

120 and 130 Harbour Street, and 10 York Street - Zoning Amendment Application - Preliminary Report

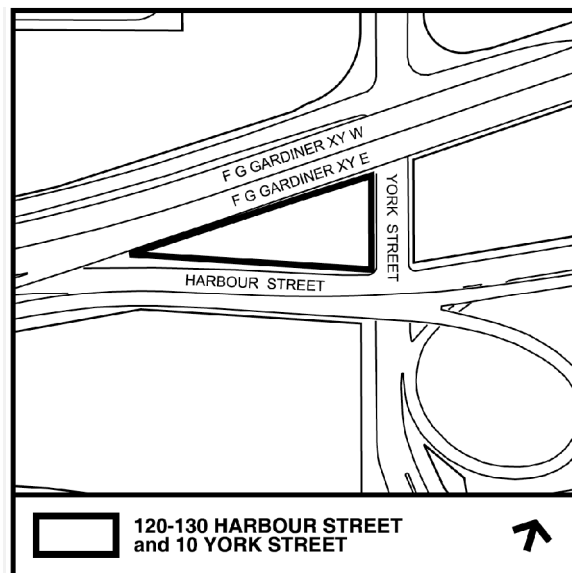
Date:	January 18, 2012
To:	Toronto and East York Community Council
From:	Director, Community Planning, Toronto and East York District
Wards:	Ward 20 – Trinity-Spadina
Reference Number:	11 329885 STE 20 OZ

SUMMARY

This application proposes a mixed use development at 120 and 130 Harbour Street and 10 York Street. The proposal includes a 75-storey (253.4 metres including mechanical penthouse) residential tower with a 5-storey podium along York Street and a 6-storey podium along Harbour Street. There is a total of 783 dwelling units proposed in the tower. The proposed uses within the podium include: retail at grade; parking on floors 2 to 4; mechanical and residential storage on floor 5; and indoor and outdoor amenity space on floor 6.

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

The next step is to conduct a community consultation meeting to allow the public to review the application and provide feedback. A final report is anticipated by third quarter 2012.



RECOMMENDATIONS

The City Planning Division recommends that:

1. Staff be directed to schedule a community consultation meeting for the lands at 120 and 130 Harbour Street and 10 York 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.

Pre-Application Consultation

Pre-application consultation meetings were held September 15, 2010, July 26, 2011 and November 4, 2011 with the applicant. At the meeting of September 15, 2010 the applicant described the proposal as a 60-storey residential tower with a 7-storey podium including above grade parking. One level of below grade parking was proposed. A total of 547 residential units and 297 vehicular parking spaces were proposed. The proposed tower was to be set back from the Gardiner Expressway 5 metres.

At the meeting of July 26, 2011 the applicant provided additional details and preliminary plans. The revised proposal was for a 60-storey (202 metres including mechanical penthouse) residential tower with a 7-storey podium. Approximately 652 units were proposed. The podium was to contain above grade parking, mechanical and some storage and the amenity space on the podium roof. The proposed tower floor plate was 1,000 square metres and was rectangular in shape with an east/west orientation.

At the meeting of November 4, 2011, the applicant described the revisions to the plans since the previous pre-application meeting. The tower had been reduced in the size, the floor plate length was shortened and shifted further west on the site, the height of the tower had increased to 75 stories (239 metres) and the podium had been reduced to 6 storeys on the west side and 5 storeys on the east side. The applicant noted that they were not interested in pursuing a future PATH connection. The number of units proposed increased to 774 and number of parking spaces had been reduced to 344. Three levels of above grade parking was proposed along with five levels of below grade parking.

Staff raised similar concerns in each of the three meetings including: size and dimensions of the tower floor plate, the siting of the tower, the height of the tower and the transition to the waterfront, the tower setbacks particularly from York Street and to the Gardiner

Expressway, tower separation distances need to be explored, the podium and the tower should align with the existing development to the south and the approved ICE development to the north, a future PATH connection should be explored, the location of retail should be on York Street, vehicular access to Lake Shore Boulevard and Harbour Street needs to be refined, parking should be below grade, the York Promenade Plan needs to be taken into consideration, setback to other nearby towers, there should be no shadow impact on the Roundhouse Park, possibility of commercial space in the podium particularly at-grade to animate the street, weather protection should be provided.

ISSUE BACKGROUND

Proposal

The subject site is a pie shaped lot bounded by York Street to the east, the Gardiner Expressway/Lake Shore Boulevard West to the west and to the north and Harbour Street to the south. The applicant is proposing a 75-storey (253.4 metres including mechanical penthouse, 242.4 metres excluding mechanical penthouse) residential tower with a podium that is 6 storeys on the west side of the site and 5 storeys on the east side of the site. The development contains a total of 783 residential units including 444 one-bedroom units (57%), 256 two-bedroom units (32%) and 83 three-bedroom units (11%).

The applicant is proposing five levels of underground parking and three levels of above-grade parking. There are a total of 330 parking spaces proposed that include 292 spaces for residential use and 38 spaces for residential visitors. The residential parking rate would be 0.37 space per unit. A total of 785 bicycle parking spaces are proposed including 675 residential spaces and 110 visitor spaces.

The proposed tower is situated on the easterly part of the site. The tower dimensions are 32.3 metres x 30 metres. The typical net floor area for the tower is 845 square metres with the total gross floor area of the tower being 68,258 square metres. The total density is 26.5 times the area of the lot.

The condominium tower proposes approximately 66,633 square metres of residential gross floor area and approximately 138 square metres of retail gross floor area, includes approximately 1,487 square metres of indoor and 659 square metres of outdoor amenity space which is less than the 1,566 square metres of indoor and outdoor amenity space that is required by Zoning By-law 438-86.

The ground floor would contain the residential lobby and retail space with access from York Street. Floors 2 to 4 of the podium building would be used for above grade parking and the 5th floor would be used for mechanical and residential storage purposes. Indoor and outdoor amenity space would be located on the 6th and 7th floors.

The proposed tower setbacks are as follows (all numbers are minimums and from the property line):

	Ground Floor to 6th floor	7th floor to 75th floor
North Setback (Lake Shore Blvd. West)	4 metres	4.8 metres
East Setback (York Street)	3 metres	5.7 metres
South Setback (Harbour Street)	Zero	0.7 metres
West Setback	33 metres	75 metres

The proposed location of the tower on the subject site would provide a minimum tower separation of 55.6 metres to the north (distance to the southerly residential tower of the ICE Condominium development), 30 metres to the east (proposed office tower at 90 Harbour Street) and 30 metres to the south (existing tower at 8 York Street).

Vehicular access will be via two driveways on Harbour Street with one in-bound and one out-bound and a single in-bound only access from Lake Shore Boulevard West. An on-site circulation system will connect these driveways with the parking ramps, loading facilities and on-site passenger pick-up/drop-off facilities. One Type C and one Type G loading space are proposed to serve the residential building. The loading functions are located within the northerly portion of the ground floor.

The applicant proposes to implement the City Council approved York Street Pedestrian Promenade Plan by providing a setback of the podium base for an expanded sidewalk area on the site with a minimum width of 4.0 metres along York Street. Continuous weather protection is being provided with a minimum depth of 3 metres. Planting beds and raised planters are also being proposed along the York Street and Harbour Street frontages.

Attachments 1 and 2 show the proposed site plan and elevations for the project. For a summary of the application details, please refer to the Application Data Sheet in Attachment 4.

Site and Surrounding Area

The site is located at the northwest corner of York Street and Harbour Street and is bounded by York Street to the east, Lake Shore Boulevard West/Gardiner Expressway to the north and Harbour Street to the south. The subject site is 2,572 square metres in size

with frontages of 44.5 metres along York Street, 82.3 metres along Lakeshore Boulevard West and 79.3 metres along Harbour Street. The site is occupied by a Toronto Parking Authority lot (east side) and a police towing compound (west side). The site is located within the Union Station District and the Central Waterfront Area.

The surrounding land uses are as follows:

North: Lake Shore Boulevard West/Gardiner Expressway. Further to the north is the approved ICE mixed-use office and condominium development at 16 York Street, known as York Centre. The proposed development consists of a 31-storey office building at the southwest corner of Bremner Boulevard and York Street (site plan application 11-213852 STE 20 SA), with two residential towers of 57 and 67 storeys on the southerly portion of the site (site plan applications 09-200568 STE 20 SA and 09-161101 STE 20 SA respectively). To the northeast across from York Centre is Maple Leaf Square at 15 York Street, consisting of a 10-storey mixed use podium connecting 50-storey and 54-storey residential towers. The site also includes office and retail uses and direct PATH pedestrian access to Union Station.

South: Harbour Street and the Gardiner Expressway off-ramps leading to York Street and Bay Street. Further south is the Waterclub Condominium residential development, consisting of two 37-storey towers on the easterly portion of the block and a 27-storey storey tower on the southwest portion of the block. This block also includes a 7-storey above grade commercial parking garage that extends along Harbour Street.

East: York Street, beyond which is a commercial parking lot at 90 Harbour Street, which is the subject of an application for a mixed-use development consisting of a 31-storey office tower fronting onto York Street and two 70-storey residential towers on the easterly portion of the site under application 11-295626 STE 28 OZ. To the southeast is the parkland containing the off-ramp from the Gardiner Expressway, commonly known as the “York Off-Ramp Park”. Further to the east is the Waterpark Place Phase III development for a 30-storey office tower currently in the final stages of site plan approval under application 11-194925 STE 28 SA.

West: Gardiner Expressway and Lake Shore Boulevard West.

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 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 subject property is located within the *Downtown and Central Waterfront* area on Map 2 – Urban Structure in the Official Plan.

In the City of Toronto's Official Plan, the lands at 120 and 130 Harbour Street and 10 York Street are designated *Regeneration Areas*. These areas are intended to provide for a broad mix of commercial, residential, light industrial, institutional and live/work uses in an urban form in order to revitalize areas that are largely vacant or underused and to create new jobs and homes that use existing roads, transit, sewers, social services and other infrastructure.

The Development Criteria for *Regeneration Areas* requires that development should not proceed prior to approval of a Secondary Plan. The Official Plan sets out criteria through which a Secondary Plan would guide the revitalization of the area. The subject site is within the Central Waterfront Secondary Plan which is further discussed in the next section of this report.

The City of Toronto's Official Plan is available on the City's website at: http://www.toronto.ca/planning/official_plan/introduction.htm

Central Waterfront Secondary Plan

The Central Waterfront Secondary Plan was adopted by Council on April 16, 2003 as an amendment to Part II of the former City of Toronto Official Plan. It was appealed in its entirety, and although parts of the Plan have been approved by the Ontario Municipal Board, the Plan is not approved and in force as it applies to the subject site.

The Secondary Plan identifies the subject site as "*Regeneration Area*" on Map E-Land Use Map. This designation applies to larger blocks and permits mixed-use development ranging from industries to housing to community services and parks including offices, hotels and restaurants. New development should incorporate a wide mix of uses both public and private and should be designed at ground level to complement the activities anticipated in adjacent public spaces. The Regeneration sites will be subject to particular attention to ensure the highest quality of built form and design expected. The policies note that peer review of the design issues will be undertaken to ensure the high standards of excellence and to address scale, range of uses and overall building design. The Secondary Plan also contains policies to address enhanced public realm.

The Central Waterfront Secondary Plan is available on the City's website at:
http://www.toronto.ca/waterfront/cwp_2006.htm

Zoning

The site is zoned CR T3.0 C3.0 R0 and has no height limit. The CR zone generally permits a wide range of residential and non-residential uses including apartment buildings, retail stores, offices, hotels and parks. The zoning permits a maximum non-residential density of 3.0 times the area of the lot. The current zoning does not allow for residential density. Attachment 3 shows the zoning for the site and surrounding area.

Tall Building Guidelines

Toronto City Council approved the use of the document, "Design Criteria for Review of Tall Building Proposals" in June, 2006 and in April, 2010 extended authorization of its use. A tall building is generally defined as a building that is taller than the road right-of-way adjacent to the site. In this case, the right-of-way for Harbour Street west of York Street is not included in Official Plan Map 3 – Right-of-Way Widths Associated with Existing Major Streets but is measured at 26 metres. York Street is shown as "non-uniform width to be retained as existing at the time of Plan adoption" according to Official Plan Map 3. As such, the proposed building at 242 metres in height is considered a tall building. The Design Criteria provide policy recommendations for tall buildings on issues of building placement and orientation, entrances, heritage conservation, massing of base buildings, tower floor plates, separation distances, pedestrian realm considerations, sustainable design and transition. This document will be used to assess the proposed building.

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

Waterfront Design Review Panel

The property is located within the boundaries of the Central Waterfront and is therefore subject to review by the Waterfront Toronto Design Review Panel. The application is scheduled to be reviewed at the February 8, 2012 Waterfront Design Review Panel meeting.

Site Plan Control

The subject site and proposed development are subject to Site Plan Control. A site plan application has not yet been submitted.

Reasons for the Application

An amendment to Zoning By-law 438-86 is required to increase the permitted total density from 3 times the lot area to 26.5 times the lot area, increase the residential density from zero to 25.9 times the lot area, reduce the required amount of parking, reduce the required amount of indoor and outdoor amenity space and to revise other development regulations as required to accommodate the proposed development.

COMMENTS

Application Submission

The following reports/studies were submitted with the application:

- Architectural Drawings including Site Plan, Context Plan, Vehicle Manoeuvring Plan Parking Level Plans, Floor Plans, Roof Plan, Elevations and Sections
- Shadow Studies
- Planning Rationale Report
- Traffic Report
- Phase 1 and 2 Environmental Assessments
- Geotechnical Investigation Report
- Draft Zoning By-law Amendment
- Pedestrian Wind Study
- Site Servicing Report
- Stage 1 Archaeological Assessment Report
- Arborist Report
- Topographical Survey
- Toronto Green Standard Statistics Template

The application is under review in terms of issuing a notice of complete application. City staff is required to provide Notice of Complete or Notice of Incomplete Application on or before January 26, 2012.

Issues to be Resolved

The preliminary issues identified with the proposal, in particular accommodating the proposed height and density on this site, are significant. Additional issues may be identified through the review of the application, agency comments and the community consultation process. Planning staff will work with the applicant, the community and the Ward Councillor towards an acceptable application that staff can recommend.

Modifications to the proposal should be made in order to address the following issues:

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 built form, housing, and transportation;
3. conformity with the Design Criteria for Review of Tall Building Proposals, including the sections on separation distances, transition in scale, adjacency issues, pedestrian realm and sustainable design;
4. height and density of proposal;
5. other built form and massing issues including, but not limited to: sky view, light penetration, view corridor, shadowing, tower floorplate, setbacks between towers,

- adherence to the Bird Friendly Urban Design Guidelines, continuous weather protection around the site and wind mitigation;
6. conformity with the York Pedestrian Promenade Plan particularly in terms of landscaping, street trees in raised planting beds with granite seat walls, minimum clear sidewalk width, the type extent and location of pavers, alignment with buildings to the north and south and continuous weather protection;
 7. provision of above grade parking which is not permitted by Zoning By-law 438-86;
 8. provision of reduced on-site vehicular parking including impacts on the supply of on-street parking in the area;
 9. mix of unit sizes particularly the provision of family size units (3-bedroom or larger);
 10. appropriate servicing to accommodate the proposed development;
 11. noise and vibration abatement measures proposed for the site given the proximity to the Gardiner Expressway and the Toronto Billy Bishop City Airport;
 12. consideration of the massing of the building in light of the missed approach flight path for the Toronto Billy Bishop City Airport;
 13. assessment of traffic generation, access and transportation impacts including potential road widening and particularly a 4 metre widening required along Lake Shore Boulevard West;
 14. PATH connections to the north and east;
 15. treatment of the ground floor of the building and its relationship to the York Street streetscape and improvement of the Harbour Street streetscape;
 16. adequacy of type and amount of amenity area proposed in relation to the zoning by-law requirements; and
 17. identification and securing of public benefits pursuant to Section 37 of the *Planning Act* should the proposal be recommended for approval.

Other issues may be identified through public consultation, the commenting on the circulated application and the Waterfront Toronto Design Review Process.

Toronto Green Standard

The Toronto Green Standard (TGS) is a tool to implement the broader environmental policies of the Official Plan. Several of the natural environment policies of the Official

Plan encourage green development. These policies are geared to reduce the negative impacts of development on the natural environment through practices such as improved stormwater management, water and energy efficiency, and waste reduction and recycling. These policies also promote development that enhances the natural environment and support green industry.

The TGS Checklist has been submitted by the applicant and is currently under review by City staff for compliance with the Tier 1 performance measures.

CONTACT

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SIGNATURE

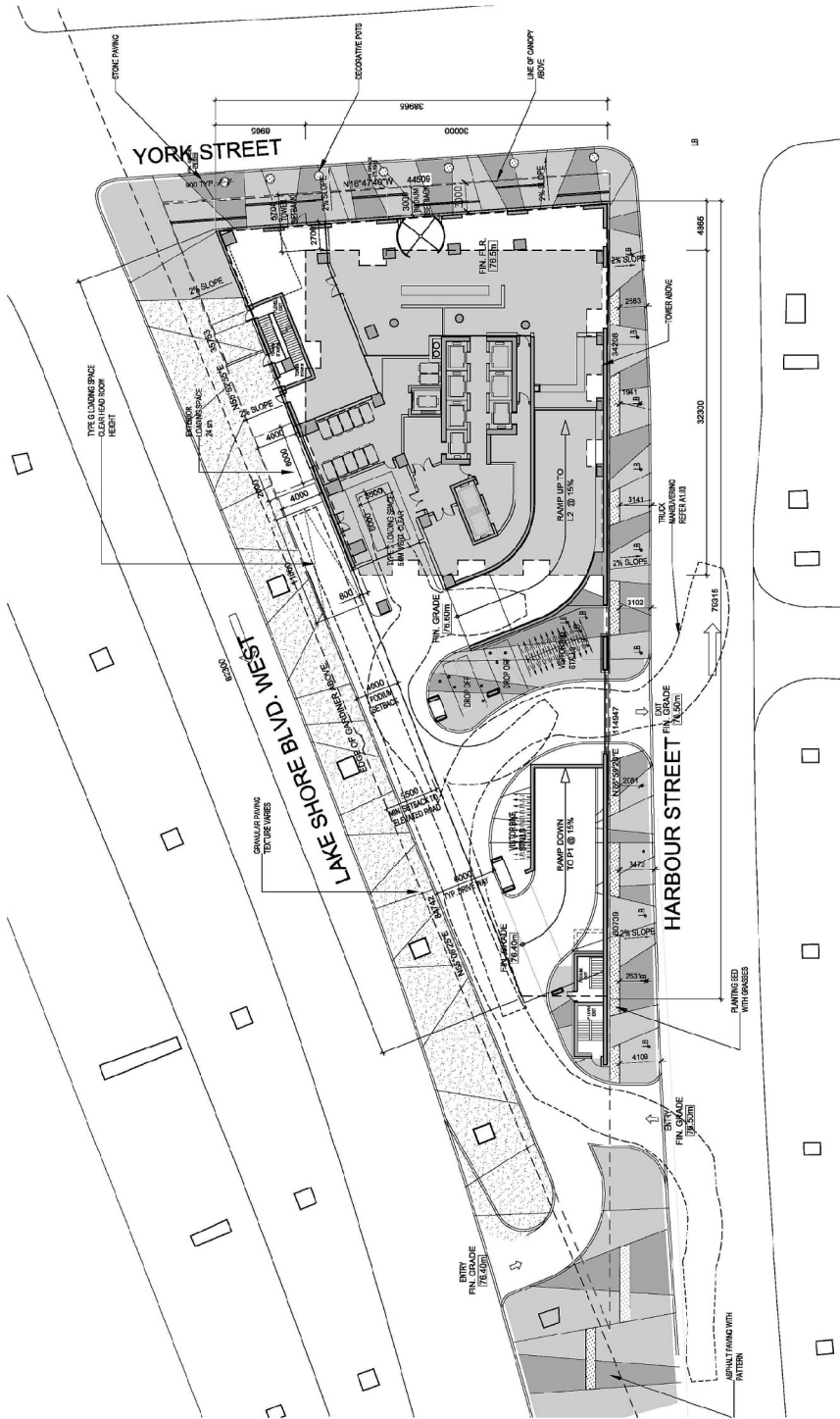
Gregg Lintern, Director, MCIP, RPP
Community Planning, Toronto and East York District

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ATTACHMENTS

- Attachment 1: Site Plan
- Attachment 2a: South Elevation
- Attachment 2b: East Elevation
- Attachment 2c: North Elevation
- Attachment 2d: West Elevation
- Attachment 3: Zoning
- Attachment 4: Application Data Sheet

Attachment 1: Site Plan



120 - 130 Harbour Street and 10 York Street

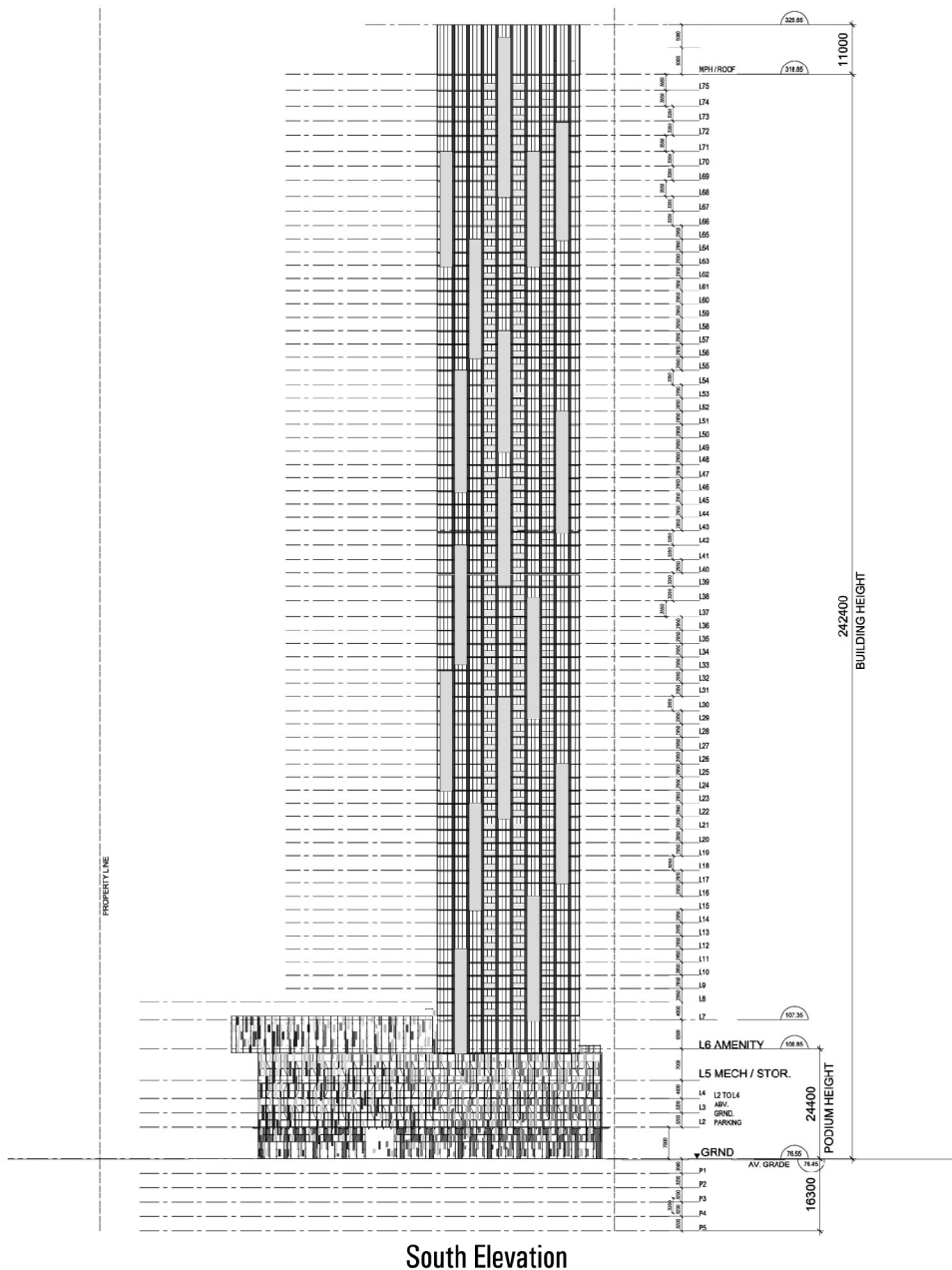
Site Plan

Applicant's Submitted Drawing

Not to Scale
MO/DA/2012

File # 11 329885 0Z

Attachment 2a: South Elevation



Elevations

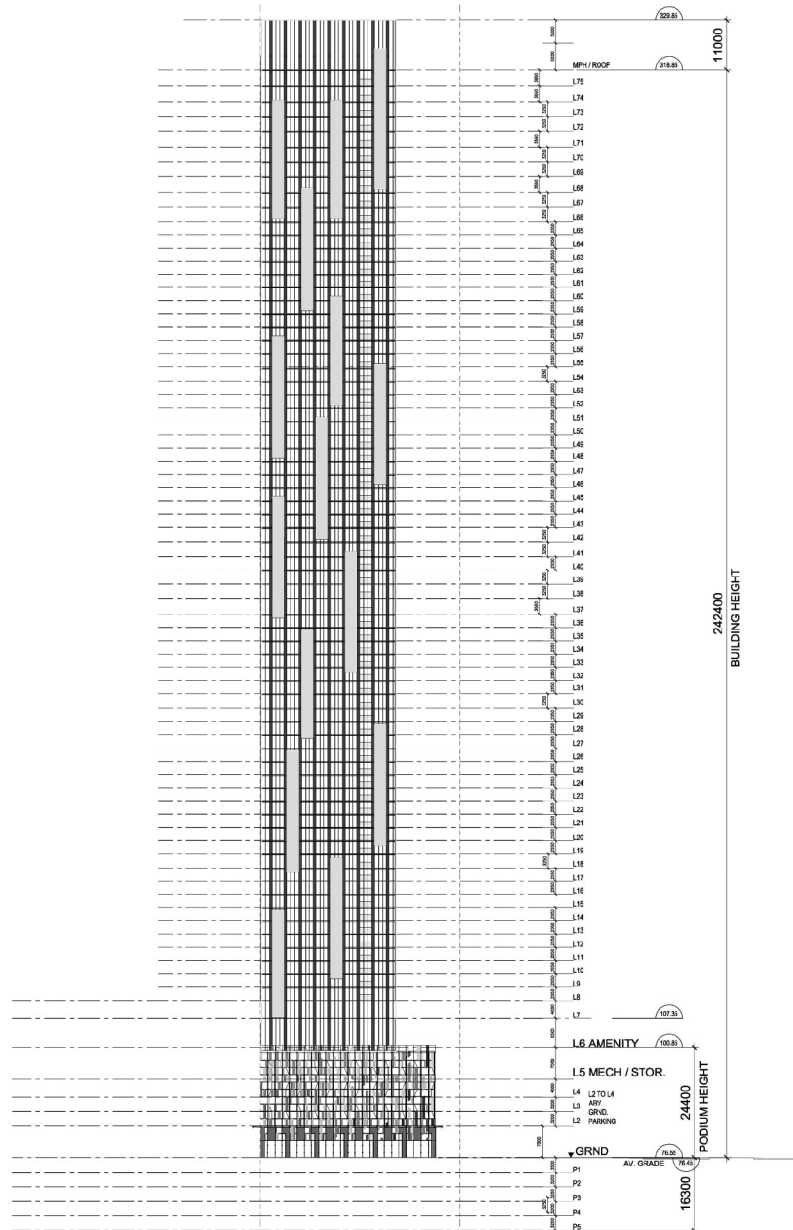
120 - 130 Harbour Street and 10 York Street

Applicant's Submitted Drawing

Not to Scale
MO/DA/2012

File # 11 329885 0Z

Attachment 2b: East Elevation



East Elevation

Elevations

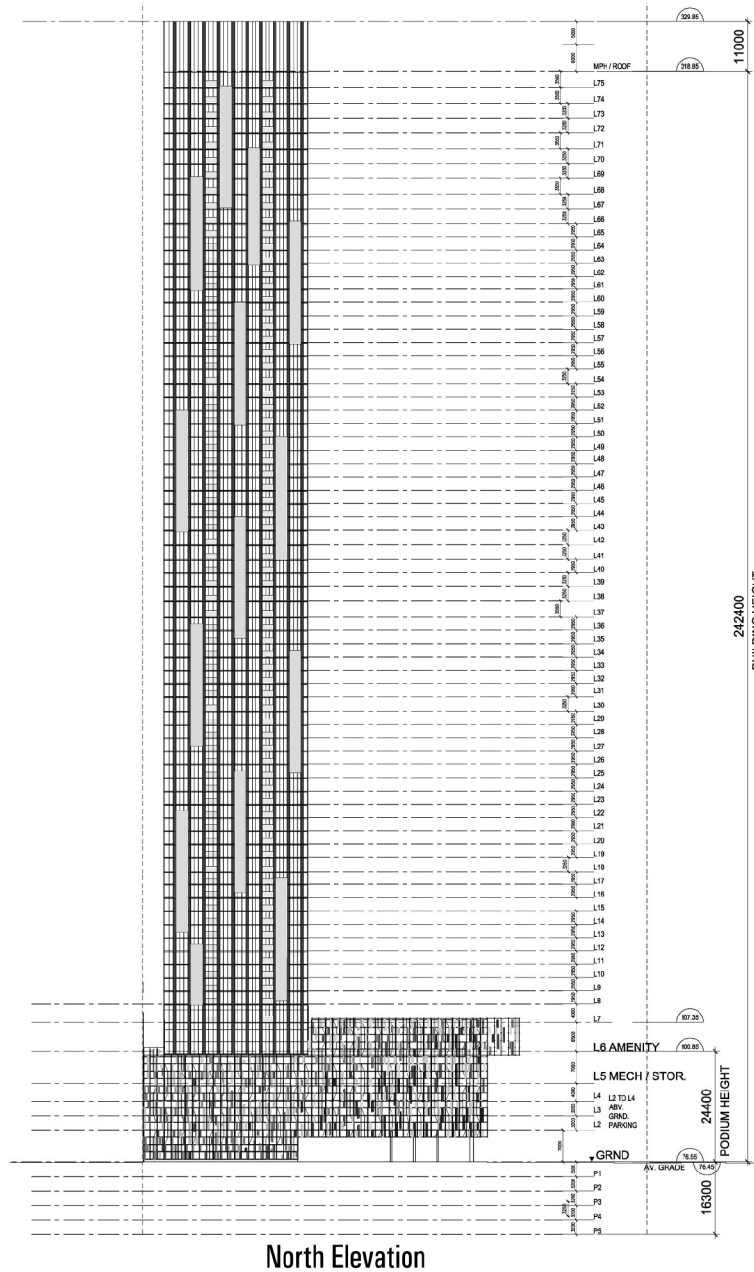
120 - 130 Harbour Street and 10 York Street

Applicant's Submitted Drawing

Not to Scale
MO/DA/2012

File # 11 329885 0Z

Attachment 2c: North Elevation



Elevations

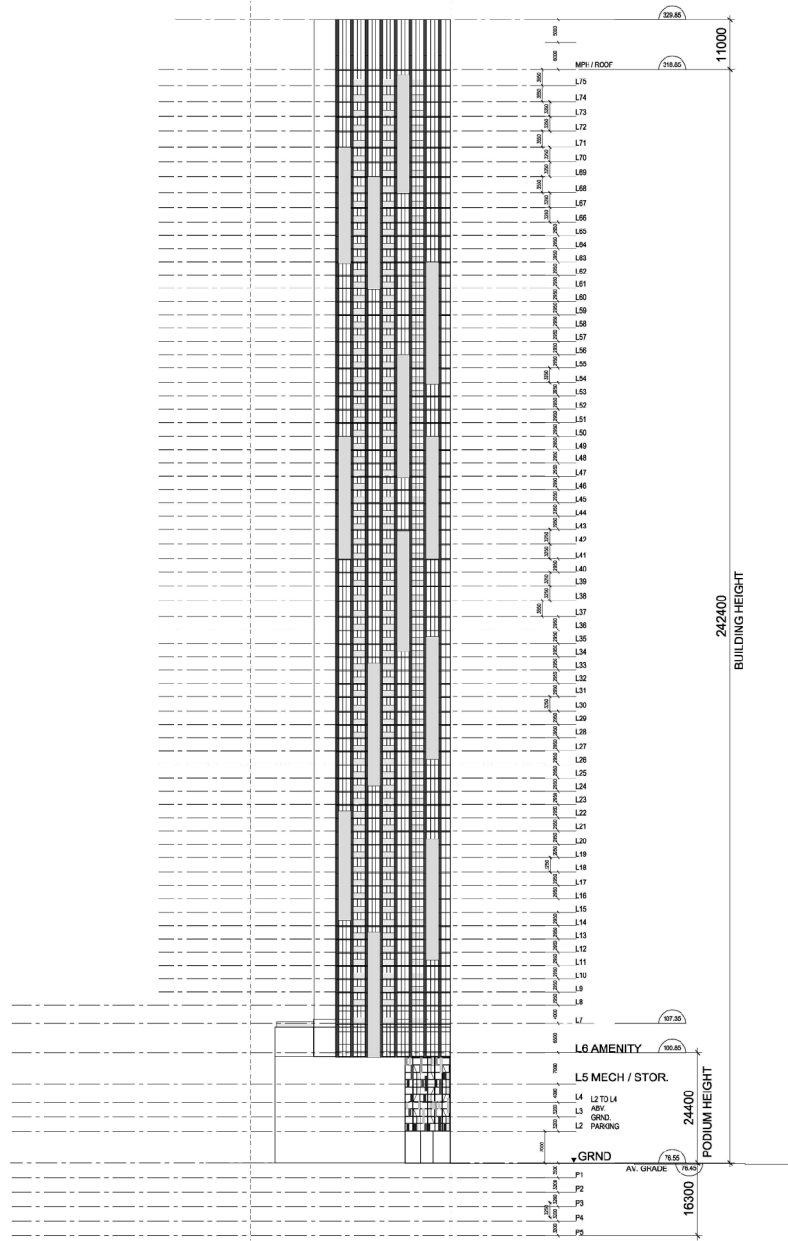
120-130 Harbour Street and 10 York Street

Applicant's Submitted Drawing

Not to Scale
MO/DA/2012

File # 11 329885 0Z

Attachment 2d: West Elevation



West Elevation

Elevations

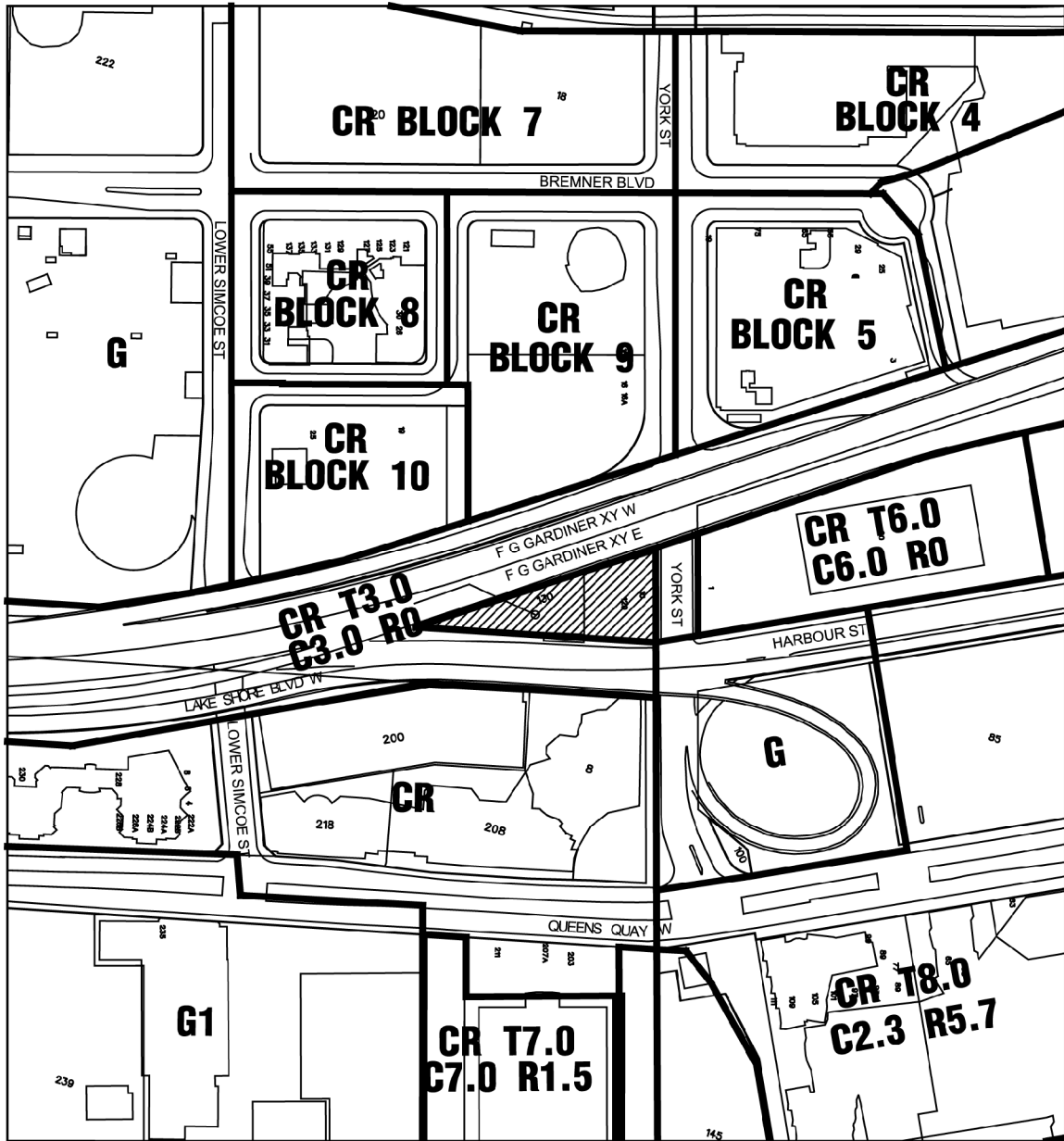
120 - 130 Harbour Street and 10 York Street

Applicant's Submitted Drawing

Not to Scale
MO/DA/2012

File # 11 329885 0Z

Attachment 3: Zoning



120-130 Harbour Street and 10 York Street

File # 11 329885 0Z

CR Mixed-Use District
G Parks District



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

Attachment 4: Application Data Sheet

Application Type	Rezoning	Application Number:	11 329885 STE 20 OZ
Details	Rezoning, Standard	Application Date:	December 22, 2011

Municipal Address: 120 and 130 Harbour Street, 10 York Street
 Location Description: PLAN 657E PT LOT 2 RP 63R424 PART 6 **GRID S2017
 Project Description: Rezoning application to construct new 75-storey mixed use building with retail at grade and 783 residential units - 5 level below ground parking and 2 levels above - 330 parking spaces in total.

Applicant:	Agent:	Architect:	Owner:
DELTERA INC. 4800 Dufferin Street Toronto, Ontario M3H 5S9		WALLMAN ARCHITECTS 30 Duncan Street, Suite 202 Toronto, Ontario M5V 2C3	BILD TORONTO INC. 200 King Street West Suite 200 Toronto, Ontario M5H 3T4

PLANNING CONTROLS

Official Plan Designation:	Regeneration Areas	Site Specific Provision:	N
Zoning:	CR T3.0 C3.0 R0	Historical Status:	N
Height Limit (m):	Not specified	Site Plan Control Area:	Y

PROJECT INFORMATION

Site Area (sq. m):	2,572	Height:	Storeys:	75
Frontage (m):	44.5		Metres:	242.4
Depth (m):	81.8			
Total Ground Floor Area (sq. m):	1,906			Total
Total Residential GFA (sq. m):	66,633.3		Parking Spaces:	330
Total Non-Residential GFA (sq. m):	1,624.9		Loading Docks	2
Total GFA (sq. m):	68,258.2			
Lot Coverage Ratio (%):	74			
Floor Space Index:	26.5			

DWELLING UNITS

FLOOR AREA BREAKDOWN (upon project completion)

		Above Grade	Below Grade
Tenure Type:			
Rooms:	0	Residential GFA (sq. m):	66,633.3
Bachelor:	0	Retail GFA (sq. m):	1624.9
1 Bedroom:	444 (57%)	Office GFA (sq. m):	0
2 Bedroom:	256 (32%)	Industrial GFA (sq. m):	0
3 + Bedroom:	83 (11)	Institutional/Other GFA (sq. m):	0
Total Units:	783		

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