



Project No. 24266

July 3, 2025

Committee Chair & Members
Committee of Adjustment, Toronto & East York District
Toronto City Hall
100 Queen Street West
Toronto, ON M5H 2N2

Dear Chair and Committee Members:

Re: *Application for Minor Variance*
 Planning Rationale Letter
 27 Grosvenor Street and 26 Grenville Street, Toronto

1.0 INTRODUCTION

We are the planning consultants for Choice Grosvenor/Grenville Inc., the nominee owner of lands municipally known as 27 Grosvenor Street and 26 Grenville Street (the “subject site” and “site”).

On December 17, 2021, City Council enacted By-law 1096-2021, which amended the new City-wide Zoning By-law 569-2013, as amended, to permit a two-tower, mixed-use development, providing purpose-built rental housing with a significant (30 percent) affordable housing component, as well as a child-care centre, at grade retail space and substantial public realm improvements (the “Approved Development”).

Since that time, the owner has made a number of modifications to the Approved Development in order to address policy, market and contextual considerations which have evolved since the December 2021 approval. The modifications are largely focused on ensuring that the development is as efficient as possible and responds to current market constraints, all of which are intended to ensure the Approved Development and its many embodied community benefits, including the significant affordable housing contribution, can be delivered in a timely manner.

The revised development continues to permit a two-tower, mixed-use development, providing purpose-built rental housing with a 30 percent affordable housing component, child-care centre and substantial public realm improvements (the “Revised Development”, “Revised Proposal”). At a high level, the key revisions incorporated within the Revised Proposal include:

- Redistributing the previously approved building heights, such that the south building's height has been reduced from 46 storeys to 41 storeys and the north building's height has been increased from 32 storeys to 33 storeys;
- Reducing the 3- to 11-storey podium to two separate single-storey elements , one for each tower, such that the buildings are connected below grade only;
- Increasing podium setbacks from the west property line (north tower) and east property line (south tower), while reducing the heights of the streetwalls;
- Maintaining the mid-block connection (the "Green Loop, or Clock Tower Trail") along the west property line while opening segments that which were previously covered to the sky;
- Increasing the number of affordable units from 231 to 233, while slightly reducing the number of overall purpose-built rental units from 770 to 769;
- Removing the retail units previously proposed at grade and replacing them with other active uses (childcare, amenity space, residential lobbies);
- Relocating the childcare centre and its associated outdoor amenity area from the north building to the south building, and the outdoor amenity area from the podium roof to grade;
- Revising the quantum of indoor and outdoor amenity space;
- Reducing the number of parking spaces while increasing the number of bicycle parking spaces; and
- Reducing the overall gross floor area to reflect the modified built form..

While some of these revisions continue to fit within the parameters established by the development standards in By-law 1096-2021, a limited number of variances are required and are proposed to be facilitated through a Minor Variance application, including a number of technical variances. This letter provides a description of the subject site and its surroundings, the proposal and the requested variances, the relevant policy and regulatory context, and our planning analysis.

It is our opinion that the requested variances achieve the goal of providing additional housing, while individually and cumulatively satisfying the four tests for minor variances set out in Section 45(1) of the *Planning Act*.

2.0 SITE AND SURROUNDINGS

Subject Site

The subject site is a through lot with frontages on Grosvenor Street and Grenville Street, located east of Bay Street and west of Yonge Street. The northern portion of the site is adjacent to St. Vincent Lane which provides a north-south connection from Grosvenor Street to Grenville Street. The site is irregular in shape, with an area of approximately

3,920 sq. m, with frontages of approximately 43 metres along Grosvenor Street and 46 metres along Grenville Street. The lot depth is approximately 83 metres.

The lot was created through a consent application which severed the lands at 27 Grosvenor Street and 26 Grenville Street from the retained lands at 15-25 Grosvenor Street and 32 Grenville Street, both owned by the Province through Infrastructure Ontario.

The northern portion of the subject site, municipally addressed as 27 Grosvenor Street contains a 3-storey commercial parking garage, while the south portion of the subject site municipally addressed a 26 Grenville Street contains a 2-storey office building which is currently vacant.

Surrounding Area

The subject site is centrally located within Downtown Toronto, being located approximately 130 metres northwest of Yonge Street and College Street, and approximately 170 metres northwest of the College subway station on the Yonge-University-Spadina subway line (TTC Line 1).

To the immediate north of the subject site is Grosvenor Street, and on the north side of Grosvenor Street is a 4-storey Central YMCA building (10-20 Grosvenor Street and 15 Bredalbane Street). North of the YMCA is Opera Place Park. On the northeast corner of Bay Street and Grosvenor Street is Opera Place, a 16-storey mixed-use building (887 and 889 Bay Street). Further north is Dr. Lillian McGregor Park.

To the immediate east of the north half of the subject site is the George Drew Building, a 19-storey office building owned by the Province of Ontario (15-25 Grosvenor Street). To the east of the south half of the subject site is the Peregrine Co-op, a 16-storey residential building within 2-storeys of office uses (18 Grenville Street). Further east is St. Luke Lane, followed by a range of commercial uses fronting on Yonge Street and the Halo Residences, a 39-storey building under construction (480 Yonge Street).

To the immediate west of the south portion of the subject site is the Simon Apartments, an 11-storey building owned by the Province of Ontario containing an assisted living centre with 40 apartments (32 Grenville Street). Further west (and west of the north portion of the subject site) is St. Vincent Lane and a 33-storey mixed-use building known as the Murano (38 Grenville Street and 37 Grosvenor Street).

To the immediate south of the subject site is Grenville Street, south of which is The Gallery, a 26-storey residential building (25 Grenville) and the 12-storey Toronto Police Service Headquarters (40 College Street). Further south is Karma Condos, 50-storey mixed-use

building (15 Grenville Street) and YC Condos, 62-storey mixed-use building (7 Grenville Street).

3.0 PROPOSAL

The proposal seeks to generally implement the land use and built form permissions afforded to the subject site by site-specific Zoning By-law 1096-2021. The revised proposal continues to permit a two-tower, mixed-use development, providing a reduced total gross floor area of 51,445 square metres while maintaining a 685 square metres child-care centre, plus outdoor space. The revised proposal will continue to be a purpose-built rental building with a significant (30 percent) affordable housing component. The revised proposal proposes a housing mix that will include 158 studio units, 337 one-bedroom units, 154 two-bedroom units (20.0%), 120 three-bedroom (15.6%), totaling 769 units, of which 233 units will be affordable. Of those units 50 units will contain knockout panels that, if used, would yield a reduced unit breakdown of 744, and increased percentage of two-bedroom units (24.0%) and three-bedroom units (16.0%).

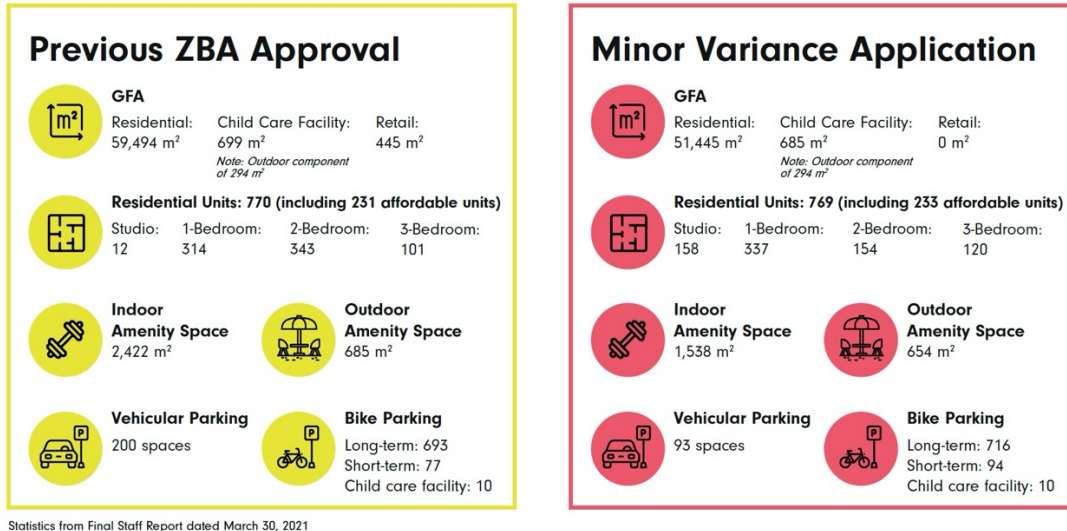
The revised proposal provides 1,538 square metres of indoor amenity space, and 654 square metres of outdoor amenity space, resulting in a ratio of 2.0 square metres per units of indoor amenity space and 0.85 square metres per unit of outdoor amenity space, for an overall rate of 2.85 square metres per unit.

Further, 84 residential vehicular parking spaces will be provided, along with 9 spaces for visitor, adding to a total of 93 spaces. A total of 716 long term bicycle parking spaces, and 94 short term bicycle parking spaces, are provide. One (1) type G loading space and one (1) type G/B loading space is provided.

A summary of the proposed changes is provided below:

Proposal Statistics

26 Grenville
— 27 Grosvenor



The changes incorporated into the revised proposal necessitate the following ten (10) variances (proposed revisions have been **bolded** for ease of reference):

- Chapter 900.11.10.(4)(i), Exception CR 406, By-law 569-2013**
A minimum of 43% of the total number of residential dwelling units must have two or more bedrooms.

In this case, **20%** of the total number of residential dwelling units will have two or more bedrooms.

- Chapter 900.11.10.(4)(G), Exception CR 406, By-law 569-2013**
Despite Regulation 40.5.40.10(4) and (2), and 40.5.40.10.(1), the maximum permitted height of any building or structures, including any mechanical penthouse containing equipment and structures used for the functional operation of the building described in 40.5.40.10(4), is the height in metres specified by the number following the HT symbol, and the number of storeys following the symbol ST, as shown on Diagram 3 of By-law 1096-2021.

In this case, the maximum permitted building height will be the number in metres following the letter HT symbol and the number of storeys following the symbol ST as shown on **Revised Diagram 3**.

3. Chapter 900.11.10.(4)(H), Exception CR 406, By-law 569-2013

For the purposes of regulation (G) above, the mechanical penthouse levels of the building located above "ST 32" and "ST 46" as shown on Diagram 3 of By-law 1096-2021 are not a storey.

In this case, the mechanical penthouse levels of the building located above "**ST 33**" and "ST 46" as shown on Revised Diagram 3 are not a storey.

4. Chapter 900.11.10.(4)(I), Exception CR 406, By-law 569-2013

Despite regulations 40.5.40.10(4) to (7) and (G), the following elements of a building may Project above the maximum permitted height as shown on Diagram 3 of By-law 1096-2021 in accordance with the following:

- i. window washing equipment, lightning rods and wind mitigation features may project above the height limits by no more than 2 m.
- ii. structures and elements related to outdoor flooring and roofing assembly may project above the height limits by no more than 0.5 m.
- iii. safety railings, guard rails, railings, parapets, terraces, patios, planters, balustrades, bollards, stairs, ancillary structures, retaining walls, wheelchair ramps and ornamental or architectural features may project above the height limits by no more than 1.5 m.
- iv. elements on the roof of the building or structure used for green roof technology and related roofing material may project above the height limits by no more than 2 m.
- v. mechanical elements, garbage chutes, vents, screens, and lighting fixtures may project above the height limits by no more than 5.5 m.
- vi. emergency generators and associated screens may project above the height limits by no more than 5 m, provided they are set back at least 5 m from the edge of the building below.
- vii. landscape features, privacy screens, terrace dividers, covered stairs or stair enclosures and fences may project above the height limits by no more than 2.75 m.
- viii. cabanas and trellises may project above the height limits by no more than 3.6 m; and
- ix. cooling towers may project above the height limits by no more than 6 m, provided they are set back at least 6 m from the edge of the building below.

In this case, Despite regulations 40.5.40.10(4) to (7) and (G), the following elements of a building project locate above the maximum permitted height as shown on **Revised Diagram 3** in accordance with the following:

- i. window washing equipment, lightning rods and wind mitigation features may project above the height limits by no more than **6 m**.
- ii. structures and elements related to outdoor flooring and roofing assembly may project above the height limits by no more than 0.5 m.

- iii. safety railings, guard rails, railings, parapets, terraces, patios, planters, balustrades, bollards, stairs, ancillary structures, retaining walls, wheelchair ramps and ornamental or architectural features may project above the height limits by no more than **3 m**.
- iv. elements on the roof of the building or structure used for green roof technology and related roofing material may project above the height limits by no more than 2 m.
- v. mechanical elements, garbage chutes, vents, screens, and lighting fixtures may project above the height limits by no more than 5.5 m.
- vi. emergency generators and associated screens may project above the height limits by no more than **7 m**, provided they are set back at least 5 m from the edge of the building below.
- vii. landscape features, privacy screens, terrace dividers, covered stairs or stair enclosures and fences may project above the height limits by no more than 2.75 m.
- viii. cabanas and trellises may project above the height limits by no more than 3.6 m; and
- ix. cooling towers may project above the height limits by no more than 6 m, provided they are set back at least 6 m from the edge of the building below.

5. Chapter 900.11.10.(4)(L), Exception CR 406, By-law 569-2013

Despite regulations 40.5.40.70, 40.10.40.70(1), 40.10.40.80(1) and Section 600.10.10(1), the required minimum building setbacks and minimum distance between main walls for a building or structure are shown on Diagram 3 of By-law 1096-2021;

In this case, the required minimum building setbacks and minimum distance between main walls for a building or structure are shown on the **Revised Diagram 3**.

6. Chapter 900.11.10.(4)(M), Exception CR 406, By-law 569-2013

Despite regulation 40.10.40.60 and regulation (L) the following may encroach into the minimum required building setbacks of a building or structure are shown in metres on Diagram 3 of By-law 1096-2021:

- i. lighting fixtures, cornices, architectural cladding or design features, sills, eaves, awnings and art installations may encroach into a building setback by a maximum of 0.6 m.
- ii. above a building height of 39.0 m, balconies may encroach into a building setback by a maximum of 1.7 m, provided the maximum width of the balcony is 2.1 m; and
- iii. canopies may encroach into a building setback by a maximum of 4 m.

In this case, despite regulation 40.10.40.60 and regulation (L), the following may encroach into the minimum permitted setbacks of a building or structure will be as shown in metres on **Revised Diagram 3**:

- i. lighting fixtures, cornices, architectural cladding or design features, sills, eaves, awnings art installations, **as well as an exterior wall for the purposes of sustainability**, may encroach into a building setback by a maximum of 0.6 m.
- ii. above a building height of 39.0 m, balconies may encroach into a building setback by a maximum of 1.7 m, provided the maximum width of the balcony is 2.1 m; and
- iii. canopies may encroach into a building setback by a maximum of 4 m.

7. Chapter 900.11.10.(4)(N), Exception CR 406, By-law 569-2013

Within "Area A", as shown on Diagram 4 of By-law 1096- 2021, no portion of the building shall be located between a height of 0 to 5 m, as measured from established grade.

In this case, within "Area A", as shown on **Revised Diagram 4**, no portion of the building shall be located between a height of 0 to 5 m, as measured from established grade.

8. Chapter 900.11.10.(4)(O), Exception CR 406, By-law 569-2013

Structural and architectural elements that support the building, including but not limited to columns, beams and soffits, may be located within "Area A", as shown on Diagram 4 of Bylaw 1096-2021, between a height of 0 to 5 m, as measured from established grade.

In this case, structural and architectural elements that support the building, including but not limited to columns, beams and soffits, may be located within "Area A", as shown on **Revised Diagram 4**, between a height of 0 to 5 m, as measured from established grade.

9. Chapter 900.11.10.(4)(P), Exception CR 406, By-law 569-2013

Despite regulations 40.10.40.50(1) and (2), amenity space must be provided at a minimum rate of:

- i. 3.15 m² per dwelling unit of indoor amenity space; and
- ii. 0.85 m² per dwelling unit of outdoor amenity space.

In this case, amenity space will be provided at a minimum rate of:

- i. **2 m²** per dwelling unit of indoor amenity space.
- ii. 0.85 m² per dwelling unit of outdoor amenity space.

10. Chapter 900.11.10.(4)(S), Exception CR 406, By-law 569-2013

Despite clause 200.5.10.1 and Table 200.5.10.1, Parking spaces must be provided and maintained in accordance with the following:

- i. a minimum of 121 parking spaces must be provided for the use of residents of the mixed-use building.
- ii. a minimum of 97 parking spaces must be provided for residential visitors and non-residential uses in the mixed-use building, which may be provided as public parking.
- iii. a reduction of four resident parking spaces for each of the proposed six (6) car-share spaces provided, and that the maximum reduction permitted by this means be capped by the application of the following formula: $4 \times (\text{Total of Units} / 60)$, rounded down to the nearest whole number.
- iv. "car-share" means the practice where a number of people share the use of one or more cars that are owned by a profit or non-profit car-sharing organization, and such car-share motor vehicles are made available to at least the occupants of the building, and where such organization may require that use of cars to be reserved in advance, charge fees based on time and/or km driven, and set membership requirements of the car-sharing organization, including the payment of a membership fee that may or may not be refundable; and
- v. "car-share parking space" mean a parking space that is reserved and actively used for car-sharing.

In this case, despite clause 200.5.10.1 and Table 200.5.10.1, parking spaces will be provided and maintained in accordance with the following:

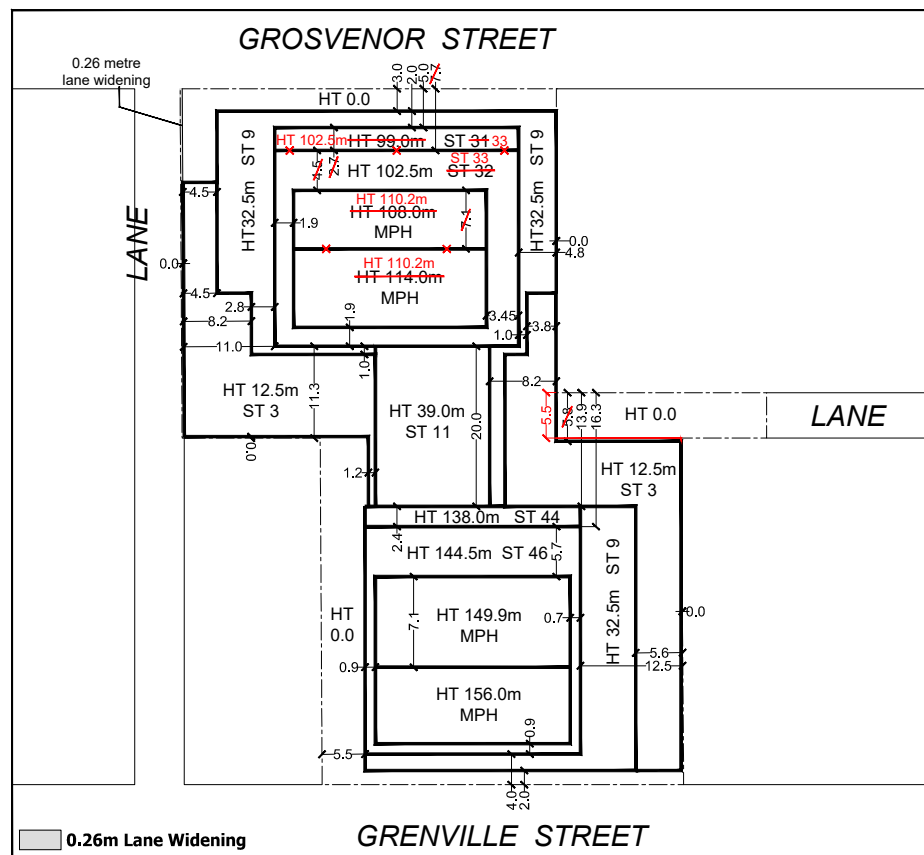
- i. a minimum of **0** parking spaces must be provided for the use of residents of the mixed-use building.
- ii. a minimum of **9** parking spaces must be provided for residential visitor and non-residential uses in the mixed-use building, which may be provided as public parking.
- iii. **a minimum of 14 accessible parking spaces for the mixed-use building.**
- iv. a reduction of four resident parking spaces for each of the proposed six (6) car-share spaces provided, and that the maximum reduction permitted by this means be capped by the application of the following formula: $4 \times (\text{Total of Units} / 60)$, rounded down to the nearest whole number.
- v. "car-share parking space" means the practice where a number of people share the use of one or more cars that are owned by a profit or non-profit car-sharing organization, and such car-share motor vehicles are made available to at least the occupants of the building, and where such organization may require that use of cars to be reserved in advance, charge fees based on time and/or km driven,

and set membership requirements of the car-sharing organization, including the payment of a membership fee that may or may not be refundable; and

- vi. "car-share parking space" mean a parking space that is reserved and actively used for car-sharing.

Redlined versions of the Revised Diagram 3 and Diagram 4 noted in the variances above are provided below, illustrating the required zoning relief:

City of Toronto By-law No. 1096-2021



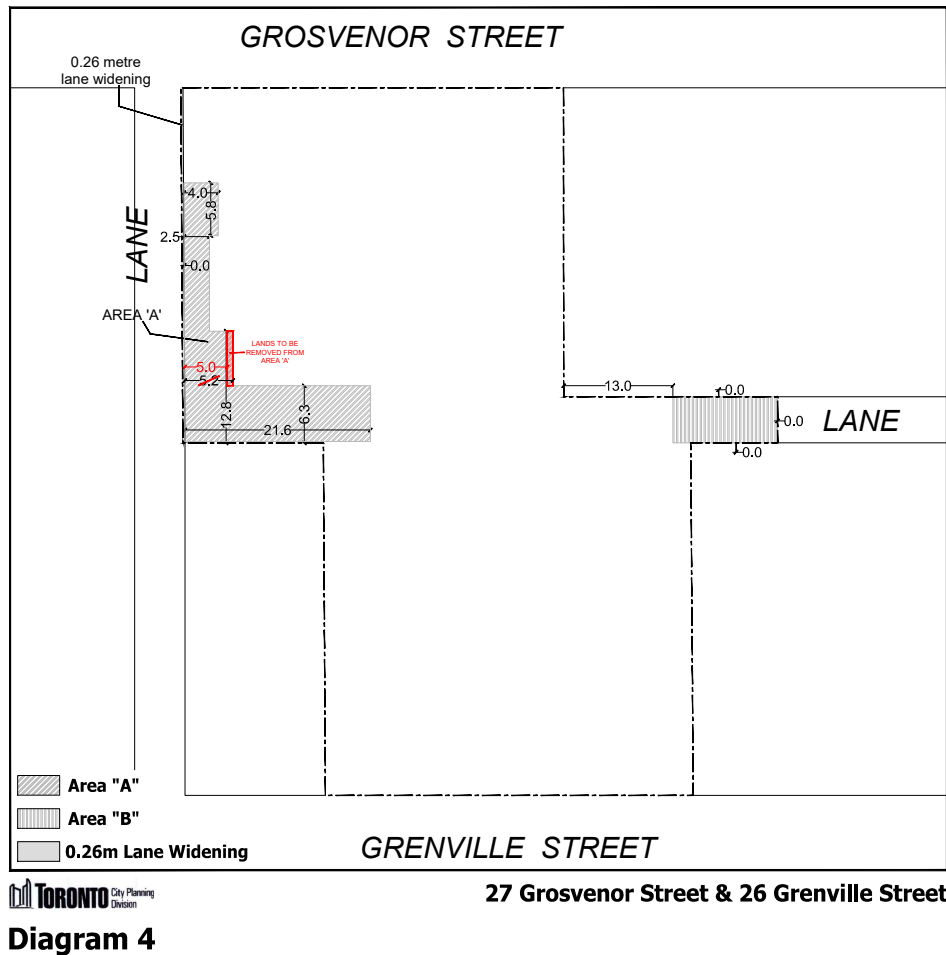
 **TORONTO** City Planning Division

27 Grosvenor Street & 26 Grenville Street

Diagram 3



Not to Scale
City of Toronto By-law 569-2013



Not to Scale

City of Toronto By-law 569-2013

4.0 KEY PLANNING AND REGULATORY CONTEXT

Provincial Planning Statement

On August 20, 2024, the Ministry of Municipal Affairs and Housing released the Provincial Planning Statement (“PPS”) 2024, which came into effect on October 20, 2022. The PPS replaced the previously in-effect Policy Statement (2020) and Growth Plan for the Greater Golden Horseshoe (2019).

The 2024 PPS contains new and updated policies that promote a range and mix of housing options, support increased intensification around transit stations, and address protections for employment areas. It promotes the establishment of specific density targets for large and fast-growing municipalities (such as Toronto), and it provides specific density targets for Major Transit Station Areas (“MTSA”).

In this regard, Policy 2.4.2(3) of the PPS 2024 provides that planning authorities are encouraged to promote development and intensification within MTSA’s, and per Policy 2.4.2(1), planning authorities have been directed to delineate the boundaries of MTSA’s on higher order transit corridors, and that the delineation shall be within an approximately 500- to 800-metre radius of the transit station in order to maximize the number of potential transit users that are within walking distance of the station. Further, Policy 2.4.2(2) of the PPS 2024 provides minimum density targets for lands within MTSA’s on higher order transit corridors, including a target of 200 residents and jobs combined per hectare for those served by subways.

The subject site is located within the Wellesley Station and College Station Protected Major Transit Station Areas, as delineated in Official Plan Amendment 524 which, while not yet in force, would introduce SASPs 602 and 603, respectively. SASPs 602 and 603 would require that existing and new development within the PMTSA’s be planned for minimum population and employment targets of 1000 and 1200 residents and jobs combined per hectare, respectively. They also specify minimum density requirements for individual properties and areas within each PMTSA, with both SASPs specifying a minimum density of 3.0 FSI for the subject site.

City of Toronto Official Plan

The City of Toronto Official Plan (the “Official Plan”) designates the subject site *Mixed Use Areas* on the Land Use Plan – Map 18 and locates it within the *Downtown and Central Waterfront* designation on the Urban Structure – Map 2. The *Downtown* is planned for a vibrant mix of residential and employment growth. Policy 2.2.1(1) provides that “The *Downtown Toronto Urban Growth Centre* will be planned to optimize the public investment in higher order transit within the Centre and thus should exceed the minimum combined gross density target of 400 residents and jobs per hectare...”

The *Mixed Use Areas* designation permits a broad range of commercial, residential and institutional uses in single use or mixed-use buildings, as well as parks and open spaces and utilities. The introductory text in Section 4.5 states that the intent of the designation is to achieve a multitude of planning objectives by combining a broad array of residential uses, offices, retail and services, institutions, entertainment, recreational, and cultural activities, and parks and open spaces.

Downtown Secondary Plan

On July 27, 2018, the City of Toronto Council enacted By-law 1111-2018, adopting Official Plan Amendment 406, which established a new Downtown Secondary Plan (the “Downtown Plan”) and associated amendments to Section 2.2.1 and Map 6 of the Official Plan. On June 5, 2019, the Minister of Municipal Affairs and Housing approved the Downtown Plan, with modifications, under Section 26 of the *Planning Act*, bringing the Downtown Plan into full force and effect.

The subject site is designated *Mixed Use Areas 1 – Growth* in the Downtown Plan. Policy 4.1 provides that growth is encouraged within the *Downtown* and in particular on lands designated *Mixed Use Area 1*, among other designations. Policy 6.20 states that “Building heights, massing and scale of development will be compatible between each of the four *Mixed Use Areas*, with the most intense development located in *Mixed Use Areas 1* generally lessening through *Mixed Use Areas 2* and *Mixed Use Areas 3* to *Mixed Use Areas 4*.”

Policy 6.23 further states that “Development within *Mixed Use Areas 1* will include a diverse range of building typologies, including tall buildings, with height, scale and massing, dependent on the site characteristics and supportive of intensification suitable for a downtown growth area.” Policy 6.36 outlines that “The highest density of development within the Downtown shall be directed to *Mixed Use Areas* in close proximity to existing or planned rapid transit stations.”

Section 9, provides policies for built form, specifically creating a comfortable microclimate within the Downtown. Policy 9.17 states “development will seek to adequately limit shadows on sidewalks, parks, open spaces, natural areas, and institutional open spaces as necessary to preserve their utility”. Further, Policy 9.18 states “development will adequately limit net-new shadow as measured from March 21st to September 21st from 10:18 a.m. – 4:18 p.m. on parks and open spaces indicated on Map 41-13”. The subject site is within 115 metres from Dr. Lillian McGregor Park, which is identified as a Sun Protected Park on Map 41-13.

Section 11, provides policies for housing, to ensure a balance mix of unit types and sizes are achieved for developments containing more than 80 new residential units. Policy 11.1.1 states a “minimum of 15 per cent of the total number of units as 2-bedroom units”, further policy 11.1.2 states a “minimum of 10 percent of total number of units as 3-bedroom units” and lastly policy 11.1.3 states “an additional 15 per cent of the total number of units will be a combination of 2-bedroom and 3-bedroom units, or that can be converted to 2 and 3-bedroom units through the use of accessible or adaptable design measures”.

Site Area and Specific Policy 382

Official Plan Amendment 183 (“OPA 183”) was adopted by City Council on November 15, 2013, which had the effect of establishing the North Downtown Yonge Site and Area Specific Policy (“SASP 382”). SASP 382 was appealed by a number of parties. Portions of SASP 382 came into force through LPAT decisions in the proceeding years, and through its decision on July 3, 2024, the OLT approved the remaining outstanding sections of OPA 183, therefore bringing a modified version of SASP 382 into full force and effect.

Objectives of SASP 382 include the identification of character areas with greater or lesser potential for growth, and the reinforcing and supporting of transit use throughout the North Downtown Yonge Area. The subject site is located within the Bay Street Character Area, which notes growth is anticipated within the Bay Street Character area save and except for the sub-area within the Bay Street Character Area designated as *Apartment Neighbourhoods* in the Official Plan, as these areas are considered to be stable.

Section 6 contains policies applicable to the entire SASP 382 area. Policy 6.1.8 states that “for parks and the Church Street Public School site, development/redevelopment will, by location and massing, minimize shadows to preserve or improve the utility, in a functional and qualitative sense”. Policy 6.1.9 states that “It is the objective of Council to ensure that development/redevelopment will not cast any new net shadow on Opera Place Park between 12 Noon and 2:00 p.m. on March 21st and September 21st, and will not cast any new net shadow on the new public park identified on Map 2 and located between Wellesley Street West, St. Luke Lane, Breadalbane Street and Bay Street, for a period of 6 hours generally between the hours of 10:00 a.m. to 4:00 p.m. on March 21st and September 21st.”

Section 6.4 provides urban design policies for revitalization within the North Downtown Yonge Site and Area Specific Policy area stating that development/redevelopment will be massed to fit harmoniously with its surroundings.

5.0 ANALYSIS OF REQUESTED VARIANCES

As set out below, it is our opinion the requested variances both individually and cumulatively satisfy the four tests for a minor variance set out in Section 45(1) of the Planning Act, as follows:

(1) Maintains the Intent and Purpose of the Official Plan

The residential intensification on the subject site would maintain the intent and purpose of policy directions articulated in the Official Plan and the Downtown Secondary Plan, which promote the intensification of underutilized sites within the existing urban area that are

well served by municipal infrastructure, especially higher-order transit. In this regard, the subject site is well served by higher order transit including the Line 1 subway, and is within the College and Wellesley PMTSAs, as delineated in OPA 524.

From a land use perspective, the subject site's *Mixed Use Areas* and *Mixed Use Area 1* designations in the Official Plan and Downtown Plan, respectively, allow for, and encourage, the development of high-rise, high-density mixed-use buildings. The designations permit a broad range of uses, in single use or mixed use buildings. A specific maximum building height is not provided for in these land use designations. Rather, policies related to neighbourhood character, shadow impacts, built form design, etc. are provided throughout the Official Plan, Downtown Plan, and SASP 382 to regulate building height.

The revised proposal will continue to provide a purpose-built rental development with a significant (30 percent) affordable housing component. The overall proposed unit count includes a range and mix of dwelling units including 154 two-bedroom (20%) and 120 three-bedroom (15.6%). If the proposed knockout panels would be utilized, the number of family-sized units would increase to 179 two-bedroom (24%), and 120 three-bedroom (16%) units. As such, the proposed range and mix of dwelling types would meet the Downtown Secondary Plan housing policies, that require 40 percent of the units to be provided as family-sized, 2- or 3-bedroom units, or units that can be combined into 2- or - 3-bedroom units through adaptive design measures, such as knock-out panels. The use of knockout panels enables a flexible approach that allows the building to fully meet the Official Plan requirement and respond to potentially changing future conditions.

With respect to built form, while the height of the north building has increased by one storey (from 32 to 33), the overall height has been maintained at 102.5 metres. The height of the south building has been reduced from 46 to 41 storeys. With respect to massing, the building massing has generally been reduced, particularly at the podium levels, and the only variance required is to permit the south building podium to be 5.5 metres from the south property line of 15-25 Grosvenor Street, a slight reduction from 5.9 metres. The reduction allows for the full extent of the childcare centre to be provided at grade, within the podium of the south building, facing Grenville street.

With respect to built form impacts, Policy 6.1.9 of SASP 382 regulates shadow on both Opera Place Park and Dr. Lillian McGregor Park, with the objective of limiting new net shadow on Opera Place Park between 12 Noon and 2:00 p.m. on March 21st and September 21st, and on Dr. Lillian McGregory Park for a period of 6 hours generally between the hours of 10:00 a.m. to 4:00 p.m. on March 21st and September 21st.

As demonstrated in the Sun/Shadow Study prepared by Graziani + Corraza Architects, the revised development continues to fully conform with this policy, with no incremental

shadow impacts on Opera Place Park between 12:00 and 2:00 p.m., and no incremental shadow impacts on Dr. Lillian McGregor Park between the hours of 10:00 a.m. to 4:00 p.m. on March 21st and September 21st.

With respect to the building encroachments and projections variances, the proposed development has, since the Original Approval, benefitted from additional site plan approval-level coordination, as well as the introduction of a new project architect. Through this coordination, it was determined that additional permissions are required that promote the functionality and sustainability of the building.

With respect to the amenity space variance, the proposed development would continue to provide a significant amount of amenity space (2.85 square metres per unit) for residents. The provided amenity spaces will be high quality, well designed, and will consider the needs of residents of all ages and abilities in accordance with Official Plan Policy 3.1.3(11). A variety of spaces are provided, including at grade indoor amenity spaces and Level 2 outdoor amenity space opportunities for each tower. The revised proposal will maintain the mid-block connection (the “Green Loop, now known as the Clock Tower Trail”) along the west property line while opening up segments of the trail to the sky, which were previously covered by the podium.

The reduction of vehicular parking would be supportive of Official Plan policies which seek to reduce reliance on automobile parking, particularly in locations around higher order transit stations.

In our opinion, the proposed variances are appropriate in this policy context, and it is our opinion that the proposal maintains the general intent and purpose of the Official Plan.

(2) Maintains the General Intent and Purpose of the Zoning By-law

In our opinion, the proposed variances maintain the general intent and purpose of the applicable Zoning By-law, both individually and cumulatively. In this regard, the general intent and purpose of Zoning By-law 560-2013, as amended by site-specific By-law 1096-2021, is to permit two tall, mixed-use buildings in tower-and-podium forms, with active uses at grade and residential uses above.

The proposed variances will not change the purpose of the Zoning By-law, as the proposal will maintain the two-tower proposal, and generally fits within the approved building envelope, only one minor change to an established setbacks, at grade between the south building and the lot line of 15-25 Grosvenor Street (from 5.9 to 5.5 metres). The revised proposal will also continue to provide the significant public benefits secured through the zoning by-law, including the mid-block connection between Grenville Street and Grosvenor Street (implementing the “Green Loop”, now known as the “Clock Tower Trail”),

the 10,000 square foot childcare facility, the purpose-built rental tenure of the units, and the 30% affordable housing component.

With respect to the reallocation of dwelling units, the revised proposal will include 154 two-bedroom units and 120 three-bedroom units. Combined, 35 percent of the total unit count is represented by two-bedroom and three-bedroom units. While the proportion of 2-bedroom units has decreased to 20% (below the minimum requirement of 43%) the proposal would see an increase in 3-bedroom units as compared to the existing provisions of the Zoning By-law. The portion of 3-bedroom units has increased to 15% (above the minimum requirement of 12%). Further, the inclusion of knockout panels in a number of the studio and 1-bedroom units creates a flexible design of the building where, if used, the 2-bedroom count would increase from 20% to 24%, and the 3-bedroom count would increase from 15% to 16% without any further construction or revision to the plans, fully complying with Policy 11.1 of the Downtown Secondary Plan with respect to unit mix.

With respect to the building height, the proposed increase in height on the north building is simply to eliminate the stepping identified in Diagram 3 of By-law 1096-2021, while increasing the number of storeys to reflect reduced floor-to-ceiling heights (increasing the height from 32 to 33 storeys). In addition, the mechanical penthouse has increased in height slightly from 5.5 to 11.5 metres in height to an even 7.7 metres. While the approved were arrived at in the Original Application to meet Policy 6.1.9 of SASP 382 with respect to shadows on Opera Place Park and Dr. Lillian McGregor Park further north, as noted above, the Sun/Shadow Study enclosed with this application confirms that no new net shadow would fall on either park at the prescribed times. In addition, we note that while the north building has increased in height in terms of storeys, the south building has been reduced in height from 46 to 41 storeys. Further, the proposed podium has been significantly scaled back from 11 storeys to a single storey, and broken into two separate podiums serving each of the buildings. In our opinion, the requested height relief from the by-law maintains its general intent and purpose.

With request to projections beyond the permitted height limits, additional relief is requested to permit increased heights for:

- window washing equipment, lightning rods and wind mitigation features (from 2.0 to 6.0 metres);
- safety railings, guard rails, railings, parapets, terraces, patios, planters, balustrades, bollards, stairs, ancillary structures, retaining walls, wheelchair ramps and ornamental or architectural features (from 1.5 to 3.0 metres); and
- emergency generators and associated screens may project above the height limits (from 5.0 to 7.0 metres).

Through the Site Plan stage it was determined that the increased projection heights were required for these elements. In our experience, these are reasonable and typical projection heights for similar buildings in the downtown.

With respect to encroachments, the proposal requires “an exterior wall for the purpose of sustainability measures” to be added to the list of encroachment into the required minimum building setbacks. This is a technical variance, as through the detailed design stage it was determined that thicker insulation may be required in order to meet sustainability objectives, should the building be built with a geothermal system as intended. As such, a variance is requested to add “an exterior wall for the purposes of sustainability” as a permitted encroachment within provision M(I). The proposed variance is technical in nature and will not create any adverse impacts to adjacent uses, given that lighting fixtures, cornices, architectural cladding or design features, sills, eaves, awnings and art installations are already permitted to encroach the same distance (0.6 metres).

With respect to the required variance related to “Area A” on Diagram 4 of By-law 1096-2021, the revised proposal’s northern building façade has a slightly adjusted alignment where the access to the underground parking is located. This setback is now proposed to be 5.0 metres whereas 5.2 metres was previously approved. Diagram 4 is proposed to be revised to capture the change in the building façade along this portion of the northern tower. To support the building footprint change in north building a revised Diagram 4 has been submitted as part of the Minor Variance application, triggering the need for two largely technical variances (Nos. 7 and 8) to change the references to Diagram 4 to the Revised Diagram 4.

The revised proposal is seeking a variance for a reduction in amenity space as set out in By-law 1096-2021. Currently the by-law required 3.15 square metres of indoor amenity space, however the revised proposal seeks to permit a 2.0 square metres of amenity space. The reduction in amenity space is a result of the layout of the floor plates of the proposed building being revised to improve their efficiency. Due to the change in the layout of the floor plates the proposal seeks to permit the required 2.0 square metres of indoor amenity space per unit, aligning with the indoor amenity requirement of the parent By-law 569-2013. The provided amenity spaces will be high quality, well designed, and will be consider the needs of residents of all ages and abilities. A variety of spaces are provided, including at-grade indoor amenity spaces and Level 2 outdoor amenity space opportunities for each tower. The revised proposal will also maintain the mid-block connection along the west property line while opening up segments that were previously covered by the building’s podium to the sky.

Further, the non-residential gross floor area for a fitness centre has been removed as part of the revised proposal. Provision (Q) of By-law 1096-2021 states that “[d]espite regulation

(P) above, the minimum indoor amenity space requirement may be reduced by a maximum of 1,575 square metres provided that the area of the reduction is provided as a fitness club and such area shall be considered non-residential gross floor area and may be part of a larger fitness club use within the mixed use building”. This provision is no longer being operationalized as part of the revised proposal, given that a fitness centre is no longer proposed. The ground floor of the north tower has been reallocated to provide ground floor amenity space for residents instead. The related Section 37 Agreement has been revised to remove the provisions allowing for a private fitness centre, as requested by City staff.

With respect to parking, the revised proposal provides a reduction of vehicular parking. The revised proposal proposes to implement the new directions around parking introduced by By-law 89-2022 and By-law 125-2022, which together amended By-law 569-2013 to significantly reduce minimum parking standards across the City of Toronto, including requiring zero resident parking spaces, zero non-residential parking spaces, and reducing the visitor parking space requirement to 2 plus 0.01 spaces per unit for the subject site.

The proposed minimum resident parking spaces of 0 parking spaces (from 121 parking spaces), and minimum visitor parking spaces of 9 parking spaces (from 97 parking spaces), is supported by the Parking Letter prepared by BA Group and submitted in support of this minor variance application. As noted in BA Group addendum letter, the reduced parking standard is considered appropriate based on the City of Toronto Zoning By-law, as amended, which generally eliminated minimum parking requirements. Further, the site is located within a context which is highly supportive of non-automobile modes of travel, which will allow future residents and visitors not require private automobiles to travel to and from the site due to the available high-order transit in the area.

Of importance, a number of the variances requested are technical in nature due to the revisions of Diagram 3 and Diagram 4 in By-law 1096-2021. As a revised Diagram 3 and Diagram 4 are requested to address variances sought for provisions (H) and (N), technical variances are sought to ensure any provision reference Diagram 3 and Diagram 4 have been revised to capture the revised diagram references.

Based on the above, it is our opinion that the requested variances maintain the general intent and purpose of the Zoning By-law.

(3) Minor in Nature

The test of “minor” is not intended as a numerical assessment but is rather an assessment of impact. In our opinion, the impacts associated with the requested variances are minor in nature and will not result in any undue impacts on the neighbouring community.

With respect to the proposed revisions to the building heights and projections of the building, the enclosed Sun/Shadow Study demonstrates no new net shadow impact on Opera Park Place or Dr. Lillian McGregor Park, as discussed above.

Furthermore, an Addendum to the original Pedestrian Level Wind Study was prepared by Gradient Wind Engineers and Scientists in support of the proposal and has been submitted in support of the application. The Addendum found that all pedestrian sensitive grade-level locations within and surrounding the subject site, as well as the podium roof terraces, will be acceptable for the intended uses on a seasonal basis.

With respect to the reduction in parking, BA Group prepared an addendum letter in support of the revised proposal. As detailed in the memo, there will be minimal impacts on the overall transportation system as a result of the proposal. Further, the proposed reduction of both residential and residential visitor parking is considered appropriate as result of significant non-automobile transportation connections in the vicinity of the subject site, as well as the evolving vehicular parking context.

Finally, as noted above with respect to amenity space, the proposal represents a reduction in the required ratios of overall amenity space per unit from 4.0 to 2.85 square metres. On balance, it is our opinion that this variance is minor in the context of the high-quality amenity space that is being provided on-site, the continued “Green Loop”/“Clock Tower Trail” connection, while balancing the provision of market and affordable purpose-built rental housing on the site and furthering the overall goal of appropriate intensification.

For these reasons, it is our opinion that the requested variances taken both individually and cumulatively are minor in nature as the impact of the requested variances on both adjacent and surrounding properties will not result in any undue impacts.

(4) Desirable for the Appropriate Development and Use of the Land

In our opinion, the proposed redevelopment and associated minor variances are desirable and appropriate for the development and use of the land. The subject site is located in an area of the City where development of this scale is planned for and intended, including on the subject site, which is located within two recently draft-delineated protected major transit station areas (Wellesley and College). The revised proposal makes minor modifications to the original approval while maintaining all of its significant public benefits, and will unlock to the site to permit the high-density, two-tower, mixed use development a childcare centre, mid-block connection, and a significant affordable housing and market purpose-built rental housing component.

The variances will provide for the efficient use of the land at a density and built form that is transit supportive and appropriate for this location, achieving both Provincial and

municipal planning objectives. Accordingly, in our opinion, the variances are desirable and appropriate for the development and use of the land.

6.0 CONCLUSION

In our opinion, based on the analysis set out above, the requested variances satisfy the four tests set out in Section 45(1) of the *Planning Act* and, specifically, they meet the intent and purpose of both the Official Plan and Zoning By-laws, they are minor in nature and are desirable for the appropriate development and use of the land.

Accordingly, we recommend approval of the requested variances.

Should you require any additional information or clarification, please do not hesitate to contact the undersigned, or Celeste Salvagna, Senior Planner of our office.

Yours very truly,
Bousfields Inc.



Mike Dror, MCIP, RPP