

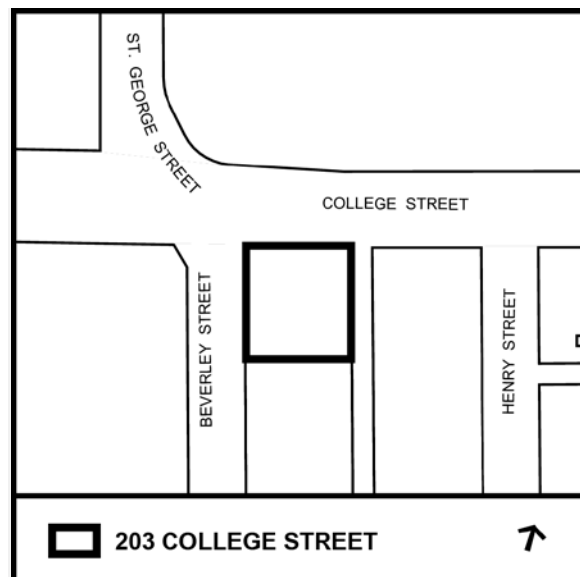
**203-205 College Street – Zoning Amendment Application  
– Request for Direction Report**

<b>Date:</b>	May 19, 2016
<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>	15 208876 STE 20 OZ

**SUMMARY**

The owner of the property at 203-205 College Street has appealed their application for a Zoning By-law amendment to the Ontario Municipal Board due to Council's failure to enact the requested amendments within the time prescribed by the *Planning Act*. A pre-hearing has been scheduled for August 16, 2016. The purpose of this report is to seek City Council's direction with respect to the position of the City at the Ontario Municipal Board hearing.

The proposal before the Ontario Municipal Board is for a new 29-storey building (99.9 metres including mechanical penthouse) comprised of a 26-storey tower atop at 3 to 5-storey base. The proposed development has an FSI of 15.16 times the lot area and a gross floor area of 21,454 square metres including 19,433 square metres of residential gross floor area and 2,021 square metres of non-residential gross floor area comprised of retail at grade and office on the second and third floors. The existing 5-storey office building with retail at grade would be demolished. Two levels of underground parking are proposed which would include 58 vehicular parking spaces.



Staff acknowledge that there are certain positive features associated with the proposed development, including the provision of office space and a sufficient amount of indoor amenity space. However, the proposed height and massing are not appropriate for the site given the small size of the site and the primarily low to mid rise character of the surrounding context.

This report recommends that Council direct Staff to continue discussions with the applicant concerning appropriate heights and massing. In the event that these discussions do not resolve the outstanding issues identified in this report, this report recommends Council direct the City Solicitor, together with appropriate City staff, to oppose the proposal at the Ontario Municipal Board. For reasons discussed in this report, the application does not conform to the policies of the Official Plan, constitutes overdevelopment and is not good planning or in the public interest.

## **RECOMMENDATIONS**

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

1. City Council authorize the City Solicitor and appropriate staff to attend the Ontario Municipal Board hearing to oppose the application at 203-205 College Street in its current form.
2. City Council authorize staff to continue negotiations with the applicant concerning appropriate heights and massing for this development site including appropriate public benefits to be secured pursuant to Section 37 of the *Planning Act* if an agreement can be reached.
3. City Council direct City Planning Staff, in the event that the Ontario Municipal Board (OMB) allows the appeal in whole or in part, to request that the Board:
  - a) Withhold any order to approve a Zoning By-law Amendment for the subject lands until such time as a Site Plan Agreement has been entered into between the City and the owner, and any pre-conditions to Site Plan Approval are fulfilled including addressing parking spaces and access, and loading and servicing issues as outlined in the memo from the Manager, Development Engineering, Toronto and East York District dated April 19, 2016.
  - b) Request that a Section 37 contribution be secured as part of the OMB decision.
4. City Council authorize the City Solicitor and necessary City staff to take such necessary steps, as required, to implement the foregoing.

## **Financial Impact**

The recommendations in this report have no financial impact.

## **DECISION HISTORY**

The subject site is within the College Street Built Form Study Area boundaries. A final report on the College Street Built Form Study is anticipated in fall, 2016. Information on the College Street Built Form Study is available on the City's website, via the following links:

<http://www.toronto.ca/legdocs/mmis/2013/te/bgrd/backgroundfile-60742.pdf>

<http://www.toronto.ca/legdocs/mmis/2014/te/bgrd/backgroundfile-71563.pdf>

At its meeting on November 10, 2015, Toronto and East York Community Council adopted the recommendations of Staff contained in the preliminary report for 203 College Street, and expanded the notice requirements for the Community Consultation Meeting. A link to the Community Council direction is below:

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2015.TE12.35>

## **Pre-Application Consultation**

A pre-application consultation meeting was held with the applicant on July 14, 2015 to discuss complete application submission requirements.

## **ISSUE BACKGROUND**

### **Proposal**

The application before the Ontario Municipal Board was submitted to the City of Toronto on March 9, 2016. The proposal was modified from the original submission on August 19, 2015. A comparison of the first and second submissions is outlined in Table 1 – Summary of Application – Comparison of First and Second Submissions. The proposal before the Ontario Municipal Board is for a 29-storey building (99.9 metres including mechanical penthouse) comprised of a 3 to 5-storey base and a 26-storey tower. The proposed development has an FSI of 15.16 times the lot area and a gross floor area of 21,454 square metres including 19,433 square metres of residential gross floor area including 309 residential units and 2,021 square metres of non-residential gross floor area comprised of retail at grade and office on the second and third floors. The existing 5-storey office building with retail at grade would be demolished.

Two levels of underground parking are proposed which are to include 58 parking spaces, including 35 resident parking spaces, 19 visitor parking spaces, and 4 car share spaces. The total amount of vehicular parking has remained consistent between the first and second submission, however the proportions of residential parking, visitor parking, and car share spaces have changed as outlined in the Table 1 – Summary of Application – Comparison of First and Second Submissions. Access to and egress from the underground parking is proposed from the south end of the property via a public lane

connecting to College Street or via the loading access from Beverley Street that connects to the public lane.

A total of two loading spaces are proposed, including one Type G loading space and one Type C loading space. The loading spaces are proposed to be located at-grade at the southern end of the property with access and egress available via Beverley Street or the public lane to the rear.

The development is proposed to include 326 bicycle parking spaces. This includes 278 long term bicycle parking spaces, 31 visitor bicycle parking spaces, and 17 office/retail bicycle parking spaces. The amount of proposed bicycle parking has decreased since the first submission. Bicycle parking is proposed to be located exterior to the building at the south-east corner of the site, in a bicycle parking room on the ground floor accessible from the public lane, and in a bicycle parking room on the mezzanine level.

A total of 675 square metres of indoor amenity space (2.2 square metres per unit) and 504 square metres of outdoor amenity space (1.64 square meters per unit) are proposed for the development. The proportion of both indoor and outdoor amenity space per unit has increased since the first submission. Indoor amenity space is proposed to be located on the mezzanine level and on the fourth storey. Outdoor amenity space is proposed on the fourth storey, accessible via the indoor amenity space proposed on the fourth storey.

Details of the proposal before the Ontario Municipal Board (the applicant's second submission) compared to the applicant's first submission are provided in the below table:

**Table 1 – Summary of Application - Comparison of First and Second Submissions**

	First Submission (August, 2015)	Second Submission (March, 2016)
Height	33 storeys (114.5m including mechanical penthouse)	29 storeys (99.9 metres including mechanical penthouse)
FSI	16.16	15.16
Tower Floorplate	750 square metres	741.8 – 764.7 square meters
Gross Floor Area		
Residential	21,476 square metres	19,433 square metres
Non-Residential	2,328 square metres	2,021 square metres
Total	23,804 square metres	21,454 square metres
Tower Setbacks to Lot Lines		
North	2.0-2.9 metres	2.1-2.5 metres
South	12.5 metres	11.9-12.5 metres
East	2.5-3.1 metres (5.5-6.5 meters to centre line of lane)	2.5-3.1 metres (5.5-6.5 meters to centre line of lane)
West	2.0-2.5 metres	1.8-2.7 metres

Proposed Sidewalk Zone		
Beverly Street	4.5-9.0 metres	4.0 -7.0 metres
College Street	5.0- 9.8 metres	5.0-5.75 metres
Amenity Space		
Indoor	712 square metres (2.0 square metres/unit)	675 square metres (2.2 square metres/unit)
Outdoor	444 square metres (1.25 square metres/unit)	504 square metres (1.63 square metres/unit)
Unit Mix		
1-Bedroom	240 (67%)	208 (67%)
2-Bedroom	87 (24%)	68 (22%)
3-Bedroom	29 (8%)	33 (11%)
Total	356	309
Vehicular Parking Spaces (Resident: Car Share: Visitor)	58 (33: 4: 21)	58 (35:4:19)
Bicycle Parking Spaces (long term: visitor: office/retail)	434 (348: 68: 18)	326 (278: 31: 17)
Loading Spaces	1 Type G; 1 Type C	1 Type G; 1 Type C

## Site and Surrounding Area

The subject site is located at the south-east corner of College Street and Beverly Street and currently contains a 5-storey office building. The site is rectangular in shape, with a frontage of approximately 37 metres along College Street, a frontage of approximately 39 metres along Beverly Street, and has an overall site area of approximately 1,415 square meters.

Development in the vicinity of the site is as follows:

North: Immediately north of the site is the University of Toronto, St. George Campus.

East: Immediately east of the site are 3-storey mixed use house form buildings.

South: Immediately south of the site are residential dwellings ranging in height from 2 to 3-storeys.

West: Immediately west of the site are 3-storey apartment buildings.

The surrounding context of College Street is a varied, fine grain context comprised primarily of low to mid rise buildings.

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

The Provincial Policy Statement (PPS) 2014 provides policy direction on matters of provincial interest related to land use planning and development. These policies support the goal of enhancing the quality of life for all Ontarians. Key policy objectives include: building strong healthy communities; wise use and management of resources; and protecting public health and safety. The PPS recognizes that local context and character is important. Policies are outcome-oriented, and some policies provide flexibility in their implementation provided that provincial interests are upheld. City Council's planning decisions are required, by the *Planning Act*, 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, by the *Planning Act*, to conform, or not conflict, as the case may be, with the Growth Plan for the Greater Golden Horseshoe.

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

## **Official Plan**

Map 2 of the Official Plan locates the subject site in the *Downtown*. The Official Plan states that the *Downtown* will continue to evolve as a healthy and attractive place to live and work, as new development that supports the reurbanization strategy and the goals for *Downtown*, is attracted to the area. In particular, the *Downtown* policies contained in Section 2.2.1.1 of the Plan will shape the City's future by accommodating development that:

- builds on the strength of *Downtown* as the premier employment centre in the GTA; and
- provides a full range of housing opportunities for *Downtown* workers and reduces the demand for in-bound commuting.

The subject site is designated *Mixed Use Areas* in the Official Plan. This land use designation permits a broad range of commercial, residential and institutional uses and includes policies and development criteria to guide development and its transition between areas of different development intensity and scale. The development criteria in *Mixed Use Areas* include, but are not limited to:

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

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

The Healthy Neighbourhoods policies in Section 2.3.1 of the Official Plan identifies that the intensification of land adjacent to neighbourhoods will be carefully controlled so that neighbourhoods are protected from negative impact. The Plan also states that developments in *Mixed Use Areas* that are adjacent or close to *Neighbourhoods* will, among other matters, be compatible with those *Neighbourhoods*, provide a gradual transition of scale and density, and maintain adequate light and privacy for residents in those *Neighbourhoods*.

The Plan also contains policies regarding tall buildings in the city. Tall buildings are identified as those with heights typically greater than the width of the adjacent road allowance. The Plan identifies the *Downtown* as one of the areas which can accommodate growth, Section 3.1.3 Built Form – Tall Buildings identifies that tall buildings come with larger civic responsibilities than buildings of a smaller scale and while they are desirable in the right places, they are not appropriate in all locations.

When tall buildings are poorly located or designed, they can physically and visually overwhelm adjacent streets, parks and neighbourhoods. The Plan acknowledges that tall buildings are also only one form of intensification. Most of the proposed intensification is anticipated to be achieved with street-oriented, grade related or mid-rise type buildings. The Official Plan sets out key urban design considerations when considering a tall building proposal.

The Public Realm policies in Section 3.1.1 of the Official Plan identify that great cities are not only great buildings, but that the buildings work together to create great streets, plazas, parks and public spaces. This includes ensure that new development enhances the quality of the public realm.

Section 5.6 of the Official Plan states that the Plan should be read as a whole to understand it's comprehensive and integrative intent as a policy framework for priority setting and decision making.

### **Official Plan Amendment 231**

Official Plan Amendment No. 231 (OPA 231), adopted by City Council December 18, 2013, received approval by the Minister of Municipal Affairs and Housing on July 9, 2014 and is in large part under appeal before the Ontario Municipal Board. As an outcome of the Official Plan and Municipal Comprehensive Reviews, OPA 231 contains new economic policies and designations to stimulate office growth in the *Downtown*, *Central Waterfront* and *Centres*, and all other *Mixed Use Areas*, *Regeneration Areas* and *Employment Areas* and also contains new policies with respect to office replacement in transit-rich areas. In particular, Policy 3.5.1(2a), currently in force and effect, requires:

2. "A multi-faceted approach to economic development in Toronto will be pursued that:
  - (a) Stimulates transit-oriented office growth in the *Downtown* and the *Central Waterfront*, the *Centres* and within walking distance of existing and approved and funded subway, light rapid transit and GO stations in other *Mixed Use Areas*, *Regeneration Areas* and *Employment Areas*".

Additionally Policy 3.5.1(6) requires that new office development will be promoted in *Mixed Use Areas* and *Regeneration Areas* in the *Downtown*, *Central Waterfront* and *Centres*, and all other *Mixed Use Areas*, *Regeneration Areas* and *Employment Areas* within 500 metres of an existing or approved and funded subway, light rapid transit or GO station. Policy 3.5.1 (9) requires the provision of office space on any site containing 1,000 square metres or more of office space, where residential development is proposed. Policy 3.5.1(6) and (9) are both currently under appeal. The property at 203 College Street is located in the *Downtown* and contains existing office uses.



## **Zoning**

The site is zoned MCR T2.5 C1.0 R2.5 in the former City of Toronto Zoning By-law 438-86, as amended. The maximum height permitted is 14.0 metres. The MCR zoning category permits a variety of residential and non-residential uses.

The site is zoned CR 2.5 (c1.0;r2.5) SS2(x2359) by City of Toronto Zoning By-law 569-2013. The maximum height limit is 14.0 metres. The CR zone permits a variety of residential and non-residential uses.

## **Site Plan Control**

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

## **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 subject site falls within a segment of College Street, between University Avenue and Bathurst Street, which has been identified as a Special Study Street and therefore has not been assigned a particular permitted height range or building typology. Rather, it will be further studied to address: land uses and the inclusion of institutional uses within mixed-use buildings; building scale and height; and public realm design including streetscape improvements. The Downtown Tall Buildings 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>.

When adopting the Downtown Tall Buildings Guidelines, City Council requested that Planning staff undertake a special study of College Street which is now underway.

## **TOcore**

On December 9, 2015, City Council adopted a staff report entitled 'TOcore: Planning Toronto's Downtown – Phase 1 – Summary Report and Phase 2 Directions'. The report outlined the deliverables of TOcore which will be a renewed planning framework through a Downtown Secondary Plan and a series of infrastructure strategies. The work for TOcore began on May 13, 2014 when Toronto and East York Community Council adopted a staff report regarding 'TOcore: Planning Toronto's Downtown', along with a related background document entitled 'Trends and Issues in the Intensification of Downtown'.

TOcore is looking at how Toronto's Downtown should grow, with both a renewed planning framework and the necessary physical and social infrastructure to remain a great place to live, work, learn, play and invest. TOcore is in its second phase, which involves drafting policies, plans and strategies. A report back to Toronto and East York Community Council is targeted by the end of 2016 on the results of the second phase and the next steps on implementation. The TOcore website is [www.toronto.ca/tocore](http://www.toronto.ca/tocore).

## **Reasons for Application**

The proposed development does not comply with several aspects of Zoning By-law 438-86 and Zoning By-law 569-2013, including but not limited to: height, density, required parking, and required setbacks.

## **Community Consultation**

A Community Consultation meeting was held on April 25, 2016. At the meeting, the applicant presented their revised submission and detailed the changes that had been made since the original submission. The Community Consultation was attended by approximately 43 people. Concerns raised at the Community Consultation included the following:

- height of the proposed development;
- concern about the proposed number of parking spaces and the additional traffic in the area generated by the proposed development;
- potential disruption caused by building construction;

- The function and design of the proposed access to the underground parking garage and loading facilities;
- The relationship of the proposed development to the low-rise residential area to the rear, including but not limited to separation distance, the proposed outdoor amenity space, and the balconies proposed on the south face of the building; and
- The need for additional landscaping to contribute to the overall greening of the community.

### **Agency Circulation**

The application was circulated to all appropriate agencies and City divisions. Responses received have been used to assist in evaluating the application.

### **COMMENTS**

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

The proposed development is not consistent with the policies of the Provincial Policy Statement 2014 or the Growth Plan for the Greater Golden Horseshoe.

The Provincial Policy Statement identifies that the Official Plan is "the most important vehicle for implementation of this Provincial Policy Statement". Policies in the Official Plan require transition to lower scale areas and require that proposed developments demonstrate how the proposed building and site design relate to the existing and/or planned context. As outlined below, the proposed built form does not meet the policies of the Official Plan and therefore is not consistent with the Provincial Policy Statement.

The proposed development also does not conform to the Growth Plan for the Greater Golden Horseshoe. Policy 2.2.3.7. f) of the Growth Plan for the Greater Golden Horseshoe identifies that all *intensification areas* will be planned and designed to achieve an appropriate transition of built form to adjacent areas. The lack of transition proposed to the lower scale *Neighbourhoods* designated properties immediately to the south of the subject site is not appropriate.

Based on the above-noted reasons, the proposal does not conform to and conflicts with the Growth Plan for the Greater Golden Horseshoe.

#### **Land Use**

The proposed development is located in the *Mixed Use Areas* designation of the Official Plan. The proposed mixed use building containing retail, office and residential uses is permitted in *Mixed Use Areas* in the Official Plan.

Official Plan Amendment 231 requires the replacement of office space for any site in the *Downtown* containing 1,000 square metres or more of office space where residential development is proposed. Official Plan Amendment 231 is currently under appeal, and as such is not in-force. Despite OPA 231 not being in full force and effect, Planning Act applications submitted after December 18, 2013, should meet the intent of City Council's direction. Policy 3.1.5.9 of the Official Plan requires that new development in a *Mixed Use Area* within the *Downtown*, on a property with at least 1,000 square metres of existing non-residential gross floor area used for offices is required to increase the non-residential gross floor area in the redevelopment.

The existing building on the site includes 2,710 square metres of office space. The proposed development includes 1,678 square metres of office space. This is a reduction of 1,032 square metres of office space from what currently exists on the site. While Staff appreciate that office replacement has been proposed as part of the development, Staff encourage the provision of additional office space on the site, exceeding the 2,710 square metres that currently exist on the site to support Council's approved policy direction.

## **General**

The development, as proposed, constitutes overdevelopment and does not respond to the generally low to mid rise character of this part of College Street. The fabric of the area does not support the severity of change this introduces. Although some taller buildings have been approved in this area, this proposal requests more height, higher density, and does not provide adequate separation distances or transition to the established *Neighbourhood* to the south. The proposed pedestrian realm is also not sufficient for a building of the proposed height. Other issues that need to be addressed include servicing and the proposed parking, loading and access. These matters are detailed below.

The applicant has made some positive modifications to their proposal from the original submission, including the introduction of retail on Beverley Street and increased setback of the base building above the ground floor from the *Neighbourhoods* designated properties to the rear. Despite these positive modifications, the proposal is not supportable by City Planning in its current form.

## **Height**

The proposed development at 203 College Street has a height of 99.9 metres including mechanical penthouse. The built form policies for tall buildings in Section 3.1.3 of the Official Plan guide the development of tall buildings. Policy 3.1.3.2(b) states that tall buildings will address key urban design considerations, including "demonstrating how the proposed building and site design relate to the existing and/or planned context". The surrounding context of College Street is a varied, fine grain context comprised primarily of low to mid rise buildings. The proposed height is not appropriate for the context.

The *Downtown Tall Buildings: Vision and Supplementary Design Guidelines* are intended to inform which heights are suitable in a given area context, implementing this policy of the Official Plan. *The Downtown Tall Buildings: Vision and Supplementary Design Guidelines* does not provide a height for College Street, instead indicating that it is an area for special study. Heights on College Street are being considered as part of the College Street Built Form Study which is currently underway and expected to report to Council in the fall of 2016. The initial visioning for the College Street Study considers the proposed site to be appropriate for a mid-rise building.

When comparing other recent approvals on College Street in the vicinity of the subject site to evaluate how the proposed building fits within the existing and planned context of the area, the proposed development far exceeds these heights. Other recent approvals on College Street near the subject site include 245-255 College Street, approved by the Ontario Municipal Board at 77.9 metres including mechanical penthouse, and 231-237 College Street, approved by City Council at 58 metres including mechanical penthouse. Both of these developments also provided greater setbacks to neighbouring properties including *Neighbourhoods* designated properties to the south.

Another factor affecting this proposal is the small size of the site which is not adequate to accommodate the separation distances necessary for a tower of this size and does not provide adequate transition to the *Neighbourhoods* designated properties to the south, as detailed below.

### **Setbacks, Separation Distances and Transition**

The inadequate size of the site is further demonstrated by the lack of separation distances related to the tower element of the proposal. On the east side, a separation distance of 5.5 to 6.5 meters is provided to the centre line of the public lane and the low rise buildings beyond as opposed to the 12.5 metres set out in the Tall Buildings Guidelines to provide an appropriate separation distance to any future development on the adjacent site. To the south, the transition to the *Neighbourhood* at 11.9 to 12.5 metres also fails to meet the Council approved standard of 20 metres. The proposed setbacks are suitable for a mid-rise building but are not suitable for a tall building. The inability of the proposed development to meet the separation distances set out in the Tall Building Guidelines indicates that the site is more appropriate to accommodate a mid-rise building. It is not appropriate to be applying mid-rise development standards for the development of a tall building.

The Official Plan Section 3.1.3 Built Form - Tall Buildings under Policy 3.1.3.2(b) requires tall buildings to demonstrate how the proposed building and site design relate to the existing and/or planned context. Tall Buildings are also required to meet the built form principles of the Official Plan, including creating appropriate transitions in scale to neighbouring existing and/or planned buildings. The proposed development is not consistent with these Official Plan policies as it does not appropriately relate to the existing or planned context and does not create an appropriate transition to existing neighbouring or planned buildings.

Official Plan Section 2.3.1 Healthy Neighbourhoods identifies that "at the boundary point between the neighbourhood and the growth areas, development in the mixed use area will have to demonstrate a transition in height, scale, and intensity as necessary to ensure that the stability and general amenity of the adjacent residential area are not adversely affected". Policy 2.3.1.2 indicates that developments in *Mixed Use Areas* that are adjacent or close to *Neighbourhoods* will be compatible with those *Neighbourhoods*; provide a gradual transition of scale and density, as necessary to achieve the objectives of this Plan through the stepping down of buildings towards and setbacks from these *Neighbourhoods*; and maintain adequate light and privacy for residents in those *Neighbourhoods*. Policy 2.3.1.3 indicates that intensification of lands adjacent to neighbourhoods will be carefully controlled so that neighbourhoods are protected from negative impact. Further, the Mixed Use Areas policies in Section 4.5 of the Official Plan also speak to this transition to *Neighbourhoods*. Policy 4.5.2(c) indicates that development in *Mixed Use Areas* will locate and mass new buildings to provide a transition between areas of different development intensity and scale, such as providing appropriate setbacks and/or stepping down, of heights, particularly to lower scale neighbourhoods.

The proposed development is located adjacent to *Neighbourhoods* designated properties to the south. The Downtown Tall Buildings: Vision and Supplementary Design Guidelines requires a 20 metre setback from abutting property lines when a tall building is transitioning to a lower scale neighbourhood area. This guideline implements the intent of the transition policies of the Official Plan. Immediately to the south of the subject site are 2-3 storey house-form buildings designated *Neighbourhoods* in the Official Plan. The applicant proposes an average setback of 12.5 metres from the proposed tower to the south property line. This is not sufficient to provide appropriate transition to the adjacent low-scale *Neighbourhoods* designated area.

The proposed tower floor plate varies between 742 and 765 square metres. While generally consistent with the 750 square metre floorplate standard as outlined in the Tall Building Guidelines, this floorplate is most problematic when considered in the context of the site, as the tower is not able to provide sufficient separation distances and should be reduced to respond to the proportions of the site and the context. The proposal of a mid-rise building on the site would afford an opportunity for a larger floorplate, while meeting the setback standards for a mid-rise building.

The development of the site as a mid-rise building is further supported by the initial findings of the College Street Built Form Study which is currently underway. The College Street Built Form Study has held two community consultation meetings and three working group meetings. The initial findings from the College Street Built Form Study include recommendations for the subject site of a mid-rise building with a maximum height of 9 storeys (approximately 30 metres). The initial findings indicate that taller buildings may be possible in the area if the built form complies with the Tall Building Guidelines including transition to *Neighbourhoods*, which the proposed development does not achieve.

The proposed architecture should be modified to better address the surrounding context, improving the perceived transition to neighbouring properties. The surrounding context of College Street is a varied, eclectic fine-grain context comprised primarily of low to mid rise buildings. The proposed architecture does not respond to this fine-grain character, and instead adds to the perceived mass of the development. The design of the architecture should be modified to aid in the transition to neighbouring properties by better responding to the surrounding context.

### **Pedestrian Realm**

The proposed sidewalk zones on Beverley Street and College Street do not provide a sufficient public realm for a tall building. A sidewalk zone of between 4.0 and 7.0 metres is proposed on Beverley Street and 5.0 to 5.75 metres is proposed on College Street. Section 3.1.1 Public Realm of the Official Plan includes Policy 3.1.1.1(d) which requires new development to enhance the quality of the public realm. The Tall Building Design Guidelines include the criteria for a minimum 6.0 metre sidewalk zone for tall buildings, to provide adequate space between the front of the building and adjacent street curbs to safely and comfortably accommodate pedestrian movement, streetscape elements, and activities related to uses at grade. The proposed sidewalk zones are less than 6 metres for the majority of both the Beverley Street and College Street frontages. These are not desirable as they do not provide a sufficient public realm for tall buildings and should be increased to at minimum 6 metres. Should the building be revised to a mid-rise built form, the proposed sidewalk zones would be sufficient.

### **Servicing**

Engineering and Construction Services Staff have reviewed the Municipal Servicing Report and Stormwater Management Report prepared by MMM Group and have commented on a number of deficiencies in the report. On April 5, 2016, Staff sent a letter directly to MMM Group outlining the required revisions. The applicant has not provided revised reports, therefore these matters are still outstanding. Additional hydrogeological information has also been identified as required, but has not yet been provided.

### **Parking, Loading and Access**

The application proposes 58 vehicular parking spaces for the development to be located underground with access proposed from a public lane accessible via College Street. The proposed parking supply rates have been identified by Engineering and Construction Services Staff as being insufficient to satisfy the anticipated parking demand generated by the project. Engineering and Construction Services has also required the access ramp to have a maximum slope of 5.0% over a minimum distance of 6.0 metres as measured from the property line into the site. Information on the proposed access ramp slope has not yet been provided.

A total of two loading spaces are proposed, including one Type G loading space and one Type C loading space. The loading spaces are proposed to be located at-grade at the southern end of the property with access and egress available via Beverley Street. The loading spaces back onto the public lane at the rear, with the option for loading vehicles to utilize the public lane to make a three-point turn. Engineering and Construction Services Staff have identified that additional information is required to demonstrate that the proposed loading can sufficiently accommodate solid waste management vehicles. This information has not yet been provided.

### **Open Space/Parkland**

The Official Plan contains policies to ensure that Toronto's system of parks and open spaces are maintained, enhanced and expanded. Map 8B of the Toronto Official Plan shows local parkland provisions across the City. The lands which are the subject of this application are in an area with 0 to 0.42 hectares of local parkland per 1,000 people. The site is in the lowest quintile of current provision of parkland. The site is in a parkland acquisition priority area, as per Chapter 415, Article III of the Toronto Municipal Code.

The application is for the construction of one new building with 2,328 square metres of non-residential gross floor area and 356 residential units.

At the alternative rate of 0.4 hectares per 300 units specified in Chapter 415, Article III of the Toronto Municipal Code, the parkland dedication requirement is 4,747 square metres or 374% of the site area. However, for sites that are less than 1 hectare in size, a cap of 10% of the development site is applied to the residential use while the non-residential use is subject to a 2% parkland dedication. In total, the parkland dedication requirement is 130 square metres.

The applicant would be required to satisfy the parkland dedication requirement through cash-in-lieu. This is appropriate as the required parkland would be too small to create a functional park. The site is also less than 600 metres from Queens Park and less than 400 metres from McCaul-Orde Park.

### **Section 37**

No meetings have taken place between the applicant and Staff to discuss the provision of Section 37 funds, given that the proposal does not represent appropriate development. In the event that the Ontario Municipal Board (OMB) is in the position to grant additional density and/or height beyond what is permitted in the Zoning By-law, the City should request that the OMB withhold their final order until the City has secured the appropriate community benefits.

### **Conclusion**

The proposed development, as appealed to the OMB, constitutes overdevelopment of this site and, in particular, with regard to the height and massing proposed. It does not conform to the Provincial Policy Statement as it is not consistent with the policies in the Official Plan requiring a development to relate to its context and to provide appropriate transition, and does not conform to the Growth Plan for the Greater Golden Horseshoe as



it provides an insufficient transition to adjacent lower-scale areas. City Planning are recommending that City Council direct Staff to continue to negotiate with the applicant, and direct Staff to appear at the Ontario Municipal Board in opposition to the proposal should the issues identified in this report not be resolved. The proposal fails to comply with Official Plan policies relating to its context, proposed transition, and the pedestrian realm. The proposal also does not comply with the guidelines in the Downtown Tall Building Guidelines. The proposal does not constitute good planning and is not in the public interest.

## **CONTACT**

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

## **SIGNATURE**

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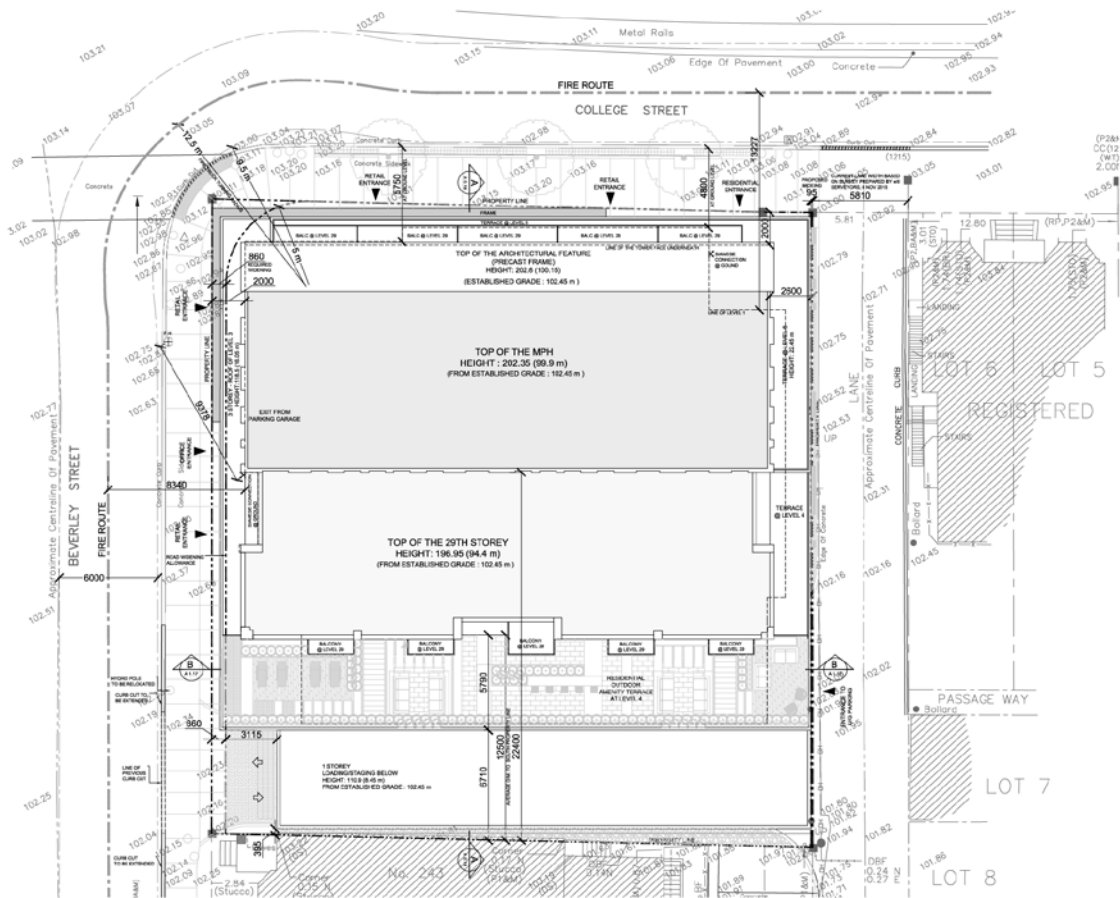
Gregg Lintern, MCIP, RPP  
Director, Community Planning  
Toronto and East York District

(P:\2016\Cluster B\pln\TEYCC\121491910091.doc) - vc

## **ATTACHMENTS**


Attachment 1: Site Plan  
Attachment 2: North Elevation  
Attachment 3: South Elevation  
Attachment 4: East Elevation  
Attachment 5: West Elevation  
Attachment 6: Zoning  
Attachment 7: Application Data Sheet

# Attachment 1: Site Plan



## Site Plan

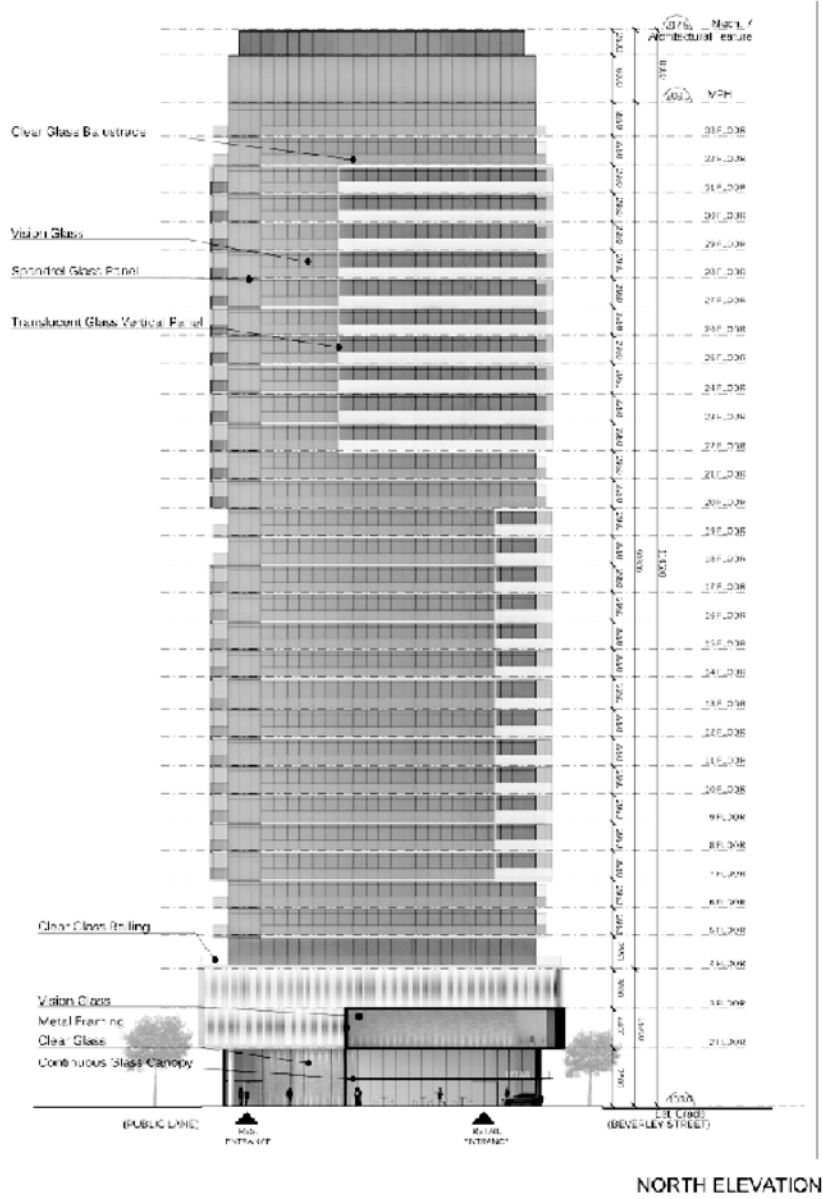
Applicant's Submitted Drawing

Not to Scale   
05/18/2016

203 College Street

File # 15 208876 STE 20 OZ

## Attachment 2: North Elevation



### North Elevation

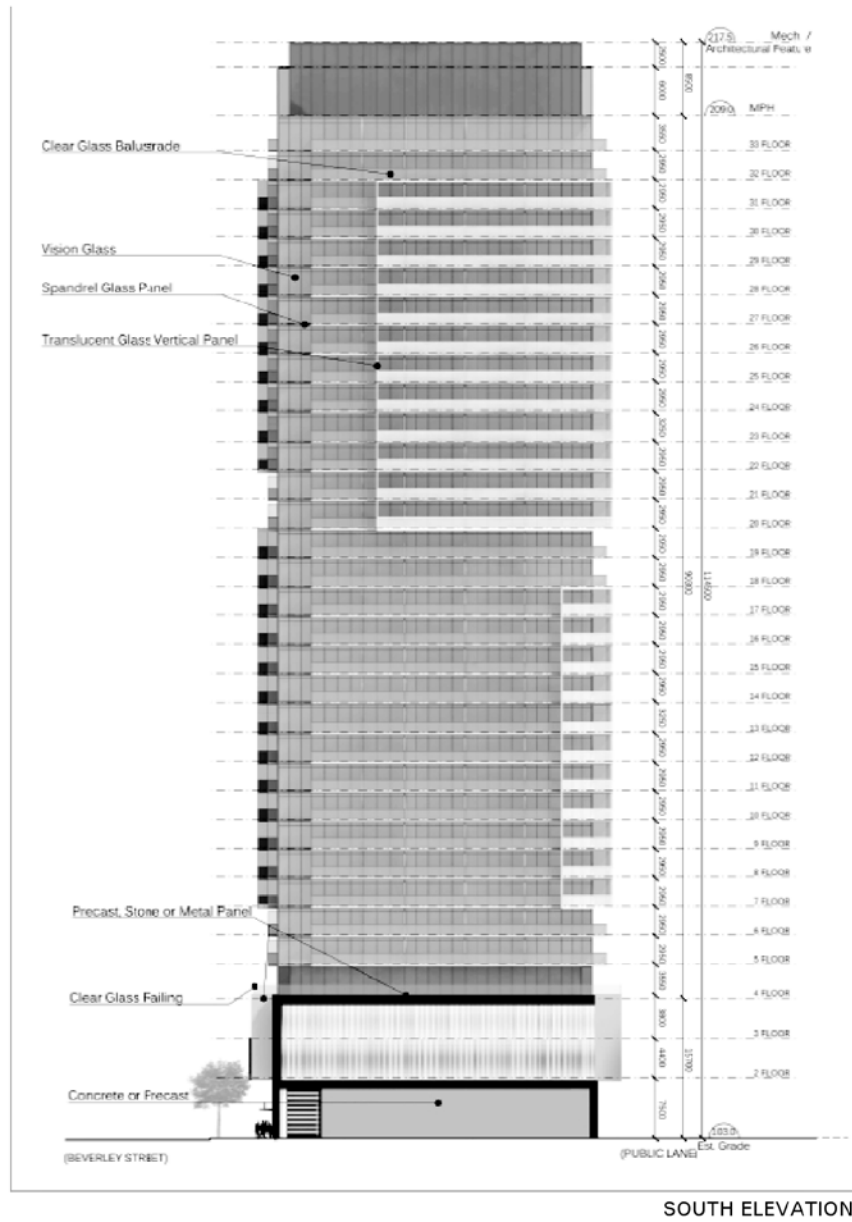
Applicant's Submitted Drawing

Not to Scale  
10/07/2015

**203 College Street**

File # 15\_208876\_STE 20 0Z

### Attachment 3: South Elevation



## South Elevation

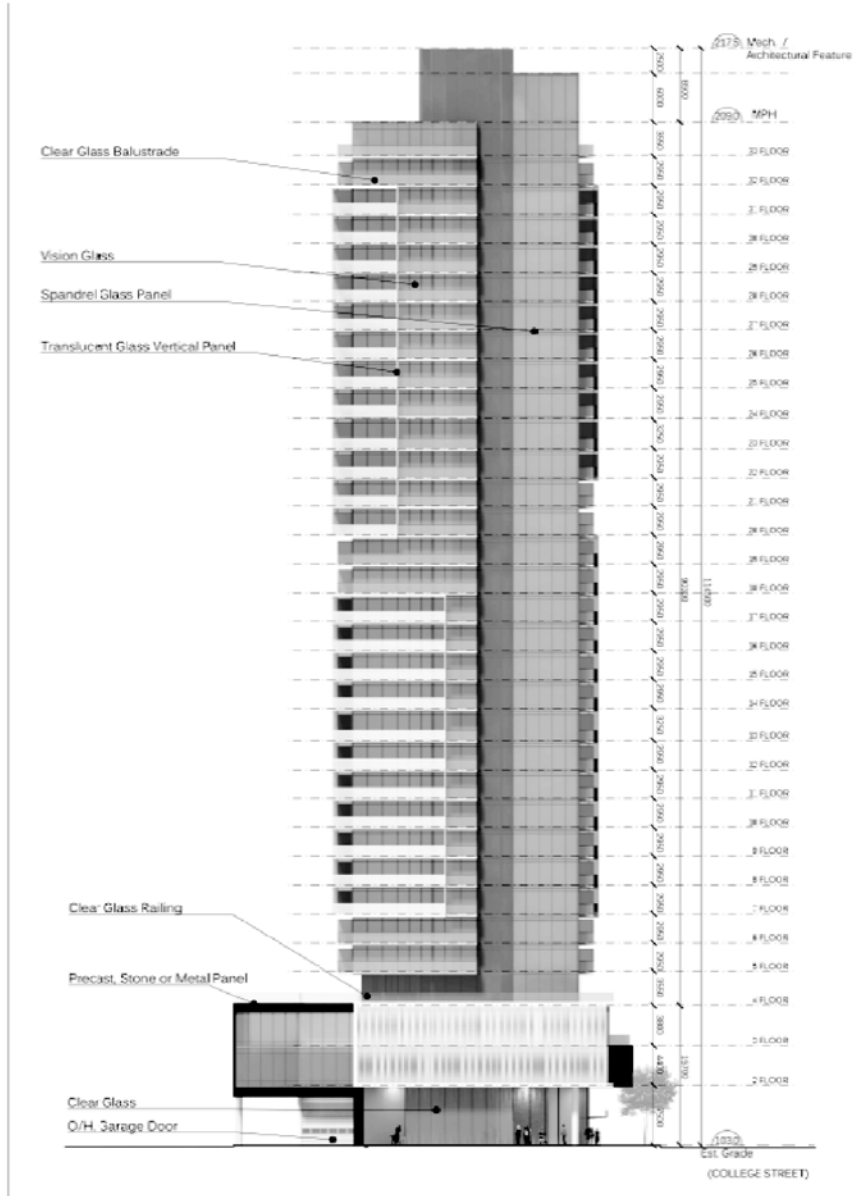
Applicant's Submitted Drawing

Not to Scale  
10/07/2015

203 College Street

File # 15\_208876\_STE 20 0Z

### Attachment 3: East Elevation



EAST ELEVATION

## East Elevation

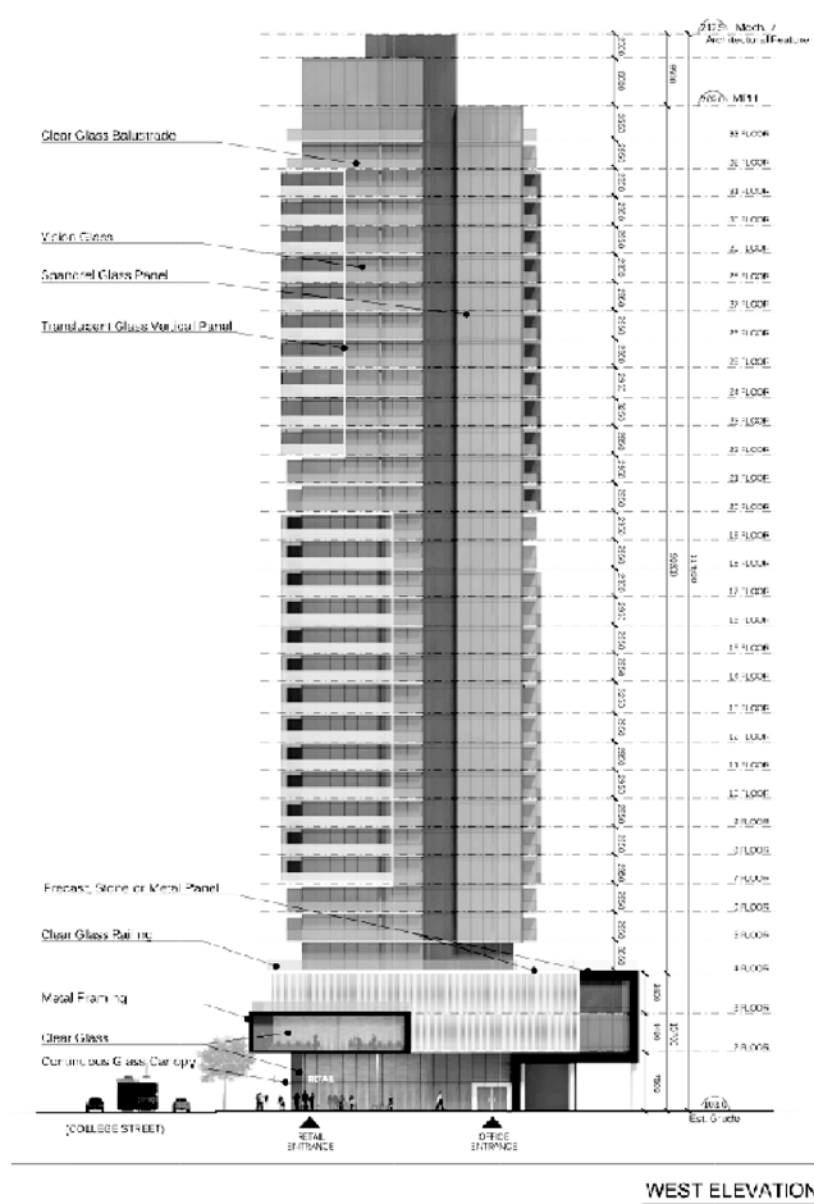
Applicant's Submitted Drawing

Not to Scale  
10/07/2015

## 203 College Street

File # 15\_208876\_STE 20 0Z

# Attachment 4: West Elevation



## West Elevation

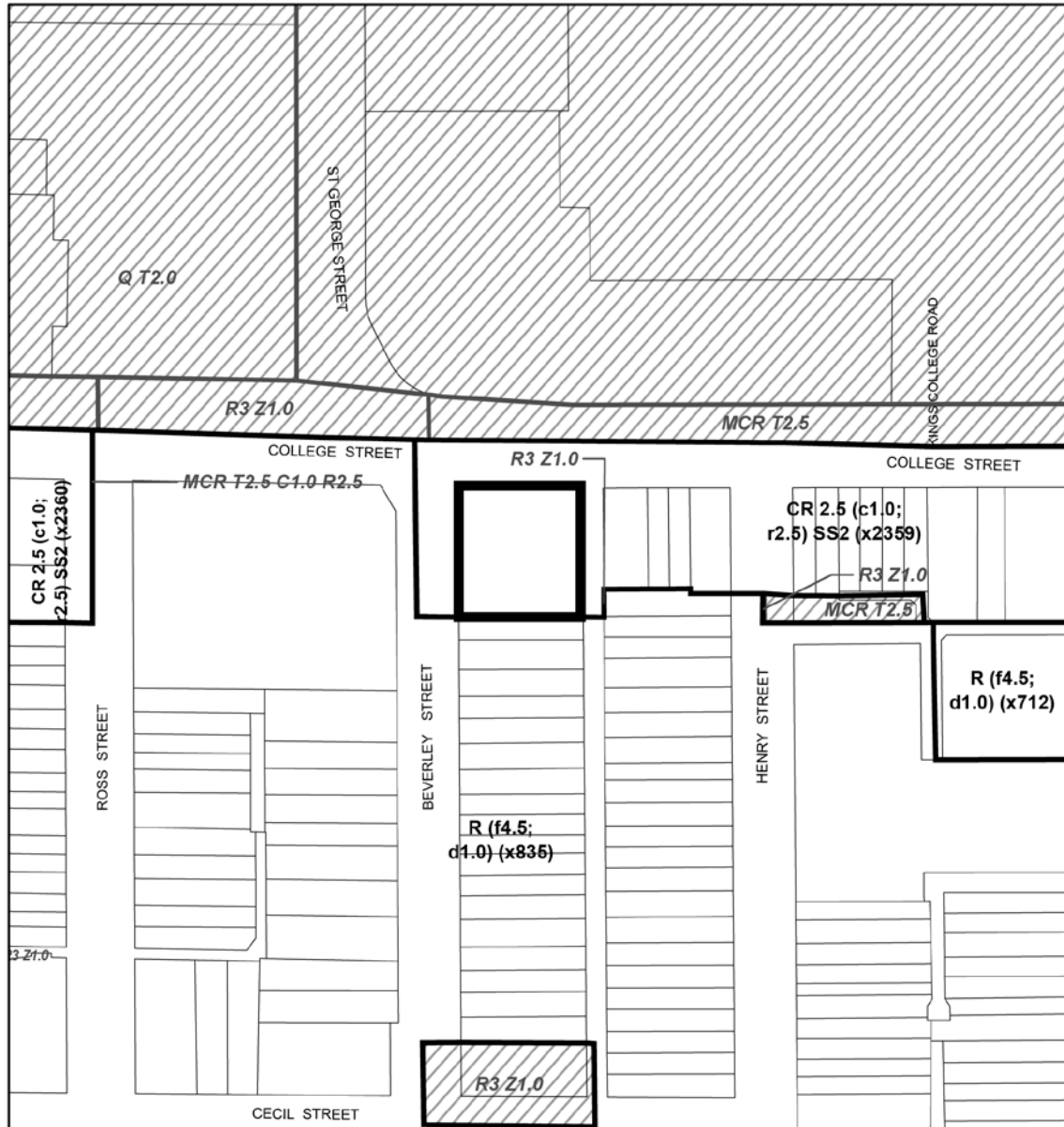
203 College Street

Applicant's Submitted Drawing

Not to Scale  
10/07/2015

File # 15\_208876\_STE 20 0Z

## Attachment 5: Zoning



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

**203 College Street**

**File # 15 208876 STE 20 02**



Location of Application

R Residential

CR Commercial Residential



See Former City of Toronto By-Law No. 438-86

R3 Residential District

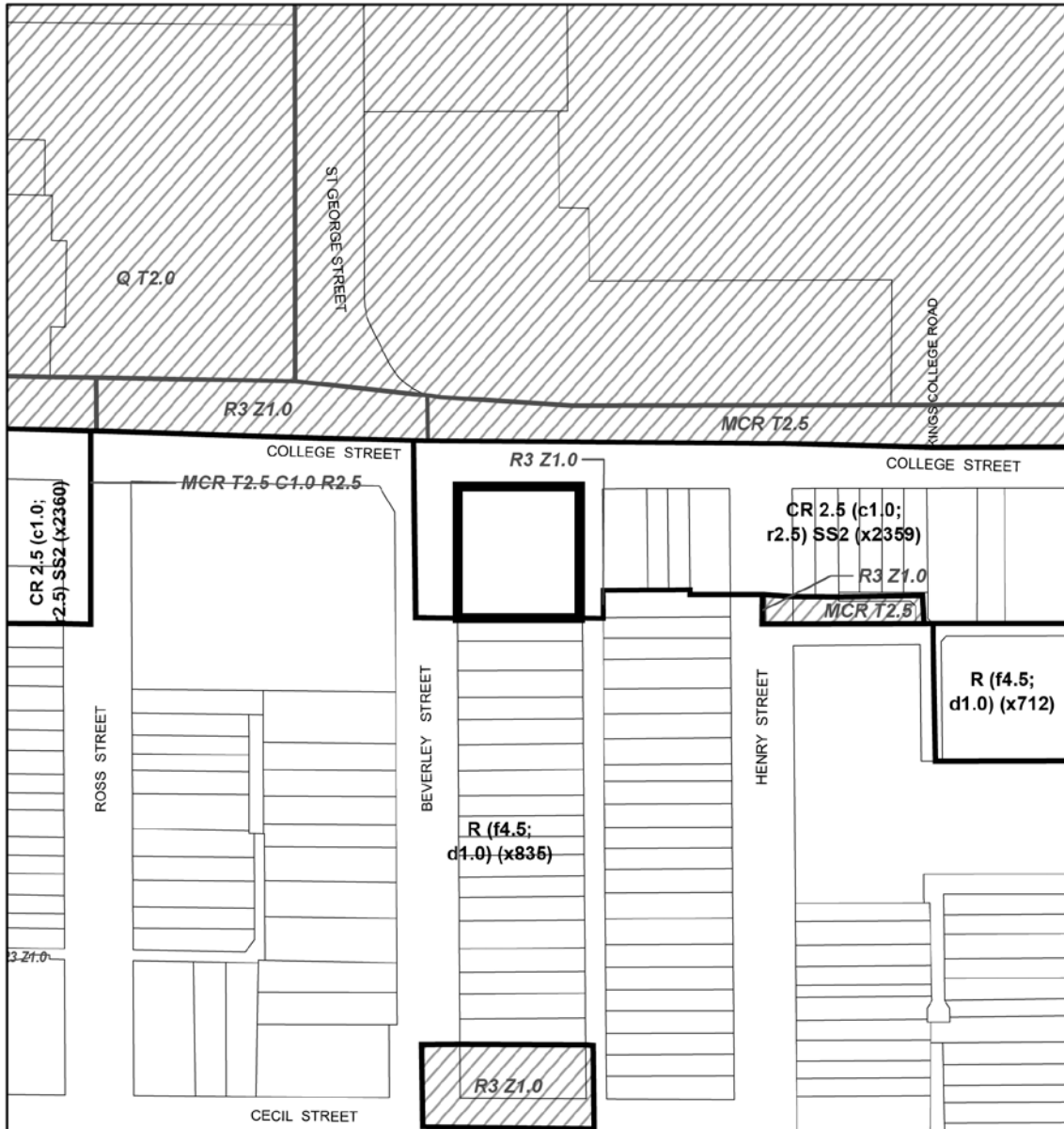
MCR Mixed-Use District

Q Mixed-Use District



Not to Scale  
Extracted: 10/07/2015

## Attachment 6: Official Plan



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

**203 College Street**  
File # 15 208876 STE 20 02

Location of Application

R Residential      CR Commercial Residential

See Former City of Toronto By-Law No. 438-86

R3 Residential District  
MCR Mixed-Use District  
Q Mixed-Use District



Not to Scale  
Extracted: 10/07/2015



## Attachment 7: Application Data Sheet

Application Type	Rezoning	Application Number:
Details	Rezoning, Standard	Application Date:
Municipal Address:	203 COLLEGE ST	
Location Description:	CON 1 FB PT PARK LOT 13 & 14 **GRID S2009	
Project Description:	Development proposal consists of a 33-storey mixed use building with a 3-storey podium base, which is to replace the existing 5-storey mixed use building onsite. The development proposal includes 356 residential units in the tower portion of the building, 2,328 SM of non-residential GFA (retail and office) in the podium, and 58 parking spaces below grade.	

<b>Applicant:</b>	<b>Agent:</b>	<b>Architect:</b>
BOUSFIELDS INC		PAGE + STEELE IBI GROUP ARCHITECTS

### PLANNING CONTROLS

Official Plan Designation:	Mixed Use Areas	Site Specific Provision:
Zoning:	CR 2.5 (c1.0; r2.5) SS2 (x2359)	Historical Status:
Height Limit (m):	14	Site Plan Control Area:

### PROJECT INFORMATION

Site Area (sq. m):	1414.6	Height:	Storeys:
Frontage (m):	36.6		Metres:
Depth (m):	38.7		
Total Ground Floor Area (sq. m):	846.1		
Total Residential GFA (sq. m):	19335.3		Parking Spaces:
Total Non-Residential GFA (sq. m):	2021.2		Loading Docks
Total GFA (sq. m):	21356.5		
Lot Coverage Ratio (%):	59.8		
Floor Space Index:	15.1		

### DWELLING UNITS

Tenure Type:	Condo
Rooms:	0
Bachelor:	52
1 Bedroom:	155
2 Bedroom:	68
3 + Bedroom:	33
Total Units:	309

### FLOOR AREA BREAKDOWN (upon project completion)

Residential GFA (sq. m):	
Retail GFA (sq. m):	
Office GFA (sq. m):	
Industrial GFA (sq. m):	
Institutional/Other GFA (sq. m):	

<b>CONTACT:</b>	<b>PLANNER NAME:</b>	<b>Michelle Knieriem, Planner</b>
	<b>TELEPHONE:</b>	<b>416-338-2073</b>