

**129 St. Clair Ave. West & Part of 111 St. Clair Ave. West
Official Plan and Zoning Amendment Applications
Preliminary Report**

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|--------------------------|--|
| Date: | February 25, 2011 |
| To: | Toronto and East York Community Council |
| From: | Director, Community Planning, Toronto and East York District |
| Wards: | Ward 22 – St. Paul's |
| Reference Number: | 10 314966 STE 22 OZ & 11 123806 STE 22 OZ |

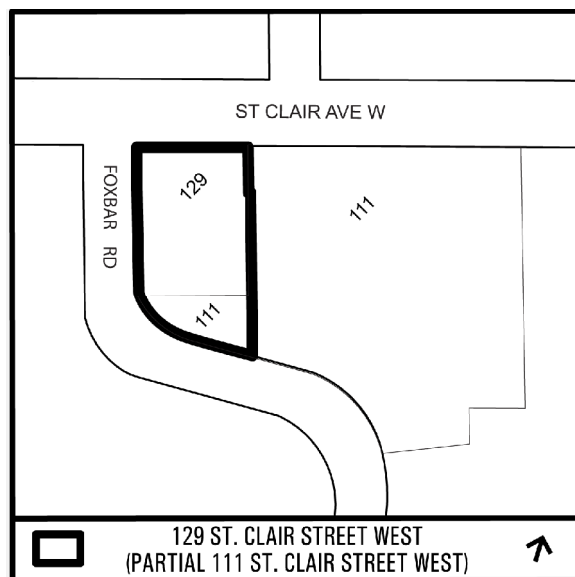
SUMMARY

The applications to amend the Zoning by-law (10 314966 STE 22 OZ) and Official Plan (11 123806 STE 22 OZ) were made on December 15, 2010 and February 10, 2011, respectively, and are subject to the new provisions of the *Planning Act* and the *City of Toronto Act, 2006*.

This application proposes to alter the existing heritage-designated church, former Deer Park United at 129 St. Clair Ave. West, to adaptively reuse the church for residential use. A new 32-storey residential building and five townhomes fronting onto Foxbar Road are proposed. The alteration of the church includes the removal of the Sunday school wing at the south end.

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

This application has been circulated to City departments and external agencies, where appropriate, for comment.



The next step is to hold a community consultation meeting where the community can review the application, provide comments, and ask questions of City staff and the applicants.

RECOMMENDATIONS

The City Planning Division recommends that:

1. Staff be directed to schedule a community consultation meeting for the lands at 111 and 129 St. Clair Ave. West 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.

DECISION HISTORY

City Council, at its meeting of January 26 and 27, 2010, passed By-law 1052-2010 to designate the property at 129 St. Clair Ave. West, under Part IV of the *Ontario Heritage Act* as being of cultural heritage value or interest.

The Staff report can be found on the City's website at:

<http://www.toronto.ca/legdocs/mmis/2010/te/bgrd/backgroundfile-25924.pdf>

Pre-Application Consultation

A number of pre-application consultation meetings were held with the applicant to discuss applicable policies and complete application submission requirements.

ISSUE BACKGROUND

Proposal

The proposal calls for the alteration of the existing heritage-designated church, formerly Deer Park United, at 129 St. Clair Ave. West, in order to adaptively reuse the church for residential use. A new 32-storey residential tower is proposed at the rear of the church structure, and five three-storey townhouses at the southern most point of the property, fronting onto Foxbar Road. The alteration of the church includes the removal of the Sunday school wing at the south end.

The overall height of the tower is 104.5 metres including a 6 metre mechanical penthouse. The overall density proposed is 6.81 times the area of the lot.

The proposed tower is set back 36 metres from St. Clair Ave. West, the north property line; 13.5 metres from the west property line; between 13.5 and 20 metres from the south property line; and 4.0 metres from the property line to the east. The five three-storey townhouses are located to the south of the residential tower fronting onto Foxbar Road, with a landscaped edge.

The proposed floor plate of the tower is generally 700 square metres, with 2.0 metre projecting balconies proposed on all four elevations.

The building proposed consists of 220 residential units. The proposed residential unit breakdown is as follows:

| Unit Type | Number of Units |
|------------------------|------------------------|
| One-bedroom | 0 |
| One-bedroom plus den | 68 |
| Two-bedroom | 30 |
| Two-bedroom plus den | 108 |
| Three-bedroom plus den | 14 |

Given the proposed number of units, a total of 440 square metres is required for both indoor and outdoor amenity space. The applicant is proposing a total of 460 square meters of indoor amenity space and 562 square metres of outdoor amenity space.

A total of 241 vehicular parking spaces are provided, including 22 spaces for visitors, in 5 levels of underground parking accessible from Foxbar Road. Bicycle parking is also provided for, with 154 long-term bicycle space and 18 short-term spaces.

All servicing will be from a mutual drive located of St. Clair Ave. West between the properties at 111 and 129 St. Clair Ave. West.

Site and Surrounding Area

The site is approximately 3,413 square metres and is located on the southeast corner of Foxbar Road and St. Clair Ave. West. The vacant heritage-designated Deer Park United Church is located on the site. The subject site also includes a portion of 111 St. Clair Ave. West, which was once used as surface parking for the former Imperial Oil head office.

Adjacent existing land uses are:

North: across St. Clair Ave. West is a four-storey residential building and Amsterdam Square.

South: of Foxbar Road is a low-rise residential neighbourhood.

East: is the vacant office building, standing 90-metres tall, formerly used as Imperial Oil's head office. The property is listed on the Inventory of Heritage Properties in

the City of Toronto. There is an application to construct a 36-storey residential building and fifteen 3-storey townhouses at the rear of the former Imperial Oil head office (application numbers: 10 321208 STE 22 OZ & 11 124030 STE 22 OZ).

West: of Foxbar Road is the 54-metre tall office building currently occupied by the Ontario Ministry of the Environment.

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 City of Toronto Official Plan designates the subject site *Mixed Use Areas* and *Neighbourhoods* and locates the site on an *Avenue*, as shown on Map 2, of the Official Plan's Urban Structure map. The site also falls within the boundaries of the Yonge-St. Clair Secondary Plan. There is a discrepancy between the Land Use Designations Map in the Official Plan (Attachment No. 9) and the Mixed Use Areas Map in the Yonge-St. Clair Secondary Plan (Attachment No. 10). Section 5.6, Policy 6 of the Official Plan, states that "The policies of this Plan apply to the areas subject to Secondary Plans contained in Chapter Six, except in the case of a conflict, the Secondary Plan policy will prevail." Therefore, the majority of the site is considered to be *Mixed Use Areas* except for a small portion on the south of the site on Foxbar Road designated *Neighbourhoods*.

Mixed Use Areas

The *Mixed Use Areas* designation in the Official Plan provides for 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.

Development in *Mixed Use Areas* is subject to a number of development criteria. In *Mixed Use Areas*, developments will: locate and mass new buildings to provide a transition between areas of different development intensity and scale; provide appropriate setbacks and/or stepping down of heights, particularly towards lower scale

Neighbourhoods; locate and mass new buildings so as to adequately limit shadow impacts on adjacent *Neighbourhoods* particularly during the spring and fall equinoxes; provide good site access and circulation and an adequate supply of parking for residents and visitors; provide an attractive, comfortable and safe pedestrian environment; locate and screen service areas, ramps and garbage storage to minimize the impact on adjacent streets and residences; and, provide indoor and outdoor recreation space for building residents in every significant multi-unit residential development.

Neighbourhoods

Neighbourhoods are considered physically stable areas made up of residential uses in lower scale buildings (Policy 4.1.1). Parks, low scale local institutions, home occupations, cultural and recreational facilities and small-scale retail, service and office uses are also provided for in *Neighbourhoods*. Low-scale institutional uses such as schools are permitted in *Neighbourhoods* (Policy 4.1.1).

Avenues

The subject site is located on an *Avenue* as identified on the Urban Structure Map, Map 2, of the Official Plan. *Avenues* are important corridors along major streets where re-urbanization is anticipated and encouraged to create new housing and job opportunities. A framework for change will be tailored for each of the *Avenues* through a local *Avenue* Study. The growth and redevelopment of the *Avenues* should be supported by: high quality transit services; urban design; and traffic engineering practices that promote a street that is safe, comfortable, and attractive for pedestrians and cyclists.

There is no *Avenue* Study for this portion of St. Clair Ave. West. Development in *Mixed Use Areas* on *Avenues*, prior to an *Avenue* Study, has the potential to set a precedent for the form and scale of reurbanization along the *Avenue*. Development may be permitted on the *Avenues* prior to an *Avenue* Study and will be considered on the basis of all of the policies of the Official Plan. Therefore, *Avenue* Segment Studies are required for any development proposals on *Avenues* without an *Avenue* Study in order to: assess the impacts of the incremental development of the entire *Avenue* segment at a similar form, scale and intensity, appropriately allowing for distinguishing circumstances; consider whether incremental development of the entire *Avenue* would adversely impact any adjacent *Neighbourhoods*; and consider whether the proposed development is supportable by available infrastructure.

The *Avenues* will be transformed incrementally. They will change building-by-building over a number of years. Development in *Mixed Use Areas* on an *Avenue* that precedes the completion of an *Avenue* Study will, amongst other things: support and promote the use of transit; contribute to the creation of a range of housing options in the community; contribute to an attractive, safe and comfortable pedestrian environment that encourages walking and strengthens local retailing; provide universal physical access to all publicly accessible spaces and buildings; and incorporate environmentally sustainable building design and construction practices.

Heritage

Heritage policies are found under Section 3.1.5 of the Plan. The Plan states that significant heritage resources will be conserved by listing and designating properties of architectural and/or historic interest on the City's Inventory of Heritage Properties. Heritage resources on properties listed on the City's *Inventory of Heritage Properties* will be conserved. In this case the property at 129 St. Clair Ave. West is designated under Part IV of the *Ontario Heritage Act*. Development adjacent to properties on the City's *Inventory of Heritage Properties*, such as 111 St. Clair Ave. West, will respect the scale, character and form of the heritage buildings and landscapes.

The Toronto Official Plan is available on the City's website at:

www.toronto.ca/planning/official_plan/introduction.htm

Yonge-St. Clair Secondary Plan

The site forms part of the Yonge-St. Clair Secondary Plan, which contains policies relating to properties found on Map 6-1 of the Secondary Plan (Appendix No. 10). The majority of the site falls within the *Mixed Use Areas 'B'* designation, and a southern portion of the site is designated *Neighbourhoods*.

The Secondary Plan provides Urban Design and Built Form guidelines. Within the Secondary Plan "buildings will achieve a harmonious relationship to their built form context through building height, massing, setback, stepbacks, roof line and profile, architectural expression and vehicle access and loading" (Policy 3.2(b)). With respect to developments in the *Mixed Use Areas 'B'* adjacent to *Neighbourhoods*, the Plan states that new development will "provide massing transition on buildings adjacent to house-form buildings, stepping the mass from the height limit to the height of the adjacent building" (Policy 5.7 (c)(i)).

The Yonge-St. Clair Secondary Plan is available on the City's website at:

http://www.toronto.ca/planning/official_plan/pdf_secondary/6_yonge_stclair_june2006.pdf

Zoning

At its meeting of August 25-27, 2010, City Council adopted By-law 1156-2010, the new harmonized Zoning By-law for the City of Toronto. By-law 1156-2010 has been appealed in its entirety and is now before the Ontario Municipal Board. The subject site is zoned R (d.0.6) (x754) under By-law 1156-2010. The residential designation is similar to that found under Zoning By-law 438-86.

Under Zoning By-law 438-86, as amended, the property is zoned as R2 Z0.6 (See Attachment No. 7). The Residential (R) zoning classification permits a number of uses having a gross floor area of up to 0.6 times the lot area.

The maximum permitted height, under both By-laws, is 16 metres at 129 St. Clair Ave. West and 11 metres on the 111 St. Clair Ave. West portion of the subject site.

Tall Building Guidelines

Toronto City Council approved the use of the document “Design Criteria for Review of Tall Building Proposals” in June, 2006. In April, 2010, Council extended the 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.

The Design Criteria provide guidance for tall buildings on issues of transition, building placement and orientation, entrances, heritage conservation, massing of base buildings, tower floor plates, separation distances, pedestrian realm considerations and sustainable design. The Guidelines will be used to assess the proposed tower.

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>

Site Plan Control

The proposal is subject to Site Plan Control. A site plan application has not been submitted.

Reasons for the Application

The proposal calls for a 32-storey, 98.5-metre (excluding the mechanical penthouse) tall building with a density of 6.8 times the area of the lot. The proposed density and height exceeds the permissions in Zoning By-laws 438-86 and 1156-2010. A Zoning By-law amendment is therefore required. Through the review of the application, staff may identify additional areas of non-compliance with the Zoning By-laws.

The Official Plan designates the subject site *Mixed Use Areas* and *Neighbourhoods*, as discussed earlier in this report. The proposal calls for an underground garage, which is to service the residential tower, to be located below-grade in the *Neighbourhoods* designation. The applicant has submitted an Official Plan Amendment to address this issue. Through the review of the application, staff may identify additional areas of non-compliance with the Official Plan.

COMMENTS

Application Submission

The following reports/studies were submitted with the applications:

- Architectural Drawings and Renderings
- Landscape Plan (Site Masterplan)
- Avenue Segment Study
- Site Survey
- Planning Rationale Report
- Heritage Impact Assessment
- Stage 1 Archaeological Assessment
- Urban Transportation Considerations Report
- Functional Servicing Report
- Sun/Shadow Study
- Pedestrian Level Wind Study
- Arborist Report
- Green Development Standards Checklist

A Notice of Complete Application was issued on February 15, 2011.

Issues to be Resolved

Relationship to Adjacent Development Proposal

As described in this report a development proposal has been submitted on the adjacent property to the east. The proposal is for a 36-storey residential building and fifteen 3-storey townhouses at the rear of the former Imperial Oil head office at 111 St. Clair Ave. West (application numbers: 10 321208 STE 22 OZ & 11 124030 STE 22 OZ). Staff will assess these applications concurrently, with respect to their individual and cumulative impacts.

Planning staff received an Avenue Segment Study, prepared by Walker, Nott, Dragicevic Associates Ltd, on behalf of both applications. Planning staff will assess the impacts of incremental development at a similar form, scale and intensity as the proposals over the segment of St. Clair Ave. West, bounded by Avenue Road and Yonge Street. Staff will consider whether incremental development of the entire *Avenue* would adversely impact adjacent *Neighbourhoods* and whether the proposed development is supportable by available infrastructure.

Heritage Preservation

Heritage Preservation Services (HPS) staff have worked closely with the applicant to develop a conservation strategy that respects the existing heritage attributes of the church and appropriately conserves the cultural heritage values of the property. A Heritage Impact Assessment (HIA), prepared by E.R.A. Architects Inc., was submitted in support of the applicant's proposal. The HIA proposes the removal of the Sunday school wing at the south end of the building and the retention of the original church structure in its

entirety. The church will be adaptively reused for residential units within the development and will be left in its original location both during, and after, construction.

HPS staff will work with Community Planning staff to review the impact of the proposed development on the designated church property and the adjacent heritage property at 111 St. Clair Ave. West.

The alteration of the church is also subject to approvals under Section 33 and 34 of the *Ontario Heritage Act*.

Height, Massing and Density

The proposed 32-storey building is taller than the other buildings within the existing built form context. Planning staff will review whether the height, scale, massing, siting and density of the residential tower and townhouses are appropriate for the site. Staff will also review whether the proposal provides an adequate transition to the low-density neighbourhood to the south and any other considerations as set out in the Official Plan.

The applicant submitted a sunlight/shadow study, which Planning staff will review to assess the shadow impacts on nearby lower scale *Neighbourhoods*. Staff may require additional reports and studies to evaluate the current or revised proposals throughout the review process.

Access, Parking and Traffic

The proposed development includes residential vehicular access off Foxbar Road. A service vehicle entrance is proposed off St. Clair Ave. West. To satisfy the parking demand generated by the development, 241 underground vehicular parking spaces are proposed. An Urban Transportation Considerations Report, prepared by BA Group, was submitted in support of the current proposal. The application and applicable studies have been circulated to Transportation Services staff for their review. Staff will assess the appropriateness of the proposed access arrangements.

Section 37

Section 37 of the *Planning Act* allows the City to enter into an agreement with an applicant to grant a height and/or density increase for a particular project that is greater than what the zoning by-law would otherwise permit in return for community benefits. Details of a Section 37 Agreement between the applicant and the City will be worked out, in consultation with the Ward Councillor, if the project is ultimately considered to be good planning and recommended for approval.

Additional issues may be identified through the review of the application, agency comments and the community consultation 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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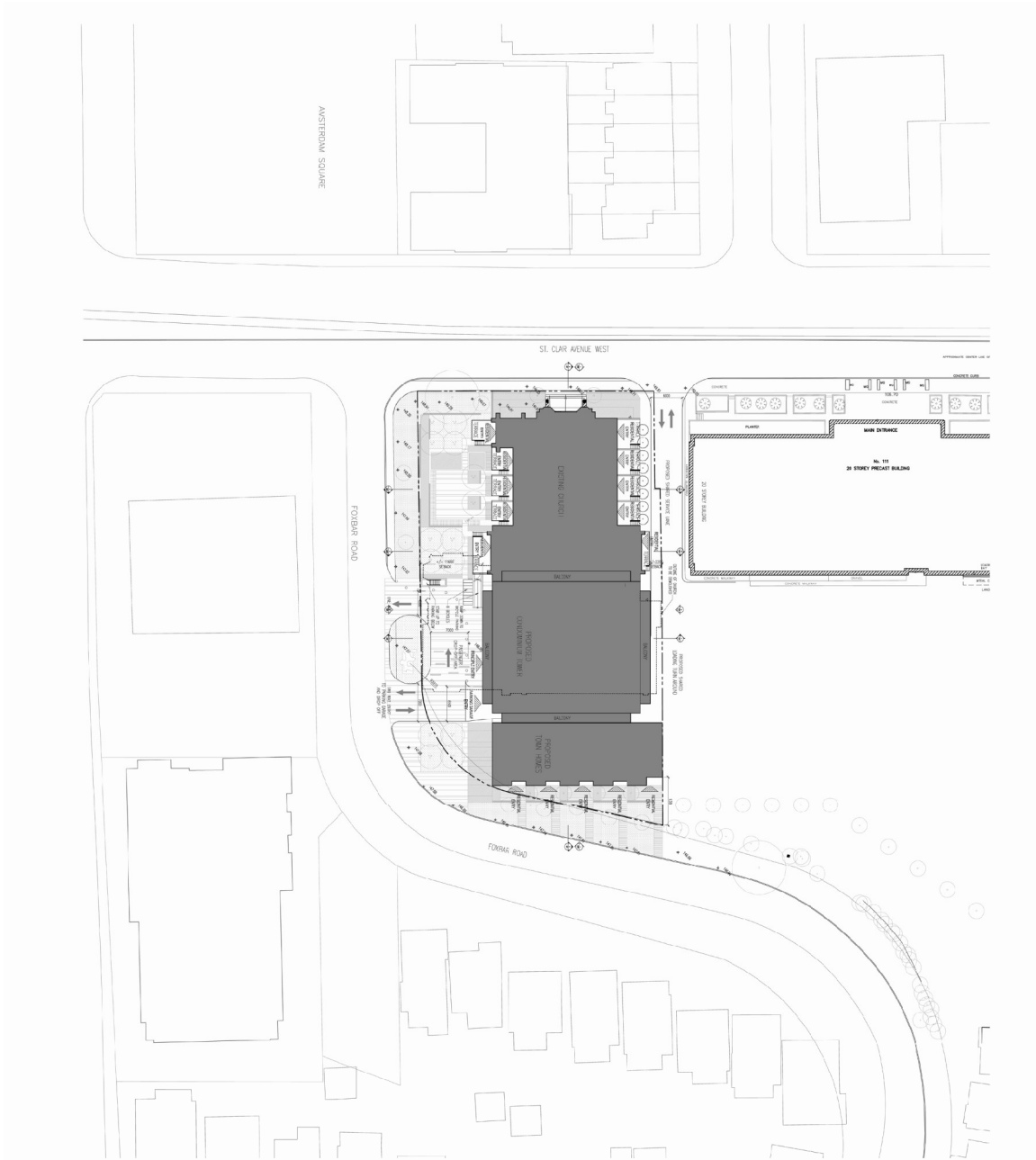
Gregg Lintern, MCIP, RPP
Director, Community Planning, Toronto and East York District

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ATTACHMENTS

Attachment 1: Application Data Sheet
Attachment 2: Site Plan
Attachment 3: Elevation
Attachment 4: Elevation
Attachment 5: Elevation
Attachment 6: Elevation
Attachment 7: Zoning By-law 438-86
Attachment 8: Zoning By-law 1156-2010
Attachment 9: Official Plan Map
Attachment 10: Yonge-St Clair Secondary Plan

Attachment 2: Site Plan



Site Plan

Applicant's Submitted Drawing

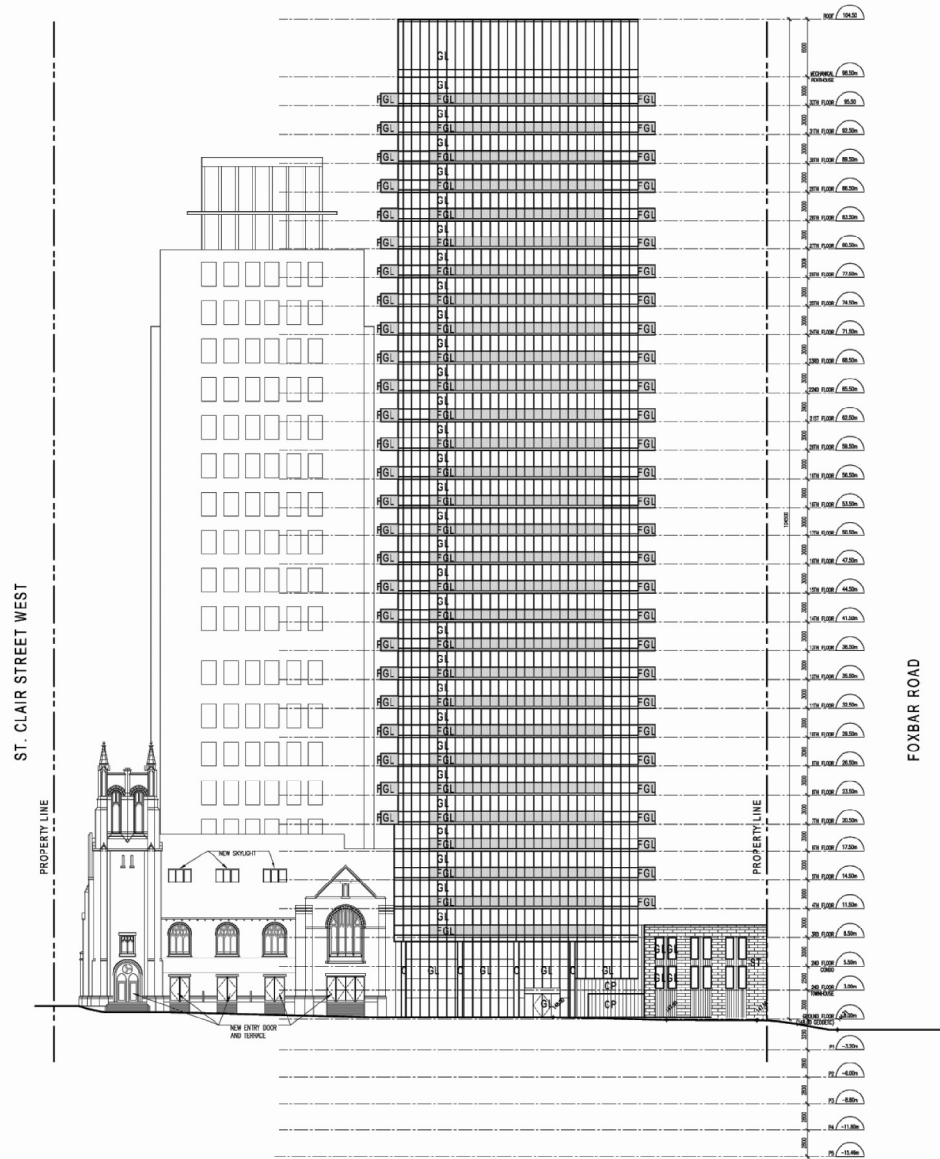
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129 St. Clair Avenue West
(Partial 111 St. Clair Avenue West)

File # 10_314966 02

Attachment 3: West Elevation



WEST Elevation

Elevations

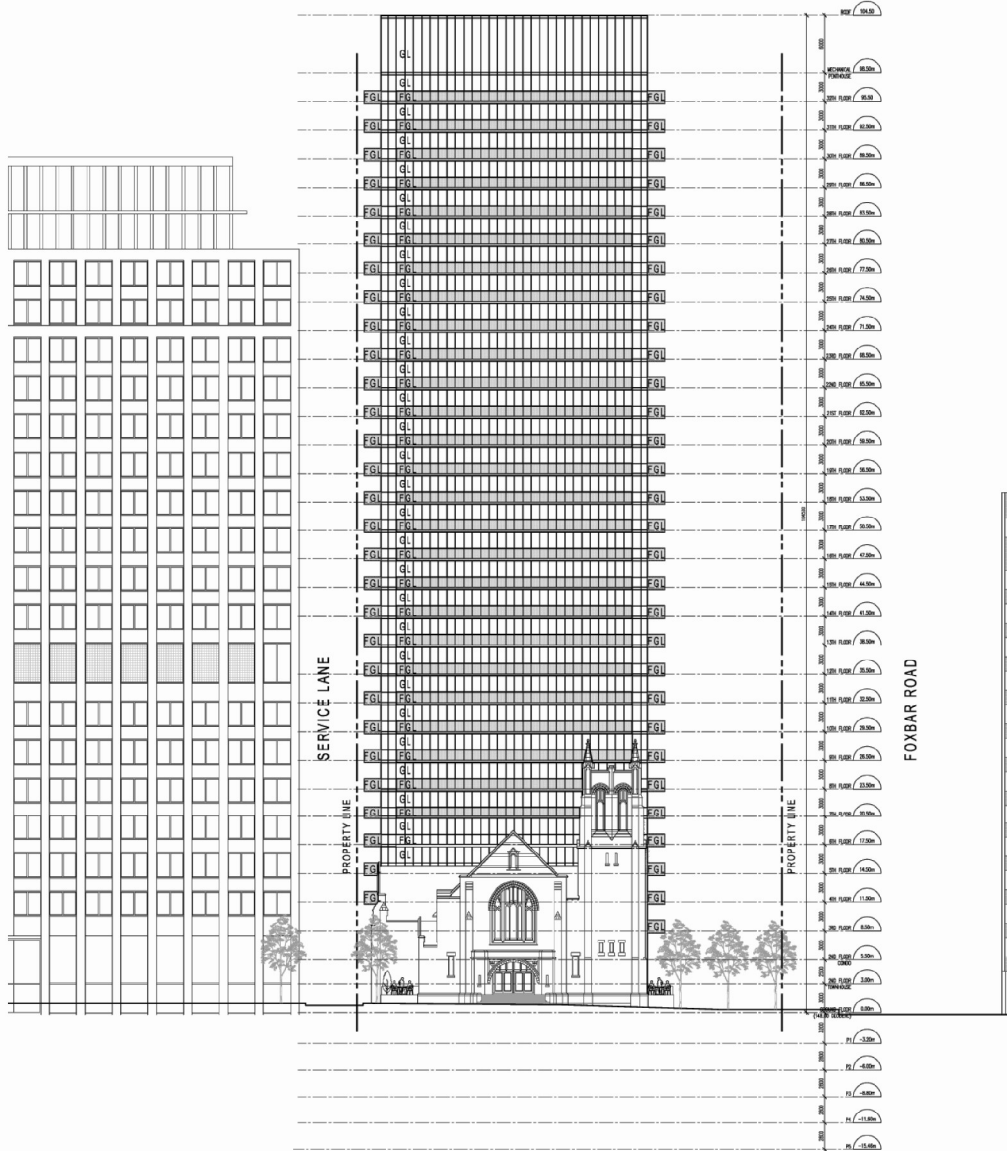
Applicant's Submitted Drawing

Not to Scale
02/09/11

129 St. Clair Avenue West
(Partial 111 St. Clair Avenue West)

File # 10_314966 0Z

Attachment 4: North Elevation



NORTH Elevation

Elevations

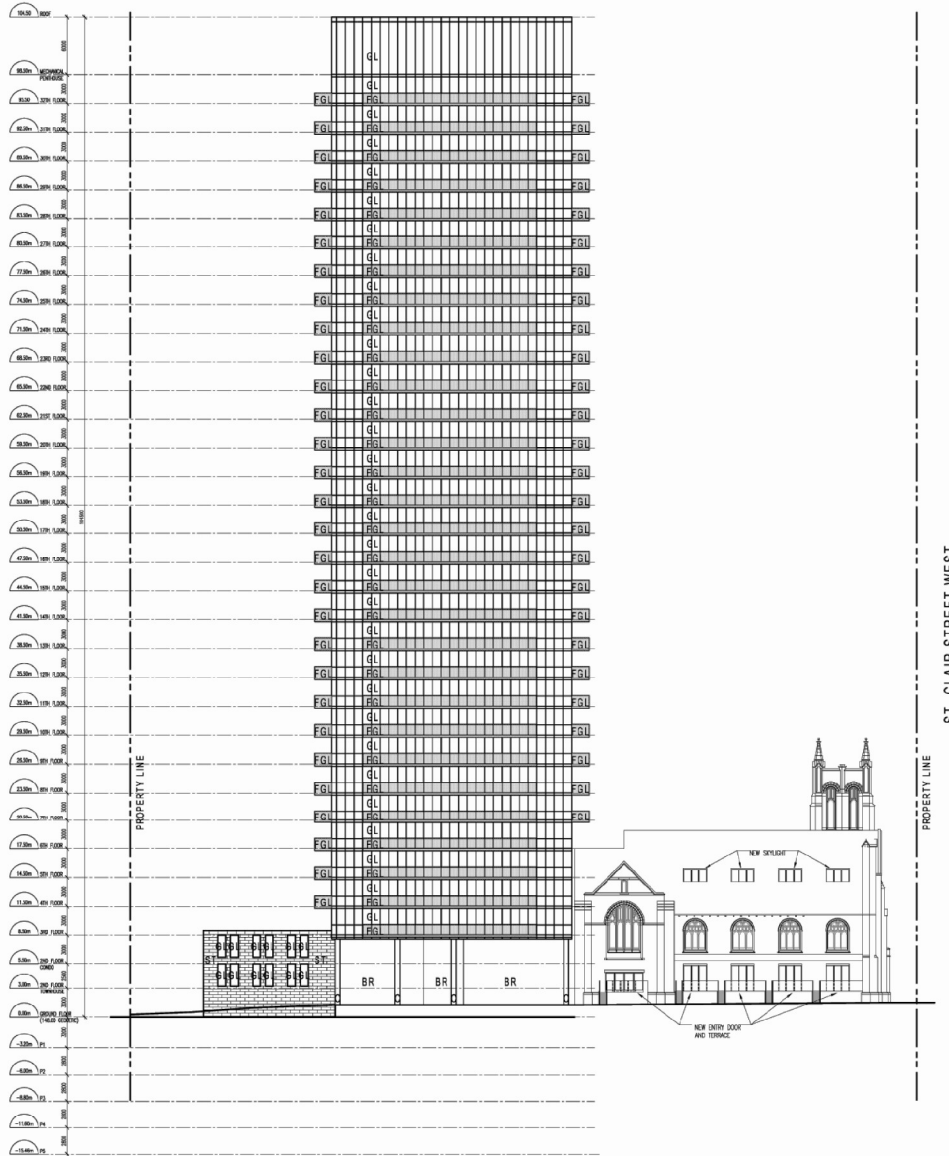
Applicant's Submitted Drawing

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**129 St. Clair Avenue West
(Partial 111 St. Clair Avenue West)**

File # 10_314966 0Z

Attachment 5: East Elevation



EAST Elevation

Elevations

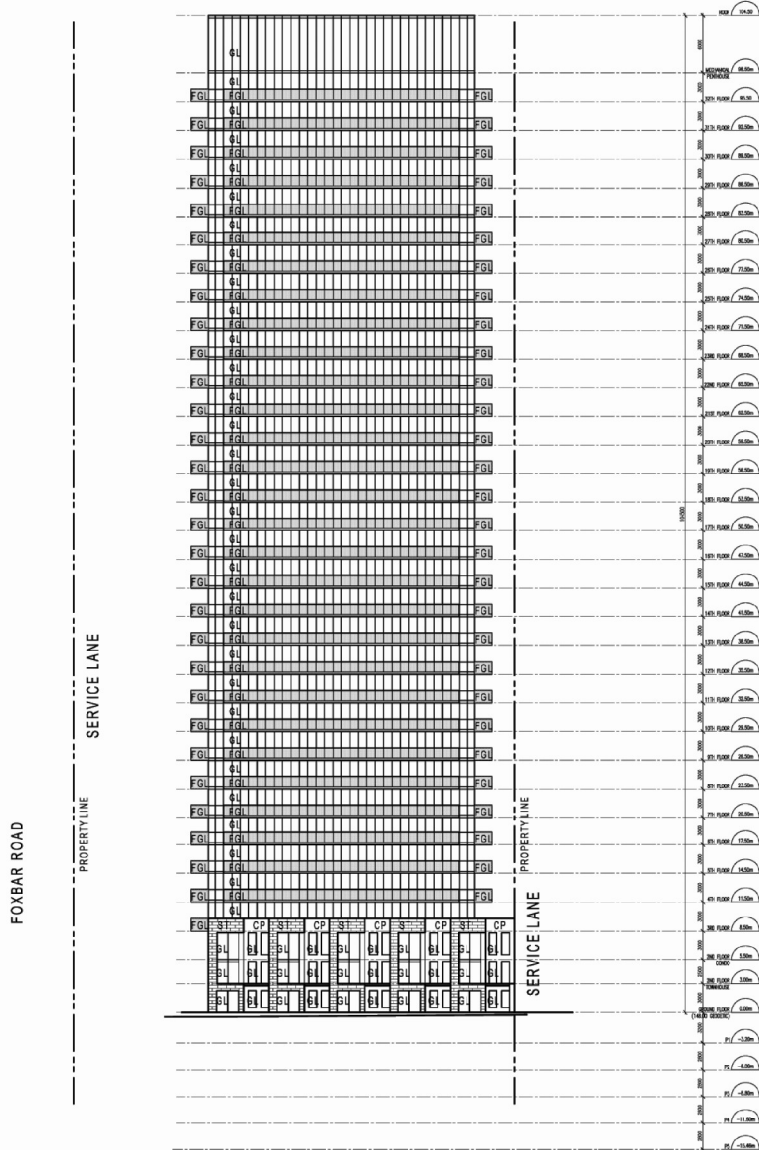
Applicant's Submitted Drawing

Not to Scale
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129 St. Clair Avenue West
(Partial 111 St. Clair Avenue West)

File # 10_314966 0Z

Attachment 6: South Elevation



SOUTH Elevation

Elevations

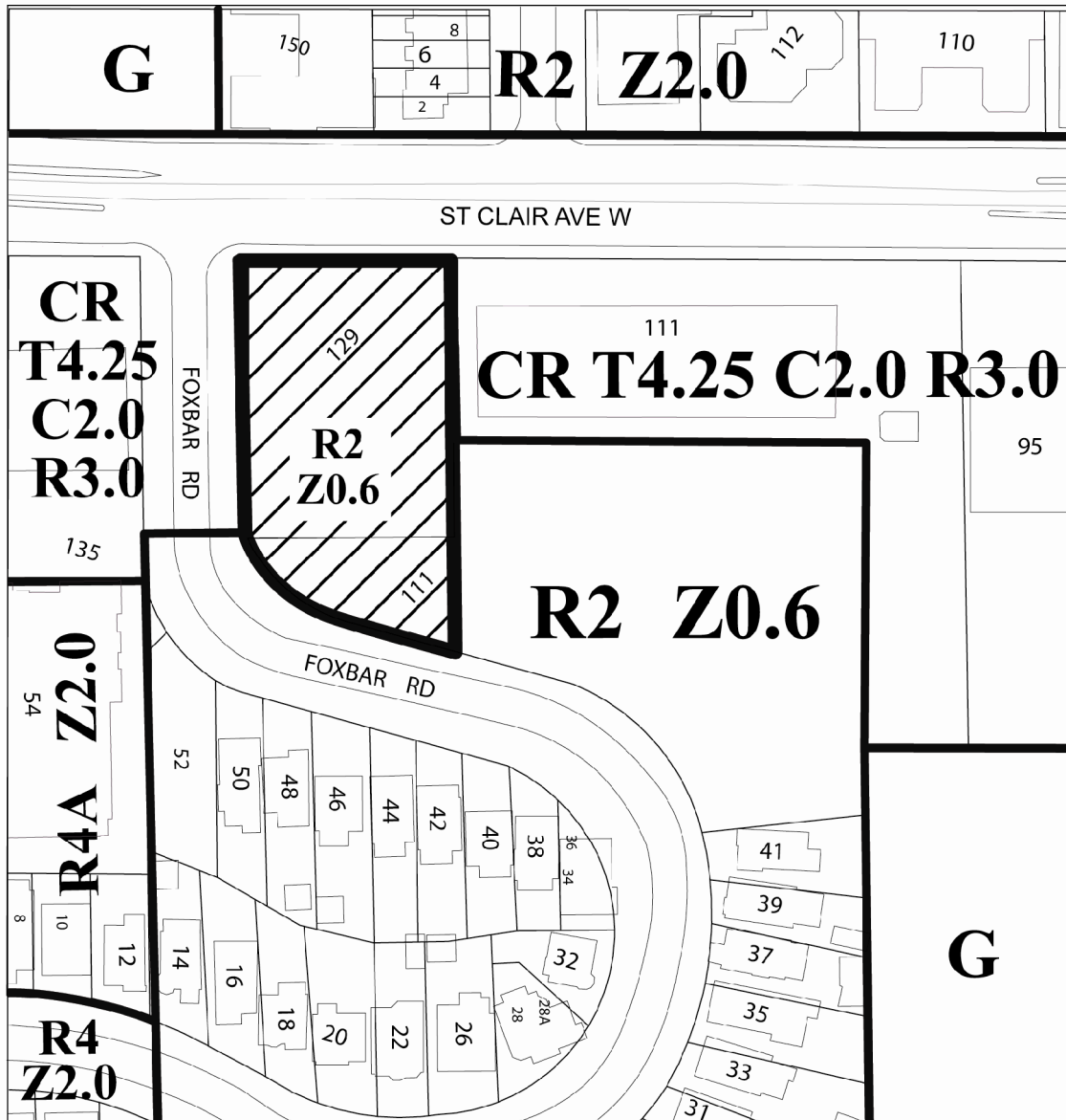
Applicant's Submitted Drawing

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02/09/11

**129 St. Clair Avenue West
(Partial 111 St. Clair Avenue West)**

File # 10_314966 0Z

Attachment 7: Zoning By-law 438-86



TORONTO City Planning
Zoning

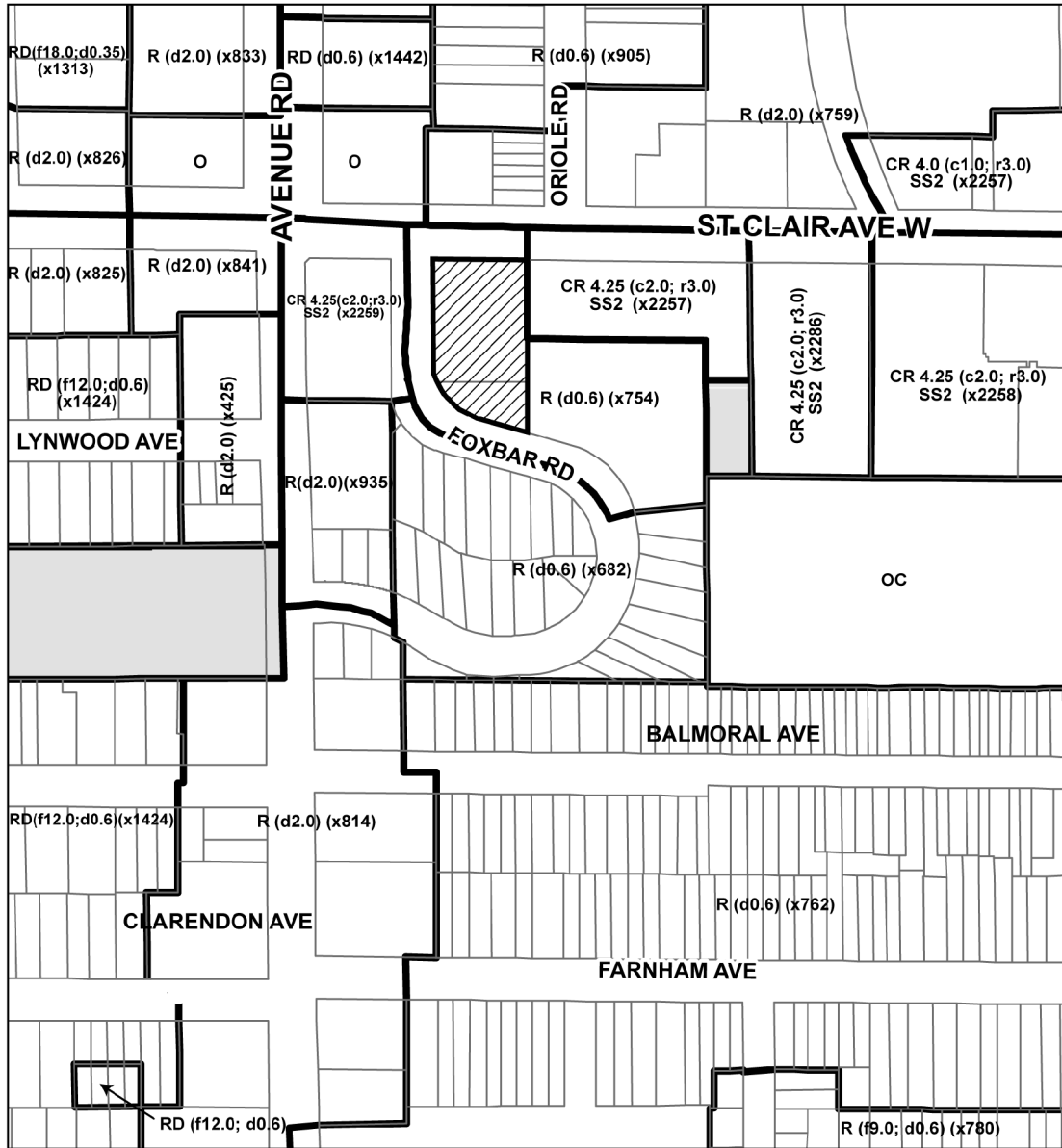
**129 St. Clair Avenue West
(Partial 111 St. Clair Avenue West)**

File # 10_314966 0Z

| | | | |
|---|----------------------|----|--------------------|
|  | Site Location | | |
| R2 | Residential District | CR | Mixed-Use District |
| R4 | Residential District | G | Parks District |

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Zoning By-law 438-86 as amended
02/09/11 - MH

Attachment 8: Zoning By-law 1156-2010



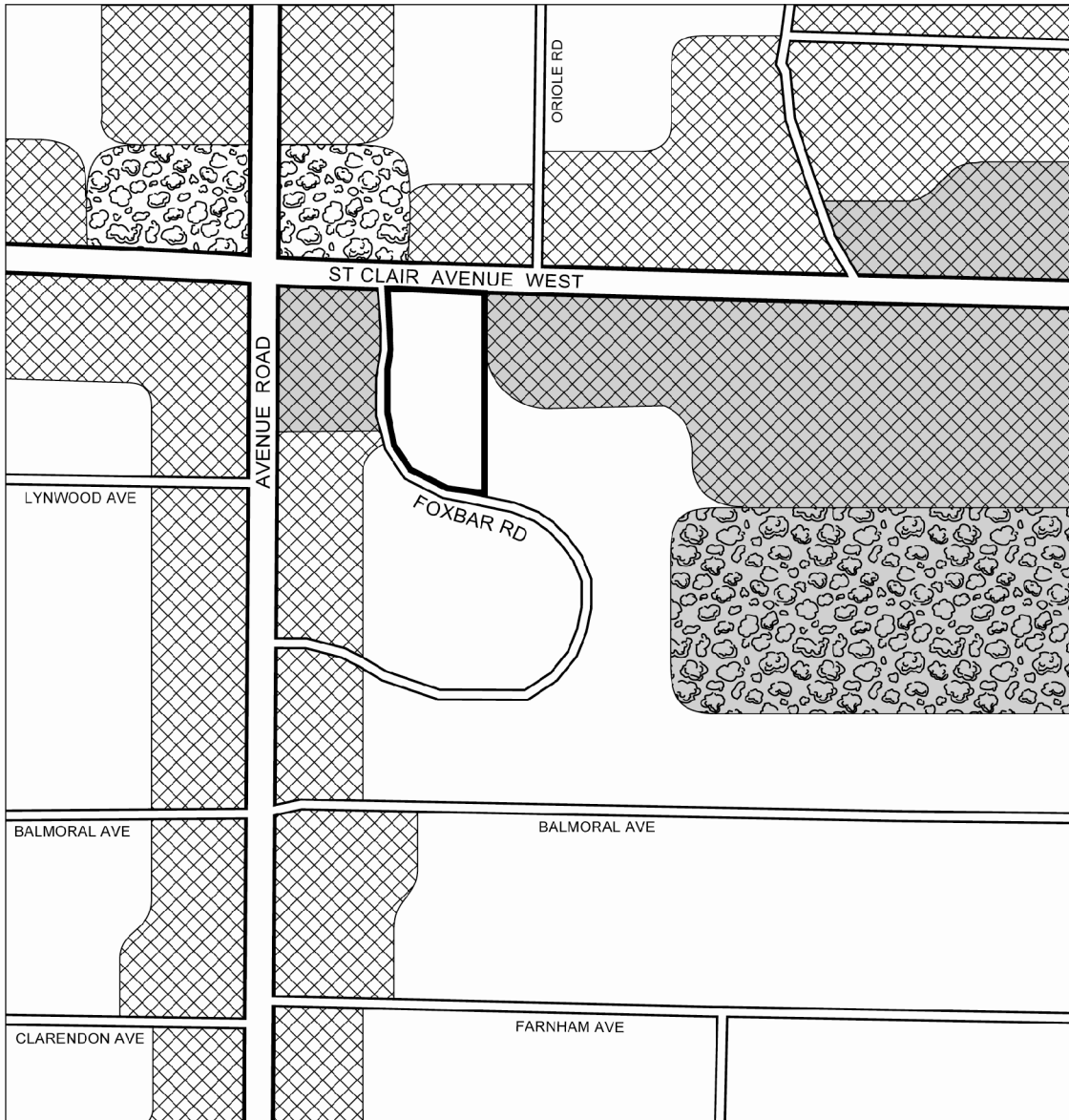
TORONTO City Planning
Zoning City of Toronto By-law 1156-2010

129 St Clair Avenue West
 Partial 111 St Clair Avenue West
 File # 10 314966 02

- Location of Application
- Not Part of Zoning By-law 1156-2010
- R Residential Zone
- RD Residential Detached Zone
- OC Open Space - Cemetery Zone
- CR Commercial Residential Zone

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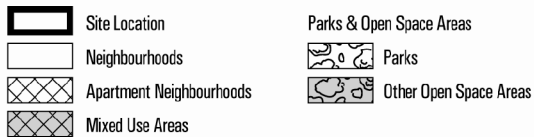
Attachment 9: Official Plan Map



TORONTO City Planning
Official Plan

**129 St. Clair Avenue West
(Partial 111 St. Clair Avenue West)**

File # 11_123806_OZ



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Attachment 10: Yonge-St Clair Secondary Plan

