

95 St Joseph Street – Official Plan Amendment and Zoning Amendment Applications – Preliminary Report

Date: April 3, 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 115474 STE 11 OZ

Notice of Complete Application Issued: February 14, 2019

Anticipated City Council Meeting Date: July 16, 2019

Current Use(s) on Site: 4-storey Cardinal Flahiff Basilian Centre (7,618 square metres), and associated parking area and green space.

SUMMARY

This report provides information and identifies a preliminary set of issues regarding the application located at 95 St. Joseph Street for a mixed-use building with 15- and 39-storey components. 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 95 St Joseph 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 Official Plan and the Zoning By-law for the property at 95 St Joseph Street to permit a mixed-use building with a 15-storey (47.0 metres) component and a 39-storey (123.0 metres) component. The proposed development would retain the front facade of the existing 4-storey building along with the interior chapel. The remainder of the existing building would be demolished. The proposed development includes ground floor retail space (188.5 square metres), institutional space (10,298.2 square metres), and 502 residential units. The proposed unit mix contains 41 studio units (8.2%), 240 one-bedroom units (47.8%), 163 two-bedroom units (32.5%) and 58 three-bedroom units (11.6%). The proposed density is 9.3 times the area of the lot. A total of 159 parking spaces and 646 bicycle parking spaces are proposed to support the new development.

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 proposed site plan, and Attachment 5 for the Application Data Sheet.

Detailed project information is found on the City's Application Information Centre at: <https://www.toronto.ca/city-government/planning-development/application-information-centre/>

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 shown within the Downtown and Central Waterfront on Map 2 of the Official Plan and designated Institutional Areas on Map 18. See Attachment 4 of this report for the Official Plan map.

The application is also subject to the University of Toronto Secondary Plan. The subject site is not identified as a Development Site on Map 20-12 of the Secondary Plan.

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 that 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 proposed Secondary Plan places the subject site within a new Bay Street Corridor Character Area which would act as a transition between the Historic Campus and the growing urban intensity along Bay Street. 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:

- a. 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;
- b. prioritize the movement of pedestrians and cyclists;
- c. conserve built heritage resources and cultural heritage landscapes;
- d. enhance and expand the existing open space and public realm network;
- e. affirm that the institutional uses, collection of heritage resources and public realm network are character-defining elements of the area; and
- f. 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 the proposed Official Plan Amendment to replace the 1997 Secondary Plan. As such, the existing University of Toronto Secondary Plan remains in force and effect.

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.

Zoning By-laws

The site is zoned Q T2.0 by the former City of Toronto Zoning By-law 438-86, which permits institutional uses; arts, cultural and community service uses; some retail and service uses; and dwelling rooms in shared housing (such as a nursing home or a university residence) with a maximum density of 2.0 times the lot area and a maximum height of 14 metres for the first 15.2 metres from St Joseph Street and 23 metres on the south side of the property.

The site is not zoned by the City of Toronto Zoning By-law 569-2013.

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
- University of Toronto Urban Design Guidelines; and
- Growing Up Draft Urban Design Guidelines.

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 not been submitted.

COMMENTS

Reasons for the Application

The Official Plan Amendment Application has been submitted in order to permit the proposed development on a site which has not been identified as a Development Site on Map 20-12 of the University of Toronto Secondary Plan.

The Zoning Amendment Application has been submitted in order to permit an increase in the overall height and density on the site and to permit the use of the lands for dwelling units. The Zoning Amendment Application would also modify various performance standards including permitted projections, parking, bicycle parking, and landscaped open space requirements.

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 protection of ecological systems, including natural areas, features and functions; conservation of features of significant architectural, cultural, historical, archaeological or scientific interest; the appropriate location of growth and development; the promotion of development that is designed to be sustainable, to support public transit and to be oriented to pedestrians; and the promotion of a built form that is well designed, encourages a sense of place, and provides for public spaces that area of high quality, safe and accessible, attractive and vibrant.

The application will be evaluated against the PPS and the Growth Plan to establish the application's consistency with the PPS and conformity to the Growth Plan, including but not limited to whether: the proposal makes efficient use of land and resources, infrastructure and public facilities; the proposal is directed at an appropriate location; appropriate development standards are promoted which facilitate compact form; the proposal adequately conserves significant built heritage resources and cultural heritage landscapes; and the proposal represents an appropriate type and scale of development and transition of built form to adjacent areas.

Official Plan Conformity

The Official Plan designates the site as Institutional Area in the Official Plan. The Institutional Areas are made up of major educational, health and governmental uses with their ancillary uses, cultural, parks and recreational, religious, commercial and institutional residence facilities, including the full range of housing associated with a health institution, as well as utility uses. The University of Toronto Secondary Plan aims to recognize and protect the Secondary Plan area primarily as an Institutional District which contains a concentration of educational, cultural, medical and research institutions with associated support services and housing. The vitality of this institutional community will be promoted and most of the lands within the Secondary Plan area will be designated for institutional uses to accommodate evolving institutional needs, including: new institutions, expansion and/or consolidation of existing institutions, housing and services for students and staff, and associated research and development uses.

- Planning staff are reviewing the application for conformity with the Official Plan and Secondary Plan policies, including whether the proposed uses are consistent with the existing Institutional Areas land use designation.

Built Form, Planned and Built Context

Staff are reviewing the suitability and appropriateness of the proposed height and massing and other built form criteria based on Section 2(d), (h), (j), (q) and (r) of the Planning Act; the PPS (2014); the Growth Plan (2017); the City's Official Plan policies; and Design Guidelines.

The following issues that require further assessment are:

- The appropriateness of the proposed building height of 15 storeys on the east side of the site and 39 storeys on the west side of the site in order to provide an transition from the tall buildings on Bay Street to the buildings within St. Michael's College and the University of Toronto campus.
- The appropriateness of the proposed 12.0 metre tower setbacks on the east and west sides and 11.0 metres from the tower to the centerline of St Basil Lane to the south. A minimum tower setback of 12.5 metres is set out in the City's Tall Building Guidelines and OPA 352 and the associated zoning by-laws.
- A separation distance of 20.0 metres is proposed between the 15-storey and 39-storey portion of the building. The combined building floor plate is approximately 1,790 square metres from levels 4 to 15, and 790 square metres from levels 16 to 39. Both of these items will be assessed further in relation to the City's Tall Building Guidelines and OPA 352 and the associated zoning by-laws.
- Shadow impacts on Clover Hill Park on the north side of St Joseph Street as well as as well as the open space areas at the University of Toronto/St. Michael's College/ Victoria University. A Shadow Study was submitted and is currently under review by City staff.
- Protection, extension and enhancements to the open space and pedestrian network on the site, as informed by the University of Toronto Secondary Plan.

- Appropriate streetscape design including minimum sidewalk widths, landscaping and overall design along St Joseph Street, as informed by the University of Toronto Secondary Plan and existing streetscape plans.
- Wind conditions along St Joseph Street, the area surrounding the proposed building, and the proposed amenity spaces of the building should be assessed. A Pedestrian Wind Assessment was submitted and is currently under review by City 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).

There are 15 trees on and within 6 metres of the subject property, 6 of which are located within the footprint of the proposed building and are therefore proposed to be removed.

- An Arborist Report and a Tree Preservation Plan were submitted and are under review.

Heritage Impact & Conservation

As part of the update to the existing University of Toronto Secondary Plan, Staff are identifying and evaluating properties for inclusion on the City's Heritage Register. In July 2018, the Status Report on the University of Toronto Secondary Plan Review identified 95 St Joseph Street as a potential heritage property. City Council directed that Heritage Impact Assessments be required for development applications that affect existing and potential heritage properties identified in the report. Council also directed that the Senior Manager, Heritage Preservation Services, report back on the possibility for inclusion of the identified potential heritage properties in the Heritage Register.

The subject site is also within proximity to 50 St Joseph Street and 1 Elmsley Place on the north side of St Joseph Street, which are both designated under Part IV of the Ontario Heritage Act and included in the City's Heritage Register.

- A Heritage Impact Assessment was submitted and is currently under review by City staff, and the property is currently being evaluated for inclusion in the City's Heritage Register.

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 communities. 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.

Infrastructure/Servicing Capacity

Connections to the existing watermain and sanitary sewer on St Joseph Street are proposed to service the development. The proposed development will also need to meet the requirements of the City of Toronto's Wet Weather Flow Management Guidelines.

The proposed development will need to ensure the discharging of groundwater to the City's sewer system can be adequately supported.

- A Functional Servicing and Stormwater Management Report, Geotechnical Investigation Report, and Hydrogeological Review were submitted and are currently under review by City staff.

Transportation Impacts

A two level underground garage that provides 159 vehicular parking spaces for the development is proposed to be accessed from the lane on the east side of the subject site. Two loading spaces are proposed to be accessed from the adjacent laneways.

- A Transportation Impact Study has been submitted and is under review.

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.

The applicant is required to meet Tier 1 of the TGS. Performance measures for the Tier 1 development features to be secured through the zoning by-law process include: automobile infrastructure; cycling infrastructure; and storage and collection of recycling and organic waste.

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 it be approved in some form.

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 H. 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

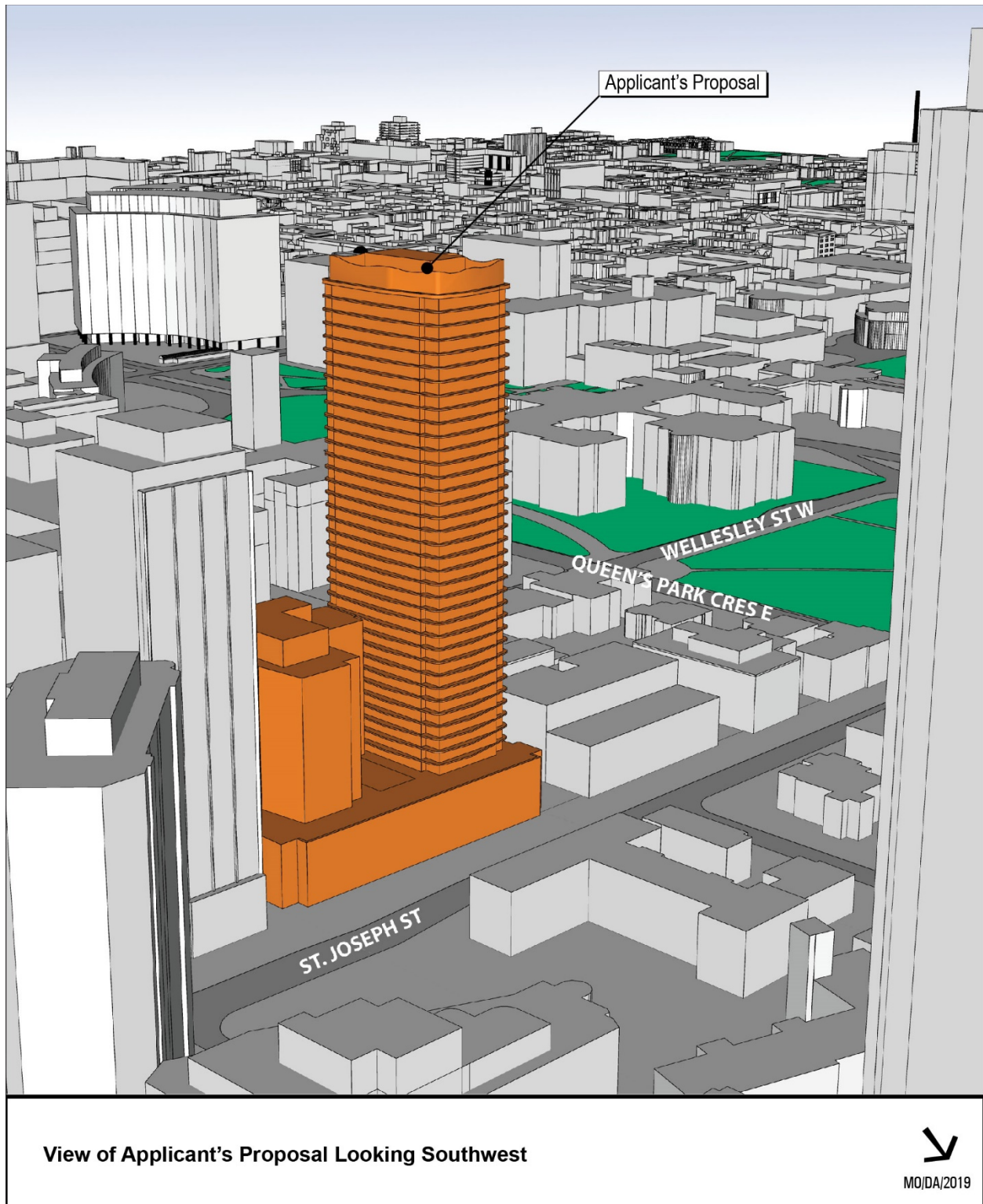
Attachment 2: Location Map

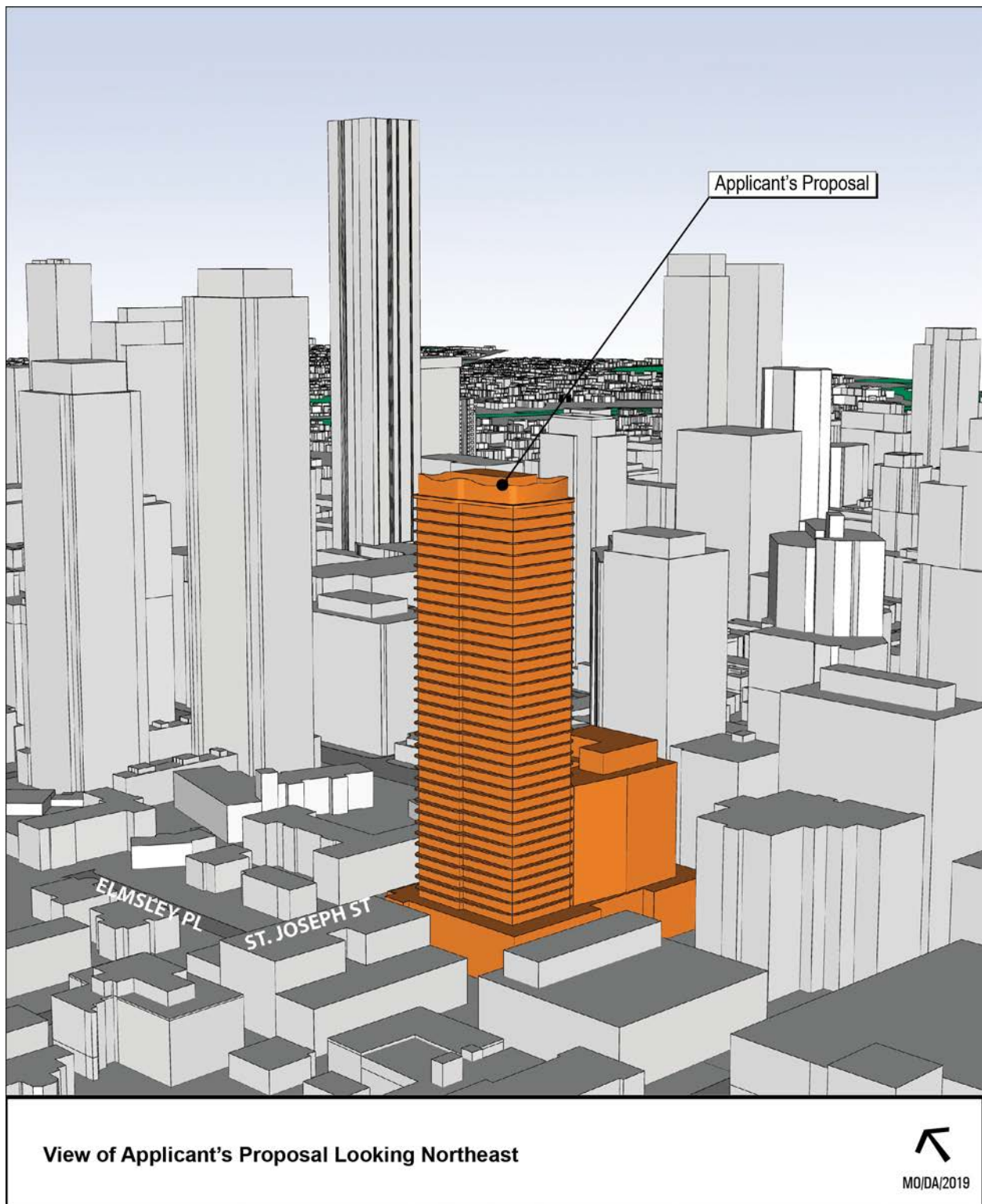
Attachment 3: Site Plan

Attachment 4: Official Plan Map

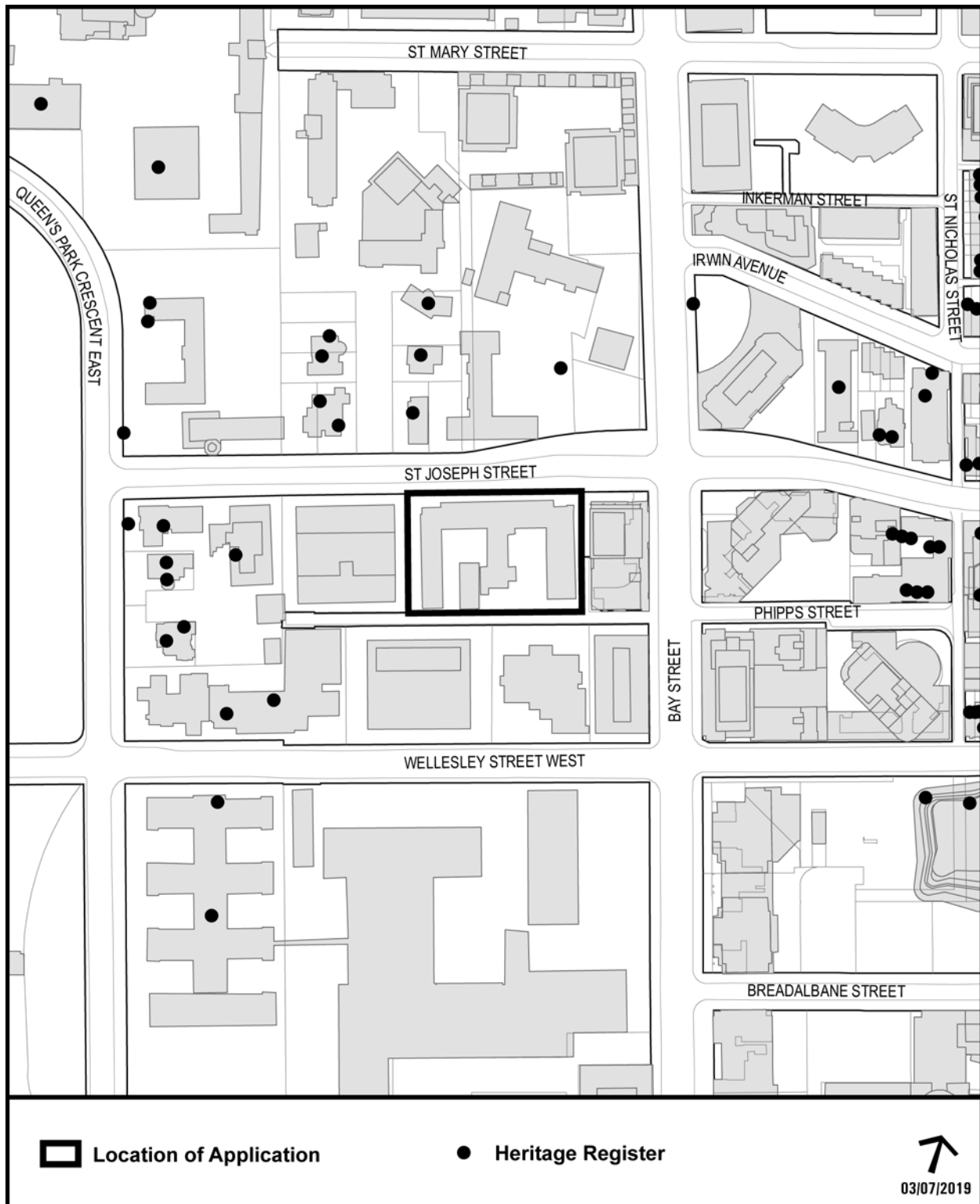
Attachment 5: Application Data Sheet

Attachment 1: 3D Model of Proposal in Context

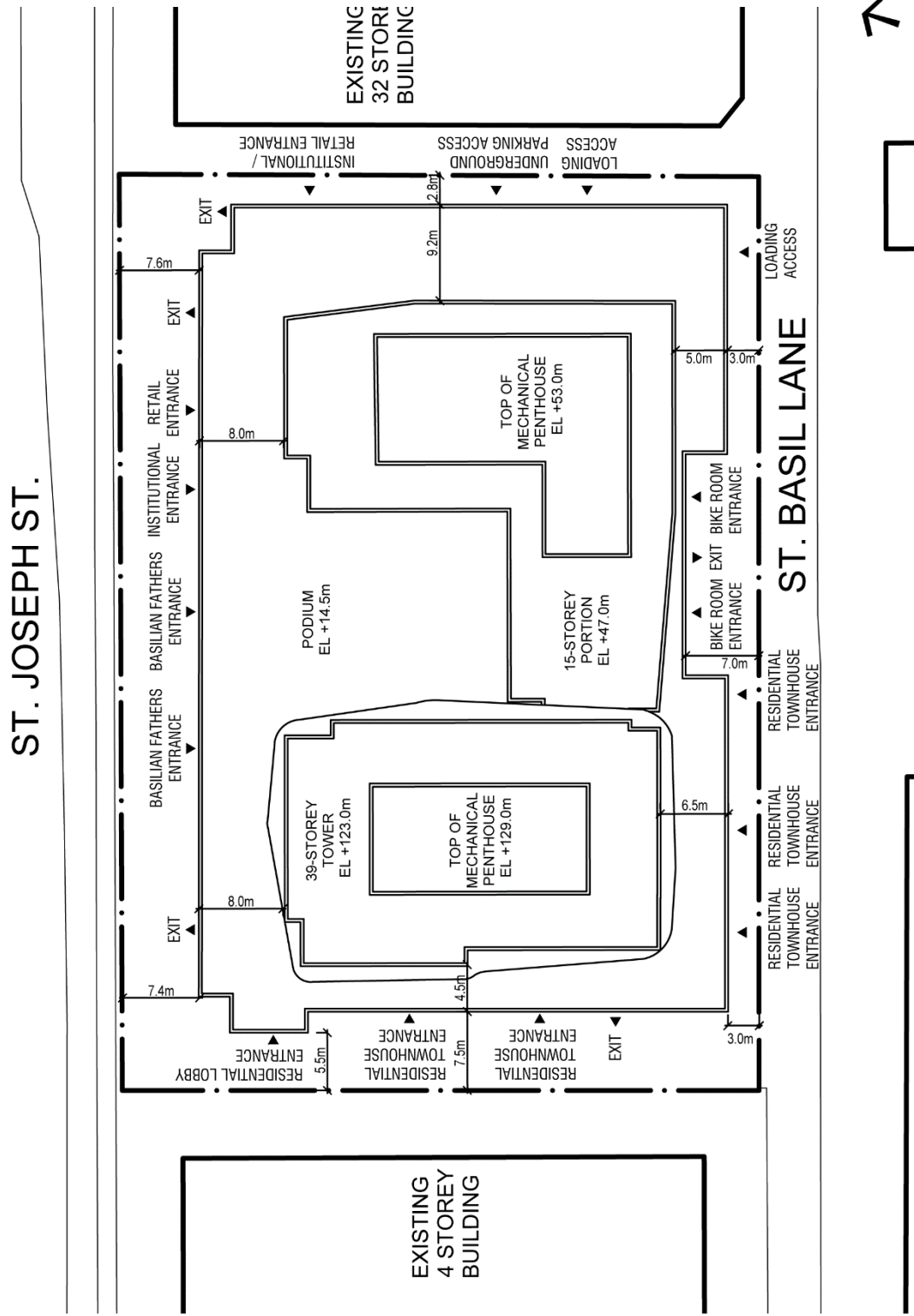




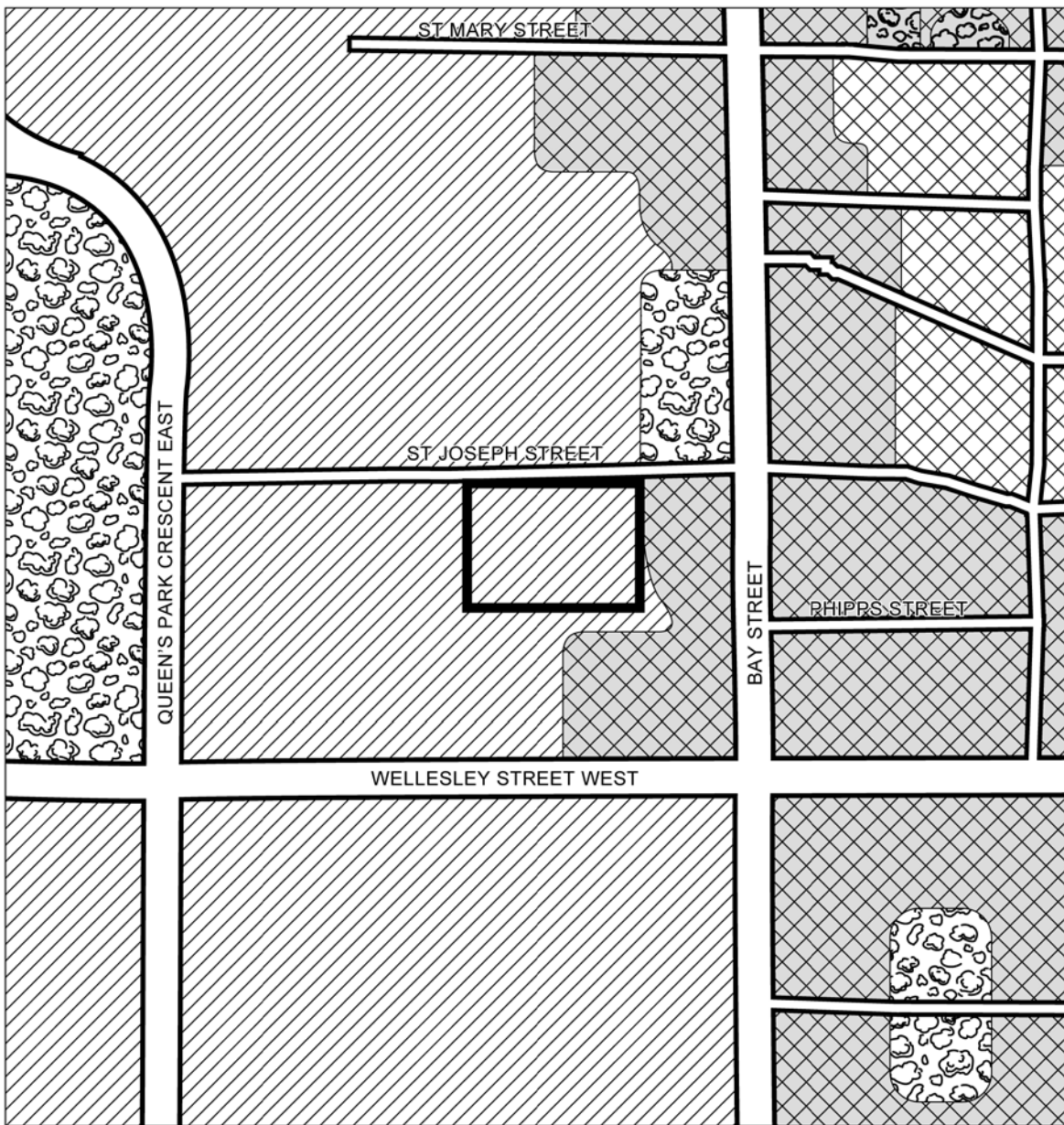
Attachment 2: Location Map



Attachment 3: Site Plan



Attachment 4: Official Plan Map



Official Plan Land Use Map #18

95 St Joseph Street

File # 19 115474 STE 11 02

	Location of Application		Parks & Open Space Areas		Institutional Areas
	Apartment Neighbourhoods		Parks		
	Mixed Use Areas		Other Open Space Areas		


 Not to Scale
 03/07/2019

Attachment 5: Application Data Sheet

APPLICATION DATA SHEET

Municipal Address: 95 ST JOSEPH ST Date Received: February 14, 2019

Application Number: 19 115474 STE 11 OZ

Application Type: OPA / Rezoning, OPA & Rezoning

Project Description: Official Plan and Zoning By-law Amendment application to permit a mixed-use building with a 15-storey (47.0 metres) component and a 39-storey (123.0 metres) component. The proposed development would retain the front facade of the existing building along with the interior chapel. The remainder of the existing 4-storey Cardinal Flahiff Basilian Centre would be demolished. The proposed development includes ground floor retail space (188.5 square metres), institutional space (10,298.2 square metres), and 502 residential units. A total of 159 parking spaces and 646 bicycle parking spaces are proposed to support the new development.

Applicant
DANIELS HR
CORPORATION

Agent

Architect
BROOK MCILROY

Owner
BASILIAN
FATHERS OF
TORONTO

EXISTING PLANNING CONTROLS

Official Plan Designation: Institutional Areas

Site Specific Provision:

Zoning: Q T2.0

Heritage Designation:

Height Limit (m): 23

Site Plan Control Area: Yes

PROJECT INFORMATION

Site Area (sq m): 5,289

Frontage (m): 87

Depth (m): 61

Building Data	Existing	Retained	Proposed	Total
Ground Floor Area (sq m):	1,986		2,755	2,755
Residential GFA (sq m):			38,724	38,724
Non-Residential GFA (sq m):	7,618		10,487	10,487
Total GFA (sq m):	7,618		49,211	49,211
Height - Storeys:	4		39	39
Height - Metres:			123	123

Lot Coverage Ratio (%) 52.09 Floor Space Index: 9.3

Floor Area Breakdown	Above Grade (sq m)	Below Grade (sq m)
Residential GFA:	38,724	
Retail GFA:	189	
Office GFA:		
Industrial GFA:		
Institutional/Other GFA:	10,298	

Residential Units by Tenure	Existing	Retained	Proposed	Total
Rental:				
Freehold:				
Condominium:			502	502
Other:				
Total Units:			502	502

Total Residential Units by Size

	Rooms	Bachelor	1 Bedroom	2 Bedroom	3+ Bedroom
Retained:					
Proposed:		41	240	163	58
Total Units:		41	240	163	58

Parking and Loading

Parking Spaces:	159	Bicycle Parking Spaces:	646	Loading Docks:	2
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