

820 Church Street – Zoning By-law Amendment Application – Preliminary Report

Date: February 5, 2021

To: Toronto and East York Community Council

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

Ward: University-Rosedale - 11

Planning Application Number: 20 232820 STE 11 OZ

Current Use on Site: A one storey commercial building containing a restaurant with surface parking spaces in front.

SUMMARY

This report provides information and identifies a preliminary set of issues regarding the development application for 820 Church Street. The application proposes a 32-storey (105.3 metres including mechanical) hotel containing 168 rooms. The proposal is not acceptable in its current form, the tower is too tall, does not respond appropriately to the planned context, and does not provide appropriate transition to the low-rise Neighbourhood to the east.

The application has been circulated to all appropriate agencies and City divisions for comment. City Planning staff will proceed to schedule a community consultation meeting for the application with the Ward Councillor.

RECOMMENDATIONS

The City Planning Division recommends that:

1. City Planning staff schedule a community consultation meeting for the development application for 820 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.

THE APPLICATION

Complete Application Submission Date: This application has not been deemed complete. An Incomplete Notice of Application was sent to the Applicant on January 12, 2021. A Block Context Plan, Soil Volume Plan, and Toronto Green Standard Checklist are required in order to consider the application complete.

Description

This application proposes a 32-storey (105.3 metres including mechanical) hotel with 168 rooms. The building is generally triangular in shape, with no tower setback to the south and northeast lot lines, and a 1.2 metre setback to the west lot line. The tower has a slender floor plate of approximately 335 square metres, which is reflective of the small site size of 476 square metres. The hotel features two levels of indoor amenity space and a bar on the 32nd floor.

A driveway entrance is proposed from Church Street and connected to the public lane to the south to provide a turning circle for vehicle drop off and pick-up. There is no on-site parking or loading provided. There are two below-grade levels dedicated to hotel related facilities.

Detailed project information including all plans and reports submitted as part of the application can be found on the City's Application Information Centre at: <https://www.toronto.ca/city-government/planning-development/application-information-centre/>

See Attachments 1, 3 and 6 of this report, for a three dimensional representation of the project in context, a 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 and parking counts.

Reason for the Application

The Zoning By-law Amendment proposes to vary performance standards including: building height; building setbacks; floor space index; and parking and loading space requirements. Additional amendments to the Zoning By-law may be identified as part of the application review

POLICY CONSIDERATIONS/PLANNING FRAMEWORK

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) (the "Growth Plan"). 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") came into effect on August 28, 2020. 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*.

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 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 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.

Planning for Major Transit Station Areas

The Growth Plan 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 requires that, at the time of the next MCR, the City update its Official Plan to delineate MTSA boundaries and demonstrate how the MTSAs are planned for the prescribed 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*. The PPS recognizes the Official Plan as the most important document for its implementation.

The Official Plan contains policies related to building complete communities, heritage preservation, community services, transportation, and environmental stewardship.

The Official Plan also provides for the use of Section 37 of the *Planning Act* to pass bylaws for increases in height and/or density not otherwise permitted by the Zoning By-law in return for the provision of community benefits in the form of capital facilities and local improvements.

The site is located on lands shown as *Downtown and Central Waterfront* on Map 2 of the Official Plan and *Mixed Use Areas* on Map 17.

See Attachment 4 of this report for the Official Plan Land Use Map.

The Toronto Official Plan can be found here:

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

Official Plan Amendment 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 Amendment can be found here:

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

The Downtown Plan

City Council adopted OPA 406 at its meeting on May 22-24, 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 for approval. The Ministry issued its decision regarding OPA 406 on June 5, 2019. Since this application was submitted on June 3, 2020, OPA 406, the new Downtown Secondary Plan, applies to this application.

The site is designated Mixed Use Areas 2 - Intermediate. Development in Mixed Use Areas 2 will include building typologies that respond to their site context, including mid-rise and some tall buildings.

Site and Area Specific Policy (SASP) 211 – Bloor Yorkville / North Midtown Area

SASP 211 in the Official Plan recognizes that the Bloor-Yorkville/North Midtown area comprises a broad mix of districts with differing intensities, scales and heights in a diversity of building forms. The area includes Neighbourhoods, Apartment Neighbourhoods, Areas of Special Identity, Mixed Use Areas, and open space provided by parks and ravines. It forms the north edge of the Downtown and provides for transition in density and scale.

The tallest buildings in the Bloor-Yorkville/North Midtown Area will be located in the Height Peak in the vicinity of the intersection of Yonge and Bloor Streets. Buildings will step down from the Yonge and Bloor Street intersection in descending ridges of height along Yonge Street, Bloor Street and along portions of Avenue Road, Bay and Church Streets called Height Ridges. The subject site is located outside all three of the built form areas, being located in between a Height Ridge to the south and a Low-Rise Area to the north and east.

The lowest heights in the Bloor-Yorkville/North Midtown Area are in the Neighbourhoods and Areas of Special Identity. The subject site is separated from the Asquith-Collier neighbourhood to the east and northeast by Church Street which runs diagonally. Development on sites near these Neighbourhoods will be designed with sufficient setbacks and transitions in scale, through means such as angular planes and step-down's in height to adequately limit shadow, wind and privacy impacts upon nearby

residences and the public realm. In general, new buildings in the SASP area will achieve harmonious relationships with their built form context through building heights, massing, setbacks, rooflines and profile architecture.

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>

Zoning By-laws

The subject site is zoned CR T4.0 C1.75 R4.0 under Zoning By-law 438-86, as amended. The maximum permitted height is 30.0 metres and the maximum total residential and non-residential gross floor area is 4.0 times the area of the lot. This CR zoning category allows for a broad range of residential and commercial uses.

Zoning By-law 569-2013 also applies to the site and is zoned CR 4.0 (c1.75; r4.0) which permits a mix of commercial and residential uses to a maximum of 4.0 times density, with up to 1.75 times density for commercial uses, and a maximum height of 30 metres.

See Attachment 5 of this report for the existing Zoning By-law Map.

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

Bloor-Yorkville/North Midtown: Planning Framework & Implementation Strategy

The Bloor-Yorkville/North Midtown: Planning Framework & Implementation Strategy report (August 2015) was prepared by The Planning Partnership, Greenberg Consultants Inc., ERA Architects, and Michael Spaziani Architect Inc., on behalf of the Bloor-Yorkville Business Improvement Association, ABC Residents Association, Greater Yorkville Residents Association, and Yonge Bay Bloor Business Association.

The objective of this community-led Planning Framework and Implementation Strategy is to address concerns over tall buildings and intensification. It outlines where

development should and should not occur, the types of uses and built form that are appropriate, how future development applications will be analyzed, and the future planning approval processes that are required.

The report has two parts: an overview of the history, and current policy and development context; and, a policy framework and implementation strategies, and separate pedestrian realm network plan. The report organizes the Bloor-Yorkville/North Midtown area into 3 districts: the primary development districts; the corridor districts; and, the stable neighbourhood districts. Each district contains precincts, some of which are broken down into segments. Targeted planning policies are proposed for each district, precinct, and segment. This site is located in the Yonge North Corridor within the Corridor Districts.

The report was tabled at the October 13, 2016 Toronto and East York Community Council and staff were directed to consider the report in preparation of the Secondary Plan for Bloor-Yorkville/North Midtown.

Design Guidelines

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

- Bloor-Yorkville/North Midtown Urban Design Guidelines
- Tall Building Design Guidelines
- Bird Friendly Guidelines

The City's Design Guidelines can be found here:

<https://www.toronto.ca/citygovernment/planning-development/official-plan-guidelines/design-guidelines/>

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.

Applications must use the documentation required for the version of the TGS in effect at the time of the initial application. TGS Version 1.0 is no longer in effect. Older applications must be upgraded. TGS Version 2.0 applies to new applications received between January 1, 2010 and April 30, 2018. TGS Version 3.0 applies new applications submitted on or after May 1, 2018.

The TGS can be found here: <https://www.toronto.ca/city-government/planningdevelopment/official-plan-guidelines/toronto-green-standard/tier-1-planning-applicationrequirements/>

Site Plan Control

The application is subject to Site Plan Control. A Site Plan Control application has not been submitted to date.

COMMENTS

ISSUES TO BE RESOLVED

City Planning staff have identified a number of preliminary issues with the proposed development and will work with the applicant to address these concerns and achieve a proposal which is more compatible with its surrounding context.

Provincial Policies and Plans Consistency/Conformity

Revisions may be required to ensure that the proposed development conforms with the Official Plan, conforms with the Growth Plan, and is consistent with the PPS.

Built Form, Planned and Built Context

Staff will assess the suitability and appropriateness of the proposed height, massing, transition, and other built form issues based on Section 2 (d), (p), (q) and (r) of the *Planning Act*, the PPS; the Growth Plan; the City's Official Plan policies; the Downtown Plan (OPA 406); Site and Area Specific Policy 211; and the City's Design Guidelines.

The following preliminary issues have been identified:

- The proposal has not demonstrated that the site is large enough to accommodate a tall building that is in keeping with Official Plan policies and guidelines;
- The proposed building height of 32-storeys (105.3 metres to the top of the mechanical penthouse) is too tall, and does not fit into the planned built form context;
- Suitability of the proposed density, and massing, including setbacks to property lines and step backs, in relation to the area's existing and planned built form and scale;
- Suitability of the proposed separation distance to the adjacent 17-storey residential building to the east;
- Suitability of the proposed building setbacks to account for existing above and below-grade TTC infrastructure.

- Appropriate transition in scale to the low-scale Neighbourhood to the east;
- Pedestrian level wind conditions along street frontages. A Pedestrian Level Wind Assessment was submitted and is currently under review by City staff.

Shadow

The proposal has resulting shadows on Harold Town Park, Lawren Harris Park, and the low-rise Asquith Collier Neighbourhood to the east. The applicant should revise the proposal in order to adequately limit shadow on these parks and the Neighbourhood.

Site Access, Circulation and Parking

Official Plan Policy 2.4.18 requires that hotel facilities will make provision for taxi stands on private property. The proposal does not contain any on-site parking or loading and is partially reliant on the existing public laneway to the south and a short driveway access from Church Street for site circulation and drop off. City Planning staff will continue to assess whether the existing site contains sufficient planned infrastructure to facilitate safe and efficient movement of vehicles for hotel patrons and pick-up, drop-off and loading purposes and is consistent with section 2.4 of the Official Plan.

Public Realm

The proposed building footprint on a site size of 476 square metres creates challenges in achieving quality public realm. The proposed tower cantilevers above the widened sidewalk along Church Street above the second storey and does not achieve access to light or the provision of street tree plantings. City Planning staff will assess whether the site is consistent with the updated public realm policies contained in OPA 479.

Toronto Green Standard

City Planning staff will review the TGS Checklist submitted by the applicant for compliance with the Tier 1 performance measures. Staff will encourage the applicant to pursue Tier 2, 3 or 4.

Additional Issues

The application has been circulated to City divisions and public agencies for comment. Additional issues may be identified through the review of the application, agency comments and the community consultation process.

NEXT STEPS

City Planning staff will host a Community Consultation Meeting.

City staff will work to resolve the issues raised in this report and additional issues that may be identified by staff and the public. Staff will report back at the appropriate time in

the review of the application. If a Final Report is prepared, then the report will proceed to the Toronto and East York Community Council meeting which will serve as the Statutory Public Meeting as required by the Planning Act before being considered at City Council for a decision.

CONTACT

David Driedger, Senior Planner
Tel. No. 416-392-7613
E-mail: David.Driedger@toronto.ca

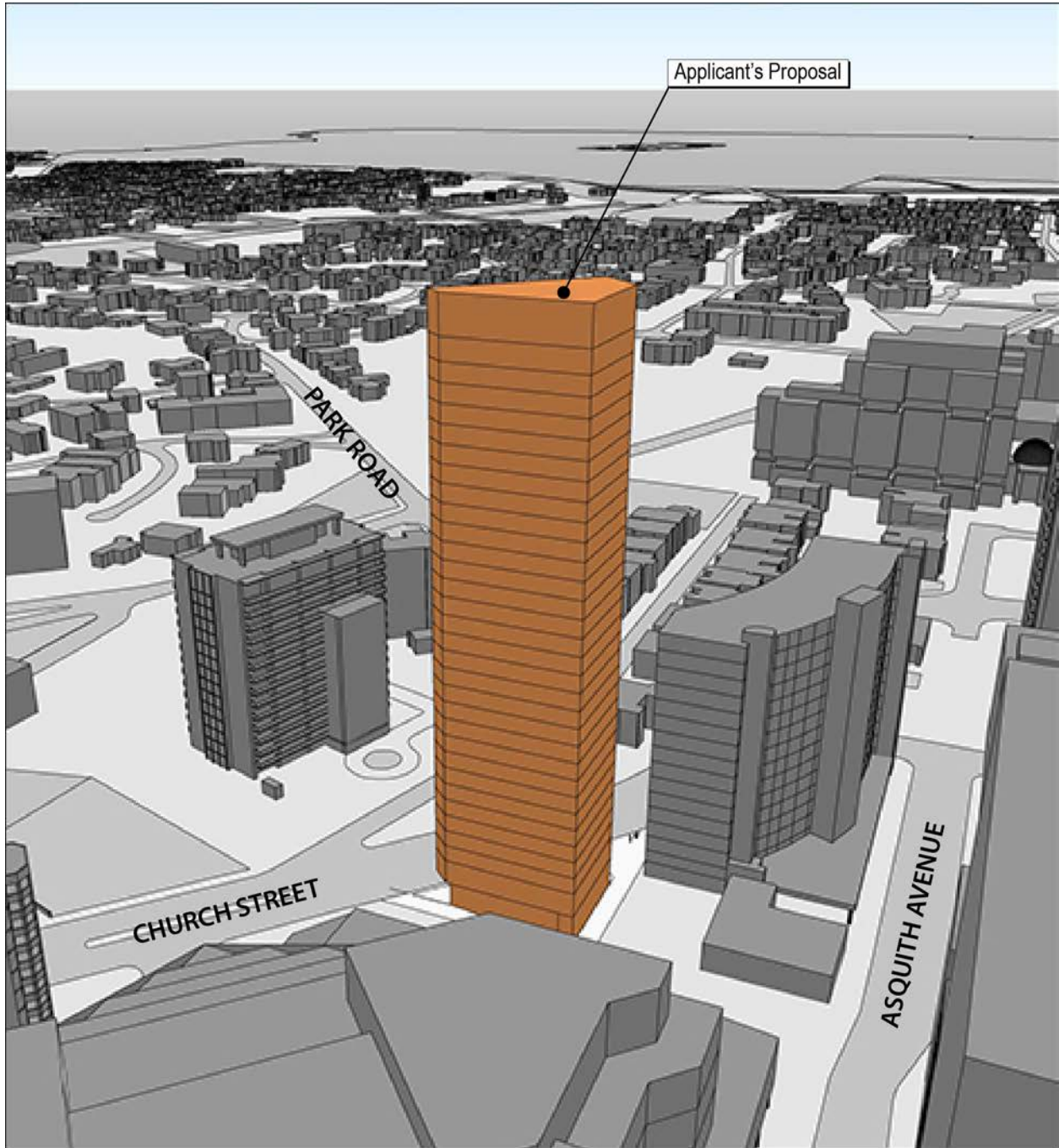
SIGNATURE

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

ATTACHMENTS

Attachment 1: 3D Models of Proposal in Context
Attachment 2: Location Map
Attachment 3: Site Plan
Attachment 4: Official Plan Map
Attachment 5: Zoning By-law Map
Attachment 6: Application Data Sheet

Attachment 1: 3D Model of Proposal in Context



View of Applicant's Proposal Looking Northeast



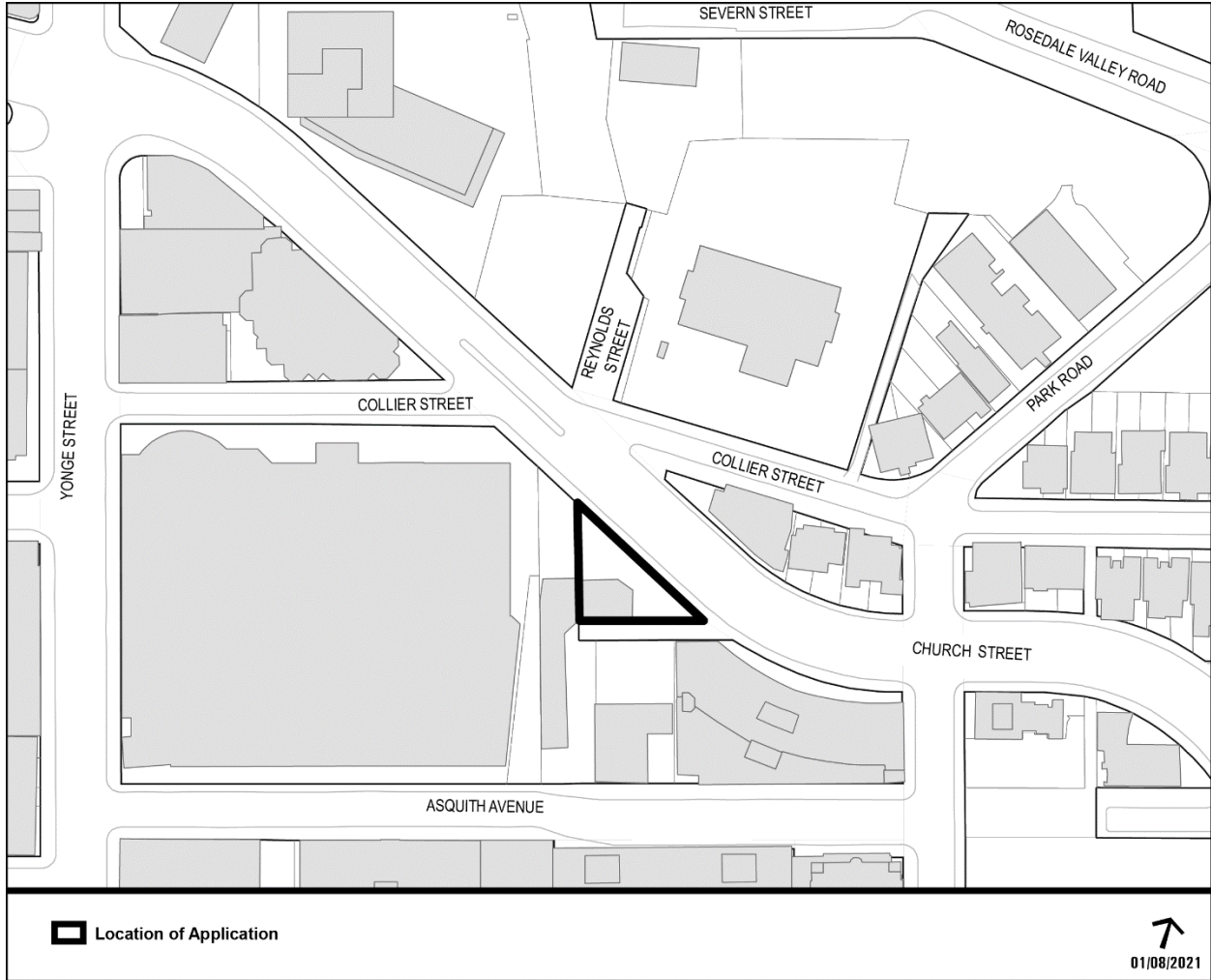
01/15/2021



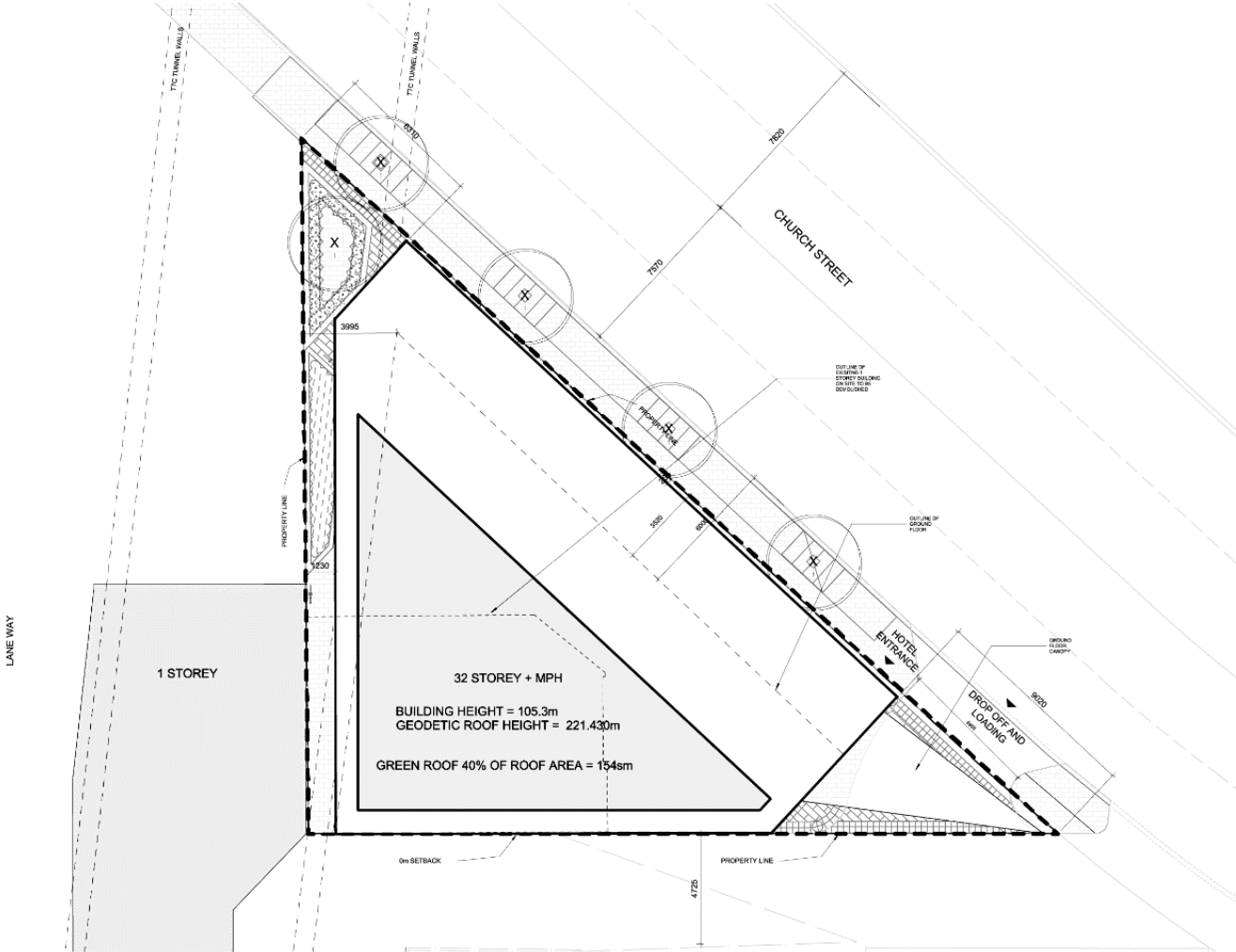
View of Applicant's Proposal Looking Southwest

↘
01/15/2021

Attachment 2: Location Map



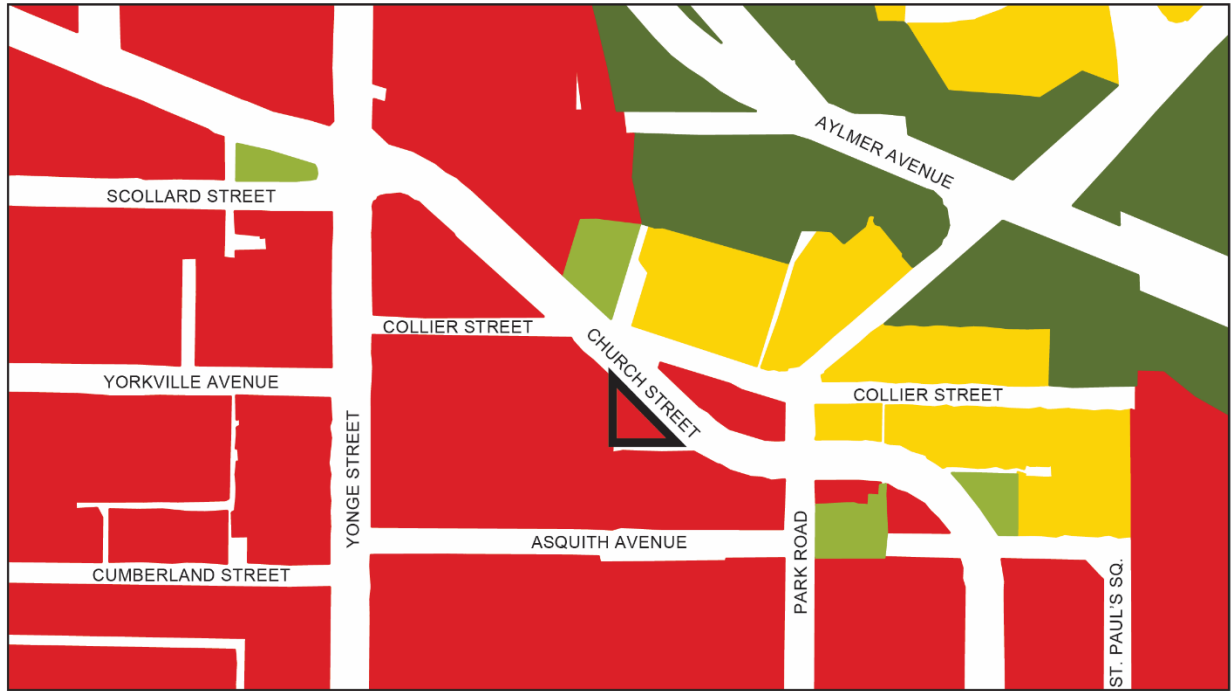
Attachment 3: Site Plan



Site Plan



Attachment 4: Official Plan Map



820 Church Street

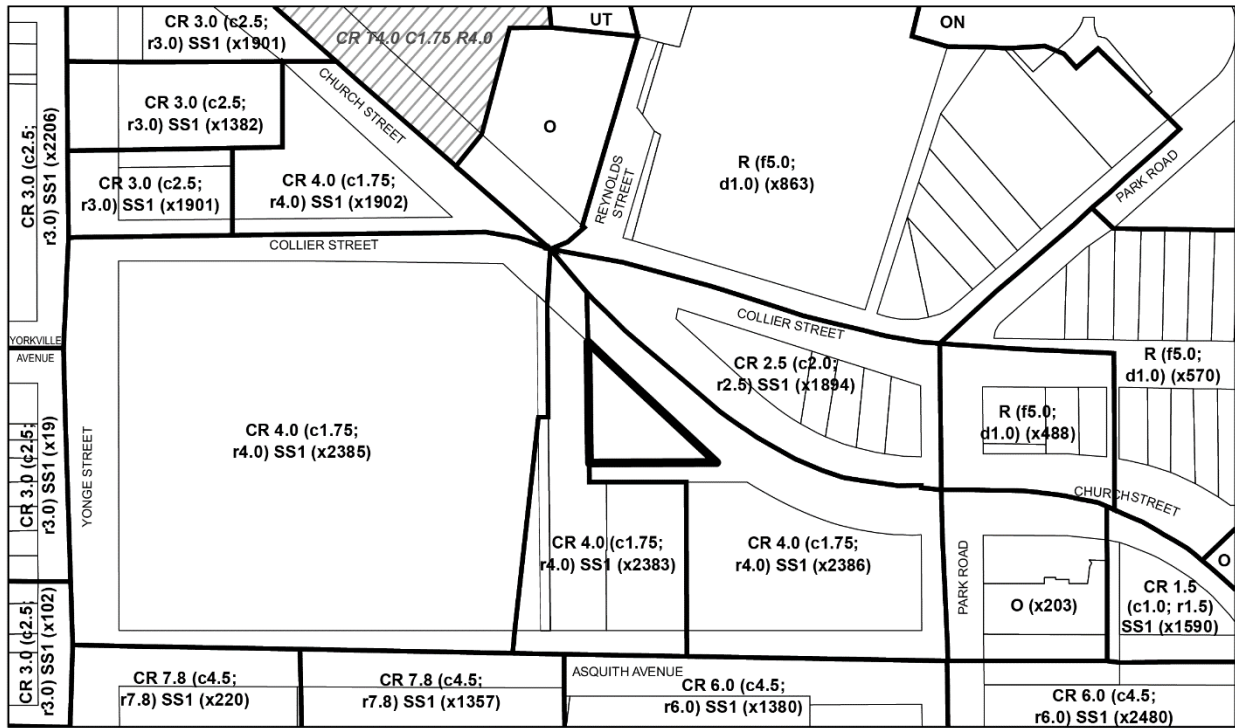
Official Plan Land Use Map #17

File # 20 232820 STE 110Z

- | | |
|---|--|
|  Location of Application |  Parks & Open Space Areas |
|  Neighbourhoods |  Natural Areas |
|  Mixed Use Areas |  Parks |


Not to Scale
01/15/2021

Attachment 5: Zoning By-law Map



Zoning By-law 569-2013

280 Church Street

File # 20 232820 STE 11 0Z

Location of Application

See Former City of Toronto By-law No. 438-86
CR Mixed-Use District

- R Residential
- CR Commercial Residential
- O Open Space
- ON Open Space Natural
- UT Utility and Transportation



Not to Scale
Extracted: 01/08/2021

Attachment 6: Application Data Sheet

Municipal Address: 820 Church St. Date Received: December 21, 2020
 Application Number: 20 232820 STE 11 OZ
 Application Type: Rezoning
 Project Description: A 32-storey hotel containing 168 rooms.

Applicant	Agent	Architect	Owner
Janice Robinson	Janice Robinson	IBI Group Architects	820 Church Inc.

EXISTING PLANNING CONTROLS

Official Plan Designation:	Mixed Use Areas	Site Specific Provision:	SASP 211
Zoning:	CR 4.0 (c1.75; r4.0) SS1 (x2386)	Heritage Designation:	No
Height Limit (m):	30	Site Plan Control Area:	Y

PROJECT INFORMATION

Site Area (sq m): 476 Frontage (m): 40 Depth (m): 32

Building Data	Existing	Retained	Proposed	Total
Ground Floor Area (sq m):			256	256
Residential GFA (sq m):				
Non-Residential GFA (sq m):			10,943	10,943
Total GFA (sq m):			10,943	10,943
Height - Storeys:	1		32	32
Height - Metres:			99	99

Lot Coverage Ratio (%) : 53.82 Floor Space Index: 23

Floor Area Breakdown	Above Grade (sq m)	Below Grade (sq m)
Residential GFA:		

Retail GFA:
 Office GFA:
 Industrial GFA:
 Institutional/Other GFA: 10,585 358

Residential Units by Tenure	Existing	Retained	Proposed	Total
Rental:				
Freehold:				
Condominium:				
Other:			168 Hotel Units	

Total Units:

Parking and Loading

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

CONTACT:

David Driedger, Senior Planner
 416-392-7613
 David.Driedger@toronto.ca