

78-90 Queen's Park –Zoning Amendment Application – Preliminary Report

Date: March 29, 2019

To: Toronto and East York Community Council

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

Ward 11 - University-Rosedale

Planning Application Number: 19 118245 STE 11 OZ

Notice of Complete Application Issued: February 22, 2019

Listed Heritage Building on Site: Falconer Hall at 84 Queen's Park

Current Uses on Site: The McLaughlin Planetarium, which is used as a storage space by the University of Toronto, is located at the northern end of the site, with Falconer Hall, which is used for institutional purposes, located to the south, and a surface parking area along the southern end of the site.

SUMMARY

This report provides information and identifies a preliminary set of issues regarding the application for a nine-storey institutional building located at 78-90 Queen's Park. 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

The City Planning Division recommends that:

1. Staff schedule a community consultation meeting for the application located at 78-90 Queen's Park 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 zoning by-law provisions for the property at 78-90 Queen's Park to permit a 9-storey (43 metres, including mechanical penthouse), 15,633 square metre building on the site. The proposed building would comprise institutional and ancillary uses, including a recital hall, laboratories, work areas, meeting rooms, offices and a cafe. Falconer Hall is proposed to be substantially retained and integrated into the development while the McLaughlin Planetarium is proposed to be demolished. Six surface parking spaces and 77 bicycle spaces are proposed.

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 Attachments 1 and 2 of this report for a three dimensional representation of the project in context, Attachment 3 for the location map, Attachment 4 for the proposed site plan drawing and Attachment 6 for the application data.

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 subject application is within the Downtown and Central Waterfront area on Map 2 and is designated Mixed Use Areas on Map 18 of the Official Plan, as shown on Attachment 5 of this report.

The application is subject to the University of Toronto Secondary Plan, Site and Area Specific Policy 334 - Bloor Corridor and Site and Area Specific Policy 398 - Ontario Legislative Assembly Building View Corridor.

TOcore: Planning Downtown

City Council adopted the Downtown Plan Official Plan Amendment (OPA 406), as amended, at its meeting of May 22-24, 2018. The Council decision is available here: <http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2018.PG29.4>.

Further, City Council authorized the City Planning Division to seek provincial approval of the OPA under Section 26 of the Planning Act, and enacted By-law 1111-2018 on July 27, 2018. The By-law is available here: <https://www.toronto.ca/legdocs/bills/2018/bill1109.pdf>.

The Downtown Plan contains new policies related to institutional uses, which discourage the redesignation of lands within Institutional Areas or the introduction of a use that is not otherwise allowed in the Institutional Areas designation in order to safeguard the future of institutional uses and ensure the protection of Institutional Areas.

Council has directed staff to use the policies contained within the Downtown Plan to inform evaluation of current and future development applications in the Downtown Plan area while the OPA is under consideration by the Minister.

Official Plan Amendment 352 – Updating Tall Building Setbacks Downtown

On October 5-7, 2016, City Council adopted OPA 352 – Downtown Tall Building Setback Area (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 Downtown. At the same meeting, City Council adopted area-specific Zoning By-laws 1106-2016 and 1107-2016 (also under appeal), which provide the detailed performance standards for portions of buildings above 24 metres in height.

University of Toronto Secondary Plan Review

The site is within the University of Toronto Secondary Plan area, which is subject to an Official Plan Amendment application (File No.: 16 221931 STE 20 OZ) to establish a new University of Toronto St. George Campus Secondary Plan. This would replace the existing Secondary Plan that was adopted in 1997. The purpose of the new Secondary Plan is to provide an updated policy framework that would manage change and guide new development in the area. The subject site is identified in the proposed Secondary Plan as a location for a new tall building. Additional information about the application may be found here: www.toronto.ca/planning/UofTSecondaryPlan.

On July 23, 2018, City Council adopted a Status Report on the University of Toronto St. George Campus - Official Plan Amendment, and endorsed a series of principles for the Secondary Plan Area, including:

- Protect the Secondary Plan area for predominantly institutional land uses along with ancillary uses that support the functioning of the area as an institutional district
- Prioritize the movement of pedestrians and cyclists
- Conserve built heritage resources and cultural heritage landscapes
- Enhance and expand the existing open space and public realm network

- Affirm that the institutional uses, collection of heritage resources and public realm network are character-defining elements of the area
- Ensure that the Secondary Plan area will continue to grow and evolve in a way that positively contributes to the character-defining elements of the area

City Council's decision may be found here:

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2018.TE34.88>

City Council has not made a decision, as of the date of this report, to adopt an Official Plan Amendment to amend the University of Toronto Secondary Plan. The existing University of Toronto Secondary Plan remains in force and effect.

Zoning By-laws

The site is zoned Institutional (Q) in the former City of Toronto Zoning By-law 438-86, as amended. This zoning category permits a range of institutional uses, including universities, educational, cultural, hospital and government uses. The University has an area-specific zoning exception (12(2)310) in Zoning By-law 438-86, which establishes built form envelopes for sites identified in the Secondary Plan as having development potential. The envelope for the site applies to the northern portion of the lands that include the McLaughlin Planetarium, and has a maximum height limit of 23 metres for a new structure. The remainder of the site to the south of the McLaughlin Planetarium has a maximum height of 18 metres.

The site is not subject to City of Toronto Zoning By-law 569-2013.

Design Guidelines

The following design guidelines will be used in the evaluation of this application:

- University of Toronto (Main Campus) Urban Design Guidelines
- City-Wide Tall Building Design Guidelines

The City's Design Guidelines may be found here:

<https://www.toronto.ca/citygovernment/planning-development/official-plan-guidelines/design-guidelines/>

Site Plan Control

The application is subject to Site Plan Control. A Site Plan Control application has not yet been submitted.

COMMENTS

Reasons for the Application

The proposal requires an amendment to the former City of Toronto Zoning By-law 438-86, as the proposed building does not conform to the permitted building envelope described in the area-specific Zoning By-law, and the proposed height of approximately

39 metres (43 metres including the mechanical penthouse) exceeds the 18-23 metre height permission.

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

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, archeological 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 establishes that healthy, liveable and safe communities are sustained by, among other matters, promoting efficient development and land use patterns and accommodating an appropriate range and mix of residential, employment, institutional, parks and opens spaces and other uses to meet long-term needs. Authorities shall promote economic development and competitiveness by, among other approaches, providing for an appropriate mix and range of employment and institutional uses to meet long-term needs and encouraging compact, mixed-use development that incorporates compatible employment uses to support liveable and resilient communities. Planning authorities will identify and promote opportunities for intensification and redevelopment where this can be accommodated taking into account, among other things, the existing building stock or areas.

The Growth Plan 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.

- Staff will evaluate this planning application for consistency 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 be largely determined by conformity with the Official Plan.

Official Plan Conformity

The Official Plan identifies the site as an appropriate location for intensification in a form that is contextually appropriate and the land use designation permits a range of major educational, health and governmental uses with their ancillary uses, cultural, parks and recreational uses, and institutional residence facilities.

The University of Toronto Secondary Plan identifies the property as a potential development site and establishes a built form envelope for a portion of the site. The Secondary Plan permits increases to the height and density of the potential development sites provided that the proposal fulfills the objectives of the Plan and Section 3 in particular, through the review of a Zoning By-law Amendment application. While this policy direction exists in the current Secondary Plan, the Plan is under review and the emerging policy direction for the site contemplates a taller building where one is now proposed. Staff anticipate preparing a Final Report for the new Secondary Plan and Urban Design Guidelines for the area in the fall of 2019.

The site is located within the Institutional Precinct established through Site and Area Specific Policy 334. Development within the Institutional Precinct will contribute to a cohesive and pedestrian-oriented public realm, with a consistent street wall, active uses at grade, and will fill in gaps in the streetscape. Nodes of development are to be concentrated at key intersections adjacent to transit hubs.

Site and Area Specific Policy 398 applies to the lands north of the Ontario Legislative Building. No structure is permitted to be erected that can be seen above any part of the silhouette of the Legislative Building when viewed from the sidewalk located on the north side of College Street at any point between the east and west sides of University Avenue, or that can be seen above the silhouette of the domed Centre Block of the Legislative Building when viewed from the north side of Queen Street West at any point between the east and west sides of University Avenue.

- Staff will evaluate this planning application against the Official Plan to determine the application's conformity with the Official Plan, including the Secondary Plan and Site and Area Specific Policies.

Built Form, Planned and Built Context

The suitability of the proposed built form will be evaluated based on the planning framework for the area including Provincial policies and plans, Official Plan policies, the existing University of Toronto Secondary Plan, University of Toronto (Main Campus) Urban Design Guidelines, City-Wide Tall Building Design Guidelines, the Council-adopted Downtown Secondary Plan (OPA 406) and OPA 352, and the emerging direction of the new University of Toronto St. George Campus Secondary Plan.

Staff will assess:

- Whether the application is contextually appropriate and fits with the existing and planned context.
- The conservation of on-site and adjacent heritage resources.
- The position, height, massing, stepbacks, cantilevers and floorplates of the proposed building.
- The relationships to adjacent properties, including rear and side yard setbacks, the resulting separation distance from adjacent properties and buildings, physical connections to adjacent buildings, and the conservation of on-site and adjacent heritage properties.

- The impact on the public realm as a result of the proposed built form, including Philosopher's Walk to the west of the site.
- Any impact to the protected views of the silhouette and centre block of the Legislative Building from College Street and Queen Street West, respectively.
- The wind and shadow impacts created by the proposal on the site and surrounding area.

Heritage Impact & Conservation

The subject site includes Falconer Hall, which is a three-storey building listed on the City's Heritage Register. The proposal includes the partial demolition of later additions to the building, primarily at the rear, and retention of the remaining exterior and interior elements of the building as well as the exposure of exterior walls that were concealed by later additions. The eastern, southern and northern elevations of Falconer Hall would remain visible from the public realm and the western portion of the building is proposed to be integrated into the lobby of the building.

The subject site is adjacent to the following heritage properties:

- Flavelle House to the south at 78 Queen's Park is listed on the City's Heritage Register
- Birge-Carnegie Library/Emmanuel College to the east at 75 Queen's Park is listed on the City's Heritage Register
- Annesley Hall to the northeast at 95 Queen's Park and 150 Charles Street West is listed on the City's Heritage Register and is designated as a National Historic Site
- Royal Ontario Museum to the north at 100 Queen's Park is designated under Part IV of the Ontario Heritage Act

As part of the update to the existing University of Toronto Secondary Plan, all properties in the area are being evaluated for their value as potential heritage resources. In July 2018, the McLaughlin Planetarium on the site and the adjacent Edward Johnson Building to the west were identified in the Status Report for the proposed Secondary Plan as having potential heritage value. City Council directed staff to bring forward a report on the potential inclusion of the properties on the Heritage Register and that, should an application be submitted for the sites identified as potential heritage resources in the meantime, a Heritage Impact Assessment would be required as part of the application submission requirements. The proposal includes the demolition of the McLaughlin Planetarium and connections to the Edward Johnson Building.

- The Heritage Impact Assessment submitted with the application is currently under review by staff to evaluate the impact that the proposal will have on the on-site and adjacent cultural heritage resources. Staff will develop an appropriate conservation strategy for the existing heritage resources, and evaluate and develop an approach to the potential heritage resources.

Public Realm and Streetscape

Staff will evaluate the proposed open space areas and streetscape with the aim to enhance and expand the public realm across the site through the application. Staff will assess:

- The suitability of the proposed pedestrian realm and the relationship of the building to the street.
- The adequacy and suitability of the amount, location and design of the proposed outdoor open spaces, and their ability to be appropriately landscaped. Outdoor open spaces should be publicly accessible and inviting.
- Ways to reduce the surface parking and extent of the site devoted to driveways and vehicle turnaround areas.
- The ability to better connect Queen's Park to Philosopher's Walk through enhanced mid-block connections across the site.

Tree Preservation

Staff will evaluate tree protection and injury mitigation measures as a result of the proposal and opportunities for new tree planting. 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 Arborist Report and Tree Preservation Plan submitted in support of the application indicate there are 15 trees both within and immediately adjacent to the subject site that qualify for protection. Of these, 11 trees are proposed to be removed and four trees are proposed to be preserved.

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 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.

- Staff will review the TGS Checklist submitted by the applicant for compliance with the Tier 1 performance measures. The applicant will be encouraged to pursue a higher level of sustainability through the application review process.

Infrastructure/Service Capacity

Staff will review the application to determine if there is sufficient infrastructure capacity (roads, transit, water, sewage, hydro etc.) 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 an Urban Transportation Considerations Report. Staff will assess:

- The servicing reports, 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.
- The transportation considerations report, 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.

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

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

ATTACHMENTS

City of Toronto Drawings

Attachment 1: 3D Model of Proposal in Context - Northwest

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

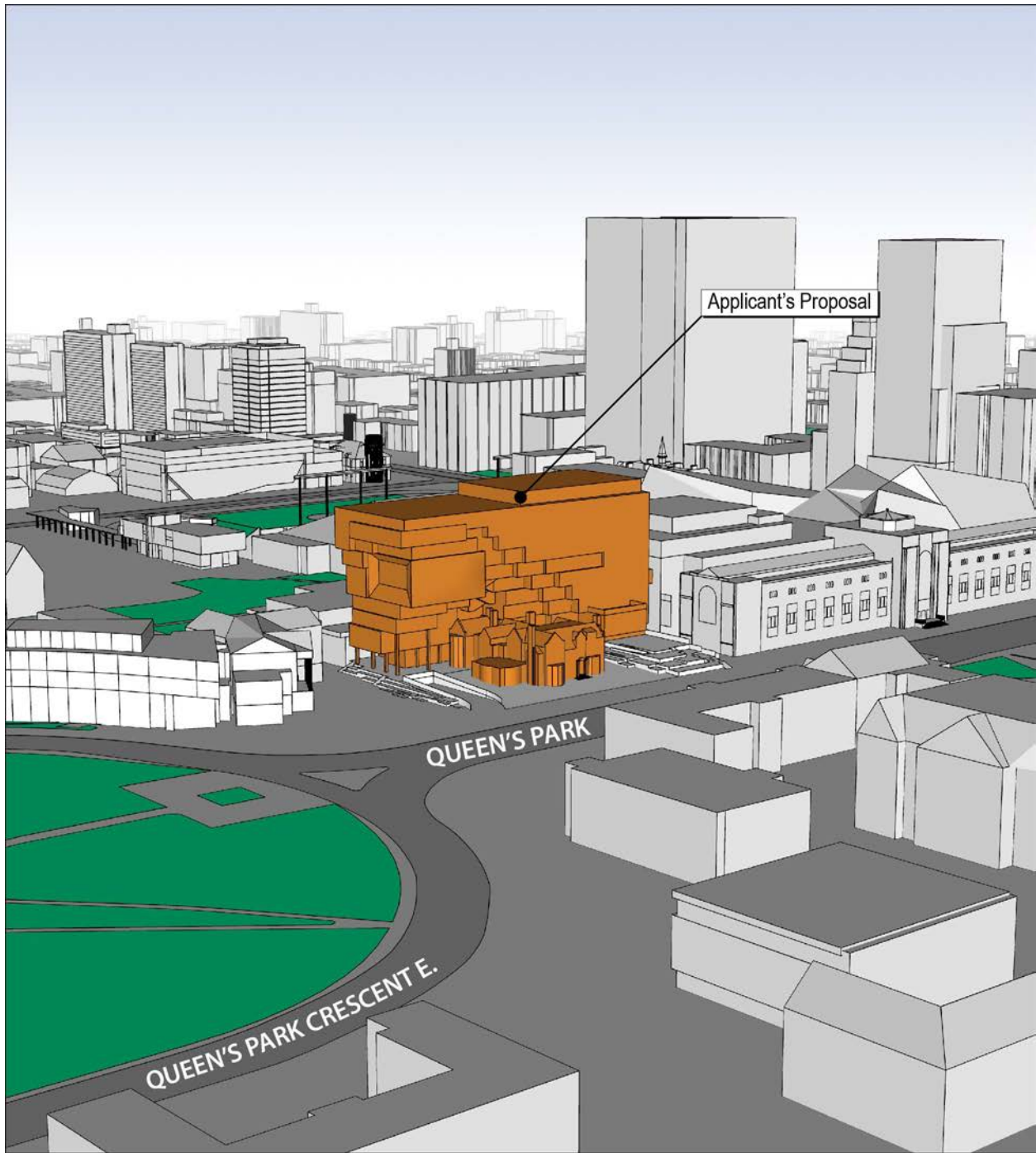
Attachment 3: Location Map

Attachment 4: Site Plan

Attachment 5: Official Plan Map

Attachment 6: Application Data Sheet

Attachment 1: 3D Model of Proposal in Context - Looking Northwest

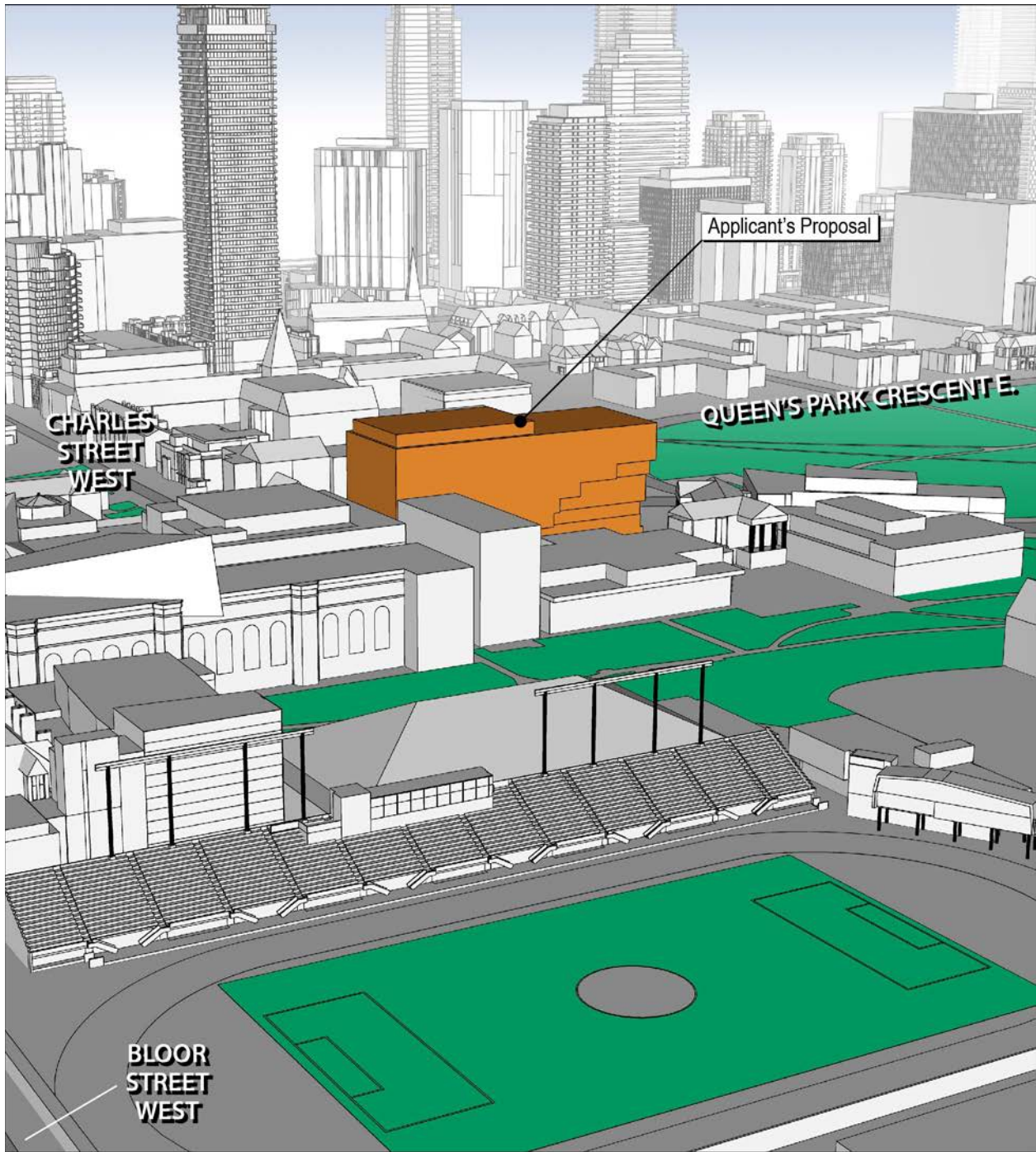


View of Applicant's Proposal Looking Northwest



03/26/2019

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

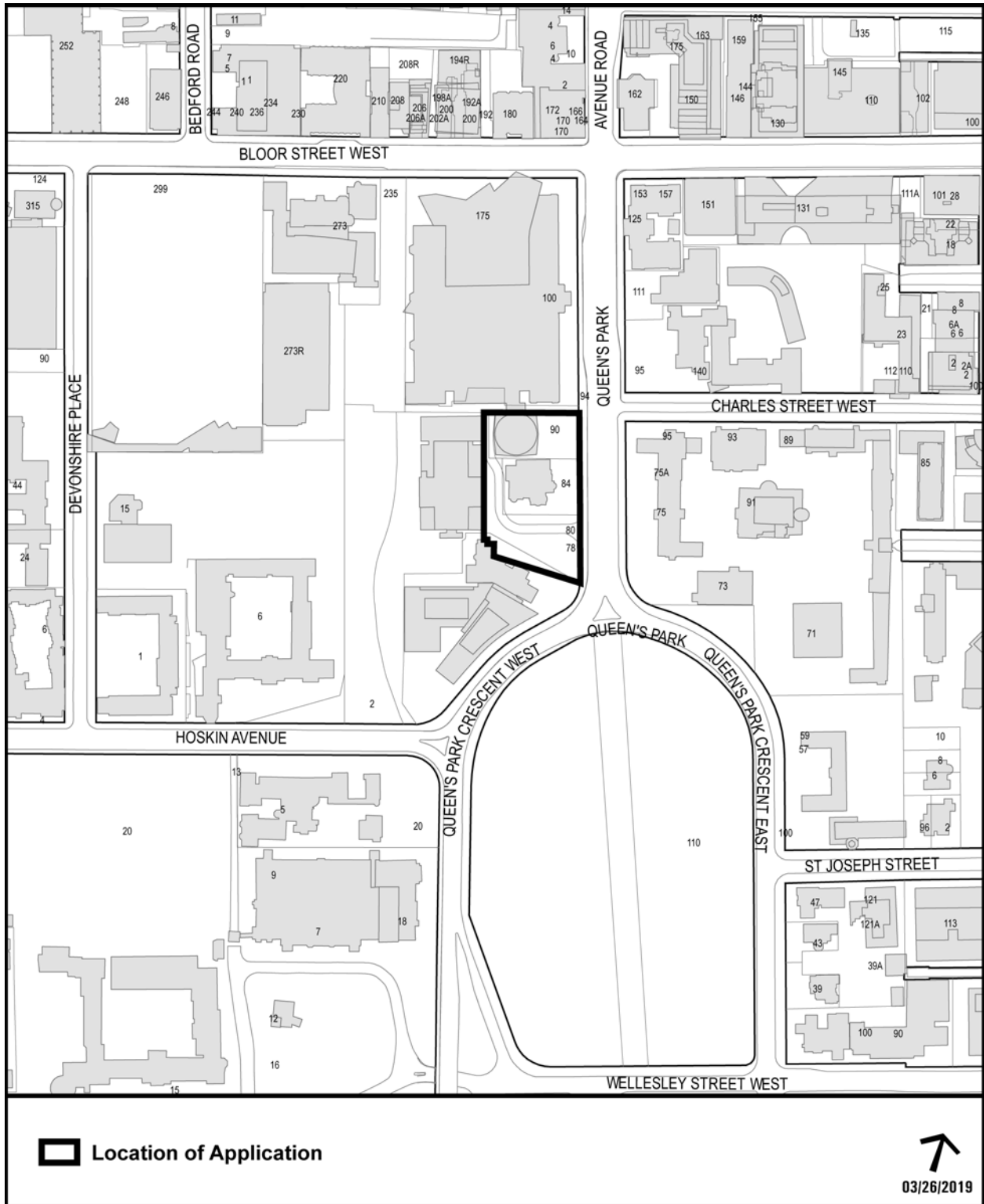


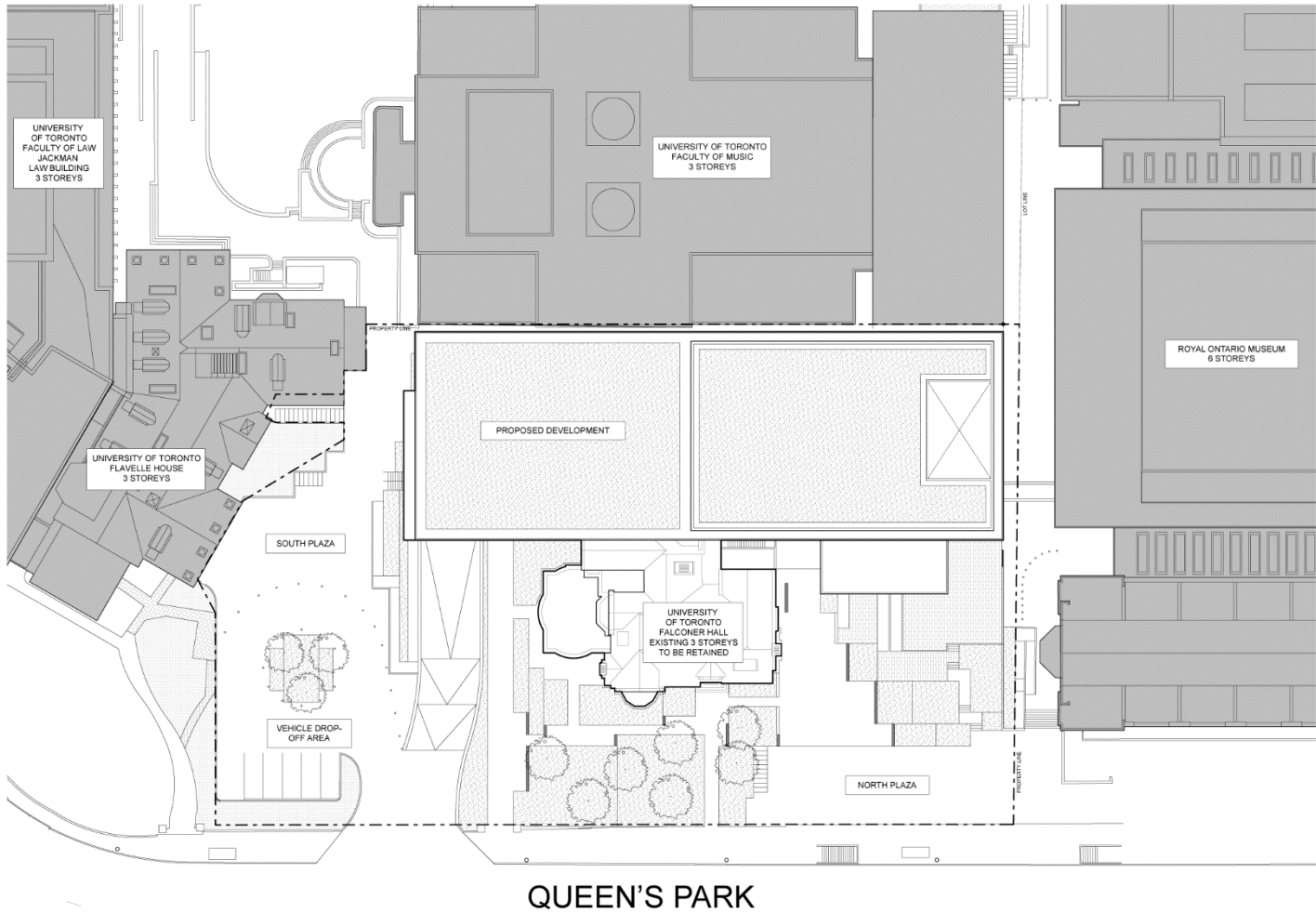
View of Applicant's Proposal Looking Southeast



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Attachment 3: Location Map





Site Plan

Applicant's Submitted Drawing

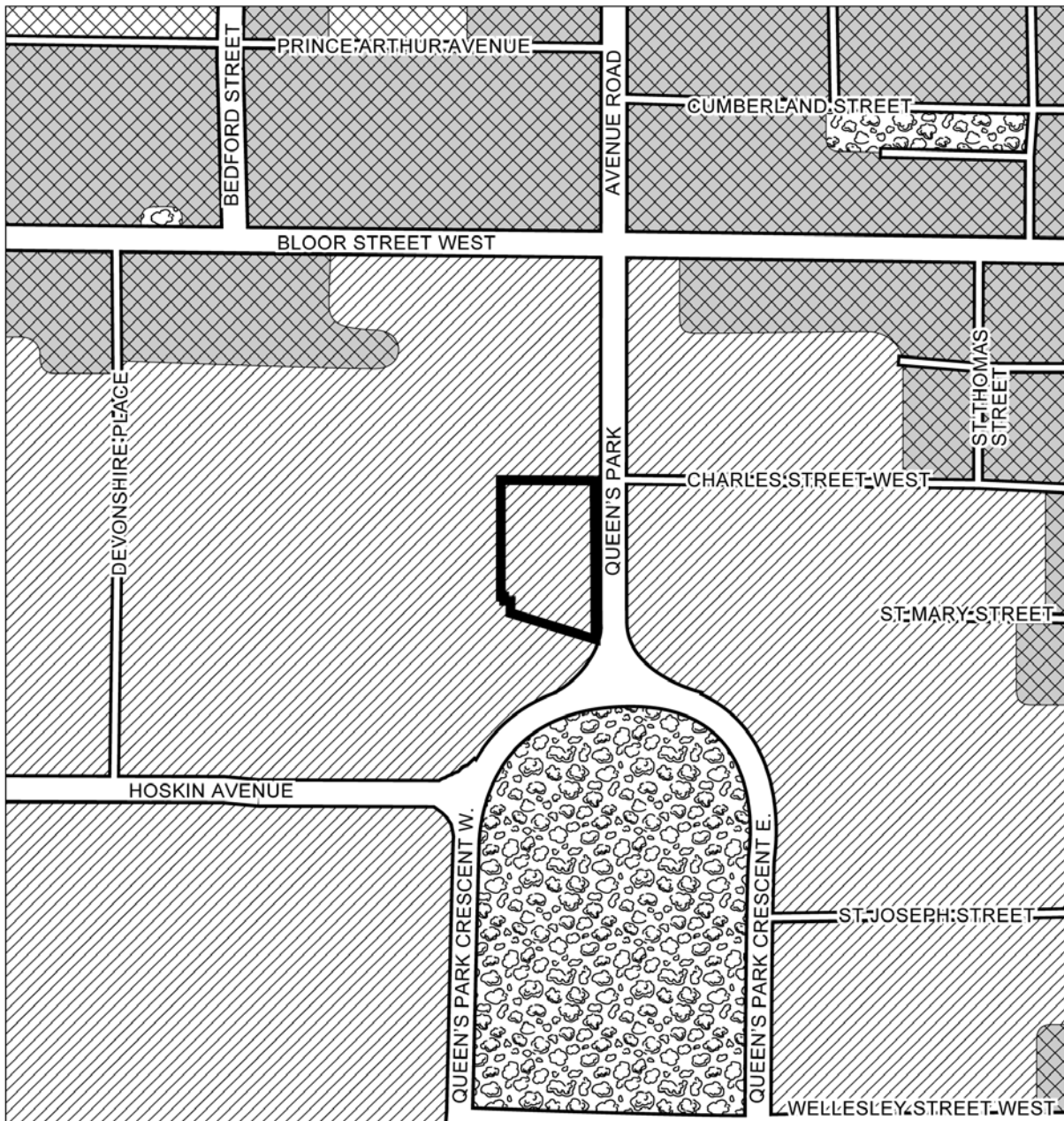
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78-90 Queen's Park

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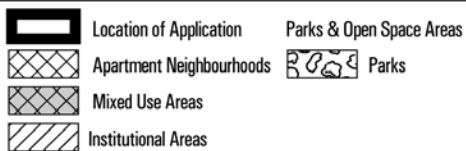
Attachment 5: Official Plan Map



TORONTO
Official Plan Land Use Map #18

78-90 Queen's Park

File # 19 118245 STE 11 0Z



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 Not to Scale
 03/26/2019

Attachment 6: Application Data Sheet

Municipal Address: 78-90 Queen's Park Date Received: February 22, 2019
Application Number: 19 118245 STE 11 OZ
Application Type: Rezoning

Project Description: Zoning By-Law Amendment application to permit a 9-storey (43 metres, including mechanical penthouse), 15,633 square metre building on the site that would comprise institutional and ancillary uses, including a recital hall, laboratories, work areas, meeting rooms, offices and a cafe. Falconer Hall is proposed to be substantially retained and integrated into the development while the McLaughlin Planetarium is proposed to be demolished.

Applicant	Agent	Architect	Owner
Bousfields		Diller Scofidio + Renfro and architectsAlliance	University of Toronto

EXISTING PLANNING CONTROLS

Official Plan Designation:	Institutional Areas	Site Specific Provision:	Yes
Zoning:	438-86	Heritage Designation:	Yes
Height Limit (m):	18-23	Site Plan Control Area:	Yes

PROJECT INFORMATION

Site Area (sq m): 6,780 Frontage (m): 104 Depth (m): 66

Building Data	Existing	Retained	Proposed	Total
Ground Floor Area (sq m):	1,167	623	1,164	1,787
Residential GFA (sq m):				
Non-Residential GFA (sq m):	4,983	2,249	15,633	17,882
Total GFA (sq m):	4,983	2,249	15,633	17,882
Height - Storeys:	3	3	9	9
Height - Metres:	14	14	42	42

Lot Coverage Ratio(%): 26.4 Floor Space Index: 2.7

Floor Area Breakdown	Above Grade (sq m)	Below Grade (sq m)
Residential GFA:	0	
Retail GFA:	0	
Office GFA:	0	
Industrial GFA:	0	
Institutional/Other GFA:	17,882	

Parking and Loading

Parking Spaces:	6	Bicycle Parking Spaces:	77	Loading Docks:	5
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