



## STAFF REPORT INFORMATION ONLY

### 270 - 288 Church Street, 101-105 and 111 Bond Street - Zoning Amendment Application – Supplementary Report

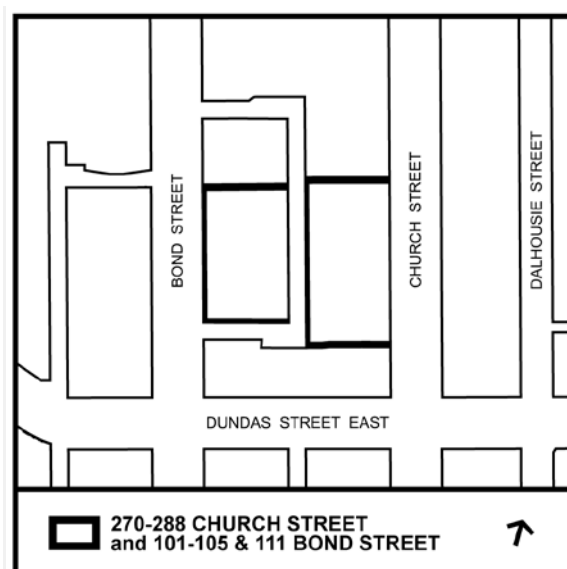
<b>Date:</b>	September 28, 2015
<b>To:</b>	City Council
<b>From:</b>	Chief Planner and Executive Director, City Planning Division
<b>Wards:</b>	Ward 27 – Toronto Centre-Rosedale
<b>Reference Number:</b>	P:\2015\Cluster B\PLN\City Council\CC15113

#### SUMMARY

At its meeting on September 8, 2015 Toronto and East York Community Council adopted TE 10.7, the Final Report for the rezoning application for 270-288 Church St, 101-105 and 111 Bond Street, and adopted a motion directing the Chief Planner, the Director of Urban Design, and the City Solicitor to work with St. George's Greek Orthodox Church and other affected stakeholders regarding outstanding concerns related to the subject proposal and report back to City Council on the outcome of those discussions.

A meeting took place on September 22, 2015 with representatives of St. George's Greek Orthodox Church, Ryerson University, the Merchandise Lofts, as well as the City Councillor, the Chief Planner, Planning staff, and Legal Services staff. At the meeting, representatives from St. Georges Greek Orthodox Church declined to comment on the outstanding issues. Representative for the Merchandise Lofts condominium expressed concern about the shadow impacts from the proposed development on the west facing units of their building and their outdoor amenity area. Residents were also concerned about the height of the building and an increase in vehicular and pedestrian traffic.

Prior to this meeting, Planning staff heard



concerns from representatives of the Church that there was a lack of discussion in the final report on the impacts of the proposed development on the Heritage attributes of St. George's Greek Orthodox Church.

City Planning staff have reviewed the concerns expressed by representatives of St. Georges Greek Orthodox Church and residents of the Merchandise Lofts condominium and concluded that the impacts of the proposed development on their respective buildings are acceptable in context of this area and applicable policy. Planning staff are not recommending any changes to the proposed development as a result of these discussions.

### **Financial Impact**

There are no financial implications.

### **ISSUE BACKGROUND**

At its meeting on September 8, 2015, Toronto and East York Community Council adopted the staff recommendations on TE 10.7, the Final Report for the rezoning application for 270-288 Church St, 101-105 and 111 Bond Street, to approve the proposal for a 27-storey mixed-use building (plus a 2-storey mechanical penthouse) containing student residences, academic, administration, and retail space and 155 parking spaces for university and public use.

In addition, Community Council adopted the following motion:

*The Toronto and East York Community Council directed the Executive Director and Chief Planner, City Planning, the Director, Urban Design, City Planning, and the City Solicitor to work with Ryerson University, St. George's Greek Orthodox Church and their consultants, and affected stakeholders, and report to City Council on September 30, 2015, on the outcome of such discussions.*

On September 22, 2015, the Chief Planner and Executive Director of City Planning, the Director of Urban Design and a City Solicitor met with representatives from Ryerson University, St. George's Greek Orthodox Church, and the Merchandise Lofts condominium.

Prior to the meeting there was also a concern expressed by St. Georges Greek Orthodox Church regarding the lack of discussion in the final report on the impacts of the proposed development on the Heritage attributes of St. George's Greek Orthodox Church.

### **COMMENTS**

#### **Heritage**

The development site is not included on the City's Heritage Register nor does it directly abut a heritage property. However, St. George's Greek Orthodox Church, a designated heritage property, is located northwest of the development site opposite a public laneway. At the time the application was received, heritage adjacency was defined as being directly

contiguous with a heritage property. For this reason staff did not require that a Heritage Impact Assessment be submitted in support of this application.

In response to heritage concerns brought to the attention of Community Planning staff through the public consultation process in 2014-2015, Heritage staff reviewed the proposed development application in the context of the designating by-law for St. George's Greek Orthodox Church. The property at 115 Bond Street, St. George's Greek Orthodox Church, was designated by the former City of Toronto under Section 29 of the Ontario Heritage Act by By-law 119-121 on November 10, 1976. Schedule "B" of the By-law lists the Reasons for Designation. The Reasons refer to the building's historical association as one of the first major synagogue buildings in Canada. Its Romanesque architecture, and its "interesting interior" are also included in the Reasons.

Heritage staff understand that the community concerns about the proposed development include the potential for shadows on the clerestory stained glass windows, and concerns that construction related activity might damage the iconography painted on the walls within the church. Staff have reviewed the designating by-law for St. George's Greek Orthodox Church and the sun/shadow studies submitted in support of the application and are of the opinion that the development will not have an impact on the heritage attributes of the designated property. As a result of this application, staff will reevaluate this property for cultural heritage value under the current Provincial criteria for designation under the Ontario Heritage Act. Staff will report back with any proposed amendments to the designating by-law in early 2016.

At its meeting of May 26 and 27, 2008, Toronto City Council passed a vibration control by-law under the authority of the Building Code Act. This by-law is administered by Toronto Building as part of the building permit process. The by-law requires that when construction activity related to a building permit for construction or demolition activities may result in vibrations which exceeds five mm/sec peak particle velocity measured at any frequency at the point of reception, that the applicant develop a vibration monitoring program, hold a public meeting and conduct precondition surveys of buildings and structures within an identified "zone of influence." The by-law contains specific vibration control criteria to which construction must conform and sets out a notification and complaints protocol. The presence of a heritage building within the zone of influence is identified as a site specific consideration that needs to be considered. Heritage Preservation Services has consulted with Toronto Building on this proposal. Given the concerns for this heritage property, heritage staff will work with the applicant, the Church, and Toronto Building on this proposal as it relates to the Vibration Control By-law at the Site Plan and Building Permit stage.

## **Shadows**

The Merchandise Lofts condominium building is located at 155 Dalhousie Street which is two blocks east of the proposed development. The building, which is a warehouse-conversion, is a 48.5 metre high condominium that is approximately 144 metres in its north-south orientation and 58 metres in its east-west orientation. Representatives from

the Merchandise Lofts condominium building expressed concerns with the proposal's shadow impact on their building's west-facing units and outdoor amenity area.

A sun/shadow study was submitted to City Planning by Ryerson in support of their application showing the shadows cast by Ryerson's proposed building on March 21<sup>st</sup> and June 21<sup>st</sup> through September 21<sup>st</sup>.

The study shows the Ryerson proposal casts a shadow that moves across a portion of the approximately 144 metre long west face of the Merchandise Lofts building between approximately 3:00 pm and 6:00 pm on March 21<sup>st</sup> and September 21<sup>st</sup>. The shadow does not dwell on individual units throughout this time period. The shadow generated by the proposed tower moves across individual west-facing units relatively quickly.

Residents were also concerned about the shadowing on the building's outdoor amenity area. The sun/shadow study shows that on March 21<sup>st</sup> and September 21<sup>st</sup>, the northern portion of the outdoor amenity area will begin to be shadowed by the proposed development at approximately 5 pm. The shadow moves across the space as the sun sets.

The study also shows the sun/shadow impacts of the proposal in the summer to address concerns raised by the residents regarding shadows on the plants located on the outdoor amenity area and the usability of the space. On June 21<sup>st</sup>, there are virtually no shadow impacts by the proposed building on the outdoor amenity area. On July 21<sup>st</sup> only a small portion of the southern corner of the amenity area is shadowed at 7 pm, and on August 21<sup>st</sup> the study shows no new shadows on the outdoor amenity area until 6 pm. The amount of shadowing on the west-facing units as well as on the outdoor amenity area is acceptable given the location of the Merchandise Lofts building in the Downtown and in an area designated *Mixed Use Areas* in the Official Plan.

## **Other Issues**

At the September 22, 2015 meeting, representatives from the Merchandise Lofts condominium expressed concerns with the height of the proposed base-building as well as the amount of vehicle and pedestrian traffic generated by the proposed development. These issues are discussed in the August 20, 2015 staff report on this proposal. Planning staff have reviewed the concerns expressed by the residents at the meeting and confirm the original findings of the staff report.

The local Ward Councillor has established a working group which will include City staff and impacted stakeholders. The purpose of the working group is to continue working on any outstanding issues related to site plan approval for the proposed development. The group will also address issues such as construction and traffic management.

## **CONCLUSION**

On September 22, 2015, the Chief Planner and Executive Director of City Planning, the Director of Urban Design and a City Solicitor met with representatives from Ryerson University, St. George's Greek Orthodox Church, and the Merchandise Lofts condominium regarding outstanding concerns related to the subject proposal. City staff have reviewed the outstanding concerns including heritage, shadowing, building height, and vehicular and pedestrian traffic and concluded that no change to the Recommendations of the staff report dated August 20, 2015 from the Director of Community Planning, Toronto and East York District are recommended.

## **CONTACT**

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## **SIGNATURE**

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