

126, 132, and 142 John Street, 259, 261, 263, and 267 Richmond Street West and 41-59 Widmer Street - Zoning Amendment Application – Preliminary Report

Date: June 4, 2019

To: Toronto and East York Community Council

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

Ward 10 - Spadina-Fort York

Planning Application Number: 19 144266 STE 10 OZ

Date of Complete Application Submission: Incomplete

Designated Heritage Buildings on Site: Facades of the John Burns Carriage Manufacturers Building and Turnbull Elevator Building at 126 John Street.

Current Uses on Site: Six-storey mixed-use entertainment and retail complex (Riocan Hall) including a movie theatre, restaurants and other retail uses with a gross floor area of 21,118 square metres and 425 below grade parking spaces. The complex includes two designated heritage building facades.

SUMMARY

This report provides information and identifies a preliminary set of issues regarding the application located at 126, 132, and 142 John Street, 259, 261, 263, and 267 Richmond Street West and 41-59 Widmer 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 in consultation with the Ward Councillor

RECOMMENDATIONS

The City Planning Division recommends that:

1. Staff schedule a community consultation meeting for the application located at 126, 132, and 142 John Street, 259, 261, 263 and 267 Richmond Street West and 41-59 Widmer Street in consultation 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 to permit a mixed-use development with residential, retail, office, open space and institutional uses (childcare centre) in two buildings with heights of 39-storeys (137 metres) and 40-storeys (143 metres) both including mechanical penthouses, at 126, 132, and 142 John Street, 259, 261, 263 and 267 Richmond Street West and 41-59 Widmer Street. There are two designated heritage building façades on the site that are proposed to be retained in the new development. The proposal includes 613 dwelling units, comprised of 370 (60%) one-bedroom, 179 (30%) two-bedroom, and 64 (10%) three-bedroom units. A total gross floor area of 76,264 square metres is proposed including 27,185 square metres of non-residential floor area. A 2-level underground garage and 304 vehicle and 796 bicycle parking 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, 2, 3, 4, 5, 6, 7, 8 and 9 of this report for three dimensional representations of the project in context, a location map, site plan, building elevations and application data.

Provincial Policy Statement

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"). The PPS may be found on the Ministry of Municipal Affairs and Housing website.

A Place to Grow: Growth Plan for the Greater Golden Horseshoe (2019)

A Place to Grow: Growth Plan for the Greater Golden Horseshoe (2019) (the "Growth Plan (2019)") came into effect on May 16, 2019. This new plan replaces the previous Growth Plan for the Greater Golden Horseshoe, 2017. The Growth Plan (2019)

continues to provide a strategic framework for managing growth and environmental protection in the Greater Golden Horseshoe region, of which the City forms an integral part. The Growth Plan, 2019 establishes policies that require implementation through a Municipal Comprehensive Review (MCR), which is a requirement pursuant to Section 26 of the *Planning Act* that comprehensively applies the policies and schedules of the Growth Plan (2019), including the establishment of minimum density targets for and the delineation of strategic growth areas, the conversion of provincially significant employment zones, and others.

Policies not expressly linked to a MCR can be applied as part of the review process for development applications, in advance of the next MCR. These policies include:

- Directing municipalities to make more efficient use of land, resources and infrastructure to reduce sprawl, contribute to environmental sustainability and provide for a more compact built form and a vibrant public realm;
- Directing municipalities to engage in an integrated approach to infrastructure planning and investment optimization as part of the land use planning process;
- Achieving complete communities with access to a diverse range of housing options, protected employment zones, public service facilities, recreation and green space that better connect transit to where people live and work;
- Retaining viable lands designated as employment areas and ensuring redevelopment of lands outside of employment areas retain space for jobs to be accommodated on site;
- Minimizing the negative impacts of climate change by undertaking stormwater management planning that assesses the impacts of extreme weather events and incorporates green infrastructure; and
- Recognizing the importance of watershed planning for the protection of the quality and quantity of water and hydrologic features and areas.

The Growth Plan (2019) builds upon the policy foundation provided by the PPS and provides more specific land use planning policies to address issues facing the Greater Golden Horseshoe region. The policies of the Growth Plan (2019) take precedence over the policies of the PPS to the extent of any conflict, except where the relevant legislation provides otherwise.

In accordance with Section 3 of the *Planning Act* all decisions of Council in respect of the exercise of any authority that affects a planning matter shall conform with the Growth Plan. Comments, submissions or advice affecting a planning matter that are provided by Council shall also conform with the Growth Plan.

The Growth Plan (2019) contains policies pertaining to population and employment densities that should be planned for in major transit station areas (MTSAs) along priority transit corridors or subway lines. MTSAs are generally defined as the area within an approximately 500 to 800 metre radius of a transit station, representing about a 10-minute walk. The Growth Plan requires that, at the time of the next municipal comprehensive review (MCR), the City update its Official Plan to delineate MTSA boundaries and demonstrate how the MTSAs achieve appropriate densities.

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 site is located on lands within the Downtown and Central Waterfront as shown on Map 2 of the Official Plan and is designated Regeneration Areas as shown on Map 18 of the Official Plan (see Attachment 10). The proposed residential, office, retail, open space and institutional uses are permitted within the Regeneration Areas designation.

The site is also located within the King-Spadina Secondary Plan Area. The King Spadina Secondary Plan can be found here: <https://www.toronto.ca/wp-content/uploads/2017/11/97ec-cp-official-plan-SP-16-KingSpadina.pdf>

TOcore: Planning Downtown

The site is also located within the Downtown Plan area and is designated Mixed Use Areas 1 (south portion) and Mixed Use Areas 2 (north portion). 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>.

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 Ministry of Municipal Affairs and Housing.

Zoning By-law

The site is subject to 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 Reinvestment Area (RA). Under Zoning By-law 569-2013, as amended, the site is zoned Commercial, Residential, Employment (CRE). The RA and CRE zones permit a range of residential uses as well as retail, office, institutional and light industrial uses. The site is subject to site specific By-law 1997-0016 that amended Zoning By-law 428-86 and permits the mixed-use development that is currently on the site. By-law 1997-0016 permits building heights from 18.5 to 30 metres. 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/>

Design Guidelines

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

- City-wide Tall Building Design Guidelines
- King-Spadina Urban Design Guidelines
- Growing up 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

A Zoning By-law amendment is required as the application proposes to exceed the maximum building height permitted by the existing Zoning By-law, as amended and to establish new development standards related to among other things, parking, loading, building setbacks and amenity space.

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

Planning staff will continue to evaluate the application to determine its consistency with the PPS (2014) and conformity with A Place to Grow (2019).

- Given the recognition in Provincial Policy of the importance of official plans and long term planning, conformity with the PPS and A Place to Grow will be informed by conformity with the City's Official Plan.

Official Plan Conformity

The application is currently under review to determine its conformity to the Official Plan, the King-Spadina Secondary Plan and the Downtown Plan.

Built Form, Planned and Built Context

Planning staff will continue to evaluate the proposed height, massing and other built form issues based on Section 2. q. and r. of the *Planning Act*, A Place to Grow (2019), the PPS (2014), the City's Official Plan, the King-Spadina Secondary Plan and the City's Design Guidelines.

Staff will assess:

- The suitability of the proposed building heights and massing including, setbacks and stepbacks in relation to the area's existing and planned context.
- The appropriateness of the proposed base building heights including along Widmer Street which has a more narrow than typical right-of-way width at 10.5 metres.
- The wind and shadow impacts created by the proposal on the site and in the surrounding area including shadow impacts on the north sidewalk of Queen Street West.
- The appropriateness of the tower floorplates sizes.
- The tower setbacks and separation distances including from adjacent properties and buildings.
- The proposed location of the childcare centre and its design including the outdoor play area proposed on the third level of the building.
- The conservation of on-site and adjacent heritage resources.

Public Realm and Parkland

The site has three street frontages and extends the full block along Richmond Street West between John Street and Widmer Street. The site has significant street frontage along John Street and will be affected by the John Street Cultural Corridor Improvement Project. A privately-owned publicly-accessible open space (POPS) is also proposed at the northeast corner of the site extending along Richmond Street West and John Street. The application provides opportunities for substantial public realm enhancements and will be assessed in relation to:

- The impacts of the proposed built form on the public realm including building setbacks along street frontages and widened pedestrian zones.
- The proposed streetscape and open space designs and co-ordination with the John Street Corridor Improvement Project.
- The opportunity to introduce a mid-block connection through the site between John Street and Widmer Street.
- The appropriateness of the proposed POPS in lieu of on-site parkland dedication.

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 applicant submitted an Arborist Report that identifies 11 street trees that are subject to the Street Tree By-law. These trees are proposed to be removed. Twenty-two trees are proposed to be planted and nine of these are street trees. The Arborist Report is currently being reviewed by City staff.

Archaeological Assessment

An archaeological resource assessment identifies and evaluates the presence of archaeological resources on a site. A Stage 1 Archaeological Resource Assessment was submitted with the application and identifies the site as having low archaeological potential due to past disturbance. The Archaeological Assessment is currently being reviewed by City staff.

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 neighbourhoods. 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 with the application and is currently under review by City staff. The application proposes a childcare centre to be located in the southwest corner of the development along Widmer Street. It is proposed to be two-levels with an outdoor

rooftop play area on the third level of the building. As noted previously staff are assessing the suitability of this location as well as the design of the proposed childcare.

As well staff will assess the impact of the proposed development and local development activity on other community services and facilities, including assessment of existing capacity to support proposed future population.

Infrastructure/Servicing Capacity

The applicant submitted a Functional Servicing and Stormwater Management Report that analyzes the existing and proposed water service, and the sanitary and storm sewer services including capacity to service the proposed development. It also assesses the proposed development in relation to the City's Wet Weather Flow Guidelines. The Report is currently under review by City staff.

Transportation Considerations

The applicant submitted a Transportation Considerations Report that assesses matters such as: parking (vehicles and bicycles) and loading demand; the adequacy of the transportation network; transit capacity; and, cycling and pedestrian infrastructure in relation to the proposed development. It also includes an analysis of options for introducing 2-way traffic on Widmer Street for the northerly portion of the street including signalization of the intersections of Widmer Street at Richmond Street West and at Adelaide Street West. The Report is currently under review by City staff.

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 has submitted the required Toronto Green Standard Checklist for Mid to High Rise Residential Development. The checklist is being reviewed for conformity with Tier 1 requirements. The applicant will be encouraged to pursue a higher level of sustainability through the application review process.

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 or contributions thereto. It is standard to secure community benefits in a Section 37 Agreement which is then registered on title.

Further discussion with the Ward Councillor, City staff, residents and the applicant will be required to determine the extent and nature of the Section 37 community benefits should the proposal proceed to approval in some form.

Other Matters

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

CONTACT

Sue McAlpine, Senior Planner
Tel. No. (416) 392-7622
E-mail: Susan.Mcalpine@toronto.ca

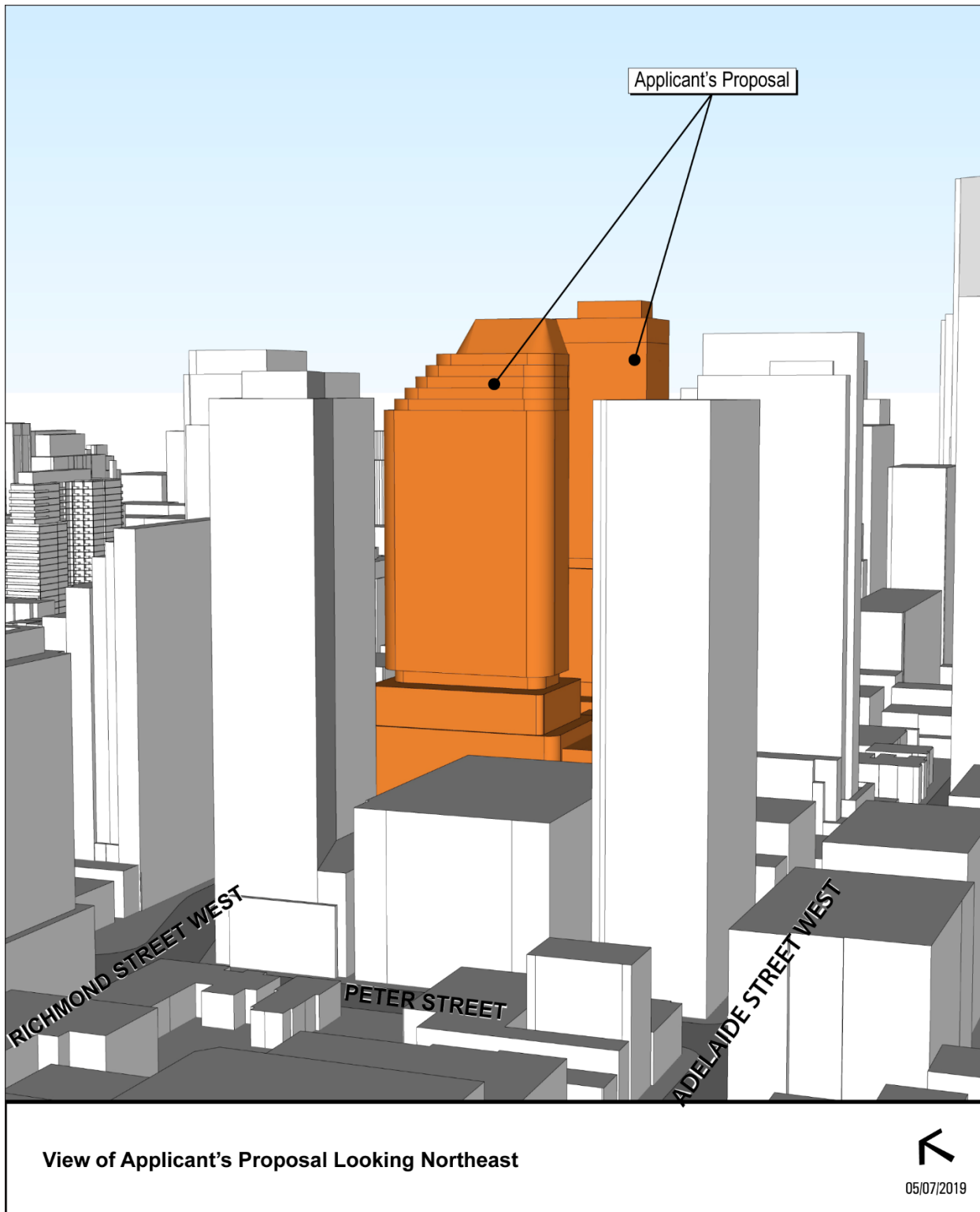
SIGNATURE

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

ATTACHMENTS

City of Toronto Drawings
Attachment 1: 3D Model of Proposal in Context - Looking Northeast
Attachment 2: 3D Model of Proposal in Context - Looking Southwest
Attachment 3: Location Map
Attachment 4: Site Plan
Attachment 5: East Elevation
Attachment 6: West Elevation
Attachment 7: North Elevation
Attachment 8: South Elevation
Attachment 9: Application Data Sheet

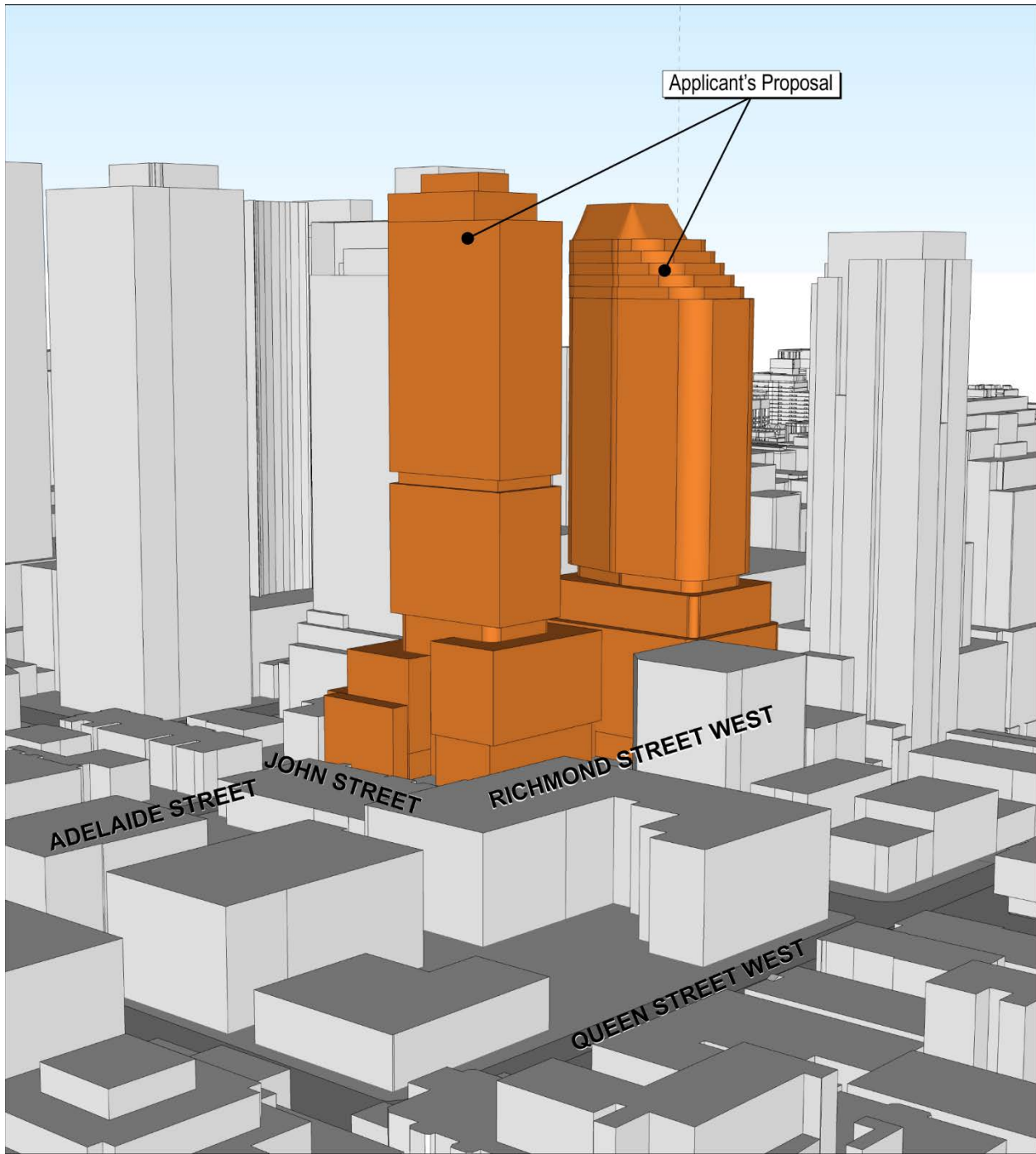
Attachment 1: 3D Model of Proposal in Context – Looking Northeast



View of Applicant's Proposal Looking Northeast

05/07/2019

Attachment 2: 3D Model of Proposal in Context – Looking Southwest

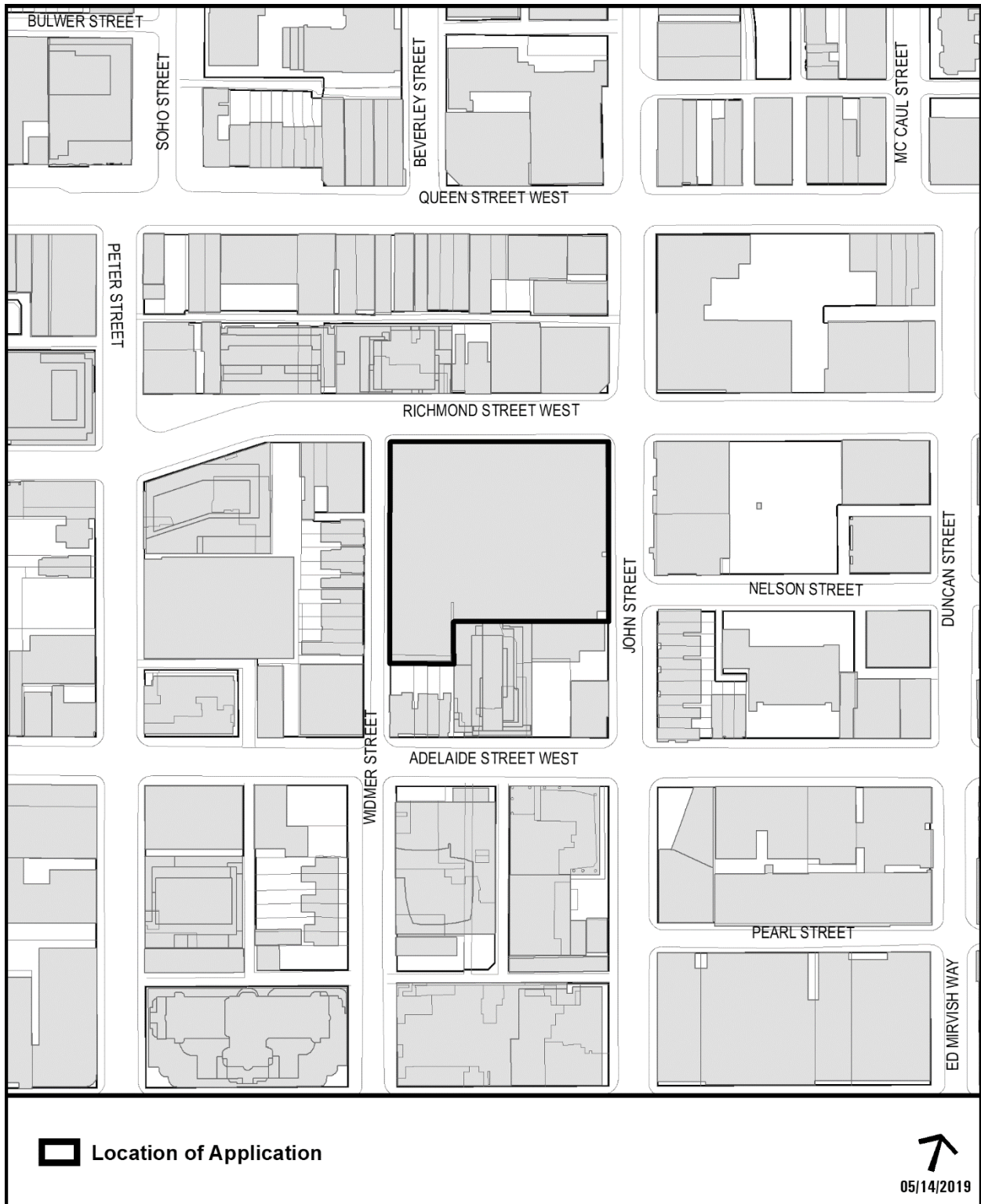


View of Applicant's Proposal Looking South West

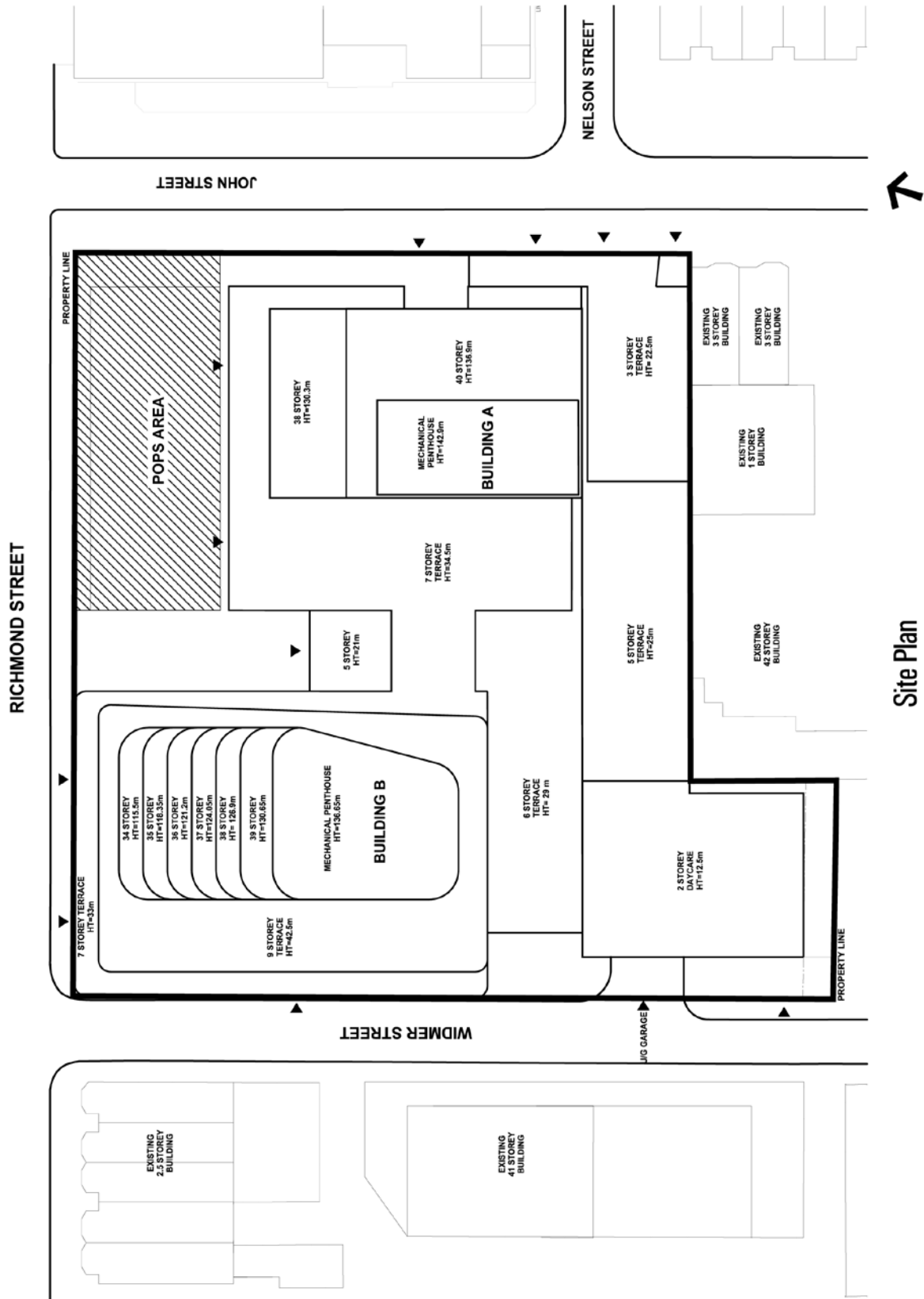


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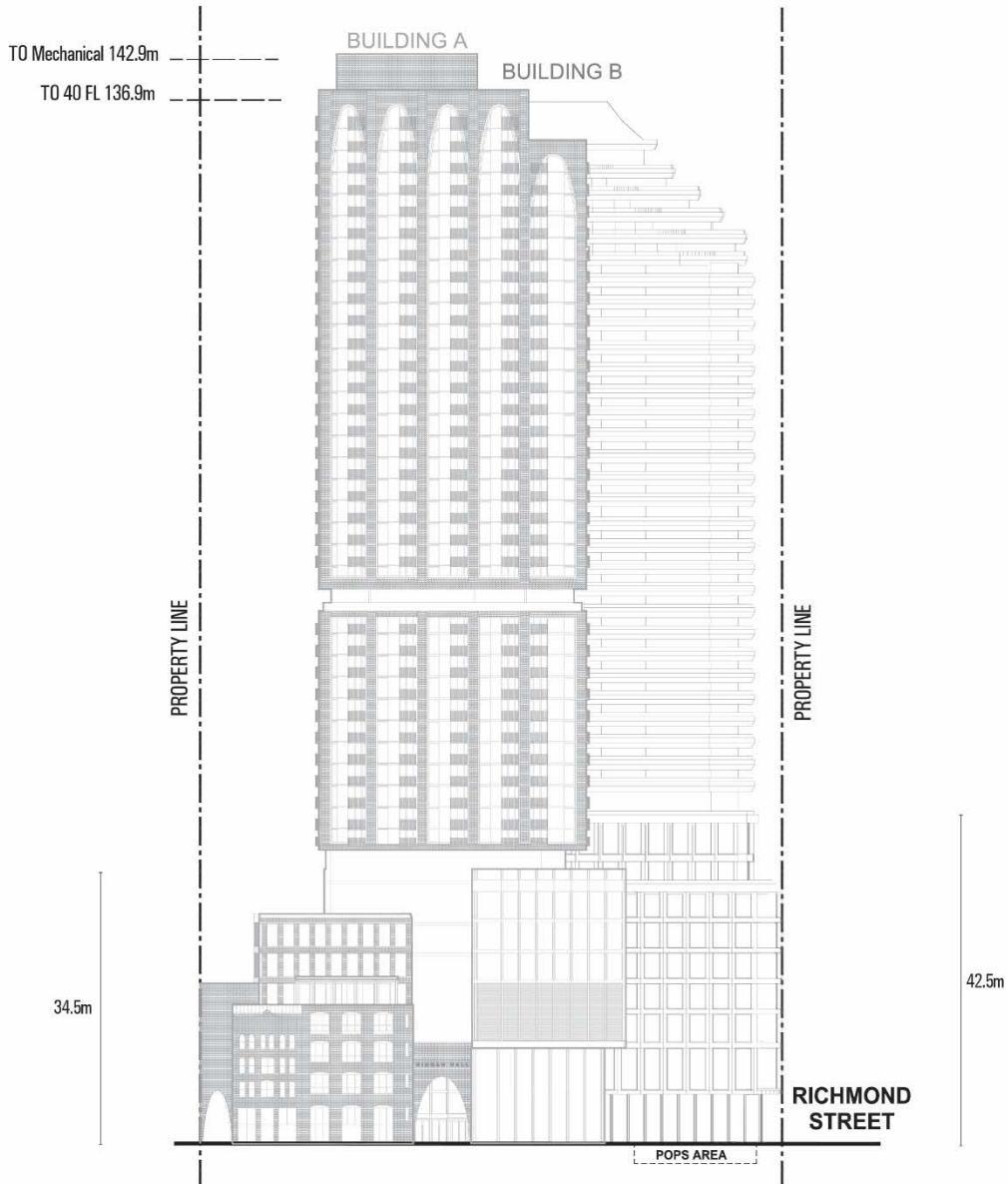
Attachment 3: Location Map



Attachment 4: Site Plan

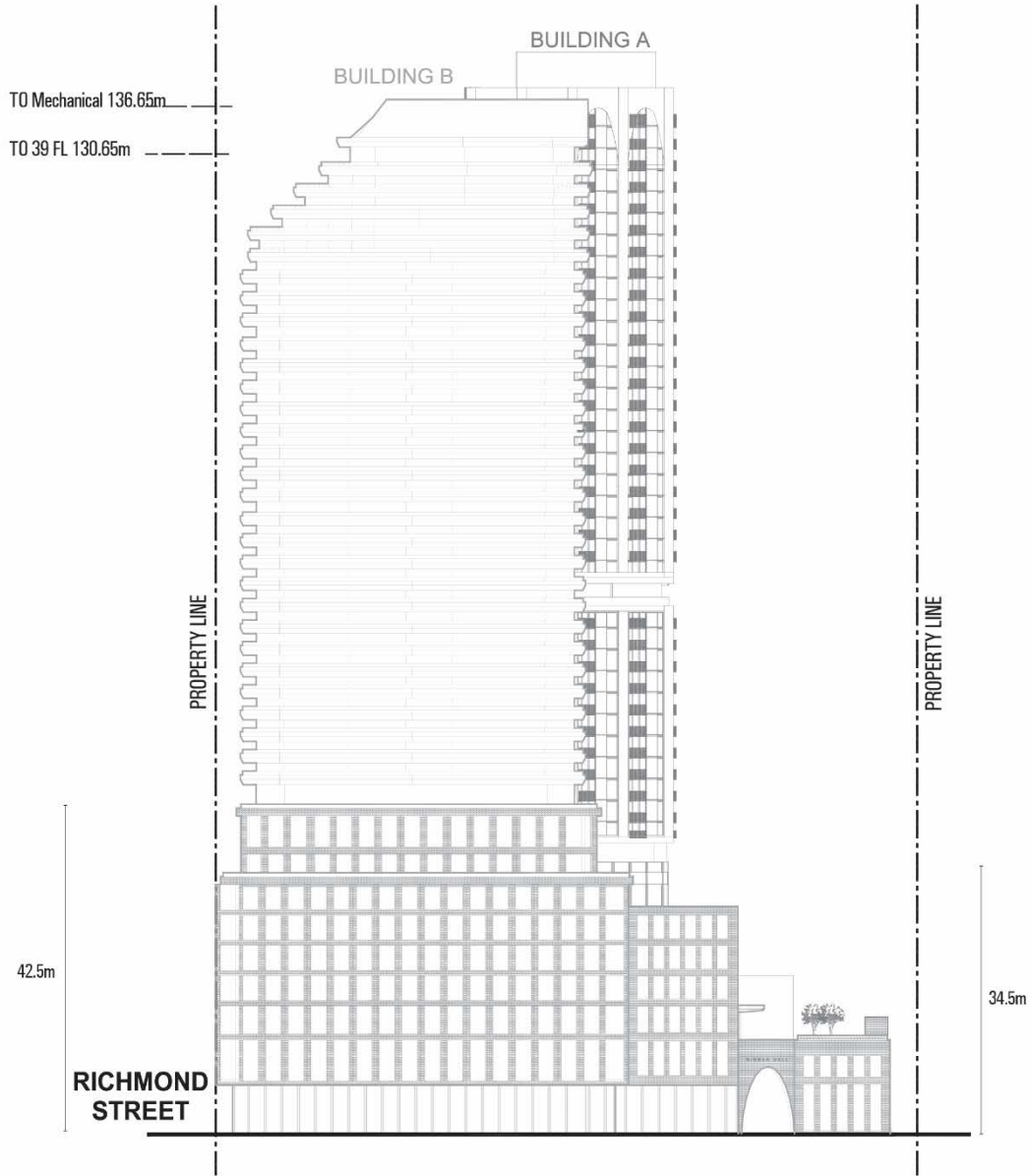


Attachment 5: East Elevation



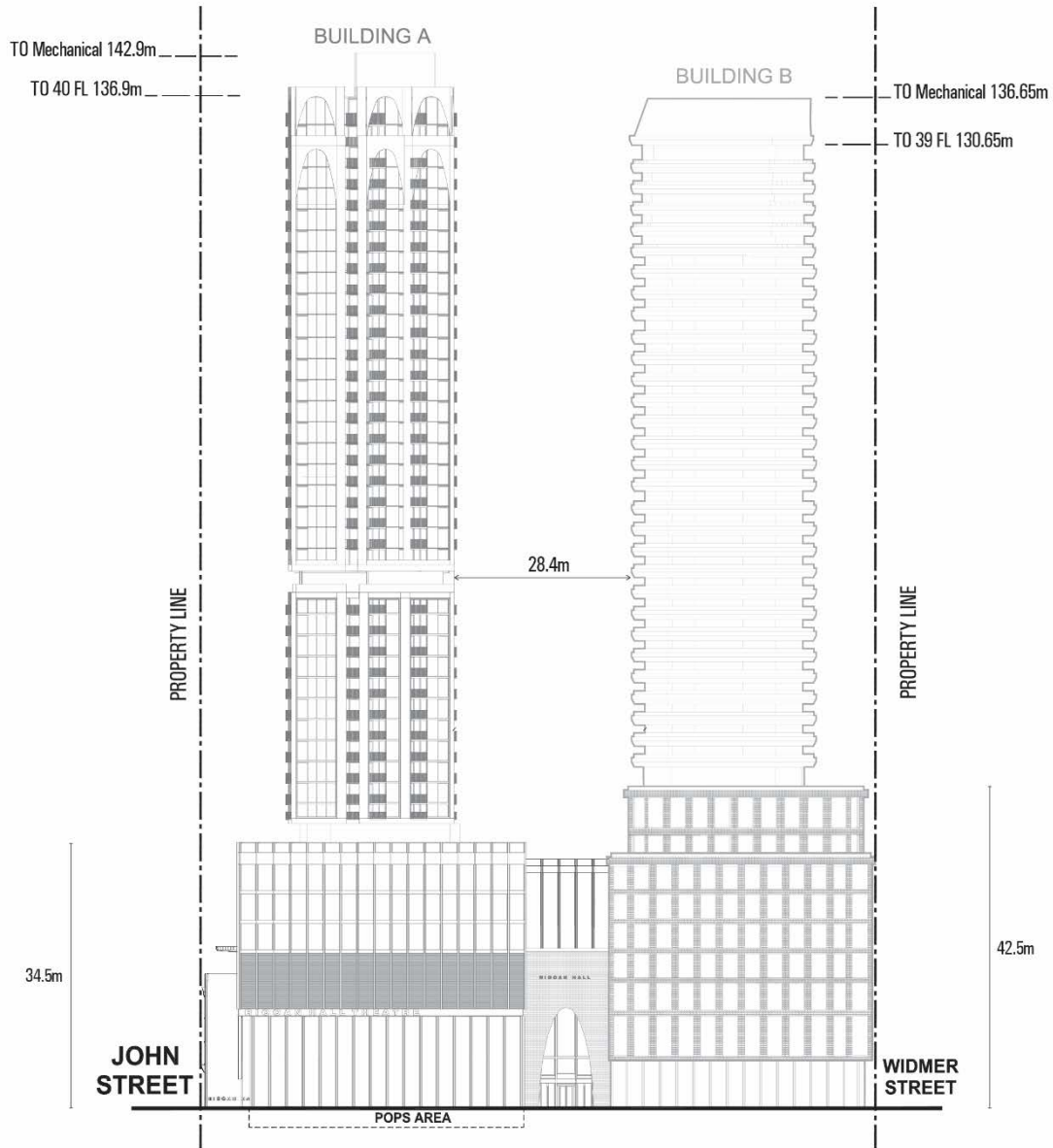
East Elevation

Attachment 6: West Elevation



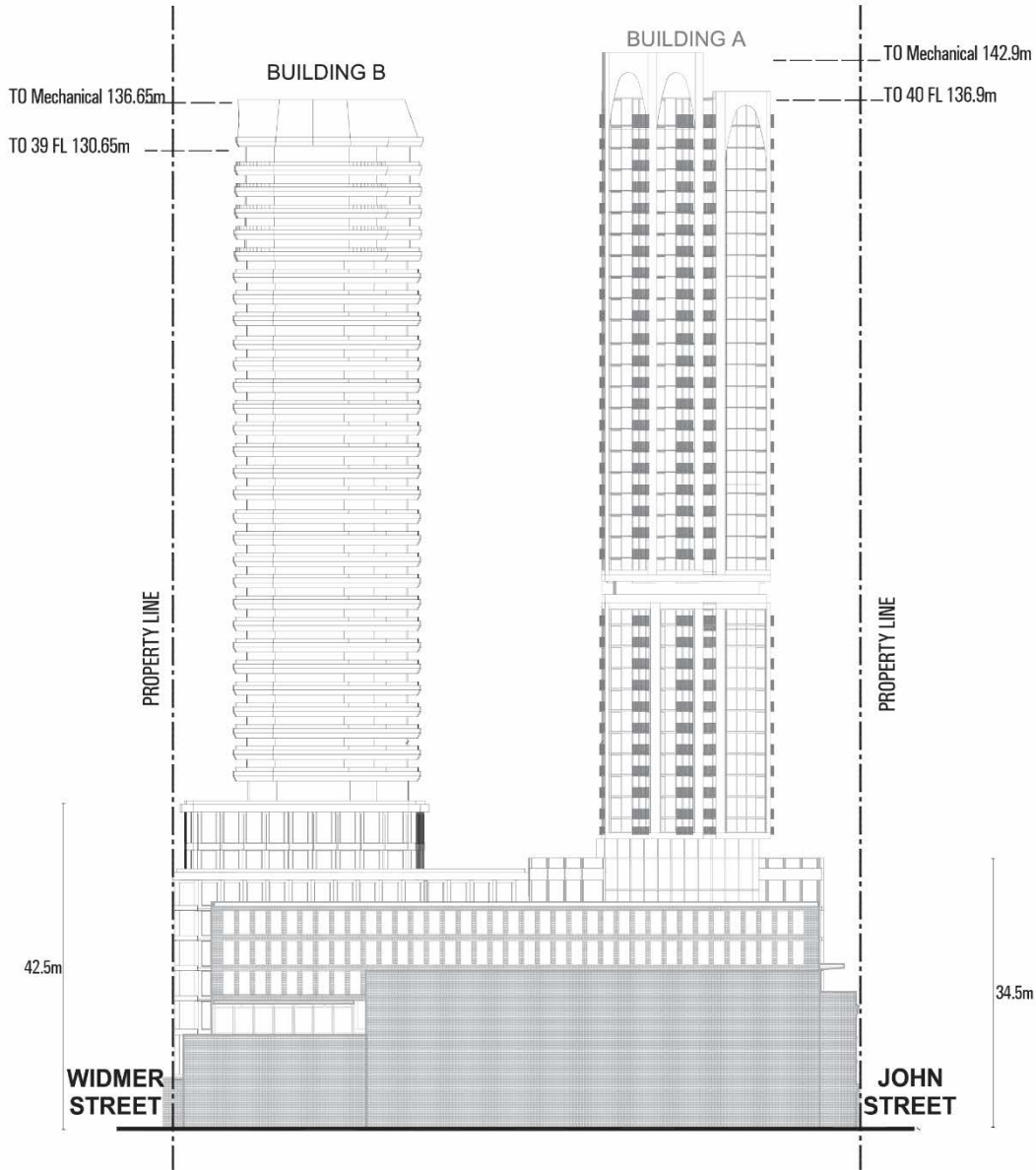
West Elevation

Attachment 7: North Elevation



North Elevation

Attachment 8: South Elevation



South Elevation

Attachment 9: Application Data Sheet

Municipal Address: 126 - 142 John Street, 259 - 267 Richmond Street West and 41-59 Widmer Street
Date Received: April 26, 2019

Application Number: 19 144266 STE 20 OZ

Application Type: Rezoning

Project Description: Zoning By-law Amendment for a mixed-use development including two buildings, 39 and 40 storeys in height. Proposed uses include retail, office, a childcare centre, the replacement of the existing movie theatre, on-site open space and 613 residential units. The total gross floor area proposed is 76,264 square metres including 49,079 square metres of residential floor area, and 27, 185 square metres for non-residential uses. Two levels of below grade parking are proposed and 304 vehicle and 796 bicycle parking spaces. There are two existing heritage building facades at 126 John Street that are proposed to be retained.

Applicant	Agent	Architect	Owner
Riocan (Festival Hall) Trust 2300 Yonge Street. Toronto, ON M4P 1E4		Hariri Pontarini Architects 602 King Street West Toronto, ON M5V 1M6	Riocan (Festival Hall) Trust 2300 Yonge Street. Toronto, ON M4P 1E4

EXISTING PLANNING CONTROLS

Official Plan Designation:	Regeneration Areas	Site Specific Provision:	By-law 1997-0016
Zoning:	CRE (x74)	Heritage Designation:	Yes
Height Limit (m):	18.5 to 30	Site Plan Control Area:	Yes

PROJECT INFORMATION

Site Area (sq m):	7,488	Frontage (m):	92	Depth (m):	76
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Building Data	Existing	Retained	Proposed	Total
Ground Floor Area (sq m):	6,580		3,085	3,085
Residential GFA (sq m):			49,079	49,079
Non-Residential GFA (sq m):	17,249		27,188	27,188
Total GFA (sq m):	17,249		54,704	76,264
Height - Storeys:	6		39, 40	39, 40
Height - Metres:	18 to 30		137, 143	137, 143

Lot Coverage Ratio (%): 41 Floor Space Index: 10.18

Floor Area Breakdown	Above Grade (sq m)	Below Grade (sq m)
Residential GFA:	49,079	
Retail GFA:	5,993	
Office GFA:	16,527	
Industrial GFA:		
Institutional/Other GFA:	4,665	

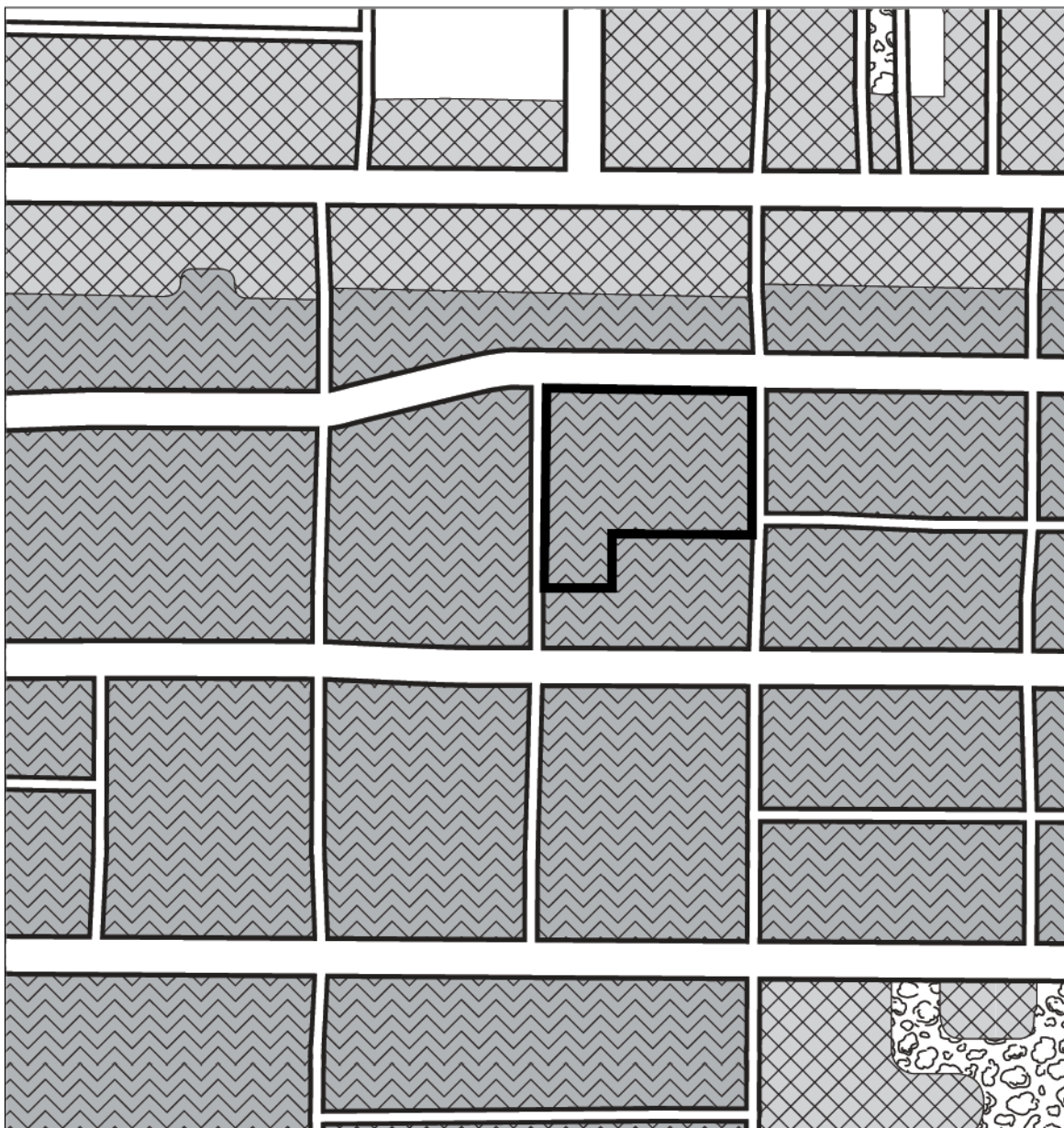
Residential Units by Tenure	Existing	Retained	Proposed	Total
Rental:				
Freehold:				
Condominium:			613	613
Other:				
Total Units:			613	613

Total Residential Units by Size					
	Rooms	Bachelor	1 Bedroom	2 Bedroom	3+ Bedroom
Retained:					
Proposed:			370	179	64
Total Units:			370	179	64

Parking and Loading
Parking Spaces: 304 Bicycle Parking Spaces: 796 Loading Docks: 8

CONTACT:
Susan McAlpine, Senior Planner
(416) 392-7622
Susan.Mcalpine@toronto.ca

Attachment 10: Official Plan - Land Use



Official Plan Land Use Map #10

126, 132, 142 John St., 259, 261, 263, 267 Richmond St.

W. & 41-59 Widmer St.

File # 19 144266 STE 10 0Z

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|---|--|--|
|  Location of Application |  Parks & Open Space Areas |  Regeneration Areas |
|  Neighbourhoods |  Parks | |
|  Mixed Use Areas | | |

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Not to Scale
05/14/2019