

277 Wellington Street West - Zoning Amendment Application – Preliminary Report

Date: January 26, 2021

To: Toronto and East York Community Council

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

Ward 10 - Spadina-Fort York

Planning Application Number: 20 233424 STE 10 OZ

Notice of Complete Application Issued: December 23, 2020

Current Use on Site: A 9-storey office building containing 8,828 square metres of office space.

SUMMARY

This report provides information and identifies a preliminary set of issues regarding the application located at 277 Wellington Street West. The Zoning Amendment application proposes to demolish the existing 9-storey office building and construct a new 66-storey mixed-use building.

Staff are currently reviewing the application. It has been circulated to all appropriate agencies and City divisions for comment. The application, as currently proposed is not supported by staff based on the issues outlined in this report. Staff will continue to work with the applicant to address these issues. 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 277 Wellington Street West 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.

ISSUE BACKGROUND

Application Description

This application proposes to amend the Zoning By-law for the property at 277 Wellington Street West to permit a 66-storey (232.3 metres, including mechanical penthouse) mixed-use building containing 116 square metres of retail space, 9,169 square metres of office uses, and 645 residential units. The proposed density is 33.91 times the area of the lot. The proposed 9-storey (42.90 metres) base building would contain retail on the ground floor along Wellington Street, and office uses above. A total of 71 residential and 22 shared visitor and commercial vehicular parking spaces are proposed within 5 levels of underground parking. 687 bicycle parking spaces are proposed on the first level of underground parking as well as within the mezzanine and 2nd floor levels. A total of 4 loading spaces are proposed with access off of the public laneway from Blue Jays Way.

Detailed project information is found on the City's Application Information Centre at: <https://www.toronto.ca/city-government/planning-development/application-information-centre/>

See Attachments 1, 2, 3, 4, and 7 of this report, for a three dimensional representation of the project in context, location map, site plan of the proposal, and the Application Data Sheet, respectively. The Application Data Sheet contains additional details on the proposal including: site area and dimensions; floor area; unit breakdowns; and parking counts.

Provincial Policy Statement and Provincial Plans

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

Growth Plan for the Greater Golden Horseshoe (2020)

A Place to Grow: Growth Plan for the Greater Golden Horseshoe (2020) (the "Growth Plan (2020)") came into effect on August 28, 2020. This new plan replaces the previous Growth Plan for the Greater Golden Horseshoe, 2019. The Growth Plan (2020)

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 (2020) establishes policies that require implementation through a Municipal Comprehensive Review (MCR), which is a requirement pursuant to Section 26 of the Planning Act.

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, and better connected 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 (2020), 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 (2020) 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 (2020). Comments, submissions or advice affecting a planning matter that are provided by Council shall also conform with the Growth Plan (2020).

Planning for Major Transit Station Areas

The Growth Plan (2020) as amended 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 (2020) requires that, at the time of the next Municipal Comprehensive Review (MCR), the City update its Official Plan to delineate MTSA boundaries and demonstrate how the MTSAs are planned for the prescribed densities.

Official Plan Policies and Planning Studies

The City of Toronto Official Plan is a comprehensive policy document that guides development in the City, providing direction for managing the size, location, and built form compatibility of different land uses and the provision of municipal services and facilities. Authority for the Official Plan derives from The Planning Act of Ontario. The PPS recognizes the Official Plan as the most important document for its implementation. Toronto Official Plan policies related to building complete communities, including heritage preservation and environmental stewardship may be applicable to any application. Toronto Official Plan policies may be found here:

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

The application is located on lands shown as Downtown and Central Waterfront on Map 2 of the Official Plan. The lands are also identified as Regeneration Areas on Map 18, as shown on Attachment 5.

The Downtown Plan

City Council adopted OPA 406 on May 22, 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. The Ministry of Municipal Affairs and Housing approved OPA 406 with modifications on June 5, 2019.

The site is designated Mixed Use Areas 1 - Growth in the Downtown Plan. Development in Mixed Use Areas 1 will include a diverse range of building typologies, including tall buildings, with height, scale and massing dependent on the site characteristics and supportive of intensification suitable for a downtown growth area. Mixed Use Areas 1 is also where the greatest proportion of non-residential uses are located. The Complete Communities Policies of the Downtown Plan require that new buildings fit within their existing and planned context, improve the public realm, and provide transition between different scales of development. Downtown neighbourhoods are to provide access to a complete range of amenities, service and infrastructure and will be inclusive and affordable.

The Downtown Plan identifies Blue Jays Way as a Priority Cycling Route. The subject site is also within the Downtown Film and Cultural Precincts.

The Downtown Plan can be found here:

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

King-Spadina Secondary Plan (1996)

The site is situated within the East Precinct of the King-Spadina Secondary Plan found in Chapter 6.16 of the Official Plan. The King-Spadina Secondary Plan requires new development to reinforce the characteristics of the area through built form, heritage conservation and public realm improvements.

The policies of the King-Spadina Secondary Plan emphasize that new buildings will be sited for adequate light, view, privacy and compatibility with the built form context. The policies direct that new buildings will achieve a compatible relationship with their built form context through consideration of such matters as building height, massing, scale, setbacks, stepbacks, roof line and profile, and architectural character and expression.

King-Spadina Secondary Plan (2020) - OPA 486

At its meeting on January 29, 2020, City Council adopted a Final Report and Official Plan Amendment 486 (OPA 486) outlining updates to the King-Spadina Secondary Plan. The City Council Decision can be found here:

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2020.TE12.4>

King-Spadina is one of the fastest growing areas in the downtown and has a strong heritage character. Updates have been made to the King-Spadina Secondary Plan to recognize this growth and the evolution of this area from predominantly non-residential uses to an area with a mix of uses. The updated plan recognizes that while the area will continue to grow and change, it must do so in a way that positively contributes to liveability, is better supported by hard infrastructure and community services, and more carefully responds to the built form and heritage character of the area. OPA 486 has been appealed to the LPAT and is not yet in force.

Official Plan Amendment No. 231 - Office Replacement Policies

The office replacement policies of OPA 231 require the provision of office space on sites designated Mixed Use Areas containing 1,000 square metres or more of office space, where residential development is proposed. The existing office building on the site has a total office floor area of approximately 8,828 square metres. The application proposes 9,169 square metres of office space, an increase of 1,041 square metres of office floor area. The current proposal complies with OPA 231.

Official Plan Amendment 352 – Updating Tall Building Setbacks Downtown

On October 5, 2016, City Council adopted Official Plan Amendment 352 - Downtown Tall Building Setback Area ("OPA 352"). OPA 352 is currently under appeal before the LPAT. The purpose of OPA 352 is to establish the policy context for tall building setbacks and separation distances between tower portions of all tall 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. The City Council Decision can be found here:

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2016.TE18.7>

There are no site specific appeals of OPA 352 for the subject property.

Official Plan Amendments 479 and 480 – Public Realm and Built Form Official Plan Policies

On September 21, 2020, the Ministry of Municipal Affairs and Housing issued Notices of Decision approving OPA 479 and OPA 480. OPA 479 (Public Realm) and OPA 480 (Built Form) were adopted as part of the Five-Year Official Plan Review. The OPAs replace Sections 3.1.1, 3.1.2 and 3.1.3 of the Official Plan with new and revised policies for the public realm, built form and built form types, which respond to Council's direction to amend the urban design policies of the Official Plan.

The Official Plan Amendments can be found here:

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2019.PH11.4>

Zoning By-laws

The site is zoned RA (Reinvestment Area) in the former City of Toronto Zoning By-law 438-86 and CRE (Commercial Residential Employment) in the Zoning By-law 569-2013. These zones permit a range of residential, commercial, institutional and limited industrial uses. The maximum height permitted is 30 metres plus 5 metres for a mechanical penthouse. The RA zoning category does not include maximum density provisions, rather, the building envelope is established through the performance standards, including height, setbacks and stepbacks.

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/>

Design Guidelines

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

- Tall Buildings Design Guidelines;
- King-Spadina Urban Design Guidelines (2004 and 2006);
- Growing Up: Planning for Children in New Vertical Communities;
- Pet Friendly Design Guidelines; [and](#)
- Retail Design Manual

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.

COMMENTS

Reasons for the Application

The Zoning By-law Application is required to amend performance standards including: building height, density, parking standards, amenity space and building setbacks. Through the review of the application, staff may identify additional areas of non-compliance with the Zoning 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

Staff are evaluating this application against the PPS and the applicable Provincial Plans to establish the application's consistency with the PPS and conformity with the Growth Plan (2020).

Official Plan Conformity

Staff will continue to evaluate this development application to determine conformity with the Official Plan, the Downtown Plan, the in-force King-Spadina Secondary Plan and the revised King-Spadina Secondary Plan (2020).

Built Form, Planned and Built Context

Staff are assessing the appropriateness of the proposal based on Provincial policies, the Official Plan and Secondary Plans, and Design Guidelines. To date, staff have identified the overall building height and proposed tower separation distances from the properties to the east and south as significant concerns and will work with the applicant to resolve these issues.

As part of the review of this application, staff will continue to assess the following:

- The proposed height, density and massing, including the base building height, setbacks and stepbacks, in relation to the area's existing and planned built form and scale which includes the Official Plan, the Downtown Plan and the King-Spadina Secondary Plan;
- The relationship between the proposed development and the existing buildings to the immediate east and south;
- Transition of the proposed tower to and from properties in the vicinity of the site and in relation to the larger East Precinct of King Spadina;
- Appropriate building setback along both street frontages;
- Pedestrian-level wind conditions along nearby streets, surrounding properties, and open spaces;

- Wind conditions on the outdoor amenity space level;
- Shadow impacts on the public realm, Clarence Square and David Pecault Square;
- Compliance with the Tall Buildings Guidelines;
- The continued provision of office replacement;
- Adequacy of the proposed public realm, including sidewalk width, and potential landscape/streetscape enhancements;
- Provision of indoor and outdoor amenity;
- The possibility of mid-block pedestrian connections;
- Provision of affordable housing; and
- Location and number of bicycle parking spaces.

Tree Preservation

The application is subject to the provisions of the City of Toronto Municipal Code, Chapter 813 Articles II (Street Trees By-law).

The applicant proposes to remove three street trees. The applicant has submitted an Arborist Report/Tree Preservation Plan, and it is currently under review by City staff.

Archaeological Assessment

An archaeological resource assessment identifies and evaluates the presence of archaeological resources also known as archaeological sites. The subject site has archaeological resource potential. A Stage 1 Archaeological Resources Assessment was submitted with the planning application 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.

Staff will evaluate the impact of the proposed development and local development activity on community services and facilities, including assessment of existing capacity to support proposed future population.

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.

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

Infrastructure/Servicing Capacity

Staff are reviewing the application to determine if there is sufficient infrastructure capacity (roads, transit, water, sewage, hydro, community services and facilities, etc.) to accommodate the proposed development. Staff will also be determining if the potential cumulative impact of all proposed applications in the area of this application.

A Servicing Report was provided by the applicant with the submission. Its purpose is to evaluate the effects of a proposed change in land use or development on the City's municipal servicing infrastructure and watercourses and identify and provide the rationale for any new infrastructure and upgrades to existing infrastructure.

Staff are also reviewing the Transportation Impact Study submitted by the applicant, the purpose of which is to evaluate the effects of a development or re-development on the transportation system, but also to suggest any transportation improvements that are necessary to accommodate the travel demands and impacts generated by the 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, 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 intended to advance the City's objectives for resilience and to achieve net-zero emissions by 2050 or sooner. Tier 1 performance measures are secured on site plan drawings and through a Site Plan Agreement or Registered Plan of Subdivision. Through this Rezoning and Site Plan process, staff will work with the applicant to achieve Tier 2 or higher. Staff are reviewing the TGS Checklist submitted by the applicant for compliance with the Tier 1 performance measures.

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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E-mail: Aviva.Pelt@toronto.ca

SIGNATURE

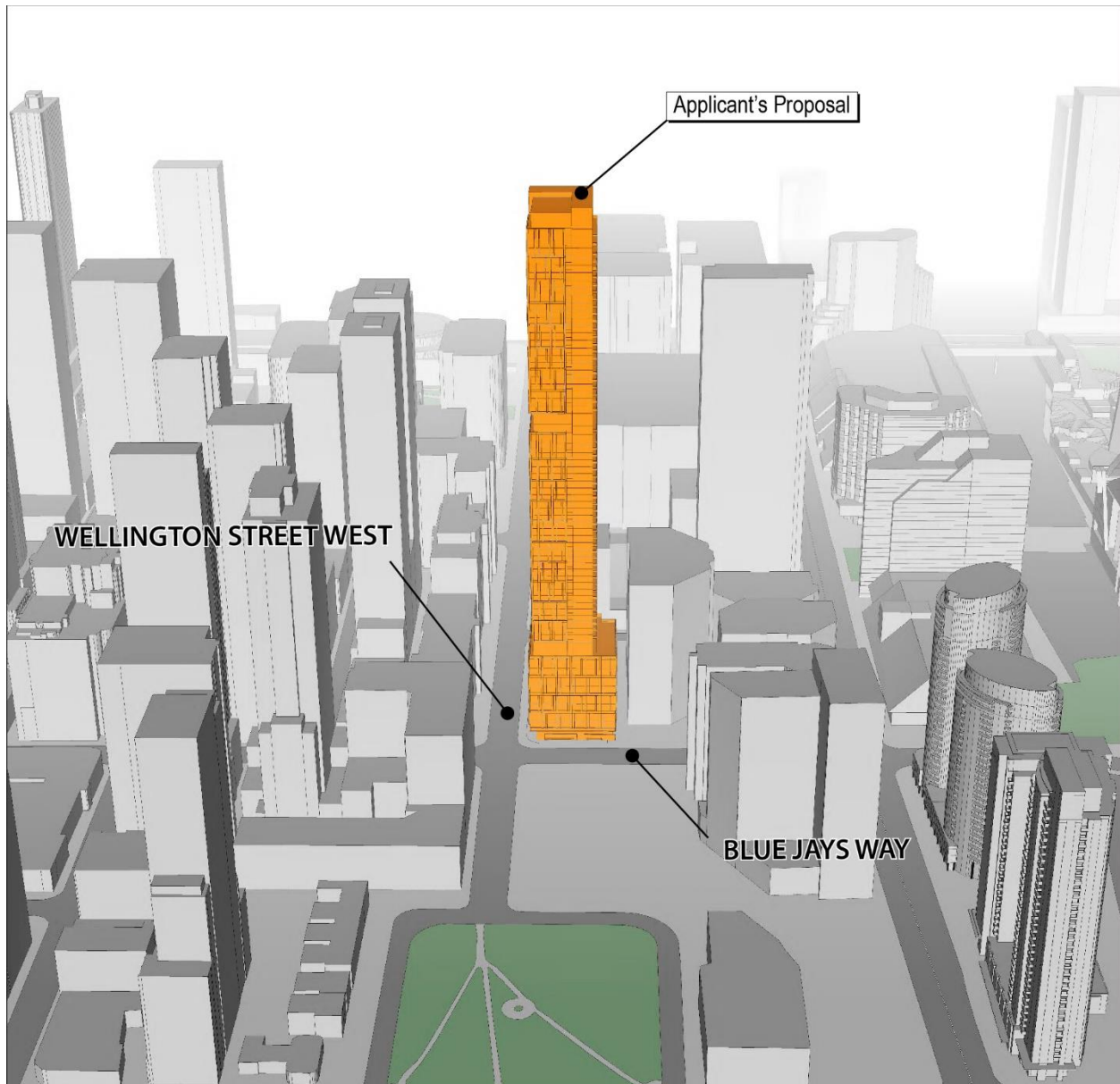
Lynda H. Macdonald, MCIP, RPP, OALA, FCSLA, Director
Community Planning, Toronto and East York District

ATTACHMENTS

City of Toronto Drawings

Attachment 1: 3D Massing Model of Proposal in Context (East View)
Attachment 2: 3D Massing Model of Proposal in Context (Southwest View)
Attachment 3: Location Map
Attachment 4: Site Plan
Attachment 5: Official Plan Map
Attachment 6: Zoning By-law Map
Attachment 7: Application Data Sheet

Attachment 1: 3D Massing Model of Proposal in Context (East View)

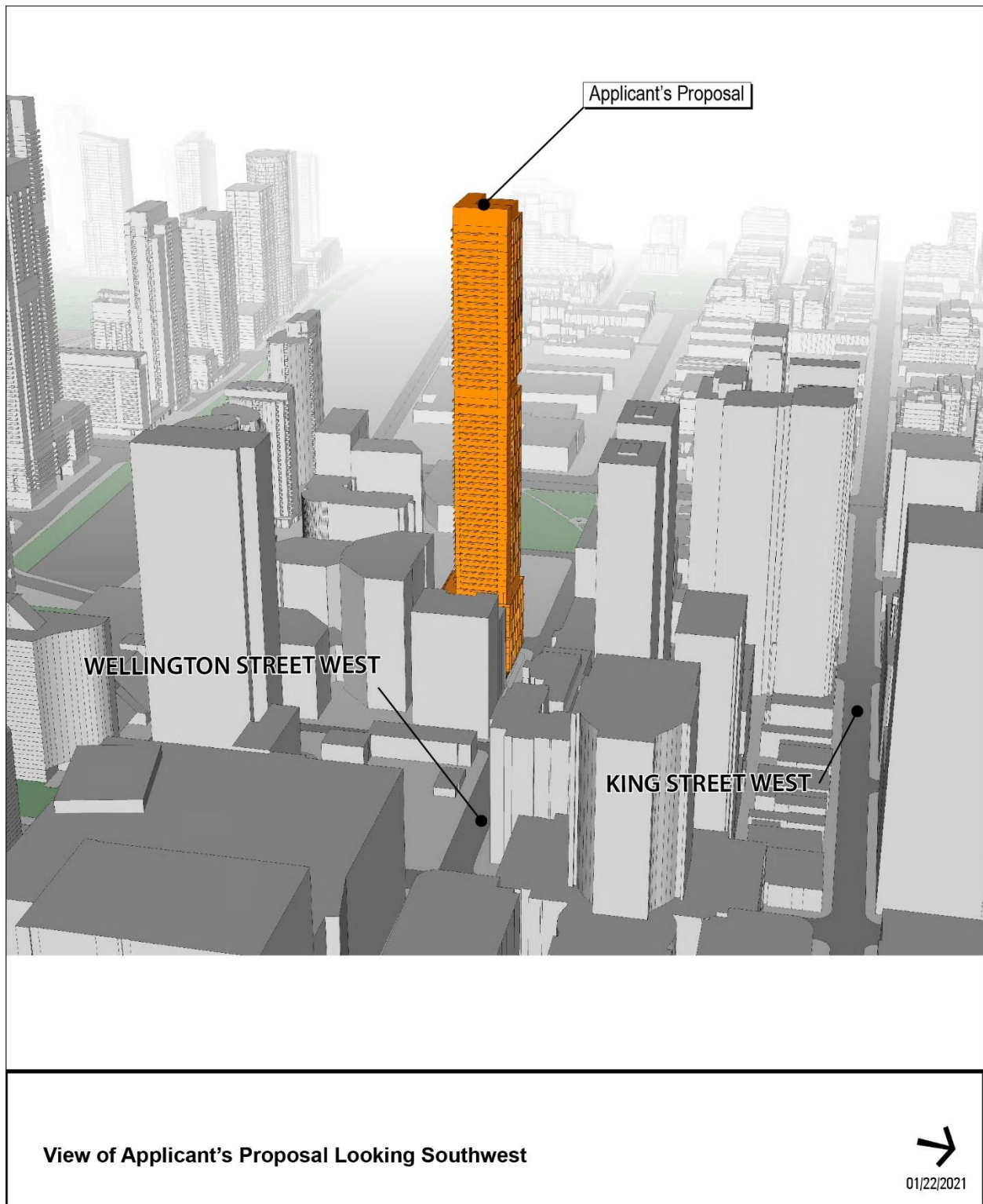


View of Applicant's Proposal Looking East

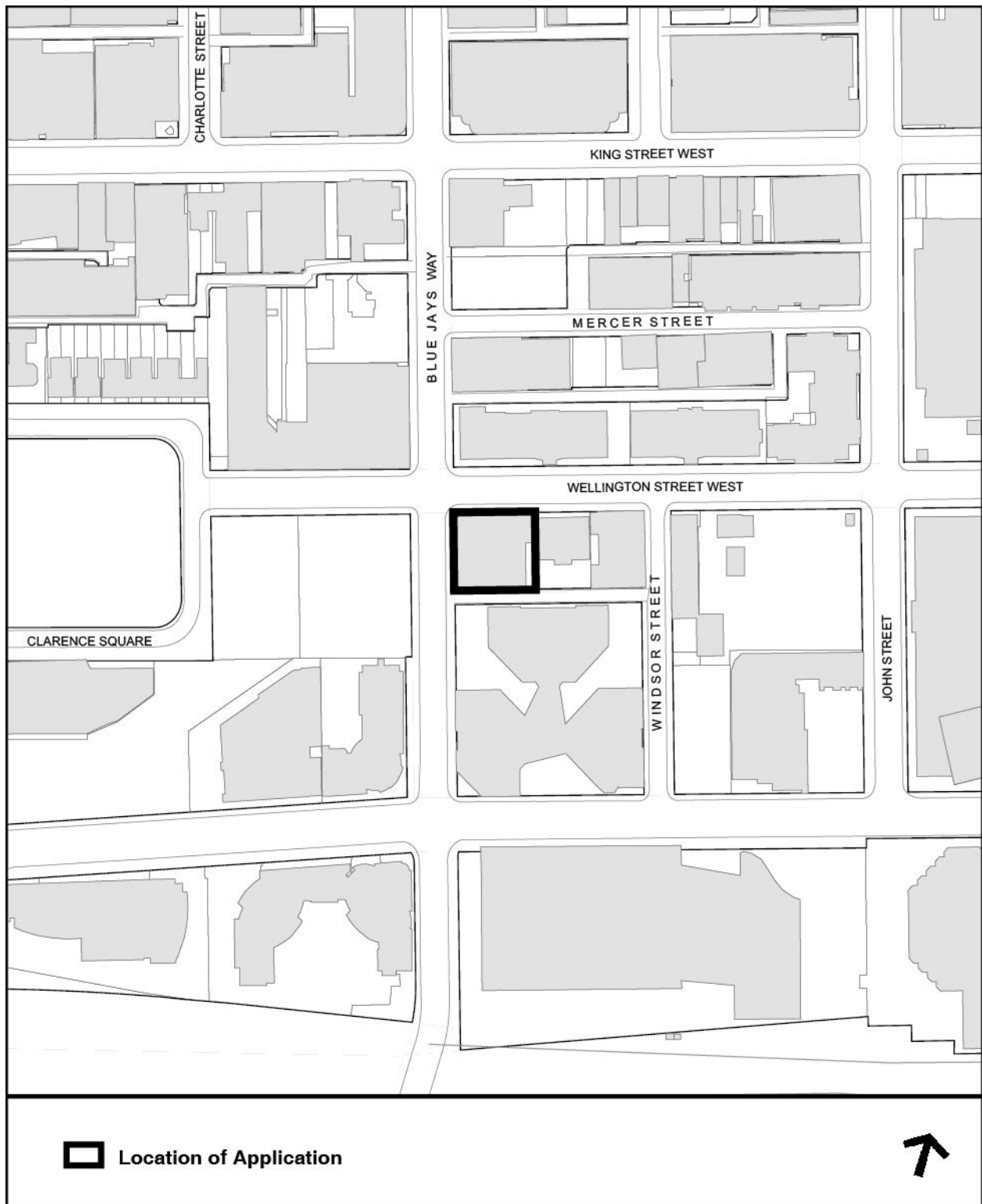


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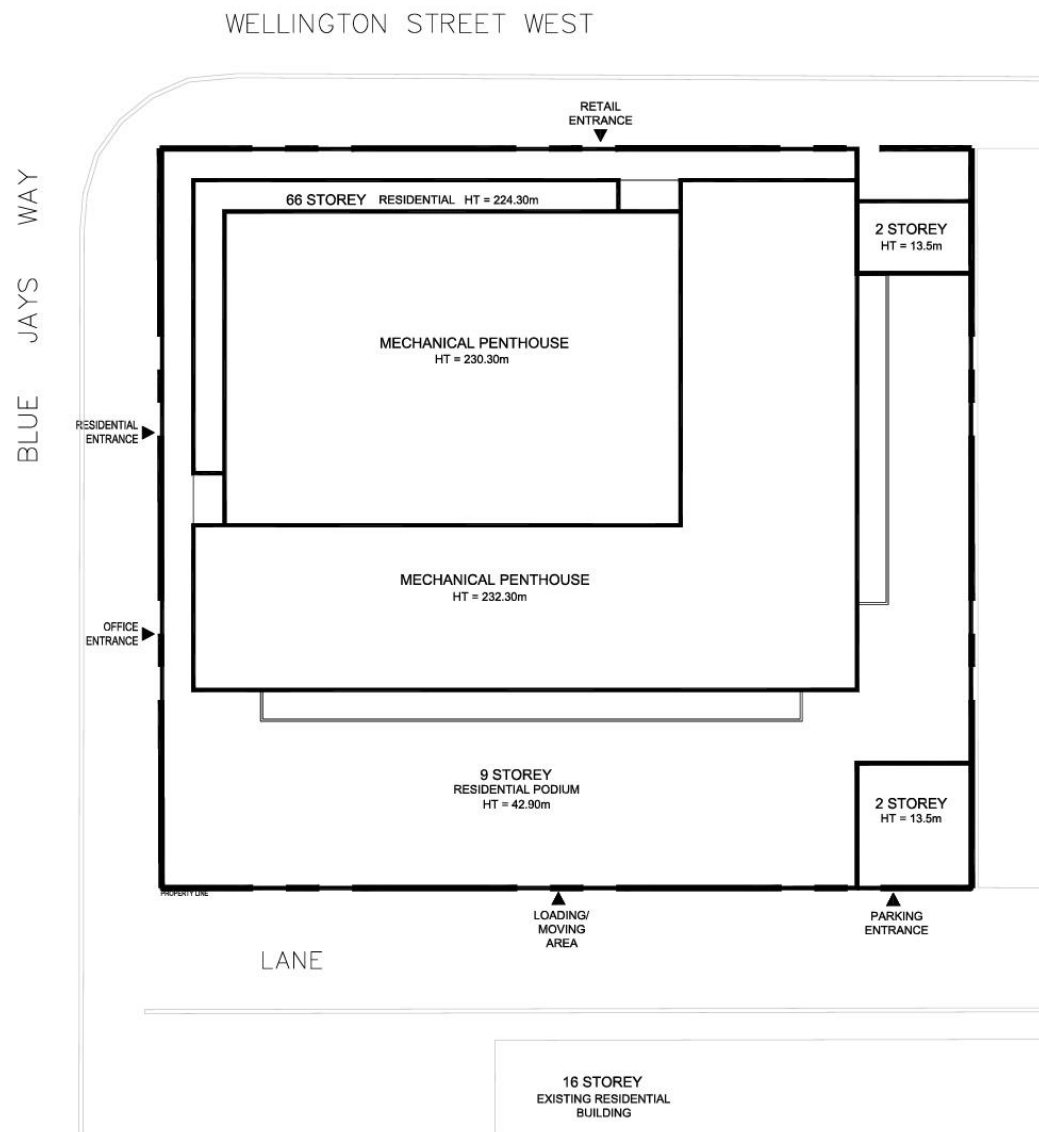
Attachment 2: 3D Massing Model of Proposal in Context (Southwest View)



Attachment 3: Location Map



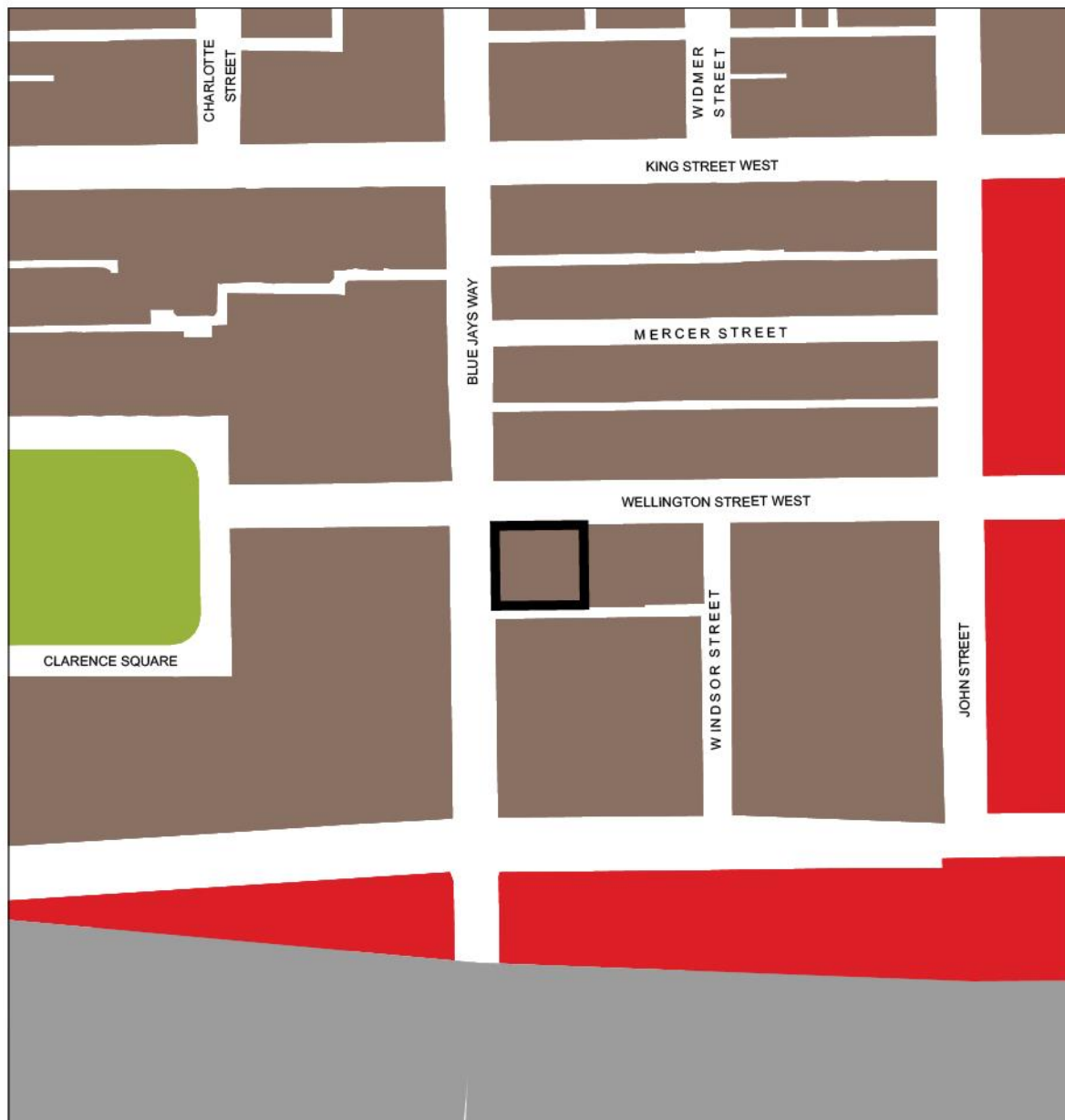
Attachment 4: Site Plan



Site Plan



Attachment 5: Official Plan Map



Official Plan Land Use Map #18

277 Wellington Street West

File # 20 233424 STE 10 02



Location of Application

Mixed Use Areas

Parks & Open Space Areas

Parks

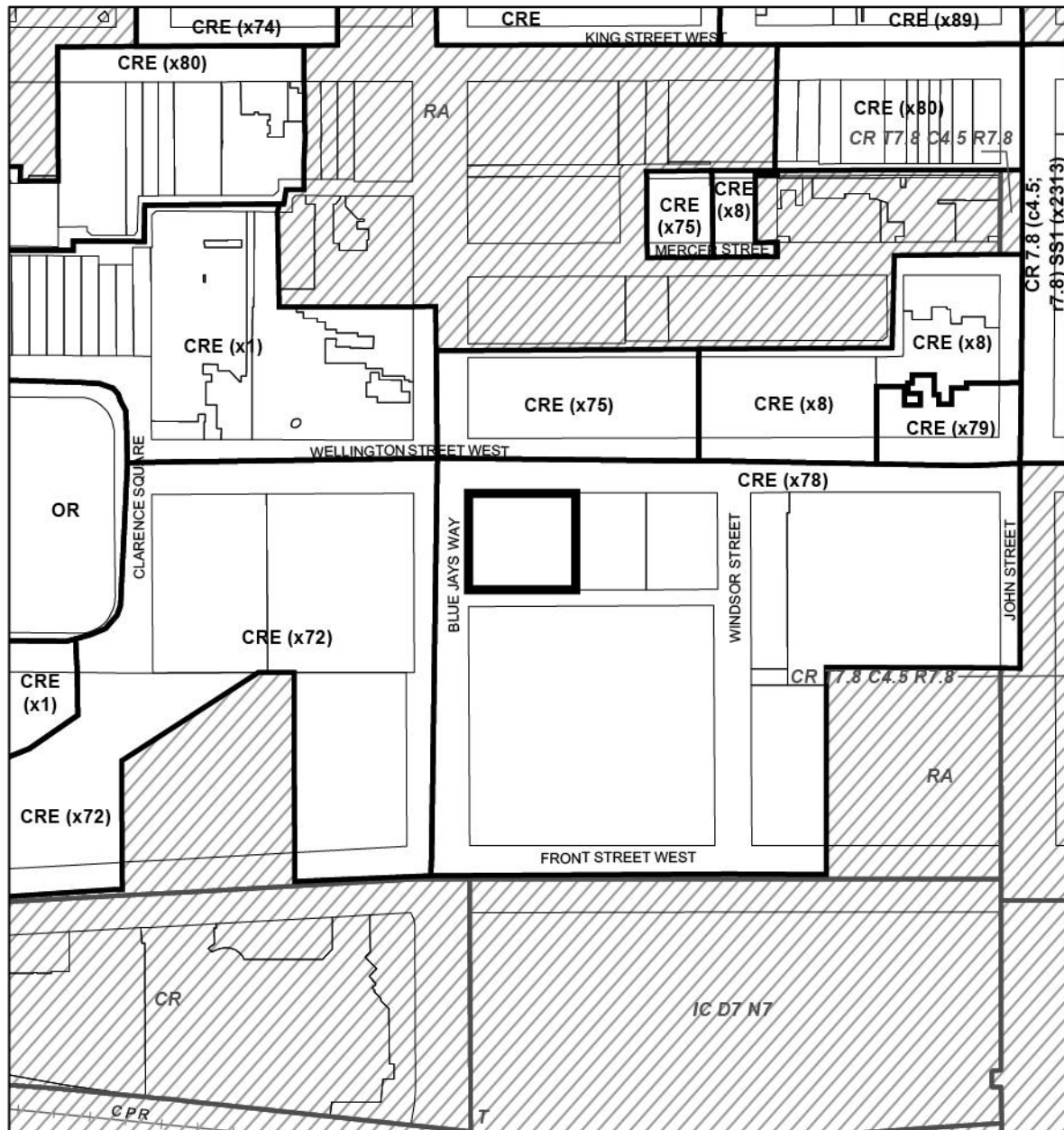
Corridor

Regeneration Areas



Not to Scale
Extracted: 01/05/2021

Attachment 6: Zoning By-law Map



Zoning By-law 569-2013

277 Wellington Street West

File # 20 233424 STE 10 0Z



Location of Application

CR Commercial Residential

CRE Commercial Residential Employment
OR Open Space Recreation



See Former City of Toronto By-law No. 438-86

CR Mixed-Use District
RA Mixed-Use District
IC Industrial District
T Industrial District



Not to Scale
Extracted: 01/05/2021

Attachment 7: Application Data Sheet

APPLICATION DATA SHEET

Municipal Address: 277 WELLINGTON ST W Date Received: December 23, 2020
Application Number: 20 233424 STE 10 OZ
Application Type: OPA / Rezoning, Rezoning

Project Description: Zoning By-law Amendment to facilitate redevelopment of the site with new 66-storey mixed use building. 116 square metres of retail use and 9,169 square metres of office space is proposed within the 9-storey podium, along with 37,170 square metres of residential gross floor area within the tower. A total of 645 residential units are proposed.

Applicant	Agent	Architect	Owner
RESERVE PROPERTIES LTD	Monica Silverberg	IBI	THE RW COMMERCIAL PROPERTIES CORPORATION

EXISTING PLANNING CONTROLS

Official Plan Designation:	Regeneration Areas	Site Specific Provision:	N
Zoning:	CRE (x78)	Heritage Designation:	N
Height Limit (m):	30	Site Plan Control Area:	Y

PROJECT INFORMATION

Site Area (sq m): Frontage (m): 39 Depth (m): 36

Building Data	Existing	Retained	Proposed	Total
Ground Floor Area (sq m):	600		1,176	1,176
Residential GFA (sq m):			37,710	37,710
Non-Residential GFA (sq m):	293 retail 8,828 office		9,285	9,285
Total GFA (sq m):			46,995	46,995
Height - Storeys:	9		66	66
Height - Metres:			224	224

Lot Coverage Ratio (%) 0 Floor Space Index: 33.91

Floor Area Breakdown	Above Grade (sq m)	Below Grade (sq m)
Residential GFA:	37,710	
Retail GFA:	116	
Office GFA:	9,169	
Industrial GFA:		
Institutional/Other GFA:		

Residential Units by Tenure	Existing	Retained	Proposed	Total
Rental:				
Freehold:				
Condominium:			645	645
Other:				
Total Units:			645	645

Total Residential Units by Size

	Rooms	Bachelor	1 Bedroom	2 Bedroom	3+ Bedroom
Retained:					
Proposed:		54	376	149	66
Total Units:		54	376	149	66

Parking and Loading

Parking Spaces:	93	Bicycle Parking Spaces:	687	Loading Docks:	4
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