

TORONTO STAFF REPORT

June 5, 2002

To: Toronto East York Community Council

From: Director, Community Planning, South District

Subject: Final Report
Applications to amend the Official Plan and Zoning By-law 438-86
Gardiner Museum of Ceramic Art
111 Queen's Park
Victoria University
201010, TE CMB 2001 0021
Toronto-Rosedale, Ward 27

Purpose:

This report reviews and recommends approval of an application to amend the Official Plan and the Zoning By-law for a renovation and expansion of the Gardiner Museum of Ceramic Art at 111 Queen's Park.

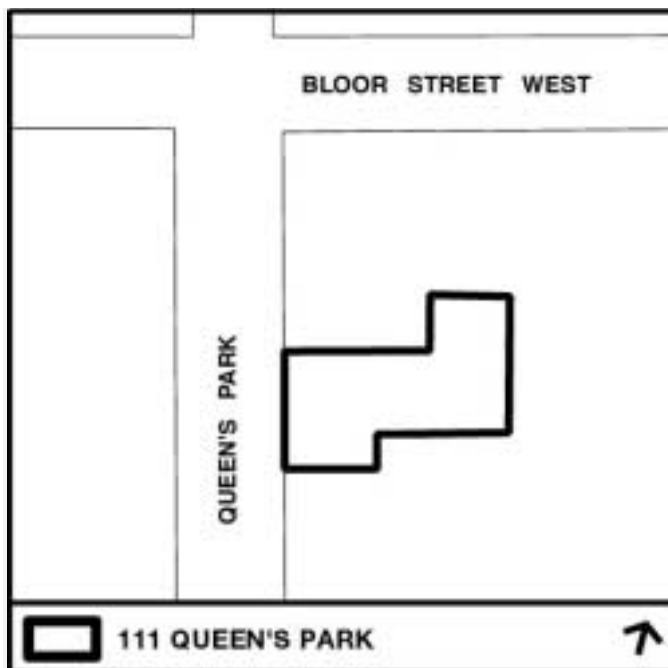
Financial Implications and Impact Statement:

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

Recommendations:

It is recommended that City Council:

- (1) amend the Official Plan for the former City of Toronto substantially in accordance with the draft Official Plan Amendment attached as Attachment No. 5;
- (2) amend the Zoning By-law 438-86 for the former City of Toronto substantially in accordance with the draft Zoning By-law Amendment attached as Attachment No. 6.
- (3) authorize the City Solicitor to make such stylistic and technical changes to



the draft Official Plan Amendment and draft Zoning By-law Amendment as may be required; and

- (4) prior to the issuance of a building permit, require the applicant to enter into a Site Plan Agreement under Section 41 of the Planning Act.

Background:

Proposal

Constructed in 1984, the Gardiner Museum is devoted to the collection and exhibition of ceramics. The proposal is to expand the existing facility from its current two storeys to three storeys with an enlarged basement level. The new floor will accommodate a Temporary Gallery for changing exhibitions, a restaurant and catering kitchen and a new multi-purpose event space. The basement level will be renovated to eliminate the existing parking and to re-use the space to accommodate 4 additional studios and an existing storage area.

The new third floor will permit changes throughout the gallery as spaces are renovated and reallocated.

Site and Surrounding Area

The museum is located on the east side of Queen's Park just south of Bloor Street West. The land is owned and leased by Victoria University (Victoria) to the museum.

It is surrounded by the following uses:

North: Lillian Massey (Victoria) building
South: Annesley Hall (Victoria) student residence
East: Victoria buildings
West: Royal Ontario Museum

Official Plan

By-law 1997-0274 implements the University of Toronto Area Part II Plan. It designates the site as "Institutional, University Area", which permits a range of uses related to universities. It also permits Victoria to build an additional 5450 m² of gross floor area. At the time of the passing of the By-law in 1997, this additional gross floor area was considered adequate as it was anticipated that it would be used for Victoria purposes only.

Zoning By-law

The site is zoned "Q" which permits institutional uses. There is no density permission for the site. The height limit is 18 m.

The University of Toronto Zoning By-law identifies 28 development sites. Sites that are not designated as development sites are permitted to expand existing buildings by a maximum of 5 percent. This site is not identified as a development site and therefore, does not have any as-of-right potential beyond the 5 percent expansion permission for existing buildings.

Site Plan Control

An application has been filed for Site Plan Approval.

Reasons for Application

The University of Toronto Area Official Plan permits Victoria 5450 m² of gross floor area over and above what was existing at the time of the passing of the by-law in 1997. Since the Museum is located on Victoria's lands, it is subject to this gross floor area provision. Part of the permitted additional gross floor area (2333 m²) was used in the construction of the Isabel Bader Theatre. Victoria would like to preserve the remainder of the allowable gross floor area, (i.e. the maximum permitted after the deduction of the gross floor area for the Isabel Bader Theatre) for its own purposes. Victoria is therefore applying to increase the remaining permitted gross floor area by the area of the museum addition (1194 m²). An Official Plan amendment is required to preserve the remainder of Victoria's as-of-right gross floor area.

The proposal exceeds the maximum 5 percent additional gross floor area permitted by the University of Toronto Area Zoning By-law. A rezoning is required to permit the additional gross floor area.

Community Consultation

A public meeting was held on April 4, 2002. Four representatives of adjacent institutions attended the meeting. No concerns were raised.

Agency Circulation

The application was circulated to all appropriate agencies and City Departments. Responses received have been used to assist in evaluating the application and to formulate appropriate by-law standards.

Comments:

Parking

The parking requirements for this project are governed by the provisions of By-law No.1997-0275 that requires a total of 175 parking spaces be provided and maintained by Victoria. The museum site currently has 23 parking spaces of which 20 will be eliminated by this proposal. Three surface parking spaces will remain at the south end of the site. While the estimated parking demand is for 18 spaces, the overall Victoria parking supply exceeds the required total of

175. The requirements of the Commissioner of Works and Emergency Services are therefore satisfied.

Amendment to Official Plan Gross Floor Area Permission

At the time of the University of Toronto Area review process, an addition to the museum was not contemplated and was not reflected in the additional gross floor area granted Victoria. The University of Toronto Official Plan permits Victoria to build 5450 m² of gross floor area over and above what was existing in 1997 at the time of the passing of the implementing By-law 1997-0274. Since that time the Isabel Bader Theatre has been approved and built. The theatre is 2333 m² in size which reduced Victoria's buildable area to 3117 m². In order to ensure that Victoria maintain this level of potential for development, the amount remaining must be increased by the size of the addition to the Museum (1194 m²). The resulting total to be contained in the Official Plan By-law would then be 4311m².

No Section 37 agreement is required given that this is a non-profit institution.

Heritage Context

The museum is located adjacent to two designated buildings. The addition to the north edge of the building had the potential to obstruct views from Queen's Park to the Lillian Massey building. At the request of Heritage Preservation Services staff, modifications to this edge that allow for greater views of the building have resolved this concern.

Tree Protection

Concern has been raised that trees on the front of the Museum property will need to be removed to permit the staging of construction from Bloor Street. This may necessitate relocating the staging area. This issue will be resolved during the Site Plan Approval process.

Conclusions:

The Gardiner Museum is Canada's only specialized museum dedicated to the collection, exhibition and interpretation of ceramics. This expansion will permit the Museum to increase the areas devoted to special exhibitions, new collections and educational programs. The scale and design of the proposal is complementary to both the existing building and the context of the area. I am, therefore, recommending approval of this application.

Contact:

Helen Coombs, Senior Planner, West Section

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Beate Bowron

Director, Community Planning, South District

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List of Attachments:

Application Data Sheet

Attachment 1: Site Plan

Attachment 2: Elevations

Attachment 3: Elevations

Attachment 4: Zoning

Attachment 5: Official Plan

Attachment 6: Agency Comments

Attachment 7: Draft Official Plan Amendment

Attachment 8: Draft Zoning By-law Amendment

Application Data Sheet

Combination

Site Plan Approval:	Yes	File Number:	201010
Rezoning:	Yes	Application Number:	TE CMB 2001 0021
O.P.A.:	Yes	Application Date:	12/20/2001

Municipal Address: 111 Queen's Park

Nearest Intersection: Queen's Park and Bloor Street West

Project Description: Expansion of The Gardiner Museum of Ceramic Art

Owner:

The Board of Regents of
Victoria University
73 Queen's Park Crescent
Toronto, Ontario, M5S 1K7

Applicant:

Osler Hoskin & Harcourt LLP
Attn: Michael Bowman
1 First Canadian Place, Box 50
Toronto, Ontario, M5X 1B8

PLANNING CONTROLS (For verification refer to Chief Building Official)

Official Plan Designation:	Institutional University Area	Site Specific Provision:	
Zoning District:	Q	Historical Status:	
Height Limit (m):	18 m	Site Plan Control Area:	Yes

PROJECT INFORMATION

Site Area:	2144 m ²	Height:	Storeys:	3
Frontage:	32.21 m		Metres:	16
Depth:	64.36 m			
Ground Floor GFA:	1061 m ²		Indoor	Outdoor
Residential GFA:	0	Parking Spaces:	0	3
Non-Residential GFA:	1194 m ²	Loading Docks:	1	1
Total GFA:	3148 m ²			

DWELLING UNITS

Tenure Type:	N/A
Rooms:	0
Bachelor:	0
1 Bedroom:	0
2 Bedroom:	0
3+ Bedroom:	0
Total Units:	0
Total Proposed Density:	1.47

FLOOR AREA BREAKDOWN

	Above Grade
Residential GFA:	0
Retail GFA:	85
Office GFA:	377
Industrial GFA:	0
Industrial/Other GFA:	2686

COMMENTS

Current Status:	Open	<u>Latest Event</u>	<u>Actual Date</u>
		Redline	06/03/2002
		Revised	04/23/2002
		Suppl. Submission	01/10/2002
		Received	12/20/2001

Data Valid:	June 11, 2002	Planner:	Coombs, Helen	Phone:	(416) 392-7613
Area:	District - C	Planning Office:	Toronto - South (TE)		

Attachment 6 Agency Comments

1. Works and Emergency Services, Technical Services (June 4, 2002)

This is in reference to the application submitted on behalf of the owner, The Board of Regents of Victoria University, for the construction of a building addition for the expansion of the Gardiner Museum situated at the above-noted location, on the lands delineated as PART 1 ON Plan 63R-2620. The applicant is proposing to provide 3 surface parking spaces.

This application has been reviewed and this Department's comments and recommendation were provided in the memorandum dated May 17, 2002. As required by Recommendation No. 1(b) of the above-noted memorandum, the applicant has submitted the requisite supporting documentation to identify the current total parking supply of the Victoria University located east of Queens Park Crescent which indicates that there are 189 parking spaces within the Victoria University lands.

As a result of the foregoing, Recommendation No. 1(b) of the Departmental memorandum dated May 17, 2002, has been satisfied and is no longer applicable.

2. Economic Development, Culture & Tourism, Policy & Development (February 6, 2002)

An application has been made to construct a one storey, 1,194m² addition to the existing George R. Gardiner Museum of Ceramic Art. The site is 2,144m² and is located directly across from the Royal Ontario Museum.

The amalgamation of the new City of Toronto will bring a new parkland dedication by-law. Although these comments are premised on former City of Toronto by-laws and Official Plan policies, if the application is approved subsequent to adoption of a new parkland dedication by-law for the new City of Toronto, the latter shall prevail.

The institutional nature of this development proposal exempts it from the parks levy requirement under Chapter 165 of the former City of Toronto Municipal Code (which remains in full force and effect) to implement Section 42 of the Planning Act RSO 1990, c.P.13.

The applicant should contact Mr. Mark Procunier, Supervisor of Urban Forestry Planning and Protection at 416-392-7390 regarding the specifications for any new street tree planting.

3. Heritage Preservation Services (June 4, 2002)

Heritage Preservation services is satisfied with the submission for the Gardiner Museum as represented on the red-lined Site Plan Approval set from KPMB dated April 22, 2002.

Although the dimensions on the set as submitted, were as discussed, the graphic representations of the plans were not updated. Our concerns in the recent discussions has been focused on the position of the elevator on the north side of the building and its impact on the Lillian Massey Building.

We met with Paulo Rocha of KPMB yesterday, at which point he red-lined our copy of the submission to reflect the correct position of the elevator with the amended critical dimension of 1390, reduced from 1990. This dimension represents the distance of the front corner of the elevator from the back corner of the Lillian Massey Building.

I thank-you for your attention to this matter and feel confident that we have achieved a suitable compromise that respects the Heritage property to the north of the site.

**Attachment 7
Draft Official Plan Amendment**

Authority: Community Council Report No. , Clause No. , as adopted by City of Toronto
Council on
Enacted by Council:

CITY OF TORONTO

Bill No.

BY-LAW No.

**To adopt an amendment to the Part I Official Plan for the City of Toronto
with respect to lands known municipally as
73, 75 and 95 Queen's Park Crescent (East Branch),
89 Charles Street West and 153 Bloor Street West.**

The Council of the City of Toronto HEREBY ENACTS as follows:

1. The opening paragraph of Subsection 18.358 of the Official Plan is hereby deleted and replaced with the following new opening paragraph:

“Despite the provisions of this Plan, Council may pass by-laws applicable to the lands outlined by heavy lines on Map 18.358 to permit the erection and use of new buildings and structures for *university* purposes with a cumulative gross floor area of up to 4311 square metres in addition to buildings and structures existing on such lands on December 31, 2001 provided:”
2. This is Official Plan Amendment No._____.

ENACTED AND PASSED this .

Mayor

City Clerk

**Attachment 8
Draft Zoning By-law Amendment**

Authority: Community Council/Committee Report No. , Clause No. , as adopted by City of
Toronto Council
Enacted by Council:

CITY OF TORONTO

Bill No.

BY-LAW No.

**To amend By-law No. 438-86, the Zoning By-law of the former City of Toronto
respecting lands known in the year 2002 as 111 Queen's Park.**

The Council of the City of Toronto HEREBY ENACTS as follows:

1. None of the provisions of sections 4(2)(a)(i)A, 4(2)(a)(ii)A and 12(2)(309) of By-law No. 438-86, 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 various areas of the City of Toronto", as amended, shall apply to prevent the erection and use of a *mixed-use building* on the *lot* provided:
 - (1) the *lot* consists of lands shown on Map 1;
 - (2) the *non-residential gross floor area* of the *mixed-use building* does not exceed 3148 square metres;
 - (3) the maximum *height* of the *mixed-use building* does not exceed 18 metres above *grade*, and;
 - (4) no part of the building or structure above *grade* shall extend beyond the area designated for that building or structure outlined by heavy lines on Map 1, attached hereto and forming part of this by-law.
2. For the purposes of this By-law, the terms in italics have the same meaning as in By-law 438-86.

ENACTED AND PASSED this .

Mayor

City Clerk