

**40 to 60 McCaul Street and 10 Stephanie Street - Zoning Amendment Application - Preliminary Report**

<b>Date:</b>	July 10, 2014
<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 174774 STE 20 OZ

**SUMMARY**

This application proposes to rezone 40 to 60 McCaul Street to permit the construction of a 14-storey residential apartment building with 184 units and a below-grade parking garage as well as 3-storey building proposed to be a private art gallery. The proposed development will have 13,386 square metres of residential gross floor area and 1,548 square metres of non-residential gross floor area, for a total density of 5.31times the lot area.

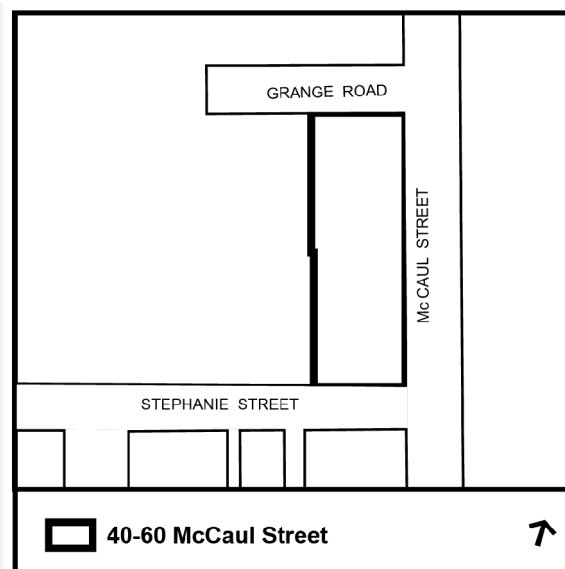
This report provides preliminary information on the above-noted application and seeks Community Council's directions on further processing of the applications and on the community consultation process.

A final report is targeted for the second quarter of 2015, 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 40 to 60 McCaul Street and 10 Stephanie 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**

There have been no recent development applications filed on the subject properties.

### **Pre-Application Consultation**

A pre-application consultation meeting was held with the applicant in February 2013, to discuss a proposal for a 15-storey mixed-use building on the site and the complete application submission requirements. Staff raised concerns with the proposed height, lack of transition and massing, based on the preliminary design and drawings provided at the meeting.

### **ISSUE BACKGROUND**

#### **Proposal**

The proposal is for a mixed-use development consisting of a 14-storey residential building and a 3-storey art gallery. The residential building will contain 184 units with a total residential gross floor area of 13,386 square metres and 1,548 square metres of non-residential gross floor area, for a density of 5.31 times the lot area.

The art gallery will be situated on the northern portion of the site and will have an overall height of 14 metres. It will be setback 3.4 metres from east property line along McCaul Street and 3.1 metres from the north property line along Grange Street. The art gallery is proposed to consist of archives in the basement, office space on the ground floor and exhibition space on the second and third floors.

The 14-storey residential building will be located on the southern portion of the site in a manner that steps down on the north side to 11 storeys or 35.5 metres. The portion of the site fronting onto Stephanie Street will contain three townhouse units. Along Stephanie Street, the building will step up in height to 14 storeys, with the additional 3 storeys being offset to the floors below. The residential building will be setback 3.2 to 4.4 metres from McCaul Street. Levels 2 to 11 will have an overhang over Level 1 with a setback of 2.2 metres from McCaul Street. The building setback along Stephanie Street will be 1.9 to 2.1 metres, lining up with the St. George church.

The applicant proposes 184 dwelling units, of which 100 are proposed to be 1-bedroom units, 64 will be 2-bedroom units, and the remaining 20 units will be 3-bedrooms.

Vehicular access to the site will be provided via a driveway accessed off Stephanie Street. A total of 65 residential parking spaces and 16 visitor parking spaces are proposed within 3 levels of underground parking. In addition, the applicant proposes to provide 169 residential bicycle parking spaces and 42 visitor bicycle parking spaces.

The development will also contain 368 square metres of residential indoor amenity space which will be located on the ground and mezzanine levels. Additionally, 381 square metres of outdoor amenity space will be provided on the roof top.

### **Site and Surrounding Area**

The subject site is an assembly of parcels, namely 40, 46, 48, 50, 52 and 60 McCaul Street and 10 Stephanie Street, that are located at the northwest corner of McCaul Street and Stephanie Street, approximately 150 metres north of Queen Street West. The site is approximately 2,814 square metres in area with 99 metres of frontage on McCaul Street and 31.6 metres on Stephanie Street.

Presently, 40 to 50 McCaul Street and 10 Stephanie Street comprise of a surface parking lot; 52 McCaul Street has a 3-storey commercial building; and 60 McCaul Street has a 1-storey commercial building. The properties at 52 and 56 McCaul are divided by an east-west laneway which connects to the north-south laneway at the rear of 46 to 52 McCaul Street.

The site is surrounded by the following uses:

North: At the northwest corner of McCaul Street and Grange Road there are two, 3 storey semi-detached Victorian houses that contain retail uses. Further north is Batterfield Park and the Ontario College of Art and Design (OCAD).

South: At the southwest corner of McCaul Street and Stephanie Street is an 11-storey residential condominium with 2-storey townhouse units that front onto McCaul Street.

East: On the east side of McCaul Street is a 6-storey residential condominium building that is part of the Village by the Grange that has townhouses on the ground floor.

West: Immediately west of the site is St. George the Martyr Anglican Church which is on the City's inventory of designated properties. North of the church, is the University Settlement Recreation Centre which is a 2-storey institutional building which includes recreational spaces on the north and south sides of the property. Additionally, The Grange and Grange Park, which are designated under the Ontario Heritage Act, are located northwest of the site, just south of the Art Gallery of Ontario.

## Provincial Policy Statement and Provincial Plans

The Provincial Policy Statement (PPS) 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; 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.

## Official Plan

The City of Toronto's Official Plan Map 18 designates the site as a *Mixed Use Area* and Map 2 -Urban Structure identifies the site as being within the *Downtown and Central Waterfront*. The Official Plan identifies that the *Downtown* is an area of the City which can accommodate a mix of residential and employment growth and where not all areas will develop in the same manner.

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

- builds on the strength of *Downtown* as the premier employment centre in the GTA;
- provides a full range of housing opportunities for *Downtown* workers and reduces the demand for in-bound commuting; and
- focuses on the *Financial District* as the prime location for the development of prestige commercial office buildings and landmarks buildings that shape the skyline.

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

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

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

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

- locating and massing new buildings to provide transition between areas of different development intensity and scale, through means such as providing appropriate setbacks and/or stepping down heights, particularly towards lower scale *Neighbourhoods*;
- locating and massing new buildings so as to adequately limit shadow impacts on adjacent *Neighbourhoods*, particularly during the spring and fall equinoxes;
- Locating and massing new buildings to frame the edges of streets and parks with good proportions and maintaining sunlight and comfortable wind conditions for pedestrians on adjacent streets, parks and open spaces;
- Providing an attractive, comfortable and safe pedestrian environment;
- Taking advantage of nearby transit services; and
- Providing good site access and circulation and an adequate supply of parking for residents and visitors.

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

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

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

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

The City's Official Plan Heritage Policies, specifically Section 3.1.5 Heritage Resources, states that development adjacent to properties on the City's Inventory of Heritage Properties will respect the scale, character and form of the heritage buildings and landscapes. The proposed development is located in close proximity to a number of heritage designated properties, such as St. George the Martyr Church; the Grange and Grange Park; and 74 to 76 McCaul Street.

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

## **Zoning**

The former City of Toronto Zoning By-law 438-86 is the zoning that applies to the site. However, the site is included in the new City-wide Zoning By-law No. 569-2013, which was enacted by City Council on May 9, 2013 but is under appeal to the Ontario Municipal Board and not in force.

As per Zoning By-law 438-86, the site is zoned Residential (R3 Z2.0), with a height limit of 14.0 metres. This permits a full range of uses such as, residential uses, including an apartment building, as well as a limited range of public and institutional uses, as well as a maximum residential density of 2.0 times the area of the lot.

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

## **Site Plan Control**

A Site Plan Control application has not been submitted for the proposed development.

## **Reasons for the Application**

The proposed development does not comply with several aspects of the in-force Zoning By-law, including but not limited to, height, density, permissions for commercial uses, number of residential parking spaces.

## **COMMENTS**

### **Application Submission**

The following reports/studies were submitted with the application:

- Plan of Survey
- Site Plan
- Architectural Plans, Elevations and Sections
- 3-D Massing Model
- Landscape Plans
- Planning Rationale
- Draft Site Specific By-law
- Site Servicing and Stormwater Management Report
- Traffic Impact Study
- Green Development Standards Checklist
- Arborist Report
- Sun/Shadow Study
- Heritage Impact Study
- Wind Study

The applicant must provide staff with 1:50 coloured elevations for the proposal. Staff are evaluating the completeness of the application and a Notice of Complete has not been issued prior to the signing of this report.

## **Issues to be resolved**

### **Building Height and Massing**

The Official Plan Built Form policies stress the importance of new development fitting harmoniously into its existing and/or planned context and limiting its impacts on neighbouring streets, parks, open spaces and properties. The Official Plan identifies that developments may be considered not only in terms of the individual building and site, but also in terms of how that building and site fit within the context of the neighbourhood and the City. New development within *Mixed Use Areas* is required to locate and mass new buildings to frame the edge of the streets, maintain sunlight and comfortable wind conditions, and locate and mass new buildings to provide a transition between areas of different development intensity and scale.

The Official Plan identifies a tall building as a building which has a height greater than the width of the adjacent right-of-way. Given that the proposed building height of approximately 45.65 metres (excluding mechanical penthouse) is greater than the right-of-way width of McCaul Street in front of the subject site (18.5 metres), the proposed building can be considered a tall building. Staff have concerns with the proposed scale and massing, overall heights proposed, transition to Neighbourhoods to the west, setbacks from lot lines, as well as the compatibility and relationship with the surrounding context, such as the heritage properties and public park.

### **Heritage**

A Heritage Impact Statement was submitted as part of the application. There are no listed or designated properties on the site, however there are a number of properties adjacent to the site that are identified on the City's Heritage Inventory. Heritage Preservation staff will evaluate any impacts on adjacent heritage properties and landscapes.

### **Shadow Impacts**

The shadow studies submitted by the applicant show the proposed shadows that will be cast by the building as well as the existing shadows and the as-of-right shadows for the site. The shadow impacts on the front and rear lawns of the adjacent school, University Settlement Recreation Centre, heritage buildings and landscape such as 74 to 76 McCaul Street and Grange as well as the public realm along McCaul Street will need to be further considered through the review of the application.

### **Amenity Space**

Section 3.1.2.6 of the Official Plan states that every significant new multi-unit residential development will provide indoor and outdoor amenity space for residents of the new development, in addition to identifying that each resident will have access to outdoor amenity spaces. The proposal includes 368 square metres of indoor amenity space on the ground floor and mezzanine and 380 square metres of outdoor amenity space on Level 12/roof for the residential component of the development. According to the by-law, exterior amenity space is to be located on the same of floor as the interior amenity space. The location and adequacy of the amenity space will be considered through the development application review process.

### **Parking and Vehicular Access**

The amount of parking provided must be reviewed in relation to the demand generated by the proposal, and in context of the development's proximity to public transit. A Transportation Study has been submitted and will be reviewed by the City's Development Engineering staff.

### **Trees**

The proposed development seeks to remove three City-owned trees that are located on the McCaul Street right-of-way. These trees include one maple and two ash trees. Additionally, the Arborist Report identifies a total of eight private trees that will be negatively impacted by the proposed building and are being proposed to be removed.



Urban Forestry staff will review the Arborist Report and landscape plans to determine the appropriateness of the proposed application.

### **Toronto Green Standard**

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.

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

### **Section 37**

The Official Plan includes policies pertaining to the exchange of public benefits for increased height and density for new developments pursuant to Section 37 of the *Planning Act*. The applicant has been advised that the City may apply the Section 37 provisions of the Planning Act to this application. Details of a Section 37 Agreement between the applicant and the City will be established if a development is recommended for approval.

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

### **CONTACT**

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E-mail: mprejel@toronto.ca

### **SIGNATURE**

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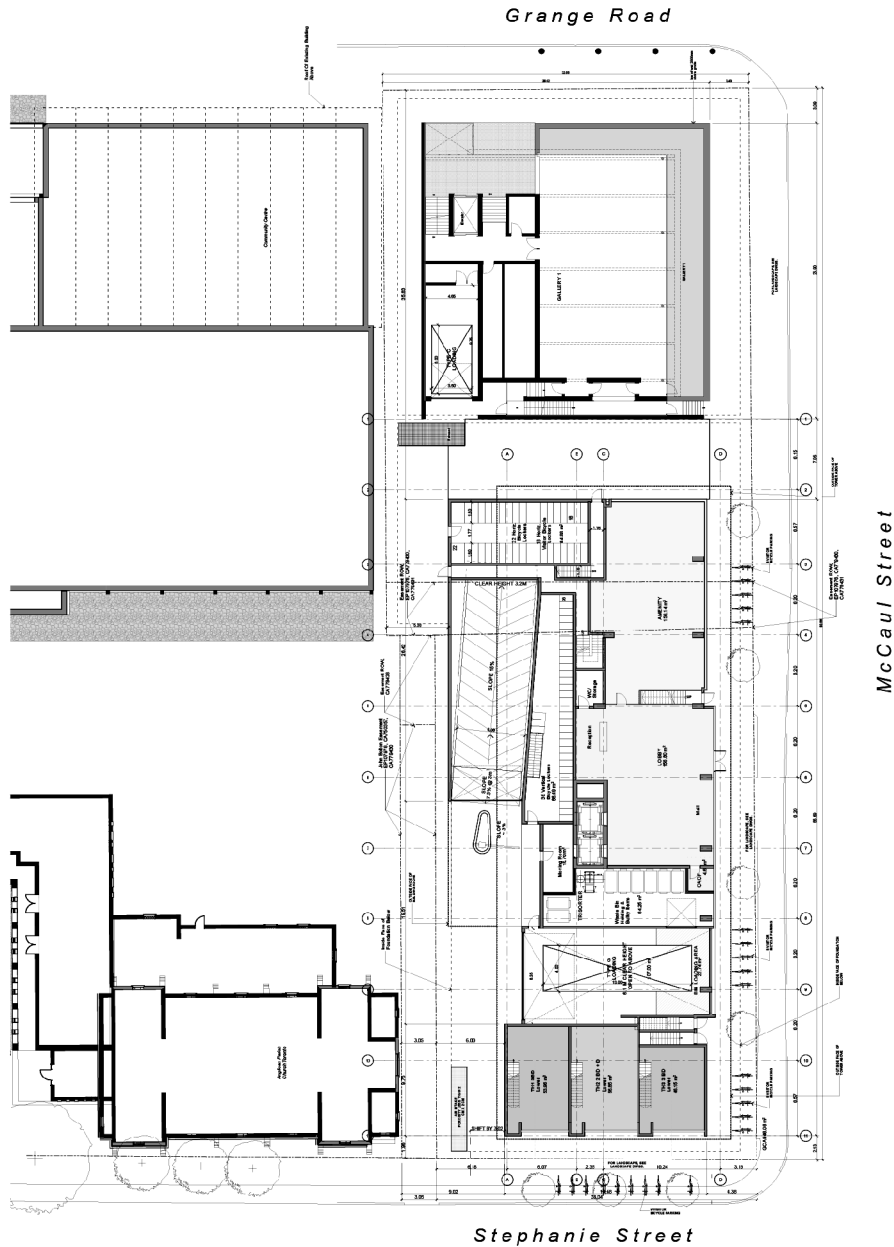
Gregg Lintern, MCIP, RPP  
Director, Community Planning  
Toronto and East York District

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### **ATTACHMENTS**

Attachment 1: Site Plan  
Attachment 2A to C: Elevations  
Attachment 3: Zoning  
Attachment 4: Application Data Sheet

# Attachment 1: Site Plan



## Site Plan

Applicant's Submitted Drawing

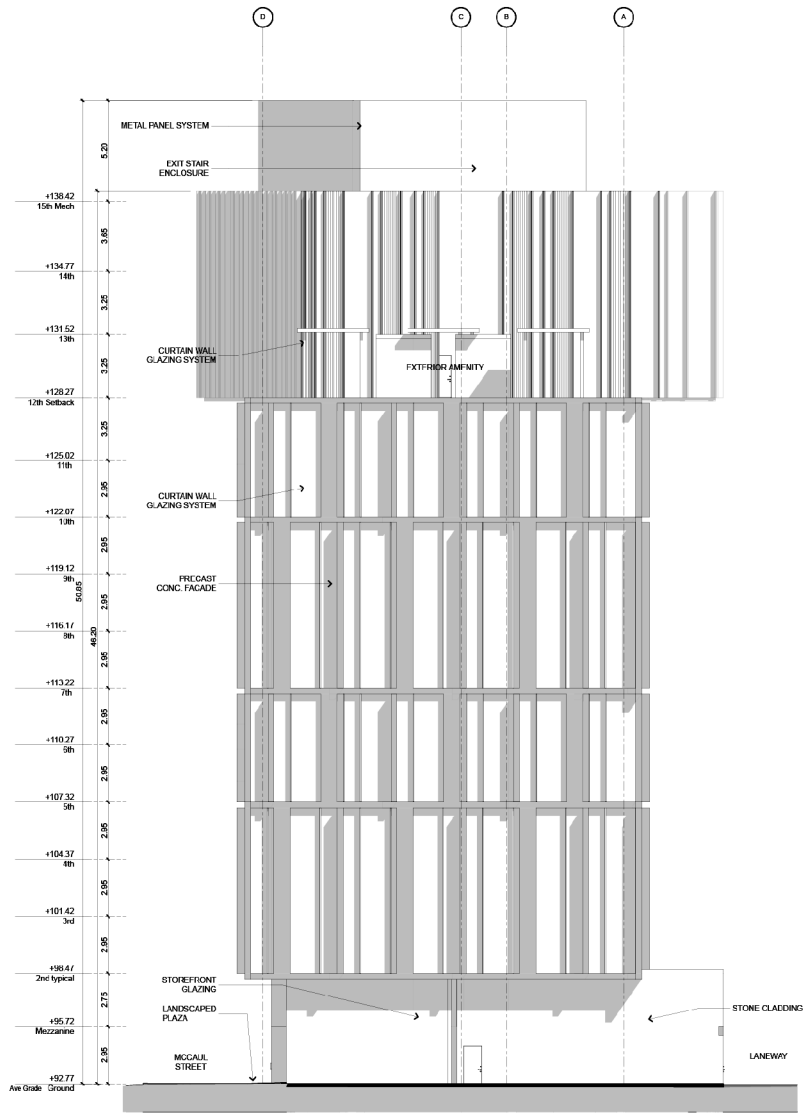
Not to Scale  
07/07/2014



40-60 McCaul Street

File # 14\_174774\_STE 20\_02

## Attachment 2A: North Elevation



**NORTH ELEVATION**

SCALE: 1:150

### North Elevation

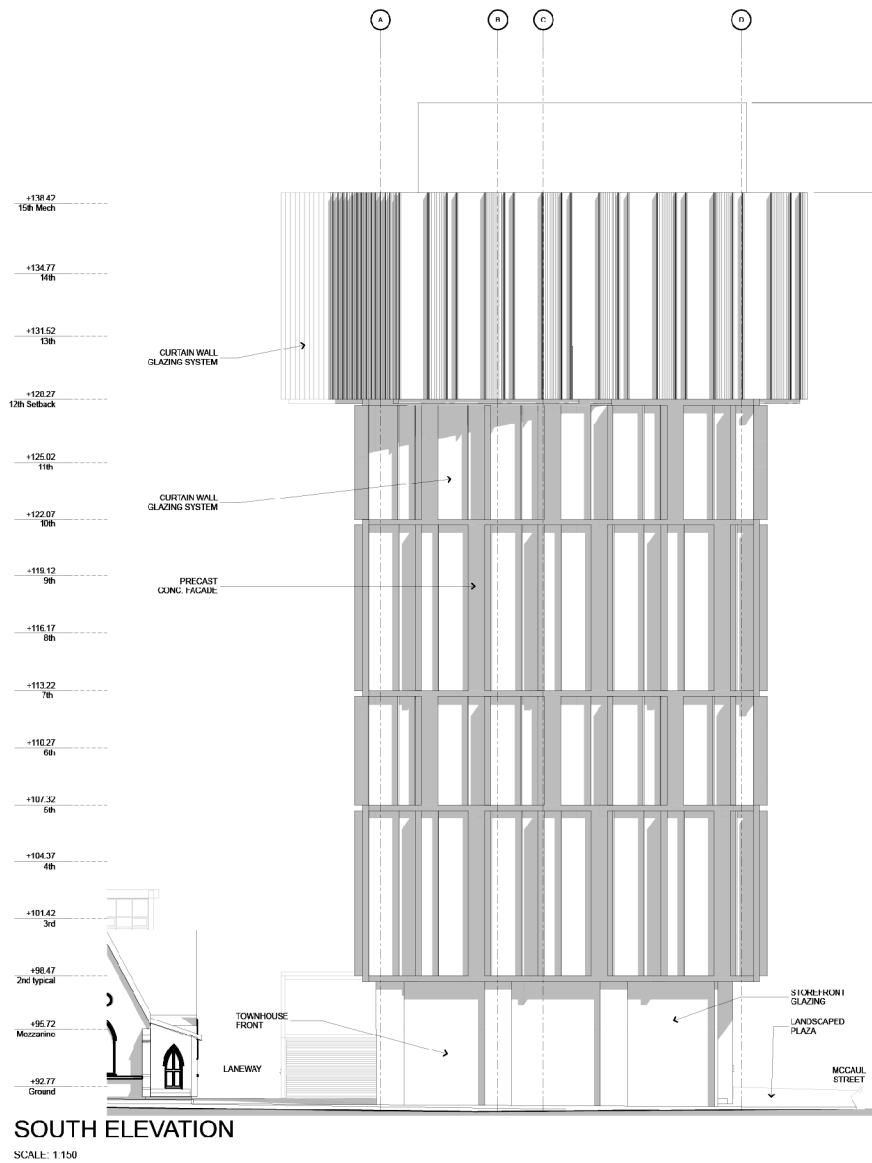
Applicant's Submitted Drawing

Not to Scale  
07/07/2014

**40-60 McCaul Street**

File # 14\_174774\_STE 20\_OZ

## Attachment 2B: South Elevation



### South Elevation

Applicant's Submitted Drawing

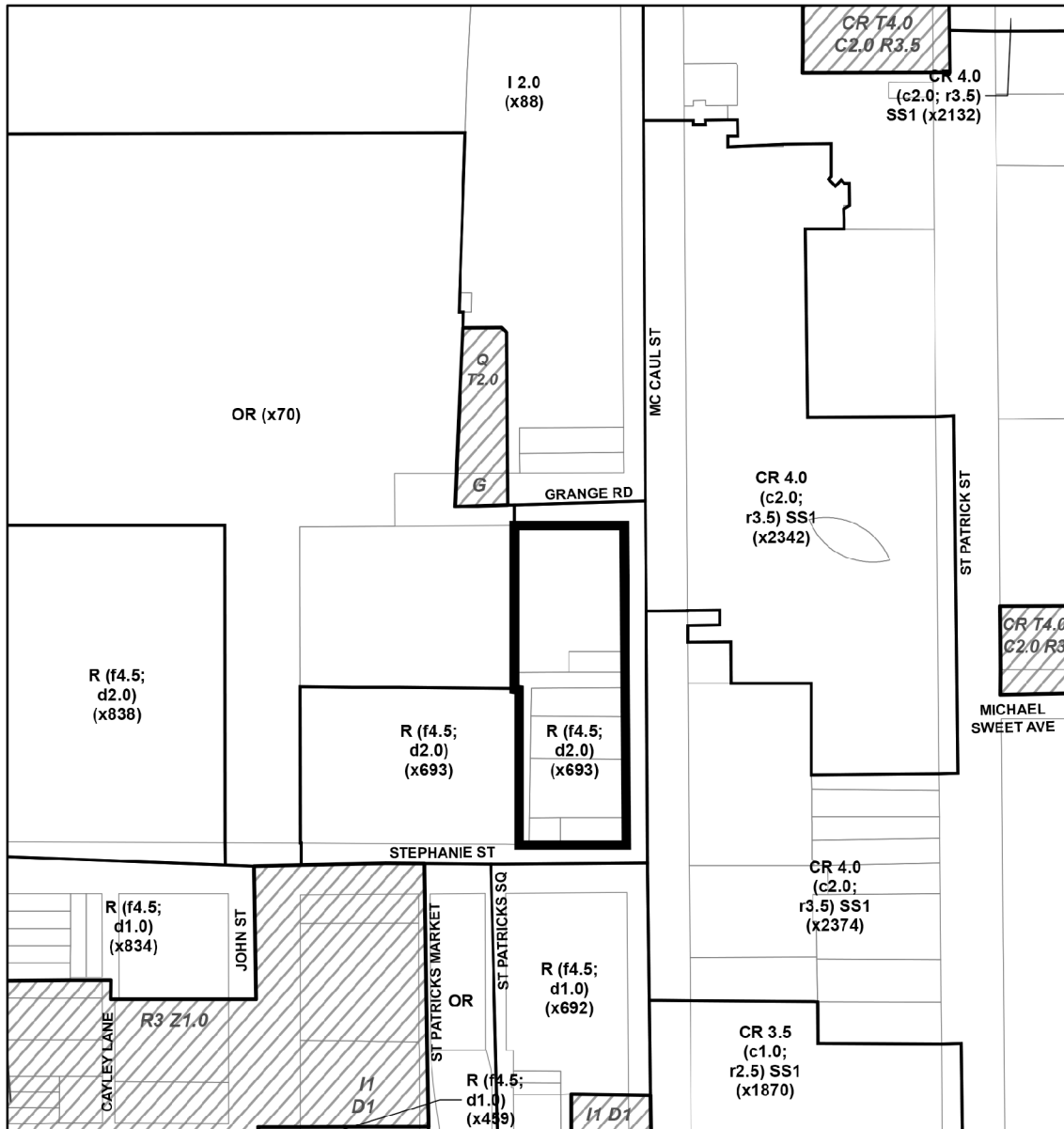
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40-60 McCaul Street

File # 14\_174774\_STE 20\_02



### Attachment 3: Zoning



Zoning By-law 569-2013

40-60 McCaul Street

File # 14 174774 STE 20 02

Location of Application

R Residential  
 CR Commercial Residential  
 I Institutional  
 OR Open Space Recreation

See Former City of Toronto Bylaw No. 438-86

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



Not to Scale  
 Extracted: 07/07/2014

## Attachment 4: Application Data Sheet

### APPLICATION DATA SHEET

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

Municipal Address: 60 MCCAUL ST

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

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

<b>Applicant:</b>	<b>Agent:</b>	<b>Architect:</b>	<b>Owner:</b>
DELTERRA INC		architectsAlliance	OSMINGTON INC

#### PLANNING CONTROLS

Official Plan Designation:	Mixed Use Areas	Site Specific Provision:
Zoning:	r (f4.5, d2.0) H14	Historical Status:
Height Limit (m):	14	Site Plan Control Area:

#### PROJECT INFORMATION

Site Area (sq. m):	2813.6	Height:	Storeys:	14
Frontage (m):	93.86		Metres:	45.65
Depth (m):	32.05			
Total Ground Floor Area (sq. m):	1490			<b>Total</b>
Total Residential GFA (sq. m):	13087		Parking Spaces:	91
Total Non-Residential GFA (sq. m):	1549		Loading Docks	2
Total GFA (sq. m):	14635			
Lot Coverage Ratio (%):	53			
Floor Space Index:	5.2			

#### DWELLING UNITS

Tenure Type:	Condo
Rooms:	0
Bachelor:	0
1 Bedroom:	100
2 Bedroom:	64
3 + Bedroom:	20
Total Units:	184

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

	Above Grade	Below Grade
Residential GFA (sq. m):	13087	0
Retail GFA (sq. m):	0	0
Office GFA (sq. m):	0	0
Industrial GFA (sq. m):	0	0
Institutional/Other GFA (sq. m):	1549	0

**CONTACT: PLANNER NAME: Marian Prejel, Senior Planner**  
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