

# STAFF REPORT ACTION REQUIRED

# 580-596 Church Street and 67-71 Gloucester Street -Rezoning Application - Preliminary Report

Date:	May 25, 2010
То:	Toronto and East York Community Council
From:	Director, Community Planning, Toronto and East York District
Wards:	Ward 27 – Toronto Centre-Rosedale
Reference Number:	10 149004 STE 27 OZ

# SUMMARY

This application was made on April 19, 2010 and is subject to the new provisions of the *Planning Act* and the City of Toronto Act, 2006.

The application proposes a 25-storey mixed-use building with a three to seven-storey podium, retail uses at grade, 193 residential units and two levels of underground parking for the property at 580-596 Church Street and 67-71 Gloucester Street. The proposed development also involves the demolition of two listed heritage properties, partial retention only of two listed heritage properties (front facades and part of side walls) and the retention of one listed heritage property. One 2½-storey 1909 residence will also be demolished.

An application for Rental Housing Demolition and Conversion under Section 111 of the *City of Toronto Act* (Chapter 667 of the Municipal Code) has been submitted with the rezoning application for the subject property. The 35 rental units on the subject property may not be demolished unless the City approves the Section 111 application, which is being reviewed concurrently with the rezoning application.

This report provides preliminary information on the above-noted application and seeks Community Council's direction on further processing of the application and the



consultation process.

The next step is to conduct a community consultation meeting, to enable the public to review and provide input on the application. This meeting is expected to take place in late fall 2010, assuming that the applicant provides all required information in a timely manner.

# RECOMMENDATIONS

#### The City Planning Division recommends that:

- 1. Staff be directed to schedule a community consultation meeting for the lands at 580-596 Church Street and 67-71 Gloucester 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 under the Planning Act.

#### **Financial Impact**

The recommendations in this report have no financial impact.

# **Pre-Application Consultation**

City staff met with the applicant and their consultant team on three occasions prior to the submission of this application. At the first meeting on Feb. 10, 2009, the applicant presented early conceptual plans for the site, which consisted of a 29-storey tower on a five-storey podium. At that time, staff expressed concern about the height and density of the proposal, as well as the treatment of the heritage buildings on the property. Information regarding the existing rental units was not presented at this time.

On March 27, 2009, staff were shown a revised scheme consisting of a 29-storey tower on a sevenstorey podium with a relocated tower, a reduced tower floor-plate size and a slight reduction in overall density for the project. Concerns raised included the retention of the heritage buildings, the issue of rental unit replacement, the massing of the tower and podium and the proposal's impact on the neighbourhood to the west, which is designated as *Neighbourhoods* in the City's Official Plan. Staff mentioned the concept of a mid-rise building for the property and also outlined the required submission materials for a complete application.

The third pre-application meeting was held on March 18, 2010. The applicant presented their current scheme of a 25-storey tower on a three to seven-storey podium with a reduced overall gross floor area from the previous submission. Discussion again revolved around staff's concerns of the proposed massing, heritage retention and rental replacement. Staff discussed the potential transportation issues including site access and surrounding area traffic impacts, as well as parking and bike parking requirements. The requirements for Section 111 applications under the City of Toronto Act, 2006, concerning rental housing demolition and replacement were outlined.

# **ISSUE BACKGROUND**

### Proposal

Church 18 Holdings Inc., the owner of properties at 580-596 Church Street and 67-71 Gloucester Street, is proposing a 25-storey point tower with a podium building ranging from three to seven storeys. The total height to the top of the mechanical penthouse is 78.9 metres. Uses for the building would consist of retail and condominium facilities at grade level, rental replacements suites on floors two to six, indoor and outdoor residential amenity spaces on the seventh floor, and condominium units on floors 8 to 25. A total of 193 units are proposed, of which 35 are rental replacement and 158 condominium. The average unit size for the condominium units is 68 square meters (730ft<sup>2</sup>), with 83 as one-bedroom and 75 as two-bedroom units. Of the condominium units, four townhouse and 10 live-work units are proposed for the podium component of the building. The current mix for the existing 35 rental units of 17 one-bedroom and 18 two-bedroom units is proposed to be replaced with a mix of 30 one-bedroom and 5 two-bedroom rental units.

The project proposes a residential gross floor area of  $16,260m^2$  and a retail gross-floor area of  $619m^2$  for a total gross floor area of  $16,879m^2$ . This equates to a floor space index of 7.23 times the lot area. The proposed tower is slab-like in shape and slightly off-set, oriented in a northwest-southeast direction. Its proposed diameter is approximately 21 metres at the south end and 24 metres at the north, with a floorplate of  $610m^2$ . The base building is setback less than a metre from each property line, while the tower is setback 1.9m from the north, 12.5m from the west, 26m from the south and 6.7m from the east.

The podium building involves the retention and re-use of some components of the heritage fabric on the property. An existing restaurant in the building at 580-582 Church Street at the northwest corner of Church Street and Dundonald Street, the front façade of the building at 592 Church Street and the front bay and façade of 67 Gloucester Street are proposed to be retained within the development. The other listed heritage buildings at 596 Church Street and 69 Gloucester Street would be demolished, as would a 2½-storey residence (584 Church Street) built in 1909 and located between two of the listed heritage properties.

Proposed amenity space on the seventh floor of the podium consists of  $581m^2$  of indoor and  $452m^2$  of adjacent outdoor space.

Pedestrian access to the condominium portion of the development is proposed through a new residential entrance off Church Street, while pedestrian access to the replaced rental units is via a separate entry and lobby off Gloucester Street. A total of 197 bike parking spaces are proposed, 48 at grade and 149 in the two levels of underground parking.

Vehicular parking is provided for 88 parking spaces in two levels of underground parking, accessed from a new, private drive aisle on the west (rear) side of the property. As both Dundonald Street to the south and Gloucester Street to the north are one-way westbound, the applicant is proposing to convert the portion of Gloucester Street between the proposed driveway and Church Street to two-way traffic, thereby providing vehicular egress for residents travelling in an easterly direction towards Church Street. One 'Type G' loading space is proposed in the northwest area of the property, behind the retained façade of the building at 57 Gloucester Street with access from Dundonald Street and egress onto Gloucester Street.

Attachments 1-4 show the proposed site plan, elevations and two of the applicant's renderings for the project. For a summary of the application details, please refer to the Application Data Sheet in Attachment 7.

### Site and Surrounding Area

#### Site

The subject property is rectangular in shape, oriented in a north-south direction, comprising a full block of frontage on the west side of Church Street. It is bounded by Dundonald Street on the south, Church Street on the east, Gloucester Street on the north and a residential neighbourhood on the west. Wellesley Street East is a block to the south and Yonge Street is a block to the west. The site is essentially flat with nine mature trees on or directly adjacent to it on the City's right-of-way.

Amalgamated from six contiguous properties, the site has dimensions of 57m in length and approximately 41m in width for a total lot area of  $2,335m^2$ . The six former parcels consist of a group of surviving residential buildings from the late 19<sup>th</sup> and early 20<sup>th</sup> centuries including:

- 1&2) 580-582 Church Street (2 properties at the northwest corner of Church Street and Dundonald Street): a three-storey, semi-detached, house-form building, built in 1878 in the Second Empire Style; currently occupied by a long-standing restaurant use (Fuzion Restaurant); listed on the City's Inventory of Heritage Properties as one listing in 1979;
  - 584 Church Street: a three-storey detached house-form building constructed in 1903, identified as the Catherine Collard House; has been used for both commercial and residential purposes in the last 20 years, which contributes to the existing 19<sup>th</sup> and early 20<sup>th</sup> century character of the street;
  - 4) 592 Church Street: a larger three-storey, semi-detached house-form building from 1873, known as the Wallace Millichamp House; listed on the City's Inventory in 2009;
  - 5) 596 Church Street and 69-71 Gloucester Street: 596 Church Street is a three-storey walk-up apartment building built in 1911, considered part of the Gloucester Mansions; listed on the City's Inventory of Heritage Properties in 2009; 69-71 Gloucester Street is the original rear portion of the former (second) Wallace Millichamp House built in 1875, which fronts onto Gloucester Street and is attached to 596 Church Street; these buildings currently form part of the rental component (35 units) of the subject property; and
  - 6) 67 Gloucester Street: a 3<sup>1</sup>/<sub>2</sub>-storey walk-up apartment building, part of the Gloucester Mansions, built in 1911; currently part of the rental component of the subject property; listed on the City's Inventory of Heritage Properties in 2009.

#### Surrounding Area

The site is at the northern edge of the Church-Wellesley village, an area characterized by a vibrant mix of commercial, residential and institutional uses in a predominantly low to mid-rise built form setting. Within the immediate context, the following uses surround the site:

- North: a three-storey walk-up apartment building on the north side of Gloucester Street at Church Street; further west along Gloucester Street are two detached heritage homes and an 11-storey apartment building;
- East: the east side of Church Street across from the subject property consists of a diverse mix of built form including a four-storey retail/commercial building, two house-form commercial/residential buildings, Cawthra Square Park and the three-storey 519 Church Street Community Centre, an adaptive re-use of a heritage building; a row of listed heritage houses are located on Monteith St which borders the north side of Cawthra Square Park;
- South: a two-storey commercial building on the south side of Dundonald Street, fronting on Church Street; further west on the south side of Dundonald Street is a five-storey, red-brick walk-up apartment; and
- West: on the south side of Gloucester Street and the north side of Dundonald Street is a stable low-rise (2-3 storey) neighbourhood of detached and semi-detached house-form, residential buildings, including 3 more listed heritage buildings on Gloucester Street.

# **Provincial Policy Statement and Provincial Plans**

The Provincial Policy Statement (PPS) provides policy direction on matters of provincial interest related to land use planning and development. The PPS sets the policy foundation for regulating the development and use of land. The key objectives include: building strong communities; wise use and management of resources, including heritage resources; and protecting public health and safety. City Council's planning decisions are required to be consistent with the PPS.

The Growth Plan for the Greater Golden Horseshoe provides a framework for managing growth in the Greater Golden Horseshoe including: directions for where and how to grow; the provision of infrastructure to support growth; and protecting natural systems and cultivating a culture of conservation. City Council's planning decisions are required to conform, or not conflict, with the Growth Plan for the Greater Golden Horseshoe.

Staff 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 subject property is located within the *Downtown and Central Waterfront* area on Map 2 – Urban Structure in the Official Plan. It is designated as *Apartment Neighbourhoods* on Map 18 – Land Use Plan. The property is surrounded by properties designated *Neighbourhoods* to the west, *Apartment Neighbourhoods* to the north, *Mixed Use Areas* and *Parks* to the east and *Mixed Use Areas* to the south. Attachment 5 provides an excerpt of the Official Plan designations for the site and immediate area.

Living Downtown policies (Chapter 2) in the Official Plan encourage the provision of a full range of housing opportunities through sensitive infill within *Downtown Apartment Neighbourhoods*, as well as the preservation of the architectural and cultural heritage of *Downtown* through the designation of buildings with heritage significance. Healthy Neighbourhoods policies (Chapter 2) identify *Apartment Neighbourhoods* as physically stable areas where development will reinforce the existing physical

character of buildings and streetscapes. Development in *Apartment Neighbourhoods* is also required to be compatible with adjacent *Neighbourhoods* through the maintenance of adequate light and privacy and the provision of a gradual transition of scale and density through stepping down and setbacks of buildings. Intensification of land adjacent to neighbourhoods is required to be carefully controlled such that the neighbourhoods are protected from negative impact.

Built Form policies (Chapter 3) reference new development being massed to fit harmoniously into its existing context, creating appropriate transitions in scale and limiting shadow impacts. Heritage Resources policies (Chapter 3) state that buildings listed on the City's Inventory of Heritage Properties will be conserved and that development adjacent to listed buildings will respect the scale, character and form of the heritage resources. Rental replacement policies within the Housing section (Chapter 3) require the replacement of the same number, type and size of rental units that will be demolished. Should this not occur, an amendment to the Official Plan is required. Conditions on the rents for the replacement units are identified in this section, as well as requirements for acceptable tenant relocation and assistance plans.

The *Apartment Neighbourhoods* designation permits residential and small-scale retail uses and provide criteria to direct the form and quality of development. *Apartment Neighbourhoods* (Chapter 4) are considered stable areas where significant growth is generally not anticipated. Key considerations for this designation include improving amenities, accommodating sensitive infill where it can improve quality of life and promoting environmental sustainability. Policies in this section require new development to: provide adequate transitions between areas of different intensity and scale, particularly for adjacent *Neighbourhoods*; limit shadow impacts on adjacent *Neighbourhoods*; enhance pedestrian comfort through the maintenance of adequate sunlight and minimization of wind disturbance; improve pedestrian safety though animation of ground floor uses; and promote universal accessibility.

Immediately adjacent to the subject property, including properties on either side of a five-block section of Church Street north and south of Wellesley Street, the *Mixed Use Areas* designation is subject to an Area Specific Policy (No. 155). This policy identifies the area as having "special character...defined by the low scale and form of existing buildings, including many house-form structures". Further, the policy requires that "new development...be compatible with existing residential uses nearby and conform to the low rise scale of existing development."

The City of Toronto's Official Plan is available on the City's website at: <u>http://www.toronto.ca/planning/official\_plan/introduction.htm</u>

# Zoning

The property is currently zoned R3 Z1.0 under the former City of Toronto Zoning Bylaw 438-86, which permits residential uses to a maximum density of one times the lot area. The height permission for the site is 12 metres. Attachment 6 provides an excerpt of the zoning for the site and immediate area.

Section 12(1) 105 of the Zoning Bylaw permits the existing (and proposed) restaurant uses in the building at 580-582 Church Street, provided it is not a take-out restaurant or caterer's shop. Section 12(2) 259 requires 60% of the Church Street frontage of this property to be used for street-related retail and services uses, as defined in the bylaw.

# **Tall Building Guidelines**

Toronto City Council approved the use of the document, "Design Criteria for Review of Tall Building Proposals" in June, 2006 and in April, 2010 extended authorization of its use. A tall building is generally defined as a building that is taller than the road right-of-way adjacent to the site. In this case, the right-of -way for Church Street between Dundonald Street and Gloucester Street is 20 metres wide, and as such, the proposed building at 78.9m in height is considered a tall building. The Design Criteria provide policy recommendations for tall buildings on issues of transition, building placement and orientation, entrances, heritage conservation, massing of base buildings, tower floorplates, separation distances, pedestrian realm considerations and sustainable design. This document will be used to assess the proposed building.

The City's "Design Criteria for Review of Tall Building Proposals" can be found on the City's website at: <u>http://www.toronto.ca/planning/urbdesign/index.htm</u>

# Site Plan Control

The proposed development is subject to site plan control. An application for site plan control has not yet been submitted, but will be required.

### Heritage

This development application involves the retention of one property listed on the City's Inventory of Heritage Properties (580-582 Church Street), the partial retention only of two listed properties (592 Church Street and 67 Gloucester Street) and the demolition of two listed properties (596 Church Street and 69 Gloucester Street).

The Official Plan states that heritage resources on properties listed on the City's Inventory of Heritage Properties will be conserved. A Heritage Impact Assessment has been submitted, as the development entails an amendment to the Zoning By-law. There are other properties listed on the Heritage Inventory within the vicinity of the proposed development at 68 Gloucester Street and 551-555 Church Street. The Official Plan directs development adjacent to properties on the Inventory to respect the scale, character and form of the heritage building and landscapes. Staff will review the Heritage Impact Assessment that has been submitted as part of the application, and evaluate it against the relevant Official Plan policies.

# **Tree Preservation**

The applicant has provided an Arborist Report evaluating the status of and providing recommendations for, trees on and in the vicinity of the subject property. Of the nine trees identified, six are within the City's right-of-way adjacent to the proposed development, while three are on the proposed development site. All trees are proposed to be removed with the exception of one of the City trees on the south side of the site on Dundonald Street.

# **Rental Demolition and Replacement**

A Rental Housing Demolition and Conversion Application under Section 111 of the City of Toronto Act (Chapter 667 of the Municipal Code) is required to permit the demolition of the rental apartment buildings at 596 Church Street and 67-71 Gloucester Street, which contain a total of 35 rental dwelling units. An application for Rental Housing Demolition and Conversion and the required supporting documentation have been submitted as part of the development application and are currently under review by the City.

### **Reasons for the Application**

The applicant seeks to amend former City of Toronto Zoning Bylaw 438-86, as amended, since the proposed development's height of 78.9 metres and density of 7.23 times the lot area exceeds the maximum height and density permitted under the existing zoning of 12 metres and one times the area of the lot, respectively.

# COMMENTS

# **Application Submission**

The following reports/studies were submitted with the application: planning rationale report, heritage impact assessment, transportation impact and parking assessment study, stormwater management report, preliminary servicing report, and arborist report.

City staff deemed the application complete on May 26, 2010.

### Issues to be Resolved

Prior to presenting a Final Report to Toronto and East York Community Council, the following issues, as well as any others identified by staff and the public, will need to reviewed and addressed:

- 1. consistency with the Provincial Policy Statement and the Growth Plan for the Greater Golden Horseshoe;
- 2. conformity with Official Plan policies, particularly with respect to the sections on heritage, housing, *apartment neighbourhoods*, built form and built form for tall buildings;
- 3. conformity with the Design Criteria for Review of Tall Building Proposals, namely the sections on transition in scale, heritage buildings, pedestrian realm and sustainable design;
- 4. conformity with Parks Canada's "Standards and Guidelines for the Conservation of Historic Places in Canada", approved by City Council as the official document guiding planning, stewardship and conservation approach for all listed and designated heritage resources within the City (March 3, 4,and 5, 2008);
- 5. height and density of the proposal;
- 6. other built form and massing issues including, but not limited to: setbacks, stepbacks, views, sky view, light penetration, privacy, wind mitigation and pedestrian realm weather protection;
- 7. the built form transition from this site into the low-rise *Neighbourhoods* area to the west;
- 8. shadow impacts on the *Neighbourhoods* designation immediately to the west and nearby to the east;
- 9. heritage impacts, including the full demolition of three listed heritage buildings and partial demolition of two listed heritage buildings;
- 10. sensitivity of the new podium and tower elements to the existing heritage elements on site and adjacent;

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- 11. mix of unit sizes and lack of family-sized units;
- 12. adequacy of the proposed amenity space;
- 13. provision of amenity space for the rental replacement units;
- 14. size and bedroom type of rental replacement units;
- 15. tenant relocation and assistance plan;
- 16. interface between the residential condominium and the rental replacement components of the building;
- 17. traffic and neighbourhood parking impacts;
- 18. the viability of converting Gloucester Street to two-way for the portion between Church Street and the proposed rear lane access;
- 19. location and quantity of resident and visitor bike parking facilities;
- 20. tree preservation and the proposed removal of eight existing trees on or adjacent to the subject property;
- 21. assessment of landscape treatments and the provision of adequate soft-surface areas;
- 22. sustainability components of the building and the applicant's intention to not pursue Tier Two TGS targets; and
- 23. identification and securing of public benefits pursuant to Section 37 of the Planning Act should the proposal be recommended for approval.

#### **Toronto Green Standard**

The Toronto Green Standard (TGS) is a tool to implement the broader environmental policies of the Official Plan. Several of the natural environment policies of the Official Plan encourage green development. These policies are geared to reduce the negative impacts of development on the natural environment through practices such as improved stormwater management, water and energy efficiency, and waste reduction and recycling. These policies also promote development that enhances the natural environment and support green industry.

The TGS Checklist has been submitted by the applicant and is currently under review by City staff for compliance with the Tier 1 performance measures. The applicant has indicated that they will not be pursuing enhanced Tier 2 performance measures and thus will not be eligible for the 20% reduction in development charges.

The Toronto Green Standard guidelines and checklist can be found on the City's website at: http://www.toronto.ca/planning/environment/greendevelopment.htm

Staff will encourage the applicant to review the Bird-Friendly Development Guidelines, adopted by City Council in January, 2006. They provide guidance on how to mitigate bird-related issues through window design and treatment, as well as interior and exterior lighting. The guidelines can be found on the City's website at: <u>http://www.toronto.ca/lightsout/guidelines.htm</u>

#### **Further Information**

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

### CONTACT

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### SIGNATURE

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Raymond David, Director Community Planning, Toronto and East York District

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#### **ATTACHMENTS**

Attachment 1: Site Plan

- Attachment 2: South and East Elevations [as provided by applicant]
- Attachment 3: North and West Elevations [as provided by applicant]
- Attachment 4: Renderings [as provided by the applicant]

Attachment 5: Official Plan

Attachment 6: Zoning

Attachment 7: Application Data Sheet



### Attachment 1: Site Plan



#### **Attachment 2: South and East Elevations**



#### **Attachment 3: North and West Elevations**



### **Attachment 4: Applicant Renderings**

Not to Scale 05/29/10

File # 10\_149004





Parks & Open Space Area

Not to Scale 05/28/2010 **Attachment 6: Zoning** 



G Parks District

Not to Scale Zoning By-law 438-86 as amended Extracted 05/20/2010

# **Attachment 7: Application Data Sheet**

Application Type	Rezonii	ıg	Application Nu		cation Numbe	nber: 10 149		004 STE 27 OZ	
Details	Details Rezonin		ng, Standard		Application Date:		April 9,	2010	
Municipal Address:	580-590	580-596 Church Street and 67-71 Gloucester Street							
Location Description:	West si	West side of Church Street, between Dundonald Street and Gloucester Street							
Project Description:	the land storey p existing	Zoning by law amendment applciation to permit the demolition of the existing buildings on the lands for the purposes of a new development consisting of a 25 storey tower atop a 7 storey podium building containing the replacement of 35 rental dwelling units located in the existing buildings, and an additional 158 residential dwelling units. Refer to related folder for rental residential demolition control application.							
Applicant:	Agent:	Agent: Architect:			O		Owner:		
Goodmans LLP 333 Bay Street, Suite 3400 Toronto, ON M5H 2S7				RAW design 12 Mercer Street, Level 4 Toronto, ON M5V 1H3		63	Clement Court Ltd 638A Sheppard Ave. W. Toronto, ON		
PLANNING CONTROLS									
Official Plan Designation:	Mixed	Mixed Use Areas			Site Specific Provision:		none		
Zoning:	R3 Z1	R3 Z1		Historical Status:		41	4 listed properties		
Height Limit (m):	12	12		Site Plan	Site Plan Control Area:		Y		
PROJECT INFORMATION									
Site Area (sq. m):		2335		Height:	Storeys:	25	25		
Frontage (m):		57.01			Metres:	78	78.9		
Depth (m):		38.1							
Total Ground Floor Area (sq	. m):	n): 796					Tota	al	
Total Residential GFA (sq. r	n):	16260			Parking Spa	aces:	88		
Total Non-Residential GFA	(sq. m):	619			Loading Do	ocks	1		
Total GFA (sq. m):		16879	)						
Lot Coverage Ratio (%):		34							
Floor Space Index:		7.23							
DWELLING UNITS FLOOR AREA BREAKDOWN (upon project completion)									
Tenure Type:	Rental,	Rental, Condo			Al		rade	<b>Below Grade</b>	
Rooms:	0		Residential C	GFA (sq. m):	1	6260		0	
Bachelor:	35	35 Retail GFA		(sq. m):		619		0	
1 Bedroom:	83		Office GFA	(sq. m):	0	)		0	
2 Bedroom:	75		Industrial GI	FA (sq. m):	0	)		0	
3 + Bedroom: 0		Institutional/C		Other GFA (sq. m): 0		)		0	
Total Units:	193								
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