

## **193-201 Church Street – Zoning Amendment Application – Preliminary Report**

Date: April 1, 2019

To: Toronto and East York Community Council

From: Director, Community Planning, Toronto and East York District  
Ward 13 - Toronto Centre

**Planning Application Number:** 19 114180 STE 13 OZ

**Notice of Complete Application Issued:** February 11, 2019

**Listed Heritage Buildings on Site:** 193-197 Church Street

**Current Use(s) on Site:** Two 2-storey commercial buildings and three 3-storey mixed use heritage rowhouses, with ground related commercial/retail uses, residential units above, and surface parking at the rear.

### **SUMMARY**

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This report provides information and identifies a preliminary set of issues regarding the application located at 193-201 Church Street. Staff are currently reviewing the application. It has been circulated to all appropriate agencies and City divisions for comment. Staff will proceed to schedule a community consultation meeting for the application with the Ward Councillor.

### **RECOMMENDATIONS**

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The City Planning Division recommends that:

1. Staff schedule a community consultation meeting for the application located at 193-201 Church 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

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The recommendations in this report have no financial impact.

## ISSUE BACKGROUND

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### Application Description

This application proposes to amend *the Zoning By-law* for the property at 193-201 Church Street to permit a 37-storey (121.25 metres including the mechanical penthouse) residential building containing 31,200 square metres of gross floor area. A total of 478 residential units have been proposed, including: 79 bachelor units (16%), 266 one-bedroom units (56%), 82 two-bedroom units (17%), and 51 three-bedroom units (11%). The applicant is also proposing 717 square meters of indoor and 717 square metres of outdoor amenity space. The floor space index (FSI) for the development is 24.3 times the area of the lot (By-law 569-2013).

A total of 67 vehicular parking spaces are proposed within a 4-level underground garage. Entry to the underground garage is proposed at the northeast corner of the building to be accessed from Dalhousie Street. The applicant owns an additional off-site property at 86 Dalhousie Street to help secure tower setbacks to the north.

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

<https://www.toronto.ca/city-government/planning-development/application-information-centre/>

See Attachment 1 of this report, for a three dimensional representation of the project in context, Attachment 2 for the Location Map, Attachment 3 for the Site Plan, and Attachment 5 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, include: the Growth Plan for the Greater Golden Horseshoe (2017) and, where applicable, the Greenbelt Plan (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 within the *Downtown as shown* on Map 2 of the Official Plan and designated *Mixed Use Areas* as shown on Map 18 of the Official Plan. See Attachment 4 of this report for the Official Plan designation of the site.

The site is designated *Mixed Use Areas 2 - Intermediate* in the Downtown Plan, OPA 406 which is approved but not in full force and effect.

### **Zoning By-laws**

The site is zoned C2.0 R 3.0 under Zoning By-law 438-86. Under Zoning By-law 569-2013, the site is zoned CR 3.0 (c2.0; r3.0) SS1 (x2166). Both By-laws refer to a maximum height of 18 metres.

The site is subject to certain permission and exception provisions, including: the prohibition of commercial parking garages or private commercial garages and angular plane provisions.

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 guidelines will be used in the evaluation of this application:

- City-wide Tall Building Design Guidelines;
- Downtown Tall Buildings Vision and Supplementary Design Guidelines; and
- Growing Up: Planning for Children in New Vertical Communities.

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 proposed development is subject to Site Plan Control. A Site Plan Control application has not been submitted.

## COMMENTS

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### Reasons for the Application

The proposal requires an amendment to the Zoning By-laws 438-86 and 569-2013 for properties at 193-201 Church St to vary performance standards, including: an increase in overall density; increase in building height; angular plane provisions; reduction of minimum tall building setbacks; reduction in amenity space provisions; and reduced parking standards, among others.

### ISSUES TO BE RESOLVED

The application has been circulated to City divisions and public agencies for comment. At this stage in the review, the following preliminary issues have been identified:

### Provincial Policies and Plans Consistency/Conformity

Staff will continue to evaluate this planning application for consistency with the PPS (2014) and the applicable Provincial Plans (2017) to establish the applicant's consistent with the PPS (2014) and conformity with the Growth Plan (2017).

- Given the explicit link between Provincial Policy and the Official Plan, conformity with the PPS and the Growth Plan will also be determined by conformity with the Official Plan.

### Official Plan Conformity

Staff will continue to evaluate this planning application to determine the application's conformity to the Official Plan including the Downtown Plan OPA 406 which is not yet in force, but has been adopted by Council and subject to Ministerial approval at this time.

### Built Form, Planned and Built Context

Staff will continue to assess the suitability of the proposed height, massing, and other built form issues based on Section 2 d), j), p) and r) of the Planning Act; the Growth Plan (2017), the City's Official Plan policies and the City's Tall Building Design Guidelines and the Downtown Tall Building Design Guidelines.

Staff will continue to assess:

- the appropriate building height and massing for the existing and planned context;
- the appropriate tower plate size;
- the required 12.5 metre side and rear tower setbacks;
- the appropriate podium height along Dalhousie Street;
- the potential for negative light, view and privacy impacts to nearby properties and to the public realm;
- the shadowing impacts on Arena Gardens;
- the conservation of heritage resources and impacts to the St. James view corridor;

- the appropriateness of the proposed setbacks and setbacks to the on-site heritage resources;
- the appropriate ground floor uses along Church Street;
- the provision of adequate amenity space and an appropriate mix and size of dwelling units;
- the loss of on-site rental housing;
- the number and access to bicycle parking spaces; and
- the conformity with the helicopter flight paths and more specifically any crane swing impacts.

Additional issues may be identified through the review of the application including further review from City divisions and agencies and the public consultation process.

## **Housing**

A Housing Issues Report is required for Zoning By-law Amendments for applications that seek to demolish existing rental properties, intensify existing rental sites, convert existing rental housing to condominiums or that propose residential development in excess of five hectares. A Housing Issues Report has been submitted for review by staff.

## **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). A Tree Inventory and Preservation Plan was submitted and is under review.

## **Heritage Impact & Conservation**

The subject site includes three Heritage Listed properties: 193, 195, and 197 Church St. A Heritage Impact Assessment was submitted and is currently under review by City staff. Please see Attachment 2 of this report for the location of Heritage Listed properties.

## **Community Services and Facilities**

Community Services and Facilities (CS&F) are an essential part of vibrant, strong and complete communities. CS&F are the lands, buildings and structures used for the provision of programs and services provided or subsidized by the City or other public agencies, boards and commissions. They include recreation, libraries, childcare, schools, public health, human services, cultural services and employment services, etc.

The timely provision of community services and facilities is as important to the livability of the City's neighbourhoods as "hard" services like sewer, water, roads and transit. The City's Official Plan establishes and recognizes that the provision of and investment in community services and facilities supports healthy, safe, liveable, and accessible. Providing for a full range of community services and facilities in areas experiencing major or incremental growth, is a responsibility shared by the City, public agencies and the development community.

A CS&F Study was submitted and is currently under review by City staff.

### **Section 37 Community Benefits**

The Official Plan provides for the use of Section 37 of the Planning Act to pass by-laws for increases in height and/or density not otherwise permitted by the Zoning By-law in return for the provision by the applicant of community benefits in the form of capital facilities. It is standard to secure community benefits in a Section 37 Agreement which is then registered on title.

The proposal at its current height and density will be subject to Section 37 contributions under the *Planning Act*. Section 37 benefits have not yet been discussed. City staff intends to apply Section 37 provisions of the *Planning Act* should this application be approved in some form. Potential benefits may include: provision for affordable housing units; local streetscape and parkland improvements; child care facilities; and on-site community space.

### **Infrastructure/Servicing Capacity**

Staff is reviewing the application to determine if there is sufficient infrastructure capacity (roads, transit, water, sewage, hydro) to accommodate the proposed development.

- The applicant has submitted the following studies and reports which are being reviewed by Engineering and Construction Services staff: a Functional Servicing and Stormwater Management Report; Hydrogeological Report; Geotechnical Study; and Transportation Impact Study.

Staff will continue to assess:

- the Servicing Report provided by the applicant, to evaluate the effects of the development on the City's municipal servicing infrastructure and identify and provide the rationale for any new infrastructure and upgrades to existing infrastructure, necessary to provide adequate servicing to the proposed development; and
- the Transportation Impact Study submitted by the applicant, to evaluate the effects of the development on the transportation system, and to identify any transportation improvements that are necessary to accommodate the travel demands and impacts generated by the development.

### **Helicopter Flight Path**

The proposal is outside but near the Obstacle Limitation Surface for the St. Michael's Hospital Heliport and Sick Children's Hospital, as identified in City By-law 1432-2017. The proposal is currently under review by City staff and the hospitals.

## **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.

Staff will continue to assess:

- the TGS Checklist submitted by the applicant for compliance with the Tier 1 performance measures.

## **Other Matters**

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

## **CONTACT**

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## **SIGNATURE**

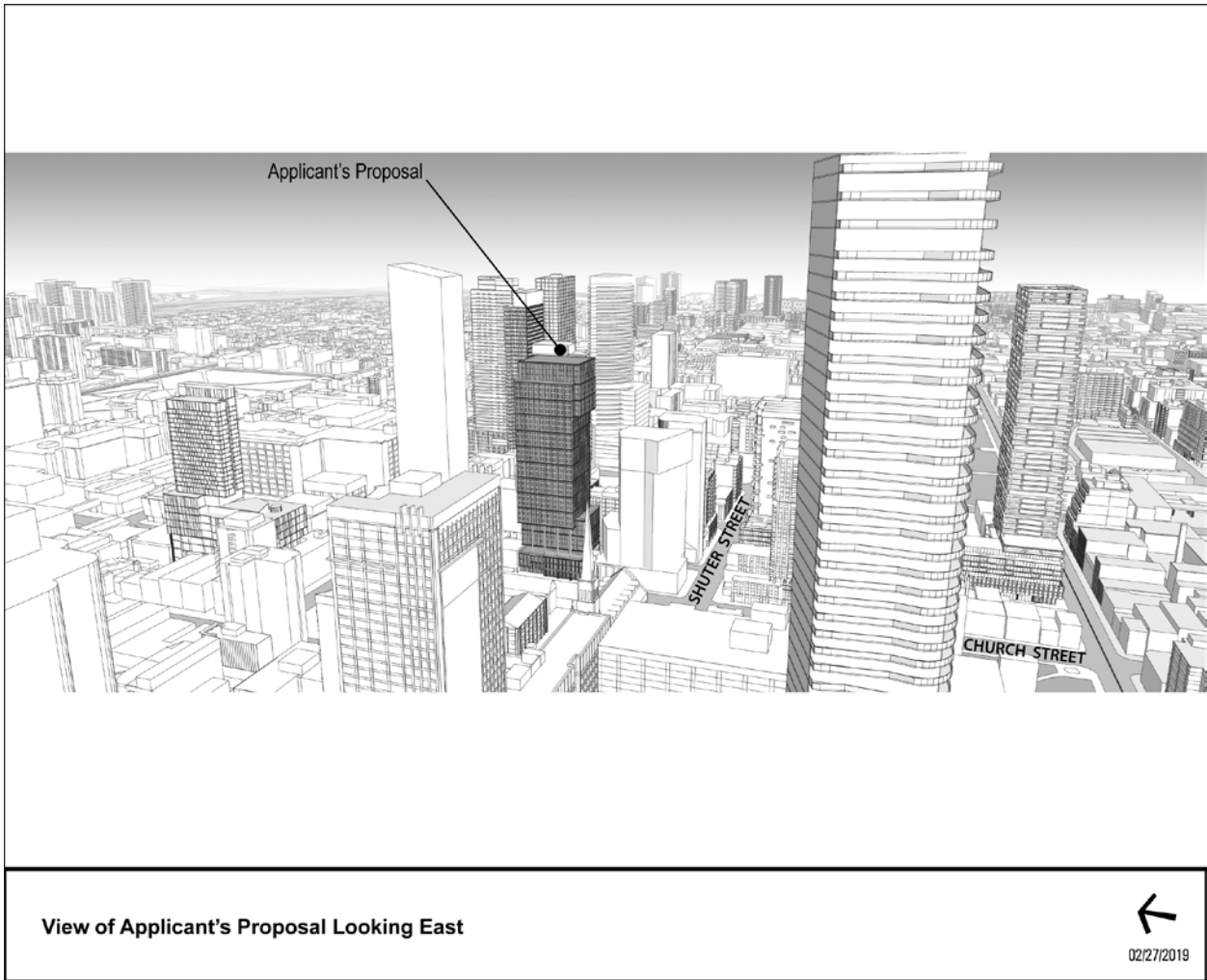
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Lynda H. Macdonald, MCIP, RPP, OALA  
Director, Community Planning  
Toronto and East York District

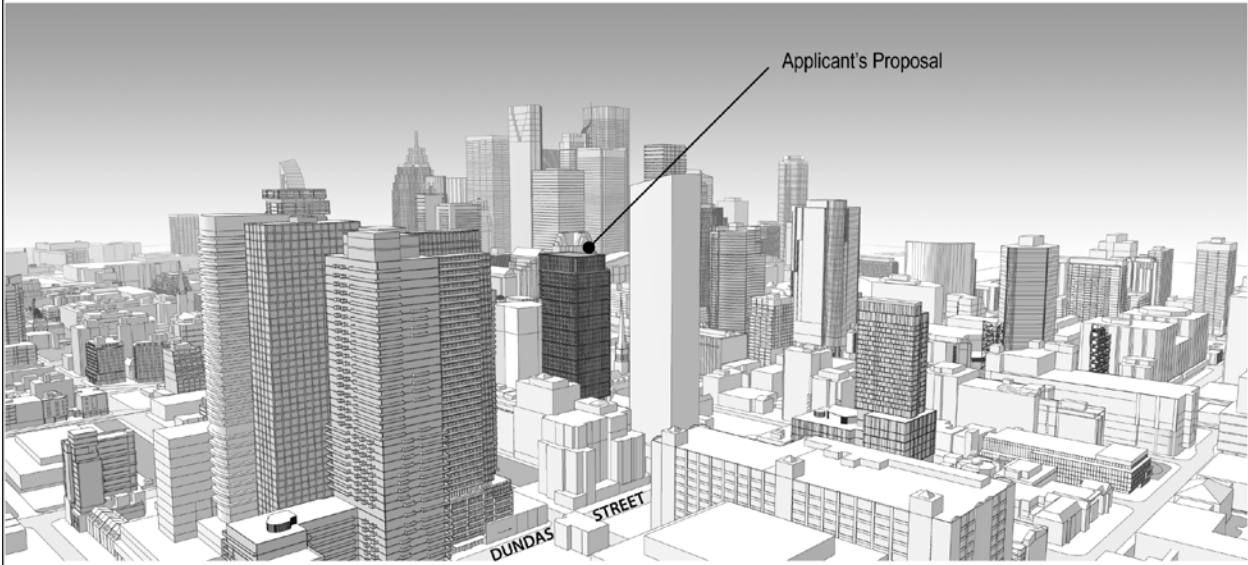
## **ATTACHMENTS**

Attachment 1: 3D Model of Proposal in Context  
Attachment 2: Location Map  
Attachment 3: Site Plan  
Attachment 4: Official Plan Map  
Attachment 5: Application Data Sheet

Attachment 1: 3D Model of Proposal in Context





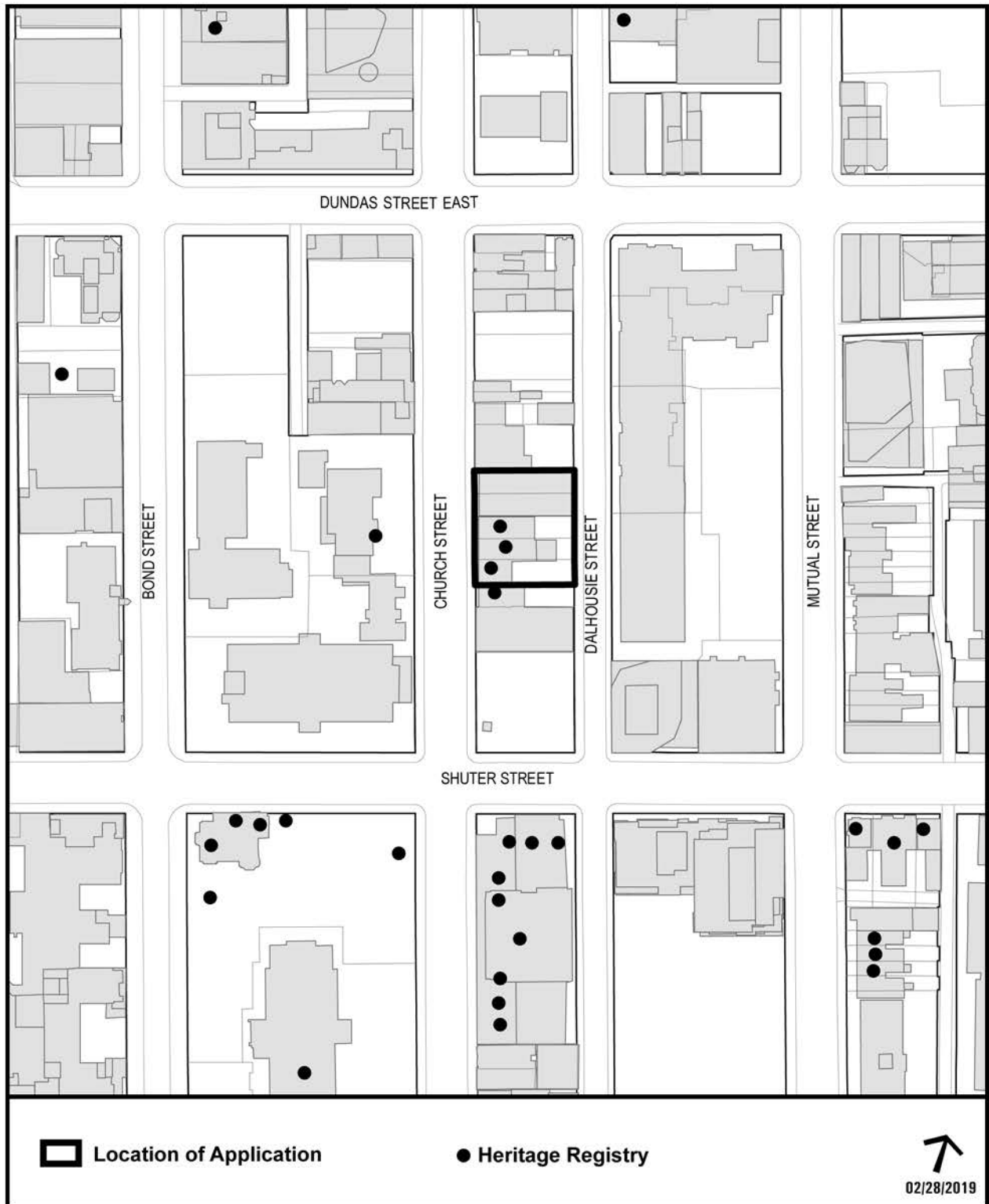


**View of Applicant's Proposal Looking Southwest**

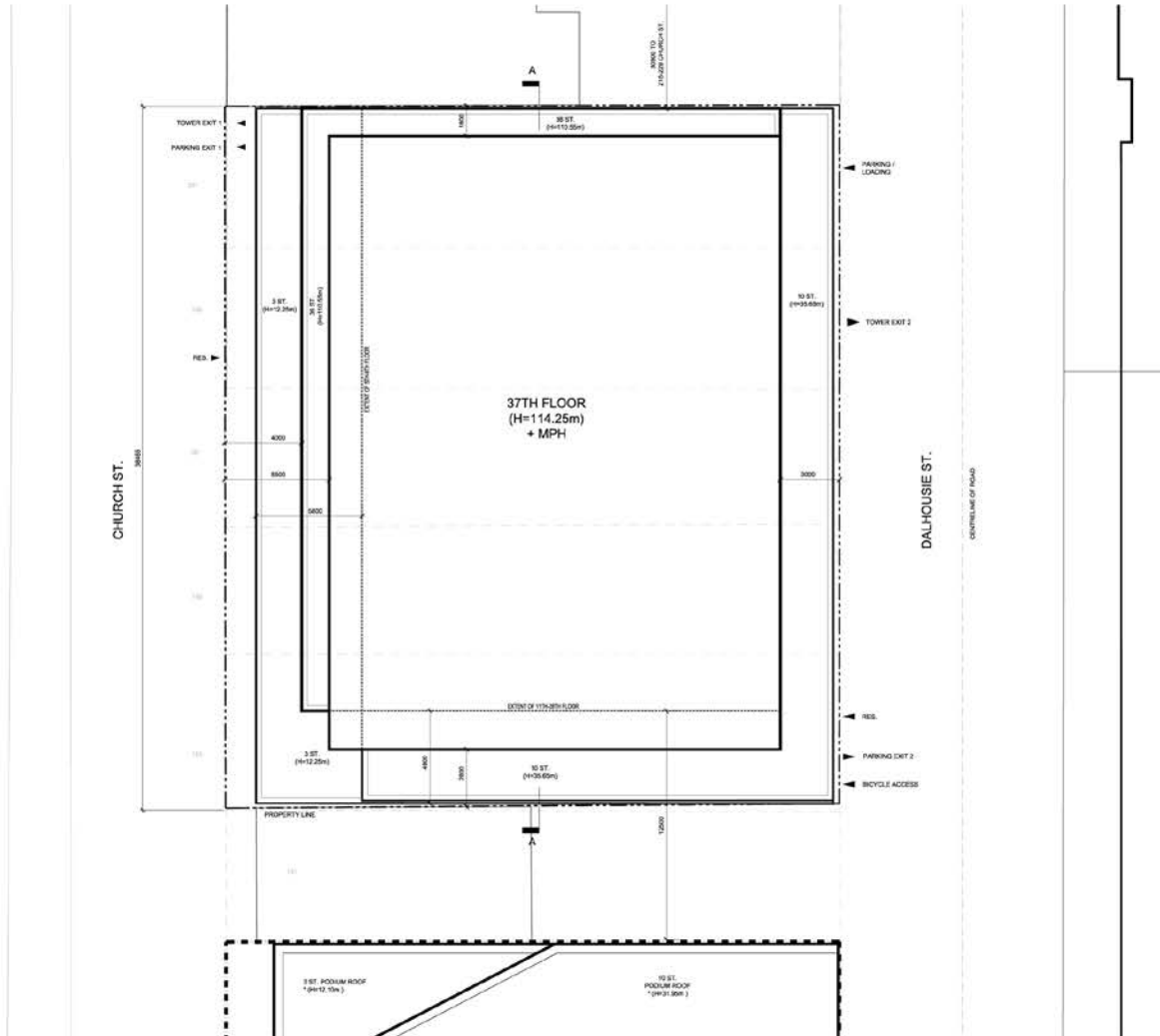


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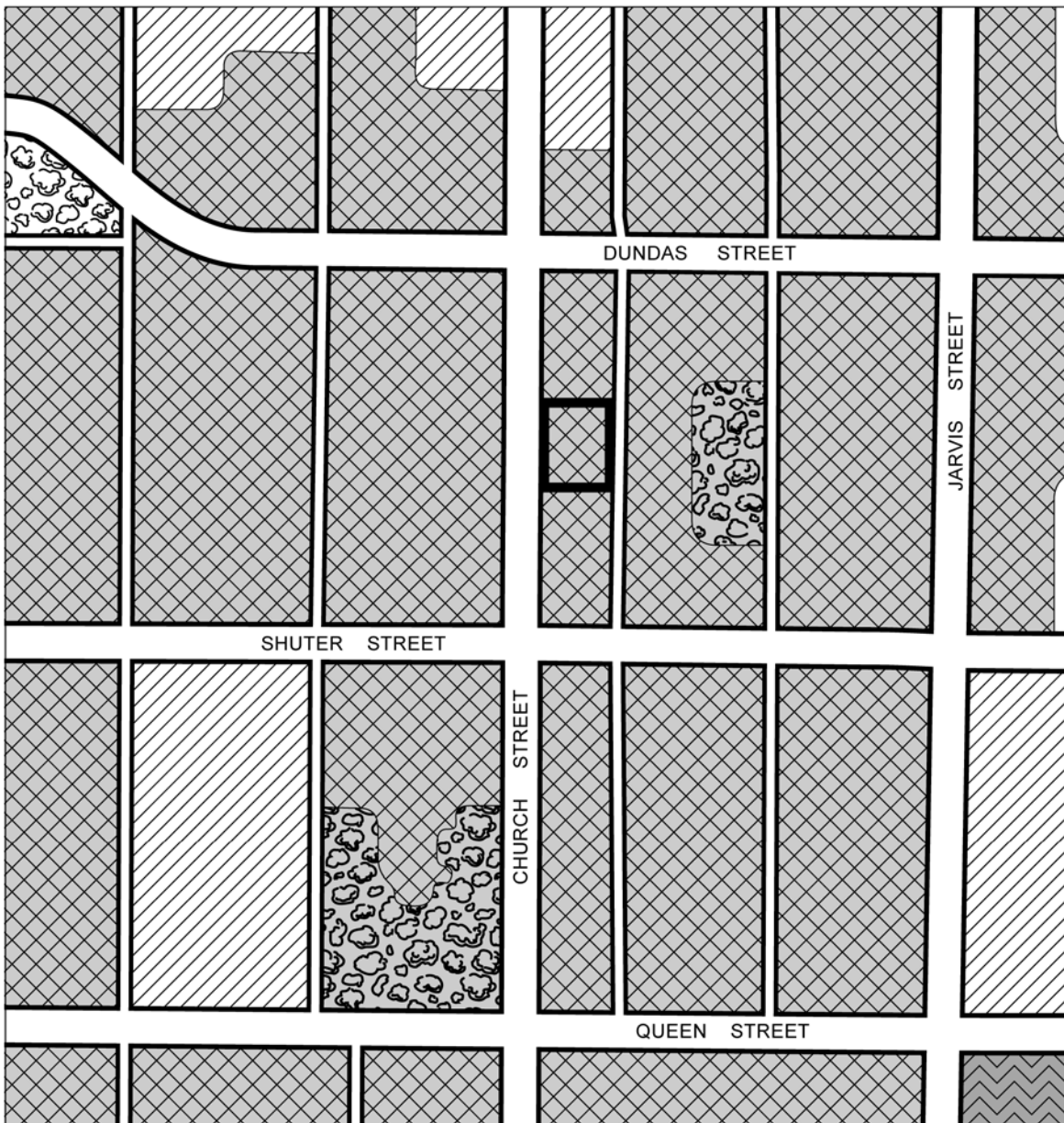
Attachment 2: Location Map



Attachment 3: Site Plan









Attachment 4: Official Plan Map



**TORONTO**  
**Official Plan Land Use Map #18**

**193 - 201 Church Street**

File # 19 114180 STE 13 0Z

-  Location of Application
-  Mixed Use Areas
-  Institutional Areas
-  Parks
-  Employment Areas
-  Other Open Space Areas

  
 Not to Scale  
 02/27/2019

**APPLICATION DATA SHEET**

**Municipal Address:** 193 CHURCH ST      **Date Received:** February 11, 2019

**Application Number:** 19 114180 STE 13 OZ

**Application Type:** OPA / Rezoning, Rezoning

**Project Description:** Zoning By-Law Amendment to facilitate redevelopment of the site with a 37-storey building consisting of 478 residential condominium apartment units, including 2 grade-related live-work units along Church Street. It is proposed that seven percent of the buildings floor area will be allocated to affordable units.

<b>Applicant</b>	<b>Agent</b>	<b>Architect</b>	<b>Owner</b>
MITCH GASCOYNE		IBI GROUP	CHURCH RESIDENCES GP INC

**EXISTING PLANNING CONTROLS**

Official Plan Designation:	Mixed Use Areas	Site Specific Provision:
Zoning:	CR 3.0 (c2.0; r3.0) SS1 (x2166)	Heritage Designation: Y
Height Limit (m):	18	Site Plan Control Area:Y

**PROJECT INFORMATION**

Site Area (sq m): 1,285      Frontage (m): 38      Depth (m): 34

<b>Building Data</b>	<b>Existing</b>	<b>Retained</b>	<b>Proposed</b>	<b>Total</b>
Ground Floor Area (sq m):	829		1,130	1,130
Residential GFA (sq m):	437		32,000	32,000
Non-Residential GFA (sq m):	2,423			
<b>Total GFA (sq m):</b>	<b>2,860</b>		<b>32,000</b>	<b>32,000</b>
Height - Storeys:	3		37	37
Height - Metres:			114	114

Lot Coverage Ratio (%): 87.94      Floor Space Index: 24.3

<b>Floor Area Breakdown</b>	<b>Above Grade (sq m)</b>	<b>Below Grade (sq m)</b>
Residential GFA:	32,000	
Retail GFA:		
Office GFA:		
Industrial GFA:		
Institutional/Other GFA:		

<b>Residential Units by Tenure</b>	<b>Existing</b>	<b>Retained</b>	<b>Proposed</b>	<b>Total</b>
Rental:	2			
Freehold:	1			
Condominium:			478	478
Other:				
<b>Total Units:</b>	<b>3</b>		<b>478</b>	<b>478</b>

#### **Total Residential Units by Size**

	<b>Rooms</b>	<b>Bachelor</b>	<b>1 Bedroom</b>	<b>2 Bedroom</b>	<b>3+ Bedroom</b>
Retained:					
Proposed:		79	266	82	51
<b>Total Units:</b>		<b>79</b>	<b>266</b>	<b>82</b>	<b>51</b>

#### **Parking and Loading**

Parking Spaces:	67	Bicycle Parking Spaces:	478	Loading Docks:	1
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#### **CONTACT:**

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