

110-112 Adelaide Street East and 85 Lombard Street – Zoning By-law Amendment Application – Appeal Report

Date: February 3, 2025

To: Toronto and East York Community Council

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

Ward: 13 - Toronto-Centre

Planning Application Number: 20 120404 STE 13 OZ

SUMMARY

On February 28, 2020, a Zoning By-law Amendment application was submitted to permit a 42-storey mixed-use building containing 287 dwelling units, 3,288 square metres of office space, and 482 square metres of retail space.

On April 12, 2024, a revised application was submitted for a 65-storey mixed-use building containing 600 dwelling units, 330 square metres of office space, and 400 square metres of retail space.

On November 19, 2024, the applicant appealed the Zoning By-law Amendment application to the Ontario Land Tribunal ("OLT") due to Council not making a decision within the time frame in the Planning Act.

This report recommends that the City Solicitor and appropriate City staff attend the OLT hearing to oppose the application in its current form and continue discussions with the applicant to resolve outstanding issues.

RECOMMENDATIONS

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

1. City Council direct the City Solicitor and appropriate City staff to attend the Ontario Land Tribunal in opposition to the current application regarding the Zoning By-law Amendment appeal for the lands at 110-112 Adelaide Street East and 85 Lombard Street and to continue discussions with the applicant in an attempt to resolve outstanding issues.

2. In the event that the Ontario Land Tribunal allows the Zoning By-law Amendment appeal in whole or in part, City Council authorize the City Solicitor to request that the issuance of any final Orders be withheld until such time as the City Solicitor advises that:

a. the final form and content of the draft Zoning By-law Amendment are to the satisfaction of the City Solicitor and the Executive Director, Development Review; and,

b. the owner at their sole cost and expense has:

- i. submitted a revised Functional Servicing Report and Stormwater Management Report, Hydrogeological Review, including the Foundation Drainage Report ("Engineering Reports") to demonstrate that the existing sewer system and watermain and any required improvements to them, have adequate capacity and supply to accommodate the development of the lands, to the satisfaction of the Chief Engineer and Executive Director, Engineering and Construction Services, in consultation with the General Manager, Toronto Water;
- ii. secured the design and provided financial securities in respect of any upgrades or required improvements to the existing municipal infrastructure identified in the accepted Engineering Reports, to support the development, all to the satisfaction of the Chief Engineer and Executive Director, Engineering and Construction Services and the General Manager, Toronto Water, should it be determined that improvements or upgrades are required to support the development, according to the Engineering Reports accepted by the Chief Engineer and Executive Director, Engineering and Construction Services and the General Manager, Toronto Water;
- iii. ensured that implementation of the accepted Engineering Reports does not require changes to the proposed amending By-law or that any required changes have been made to the proposed amending By-law to the satisfaction of the Executive Director, Development Review and the City Solicitor, including the use of a Holding ("H") By-law symbol regarding any new municipal servicing infrastructure or upgrades to existing municipal servicing infrastructure, as may be required.

3. City Council authorizes the City Solicitor and City staff to take any necessary steps to implement City Council's decision.

FINANCIAL IMPACT

The Development Review 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 'L'-shaped, located mid-block between Church Street and Jarvis Street, and has an area of 1,306 square metres, with frontages of 32 metres on Adelaide Street East and 16 metres on Lombard Street. The approximate lot depth is 55 metres.

Existing Uses

The site is currently occupied by a 4-storey commercial office building and a surface parking lot.

THE APPLICATION

Description

The applicant is proposing to develop a 65-storey (217.6 metres, including mechanical penthouse) mixed-use building containing 600 dwelling units, 330 square metres of office space, and 400 square metres of retail space.

Density

The proposal has a density of 28.4 times the area of the site.

Dwelling Units

The proposal contains 600 dwelling units, consisting of 7 studio (1%), 434 one-bedroom (72%), 88 two-bedroom (15%), and 71 three-bedroom (12%) units.

Non-Residential Uses

The proposal contains 330 square metres of office space and 400 square metres of retail space.

Amenity Space

The application is proposing 1,220 square metres of indoor amenity space (2.03 square metres per unit) and 480 square metres of outdoor amenity space (0.8 square metres per unit), for a total of 1,700 square metres (2.83 square metres per unit) of amenity space.

Access, Parking, and Loading

No vehicle parking spaces are proposed. One Type 'G' and one Type 'C' loading space are proposed. Access to the loading spaces would be provided along Lombard Street. A total of 660 bicycle parking spaces (540 long-term and 120 short-term) are proposed.

Additional Information

See Attachments 1, 5, 6, and 7 of this report for a three-dimensional representation of the project in context, a site plan of the proposal, elevations, and the Application Data Sheet. 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/110AdelaideStE>.

Reason for the Application

The Zoning By-law Amendment is required to amend Zoning By-law 569-2013 to provide relief from various performance standards, including floor space index, building height, and building setbacks. Additional amendments to the Zoning By-law may be identified as part of the appeal process.

Site Plan Control

A Site Plan Control application (File Number 22 186104 STE 13 SA) was submitted on August 8, 2022.

POLICY CONSIDERATIONS

Provincial Land-Use Policies

All decisions of Council in respect of the exercise of any authority that affects planning matters shall be consistent with the Provincial Planning Statement (2024) and shall conform to provincial plans.

Official Plan

The site is located on lands within the Downtown and Central Waterfront area and is designated Mixed Use Areas in the Official Plan, which are made up of a range of commercial, residential, and institutional uses, as well as parks and open spaces. See Attachment 3 of this report for the Official Plan Land Use Map.

Downtown Plan

The site is designated Mixed Use Areas 2 – Intermediate in the Downtown Plan. Development in Mixed Use Areas 2 will include building typologies that respond to their site context, including midrise and some tall buildings.

Tall Building Setback Area Specific Policy (SASP) 517

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 CR 4.0 (c2.0; r4.0) SS1 (x2254) along Adelaide Street East and CR 4.0 (c0.5; r4.0) SS1 (x2352) along Lombard Street under Zoning By-law 569-2013. These zones permit a range of commercial and residential uses. The maximum permitted height is 23.0 metres along Adelaide Street East and 30.0 metres along Lombard Street and the maximum permitted density is 4.0 times the area of the lot. See Attachment 4 of this report for the existing Zoning By-law Map.

Design Guidelines

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

- Tall Building Design Guidelines;
- Downtown Tall Building Design Guidelines;
- Retail Design Manual;
- Growing Up Guidelines: Planning for Children in New Vertical Communities; and
- Pet Friendly Design Guidelines and Best Practices for New Multi-Unit Buildings.

Toronto Green Standard

The Toronto Green Standard 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.

COMMUNITY CONSULTATION

Virtual Community Consultation Meetings were hosted by City staff on November 30, 2022 with a follow-up meeting on March 7, 2023 for the original proposal, and on May 28, 2024 for the revised proposal. Over 100 participants attended each meeting, as well as the Ward Councillor and the applicant. At the November 30, 2023 and May 28, 2024 meetings, City staff and the applicant's consultants provided presentations on the site and surrounding area, the existing planning framework, and the proposed development. During each of the meetings, City staff led question and answer format sessions.

Issues raised at the meeting and through written comments and phone calls include:

- the height of the proposal is too tall, does not transition appropriately between heights of existing buildings, and does not fit with the existing context;
- construction impacts, including noise, dust, pollution, vibration, accessibility, pedestrian safety, and traffic;
- concerns about the cumulative impact of all development under construction in the area, including the Ontario Line;
- construction impacts on vulnerable communities;
- skyview and shadow impacts on St. James Park;
- concern about increased demand for St. James Park;
- vehicular access, driveway layout, circulation, traffic impacts, and parking on Lombard Street;
- tower is too close to existing buildings at 77 Lombard Street and 95 Lombard Street, resulting in privacy, security, access to daylight, and view impacts for existing residents;
- setbacks to side lot lines are insufficient and protruding balconies encroach into the setbacks;
- impact to St. James Cathedral view corridor;
- impact to tourism in the St. Lawrence Market area;
- desire for affordable housing;
- desire for more sustainable materials;
- design of the proposed building is too modern and does not fit the surrounding historical context;
- insufficient parking and pick up and drop off facilities to support the development;
- insufficient capacity of nearby infrastructure and services to accommodate the development;
- safety impacts for helicopters accessing St. Mike's Hospital;
- submitted plans and renderings do not adequately show relationships with adjacent/surrounding buildings;
- concerns regarding short-term rentals within the proposed building; and
- concerns regarding the location of intake/exhaust vents.

Design Review Panel

On December 9, 2021, the original application was presented to the Design Review Panel ("DRP"), which received mixed feedback from the panelists. Key comments expressed concern about setbacks and separation distances, particularly from the adjacent residential buildings along Lombard Street, the scale of the building along Lombard Street, and the fit with the heritage character of the surrounding context. The DRP also discussed the need for limiting distance agreements.

On July 17, 2024, the revised application was presented to the DRP, which unanimously voted 'non-support.' Key concerns raised were related to the increased scale and "top-heavy" massing and balconies, fit with the heritage character of the surrounding context, activation of the ground floor and the interface with the public realm, and setbacks and separation distances, particularly from the adjacent residential buildings along Lombard Street. The recording of the June 17, 2024 DRP meeting is available here: https://www.youtube.com/watch?v=HVqrrANu_JM.

COMMENTS

Provincial Framework

Staff's review of this application has had regard for the relevant matters of provincial interest set out in the Planning Act. Staff have reviewed the current proposal for consistency with the recent provincial policy direction and provincial plans.

Land Use

The site is designated Mixed Use Areas in the Official Plan and Mixed Use Areas 2 - Intermediate in the Downtown Secondary Plan. The proposed mix of residential and non-residential uses is acceptable and conforms to the land use policies of the Official Plan and Downtown Secondary Plan.

The Building

The base building is too tall and not adequately set back from Adelaide Street East. The proposed tower stepback is also insufficient. The application has not demonstrated that the proposed building adequately responds to the existing and planned context, can provide appropriate setbacks and separation distances from the neighbouring properties, conforms to built form policies in the Official Plan and the Downtown Secondary Plan, and meets the intent of the Tall Buildings Design Guidelines.

Tree Preservation

The application has not demonstrated that adequate provisions would be made to ensure there are no conflicts between the proposed building and the existing and proposed street trees. Urban Forestry staff also requested the applicant provide additional information to confirm there are no conflicts with existing/planned utilities.

Wind

A Pedestrian Level Wind Study, prepared by Gradient Wind and dated January 25, 2024, was submitted in support of the application. Wind conditions at ground level are predicted to be comfortable for standing or better throughout each seasonal basis. Primary and secondary building entrances are predicted to be comfortable for sitting throughout the year.

Wind conditions at St. James Park are predicted to remain calm and be comfortable for sitting throughout the year. The Wind Study assessed the wind conditions for the residential outdoor amenity terrace on Levels 3, 9, and 11. Wind conditions for the Level 3 and 9 terraces are predicted to be comfortable for sitting throughout the year. The Level 11 terrace is expected to experience wind conditions comfortable for sitting or more sedentary activities during summer. Mitigation methods should be explored to extend the usability of all outdoor amenity terraces into spring and autumn.

Unit Mix

The Downtown Plan requires a minimum of 10% three-bedroom units, 15% two-bedroom units and an additional 15% two- or three-bedroom units or units that can be converted to two- and three-bedroom units through the use of accessible or adaptable design measures. The application is providing an adequate number of two and three bedroom units but will need to demonstrate that their proposal meets the requirement for an additional 15% of units that can be converted into two or three-bedroom units.

Amenity Space

Zoning By-law 569-2013 requires a combined amenity space of 4.0 square metres per dwelling unit. The application is proposing 2.03 square metres per unit of indoor amenity space, and 0.8 square metres per unit of outdoor amenity space, for a total of 2.83 square metres per unit. The proposed total amenity space does not meet the requirements of Zoning By-law 569-2013.

Parking and Loading

No vehicle parking spaces are proposed. One shared Type 'G' and one Type 'C' loading space is proposed. Transportation Services staff have requested the applicant provide residential visitor and accessible vehicle parking spaces as required by Zoning By-law 569-2013, space to accommodate pick up and drop off activities, and car-share parking spaces on-site in addition to the visitor and accessible parking.

Parkland

In accordance with Section 42 of the Planning Act, Parks and Recreation staff have requested the applicant satisfy the parkland dedication requirement through cash-in-lieu.

Servicing

Engineering and Construction Services staff have reviewed the Functional Servicing and Stormwater Management Report and associated plans and require further revisions to the reports and drawings.

In the event the Ontario Land Tribunal allows the Zoning By-law Amendment appeal in whole or in part, the final Order should be withheld pending the provision of a satisfactory set of engineering reports that provide confirmation of water, sanitary, and stormwater capacity from the Chief Engineer and Executive Director, Engineering and Construction Services, including implementation of any required upgrades which may be secured through the use of holding provisions.

Further Issues

Staff continue to receive additional information regarding this application as the result of ongoing review by City commenting divisions, materials submitted in support of the proposal, and through deputations made by members of the public to Community Council. Planning staff may also be required to evaluate supplementary or revised plans

and supporting materials submitted by the applicant after the date of this report. As a result, Community Planning staff may continue to identify further issues or supplement the reasons provided in this report.

CONTACT

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SIGNATURE

Oren Tamir
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Toronto and East York District

ATTACHMENTS

City of Toronto Data/Drawings

Attachment 1: Application Data Sheet
Attachment 2: Location Map
Attachment 3: Official Plan Land Use Map
Attachment 4: Existing Zoning By-law Map

Applicant Submitted Drawings

Attachment 5: Site Plan
Attachment 6: Elevations
Attachment 7: 3D Massing Model

Attachment 1: Application Data Sheet

Municipal Address: 110-112 Adelaide Street East and 85 Lombard Street

Date Received: February 28, 2020

Application Number: 20 120404 STE 13 OZ

Application Type: Rezoning

Project Description: A 65-storey mixed use building containing 600 residential dwelling units, 330 square metres of office space, and 400 square metres of retail space.

Applicant	Agent	Architect	Owner
SG Adelaide Ltd.	Jason Park	Arcadis	SG Adelaide Ltd.

EXISTING PLANNING CONTROLS

Official Plan Designation:	Mixed Use Areas	Site Specific Provision:	N/A
Zoning:	CR 4.0 (c2.0; r4.0) SS1 (x2254)	Heritage Designation:	N
Height Limit (m):	23	Site Plan Control Area:	Y

PROJECT INFORMATION

Site Area (sq m): 1,306 Frontage (m): 32 Depth (m): 55

Building Data	Existing	Retained	Proposed	Total
Ground Floor Area (sq m):	702		1,280	1,280
Residential GFA (sq m):			36,370	36,370
Non-Residential GFA (sq m):	3,418		730	730
Total GFA (sq m):	3,418		37,100	37,100
Height - Storeys:	4		65	65
Height - Metres:	16		212	212

Lot Coverage Ratio (%)	98.01	Floor Space Index:	28.41
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Floor Area Breakdown	Above Grade (sq m)	Below Grade (sq m)
Residential GFA:	36,360	10

Retail GFA: 400
 Office GFA: 330
 Industrial GFA:
 Institutional/Other GFA:

Residential Units by Tenure	Existing	Retained	Proposed	Total
Rental:				
Freehold:				
Condominium:			600	600
Other:				
Total Units:			600	600

Total Residential Units by Size

	Rooms	Bachelor	1 Bedroom	2 Bedroom	3+ Bedroom
Retained:					
Proposed:	7		434	88	71
Total Units:	7		434	88	71

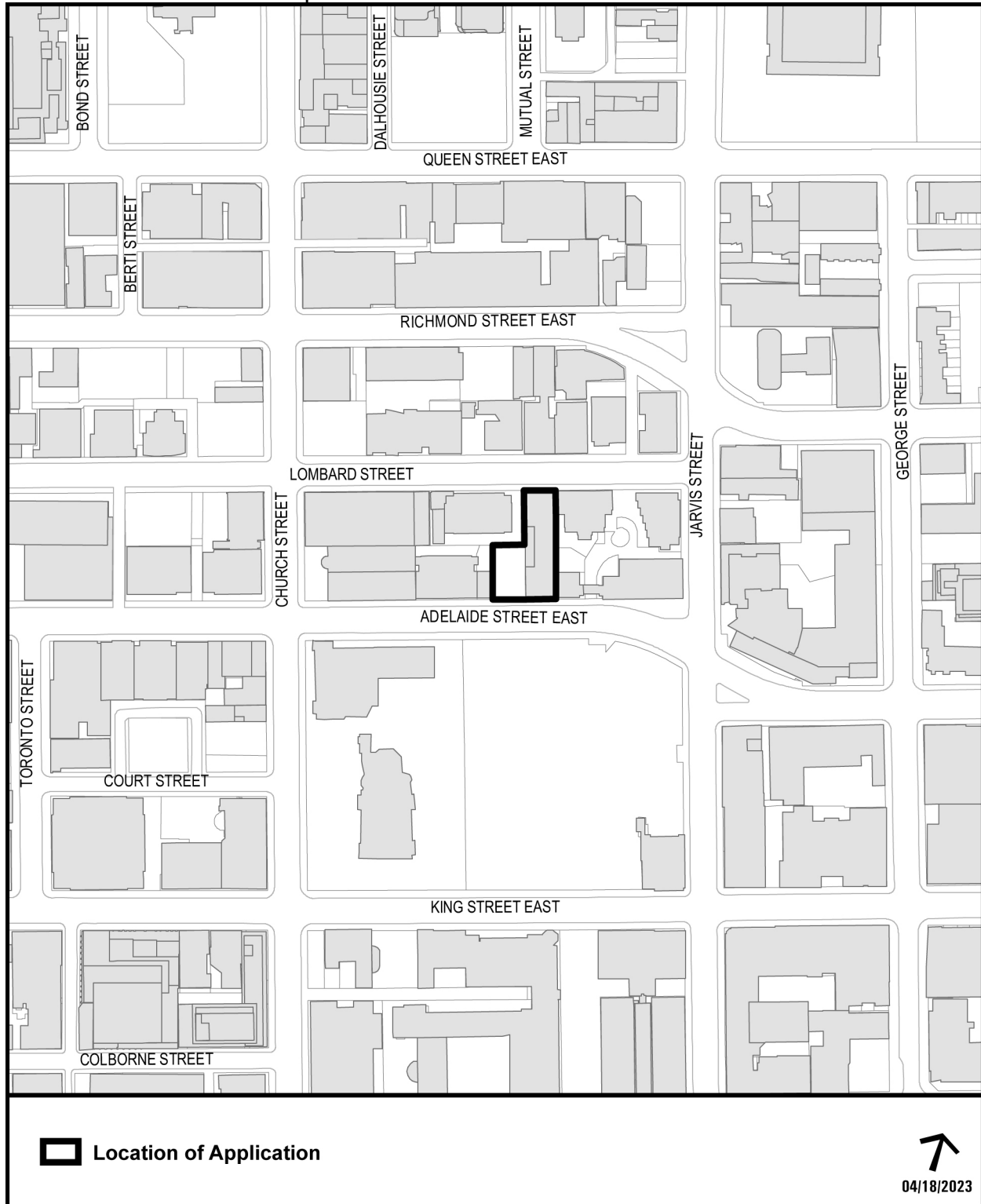
Parking and Loading

Parking Spaces: Bicycle Parking Spaces: 670 Loading Docks: 2

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Attachment 2: Location Map



Attachment 3: Official Plan Land Use Map



Official Plan Land Use Map #18

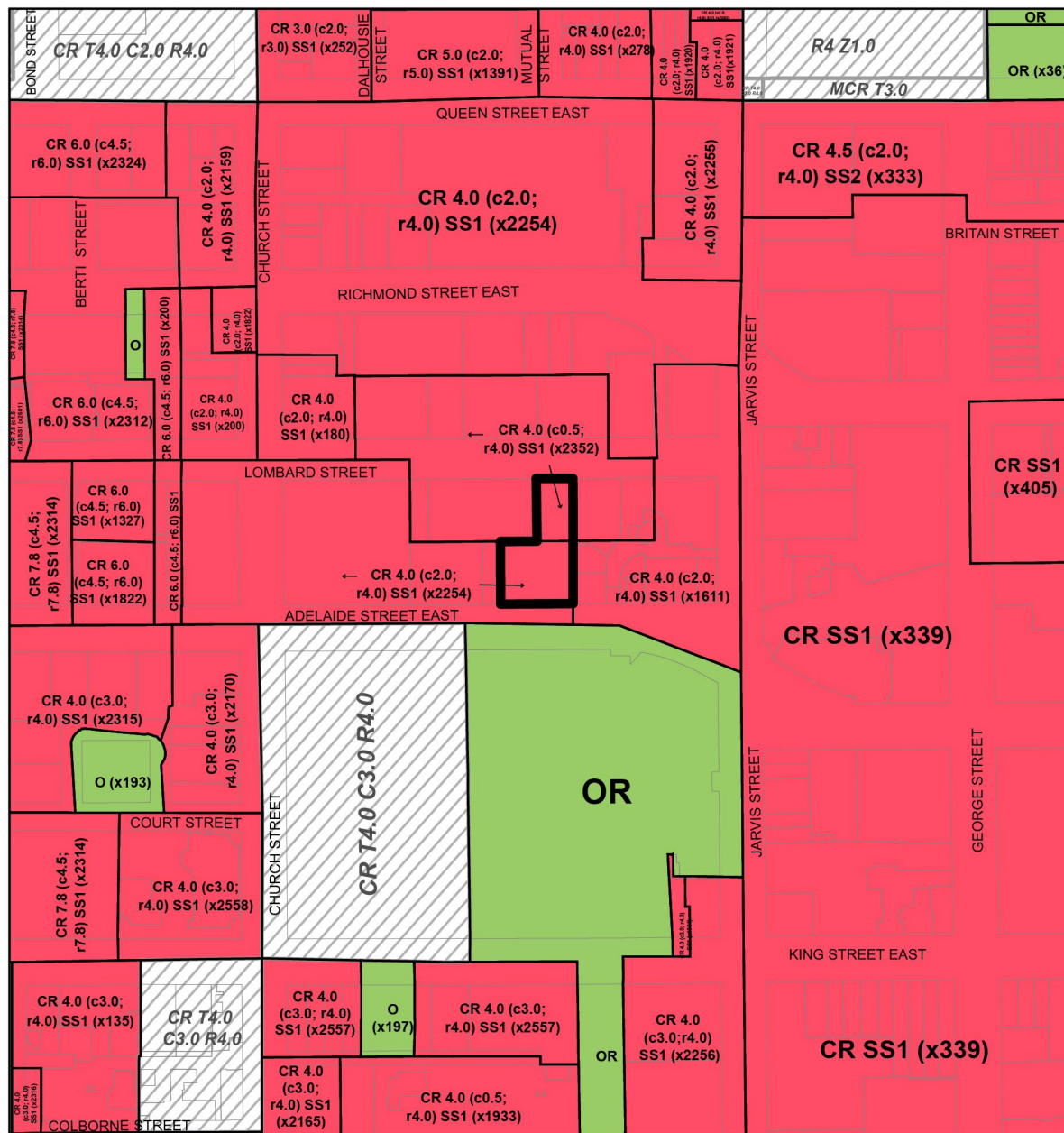
110-112 Adelaide Street East
and 85 Lombard Street

File # 20 120404 STE 13 OZ



Not to Scale
Extracted: 12/10/2024

Attachment 4: Existing Zoning By-law Map



Zoning By-law 569-2013

110-112 Adelaide Street East
and 85 Lombard Street
File # 20 120404 STE 13 02

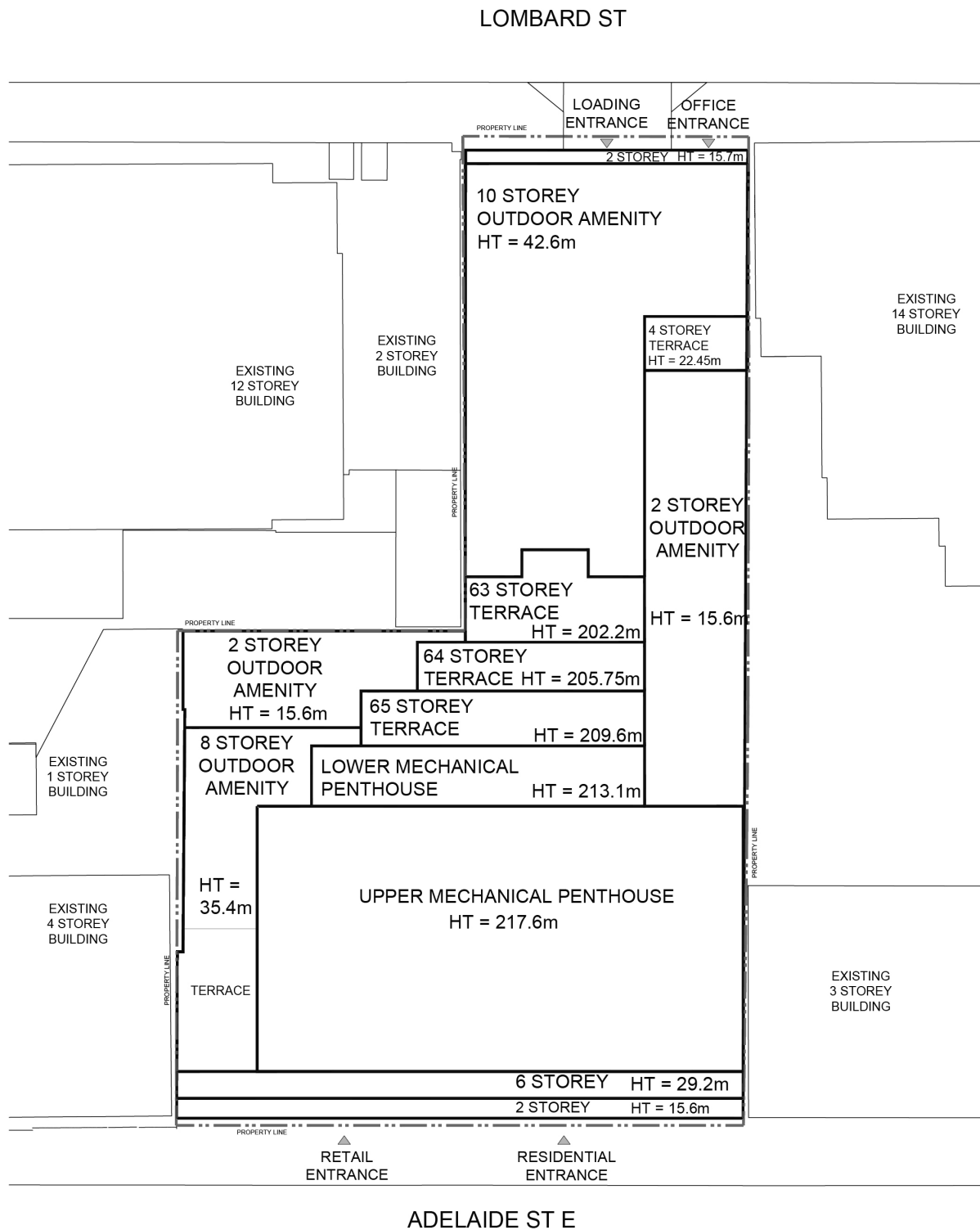
- Location of Application
- CR Commercial Residential
- O Open Space
- OR Open Space Recreation

- See Former City of Toronto By-law No. 438-86
- R4 Residential District
- CR Mixed-Use District
- MCR Mixed-Use District



Not to Scale
Extracted: 12/09/2024

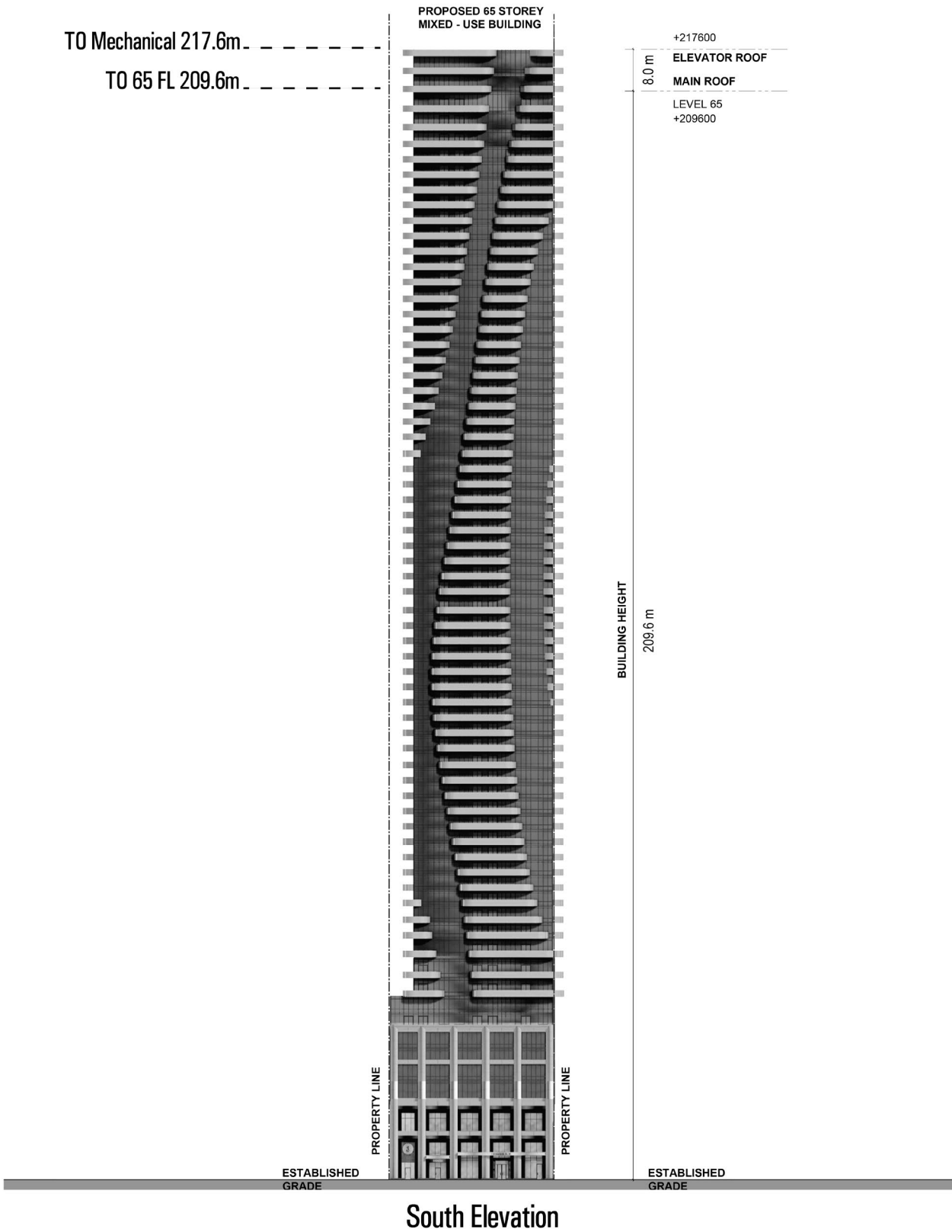
Attachment 5: Site Plan

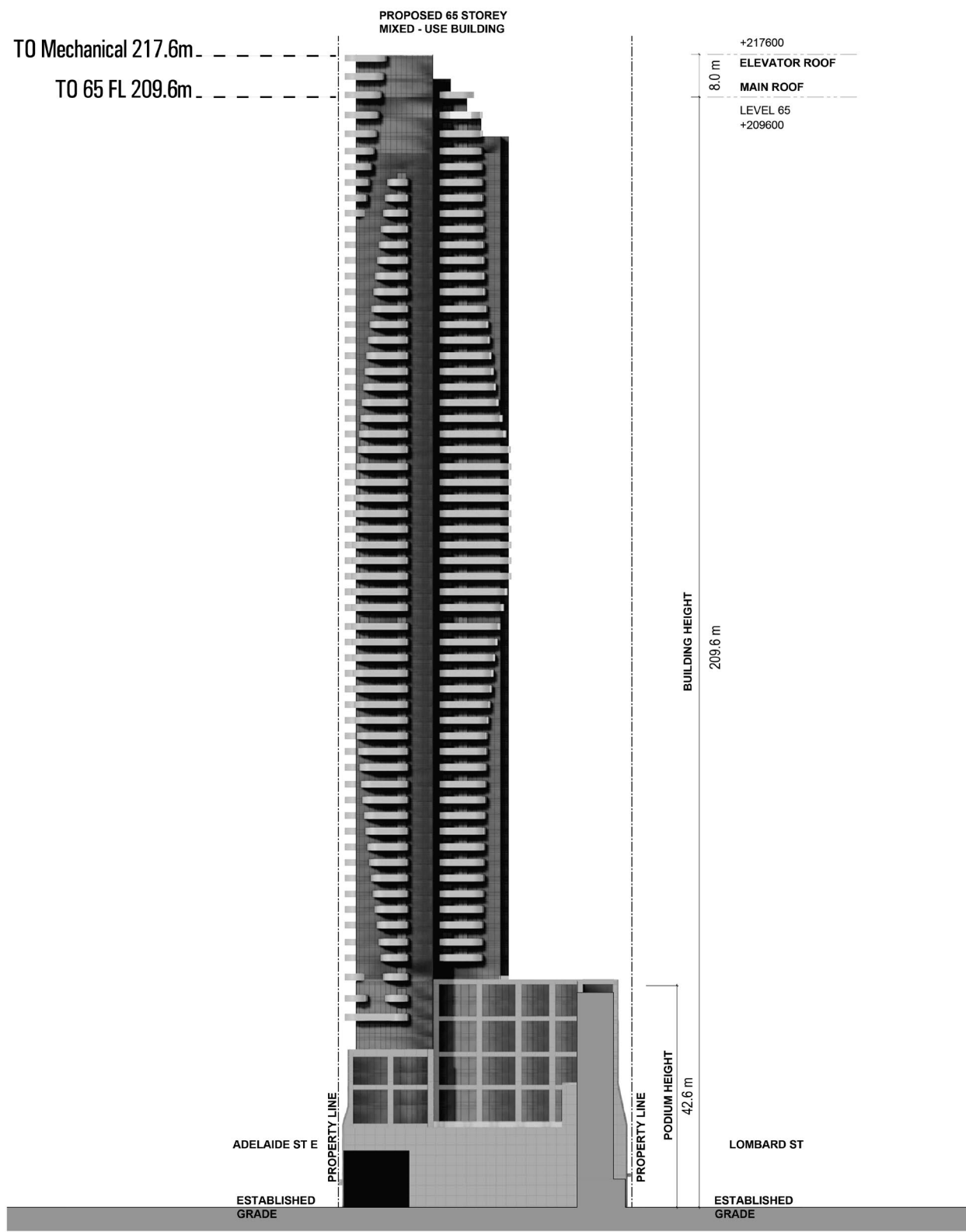


Site Plan

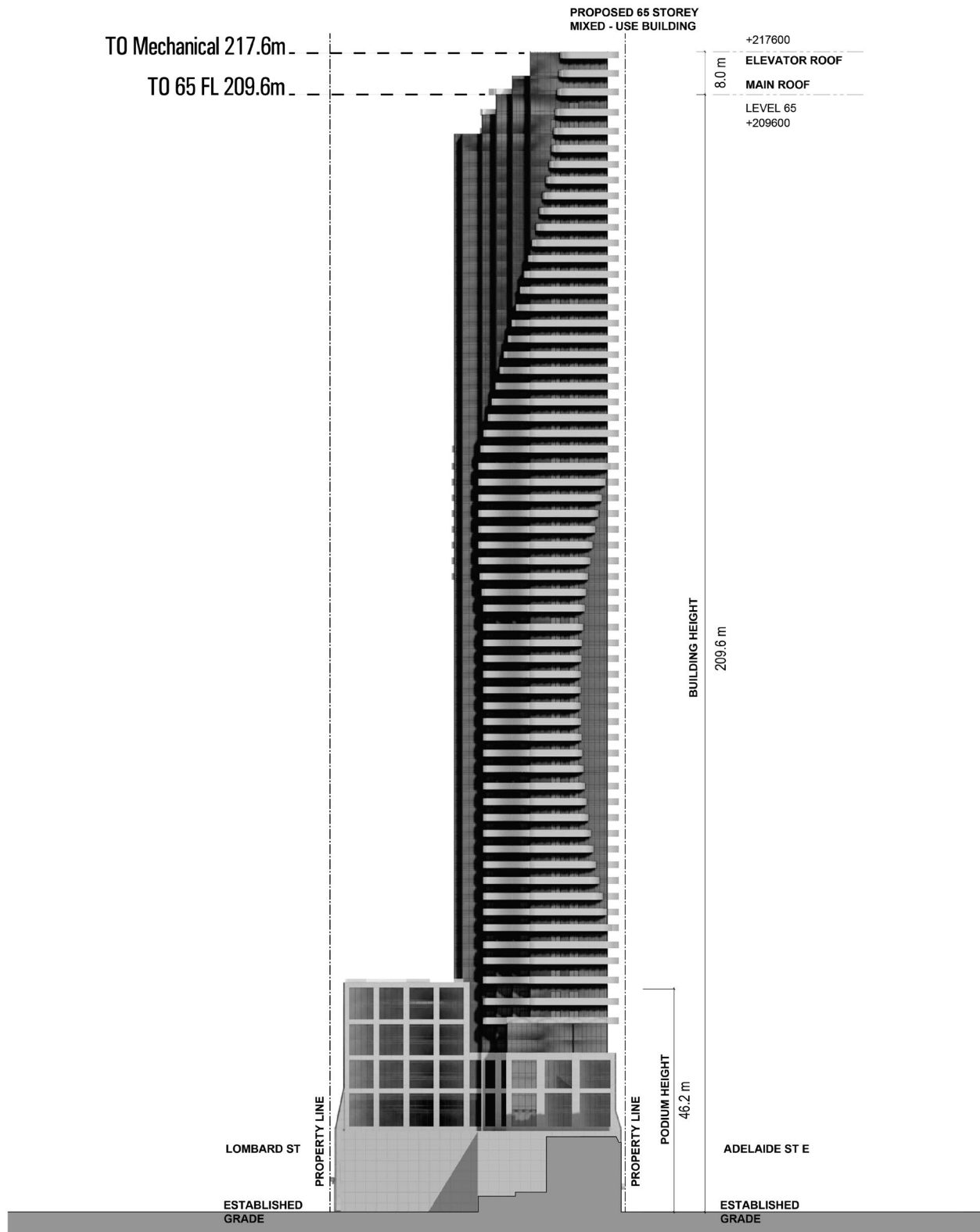


Attachment 6: Elevations

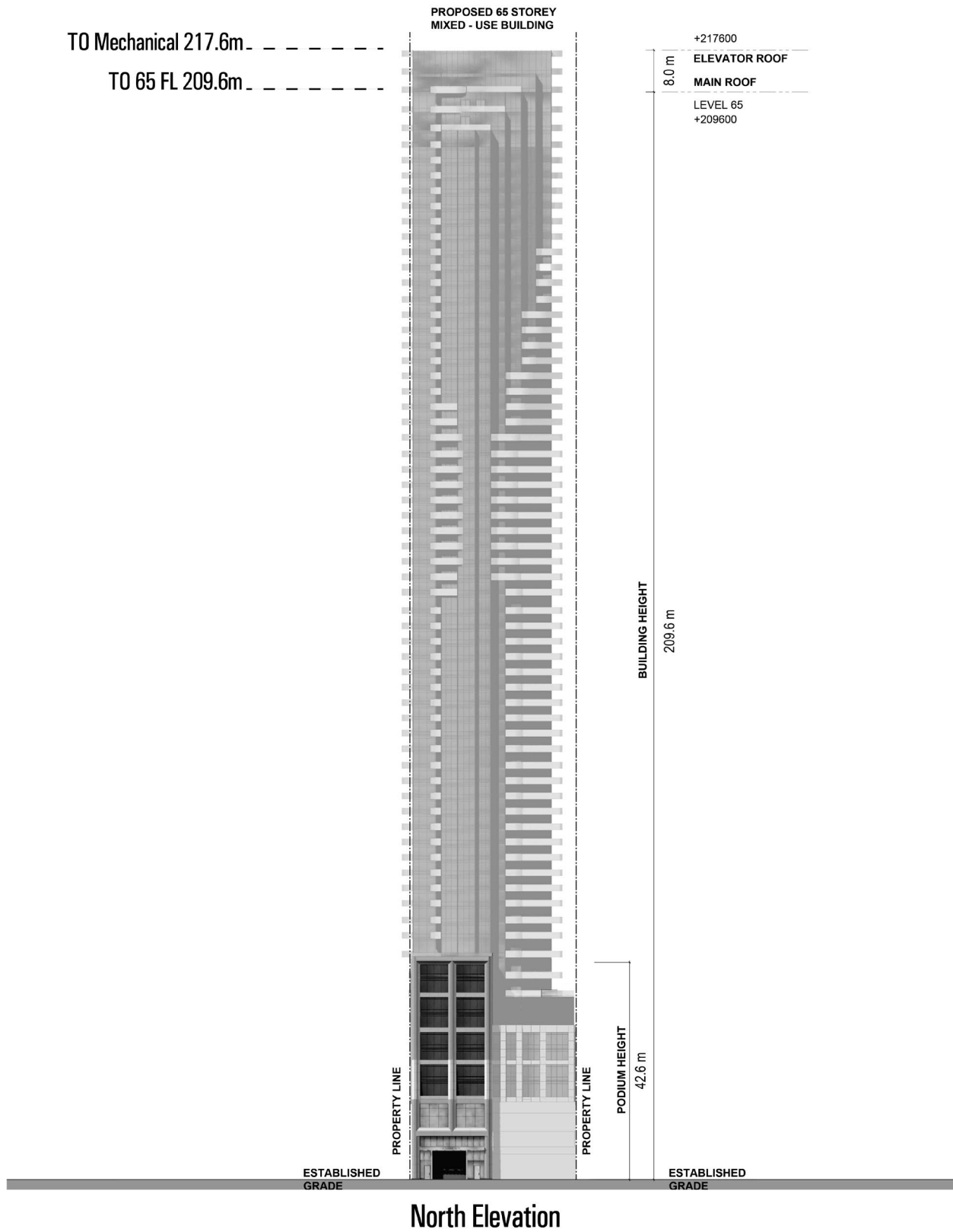




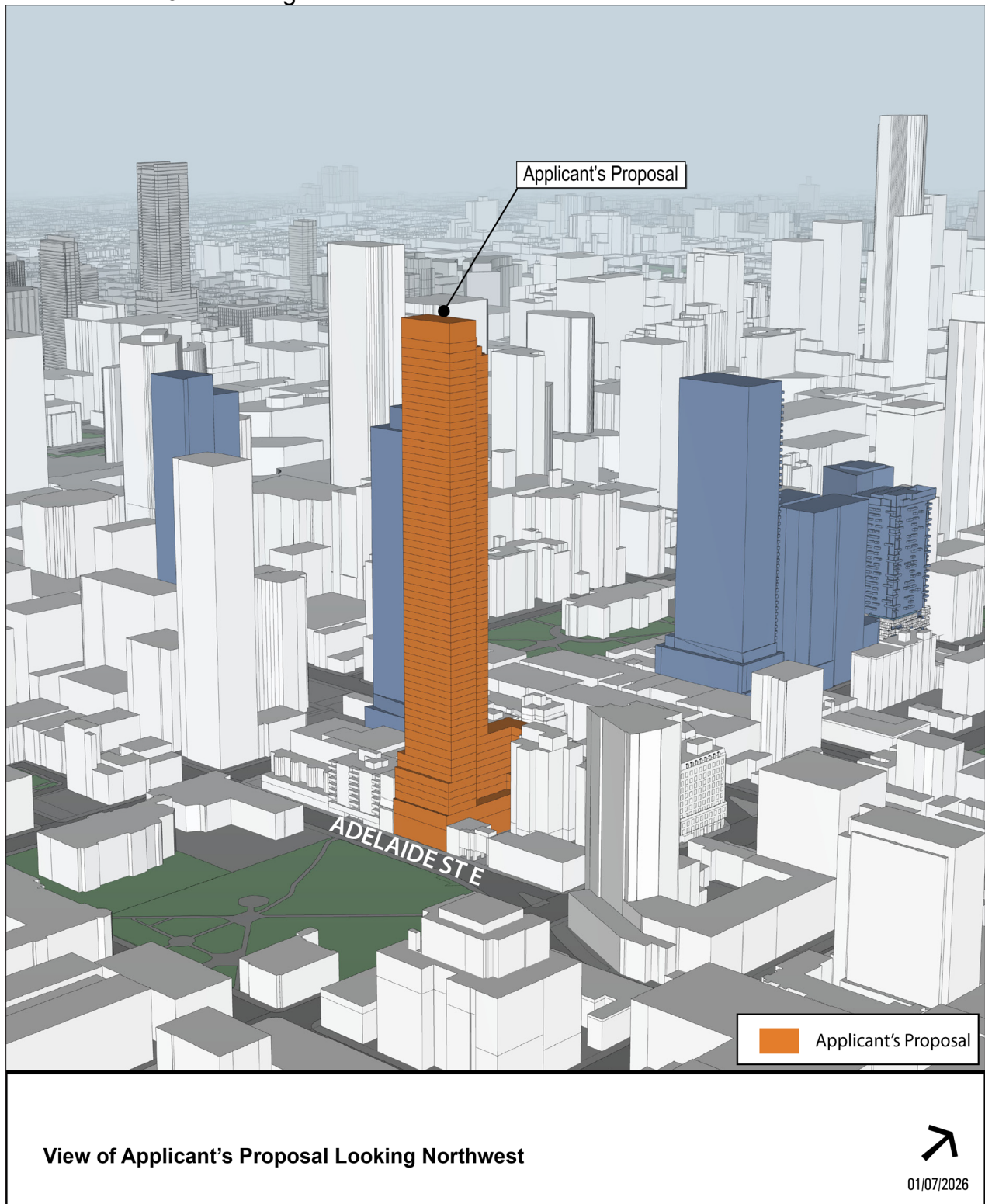
East Elevation

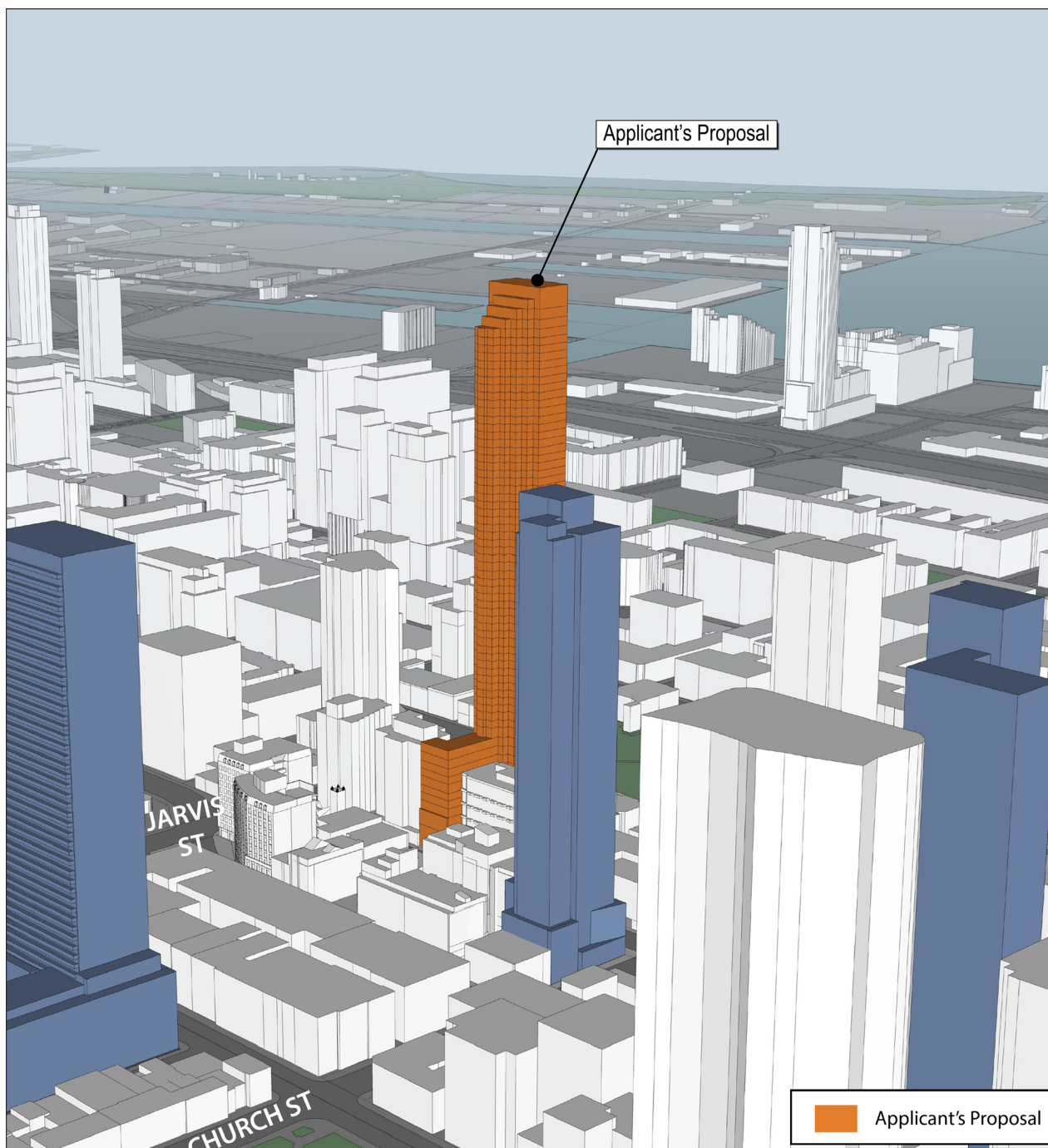


West Elevation



Attachment 7: 3D Massing Model





View of Applicant's Proposal Looking Southeast



01/07/2025