

## **70 St Mary St - Official Plan Amendment and Zoning Amendment Applications - Status Report**

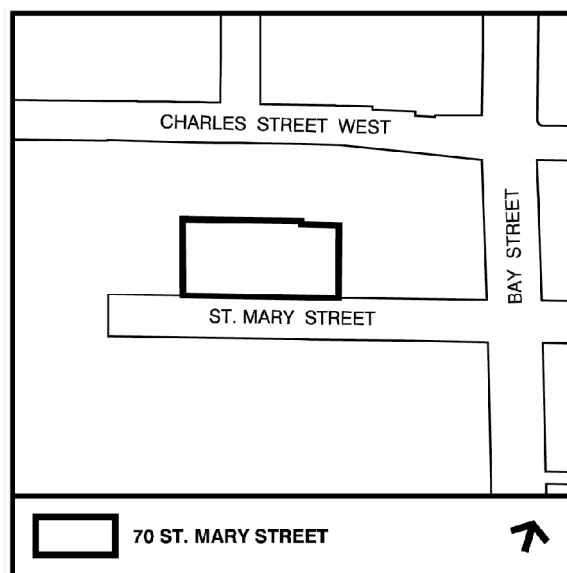
<b>Date:</b>	February 28, 2012
<b>To:</b>	Toronto and East York Community Council
<b>From:</b>	Director, Community Planning, Toronto and East York District
<b>Wards:</b>	Ward 27 – Toronto Centre-Rosedale
<b>Reference Number:</b>	10 122799 STE 27 OZ

### **SUMMARY**

A preliminary report on the above-noted applications was considered by Community Council at its meeting of August 17, 2010. Significant revisions are now proposed to the development. As a result, a status report has been prepared for the consideration of Community Council.

The applications propose a mixed-use institutional and residential building at 70 St. Mary Street that has: 115 student dormitory units; a Chapel; 8 one-bedroom apartment units for Chapel members; and 220 apartment units. The building design consists of a 38-storey tower situated at the east end of a 2-storey podium. A 7 metre high mechanical penthouse is proposed above the tower. The overall height of the proposed building is 132.75 metres. Access to a 3-level underground parking garage with 121 parking spaces is proposed from a 7 metre wide driveway at the east end of the site.

The report provides information on the applications and seeks Community Council's directions on further processing of the applications and on the community consultation process. Staff recommends that a community consultation meeting be scheduled for the second quarter of 2012.



## **RECOMMENDATIONS**

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### **The City Planning Division recommends that:**

1. Staff be directed to schedule a community consultation meeting for the lands at 70 St. Mary Street 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 under the Planning Act.

### **Financial Impact**

The recommendations in this report have no financial impact.

## **DECISION HISTORY**

At its meeting of August 17, 2010, Toronto and East York Community Council (TEYCC) considered a preliminary report on the applications. The development proposal at that time consisted of a 19-storey mixed-use (institutional and residential) building that included 90 student dormitories, a Chapel, 8 apartments for Chapel members and 87 apartment units. TEYCC requested that the applicant consult with the University of Toronto Secondary Plan stakeholders for the possible exclusive use of the site for institutional purposes. The preliminary report is available on the City's website at: <http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2010.TE36.61>.

## **Pre-Application Consultation**

Pre-application consultation meetings were held with the applicant in 2009 to discuss conceptual redevelopment proposals for the site and to outline complete application submission requirements. Planning staff raised preliminary concerns about the proposed mix of uses of the site, including the proposal to provide for residential uses on the site unrelated to institutional uses.

A further pre-consultation meeting was held with the applicant in October 2011 on the revised proposal. Staff continued to express concern with the mix of uses and with the proposed building height.

## **ISSUE BACKGROUND**

### **Proposal**

The current proposal includes the redevelopment of the site for a 40-storey building that includes: 115 student dormitory units; a Chapel; 8 one-bedroom apartment units for Chapel members; administrative and conference space for Chapel members and students; and 220 condominium apartment units (Attachments 1, 2, 3 and 4). The student residences will be associated with the University of Toronto and St. Michael's College.

The building design consists of a 2-storey podium (7.5 metres) with a 38-storey tower situated at the east end for an overall height of 40 storeys (125.75 metres). A 7 metre high mechanical penthouse is proposed above the tower. The overall height of the building including the mechanical penthouse is proposed to be 132.75 metres.

The Chapel and related institutional uses are proposed in the podium, the apartments for Chapel members are proposed on level 3 of the tower, the student dormitories are on levels 4 through 8 and the condominium apartments are proposed on levels 9 through 39. The mix of units for the condominium apartments include: 134 one-bedroom units, 38 two-bedroom units and 48 three-bedroom units. The overall institutional gross floor area proposed is 6,075 square metres and the residential gross floor area is 17,965 for a total gross floor area of 24,040 square metres and a density of approximately 8.9 times the lot area.

Common amenity space includes: 1,264 square metres of outdoor amenity space for the institutional uses on the podium rooftop; 568 square metres of indoor amenity space at level 40 for the apartment residents; and a 608 square metres of shared outdoor amenity space in an interior courtyard. The courtyard is proposed to be open to the public during the day. Balconies are also proposed for the apartments and student dormitories on the west and south sides of the building.

Three levels of underground parking with 121 parking spaces are proposed. There are 171 bicycle parking spaces proposed for residents (137) and visitors (34). Access to loading and parking is proposed from a 7 metre driveway from St. Mary Street at the east end of the site. Additional site and development statistics are included in the Application Data Sheet (Attachment 5).

## **Site and Surrounding Area**

The site is situated on the north side of St. Mary Street west of Bay Street within the northeast quadrant of the University of Toronto Secondary Plan area. The site is 2690 square metres in area, rectangular in shape and generally flat. It has a frontage of approximately 74 metres along St. Mary Street and a depth of about 37 metres. The site is occupied by Loretto College, a five and a half storey building which houses members of the Institute of the Blessed Virgin Mary (18 suites) and a student residence (110 students) for University of Toronto and St. Michael's College students.

Surrounding uses include:

North: Adjacent to the north at 77 Charles Street there is a 16-storey mixed-use, institutional (Kintore College student residence and Cultural Centre) and residential (72 condominium apartments) building under construction and a 3-storey semi-detached residential dwelling that is listed on the City's inventory of heritage properties.

East: There are two residential apartment buildings to the east, between Charles Street West and St. Mary Street. Immediately east is 57 Charles Street, a 21-storey rental apartment building. Further east on the northwest corner of Bay Street and St. Mary Street is a 32-storey condominium apartment building.

South: Opposite the site on the south side of St. Mary Street is St. Michael's College's Elmsley Hall, a 2 and 4-storey student residence building and a new residential development that is under construction. The new development will include two residential condominium apartment buildings (45 and 55 storeys) and 3-storey townhouses along St. Mary Street, Bay Street and at the south end of the development. Further south on the St. Michael's College campus is Brennan Hall and St. Basil's Church which is designated as historically significant under the *Ontario Heritage Act*.

West: Adjacent to the west is Victoria College's Rowell Jackman Hall, an 8-storey student residence and further west Burwash Hall a 3-storey student residence. Burwash Hall is listed on the City's inventory of heritage properties.

### **Provincial Policy Statement and Provincial Plans**

The Provincial Policy Statement (PPS) provides policy direction on matters of provincial interest related to land use planning and development. The PPS sets the policy foundation for regulating the development and use of land. The key objectives include: building strong communities; wise use and management of resources; and, protecting public health and safety. 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 site is located in the *Downtown* and in the University of Toronto Secondary Plan area. The site is designated *Institutional Areas* in the Official Plan (Attachment 6).

As an area where growth is anticipated and encouraged, the Official Plan provides for new development in the *Downtown* that among other things, builds on the strength of the area as an employment centre and provides for a range of housing opportunities. The Official Plan recognizes the importance of the Institutional Areas north of the Financial District in the Downtown in the City's overall growth management strategy including the campuses of higher learning such as the University of Toronto.

The Official Plan directs growth to the *Downtown* in order to achieve multiple City objectives. Among other things, it: promotes the efficient use of municipal services and infrastructure; concentrates jobs and people in areas well served by transit; promotes mixed use development to increase opportunities for living close to work and to encourage walking and cycling; improves air quality and reduces greenhouse gas

emissions by reducing reliance on the private automobile all in keeping with the vision for a more liveable Greater Toronto Area.

This reurbanization strategy recognizes that the level of growth will not be uniform across the *Downtown* given its diversity. The policies of Section 2.2.1.6 promote the improvement of the quality of the *Downtown* by measures such as preserving and strengthening the range and quality of the social, health, community services and local institutions located in this area. Further the policies of Section 2.2.1.6 provide that design guidelines specific to districts of historic and distinct character will be developed to ensure that new development respects the context of such districts in terms of its fit with existing streets, setbacks, heights and relationship to landmark buildings.

The Official Plan recognizes that most of the City's future development will be infill and as such will need to fit in, respect and improve the character of the surrounding area. As a result, the built form policies of Section 3.1.2.2 seek to ensure that new development is located, organized and massed to fit harmoniously with the existing and/or planned context and will limit its impacts on neighbouring streets, parks, open spaces and properties. Among other things, this harmony is achieved by: massing new buildings to frame adjacent streets in a way that respects the existing and/or planned street proportion; creating appropriate transitions in scale to neighbouring or existing planned buildings; providing for adequate light and privacy; and adequately limiting any resulting shadowing and uncomfortable wind conditions, on neighbouring streets and properties.

Due to the larger civic responsibility and obligations associated with tall buildings, the built form policies of Section 3.1 provide additional direction on how they fit into the existing and planned context and how they are designed. The Plan states that although tall buildings are desirable in the right places they don't belong everywhere and are only one form of intensification.

Section 3.1.3.2 requires that tall buildings proposals address key design considerations including:

- meeting the built form principles of the Official Plan;
- demonstrating how the proposed building and site design will contribute to and reinforce the overall City structure;
- demonstrating how the proposed building and site design relate to the existing and planned context;
- providing high quality, comfortable and usable publicly accessible open spaces; and
- meeting the other goals and objectives of the Official Plan.

### ***Institutional Areas Policies***

*Institutional Areas* are made up of major educational, health and governmental uses with their ancillary uses, cultural, parks and recreational, religious, commercial and institutional residence facilities, including the full range of housing associated with a health institution, as well as utility uses.

The Official Plan recognizes that universities and colleges need flexibility to develop their lands quickly according to a strategic plan when a donor or government provides money to build. To this end, the Official Plan promotes the development of campus plans that may form the basis for a Secondary Plan. The policies of Section 4.8 provide that when lands in *Institutional Areas* are declared to be surplus, the owner is encouraged to investigate the possible use of the site for an alternative suitable public institutional purpose, affordable housing or public open space before applying to redesignate the lands for other purposes.

The Toronto Official Plan is available on the City's Website at:

[www.toronto.ca/planning/official\\_plan/introduction.htm](http://www.toronto.ca/planning/official_plan/introduction.htm)

### **University of Toronto Secondary Plan**

The subject property is located within the University of Toronto Secondary Plan Area (Attachment 7). The objectives for the Secondary Plan Area are: to recognize and protect the Area primarily as an Institutional District; to provide planning regulations that give the institutions flexibility to adjust to changing program, technological and funding constraints; and to preserve, protect and enhance the unique built form, heritage and landscape character of the Area.

The University of Toronto Secondary Plan is available on the City's website at

[www.toronto.ca/planning/official\\_plan/pdf\\_secondary/20\\_university\\_toronto\\_oct2009.pdf](http://www.toronto.ca/planning/official_plan/pdf_secondary/20_university_toronto_oct2009.pdf)

### **Design Criteria for the Review of Tall Buildings**

The City's 'Design Criteria for the Review of Tall Building Proposals' provide guidelines for the design and evaluation of tall buildings in the City. Aimed to implement the built form policies of the Official Plan, they include measurable criteria and qualitative indicators to assist in the review of tall building proposals. Criteria and indicators are related to four main areas: site context, site organization, building massing and the pedestrian realm.

In considering site context, a tall building proposal must address concerns related to transitions between taller buildings and lower scale features nearby. Measures such as setbacks, stepbacks and angular planes are used to achieve appropriate transitions in scale and the protection of sunlight and sky views.

Criteria related to site organization address issues of: building placement and orientation; location of building entrances; servicing and parking requirements; enhancement of adjacent streets and open spaces; and respect for heritage buildings.

Building massing is an important consideration in assessing tall buildings. The scale of the base component of a tall building should have good street proportion to maintain access to sunlight and sky views along the street, should integrate with adjacent buildings and minimize the impacts of parking and servicing uses. To break down the mass of the building, smaller floor plates and building articulation is recommended. Adequate space between tall building elements allows for appropriate light and privacy for existing and new buildings, as well as allowing appropriate sunlight wind and sky view to adjacent streets parks, open spaces and properties. Conditions beyond the required by-law

minimums are often required to achieve light, view and privacy. The criteria include a minimum spacing of 25 metres between the shafts of tall building elements. On compact sites where a tall building is proposed the shaft of the tall building must be located a minimum of 12.5 m away from the property line.

New tall buildings are expected to enhance the public realm by providing active frontages, high quality streetscape and landscape design elements. Other considerations include weather protection, limiting shadowing impacts and uncomfortable wind condition on nearby streets, properties and open spaces, as well as minimizing additional shadowing on neighbouring parks to preserve their utility.

The Design Criteria for the Review of Tall Building Proposals is available on the City's website at:

[http://www.toronto.ca/planning/urbdesign/pdf/tallbuildings\\_udg\\_aug17\\_final.pdf](http://www.toronto.ca/planning/urbdesign/pdf/tallbuildings_udg_aug17_final.pdf).

## **Zoning**

The site is zoned Mixed-Use (Q) in Zoning By-law 438-86 (Attachment 8). Residential uses that include shared housing arrangements such as: a monastery, nunnery, hostel, university residence, residence affiliated with a hospital, and homes for the aged are permitted. As well, community service, cultural and arts facilities and general institutional uses such as: colleges, universities and hospitals, and limited retail and office uses are permitted on the site.

On this site, a maximum building height of 14 metres is permitted for the first 15.2 metres of lot depth, and a maximum building height of 23 metres is permitted for the remainder of the site. A maximum density of 2 times the lot area is permitted on the site. A minimum building setback of 4.0 metres is required from St. Mary Street.

## **Site Plan Control**

The development is subject to site plan control. A site plan approval application has not been received to date.

## **Tree Preservation**

The arborist report submitted with the revised application identifies twenty-three trees on or near the property in fair or fair-to-poor condition. Eighteen of the trees (all with diameters less than 30 cm) are situated on the property and are proposed to be removed. There are five trees all with diameters greater than 30 centimetres situated on the adjacent property to north, close to the property line. The arborist report indicates that these trees will be preserved. However, the applicant has advised that they will be discussing the possible removal of these trees with the adjacent property owner given that the building is proposed to extend to the north property line making it difficult to implement tree protection barriers in accordance with City standards. The arborist report is being reviewed by City Forestry staff.

## **Reasons for the Application**

An Official Plan amendment is required because the proposed residential apartment use is not permitted in the *Institutional Areas* designation on the site.

A Zoning Bylaw amendment is required since the proposed residential apartment use is not a permitted use on the site. As well, the proposed building height of 125.75 metres (excluding mechanicals) and density of 8.9 times the lot area exceeds the maximum heights (14 & 23 m) and density (2 times the lot area) permitted under the existing zoning. Other areas of non-compliance to the zoning by-law include:

- deficiency in parking spaces;
- deficiency in size of the loading space;
- proposed location of visitor bicycle parking spaces within an enclosure; and
- a minimum setback of 4.0 metres is required from the street and no setback is proposed.

## **COMMENTS**

### **Application Submission**

The following reports/studies were submitted with the revised application:

- Planning and Urban Design Rationale
- Tree Preservation Report and Plan
- Sun and Shadow Study
- Pedestrian Wind Assessment
- Transportation Study
- Functional Servicing Report

A Notification of Complete Application was issued on May 26, 2010.

### **Issues to be Resolved**

When Community Council considered the preliminary report on the initial application they requested that the applicant investigate in consultation with University of Toronto Secondary Plan stakeholders the possible exclusive use of the site for institutional purposes. The applicant has submitted letters from the University of Toronto and St. Michael's College. The letters advise that neither institution has an interest in purchasing the property and that they both recognize that the present use of the building is being maintained in the proposed site redevelopment, and neither have objection to the applications for redevelopment being approved.

Issues identified to date in the review of the application include:

- consistency with the Provincial Policy Statement and the Growth Plan for the Greater Golden Horseshoe;
- compliance with the planning framework for the University of Toronto planning area such as; the *Institutional Areas* and built form policies of the Official Plan, the University of Toronto Secondary Plan and the guidelines in the Design Criteria for the Review of Tall Building proposals;



- the appropriateness of the proposed residential apartment use that is unrelated to institutional uses;
- the appropriateness of the height, scale and density of the development in relation to its existing and planned context and the tall buildings guidelines;
- appropriate built-form transitions from the proposal to the surrounding area;
- the impacts of shadowing on neighbouring properties and streets; and
- the identification of public benefits and mechanisms for securing them pursuant to Section 37 of the *Planning Act*.

Additional issues may be identified through the review of the application, agency comments and the community consultation process.

### **Toronto Green Standard**

The Toronto Green Standard (TGS) is a tool to implement the broader environmental policies of the Official Plan. Several of the natural environment policies of the Official Plan encourage green development. These policies are geared to reduce the negative impacts of development on the natural environment through practices such as improved stormwater management, water and energy efficiency, and waste reduction and recycling. These policies also promote development that enhances the natural environment and support green industry.

The TGS Checklist has been submitted by the applicant and is currently under review by City staff for compliance with the Tier 1 performance measures.

### **CONTACT**

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 Fax No. (416) 392-1330  
 E-mail: smcalpin@toronto.ca

### **SIGNATURE**

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

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## **ATTACHMENTS**

Attachment 1: Site Plan

Attachment 2: South Elevation

Attachment 3: North Elevation

Attachment 4: East and West Elevations

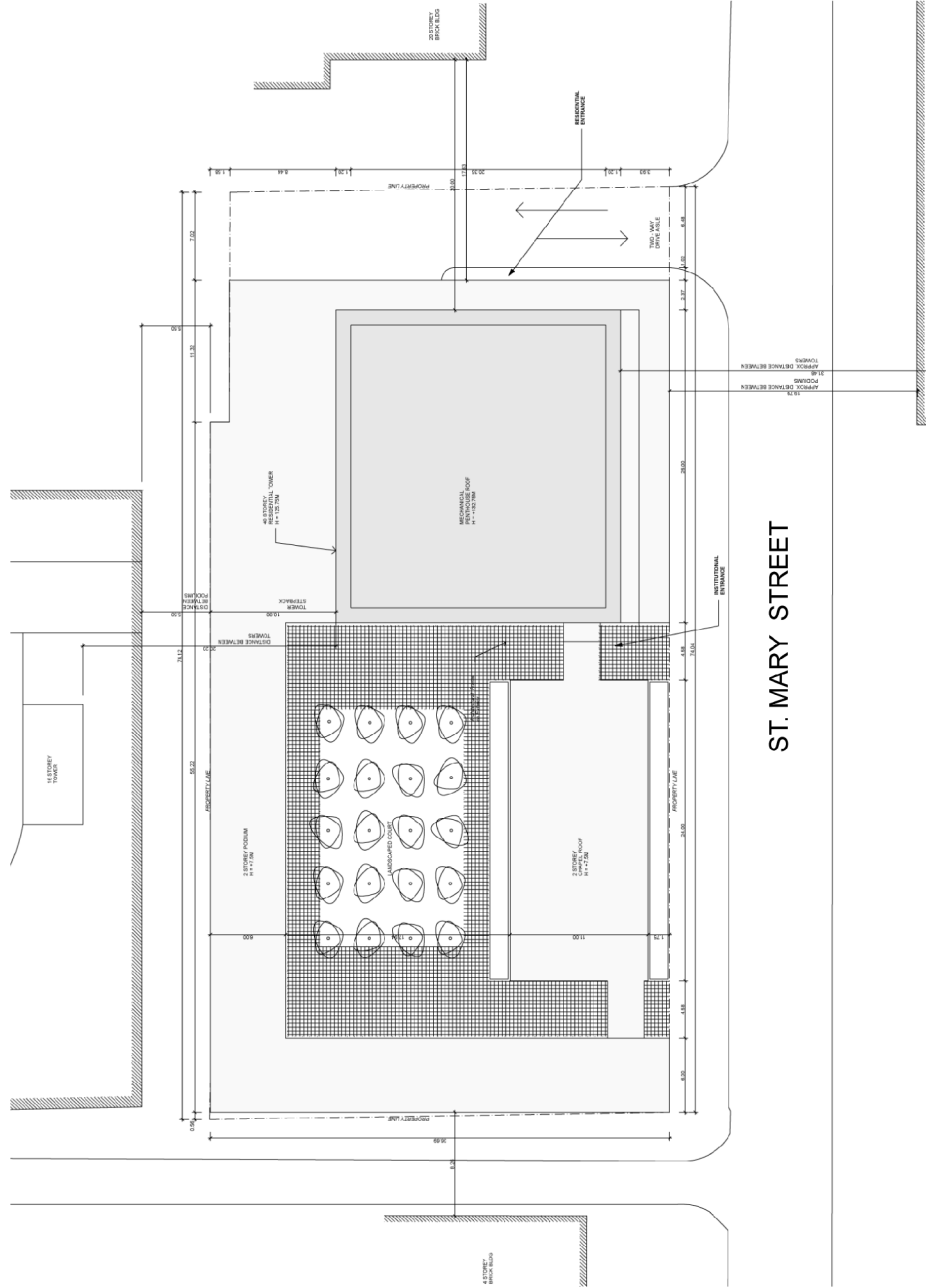
Attachment 5: Application Data Sheet

Attachment 6: Official Plan

Attachment 7: University of Toronto Secondary Plan

Attachment 8: Zoning

# Attachment 1: Site Plan

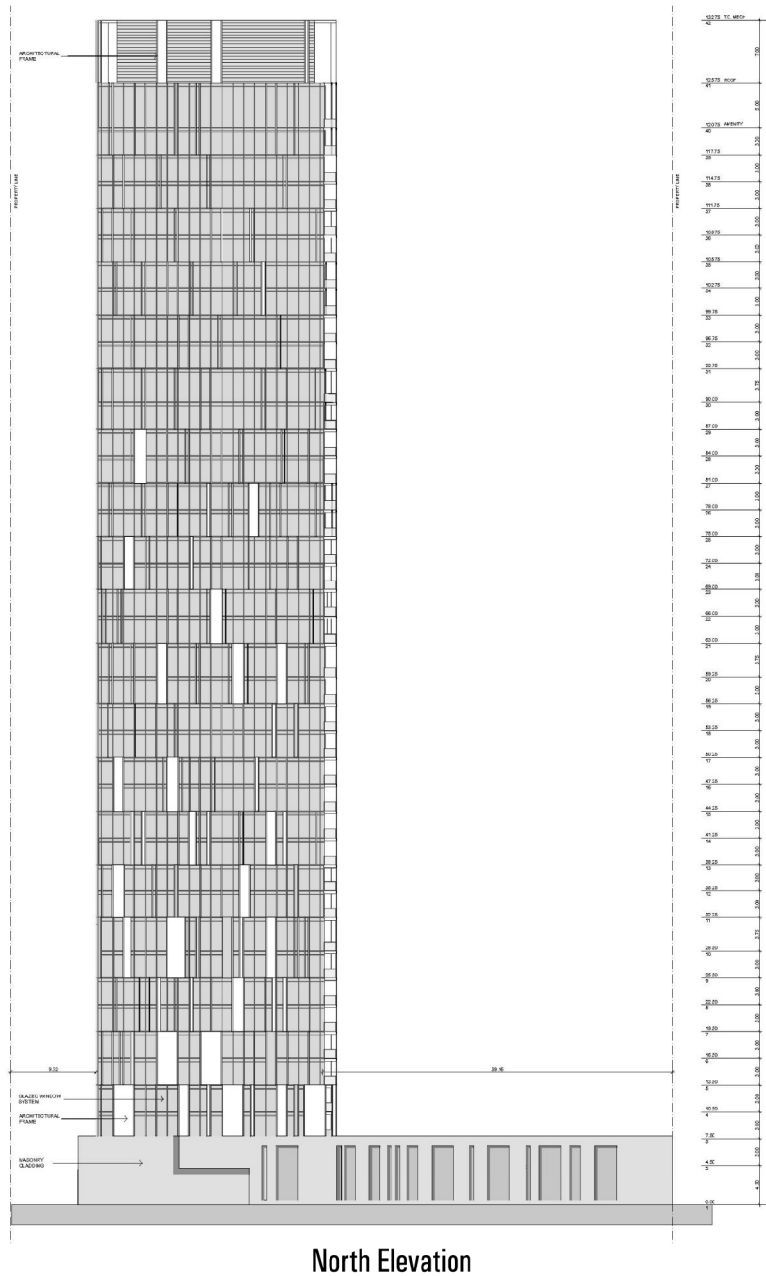


70 St. Mary Street

**Site Plan**  
 Applicant's Submitted Drawing  
 Not to Scale  
 02/22/2012

File # 10 122799 0Z

## Attachment 2: North Elevation



### Elevations

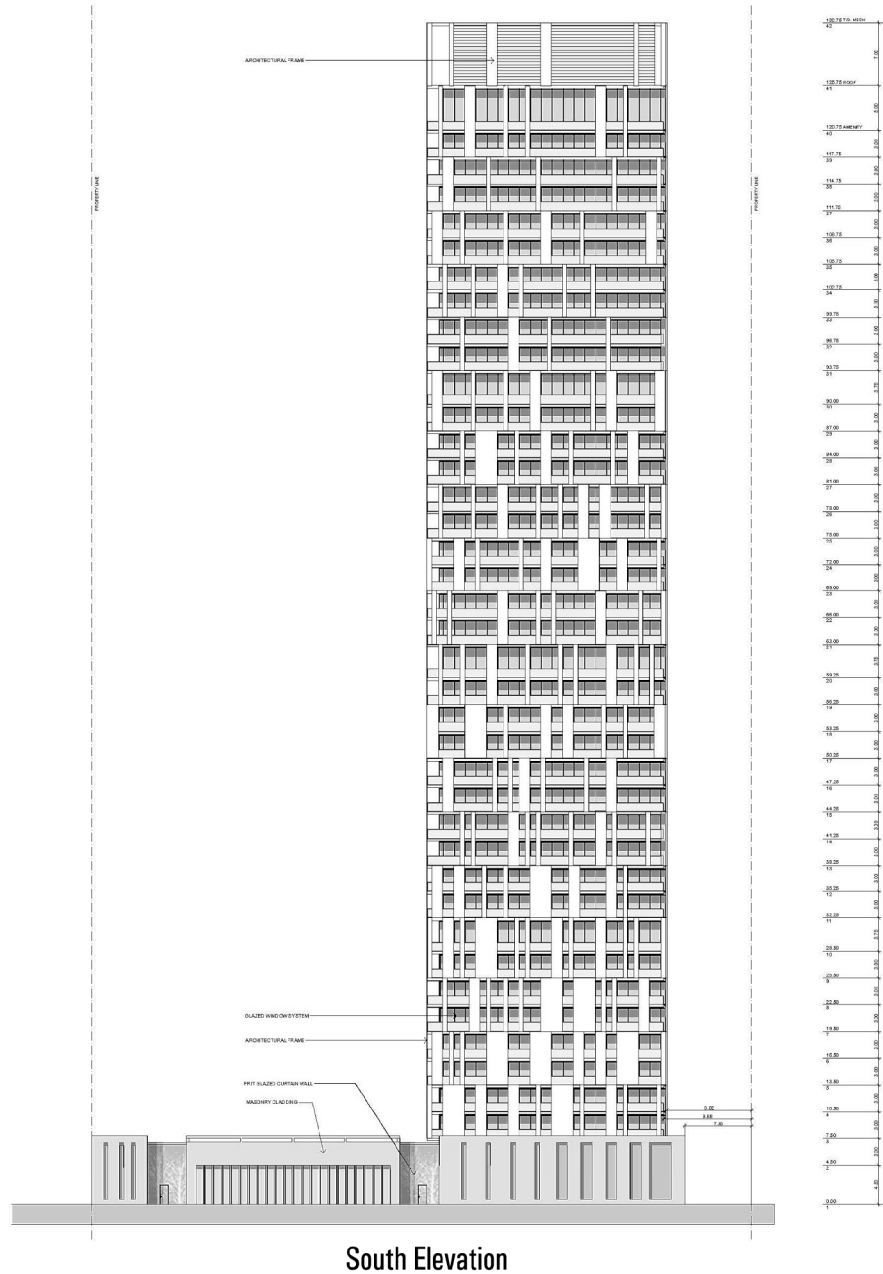
Applicant's Submitted Drawing

Not to Scale  
02/22/2012

70 St. Mary Street

File # 10 122799 02

## Attachment 3: South Elevation



### Elevations

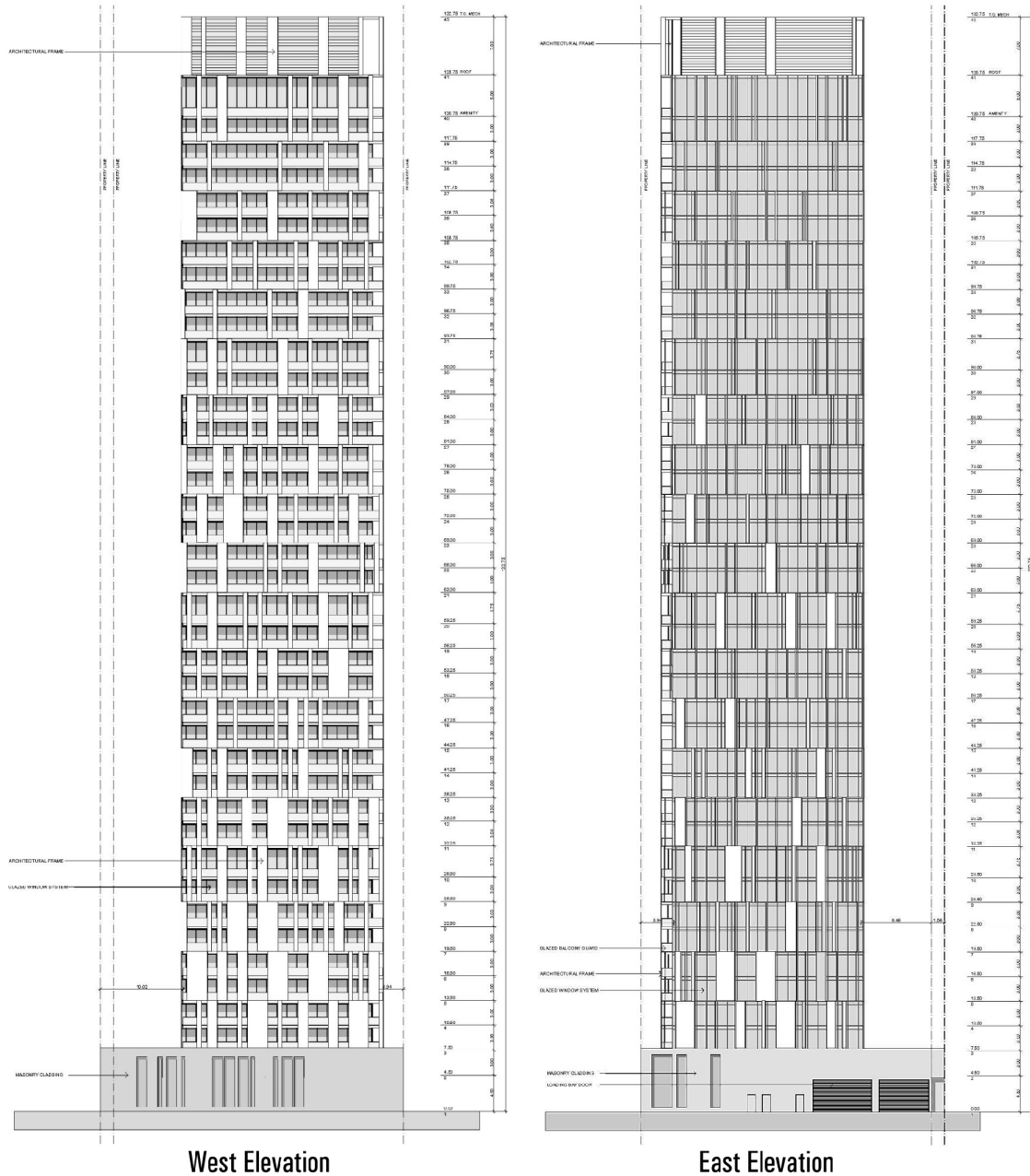
Applicant's Submitted Drawing

Not to Scale  
02/22/2012

70 St. Mary Street

File # 10 122799 02

## Attachment 4: East and West Elevations



Elevations

Applicant's Submitted Drawing

Not to Scale  
02/22/2012

70 St. Mary Street

File # 10 122799 02

## Attachment 5: Application Data Sheet

Application Type	Official Plan Amendment & Rezoning	Application Number:	10 122799 STE 27 OZ
Details	OPA & Rezoning, Standard	Application Date:	February 24, 2010
Municipal Address:	70 ST MARY ST		
Location Description:	PL D 276 LT56 TO 63 PT LT55 **GRID S2707		
Project Description:	Official Plan and zoning by-law amendment application for proposed 40 storey mixed use building containing residential and institutional uses for the Institute of the Blessed Virgin Mary (Loretto College). The residential units consist of religious residences (8 units), student residences (115 units) and apartments (220 units). A chapel and associated administrative space is also proposed		
<b>Applicant:</b>	<b>Agent:</b>	<b>Architect:</b>	<b>Owner:</b>
Bousfields Inc.		Architects Alliance	Loretto Ladies Colleges and Schools

### PLANNING CONTROLS

Official Plan Designation:	Institutional Areas	Site Specific Provision: University of Toronto Secondary Plan .
Zoning:	Q T2.0	Historical Status:
Height Limit (m):	23	Site Plan Control Area: Yes <span style="float: right;">Y</span>

### PROJECT INFORMATION

Site Area (sq. m):	2690	Height:	Storeys:	40
Frontage (m):	74		Metres:	132.75
Depth (m):	36.7			
Total Ground Floor Area (sq. m):				<b>Total</b>
Total Residential GFA (sq. m):	17965		Parking Spaces:	121
Total Non-Residential GFA (sq. m):	6075		Loading Docks	1
Total GFA (sq. m):	24040			
Lot Coverage Ratio (%):				
Floor Space Index:	8.9			

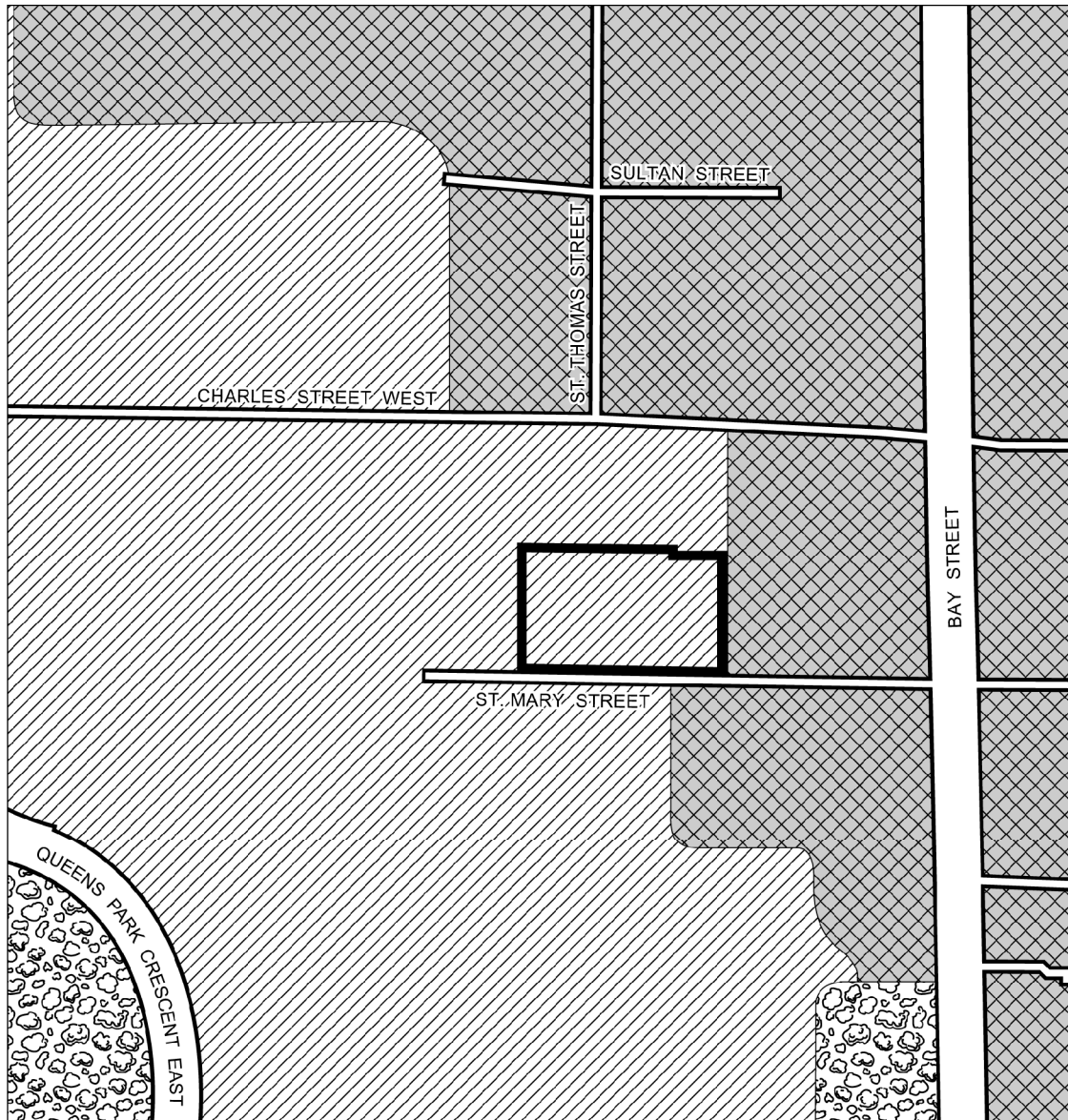
### DWELLING UNITS

### FLOOR AREA BREAKDOWN (upon project completion)

Tenure Type:	Condo	Institutional Residence		Above Grade	Below Grade
Rooms:	0	115	Residential GFA (sq. m):	17965	0
Bachelor:	0	0	Retail GFA (sq. m):	0	0
1 Bedroom:	134	8	Office GFA (sq. m):	0	0
2 Bedroom:	38	0	Industrial GFA (sq. m):	0	0
3 + Bedroom:	48	0	Institutional/Other GFA (sq. m):	6075	0
Total Units:	220	123			

<b>CONTACT:</b>	<b>PLANNER NAME:</b>	<b>Sue McAlpine, Senior Planner</b>
	<b>TELEPHONE:</b>	<b>(416) 397-4487</b>

## Attachment 6: Official Plan



**TORONTO** City Planning  
Official Plan

70 St. Mary Street

File # 10 122799 02



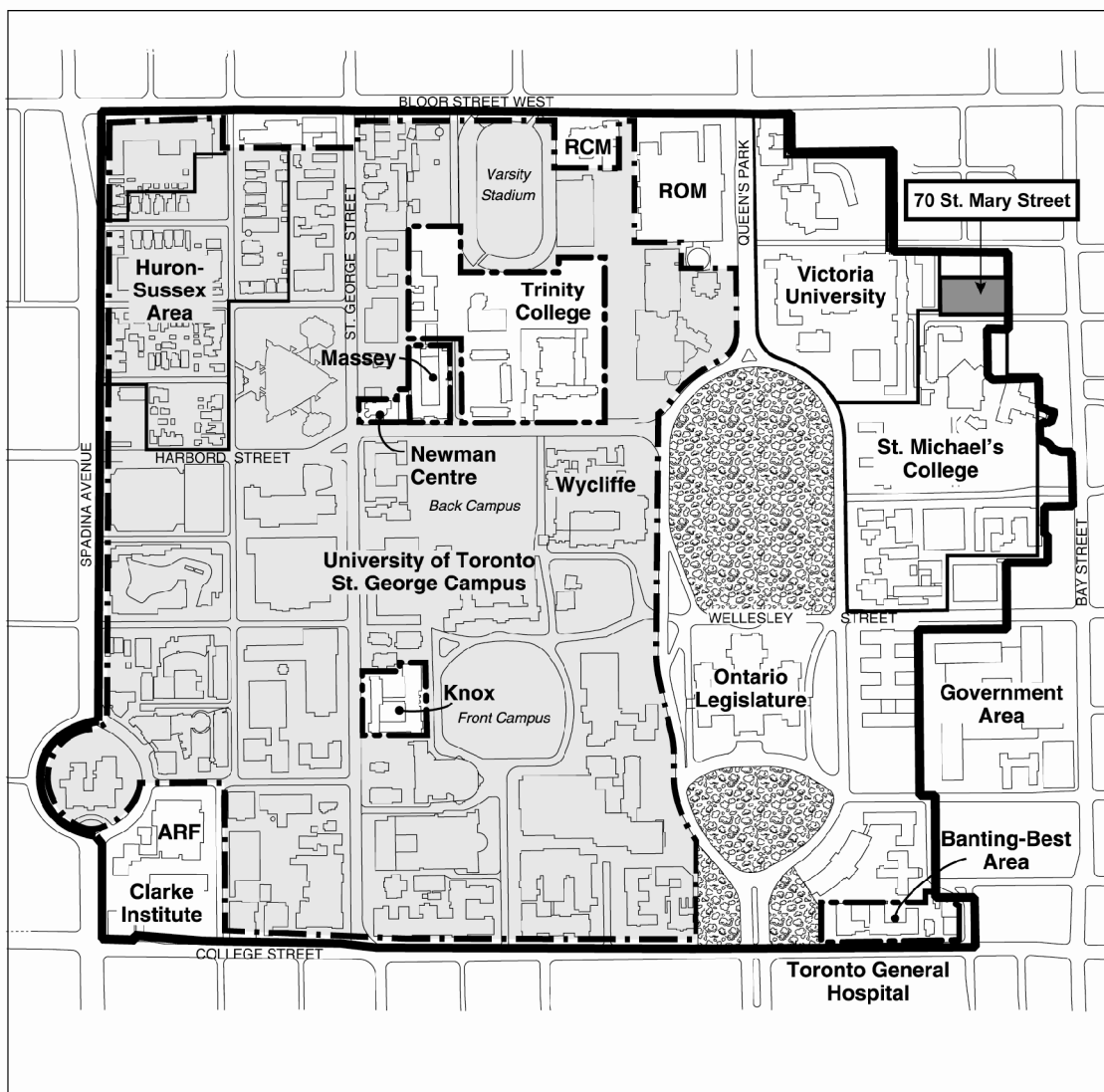
Parks & Open Space Areas



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02/27/2012



## Attachment 7: University of Toronto Secondary Plan







**Official Plan**

(extracted from University of Toronto Secondary Plan Map 20-1)

**70 St. Mary Street**

File # 10\_122799

-  Site Location
-  Secondary Plan Boundary
-  U of T Master Plan (St. George Campus)
-  Subareas

-  Parks and Open Areas
- ARF** Addiction Research Foundation
- RCM** Royal Conservatory of Music
- ROM** Royal Ontario Museum

**Note:**  
Properties of Knox College, Massey College, Trinity College and the Newman Centre are not included in the University of Toronto Master Plan

  
Not to Scale  
07/20/10Y

The map shows a grid of streets including Sultan Street, St Thomas Street, Charles Street West, St Mary Street, and Bay Street. Various lots are outlined and labeled with numbers and zoning codes. Key zoning designations include CR T7.8, C4.5 R7.8, T3.0, R3.0, Q T2.0, and CR T6.0 C1.0 R6.0. Some lots are marked with 'UOS' (Unoccupied Open Space) and others with 'CR' (Community Residential). A specific lot on St Mary Street is highlighted with a hatched pattern and labeled 'Q T2.0'.

