



# STAFF REPORT ACTION REQUIRED

## 60 Shuter St and 187-189 Church St Zoning Amendment Application Final Report

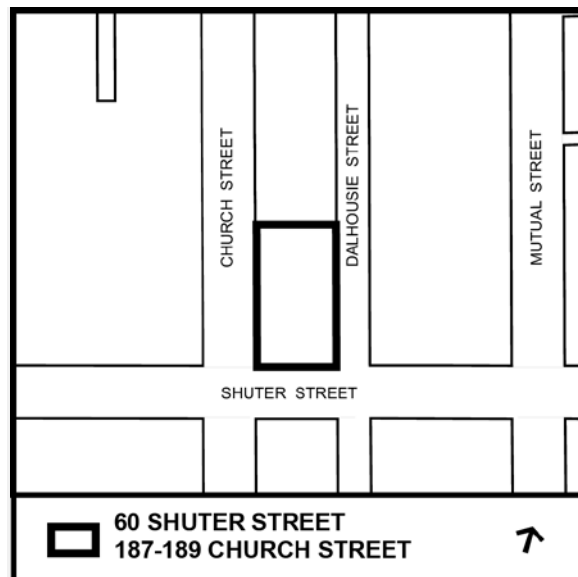
<b>Date:</b>	March 31, 2017
<b>To:</b>	Toronto and East York Community Council
<b>From:</b>	Director, Community Planning, Toronto and East York District
<b>Wards:</b>	Ward 27 – Toronto Centre-Rosedale
<b>Reference Number:</b>	15 236785 STE 27 OZ

### SUMMARY

This application proposes to develop a 29-storey (86.25 metres to top of mechanical penthouse) mixed-use building at 60 Shuter Street and 187-189 Church Street. The proposal includes 576 square metres of non-residential floor area and 23,718 square metres of residential floor area. A total of 328 residential units, 99 vehicular parking spaces (76 resident and 33 visitor/commercial) and 328 bicycle parking spaces (295 resident and 33 visitor) are proposed.

The proposal is consistent with the relevant policies of the Official Plan and guidelines that apply to *Mixed Use Areas* and the *Downtown*.

This report reviews and recommends approval of the application to amend the Zoning By-law.



## RECOMMENDATIONS

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### The City Planning Division recommends that:

1. City Council amend Zoning By-law 438-86, as amended, for the lands at 60 Shuter Street and 187-189 Church Street, substantially in accordance with the draft Zoning By-law Amendment as Attachment No. 9 to the report dated March 31, 2017 from the Director, Community Planning, Toronto and East York District.
2. City Council amend City of Toronto Zoning By-law 569-2013 for the lands at 60 Shuter Street and 187-189 Church Street substantially in accordance with the draft Zoning By-law Amendment attached as Attachment No. 10 to the report dated March 31, 2017.
3. City Council authorize the City Solicitor to make such stylistic and technical changes to the Draft Zoning By-law Amendment as may be required.
4. Before introducing the necessary Bills to City Council for enactment, City Council require confirmation from the Owner that the proposed building complies with the Minister's zoning order related to the helicopter flight path for St. Michael's Hospital.
5. Before introducing the necessary Bills to City Council for enactment, require the Owner to enter into an Agreement pursuant to Section 37 of the Planning Act as follows:
  - a. The community benefits recommended to be secured in the Section 37 Agreement are as follows:
    - i. An indexed cash payment of \$2,500,000 payable prior to the issuance of the first above-grade building permit. The amount is to be indexed upwardly in accordance with the Statistics Canada Non-Residential Building Construction Price Index for Toronto, calculated from the date of the Section 37 Agreement to the date the payment is made. The funds shall be directed as follows:
      - a. \$1,600,000 to be allocated towards local area park or streetscape improvements, in consultation with the Ward Councillor.
      - b. \$500,000 toward public art, in accordance with the City of Toronto Public Art Program.
      - c. \$200,000 to be allocated towards existing community, recreation and/or cultural space improvements in the ward, in consultation with the Ward Councillor.
      - d. \$200,000 to be allocated towards new or existing Toronto Community Housing and/or affordable housing.

- b. The following matters are also recommended to be secured in Section 37 Agreement as a legal convenience to support the development:
- i. The Owner shall provide and maintain a pet relief facility.
  - ii. The Owner shall provide 10 percent family sized units in the development, containing at least three bedrooms.

### **Financial Impact**

The recommendations in this report have no financial impact.

### **DECISION HISTORY**

On October 13, 2015, an application was made to amend the Zoning By-law at 60 Shuter Street and 187-189 Church Street to construct a 42-storey mixed-use residential building.

A preliminary staff report dated January 22, 2016 on the subject application was adopted at the February 23, 2016, Toronto and East York Community Council Meeting. The report is available at: <http://www.toronto.ca/legdocs/mmis/2016/te/bgrd/backgroundfile-90088.pdf>

### **ISSUE BACKGROUND**

#### **Proposal**

##### **Original Submission**

On October 13, 2015, the applicant submitted a proposal for a new 42-storey (141.1 metres including mechanical penthouse) mixed-use building containing 536 residential units. The proposal had a density of 20.53 times the area of the lot. As part of the initial circulation, a number of concerns were raised by City staff and technical agencies, including the building's penetration into the St. Michael's Hospital flight path.

##### **Revised Submission**

In response to the concerns raised by staff and through the community consultation process, on August 2, 2016, the applicant revised the proposal as follows:

- height of the tower reduced from 42-storeys (141.1 metres) to 29-storeys (86.25 metres);
- floor space index reduced from 20.53 to 14.33 times the area of the lot;
- overall residential units reduced from 536 to 328;
- gross floor area reduced from 33,979 to 23,718 square metres;
- typical floor plate reduced from 787 to 746 square metres;
- tower setback from the north increased from an average of 10.5 metres to an average of 12.5 metres;
- an increased chamfer in the base building adjacent to heritage buildings along Church Street;
- the ground floor setback along Dalhousie Street has increased to 2.07 metres from 0 metres; and
- a maximum 3-metre tower step back along Dalhousie Street;

The proposed building is comprised of retail uses on the ground level fronting Church Street and residential uses above. Entrances to the ground floor retail uses will be from Church Street, while the residential lobby is recessed and accessed from Shuter Street.

The applicant is proposing a total of 667 square metres of indoor amenity area on the 3<sup>rd</sup> and 4<sup>th</sup> floors and 255.96 square metres of outdoor amenity area on the 4<sup>th</sup> floor.

The proposal consists of 328 residential units. The proposed residential unit breakdown is as follows:

<b>Unit Type</b>	<b>Number of Units</b>	<b>Percentage of Units</b>
Bachelor	7	2%
1-bedroom	190	58%
2-bedroom	97	30%
3-bedroom	34	10%

The existing heritage townhomes to the north of the site along Church Street are setback 1.67 metres. The proposed building is setback an additional 2.6 metres, providing a total sidewalk width of 5 metres along Church Street. Along Shuter Street, the building is setback 2 metres from the property line, however the residential lobby at the corner of Shuter Street and Dalhousie Street is setback an additional 3.5 metres from the edge of the sidewalk. Along Dalhousie Street, the building is setback 2 metres from the property line for a total sidewalk width of 5 metres. The second floor of the building is then cantilevered back to the property line along Dalhousie Street.

The proposed tower floor plate varies given the unique architectural design of the building. The base building is two-storeys (13 metres) in height and occupies nearly the entire site area at 1,360 square metres. The base portion of the tower (floors 3-10) varies in floor plate size before the tower portion begins at floor 11. The tower has an average floor plate size 746 square metres. The top three floors of the tower, which are cantilevered towards Shuter Street by an additional 2 metres, have a floor plate size of 824 square metres. No balconies are proposed, however, there are some private terraces on the 4<sup>th</sup> and 11<sup>th</sup> floors for select units.

As the tower has a unique shape, the proposed tower setbacks vary considerably on all sides. The proposed tower setbacks are as follows:

- a minimum of 4.8 metres to a maximum of 15.85 metres from Shuter Street (southern property line);
- a minimum of 2.4 metres to a maximum of 4 metres from Church Street (western property line);
- a minimum 1.6 metres to a maximum of 3 metres from Dalhousie Street (eastern property line); and
- an average of 12.5 metres to the northern property line.

A total of 99 parking spaces are proposed (76 residential; 23 visitor/commercial; 2 car share) to be provided in a four-level below-grade parking garage. Access between the residential and

commercial areas of the parking garage are separated by a gate on the second level of underground parking.

A total of 328 bicycle parking spaces are proposed, including 33 for visitors. The bicycle parking spaces are spread throughout the four levels of underground parking, with the majority of the spaces being provided on the first level of underground parking. The 33 visitor bicycle parking spaces are located at ground level along Dalhousie Street.

Parking and loading services will access the site via Dalhousie Street. A Type 'G' loading space is provided on the ground floor, accessed from Dalhousie Street.

### **Site and Surrounding Area**

The subject site is located on the northeast corner of Shuter Street and Church Street. The site is rectangular in shape, with a frontage of 33.5 metres on Shuter Street and a depth of 49.5 metres along Church Street, for a total area of 1,655 square metres. The site includes an existing commercial parking lot and 3-storey brick building at 187-189 Church Street (now demolished), which was used as the office space for NOW Magazine.

Land uses surrounding the site include:

**North:** is a row of heritage-listed 3-storey townhouses (191 to 197 Church Street) whose entrances face Church Street. The southern wall of 191 Church Street directly abuts the site to the north. Further north on the same block, at the southeast corner of Dundas Street and Church Street, there is a proposal for a 46-storey building at 215 Church Street, which is before the Ontario Municipal Board (OMB).

**South:** is a 28-storey mixed-use building with commercial retail on the ground floor and rental apartment units above. The podium is 7-stories. Access to this building is from Dalhousie Street.

**East:** across Dalhousie Street is an OMB approved 24-storey building at 64-70 Shuter Street, which is currently under construction. The mixed-use building will include a 4-storey podium and 220 residential units. To the east of this development is a 15-storey residential building at 74 Shuter Street. To the north of 64-70 Shuter Street is a 12-storey residential building. Behind these buildings on the same block is Arena Gardens Park, is a 0.2 hectare public park with playground.

**West:** across Church Street is the St. Michael's Cathedral. St. Michael's Cathedral is designated under Part IV of the Ontario Heritage Act.

### **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, by the *Planning Act*, to be consistent with the PPS.

Provincial Policy Statement policy 1.1.3.4 refers to appropriate development standards to facilitate intensification, redevelopment and compact form, while avoiding or mitigating risks to public health and safety. Policy 1.1.1 c) refers to avoiding development which may cause public health and safety concerns. Policy 1.1.1 g) refers to ensuring that Public Service Facilities are or would be available to meet current and projected needs and Policy 1.1.3.6 refers to development that allows for the efficient use of Public Service Facilities to meet current and projected needs. 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. City Council's planning decisions are required, by the *Planning Act*, to conform, or not conflict, as the case may be, with the Growth Plan for the Greater Golden Horseshoe.

Policy 3.2.6 refers to Community Infrastructure which is defined to include public services for health. Policy 3.2.6.1 and 3.2.6.2 refer to the co-ordination of Community Infrastructure and land use planning and for the planning of growth to take into account existing Community Infrastructure so that it can be provided efficiently and effectively.

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

## **Official Plan**

The site is designated in the Official Plan as *Mixed Use Areas* and located within the *Downtown and Central Waterfront* on Map 2, the Urban Structure map of the Official Plan. The Official Plan outlines a growth strategy for the City that highlights the importance of the *Downtown* as one of a number of locations where growth in employment and residential uses are encouraged.

The *Mixed Use Areas* designation provides for a broad range of commercial, residential and institutional uses, in single or mixed-use buildings, as well as parks and open spaces and utilities.

The Official Plan includes development criteria for *Mixed Use Areas*. Policy 4.5.2 outlines that new development will:

- create a balance of high quality commercial, residential, institutional and open space uses that reduces automobile dependency and meets the needs of the local community;

- locate and mass buildings to provide a transition between areas of different development intensity and scale through means such as providing appropriate setbacks;
- locate and mass buildings to frame the edges of streets and parks with good proportion and maintain sunlight and comfortable wind conditions for pedestrians on adjacent streets, parks and open spaces;
- provide an attractive, comfortable and safe pedestrian environment;
- provide good site access and circulation and an adequate supply of parking for residents and visitors;
- locate and screen service areas, ramps and garbage storage to minimize the impact on adjacent streets and residences; and
- provide indoor and outdoor recreation space for building residents in every significant multi-unit residential development.

Heritage policies are found under Section 3.1.5 of the Official Plan. Policy 5, states that proposed alterations, development, and/or public works on or adjacent to, a property on the Heritage Register will ensure that the integrity of the heritage property's cultural heritage value and attributes will be retained, prior to work commencing on the property and to the satisfaction of the City. Where a Heritage Impact Assessment is required, it will describe and assess the potential impacts and mitigation strategies for the proposed alteration, development or public work.

Policy 26 states that new construction, on or adjacent to, a property on the Heritage Register will be designated to conserve the cultural heritage values, attributes and character of that property to mitigate visual and physical impact on it.

Section 4.8, Institutional Areas, Policy 4 states that new buildings and structures in the vicinity of hospital heliports will be sited and massed to protect the continued use of flight paths to hospital heliports. The site is located within the St. Michael's Hospital flight path.

## **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 that 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 specific Downtown streets that are most suitable for tall building development, establishes a height range along these streets and provides a set of supplementary Downtown specific design guidelines which address Downtown built form and context.

Policy 1 in Section 5.3.2 Implementation Plans and Strategies for City-Building, the Official Plan states that Guidelines will be adopted to advance the vision, objectives, and policies of the

Plan. Urban Design guidelines specifically are intended "to provide a more detailed framework for built form and public improvements in growth areas." The Tall Building Design Guidelines serve this policy intent, helping to implement Chapter 3.1, The Built Environment, and other policies within the Plan related to the design and development of tall buildings in Toronto.

This site is located between two areas of Church Street designated as a High Street and along Shuter Street which is designated as a Secondary High Street as illustrated on Map 1 of the Downtown Guidelines. Specifically, the Church Street High Street ends at Dundas Street to the north and begins again south of Queen Street. The height range for these sections of the Church Street High Street is 62 to 107 metres, as identified on Map 2 of the Guidelines. The Guidelines state that height ranges on Secondary High Streets will generally be one-third lower than the High Streets they run parallel to. Map 4 identifies Church Street as a Priority Retail Street, meaning 60 percent of the total building frontage should contain active retail uses.

The Downtown Vision and Supplementary Design Guidelines were used together with the city-wide Tall Building Design Guidelines in the evaluation of this tall building proposal. The Downtown Guidelines are available at <http://www.toronto.ca/planning/tallbuildingstudy.htm#guidelines>

### **TOcore: Planning Downtown**

TOcore: Planning Downtown is a three-year, inter-divisional study, led by City Planning. Building on Downtown's existing planning framework, TOcore's purpose is to ensure growth positively contributes to Toronto's Downtown as a great place to live, work, learn, play and invest by determining: a) how future growth will be accommodated and shaped, and b) what physical and social infrastructure will be needed, where it will go and how it will be secured.

The new Secondary Plan will update the Downtown planning framework to shape future growth and link growth to the provision of needed infrastructure investments to achieve the city-building vision and policies of Toronto's Official Plan. A series of infrastructure strategies for office, transportation, parks and public realm, community services and facilities, and energy are in development as part of this review, along with a water infrastructure assessment.

City Council adopted the TOcore Proposals Report on December 15, 2016. The Proposals Report provides a vision for Downtown to 2041, five guiding principles and 128 policy directions that will inform the development of the Downtown Secondary Plan. The accompanying staff report also provides updates on the Phase 2 public consultations, population growth projections for Downtown and the status of infrastructure strategies underway that will support the implementation of the new Downtown Secondary Plan. A draft Secondary Plan will be presented to City Council in Q3 2017.

On October 5-7, 2016, City Council adopted Official Plan Amendment (OPA) 352 – Downtown Tall Building Setback Area (currently under appeal). The purpose of OPA 352 is to establish the policy context for tall building setbacks and separation distances between tower portions of tall buildings Downtown. At the same meeting, City Council adopted area specific Zoning By-laws 1106-2016 and 1107-2016 (also under appeal) which provide the detailed performance standards for portions of buildings above 24 metre in height.



The TOcore website is [www.toronto.ca/tocore](http://www.toronto.ca/tocore).

## **Zoning**

On May 9, 2013, City Council enacted city-wide Zoning By-law 569-2013, which is currently under appeal at the OMB. Therefore, both Zoning By-law 569-2013 and former City of Toronto General Zoning By-law 438-86 currently apply to the proposed development site.

Under the City of Toronto By-law 438-86, the property is zoned CR T3.0 C2.0 R3.0 with a maximum permitted height of 18 metre and a maximum total density of 3.0 times the lot area. This zoning permits a wide range of commercial and residential uses. The property is subject to the restrictive exceptions in section 12(2) 132 prohibiting a commercial parking garage and a private parking garage and section 12(2) 260 requiring an angular plane along the Church Street frontage of 44 degrees above a height of 16 metres.

Under City of Toronto By-law 569-2013, the property is zoned CR 3.0 (c2.0; r3.0) SS1 (x2166) and is subject to a height limit of 18 metres and a maximum total density of 3.0 times the lot area. This zoning permits a wide range of commercial uses and residential building types. The CR exception 2166 provides that the restrictive exceptions in By-law 438-86 detailed above continue to prevail.

## **Minister's Zoning Order**

On May 3, 2016, the Minister of Municipal Affairs and Housing issued a Zoning Order – Protection of Public Health and Safety – Toronto Hospital Heliports. The purpose of this Order is to protect health and safety by ensuring the safe operation of air ambulance services provided in relation to St. Michael's Hospital and The Hospital for Sick Children. The Zoning Order identifies an obstacle limitation surface which structures or naturally growing objects shall not penetrate.

The Zoning Order reflects the most recent St. Michael's Hospital helicopter flight path. As previously cited, the Official Plan requires that all new buildings be sited and massed in order to protect helicopter flight paths. The Provincial Policy Statement also has a number of policies to protect against development which may negatively impact public health and safety as well as the efficient use of public service facilities. The provincial interests relate to the health care system in Ontario and the role of hospitals and emergency air ambulance services, including the hospital flight path for St. Michael's Hospital. In order to comply with the St. Michael's Hospital flight path and Section 4.8.4 of the Official Plan, the proposed tower height was reduced from 42-storeys (141.1 metres) to 29-storeys (86.25 metres).

## **Site Plan Control**

The proposal is subject to Site Plan Control. A Site Plan Control application was filed on December 8, 2016 (File No. 16 261440 STE 27 SA), which is currently under review.

## **Reasons for Application**

The application proposes a mixed-use building with a height of 86.25 metres (including mechanical penthouse) and a density of 14.33 times the area of the lot. The maximum height

and density permitted in the Zoning By-laws is 18 metres and 3.0 times the area of the lot. The proposed height exceeds both the height and maximum floor space index for the site. Relief is also required to accommodate the outdoor residential amenity space, the common outdoor space, the proposed parking supply and other provisions. A Zoning By-law amendment is therefore required.

### **Community Consultation**

On October 18, 2016, a community meeting was attended by approximately 10 members of the public at the Ramada Plaza at 300 Jarvis Street.

The attendees expressed comments, issues and concerns, including: the traffic generated as a result of the proposed development; the access for loading/servicing from Dalhousie Street; providing no balconies; the number of vehicles parking spaces; the materiality of the building; the lack of greenspace on site; and adherence to the Tall Building Guidelines.

### **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 site-specific Zoning By-law standards.

### **COMMENTS**

During the review of this application, the applicant revised the proposal considerably in response to City staff and community concerns. From a built form perspective, the shape and massing of the tower was modified to respect and complement adjacent heritage buildings. The overall height of the tower was reduced to comply with the Official Plan policies and St. Michael's Hospital flight path. Staff have reviewed the proposal development and are of the opinion that the proposed development is appropriate.

### **Provincial Policy Statement and Provincial Plans**

The proposal is consistent with the PPS (2014). It provides additional density within a settlement area through intensification and redevelopment to accommodate an appropriate range and mix of lands uses (Policy 1.1.2). The intensification will meet appropriate development standards (Policy 1.1.3.4), as discussed further in this report.

The PPS states (Policy 4.7) that the municipal Official Plan is "the most important vehicle for implementation" of the PPS and that "comprehensive, integrated and long-term planning is best achieved through Official Plans".

The PPS (Policy 2.6) provides for the conservation of built heritage resources and allows for development adjacent to protected heritage properties, so long as it has been demonstrated that the significant heritage attributes of the property will be conserved. The proposal has been designed to conserve adjacent heritage properties.

his proposal conforms to and does not conflict with the Growth Plan for the Greater Golden Horseshoe. It represents new growth in a built-up area that will ensure and maximize the viability of existing and planned infrastructure (Policy 2.2.2).

## **Land Use**

Planning staff are satisfied that the proposed residential and non-residential uses are acceptable. These uses are permitted within the *Mixed Use Areas* of the Official Plan as well as the CR district in the Zoning By-laws. The development will create a balance of commercial and residential uses that reduces automobile dependency and meets the needs of the local community as anticipated in the Official Plan for *Mixed Use Areas*.

The Downtown Tall Buildings Guidelines identify Church Street as a priority retail street. The Draft Zoning By-law Amendments (Attachment Nos. 9 and 10) accommodate a range of uses.

## **Height, Density, Massing**

The proposed height and density is acceptable as it fits within the existing and planned context for the area. With an overall density of 14.3 times the area of the lot, the proposal is appropriately scaled and proportional to the site. The density is similar to the densities of the existing buildings at 64-70 Shuter Street and 163 Church Street at 14.51 and 14.26 times the area of the lot, respectively.

The Downtown Tall Building Guidelines identify an appropriate height range of 62 to 107 metres along Church Street to the north and south of the property. The Guidelines identify Shuter Street as a Secondary High Street and that a tower-base typology is appropriate. Specific heights are not established for the Secondary High Streets however, height ranges are generally to be one-third lower than the High Streets they run parallel to. The building heights along Dundas Street are generally one-third higher than the proposed building. For example, along Dundas Street East between Church Street and George Street there are four proposed or approved buildings that exceed a height of 40-storeys. The proposed building at 29-storeys (86.25 metres) is within the height specified in the Guidelines.

A new Official Plan area-specific policy, OPA 352, which applies to tall buildings in the Downtown, was adopted by City Council on October 5-7, 2016. The policy refers to associated Zoning By-laws (By Nos. 1106-2016 and 1107-2016), also adopted on October 5-7, 2016. Both OPA 352 and the Tall Building Guidelines call for a 12.5 metre separation distance to a lot line. In this case, because the property is bounded on three sides by streets, the 12.5 metres is applied to the northern property line. An average setback of 12.5 metres is proposed to the northern property.

The Tall Building Guidelines call for a tower floor plate size of 750 square metres to minimize shadow impacts, minimize loss of sky view, to diminish the overall scale of the building and to present an elegant profile for the skyline. The middle portion of the tower has a floor plate size of 746 square metres, which meets the intent of the Tall Building Guidelines. The top three floors of the tower are cantilevered towards Shuter Street, with a floor plate size of 824 square metres. This minor variation is acceptable given the overall design approach on this site as the

cantilever is a signature architectural feature of the top of the tower which adds visual interest to the city skyline.

### **Sun, Shadow, Wind**

The shadow impacts resulting from the proposed tower are acceptable. The Downtown Tall Buildings Design Guidelines state that every effort will be made to design and orient tall buildings to minimize their shadow impact on all publically accessible parks, open spaces, natural areas and other shadow sensitive areas. New buildings should be located and designed to not cast any new net shadow on parks between 12:00 PM and 2:00 PM on September 21<sup>st</sup>. Arena Gardens Park is a small park located northeast of the site at 78 Mutual Street. The Shadow Study, dated July 21, 2016, prepared by Bousfields Inc. demonstrates that between the hours of 12:00 PM and 2:00 PM there are no new net shadows on Arena Gardens Park from the proposed building. Additionally, the tower has been shaped to mitigate shadow impact on St. Michael's Cathedral directly to the west of the site. Shadow impacts on St. Michael's Cathedral are discussed further in the Heritage Conservation section of this report.

The applicant submitted a wind study prepared by Theakston Environmental in support of the development. The pedestrian level wind levels were measured in 34 locations. The study concludes that the building's massing design improves wind conditions by providing angular facades, stepped conditions, overhangs and terraces which allow wind to flow over and around the building. Overall, the proposed development will realize wind conditions acceptable for a typical urban context.

### **Traffic Impact, Access, Parking**

The applicant's transportation consultant, BA Group Limited, prepared an Urban Transportation Considerations Report. The report estimates that the proposed development will generate approximately 40 new two-way trips. The study concludes that the project site traffic will have minimal impacts on area intersections, and therefore, can acceptably be accommodated on the adjacent road network. Transportation Services staff have reviewed the traffic study and agree with the study's conclusions.

#### **Parking**

The application proposes a parking ratio of 0.25 parking spaces per residential unit. A total of 99 vehicular parking spaces (76 residential; 21 commercial; 2 car-share) are located in a four-level underground parking garage. A Transportation Update and Parking Assessment Report dated December 5, 2016, was provided by BA Group in support of the parking reduction. Overall, the proposed parking supply and configuration is acceptable to Transportation Services.

#### **Loading**

The application proposes one Type-G/B loading space. The loading facility is accessed off of Dalhousie Street. The Type-G loading space will accommodate residential garbage and recycling collection.

## **Bicycles**

A total of 295 bicycle parking spaces are provided, the majority of which are located on the first level of underground parking. There are 33 visitor bicycle parking spaces located at-grade along Dalhousie Street underneath the building's overhang.

The applicant currently proposes bicycle racks within 29 resident parking stalls, which is unacceptable to Transportation Services. The applicant is aware of the requirement to remove the bicycle racks as shown and will do so through the Site Plan Control process.

## **Servicing**

Engineering and Construction Services Staff revised a revised Functional Servicing Report, prepared by Stantec Consulting Ltd dated February 21, 2017. Development Engineering staff find the proposed servicing plan for the site to be acceptable.

A detailed Stormwater Management, Site Servicing and Grading Plans will be required and secured through the Site Plan Control process.

## **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 Official Plan shows local parkland provision across the City. The site is in an area with 0 to 0.42 hectares of local parkland per 1,000 people, which is the lowest quintile of current provision of parkland. The site is in a parkland priority area, as per the city-wide Parkland Dedication By-law 1020-2010.

The application proposes 328 residential units with 576 square metres of non-residential gross floor area. At the alternative rate of 0.4 hectares per 300 units specified in By-law 1020-2010, the parkland dedication requirement is 4,300 square metres or 260 percent of the site area. However, for sites less than 1 hectare in size, a cap of 10 percent of the development site is applied to the residential use while the non-residential use is subject to a 2 percent parkland dedication. In total, the parkland dedication requirement is 162 square metres.

Parks, Forestry & Recreation staff has indicated that the applicant is required to satisfy the parkland dedication requirement through cash-in-lieu.

## **Heritage Conservation**

Heritage Preservation Services has reviewed the Heritage Impact Assessment (HIA) prepared by Goldsmith Borgal and Company Ltd. Architects and dated December 5, 2016, submitted in support of the application. The HIA finds that the development will conserve the listed Georgian townhouses to the north of the development site, and the designated St. Michael's Cathedral to the west of the development site. Heritage Preservation staff agree with these findings.

The massing of the tower has been specifically designed with a chamfer at its southwest corner so that it will not cast new net shadows on the principle stained-glass window on the east elevation of St. Michael's Cathedral. The base of the tower has been designed to reference the pattern and scale of the Georgian townhouses adjacent to the north. This base will utilize a strong horizontal element combined with a three metre reveal to carry the streetwall south of the

listed building on Church Street. The massing of the tower will be made further subordinate by chamfering the tower back from the street immediately adjacent to the listed buildings. Heritage Preservation Services is currently reviewing the Site Plan application associated with this development and may seek further refinements to the base building adjacent to the listed townhouses as part of this review.

The applicant's HIA included a heritage evaluation of the property at 187-189 Church Street (the former NOW Magazine building). This building was proposed to be demolished as part of this development. The evaluation found that while the building included fragments of a mid-19<sup>th</sup> century townhouse, it did not merit designation. As part of the review, staff independently researched and evaluated this property using the Provincial criteria for designation under the Ontario Heritage Act. Staff concurred with the findings of the HIA that this property did not merit designation under the Act. The building has since been demolished.

### **Toronto Green Standard**

In 2013 City Council updated the two-tiered Toronto Green Standard (TGS) that was adopted by City Council on October 27, 2009. 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, and future site plan agreement, will secure performance measures for various Tier 1 development features, including, but not limited to, the following:

- Cycling Infrastructure,
- Biodiversity in landscapes, 50% of the proposed species are native.
- Storage and Collection of Recycling and Organic Waste, such as two waste chutes, one dual sorter for garbage and organic waste and the second dedicated to recycling.

Other applicable TGS performance measures will be secured through the Site Plan Control process.

### **Section 37**

The Official Plan contains policies pertaining to the provision of community benefits for increases in height and/or density pursuant to Section 37 of the *Planning Act*. While the proposed development exceeds the height and density limits of the Zoning By-law, the application is consistent with the objectives and policies of the Official Plan, and thus constitutes good planning.

The community benefits recommended to be secured in the Section 37 Agreement are set out in recommendation 4 of this report.

## **CONTACT**

Kate Goslett, Planner

Tel. No. 416-395-7105

E-mail: Kate.Goslett@toronto.ca

## **SIGNATURE**

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

(P:\2017\Cluster B\pln\TEYCC\27267129045.doc) - vc

## **ATTACHMENTS**

Attachment 1: Site Plan

Attachment 2: North Elevation

Attachment 3: South Elevation

Attachment 4: East Elevation

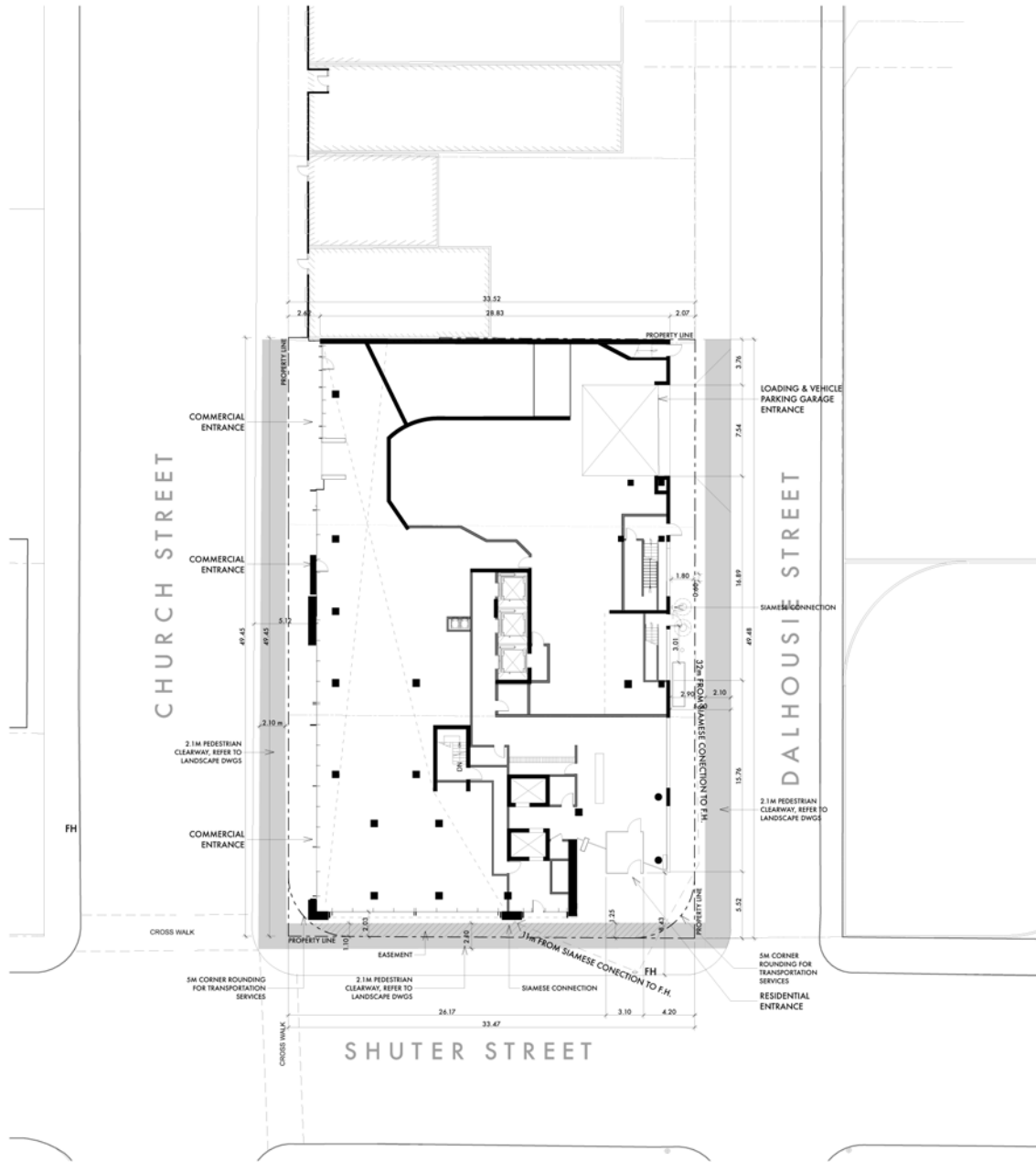
Attachment 5: West Elevation

Attachment 6: Existing Zoning

Attachment 7: Existing Official Plan

Attachment 8: Application Data Sheet

# Attachment 1: Site Plan



## Site Plan

## 60 Shuter Street and 187-189 Church Street

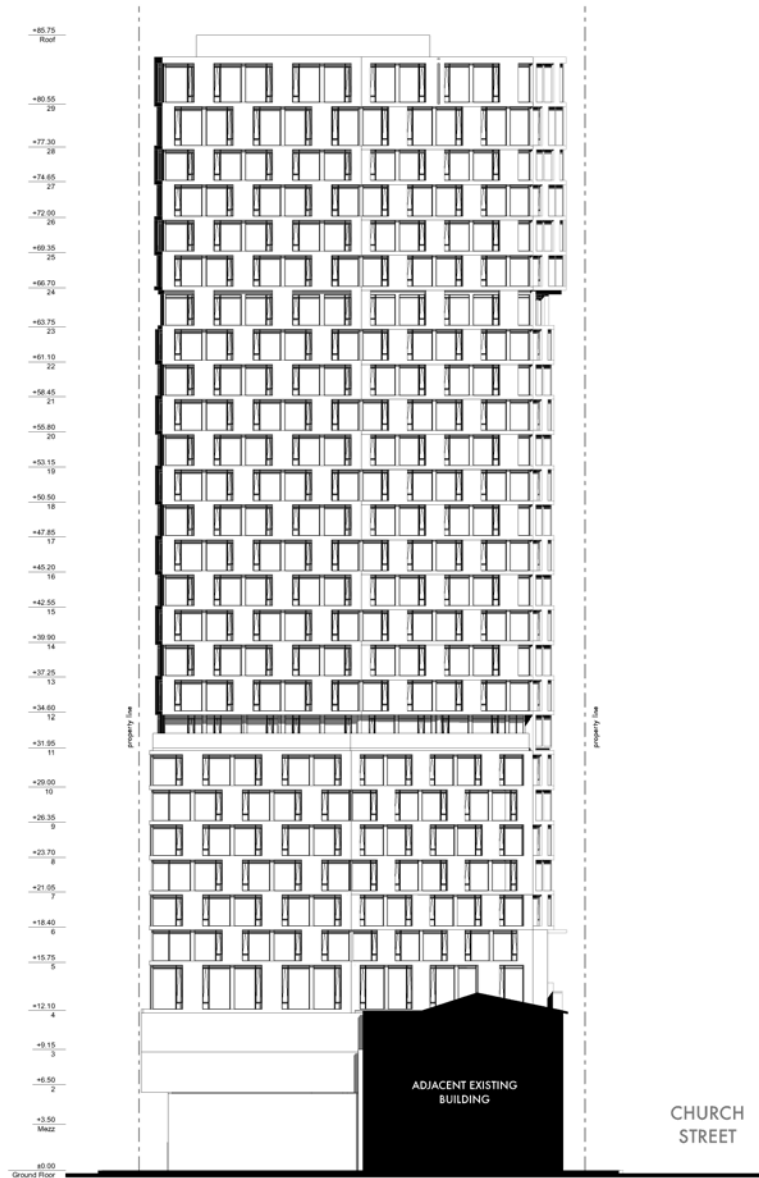
Applicant's Submitted Drawing

Not to Scale   
03/28/2017

File # 15\_236785 STE 27 0Z



## Attachment 2: North Elevation



### North Elevation

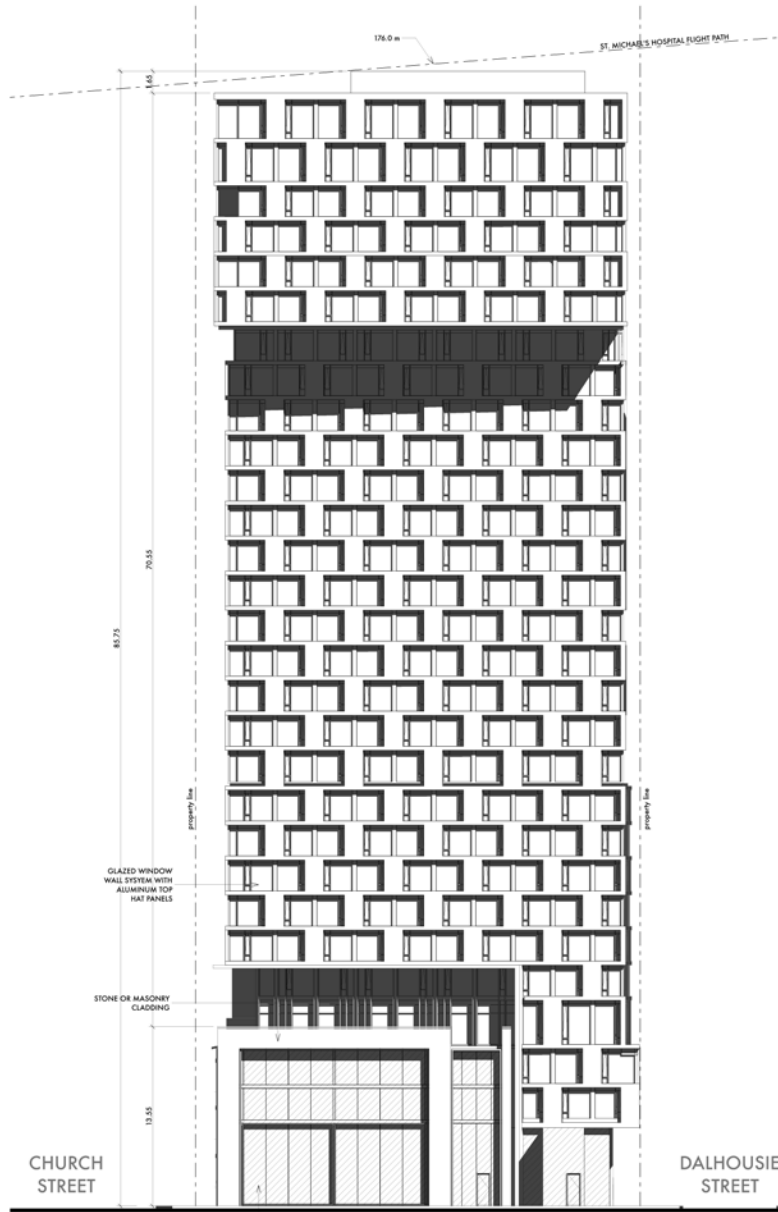
### 60 Shuter Street and 187-189 Church Street

Applicant's Submitted Drawing

Not to Scale 03/28/2017

File # 15\_236785 STE 27 0Z

### Attachment 3: South Elevation



### South Elevation

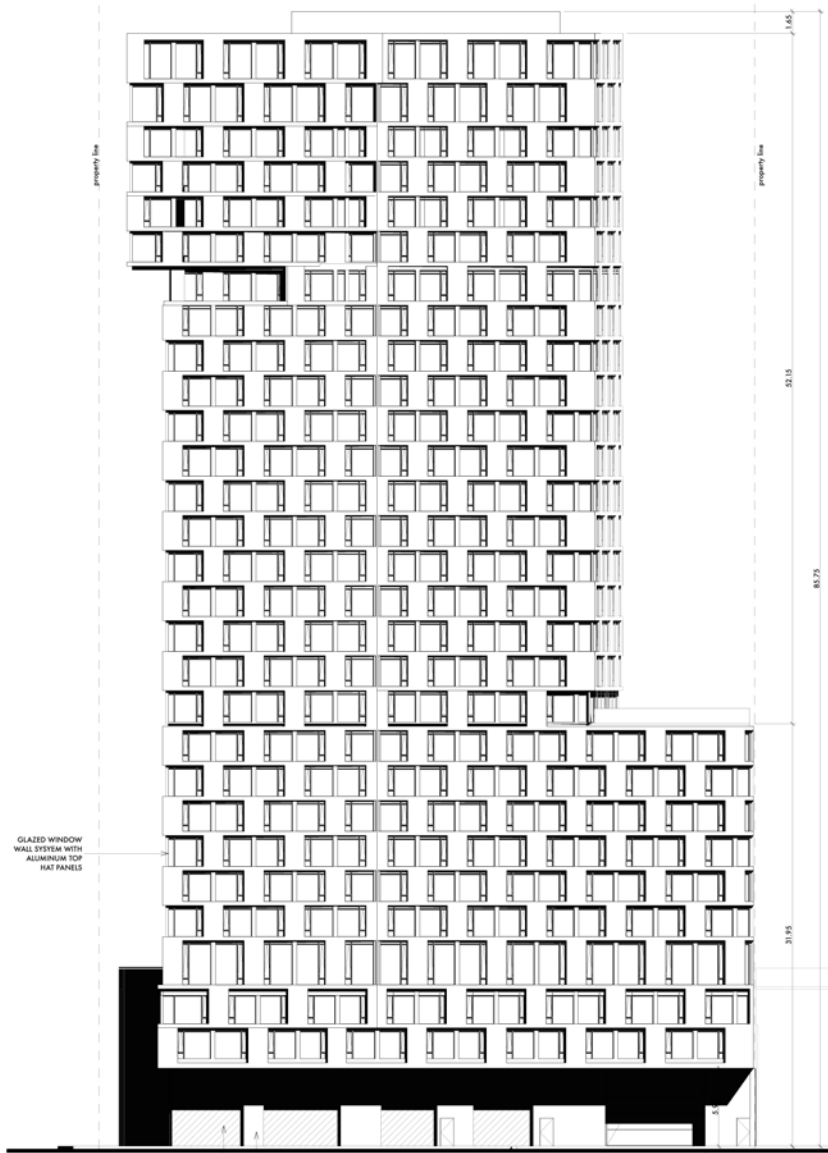
### 60 Shuter Street and 187-189 Church Street

Applicant's Submitted Drawing

Not to Scale   
03/28/2017

File # 15\_236785 STE 27 0Z

**Attachment 4: East Elevation**



**East Elevation**

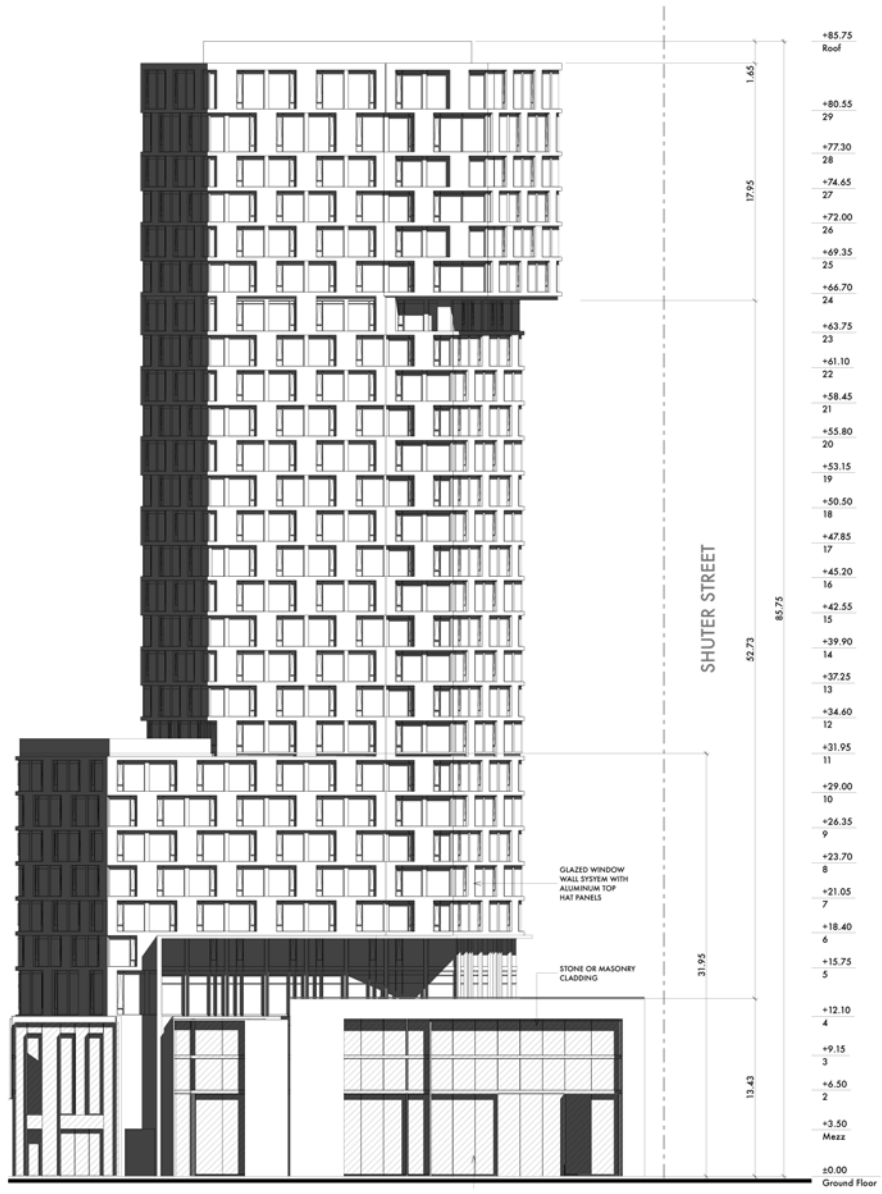
**60 Shuter Street and 187-189 Church Street**

Applicant's Submitted Drawing

Not to Scale   
03/28/2017

File # 15\_236785 STE 27 0Z

# Attachment 5: West Elevation



## West Elevation

## 60 Shuter Street and 187-189 Church Street

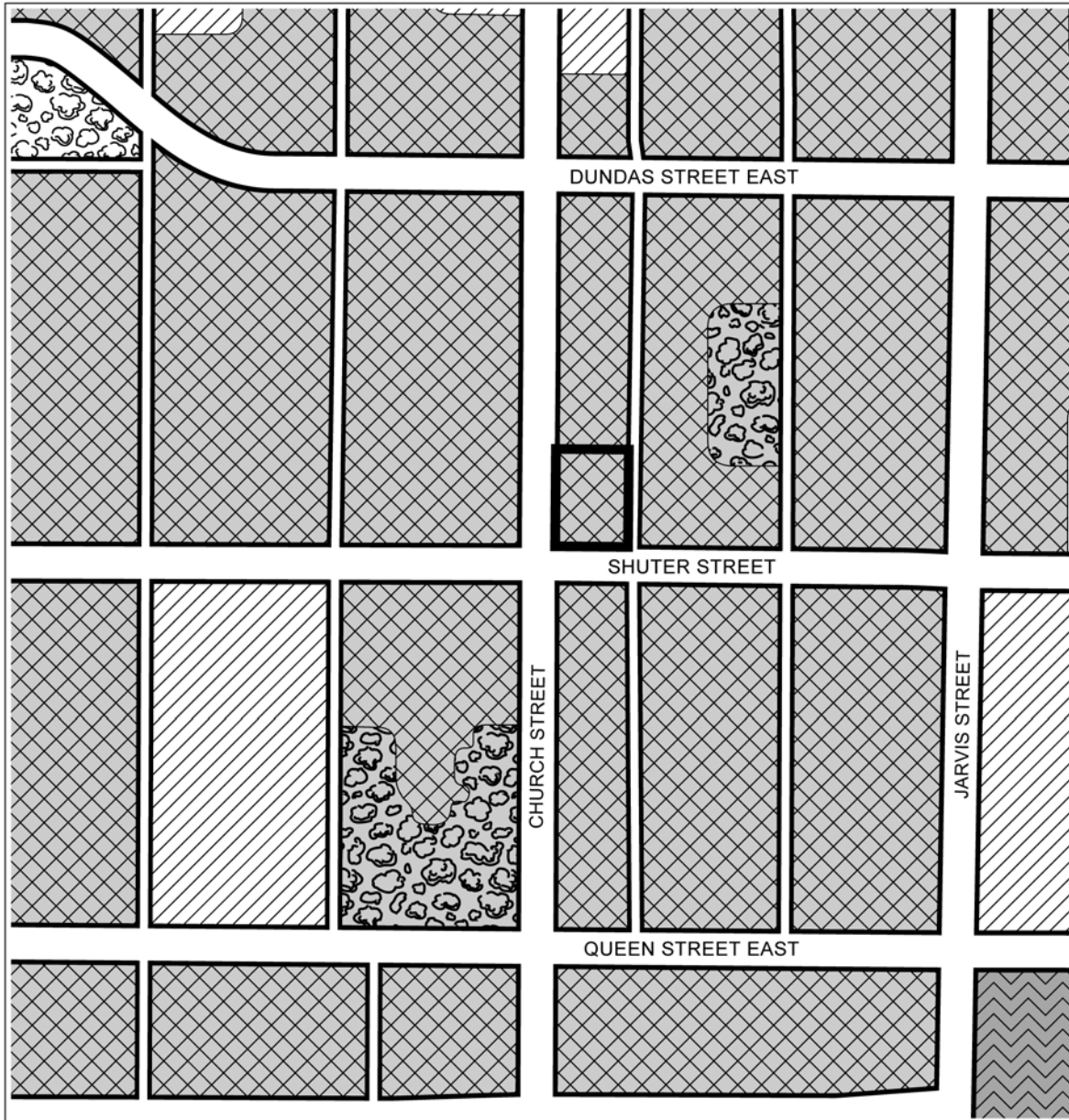
Applicant's Submitted Drawing

Not to Scale   
03/28/2017

File # 15\_236785 STE 27 OZ



## Attachment 7: Existing Official Plan



Extract from Official Plan

60 Shuter Street & 187-189 Church Street

File # 15 236785 STE 27 02



↑  
Not to Scale  
03/28/2017

## Attachment 8: Application Data Sheet

Application Type	Rezoning	Application Number:	15 236785 STE 27 OZ
		Application Date:	October 13, 2015
Municipal Address:	60 Shuter Street & 187-189 Church Street		
Location Description:	PLAN 22A PT LOTS 12 & 13 **GRID S2714		
Project Description:	A 29-storey mixed-use building (86.25m including mechanical penthouse) with 576 sq. m of retail and 328 residential units. A total of 99 vehicular parking spaces are proposed on 4 levels of underground parking: 76 for residents, 23 for visitors, as well as 328 bicycle parking spaces.		

<b>Applicant:</b>	<b>Agent:</b>	<b>Architect:</b>	<b>Owner:</b>
SHERMAN BROWN	Tim Williams	architectsAlliance	MENKES 60 SHUTER STREET INC.

### PLANNING CONTROLS

Official Plan Designation:	Mixed Use Areas	Site Specific Provision:	SS1 (x2166)
Zoning:	CR 3.0 (c2.0; r3.0)	Historical Status:	N/A
Height Limit (m):	18	Site Plan Control Area:	Yes

### PROJECT INFORMATION

Site Area (sq. m):	1655	Height:	Storeys:	29
Frontage (m):	33.47		Metres:	86.25
Depth (m):	49.47			
Total Ground Floor Area (sq. m):	1,361			<b>Total</b>
Total Residential GFA (sq. m):	23,142		Parking Spaces:	99
Total Non-Residential GFA (sq. m):	576		Loading Docks	1
Total GFA (sq. m):	23,718			
Lot Coverage Ratio (%):	82.2			
Floor Space Index:	14.3			

### DWELLING UNITS

### FLOOR AREA BREAKDOWN (upon project completion)

			Above Grade	Below Grade
Tenure Type:	Condo			
Rooms:	0	Residential GFA (sq. m):	23,142	0
Bachelor:	7	Retail GFA (sq. m):	576	0
1 Bedroom:	190	Office GFA (sq. m):	0	0
2 Bedroom:	97	Industrial GFA (sq. m):	0	0
3 + Bedroom:	34	Institutional/Other GFA (sq. m):	0	0
Total Units:	328			

<b>CONTACT:</b>	<b>PLANNER NAME:</b>	<b>Kate Goslett, Planner</b>
	<b>TELEPHONE:</b>	<b>416-395-7105</b>
	<b>EMAIL:</b>	<b>Kate.Goslett@toronto.ca</b>

**Attachment 9: Draft Zoning By-law Amendment (438-86)**

To be available at the May 2, 2017 meeting of Toronto East York Community Council



**Attachment 10: Draft Zoning By-law Amendment (569-2013)**

To be available at the May 2, 2017 meeting of Toronto East York Community Council