

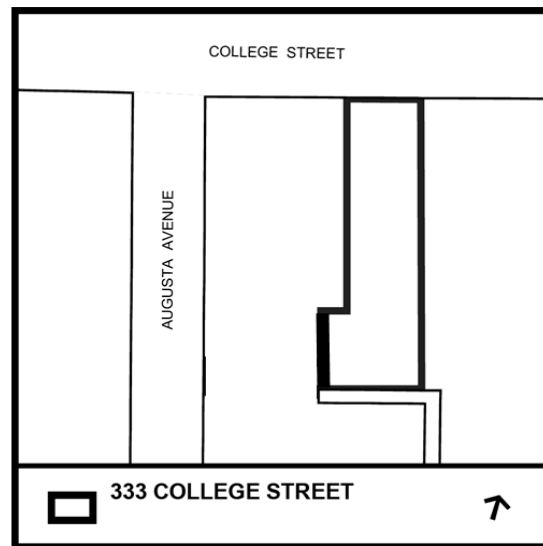
**333 College Street and 303 Augusta Avenue – Official Plan Amendment and Zoning Amendment Applications – Final Report**

<b>Date:</b>	August 15, 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 20 – Trinity-Spadina
<b>Reference Number:</b>	14 253221 STE 20 OZ

**SUMMARY**

This application seeks amendments to the Official Plan and Zoning By-law to permit an 11-storey, plus one mezzanine level, mixed use building. The building would have retail at-grade fronting onto College Street, with residential above and on the rear portion of the ground level. Three levels of underground parking are proposed. The proposed development would include 140 residential units, 232 square metres of retail, and 97 vehicular parking spaces.

Staff have reviewed the proposed Official Plan and Zoning By-law amendments and have determined the proposal to be appropriate for the site. While the proposed application pre-dates the College Street Site and Area Specific Policy 533 (SASP 533), the application is generally consistent with SASP 533 and College Street Urban Design Guidelines. The applicant has made modifications to reduce the height of the development, increase setbacks, and improve the relationship of the proposed development to the Kensington Market.



This report reviews and recommends approval of the Official Plan and Zoning By-law Amendments, subject to certain conditions that engineering requirements are satisfied before the Bills can be adopted by City Council.

## **RECOMMENDATIONS**

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

1. City Council amend the Official Plan, for the lands at 333 College Street and 303 Augusta Avenue substantially in accordance with the draft Official Plan Amendment attached as Attachment No. 9 to the report (August 15, 2017) from the Director, Community Planning, Toronto and East York District, and titled "333 College Street and 303 Augusta Avenue – Official Plan Amendment and Zoning Amendment Applications – Final Report".
2. City Council amend Zoning By-law 438-86, for the lands at 333 College Street and 303 Augusta Avenue substantially in accordance with the draft Zoning By-law Amendment to be available at the September 6, 2017 Toronto and East York Community Council meeting.
3. City Council amend City of Toronto Zoning By-law 569-2013 for the lands at 333 College Street and 303 Augusta Avenue substantially in accordance with the draft Zoning By-law Amendment to be available at the September 6, 2017 Toronto and East York Community Council meeting.
4. City Council authorize the City Solicitor to make such stylistic and technical changes to the draft Official Plan Amendment and draft Zoning By-law Amendments as may be required.
5. Before introducing the necessary Bills to City Council for enactment, City Council require the owner to:
  - a. Provide a hydrogeological Assessment Report to the satisfaction of the Executive Director, Engineering & Construction Services.
  - b. Provide a revised functional servicing and stormwater management report to the satisfaction of the Executive Director, Engineering & Construction Services.
  - c. Make satisfactory arrangements with the Executive Director, Engineering and Construction Services for the construction of any improvements to the municipal infrastructure at the expense of the applicant, should it be determined that upgrades are required to the infrastructure to support this development, in accordance with the functional servicing and stormwater management report accepted by the Executive Director, Engineering & Construction Services.

- d. Provide revised studies and/or drawings to indicate that all access driveways that the waste collection vehicles will use have a minimum overhead travelling clearance of 4.4 metres to the satisfaction of the Executive Director, Engineering & Construction Services
- e. Provide revised studies and/or drawings to indicate that that all overhead doors the collection vehicle will be passing through have a minimum 4 metres width and a minimum 4.4 metres vertical clearance. If the overhead door crosses the Type G loading space then it must have a minimum 6.1 metres vertical clearance to the satisfaction of the Executive Director, Engineering & Construction Services.
- f. Provide revised studies and/or drawings to indicate a fire route within 3 to 15 metres of the "principal entrance" to the satisfaction of the Executive Director, Engineering & Construction Services.
- g. The applicant agrees to withdraw appeals to OPA 379 respecting the College Street Site and Area Specific Policy 533.

### **Financial Impact**

The recommendations in this report have no financial impact.

### **DECISION HISTORY**

At its meeting on April 14, 2016, Toronto and East York Community Council adopted the recommendations in the report from the Director, Community Planning, Toronto and East York District (dated March 12, 2015) entitled "Preliminary Report – 333 College Street and 303 August Avenue – Official Plan Amendment, Zoning Amendment Applications" (Item TE5.37).

A link to the Community Council direction and report from the Director, Community Planning, Toronto and East York District is provided below:

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2015.TE5.37>.

At its meeting of May 24, 25, and 25, 2017, City Council adopted the recommendations in the reports from the Director, Community Planning, Toronto and East York District (dated April 10, 2017) and the "College Street Study – Official Plan Amendment – Supplementary Report" (dated April 25, 2017) (Item TE24.3) amending the Official Plan for the lands along College Street, generally between McCaul Street and Bathurst Street with Official Plan Amendment 379 (SASP 533), and adopting the College Street Urban Design Guidelines. The subject site is within the SASP 533 and is subject to the College Street Urban Design Guidelines. Official Plan Amendment 379 (SASP 533) is currently under appeal to the Ontario Municipal Board, which includes an appeal from the owner at 333 College Street and 303 Augusta Avenue.

A link to the City Council decision and reports from the Director, Community Planning, Toronto and East York District is provided below:  
<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2017.TE24.3>

## **ISSUE BACKGROUND**

### **Proposal**

#### *First Submission – November, 2014*

The applicant's initial proposal was to redevelop the lands at 333 College Street and 303 Augusta Avenue with a mixed use building. The proposal consisted of a 13-storey (42.9 metres, 45.8 metres including mechanical penthouse) building that fronted onto College Street which transitioned to a 4-storey plus mezzanine level portion on the southern third of the property and connected to a 6-storey building fronting onto Augusta Avenue. The building was setback 3.2 metres from the south property line, creating a 7.5 metre setback from the opposite edge of the private lane at the rear of the property.

The application proposed retail uses at grade for portions of the site fronting College Street and Augusta Avenue with residential uses above and behind. The initial proposal contained 172 residential units and did not include any 3-bedroom units. The overall density proposed for the site was 11,980 square metres including 495 square metres of non-residential gross floor area and 11,485 square metres of residential gross floor area. This resulted in a floor space index of 5.3 times the lot area. Three levels of underground parking were proposed including 119 vehicular parking spaces. Access to the vehicular parking was proposed from College Street and pedestrian access to the residential components of the building was proposed from both Augusta Avenue and College Street.

The proposed development had a base height of 7-storeys before a stepback was introduced on the College Street elevation. Proposed stepbacks above the base building varied, with both the east and west elevations having portions of the building step back less than 5.5 metres.

#### *Second Submission – October, 2015*

The applicant submitted a revised application in October, 2015. This revised application removed a portion of the site at 303 Augusta Avenue from the development application. With the removal of the building from Augusta Avenue, the built form and land use distribution proposed for the remainder of the building remained generally consistent with the first submission.

The revised proposal contained 164 residential units and continued to not include any 3-bedroom units. The overall density proposed was reduced to 11,021 square metres due to the removal of the Augusta Avenue portion of the development, with a residential gross floor area of 10,797 square metres and a non-residential gross floor area of 224 square metres. This resulted in a floor space index of 5.6 times the lot area, which was higher than the previous submission as a result of the lot being reduced in size from the removal of a portion of 303 Augusta Avenue from the development site. Three levels of underground parking continued to be proposed, including 97 vehicular parking spaces.

Both vehicular access and pedestrian access to the residential component of the building were proposed to be from College Street.

#### *Third Submission – June, 2017*

The applicant submitted a revised application in June, 2017. In the revised application, the overall height of the building was reduced to 11-storeys (36.1 metres, 39.6 metres, including mechanical penthouse). The rear transition was modified in this iteration of the proposal. While the building continued to be setback 7.5 metres from the opposite edge of the private lane at the rear of the property, the massing was modified such that the building is proposed to be built to a height of 3-storeys (10.3 metres) and increase in height under a 45 degree angular plane up to a setback of 20 metres.

Stepbacks were introduced on the College Street elevation, such that the building steps back 3 metres above the 4th storey and steps back another 3 metres above the 7th storeys. The building was revised to stepback from the property line a minimum of 5.5 metres on the east and west elevations above the 7th storey, with the exception of a projection for the elevators and stairs on the east elevation. The design was also revised so that any primary window is setback a minimum of 5.5 metres from the east and west property lines.

The proposal continues to include retail uses at grade for portions of the site fronting College Street, with residential uses above and behind. The revised proposal includes 140 residential units, including 14 3-bedroom units (10% of the total number of units). The overall density proposed for the site was reduced to 9,787 square metres including 232 square metres of non-residential gross floor area and 9,555 square metres of residential gross floor area. This results in a floor space index of 5.0 times the lot area. Three levels of underground parking are proposed including 97 vehicular parking spaces. Vehicular access is proposed from College Street and pedestrian access to the residential components of the building is proposed from College Street.

### **Site and Surrounding Area**

The site is an irregular L-shaped parcel of land with frontage on College Street. The site has a lot frontage of approximately 20 metres on College Street and a depth of approximately 84 metres. The overall lot area is 1,966 square metres.

The initial submission of the application was for a larger site, which included a property at 303 Augusta Avenue. The western portion of the 303 Augusta Avenue property fronting Augusta Avenue is no longer included in the development application.

Development in the vicinity of the subject site is as follows:

North: Development on the north side of College Street generally consists of mixed use buildings ranging in height from 2 to 4 storeys. A 6-storey medical building is located northwest of the College Street and Augusta Avenue intersection.

East: Immediately east of the site is a large footprint through-block 4-storey residential building which is owned by Toronto Community Housing Corporation (TCHC). Further east is a 15-storey mixed use building at 297 College Street. The south side of College Street between the subject site and Spadina Avenue generally consists of mixed-use and institutional buildings ranging in height from 1 to 5 storeys.

West: Immediately west of the subject site is a 4-storey residential building. Further to the west of the subject site is Augusta Avenue, which provides a low-rise mixed-use street in the Kensington Market neighbourhood. The south side of College Street between the subject site and Bathurst Street generally consists of mixed use buildings ranging in height from 1 to 3 storeys.

South: Immediately south of the subject site is low density residential development in house form buildings.

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

The Provincial Policy Statement (2014) (PPS) provides policy direction Province-wide on land use planning and development to promote strong communities, a strong economy, and a clean and healthy environment. It includes policies on key issues that affect communities, such as:

- The efficient and wise use and management of land and infrastructure over the long term in order to minimize impacts on air, water and other resources;
- Protection of the natural and built environment;
- Building strong, sustainable and resilient communities that enhance health and social well-being by ensuring opportunities exist locally for employment;
- Residential development promoting a mix of housing; recreation, parks and open space; and transportation choices that increase the use of active transportation and transit; and
- Encouraging a sense of place in communities, by promoting well-designed built form and by conserving features that help define local character.

The City of Toronto uses the PPS to guide its Official Plan and to inform decisions on other planning and development matters. The PPS is issued under Section 3 of the Planning Act and all decisions of Council affecting land use planning matters "shall be consistent with" the Provincial Policy Statement. Policy 4.7 further states that the Official Plan is the most important vehicle for implementing the PPS.

The Growth Plan for the Greater Golden Horseshoe (2017) provides a strategic framework for managing growth in the Greater Golden Horseshoe region including:

- Setting minimum density targets within settlement areas and related policies directing municipalities to make more efficient use of land, resources and infrastructure to reduce sprawl, cultivate a culture of conservation and promote compact built form and better-designed communities with high quality built form and an attractive and vibrant public realm established through site design and urban design standards;
- Directing municipalities to engage in an integrated approach to infrastructure planning and investment optimization as part of the land use planning process;
- Building complete communities with a diverse range of housing options, public service facilities, recreation and green space that better connect transit to where people live and work;
- Retaining viable employment lands and encouraging municipalities to develop employment strategies to attract and retain jobs;
- Minimizing the negative impacts of climate change by undertaking stormwater management planning that assesses the impacts of extreme weather events and incorporates green infrastructure; and
- Recognizing the importance of watershed planning for the protection of the quality and quantity of water and hydrologic features and areas.

Like other provincial plans, the Growth Plan for the Greater Golden Horseshoe (2017) builds upon the policy foundation provided by the Provincial Policy Statement (2014) and provides more specific land use planning policies to address issues facing the GGH region. The policies of the Growth Plan take precedence over the policies of the PPS to the extent of any conflict, except where the relevant legislation provides otherwise. All decisions by Council affecting land use planning matters are required by the *Planning Act*, to conform, or not conflict, as the case may be, with the Growth Plan.

## **Official Plan**

Map 2 of the Official Plan identifies that the subject site is located *Downtown*. The Official Plan identifies that the *Downtown* will continue to 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, Section 2.2.1.1 of the Plan identifies that the *Downtown* policies of the 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.

Although the Plan identifies the *Downtown* as one of the areas which can accommodate growth, Section 3.1.3 specifies that tall buildings are desirable in the right places, and acknowledges that they are not appropriate in all locations. When tall buildings are poorly located or designed, they can physically and visually overwhelm adjacent streets, parks and neighbourhoods. The Plan acknowledges that tall buildings are also only one form of intensification. Most of the identified intensification is anticipated to be achieved with street-oriented, grade related or mid-rise type buildings.

The Healthy Neighbourhoods Section of the Official Plan identifies that the intensification of land adjacent to neighbourhoods will be carefully controlled so that neighbourhoods are protected from negative impact. The plan also states that developments in *Mixed Use Areas* that are adjacent or close to *Neighbourhoods* will, among other matters, be compatible with those *Neighbourhoods*, provide a gradual transition of scale and density, and maintain adequate light and privacy for residents in those *Neighbourhoods*.

The majority of the subject site is designated *Mixed Use Areas* in the Official Plan. This land use designation permits a broad range of commercial, residential and institutional uses and includes policies and development criteria to guide development and its transition between areas of different development intensity and scale.

The development criteria in *Mixed Use Areas* include, but are not limited to:

- creating a balance of high quality commercial, residential, institutional and open space uses that reduces automobile dependency and meets the needs of the local community;
- providing for new jobs and homes for Toronto's growing population on underutilized lands;
- locating and massing new buildings to provide a transition between areas of different development intensity and scale;
- locating and massing new buildings to frame the edges of streets and parks;
- providing an attractive, comfortable and safe pedestrian environment;
- providing good site access and circulation and an adequate supply of parking for residents and visitors;
- locating and screening service areas, ramps and garbage storage to minimize the impact on adjacent streets and residences; and
- providing indoor and outdoor recreation space for building residents in every significant multi-residential development.



A portion of the site is designated *Neighbourhoods* within the Official Plan. *Neighbourhoods* are considered physically stable areas made up of residential uses in lower scale buildings such as detached houses, semi-detached houses, duplexes, triplexes and townhouses, as well as interspersed walk-up apartments that are no higher than four-storeys. Parks, low scale local institutions, home occupations, cultural and recreational facilities and small-scale retail, service and office uses are also provided for in *Neighbourhoods*. The Plan identifies these established areas as physically stable and that development will respect and reinforce the existing physical character of the neighbourhood. Particular aspects of physical character are identified including: patterns of streets, blocks and lanes; lot size; heights, massing, scale and dwelling type of nearby residential properties; prevailing building types, or predominant forms of development in the neighbourhood; and, prevailing patterns of rear and side yard setbacks and landscaped open space.

The Built Form policies, contained within Section 3.1.2 of the Official Plan emphasise the importance of ensuring that new development fits within its existing and/or planned context, while limiting impacts on neighbouring streets, parks and open spaces. New buildings are required to provide appropriate massing and transition in scale that will respect the character of the surrounding area.

The site is located two properties east of Augusta Avenue. Augusta Avenue is subject to Site and Area Specific Policy (SASP) 197. SASP 197 states that any public or private developments and works should be consistent with the special characteristics of the area, including: low scale buildings with retail at grade; minimal setbacks; and open air display of goods on the boulevard. While the subject site is no longer within SASP 197 because of the removal of that portion of the property at 303 Augusta Avenue from the development site, the property was evaluated based on its relationship to the low scale of Augusta Avenue.

The proposed application was evaluated against the policies described above as well as the policies of the Official Plan as a whole.

### **College Street Site and Areas Specific Policy and Urban Design Guidelines**

In May, 2017 City Council adopted OPA 379 for the lands along College Street, generally between McCaul Street and Bathurst Street, the College Street Site and Area Specific Policy (SASP) 533, and adopted the College Street Urban Design Guidelines. The purpose of SASP 533 is to provide a framework for growth and development on College Street, providing direction on built form and the public realm. The subject site is within the area of SASP 533. OPA 379 has been appealed to the Ontario Municipal Board, which includes an appeal filed by the owner of 333 College Street and 303 Augusta Avenue.

SASP 533 provides policies that apply to the entire SASP area, but also divides the area into 6 distinct Character Areas and provides additional policy direction based on the unique aspects of each Character Area. The subject site is located within Character Area B. Character Area B is very diverse both in use and building typology and serves as the northern boundary of the Kensington Market Neighbourhood. New development in this Character Area will respect the existing character of this area. New buildings in this Character Area should have a maximum height of 30 metres and will have minimum stepbacks of 5.5 metres from the east and west property lines for all portions of the building above the base building. A minimum of 60% of the College Street frontage will be street-related retail and service uses. The ground floor of new buildings will be used exclusively for street-related retail and service uses, and residential units will not be permitted on the ground floor of new buildings fronting College Street.

The College Street Urban Design Guidelines provide further guidance for development that apply to both the entire SASP 533 area and also include guidelines specific to each Character Area. The Urban Design Guidelines identify that on the College Street elevation of the building, a stepback of 3 metres should occur above the fourth floor, with a further stepback of 3 metres above the 7th floor. The guidelines also provide direction for a base building height of 7 storeys. The guidelines provide guidance on rear transition, indicating that new buildings should be setback a minimum of 7.5 metres from the rear property line (a public lane can be included for the purposes of establishing setback), and be within a 45 degree angular plane taken from a height of 10.5 metres above this 7.5 metre setback. Massing can penetrate this angular plane, only if there is a minimum separation distance of 20 metres between building walls and *Neighbourhoods* designated areas. A minimum boulevard width of 4.8 metres is recommended, measured from curb to building face, which allows for an edge zone along the curb, a tree planting zone, and a minimum clear pedestrian walkway of 2.1 metres.

Both SASP 533 and the College Street Urban Design Guidelines were considered in the review of this development application. As this application pre-dates the College Street Study, appropriate transition was considered in the review of this application when applying SASP 533 and the College Street Urban Design Guidelines as both documents were relevant but not determinative in the review of the application.

### **Zoning By-law 438-86**

The subject site is subject to two zoning categories. The northern portion of the site which fronts College Street is zoned Mixed Commercial Residential (MCR T3.0 C2.0 R2.5). This zoning category permits a mix of residential and non-residential uses up to a maximum density of 3.0 times the lot area. The maximum height permitted is 16.0 metres.

The southern portion of the site which fronts the rear private lane (Ellen Avenue) is zoned Residential (R3 Z1.0). This zoning category permits a range of residential uses up to a maximum density of 1.0 times the lot area. The maximum height permitted is 12.0 metres.

## **Zoning By-law 569-2013**

In May 2013, the City passed and enacted a new harmonized Zoning By-law 569-2013. The zoning that applies to the subject lands is substantially the same with regard to use, density and height as Zoning By-law 438-86.

The lands fronting College Street are zoned CR 3.0 (c2.0:r2.5) SS2(x2263). The maximum height permitted remains unchanged at 16.0 metres.

The southern portion of the site that fronts the rear private lane is zoned R (f4.5; d1.0)(x7). The maximum height permitted remains unchanged at 12.0 metres.

## **Kensington Market Heritage Conservation District Study**

The Kensington Market Heritage Conservation District Study (HCD Study) was commissioned by the City of Toronto in December 2015. It was conducted by Taylor Hazell Architects (THA) with Urban Strategies Inc. and Archaeological Services Inc. over a 14-month period between March 2016 and May 2017. The HCD Study was carried out in accordance with the Heritage Conservation Districts in Toronto, Procedures, Policies and Terms of Reference (2012) (HCD TOR).

The purpose of the HCD Study is to understand the history, evolution, built fabric and public realm (streets, sidewalks and lanes) of a place so that its character can be identified and described. The Study determines whether an area has cultural heritage values that warrants protection under Section 40 (1) of the Ontario Heritage Act (OHA). If an area warrants protection as an HCD, the Study recommends the district boundaries, the heritage values and attributes of the area and the objectives of an HCD Plan. The Study and any recommendations must be approved by the City of Toronto's Heritage Preservation Services (HPS) and endorsed by the Toronto Preservation Board prior to initiation of an HCD Plan.

The Kensington Market Heritage Conservation District Study is targeted to be considered at the September 24, 2017 meeting of the Toronto Preservation Board.

## **TOcore**

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 Downtown 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 transportation, parks and public realm, community services and facilities, water and energy are in development as part of this review.

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 the policy directions that informed the development of the proposed Downtown Plan. The proposed Downtown Plan will be presented at the Planning and Growth Management Committee meeting on September 7, 2017.

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

## **Midrise Building Guidelines**

Toronto City Council, at its meeting of July 8, 2010, adopted the recommendations of the "Avenues and Mid-Rise Buildings Study". This council adopted policy encourages future intensification along Toronto's *Avenues* which is compatible with the adjacent neighbourhoods through appropriately scaled and designed mid-rise buildings. The study provides guiding performance standards for mid-rise buildings on *Avenues* to encourage the development of more well designed mid-rise buildings.

In June 2016, City Council approved the Mid-Rise Building Performance Standards Addendum (April 20, 2016). The Addendum is to be used by City Staff together with the 2010 approved Mid-Rise Building Performance Standards during the evaluation of development applications where mid-rise buildings are proposed and the Performance Standards are applicable. The Performance Standards are identified as being applicable to the evaluation of proposed mid-rise buildings that are located both within existing land use designations for *Mixed Use Areas*, *Employment*, *Institutional*, or some *Apartment Neighbourhoods* where the existing built form supports mid-rise development and where the site fronts onto a Major Street as identified on Map 3 of the Official Plan with planned rights of way of at least 20 metres wide. The subject site is in a *Mixed Use Area* and on a Major Street, as such the Performance Standards are now applicable.

A link to the Council decision can be found here:

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2016.PG12.7>

The guidelines assisted in evaluating this proposal.

## **Site Plan Control**

The subject site and development are subject to Site Plan Control. An application for Site Plan Control has not been submitted to date.

## **Reasons for Application**

An Official Plan Amendment application is required to re-designate the portion of the site designated *Neighbourhoods* to *Mixed Use Areas*.

The Zoning By-law Amendment applications are required because the proposed height and density exceed the maximum density permitted by the former City of Toronto By-law 438-86, as amended, and By-law 569-2013.

In addition, the proposed building does not comply with other Zoning By-law standards in effect on the lands, including the proposed quantity of parking.

## **Community Consultation**

Three community consultation meetings have been held by Planning Staff to consult with the public about this application.

The first community consultation meeting was held on May 14, 2015 at St. Stephens-in-the-Fields Church. The meeting was attended by approximately 50 people. At the meeting, community members raised concerns including the height and massing of the proposal, including that the building was too tall and concerns about transition to *Neighbourhoods* designated properties at the rear. Concerns were also raised that the 6-storey height on Augusta Avenue was too tall. Other concerns raised included overlook into neighbouring properties, the proposed unit mix and size, and that the proposal conflicted with the "culture of Kensington".

A second community consultation meeting was held on February 25, 2016 at St. Stephens-in-the-Fields Church to discuss the applicant's second submission. Approximately 30 people attended the meeting. At the meeting, concerns were raised about the height, the transition to the south, the impact on the TCHC building to the east, the proposed unit size, potential overlook from the outdoor amenity space, and the impact of the proposed development on the Kensington Market.

A third community consultation meeting was held on June 19, 2017 at St. Stephen's Community House to discuss the applicant's third submission. Approximately 25 people attended the meeting. At the meeting, Staff identified that the applicant had sufficiently addressed previous Staff comments on the proposal and that a final report recommending that City Council approve the application would be going to Toronto and East York Community Council in the fall. At the meeting, community members raised concerns about the proposed height, the transition to the south, the impact on the TCHC building to the east, and the relationship of the proposed development to the Kensington Market.

Although not all comments received from the community have likely been satisfied from a community perspective, substantial changes have been made to the proposal to improve its relationship to its context and to reduce the massing. The issues raised during community consultation have been considered in staff's assessment of the proposal and have influenced revisions to the proposal.

## **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

### **Planning Act, Provincial Policy Statement and Provincial Plans**

Section 2 of the Planning Act identifies matters of provincial interest, which include, among other matters, the orderly development of safe and healthy communities, the appropriate location of growth and development, the adequate provision of a full range of housing, and the promotion of a built form that is well-designed. The proposed development has regard for matters of provincial interest as identified in Section 2 of the Planning Act.

The proposal is consistent with the 2014 PPS. The PPS contemplates new development accommodating a range and mix of uses, which the proposed development does through the provision of both residential and retail uses. Section 1.1.3.3 indicates that "Planning authorities shall identify appropriate locations and promote opportunities for *intensification* and *redevelopment* where this can be accommodated taking into account existing building stock or areas...". The subject site has been identified as an appropriate location for intensification and redevelopment similar to the level contemplated by the proposed development through the SASP 533 and the proposed development takes into account the existing building stock. Section 4.7 indicates that the Official Plan is the most important vehicle for implementation of the PPS and that Official Plans shall identify provincial interests, as identified in Section 2 of the Planning Act, which includes the promotion of a well-designed built form. The proposed development is consistent with Official Plan policies and provides a well-designed built form which is generally consistent with the Council-adopted SASP 533 that provides direction on built form in this area. This application provides intensification and redevelopment in an appropriate location in a built form that fits within its local context and is consistent with the 2014 PPS.

The Growth Plan for the Greater Golden Horseshoe (2017) designates this site within the delineated built up area. Section 2.2.2.4 identifies that delineated built up areas as areas to encourage intensification and also identifies that municipalities will identify the appropriate type and scale of development and transition of built form to adjacent areas. Council adopted SASP 533 to identify appropriate areas for intensification on the portion of College Street where the subject site is located, and SASP 533 also identified the appropriate type and scale of development and transition of built form to adjacent areas for this intensification. This application accommodates intensification and provides this intensification in an appropriate type and scale of development with appropriate transition, in a manner generally consistent with the policies in SASP 533. The proposed development conforms (does not conflict with) the Growth Plan for the Greater Golden Horseshoe.

## Land Use

The proposed development is located in the *Downtown* in an area largely designated *Mixed Use Areas* in the Official Plan, with a smaller portion of the site designated *Neighbourhoods*. This proposal is for a mixed-use building with retail at-grade fronting onto College Street, and residential above and at-grade to the rear of the retail. The proposed mixed-use development on the site is appropriate as it complies with the *Mixed Use Areas* policies of the Official Plan by providing a mixture of uses on the site.

SASP 533 also provides direction on land use, which requires 60% of the building frontage to be retail. The proposed development complies with this provision. SASP 533 also limits the use of the ground floor of new buildings to street-related retail and service uses, with residential units not permitted on this level. The proposed development does not comply with this policy, however on balance this is acceptable in this instance as the submission of this application significantly pre-dates the Council-adoption SASP 533, and the application provides retail for a portion of the building fronting College Street contributing to the retail vibrancy on this section of College Street.

## Height and Massing

The proposed built form is supportable by Staff in this instance as the application was submitted over two years before the Council adoption of the SASP 533 and the College Street Urban Design Guidelines. While the application does not comply entirely with SASP 533, the applicant has made significant modifications to the proposal such that it is consistent with many policies in SASP 533 and many of the guidelines in the College Street Urban Design Guidelines. This lack of conformity to the SASP 533 is only acceptable in this instance as this application significantly predates the Council adoption of the College Street SASP and College Street Urban Design Guidelines. It is expected that all new applications will be consistent with the College Street SASP and would incorporate the College Street Urban Design Guidelines.

The application proposes a building at a height of 36.1 metres, 39.6 metres, including mechanical penthouse (11 storeys). The proposed height exceeds the maximum height of the SASP 533, which limits heights of new buildings to 30 metres, excluding mechanical penthouse (approximately 9 storeys). The proposed development is significantly shorter than the development that was recently constructed at 297 College Street, two properties east of the subject site, which was approved at a height of 52.8 metres, 57 metres including mechanical penthouse (15 storeys). The proposed development has also been massed to minimize the visual impact of the development from Augusta Avenue, a low-rise main street in Kensington Market. This has been illustrated by massing diagrams provided by the applicant. The way the proposed development has been massed minimizes the impact of the proposed height and makes the proposed height acceptable to Staff in the context of the application being submitted before Council-adoption of SASP 533.

SASP 533 requires new buildings to provide a transition to existing buildings in *Neighbourhoods* through reduced scale and height and use of setback, stepbacks, and rear angular planes. The proposed development is consistent with this policy as the development has been massed to appropriately transition to the *Neighbourhoods*-designated properties at the rear of the subject site especially in consideration of the unusual lot configuration. The proposed development is setback 3.2 metres from the rear property line. The property is separated from the properties to the rear by a private lane. The private lane is subject to numerous long-term easements from nearby property owners and it is anticipated that based on these numerous easements, the private lane will not be removed. Therefore, in this instance Staff consider it appropriate to consider the rear lane when establishing the setback, similar to how a public lane would be considered. The proposed development is setback 7.5 metres from the far edge of the rear lane, which is acceptable to Staff and consistent with the College Street Urban Design Guidelines. The proposed development also transitions to the rear within a 45 degree angular plane measured from a height of 10.5 metres at the 7.5 metre setback up to a distance of 20 metres from the property line. This is also consistent with the College Street Urban Design Guidelines and provides an appropriate transition to the properties to the rear, consistent with SASP 533.

SASP 533 requires new development to incorporate stepbacks above the base building on the front façade of new buildings consistent with the scale of the existing low-rise buildings within the same block. The development has been revised to incorporate stepping on the College Street elevation that allows the base building to provide an appropriate streetwall height on College Street, reflecting the guidelines from the College Street Urban Design Guidelines. The College Street Urban Design Guidelines recommend buildings provide a stepback of 3 metres above the 4th storey in order to allow for an appropriate streetwall height. The proposed development incorporates a 3 metre stepback above the 4th storey. This stepback of the front façade makes it compatible with the scale of the existing low-rise buildings, consistent with SASP 533. The proposed development also incorporates an additional stepback on the College Street elevation of 3 metres above the 7th storey in order to allow for skyviews and sunlight penetration onto the sidewalks. The proposed height and massing have resulted in acceptable levels of shadow, as further detailed in the "Sun, Shadow, Wind" section of the report. SASP 533 requires new buildings to be sited and massed to minimize negative impacts on the public realm such as adverse shadow, pedestrian level wind, and blockage of sky view from the public realm.

The proposed building has a length of 78.8 meters at the base. This long building has the potential to appear very long and slab-like. The proposed north and south stepbacks help to articulate the massing to reduce the visual impact of the proposed development.



The proposed development is sited and massed to provide adequate privacy and natural light for residents by providing appropriate separation distance between building walls. SASP 533 requires new buildings to be setback a minimum of 5.5 metres from their east and west property lines for all portions of the building above the base building. The proposed development provides a setback of 5.5 metres from the east and west property lines for all portions of the building above the 7-storey base building, with the exception of stairwell and elevator projections that are setback 2.8 metres from the property line on the west elevation. This is acceptable in this instance as the application pre-dates SASP 533 and the stair and elevator projections are limited and do not have windows nor do they front any windows on the property to the west of the subject site, which is a newly-constructed 4-storey building. The proposed development also provides a minimum 5.5 metre setback from the property line for any primary windows on the building that are part of the 7-storey base building, providing an appropriate setback on the applicant's property to ensure privacy.

The revised massing provided for the application effectively minimizes the impact of the proposed height, provides appropriate transition to the *Neighbourhoods*-designated properties at the rear, creates a base building that contributes to the scale of College Street, provides for adequate skyviews and sunlight from sidewalks, and provides an appropriate separation distance to ensure adequate privacy and natural light. The height and massing of the proposal are supportable by Staff in the context of an application that pre-dates SASP 533 and as the application generally complies with the policies in SASP 533 and the College Street Urban Design Guidelines. Future applications submitted following the City Council adoption of SASP 533 are expected to comply with SASP 533 and be informed by the College Street Urban Design Guidelines.

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

The sun shadow study provided by the applicant demonstrates that the level of shadow created by the proposed development has been minimized and is acceptable. The proposed development does not add any new shadow on the north sidewalk of College Street between 9:18 am and 6:18 pm on March 21 and September 21, with the exception of a minimal amount of shadow on the curb of the sidewalk from 12:18 to 2:18 p.m. The north sidewalk of College Street functions as a retail main street and one of the intentions of the massing requirements in SASP 533 and recommendations in the College Street Urban Design Guidelines is that new developments not shadow the north sidewalk of College Street during the spring and fall equinoxes. The shadow generated by the proposed development is minimized to a level that is acceptable to Staff in the context of an application that pre-dates Council-adoption of SASP 533.

Staff will be requiring a full Wind Study and will be requiring the applicant to mitigate any undesirable wind impacts through building details as part of the Site Plan application process.

## **Suitability of the Proposed Official Plan Amendment**

The proposed development requires an Official Plan Amendment as the rear third of the site is designated *Neighbourhoods*. The *Neighbourhoods* designation limits the height in this portion of the site to 4-storeys. Staff consider it appropriate to re-designate this portion of the site to *Mixed Use Areas* through an Official Plan Amendment for the following reasons:

- The *Neighbourhoods*-designated portion of the property is isolated in the centre of the western half of the block, physically separated from the other nearby *Neighbourhoods*-designated properties with no public frontage.
- The property is bounded by a private lane and the rear lots of the established low-rise residential dwellings to the south, the TCHC apartment building to the east, and the rear lots of mixed-use properties to the north and west.
- This portion of the property is currently occupied by a car repair garage and has historically been used for commercial, not residential, purposes.

This is a unique circumstance, whereby this *Neighbourhoods*-designated property is not used for residential functions and is physically separated from other residential lots. The applicant is providing an appropriate transition to the *Neighbourhoods*-designated properties at the rear of the subject site. Staff believe that the re-designation of a portion of the subject site from *Neighbourhoods* to *Mixed Use Areas* is appropriate, will not jeopardize the future stability of the surrounding neighbourhood and maintains the overall intent of the Official Plan.

## **Provision of Family-Sized Units**

The proposed development contains 140 residential units, including 14 3-bedroom units (10% of the total number of units). Staff seek to secure a minimum 10% of all units as 3-bedroom unit to create a diversity of unit types and accommodate families. This is consistent with Official Plan policy 3.2.1 that requires that a full range of housing be provided and maintained to meet the current and future needs of residents. The application proposes 10% of all units as 3-bedroom units which is consistent with this objective and is at a level acceptable to Staff.

## **Amenity Space**

A total of 576 square metres of amenity space are proposed for this development, including 323 square metres of indoor amenity space (2.3 square metres/unit) and 253 square metres of outdoor amenity space (1.8 square metres/unit). This exceeds the zoning by-law requirement of a combined total of 4.0 square metres of amenity space per unit, and is acceptable to Staff. The proposed ratios of indoor and outdoor amenity space are secured in the site-specific zoning by-law.

This indoor amenity space is proposed to be located on levels 5, 6, and 7. Outdoor amenity space is proposed to be connected to the indoor amenity space and is proposed to be located on levels 5, 6 and 8 at the rear of the proposed development. A separate

outdoor amenity space area is proposed to be located on the west elevation on level 8. Through the Site Plan application process, Staff will ensure that appropriate screening is provided to the outdoor amenity space to mitigate any privacy and overlook issues.

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

The proposed development includes 3-levels of underground parking containing 97 vehicular parking spaces. The proposed 97 vehicular parking spaces are comprised of 81 parking spaces for the use of residents and 16 visitor parking spaces. Vehicular parking is proposed to be accessed from a private laneway that is owned by the applicant and which is accessible from College Street. The proposed quantity of vehicular parking and parking access are acceptable to Staff. The quantity of vehicular parking spaces is secured will be in the site specific zoning by-law.

Engineering and Construction Services Staff have reviewed the proposed traffic impact of the proposed development and have determined that the traffic generated by the proposed development is at an acceptable level and that the proposed parking is acceptable.

The proposed fire access is acceptable, pending the applicant provide revised studies and/or drawings to indicate a fire route within 3 to 15 metres of the "principal entrance". This is required to be provided before the bills can be adopted by City Council.

### **Loading**

The proposed development includes 1 Type G loading space. This Type G loading space is provided at grade and is accessible from the private lane that is part of the development site and is accessible from College Street. The proposed loading space quantity and type are acceptable to Staff. Staff require additional information on the drawings to demonstrate loading space dimensions and the access to the loading space before bills can be adopted by City Council.

### **Site Servicing and Hydrogeology**

Revisions are required to the functional servicing and stormwater management reports and associated site servicing drawings provided by the applicant. The applicant is also required to provide a hydrogeological assessment report, to the satisfaction of Staff. Staff recommend that the required revisions to the functional servicing and stormwater management reports and associated site servicing drawings be required to be provided before City Council adopts the bills associated with this zoning by-law amendment application.

## **Bicycle Parking**

The development includes a total of 177 bicycle parking spaces. This includes 160 long term bicycle parking spaces and 17 short term bicycle parking spaces. Long term bicycle parking spaces are located at-grade and on the first and second levels below grade. Short term bicycle parking spaces are located at-grade.

The quantity and location of bicycle parking are acceptable to Staff. The quantity of bicycle parking is secured in the site-specific zoning by-law.

## **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 0.79 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.

The application is for the construction of one new building with 232 square metres of non-residential gross floor area and 140 residential units consisting of 9,555 square metres of residential gross floor area.

In accordance with Chapter 415, Article III of the Toronto Municipal Code, the applicant is required to satisfy the parkland dedication requirement through cash-in-lieu. The non-residential nature of this proposal is subject to a 2% parkland dedication while the residential portion is subject to a 10% parkland dedication.

The value of the cash-in-lieu of parkland dedication will be appraised through Real Estate Services. Payment will be required prior to the issuance of the first above grade building permit.

## **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 will secure performance measures for bicycle parking. Other applicable TGS performance measures will be secured through the Site Plan Approval process.

## **Conclusion**

The proposed development is supportable by Staff in the context of the application being submitted well in advance of Council-adoption of SASP 533 and the College Street Urban Design Guidelines. While the proposed development is approximately 2 storeys taller than what would be supportable under SASP 533, this is acceptable in the context that that the application was submitted prior to Council adoption of SASP 533 and that the building has been carefully massed to provide appropriate light, privacy, skyview, transition to *Neighbourhoods*, and providing an appropriate base building on College Street. Proposals that have been submitted after SASP 533 will be expected to comply with SASP 533. The development represents an appropriate form of residential intensification for College Street that is sensitive to the broader Kensington Market Neighbourhood.

## **CONTACT**

Michelle Knieriem, Planner  
Tel. No. 416-338-2073  
E-mail: michelle.knieriem@toronto.ca

## **SIGNATURE**

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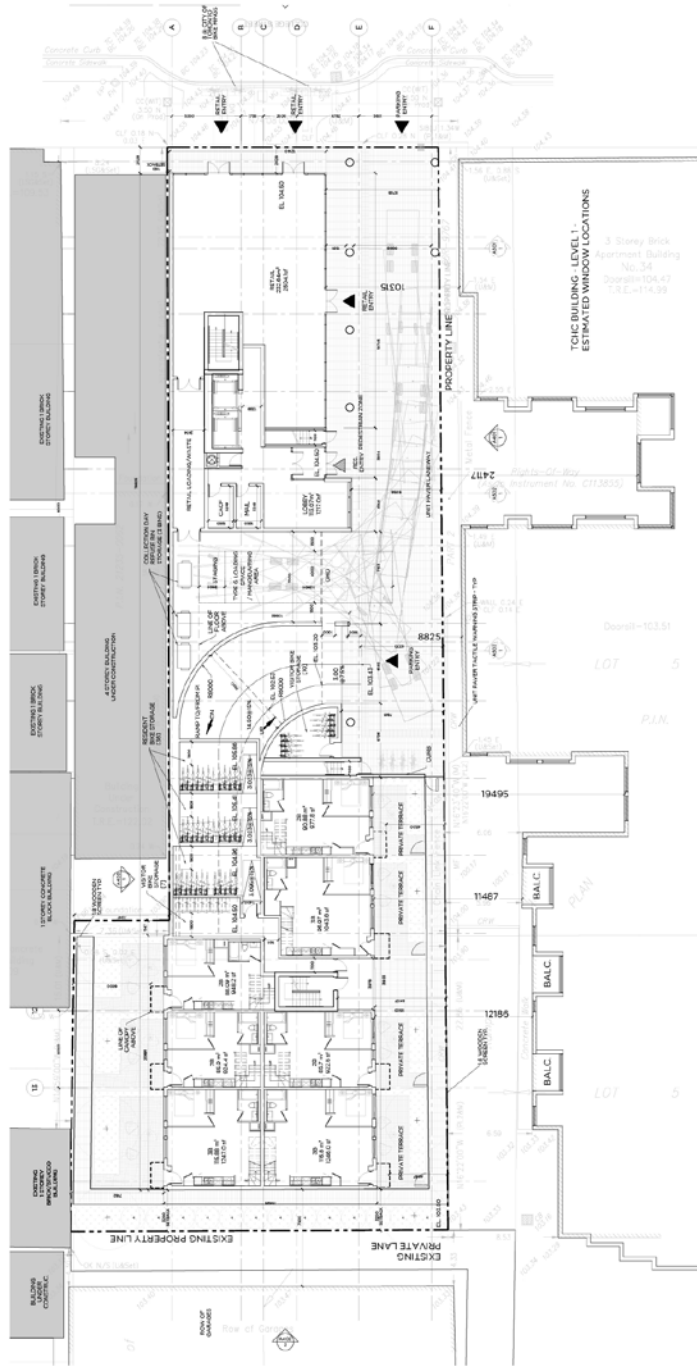
Gregg Lintern, MCIP, RPP  
Director, Community Planning  
Toronto and East York District

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## **ATTACHMENTS**

Attachment 1: Site Plan  
Attachment 2: North Elevation  
Attachment 3: South Elevation  
Attachment 4: East Elevation  
Attachment 5: West Elevation  
Attachment 6: Zoning By-law 569-2013  
Attachment 7: Official Plan  
Attachment 8: Application Data Sheet  
Attachment 9: Draft Official Plan Amendment  
Attachment 10: Draft Zoning By-law Amendment to By-law 438-86  
Attachment 11: Draft Zoning By-law Amendment to By-law 569-2013

# Attachment 1: Site Plan



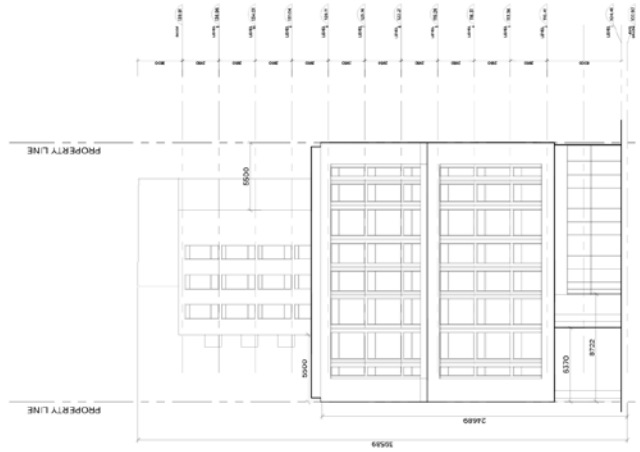
**333 College Street and 303 Augusta Avenue**

**Site Plan**  
Applicant's Submitted Drawing

Not to Scale  
08/14/2017

File # 14 253221 STE 20.02

**Attachment 2: North Elevation**

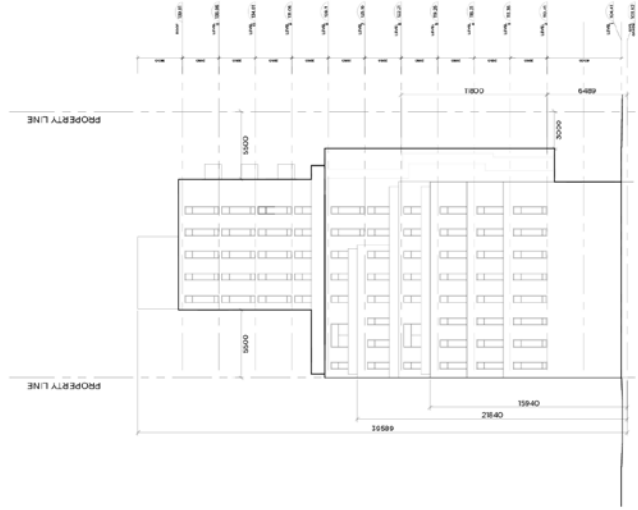


**333 College Street and 303 Augusta Avenue**

File # 14 253221 STE 20 0Z

**North Elevation**  
Applicant's Submitted Drawing  
Not to Scale  
08/14/2017

**Attachment 3: South Elevation**



**South Elevation**

Applicant's Submitted Drawing

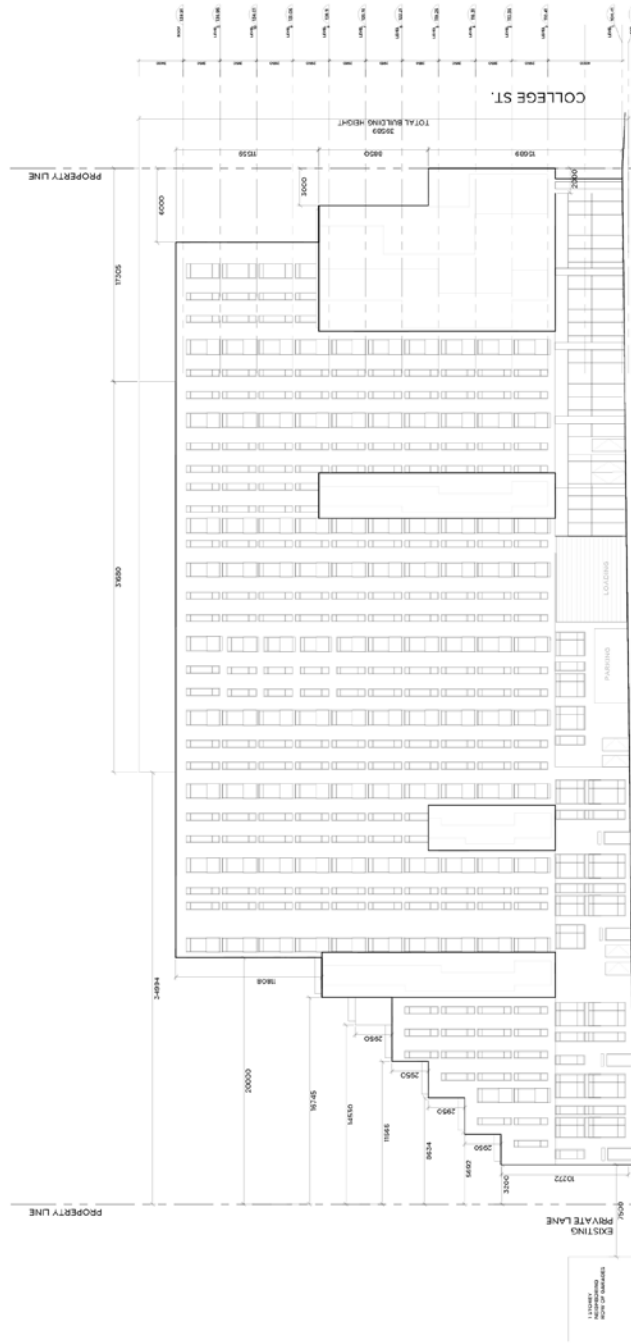
Not to Scale  
08/14/2017

**333 College Street and 303 Augusta Avenue**

File # 14 253221 STE 20 0Z



# Attachment 4: East Elevation

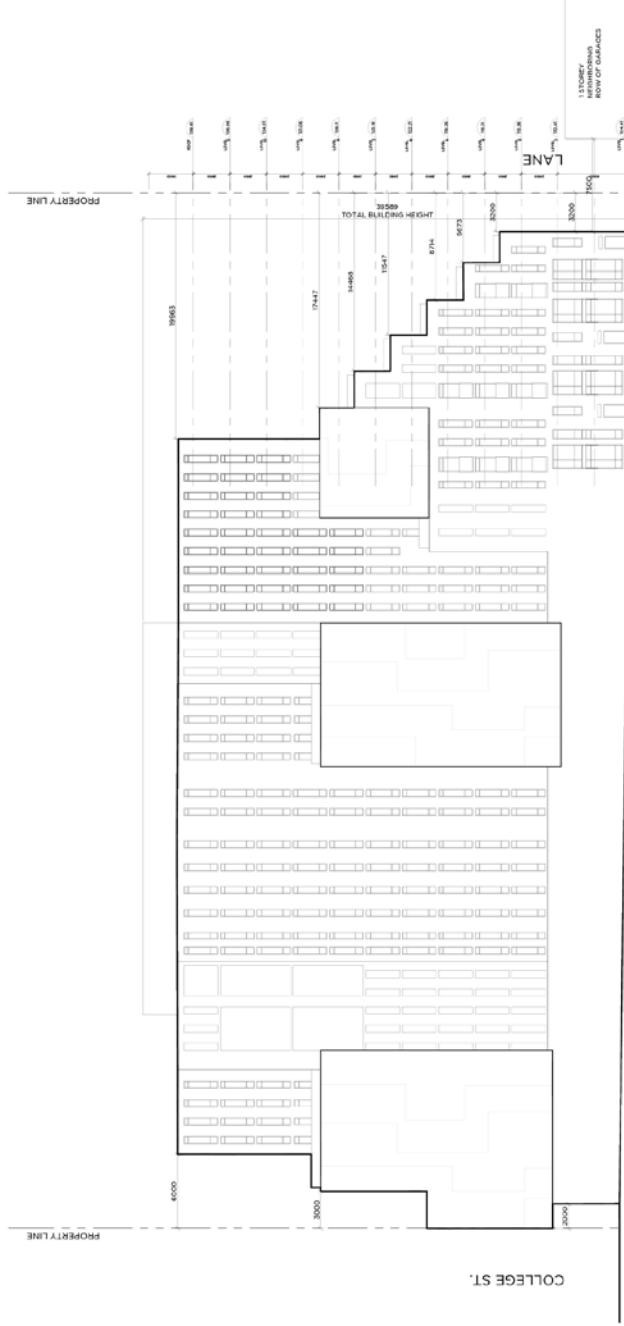


333 College Street and 303 Augusta Avenue

East Elevation  
 Applicant's Submitted Drawing  
 Not to Scale  
 08/14/2017

File # 14 253221 STE 20 0Z

# Attachment 5: West Elevation



333 College Street and 303 Augusta Avenue

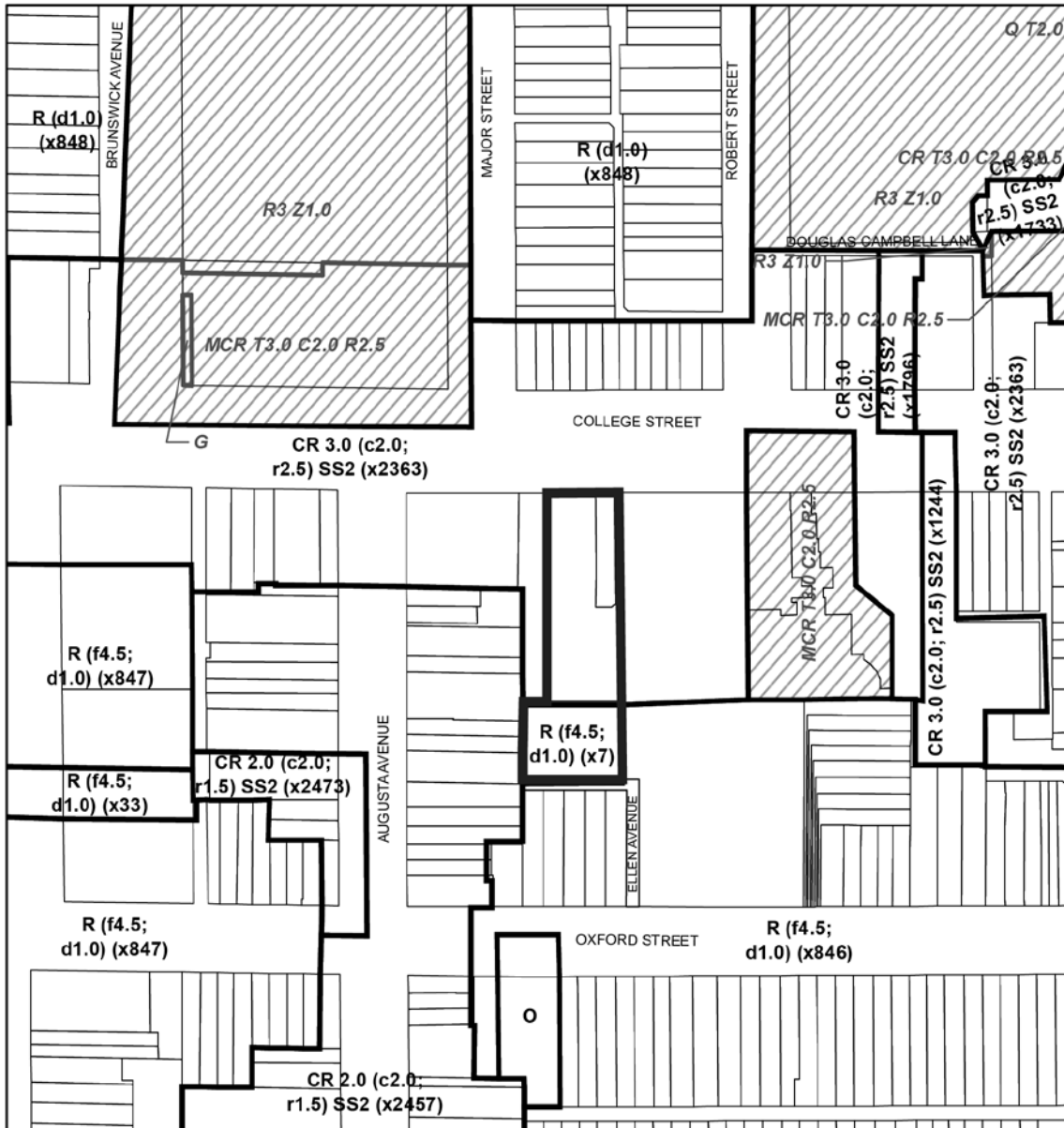
West Elevation

Applicant's Submitted Drawing

Not to Scale  
08/14/2017

File # 14 253221 STE 20 0Z


### Attachment 6: Zoning By-law 569-2013





333 College Street and 303 Augusta Avenue

Zoning By-Law No. 569-2013

File # 14 253221 STE 20

-  Location of Application
- R** Residential
- CR** Commercial Residential
- O** Open Space

-  See Former City of Toronto By-Law No. 438-86
- R3** Residential District
- MCR** Mixed-Use District
- G** Parks District

  
 Not to Scale  
 Extracted: 08/15/2017

## Attachment 7: Official Plan



333 College Street and 303 Augusta Avenue

Official Plan

File # 14 253221 20 02



↑  
Not to Scale  
08/14/2017

## Attachment 8: Application Data Sheet

Application Type	Official Plan Amendment & Rezoning	Application Number:	14 253221 STE 20 OZ
Details	OPA & Rezoning, Standard	Application Date:	November 18, 2014

Municipal Address: 333 COLLEGE ST  
 Location Description: PLAN D10 PT LOT 6 CON 1 FB PT LOT 16 RP 66R4693 PARTS 2 4 & 6 WITH & SUBJ TO ROW \*\*GRID S2008  
 Project Description: Proposal to replace the existing automotive rental facility and non-residential building with a 13 -storey mixed use redevelopment with retail at grade and residential dwelling units above. The proposal has been revised and no longer includes the property located at 303 Augusta Avenue.

<b>Applicant:</b>	<b>Agent:</b>	<b>Architect:</b>	<b>Owner:</b>
DAVID BRONSKILL		RAW	BRL REALTY LIMITED

### PLANNING CONTROLS

Official Plan Designation:	Mixed Use Areas	Site Specific Provision:	
Zoning:	CR 3.0 (c2.0; r2.5) SS2 (x2363)	Historical Status:	N
Height Limit (m):	16	Site Plan Control Area:	Y

### PROJECT INFORMATION

Site Area (sq. m):	1966	Height:	Storeys:	11
Frontage (m):	20.98		Metres:	36
Depth (m):	83.96			
Total Ground Floor Area (sq. m):	1088			<b>Total</b>
Total Residential GFA (sq. m):	9555		Parking Spaces:	97
Total Non-Residential GFA (sq. m):	233		Loading Docks	1
Total GFA (sq. m):	9788			
Lot Coverage Ratio (%):	55.3			
Floor Space Index:	5.0			

### DWELLING UNITS

### FLOOR AREA BREAKDOWN (upon project completion)

		Above Grade	Below Grade
Tenure Type:	Condo		
Rooms:	0	Residential GFA (sq. m):	9555
Bachelor:	2	Retail GFA (sq. m):	233
1 Bedroom:	87	Office GFA (sq. m):	0
2 Bedroom:	37	Industrial GFA (sq. m):	0
3 + Bedroom:	14	Institutional/Other GFA (sq. m):	0
Total Units:	140		

**CONTACT: PLANNER NAME: Michelle Knieriem, Planner**  
**TELEPHONE: 416-338-2073**

**Attachment 9: Draft Official Plan Amendment**

Authority: Toronto and East York Community Council Item ~ as adopted by City of Toronto Council on ~, 20~

Enacted by Council: ~, 20~

**CITY OF TORONTO**

**Bill No. ~**

**DRAFT - BY-LAW No. ~-20~**

**To adopt Amendment No. 247 to the Official Plan  
for the City of Toronto  
respecting the lands known municipally in the year 2016 as  
333 College Street and 303 Augusta Avenue**

WHEREAS authority is given to Council under the *Planning Act*, R.S.O. 1990, c.P. 13, as amended, to pass this By-law;

WHEREAS Council of the City of Toronto has provided adequate information to the public and has held at least one public meeting in accordance with the *Planning Act*;

The Council of the City of Toronto HEREBY ENACTS as follows:

1. The attached Amendment No. 247 to the Official Plan is hereby adopted pursuant to the *Planning Act*, as amended.

ENACTED AND PASSED this ~ day of ~, A.D. 20~.

JOHN TORY,  
Mayor

ULLI S. WATKISS,  
City Clerk

(Corporate Seal)

**DRAFT AMENDMENT NO. ~ TO THE OFFICIAL PLAN**  
**LANDS MUNICIPALLY KNOWN IN THE YEAR 2016 AS**  
**333 COLLEGE STREET AND 303 AUGUSTA AVENUE**

---

The Official Plan of the City of Toronto is amended as follows:

1. Maps 18, Land Use Plan, is amended by re-designating the lands Part of Lot 6 South of College Street, and Part of Lot 6 North of Oxford Street Registered Plan D-10, and Part of Park Lot 16 Concession 1, known municipally as 333 College Street and the eastern portion of the lands known municipally as 303 Augusta Avenue from *Neighbourhoods* to *Mixed Use Areas*, as shown on the attached Schedule A, so that all the lands shown thereon are designated *Mixed Use Areas*.

**SCHEDULE A**



**Official Plan Amendment #247**

Revisions to Land Use Map 18 to Redesignate lands from Neighbourhoods to Mixed Use

**333 College Street and 303 Augusta Avenue**

File # 14 253221 20 0Z

- |   |  |
|---|--|
|  Site Location       |  Parks & Open Space Areas |
|  Neighbourhoods      |  Parks                    |
|  Mixed Use Areas     |  |
|  Institutional Areas |  |



Not to Scale  
08/14/2017



**Attachment 10: Draft Zoning By-law Amendment 438-86**

To be available at the September 6, 2017 meeting of Toronto and East York Community Council

**Attachment 11: Draft Zoning By-law Amendment 569-2013**

To be available at the September 6, 2017 meeting of Toronto and East York Community Council