

7, 15, 25R, 29 and 39 Queens Quay East – Request for Direction Report – TE 7.6

Date:	June 6, 2011
To:	City Council
From:	Chief Planner and Executive Director, City Planning Division
Wards:	Ward 28 – Toronto Centre-Rosedale
Reference Number:	Cc11034 (File Number: 10 147083 STE 28 0Z)

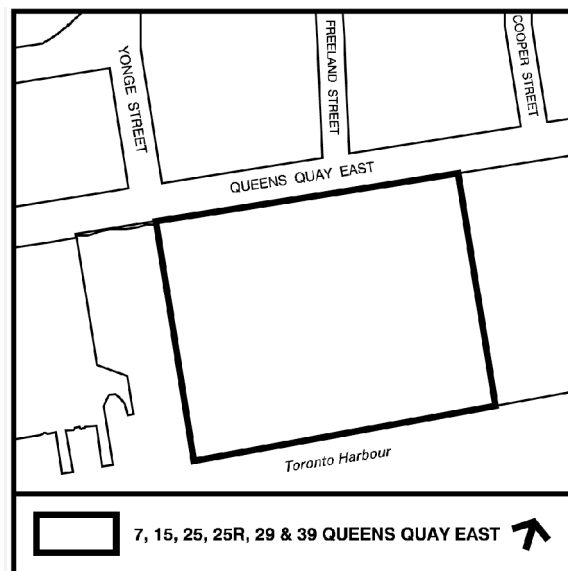
SUMMARY

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 proposal is the second phase of a development of a total of seven buildings and public open space located along the Yonge Street Slip and the water’s edge. The Phase 2 application proposes to construct three mixed use buildings containing retail at grade and residential above at 7, 15, 25R, 29 and 39 Queens Quay East. The easterly buildings will have heights of 13 storeys each and the westerly building will have a height of 35 storeys, with a combined total of 607 dwelling units. The application also proposes a commercial parking garage on the Phase 1 and 2 lands.

The purpose of this report is to report on Toronto and East York Community Council's request to discuss parking issues with the applicant and to follow up with the Board of Directors of the World Trade Centre condominiums to review their plan for revitalizing the northwest corner of Yonge Street and Queens Quay.

This report recommends that two parking spaces be provided for any future daycare, at no cost to the daycare, as part of the Section 37 benefits for this application. For visitor



parking, there are 24 visitor parking spaces required for Building B. These spaces are located within Building B, are physically separate from the commercial garage and do not form part of the commercial parking permission. If all of the required residential visitor parking for the remainder of the site (approximately 54 parking spaces) is required to be retained by the various proposed condominiums as part of the common elements, amendments to the draft zoning by-law amendment would be required as discussed below. As well, a technical change regarding removing a certain portion of the lands currently owned by Waterfront Toronto from being subject to the Section 37 provisions of the by-law is recommended.

RECOMMENDATIONS

The City Planning Division recommends that:

1. City Council amend the draft Zoning By-law Amendment attached as Attachment No. 8 to the report dated May 17, 2011 by,
 - a. Revising Section 5(6) to exclude the residential visitor parking spaces required for Building B (Phase1);
 - b. Revising Appendix "1" by inserting a new section 13 requiring the Owner to provide and maintain at its expense two parking spaces for the use of the daycare facility at no charge to such facility; and
 - c. Revising Section 4 and Section 9(10) and in Appendix "1" the first reference only in line 8 of Section 15, to delete the references to *Parcel 3A*.
2. City Council determine that no further notice be given.
3. In the event that City Council determines that all of the residential visitor parking spaces for the remainder of the site (approximately 54 parking spaces) should be retained by the various proposed condominiums as part of the common elements and not as part of the commercial parking garage, the draft Zoning By-law Amendment attached as Attachment No. 8 to the report dated May 17, 2011 should be further amended by amending Section 5(5) to revise the number of permitted commercial parking spaces from 529 to 475, and by deleting Section 5(6).

Financial Impact

There are no financial implications resulting from the adoption of this report.

DECISION HISTORY

At its meeting on May 25, 2011, Toronto and East York Community Council recommended approval of the applications to amend the Official Plan and Zoning By-law, subject to noise, vibration and air quality issues being addressed to the satisfaction of the Chief Planner, prior to the introduction of the Bills to City Council.

Toronto and East York Community Council requested the Director, Community Planning, Toronto and East York District to meet with the applicant to discuss visitor parking, daycare parking and any other City staff parking needs, and that the result of this consultation and any Section 37 adjustments be reported directly to Council for its meeting on June 14 and 15, 2011.

Community Council also requested the Director, Community Planning, Toronto and East York District to meet with the Board of Directors of the World Trade Centre (10 Yonge Street and 10 Queens Quay West) to review their plan for a publicly accessible, private square revitalization to ensure that the benefits accruing from the Pinnacle development for this square have been utilized and to explore, during the site plan process, a shadowing reduction mitigation strategy on the square.

The staff report, recommendations, draft zoning by-law and Toronto and East York Community Council motions can be found at the following links:

<http://www.toronto.ca/legdocs/mmis/2011/te/bgrd/backgroundfile-38256.pdf>

<http://www.toronto.ca/legdocs/mmis/2011/te/bgrd/backgroundfile-38300.pdf>

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2011.TE7.6>

ISSUE BACKGROUND

The Phase 2 rezoning and Official Plan Amendment application proposed a 529 space commercial parking garage for both the Phase 2 and Phase 1 lands. The 54 required visitor spaces for Buildings A, F, G (Phase 2) and Building D (Phase 1) are included in this commercial parking garage. The 24 visitor spaces required for Building B are accessed separately and were not included in the 529 commercial parking spaces permitted with the draft Zoning By-law Amendment.

The Board of Directors of the Residences of the World Trade Centre presented a plan for the revitalization of the plaza at the northwest corner of Yonge Street and Queens Quay West, located adjacent to the two condominium towers at 10 Yonge Street and 10 Queens Quay West, as part of their submission to Toronto and East York Community Council. The representatives expressed concern about shadow impact on the enhanced plaza. Private funds from the Pinnacle development (33 Bay Street) were provided to the Residences of the World Trade Centre condominiums for improvements to this privately-owned publicly accessible open space. There had been discussions with the condominiums about how this revitalization would occur but City staff have not seen a plan for the plaza, which includes public art, which is part of the City's public art inventory.

The Section 37 agreement provisions of the by-law are intended to apply to all of the lands currently owned by the owner and the lands to be exchanged to the owner, from Waterfront Toronto. Once the land exchange agreement is completed and the proposed Zoning By-law Amendment is in full force and effect, certain lands currently owned by Waterfront Toronto (*Parcel 3A* on Map 1 of such by-law) and the lands exchanged to Waterfront Toronto (*Parcel 3B* on Map 1) will be zoned G – Parks. The draft Zoning By-law contains provisions to release these lands from the Section 37 requirements, however there is no need for *Parcel 3A* to be made subject to the Section 37 requirements. Accordingly, an amendment is recommended herein to correct this.

COMMENTS

Daycare Parking:

Two parking spaces are required for the proposed daycare, under Zoning By-law 438-86, and the applicant would provide these spaces in the commercial parking garage. These spaces were not required to be provided in the original site specific by-law for these lands nor did the Section 37 provisions for the daycare require parking for the daycare facility (the operator) without charge as part of the benefit package. Such provisions have been included for daycare facilities in more recent agreements. Staff recommend that two parking spaces be secured as part of the revised/amended Section 37 agreement, at the owner's expense and at no cost to the daycare. As well, as part of the site plan process, staff will work with the applicant for an appropriate location for daycare pick-up and drop-off, which is a daycare licensing requirement.

Residential Visitor Parking

The amount of visitor parking required for this application is approximately 78 spaces. The commercial parking requirement would be 13 spaces, although none is required because the commercial density is less than 1.0 FSI. The applicant is proposing to combine the required 54 spaces for the residential visitor parking for Buildings D, A, F and G with the proposed commercial parking garage which is being added as a new commercial use.

If there was no commercial garage, the residential visitor spaces would comprise part of the residential condominium common elements. The commercial parking for this site is intended to accommodate the tourist and recreational needs for the waterfront. On some sites staff accept shared visitor and commercial parking, as they are often used at different times and it achieves efficiencies on a small site. However, this is a large site, proposing an excess of commercial parking from its own requirements and because of the tourist and recreational use in this area is not expected to have the 'swing' use experienced in other parts of the City. The residential visitor parking can be accommodated in the residential, rather than the commercial parking portion of the garage. This would allow the future condominium boards (the future unit owners) to control and determine the access, arrangements and charges, if any, for their visitor parking, rather than leaving that control with the commercial garage owner. Given the process to date and the proposed configuration of parking, staff are recommending that 24 (the Building B residential visitor spaces) of the total 78 residential visitor parking spaces be secured as part of the common element for Building B.

Parks Staff Parking

Parks staff have indicated that staff working at Mainland Ferry Terminal and Toronto Island currently park under the Gardiner Expressway at Jarvis Street. They indicated a demand for parking for 50 to 60 staff in summer peak season and 10 in winter. This is not recommended as forming a community benefit to be secured in the Zoning By-law Amendment or Section 37 agreement. In addition the provision of permanent parking for such purposes may have implications regarding the City's policies on employee parking.

Plaza at 10 Yonge Street and 10 Queens Quay West

The applicant provided sun/shadow information to support their application. The shadow impact from the proposed tower on the plaza located at 10 Yonge Street and 10 Queens Quay West is

only for a limited time in the mornings (about one hour). The shadow impact of the development on the plaza is not significant and there are no additional measures which we can recommend which would address shadow at the site plan review stage.

City Planning staff are following up with the Residences of the World Trade Centre condominium boards to review their plan for the park square/plaza revitalization and to ensure that the benefits from the private agreement with the Pinnacle development are being utilized.

Conclusions

The proposed Zoning By-law Amendment should be revised as set out in recommendation 1(a) to recognize that the residential visitor parking for Building B does not form part of the commercial parking garage. In addition, two parking spaces without charge are recommended to be secured in the Zoning By-law Amendment and Section 37 Agreement for the daycare facility, as set forth in Recommendation 1(b) of this report.

In the event City Council determines that all of the required residential visitor parking for the remainder of the site (approximately 54 parking spaces) should form part of the various proposed condominiums as part of the common elements and not form part of the commercial parking permission, Recommendation 3 should be adopted.

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SIGNATURE

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