

**355 Church Street - Zoning Amendment Application - Preliminary Report**

|                          |  |
|--------------------------|--|
| <b>Date:</b>             | May 25, 2012   |
| <b>To:</b>               | Toronto and East York Community Council                      |
| <b>From:</b>             | Director, Community Planning, Toronto and East York District |
| <b>Wards:</b>            | Ward 27 – Toronto Centre-Rosedale                            |
| <b>Reference Number:</b> | 12 162027 STE 27 OZ  |

**SUMMARY**

This application proposes a 34-storey mixed-use building (118 metres high including mechanical penthouse) including a 4-storey base building containing ground floor retail uses and three storeys of office space. The proposal includes 335 residential units and 185 parking spaces in four levels of underground parking.

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.

The next step is to conduct a community consultation meeting to allow the public to review the application and provide feedback. This meeting is expected to take place in the 3rd quarter of 2012.



## **RECOMMENDATIONS**

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### **The City Planning Division recommends that:**

1. Staff be directed to schedule a community consultation meeting for the lands at 355 Church Street together with the Ward Councillor.
2. Notice for the community consultation meeting be given to landowners and residents within 120 metres of the site.
3. Notice for the public meeting under the Planning Act be given according to the regulations under the Planning Act.

### **Financial Impact**

The recommendations in this report have no financial impact.

### **Pre-Application Consultation**

A pre-application consultation meet was held with the applicant on April 16, 2012. The following issues were discussed: tower height and massing, tower setback from the neighbourhood, transition to neighbourhood, privacy and overlook issues, widening of sidewalk on Church Street and complete application submission requirements.

## **ISSUE BACKGROUND**

### **Proposal**

The application proposes a 34-storey building comprised of a 4-storey base building and a 30-storey tower. The proposed development would be 111 metres in height (118 metres including the mechanical penthouse). The tower steps back from the base building at the fifth floor 5.78 metres along McGill Street, 2.97 metres along Church Street, 6.65 metres to the south and 3.3 metres to the east. There is a 3.3 metre balcony encroachment into the east and west stepbacks. The 34<sup>th</sup> storey amenity level steps further back from lower floors an additional 5 metres from the south, 2.25 metres from the north, 3.25 metres from the east and 3.25 metres from the west. There are three grade-related townhouse units along McGill Street. The tower dimensions are approximately 26 metres in its east-west alignment and 32.75 metres in its north-south alignment. The typical tower floor plate is 727 square metres.

The proposed building contains 335 residential condominium units including 39 bachelor units (12%), 234 one-bedroom units (70%), 58 two-bedroom units (17%) and four three-bedroom units (1%). The applicant has advised they intend develop the project as condominium. The proposal also includes approximately 371 square metres of commercial/retail uses at ground level and 3,161 square metres of office space on the ground floor through the fourth storey. The proposed development has a floor space index of 14.6.

The applicant is proposing 185 car parking spaces in four levels of underground parking. All 185 parking spaces are proposed for the use of residents. There are no spaces designated for visitors or the commercial/retail and office uses.

The applicant is also proposing 301 bicycle parking spaces including 295 for residents and 6 for visitors. There are no bicycle parking spaces for the commercial/retail or office uses. Of the 301 spaces provided, 161 are located on the mezzanine level, 14 on the ground floor (including 6 for visitors), 18 in on P1, 36 on P2, 36 on P3 and 36 on P4. There are no bicycle parking spaces proposed outside the building.

This application is proposing approximately 873 square metres of indoor amenity space and 368 square metres of outdoor amenity space. The interior amenity space includes approximately 530 square metres located on the 4<sup>th</sup> floor and 343 square metres located on the 34<sup>th</sup> storey. All 368 square metres of the outdoor amenity area are located adjacent to the indoor amenity space on the 34<sup>th</sup> floor.

The proposed residential pedestrian access is located on McGill Street just east of Church Street. Entrances to the three townhouse units would be located on McGill Street. Entrances to the two retail units are proposed along Church Street. There are two proposed pedestrian entrances to the office lobby. One is located on Church Street and the other from the rear driveway on the east side of the building. The ground floor has been set back to various degrees along Church Street to allow the sidewalk to be widened to approximately 4.25 metres at the north side near McGill Street and 5 metres at the south end of the site. There is no pedestrian weather protection proposed along Church Street.

The applicant is proposing three new street trees and landscaping on McGill Street in front of the townhouse units. There are no street trees or landscaping proposed along Church Street.

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

## **Site and Surrounding Area**

The site is located on the southeast corner of Church Street and McGill Street. It is rectangular with approximately 44 metres of frontage along Church Street and 39 metres of frontage along McGill Street. The site is currently occupied by a 2-storey, L-shaped office building and a surface parking lot. Vehicular access is via a driveway located on McGill Street.

The following uses surround the site:

North: McGill Street and further north a site containing a commercial surface parking lot and 3-storey building that is currently the subject of an application for a 30-storey

mixed-use development (File No. 10 316211 STE 27 OZ). The application has been appealed to the Ontario Municipal Board by the applicant.

West: Church Street and further west is a single storey restaurant and surface parking lot, located on the southwest corner of McGill Street and Church Street. Further south is the 8-storey portion of a 12-storey building called Campus Common, which is a 187-unit student apartment building at 50 Gerrard Street East.

East: a 3-storey condominium townhouse development, which is serviced by a private driveway along the west side of the property. This condominium townhouse is part of a low-rise residential neighbourhood designated *Neighbourhoods* in the Official Plan.

South: a series of 3 to 3 ½-storey house-form buildings which contain a range of commercial, residential and community support uses. This row of buildings from 70 to 80 Gerrard Street East contains heritage listed and designated buildings.

### **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. Key objectives include: building strong communities; wise use and management of resources; protecting significant built heritage resources; and, protecting public health and safety. City Council's planning decisions are required to be consistent with the PPS.

The Growth Plan for the Greater Golden Horseshoe provides a framework for managing growth in the Greater Golden Horseshoe including: directions for where and how to grow; the provision of infrastructure to support growth; and protecting natural systems and cultivating a culture of conservation. City Council's planning decisions are required to conform, or not conflict, with the Growth Plan for the Greater Golden Horseshoe.

Staff will review the proposed development for consistency with the PPS and for conformity with the Growth Plan for the Greater Golden Horseshoe.

### **Official Plan**

The subject property is located within the "Downtown and Central Waterfront" area on Map 2 – Urban Structure in the Official Plan and is designated *Mixed Use Areas* on Map 18 – Land Use Plan. The site is also subject to Area Specific Policy 151. The City of Toronto's Official Plan contains a number of policies that affect the proposed development. Pursuant to Section 24 of the Planning Act, no by-law shall be passed that does not conform with the Official Plan. Relevant Official Plan Policies include:

## **Chapter 4 – Land Use Designations**

### **Section 4.5 Mixed Use Areas**

The subject site is designated *Mixed Use Areas* and located immediately west of an area designated as *Neighbourhoods* on Map 18 – Land Use Plan. The *Mixed Use Areas* designation permits a broad range of commercial, residential and institutional uses, in single or mixed use buildings, as well as parks and open spaces. *Mixed Use Areas* will absorb most of the anticipated increase in retail, office and service employment in the coming decades and provide much of the new housing.

Development proposals in *Mixed Use Areas* are evaluated to ensure they: provide a transition between areas of different development intensity and scale through means such as providing appropriate setbacks and/or stepping down of height, particularly toward lower scale *Neighbourhoods*; locate and mass buildings so as to adequately limit shadow impacts on adjacent *Neighbourhoods*, particularly during the spring and fall equinoxes; locate and mass new buildings to frame the edges of streets and parks with good proportion and maintain sunlight and comfortable wind conditions for pedestrians on adjacent streets, parks and open spaces; provide an attractive and safe pedestrian environment; have access to schools, parks, community centres, libraries and childcare; take advantage of nearby transit services; 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.

## **Chapter 2 – Shaping the City**

### **Section 2.3.1 Healthy Neighbourhoods**

This section of the Official Plan contains policies that specifically address the relationship between *Neighbourhoods* and areas with other Official Plan designations in order to ensure development is sensitive to the physically stable areas within the *Neighbourhoods* designation. Policies in this section require development in *Mixed Use Areas* that are adjacent or close to *Neighbourhoods* to be: compatible with those *Neighbourhoods*; provide a gradual transition of scale and density, as necessary to achieve the objective of the Official Plan through the stepping down of buildings towards and setbacks from those *Neighbourhoods*; and, maintain adequate light and privacy for residents in those *Neighbourhoods*.

## **Chapter 3 – Building a Successful City**

### **Section 3.1.3 Built Form – Tall Buildings**

This section of the Official Plan includes policy requirements to assess where tall buildings can be appropriately located. Included in this section are policies that require development proposals to fit with the existing and/or planned context and limit local impacts on neighbouring streets, parks, opens paces and properties by: creating appropriate transitions in scale to neighbouring existing and/or planned buildings; providing adequate light and privacy; adequately limiting any resulting shadowing of neighbouring streets, properties and open spaces; locating and organizing vehicle

parking, access, service areas and utilities to minimize their impact of the surrounding property and improve the attractiveness of adjacent streets; provide amenity for adjacent streets to make these areas attractive, interesting, comfortable and functional for pedestrians by providing improvements to adjacent boulevards and sidewalks including street trees, lighting, and other street furniture and co-ordinated landscape improvements.

### **Section 3.1.5 Heritage Resources**

The subject site is adjacent to a heritage listed property at 70 Gerrard Street East and three heritage designated properties from 72 - 80 Gerrard Street East. This section of the Official Plan requires development on lands adjacent to protected heritage properties to be evaluated in order to ensure that new development will respect the scale, character and form of the heritage buildings and landscapes on the adjacent heritage properties.

### **Site and Area Specific Policy 151**

This site is also subject to Official Plan Area Specific Policy 151. This policy applies to the area south of Carlton Street and north of Gerrard Street East between Yonge and Jarvis Streets. It requires new buildings in *Mixed Use Areas* to be designed to minimize the extent to which they overlook, overshadow, or block views from existing or committed house-form buildings, and to ensure that the location of new vehicular access routes does not interfere with the use of private open space of adjacent homes.

### **Tall Building Guidelines**

Toronto City Council approved the use of the document, “Design Criteria for Review of Tall Building Proposals” (Tall Building Guidelines) in June, 2006 and in April, 2010 extended authorization of its use. A tall building is generally defined as a building that is taller than the road right-of-way adjacent to the site. In this case, the right-of way for Church Street between McGill Street and Gerrard Street East is 20 metres and as such, the proposed building at 118 metres in height is considered a tall building. The Design Criteria provide policy recommendations for tall buildings on issues of transition, building placement and orientation, entrances, massing of base buildings, tower floorplates, separation distances, pedestrian realm considerations and sustainable design. This document will be used to assess the proposed application.  
([www.toronto.ca/planning/urbdesign/index.htm](http://www.toronto.ca/planning/urbdesign/index.htm))

### **Zoning**

This site is zoned mixed-use (CR T3.0 C2.0 R3.0) in the City of Toronto’s Zoning By-law No. 438-86, as amended. This allows for a number of commercial and residential uses including retail uses and apartment buildings and permits a density of three times the lot area. A maximum height of 18 metres is permitted.

The Zoning By-law also requires an angular plane of 44 degrees be maintained above 16 metres along Church Street and that all buildings and structures be set back a minimum of 2.5 metres from Church Street.

## **Site Plan Control**

The proposed development is subject to site plan control. An application for site plan approval has not been submitted but will be required.

## **Tree Preservation**

The applicant has submitted an arborist report and a tree inventory plan which is being reviewed by Urban Forestry staff. According to the arborist report submitted by the applicant, there are seven trees on or surrounding the site that would be affected by this proposal and none are subject to the City Public Street Tree By-law. Two of the five trees along McGill Street are proposed to be removed to accommodate the proposed development and will be replaced. The tree inventory plan also shows that the two trees immediately to the south of the site, located on an adjacent private property, will be preserved.

## **Reasons for the Application**

The Zoning By-law Amendment application is required to permit the proposed 34-storey, 335-unit mixed use building and establish the appropriate development standards. Increases in height from 18 metres to 118 metres and density from 3 times the lot area to 14.6 times the lot area and the elimination of the provision requiring an angular plane along the Church Street frontage are among the more significant changes to the Zoning By-law being requested by the applicant.

## **COMMENTS**

### **Application Submission**

The following reports/studies were submitted with the application:

- Planning and Urban Design Rationale
- Sun/Shadow Study
- Traffic Impact Study
- Parking Review Letter
- Heritage Impact Assessment
- Toronto Green Standard Statistics Template
- Pedestrian Wind Comfort Conditions Final Report
- Site Servicing and Stage 1 Stormwater Management Report
- Arborist Report
- Geotechnical Investigation
- Noise Impact Feasibility Study.

City staff are reviewing the application for completeness.

### **Issues to be Resolved**

Planning staff cannot support this application in its current form. Among the issues of considerable concern to staff are the height and massing of the tower, the inadequate tower setback from the *Neighbourhoods* designation to the east, transition to the *Neighbourhoods* designation to the east and shadowing of the low-rise buildings and

streets in the surrounding area. However, the further processing of the application and a public consultation process are recommended in order to help determine the nature and extent of changes to the application that will be required. Planning staff will also require the resolution of the issues listed below:

1. consistency with the Provincial Policy Statement and the Growth Plan for the Greater Golden Horseshoe;
2. conformity with Official Plan Policies including the sections on Area Specific Policy 151, mixed use areas, heritage resources, built form and tall buildings, healthy neighbourhoods and height and/or density incentives and the potential need for an Official Plan amendment;
4. conformity with the Design Criteria for Review of Tall Building Proposals, including the sections on transition in scale, massing, heritage buildings, pedestrian realm and sustainable design;
5. other built form and massing issues including, but not limited to: sky view, light penetration, shadowing on the adjacent streets and low-rise *Neighbourhood* and adjacent parks and open spaces, privacy, wind mitigation, pedestrian realm weather protection and sidewalk widenings;
6. the impact this development may have on the adjacent heritage buildings on Gerrard Street East;
7. mix of unit sizes and lack of family-sized units;
8. adequacy of the proposed amenity space; and
9. identification and securing of public benefits pursuant to Section 37 of the Planning Act should the proposal be recommended for approval.

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.

Additional issues may be identified through the review of the application, agency comments and the community consultation process.

## **CONTACT**

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## **SIGNATURE**

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Raymond David, Director  
Community Planning, Toronto and East York District

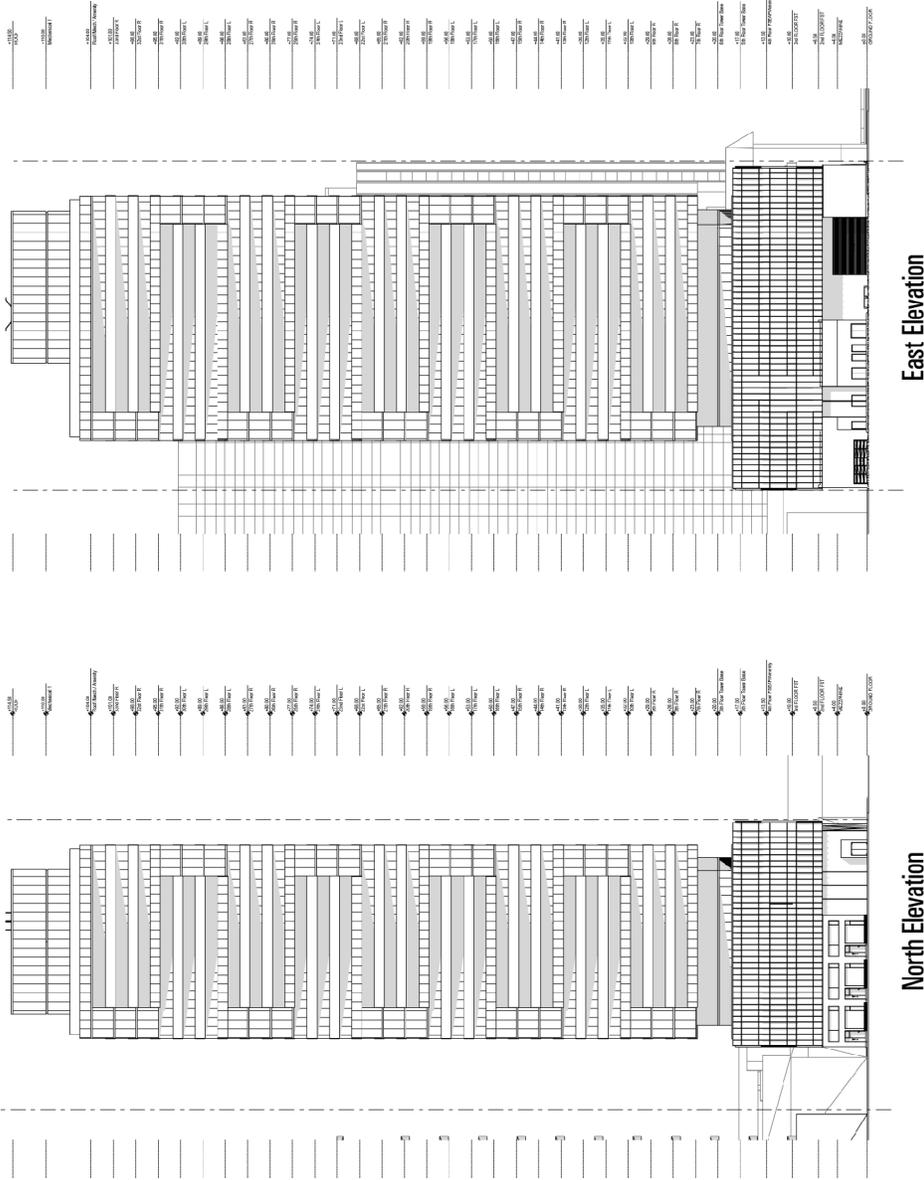
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## **ATTACHMENTS**

Attachment 1: Site Plan  
Attachment 2a: North and East Elevations  
Attachment 2b: South and West Elevations  
Attachment 3: Zoning  
Attachment 4: Application Data Sheet



# Attachment 2a: North and East Elevations



355 Church Street

**Elevations**  
 Applicant's Submitted Drawing  
 Not to Scale  
 05/10/2012

File # 12 162027 0Z





## Attachment 4: Application Data Sheet

### APPLICATION DATA SHEET

|                       |  |                     |                     |
|-----------------------|--|---------------------|---------------------|
| Application Type      | Rezoning   | Application Number: | 12 162027 STE 27 OZ |
| Details               | Rezoning, Standard   | Application Date:   | April 26, 2012      |
| Municipal Address:    | 355 CHURCH STREET  |                     |                     |
| Location Description: | PL 203 LTS 1&2 SUBJ TO ROW **GRID S2712  |                     |                     |
| Project Description:  | Rezoning application to permit a 34 storey mixed-use building including a four storey base building containing ground floor retail uses and three storeys of office space. The proposal includes 335 residential units and 185 parking spaces in four levels of underground parking. There are also 301 bicycle parking spaces proposed. |                     |                     |

|  |               |  |   |
|--|---------------|--|---|
| <b>Applicant:</b>  | <b>Agent:</b> | <b>Architect:</b>  | <b>Owner:</b>   |
| DELTERA INC, 4800<br>DUFFERIN ST., TORONTO<br>ON M3H 5S9 |               | ARCHITECTS ALLIANCE<br>205-317 ADELAINDE ST<br>W., TORONTO ON M5V<br>1P9 | FAMILY SERVICE<br>TORONTO, 355 CHURCH<br>ST., TORONTO ON M5B<br>1Z8 |

#### PLANNING CONTROLS

|                            |                   |                            |                          |
|----------------------------|-------------------|----------------------------|--------------------------|
| Official Plan Designation: | Mixed Use Areas   | Site Specific Provision: Y | Area Specific Policy 151 |
| Zoning:                    | CR T3.0 C2.0 R3.0 | Historical Status: N       |                          |
| Height Limit (m):          | 18                | Site Plan Control Area: Y  |                          |

#### PROJECT INFORMATION

|                                    |          |         |                 |              |
|------------------------------------|----------|---------|-----------------|--------------|
| Site Area (sq. m):                 | 1730     | Height: | Storeys:        | 34           |
| Frontage (m):                      | 39.31    |         | Metres:         | 118.2        |
| Depth (m):                         | 44.19    |         |                 |              |
| Total Ground Floor Area (sq. m):   | 1017.72  |         |                 | <b>Total</b> |
| Total Residential GFA (sq. m):     | 21757.73 |         | Parking Spaces: | 185          |
| Total Non-Residential GFA (sq. m): | 3532.43  |         | Loading Docks   | 1            |
| Total GFA (sq. m):                 | 25290.36 |         |                 |              |
| Lot Coverage Ratio (%):            | 59       |         |                 |              |
| Floor Space Index:                 | 14.6     |         |                 |              |

#### DWELLING UNITS

|              |           |
|--------------|-----------|
| Tenure Type: | Condo     |
| Rooms:       | 0         |
| Bachelor:    | 39 (12%)  |
| 1 Bedroom:   | 234 (70%) |
| 2 Bedroom:   | 58 (17%)  |
| 3 + Bedroom: | 4 (1%)    |
| Total Units: | 335       |

#### FLOOR AREA BREAKDOWN (upon project completion)

|                                  |  | Above Grade | Below Grade |
|----------------------------------|--|-------------|-------------|
| Residential GFA (sq. m):         |  | 21757.73    | 0           |
| Retail GFA (sq. m):              |  | 371.14      | 0           |
| Office GFA (sq. m):              |  | 3161.29     | 0           |
| Industrial GFA (sq. m):          |  | 0           | 0           |
| Institutional/Other GFA (sq. m): |  | 0           | 0           |

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