

**572 Church Street - Official Plan Amendment and Zoning Amendment Application - Preliminary Report**

<b>Date:</b>	October 27, 2017
<b>To:</b>	Toronto and East York Community Council
<b>From:</b>	Acting Director, Community Planning, Toronto and East York District
<b>Wards:</b>	Ward 27 – Toronto Centre-Rosedale
<b>Reference Number:</b>	17 179441 STE 27 OZ

**SUMMARY**

The proposal is to amend the Official Plan and Zoning By-law to permit a 16-storey (55 metres, including mechanical penthouse) mixed use building, the building is stepped back at the 5<sup>th</sup> floor to create a 4-storey street wall. A total of 98 dwelling units above 285 square metres of retail at grade, result in a total gross floor area of 7,489 square metres.

No vehicular parking spaces are proposed. One loading space is proposed with access from a two-way 5.5 metre driveway accessed from Church Street. A total of 117 bicycle parking spaces are proposed.

The property is located within Site and Area Specific Policy 155 and Site and Area Specific Policy 382 (Official Plan Amendment 183) of the Official Plan.

The proposal as submitted represents over-development of the site. The proposal does not conform to the Council-adopted and Ontario Municipal Board approved policies of Official Plan Amendment 183 or North Downtown Yonge Street Urban Design Guidelines with respect to transition to neighbouring properties, fit into its existing and planned context and shadow impact, among other matters. The proposal is not supportable in the present form.



This report provides preliminary information on the above-noted applications and seeks Community Council's directions on further processing of the applications and on the community consultation process.

City staff will work with the applicant to achieve an acceptable form of development on this site.

A final report and public meeting under the *Planning Act* is anticipated for the second quarter of 2018 provided the applicant submits all the required information in a timely manner.

## **RECOMMENDATIONS**

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

1. Staff be directed to schedule a community consultation meeting for the lands at 572 Church Street together with the Ward Councillor.
2. Notice for the community consultation meeting be given to landowners and residents within 120 metres of the site.
3. Notice for the public meeting under the *Planning Act* be given according to the regulations of the *Planning Act*.

### **Financial Impact**

The recommendations in this report have no financial impact.

## **DECISION HISTORY**

At the meeting of November 15, 2013, City Council adopted Official Plan Amendment 183 (OPA 183) relating to the North Downtown Yonge Site and Area Specific Policy 382 (SASP 382). Seventeen (17) appellants subsequently appealed OPA 183 to the Ontario Municipal Board (OMB). On June 21, 2016 and November 18, 2016, the OMB modified certain aspects of the area-specific policies and brought many provisions into effect. A summary of the in force and effect policies of OPA 183 that apply to the site is contained within this report.

## **Pre-Application Consultation**

Several pre-application meetings with the applicant were held in advance of a submission. A formal pre-application consultation meeting was held on January 18, 2016 to discuss complete application submission requirements. Throughout these discussions, it was clearly indicated to the applicant that any proposal on the site must comply with the policies of OPA 183.

## **ISSUE BACKGROUND**

### **Proposal**

The proposal is to develop a new 16-storey (55 metres, including mechanical) mixed-use building with retail uses at the ground floor and residential uses above, including 98 residential units at 572 Church Street.

The proposed base building has a street wall height of 4-storeys (16 metres) along Church Street. Above the 4<sup>th</sup> storey, the building terraces back and generally the façade of levels 6 to 10 step back in increments of 3.3 metres per floor. Levels 9 to 16 maintain a consistent setback of 13.2 metres from the front property line. (See Attachment 3: South Elevation).

The proposal provides 285 square metres of indoor amenity and 66 square metres of outdoor amenity. The outdoor amenity space is located on the north side of the building in the form of an outdoor terrace.

A total of 117 bicycle parking spaces are proposed to be provided in enclosed rooms on the ground floor and basement.

The following chart summarizes the development statistics. See Attachment 13: Application Data Sheet for more information.

<b>Category</b>	<b>Proposed Development</b>
Site Area	1,117.72 square metres
Building Height	16 storeys (55 metres, including mechanical)
Gross Floor Area	
– Residential	7,204 square metres
– Non-Residential	285 square metres
– Total	7,489 square metres
Floor Space Index	6.7
Number of Dwelling Units	
– 1-bedroom	51 (52%)
– 2-bedroom	30 (31%)
– 3-bedroom	17 (17%)
– Total	98
Base Building Height	4-storeys
Base Building Setbacks	
- North	0 metres
- South	0 metres
- East (Church Street)	0.94 metres
- West	0.91 metres
Vehicle Parking	0
Loading	1 – Type G
Bicycle Parking	
– Residential	107
– Visitor	10
– Total	117

Category	Proposed Development
Residential Amenity	
- Indoor	285 square metres (2.9 square metres per unit)
- Outdoor	66 square metres (0.7 square metres per unit)

## Site and Surrounding Area

The subject site, municipally known of 572 Church Street, is located north of Wellesley Street East, on the west side of Church Street, in the Church-Wellesley Village neighbourhood.

The site is rectangular in shape and has a total area of 1,117.7 square metres with frontage along Church Street of 23.5 metres and a depth of 48.7 metres. It is currently occupied by a 1-storey flat roof commercial building which is occupied by the Beer Store and associated surface parking.

The surrounding uses are as follows:

- North: To the immediate north of the site is a 2-storey commercial building at the corner of Church Street and Dundonald Street known as Progress Place (576 Church Street) and a 5-storey apartment building along Dundonald Street known as Dundonald Arms Apartments (49 Dundonald Street). Further north on the west side of Church Street is a row of converted residential buildings containing a mix of restaurant, retail and residential uses. On the east side of Church, there is an existing 4-storey commercial building at 557 Church Street.
- South: To the south of the site is a narrow property at 570 Church Street that is currently vacant. Further south, along Church Street are 2 to 3 storey retail/commercial and service buildings and a city-owned lane.
- East: To the east of the site is, a 3-storey Part IV designated heritage property which is occupied by the 519 Church Street community hub and Barbara Hall Park (formerly known as Cawthra Square Park). To the south of Barbara Hall Park, at the northeast corner of Church Street and Wellesley, is a two 3-storey heritage property listed in the City's Heritage Register containing retail uses at grade at 68-78 Wellesley Street East. Further east along Wellesley Street are residential apartment buildings ranging in heights from 3 storeys to 28 storeys at the corner of Wellesley Street and Jarvis Street.
- West: To the west of the site is a 17-storey residential apartment building known as The Alexandra (41 Dundonald Street). South of The Alexandra is Part IV heritage designated property at 56 Wellesley Street East known as Paul Kane House and the designation includes the Parkette. Further west is an approved, not yet built 37-storey mixed use building fronting Wellesley Street with a 10 unit row of townhouses at 46 Wellesley Street East.

## Provincial Policy Statement and Provincial Plans

The Provincial Policy Statement (2014) 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.

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.

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

## **Official Plan**

The Official Plan places the site within the *Downtown and Central Waterfront* on Map 2 "Urban Structure". The commentary section for Section 2.2.1, Downtown: the Heart of the City, identifies that the Downtown offers opportunities for substantial employment and residential growth, but the growth will not be spread uniformly across the whole of Downtown. Rather, it is expected that the physical setting of many areas will remain unchanged and that design guidelines specific to districts of historic or distinct character will be developed and applied to ensure that new development respects the context of such districts in terms of the development's fit with existing streets, setbacks, and heights and relationship to landmark buildings, (refer to Policy 2.2.1.6). In this case, the North Downtown Yonge Street Urban Design Guidelines have been prepared to implement Policy 2.2.1.6.

In Chapter Three – Building a Successful City, Policy 3.1.1- Public Realm promotes quality architecture, landscape and urban design and construction that ensures that new development enhances the quality of the public realm.

In the commentary section of Section 3.1.2, Built Form, identifies that most of the City's future development will be infill and redevelopment sites and, as such, will need to fit in, respect and improve the character of the surrounding area. It also states that developments must be conceived not only in terms of the individual building site and program, but also in terms of how that site, building and its facades fit within the existing and/or planned context of the neighbourhood and the City. Each new building should promote and achieve the overall objectives of the Official Plan.

Policy 3.1.2.2 states that new development will locate and organize vehicle parking, vehicular access, service areas and utilities to minimize their impact on the property and on surrounding properties and to improve the safety and attractiveness of adjacent streets, parks and open spaces by:

- a) using shared service areas where possible within development block(s) including public and private lanes, driveways and service courts;
- b) consolidating and minimizing the width of driveways and curb cuts across the public sidewalk;
- c) integrating services and utility functions within buildings where possible;
- d) providing underground parking where appropriate;
- e) limiting surface parking between the front face of a building and the public street or sidewalk; and
- f) integrating above-ground parking structures, where permitted or appropriate, with building design, and have usable building space at grade facing adjacent streets, parks and open spaces.

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

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

Policy 3.1.2.4 states that new development will be massed to define the edges of streets, parks and open spaces at good proportion. Taller buildings will be located to ensure adequate access to sky view for the proposed and future use of these areas.

The Policies of Section 3.1.3 also makes it clear that Tall buildings come with larger civic responsibilities and obligations than other buildings. To ensure that tall buildings fit within their existing and/or planned context and limit local impacts, additional built form principles will be applied to the location and design of tall buildings.

Policy 3.1.3.1 requires that Tall buildings should be designed to consist of three parts, carefully integrated into a single whole:

- a) base building – provide definition and support at an appropriate scale for adjacent streets, parks and open spaces, integrate with adjacent buildings, minimize the impact of parking and servicing uses;
- b) middle (shaft) – design the floor plate size and shape with appropriate dimensions for the site, locate and orient it on the site and in relationship to the base building and adjacent buildings in a manner that satisfies the provisions of this Section; and
- c) top – design the top of tall buildings to contribute to the skyline character and integrate roof top mechanical systems into the design.

Policy 3.1.3.2 requires Tall building proposals address key urban design considerations, including:

- a) meeting the built form principles of the Plan;
- b) demonstrating how the proposed building and site design will contribute to and reinforce the overall City structure;
- c) demonstrating how the proposed building and site design relate to the existing and/or planned context;
- d) taking into account the relationship of the site to topography and other tall buildings;
- e) providing high quality, comfortable and usable publicly accessible open space areas; and
- f) meeting other goals and objectives of the Plan.

Official Plan area-specific policy, OPA 352 (currently under appeal), which applies to tall buildings in the Downtown, was adopted by City Council on October 5-7, 2016. The policy is implemented by associated Zoning By-laws (i.e. By-law Nos. 1106-2016 and 1107-2016), enacted on November 9, 2016. These policies are currently under appeal and not in force and effect; however, the policies inform staff's position on the proposal, reflect the Tall Building Guidelines, and represent City Council-adopted policy on appropriate built form.

OPA 352 includes the following minimum standards for tower setbacks and separation distances between towers:

- minimum tower setback of 3.0 metres from a lot line that abuts a street; and
- 12.5 metres to a lot line which neither abuts a street, nor a public lane.

Policy B (i) of OPA 352 indicates that tall building development will provide setbacks from the lot line to the building face of the tower. The tower setbacks will ensure that individual tall buildings within a block and the cumulative effect of multiple tall buildings within a block contribute to building strong and healthy communities by fitting in with the existing and/or planned context.



Providing adequate space between towers within the block will:

- a) enhance the ability to provide a high-quality, comfortable public realm;
- b) protect development potential of other sites within the block;
- c) provide access to sunlight on surrounding streets, parks, open spaces, school yards, and other public or civic properties;
- d) provide access to natural light and a reasonable level of privacy for occupants of tall buildings;
- e) provide pedestrian-level views of the sky between towers particularly as experienced from adjacent streets, parks and open spaces, and views between towers for occupants of tall buildings; and
- f) limit the impacts of uncomfortable wind conditions on streets, parks, open spaces and surrounding properties.

Further, Policy B(ii) of OPA 352 states that not every site in the Downtown can accommodate a tall building and that proposed tall buildings that do not meet the intent of Policy B(i) present a significant concern for building strong healthy communities in the Downtown and as such those sites are not considered suitable for tall building development.

The site is designated “*Mixed Use Areas*” on Map 18 – Land Use Plan in the Official Plan and is subject to Policy 4.5. This designation permits a range of residential, commercial and institutional uses. The Plan includes criteria that directs the form and quality of development in this land use designation. It is the intent that development will:

- a) 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;
- b) provide for new jobs and homes for Toronto's growing population on underutilized lands in areas such as in the *Downtown* and designated *Mixed Use Areas*;
- c) locate and mass new buildings to provide a transition between areas of different development intensity and scale, as necessary to achieve the objectives of the Plan, through means such as providing appropriate setbacks and/or a stepping down of heights, particularly towards lower scale *Neighbourhoods*;
- d) locate and mass buildings so as to adequately limit shadow impacts on adjacent *Neighbourhoods*, particularly during the spring and fall equinoxes;
- e) 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;
- f) provide an attractive, comfortable and safe pedestrian environment;
- g) have access to schools, parks, community centres, libraries, and childcare;
- h) take advantage of nearby transit services;
- i) provide good site access and circulation and an adequate supply of parking for residents and visitors;

- j) locate and screen service areas, ramps and garbage storage to minimize the impact on adjacent streets and residences; and
- k) provide indoor and outdoor recreation space for building residents in every significant multi-unit residential development.

The site is also within "Site and Area Specific Policy 155" on Map 29 – Site and Area Specific Policies, which recognizes that the area around Church Street between Alexander Street and Gloucester Street has a special character defined by the low scale and form of existing buildings, including house-form structures. New development along this portion of Church Street is to reinforce existing retail uses, be compatible with the existing residential uses nearby and conform to the low-rise scale of existing development.

Section 3.1.5 provides policies regarding heritage conservation, which were recently updated through Official Plan Amendment No. 199 that is now in force and effect. Policy 3.1.5(5) states that proposed development "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." Policy 3.1.5(26) requires that "new construction on, or *adjacent* to, a property on the Heritage Register will be designed to *conserve* the cultural heritage values, attributes and character of that property and to mitigate visual and physical impact on it. Similarly, with regard to Heritage Conservation Districts (HCDs), Policy 3.1.5(32) states that the impact of new development within or *adjacent* to HCDs is to be "assessed to ensure that the *integrity* of the district's heritage values, attributes, and character are *conserved*."

### **North Downtown Yonge Site Specific Policy 382 and North Downtown Yonge Street Urban Design Guidelines**

At its meeting of October 8-9, 2013, City Council adopted the North Downtown Yonge Area Specific Policy 382, known as Official Plan Amendment 183 (OPA 183), and approved the North Downtown Yonge Urban Design Guidelines for the area generally bounded by Charles Street, Bay Street, Church Street and College/Carlton Street.

OPA 183 provides direction in how development should respond to its historic main street context, reinforcing a pedestrian friendly micro-climate and retail uses along the street. OPA183 represents the most recent thinking and examination of the planning framework and principles for the area. It should be noted that parts of OPA 183 remain under appeal at the OMB and that the Phase II hearing, which is not scheduled, will deal with outstanding matters and will follow the hearing for the Historic Yonge Street HCD By-law hearing. The following is a summary of policies that were adopted in the Phase I hearing and are in full force and effect and apply to the site.

The site is located within the Church Street Village Character Area which runs north-south along Church Street from Charles Street East at the north and Alexander Street at the south. The Character Area is made up of existing *Mixed Use Areas* designated lands, *Apartment Neighbourhoods* lands and several pockets of areas designated as *Neighbourhoods*.

Section 5.7, Church Street Village Character Area, as identified in OPA 183, states that the area is regarded as a stable area that should experience limited growth, both along Church Street and in the residential areas abutting and surrounding it. Development and redevelopment should reinforce the core village area as a low to mid-rise pedestrian oriented main street with street related retail uses and narrow retail frontages subject to angular plane provisions for portions of this Character Area. The 519 Church Street community hub and the surrounding park should be protected from new net shadow impacts of development and redevelopment.

**Policies:**

5.7.1 The only development/redevelopment permitted within the *Mixed Use Areas* and *Apartment Neighbourhoods* designated areas of this Character Area will be sensitive low-scale infill that:

- a) respects and reinforces the general physical character, pattern, scale, massing, setbacks [and heritage value] (under appeal) of this Character Area;
- b) maintains the prevailing patterns of landscaped open space;
- c) respects and reinforces the preservation and enhancement of existing private amenity space; and
- d) respects and reinforces the fine grain retail at grade (where permitted) and the low-rise scale of existing development.

5.7.2 Development/redevelopment located within this Character Area between Wood Street and Charles Street East must ensure that no part of any building is located above the angular plane drawn from the Church Street lot line, commencing at a height of 16 metres above the street level, and then angling upwards at an angle of 44 degrees away from Church Street over the site.

5.7.3 Development/redevelopment will cast no new net shadow on the parkland forming part of 519 Church Street community hub for a period of 6 hours generally between the hours of 10:00 AM and 4:00 PM on March 21st and September 21st.

5.7.4 Development/redevelopment must require store frontage widths at grade along Church Street to be consistent with the average width of at grade retail that is currently found within 2 blocks to the north and south of a given site along either side of Church Street in the North Downtown Yonge Area.

5.7.5 Where a tall building is proposed close to areas designated *Neighbourhoods*, the tower portion of the tall building will be set back a minimum of 20 metres, excluding balconies from any such abutting property line.

There are also area-wide policies in OPA 183 related to heritage, parks and open space and the public realm that must be considered when reviewing any application.

## **TOcore: Planning Downtown**

TOcore: Planning Downtown is an inter-divisional study, led by City Planning, which is updating the planning framework for Downtown and developing a series of infrastructure strategies to support implementation. TOcore is a response to the rapid intensification of Downtown that is placing pressure on physical and social infrastructure assets and occurring in a pattern and at an intensity that threatens to jeopardize the quality of life in the city centre and the economic role that the Downtown plays for the entire city. 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 study area is bounded by Lake Ontario to the south, Bathurst Street to the west, the mid-town rail corridor and Rosedale Valley Road to the north, and the Don River the east.

Building on Downtown's existing planning framework and drawing on best practices within City Planning Division, the Downtown Plan is being developed to serve as a blueprint for future growth and infrastructure in the heart of Toronto over the next 25 years. It will provide detailed direction on the appropriate scale and location of future growth. It will also link this growth with infrastructure provision to ensure the creation of 'Complete Communities', addressing the requirements under the Provincial Policy Statement (2014) and the Growth Plan for the Greater Golden Horseshoe (2017). 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.

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 metres in height.

At its meeting on October 2-4, 2017, City Council considered the Proposed Downtown Plan and directed Staff to undertake stakeholder and public consultation on that document and its proposed policies, leading to a recommendations report and an amendment to Toronto's Official Plan in the second quarter of 2018. Additionally, Council directed Staff to consider the policies contained within the Proposed Downtown Plan in the review of all development applications within the Downtown going forward:

6. City Council request City Planning staff to consider the Proposed Downtown Plan policies, in Attachment 1 to the report (August 18, 2017) from the Chief Planner and Executive Director, City Planning, during the evaluation of current and future development applications in the Downtown Plan area and continue to refine the policies in consultation with stakeholders and the community.

More information on Council direction pertaining to TOcore can be found here: <http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2017.PG22.1>. Further background information can be found at [www.toronto.ca/tocore](http://www.toronto.ca/tocore).

## **Zoning**

The site is zoned CR T3.0 C2.0 R3.0 in Zoning By-law 438-86, which permits a mix of commercial and residential uses. The maximum permitted height is 18 metres with a base height at the lot line being 16 metres and a 44 degree angular plane applied from both Church Street and Wellesley Street East frontages (Section 12(2)260). The maximum permitted density is 3 times the lot area. Non-residential gross floor area may not exceed 1.7 times the lot area, but may be exceeded by 0.3 times provided it is used for the purpose of street-related retail and service uses (Section 12(2)131). Other site specific permissions and exceptions from Section 12(2)132 and 12(2)259 also apply.

On May 9, 2013, City Council enacted city-wide Zoning By-law 569-2013. *Planning Act* applications submitted after May 9, 2013, are subject to the new Zoning By-law. The site is zoned CR 3.0 (c1.7 r3.0) SS1 (x2545) in Zoning By-law 569-2013 (refer to Attachment 12 – Zoning Map). The CR zone permits a range of uses similar to the former designation under Zoning By-law 438-86. The (x2545) provision indicates site specific permissions and exceptions that are carried over from Zoning By-law 438-86.

## **Site Plan Control**

The proposed development is subject to Site Plan Control. An application for Site Plan approval has yet to be submitted.

## **City-Wide Tall Building Design Guidelines**

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

## **Downtown Tall Buildings: Vision and Supplementary Design Guidelines**

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

## **Reasons for the Application**

The proposal requires an amendment to Site and Area Specific Policy 155 and OPA 183. Policy 155 states new development shall conform to the low-rise scale of existing development and the proposal is to construct a 16-storey building. The application also proposes to amend policies of OPA 183 related to the angular plane from Church Street and the shadowing of the 519 Church Street community hub.

The proposal requires an amendment to the Zoning By-law for: an increase in building height and density; penetration of the 44 degree angular plane; reduction of the indoor amenity space requirements; and other development standards that will require site specific zoning provisions.

## **COMMENTS**

### **Application Submission**

The following reports/studies were submitted with the applications:

- Boundary and Topographic Survey;
- Architectural Plans;
- Landscape Plans;
- Sun/Shadow Study;
- Planning and Urban Design Rationale Report;
- Draft Zoning By-law Amendments;
- Draft Official Plan Amendments;
- Heritage Impact Assessment;
- Pedestrian Level Wind Study;
- Phase One Environmental Site Assessment;
- Stage One Archaeological Assessment;
- Toronto Green Development Standards Checklist;
- Hydrogeological Study;
- Geotechnical Study;
- Traffic Impact Study;
- Functional Servicing Report;
- Tree Inventory and Arborist Report; and
- Digital copy of the Building Massing Model.

A Notification of Incomplete Application issued on July 12, 2017, identifies that the required Public Consultation Plan was not submitted with the application.

The Public Consultation Plan was submitted on July 25, 2017 and a Notification of Complete Application was subsequently issued on July 28, 2017.

### **Issues to be Resolved**

In its current form, the proposal does not conform to the intent of the policies within SASP 155 and OPA 183, does not represent good planning and does not meet the intent and purpose of the Official Plan. Based on a preliminary review, a summary of Staff's concerns are provided below.

Staff will work with the applicant to address the issues identified in this report, and others that may come up as part of the review process to arrive at an acceptable proposal.

### **Built Form**

The Official Plan and Tall Building Guidelines all speak to transition and outline the importance of designing a building to fit its existing and planned context. The existing and planned context and the applicable policies for this area allow for low-rise to mid-rise development.

The proposed tall building at 16-storeys does not provide appropriate transition in scale to neighbouring properties either by setbacks or good proportions and is over-development of the site. The site is located mid-block, with a narrow street frontage of 23.5 metres, and a small site area. The proposed building does not constitute a sensitive infill development which respects and reinforces the existing or planned context.

The proposed building does not provide appropriate tower separation distances, setbacks, or stepbacks required for tall buildings in the Official Plan, Tall Building Guidelines and Supplementary Downtown Tall Building Guidelines. Additionally, the proposed tall building results in new incremental shadows on the *Neighbourhoods* to the north and adjacent Barbara Hall Park.

The inability for the proposed tower to provide the appropriate tower setbacks and separation distances from the existing apartment building and the incremental shadow impacts are indicative of the subject site's limitation in supporting a tall building proposal.

### **Angular plane**

The proposed building does not conform to the angular plane as set out in the in-force Official Plan policies for the Church Street Village Character Area and the existing Zoning. Policy 5.7.2 of OPA 183 requires a base height of 16 metres and a 44 degree angular plane applied from Church Street. The intent of applying an angular plane is to maintain the character of the area and to maximize sunlight exposure on the public realm. A significant portion of the building, starting from the 6<sup>th</sup> storey, penetrates the angular plane established from the Church Street frontage (See Attachment 6 & 7). Furthermore, the building's massing that penetrates the required angular plane results in new incremental shadow on the adjacent Barbara Hall Park and onto the sidewalk on the east side of Church Street, year round.

### **Streetwall height**

The proposed base building has a varied stepping design along the Church Street frontage. However, the majority of the main building face is greater than 18 metres in height. In order to create a comfortable pedestrian experience, stepbacks should be used to strengthen the existing street wall. Appropriate streetwall heights are determined by the predominant scale of the existing buildings on the street. In instances where buildings are permitted to be higher than the streetwall, a minimum stepback will be imposed so that the higher portion does not overwhelm the street wall and pedestrian scale.

## **Setbacks**

The proposed ground floor and mezzanine levels are constructed to the property line on the north with 0 metre setback. The zero setback along the north side negatively impacts the property at 49 Dundonald Street where units have south facing windows at or near the property line. A greater building setback should be provided to eliminate the impact on those units with windows along the south side of the adjacent building.

## **Parking Supply**

Official Plan Policy 4.5.2 i) for *Mixed Use* areas states that development will provide an adequate supply of parking for residents and visitors. No parking spaces are being provided for the development. The parking requirements for the site are governed by the Zoning By-law 569-2013 (Policy Area PA-1) and require a minimum of 75 parking spaces (66 residential parking spaces and 9 parking spaces for visitors and retail/commercial).

In order to support the zero parking supply, the transportation consultant, LEA Consulting Ltd. provided a parking justification analysis as part of the Traffic Impact Study. The report concludes that considering the highly-developed public transit, cycling, and pedestrian networks, as well as the easily accessible services and amenities available to future residents of the proposed development, the requested relief from the City of Toronto's current Zoning By-Law is acceptable.

Transportation Services Staff have reviewed the study and are unable to agree with the study's findings. Staff are willing to consider a reduced parking supply, however, providing zero parking spaces for 98 units is not supportable.

## **Shadow Impacts**

The proposed new net shadows are unacceptable. Official Plan policies 3.1.2(3) and 4.5(2)(d) state that new development should be located and massed to limit shadowing on neighbouring streets, properties and open spaces, neighbouring parks and adjacent *Neighbourhoods*, particularly during the spring and fall equinoxes. Additionally, 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 publicly accessible parks, open spaces, natural areas and other shadow sensitive areas.

The site is located across the street from Barbara Hall Park (formerly known as Cawthra Square Park), a 7,167 m<sup>2</sup> park that contains a playground, dog-off-leash-area, pathways, and other passive recreation. In support of the applications, a Sun & Shadow Study was prepared by TACT Architecture Inc., dated June 6, 2017. The study shows that the proposed building will shadow Barbara Hall Park on March 21<sup>st</sup> and September 21<sup>st</sup> from approximately 2:37 PM until 4:31 PM.

Section 5.7, Church Street Village Character Area, of OPA 183 states that "the 519 Church Street community hub and surrounding park should be protected from new net shadow impacts of development and redevelopment." Further, Policy 5.7.3 of OPA 183 states "development/redevelopment will cast no new net shadow on the parkland forming part of 519 Church Street community hub for a period of 6 hours generally between the hours of 10:00 AM and 4:00 PM on March 21<sup>st</sup> and September 21<sup>st</sup>." Both of these policies are in full force and



effect and were settled as part of the Phase 1 OMB hearing for OPA 183. The new incremental shadow on 519 Church Street and Barbara Hall Park does not conform to the policies in OPA 183. Additionally, Parks, Forestry and Recreation staff have indicated they do not support additional shadowing on Barbara Hall Park.

On March 21<sup>st</sup> and September 21<sup>st</sup>, the proposal casts new incremental shadows on the low-rise *Neighbourhoods* on the north side of Dundonald Street between the hours of 9:18 AM and 12:18 AM. Policy 4.5.2(d) of the Official Plan states that development will be located and massed so as to adequately limit shadow impacts on adjacent *Neighbourhoods*, particularly during the spring and fall equinoxes.

### **Heritage**

The proposed development at 572 Church Street is adjacent to three heritage properties on the City's Heritage Register: 519 Church Street (directly across from 572 Church Street); 68 Wellesley Street East at the northeast corner of Wellesley Street East and Church Street; and 56 Wellesley Street East (Paul Kane House). The applicant submitted a Heritage Impact Assessment prepared by ERA Architects Inc, however, it is unclear how the proposal fully responds to the existing heritage properties. Heritage Preservation Services staff will continue to work with the applicant on the street wall height, setback of building above the streetwall height, solid-to void ratio and material selection for the proposal with regard to the City's Official Plan heritage policies.

### **Section 37**

Section 37 of the *Planning Act* allows the City to enter into an agreement with an applicant to grant a height and/or density increase for a particular project that is greater than the zoning by-law would otherwise permit in return for community benefits. Since the proposal, in its current form, does not represent good planning, no discussion was had regarding details of a Section 37 Agreement. Staff will determine through the review of subsequent revisions to this proposal whether or not a Section 37 Agreement will be required.

### **Toronto Green Standard**

The Toronto Green Standard (TGS) Checklist has been submitted by the applicant and is currently under review by City staff for compliance with the Tier 1 performance measures.

### **Additional Issues**

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

## **CONCLUSION**

In its current form, the proposal does not conform to the intent of the policies within SASP 155 and OPA 183 or North Downtown Yonge Street Urban Design Guidelines and does not represent good planning. The proposal is not supportable in the present form. Staff will work with the applicant address the issues identified in this report and other issues that may arise through the review process to make satisfactory revisions to the proposal.

## **CONTACT**

Kate Goslett, Planner

Tel. No. 416-395-7105

E-mail: Kate.Goslett@toronto.ca

## **SIGNATURE**

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Lynda H. Macdonald  
Acting Director, Community Planning  
Toronto and East York District

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## **ATTACHMENTS**

Attachment 1: Site Plan

Attachment 2: West Elevation

Attachment 3: South Elevation

Attachment 4: East Elevation

Attachment 5: North Elevation

Attachment 6: Section AA

Attachment 7: Section BB

Attachment 8: Existing Official Plan

Attachment 9: OPA 183 (SASP 382) Boundary Map

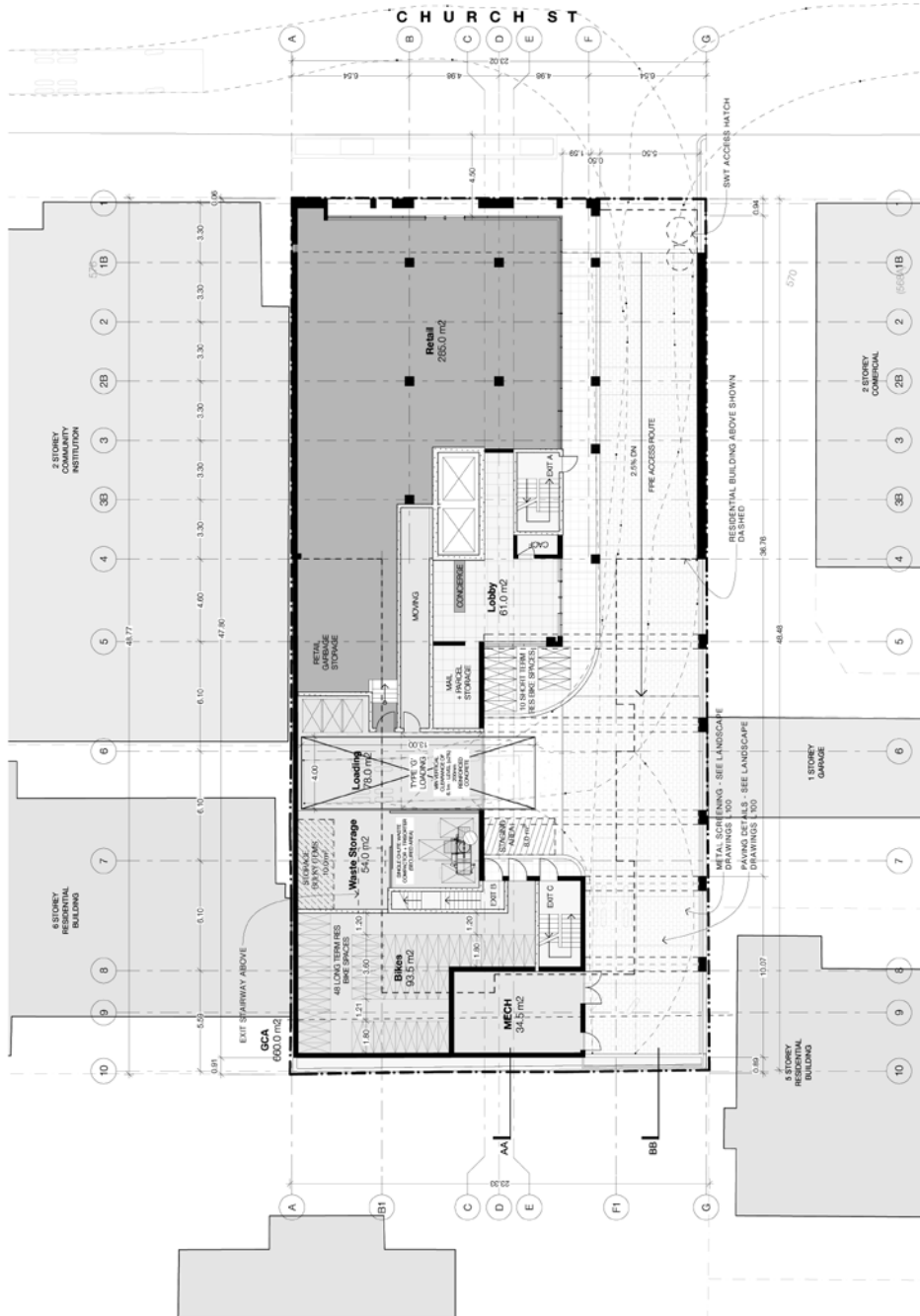
Attachment 10: OPA 183 (SASP 382) Map 1: Character Areas

Attachment 11: OPA 183 (SASP 382) Map 2: Open Space Network and Height Areas

Attachment 12: Existing Zoning

Attachment 13: Application Data Sheet

# Attachment 1: Site Plan



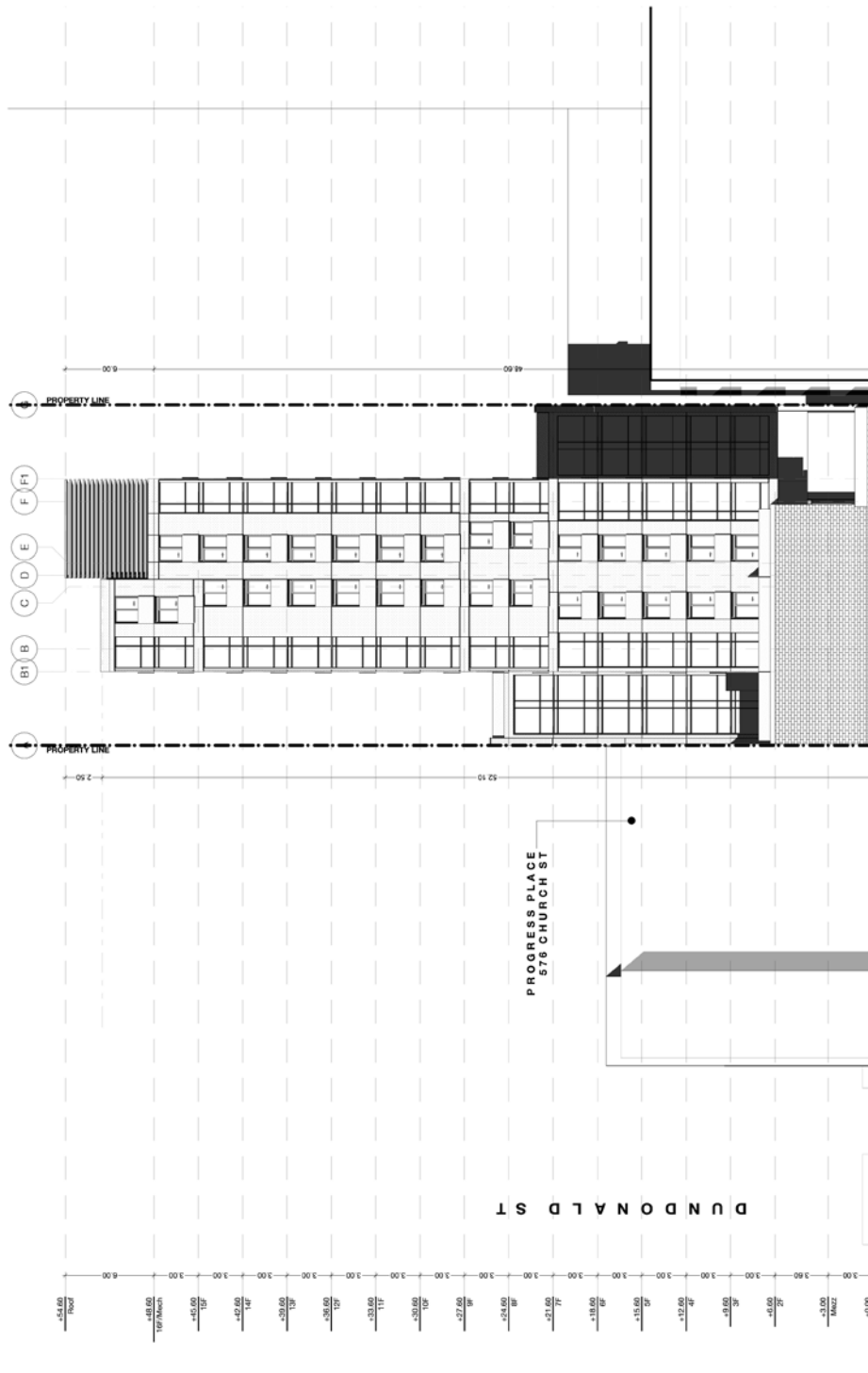
572 Church Street

Site Plan  
 Applicant's Submitted Drawing

File # 17 179441 STE 27 0Z

Not to Scale  
 08/10/2017

Attachment 2: West Elevation

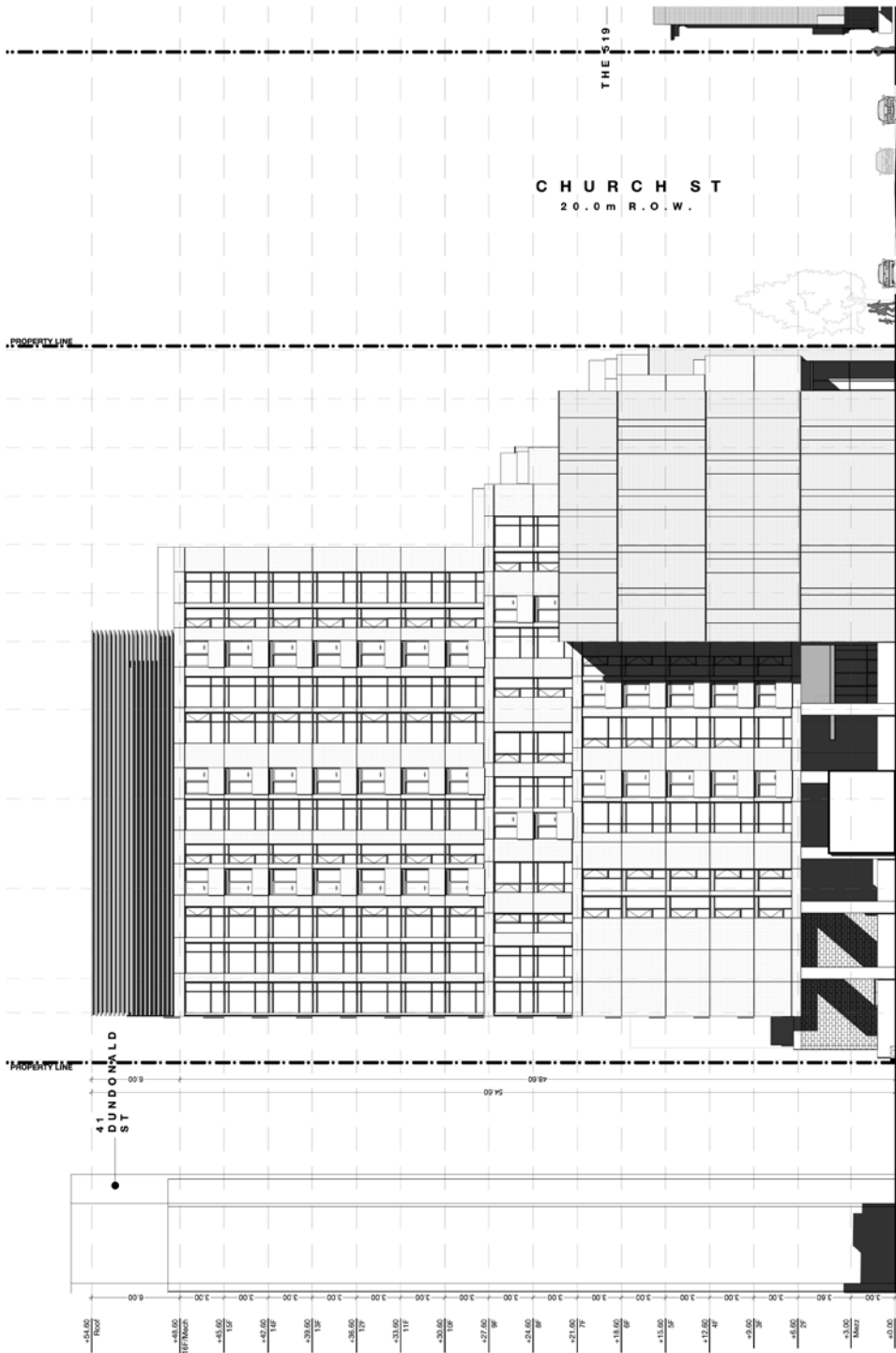


572 Church Street

File # 17 179441 STE 27 0Z

**West Elevation**  
 Applicant's Submitted Drawing  
 Not to Scale  
 08/10/2017

**Attachment 3: South Elevation**



**572 Church Street**

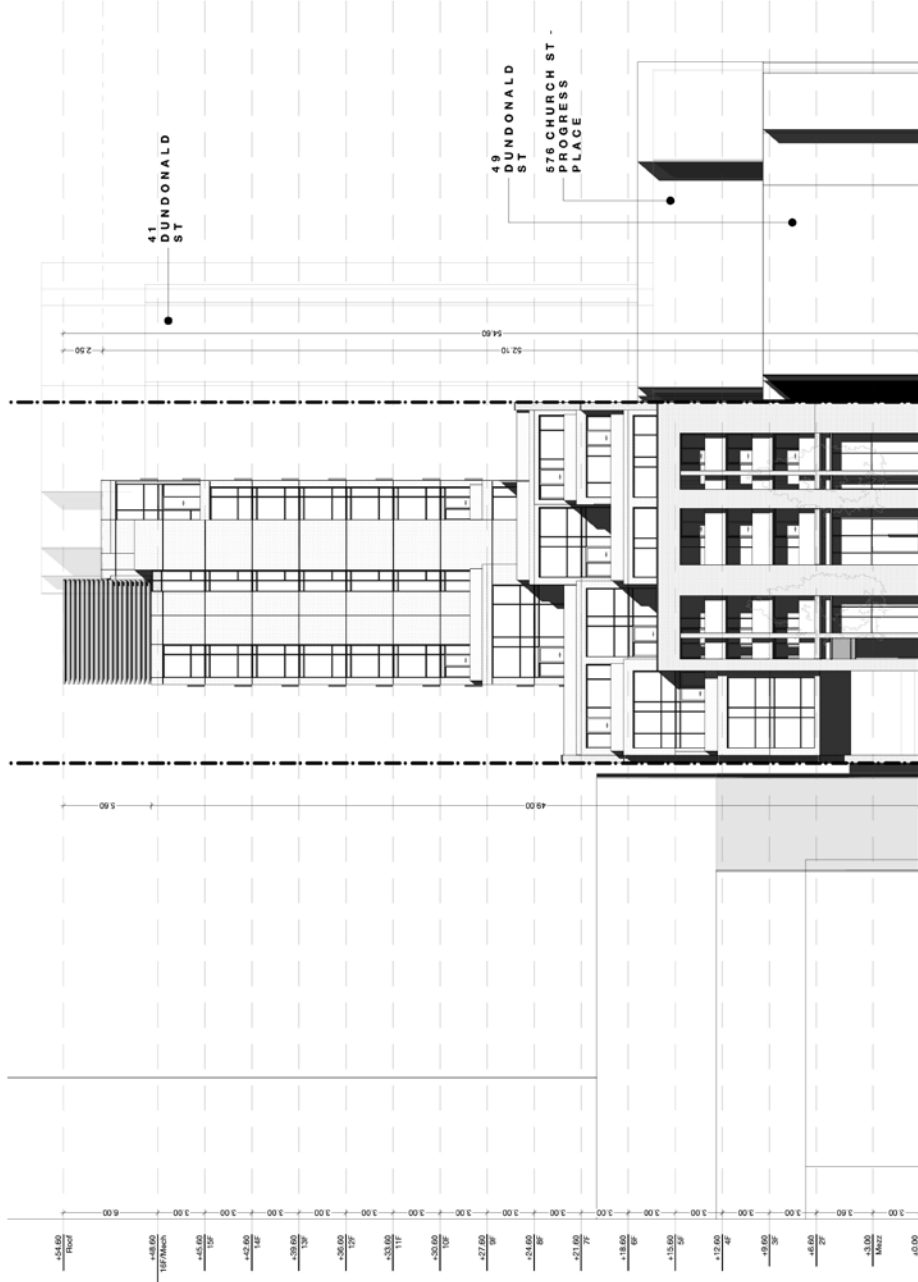
**South Elevation**

Applicant's Submitted Drawing

Not to Scale  
08/10/2017

File # 17 179441 STE 27 0Z

**Attachment 4: East Elevation**



**East Elevation**

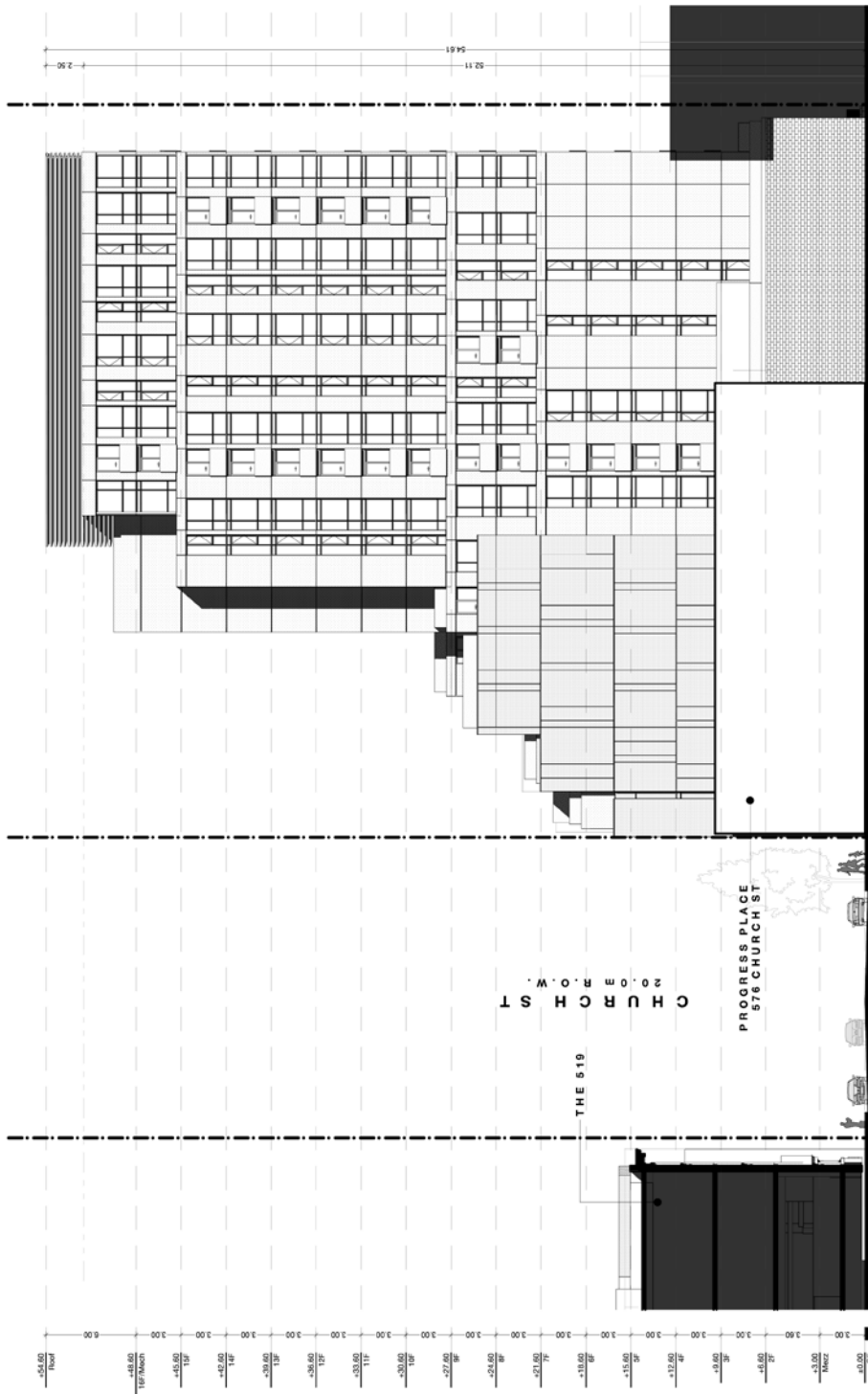
Applicant's Submitted Drawing

Not to Scale  
08/10/2017

**572 Church Street**

File # 17 179441 STE 27 0Z

**Attachment 5: North Elevation**



**572 Church Street**

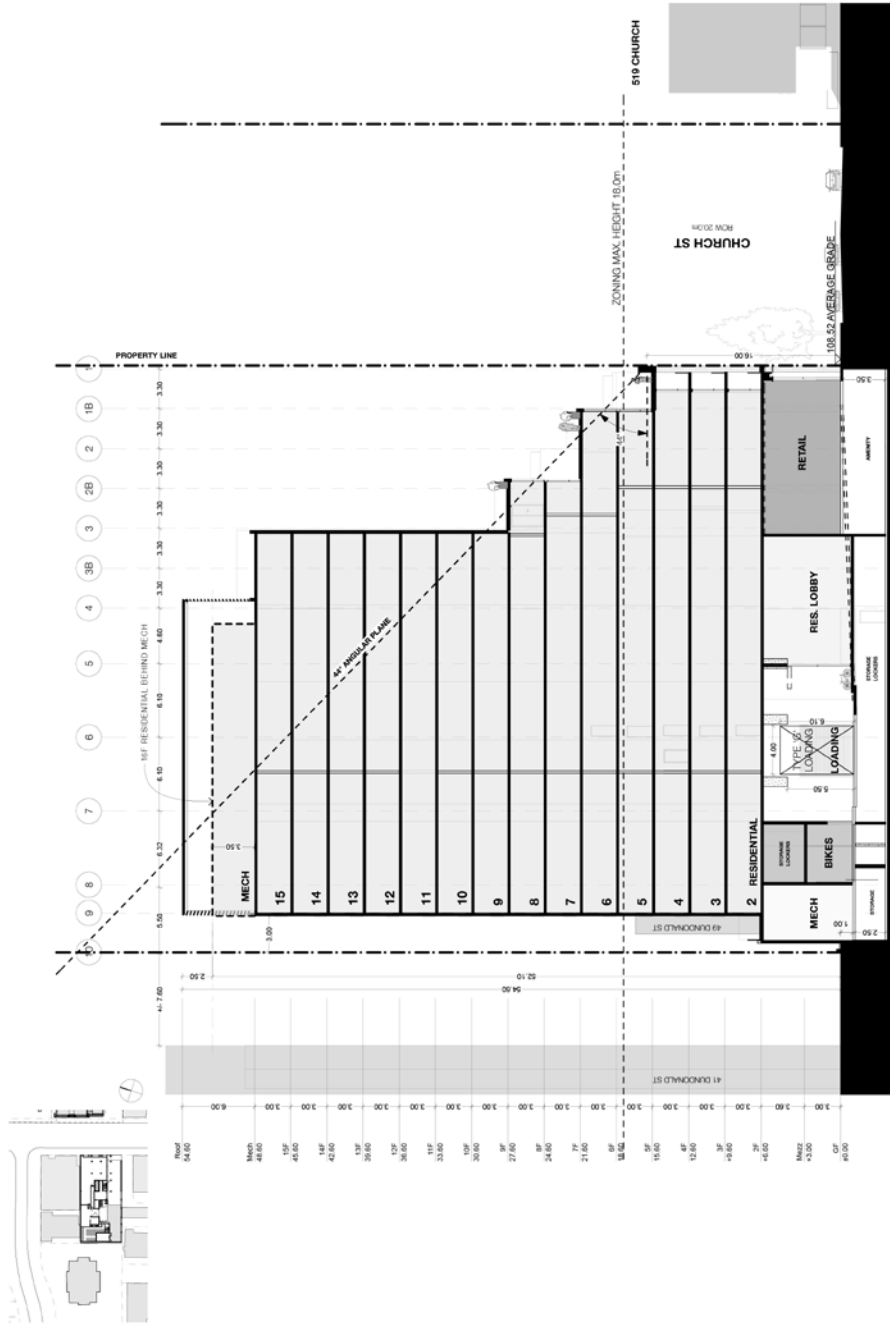
File # 17 179441 STE 27 0Z

**North Elevation**

Applicant's Submitted Drawing

Not to Scale  
08/10/2017

# Attachment 6: Section AA



572 Church Street

File # 17 179441 STE 27 0Z

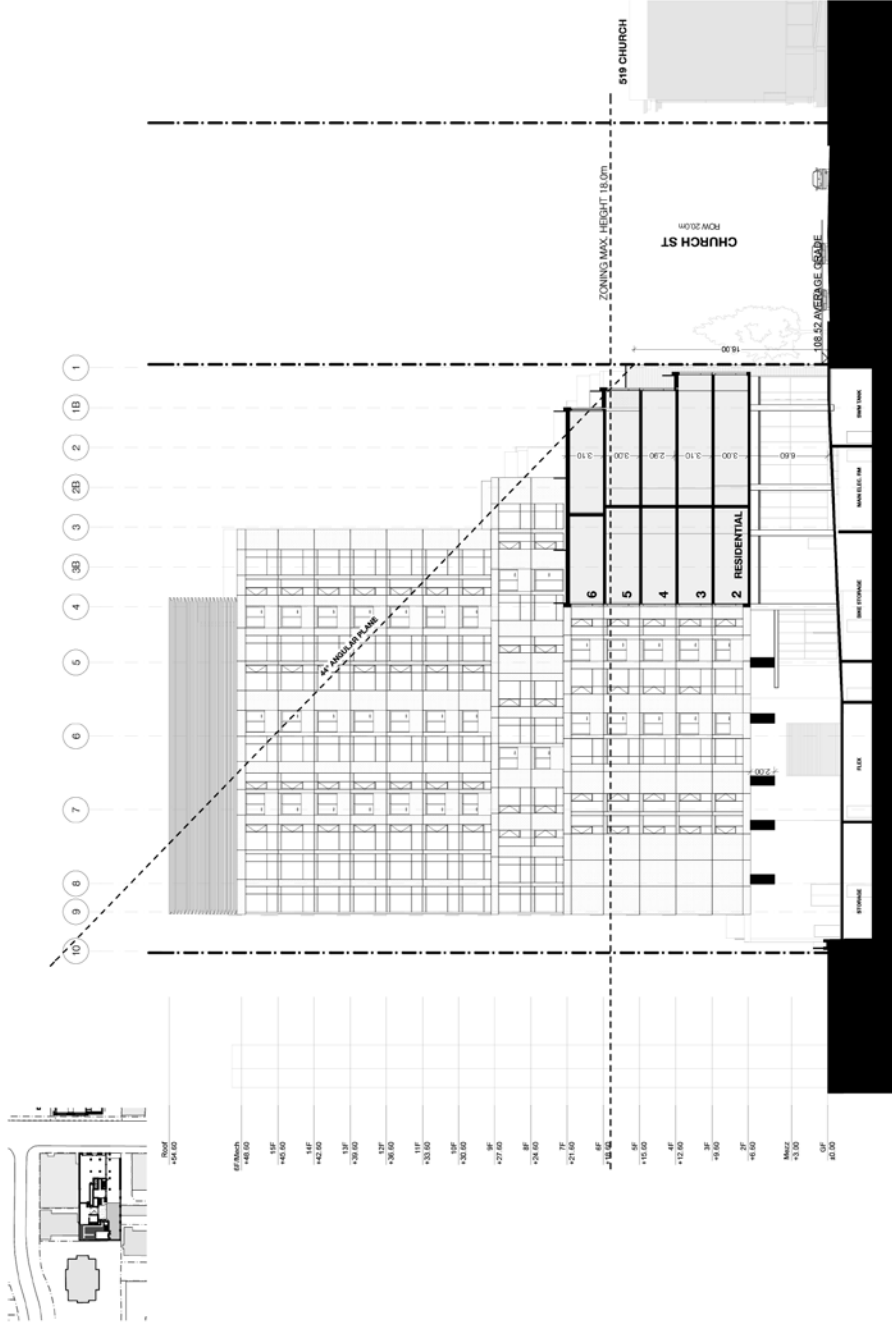
Section AA

Applicant's Submitted Drawing

Not to Scale  
08/10/2017



Attachment 7: Section BB



572 Church Street

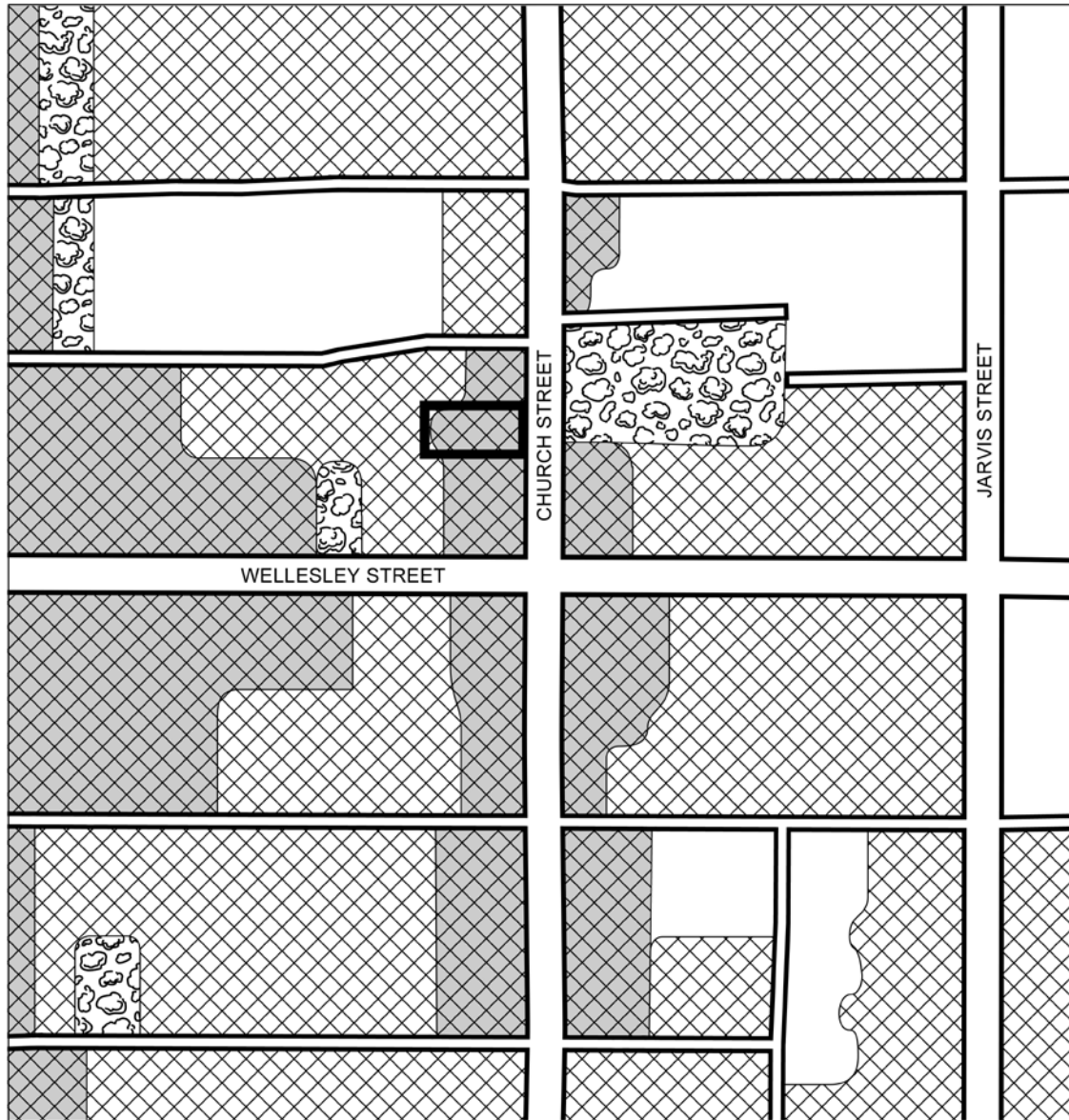
File # 17 179441 STE 27 0Z

Section BB

Applicant's Submitted Drawing

Not to Scale  
08/10/2017


## Attachment 8: Existing Official Plan



**TORONTO**  
 Extract from Official Plan

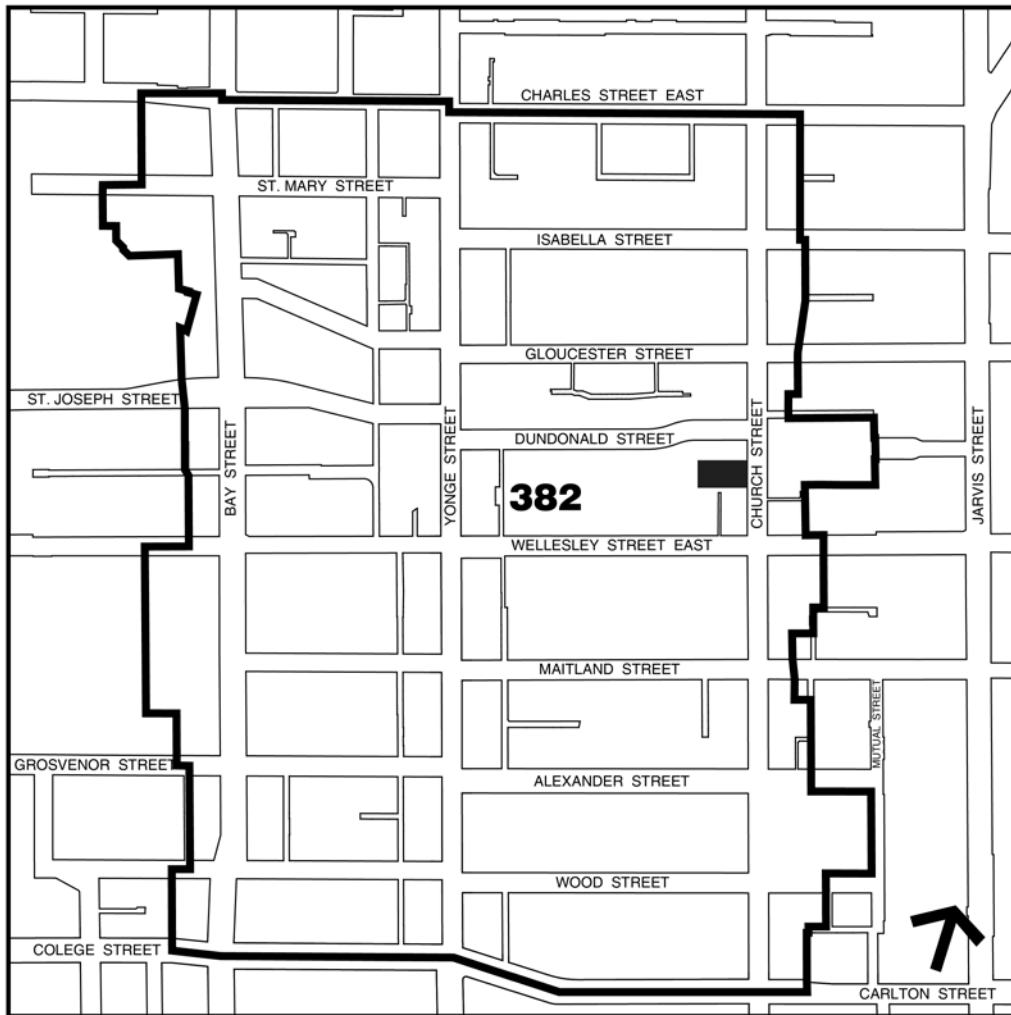
572 Church Street

File # 17 179441 STE 27 0Z

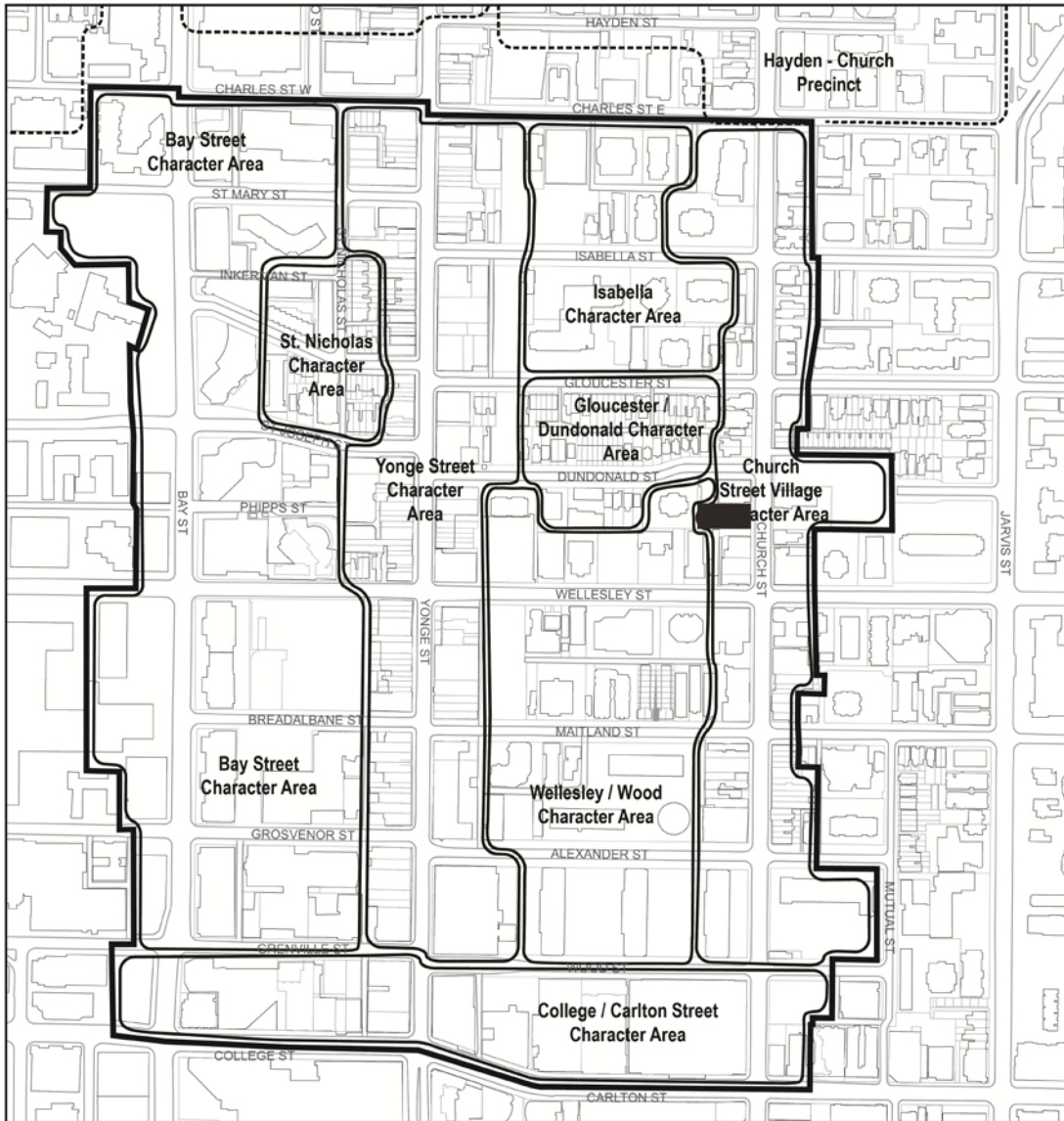
- |  |  |
|--|--|
|  Site Location            |  Parks & Open Space Areas |
|  Neighbourhoods           |  Parks                    |
|  Apartment Neighbourhoods |  |
|  Mixed Use Areas          |  |

  
 Not to Scale  
 08/10/2017

**Attachment 9: OPA 183 (SASP 382) Boundary Map**



**Attachment 10: OPA 183 (SASP 382) Map 1: Character Areas**



**TORONTO** City Planning  
**Official Plan Amendment #183**  
**Map 1: Character Areas**

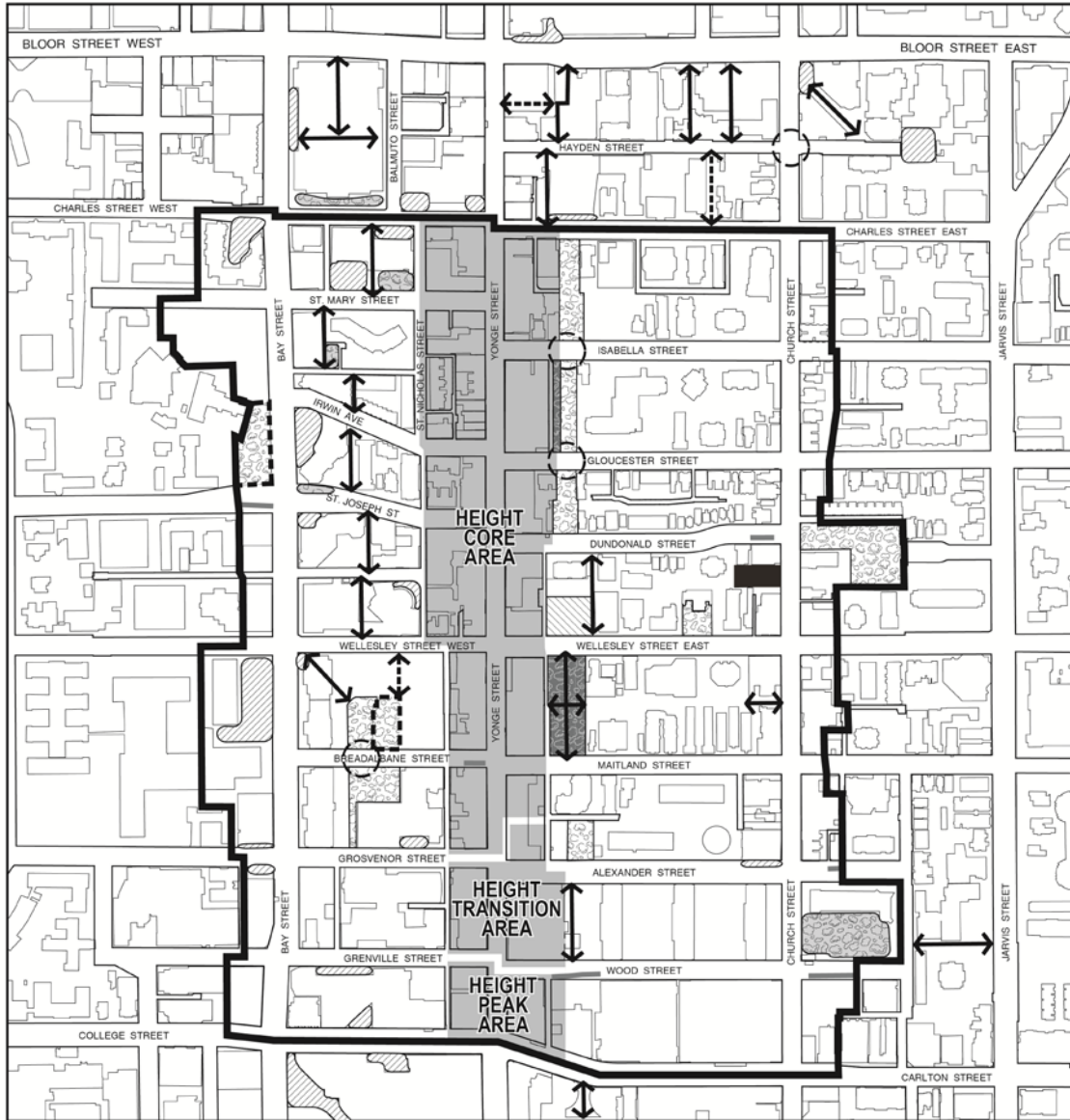
**North Downtown Yonge**  
**Planning Framework Study**  
 File # 11 247686

— Character Areas  
 ■ Subject Site



Not to Scale  
 08/25/2017

# Attachment 11: OPA 183 (SASP 382) Map 2: Open Space Network and Height Areas



**TORONTO** City Planning

## Official Plan Amendment #183 Map 2: Open Space Network and Height Areas

## North Downtown Yonge Planning Framework Study

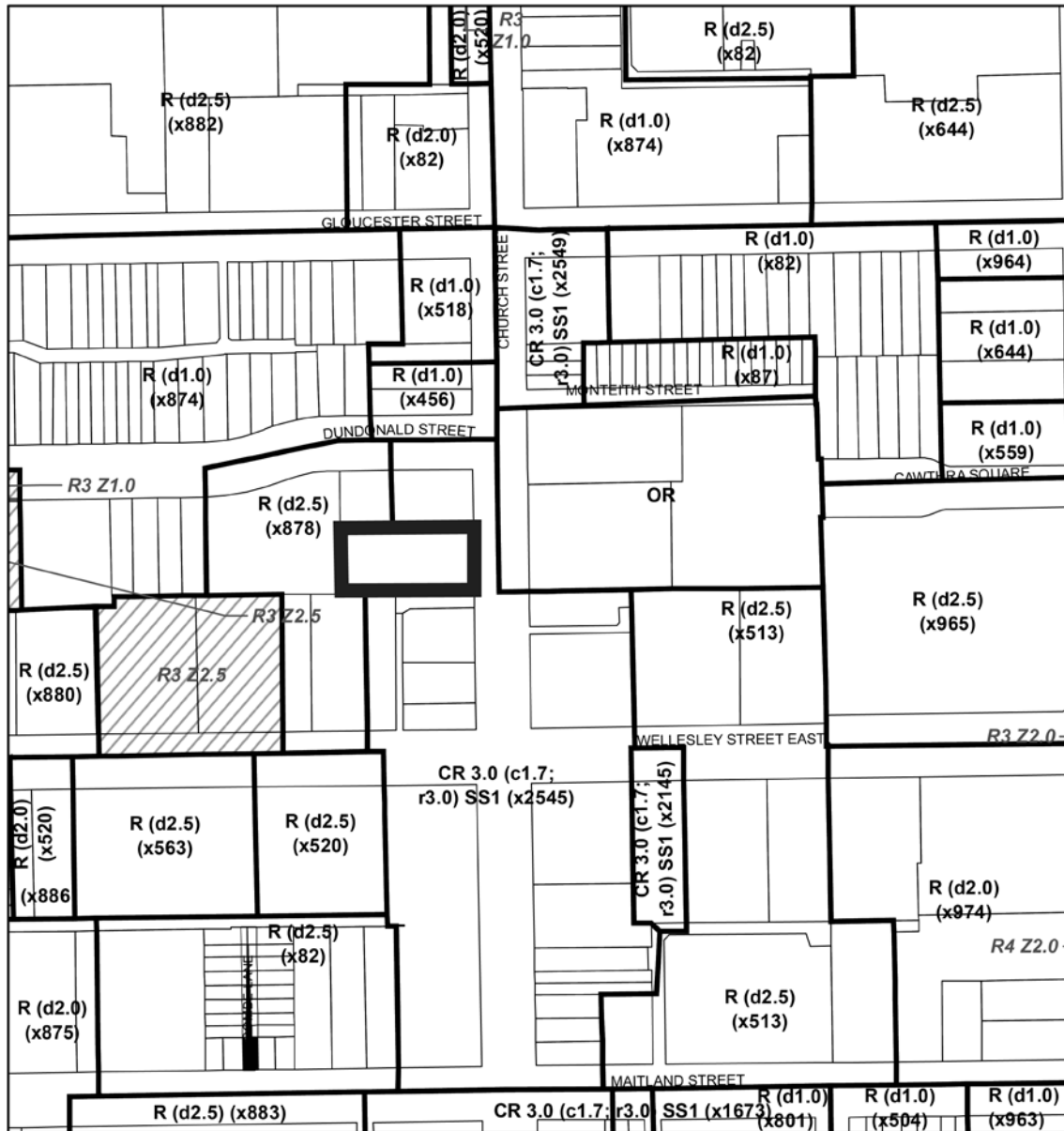
File # 11 247686

- |                                    |                                  |  |              |
|------------------------------------|----------------------------------|--|--------------|
| Public Park                        | Potential Open Space Opportunity | Pedestrian Mid-block Connections       | Subject Site |
| New Public Park                    | Publicly Accessible Green Roof   | Proposed Future Pedestrian Connections |              |
| Green Open Space                   | Park Connections                 | Boulevard Parking Transformation       |              |
| Courtyards, Forecourts and Squares |                                  |  |              |

Revised by Ontario Municipal Board Order to remove the lands known in 2015 as 81 Wellesley Street East

↑  
Not to Scale  
08/25/2017

## Attachment 12: Existing Zoning



**Zoning By-Law No. 569-2013**

**572 Church Street**

**File # 17 179441 STE 27 02**

- Location of Application
- See Former City of Toronto By-Law No. 438-86
- R Residential
- CR Commercial Residential
- OR Open Space Recreation
- R3 Residential District

Not to Scale  
 Extracted: 08/10/2017

### Attachment 13: Application Data Sheet

Application Type	Official Plan Amendment & Rezoning	Application Number:	17 179441 STE 27 OZ
Details	OPA & Rezoning, Standard	Application Date:	June 13, 2017

Municipal Address: 572 CHURCH ST

Location Description: \*\*GRID S2708

Project Description: OPA and Rezoning application to permit a 16-storey mixed-use building (52 m plus mechanical penthouse) consisting of 285 square metres of retail uses at grade and 98 dwelling units above. A total of 117 bicycle parking spaces and 0 vehicular parking are proposed.

<b>Applicant:</b>	<b>Agent:</b>	<b>Architect:</b>	<b>Owner:</b>
BOUSFIELDS INC	MICHAEL BISSETT	TACT ARCHITECTURE LTD.	CHURCH WELLDUN DEVELOPMENTS LIMITED

**PLANNING CONTROLS**

Official Plan Designation:	Mixed Use Areas	Site Specific Provision:	SASP 155, SASP 382
Zoning:	CR 3.0 (c1.7; r3.0) SS1(x2545)	Historical Status:	
Height Limit (m):	18	Site Plan Control Area:	

**PROJECT INFORMATION**

Site Area (sq. m):	1117	Height:	Storeys:	16
Frontage (m):	23.5		Metres:	54.6
Depth (m):	48.74			
Total Ground Floor Area (sq. m):	0			<b>Total</b>
Total Residential GFA (sq. m):	7204		Parking Spaces:	0
Total Non-Residential GFA (sq. m):	284.9		Loading Docks	1
Total GFA (sq. m):	7488.9			
Lot Coverage Ratio (%):	0			
Floor Space Index:	6.7			

**DWELLING UNITS**

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

			Above Grade	Below Grade
Tenure Type:	Condo			
Rooms:	0	Residential GFA (sq. m):	7204	0
Bachelor:	0	Retail GFA (sq. m):	284.9	0
1 Bedroom:	51	Office GFA (sq. m):	0	0
2 Bedroom:	30	Industrial GFA (sq. m):	0	0
3 + Bedroom:	17	Institutional/Other GFA (sq. m):	0	0
Total Units:	98			

**CONTACT: PLANNER NAME: Kate Goslett, Planner**  
**TELEPHONE: 416-395-7105**