

40-56 Harbord Street – Official Plan Amendment and Zoning Amendment Applications – Preliminary Report

Date: February 6, 2020

To: Toronto and East York Community Council

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

Ward 11 - University-Rosedale

Planning Application Number: 19 259116 STE 11 OZ

Related Applications: 19 259130 STE 11 SA

Notice of Complete Application Issued: December 9, 2019

Current Uses on Site: Two-storey detached and semi-detached residential buildings with surface parking along the northern and eastern portions of the site.

SUMMARY

This report provides information and identifies a preliminary set of issues regarding the application for a 10-storey student residence with a food hall on the ground floor located at 40-56 Harbord 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 40-56 Harbord 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 City Planning Division confirms that there are no financial implications resulting from the recommendations included in the report in the current budget year or in future years.

ISSUE BACKGROUND

Application Description

This application proposes to amend the Official Plan and Zoning By-law for the property at 40-56 Harbord Street to redesignate the site from Neighbourhoods to Institutional Areas and permit a 10-storey, 140-unit (203-bed) student residence with a food hall on the ground floor. The building would have a height of approximately 31.1 metres (34.9 metres, including the mechanical penthouse) and a gross floor area of approximately 8,907 square metres. Connections to the adjacent existing student residence to the west at 631 Spadina Avenue are proposed underground and at the third level of the building. A total of 1,152 square metres of indoor amenity area is proposed, which would include an event space, common kitchen and lounge areas, meeting rooms and study areas, primarily located on the first three floors of the building, and 221 square metres of outdoor amenity space is proposed on the second storey. A total of 94 bike parking spaces are proposed, of which 72 would be located underground and 22 would be located at grade, and no vehicle parking spaces are proposed.

Detailed project information is found on the City's Application Information Centre at: <https://www.toronto.ca/aic>

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

Provincial Policy Statement and Provincial Plans

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

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 an 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 MCR, the City

update its Official Plan to delineate MTSA boundaries and demonstrate how the MTSA's 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. Official Plan policies related to building complete communities, including heritage preservation and environmental stewardship may be applicable to any application. Official Plan policies may be found here: <https://www.toronto.ca/city-government/planning-development/official-plan-guidelines/official-plan/>

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

The Downtown Plan

City Council adopted OPA 406 on July 27, 2018. OPA 406 included amendments to the Downtown section of the Official Plan and Map 6 of the Official Plan and brought forward a new Secondary Plan for the entire Downtown area.

On August 9, 2018 the City's application under Section 26 of the Planning Act was sent to the Minister of Municipal Affairs and Housing (MMAH) for approval. The Ministry issued its decision modifying and approving OPA 406 on June 5, 2019. As this application was complete after June 5, 2019, OPA 406, the new Downtown Secondary Plan, applies to this application.

Policy 1.7 of the Downtown Plan states that the provisions of the Official Plan, which set out the policies applicable to Neighbourhoods, and development criteria within Neighbourhoods, will continue to apply to Neighbourhoods in the Downtown unless such policies are in conflict with an applicable Secondary Plan, or Site and Area Specific Policy.

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

University of Toronto Secondary Plan (1997)

The site is subject to the existing University of Toronto Secondary Plan, which was adopted in 1997 under the former City of Toronto Official Plan and was brought forward unchanged into the current Official Plan. The objectives for the Secondary Plan Area are to:

- Recognize and protect the Area primarily as an Institutional District;
- Provide planning regulations that give the institutions flexibility to adjust to changing program, technological and funding constraints; and
- Preserve, protect and enhance the unique built form, heritage and landscape character of the Area.

The Secondary Plan identifies certain sub-areas within the University of Toronto Area that have a unique character, which should be protected and enhanced by additional regulations specific to the sub-area. The site is located in the Huron-Sussex Area of Special Identity, which is a low-density residential enclave that houses students, faculty and staff of the University and other homeowners and tenants. The area includes an incidental mix of small-scale commercial and institutional uses, which serve the neighbourhood or are related to the University of Toronto. Secondary Plan objectives for the Huron-Sussex Area of Special Identity are to:

- Retain the character of residential uses and houseform buildings along tree-lined streets;
- Encourage improvement of existing housing stock and the development of infill housing on vacant lands; and
- Encourage both year-round use of residential units and a mix of long-term and temporary residents.

Section 5.3 of the Secondary Plan states that in the area designated as Neighbourhoods within the Huron-Sussex Area of Special Identity, the residential houseform character and low-scale of the interior of the Huron-Sussex Area of Special Identity will be protected. In addition, limited intensification to accommodate the needs of the University of Toronto for institution-related residential development may be permitted, where appropriate, to provide a transition between the residential neighbourhood and the adjacent areas of higher density and activity. Policy 5.3.2(b) states that, in addition to low scale residential uses, existing general institutional uses and the reconstruction of general institutional uses existing in the area on December 31, 1996 are also permitted in the area designated as Neighbourhoods.

University of Toronto Secondary Plan Review

The site is within the University of Toronto Secondary Plan area, which is subject to an Official Plan Amendment application (File No.: 16 221931 STE 20 OZ) to establish a new University of Toronto St. George Campus Secondary Plan. This new Secondary Plan 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. Additional information about the application may be found here: www.toronto.ca/planning/UofTSecondaryPlan.

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

- Protect the Secondary Plan area for predominantly institutional land uses along with ancillary uses that support the functioning of the area as an institutional district;
- Prioritize the movement of pedestrians and cyclists;
- Conserve built heritage resources and cultural heritage landscapes;
- Enhance and expand the existing open space and public realm network;
- Affirm that the institutional uses, collection of heritage resources and public realm network are character-defining elements of the area; and
- Ensure that the Secondary Plan area will continue to grow and evolve in a way that positively contributes to the character-defining elements of the area.

City Council's decision may be found here:

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

City Council has not made a decision, as of the date of this report, to adopt an Official Plan Amendment to amend the University of Toronto Secondary Plan. Staff anticipate preparing a Final Report for the new Secondary Plan and Urban Design Guidelines for the area in 2020. The existing University of Toronto Secondary Plan remains in force and effect.

Zoning By-laws

The site is zoned R3 in former City of Toronto Zoning By-law 438-86, as amended, which permits a range of residential building types including apartments, row houses, semi-detached and detached dwellings, and limited ancillary non-residential uses including childcare facilities and community centres. The maximum gross floor area is 1.0 times the area of the lot and the maximum building height is 12 metres. The site is subject to area-specific zoning exception 12(1)414, which permits a residence owned and operated by or on behalf of the University of Toronto within the area south of Bloor

Street West, west of St. George Street, north of Harbord Street and east of Spadina Avenue, provided that all other provisions of the By-law are complied with.

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

Design Guidelines

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

- University of Toronto (Main Campus) Urban Design Guidelines
- Mid-Rise Building 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 been submitted (File No. 19 259130 STE 11 SA)

Rental Housing Demolition and Conversion By-law

The City's Residential Rental Property Demolition and Conversion By-law (Chapter 667 of the Toronto Municipal Code) authorizes Council to regulate the demolition and conversion of residential rental properties in the City. The By-law prohibits the demolition or conversion of rental housing units in buildings containing six or more residential units, of which at least one unit is rental, without obtaining a permit from the City and requires a decision by either City Council or the Chief Planner. The applicability of the Residential Rental Property Demolition and Conversion By-law will be determined through the review of the application and confirmation of the number and tenure of the existing dwelling units on the site.

COMMENTS

Reasons for the Application

The Official Plan Amendment is required because the proposed building exceeds the maximum height of four storeys permitted in the Neighbourhoods land use designation. It is also required to allow new institutional uses on the site, which are not permitted within the Huron-Sussex Area of Special Identity in the University of Toronto Secondary Plan.

An amendment to the former City of Toronto Zoning By-law 438-86 is required to permit the proposed uses and establish appropriate performance standards to regulate the built form on the site, such as site layout, height, density and bike parking.

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

Staff will evaluate this planning application for consistency with the PPS (2014) and conformity with the Growth Plan (2019). Given the explicit link between Provincial Policy and the Official Plan, consistency with the PPS and conformity with the Growth Plan will be largely determined by conformity with the Official Plan.

Official Plan Conformity

Staff will evaluate this planning application to determine its conformity with the Official Plan, including the Downtown Plan and the University of Toronto Secondary Plan, and the appropriateness of the proposed amendment to the Official Plan to permit the height and use of the building at this location.

Built Form, Planned and Built Context

The suitability of the proposed built form will be evaluated based on the planning framework for the area including Provincial policies and plans, Official Plan policies including the Downtown Plan and the existing University of Toronto Secondary Plan, the Zoning By-law, University of Toronto (Main Campus) Urban Design Guidelines, Mid-Rise Building Design Guidelines and the emerging direction of the new University of Toronto St. George Campus Secondary Plan. Staff will assess, among other issues that may arise in the review of the application:

- Whether the application is contextually appropriate and fits with the existing and planned context.
- Appropriateness of the siting, height, massing and scale of the proposal.
- The relationships to adjacent properties, including transition, setbacks and the resulting separation distance from adjacent properties and buildings.
- The impact of the proposal on the public realm and adjacent properties, including wind and shadow impacts.
- The provision of sufficient indoor and outdoor amenity space.
- Adequacy of the bike parking supply.

Public Realm and Streetscape

Staff will evaluate the proposed streetscape and on-site landscape with the aim to enhance and expand the public realm. Staff will assess:

- The suitability of the proposed pedestrian realm and the relationship of the building to the street.
- The adequacy and suitability of the amount, location and design of the proposed outdoor open spaces, and their ability to be appropriately landscaped. Outdoor open space areas should be publicly accessible and inviting.
- The ability to enhance the laneways that surround the site on the east, north and west sides to have them better contribute to the larger pedestrian and cycling network while still meeting servicing needs in the area.

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 Arborist Report and Tree Preservation Plan submitted in support of the application indicate there are 21 trees both within and immediately adjacent to the subject site. Of these, nine trees that qualifies for protection under the Tree By-laws are proposed to be removed.

- Staff will evaluate tree protection and injury mitigation measures as a result of the proposal and opportunities for new tree planting.

Heritage Impact and Conservation

As part of the update to the existing University of Toronto Secondary Plan, all properties in the area are being evaluated for their value as potential heritage resources. In July 2018, 54 and 56 Harbord Street on the site were identified in the Status Report for the proposed Secondary Plan as having potential heritage value. Through the review of the properties for heritage potential, staff have determined that neither property should be added to the Heritage Register. Staff will bring forward a report on the potential inclusion of other properties in the Secondary Plan Area on the Heritage Register in 2020.

Rental Housing

Information submitted in support of the application indicates there are five or six existing residential units on the site, of which three may be rental units. At this stage, a Rental Housing Demolition and Conversion Control Application has not been received. Staff will confirm the number and tenure of the units on the site. If a Rental Housing Demolition Application is required, a Housing Issues Report that addresses the rental housing demolition application will also be required.

Infrastructure/Servicing Capacity

Staff will review the application to determine if there is sufficient infrastructure capacity (roads, transit, water, sewage, hydro etc.) to accommodate the proposed development. The applicant has submitted the following studies and reports, which are being reviewed by Engineering and Construction Services staff: a Functional Servicing and Stormwater

Management Report, Geotechnical Study, Hydrogeological Report and Transportation Impact Study. Staff will assess:

- The servicing reports in order to evaluate the effects of the development on the City's municipal servicing infrastructure, and identify and provide the rationale for any new infrastructure and upgrades to existing infrastructure necessary to adequately service the proposed development.
- The transportation impact report in order to evaluate the effects of the development on the transportation system, and to identify any transportation improvements that are necessary to accommodate the travel demands and impacts generated by the proposed development.

Toronto Green Standard

Council has adopted the four-tier Toronto Green Standard (TGS). The TGS is a set of performance measures for green development. Applications for Zoning By-law Amendments and Site Plan Control are required to meet and demonstrate compliance with Tier 1 of the Toronto Green Standard. Tiers 2, 3 and 4 are voluntary, higher levels of performance with financial incentives. Tier 1 performance measures are secured on site plan drawings and through a Site Plan Agreement.

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

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, FCSLA, Director
Community Planning, Toronto and East York District

ATTACHMENTS

City of Toronto Drawings

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

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

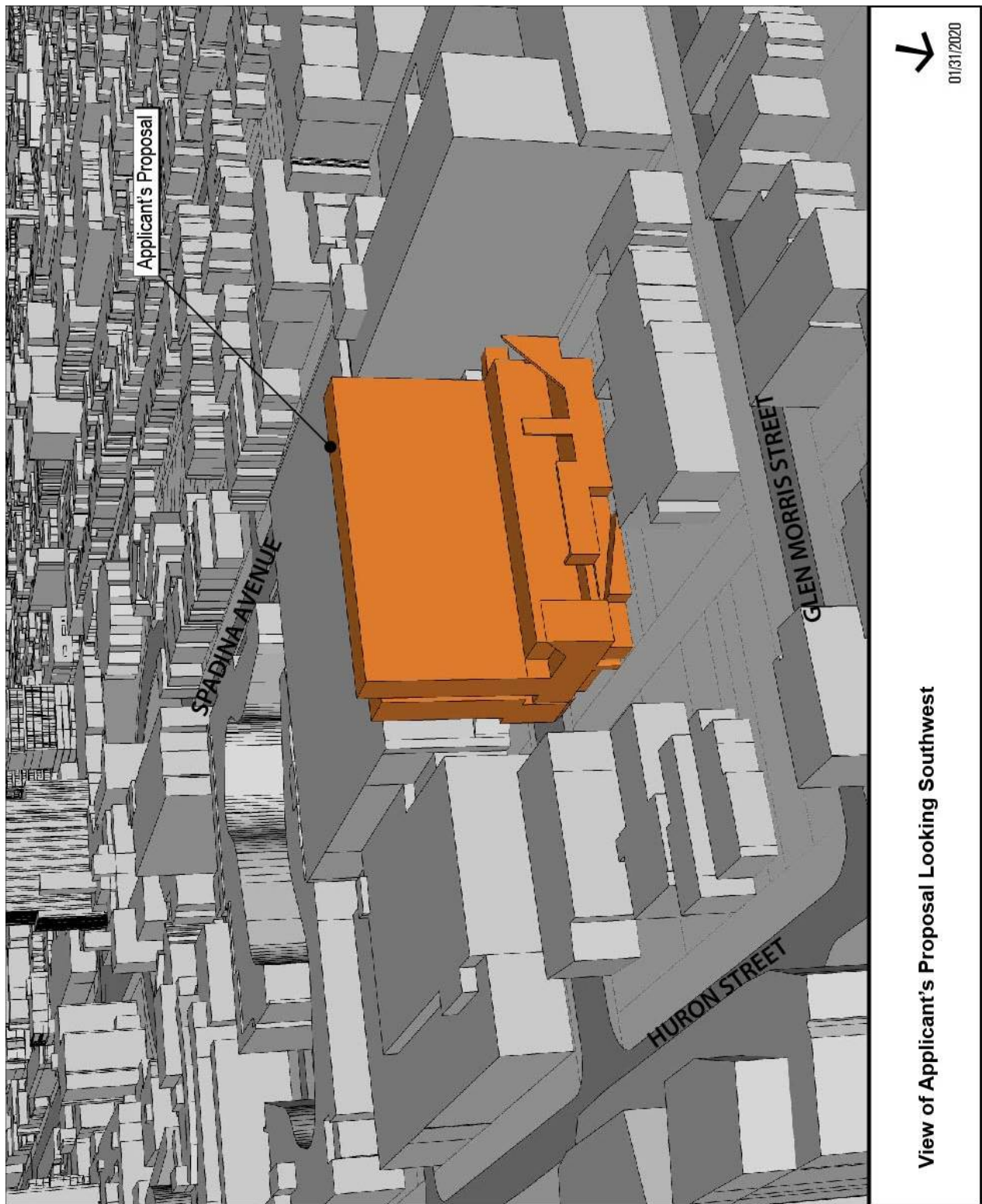
Attachment 3: Location Map

Attachment 4: Site Plan

Attachment 5: Official Plan Map

Attachment 6: Application Data Sheet

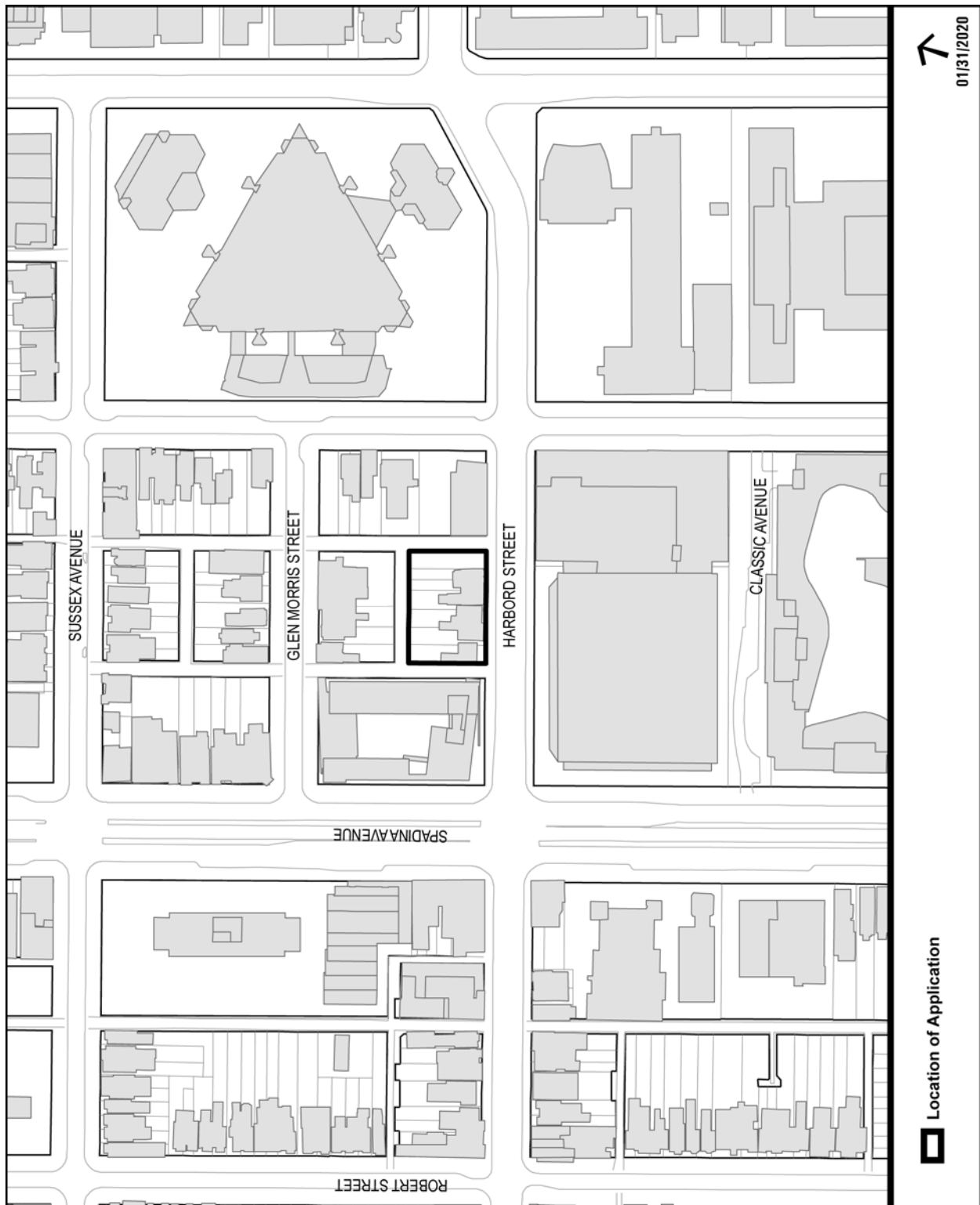
Attachment 1: 3D Model of Proposal in Context - Southwest



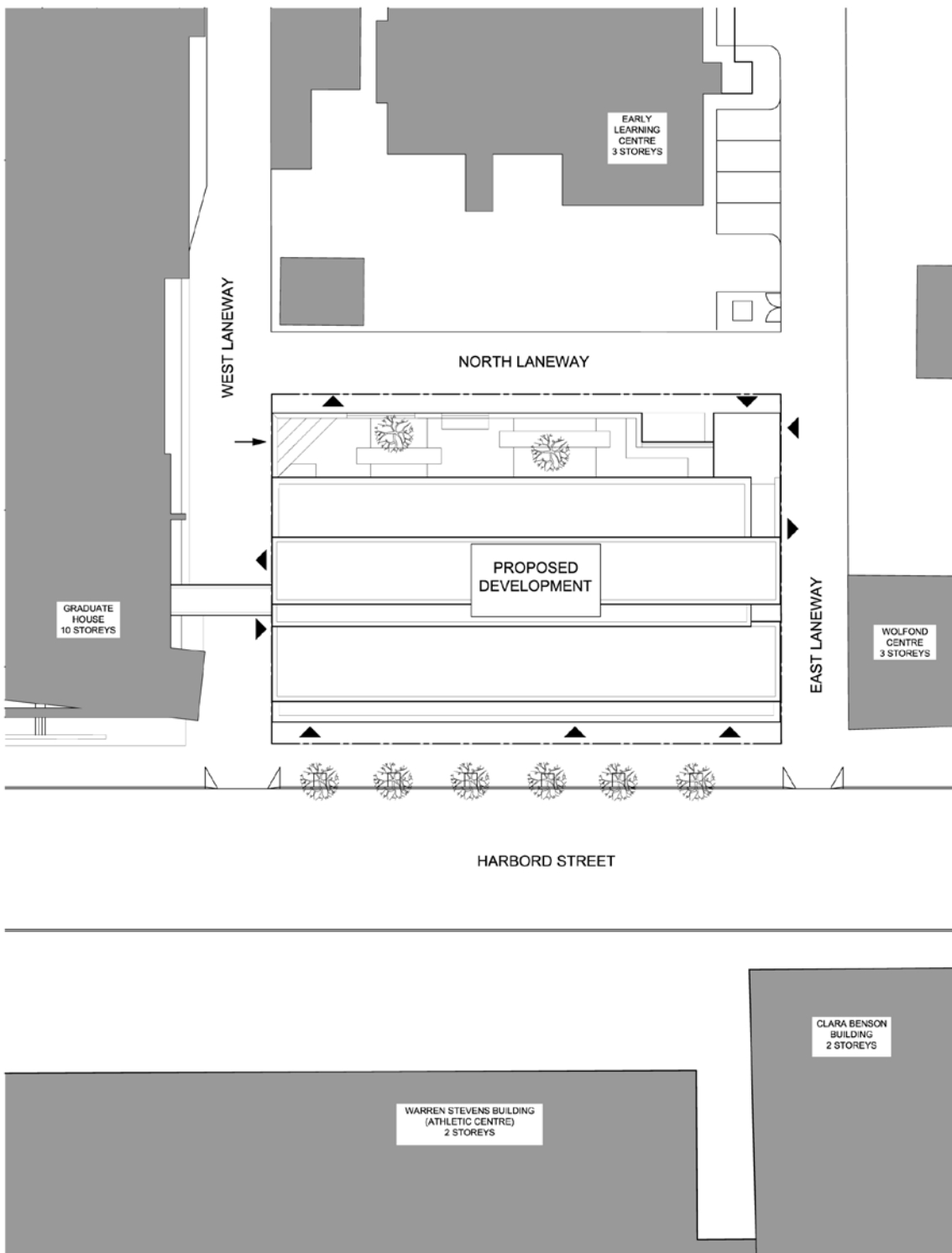
Attachment 2: 3D Model of Proposal in Context - Northeast



Attachment 3: Location Map



Attachment 4: Site Plan



Site Plan



Attachment 5: Official Plan Map



Attachment 6: Application Data Sheet

Municipal Address: 40 HARBORD ST Date Received: December 9, 2019
 Application Number: 19 259116 STE 11 OZ
 Application Type: OPA and Rezoning

Project Description: Official Plan and Zoning By-law Amendment application for a 10-storey, 203-bed student residence building with a food hall on the ground floor.

Applicant	Architect	Owner
Bousfields Inc.	Michael Maltzan Architecture and architectsAlliance	University of Toronto

EXISTING PLANNING CONTROLS

Official Plan Designation:	Neighbourhoods	Site Specific Provision:	N/A
Zoning:	R3.0 Z1.0	Heritage Designation:	N/A
Height Limit (m):	12	Site Plan Control Area:	Y

PROJECT INFORMATION

Site Area (sq m): 1,546 Frontage (m): 48 Depth (m): 33

Building Data	Existing	Retained	Proposed	Total
Ground Floor Area (sq m):	486	0	1,144	1,144
Residential GFA (sq m):	973	0	0	0
Non-Residential GFA (sq m):	0	0	9,225	9,225
Total GFA (sq m):	973	0	9,225	9,225
Height - Storeys:	2	0	10	10
Height - Metres:	6	0	35	35

Lot Coverage Ratio (%)	74	Floor Space Index:	5.97
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Floor Area Breakdown	Above Grade (sq m)	Below Grade (sq m)
Retail GFA:	421	434
Institutional/Other GFA:	7,149	903

Residential Units by Tenure	Existing	Retained	Proposed	Total
Rental:	3	0	0	0
Freehold:	2 or 3	0	0	0
Condominium:	0	0	0	0
Other:	0	0	140	140
Total Units:	5 or 6	0	140	140

Total Residential Units by Size

	Rooms	Bachelor	1 Bedroom	2 Bedroom	3+ Bedroom
Retained:	0	0	0	0	0
Proposed:	72	0	68	0	0
Total Units:	72	0	68	0	0

Parking and Loading

Parking Spaces:	0	Bicycle Parking Spaces:	94	Loading Docks:	1
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