

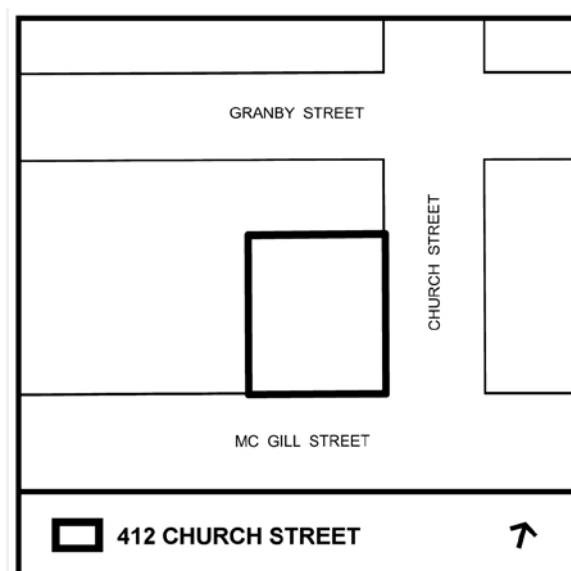
412 Church Street Zoning Amendment Application - Request for Direction Report

Date:	March 25, 2015
To:	Toronto and East York Community Council
From:	Director, Community Planning, Toronto and East York District
Wards:	Ward 27 – Toronto Centre-Rosedale
Reference Number:	14 133930 STE 27 OZ

SUMMARY

The applicant proposes a 32-storey, privately run, student residence building with retail at grade, at 412 Church Street. The proposal is comprised of a 5-storey base building and a 27-storey tower with 532 beds for students. This report requests direction from City of Toronto Council on how to proceed at the Ontario Municipal Board.

The applicant has appealed its zoning by-law amendment application on September 26, 2014 to the Ontario Municipal Board due to Council's failure to make a decision within the times prescribed by the *Planning Act*. A preliminary hearing was held on March 11, 2015. At the first pre-hearing conference it was agreed that a second pre-hearing conference would be held on June 8, 2015 with a full hearing scheduled to start on November 16, 2015, lasting 5 days. This report recommends that Council direct the City Solicitor, together with appropriate City staff, to oppose the proposal at the Ontario Municipal Board. For reasons discussed in the report, the application is not consistent with the Provincial Policy Statement, 2014, it does not conform to the policies of the Official Plan, constitutes overdevelopment and is not good planning nor in the public interest.



RECOMMENDATIONS

The City Planning Division recommends that:

1. City Council authorize the City Solicitor, together with appropriate staff, to attend the Ontario Municipal Board hearing to oppose the applicant's appeal respecting the zoning by-law amendment application for 412 Church Street (File Numbers 14 133930 STE 27 OZ) for the following reasons:
 - a. The proposal does not have regard for section 2(d) of the *Planning Act*
 - b. The proposal is not consistent with applicable policies in the Provincial Policy Statement or the Growth Plan for the Greater Golden Horseshoe and does not conform with the City of Toronto Official Plan.
 - c. The proposal represents over-development of the site.
2. In the event that the proposal is approved by the Ontario Municipal Board, City Council authorize the City Solicitor to negotiate an appropriate Section 37 contribution.
3. Toronto and East York Community Council direct City Planning to schedule a community consultation meeting in consultation with the Ward Councillor and that notice be given to residents within 120 metres of the proposed development site.

Financial Impact

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

DECISION HISTORY

On May 13, 2014 Toronto and East York Community Council adopted the recommendations of Staff contained in the preliminary report for 412 Church Street.

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2014.TE32.45>

ISSUE BACKGROUND

Proposal

The applicant is proposing a 32-storey privately run student residence building with retail at grade. The building is composed of a 5-storey base building with a 27-storey tower on a site with a total site area of 907 square metres. The proposed number of units is 119 for a total of 532 student residence beds with attached washrooms, and separate kitchens to be shared among residents of each unit. The proposed tower is set back 2.5 metres from Church Street, 0.7 metres from McGill Street 10 metres from the west property line which is the beginning of a designated *Neighbourhoods* area in the Official Plan and is immediately adjacent to the designated heritage building at 414-418 Church Street (The Stephen Murphy Houses and Store), to the north. One Type G loading space is proposed with 8 vehicular parking spaces and 236 bicycle parking spaces. Details of the built form are further outlined in the table below:

Category	First Submission March 28, 2014
Site Area	907 m ²
Proposed Tower Setbacks	
Church Street	2.5 m
McGill Street	2 m
North Property Line	0 m
West Property Line	10 m
Proposed Base Setback on Ground Floor	
Church Street	2.5 m to 0.5 m
McGill Street	2.65 m
Tower Floorplate	430 m ²
Gross Floor Area	
Total Residential	13,456 m ²
Non-Residential	235 m ²
Total	13,691 m ²
Floor Space Index	15.09
Number of Suites	
3 Bed Suites	3 (3%)
4 Bed Suites	57 (47%)
5 Bed Suites	59 (50%)
Total	119
Total Beds for Student Residence	532
Ground Floor Height	4.2 m
Sidewalk width Church Street (3.0 m existing)	5.5 m to 3.54 m
Sidewalk width McGill Street (1.8 m existing)	6.13 m to 6.3 m
Proposed Vehicular Parking (residential:visitor:non-residential)	8 (7:0:1)
Proposed Bicycle Parking (residential:visitor: retail)	236 (176:60:0)
Loading Spaces	
Description	1 Type G
Amenity Space	
Interior Residential	674 m ²
Exterior Residential	239 m ²
Total Amenity Space Provided	913 m ²
Building Height	98.2 m

Site and Surrounding Area

The site is located at 412 Church Street, an approximately rectangular parcel with approximately 32.4 metres frontage on Church Street and 28 metres on McGill Street. The total site area is 907 square metres. The site is currently occupied by a surface parking lot.

North: To the north of the site is a designated heritage building at 414-418 Church Street (The Stephen Murphy Houses and Store). Continuing further north of the site there are 3-storey townhouses and the former Maple Leaf Gardens which is currently occupied by a grocery store and Ryerson University's Mattamy Athletic Centre.

East: To the east of the subject site is Church Street. Further east, is a surface parking lot at 365-375 Church Street which was recently approved for a 31-storey mixed-use building at the Ontario Municipal Board with a subsequent application at the Committee of Adjustment. Further east, the McGill-Granby Neighbourhood continues with predominantly low rise residential built form.

West: Immediately to the west of the site there are semi-detached dwellings which are listed on the City's inventory of heritage buildings. The semi-detached house at 86 McGill Street is immediately adjacent to the development site. Further to the west, is the McGill-Granby Neighbourhood comprised of low rise residential built form.

South: Directly to the south of the site is McGill Street and continuing south there is a single-storey restaurant with surface parking. Further to the south, is an 8 to 12-storey privately run student residence building. Further south, is a 3-storey commercial building listed on the City of Toronto's inventory of heritage buildings.

Provincial Policy Statement and Provincial Plans

The Provincial Policy Statement (PPS), 2014 provides policy direction on matters of provincial interest related to land use planning and development. These policies support the goal of enhancing the quality of life for all Ontarians. Key policy objectives include: building strong healthy communities; wise use and management of resources and protecting public health and safety. The PPS recognizes that local context and character are important. Policies are outcome-oriented, and some policies provide flexibility in their implementation provided that provincial interests are upheld. Section 2.6.1 of the PPS states that significant built heritage resources and significant cultural heritage landscapes shall be conserved. Section 2.6.3 further states that planning authorities shall not permit development and site alteration on adjacent lands to protected heritage property except where the proposed development and site alteration has been evaluated and it has been demonstrated that the heritage attributes of the protected heritage property will be conserved. 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. Section 4.2.4 of the Growth Plan reads: "Municipalities will develop and implement official plan policies and other strategies in support of the following conservation objectives:

Cultural heritage conservation, including conservation of cultural heritage and archaeological resources where feasible, as *built-up* areas are intensified."

City Council's planning decisions are required to conform, or not conflict, with the Growth Plan for the Greater Golden Horseshoe.

Official Plan

The City of Toronto's Official Plan contains a number of policies that apply to the proposed development.

Chapter 2 – Shaping the City

Section 2.2.1 Downtown: The Heart of Toronto

The proposed development is located in the *Downtown* area as defined by Map 2 of the City of Toronto Official Plan. Section 2.2.1 outlines the policies for development within the *Downtown*. The *Downtown* is where most of the growth in the City of Toronto is expected to occur.

The *Downtown* will continue to evolve as the premier employment area of the City of Toronto and provide a range of housing for those working in the area. The City will also explore opportunities to maintain and improve the public realm, promote an environment of creativity and innovation, support and enhance the specialty retail and entertainment districts, support business infrastructure and create business partnerships. Although much of the growth is expected to occur in the *Downtown*, not all of the *Downtown* is considered a growth area. The City of Toronto Official Plan states that: "while we anticipate and want *Downtown* to accommodate growth, this growth will not be spread uniformly across the whole of *Downtown*. In fact, there are many residential communities *Downtown* that will not experience much physical change at all, nor should they." Transportation within the *Downtown* is expected to be accommodated by transit. Priority will be given to transit improvements in the *Downtown* and transit vehicles will be given priority on streets within the *Downtown* particularly those with streetcars. A program of improvements will be implemented to enhance the pedestrian environment and efforts made to improve the safety of walking and cycling *Downtown*.

Section 2.3.1 Healthy Neighbourhoods

The proposed development is directly adjacent to a designated *Neighbourhood* in the Official Plan. Section 2.3.1 of the Official Plan states that "the diversity of Toronto's neighbourhoods, in terms of scale, amenities, local culture, retail services and demographic make up, offers a choice of communities to match every stage of life", neighbourhoods are where people connect and by focusing development into the centres and avenues we preserve the character of those neighbourhoods. Whether low-rise or apartment buildings, the policies in the plan are intended to apply equally to both. Policy 2.3.1.1 states that *Neighbourhoods* and *Apartment Neighbourhoods* are considered physically stable areas. Policy 2.3.1.2 states that Developments in *Mixed Use Areas*, *Regeneration Areas* and *Apartment Neighbourhoods* that are adjacent or close to *Neighbourhoods* will: "be compatible with those *Neighbourhoods*, provide a gradual transition of scale and density, as necessary to achieve the objectives of this Plan through the stepping down of buildings towers and setbacks from those *Neighbourhoods*, maintain adequate light and privacy for residents in those *Neighbourhoods*, and attenuate resulting traffic and parking impacts." Policy 2.3.1.3 goes on to state that intensification of land adjacent to *neighbourhoods* will be carefully controlled. The intent is that *Neighbourhoods* will be: "protected from negative impact".

Chapter 3 – Built Form

Section 3.1.3 Built Form – Tall Buildings

The applicant is proposing to construct a Tall Building. Policy 3.1.3 states that Tall Buildings come with larger civic responsibilities than buildings of a smaller scale. In addition to specific built form characteristics, the policy states that proposals for Tall Buildings should clearly demonstrate how they relate to the existing and planned context, take into account their relationship with the topography and other tall buildings and how they meet the other objectives of the Official Plan.

Section 3.1.5 Heritage Resources

The site of the proposed development is immediately adjacent to 414-418 Church Street (The Stephen Murphy Houses and Store). This property is listed on the City of Toronto's Inventory of Heritage Properties and was designated under Part IV of the *Ontario Heritage Act* by Toronto City Council on August 27, 2010, by By-law 1051-2010. The property contains a three-part complex with two house form buildings adjoining a commercial unit. The property is also adjacent to the residential dwellings on McGill Street. The property at 86 McGill Street is a semi-detached dwelling and is located immediately adjacent to the development site. It was listed on the City of Toronto's Inventory of Heritage Properties by Toronto City Council on March 15, 1974.

Policy 3.1.5 of the Official Plan requires that significant heritage resources listed on the City of Toronto's Inventory of Heritage Properties will be conserved. Policy 3.1.5.2 states that development adjacent to properties on the City's inventory of heritage properties will respect the scale, character and form of the heritage buildings and landscapes. The Plan also offers incentives for the preservation of heritage resources, allowing additional density to be granted in exchange for the preservation of a heritage resource providing it does not exceed the gross floor area of the heritage resource.

Chapter 4 – Land Use Designations

Section 4.5 Mixed Use Areas

The site of the proposed development is in an area designated *Mixed Use Areas* in the Official Plan. *Mixed Use Areas* are intended to provide a broad range of commercial, residential and institutional uses in single-use or mixed-use buildings. Development within *Mixed Use Areas* should provide for new jobs and homes on underutilized lands, while locating and massing new buildings to provide a transition between areas of different development intensity and scale. Furthermore, development in *Mixed Use Areas* should be located and massed 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. Development in *Mixed Use Areas* should also provide attractive, comfortable and safe pedestrian environments; have access to schools, parks and community centres as well as libraries and childcare.

Development in *Mixed Use Areas* should also take advantage of nearby transit services; provide good site access and circulation as well as an adequate supply of both visitor and resident parking. In addition, service areas should be located to minimize impacts on adjacent streets,

and any new multi-unit residential development should provide indoor and outdoor amenity space for residents.

Site and Area Specific Policy 151

This site is within the area defined by Site Specific Policy 151 in the City of Toronto Official Plan. Site Specific Policy 151 requires that the McGill Granby Area be conserved and its stability promoted by encouraging the preservation of house-form buildings and their continued use for housing. Development of new housing in *Mixed Use Areas* is encouraged, however, new buildings within the *Mixed Use Areas* will be designed to minimise the extent to which they overlook, overshadow, or block views from existing or committed house-form buildings. Furthermore, new vehicular access routes will be designed so as not to interfere with the use of private open space in adjacent houses.

Zoning

The site is currently designated mixed-use residential (CR T3.0 C2.0 R3.0) in the former City of Toronto Zoning By-law 438-86, as amended. This zoning permits a maximum height limit of 18 metres and a maximum Floor Space Index of 3. The site is also subject to an angular place of 44 degrees above 16 metres along the Church Street frontage. The site is designated as CR 3.0 (c2.0; r3.0) SS1 (x2134) in zoning by-law 569-2013, which has been adopted by Toronto City Council but is currently under appeal at the Ontario Municipal Board. Under this by-law, the maximum height permitted is 12 metres, with a maximum Floor Space Index of 3.0. Exception 2134 requires a minimum front yard setback of 2.5 metres.

Site Plan Control

The application is subject to site plan control. A Site Plan Control Application has not been submitted by the applicant.

City-Wide Tall Building Design Guidelines

In May 2013, Toronto City Council adopted the updated city-wide Tall Building Design Guidelines and directed City Planning staff to use these Guidelines in the evaluation of all new and current tall building development applications. The Guidelines establish a unified set of performance measures for the evaluation of tall building proposals to ensure they fit within their context and minimize their local impacts. The city-wide Guidelines are available at <http://www.toronto.ca/planning/tallbuildingdesign.htm>.

This project is located within an area that is also subject to the Downtown Tall Buildings: Vision and Supplementary Design Guidelines (adopted by City Council in July 2012 and consolidated with the city-wide Tall Building Design Guidelines May 2013). This document identifies where tall buildings belong Downtown, and establishes a framework to regulate their height, form and contextual relationship to their surroundings. The Downtown Vision and Supplementary Design Guidelines should be used together with the city-wide Tall Building Design Guidelines to evaluate new and current Downtown tall building proposals. The Downtown Tall Buildings Guidelines are available at: <http://www.toronto.ca/planning/tallbuildingstudy.htm#guidelines>.

The application is located at 412 Church Street. This area of Church Street is designated as a high street with recommended height limits of 62 metres (20 storeys) to 107 metres (35 storeys). Church Street is designated a priority retail street on Map 4 of the supplementary design guidelines. A tower-base typology is recommended for tall buildings in this area of Church Street, subject to achievement of the comprehensive application of all performance standards.

TOcore

On May 13, 2014, the Toronto and East York Community Council (TEYCC) considered a Staff Report regarding *TOcore: Planning Toronto's Downtown*, along with a related background document entitled *Trends and Issues in the Intensification of Downtown*. Both reports are available at:

<http://www1.toronto.ca/wps/portal/contentonly?vgnextoid=222101f2e9745410VgnVCM10000071d60f89RCRD>.

TOcore is looking at how Toronto's Downtown should grow, with both a renewed planning framework and the necessary infrastructure to remain a great place to live, work, learn and play. TOcore is in its initial 'taking stock' phase, which involves an analysis of existing conditions, growth trends and priority issues in the Downtown. The review of this application has been informed by the issues being considered under TOcore.

Reasons for Application

The application does not conform to the height limit (18 metres), minimum front yard setback requirements (2.5 metres), permitted use, parking standards and other built form aspects of the in force Zoning By-law 438-86, as amended.

Community Consultation

The applicant held their own community meeting on June 19, 2014, according to the applicant, approximately 30 members of the community attended. City Planning and the local councillor have not held a formal community meeting as it could not be scheduled prior to September 2014. As a practice, City Planning avoids scheduling community meetings during an election period. A community consultation meeting will be scheduled either prior to City Council's consideration of this report or prior to the next Ontario Municipal Board pre-hearing conference which has been scheduled for June 8, 2015.

Agency Circulation

The application was circulated to all appropriate agencies and City divisions. Responses received have been used to assist in evaluating the application.

COMMENTS

Provincial Policy Statement, Provincial Plans and Matters of Provincial Interest

The Provincial Policy Statement 2014 ("PPS, 2014") requires that, when Planning Authorities identify appropriate locations to promote opportunities for intensification, they take into account the existing building stock or area. The PPS, 2014 also states that "Planning Authorities shall not permit development and site alteration on adjacent lands to protected heritage property

except where the proposed development and site alteration has been evaluated and it has been demonstrated that the heritage attributes of the protected heritage property will be conserved". Furthermore, the PPS, 2014 states that the Official Plan is the most appropriate vehicle for implementing the PPS. Policies identified in the Official Plan require transition to lower scale built form as does Site and Area Specific Policy 151. It is also the position of Staff that the proposed built form does not adequately conserve the adjacent protected heritage building at 416 Church Street. As outlined below, the proposed built form does not meet the policies of the Official Plan and therefore is not consistent with the policies of the PPS, 2014.

The proposed development does not conform with policy 2.2.3 7. f) of the Growth Plan for the Greater Golden Horseshoe, which states that all intensification areas will be planned and designed to achieve an appropriate transition of built form to adjacent areas, nor does it conform with policy 4.2.4 (e) of the Growth Plan which provides that municipalities will develop and implement official plan policies and other strategies in support of cultural heritage conservation, including conservation of cultural heritage resources where feasible. The City has developed heritage policies through its Official Plan in support of cultural heritage conservation that this development fails to meet. The proposed development does not have regard to Section 2 (d) of the *Planning Act* which provides that the: "conservation of features of significant architectural, cultural, historical, archaeological or scientific interest" is a matter of provincial interest.

Land Use

The proposed development is located in the *Mixed Use Areas* of the Official Plan. The uses proposed for the project are student residence and retail. These uses would constitute a mixed-use building which use is permitted in *Mixed Use Areas* in the Official Plan.

Heritage

Staff have reviewed the Heritage Impact Assessment (HIA) prepared by ERA Architects Inc. and dated March 19, 2014 submitted in support of the application. The proposed development will have a negative impact on the heritage attributes of the Stephen Murphy Houses and Store. The proposed base building and proposed tower do not respect the scale, character and form of the adjacent Stephen Murphy Houses and Store. The proposed base building is significantly taller than these buildings and the tower lacks sufficient step backs from the base on Church Street. As a result, the development will have a negative visual impact on these heritage buildings as the new development will appear to loom over the heritage buildings when experienced at street level. The proposed base building also lacks the vertical articulation that the existing heritage buildings provide to both Church Street and McGill Street. The long stretch of unbroken glazing panels at street level does not sufficiently reference the scale of the adjacent heritage buildings. The proposal is not consistent with: policy 2.6.1 of the PPS (2014) which states that significant built heritage resources shall be conserved; nor with policy 2.6.3 of the PPS (2014) which states that Planning authorities shall not permit development and site alteration on adjacent lands to protected heritage property except where the proposed development and site alteration has been evaluated and it has been demonstrated that the heritage attributes of the protected heritage property will be conserved. The proposal will not conserve the adjacent heritage property, the Stephen Murphy Houses and Store and it does not conform with Policy 3.1.5. of the Official Plan.

The City of Toronto's Official Plan heritage adjacency policies apply to both properties that are designated under the Ontario Heritage Act, and to those properties that have been listed on the City's Inventory of Heritage Properties, but not designated. In addition to having a negative impact on the Stephen Murphy Houses and Store as discussed above, the proposal will also have a negative impact on the immediately adjacent listed semi-detached house at 86 McGill Street. The approximately 8 metre landscape buffer is not sufficient separation distance to overcome the negative visual impact that the height of the proposed base building will have on 86 McGill Street. Furthermore, the minimal step back of the proposed tower from McGill Street will have a negative effect on the scale, form, and massing of the heritage house.

Section 3.4, Supplementary Design Guideline #4 of the Downtown Tall Building Guidelines, states that tall buildings should be located to respect and complement the scale, character, form and setting of on-site and adjacent heritage properties. The proposed development does not meet this Guideline in relation to the Stephen Murphy Houses and Store or in relation to 86 McGill Street.

General

The proposal is clearly overdevelopment given the comparatively small site area, context, and inability to comply with applicable policies. Other than the proposed floor plate, the proposal cannot be said to pay even lip service to the Tall Building Guidelines or applicable policies of the Official Plan. Even with the relatively small tower floor plate, the building fails to transition effectively on site to the *Neighbourhoods* designated are to the west and the tower is massed out to the edges of the north and south property lines. As will be discussed below, the impacts of the proposed development when evaluated objectively, all point to the fact that the site is simply too small to accommodate a tall building. Attachments 3 and 4 of this report clearly show the lack of transition or context for the proposed development. It may be helpful to refer back to these attachments when reading below.

a. - Built Form and Massing

The building is massed into a north - south slab-like tower of 27-storeys that sits on top of a five storey base building. The base building is massed along the property line at Church Street and adjacent to the north property line. The base building is set back from the south property line 1.3 metres and 7.7 metres from the rear property line. The Downtown Tall Building Guidelines recommend a maximum tower floor plate of 750 square metres. The proposed tower has a floor plate size of 430 square metres, however it is massed into a north-south oriented slab which offsets many of the potential gains from having a smaller floor plate.

b. - Stepbacks, Separation Distances and Transition

The proposed tower is stepped back from the base building: 0 metres at the north; 0.7 metres at the south; 2.5 metres at the east; and 2.3 metres at the west. The tower is setback from the property line: 0 metres from the north; 2.0 metres to the south at McGill Street; 2.5 metres from the east at Church Street; and 10 metres from the west property line which is where the designated *Neighbourhoods* area in the Official Plan commences.

The Downtown Tall Building Guidelines state that new tall buildings should be set back 20 metres from *Neighbourhood* designated areas in order to provide sufficient distance and transition to lower scale areas. This guideline implements the intent of the transition policies of the Official Plan. The proposal is set back 10 metres from the *Neighbourhood* designated area. The Downtown Tall Building Guidelines also suggest that tall buildings should be set back a minimum of 12.5 metres from adjacent property lines in order to preserve the utility of adjacent sites for development. The proposed tower has no setback from the north property line and is set back 10 metres from the west property line. The lack of adequate setbacks is directly due to the fact that the site area is only 907 square metres.

Policy 2.3.1.2 of the Official Plan states that Developments in *Mixed Use Areas*, *Regeneration Areas* and *Apartment Neighbourhoods* that are adjacent or close to *Neighbourhoods* will: "be compatible with those *Neighbourhoods*, provide a gradual transition of scale and density, as necessary to achieve the objectives of this Plan through the stepping down of buildings towers and setbacks from those *Neighbourhoods*, maintain adequate light and privacy for residents in those *Neighbourhoods*, and attenuate resulting traffic and parking impacts." This is also articulated in the *Mixed Use Areas* policies of the Plan at policy 4.5.2 (c) which states that development within *Mixed Use Areas* will locate and mass new buildings to provide a transition between areas of different development intensity and scale, as necessary to achieve the objectives of this Plan through means such as providing appropriate setbacks and/or a stepping down of heights, particularly towards lower scale *Neighbourhoods*. Policy 4.5.2 (b) provides that development in *Mixed Use Areas* will provide for new jobs and homes on underutilized lands in the *Downtown* and certain other area.

A gradual transition of height and density is required from tall buildings to buildings of lower scale and, in particular, designated *Neighbourhoods* in the Official Plan. The proposed building is set back 10 metres from the listed two storey semi-detached house at 86 McGill Street and rises on an angle of 85 degrees from there. By way of comparison, the mid-rise guidelines recommend an angular plane of 45 degrees as an appropriate transition. Functionally, an 85 degree angular plane is little different than a vertical line adjacent to the low-scale built form. This causes unacceptable loss of sky view and privacy which does not conform to Official Plan Site and Area Specific Policy 151 which requires that new buildings within the *Mixed-Use Areas* will be designed to minimize the extent to which they overlook, overshadow, or block views from existing or committed house-form buildings. This lack of transition (space and gradation of the built form) results in the scale of McGill Street being overwhelmed by both the base of the proposed tower and the tower itself.

c. - Height

The height of the proposed building is 98.2 metres which exceeds the recommended height limits of the Tall Building Guidelines. The height is particularly problematic due to the size of the development site. With only 907 square metres the site is simply too small to provide adequate separation distance and transition. The small size of the development site would make it appropriate for a mid-rise building which could provide adequate transition to the *Neighbourhood* designated area to the rear.

d. - Sun, Shadow, Wind, Skyview

The proposed tower floor plate is only 430 square metres, however, it would be a misnomer to characterize the tower as "slender". The tower is massed into a north-south oriented slab which defeats the intended purpose of using a small floor plate to minimize shadow impact.

Incremental shadow is generated by the development on the *Neighbourhood* designated area from 9 a.m. to 12 p.m during the Spring and Fall Equinoxes. There is incremental shadow impact on the front yards of the townhouses on Granby Street and some incremental shadow impacts on the rear yard of 86 McGill Street. Combined with recent approvals in the area this would significantly reduce sunlight on the *Neighbourhood*. Site and Area Specific Policy 151 of the Official Plan requires that skyview be preserved for adjacent lower scale committed house forms. Furthermore, Chapter 4.5.2 d of the Plan , states that new buildings will be massed and located so as to: "limit shadow impacts on adjacent *Neighbourhoods*, particularly during the spring and fall equinoxes". The proposed development does not conform with these policies of the City of Toronto Official Plan.

Traffic Impact, Access, Parking and Servicing

The applicant is proposing to access servicing and parking from McGill Street. The proposal does not meet the definition of a student residence in the Zoning By-law. Therefore, the property could best be described as a residential apartment. The applicable parking standard would require a parking ratio of:

-1 space per 3-bedroom units

-0.1 spaces per residential visitors

Using these ratios a total of 131 parking spaces would be required to service the development, 5 are currently proposed. The applicant has indicated that the area is well served by surface parking in the area, however, these surface parking lots are all potential development sites and their long term availability can not be relied upon. Transportation Services Staff have determined that, in order for the an alternative parking supply for the proposed student residence, the consultant is required to conduct a field survey of proxy sites as there is no other way to determine if the certain parking supply will be sufficient.

Solid Waste Staff require that the turning radius currently proposed for collection vehicles as well as the overhead door access need to be revised to 9.5 metres inside and 14 metres outside, with a height of 4.4 metres minimum.

Amenity Space

The applicant is proposing to provide a total of 913 square metres of indoor and outdoor amenity space, supplied as follows: 239 square metres outdoor amenity space supplied on the first and 6th floors, 674 square metres of indoor amenity space supplied in the basement and 6th floors. The total student population proposed for the building is 532. City Staff are concerned that the proposed supply of amenity space may not be sufficient for the large number of students on site, notwithstanding access to University supplied amenities. Furthermore, City Staff do not believe the provision of amenity space in the basement; is appropriate, both from a quality of life and safety perspective.

Toronto Green Standard

On October 27, 2009 City Council adopted the two-tiered Toronto Green Standard (TGS). The TGS is a set of performance measures for green development. Tier 1 is required for new development. Tier 2 is a voluntary, higher level of performance with financial incentives. Achieving the Toronto Green Standard will improve air and water quality, reduce green house gas emissions and enhance the natural environment. The applicant is required to meet Tier 1 of the TGS.

Section 37

No meetings have taken place between the applicant and Staff to discuss the provision of Section 37 funds, given that the proposal does not represent appropriate development.

Conclusions

The proposal, as appealed to the Ontario Municipal Board is overdevelopment of this small site. It does not conform with the policies of the Official Plan that require a gradual transition to areas of lower scale development, nor does it conform with heritage policies of the Official Plan, or with site and area specific policy 151. The proposal is not consistent with the Provincial Policy Statement (2014) relating to heritage conservation and does not comply with policies of the Growth Plan relating to transition and heritage. Furthermore, the proposal fails to comply with nearly all of the guidelines in the Downtown Tall Building Guidelines. The proposal does not constitute good planning and is not in the public interest. City Planning are recommending that City Council direct Staff to appear at the Ontario Municipal Board in opposition to the proposal.

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SIGNATURE

Gregg Lintern, MCIP, RPP
Director, Community Planning
Toronto and East York District

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ATTACHMENTS

Attachment 1: Site Plan

Attachment 2: North Elevation

Attachment 3: East Elevation

Attachment 4: South Elevation

Attachment 5: West Elevation

Attachment 6: Zoning

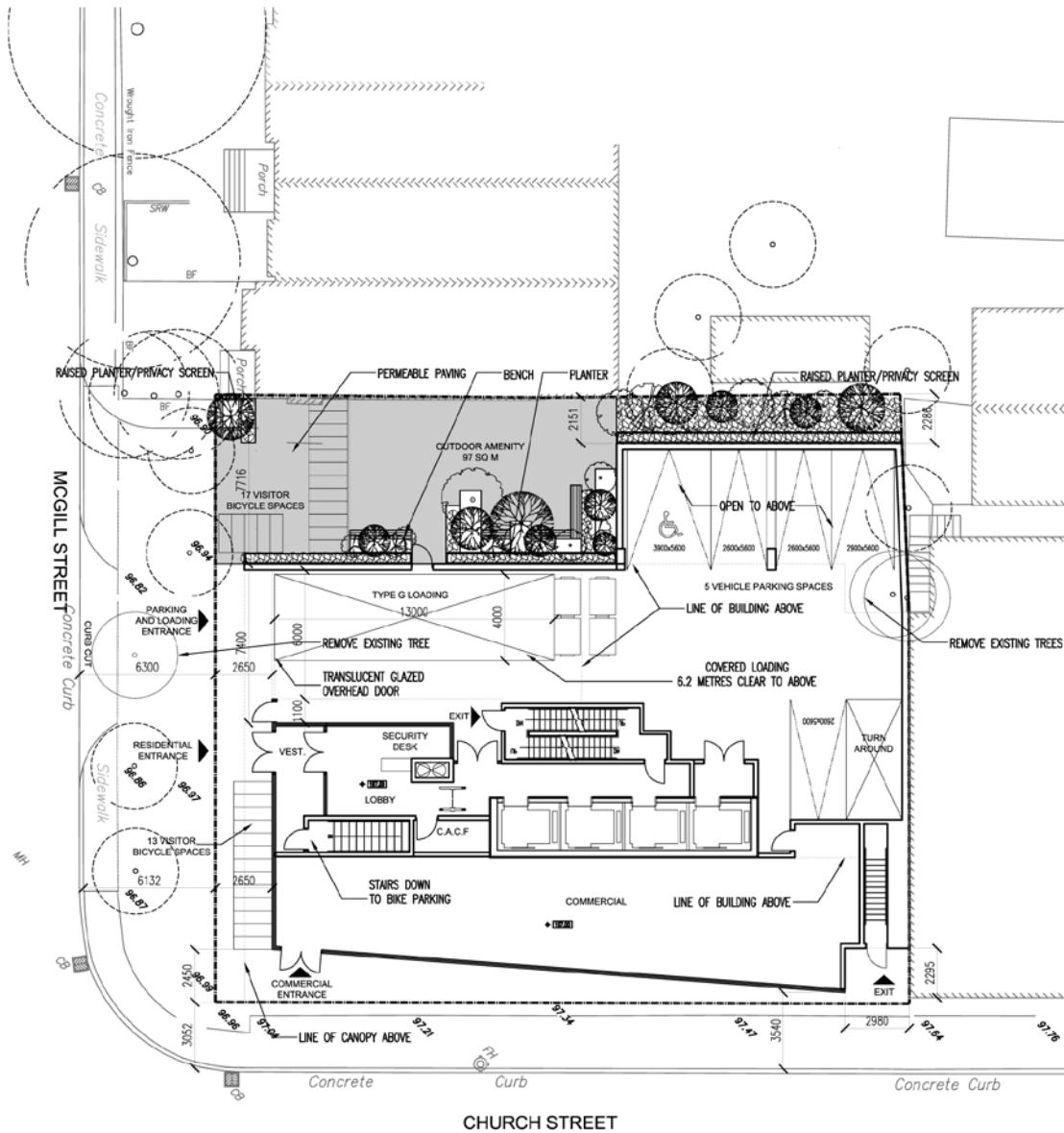
Attachment 7: Application Data Sheet

Attachment 8: Site Plan and Adjacent Heritage Properties

Attachment 9: Adjacent Heritage Properties

Attachment 10: Massing Model

Attachment 1: Site Plan



Site Plan

Applicant's Submitted Drawing

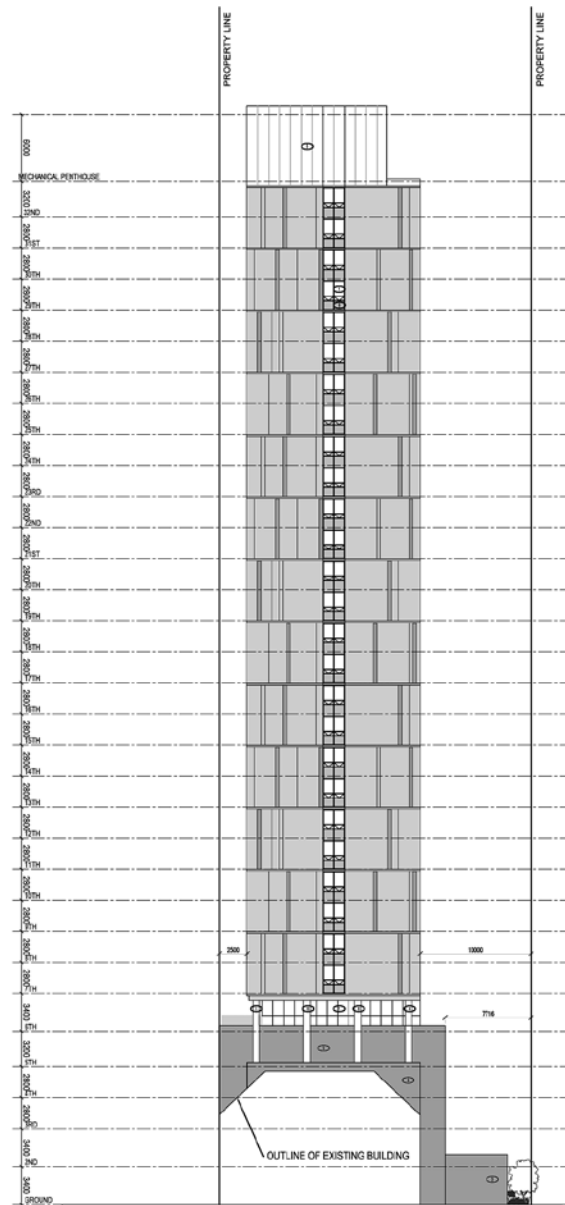
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04/16/2014



412 Church Street

File # 14 133930 STE 27 02

Attachment 2: North Elevation



North Elevation

Elevations

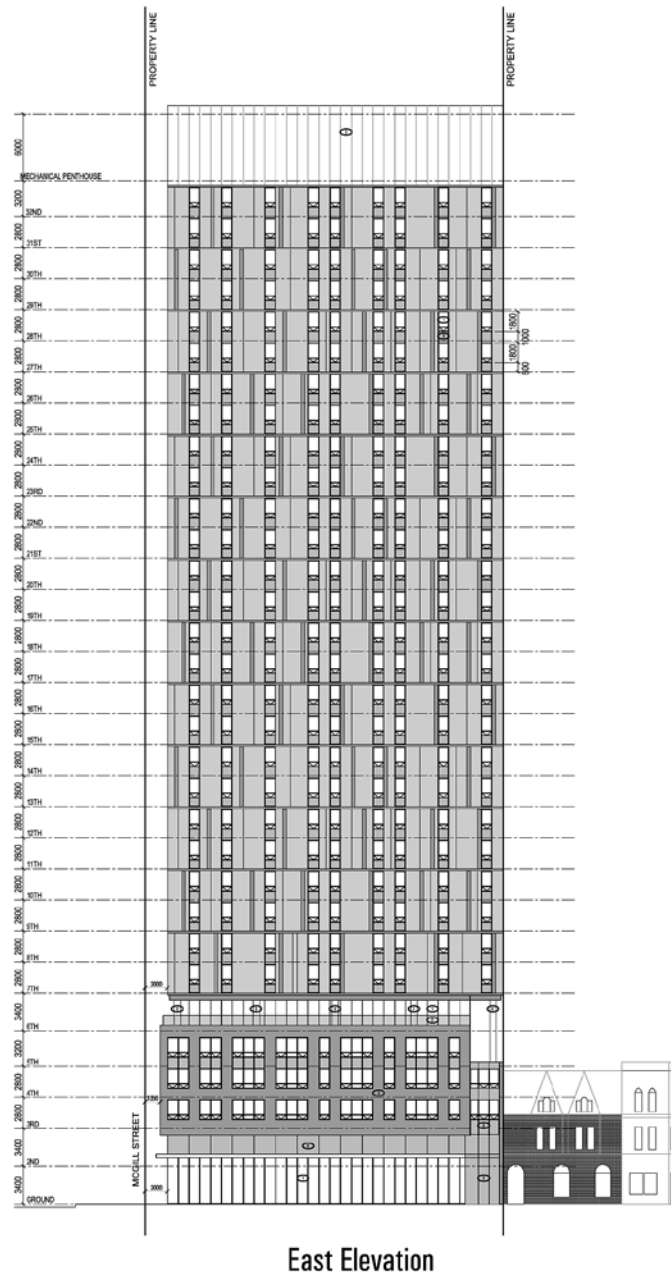
Applicant's Submitted Drawing

Not to Scale
04/16/2014

412 Church Street

File # 14 133930 STE 27 0Z

Attachment 3: East Elevation



Elevations

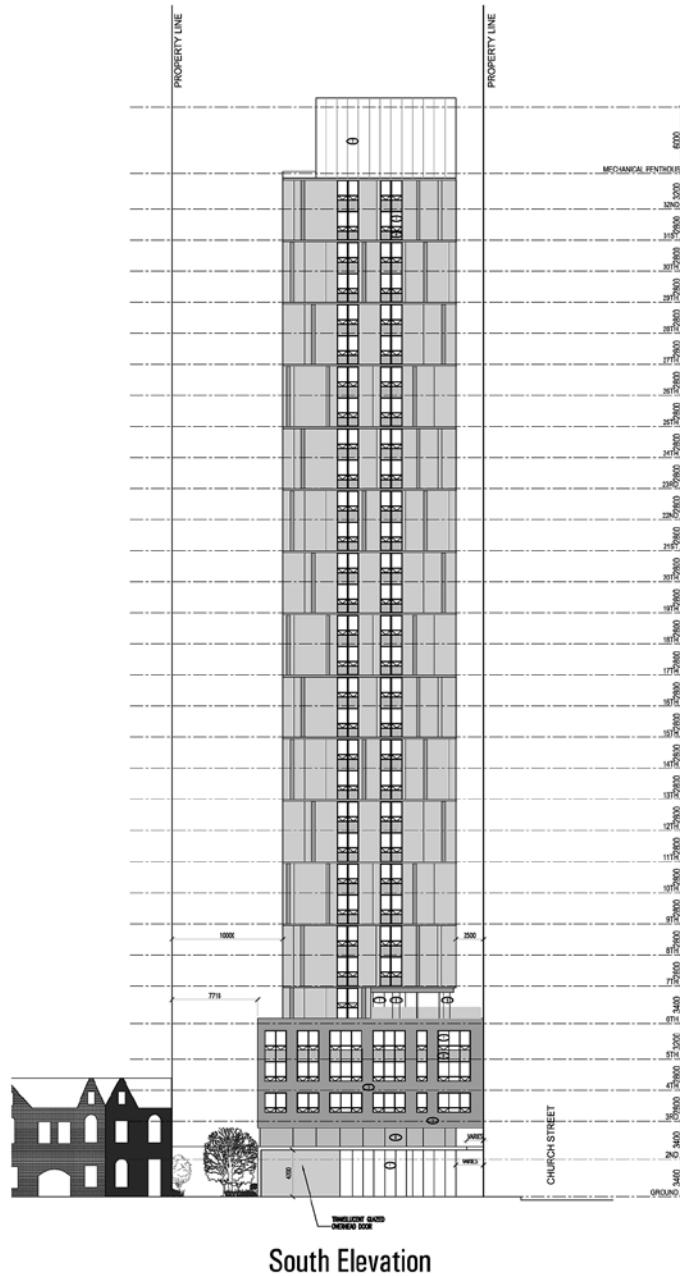
Applicant's Submitted Drawing

Not to Scale
04/16/2014

412 Church Street

File # 14 133930 STE 27 0Z

Attachment 4: South Elevation



Elevations

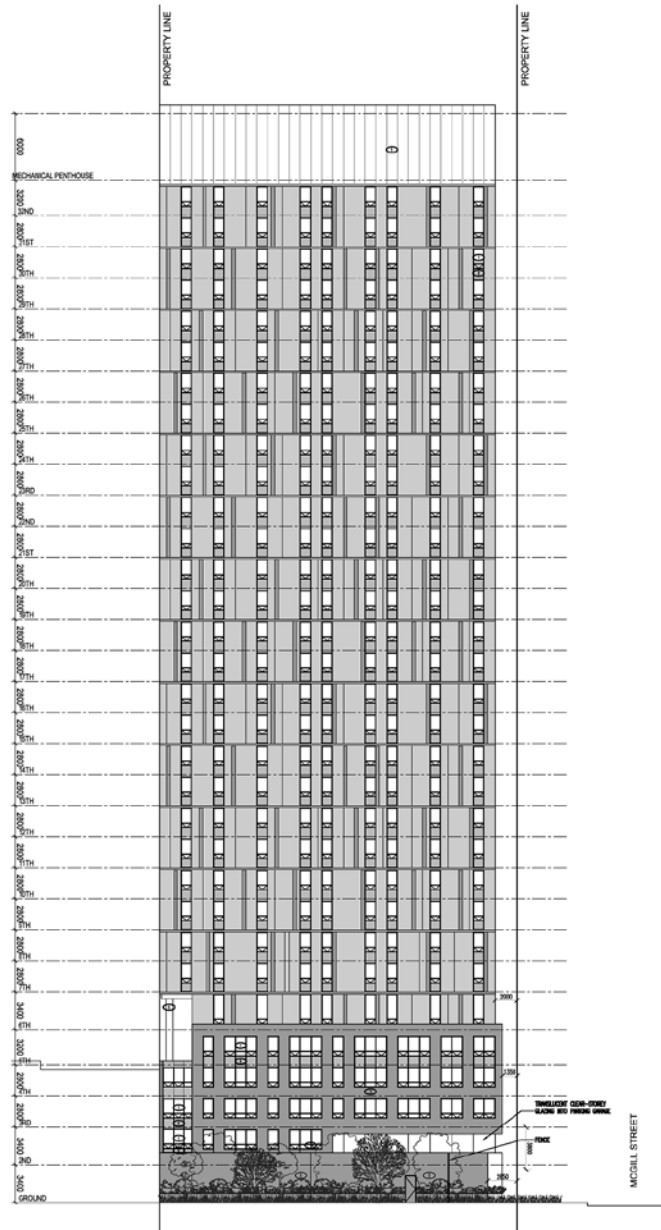
Applicant's Submitted Drawing

Not to Scale
04/16/2014

412 Church Street

File # 14 133930 STE 27 0Z

Attachment 5: West Elevation



West Elevation

Elevations

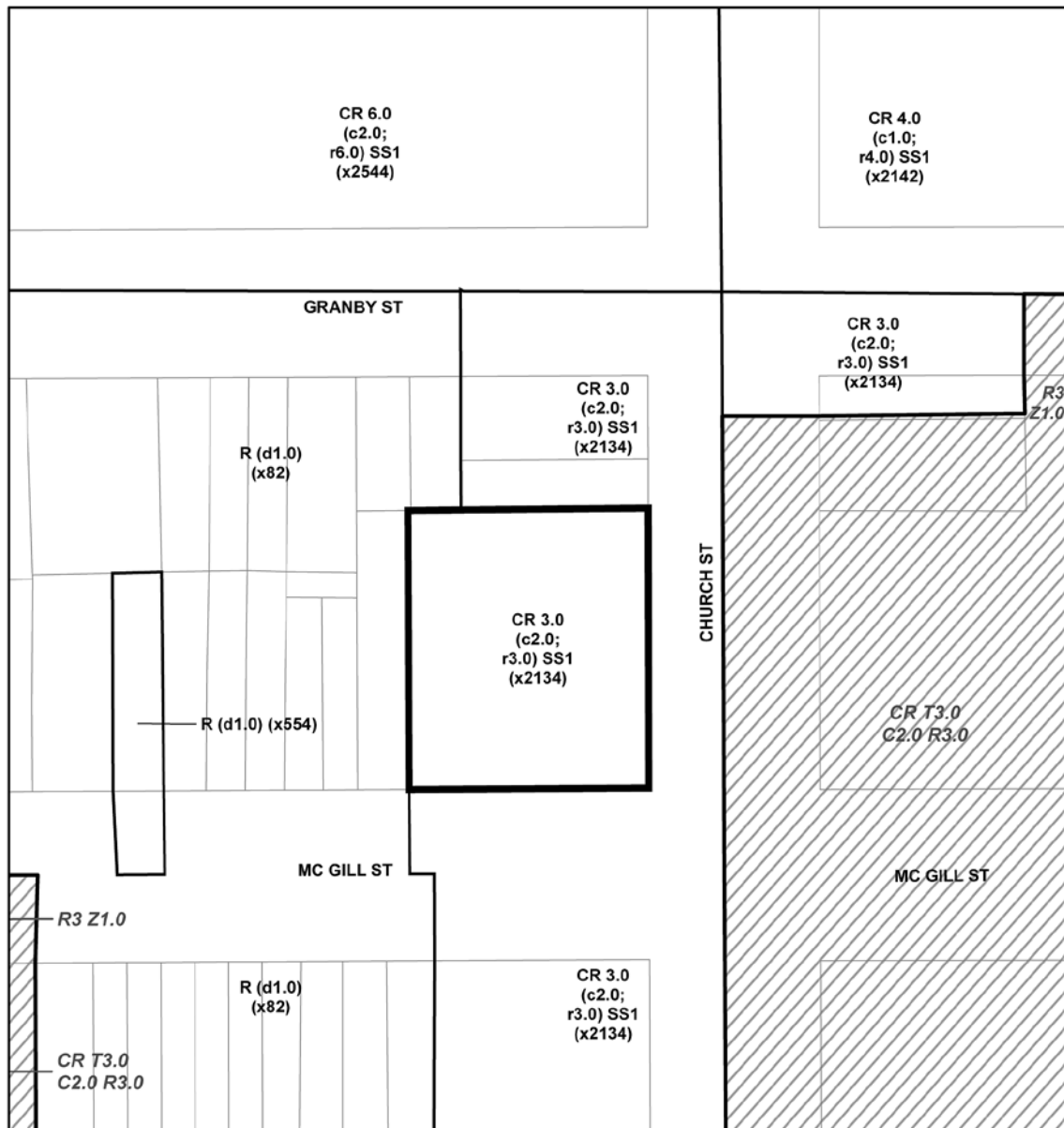
Applicant's Submitted Drawing

Not to Scale
04/16/2014

412 Church Street

File # 14 133930 STE 27 02

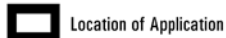
Attachment 6: Zoning



Zoning By-law 569-2013

412 Church Street

File # 14 133930 STE 27 02



R Residential
CR Commercial Residential



See Former City of Toronto Bylaw No. 438-86

CR Mixed-Use District
R3 Residential District



Not to Scale
Extracted: 04/16/2014

Attachment 7: Application Datasheet

Application Type	Rezoning	Application Number:	14 133930 STE 27 OZ
Details	Rezoning, Standard	Application Date:	March 26, 2014
Municipal Address:	412 CHURCH STREET		
Location Description:	PLAN 203 PT LOT 13 & 14 **GRID S2712		
Project Description:	Proposed 3- storey mixed use, privately run, student residence building containing 119 residential dwelling units (532 beds) with commercial at grade. The proposed residential gross is 13,456 square metres and the commercial gross floor area proposed is 235 square meters.		

Applicant:	Agent:	Architect:	Owner:
Planning Alliance 110 Adelaide St. E. Toronto, ON M5C 1K9	Bousfields, Inc. 300 Church St., Ste 300 Toronto, ON M5E 1M2	Regional Architects 110 Adelaide St. E. Toronto, ON M5C 1K9	1012689 Ontario Ltd. 45 Lower Jarvis Street Toronto, ON M5E 1R8

PLANNING CONTROLS

Official Plan Designation:	Mixed Use Areas	Site Specific Provision: Y
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):	907	Height:	Storeys:	32	
Frontage (m):	32.25		Metres:	98.2	
Depth (m):	28.22				
Total Ground Floor Area (sq. m):	233				Total
Total Residential GFA (sq. m):	13,456		Parking Spaces:	5	
Total Non-Residential GFA (sq. m):	235		Loading Docks	1	
Total GFA (sq. m):	13,691				
Lot Coverage Ratio (%):	25.7				
Floor Space Index:	15				

DWELLING UNITS

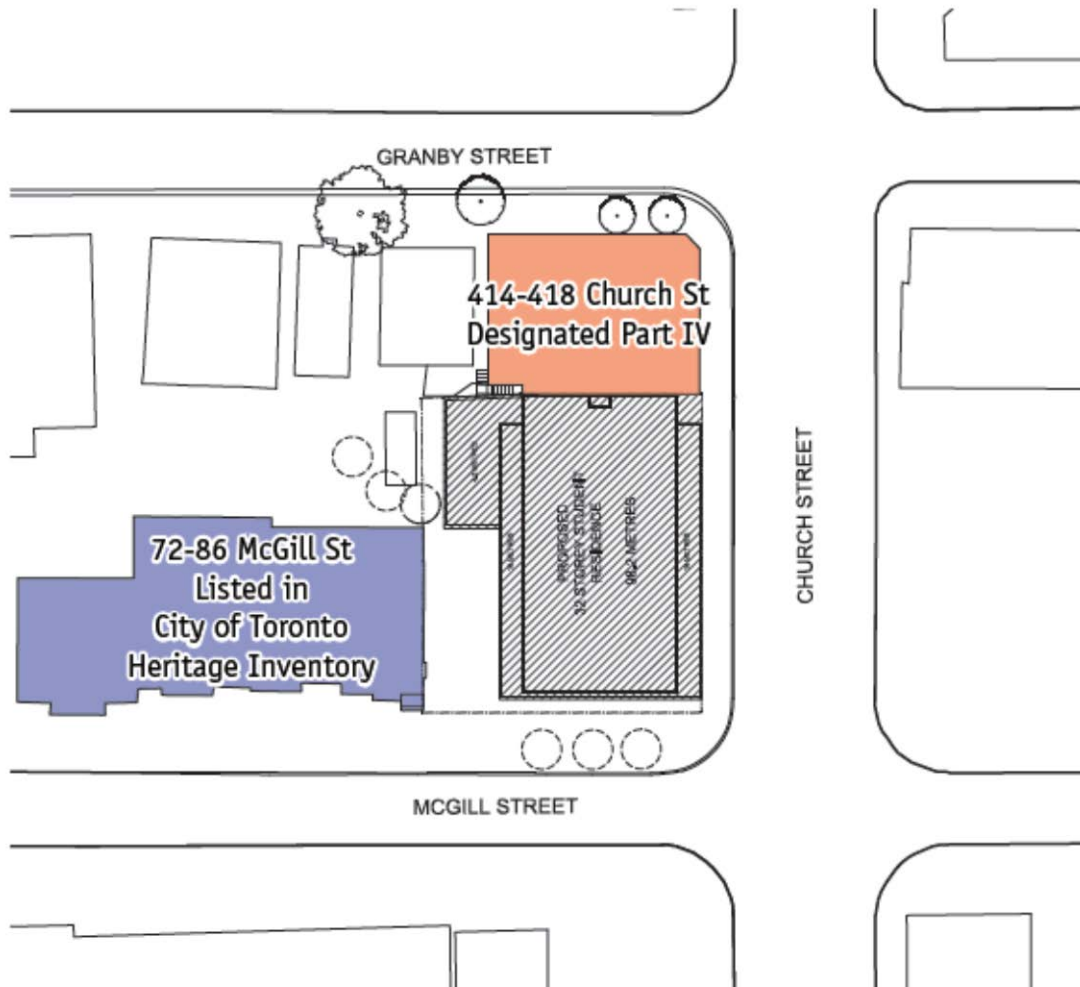
Tenure Type:	Rental
Rooms:	0
Bachelor:	0
1 Bedroom:	0
2 Bedroom:	0
3 + Bedroom:	119
Total Units:	119 (532 Beds)

FLOOR AREA BREAKDOWN (upon project completion)

		Above Grade	Below Grade
Residential GFA (sq. m):	13,456		0
Retail GFA (sq. m):	156		0
Office GFA (sq. m):	79		0
Industrial GFA (sq. m):	0		0
Institutional/Other GFA (sq. m):	0		0

CONTACT:	PLANNER NAME:	Giulio Cescato, Planner
	TELEPHONE:	(416) 392-0459
	EMAIL:	gcscat@toronto.ca

Attachment 8: Site Plan and Adjacent Heritage Properties



Proposed Site Plan and Adjacent Heritage Properties
Applicant's Submitted Drawing

04/16/2014

412 Church Street

File # 14 133930 STE 27 0Z

Attachment 9: Adjacent Heritage Properties



86 McGill Street (above left) 414-418 Church Street (above right)



Development Site

Photographs

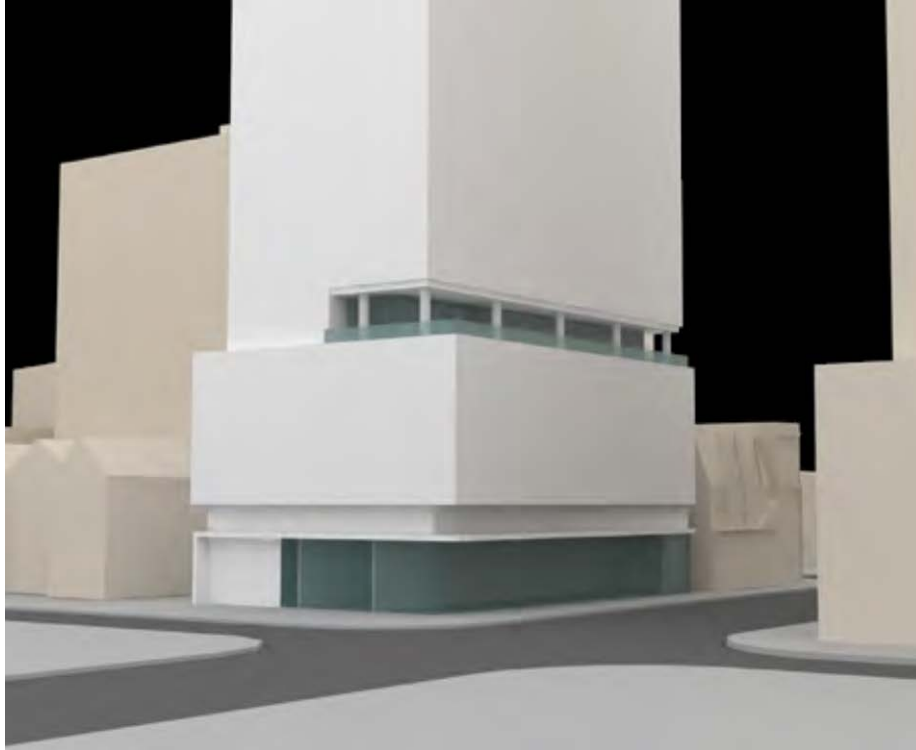
Applicant's Submitted Drawing

04/16/2014

412 Church Street

File # 14 133930 STE 27 0Z

Attachment 10: Massing Model



Proposed Development, Massing Model

Applicant's Submitted Drawing

04/16/2014

412 Church Street

File # 14 133930 STE 27 0Z