

214-230 Sherbourne Street – Official Plan and Zoning By-law Amendment Application – Decision Report - Approval

Date: September 9, 2024

To: Toronto and East York Community Council

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

Wards: 13 - Toronto Centre

Planning Application Number: 22 204780 STE 13 OZ

SUMMARY

This report reviews and recommends approval of the application to amend the Official Plan and Zoning By-law to permit a 46-storey (149.45 metres, including the mechanical penthouse) residential building with additional non-residential uses in the integrated heritage building being retained as part of the overall development proposal at 214-230 Sherbourne Street. The proposal includes 615 dwelling units and 479 square metres of non-residential gross floor area. The Official Plan Amendment to Site and Area Specific Policy 461 is appropriate because the proposed tower setbacks and impacts are acceptable.

The entire site is designated under Part V of the Ontario Heritage Act as part of the Garden District Heritage Conservation District. The vacant properties at 214, 218, 220, 222, 224 and 226 Sherbourne Street are identified as 'non-contributing' properties within the District Plan. The proposal includes the in-situ retention of 230 Sherbourne Street (the William Dineen House), a property designated under Part IV of the Ontario Heritage Act and identified as a 'contributing' property in the District Plan.

RECOMMENDATIONS

The Director, Community Planning, Toronto and East York District, recommends that:

1. City Council amend the Official Plan for the lands at 214-230 Sherbourne Street substantially in accordance with the draft Official Plan Amendment included as Attachment 6 to this report.
2. City Council amend City of Toronto Zoning By-law 569-2013 for the lands at 214-230 Sherbourne Street substantially in accordance with the draft Zoning By-law Amendment included as Attachment 7 to this report.

3. City Council authorize the City Solicitor to make such stylistic and technical changes to the draft Official Plan and Zoning By-law Amendments as may be required.

4. Before introducing the necessary Bills to City Council for enactment, City Council require the owner to:

a. provide confirmation, satisfactory to the Chief Planner and Executive Director, City Planning, that the draft Zoning By-law Amendment for the lands at 214-230 Sherbourne Street, including any height exemptions, conform with Ontario Regulation 10/24: Zoning Order - Protection of Public Health and Safety - Toronto Hospital Heliports and with City By-law 1432-2017 to regulate the use of lands in the vicinity of St. Michael's Hospital and The Hospital for Sick Children.

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 SITE

Description: The site is a rectangular lot with 62 metres of frontage on Sherbourne Street. The lot area is 2,812 square metres.

Existing Use: An unoccupied 2-storey heritage designated residential building at 230 Sherbourne Street. The remainder of the site is vacant.

THE APPLICATION

Description: A 46-storey (149.45 metres including the mechanical penthouse) residential building with non-residential space proposed in the existing William Dineen heritage building (230 Sherbourne Street) which would be retained in-situ as part of the overall development proposal.

Density: 14.81 times the area of the lot.

Non-residential Uses: A total of approximately 479 square metres of non-residential gross floor area is proposed in the existing heritage building which would be retained.

Dwelling Units: 615 dwelling units, comprised of 80 studio units, 380 one-bedroom units, 92 two-bedroom units, and 63 three-bedroom units. The implementing By-law would require a minimum 15% of the units as two or more bedrooms, 10% as three or more bedrooms and an additional 15% to be any combination of two and three bedroom units or convertible units.

Amenity Space: The implementing By-law would require a minimum 1.9 square metres of indoor amenity space per unit and 1.4 square metres of outdoor amenity space per unit. Based on the proposed 615 dwelling units, this would result in 1,169 square metres of indoor amenity space and 861 square metres of outdoor amenity space.

Access, Parking and Loading: Site access is proposed from Sherbourne Street with one Type-C and one Type-G loading space provided internal to the building. A total of 10 vehicle parking spaces (6 visitor, 2 car share and 2 visitor) and 616 bicycle parking spaces are proposed.

Additional Information: See Attachments 1, 2, and 8 to 12 of this report for the Application Data Sheet, project in context, a site plan and elevations of the proposal, respectively. 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: www.toronto.ca/214SherbourneSt

Reasons for Application: The proposal requires an Official Plan Amendment to address policies in Site and Area Specific Policy 461 as it relates to tower impacts and setbacks.

The proposed Zoning By-law Amendment will amend Zoning By-law 569-2013 to permit the proposed built form and provide relief from various performance standards, including: maximum building height, minimum setbacks, maximum gross floor area and parking requirements and standards.

Site Plan Control: A Site Plan Control application was submitted on December 12, 2022.

POLICY & REGULATION CONSIDERATIONS

All decisions of Council in respect of the exercise of any authority that affects a planning matter shall be consistent with the Provincial Policy Statement (2020), and shall conform to provincial plans, including A Place to Grow: Growth Plan for the Greater Golden Horseshoe (2020), the Greenbelt Plan and others.

Official Plan

The site is located in the Downtown and Central Waterfront area which is a Growth Centre in Provincial Policy. The site is designated Apartment Neighbourhoods, which are areas made up of apartment buildings and can include small-scale retail, service, and office uses that serve the needs of area residents. Development in Apartment Neighbourhoods may also include the redevelopment of underutilized sites. See Attachment 3 of this report for the Land Use Map.

The Official Plan can be found here: <https://www.toronto.ca/city-government/planningdevelopment/official-plan-guidelines/official-plan/>.

Downtown Secondary Plan

The Downtown Plan reinforces that policies applicable to lands designated Apartment Neighbourhoods. The site is within the Garden District Park District. See Attachment 4 of this report for the Secondary Plan Mixed Use Areas map.

The Downtown Secondary Plan can be found here:

<https://www.toronto.ca/wpcontent/uploads/2022/06/962d-cityplanning-official-plan-41-secondary-plan-downtownplan.pdf>.

Site and Area Specific Policy 461

The Garden District Site and Area Specific Policy (SASP 461) identifies the site as part of the Dundas Corridor Character Area, which permits a tall building on the site, subject to performance standards including setback and height criteria.

Site and Area Specific Policy (SASP) 517 - Downtown Tall Buildings

SASP 517 applies to the site and provides development criteria for tall building development proposals within the downtown. In addition to considerations for tall buildings, SASP 517 identifies that the proposal shall have regard for a comfortable pedestrian realm; consideration for development proposals on other sites within the block; access to sunlight; views between towers; and wind conditions on and around the subject site.

Zoning

The site is zoned R (d1.0) (x984) and R (d1.0) (x864) under By-law 569-2013, with a height limit of 13 metres, and a permitted density of 1.0 times the area of the lot. This R zoning category permits a range of low scale residential uses.

Airport Zoning Regulation - Helicopter Flight Path

The site is subject to the Airport Zoning Regulation for St. Michael's Hospital east flight path. Development on this site is required to be below and outside the Obstacle Limitation Surface identified in By-law 1432-2017 and the Minister's Zoning Order O. Reg 10/24, to preserve a flight path for air ambulance and medical transport helicopters accessing the hospital.

Design Guidelines

The following design guidelines have been used in the evaluation of this application:

- Tall Building Design Guidelines;
- Downtown Tall Building Design Guidelines;
- Growing Up Guidelines: Planning for Children in New Vertical Communities;
- Toronto Accessibility Design Guidelines;
- Pet Friendly Design Guidelines; and
- Retail Design Manual.

Toronto Green Standard

The Toronto Green Standard (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.

Heritage

The subject site is designated under Part V of the Ontario Heritage Act as part of the Garden District Heritage Conservation District. A portion of the subject site, 230 Sherbourne Street (William Dineen House), is designated under Part IV of the Ontario Heritage Act by Designation By-law 496-2012. The property at 230 Sherbourne Street is identified as a contributing property in the District Plan.

The Parks Canada Standards and Guidelines for the Conservation of Historic Places in Canada assists in guiding planning, stewardship and conservation approaches for listed and designated heritage resources in Toronto.

The Parks Canada Standards and Guidelines can be found here:

<https://www.historicplaces.ca/en/pages/standards-normes.aspx>

COMMUNITY CONSULTATION

A Virtual Community Consultation Meeting was hosted by City staff on February 27, 2023. Approximately 41 members of the public attended. Following a presentation by City staff and the applicant, the following comments and issues were raised:

- support for the retention of the heritage designated William Dineen House;
- urgent need to provide for affordable housing;
- potential to sell this site to the City for an affordable housing project;
- support for the building design including proposed brick exterior;
- support for the development of the site;
- concerns about gentrification
- concerns about increasing homelessness in the area; and
- questions about construction timelines.

The issues raised through community consultation have been considered through the review of the application.

Statutory Public Meeting Comments

In making their decision with regard to this application, Council members have been given an opportunity to view the oral submissions made at the statutory public meeting held by the Toronto and East York District Community Council for this application, as these submissions are broadcast live over the internet and recorded for review.

COMMENTS

Provincial Policy Statement and Provincial Plans

Staff's review of this application has had regard for the relevant matters of provincial interest set out in the Planning Act. Staff has reviewed the current proposal for consistency with the Provincial Policy Statement (2020) and conformity with the Growth Plan (2020). In the opinion of Staff, the proposal is consistent with the PPS and conforms with the Growth Plan.

Land Use

The proposed residential and non-residential land uses conform to the Official Plan and Downtown Secondary Plan and results in an appropriate mix of uses on the site.

Built Form

The proposal meets the intent of the Official Plan, the Downtown Secondary Plan, Official Plan SASP 517 which establishes tower setback requirements and with the Garden District Site and Area Specific Policy (SASP 461) which establishes site specific built form criteria with respect to built form and massing.

Proposed amendments to SASP 461 relating to tower setbacks on the south lot line and building heights are appropriate as the proposal meets the general intent of these policies to address impacts of new development on adjacent low-rise Neighbourhoods and shadowing impacts on Allan Gardens.

Base Building Design

The base building includes two components, the portion of the base building forming part of the new development and separately (but linked in the rear), the adjacent heritage designated William Dineen house which is being retained in situ. Fronting Sherbourne Street, the proposed base building is separated from the heritage building through a recessed open space of 11.5 metres in width. The proposed 6-storey base building with a streetwall of 4-storeys is at a scale compatible with the existing context of the Heritage Conservation District.

Tower Design

The tower, including the base building, is proposed to be 46-storeys (149.45 metres) in height including the mechanical penthouse. The proposed height will be compatible within the context of apartment building heights on the east side of Sherbourne Street, is below and outside the St. Michael's Hospital helicopter flight path, and has acceptable shadowing impacts. A Recommendation has been included to ensure the implementing By-law conforms to the flight path.

Above the base building, the tower is set back 12.5 metres from the north, west and south lot lines. To the east, the tower is setback 16 metres to the mid-point of the adjacent Sherbourne Street.

The proposed 12.5 metres south tower setback is less than the general policy of 20 metres setback to adjacent Neighbourhoods required by SASP 461. The reduced tower setback to the south is acceptable in this instance as the adjacent Neighbourhoods designated buildings are mid-rise developments and not low rise buildings which the policy is intended to provide for an appropriate transition to. To the west, the setback conforms to the 7.5 metre site specific requirement.

Heritage Conservation

The conservation strategy for the site consists of the in-situ retention of the 2.5-storey east portion of the heritage building at 230 Sherbourne Street (dating to 1872) and the east portion of the 1.5-storey rear (west) wing (dating to 1880-1884) and its integration into the base building of the new development. The retained portion of 230 Sherbourne Street will be fully restored.

The proposal provides stepbacks above the retained heritage building at 230 Sherbourne Street that maintains the prominence of the heritage building when viewed from the public realm, as well as its three-dimensional legibility.

Shadow Impact

SASP 461 states that no net new shadows are permitted on the Allan Gardens' Conservatory buildings or any significant permanent structure in December and no shadows are permitted on Allan Gardens from 10:00 AM to 6:00 PM March and September 21. The shadow studies submitted show the proposed building would cast shadows on a portion of the Conservatory building from approximately 9:33 AM to 10:03 AM December 21 and would not shadow Allan Gardens March 21 and September 21.

The shadow impacts resulting from the proposal are acceptable. The proposal adequately limits shadow impacts on shadow sensitive areas, particularly during the spring and fall equinoxes.

Wind Impact

A Pedestrian Level Wind Study for the proposed building indicates that all areas at grade will be suitable for their intended uses throughout the year. Notwithstanding the study conclusions, a wind mitigation plan was also recommended for the main residential entrance to further improve wind conditions. Details of the mitigation plan will be reviewed through the Site Plan application process. Pedestrian areas surrounding the subject site will generally experience comfortable wind conditions in all seasons.

Unit mix

The Downtown Plan requires a minimum of 10% three-bedroom units, 15% two-bedroom units and an additional 15% of units be a combination of 2-bedroom and 3-bedroom units, or units that can be converted to 2 and 3-bedroom units using accessible or adaptable design measures. This mix of units will be secured in the site-specific zoning by-law.

Traffic Impact, Access, Parking

A Transportation Impact Study and Addendum was submitted to assess the traffic impact, access, parking and loading arrangements for this development. Transportation Services staff has reviewed the study and accepted its conclusions.

A 0.86 metre wide road widening will be required along the entire Sherbourne Street frontage.

A total of 10 vehicular parking and 616 bicycle parking spaces are proposed, along with one Type-C and one Type-G loading space. Vehicular access for parking and loading will be from a new driveway along the south property line accessed from Sherbourne Street. All parking and loading will be internal to the building.

Streetscape and Public Realm

The applicant is proposing a minimum 6-metre sidewalk zone between Sherbourne Street and the proposed building face which is further expanded with the recessed open space between the base building and the heritage building. The existing William Dineen heritage building being retained in-situ would have a 5.3-metre pedestrian realm which reflects an existing condition. These setbacks conform to the Downtown Plan which generally requires a 6-metre sidewalk zone.

Servicing

Engineering and Construction Services staff has reviewed the submitted materials and have no issues or concerns related to the Zoning By-law and Official Plan Amendment application.

Parkland

In accordance with Section 42 of the Planning Act, the owner is required to satisfy the parkland dedication requirement through cash-in-lieu. As per Toronto Municipal Code Chapter 415-29, the appraisal of the cash-in-lieu will be determined under the direction of the Executive Director, Corporate Real Estate Management. Additionally, the Toronto Municipal Code Chapter 415-28, requires that the payment be made prior to the issuance of the first above-ground building permit for the land to be developed.

Tree Preservation

The submitted Arborist Report proposes to replace all 4 existing private trees with 5 new trees to be located at the rear of the property adjacent to the existing Neighbourhood designated lands. An additional 2 new trees are proposed fronting Sherbourne Street. Staff will continue to explore opportunities for additional tree planting in the adjacent public realm through the review of the Site Plan Control application.

Community Services and Facilities

The Official Plan establishes and recognizes that the provision of and investment in community services and facilities supports healthy, safe, liveable, and accessible

communities. Community services and facilities are the building blocks of our neighbourhoods and include matters such as recreation, libraries, childcare, local schools, public health, and human and cultural services. Providing for a full range of community services and facilities in areas that are inadequately serviced or experiencing growth is a shared responsibility.

Toronto Green Standard

The applicant is required to meet Tier 1 of the TGS. The site-specific Zoning By-law, and future site plan agreement, will secure performance measures for various development features, including, but not limited to, the following:

- 616 bicycle parking spaces (including 554 long-term and 62 short-term spaces) are provided to reduce single occupancy vehicle trips; and
- 2 vehicle parking spaces are proposed, equipped with Electric Vehicle Supply Equipment infrastructure.

The applicant is encouraged to achieve Tier 2 or higher to advance the City's objectives for resilience and to achieve net-zero emissions by 2040 or sooner.

CONTACT

Derek Waltho, Senior Planner, Community Planning
Tel. No. 416-392-0412
E-mail: Derek.Waltho@toronto.ca

SIGNATURE

Oren Tamir
Director, Community Planning
Toronto and East York District

ATTACHMENTS

Attachment 1: Application Data Sheet
Attachment 2: Location Map
Attachment 3: Official Plan Land Use Map
Attachment 4: Downtown Plan Mixed Use Area Map
Attachment 5: Existing Zoning By-law Map
Attachment 6: Draft Official Plan Amendment
Attachment 7: Draft Zoning By-law Amendment
Attachment 8: Site Plan
Attachment 9: North Elevation
Attachment 10: South Elevation
Attachment 11: West Elevation
Attachment 12: East Elevation

Attachment 1: Application Data Sheet

APPLICATION DATA SHEET

Municipal Address: 214-230 Sherbourne Street Date Received: September 16, 2022
Application Number: 22 204780 STE 13 OZ
Application Type: OPA & Rezoning

Project Description: A 46-storey residential tower with 479 square metres of non-residential space.

Applicant	Agent	Architect	Owner
1000197547 Ontario Inc.	1000197547 Ontario Inc	Hariri Pontarini Architects	1000197547 Ontario Inc.

EXISTING PLANNING CONTROLS

Official Plan Designation:	Apartment Neighbourhoods R (d1.0) (x984; x864)	Site Specific Provision:	SASP 461; Downtown Plan
Zoning:		Heritage Designation:	Y
Height Limit (m):	12	Site Plan Control Area:	Y

PROJECT INFORMATION

Site Area (sq m): 2,812 Frontage (m): 61 Depth (m): 46

Building Data	Existing	Retained	Proposed	Total
Ground Floor Area (sq m):	269	269	1,296	1,565
Residential GFA (sq m):	565		41,179	41,179
Non-Residential GFA (sq m):		420	479	479
Total GFA (sq m):	565	420	41,658	41,658
Height - Storeys:	2	2	46	46
Height - Metres:	13	13	149	149

Lot Coverage Ratio (%): 34 Floor Space Index: 14.8

Floor Area Breakdown	Above Grade (sq m)	Below Grade (sq m)
Residential GFA:	41,179	

Retail GFA:

Office GFA:

Industrial GFA:

Institutional/Other GFA: 479

Residential Units by Tenure	Existing	Retained	Proposed	Total
Rental:	1			
Freehold:				
Condominium:			616	616
Other:				
Total Units:	1		616	616

Total Residential Units by Size

	Rooms	Bachelor	1 Bedroom	2 Bedroom	3+ Bedroom
Retained:					
Proposed:		80	380	92	63
Total Units:		80	380	92	63

Parking and Loading

Parking Spaces: 10 Bicycle Parking Spaces: 616 Loading Docks: 2

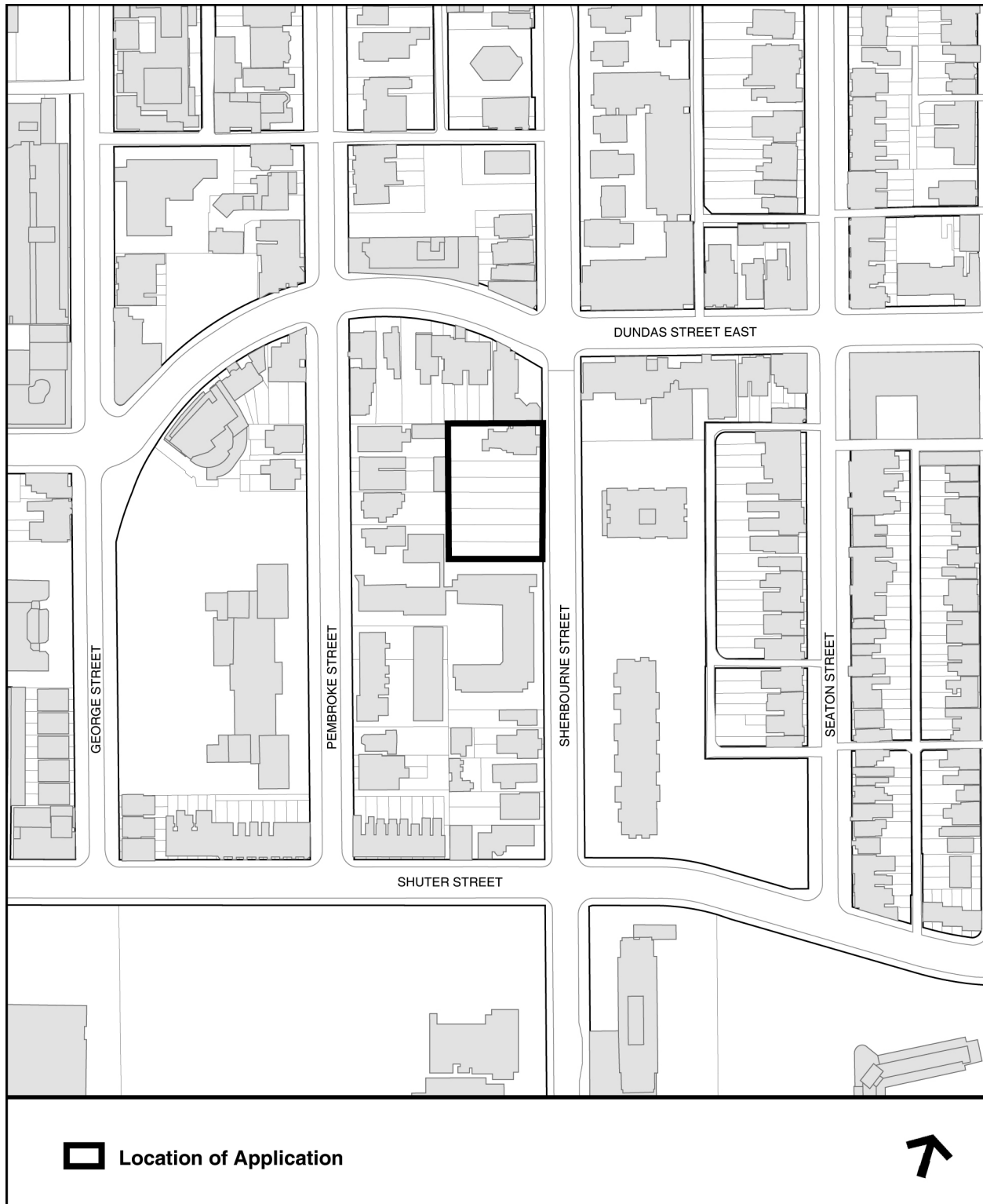
CONTACT:

Derek Waltho, Planner

416-392-0412

Derek.waltho@toronto.ca

Attachment 2: Location Map



Attachment 3: Official Plan Land Use Map



Official Plan Land Use Map # 18

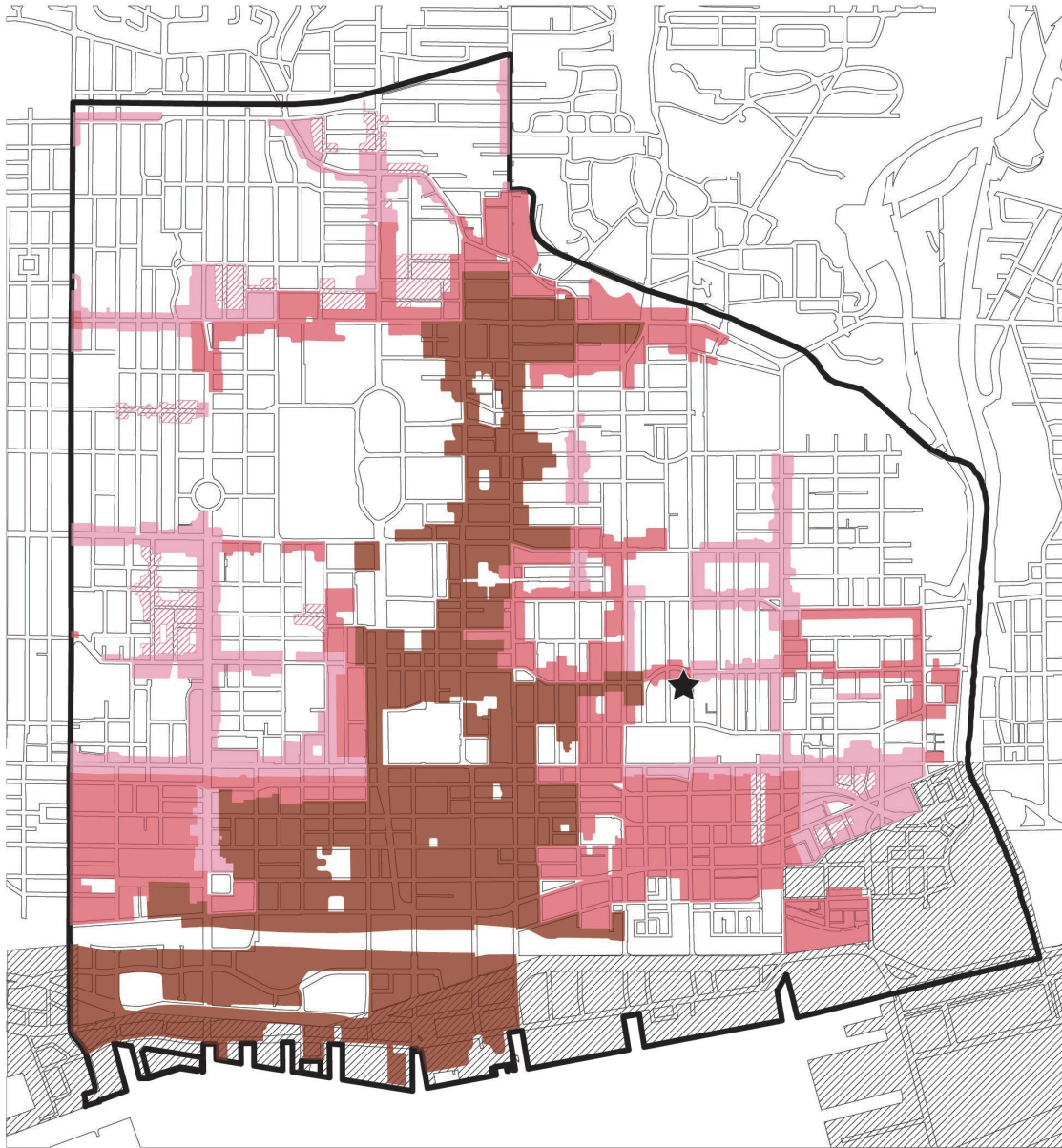
214-230 Sherbourne Street

File # 22 204780 STE 13 0Z



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Not to Scale
Extracted: 03/28/2024

Attachment 4: Downtown Plan Mixed Use Area Map



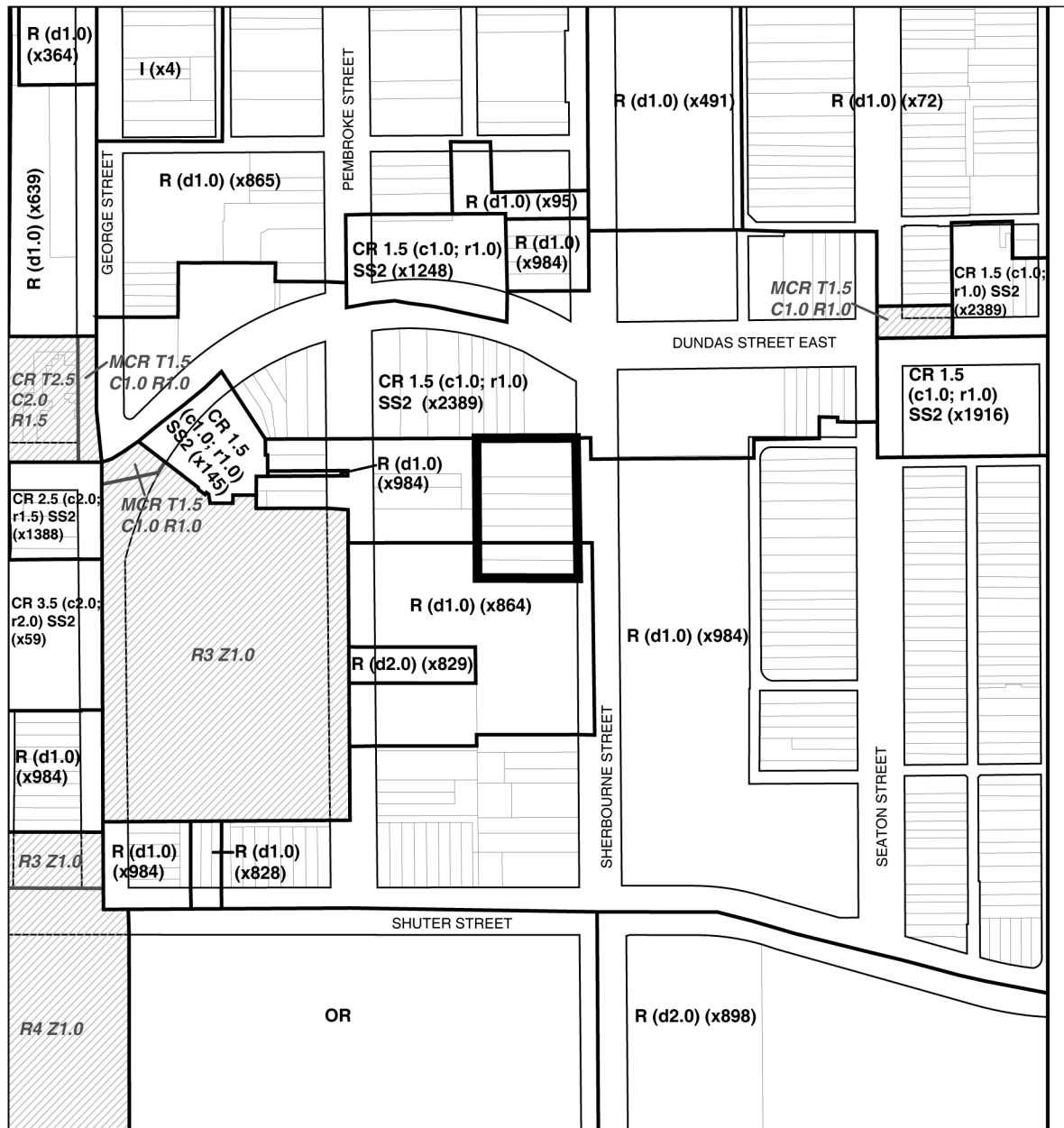
Downtown Plan MAP 41-3 Mixed Use Areas

214-230 Sherbourne Street
File # 22 204780 STE 13 0Z

- | | |
|----------------------------------|-----------------------------------|
| Downtown Plan Boundary | Central Waterfront Secondary Plan |
| Mixed Use Areas 1 - Growth | Location of Application |
| Mixed Use Areas 2 - Intermediate | |
| Mixed Use Areas 3 - Main Street | |
| Mixed Use Areas 4 - Local | |

Not to Scale
Extracted: 06/12/2024

Attachment 5: Existing Zoning By-law Map



Zoning By-law 569-2013

214-230 Sherbourne Street

File # 22 204780 STE 13 0Z



Location of Application

R

Residential

CR

Commercial Residential

I

Institutional

OR

Open Space Recreation



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

R3

Residential District

R4

Residential District

MCR

Mixed-Use District

CR

Mixed-Use District



Not to Scale
Extracted: 03/28/2024

AMENDMENT NO 737 TO THE OFFICIAL PLAN

LANDS MUNICIPALLY KNOWN IN THE YEAR 2023 AS 214, 218, 220, 224, 226 and 230 SHERBOURNE STREET

The Official Plan of the City of Toronto is amended as follows:

1, Chapter 7, Site and Area Specific Policy 461, is amended by adding a Section 7 - Site Specific Policies, and adding Site Specific Policy 7.1 for the lands known municipally in 2023 as 214, 218, 220, 222, 224, 226 and 230 Sherbourne Street as follows:

7. Site Specific Policies

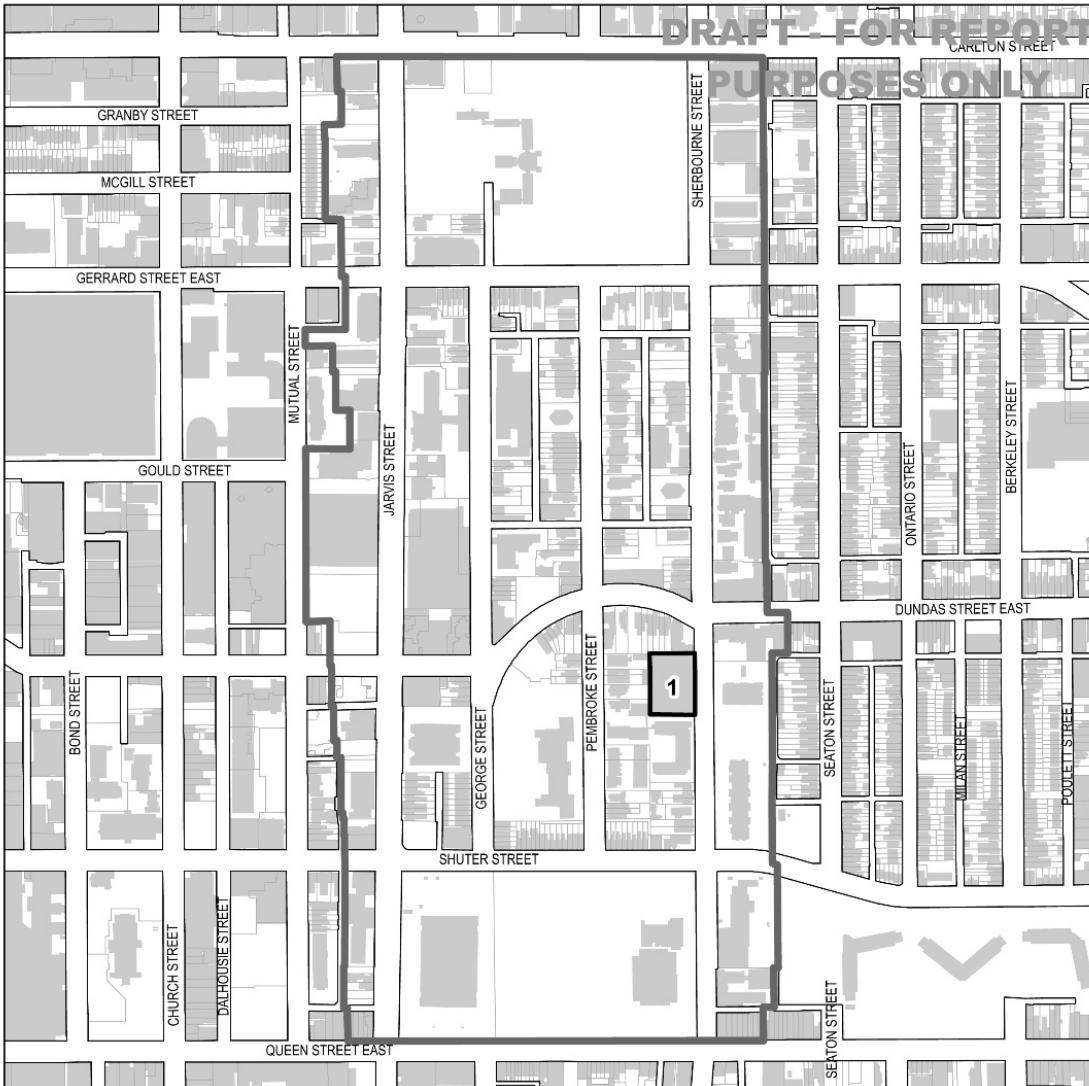
This section contains site specific policies which apply to the lands respectively identified in the following policies and Map 7.

7.1 214, 218, 220, 222, 224, 226 and 230 Sherbourne Street (1 on Map 7)

- i. a maximum building height of 144 metres is permitted; and
- ii. Notwithstanding Policy 3.13 in Site and Area Specific Policy 461, a minimum building setback of 12.5 metres is required from the south side property line abutting lands designated Neighbourhoods.





2. Chapter 7, Site and Area Specific Policy 461, is amended by adding a Map 7 – Site Specific Policies, and showing the lands known municipally in 2023 as 214, 218, 220, 222, 224, 226 and 230 Sherbourne as Site Specific Policy 1 as shown on the attached Schedule A.



Site Specific Policies

Area Bounded by Jarvis Street, Carlton Street, Sherbourne Street, and Queen Street East

File # 12 294720 SPS 00 0Z

-  Study Area Boundary
-  Site Specific Policy Areas*

*The shaded areas on this map are subject to the specific policies set out in Section 7 Site Specific Policies of SASP 461.

This map forms part of the Official Plan and should be interpreted in conjunction with the written text.

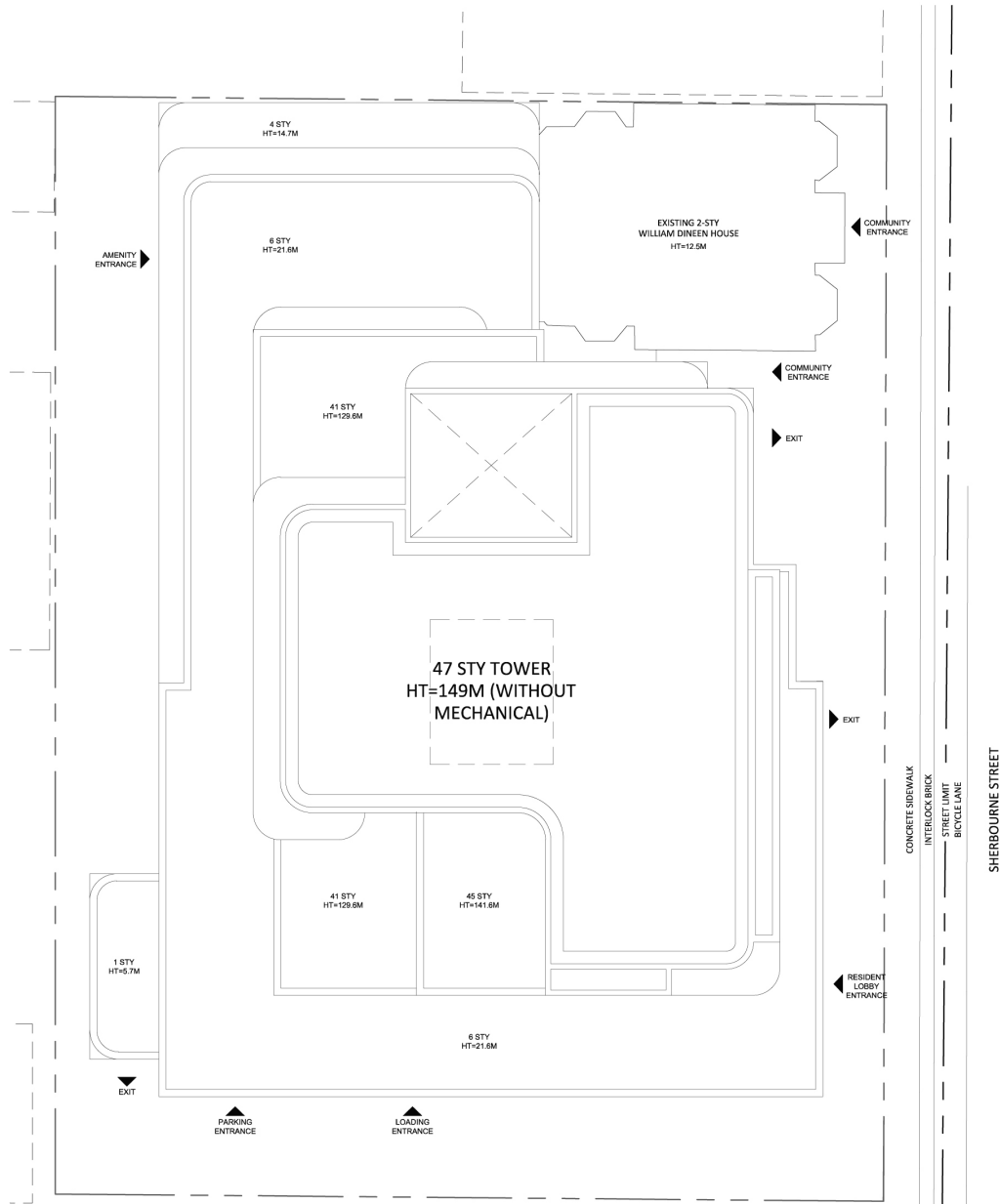


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Attachment 7: Draft Zoning By-law Amendment

To be Provided prior to TEYCC Meeting

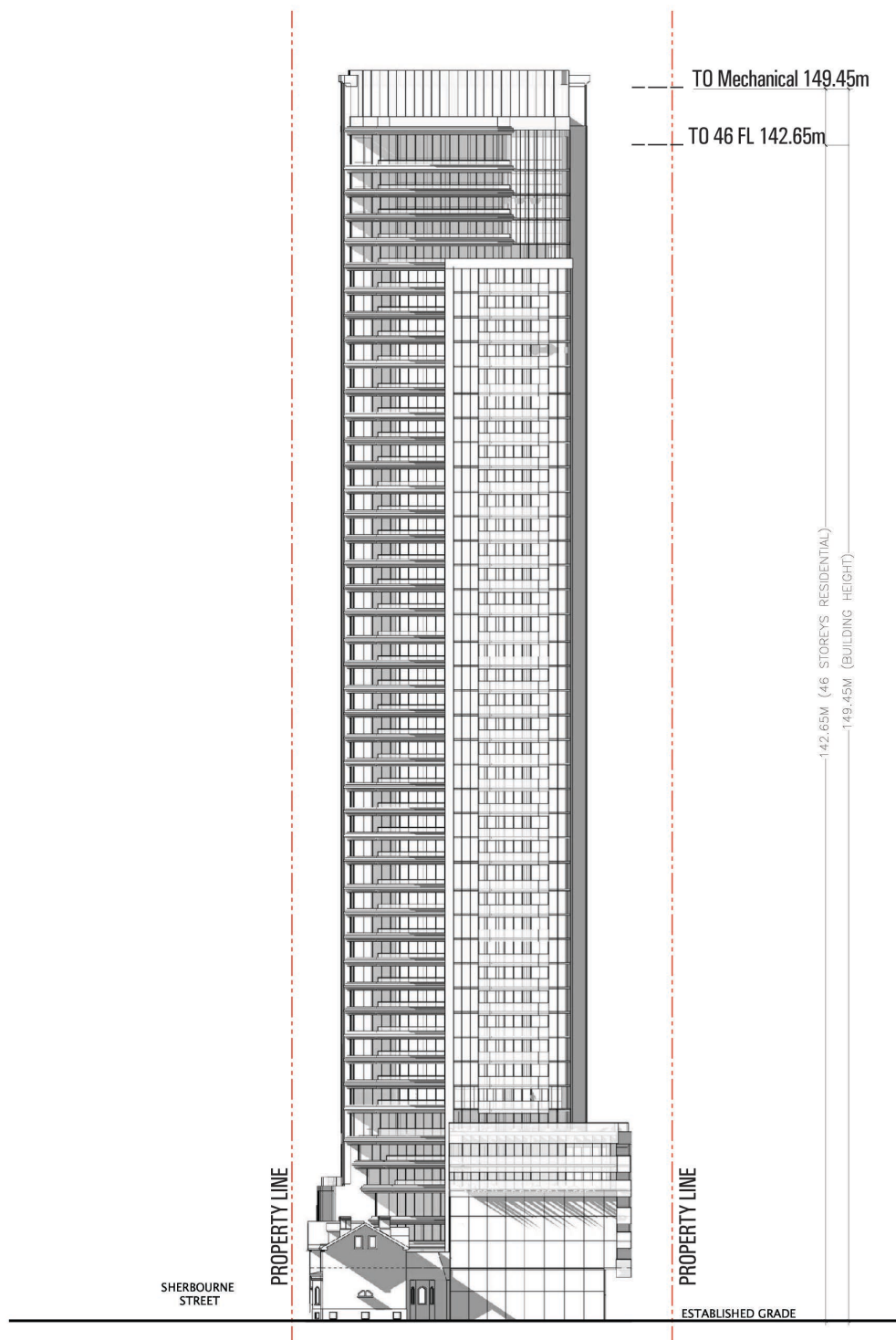
Attachment 8: Site Plan



Site Plan

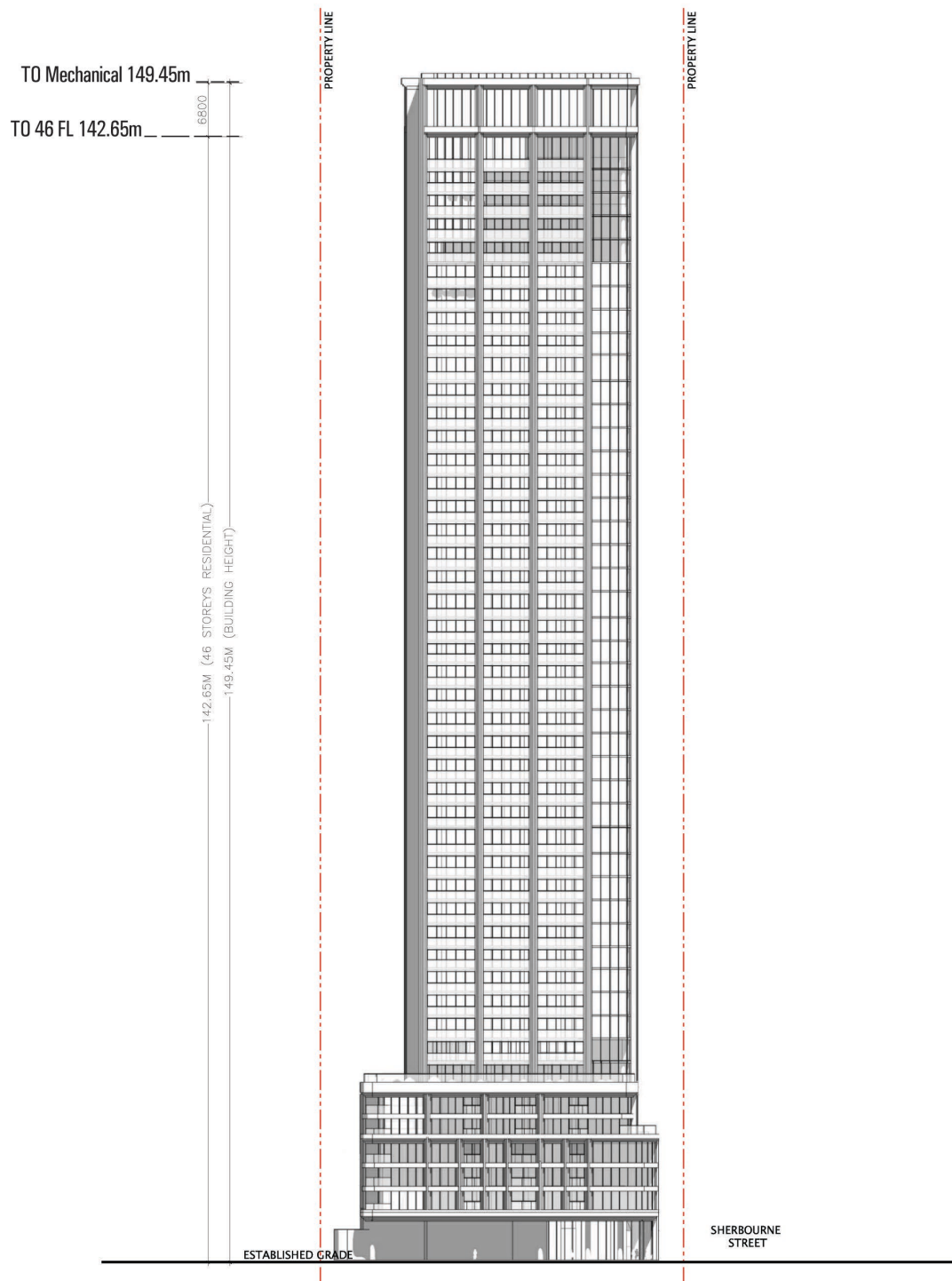


Attachment 9: North Elevation



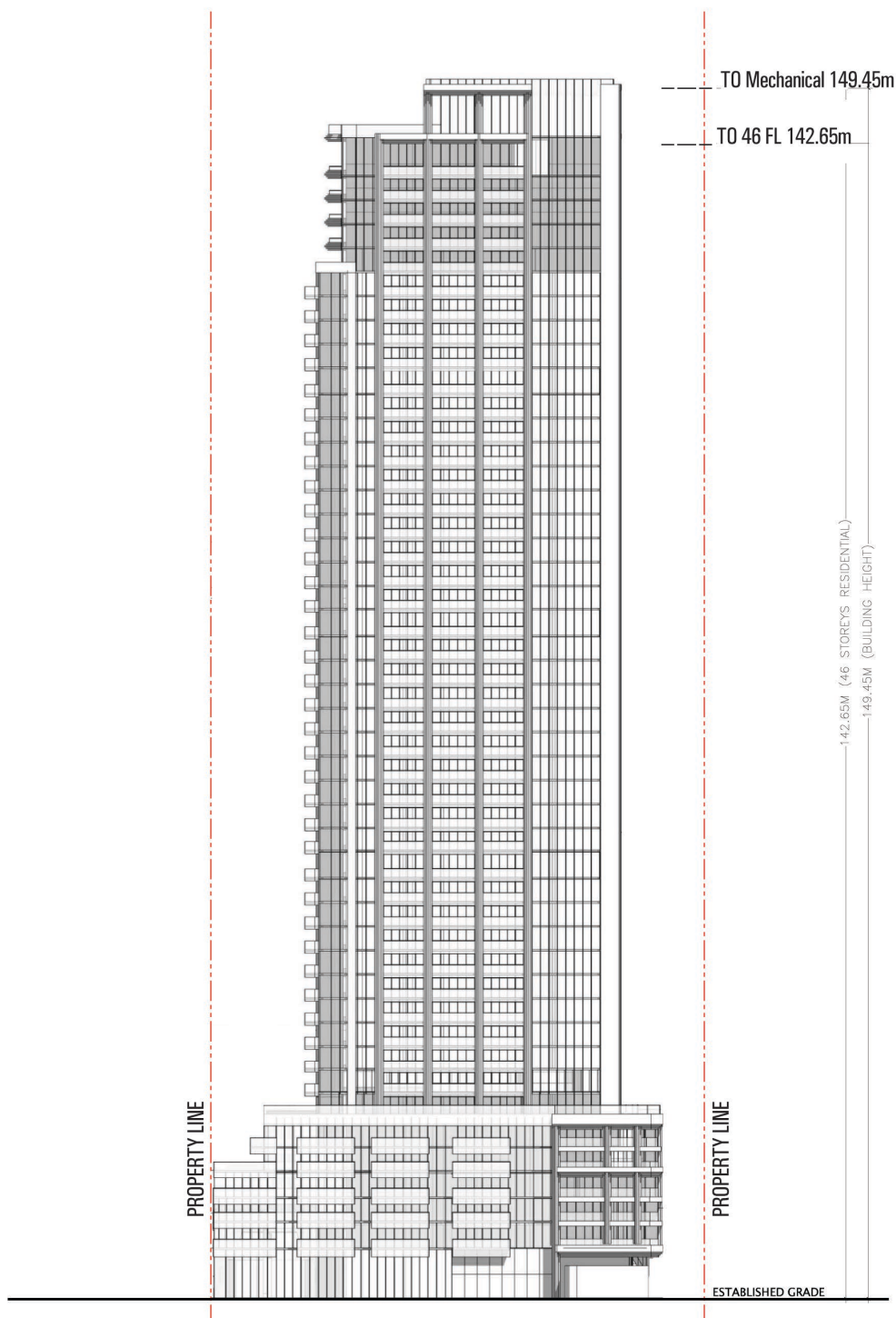
North Elevation

Attachment 10: South Elevation



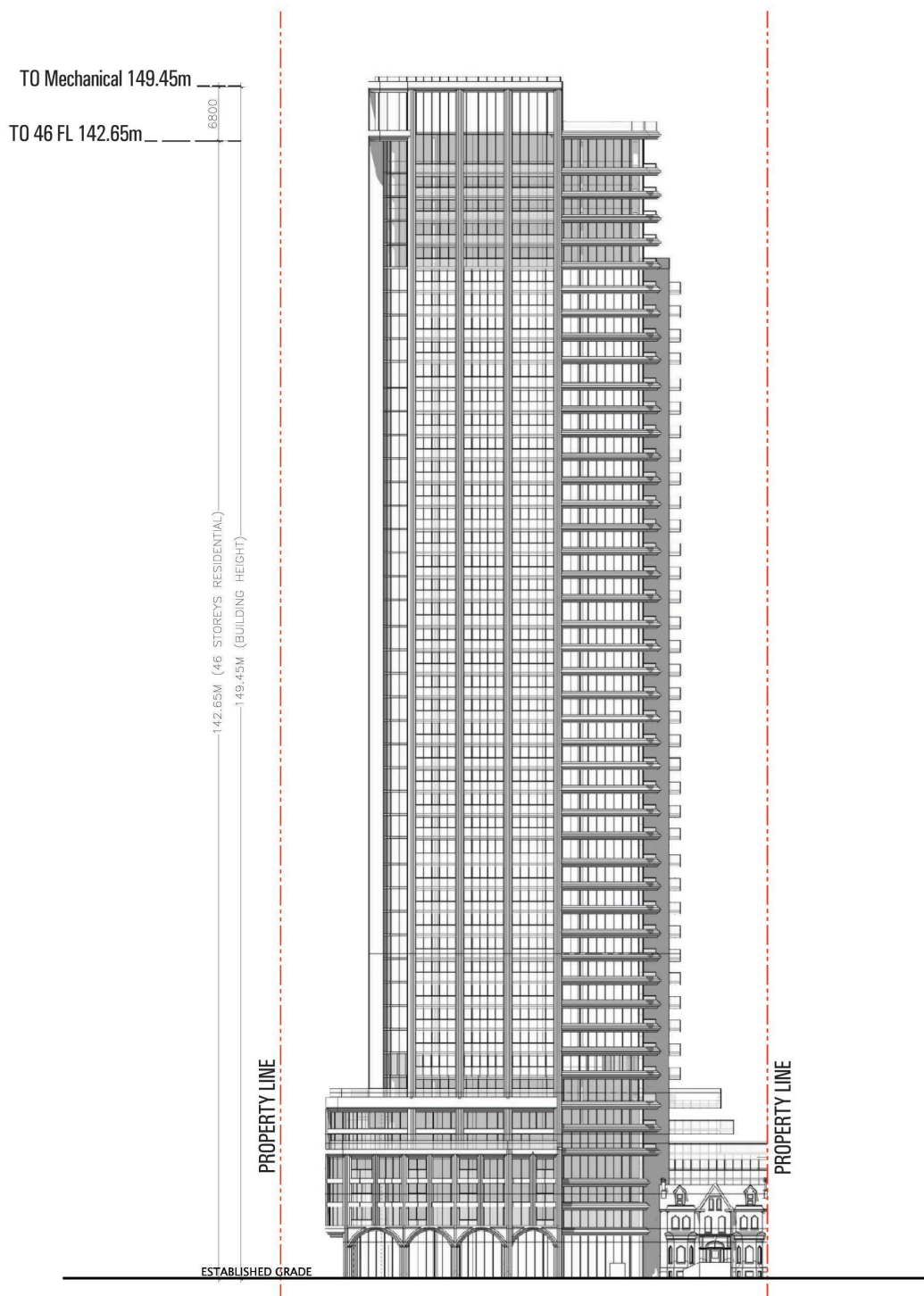
South Elevation

Attachment 11: West Elevation



West Elevation

Attachment 12: East Elevation



East Elevation