

40, 46, 48, 50, 52 and 60 McCaul Street and 10 Stephanie Street – Zoning Amendment – Final Report

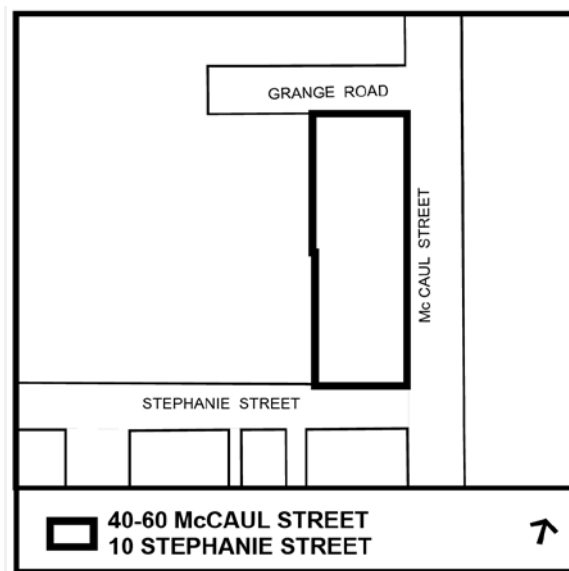
Date:	February 2, 2016
To:	Toronto and East York Community Council
From:	Director, Community Planning, Toronto and East York District
Wards:	Ward 20 – Trinity-Spadina
Reference Number:	14 174774 STE 20 OZ

SUMMARY

This application proposes to construct a 14-storey mixed-use building with commercial at-grade and residential above and a 3-storey private art gallery at 40 to 60 McCaul Street and 10 Stephanie Street. The 14-storey mixed-use building has a total height of 43.2 metres (including mechanical penthouse) and contains 190 residential units. The application includes two levels of below-grade parking containing 96 vehicular parking spaces. A 195 square metre Privately Owned Publicly-Accessible Space (POPS) is also proposed for the site.

City Planning Staff have reviewed the application against applicable policies and guidelines and find that the application conforms to the Official Plan policies. The applicant has made significant modifications to address the comments from City Staff, such as reducing the height to be sympathetic to its surrounding context including OCAD and the AGO, improving the visibility of the heritage designated St. George the Martyr Anglican Church, and the introduction of a POPS.

This report reviews and recommends approval of the Zoning By-Law Amendment application subject to some minor revisions to the provision of parking in accordance with the requirements as set out in this report and to a number of conditions as detailed in the recommendations, including the requirement



that the applicant purchase from the City a piece of City-owned land included in the development site.

RECOMMENDATIONS

The City Planning Division recommends that:

1. City Council amend former City of Toronto Zoning By-law 438-86 for the lands at 40 to 60 McCaul Street and 10 Stephanie Street substantially in accordance with the draft Zoning By-law Amendment to be available at the February 23, 2016 Toronto and East York Community Council meeting.
2. City Council amend City of Toronto Zoning By-law 569-2013 for the lands at 40 to 60 McCaul Street and 10 Stephanie Street substantially in accordance with the draft Zoning By-law Amendment to be available at the February 23, 2016 Toronto and East York Community Council meeting.
3. City Council authorize the City Solicitor to make such stylistic and technical changes to the draft Zoning By-law Amendments as may be required.
4. Before introducing the necessary Bills to City Council for enactment, require the owner(s) to provide clarification and documentation with respect to the nature of the easements/rights-of-way set out in Instrument Nos. EP107976, CA750356 and CA779430, Instrument No. CA779428 (north-south right of way) and Instrument Nos. EP107976, CA779430, CA779431, and CA779428 (east-west right of way) and whether these easements/rights-of-way will have to be amended, or will still be required, as a result of the proposed re-development to the satisfaction of the Executive Director, Engineering and Construction Services.
5. Before introducing the necessary Bills to City Council for enactment, require the owner(s) to provide revised plans indicating a notation to convey and register to the City, at nominal cost, a non-exclusive easement in perpetuity in favour of the City, for use by the City and general public of a 5.0 metre corner rounding at McCaul Street and Stephanie Street at the south east limit of the property, and a 5.0 metre corner rounding required at McCaul Street and Grange Road at the north-east limit of the property, as identified as Area C on Attachment No. 8, to the satisfaction of the Executive Director, Engineering and Construction Services.
6. Before introducing the necessary Bills to City Council for enactment:
 - a. City Staff obtain any required authorities and approvals in compliance with the City's real estate disposal process set out in Chapter 213 of the City of Toronto Municipal Code, to sell the east-west strip of City-owned land fronting McCaul Street, approximately 4.3 metres in width, to become part of the proposed development site, and complete such sale.

- b. City Council authorize the Chief Corporate Officer and the Director of Real Estate Services to execute the documents required to implement the disposal and sale of the City-owned lands forming part of the proposed development site, including the execution of any required consents, approvals or permissions; and,
- 7. Before introducing the necessary Bills to City Council for enactment, require the owner(s) to enter into an Agreement pursuant to Section 37 of the *Planning Act* satisfactory to the City Solicitor to secure the following:
 - a. Prior to issuance of an above grade building permit (other than a building permit for a temporary sales office/pavilion) the owner shall provide a financial contribution to the City to be used for community benefits in the amount of \$1,000,000 to be used towards the following, all to the satisfaction of the Chief Planner and Executive Director of City Planning in consultation with the Ward Councillor:
 - i. a cash contribution of \$600,000 towards community services, facilities, parkland acquisition and/or parkland improvements in the Grange Community to the satisfaction of the Chief Planner and Executive Director, City Planning Division and the General Manager Parks, Forestry, and Recreation in consultation with the Ward Councillor.
 - ii. a cash contribution of \$200,000 towards landscaping improvements in the public realm on McCaul Street and in the Grange Community, to the satisfaction of the Chief Planner and Executive Director, City Planning Division in consultation with the Ward Councillor and the Grange Community Association.
 - iii. a cash contribution of \$100,000 for the provision of new affordable housing in Ward 20.
 - iv. a cash contribution of \$100,000 for capital repairs to existing Toronto Community Housing buildings in Ward 20.

with such amount to be indexed upwardly in accordance with the Statistics Canada Construction Price Index for Toronto, calculated from the date of execution of the Section 37 Agreement to the date the payment is made.
 - b. Prior to the issuance of any building permit (other than building permit for a temporary sales office/pavilion) the owner shall:
 - i. convey and register, for nominal consideration, a non-exclusive easement in perpetuity in favour of the City, for use by the City, University Settlement House and the general public for a pedestrian thoroughfare, as identified as Area B on Attachment No. 8. The

pedestrian thoroughfare will be to the satisfaction of the City Solicitor in consultation with the Chief Planner and Executive Director, City Planning, with the specific location, configuration and design to be determined to the satisfaction of the Chief Planner and Executive Director, City Planning, as part of the site plan approval process for all or any part of the site. The maintenance of this pedestrian thoroughfare is to be the responsibility of the owner.

- ii. convey and register, for nominal consideration, a non-exclusive easement in perpetuity in favour of the City, for use by the general public as publicly-accessible, privately-owned, open space at the south end of the site with a minimum area of 195 square metres, as identified as Area A on Attachment No. 8, to the satisfaction of the City Solicitor in consultation with the Chief Planner and Executive Director, City Planning. The specific configuration and design to be determined to the satisfaction of the Chief Planner and Executive Director, City Planning, as part of site plan approval, and to come into effect on the first residential or non-residential occupancy. The maintenance of this publicly-accessible, privately-owned, open space is to be the responsibility of the owner;
- c. The owner shall be financially responsible for all costs associated with the excavation, improvement, removal and/or relocation of any above or below-grade public or private utility resulting from the development of this property.
- d. Prior to the issuance of the first building permit, the owner will submit a Construction Management Plan, to the satisfaction of the Chief Planner and Executive Director, City Planning division, the General Manager of Transportation Services, and the Chief Building Official, in consultation with the Ward Councillor and thereafter in support of the development, will implement the plan during the course of construction. The Construction Management Plan will include, but not limited to, details regarding size and location of construction staging areas, dates and significant concrete pouring activities, measures to ensure safety lighting does not negatively impact adjacent residences, construction vehicle parking locations, refuse storage, site security, site supervisor contact information, continued access to the emergency exit and daycare at University Settlement House, continued access to parking at St. George the Martyr Anglican Church, the impact of construction on the heritage building at St. George the Martyr Anglican Church, and any other matters deemed necessary.
- e. In the event the cash contribution(s) has not been used for the intended purpose within three (3) years of this By-law coming into full force and effect, the cash contribution may be redirected for another purpose, at the

discretion of the Chief Planner and Executive Director of City Planning, in consultation with the local Councillor, provided that the purposes are identified in the Toronto Official Plan and will benefit the community in the vicinity of the lands.

Financial Impact

The recommendations in this report have no financial impact.

DECISION HISTORY

At its meeting of August 12, 2014, Toronto & East York Community Council adopted the recommendations in the report from the Director, Community Planning, Toronto and East York District (dated July 10, 2014) entitled "40 to 60 McCaul Street and 10 Stephanie Street – Zoning Amendment Application – Preliminary Report" (File No. 14 174774 STE 20 OZ).
<http://www.toronto.ca/legdocs/mmis/2014/te/bgrd/backgroundfile-71548.pdf>

ISSUE BACKGROUND

Proposal

Original Submission – June, 2014

The applicant's original submission proposed a 14-storey residential building on the south portion of the site, and a 3-storey private art gallery on the north portion of the site. The proposed residential building had a height of 14-storeys (50.65 metres, including mechanical penthouse), with a step down to 11 storeys (35.8 metres) as the building transitioned north. A lane was proposed to bisect the property between the proposed residential building and the private art gallery. A lane was also proposed to run along the western edge of the property extending from Stephanie Street to Grange Road.

The applicant proposed 3 levels of underground parking below the residential building, containing 91 parking spaces. The underground parking was accessible from Stephanie Street via a proposed laneway. Two loading spaces were also proposed, including one Type G loading space and one Type C loading space. The proposed Type G loading space was to be located on the ground floor of the residential building and accessed from the lane from Stephanie Street. The proposed Type C loading space was to be located on the western edge of the ground floor of the private art gallery, and accessible via the laneway extending from Stephanie Street.

Additional information about the original proposal is detailed in the table below.

Revised Submission – September, 2015

The applicant revised their proposal based on comments from City Staff and the community. The proposed height of the 14-storey building was reduced to 43.23 metres (including mechanical penthouse) with a step down to 12 storeys with a height of 34.21 metres as the building transitions north. The massing of the building was modified to add additional stepping, as shown on the elevations in Attachments No. 2 to 5. The proposed setback at grade on Stephanie Street was increased and a 195 square metre Privately-Owned Publically-Accessible Space was added at the corner of McCaul Street and Stephanie Street. Additional information about the revised proposal is detailed in the table below.

Table 1 – Summary of Revisions to the Application

Category	First Submission June 16, 2014	Final Submission September 18, 2015
Site Area	2,813.6 sq.m.	2,952.9 sq.m.
Building Height	Art Gallery – 14.6 m Tower – 50.65 m	Art Gallery – 15.81 m Tower – 43.23 m
Gross Floor Area By-Law 438-86		
Tower	13,386.3 sq.m.	14,231 sq.m.
<i>Residential GFA</i>	<i>13,386.3 sq.m.</i>	<i>14,095 sq.m.</i>
<i>Non-Residential GFA</i>	<i>0 sq.m.</i>	<i>136 sq.m.</i>
Gallery	1,548.5 sq.m.	1,595 sq.m.
Total	14,934.8 sq.m.	15,826 sq.m.
By-Law 569-2013		
Tower	13,086.7 sq.m.	13,893 sq.m.
<i>Residential GFA</i>	<i>13,086.7 sq.m.</i>	<i>13,757 sq.m.</i>
<i>Non-Residential GFA</i>	<i>0 sq.m.</i>	<i>136 sq.m.</i>
Gallery	1548.5 sq.m.	1,595 sq.m.
Total	14,635.2 sq.m.	15,488 sq.m.
Floor Space Index		
By-Law 438-86	5.31	5.40
By-Law 569-2013	5.20	5.24
Number of Units		
1 Bedroom	100 (54 %)	131 (69%)
2 Bedroom	64 (35%)	40 (21%)
3 Bedroom	20 (11%)	19 (10%)
Total	184	190
Ground Floor Height	5.7 m	3.52 m
Sidewalk Zone		
Stephanie Street	6m – 6.2m	12.2m
McCaul Street	7.2m	5.2m – 6.8m
Grange Road	6.8m	6.6m – 9.4m
Proposed Vehicular Parking (residential:visitor:non- residential for gallery)	75:16:0	85:11:0
Proposed Bicycle Parking (long-term: short-term: short-term gallery)	169:42:0	172:20:6
Loading Spaces	1 Type G; 1 Type C	1 Type G; 1 Type C
Amenity Space		
Indoor	368 sq.m. (2.0 sq.m./unit)	380 sq.m. (2.0 sq.m./unit)
Outdoor	381 sq.m. (2.07 sq.m./unit)	246 sq.m. (1.3sq.m./unit)
Total	749 sq.m. (4.07 sq.m./unit)	626 sq.m. (3.3 sq.m./unit)

Site and Surrounding Area

The subject site is an assembly of parcels, namely 40, 46, 48, 50, 52 and 60 McCaul Street and 10 Stephanie Street, that are located at the northwest corner of McCaul Street and Stephanie Street, approximately 150 metres north of Queen Street West. The site is approximately 2,953 square metres in area with 94 metres of frontage on McCaul Street and 31 metres on Stephanie Street.

Currently, 40 to 50 McCaul Street and 10 Stephanie Street are a surface parking lot; 52 McCaul Street has a 3-storey commercial building; and 60 McCaul Street has a 1-storey commercial building. The properties at 52 and 56 McCaul Street are divided by a strip of City-owned land, approximately 4.3 metres in width, which connects to the north-south laneway leading to Stephanie Street at the rear of 46 to 52 McCaul Street.

The site is surrounded by the following uses:

- North: At the northwest corner of McCaul Street and Grange Road there are two, 3-storeys semi-detached Victorian houses that contain retail uses. Further north is Butterfield Park and the Ontario College of Art and Design (OCAD).
- South: At the southwest corner of McCaul Street and Stephanie Street is an 11-storey residential condominium with 2-storey townhouse units that front onto McCaul Street.
- East: On the east side of McCaul Street is a 6-storey residential condominium building that is part of the Village by the Grange that has townhouses on the ground floor.
- West: Immediately west of the site is St. George the Martyr Anglican Church which is on the City's inventory of designated properties. North of the church, is the University Settlement Recreation Centre which is a 2-storey institutional building including recreational spaces on the north and south sides of the property. Additionally, The Grange and Grange Park, which are designated under the *Ontario Heritage Act*, are located northwest of the site, just south of the Art Gallery of Ontario.

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 is important. Policies are outcome-oriented, and some policies provide flexibility in their implementation provided that provincial interests are upheld. 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 have reviewed the proposed development for consistency with the Provincial Policy Statement and for conformity to the Growth Plan for the Greater Golden Horseshoe.

Official Plan

The City of Toronto's Official Plan Map 18 designates the site as a *Mixed Use Area* and Map 2 - Urban Structure identifies the site as being within the *Downtown and Central Waterfront*. The Official Plan identifies that the *Downtown* is an area of the City which can accommodate a mix of residential and employment growth.

Section 2.2.1.1 of the Official Plan states the *Downtown* will evolve as a healthy and attractive place to live and work as new development that supports the reurbanization strategy and the goals for *Downtown* is attracted to the area. In particular, the *Downtown* policies of this plan will shape the City's future by accommodating development that:

- builds on the strength of *Downtown* as the premier employment centre in the GTA; and
- provides a full range of housing opportunities for *Downtown* workers and reduces the demand for in-bound commuting.

Section 2.2.1.3 of the Official Plan states that the quality of the *Downtown* will be improved by a full range of housing opportunities including through residential intensification in the *Mixed Use Areas* and *Regeneration Areas of Downtown*.

Section 2.3.1 of the Plan sets out policies for developments in *Mixed Use Areas*, *Regeneration Areas* and *Apartment Neighbourhoods* that are adjacent or close to *Neighbourhoods*. The policies state that new development will:

- be compatible with those *Neighbourhoods*;
- provide a gradual transition of scale and density, as necessary to achieve the objectives of the Official Plan through the stepping down of buildings towards and setbacks from the *Neighbourhoods*;
- maintain adequate light and privacy for residents in those *Neighbourhoods*; and
- attenuate resulting traffic and parking impacts on adjacent neighbourhood streets so as not to significantly diminish the residential amenity of those *Neighbourhoods*.

The *Mixed Use Areas* designation permits a broad range of commercial, residential and institutional uses in single-use or mixed-use buildings. Policy 4.5.2 sets out development criteria within the *Mixed Use Area* designation including:

- locating and massing new buildings to provide transition between areas of different development intensity and scale, through means such as providing

appropriate setbacks and/or stepping down heights, particularly towards lower scale *Neighbourhoods*;

- locating and massing new buildings so as to adequately limit shadow impacts on adjacent *Neighbourhoods*, particularly during the spring and fall equinoxes;
- locating and massing new buildings to frame the edges of streets and parks with good proportions and maintaining sunlight and comfortable wind conditions for pedestrians on adjacent streets, parks and open spaces;
- providing an attractive, comfortable and safe pedestrian environment;
- taking advantage of nearby transit services; and
- providing good site access and circulation and an adequate supply of parking for residents and visitors.

The Built Form policies of the Official Plan, specifically policy 3.1.2.1 provides that new development will be located and organized to fit with its existing and/or planned context.

Relevant criteria include:

- generally locating buildings parallel to the street with a consistent front yard setback;
- on corner lots, locating development along both adjacent street frontages and giving prominence to the corner;
- locating main building entrances so that they are clearly visible and directly accessible from the public sidewalk; and
- providing ground floor uses that have views into and, where possible, access to adjacent streets.

Policy 3.1.2.3 sets out policies to ensure that new development will be massed and its exterior façade will be designed to fit harmoniously into its existing and/or planned surrounding context, and will limit its impact on neighbouring streets, parks, open spaces and properties by:

- massing new buildings to frame adjacent streets and open spaces in a way that respects the existing and/or planned street proportion;
- incorporating exterior design elements to influence the character, scale and appearance of the development;
- creating appropriate transitions in scale to neighbouring existing and/or planned buildings;
- providing for adequate light and privacy;
- adequately limiting any resulting shadowing of, and uncomfortable wind conditions on, neighbouring streets, properties and open spaces, having regard for the varied nature of such areas; and
- minimizing any additional shadowing and uncomfortable wind conditions on neighbouring parks as necessary to preserve their utility.

The proposed development is subject to the City's Official Plan Heritage Policies, including Official Plan Amendment 199 which was enacted by City Council in April 2013 to strengthen the City's heritage policies. Section 3.1.5 of the Official Plan states that development adjacent to properties on the City's Heritage Register will be designed to conserve the cultural heritage values, attributes and character of that property and to mitigate the visual and physical impact on it. The proposed development is located in close proximity to a number of heritage designated properties, including St. George the Martyr Church; the Grange and Grange Park; and 74 to 76 McCaul Street. The impact of the proposed development on adjacent heritage properties was taken into consideration when reviewing this application.

This proposal was reviewed against the policies described above as well as the policies of the Official Plan as a whole.

Zoning

Both the former City of Toronto Zoning By-law 438-86 and the new City-wide Zoning By-law No. 569-2013 apply to this site. As per Zoning By-law 438-86, the site is zoned Residential (R3 Z2.0), with a height limit of 14.0 metres. This permits a full range of residential uses, including an apartment building, as well as a limited range of public and institutional uses. The maximum residential density permitted is 2.0 times the area of the lot.

The new City-wide Zoning By-law No. 569-2013 zones the site R (f4.5; d2.0) (x693). The R (Residential) zone permits a full range of residential uses and a limited range of public and institutional uses, subject to conditions. The height limit across the site is 14.0 metres and the maximum density permitted is 2.0 times the lot area.

Site Plan Control

A Site Plan Control application was submitted for the proposed development on December 17, 2015 and is currently under review. The applicant has been advised that a minimum Stage 1 archaeological assessment will be required for the entire site.

Reasons for Application

The proposed development does not comply with several aspects of Zoning By-Law 438-86 and Zoning By-Law 569-2013, including but not limited to: height, density, permissions for commercial uses, and number of residential parking spaces.

Community Consultation

There were two community consultation meetings held by City Planning for this application. The first meeting was held on November 13, 2014. At the meeting, the applicant presented their original submission and a question and comment period followed. The meeting was attended by approximately 25 people. Issues raised included the following:

- additional traffic in the area generated by the proposed development;
- height of the proposed development, including the height of the mechanical penthouse;

- shadow impact on Grange Park and McCaul Street;
- preserving the view of OCAD;
- relationship to the St. George the Martyr Anglican Church.

The second meeting was held on July 14, 2015. At this meeting, the applicant presented the revised proposal, showing modifications to the first submission to address comments that had been made at the previous meeting. The meeting was attended by approximately 40 people and the issues raised include:

- building height, including the height of the mechanical penthouse;
- additional traffic in the area generated by the proposed development;
- the function and design of the access to the parking garage and the laneway;
- potential disruption caused by building construction;
- lack of transparency of the proposed private art gallery;
- choice of materials for the buildings.

Comments were also received from members of the public in writing and by e-mail after the public meeting expressing similar concerns to those noted above. The public input was influential in shaping the revisions to the proposal that were made following the July, 2015 public meeting. Other items, such as issues of transparency and the choice of materials, will be reviewed as part of the Site Plan Control application.

Agency Circulation

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

COMMENTS

Provincial Policy Statement and Provincial Plans

The 2014 PPS promotes new development through intensification in keeping with municipal Official Plans, where such intensification recognizes the development's local context and has a well-designed built form. This application provides a built form that fits within its local context and is consistent with the 2014 PPS.

The Growth Plan for the Greater Golden Horseshoe designates the site within the urban growth centre. The Growth Plan recognizes urban growth centres as areas for development to accommodate intensification, to provide for a range of housing options and to provide for appropriate transition of built form to adjacent areas. This application accommodates

intensification and provides an acceptable transition of built form to adjacent areas. As such, this application does not conflict with the Growth Plan for the Greater Golden Horseshoe.

Land Use

The proposed development is located within the *Downtown* in an area designated *Mixed Use Areas* in the Official Plan. The proposal is for a mixed-use development with a 14-storey mixed-use building with commercial uses at-grade and residential above, as well as a 3-storey private art gallery. Staff have determined that the proposed mixed-use development is appropriate for the site and complies with the *Mixed Use Areas* and *Downtown* policies in the Official Plan. The proposed development compliments the precinct that contains OCAD and the AGO. The site specific zoning by-law will limit the uses on the site to the 14-storey mixed use building on the south portion of the site and the 3-storey art gallery on the northern portion of the site.

Density, Height, Massing

The overall height, density, and massing of the site is appropriate and has been distributed to mitigate the impact of the proposed development on the surrounding area to the satisfaction of Staff.

Significant modifications have been made to the original proposal to develop a built form acceptable to Planning Staff. The 14-storey building in the original proposal had a height of 50.65 metres, including the mechanical penthouse, stepping down to a height of 35.8 metres towards the north elevation. The applicant was asked to reduce their proposed heights to respond to the surrounding context, including maintaining the prominence of OCAD and the AGO. The proposed private art gallery had a height of 14.6 metres including the mechanical elements. The proposed residential tower also extended at grade to Stephanie Street, blocking views of the heritage-designated St. George the Martyr Anglican Church and impacting the ability of light to penetrate the stained glass windows. The applicant was asked to revise their proposal to allow for continued views of St. George the Martyr Anglican Church. Staff did not object to the proposed density, rather the way that the proposed density was distributed through the height and massing on the site.

The applicant revised their proposal to respond to concerns of height and massing from the original proposal. The application remained at 14-storeys, however the height was reduced to 43.23 metres including mechanical penthouse as the mechanical penthouse was incorporated in the 14th floor and floor to ceiling heights were reduced. Additional steps were added to the building to break up the massing, and the building was revised to step down to 34.21 metres at the north. The revised heights and additional stepping created a development that was more sensitive to the surrounding context, including its relationship to OCAD and the AGO. The massing on the site was also redistributed, such that the setback on Stephanie Street was increased at grade through the provision of a POPS, with the building gradually cantilevering towards Stephanie Street, beginning on the 4th storey. This modification preserved views of St. George the Martyr Anglican Church and the stained glass windows.

The amount and configuration of the density on the site for the 14-storey mixed-use building and the private art gallery is the maximum amount that is considered to be appropriate for the site.

Sun, Shadow, Wind

The initial proposal for the site shadowed the University Settlement Recreation Centre, heritage buildings and landscapes such as 74 to 76 McCaul Street and Grange Park, as well as the public realm along McCaul Street. The height of the proposed development has been reduced and the massing has shifted, which has reduced the shadow impact to a level that is acceptable to Staff.

Provision of Family-Sized Units

The proposed development includes 190 residential units. The proposed unit breakdown is 131 1-bedroom units (69%), 40 2-bedroom units (21%), and 19 3-bedroom units (10%). The proposed proportion of 10% 3-bedroom units helps to create a diversity of unit types and accommodate families. While the first submission included an additional 3-bedroom unit (20 units), the size of the proposed 3-bedroom units has increased significantly from the first submission such that all 3-bedroom units are over 93 square metres (1,000 square feet). The percentage and size of the 3-bedroom units will be secured in the by-law.

Access

Access to the site is proposed from Stephanie Street via a lane running north and south along the western edge of the site. This provides access to the parking garage and Type G loading space for the 14-storey building and also provides access to the Type C loading space for the private art gallery. A lane is also proposed to run east and west between the private art gallery and the 14-storey building which would be accessible from McCaul Street. This lane is intended primarily for pedestrian purposes, however the western portion of this lane would also be traversed by vehicles on occasion to access the Type C loading space for the private art gallery, as it links to the lane from Stephanie Street that provides for vehicular access to this loading space.

Initial concerns about the proposal included issues of access to the parking lot for St. George the Martyr Anglican Church and for access to the daycare and emergency exit for University Settlement House, which is located on land owned by the City. The owner purchased the laneway on the south western edge of the property for inclusion in the development site, which provides the only means of access to the parking lot of St. George the Martyr Anglican Church. The City also has an easement over this lane. The applicant and the Church are currently negotiating an easement agreement to allow continued access to the Church parking lot.

Access to the daycare and emergency exit for University Settlement House is currently provided by a City-owned strip of land, approximately 4.3 metres in width, which bisects the applicant's development sites. As discussed below, the applicant has proposed to have the owner (in the name of one of the adjoining landowner corporations) purchase this portion of City-owned land from the City for inclusion in the development site. Subject to the lands being declared surplus, all requirements of the City's real estate disposal process being complied with and the necessary City authorities and approvals being obtained, Real Estate Services will be working with the applicant and/or owner on the disposal and sale of this strip of City-owned land. In the event the land is sold to the owner, easements in favour of the City will be secured through the Section 37 Agreement for both the proposed lane running east and west between the private art gallery and the 14-storey building and the lane along the western edge of the property which connects Grange Road to Stephanie Street. These easements will allow for continued access to the

daycare and emergency exit for University Settlement House and increase pedestrian connectivity in the area. These easements are shown on Attachment No. 8 as Area B.

Continued access to the parking for St. George the Martyr Anglican Church and to the daycare and emergency exit of University Settlement House during construction will be regulated through a Construction Management Plan which will be secured through the Section 37 Agreement.

City-Owned Lands

A strip of City-owned land, approximately 4.3 metres in width, fronting on McCaul Street, currently bisects the applicant's development site and provides access to the daycare and emergency exit for University Settlement House, located on lands to the west also owned by the City. The applicant has proposed to have the owner (in the name of one of the adjoining landowner corporations) purchase this portion of City-owned land to incorporate into the development. In order for the City to sell this land to the owner it will need to be declared surplus by the City in accordance with the City's real estate disposal process set out in Chapter 213 of the City of Toronto Municipal Code, all requirements of the City's disposal process must be complied with, and the necessary City authorities and approvals for the sale of the lands to the owner must be obtained. Prior to declaring the lands surplus, the lands must be circulated to the City's agencies, boards, commissions and departments to ensure there is no municipal interest in retaining the lands. Before, and as a condition of, the bills being enacted for the proposed Zoning By-Law amendment, the sale of this City-owned land to the owner must be completed, in accordance with the above process.

Vehicular Parking

The applicant has not provided adequate information to justify their proposed reduction in parking spaces. The applicant is proposing a total of 96 vehicular parking spaces on two levels of underground parking, including 85 resident spaces, 11 residential visitor spaces, and 0 spaces for the private art gallery. Staff instead are proposing a parking rate of 0.5 spaces/1-bedroom unit, 0.8 spaces/2-bedroom unit, 1.0 spaces/3-bedroom units, and 0.10 visitors spaces per unit. Based on the proposed unit count this rate would require the provision of 136 parking spaces for the development. The draft zoning by-laws include the parking ratio recommended by Staff as the applicant's proposed parking provision is not sufficient for the site.

Loading

The applicant is proposing the provision of two loading spaces on the site, including one Type G loading space and one Type C loading space. The Type G loading space is proposed to be located on the west side of the ground floor of the 14-storey building. The Type C loading space is proposed to be located on the south side of the private art gallery. Both loading spaces would be accessed from Stephanie Street via a lane which is owned by the applicant. Staff consider the proposed loading space provision to be sufficient for the proposed development.

Bicycle Parking

Bicycle parking is proposed to be provided at a rate of 172 long-term bicycle parking spaces for residents, 20 short-term bicycle parking spaces for visitors to the residential units, and 6 bicycle parking spaces of short term bicycle parking for the art gallery. Long-term bicycle parking is to

be located on the P1 level, while the short-term bicycle parking is proposed to be located on the ground floor outside of the building. The proposed bicycle parking space provision complies with the Zoning By-law and is acceptable to Staff.

Open Space/Parkland

The Official Plan contains policies to ensure that Toronto's system of parks and open spaces are maintained, enhanced and expanded. Map 8B of the Toronto Official Plan shows local parkland provisions across the City. The lands which are the subject of this application are in an area with 0.43 to 0.78 hectares of local parkland per 1,000 people. The site is in the second lowest quintile of current provision of parkland. The site is in a parkland priority area, as per Chapter 415, Article III of the Toronto Municipal Code.

At the alternative rate of 0.4 hectares per 300 units specified in Chapter 415, Article III of the Toronto Municipal Code, the parkland dedication requirement is 2,680 square metres or 103% of the site area. However, for sites that are less than 1 hectare in size, a cap of 10% of the development site is applied to the residential use while the non-residential use is subject to a 2% parkland dedication. In total, the parkland dedication requirement is 268 square metres.

The applicant is required to satisfy the parkland dedication requirement through cash-in-lieu. This is appropriate as the site is less than 100 metres from Grange Park and an on-site POPS is being provided.

The actual amount of cash-in-lieu to be paid will be determined at the time of issuance of the building permit.

POPS

While the applicant will not be providing any on-site parkland dedication and will be satisfying the parkland requirement through cash-in-lieu, open space provision in the neighbourhood will be enhanced as the applicant is proposing the provision of a privately owned publicly-accessible space (POPS). This POPS is shown as Area A on Attachment No. 8. This space will remain privately owned, but it will be publicly accessible. The proposed POPS is to be minimum of 195 square metres and be located at the corner of Stephanie Street and McCaul Street. The location of the POPS at the corner of Stephanie Street and McCaul Street preserves the views of the heritage designated St. George the Martyr Anglican Church. The proposed POPS is also intended to act as an additional gateway to nearby Grange Park. The detailed design of the POPS will be reviewed and approved through the Site Plan Control application process. Access to and provision of the POPS will be secured through the Section 37 agreement.

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.

The site specific zoning by-law will secure performance measures for the provision of bicycle parking. Other applicable TGS performance measures will be secured through the Site Plan Approval process.

Section 37

The applicant has agreed to provide community benefits for the local community in consultation with City Planning staff and the Ward Councillor, to be secured in a Section 37 Agreement under the *Planning Act*. The benefits to be secured are as follows:

1. Prior to issuance of an above grade building permit (other than building permit for a temporary sales office/pavilion) the owner shall provide a financial contribution to the City to be used for community benefits in the amount of \$1,000,000 to be used towards the following capital improvements, all to the satisfaction of the Chief Planner and Executive Director of City Planning in consultation with the Ward Councillor:
 - a. a cash contribution of \$600,000 towards community services, facilities, and/or parkland improvements in the Grange Community to the satisfaction of the Chief Planner and Executive Director, City Planning Division and the General Manager Parks, Forestry, and Recreation in consultation with the Ward Councillor.
 - b. a cash contribution of \$200,000 towards landscaping improvements in the public realm on McCaul Street and in the Grange Community, to the satisfaction of the Chief Planner and Executive Director, City Planning Division in consultation with the Ward Councillor and the Grange Community Association.
 - c. a cash contribution of \$100,000 for the provision of new affordable housing in Ward 20.
 - d. a cash contribution of \$100,000 for the capital repairs to existing Toronto Community Housing buildings in Ward 20.

with such amount to be indexed upwardly in accordance with the Statistics Canada Construction Price Index for Toronto, calculated from the date of execution of the Section 37 Agreement to the date the payment is made.

2. Prior to the issuance of any building permit (other than a building permit for a temporary sales office/pavilion) the owner shall:
 - a. convey and register, for nominal consideration, a non-exclusive easement in perpetuity in favour of the City, for use by the City, University Settlement House and the general public as a publicly-accessible, privately-owned, pedestrian thoroughfare, as identified as Area B on Attachment No. 8. The pedestrian thoroughfare will be to the satisfaction of the City Solicitor in consultation with the Chief Planner and

Executive Director, City Planning, with the specific location, configuration and design to be determined to the satisfaction of the Chief Planner and Executive Director, City Planning, as part of any site plan approval for all or any part of the site. The maintenance of this pedestrian thoroughfare is to be the responsibility of the owner.

- b. convey and register, for nominal consideration, a non-exclusive easement in perpetuity in favour of the City, for use by the general public as publicly-accessible, privately-owned, open space at the south end of the site with a minimum area of 195 square metres to the general public, as identified as Area A on Attachment No. 8, to the satisfaction of the City Solicitor in consultation with the Chief Planner and Executive Director, City Planning. The specific configuration and design to be determined to the satisfaction of the Chief Planner and Executive Director, City Planning, as part of site plan approval, and to come into effect on the first residential or non-residential occupancy. The maintenance of this publicly-accessible, privately-owned, open space is to be the responsibility of the owner;
3. The owner shall be financially responsible for all costs associated with the excavation, improvement, removal and/or relocation of any above or below-grade public or private utility resulting from the development of this property.
4. Prior to the issuance of the first building permit, the owner will submit a Construction Management Plan, to the satisfaction of the Chief Planner and Executive Director, City Planning division, the General Manager of Transportation Services, and the Chief Building Official, in consultation with the Ward Councillor and thereafter in support of the development, will implement the plan during the course of construction. The Construction Management Plan will include, but not limited to, details regarding size and location of construction staging areas, dates and significant concrete pouring activities, measures to ensure safety lighting does not negatively impact adjacent residences, construction vehicle parking locations, refuse storage, site security, site supervisor contact information, continued access to the emergency exit and daycare at University Settlement House, continued access to parking at St. George the Martyr Anglican Church, the impact of construction on the heritage building at St. George the Martyr Anglican Church, and any other matters deemed necessary.
5. In the event the cash contribution(s) has not been used for the intended purpose within three (3) years of this By-law coming into full force and effect, the cash contribution may be redirected for another purpose, at the discretion of the Chief Planner and Executive Director of City Planning, in consultation with the local Councillor, provided that the purposes are identified in the Toronto Official Plan and will benefit the community in the vicinity of the lands.

Conclusion

The proposed 14-storey mixed-use building and 3-storey private art gallery are appropriate for the site and are consistent with the *Mixed Use* Areas Policies contained within the Official Plan. The applicant has revised the proposal such that the height and massing of the proposed development responds to the surrounding context and has limited shadow impact. The addition of a POPS at the corner of Stephanie Street and McCaul Street helps to retain views of the heritage designated St. George the Martyr Anglican Church and will enhance open space provision in the neighbourhood. Planning staff recommend approval of this application, as the applicant has made modifications to sufficiently address concerns identified by Staff.

CONTACT

Michelle Nicholson, Planner
Tel. No. (416) 338-2073
E-mail: mnichol3@toronto.ca

SIGNATURE

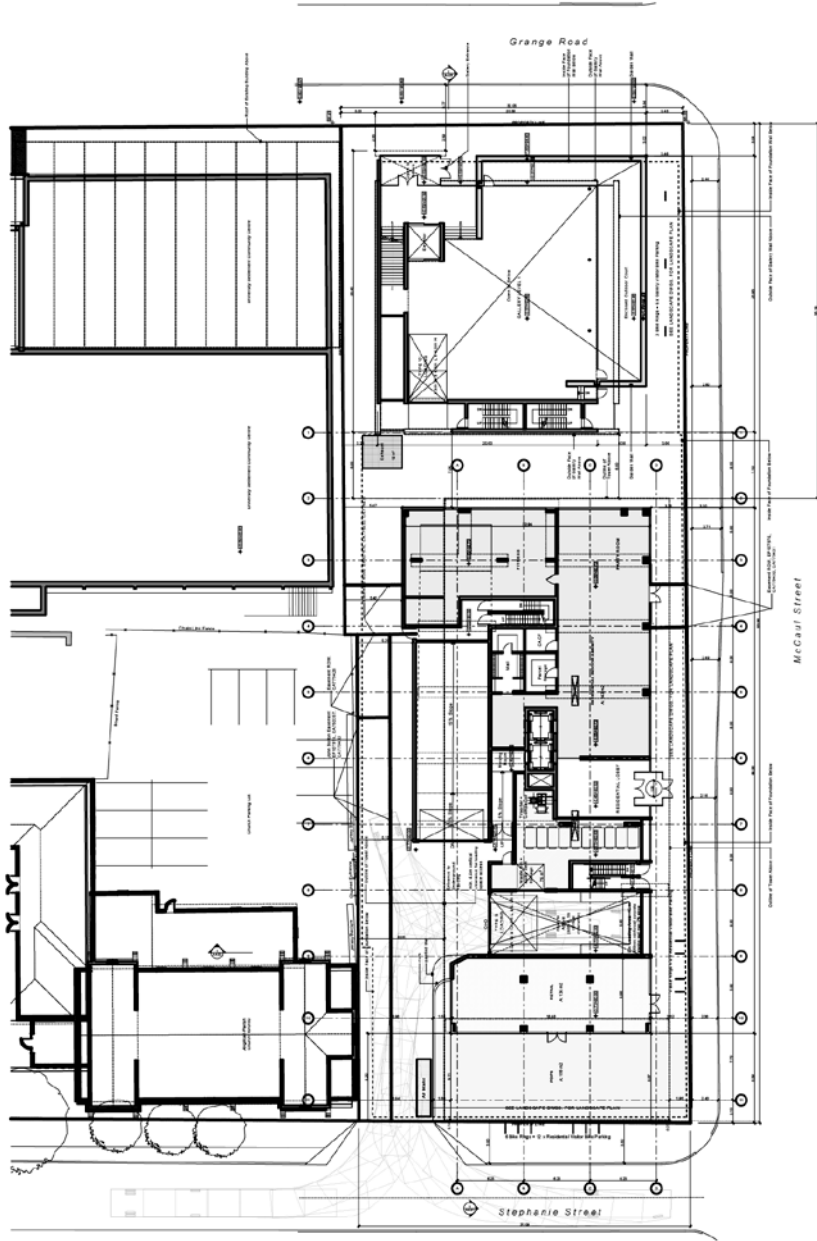
Gregg Lintern, MCIP RPP
Director, Community Planning
Toronto and East York District

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ATTACHMENTS

Attachment 1: Site Plan
Attachment 2: North Elevations
Attachment 3: South Elevations
Attachment 4: East Elevations
Attachment 5: West Elevations
Attachment 6: Zoning
Attachment 7: Application Data Sheet
Attachment 8: Easements to be Secured
Attachment 9: Draft Zoning By-law Amendment By-law 438-86
Attachment 10: Draft Zoning By-law Amendment By-law 569-2013

Attachment 1: Site Plan



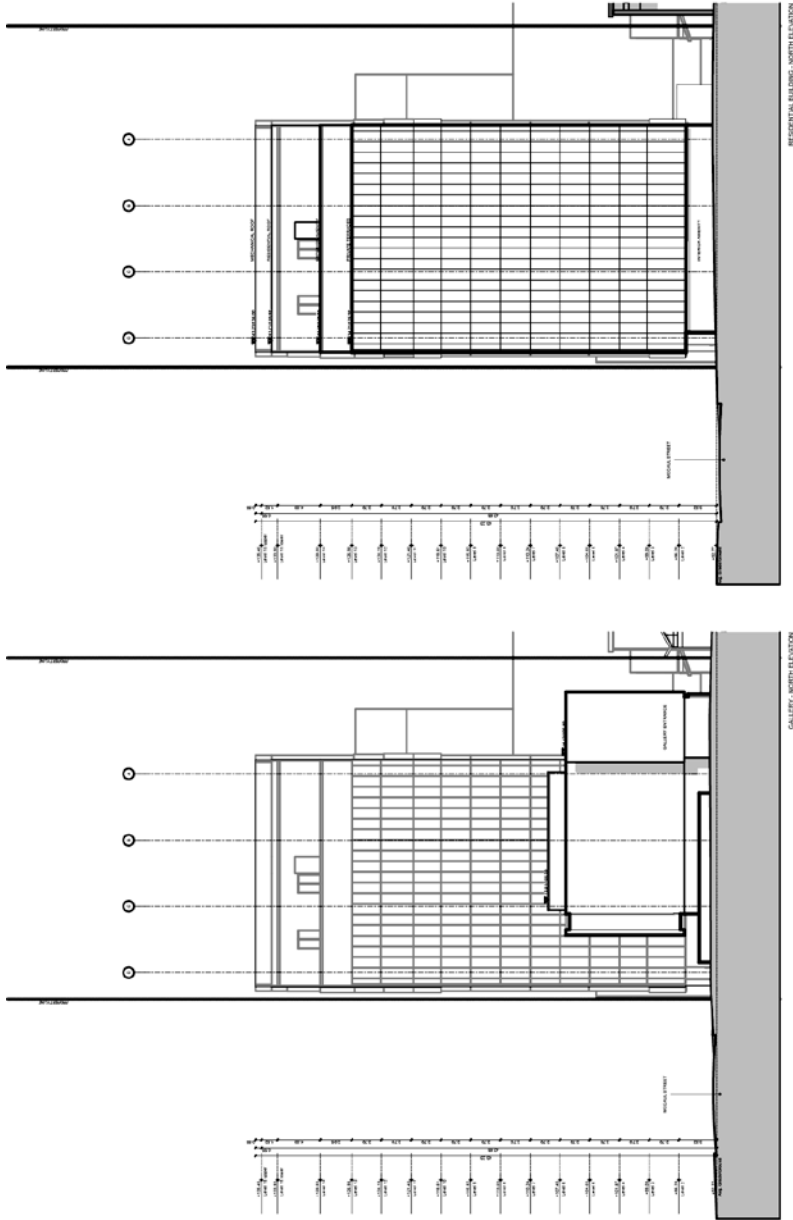
40-60 McCaul Street and 10 Stephanie Street

Site Plan
Applicant's Submitted Drawing
Not to Scale
01/18/2016



File # 14_174774 STE 20 0Z

Attachment 2: North Elevation



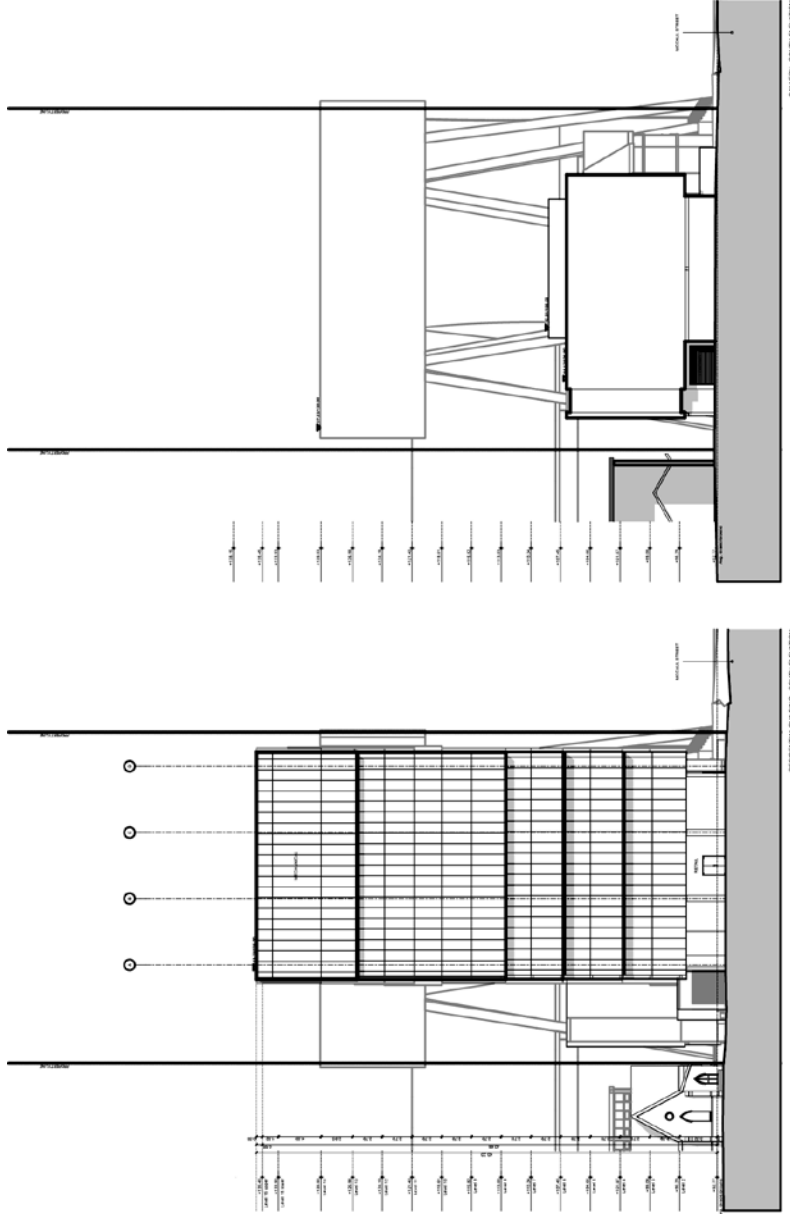
40-60 McCaul Street and 10 Stephanie Street

North Elevations
Applicant's Submitted Drawing

Not to Scale
01/18/2016

File # 14_174774 STE 20.0Z

Attachment 3: South Elevation

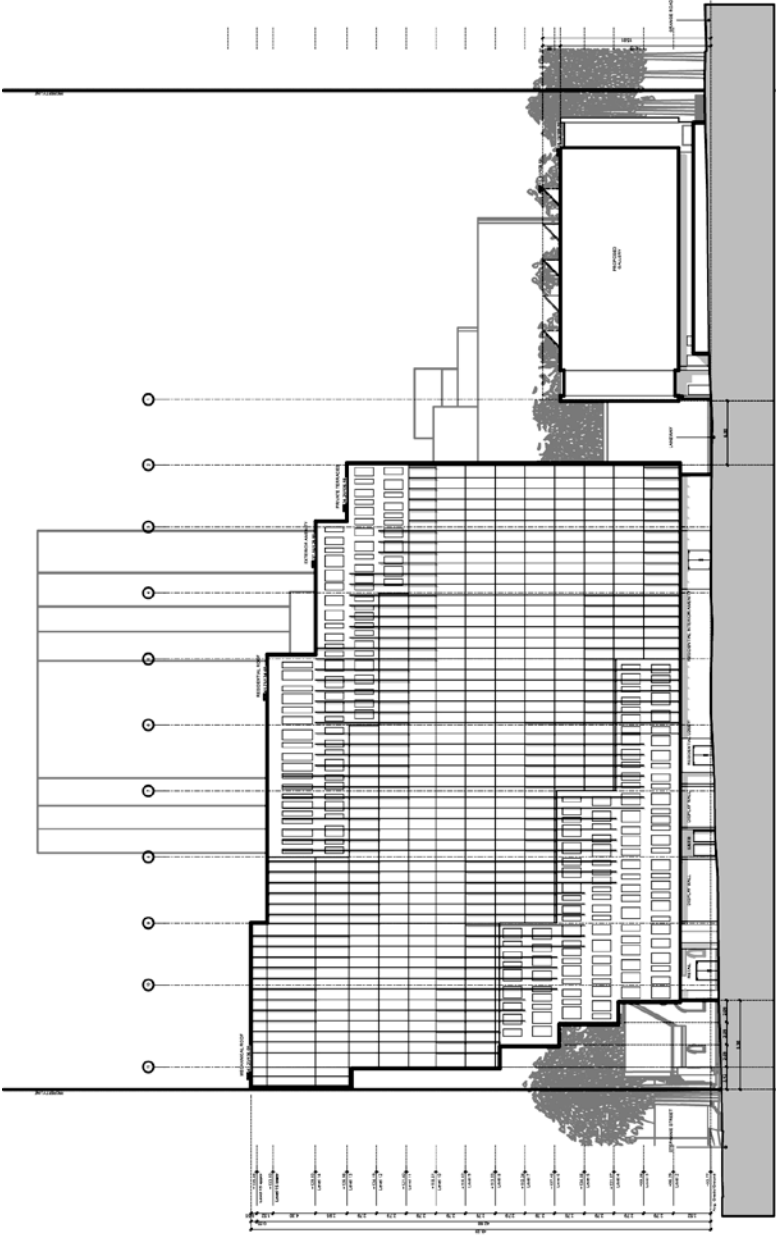


South Elevations
Applicant's Submitted Drawing
Not to Scale
01/18/2016

40-60 McCaul Street and 10 Stephanie Street

File # 14_174774 STE 20 0Z

Attachment 4: East Elevation



40-60 McCaul Street and 10 Stephanie Street

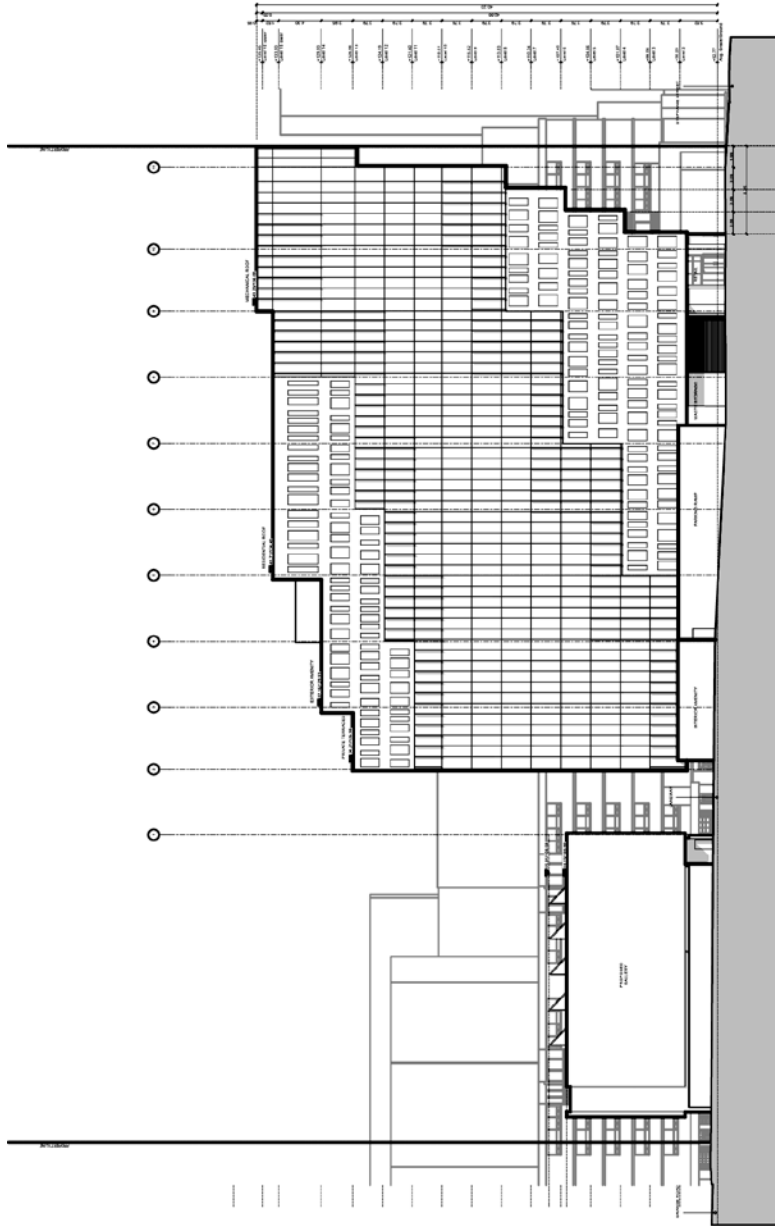
File # 14_174774 STE 20 0Z

East Elevation

Applicant's Submitted Drawing

Not to Scale
01/18/2016

Attachment 5: West Elevation



West Elevation

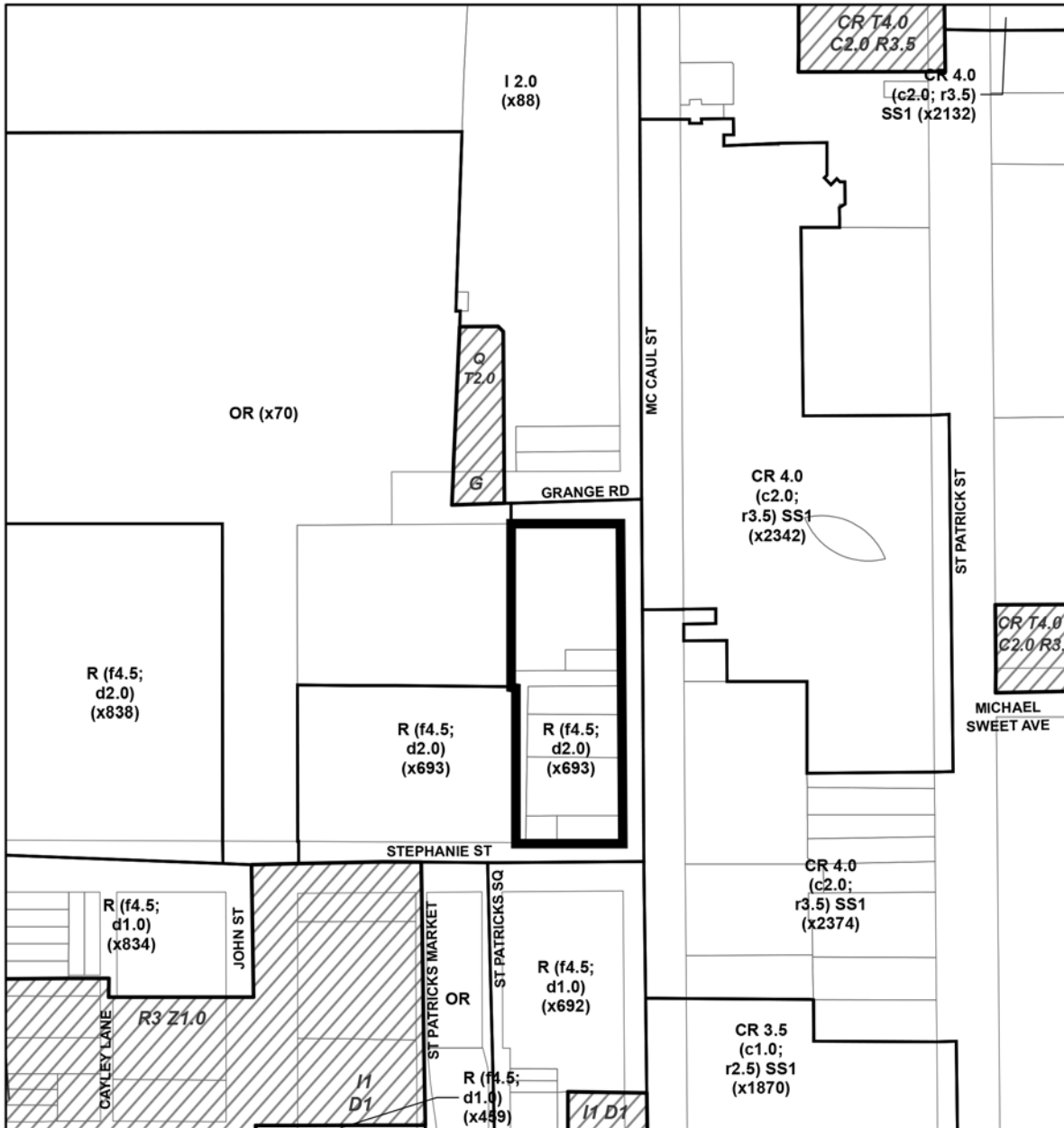
Applicant's Submitted Drawing

Not to Scale
01/18/2016

40-60 McCaul Street and 10 Stephanie Street

File # 14_174774 STE 20 0Z

Attachment 6: Zoning



40-60 McCaul Street and 10 Stephanie Street

Zoning By-law 569-2013

File # 14 174774_STE_20_02

Location of Application

See Former City of Toronto Bylaw No. 438-86

R Residential I Institutional
 CR Commercial Residential OR Open Space Recreation

CR Mixed-Use District Q Mixed-Use District
 G Parks District R3 Residential District
 I1 Industrial District



Not to Scale
 Extracted: 01/18/2016

Attachment 7: Application Data Sheet

APPLICATION DATA SHEET

Application Type	Rezoning	Application Number:	14 174774 STE 20 OZ
Details	Rezoning, Standard	Application Date:	June 16, 2014

Municipal Address: 60 MC CAUL ST

Location Description: CON 1 FB PT PARK LOT 13 **GRID S2011

Project Description: To re-zone the subject lands for the purposes of constructing a two new buildings. A 14 storey residential apartment building containing 184 units with below grade parking and a three-storey building which will be an art gallery.

Applicant:	Agent:	Architect:	Owner:
DELTERA INC		ARCHITCTS ALLIANCE	OSMINGTON INC

PLANNING CONTROLS

Official Plan Designation:	Mixed Use Areas	Site Specific Provision:	
Zoning:	R (f4.5; d2.0) (x693)	Historical Status:	
Height Limit (m):	14	Site Plan Control Area:	Y

PROJECT INFORMATION

Site Area (sq. m):	2952.9	Height:	Storeys:	14
Frontage (m):	93.86		Metres:	43.23
Depth (m):	32.05			
Total Ground Floor Area (sq. m):	1492			Total
Total Residential GFA (sq. m):	13753		Parking Spaces:	96
Total Non-Residential GFA (sq. m):	1821		Loading Docks	2
Total GFA (sq. m):	15574			
Lot Coverage Ratio (%):	51			
Floor Space Index:	5.3			

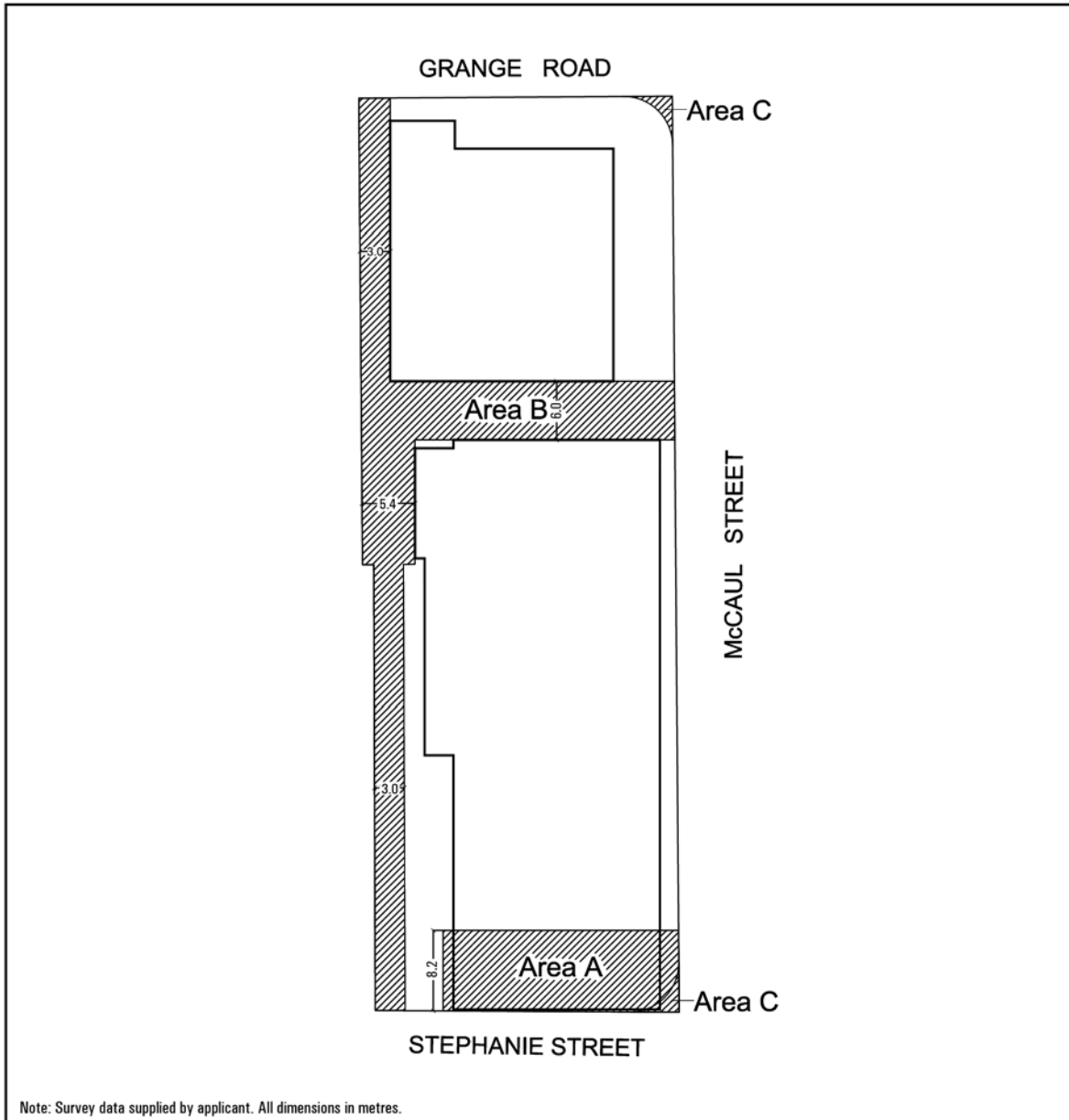
DWELLING UNITS

FLOOR AREA BREAKDOWN (upon project completion)

			Above Grade	Below Grade
Tenure Type:	Condo			
Rooms:	0	Residential GFA (sq. m):	13753	0
Bachelor:	0	Retail GFA (sq. m):	1574	247
1 Bedroom:	131	Office GFA (sq. m):	0	0
2 Bedroom:	40	Industrial GFA (sq. m):	0	0
3 + Bedroom:	19	Institutional/Other GFA (sq. m):	0	0
Total Units:	190			

CONTACT:	PLANNER NAME:	Michelle Nicholson, Planner
	TELEPHONE:	(416) 338-2073

Attachment 8: Easements to be Secured



Attachment 9: Draft Zoning By-law Amendment to 438-86

To be distributed to the Toronto and East York Community Council Meeting

Attachment 10: Draft Zoning By-law Amendment to 569-2013

To be distributed to the Toronto and East York Community Council Meeting