

387 to 403 Bloor Street East and 28 Selby Street

File # 12_290796_02

Attachment 4: East Elevation



East Elevation

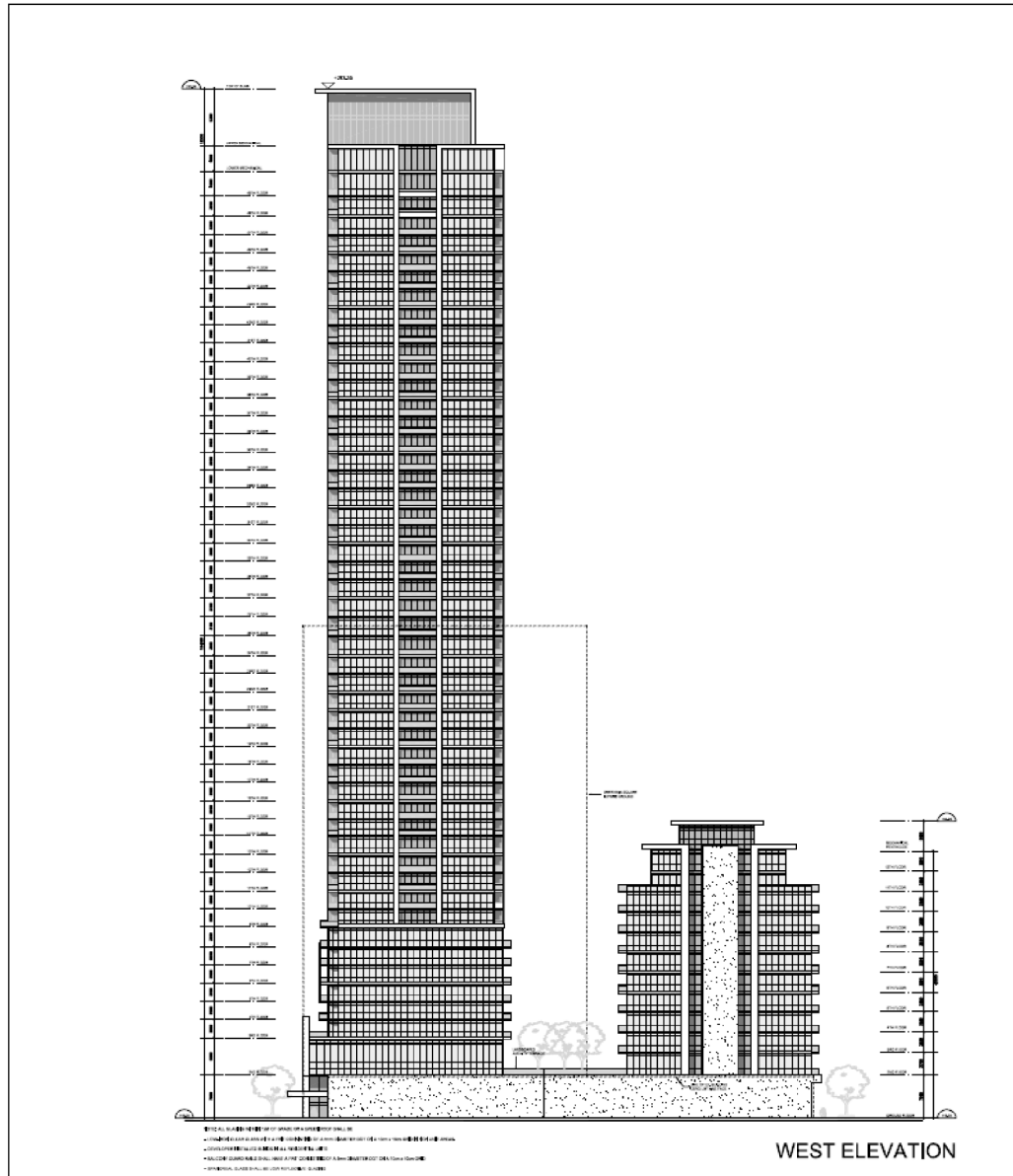
387 to 403 Bloor Street East and 28 Selby Street

Applicant's Submitted Drawing

Not to Scale
01/18/2013

File # 12_290796_02

Attachment 5: West Elevation



West Elevation

387 to 403 Bloor Street East and 28 Selby Street

Applicant's Submitted Drawing

Not to Scale
01/18/2013

File # 12_290796_02

Attachment 6: Existing Zoning



Toronto City Planning
Zoning

387 to 403 Bloor Street East and 28 Selby Street

File # 12_290796_02

Gr Parks District
R1 Residential District
R3 Residential District
R4 Residential District
CR Mixed-Use District



Not to Scale
Zoning By-law 438-86 as amended
Extracted 01/18/2013

Attachment 7: Application Data Sheet

Application Type	Rezoning	Application Number:	12 290796 STE 27 OZ
Details	Rezoning, Standard	Application Date:	December 7, 2012
Municipal Address:	387 to 403 Bloor Street East and 28 Selby Street		
Location Description:	PLAN 132A PT LOT 11 RP 66R18739 PT PART 2 **GRID S2708		
Project Description:	Rezoning application for construction of a new mixed use development consisting of a 49 storey and 12 storey residential building connected by a mixed use one storey podium. Included in the proposal is a total of 582 residential units complete with 173 parking spaces to serve the development.		

Applicant:

BOUSFIELDS INC.
3 Church St, Ste 200
Toronto, ON M5E 1M2

Architect:

Page+Steele
IBI Group Architects
95 St. Clair W, Ste 200
Toronto, ON M4V 1N6

Owner:

1570710, 1577020, 1577021
& 2262814 Ontario Ltd
27 Verwood Ave
Toronto, ON M3H 2K6

PLANNING CONTROLS

Official Plan Designation:	Mixed Use Areas	Site Specific Provision:	N
Zoning:	CR T4.0 C2.0 R4.0	Historical Status:	Y
Height Limit (m):	30 metres	Site Plan Control Area:	Y

PROJECT INFORMATION

Site Area (sq. m):	2280	Height:	Storeys:	49 and 12
Frontage (m):	39.5		Metres:	163.1 and 47.7
Depth (m):	81.5			
Total Ground Floor Area (sq. m):	1640			Total
Total Residential GFA (sq. m):	44455		Parking Spaces:	173
Total Non-Residential GFA (sq. m):	1395		Loading Docks	1
Total GFA (sq. m):	45850			
Lot Coverage Ratio (%):	71.9			
Floor Space Index:	20.1			

DWELLING UNITS

Tenure Type:	Condo
Rooms:	0
Bachelor:	0
1 Bedroom:	345 (59%)
2 Bedroom:	233 (40%)
3 + Bedroom:	4 (> 1%)
Total Units:	582

FLOOR AREA BREAKDOWN (upon project completion)

		Above Grade	Below Grade
Residential GFA (sq. m):	44455	0	
Retail GFA (sq. m):	1395	0	
Office GFA (sq. m):	0	0	
Industrial GFA (sq. m):	0	0	
Institutional/Other GFA (sq. m):	0	0	

CONTACT:

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