

156-160 John Street – Zoning Amendment Application – Preliminary Report

Date: January 23, 2019

To: Toronto and East York Community Council

From: Director, Community Planning, Toronto and East York District

Ward: Ward 10 – Spadina-Fort York

Planning Application Number: 18 226869 STE 20 OZ

Related Applications: 18 226873 STE 20 SA

Notice of Complete Application Issued: September 17, 2018

Anticipated City Council Meeting Date: June 18, 2019

Current Use(s) on Site: 5-storey commercial office/retail building with restaurant uses at-grade and 1,688 square metres of office gross floor area above.

SUMMARY

This report provides information and identifies a preliminary set of issues regarding the Zoning By-law Amendment application located at 156-160 John Street. Staff are currently reviewing the application. It has been circulated to all appropriate agencies and City divisions for comment. A community consultation meeting for the application was held with the Ward Councillor on January 14, 2019.

RECOMMENDATIONS

The City Planning Division recommends that:

1. In the event of substantial revisions to the proposal, staff schedule an additional community consultation meeting for the application located at 156-160 John Street together with the Ward Councillor.
2. Notice for the community consultation meeting be given to landowners and residents within 120 metres of the application site, and to additional residents, institutions and owners to be determined in consultation with the Ward Councillor, with any additional mailing costs to be borne by the applicant.

FINANCIAL IMPACT

The recommendations in this report have no financial impact.

ISSUE BACKGROUND

Application Description

This application proposes to amend the City of Toronto Zoning By-laws No. 438-86 and 569-2013 for the property at 156-160 John Street to permit an 11-storey (43.6 metres including mechanical penthouse) commercial building containing office and restaurant uses, with a total gross floor area of 3,751 square metres representing a density of 7.3 times the lot area. The proposal consists of a 6-storey addition above the existing 5-storey office and retail building, and would contain 38 bicycle parking spaces, and no vehicular parking or loading spaces.

Detailed project information is found on the City's Application Information Centre at:

<https://aic.to/160John>

See Attachments 1 and 2 of this report for a three dimensional representation of the proposal in context, Attachment 4 for the proposed site plan and Attachment 7 for the Application Data Sheet.

Provincial Policy Statement and Provincial Plans

Land use planning in the Province of Ontario is a policy led system. Any decision of Council related to this application is required to be consistent with the Provincial Policy Statement (2014) (the "PPS"), and to conform with applicable Provincial Plans which, in the case of the City of Toronto, includes the Growth Plan for the Greater Golden Horseshoe (2017). The PPS and all Provincial Plans may be found on the Ministry of Municipal Affairs and Housing website.

Toronto Official Plan Policies and Planning Studies

The City of Toronto Official Plan is a comprehensive policy document that guides development in the City, providing direction for managing the size, location, and built form compatibility of different land uses and the provision of municipal services and facilities. Authority for the Official Plan derives from The Planning Act of Ontario. The PPS recognizes the Official Plan as the most important document for its implementation. Toronto Official Plan policies related to building complete communities, including heritage preservation and environmental stewardship may be applicable to any application. Toronto Official Plan policies may be found here:

<https://www.toronto.ca/city-government/planning-development/official-plan-guidelines/official-plan/>

The current application is located on lands shown as *Downtown and Central Waterfront* on Map 2 of the Official Plan and designated *Mixed Use Areas* on Map 18, as depicted in Attachment 5.

The application is also located within the King-Spadina Secondary Plan area and the Council-adopted Downtown Plan (OPA 406) area.

Zoning By-laws

The site is subject to the former City of Toronto Zoning By-law 438-86, and to the City-wide Zoning By-law 569-2013.

Under Zoning By-law 438-86, as amended, the site is zoned "Mixed Use" MCR T3.0, with a height limit of 16.0 metres. This zone permits a range of uses including residential, retail and office uses. The maximum density for all uses is 3.0 times the lot area.

The site is subject to several site-specific exceptions, including: 12(2)203, which restricts restaurant and take-out restaurant uses in buildings to less than 400 square metres in GFA; 12(2)260, which requires a 3 metre setback from street-facing lot lines for portions of a building above 20 metres in height and sets out parking requirements; 12(2)270, which limits the size of additions; and 12(2)380 which sets out development standards for tall buildings.

Under Zoning By-law 569-2013, as amended, the site is zoned "Commercial Residential" CR 3.0 (c3.0; r3.0) SS2 (x2131), with a height limit of 16.0 metres as shown in Attachment 6. This zone permits a range of uses including residential, retail and office uses. The cumulative maximum density for all uses is 3.0 times the lot area, with both commercial uses and residential uses permitted to a maximum density of 3.0 times the lot. The site is also located within the Policy Area 1 parking rate overlay zone. Site-specific exception CR 2131 notes that various site-specific exceptions from the former 438-86 by-law continue to prevail.

The City's Zoning By-law 569-2013 may be found here: <https://www.toronto.ca/city-government/planning-development/zoning-by-law-preliminary-zoning-reviews/zoning-by-law-569-2013-2/>

Design Guidelines

The following design guideline(s) will be used in the evaluation of this application:

- Tall Building Design Guidelines
- King-Spadina Urban Design Guidelines (2006)

The City's Design Guidelines may be found here: <https://www.toronto.ca/city-government/planning-development/official-plan-guidelines/design-guidelines/>

Site Plan Control

The application is subject to Site Plan Control. A Site Plan Control application has been submitted.

COMMENTS

Reasons for the Application

The application seeks to permit development of a building 43.7 metres in height, which exceeds the permitted maximum building height of 16 metres. The proposal also exceeds the maximum density of 3.0 times the lot area, with a proposed maximum gross floor area of 3,751 square metres (corresponding to a density of approximately 7.4 times the lot area). In addition, the proposed building does not comply with Zoning By-law performance standards relating to setbacks above the base building, the provision of parking and loading spaces, and area-specific exceptions restricting the size of additions or restaurant uses.

ISSUES TO BE RESOLVED

The application has been circulated to City divisions and public agencies for comment. City Planning is concerned with the potential impacts caused by a building of this height with the proposed minimal setbacks. At this stage in the review process, the following preliminary issues have been identified:

Provincial Policies and Plans Consistency/Conformity

Section 2 of the Planning Act requires municipalities to have regard for matters of provincial interest, including the conservation of features of significant architectural, cultural, historical, archaeological or scientific interest, the adequate provision of employment opportunities, and the promotion of a built form that is well designed, encourages a sense of place, and provides for public spaces that are of high quality, safe, accessible, attractive and vibrant.

The PPS requires that planning authorities identify and promote opportunities for intensification and redevelopment where this can be accommodated taking into account, among other things, the existing building stock and areas; the importance of conserving features that help define community character, including both heritage resources on-site and the heritage attributes of adjacent lands; the promotion of economic development and competitiveness by providing for an appropriate mix and range of employment and institutional uses.

The Growth Plan (2017) establishes minimum density targets within strategic growth areas and related policies directing municipalities to make more efficient use of land, resources, and infrastructure to reduce sprawl, cultivate a culture of conservation, and promote compact built form and better-designed communities with high quality built form, and an attractive and vibrant public realm established through site design and urban design standards.

The application proposes a compact addition above an existing commercial building and is located within a built-up area of the City with a high level of transit service and pedestrian volume. The application will be evaluated for conformity with Provincial policies through the lens of the built form relationship it creates with its existing and planned context, including adjacent heritage resources, adjacent buildings, and the public realm.

Official Plan Conformity

Lands designated *Mixed Use Areas* combine a broad range of commercial, residential, institutional, recreational and cultural uses, reducing automobile dependency and providing opportunities for Torontonians to live, work and shop in the same area. *Mixed Use Areas* are expected to absorb a portion of Toronto's growth over time, however they will not all experience the same scale or density of development.

The site is located within the King-Spadina Secondary Plan. The Secondary Plan contains policies recognizing the importance of providing a flexible mix of land uses which retains commercial and light industrial uses while: providing for retail activity to serve new residents and businesses; promoting development with a built form that responds to the pedestrian realm and is sited and massed to provide adequate light, view and privacy for neighbouring properties and the public realm; improving the public realm, and conserving heritage buildings. The King-Spadina Secondary Plan is currently under review, in a process that began in 2009 as the King-Spadina East Precinct Built Form Study, with the final revised King-Spadina Secondary Plan anticipated to be presented to Council in early 2019. The emerging policy direction set out in the revised Secondary Plan includes revising the northern boundary of the Secondary Plan area from Queen Street West south to the laneway located mid-block between Richmond Street and Queen Street. This change would remove the subject site from the King-Spadina Secondary Plan area.

The Downtown Plan (OPA 406) was adopted by Council at its meeting of May 22-24, 2018, however has not yet received ministerial approval. The Downtown Plan provides a comprehensive and integrated policy framework to shape growth in Toronto's fast-growing Downtown over the next 25 years. It provides the City with a blueprint to align growth management with the provision of infrastructure, sustain liveability, achieve complete communities and ensure there is space for the economy to grow.

In the Downtown Plan, the site is designated *Mixed-Use Areas 3 – Main Street*. The areas within this designation will have a main street character and include a diversity of retail and service uses at grade, with residential, office and/or institutional uses above. Development in the *Mixed Use Areas 3* designation will be in the form of low-rise and mid-rise buildings, with most growth anticipated to be in the form of sensitive additions or mid-rise development on sites where it can be accommodated.

The Downtown Tall Buildings Setback Area Specific Policy (OPA 352) was adopted by Council at its meeting of October 5-7, 2016, however is currently under appeal. The purpose of OPA 352 is to establish the policy context for tall building setbacks and separation distances between tower portions of tall buildings in the Downtown.

The application will be evaluated for its conformity to the Official Plan policies.

Built Form, Planned and Built Context

The surrounding built form context consists of a mix of low- and mid-rise buildings fronting onto Queen Street West to the north, and a mix of mid-rise and tall buildings

located along Richmond Street West to the south. Buildings within the area primarily contain retail and restaurant uses at-grade and commercial or residential uses above. The subject site is the only property in its vicinity that does not have frontage on Queen Street or Richmond Street.

North: 2-to-4 storey mixed-use buildings with at-grade retail on Queen Street West

East: John Street, and the 5-storey Wesley Building (now Bell Media)

South: Public lane, and 10-storey commercial building with at-grade retail

West: Parking area behind 315 Queen Street West accessed from lane

The proposed development has an overall height of 43.6 metres, and is classified as a tall building. Tall buildings can negatively affect the public realm and neighbouring properties in terms of sky view, privacy, interior daylighting, wind and amount of sunlight and shadows, and must be carefully designed to mitigate these potential impacts.

Further review of this development proposal will include:

- Evaluating the proposal against the criteria set out in the Official Plan and the Tall Building Design Guidelines.
- Determining if the proposed height, density and massing are suitable for the site.
- Determining if the proposal adequately limits shadow impacts on the surrounding area, including by confirming that the development does not cast net-new shadow on the north sidewalk of Queen Street West as measured at noon on the equinoxes, as set out in the Queen Street West Heritage Conservation District Plan.
- Determining if the proposed setbacks and stepbacks provide appropriate separation distances from other buildings and properties, particularly those buildings to the south of the public lane.
- Determining if the proposed property line setbacks are adequate to allow for the proposed glazing on the north face of the building.

Tree Preservation

The application is subject to the provisions of the City of Toronto Municipal Code, Chapter 813 Articles II (Street Trees By-law) and III (Private Tree By-law).

The proposal involves the removal of one City owned street tree. A Tree Inventory and Preservation Plan Report has been submitted with the application and reviewed by staff. Staff have requested revisions and additional information be provided in relation to tree protection measures, the planting of two replacement trees within the road allowance at this site, and planting details including soil volumes and depths. The owner will be required to submit an application to obtain necessary permits and submit a replanting plan for staff review and approval.

Public Realm

The site is located in the John Street Cultural Corridor and will be affected by the John Street Corridor Improvements Project, which aims to create a better experience for pedestrians by redesigning and enhancing the streetscape. These improvements will lead to an environment that is accessible, beautiful and pedestrian-friendly and that accommodates the many events and festivals held along John Street. Additional information regarding the John Street Corridor Improvements may be found here:

<https://www.toronto.ca/community-people/get-involved/public-consultations/infrastructure-projects/john-street-corridor-improvements/>

Through the review process, the proposed landscape and public realm design will be evaluated to ensure coordination with the John Street Corridor Improvements Project.

Heritage Impact & Conservation

The property is not listed in the City of Toronto's Heritage Register, however it is located across the street from the property at 295-299 Queen Street West and 151 John Street (the "Wesley Building", now "Bell Media Building") which is designated under Part IV of the Ontario Heritage Act. It is also located adjacent to, but outside of, the Queen Street West Heritage Conservation District and the King-Spadina Heritage Conservation District.

A Heritage Impact Assessment prepared by ERA Architects Inc., dated September 10, 2018, was submitted with the application. The study identifies that the building was originally constructed in 1912 and underwent significant alterations in 1984, including the complete refacing of the John Street elevation in a differentiated style from the original building. The study also reviews applicable policy direction, including the adjacent Queen Street West and King-Spadina HCD Plans.

The heritage value of the property, and the proposed development's relationship with adjacent heritage properties and HCDs will be assessed through the application review process.

Infrastructure/Servicing Capacity

As part of the review process, the Zoning By-law Amendment application has been circulated to Engineering and Construction Services for comment. Additional information regarding the boulevard design, water and sewer service connections, and groundwater discharge flows has been requested from the applicant.

Toronto Green Standard

Council has adopted the four-tier Toronto Green Standard (TGS). The TGS is a set of performance measures for green development. Applications for Zoning By-law Amendments, Draft Plans of Subdivision and Site Plan Control are required to meet and demonstrate compliance with Tier 1 of the Toronto Green Standard. Tiers 2, 3 and 4 are voluntary, higher levels of performance with financial incentives. Tier 1 performance

measures are secured on site plan drawings and through a Site Plan Agreement or Registered Plan of Subdivision.

City Planning is reviewing the TGS Checklist submitted by the applicant for compliance with the Tier 1 performance measures. City Planning Staff will encourage the applicant to pursue Tier 2 performance measures throughout the review process.

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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Toronto and East York District

ATTACHMENTS

City of Toronto Drawings

Attachment 1: 3D Model of Proposal in Context - Facing Southwest

Attachment 2: 3D Model of Proposal in Context - Facing Southeast

Attachment 3: Location Map

Attachment 4: Site Plan

Attachment 5: Official Plan Map

Attachment 6: Zoning By-law 569-2013

Attachment 1: 3D Model of Proposal in Context - Facing Southwest



View of Applicant's Proposal Looking Southwest



01/25/2019

Attachment 2: 3D Model of Proposal in Context - Facing Southeast



View of Applicant's Proposal Looking Southeast



01/25/2019

Attachment 3: Location Map



The architectural floor plan illustrates a proposed 2-storey concrete block building at 162 John St. The building's footprint is rectangular, with a central entrance and various internal spaces. Key features include:

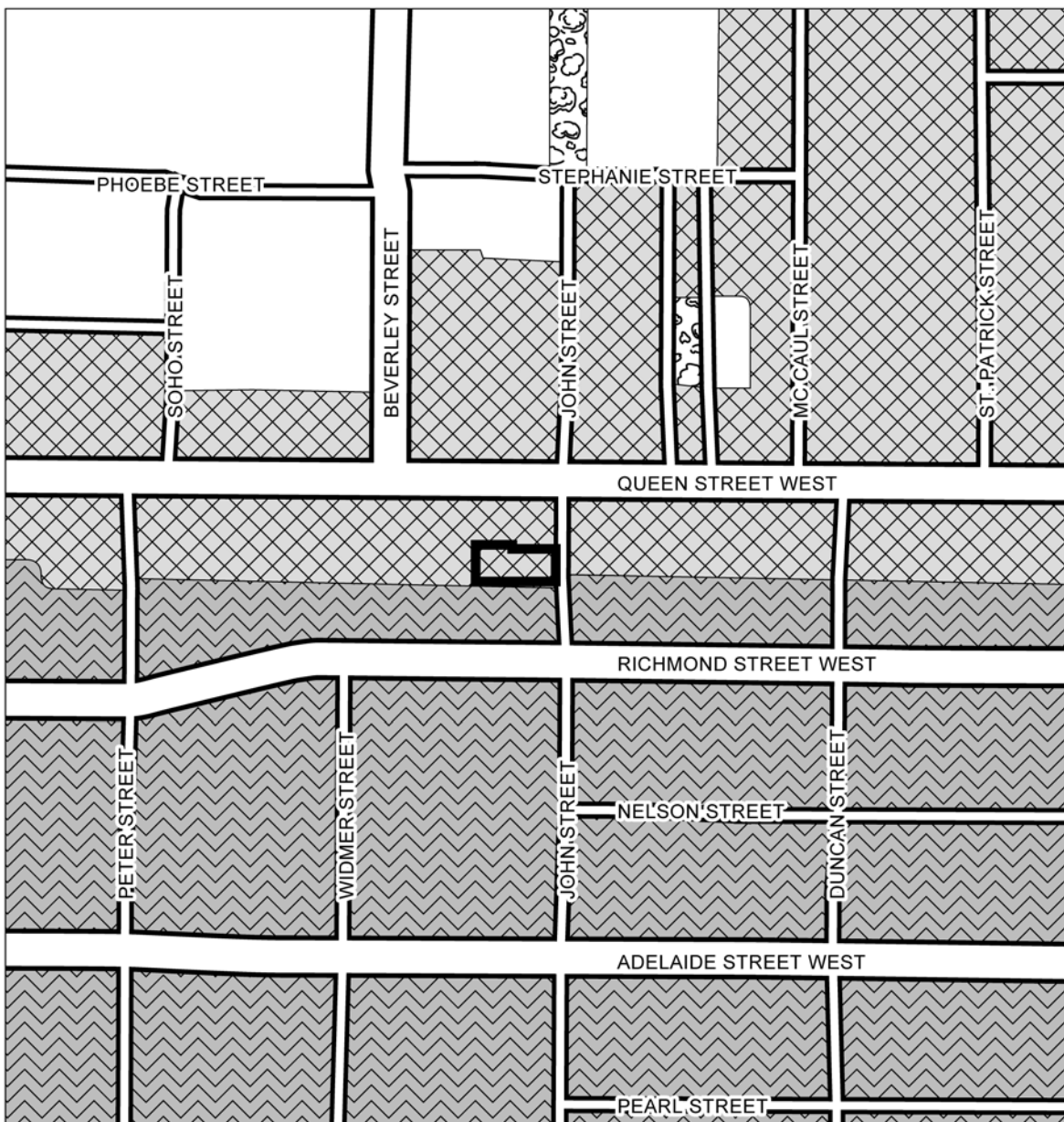
- Internal Spaces:** A large central hall, a kitchen, a lounge/reception area, a storage room, a vestibule, a change/shower room, an electrical room, and a universal room.
- External Features:** A frame shed, a new canopy, a fire alarm panel, a metal fence, and a concrete curb.
- Surrounding Context:** The building is situated on a corner lot. To the left is a 4-storey concrete block building (315 Queen St W). To the right is a 6-storey brick building (296 Richmond St). A lane (By-Law 2397) runs along the right side of the property.
- Access and Egress:** The plan shows multiple entrances and exits, including a main entrance, a side entrance, and a rear exit. A concrete parking area is located to the left of the building.
- Other Details:** The plan includes a north arrow, a scale bar, and various annotations regarding construction materials, structural elements, and site-specific requirements.

156-160 John Street

Not to Scale
12/13/2018

File # 18 226869 STE 20 0Z & 18 226873 STE 20 SA

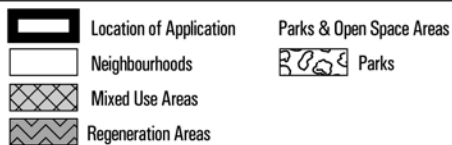
Attachment 5: Official Plan Map



Official Plan Land Use Map #18

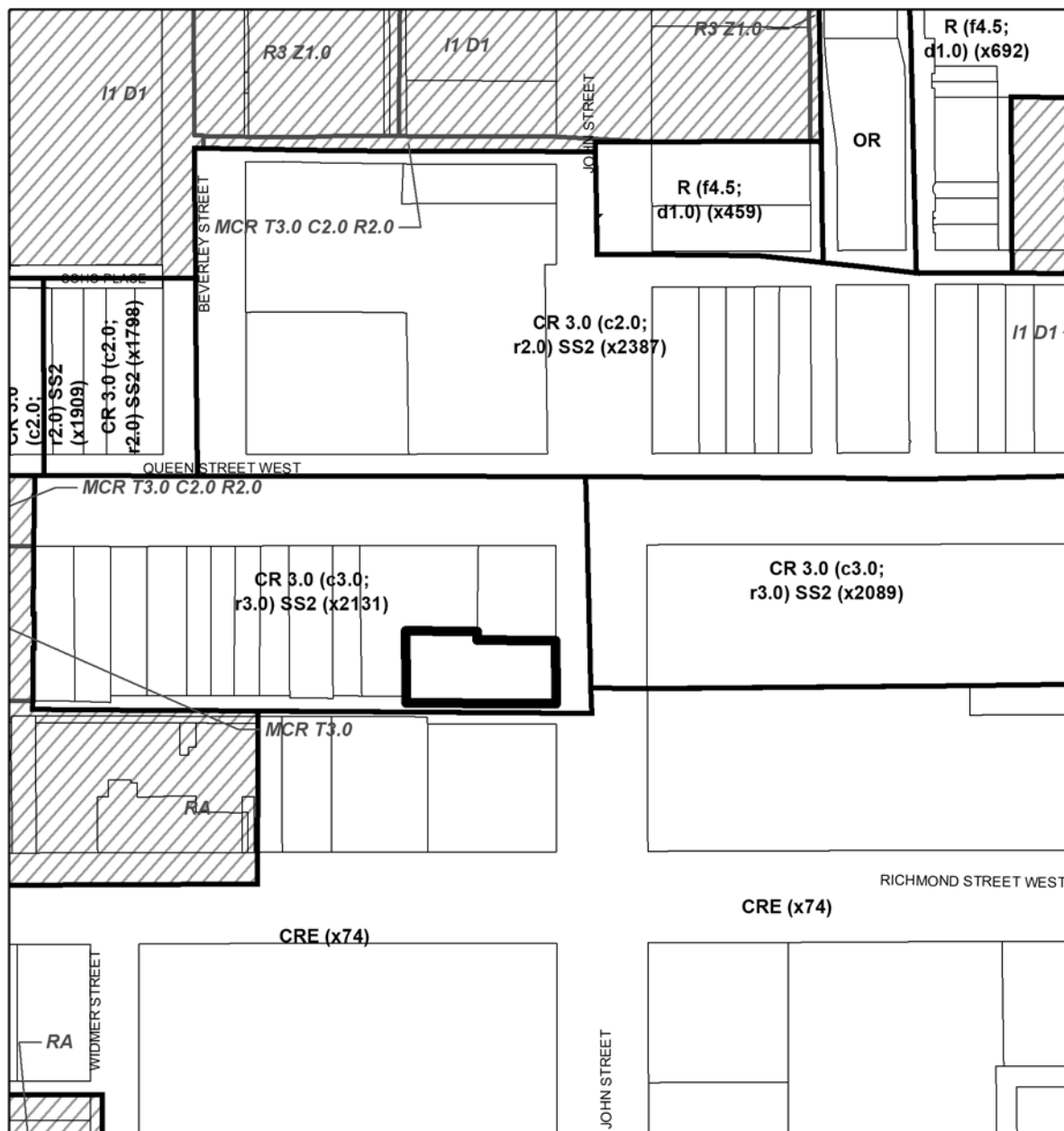
156-160 John Street

File # 18 226869 STE 20 OZ & 18 226873 STE 20 SA



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Not to Scale
12/13/2018

Attachment 6: Zoning By-law 569-2013



Zoning By-law 569-2013

156-160 John Street

File # 18 226869 STE 20 OZ & 18 226873 STE 20 SA



Location of Application

R
CR

Residential
Commercial Residential

CRE
OR

Commercial Residential Employment
Open Space Recreation



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

R3
MCR
RA
I1

Residential District
Mixed-Use District
Mixed-Use District
Industrial District



Not to Scale
Extracted: 12/13/2018