

REPORT FOR ACTION

20-26 Maitland St – Official Plan Amendment and Zoning By-law Amendment Applications – Preliminary Report

Date: December 11, 2019 To: Toronto and East York Community Council From: Director, Community Planning, Toronto and East York District Ward 13 - Toronto Centre

Planning Application Number: 19 240160 STE 13 OZ

Related Applications: 19 240163 STE 13 SA

Complete Application Submission Date: October 23, 2019

Current Use(s) on Site: 2.5-storey office building (372 square metres) and 3-storey office building (2,648 square metres) with surface parking at the rear

SUMMARY

This report provides information and identifies a preliminary set of issues regarding the application for a 45-storey mixed use building located at 20-26 Maitland Street. Staff are currently reviewing the application. It has been circulated to all appropriate agencies and City divisions for comment. Staff will proceed to schedule a community consultation meeting for the application with the Ward Councillor.

RECOMMENDATIONS

The City Planning Division recommends that:

1. Staff schedule a community consultation meeting for the application located at 20-26 Maitland 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 Zoning By-law for the property at 20-26 Maitland Street to permit the demolition and redevelopment of the existing 2.5-storey and 3-storey office buildings with a 45-storey, 138.7 metre (145 metres including mechanical penthouse) mixed use building.

The application proposes a maximum gross floor area of 36,010 square metres, resulting in a density of 12.96 times the area of the lot. The ground floor would contain retail uses totalling 275 square metres, five live/work units, and the residential lobby. The remaining 44 floors of the building would contain dwelling units and residential amenity space. In total, 527 residential condominium dwelling units are proposed, including 38 bachelor (7%), 306 one-bedroom (58%), 124 two-bedroom (24%), and 59 three-bedroom (11%) units. Of the bachelor and one-bedroom units, 18 pairs of units would be provided with knock-out panels to facilitate the creation of a two-bedroom unit.

At the ground floor, the building would be set back 3.4 metres from the south property line along Maitland Street, 5.5 metres from the west property line, 0 metres from the north property line abutting the private lane, and 9.1 metres from the east property line. The remaining 2 floors of the 3-storey base building would continue these setbacks, with the exception of the north façade which would be set back 6.5 metres from the north property line. The tower portion of the building would be set back a minimum of 5.5 metres from the south property line, 12.5 metres from the west property line, 10.9 metres from the north property line, and 15.9 metres from the east property line. Balconies are proposed to project 1.6 metres along the east and west facades of the tower.

The main residential and commercial entrances are proposed to be from Maitland Street. Parking (126 spaces) would be located within two below-grade levels, with access provided from a ramp located at the northern edge of the site and accessed from a driveway along the eastern edge of the site connecting to Maitland Street and the adjacent private lane. Bicycle parking (533 spaces) is proposed at the ground and 2nd floor. One Type 'G' loading space and one Type 'C' loading space would be located within an enclosed area on the ground floor and accessed from the on-site private driveway.

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

https://www.toronto.ca/city-government/planning-development/application-informationcentre/

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 7 for the application data sheet.

Provincial Policy Statement and Provincial Plans

Land use planning in the Province of Ontario is a policy led system. Any decision of Council related to this application is required to be consistent with the Provincial Policy Statement (2014) (the "PPS"), and to conform with applicable Provincial Plans which, in the case of the City of Toronto, include: the Growth Plan for the Greater Golden Horseshoe (2019) 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.

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

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

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 (2019) 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.

Toronto Official Plan

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*. 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 at: <u>https://www.toronto.ca/city-government/planning-development/official-plan-guidelines/official-plan/</u>

The application is located on lands within the Downtown and Central Waterfront area on Map 2, and designated Mixed Use Areas on Map 18 of the Official Plan. Refer to Attachment 5 of this report for a map illustrating the Official Plan designation of the site.

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 Secondary 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.

Map 41-3-A designates the site as Mixed Use Areas 1 - Growth. Policy 6.23 provides that development within Mixed Use Areas 1 will include a diverse range of buildings typologies, including tall buildings, with height, scale and massing dependent on the site characteristics and supportive of intensification suitable for a downtown growth area.

Section 10 of the Downtown Plan seeks to enhance community services and facilities to support a diverse range of programs and services to support communities, contribute to quality of life and act as neighbour focal points where people gather, socialize and access services. Community Services and Facilities are essential to fostering complete communities.

The in-force Downtown Plan can be found at: https://www.toronto.ca/legdocs/mmis/2019/cc/bgrd/backgroundfile-135953.pdf

Official Plan Amendment 183 - North Downtown Yonge

City Council adopted the North Downtown Yonge Area Specific Policy 382, known as Official Plan Amendment (OPA) 183 at its meeting on November 13, 2013. Parts of OPA 183 were approved by the OMB in a Phase I hearing and are in full force and effect, including the majority of the Wellesley-Wood Character Area policies and the area-wide policies. Other parts of OPA 183, including the policies related to the Historic Yonge Street HCD, remain under appeal and will be addressed through a Phase II hearing, which is not yet scheduled. The site is located within the Wellesley-Wood Character Area, as illustrated on Attachment 6.

Official Plan Amendment 231 - Office Replacement Policies

Official Plan Amendment 231 ("OPA 231"), adopted by City Council December 18, 2013, received approval by the Minister of Municipal Affairs and Housing on July 9, 2014, and remains partially under appeal before the Local Planning Appeal Tribunal. As an outcome of the Official Plan and Municipal Comprehensive Reviews, OPA 231 contains new economic policies and designations to stimulate office growth in the

Downtown, Central Waterfront and Centres, and all other Mixed Use Areas, Regeneration Areas and Employment Areas and also contains new policies with respect to office replacement in transit-rich areas.

In force policies require the stimulation of transit-oriented office growth in the Downtown and within walking distance of existing and approved and funded higher order transit. Policies currently under appeal would require the promotion of new office development in Downtown Mixed Use Areas and within 500 metres of existing or approved and funded subway, light rapid transit or GO stations, and require an increase in office space on any site containing 1,000 square metres or more of existing office space where residential development is proposed.

The site contains over 1,000 square metres of existing office uses, is located within 500 metres of both Wellesley and College Subway Stations, and is subject to OPA 231.

Official Plan Amendment 352 - Updating Tall Building Setbacks Downtown

On October 5-7, 2016, City Council adopted Official Plan Amendment 352 - Downtown Tall Building Setback Area ("OPA 352"). OPA 352 is currently under appeal before the Local Planning Appeal Tribunal - the subject site is included in the appeal. The purpose of OPA 352 is to establish the policy context for tall building setbacks and separation distances between tower portions of all buildings in the Downtown. At the same meeting, City Council adopted area specific Zoning By-laws 1106-2016 and 1107-2016 (also under appeal), which provide detailed performance standards for portions of buildings above 24 metres in height.

Further background information can be found at: www.toronto.ca/tocore

Zoning By-laws

The site is zoned Residential R (d2.0) (x875) under the City's harmonized Zoning Bylaw 569-2013. This zoning designation permits a range of residential and associated uses, including apartment buildings. The current zoning permits a height of 30.0 metres, a maximum floor space index of 2.0 times the area of the lot, and specifies a number of required setbacks.

The City's Zoning By-law 569-2013 may be found here: <u>https://www.toronto.ca/city-government/planning-development/zoning-by-law-preliminary-zoning-reviews/zoning-by-law-569-2013-2/</u>

The site is also subject to former City of Toronto Zoning By-law 438-86, under which it is zoned Residential R3 Z2.0 (H30.0), which is substantially the same with respect to use, density, and height as the provisions under 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;
- North Downtown Yonge Urban Design Guidelines; and
- Draft Growing Up Urban Design Guidelines.

The City's Design Guidelines may be found here: <u>https://www.toronto.ca/city-government/planning-development/official-plan-guidelines/design-guidelines/</u>

Site Plan Control

The application is subject to Site Plan Control. A Site Plan Control application has been submitted and is currently under review.

Pre-application Consultation

A pre-application meeting was held with the applicant on July 31, 2019 to discuss the proposed development concept and identify application requirements. Staff discussed the proposed built form transition, interface with adjacent lands, office replacement policies and other matters and identified the necessary supporting studies and materials for the application.

COMMENTS

Reasons for the Application

The Official Plan and Zoning By-law Amendment Application has been submitted in order to permit an increase in the overall height and density on the site, introduce the opportunity for retail and service uses, and to modify various performance standards such as those for setbacks and parking. In addition, the office replacement policies contained in OPA 231 are proposed to be modified.

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

Staff will evaluate this planning application to determine its conformity to the Official Plan, including the Downtown Plan. The Official Plan designates the site as Mixed Use Areas and locates it within the Wellesley-Wood Character Area of OPA 183 for North Downtown Yonge. The Mixed Use Areas designation permits a range of residential, commercial, office and institutional uses, which are subject to development criteria to ensure an appropriate built form is achieved. SASP 382 also contains area-wide policies related to parks and open space and the public realm that will be considered when reviewing this application.

Policy 3.5.1.9 of OPA 231 requires residential development on sites currently containing 1,000 square metres or more of office space to increase the amount of office space as part of redevelopment. This application proposes to eliminate the existing 3,020 square metres of office space.

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), (j), (q) and (r) of the *Planning Act*; the PPS (2014); the Growth Plan (2019); the City's Official Plan policies; and Design Guidelines.

The following preliminary issues have been identified:

- The height, massing, and scale of the proposal in relation to the existing and planned context;
- Transition in height and massing to adjacent lands designated as *Apartment Neighbourhoods;*
- Proposed location of the tower and transition and separation distance to the adjacent low-rise built form;

- Potential shadowing impacts on the adjacent open spaces, public realm and neighbouring properties;
- Interface with adjacent Toronto Parking Authority (TPA) parking lot and private lane to the north;
- Interface of the proposed built form with the adjacent public realm;
- Potential wind impacts on the adjacent properties and public realm;
- Appropriateness of the proposed mix of unit sizes and configurations;
- Appropriateness of the areas and distribution of amenity spaces within the building;

Housing

The proposal includes 527 residential dwelling units, consisting of: 38 (7%) bachelor units; 306 (58%) one-bedroom units; 124 (24%) two-bedroom units; and 59 (11%) three-bedroom units. The proposed two-bedroom units range in size between 58 square metres to 63 square metres and the three-bedroom units range in size between 75 square metres to 119 square metres. Of the bachelor and one-bedroom units, 18 pairs of units (34 units total) would be provided with knock-out panels to facilitate the creation of additional two-bedroom units.

Staff are reviewing the proposed mixture and unit sizes for conformity with the policies of OPA 406 and the Growing Up Guidelines to ensure housing is provided for a broad range of households, including families with children.

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 24 trees within proximity of the subject site. An Arborist Report has been submitted and is currently under review by Urban Forestry staff.

Archaeological Assessment

An archaeological resource assessment identifies and evaluates the presence of archaeological resources also known as archaeological sites. An Archaeological Assessment has been submitted and is under review.

Heritage Impact & Conservation

The subject site is adjacent to various properties designated under Part IV of the Ontario Heritage Act and included in the City's Heritage Register. The site is also adjacent to the Historic Yonge Street HCD, which has been adopted by Council but is currently under appeal. A Heritage Impact Assessment was submitted and is currently under review 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 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. City staff will be reviewing the proposal and will identify necessary CS&F that are needed in building a complete community.

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 the proposal be approved in some form.

Infrastructure/Servicing Capacity

The proposed development is to be serviced by connections to the existing watermains and sanitary sewers on Maitland Street. The proposed development will 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.

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.

Adjacent Toronto Parking Authority Lands

The site is located adjacent to the existing Toronto Parking Authority (TPA) parking lot at 15 Wellesley Street East. Previously, the opportunity for a comprehensive development of these lands and the subject site had been explored. City staff held a pre-application Community Consultation meeting on April 4, 2017 to obtain community input on the proposal. Subsequent to that meeting, the applicant elected to pursue development solely on the subject site at 20-26 Maitland Street.

Other Matters

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

CONTACT

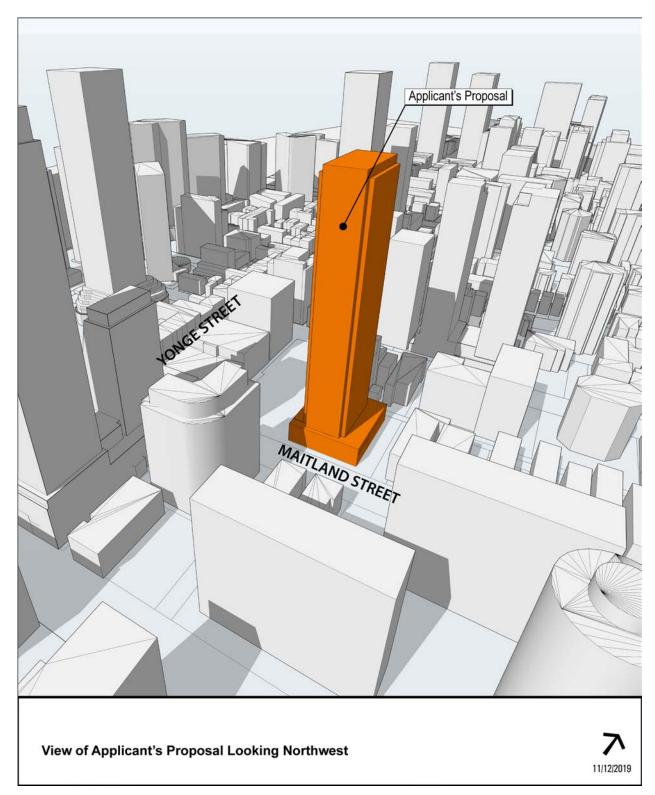
Matthew Zentner, Planner, Tel (416) 397-4648, E-mail: Matthew.Zentner@toronto.ca

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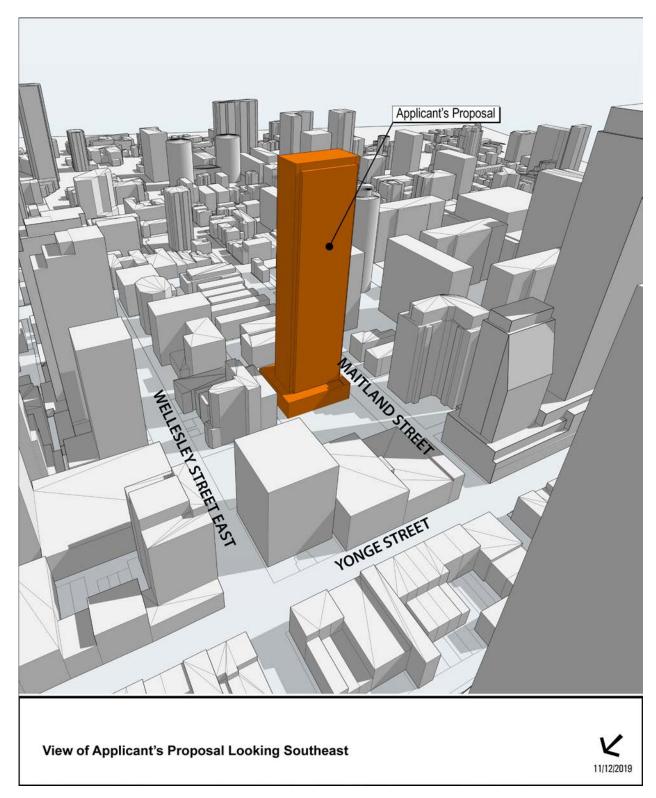
Lynda H Macdonald, MCIP, RPP, OALA, FCSLA Director, Community Planning Toronto and East York District

ATTACHMENTS

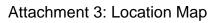
City of Toronto Drawings Attachment 1: 3D Model of Proposal in Context - Northwest View Attachment 2: 3D Model of Proposal in Context - Southeast View Attachment 3: Location Map Attachment 4: Site Plan Attachment 5: Official Plan Map Attachment 6: SASP 382 Map Attachment 7: Application Data Sheet

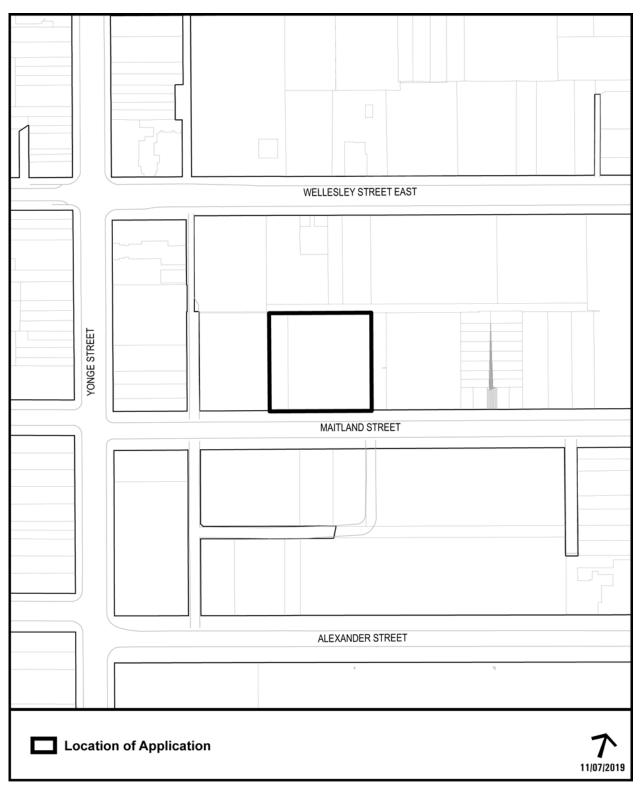


Attachment 1: 3D Model of Proposal in Context - Northwest View

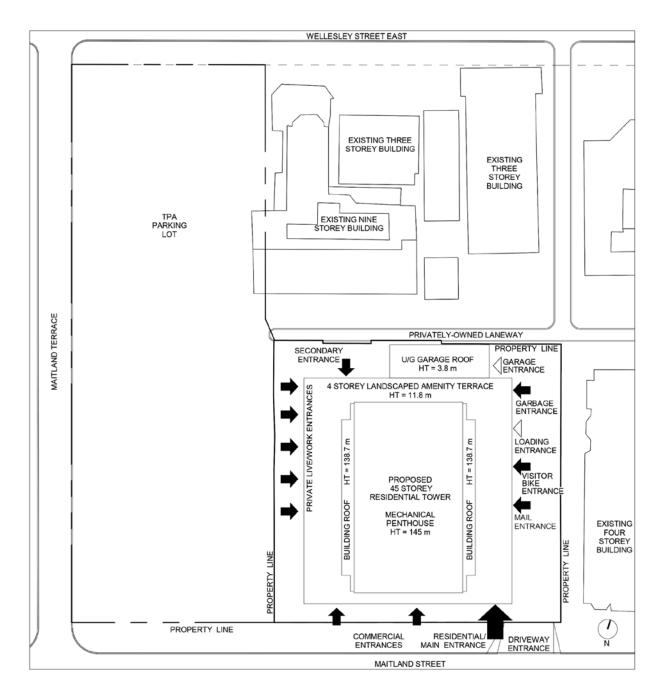


Attachment 2: 3D Model of Proposal in Context - Southeast View



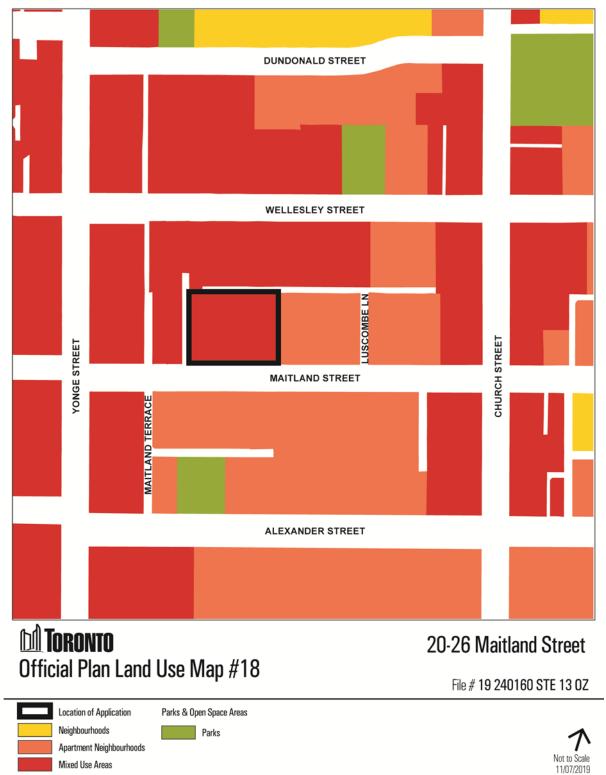


Attachment 4: Site Plan

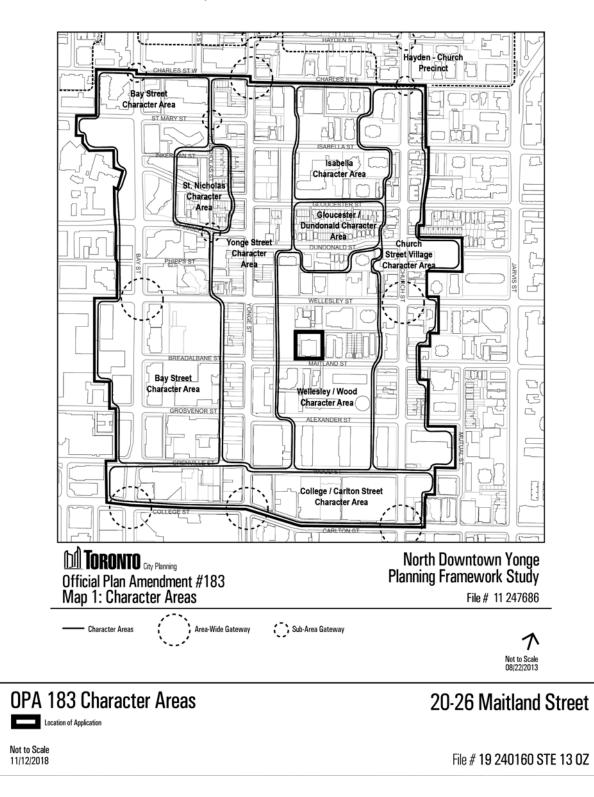


Site Plan

Attachment 5: Official Plan Map



Attachment 6: SASP 382 Map



Attachment 7: Application Data Sheet

APPLICATION DATA SHEET

Municipal Address:	20 MA	AITLAND ST	Date Rece	ived:	Octob	oer 23, 2019
Application Number:	19 240160 STE 13 OZ					
Application Type:	OPA & Rezoning					
Project Description:	Official Plan/Zoning By-law Amendment application to facilitate the development of the site for a 45 storey (144.9 m, mechanical penthouse inclusive) mixed-use building containing 275 square metres of non-residential floor area and 527 residential dwelling units.					
Applicant BOUSFIELDS INC	Agent		Architect Quadrangle Architects		Owner MAITLAND RESIDENCES CORP.	
EXISTING PLANNING	CONT	ROLS				
Official Plan Designation: Mixed Use Areas		Downtow		owntown onge SASP		
Zoning:	R	(d2.0) (x875)	Heritage Des	signatio	n:	
Height Limit (m):	30		Site Plan Control Area:		ea: Y	,
PROJECT INFORMATION						
Site Area (sq m): 2,7	78	Frontage	ə (m): 53	I	Depth	(m): 52
Building Data		Existing	Retained	Propo	sed	Total
Ground Floor Area (sq m):		987		1,580		1,580
Residential GFA (sq m):		328		35,735	5	35,735
Non-Residential GFA (sq m): 2,566				275		275
Total GFA (sq m):		2,894		36,010)	36,010
Height - Storeys:		3		45		45
Height - Metres:				139		139
Lot Coverage Ratio (%):	56.8	38	Floor Spac	e Index:	12.9	96

Floor Area Breakdown	Above Grade (sq m)	Below Grade (sq m)
Residential GFA:	35,270	465
Retail GFA:	275	
Office GFA:		
Industrial GFA:		
Institutional/Other GFA:		

Residential Units by Tenure	Existing	Retained	Proposed	Total
Rental:				
Freehold:				
Condominium:			527	527
Other:				
Total Units:			527	527

Total Residential Units by Size

	Rooms	Bachelor	1 Bedroom	2 Bedroom	3+ Bedroom
Retained:					
Proposed:		38	306	124	59
Total Units:		38	306	124	59

Parking and Loading

Parking 126 Spaces: 126	Bicycle Parking Spaces:	533	Loading Docks:	2
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CONTACT:

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