

506-516 Church Street – Official Plan and Zoning By-law Amendment Applications – Preliminary Report

Date: September 21, 2020

To: Toronto and East York Community Council

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

Ward 13 - Toronto Centre

Planning Application Number: 20 172161 STE 13 OZ

Current Use(s) on Site: 2.5-storey non-residential building containing a bar and personal service uses, 2.5-storey non-residential building containing a bar/nightclub, and a surface parking lot

SUMMARY

This report provides information and identifies a preliminary set of issues regarding the application for a 15-storey mixed-use building located at 506-516 Church Street. A portion of the existing building at 508-510 Church Street is proposed to be retained. 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 506-516 Church 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 this report in the current budget year or in future years.

DECISION HISTORY

City Council on January 29, 2020 adopted MM14.8 "Protecting LGBTQ2S+ Small Businesses and Cultural Space" directing the General Manager, Economic Development and Culture in consultation with the Church-Wellesley Village Business Improvement Area, other Business Improvement Areas, Toronto Association of Business Improvement Areas and the Chief Planner and Executive Director, City Planning to develop immediate and long-term recommendations to support the retention and growth of independently owned and operated LGBTQ2S+ small businesses and cultural space. The City Council decision is available here:

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2020.MM14.8>

ISSUE BACKGROUND

Application Description

This application proposes to amend the Official Plan and Zoning By-law for the property at 506-516 Church Street to permit the redevelopment of the site with a 15-storey, 46.7 metre (52.7 metres including mechanical penthouse), mixed-use building. A portion of the existing building at 508-510 Church Street is proposed to be retained.

The application proposes a maximum gross floor area of 13,780 square metres, resulting in a density of 8.08 times the area of the lot. The ground floor and a portion of the second and third floors within the retained building would contain non-residential uses totalling 1,072 square metres. The remaining 14 floors of the building would contain dwelling units and residential amenity space. In total, 173 residential condominium dwelling units are proposed, including 15 studio (9%), 72 one-bedroom (42%), 65 two-bedroom (37%), and 21 three-bedroom (12%) units. Access to the residential units is proposed via a lobby fronting on Church Street at the southern portion of the site.

At the ground floor, the building would be set back 0 metres from the south property line abutting 504 Church Street, 2.1 to 4.7 metres from the east property line abutting Church Street, 0 metres from the north property line abutting 518 Church Street, and 0 metres from the west property line abutting Donna Shaw Lane. A portion of the existing building at 508-510 Church Street would be retained in its current location.

The main residential and commercial entrances are proposed to be from Church Street. Resident parking (30 spaces) and visitor parking (10 spaces) would be located within two below-grade levels, with access provided from a ramp accessed from Donna Shaw

Lane at the northwest corner of the site. Bicycle parking (174 spaces) is proposed at the ground floor and P1 level. 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 Donna Shaw Lane.

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 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 (2020) (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 (2020) 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.

Amendment no. 1 to the Growth Plan 2019 came into effect on August 28, 2020. This new amendment updates the Growth Plan for the Greater Golden Horseshoe, 2019. The Growth Plan 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, 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 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 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 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 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. Major Transit Station Area boundaries will not be delineated until such time as the City initiates and completes an MCR in conformity with the Growth Plan.

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

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 ("OPA 406" or 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-C designates the site as Mixed Use Areas 3 - Main Street. Policy 6.28 provides that development within Mixed Use Areas 3 will be in the form of mid-rise buildings, with some low-rise and tall buildings permitted based on compatibility. The assessment of proposals for mid-rise buildings will be informed by the Mid-Rise Buildings policies in section 9 of the Downtown Plan.

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 183 ("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 Church Street Village Character Area policies, including this site, 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 Church Street Village Character Area, as illustrated on Attachment 6.

The Church Street Village Character Area is identified as being the hub of many LGBTQ2S+ communities in the city. It is regarded as a stable area that should experience limited growth, with any development reinforcing the low to mid-rise

pedestrian oriented main street character. Specifically, the character area policies (Section 5.7) require development to be sensitive, low-scale infill that complies with an angular plane from Church Street and provides retail frontage widths that are consistent with the average width of existing retail spaces adjacent to the site.

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 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 Commercial Residential CR 3.0 (c1.7; r3.0) SS1 (x2144) under the City's harmonized Zoning By-law 569-2013. This zoning designation permits a variety of commercial and residential uses. The current zoning permits a height of 18.0 metres, a maximum floor space index of 3.0 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: <https://www.toronto.ca/city-government/planning-development/zoning-by-law-preliminary-zoning-reviews/zoning-by-law-569-2013-2/>

The site is also subject to former City of Toronto Zoning By-law 438-86, under which it is zoned Commercial Residential CR T3.0 C2.0 R3.0 (H18.0), which is substantially the same with respect to use, density, and height as the provisions under Zoning By-law 569-2013.

Both By-laws include a number of Permissive and Restrictive Exceptions that provide additional zoning provisions for the site. These provisions include: angular plane requirements; street related retail requirements; and restrictions on commercial parking uses.

On November 26, 2019 City Council adopted the Priority Retail Streets Zoning By-law Amendments 1681-2019 and 1692-2019 which specify standards for retail spaces at grade. The By-laws were subsequently appealed to the LPAT on a city-wide basis. The Council-adopted By-laws can be found here:

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2019.PH10.1>

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;
- Mid-Rise Building Performance Standards and Addendum;
- Pet Friendly Design Guidelines and Best Practices for New Multi-Unit Buildings; and
- 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

The Official Plan Amendment application has been submitted in order to permit the proposed building to encroach into the required angular plane from Church Street. The Zoning By-law Amendment application has been submitted in order to permit an increase in the overall height and density on the site and to modify various performance standards including angular plane provisions, tower setbacks, and parking standards. In addition, the applicant is seeking to permit a nightclub greater than the maximum size permitted by the existing by-laws.

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 OPA 183 implementing SASP 382 for North Downtown Yonge locates it within the Church Street Village Character Area. 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. The Church Street Village Character Area recognizes the low to mid-rise pedestrian oriented built form and significance to the city's LGBTQ2S+ community. 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.

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*;
- Potential shadowing impacts on the adjacent open spaces, public realm and neighbouring properties;
- Interface of the proposed built form with the adjacent public realm;
- Potential wind impacts on adjacent properties and public realm, with particular focus on existing patios within the Church Street Village Character Area;
- 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 173 residential dwelling units, consisting of: 15 (9%) studio units; 72 (42%) one-bedroom units; 65 (38%) two-bedroom units; and 21 (12%) three-bedroom units. Staff are reviewing the proposed unit mixture and 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 3 trees on or within proximity of the subject site. An Arborist Report has been submitted and is currently under review by Urban Forestry staff.

Heritage Impact & Conservation

While none of the existing buildings located on the subject site are currently identified on the City of Toronto's Heritage Register (which includes both listed and designated properties) as heritage resources, Heritage staff have indicated that they may hold cultural heritage significance.

A Heritage Impact Assessment (HIA) Report was submitted as part of the application and is being reviewed by staff. The HIA has been deemed incomplete due to insufficient historical research and analysis and insufficient public consultation, which are necessary for determining the cultural heritage value of the subject site and, in particular, its significance to the LGBTQ2S+ community. Staff are working with the applicant to resolve these issues in order to deem the HIA as complete.

Following submission of a complete HIA, staff will review and evaluate the impact of the proposed development on cultural heritage resources and will determine if the proposed conservation strategy is appropriate.

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 watermain and sanitary sewers on Church Street and to the existing storm sewer in Donna Shaw Lane. 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.

Other Matters

City Council has directed Economic Development and Culture staff to develop recommendations to support the retention and growth of LGBTQ2S+ small businesses and cultural spaces across the city, including within the Church-Wellesley Village. Given

the presence of existing LGBTQ2S+ businesses on the subject site, City Planning staff will work with staff in Economic Development and Culture to ensure these recommendations help to inform the review of this development application.

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

CONTACT

Matthew Zentner, Planner
Tel. No. (416) 397-4648
E-mail: Matthew.Zentner@toronto.ca

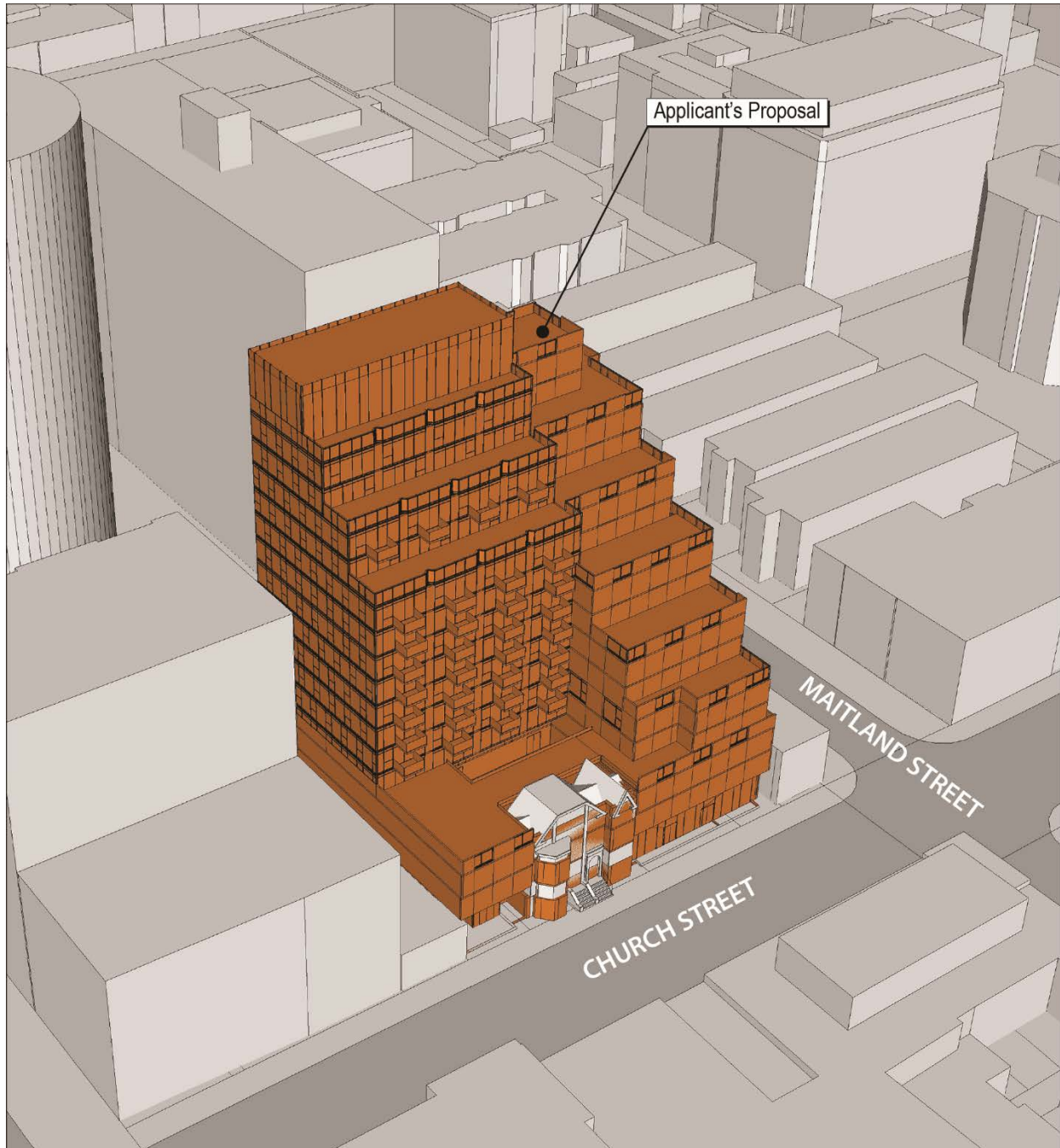
SIGNATURE

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

ATTACHMENTS

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: OPA 183 Map
Attachment 7: Application Data Sheet

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

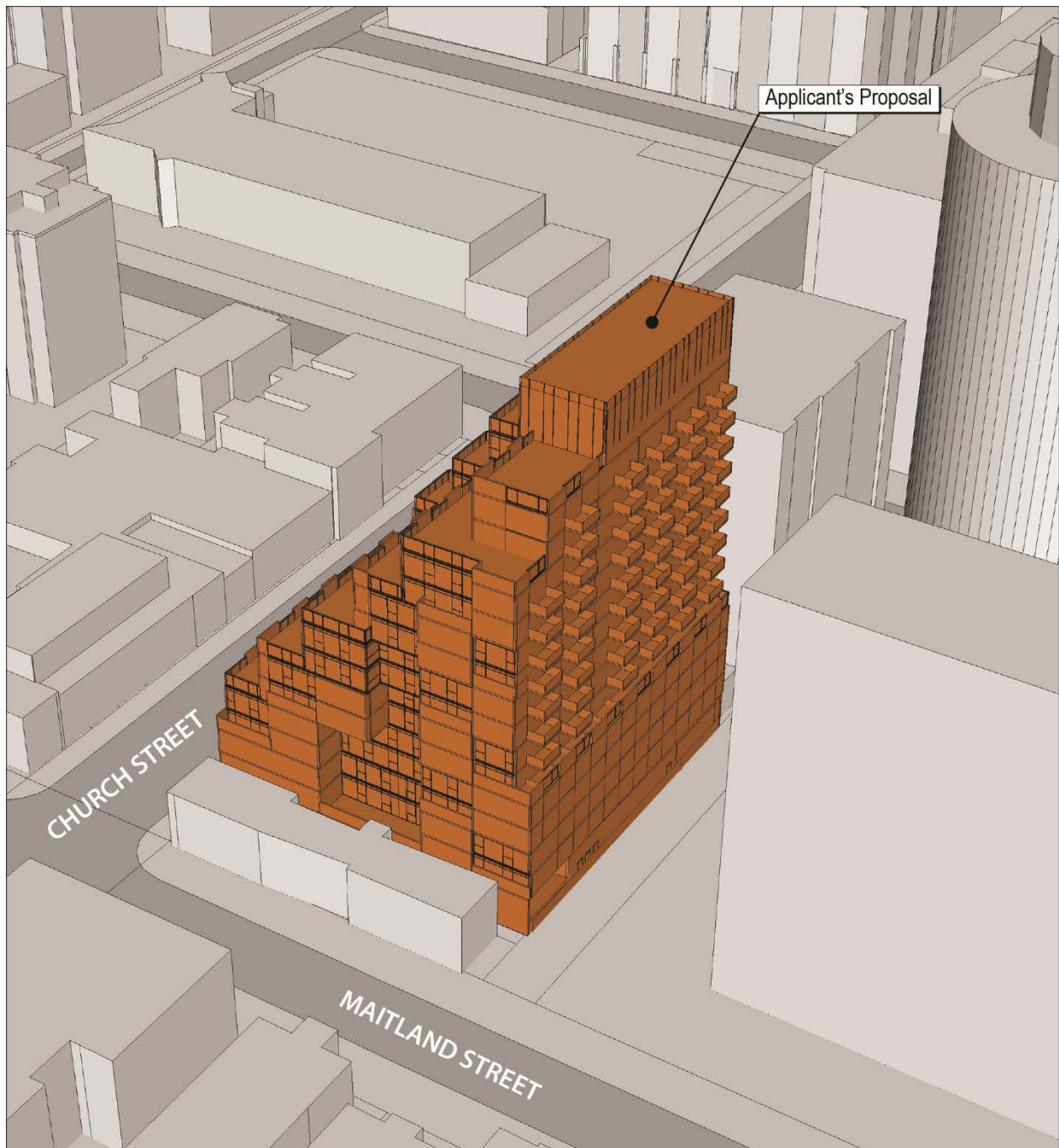


View of Applicant's Proposal Looking Northwest



09/01/2020

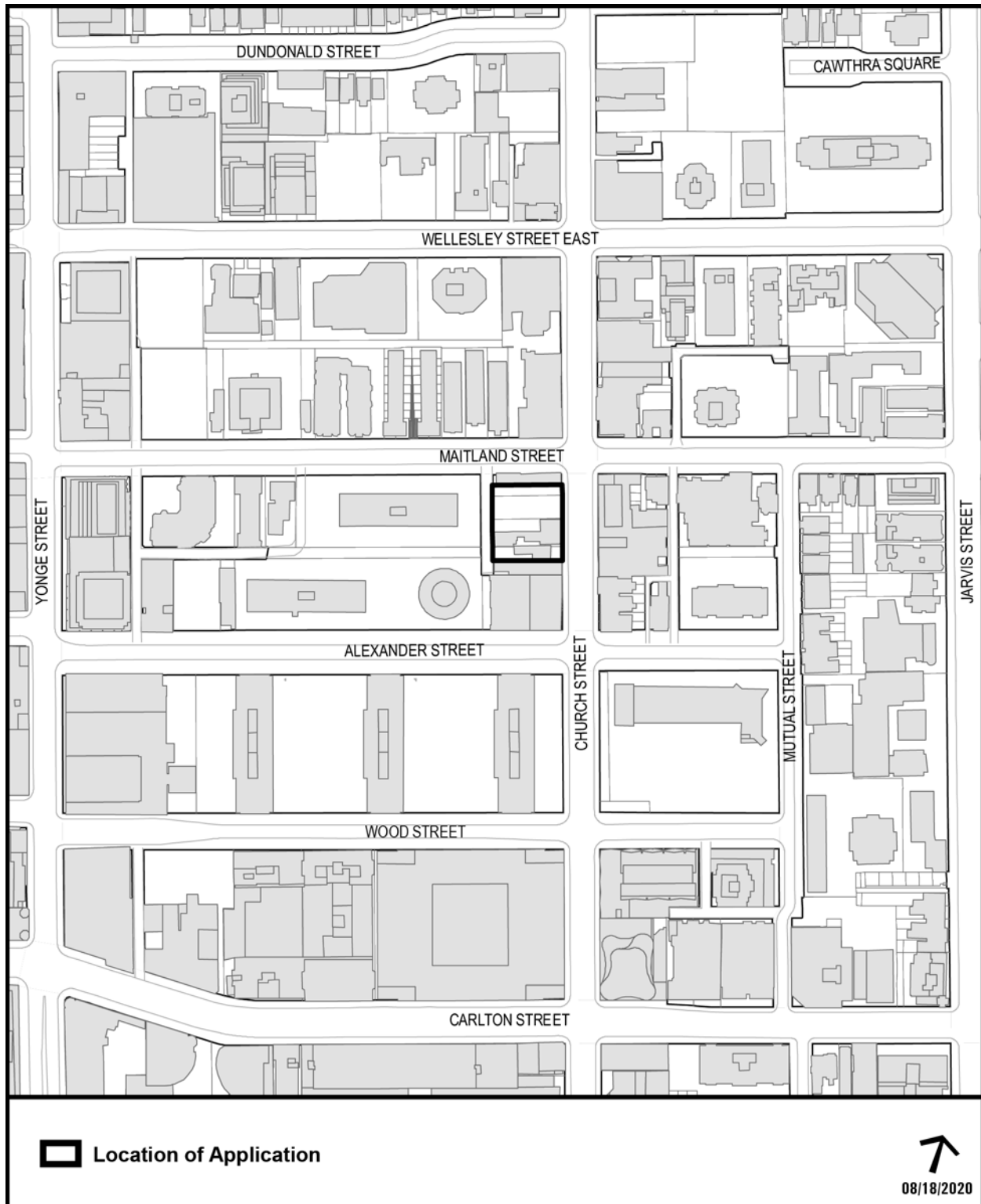
Attachment 2: 3D Model of Proposal in Context - Southeast View

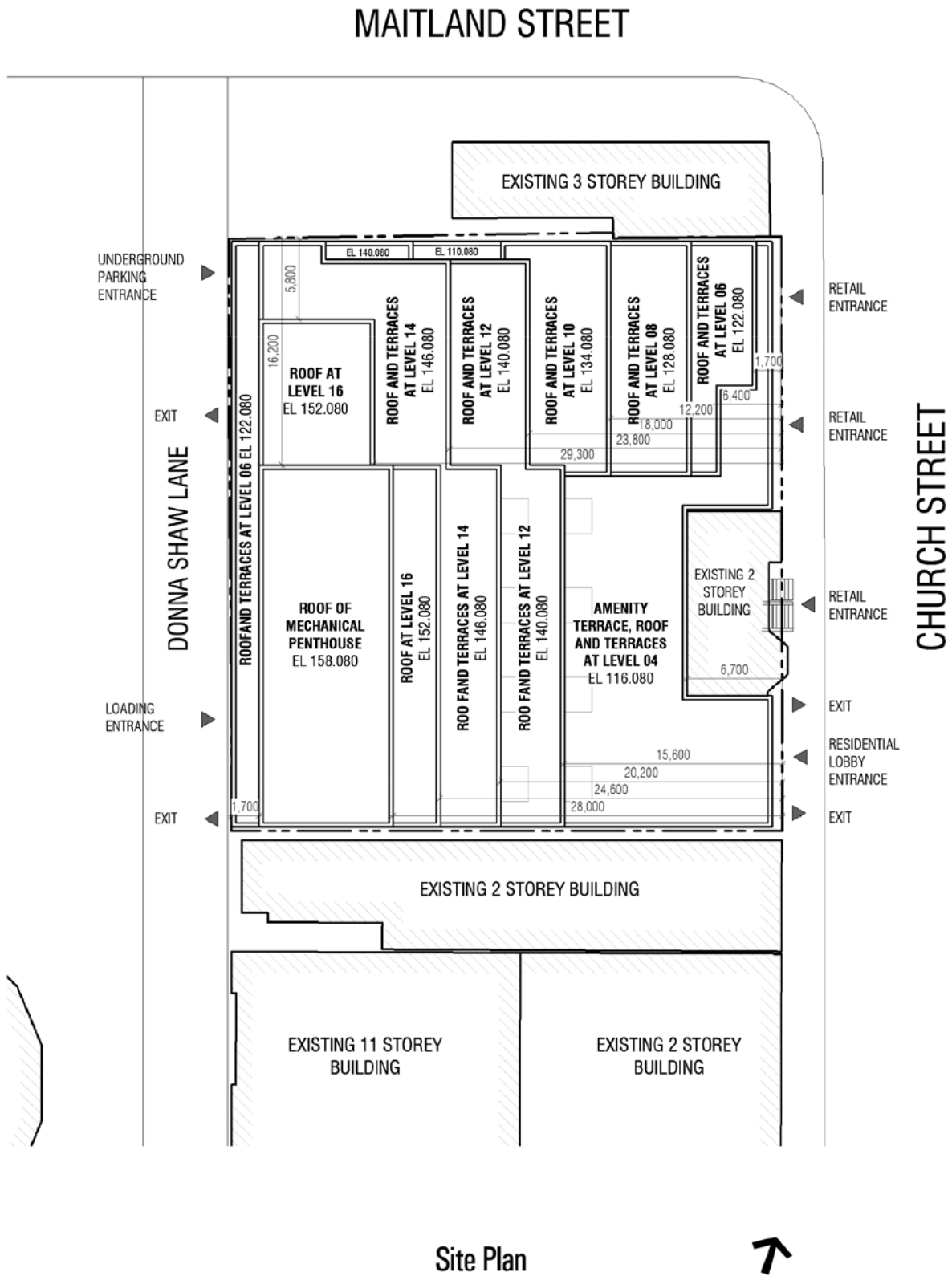


View of Applicant's Proposal Looking Southeast

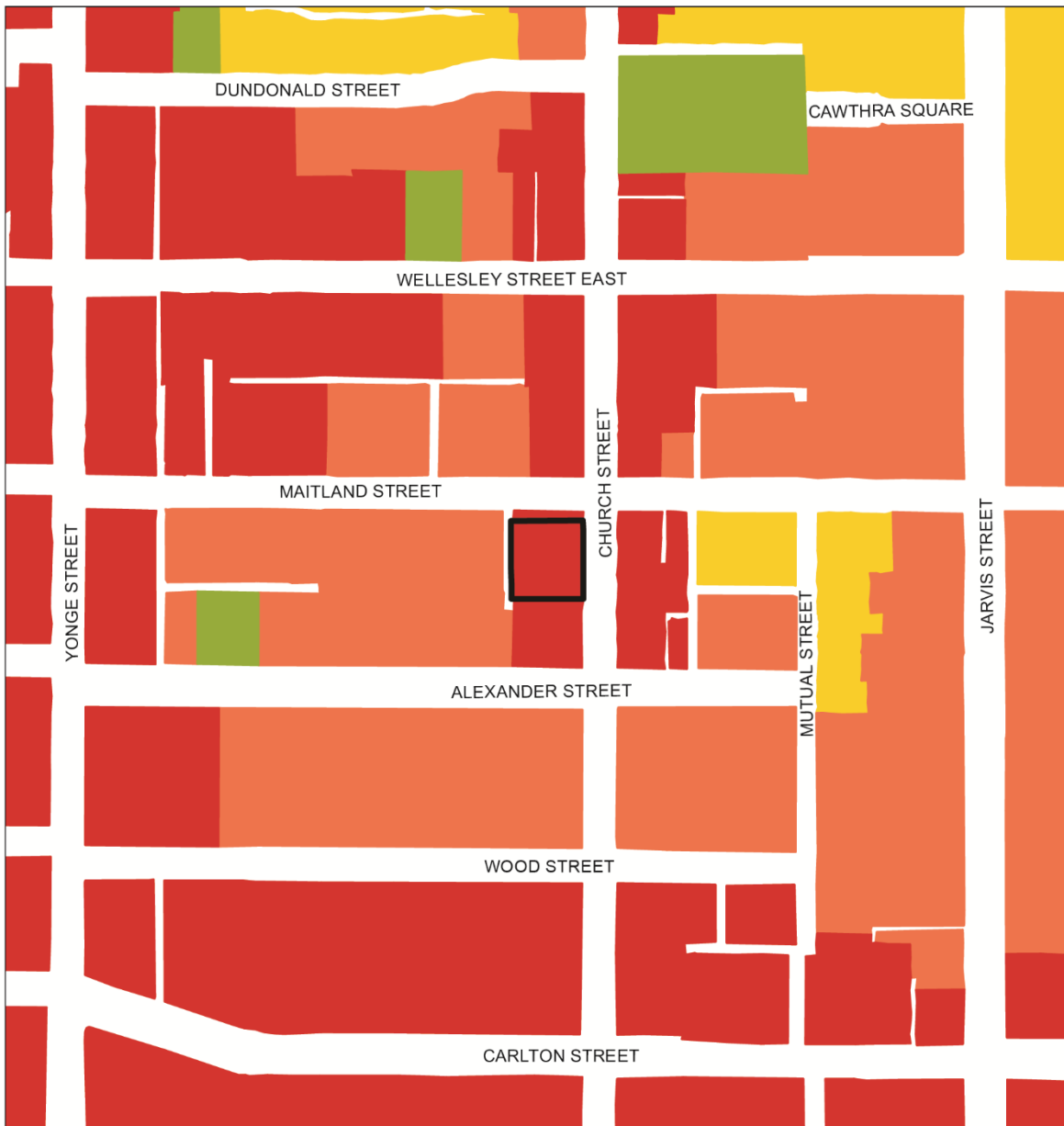
09/01/2020

Attachment 3: Location Map





Attachment 5: Official Plan Map



506-516 Church Street

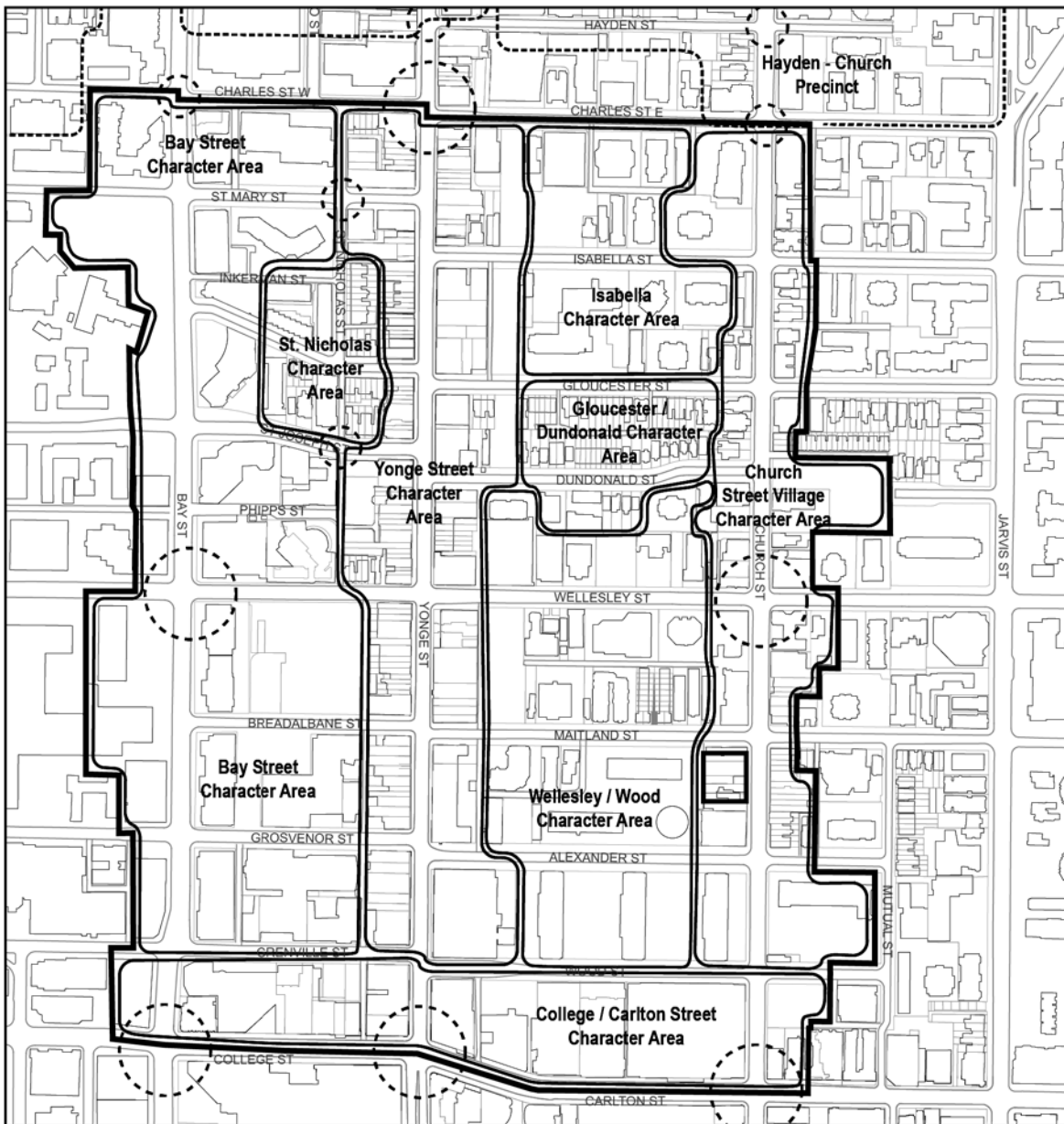
Official Plan Land Use Map

File # 20 172161 STE 13 0Z




 Not to Scale
 08/19/2020

Attachment 6: OPA 183 Map



Official Plan Amendment #183
Map 1. Character Areas

506-516 Church Street

File # 20 172161 STE 13 02



Not to Scale
08/21/2020

Attachment 7: Application Data Sheet

Municipal Address: 506-516 CHURCH ST Date Received: July 24, 2020
Application Number: 20 172161 STE 13 OZ
Application Type: OPA / Rezoning, OPA & Rezoning
Project Description: Official Plan and Zoning By-law amendment applications to facilitate the development of the site for a 15-storey mixed-use building comprised of 1,072 square metres of non-residential floor area and 12,708 square metres of residential floor area. A total of 173 dwelling units are proposed.

Applicant	Agent	Architect	Owner
BOUSFIELDS INC		DIAMOND SCHMITT	GRAYWOOD CM GP INC

EXISTING PLANNING CONTROLS

Official Plan Designation:	Mixed Use Areas	Site Specific Provision:	(x2144)
Zoning:	CR 3.0 (c1.7; r3.0) SS1	Heritage Designation:	No
Height Limit (m):	18.0	Site Plan Control Area:	Yes

PROJECT INFORMATION

Site Area (sq m):	1,706	Frontage (m):	43	Depth (m):	40
-------------------	-------	---------------	----	------------	----

Building Data	Existing	Retained	Proposed	Total
Ground Floor Area (sq m):			1,179	1,179
Residential GFA (sq m):			12,708	12,708
Non-Residential GFA (sq m):			1,072	1,072
Total GFA (sq m):			13,780	13,780
Height - Storeys:			15	15
Height - Metres:			47	47

Lot Coverage Ratio (%)	69.11	Floor Space Index:	8.08
------------------------	-------	--------------------	------

Floor Area Breakdown	Above Grade (sq m)	Below Grade (sq m)
Residential GFA:	12,708	
Retail GFA:	1,072	
Office GFA:		
Industrial GFA:		
Institutional/Other GFA:		

Residential Units by Tenure	Existing	Retained	Proposed	Total
Rental:				
Freehold:				
Condominium:			173	173
Other:				
Total Units:			173	173

Total Residential Units by Size

	Rooms	Bachelor	1 Bedroom	2 Bedroom	3+ Bedroom
Retained:					
Proposed:		15	72	65	21
Total Units:		15	72	65	21

Parking and Loading

Parking Spaces:	40	Bicycle Parking Spaces:	Loading Docks:	2
-----------------	----	-------------------------	----------------	---

CONTACT:

Matthew Zentner, Planner
(416) 397-4648
Matthew.Zentner@toronto.ca