

**68 & 70 Charles Street East & 628, 634, 636 & 638
Church Street- Zoning Amendment Application -
Preliminary Report**

Date:	November 21, 2014
To:	Toronto and East York Community Council
From:	Director, Community Planning, Toronto and East York District
Wards:	Ward 27 – Toronto Centre-Rosedale
Reference Number:	14 227468 STE 27 OZ & 14 227473 STE 27 RH

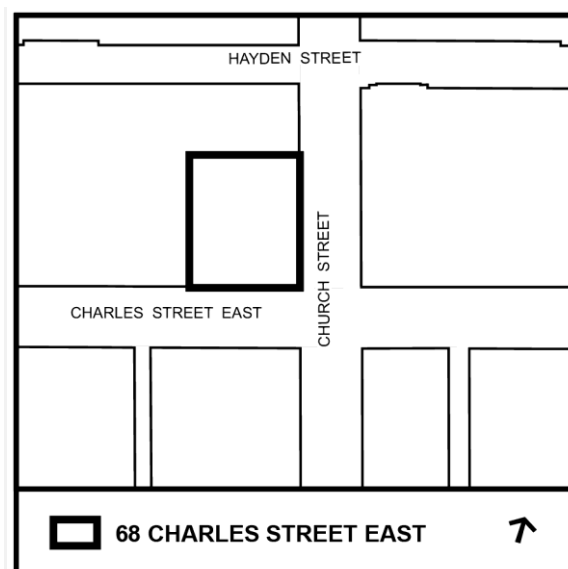
SUMMARY

This application proposes a 52-storey mixed-use building containing 439 condominium and 20 rental replacement units and 349 square metres of retail space at 628, 634, 636 & 638 Church Street and 68 & 70 Charles Street East. The proposal also includes the retention of portions of the existing listed heritage buildings on site, which are proposed to contain 9 residential units and retail space. The overall proposed building height is 162 metres (167.4 metres including mechanical equipment).

A Rental Housing Demolition and Conversion application under Section 111 of the City of Toronto Act and Chapter 667 of the Municipal Code (the Section 111 application) has been made and will be reviewed and reported on concurrently with the Zoning By-law Amendment.

This report provides preliminary information on the above-noted application and seeks Community Council's directions on further processing of the application and on the community consultation process.

The next step is to conduct a community consultation meeting to allow the public to



review the application and provide feedback.

RECOMMENDATIONS

The City Planning Division recommends that:

1. Staff be directed to schedule a community consultation meeting for the lands at 628, 634, 636 & 638 Church Street and 68 & 70 Charles Street East together with the Ward Councillor.
2. Notice for the community consultation meeting be given to landowners and residents within 120 metres of the site.
3. Notice for the public meeting under the Planning Act be given according to the regulations of the Planning Act.

Financial Impact

The recommendations in this report have no financial impact.

ISSUE BACKGROUND

Pre-Application Consultation

Pre-application consultation meetings were held with the applicant to discuss complete application submission requirements for the rezoning application, as well as for the application to demolish rental housing under Chapter 667 of the Municipal Code.

PROPOSAL

The application proposes a 52-storey (167.4 metres including mechanical penthouse, 162 metres excluding mechanical penthouse) mixed-use building. There are listed heritage buildings on site. The applicant is proposing to retain significant portions of the existing heritage buildings and incorporate them into the proposed base of the tower. The applicant proposes to demolish the rear additions of 634 and 636 Church Street and shift the easterly portions of the building toward the Church Street lot line by 2.96 metres to align with the east façade of 628 Church Street, along with 640 and 644 Church Street to the north. The existing building at 638 Church Street (which is not a listed heritage building), will be demolished in its entirety.

The applicant proposes a total gross floor area of 35,783 square meters, including 34,434 square metres of residential gross floor area and 349 square metres of retail space in the retained heritage buildings, yielding an overall density of 19.34 times the lot area. The proposed pedestrian access and residential lobby for the tower will be from Church Street.

The proposal includes 900 square metres of indoor amenity space and 985 square metres of outdoor amenity space, located on the 2nd -4th floors and the rooftop level. The applicant is proposing a total of 459 residential units, including 439 condominium units and 20 rental replacement units. The proposed unit mix is as follows:

Units	Condominium	Rental
1 Bedroom	0	8
1 Bedroom + Den	320	0
2 Bedroom	0	8
2 Bedroom + Den	88	4
3 Bedroom	31	0

The applicant is proposing five levels of underground parking containing a total of 138 residential parking spaces with no visitor, rental or retail parking spaces proposed. One Type-G loading space is being proposed. A total of 506 bicycle parking spaces are proposed within the Mezzanine level and underground garage. The proposed access to and from the underground parking garage and loading space is from Church Street.

The proposed tower floor plate at the 4th to 6th floor is 561 square metres and increases to 731 square metres above. Balconies are proposed from the 8th to 52nd floors and would project 1.7 metres from the building face. The tower setbacks for the 731 square metre floor plate are as follows:

Proposed Tower Setbacks from Property Line	
North	6.1 metres
West	7.1 metres
Church Street	10 metres
Charles Street	11.9 metres

Site and Surrounding Area

The site is located on the northwest corner of Charles Street East and Church Street. The rectangular shaped site is approximately 1,976 square metres in size with 38 metres of frontage along Charles Street East and 52 metres of frontage along Church Street.

Existing at the south corner of 68-70 Charles Street East and 628 Church Street is a three-storey walk-up apartment building (“The Manhattan”) with 20 rental apartment units. The building is comprised of bachelor, 1-bedroom and 2-bedroom units. There is a three-storey semi-detached dwelling currently occupied by two restaurants at 634-636 Church Street and a three-storey house-form building containing a wellness practitioner at 638 Church Street. It is important to note, the current buildings at 68 & 70 Charles Street East and 628-636 Church Street are all listed properties in the Toronto Heritage Inventory.

The surrounding uses are as follows:

South: Directly south of the site, on the southwest corner of Charles Street West and Church Street (620 Church Street), is a 26-storey hotel with restaurant use below-grade. Adjacent to 620 Church Street is a 9-storey rental apartment building.

East: Immediately east of the site, across Church Street is a 9-storey office building. To the southeast, of the subject site, is a 16-storey residential building with retail at-grade.

North: North of the site along Church Street, is a series of three-storey buildings currently occupied by restaurants. Along Hayden Street is a surface level commercial parking lot. Toronto Grace Health Centre, including the service and loading area, is also located on the north side of Hayden Street.

West: Immediately to the west of the site, along Charles Street East, is a low-rise heritage building. Further west, is three-storey designated semi-detached dwelling which has a registered Heritage Easement Agreement on title and is part of the approved 55-storey residential development at 50-60 and 62-64 Charles Street East.

Provincial Policy Statement and Provincial Plans

The Provincial Policy Statement (PPS), 2014, provides policy direction on matters of provincial interest related to land use planning and development. These policies support the goal of enhancing the quality of life for all Ontarians. Key policy objectives include: building strong healthy communities by accommodating a range and mix of uses, and providing an appropriate range of housing types and affordability to meet projected requirements of current and future residents. City Council's planning decisions are required to be consistent with the PPS.

The Growth Plan for the Greater Golden Horseshoe provides a framework for managing growth in the Greater Golden Horseshoe including: directions for where and how to grow; the provision of infrastructure to support growth; and protecting natural systems and cultivating a culture of conservation. City Council's planning decisions are required to conform, or not conflict, with the Growth Plan for the Greater Golden Horseshoe.

Staff will review the proposed development for consistency with the PPS and for conformity with the Growth Plan for the Greater Golden Horseshoe.

Official Plan

The subject property is located within the *Downtown and Central Waterfront* area on Map 2 – Urban Structure in the Official Plan. This site is designated as *Mixed Use Areas* on Map 18 – Land Use Plan in the Official Plan. The property is surrounded by properties also designated *Mixed Use Areas*.

Mixed Use Areas are made up of a broad array of residential uses, offices, retail and services as well as institutional, entertainment, recreational and cultural activities in addition to parks and open spaces. *Mixed Use Areas* are intended to be areas for new retail, office, and service employment and new housing.

The Plan includes criteria that direct the form and quality of development for the *Mixed Use Areas* designation. The criteria state that new buildings provide a transition between areas of different intensity and scale, including a stepping down of heights towards lower scale neighbourhoods, minimize shadow impacts and provide an attractive, safe and comfortable pedestrian environment.

The Official Plan policies regarding heritage resources set out directions for conserving our heritage through listing properties, designating them and entering into conservation agreements. Once a property is listed on the *City's Inventory of Heritage Properties* it is to be conserved and any development proposal on a heritage property requires a Heritage Impact Statement. Development adjacent to properties on the *City's Inventory of Heritage Properties* will respect the scale, character and form of heritage buildings and landscapes.

Section 3.2.1 of the Official Plan includes policies that encourage the provision of a full range of housing, in terms of form, tenure and affordability, and the protection of rental housing units. Policy 3.2.1.6 requires that new development that would result in the loss of six or more rental housing units will not be approved unless the same number, size and type of rental units are replaced and maintained with similar rents. An acceptable tenant relocation and assistance plan is also required to help lessen the hardship faced by tenants in having to move due to demolition.

This application will be reviewed against the policies in the Official Plan including those in the “Downtown”, “Public Realm”, and “Built Form” sections of the Plan. Compliance with other relevant policies of the Official Plan will also be addressed.

The subject site is also within Area Specific Policy 211 of the Official Plan. This policy applies to the Bloor-Yorkville/ North Midtown Area that is composed of a broad mix of districts within differing intensities, scales and heights in a diversity of building forms. The policy provides guidance in relation to transition of density and scale outward from the intersection of Yonge Street and Bloor Street. Transition areas will be developed at a lesser height and physical scale in a form compatible with adjacent areas. Policies are also included that require high quality public realm and that new development be reviewed in relation to the Bloor-Yorkville/North Midtown Urban Design Guidelines.

The proposal will be reviewed against Official Plan Site and Area Specific Policy number 211 and the Bloor-Yorkville/Midtown Urban Design Guidelines.

Zoning

The site is zoned CR T4.0 C1.0 R4.0 under Zoning By-law 438-86. This zoning designation permits a variety of uses including residential. The maximum density is 4 times the lot area, with 1 times the lot area for commercial uses and 4 times the lot area for residential uses. The maximum height permitted is 30 metres in the centre of the site, and a maximum height of 12 metres within the first 12.2 metres from Charles Street East and 9.1 metres from Church Street.

On May 9, 2013, Toronto City Council enacted City-wide Zoning By-law 569-2013, currently under appeal to the Ontario Municipal Board. Under the new Zoning By-law, the site is zoned CR 4.0 (c1.0, r4.0) with exception 2147 over 628 Church Street and exception 2146 and Policy Area 1 provisions over 634, 636 and 638 Church Street.

Rental Housing Demolition and Conversion By-law

The Rental Housing Demolition and Conversion By-law (885-2007), contained in Chapter 667 of the City's Municipal Code, implements the City's Official Plan policies protecting rental housing. The By-law prohibits demolition or conversion of rental housing units without obtaining a permit from the City issued under Section 111 of the *City of Toronto Act, 2006*.

Proposals involving six or more rental housing units or where there is a related application for a Zoning By-law amendment require a decision by City Council. Council may refuse an application, or approve the demolition with conditions that must be satisfied before a demolition permit is issued. Council approval of demolition under Section 33 of the *Planning Act* is required where six or more residential units are proposed for demolition before the Chief Building Official can issue a permit for demolition under the *Building Code Act*. The By-law provides for the co-ordination of all the approval authorities needed for the demolition of the rental housing.

When there is an application for rezoning as well as an application under Chapter 667 for rental demolition or conversion, typically City Council considers both applications at the same time after receiving a joint report on both from the Planning Division. Unlike *Planning Act* applications, decisions made by the City under Chapter 667 are not appealable to the OMB.

The applicant has submitted an application for a Section 111 permit pursuant to Chapter 667 of the City of Toronto Municipal Code for the demolition and replacement of the existing 20 rental units. A notification of complete application, with the required tenant notification by the owner, was issued on October 27, 2014.

Heritage

Two heritage buildings are located on the development site. The property at 628 Church Street, the Manhattan Apartments, was listed on the City of Toronto's Inventory of Heritage Properties by Toronto City Council on July 14, 1979. The properties at 634 and 636 Church Street were listed on the Inventory of Heritage Properties by Council on

August 10, 1976. The applicants are proposing to incorporate a portion of both the heritage properties into the proposed development. Adjacent to the development site is a two and half-storey second empire house at 66 Charles Street East listed by Council on March 15, 1974.

The Official Plan states that heritage resources on properties listed on the City's Inventory of Heritage Properties will be conserved. A Heritage Impact Assessment has been submitted, as the development entails an amendment to the Zoning By-law. Staff will review the Heritage Impact Assessment that has been submitted as part of the application, and evaluate it against the relevant Official Plan policies.

Site Plan Control

The proposed development is subject to site plan control. An application for Site Plan Approval has not been submitted but will be required.

City-Wide Tall Building Design Guidelines

In May 2013, Toronto City Council adopted the updated city-wide Tall Building Design Guidelines and directed City Planning staff to use these Guidelines in the evaluation of all new and current tall building development applications. The Guidelines establish a unified set of performance measures for the evaluation of tall building proposals to ensure they fit within their context and minimize their local impacts. The city-wide Guidelines are available at <http://www.toronto.ca/planning/tallbuildingdesign.htm>

Downtown Tall Buildings: Vision and Supplementary Design Guidelines

This project is located within an area that is also subject to the Downtown Tall Buildings: Vision and Supplementary Design Guidelines (adopted by City Council in July 2012 and consolidated with the city-wide Tall Building Design Guidelines May 2013). This document identifies where tall buildings belong Downtown, and establishes a framework to regulate their height, form and contextual relationship to their surroundings. The Downtown Vision and Supplementary Design Guidelines should be used together with the city-wide Tall Building Design Guidelines to evaluate new and current Downtown tall building proposals. The Downtown Tall Buildings Guidelines are available at <http://www.toronto.ca/planning/tallbuildingstudy.htm#guidelines>

The subject site fronts both Charles Street East and Church Street. Charles Street East is identified as "Secondary High Streets" with a Tower-Base or Residential Landscape Setback Form. Generally, height ranges will be one-third lower than the High Streets they run parallel to. Church Street is identified as a "Priority Retail Street".

Bloor-Yorkville/North Midtown Design Guidelines

The site is within the area of the Bloor-Yorkville/North Midtown Guidelines. The goal of these guidelines is to improve the quality of the environment in Bloor- Yorkville/ North Midtown and ensure that those elements, which contribute to the special character of the diverse parts of the area, are retained and enhanced. Height Peak and Ridges are incorporated in these guidelines to evaluate appropriate building height. The site is located in the Hayden Church Precinct.

TOcore

On May 13, 2014, the Toronto and East York Community Council (TEYCC) considered a Staff Report regarding *TOcore: Planning Toronto's Downtown*, along with a related background document entitled *Trends and Issues in the Intensification of Downtown*.

Both reports are available at at:

<http://www1.toronto.ca/wps/portal/contentonly?vgnextoid=222101f2e9745410VgnVCM10000071d60f89RCRD>. TOcore is looking at how Toronto's Downtown should grow,

with both a renewed planning framework and the necessary infrastructure to remain a great place to live, work, learn and play. TOcore is in its initial 'taking stock' phase, which involves an analysis of existing conditions, growth trends and priority issues in the Downtown. The review of this application will be informed by the issues being considered under TOcore.

Reasons for the Application

A rezoning application is required to permit the height and density proposed by the applicant. Additional areas of non-compliance with the Zoning By-law will be assessed as the review of the application advances.

COMMENTS

Application Submission

The following reports/studies were submitted with the application:

- Architectural plans and drawings
Plans, Floor Plans, Elevations and Sections
- Shadow Impact Study
- Planning and Urban Design Rationale
- Transportation Impact Study
- Housing Issues Report
- Functional Servicing Report
- Stormwater Management Report
- Green Development Standards Checklist

- Heritage Impact Assessment
- Pedestrian Level Wind Study

A notice of complete application was issued on October 27, 2014.

Issues to be Resolved

Prior to presenting a Final Report to Toronto and East York Community Council, the following issues, as well as any others identified by staff and the public, will need to be reviewed and addressed:

1. consistency with the Provincial Policy Statement and the Growth Plan for the Greater Golden Horseshoe;
2. conformity with Official Plan policies and development criteria for *Mixed Use Areas* and heritage, including Area Specific Policy 211;
3. conformity with the Tall Buildings Design Guidelines and the Downtown Tall Buildings: Vision and Supplementary Design Guidelines including the sections on adjacency issues, pedestrian realm and sustainable design;
4. conformity with Parks Canada’s “Standards and Guidelines for the Conservation of Historic Places in Canada”, approved by City Council as the official document guiding planning, stewardship and conservation approach for all listed and designated heritage resources within the City (March 3, 4, and 5, 2008);
5. review the proposal against recent approvals within the immediate context;
6. height and density of the proposal;
7. built form and massing issues including, but not limited to: setbacks, stepbacks, views, sky view, light penetration, privacy, wind mitigation and pedestrian realm weather protection;
8. shadow impacts on neighbouring parks and open space in the area;
9. proposed mix of unit sizes and lack of family-sized units;
10. provision of high-quality public realm, landscape design and appropriate sidewalk widths;
11. the provision of parking, loading and bicycle parking;
12. the appropriateness of the rental replacement plans, including replacement unit sizes and access to parking;
13. Proposed tenant relocation and assistance plan; and
14. Adequacy of amenity areas proposed.

Section 37

Section 37 of the Planning Act allows the City to enter into an agreement with an applicant to grant a height and/or density increase for a particular project that is greater than the zoning by-law would otherwise permit in return for community benefits. Details of a Section 37 Agreement between the applicant and the City will be considered, in

consultation with the Ward Councillor, if the project is ultimately considered to be good planning and recommended for approval.

CONTACT

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SIGNATURE

Gregg Lintern, MCIP, RPP
Director, Community Planning
Toronto and East York District

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ATTACHMENTS

Attachment 1: Site Plan

Attachment 2: North Elevation

Attachment 3: South Elevation

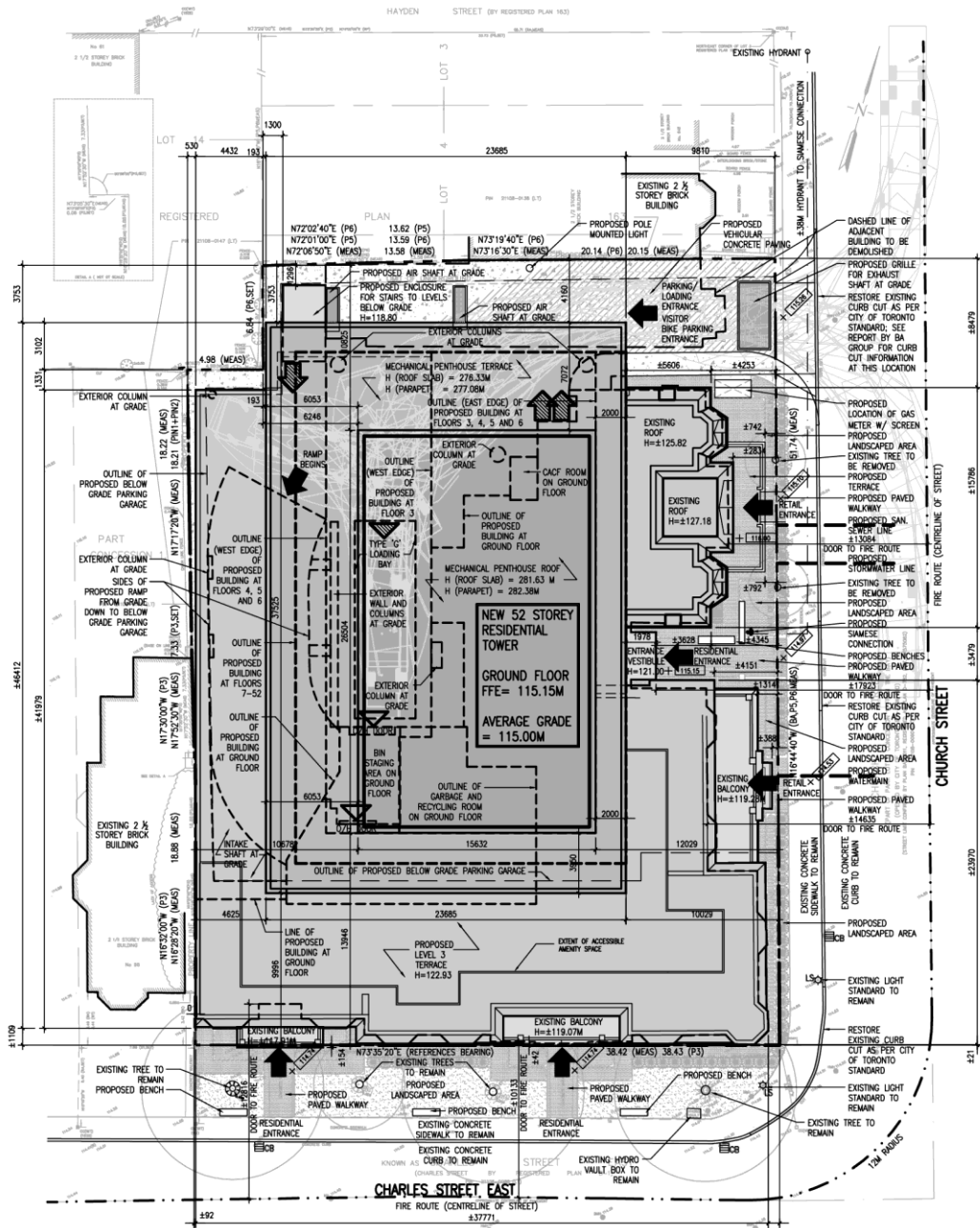
Attachment 4: West Elevation

Attachment 5: East Elevation

Attachment 6: Zoning

Attachment 7: Application Data Sheet

Attachment 1: Site Plan



Site Plan

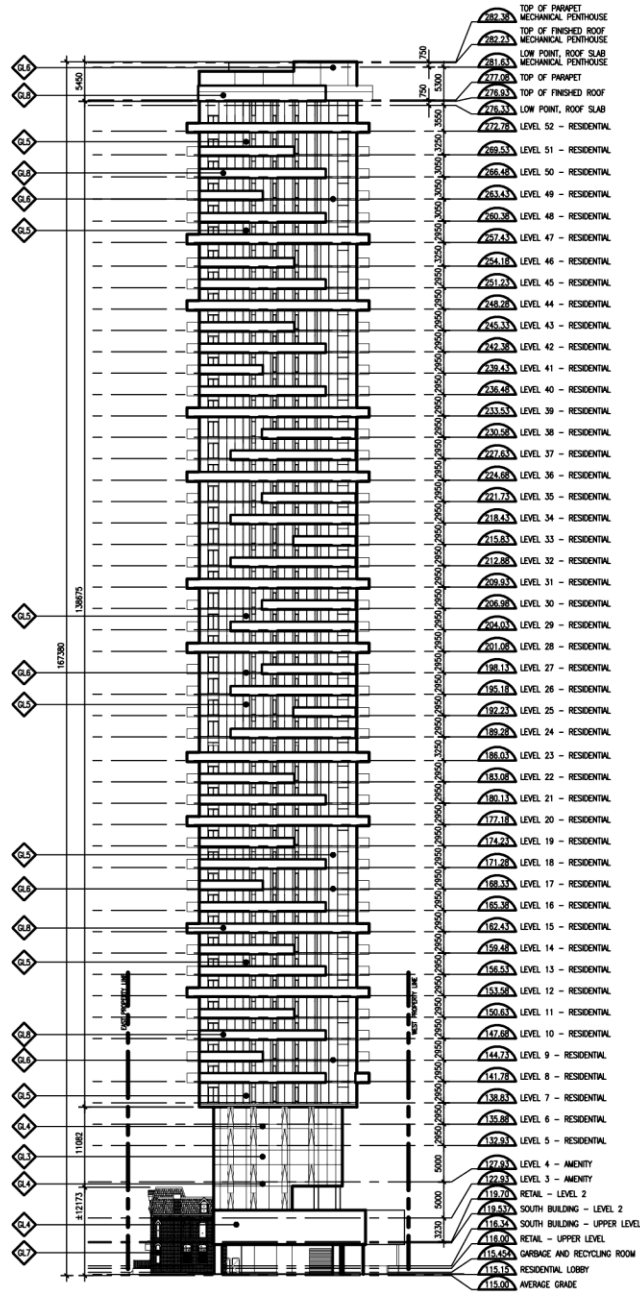
Applicant's Submitted Drawing

Not to Scale 

68 Charles Street East

File # 14_227468_STE 27 0Z

Attachment 2: North Elevations



North Elevation

Applicant's Submitted Drawing

Not to Scale
12/11/2014

68 Charles Street East

File # 14_227468_STE 27 OZ

Attachment 3: South Elevation



South Elevation

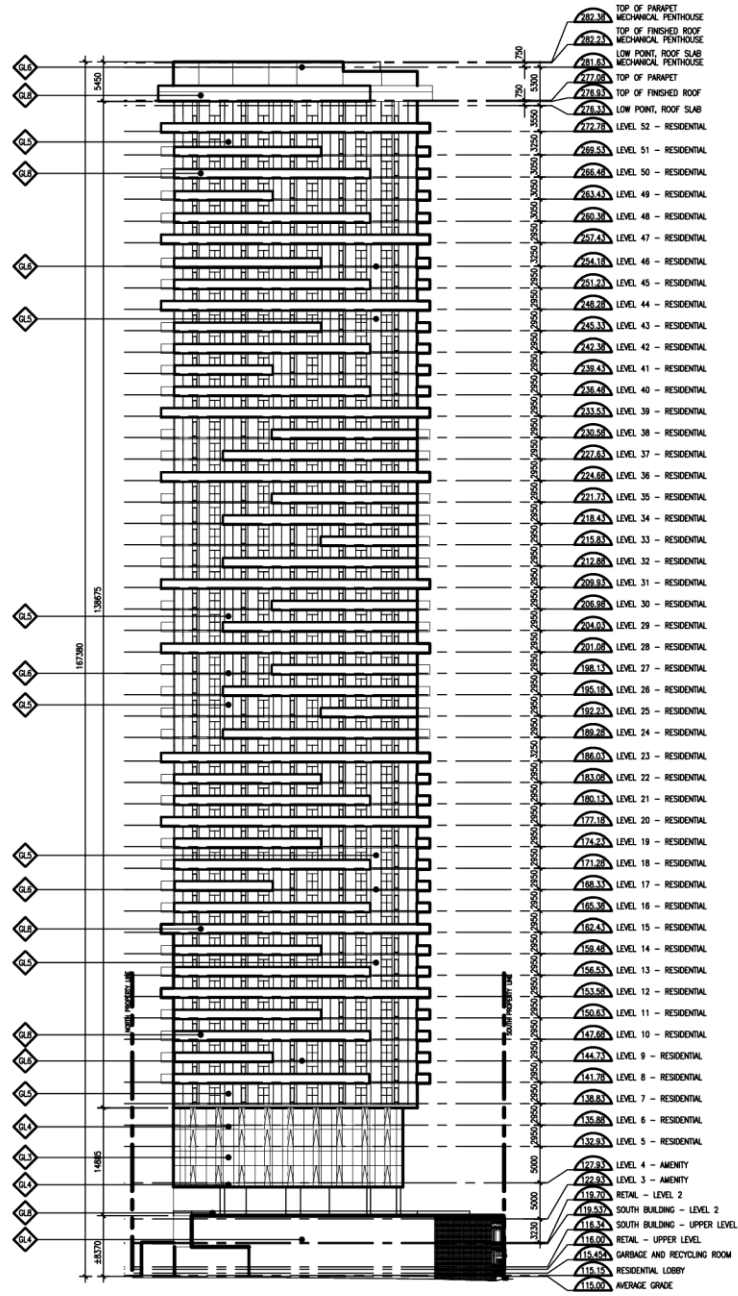
Applicant's Submitted Drawing

Not to Scale
12/11/2014

68 Charles Street East

File # 14_227468_STE 27 0Z

Attachment 4: West Elevation



West Elevation

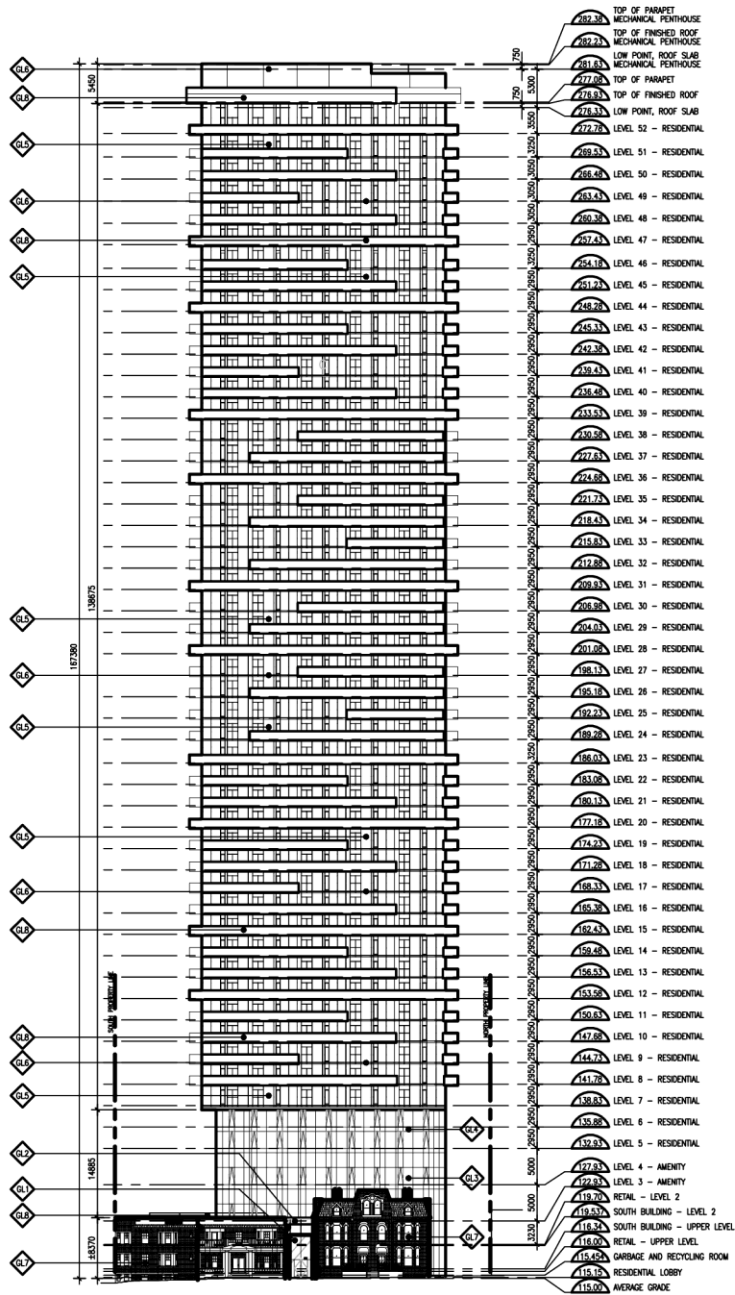
Applicant's Submitted Drawing

Not to Scale
12/11/2014

68 Charles Street East

File # 14_227468_STE 27 OZ

Attachment 5: East Elevation



East Elevation

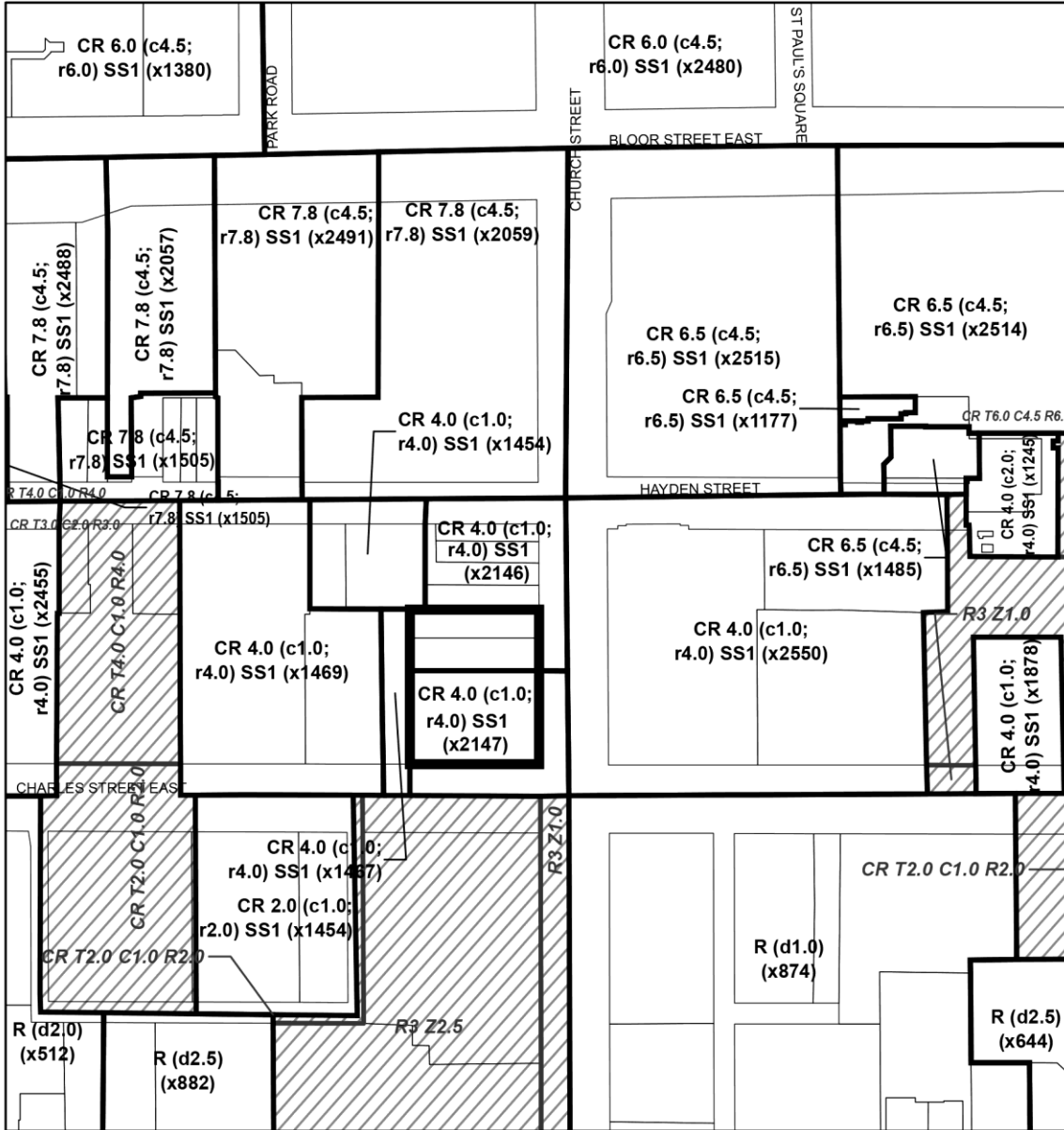
Applicant's Submitted Drawing

Not to Scale
12/11/2014

68 Charles Street East

File # 14_227468_STE 27 OZ

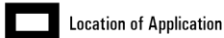
Attachment 6: Zoning



Zoning By-Law No. 569-2013

68 Charles Street East

File # 14 227468 STE 27 OZ



Location of Application



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

R Residential

CR Commercial Residential

R3 Residential District
CR Mixed-Use District



Not to Scale
Extracted: 12/12/2014

Attachment 7: Application Data Sheet

Application Type	Rezoning	Application Number:	14 227468 STE 27 OZ
Details	Rezoning, Standard	Application Date:	September 24, 2014

Municipal Address: 68 CHARLES ST E

Location Description: CON 1 FB PT PARK LT7 << ENTRANCE ADDRESS FOR 628 CHURCH ST **GRID S2708

Project Description: Rezoning application for a mixed use development containing a 52-storey residential building, with retail uses at-grade along Church Street and low rise apartments along Charles Street East. The proposal includes 439 condominium apartments, 20 rental replacement apartment units, and 349 square metres of retail space.

Applicant:

Church & Charles Development
29 Floral Parkway
Concord ON L4K 5C5

Architect:

Qadrangle Architects
901 King Street West,
Toronto ON M5V 3H5

Owner:

Promocentive Inc
268 Royal York Drive
Toronto ON M8V 2V9

PLANNING CONTROLS

Official Plan Designation:	Mixed Use Areas	Site Specific Provision:
Zoning:	CR T4.0 C1.0 R4.0	Historical Status: Designated
Height Limit (m):	12	Site Plan Control Area: N

PROJECT INFORMATION

Site Area (sq. m):	1952	Height:	Storeys:	52
Frontage (m):	38		Metres:	167.4
Depth (m):	90			
Total Ground Floor Area (sq. m):	1515			Total
Total Residential GFA (sq. m):	35434		Parking Spaces:	138
Total Non-Residential GFA (sq. m):	349		Loading Docks	1
Total GFA (sq. m):	35783			
Lot Coverage Ratio (%):	78			
Floor Space Index:	18.3			

DWELLING UNITS

Tenure Type:	Rental, Condo
Rooms:	0
Bachelor:	0
1 Bedroom:	328
2 Bedroom:	100
3 + Bedroom:	31
Total Units:	459

FLOOR AREA BREAKDOWN (upon project completion)

		Above Grade	Below Grade
Residential GFA (sq. m):	35434	0	0
Retail GFA (sq. m):	349	0	0
Office GFA (sq. m):	0	0	0
Industrial GFA (sq. m):	0	0	0
Institutional/Other GFA (sq. m):	0	0	0

CONTACT: PLANNER NAME: Jennifer Renaud, Planner
TELEPHONE: 416-392-7554