

191 and 201 Sherbourne Street – Official Plan Amendment and Zoning Amendment Applications – Preliminary Report

Date: March 29, 2021

To: Toronto and East York Community Council

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

Ward: 13 - Toronto Centre

Planning Application Number: 20 224753 STE 13 OZ

Notice of Complete Application Issued: January 13, 2021

Current Uses on Site: Two apartment buildings (23 and 28 storeys) with a total of 596 residential units.

SUMMARY

This report provides information and identifies a preliminary set of issues regarding the application located at 191 and 201 Sherbourne Street to permit the construction of 2 new residential rental buildings, 7 and 15 storeys in height (21.6 and 44.4 metres), in addition to the 2 existing rental apartment buildings on the property. 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 191 and 201 Sherbourne 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

A pre-application meeting was held with the applicant on October 6, 2020 to discuss the proposed development, provide preliminary feedback on the proposed built form and to provide the an application checklist.

ISSUE BACKGROUND

Application Description

This application proposes the addition of 2 new residential rental buildings to the property at 191 and 201 Sherbourne Street, which currently contains 2 existing rental apartment buildings, resulting in a proposed density of 4.61 times the area of the lot (currently 2.88 times the area of the lot).

A 15-storey apartment building, with a height of 44.4 metres, is proposed between the 2 existing apartment buildings on the Sherbourne Street frontage, which would be connected to the existing buildings at the 1st floor level, providing for a centralized lobby for the 3 buildings, as well as centralized indoor amenity spaces.

A 7-storey apartment building, with a height of 21.6 metres, is proposed on the Shuter Street frontage of the site and will also have frontage on Seaton Street. A daycare centre is currently proposed for the ground floor of the building.

The 2 proposed buildings will contain 313 new residential units, being 187 1-bedroom units (60%), 92 2-bedroom units (30%) and 32 3-bedroom units (10%).

The existing apartment buildings on the site are 18 and 23 storeys tall and contain a total of 596 units (473 1-bedroom and 123 2-bedroom). With the proposed buildings, there would be a total of 909 residential units on the site.

A total of 610 parking spaces (519 residents and 91 visitor) will be located in a 3 level underground garage. Currently 509 of these parking spaces exist on the site. There will be 603 bike parking spaces, which will be located in the first 2 levels of the underground garage and at grade. Currently there are 67 bike parking spaces on the property.

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 Attachment 1 for the location map, Attachments 2 - 5 of this report for a three dimensional representation of the project in context and Attachments 6 - 9 for the site plan and elevations, as well as Attachment 11 for the Application Data Sheet.

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).

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. In this case, the proposal is within 200 to 350 metres of the proposed Ontario Line. 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.

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. 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 current application is located on lands shown as Downtown and Central Waterfront on Map 2 of the Official Plan and Apartment Neighbourhoods and Neighbourhoods on Map 18 as shown on Attachment 10.

The application is subject to Site and Area Specific Policy 461, Garden District Site and Area Specific Policy (Official Plan Amendment 82). The Sherbourne Street frontage of the property is located within the Sherbourne Corridor Character Area and is not identified as a block in which a tall building is permitted.

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.

The downtown plan does not redesignate the subject property, maintaining the *Apartment Neighbourhood* and *Neighbourhood* designations.

The in-force Downtown Plan may be found here:

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

Official Plan Amendment 352 – Downtown Tall Building Setback Area

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

OPA 352 and Zoning By-laws 1106-2016 and 1107-2016 were appealed to the Local Planning Appeal Tribunal (LPAT) following City Council's adoption of the planning instruments. On November 25, 2020 and February 2, 2021, City Council approved modifications to OPA 352 and the Zoning By-laws with the intention of resolving the appeals. On March 15, 2021, City Legal, together with the appropriate City Staff, presented the modifications to the LPAT for approval. At the time of this report, a written decision from the LPAT on the modified policies and regulations has not been issued.

Further information regarding OPA 352 can be found at www.toronto.ca/tocore

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>

Zoning By-laws

The site is zoned R3 Z1.0 under Zoning By-law 438-86 with a maximum height of 12 metres. The site is zoned R(d1.0)(x984) with a maximum height of 12 metres under Zoning By-law 569-2013.

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:

City-wide Tall Building Design Guidelines;
Downtown Tall Buildings Vision and Supplementary Design Guidelines;
Mid-rise Building Performance Standards;
Growing Up Design Guidelines; and
Pet Friendly 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 is proposed to permit a tall building on the site, whereas the Garden District Site and Area Specific Policy does not permit a tall building to be located. The applicant has also requested an Official Plan Amendment to permit a 7 storey building within the *Neighbourhood* designated portion of the site.

The Zoning By-law Amendment Application proposes to amend Zoning By-laws 438-86 and 569-2013 to vary performance standards including: building height; building setbacks and floor space index requirements. Additional amendments to the Zoning By-law may be identified as part of the application review.

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

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) as amended and/or Greenbelt Plan, highlighting only those provincial policies relevant in the context of this particular application.

Official Plan Conformity

Staff will continue to evaluate this planning application to determine the application's conformity to the Official Plan including the recently approved Downtown Plan (OPA 406), the Garden District Site and Area Specific Policy (OPA 82), and OPA 352.

Built Form, Planned and Built Context

Staff will continue to assess the suitability of the proposed Official Plan amendments as well as the proposed height, massing, and other built form issues based on Section 2 d), j), p) and r) of the Planning Act; the PPS 2020, the Growth Plan (2020), the City's Official Plan policies including Official Plan Amendment 82 and the City's Tall Building Design Guidelines, the Downtown Tall Building Design Guidelines and the Mid-rise Building Performance Standards.

Staff will continue to assess appropriateness of the proposed zoning by-law amendments, including:

- the transition in building heights to adjacent Neighbourhoods;
- appropriate building separation between existing and new buildings;
- appropriate building setbacks and stepbacks;
- shadow impacts on adjacent Neighbourhoods and the public realm;
- the appropriate unit mix in conformity with OPA 406, the Downtown Secondary Plan and size of 2 and 3 bedroom units as per the Growing Up guidelines;
- the potential for the inclusion of on-site affordable housing as part of a complete community;
- the potential for the inclusion of an on-site parkland dedication and/or a community facility (daycare currently proposed) the appropriate quantity and location of indoor and outdoor amenity space;
- improvements to the function of the existing public lane; and
- overall phasing of the project to ensure that improvements are made in a timely manner.

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 94 trees on that are proposed to be removed on the site, of which 42 trees are regulated by the Private Tree By-law. A further 17 private trees are proposed to be injured. In addition, there are 3 trees regulated by the Street Trees By-law, 1 of which is proposed to be removed and 2 which are proposed to be injured. The submitted Arborist Report, is currently under review by City staff.

Archaeological Assessment

The site was identified as having potential archaeological resources. An archaeological stage 1 assessment was submitted and is currently under review by City staff.

Community Services and Facilities

Community Services and Facilities (CS&F) are an essential part of vibrant, strong and complete communities. CS&F are the lands, buildings and structures used for the provision of programs and services provided or subsidized by the City or other public agencies, boards and commissions. They include recreation, libraries, childcare, schools, public health, human services, cultural services and employment services, etc. The timely provision of community services and facilities is as important to the livability of the City's neighbourhoods as "hard" services like sewer, water, roads and transit. The City's Official Plan establishes and recognizes that the provision of and investment in community services and facilities supports healthy, safe, liveable, and accessible communities. Providing for a full range of community services and facilities in areas experiencing major or incremental growth, is a responsibility shared by the City, public agencies and the development community.

A CS&F Study was submitted with the application and is currently under review by City staff.

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.

Section 37 benefits will be secured in accordance with the Council approved Implementation Guidelines and Protocol for Negotiating Section 37 Community Benefits which are available here:

<https://www.toronto.ca/wp-content/uploads/2017/08/8f45-Implementation-Guidelines-for-Section-37-of-the-Planning-Act-and-Protocol-for-Negotiating-Section-37-Community-Benefits.pdf>]

Infrastructure/Servicing Capacity

Staff is reviewing the application to determine if there is sufficient infrastructure capacity (roads, transit, water, sewage, hydro) 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 Report, a Stormwater Management Report; a Hydrogeological Investigation; a Geotechnical Investigation; and a Transportation Impact Study.

Staff will continue to assess:

- the servicing report provided by the applicant, 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 provide adequate servicing to the proposed development; and

- the transportation report submitted by the applicant, in order to evaluate the effects of the development on the transportation system including impacts to parking, and to identify 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. Tier 1 performance measures are secured on site plan drawings and through a Site Plan Agreement or Registered Plan of Subdivision. The Application is being reviewed by staff for compliance with Tier 1 performance standards. In consideration of City Council's declaration of a climate emergency in 2019, Staff will encourage the applicant to pursue Tier 2 performance measures or higher.

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

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Director Community Planning,
Toronto and East York District

ATTACHMENTS

Attachment 1: Location Map

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

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

Attachment 4: 3D Model of Proposal in Context - Looking Northwest

Attachment 5: 3D Model of Proposal in Context - Looking Southwest

Attachment 6: Site Plan

Attachment 7: West Elevation

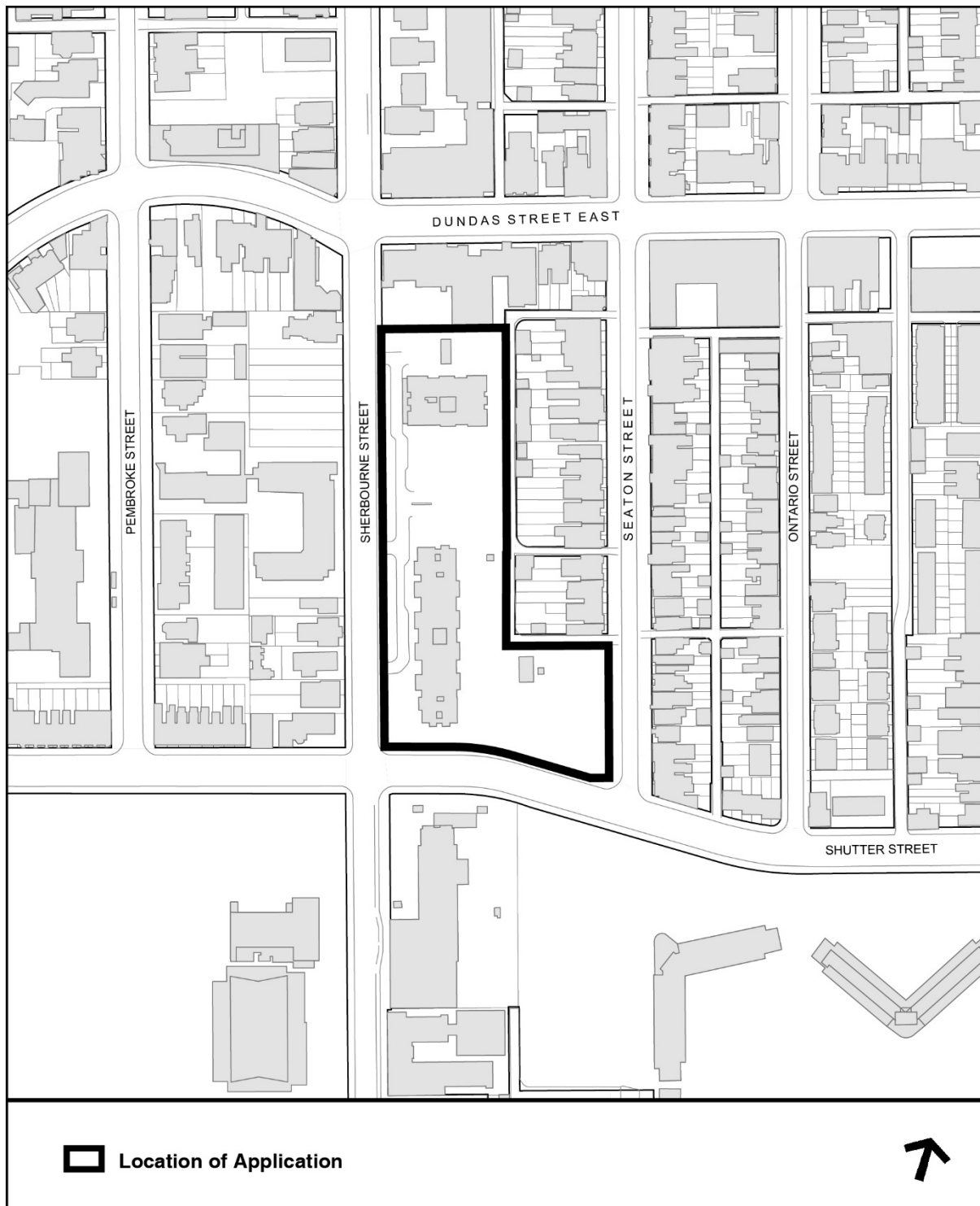
Attachment 8: South Elevation

Attachment 9: East Elevation

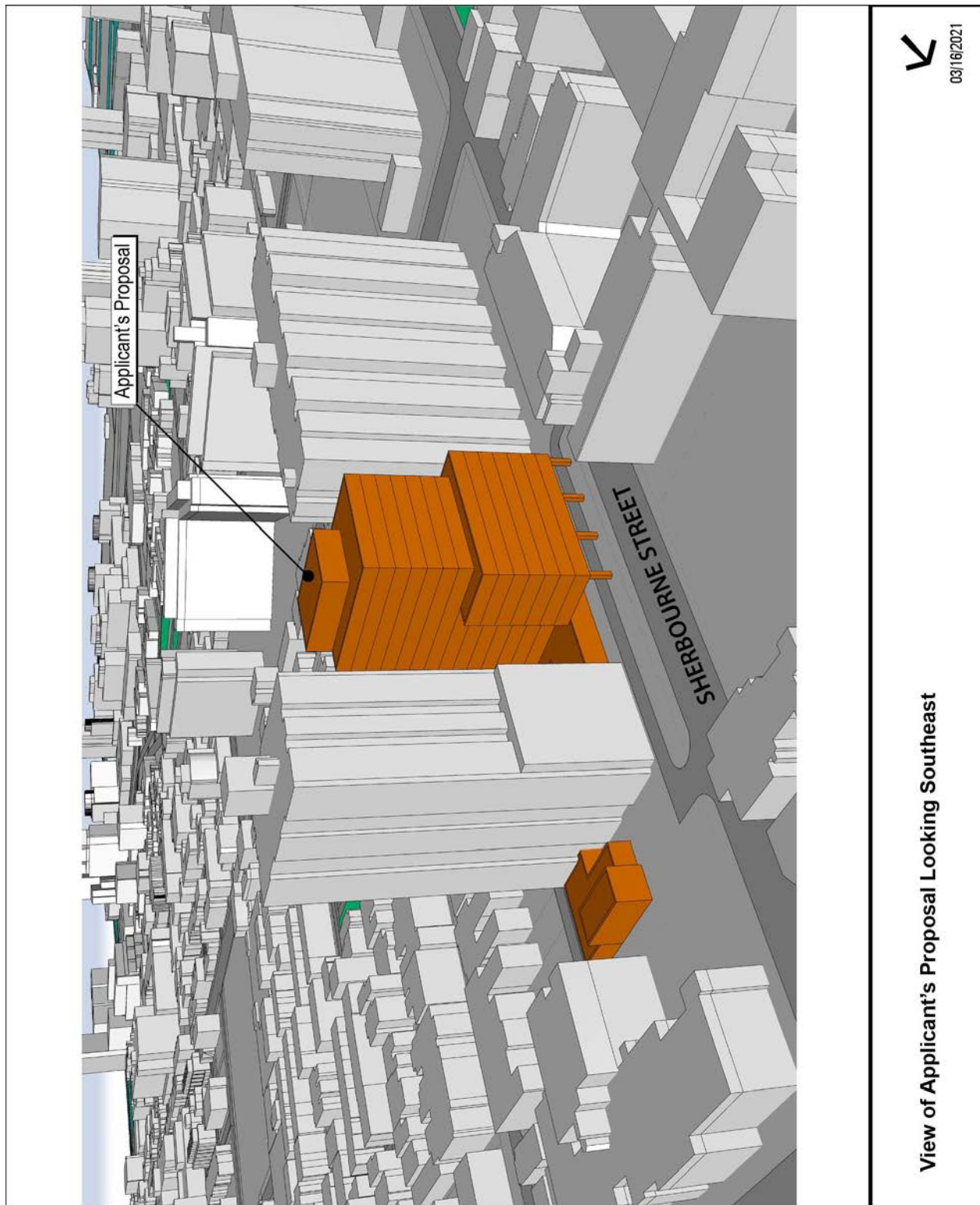
Attachment 10: Official Plan Map

Attachment 11: Application Data Sheet

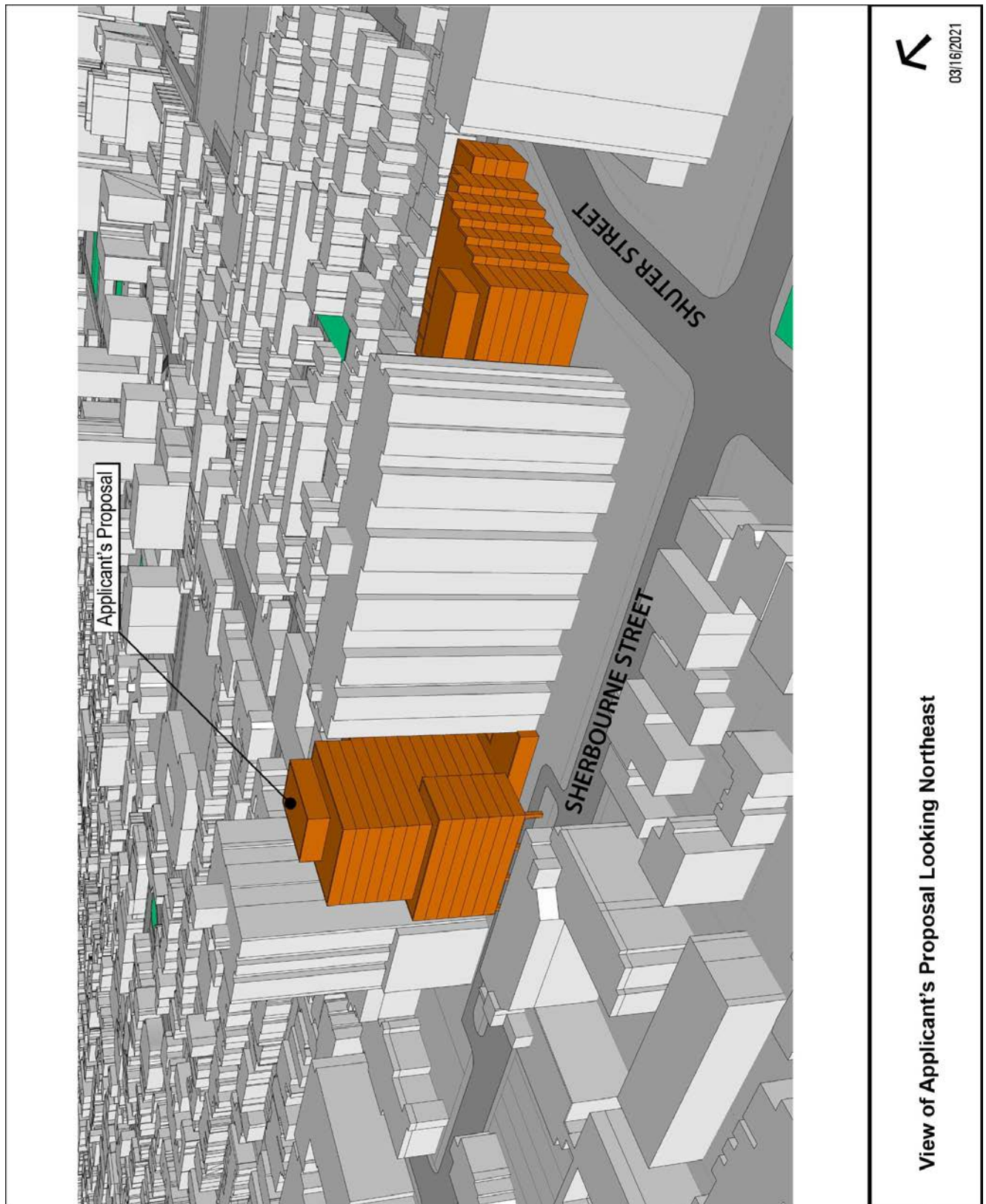
Attachment 1: Location Map



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



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



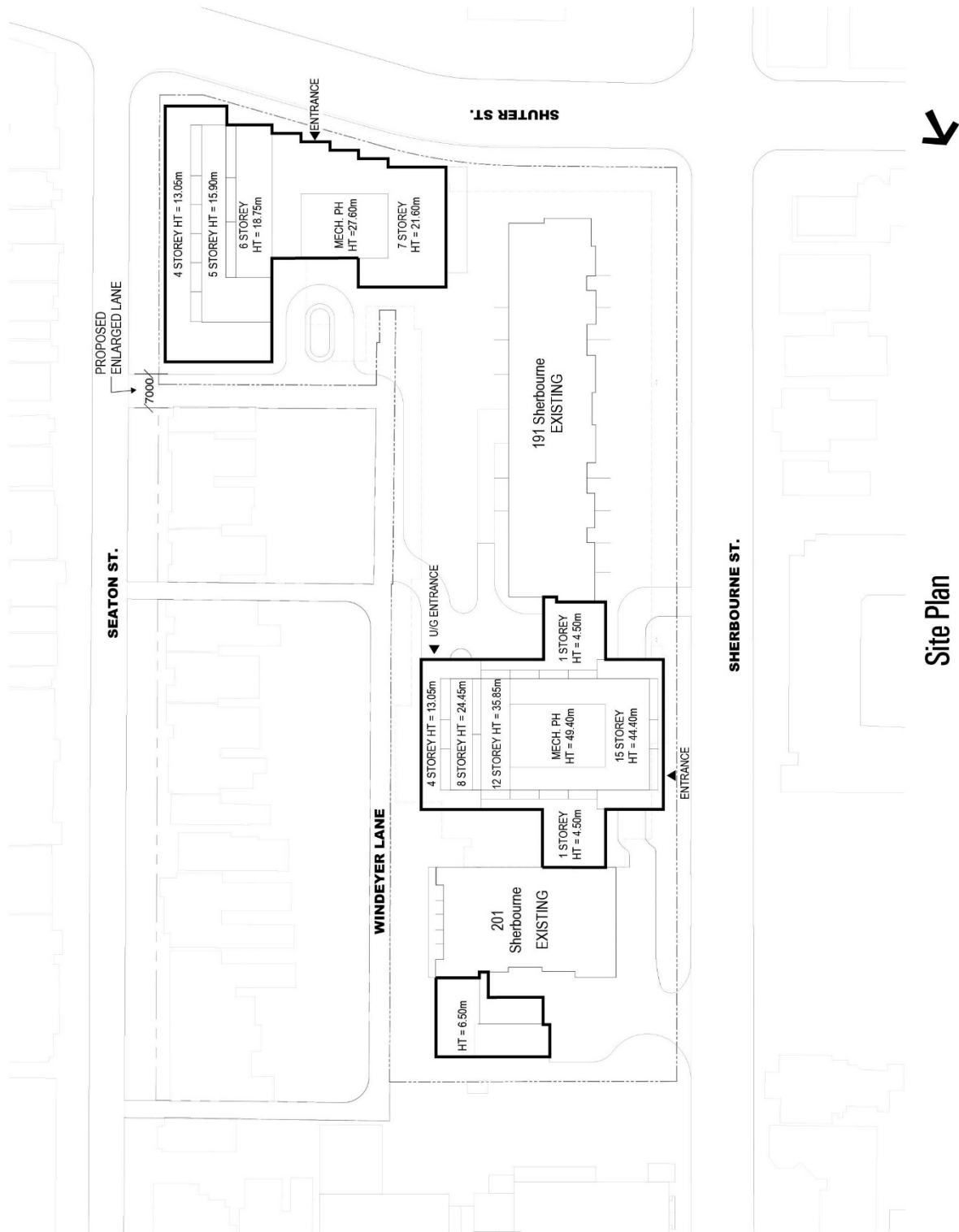
Attachment 4: 3D Model of Proposal in Context - Looking Northwest



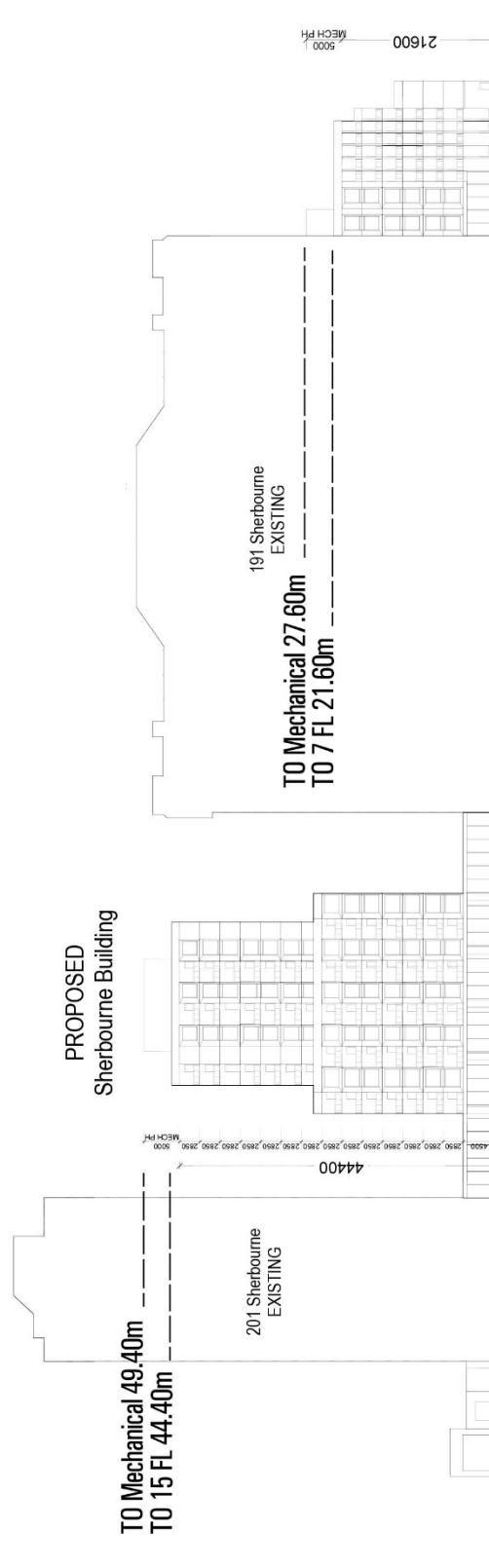
Attachment 5: 3D Model of Proposal in Context - Looking Southwest



Attachment 6: Site Plan

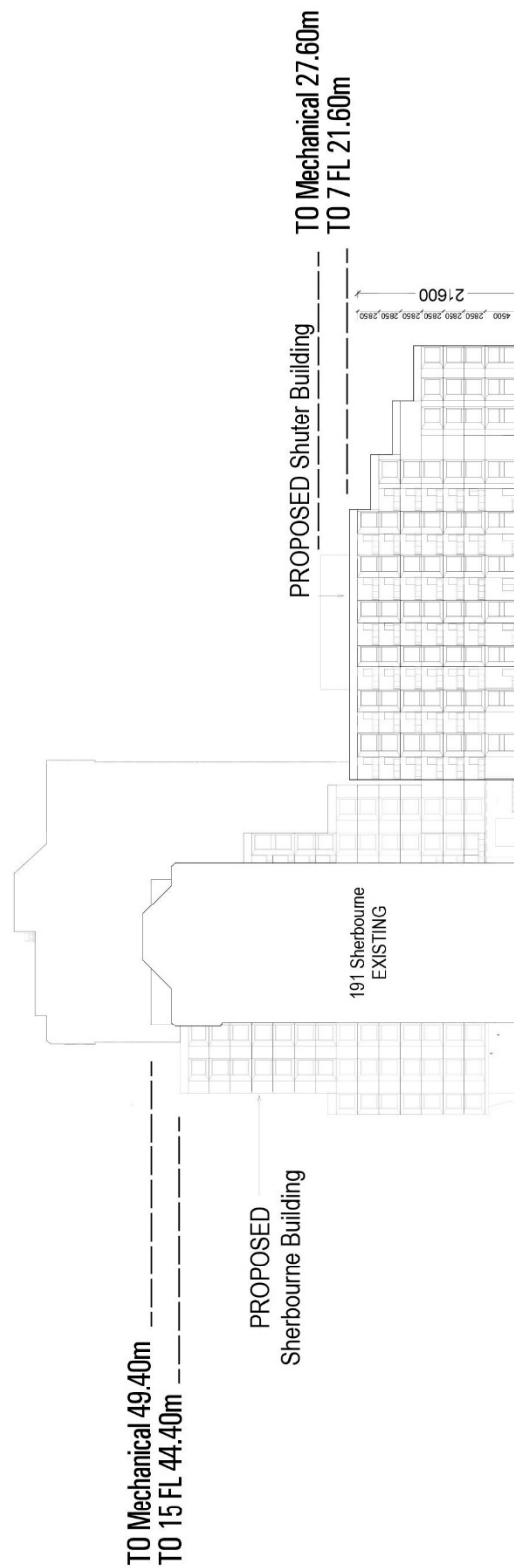


Attachment 7: West Elevation



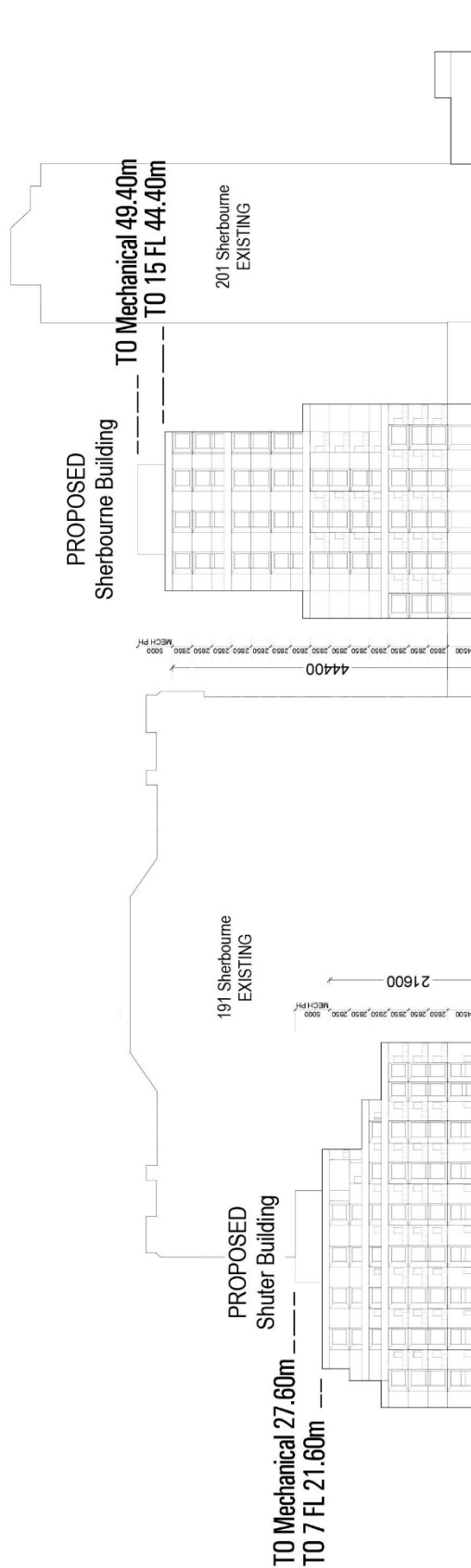
West Elevation

Attachment 8: South Elevation



South Elevation

Attachment 9: East Elevation



East Elevation

Attachment 10: Official Plan Map



Official Plan Land Use Map #18

191-201 Sherbourne Street

File # 20 224753 STE 13 0Z




 Not to Scale
 Extracted: 03/16/2021

Attachment 11: Application Data Sheet

Municipal Address: 191 SHERBOURNE ST Date Received: December 2, 2020
 Application Number: 20 224753 STE 13 OZ
 Application Type: OPA / Rezoning, OPA & Rezoning

Project Description: Proposed addition of two (2) new residential buildings: A 15-storey building positioned between the two existing rental towers along the Sherbourne Street frontage and a 7-storey mid-rise building transitioning down to 4-storeys positioned along the Shuter and Seaton Street frontage. The two new buildings will have a combined residential gross floor area of 23,905 square metres and 313 residential dwelling units.

Applicant	Agent	Architect	Owner
COLLIERS STRATEGY & CONSULTING		ZEIDLER	ONTARI HOLDINGS LTD

EXISTING PLANNING CONTROLS

Official Plan Designation:	Apartment Neighbourhood	Site Specific Provision:	SASP , OPA 82/SASP 461
Zoning:	R (d1.0) (x984)	Heritage Designation:	
Height Limit (m):	12	Site Plan Control Area:	Y

PROJECT INFORMATION

Site Area (sq m):	13,822	Frontage (m):	189	Depth (m):	106
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Building Data	Existing	Retained	Proposed	Total
Ground Floor Area (sq m):			3,440	3,440
Residential GFA (sq m):	39,855	39,855	23,905	63,760
Non-Residential GFA (sq m):			235	235
Total GFA (sq m):	39,855	39,855	24,140	63,995
Height - Storeys:	23	23	15	23
Height - Metres:			44	44

Lot Coverage Ratio (%) 24.89 Floor Space Index: 4.63

Floor Area Breakdown Above Grade (sq m) Below Grade (sq m)

Residential GFA: 63,760

Retail GFA:

Office GFA:

Industrial GFA:

Institutional/Other GFA: 235

Residential Units by Tenure	Existing	Retained	Proposed	Total
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Rental:	596	596	313	909
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Freehold:

Condominium:

Other:

Total Units:	596	596	313	909
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Total Residential Units by Size

	Rooms	Bachelor	1 Bedroom	2 Bedroom	3+ Bedroom
Retained:			473	123	
Proposed:			187	94	32
Total Units:			660	217	32

Parking and Loading

Parking Spaces: 610 Bicycle Parking Spaces: 603 Loading Docks: 1

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