

**Western part of 18 York Street, 0 Bremner Boulevard –  
Rezoning Application – Final Report**

<b>Date:</b>	July 29, 2010
<b>To:</b>	Toronto and East York Community Council
<b>From:</b>	Director, Community Planning, Toronto and East York District
<b>Wards:</b>	Ward 20 – Trinity-Spadina
<b>Reference Number:</b>	10 176348 STE 20 OZ

**SUMMARY**

This application was made on or after January 1, 2007 and is subject to the new provisions of the Planning Act and the City of Toronto Act, 2006.

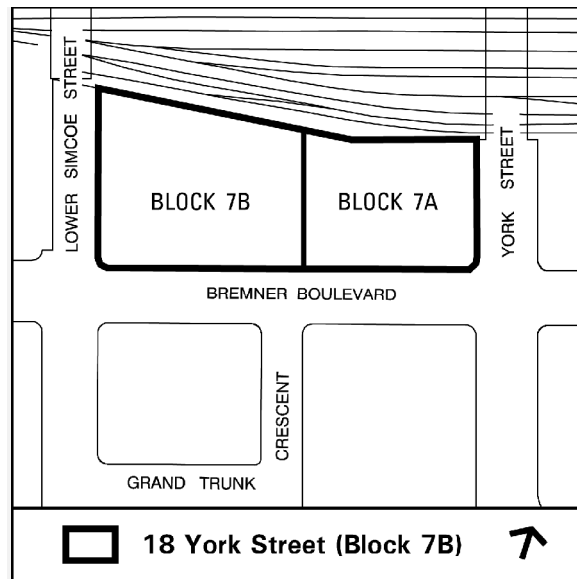
This application proposes to add office use to the permitted use of the property located at the western part of 18 York Street (known as Block 7B, Railway Lands East, northeast corner of Lower Simcoe Street and Bremner Boulevard).

This report reviews and recommends approval of the application to amend the Zoning By-law to permit office uses on the lands in question.

**RECOMMENDATIONS**

**The City Planning Division recommends that:**

1. City Council amend Zoning By-law No. 168-93, as amended, for the former City of Toronto, substantially in accordance with the draft Zoning By-law Amendment attached as Attachment No. 5 to the July 20, 2010 report from the Director of 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 Bill to City Council for enactment, City Council require the owner to enter into an Agreement pursuant to Section 16 of the City of Toronto Act satisfactory to the Chief Planner and Executive Director, City Planning Division, and the City Solicitor, such agreement to be registered on title to the lands in a manner satisfactory to the City Solicitor, to secure the following facilities, services and matters:
  - a. the owner shall pay for and construct improvements to the municipal infrastructure in connection with the proposed development, as directed by the Executive Director of Technical Services, should it be determined that improvements to such infrastructure are required to support this development.

### **Financial Impact**

The recommendations in this report have no financial impact.

### **DECISION HISTORY**

This site is part of the Railway Lands East and is subject to the Railway Lands East Secondary Plan, Railway Lands East Zoning By-law and related Precinct B Agreements.

This site was the subject of a rezoning application (File: 100021/TO ZBL 2000 0017) in 2002 related to the proposal of hotel or combined hotel and residential uses. The site specific by-law permits a gross floor area of 74,134 square metres and a height of 98 metres. This rezoning removed the permission for office use on this site.

Through the approval of the rezoning application, City Council directed staff to achieve a PATH connection between the proposed hotel and the Metro Convention Centre (bridge over Lower Simcoe Street or over the railway to the existing Skywalk bridge to the Metro Convention Centre).

Prior to the 2002 rezoning, the site was zoned Commercial Residential (CR) which permitted a range of commercial and residential uses, including office. The original intention for Block 7 was for an office tower on the eastern portion of the site and residential development on the western portion. This was reflected in the distribution of the gross floor area in the Railway Lands East By-law. The density permitted on Block 7 was 92,900 square metres (maximum non-residential) and 30,936 square metres (maximum residential). Up to 930 square metres of non-residential gross floor area was permitted on Block 7B. However, the maximum non-residential gross floor area for Block 7B could be increased by up to 1,858 square metres so long as the maximum non-residential gross floor area for Block 7A is reduced by an equal amount.

The former City of Toronto Official Plan Part II permitted predominantly residential uses, although it contemplated that due to the location of the site adjacent to the Metro Toronto Convention Centre, a hotel and convention centre use might be permitted. The Part II Plan set out some minimal conditions for the development of hotel uses if an amendment to the By-law were requested.

Major office development was not contemplated for this site in the Railway Lands East Zoning By-law, although the 2002 rezoning did allow for non-residential uses with the hotel permissions.

### **Pre-Application Consultation**

A pre-application consultation meeting was held on May 5, 2010 with the applicant to discuss complete application submission requirements.

A pre-application community consultation meeting was held on January 25, 2010. The meeting was held to generally discuss a hotel proposal and possible second phase office building. There were questions about site access, parking supply, and loading access which relate to the office proposal.

## **ISSUE BACKGROUND**

### **Proposal**

The applicant proposes to add office use on Block 7B of Railway Lands East (refer to Application Data Sheet in Attachment 4).

This proposal would facilitate a proposed 45 storey hotel (west end of the property) and a 30 storey office building (east end of the property) (refer to Attachment 1- Site Plan and Attachments 2A-D – Renderings). In addition to the rezoning application to permit the use, the applicant will be required to submit a site plan application and a minor variance application with the Committee of Adjustment. A Committee of Adjustment application was received on July 7, 2010 and is scheduled for the September 22, 2010 (file no. A0674/10 TEY).

### **Site and Surrounding Area**

#### **Site**

The subject property is located at the northeast corner of Lower Simcoe Street and Bremner Boulevard. The property is rectangular in shape, oriented in an east-west direction, and has frontage on Lower Simcoe Street and Bremner Boulevard. The site has an area of 7,522 square metres. The site is essentially flat with no trees. The site is currently a construction staging area.

## **Surrounding Area**

The site is located in Railway Lands East and the Financial District, an area characterized by a vibrant mix of commercial, office, residential and recreational uses in a predominantly high-rise built form setting. Within the immediate context, the following uses surround the site:

North: the GO and CN rail corridor, and beyond which are office buildings. 151 Front Street has an approved development application for a 36 storey office building (file nos. 05 105725 STE 20 OZ and 06 198574 STE 20 OZ);

East: a 26 storey office building under construction with an address of 18 York Street (Block 7A, Railway Lands East, file no. 06 162121 STE 20 OZ);

South: Bremner Boulevard, beyond which is a mixed use building with a 16 storey and 35 storey tower; to the southeast is an approved development at 16 York Street. This project consists of a 31 storey office building, and 55 and 65 storey residential towers under construction (08 100769 STE 20 OZ and 09 161101 STE 20 SA); and

West: Lower Simcoe Street, beyond which is the Metro Toronto Convention Centre and parkland.

## **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.

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

## **Official Plan**

The subject property is located within the *Downtown and Central Waterfront* area on Map 2 – Urban Structure in the Official Plan and in the *Financial District* on Map 6 - Downtown and Central Waterfront Boundaries. The Railway Lands East Secondary Plan designates the site *Mixed Use Area 'I'* and it is designated as *Mixed Use Areas* on Map

18 – Land Use Plan. The property is surrounded by properties designated *Mixed Use Areas* to the west, south and east, and *Utility Corridors* to the north.

The site is located in Precinct B of the Railway Lands East Secondary Plan. Each precinct has a corresponding precinct agreement to secure a range of matters including road pattern, servicing, and open space.

*Downtown* and the *Financial District* are considered prime areas for job growth. The Official Plan references the concentration of jobs within walking distance of Union Station. It also promotes the opportunity to extend *Financial District* south of the rail corridor, which would add to the supply of premier office space.

In the Railway Lands East Secondary Plan, *Mixed Use Areas* are viewed as a commercial extension of the Financial District north of Front Street and as an appropriate location for the primary concentration of office uses within the Railway Lands East. The Railway Lands East Secondary Plan sets out general policy objectives, including direction for the public realm and transportation. For the subject site, the lands designated *Mixed Use Area 'I'*, the Official Plan permits mixed-use development with residential uses located at the western portion of the site (Policy 10.3.6). Other site-specific Secondary Plan (Policy 10.7) policies refer to development criteria and conditions for this site, including the following requirements to be addressed:

- servicing arrangements;
- the construction of the Simcoe Street tunnel;
- that the height and massing of the buildings are appropriate and have regard for the impacts of wind, sun and shade;
- that there be sufficient non-residential gross floor area to accommodate street-related retail and service uses; and
- the satisfactory separation of cars and trucks from areas of pedestrian activity.

*Mixed Use Areas* are made up of a broad array of residential uses, offices, retail and services as well as institutional, entertainment, recreational and cultural activities, in addition to parks and open spaces. These areas are intended to absorb future growth for new employment and housing. The Official Plan provides Development Criteria for *Mixed Use Areas*, which include:

- creating a balance of high quality commercial, residential, institutional and open space uses that reduces automobile dependency and meets the needs of the local community;
- locating and mass new buildings to provide a transition between areas of different development intensity and scale; and
- providing an attractive, comfortable and safe pedestrian environment.

The City of Toronto's Official Plan and the Railway Lands East Secondary Plan are available on the City's website at:

[http://www.toronto.ca/planning/official\\_plan/introduction.htm](http://www.toronto.ca/planning/official_plan/introduction.htm)

## **Zoning**

The property is currently zoned CR Block 7B under the Railway Lands East Zoning Bylaw 168-93.

Site Specific Zoning By-law 549-2002 permits a hotel and/or mixed hotel and residential development, with a maximum gross floor area of 74,134 square metres and a height of 98 metres.

Attachment 3 provides an excerpt of the zoning for the site and immediate area.

## **Site Plan Control**

The proposed development is subject to site plan control. An application for site plan control was submitted on June 4, 2010 (file no. 10 189 641 STE 20 SA). The site plan application is for both the office building and hotel.

## **Reasons for the Application**

The Railway Lands East Zoning By-law 168-93, as amended by Zoning By-law 549-2002, does not permit office use at this location.

## **COMMENTS**

### **Community Consultation**

A community meeting was held on June 15, 2010 and attended by staff as well as the applicant and their consultants. The meeting was attended by approximately five members of the public. A number of questions were asked by residents with respect to the height, nature of the proposal and status of neighbouring applications. City staff are also in receipt of one letter of objection with strong concerns about the traffic that will be generated by the project. Other than the above mentioned letter of objection there were no concerns raised at the public consultation meeting. Concerns by the residents are addressed below.

### **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.

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

The property is located within the Financial District which has been identified as an area for the growth of employment. Therefore, the proposal to add office use is consistent with the PPS and conforms with the Growth Plan for the Greater Golden Horseshoe.

## **Land Use**

The subject property is located within the *Downtown and Central Waterfront* area on Map 2 – Urban Structure in the Official Plan and in the *Financial District* on Map 6 – Downtown and Central Waterfront Boundaries. The Railway Lands East Secondary Plan designates the site *Mixed Use Area ‘I’* and it is designated as *Mixed Use Areas* on Map 18 – Land Use Plan. The property is surrounded by properties designated *Mixed Use Areas* to the west, south and east, and *Utility Corridors* to the north. The property is located in the Union Station District which is an area of highrise and high density development.

The area is well served by pedestrian amenities including the Simcoe Street Pedestrian Promenade, York Street Pedestrian Promenade and wide and generally weather protected sidewalks on Bremner Boulevard. The subject property will have a PATH route through the property and be connected via the PATH system to Union Station, the Metro Convention Centre and York West and East Teamways. The PATH system will connect the property to the St. Andrew and Union TTC subway stations.

The area is well served by cycling amenities such as bike lanes on Simcoe Street and Yonge Street, approved bike lanes on Bay Street and Queens Quay, and the Union Station Bike Station in the York West Teamway.

The area is well served by transit facilities such as the Yonge/University subway, the King, and Harbourfront streetcar lines, busses on Bay Street, Front Street and Yonge Street, and the GO bus station and Union Station. LRT service has been proposed along Bremner Boulevard/Fort York Boulevard to Union Station.

The proposed hotel and office uses are appropriate for a property located in the *Financial District* and designated *Mixed Use Areas* in the Official Plan. *Mixed Use Areas* are areas designated to absorb much of the high density residential, office and institutional growth in the City. This block in Railway Lands East is an appropriate location for the primary concentration of office uses downtown. The office building will be compatible with the surrounding built form of high-rise office building and residential buildings. In addition, the proposed use provides valuable employment in an appropriate location in the *Financial District*. Furthermore, the proposed completion of the PATH system through the building furthers the City of Toronto’s objectives in this regard as well as the pedestrian connections in the area.

## **Density, Height and Massing**

Additional permissions are being sought for increased height and density through a separate Committee of Adjustment application (file no. A0674/10 TEY). The proposed heights of the hotel and office building are 159.79 m and 135.45 m respectively. This represents an increase over the existing permission of 98 m for the entire property. The total proposed gross floor area is 101,243 square metres which represents an increase of 27,109 square metres over the permitted 74,134 square metres. The proposed heights and density will be reviewed through the Committee of Adjustment process (See Attachments 1 and 2 below).

The proposed change to office use on the property will result in changes to the building massing and floor plate which are generally larger than those of a residential building. Staff have reviewed the impact of these changes on a preliminary basis and have no concerns. A detailed review will occur through the Site Plan Control process.

### **Traffic Impact, Access, Parking**

Staff have reviewed the Transportation Studies provided by the applicant in support of their application to add office use. The comparison of office uses of equal gross floor area with hotel or mixed use hotel/residential shows a significantly reduced trip generation. Staff agree with the conclusions and methodologies of the studies provided and have no objection to the proposed development.

### **Servicing**

Development Engineering staff have reviewed the application and note that the COA application to increase the total permitted gross floor area from 74,134 square metres to 101,243 square metres will have impacts on the capacity of the Simcoe Street pumping station and also the Low Level Interceptor sewer that receives the sewage flows from the pumping station. Staff recommend that this matter be addressed with this application. Staff recommend that before introducing the necessary Bill to City Council for enactment, require the owner to enter into an Agreement pursuant to Section 16 of the City of Toronto Act satisfactory to the Chief Planner and Executive Director, City Planning Division, and the City Solicitor, such agreement to be registered on title to the lands in a manner satisfactory to the City Solicitor, to secure the following facilities, services and matters:

- a. the owner shall pay for and construct improvements to the municipal infrastructure in connection with the proposed development, as directed by the Executive Director of Technical Services, should it be determined that improvements to such infrastructure are required to support this development.

### **Development Charges**

It is estimated that the development charges for this project are approximately \$9,547,336.96 based on the ground floor office space. This is an estimate. The actual charge is assessed and collected upon issuance of the building permit.



## **Conclusion**

City Planning is supportive of extending the office use permission at the east end of 18 York Street (Block 7A, Railway Lands East) to the west end (Block 7B Railway Lands East). The proposed office building represents an appropriate redevelopment of an existing vacant lot in the *Financial District* and Union Station District.

## **CONTACT**

Al Rezoski, Acting Manager  
Tel. No. (416) 392-1791  
Fax No. (416) 392-1330  
E-mail: arezosk@toronto.ca

## **SIGNATURE**

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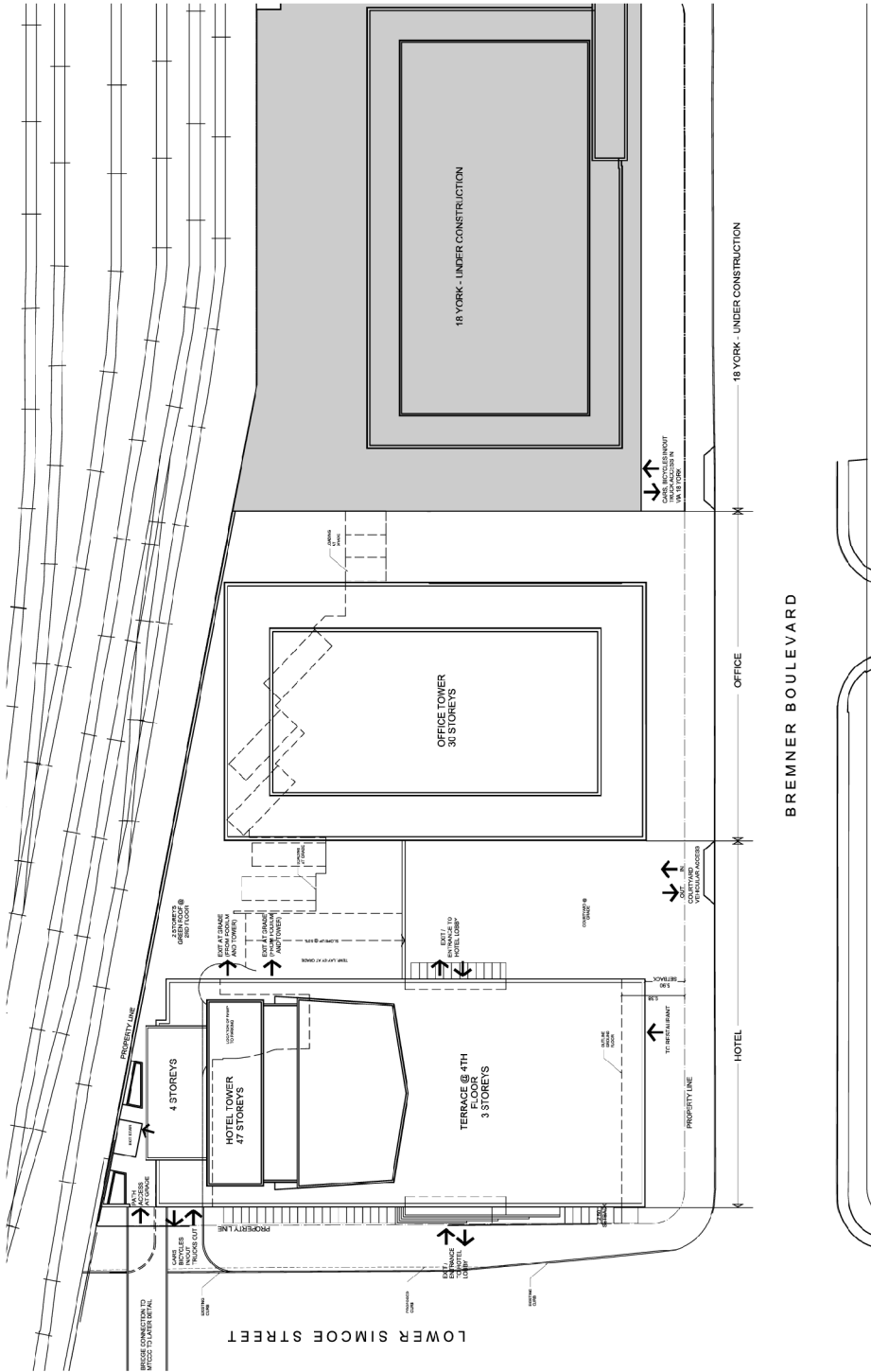
Raymond David, Director  
Community Planning, Toronto and East York District

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## **ATTACHMENTS**

Attachment 1: Site Plan  
Attachment 2a: Rendering – North West View  
Attachment 2b: Rendering – South West View Down Bremner  
Attachment 2c: Rendering – South East View at York Street  
Attachment 2d: Rendering – North East View  
Attachment 3: Current Zoning  
Attachment 4: Application Data Sheet  
Attachment 5: Draft Zoning By-law

# Attachment 1: Site Plan



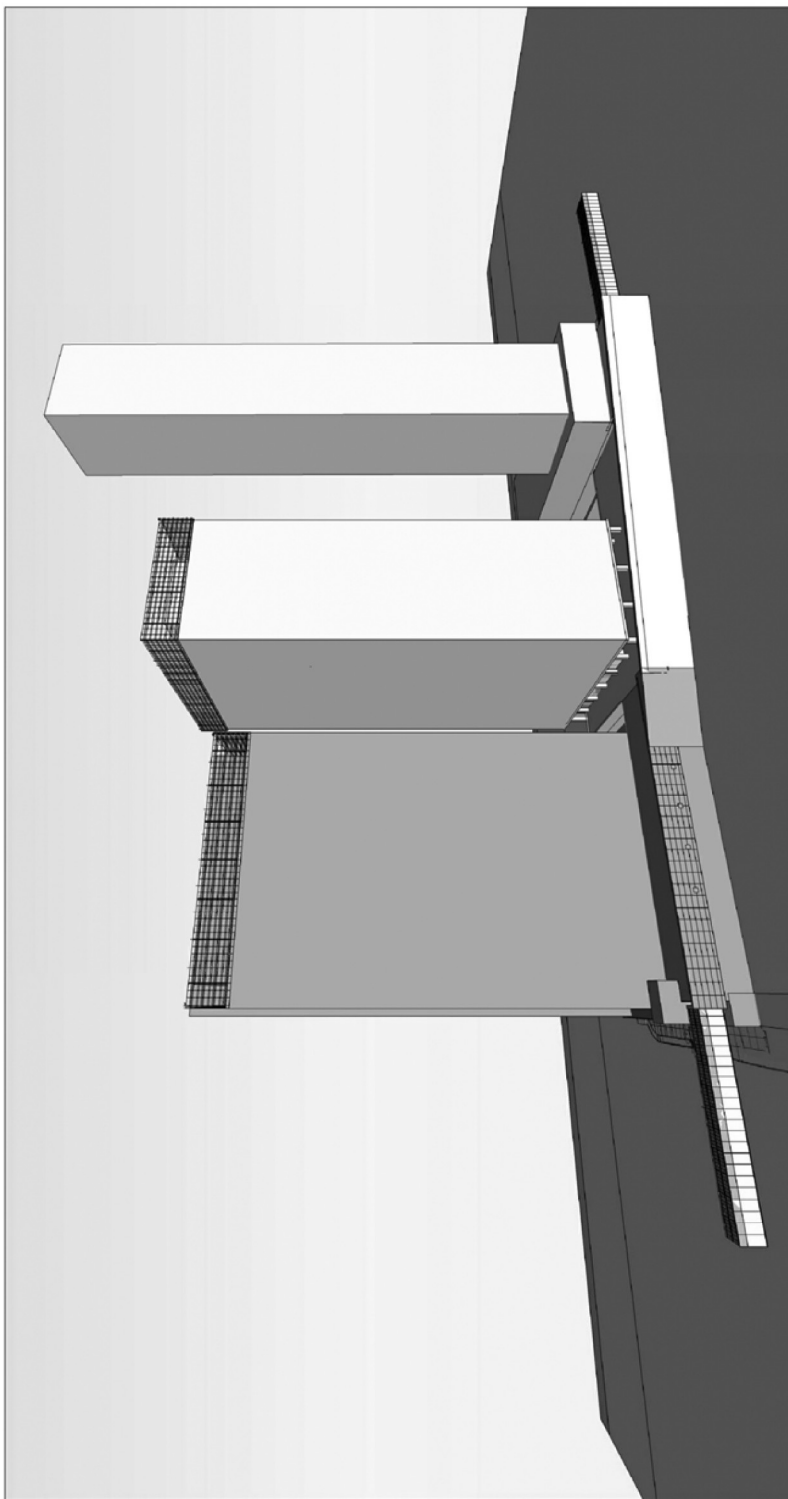
## Site Plan

Applicant's Submitted Drawing

Not to Scale  
05/23/2010

File # 10\_1776348

**Attachment 2a: Rendering – North West View**



***NORTH WEST VIEW***

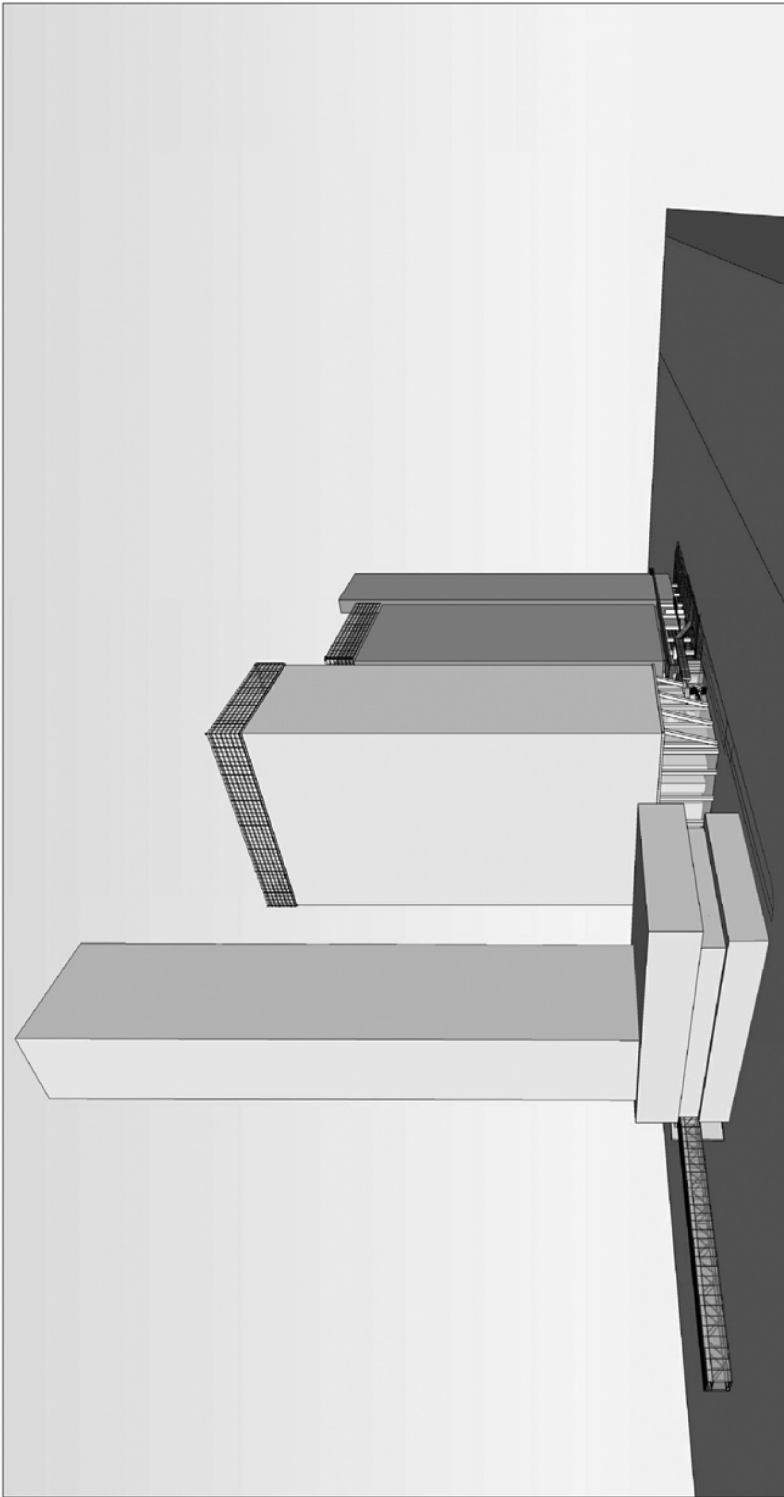
**18 York Street (Block 7B)**

**North West View**  
Applicant's Submitted Drawing

Not to Scale  
05/25/2010

File # 10\_176348

**Attachment 2b: Rendering – South West View Down Bremner**



***SOUTH WEST VIEW DOWN BREMNER***

**South West View down Bremner Boulevard**

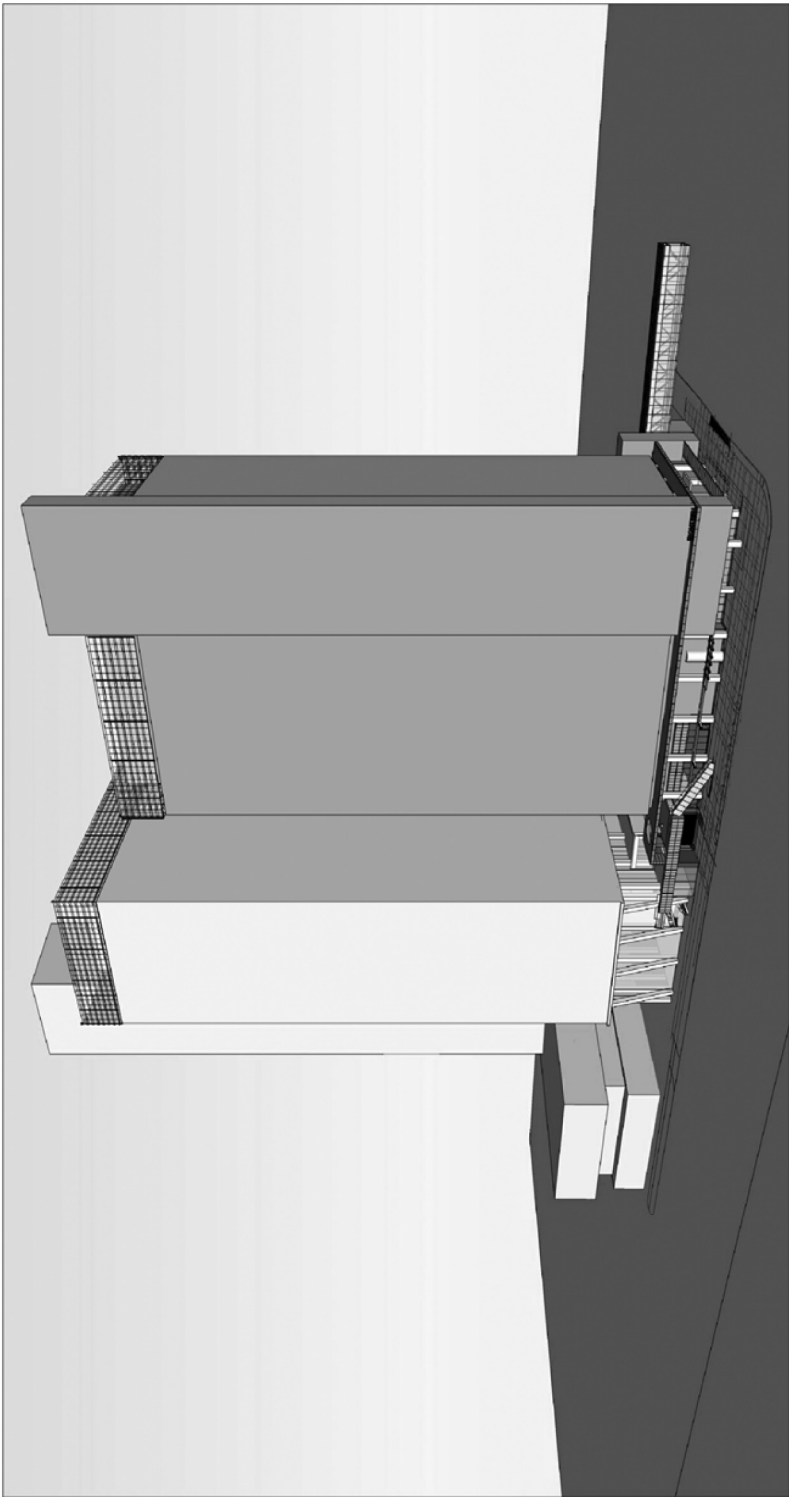
Applicant's Submitted Drawing

Not to Scale  
05/25/2010

**18 York Street (Block 7B)**

File # 10-176348

**Attachment 2c: Rendering – South East View at York Street**



***SOUTH EAST VIEW AT YORK***

**South East View at York Street**

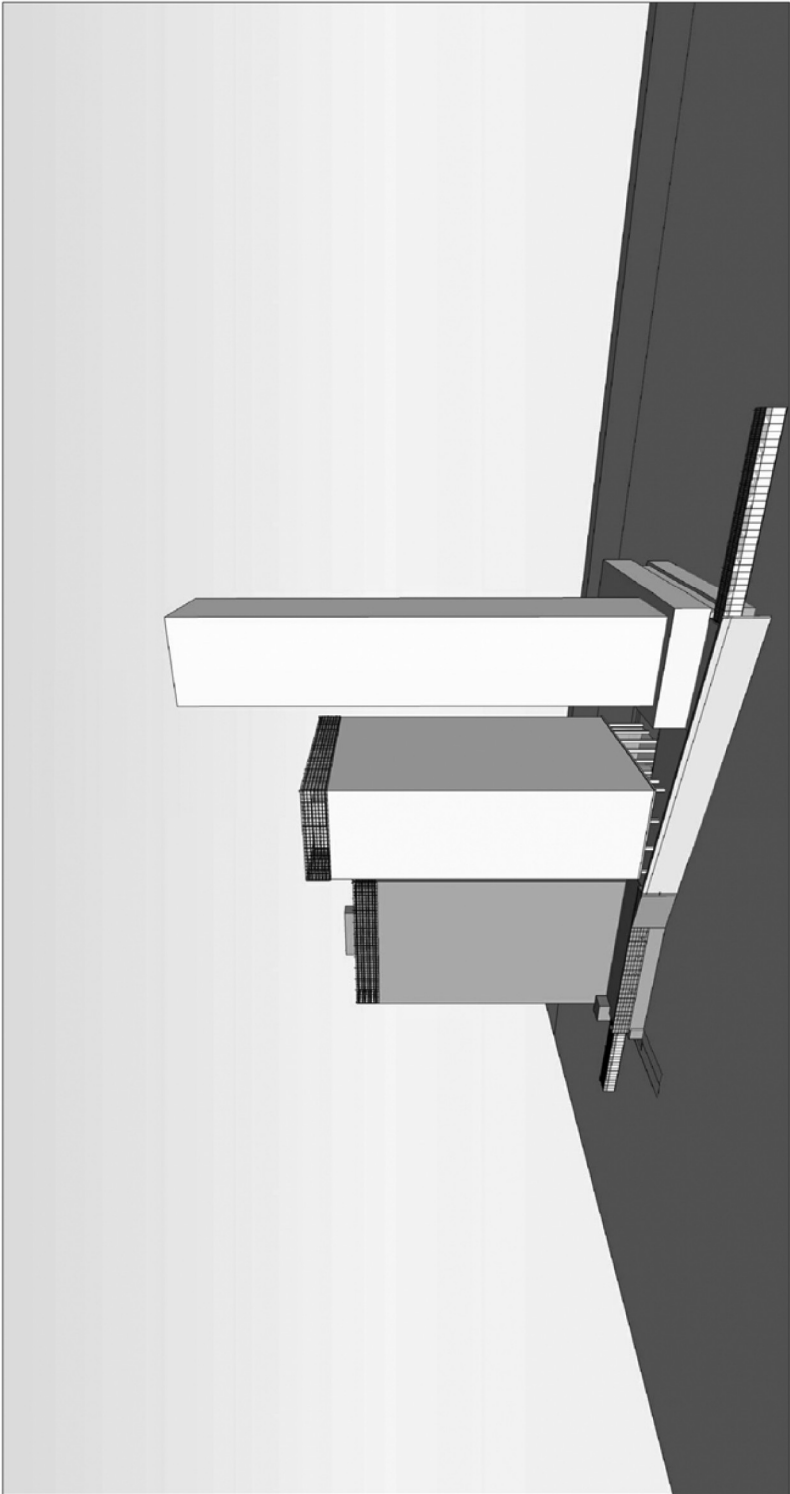
Applicant's Submitted Drawing

Not to Scale  
05/25/2010

**18 York Street (Block 7B)**

File # 10\_176348

**Attachment 2d: Rendering – North East View**



***NORTH EAST VIEW***

**18 York Street (Block 7B)**

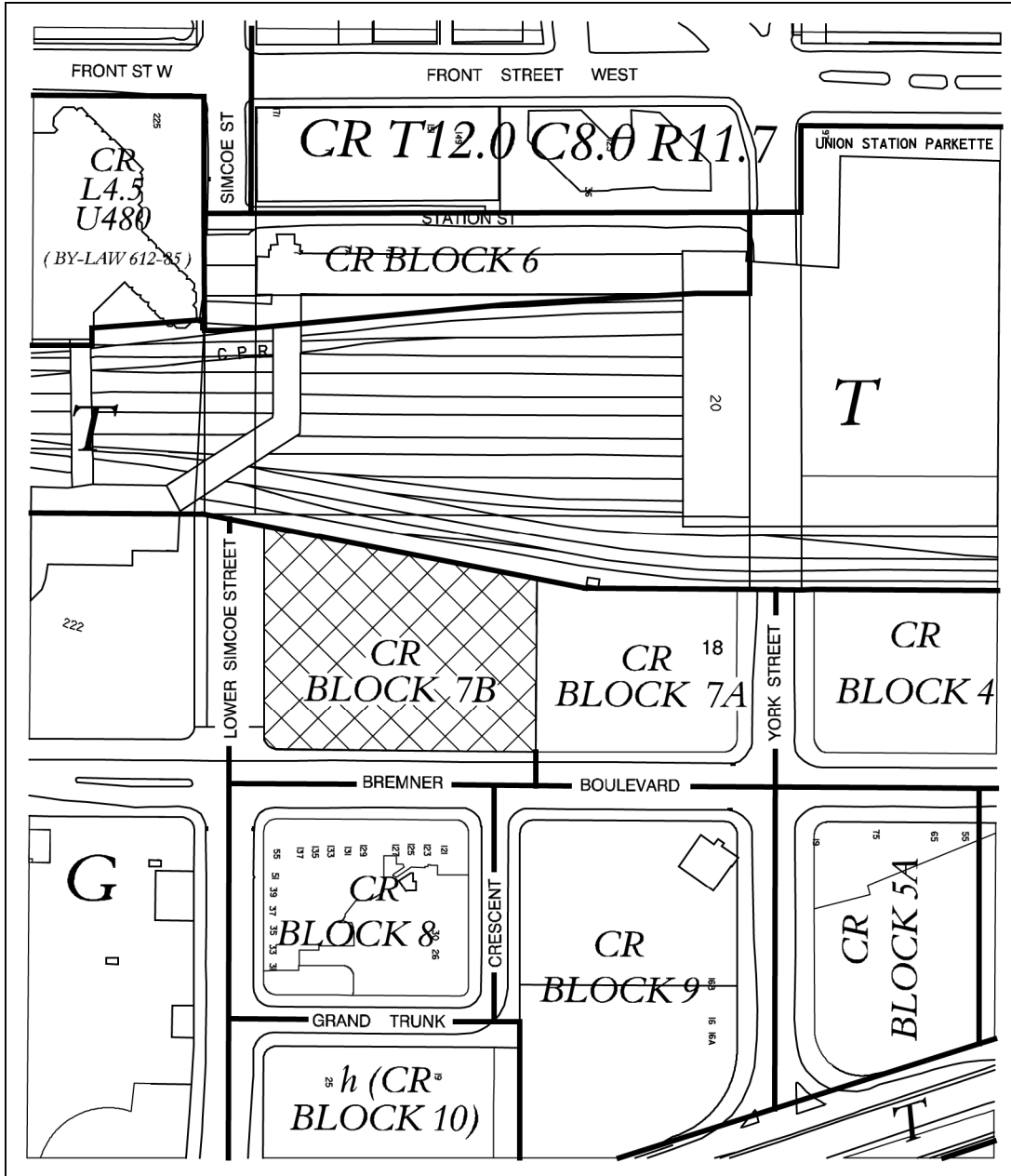
**North East View**

Applicant's Submitted Drawing

Not to Scale  
05/25/2010

File # 10\_176348

Attachment 3: Zoning



**TORONTO** City Planning  
Zoning

18 York Street (Block 7B)

File # 10\_176348

- G Parks District
- CR Mixed-Use District
- T Industrial District



Not to Scale  
Zoning By-laws 438-86 and 168-93 as amended  
Extracted 05/25/2010 - NRS

## Attachment 4: Application Data Sheet

Application Type	Rezoning	Application Number:	10 176348 STE 20 OZ
Details	Rezoning, Standard	Application Date:	May 17, 2010
Municipal Address:	West part of 18 York Street, known as Block 7B, Railway Lands East		
Location Description:	Northeast corner of Lower Simcoe Street and Bremner Boulevard		
Project Description:	Rezoning application to lift prohibition on Block 7B of the Railway Lands in order that office uses may be permitted.		

<b>Applicant:</b>	<b>Agent:</b>	<b>Architect:</b>	<b>Owner:</b>
BLAKE, CASSELS & GRAYDON LLP Suite 2800, Commerce Court West, 199 Bay Street Toronto, ON, M5L 1A9	N/A	KPMB 322 King Street West Toronto, ON M5V 1J2	BCIMC HOLDCO (2007) INC. Suite 300, 330 University Ave., Toronto, ON, M5G 1R8

### PLANNING CONTROLS

Official Plan Designation:	Mixed Use Areas	Site Specific Provision:	Mixed Use Areas I
Zoning:	CR Block 7B, 549-2002	Historical Status:	N
Height Limit (m):	98	Site Plan Control Area:	Y

### PROJECT INFORMATION\*

Site Area (sq. m):	7522	Height:	Storeys:	n/a
Frontage (m):	82.26		Metres:	n/a
Depth (m):	70			
Total Ground Floor Area (sq. m):	n/a			<b>Total</b>
Total Residential GFA (sq. m):	n/a		Parking Spaces:	0
Total Non-Residential GFA (sq. m):	n/a		Loading Docks	0
Total GFA (sq. m):	n/a			
Lot Coverage Ratio (%):				
Floor Space Index:				

### DWELLING UNITS

Tenure Type:	
Rooms:	0
Bachelor:	0
1 Bedroom:	0
2 Bedroom:	0
3 + Bedroom:	0
Total Units:	0

### FLOOR AREA BREAKDOWN (upon project completion)

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

**CONTACT:**      **PLANNER NAME:**      **Al Rezoski, Acting Manager, [arezosk@toronto.ca](mailto:arezosk@toronto.ca)**  
**TELEPHONE:**                              **(416) 392-1791**

\*NOTE: This application is for the proposal to add office uses to this site and the application is not proposing additional height or gross floor area.



## **Attachment 5: Draft Zoning By-law**

Authority: Toronto and East York Community Council Item ~ [or Report No. ~, Clause No. ~] as adopted by City of Toronto Council on ~, 20~  
Enacted by Council: ~, 20~

### **CITY OF TORONTO**

**Bill No. ~**

**BY-LAW No. ~-20~**

**To amend ~ Zoning By-law No. ~, as amended,  
With respect to the lands municipally known as,  
0 Bremner Boulevard and 18 York Street**

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

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. This By-law applies to the lands comprising Blocks 7B shown outlined by heavy lines on Map 1 attached.
2. Except as otherwise provided herein, the provisions of By-law No. 168-93, as amended, being “A By-law to regulate the use of land and the erection, use, bulk, height, spacing of and other matters relating to buildings and structures and to prohibit certain uses of lands and the erection and use of certain buildings and structures in the Railway Lands East Area A, shall continue to apply to the lands comprising Block 7B on Map 1 attached.
3. By-law No. 168-93, as amended is further amended by deleting subclause (c) of Section 6(4)8.(2) PART 1 – Density, 4.
4. Within the lands shown on Map 1 attached to this By-law, no person shall use any land or erect or use any building or structure unless the following municipal services are provided to the lot line and the following provisions are complied with:
  - (a) all new public roads have been constructed to a minimum of base curb and base asphalt and are connected to an existing public highway; and
  - (b) all water mains and sanitary sewers, and appropriate appurtenances, have been installed and are operational.

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

DAVID R. MILLER,  
Mayor

ULLI S. WATKISS,  
City Clerk

(Corporate Seal)

MAP 1

