

2-8 Gloucester Street and 601-613 Yonge Street – Zoning Amendment Application (Removal of the Holding Symbol "(h)") – Final Report

Date: September 24, 2019

To: Toronto and East York Community Council

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

Wards: Ward 13 - Toronto Centre

Planning Application Number: 19 179704 STE 13 OZ

SUMMARY

This application proposes to remove the holding symbol "(h)" from site-specific Zoning By-law 817-2013 for the lands at 2-8 Gloucester Street and 601-613 Yonge Street. The lifting of the "(h)" on the subject site will permit the development of a 34-storey mixed use building containing 232 residential units and up to 900 square metres of non-residential space. The "(h)" symbol was placed on the lands until a new watermain is installed on Gloucester Street. This condition has been satisfied.

This report reviews and recommends approval of the application to amend the Zoning By-law to remove the "(h)" from the lands.

RECOMMENDATIONS

The City Planning Division recommends that:

1. City Council amend Zoning By-law 817-2013 for the lands at 2-8 Gloucester Street and 601-613 Yonge Street to remove the holding provision substantially in accordance with the draft Zoning By-law Amendment attached as Attachment No. 1 to the report (September 24, 2019) from the Director, Community Planning, Toronto and East York District.
2. City Council authorizes the City Solicitor to make such stylistic and technical changes to the draft Zoning By-law Amendment as may be required.

FINANCIAL IMPACT

The recommendations in this report have no financial impact.

DECISION HISTORY

On May 7-10, 2013, City Council adopted, with amendments, the recommendations from City Planning to approve the Zoning By-law amendment to permit a 34-storey mixed-use building at 2, 6 and 8 Gloucester Street and 601-613 Yonge Street (Application No. 11 216486 STE 27 OZ). The decision document can be accessed at: <http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2013.TE23.12>

PROPOSAL

The applicant has submitted a Zoning By-law Amendment application to amend site-specific Zoning By-law 817-2013 to remove the holding symbol ("h"). The removal of the "h" symbol from the lands will allow for the development of a 34-storey mixed-use building containing 232 residential units and up to 900 square metres of non-residential space.

Reasons for Application

A holding symbol ("h") was placed on the lands located at 2, 6 and 8 Gloucester Street and 601-613 Yonge Street as recommended in Attachment 8 of the Final Report on the Zoning By-law Amendment from the Director, Community Planning, Toronto and East York District, dated March 7, 2013. As noted above, the recommendations from City Planning to approve the Zoning By-law amendment was adopted by City Council on May 7-10, 2013. An amending by-law to remove the "h" symbol would be enacted by City Council when satisfactory arrangements have been made with Engineering and Construction Services for the removal of the existing 150 mm watermain on Gloucester Street and the installation of a new 300 mm watermain, including the provision of financial security, engineering and inspection fees, and insurance, as required.

APPLICATION BACKGROUND

The application was submitted and deemed complete as of July 4, 2019.

Application Submission Requirements

A Functional Servicing & Stormwater Management Report was submitted in support of the application, along with a Hydrant Flow Test and a Watermain Adequacy Memo.

The submission materials are available at the Application Information Centre (AIC) <http://app.toronto.ca/AIC/index.do>

Agency Circulation Outcomes

The application, together with the applicable report and supporting materials noted above, has been circulated to all appropriate agencies and City Divisions. Responses received have been used to assist in evaluating the application.

POLICY CONSIDERATIONS

Provincial Land-Use Policies: Provincial Policy Statement and Provincial Plans

Provincial Policy Statements and geographically specific Provincial Plans, along with municipal Official Plans, provide a policy framework for planning and development in the Province. This framework is implemented through a range of land use controls such as zoning by-laws, plans of subdivision and site plans.

The Provincial Policy Statement (2014)

The Provincial Policy Statement (2014) (the "PPS") provides policy direction province-wide on land use planning and development to promote strong communities, a strong economy, and a clean and healthy environment. It includes policies on key issues that affect communities, such as:

- The efficient and wise use and management of land and infrastructure over the long term in order to minimize impacts on air, water and other resources;
- Protection of the natural and built environment;
- Building strong, sustainable and resilient communities that enhance health and social well-being by ensuring opportunities exist locally for employment;
- Residential development promoting a mix of housing; recreation, parks and open space; and transportation choices that increase the use of active transportation and transit; and
- Encouraging a sense of place in communities, by promoting well-designed built form and by conserving features that help define local character.

The provincial policy-led planning system recognizes and addresses the complex inter-relationships among environmental, economic and social factors in land use planning. The PPS supports a comprehensive, integrated and long-term approach to planning, and recognizes linkages among policy areas.

The PPS is issued under Section 3 of the *Planning Act* and all decisions of Council in respect of the exercise of any authority that affects a planning matter shall be consistent with the PPS. Comments, submissions or advice affecting a planning matter that are provided by Council shall also be consistent with the PPS.

The PPS recognizes and acknowledges the Official Plan as an important document for implementing the policies within the PPS. Policy 4.7 of the PPS states that, "The official plan is the most important vehicle for implementation of this Provincial Policy Statement. Comprehensive, integrated and long-term planning is best achieved through official plans."

Provincial Plans

Provincial Plans are intended to be read in their entirety and relevant policies are to be applied to each situation. The policies of the Plans represent minimum standards. Council may go beyond these minimum standards to address matters of local importance, unless doing so would conflict with any policies of the Plans.

All decisions of Council in respect of the exercise of any authority that affects a planning matter shall be consistent with the PPS and shall conform with Provincial Plans. All comments, submissions or advice affecting a planning matter that are provided by Council shall also be consistent with the PPS and conform with Provincial Plans.

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) contains policies pertaining to population and employment densities that should be planned for in major 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. This site is within 500 metres of the Bloor-Yonge and Wellesley subway stations. The Growth Plan requires that, at the time of the next MCR, the City update its Official Plan to delineate MTSA boundaries and demonstrate how the MTSAs

achieve appropriate densities. At the time of the MCR, municipalities can make a request to the Province for alternative targets to those set out in the Growth Plan. The City is in the process of undertaking its next MCR.

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 GGH 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.

Staff have reviewed the proposed development for consistency with the PPS (2014) and for conformity with the Growth Plan (2019). The outcome of staff analysis and review are summarized in the Comments section of this Report.

Toronto Official Plan

The site is designated *Mixed Use Areas* in the Official Plan and is located within the North Downtown Yonge Site and Area Specific Policy (SASP 382) area.

This application has been reviewed against the policies of the City of Toronto Official Plan as follows:

Chapter 5 – Implementation: Making Things Happen

Section 5.1.2 Holding By-laws: The Official Plan recognizes that there are instances where development of lands should not take place until specific facilities are in place or conditions are met. Policy 1 of this Section indicates a holding provision may be placed on lands where the desired use of the lands is specified but cannot take place until conditions set out in the by-law are satisfied. Policy 2 of this Section indicates conditions to be met prior to the removal of the holding provision may include servicing improvements.

The previous rezoning application for the property which resulted in site-specific Zoning By-law 817-2013 addressed all of the other Official Plan policies.

The City of Toronto Official Plan can be found here: <https://www.toronto.ca/city-government/planning-development/official-plan-guidelines/official-plan/>.

The Downtown Plan

Official Plan Amendment 406 (the Downtown Plan) is now in-force and effect. OPA 406 includes amendments to Section 2.2.1 and Map 6 of the Official Plan, as well as a new Downtown Plan. It applies to all applications deemed complete after June 5, 2019. The Plan – in conjunction with the associated infrastructure strategies that address water,

energy, mobility, parks and public realm, and community services and facilities – provides a comprehensive and integrated policy framework to shape growth in Toronto's fast-growing Downtown over the next 25 years. It provides the City with a blueprint to align growth management with the provision of infrastructure, sustain liveability, achieve complete communities and ensure there is space for the economy to grow. The Plan area is generally bounded by Lake Ontario to the south, Bathurst Street to the west, the mid-town rail corridor and Rosedale Valley Road to the north and the Don River to the east.

The in-force Downtown Plan can be found here:

<https://www.toronto.ca/legdocs/mmis/2019/cc/bgrd/backgroundfile-135953.pdf>

Zoning

The subject site is zoned CR "Commercial Residential" under Zoning By-law 438-86 and is subject to site-specific Zoning By-law 817-2013 which allows for a 34-storey building.

Site Plan Control

A Site Plan Control application (Application No. 18 256773 STE 27 SA) was submitted on November 15, 2018, which is currently under review.

COMMENTS

Provincial Policy Statement and Provincial Plans

The proposal has been reviewed and evaluated against the PPS (2014) and the Growth Plan (2019).

Section 3.2.6 of the Growth Plan directs municipalities to plan, design, construct, and expand water and wastewater systems to serve growth in a manner that supports achievement of the minimum intensification and density targets in the Growth Plan. The installation of the new watermain on Gloucester Street will permit the development of the previously-approved 34-storey mixed use building on the site.

Staff have determined that the proposal is consistent with the PPS and conforms with the Growth Plan.

Official Plan

This application has been reviewed against the Official Plan policies described in the Policy Considerations section of this report as well as the policies of the Toronto Official Plan as a whole. The application is consistent with the Official Plan.

Servicing

The Functional Servicing Report prepared in support of the 2011 Zoning Amendment Application concluded that the existing 150 mm watermain on Gloucester Street was insufficient to service the subject site and recommended the watermain be upgraded to

a 300 mm diameter watermain. This recommendation resulted in the "(h)" symbol that was placed on the lands until the following condition is satisfied:

"satisfactory arrangements have been made with Engineering and Construction Services for the removal of the existing 150 mm watermain on Gloucester Street and the installation of a new 300 mm watermain, including the provision of financial security, engineering and inspection fees, and insurance, as required."

The City completed the watermain replacement on Gloucester Street in 2018 and it was not upgraded to 300mm, instead it was replaced with a new 150 mm diameter watermain. The applicant commissioned Jackson Waterworks to complete a hydrant flow test on the new 150 mm watermain. The Odan/Detech Group Inc. reviewed the results of the hydrant flow test and confirmed that the new 150 mm watermain can provide sufficient flows to service the site. Engineering & Construction Services has reviewed the materials provided. The Odan/Detech Group Inc. has satisfactorily illustrated that no further improvements to the municipal infrastructure are required to service the subject site.

Conclusion

The proposal has been reviewed against the policies of the PPS (2014), the Growth Plan (2019), and the Toronto Official Plan. Staff are of the opinion that the proposal is consistent with the PPS (2014) and does not conflict with the Growth Plan (2019). Furthermore, the proposal is in keeping with the intent of the Toronto Official Plan, particularly as it relates to the provision of adequate site servicing. The condition of the holding provision in site-specific Zoning By-law 817-2013 has been satisfied. Staff recommend that Council approve the application.

CONTACT

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SIGNATURE

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Director, Community Planning
Toronto and East York District

ATTACHMENTS

Attachment 1: Draft Zoning By-law Amendment

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Authority: Toronto and East York Community Council Item No. ~,
as adopted by City of Toronto Council on ~, 20~
Enacted by Council: ~, 20~

CITY OF TORONTO
Bill No. ~
BY-LAW No. ~-20~

To amend Zoning By-law 817-2013, to remove the holding symbol (h) with respect to the lands known municipally in the year 2019 as 2-8 Gloucester Street and 601-613 Yonge Street

WHEREAS authority is given to Council by Section 34 and Section 36 of the Planning Act, R.S.O. 1990, c.P. 13, as amended, to impose the holding symbol (h) and to remove the holding symbol (h) when Council is satisfied that the conditions relating to the holding symbol have been satisfied; and

WHEREAS Council has provided notice of the intent to pass this By-law;

The Council of the City of Toronto HEREBY ENACTS as follows:

1. By-law No. 817-2013 is amended by removing the holding symbol (h) from the lands shown on the attached Map 1.

ENACTED AND PASSED this ~ day of ~ , A.D. 20~.

JOHN TORY, ULLI S. WATKISS
Mayor City Clerk

(Corporate Seal)

