

**591 Dundas Street East – Regent Park –
Rezoning Application- Final Report**

Date:	May 27, 2009
To:	Toronto and East York Community Council
From:	Director, Community Planning, Toronto and East York District
Wards:	Ward 28 – Toronto Centre-Rosedale
Reference Number:	09 117788 STE 28 OZ

SUMMARY

This application was made on or after January 1, 2007 and is subject to the new provisions of the Planning Act and the City of Toronto Act, 2006.

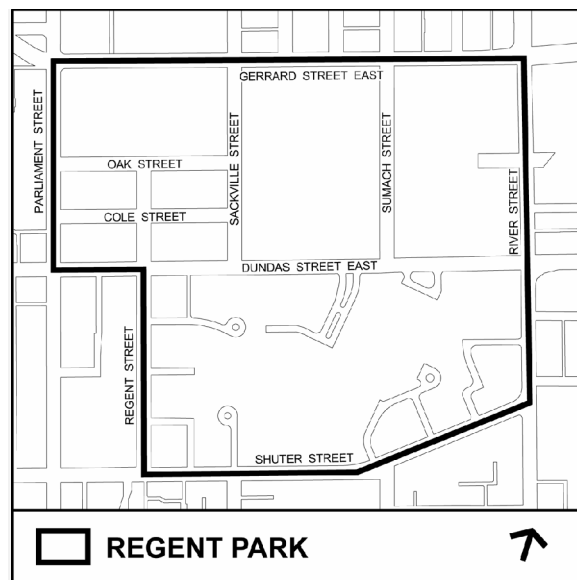
Toronto Community Housing Corporation has made application for zoning by-law amendments for the Regent Park revitalization area. Within the Regent Park Secondary Plan area the amendments are to allow the addition of “live/work unit” at grade as a permitted use in the residential districts (R4A), an increase in height for Type “B” Towers from 75 metres to 77 metres and the removal of the reference to the number of “storeys” leaving maximum heights in place. In addition, for Phase 2 lands only, there are proposed amendments to the tower location and the height maps.

This report reviews and recommends approval of the application to amend the Zoning By-law.

RECOMMENDATIONS

The City Planning Division recommends that:

1. City Council amend Zoning By-law No. 141-2005 substantially in accordance with the draft Zoning



By-law Amendment attached as Attachment No. 8 and amendments to Map 4 in Attachment No. 3 and Map 1 of 2 in Attachment No. 4.

2. City Council authorize the City Solicitor to make such stylistic and technical changes to draft Zoning By-law Amendment as may be required.

Financial Impact

The recommendations in this report have no financial impact.

DECISION HISTORY

Council has previously endorsed the redevelopment of Regent Park by Toronto Community Housing Corporation (TCHC) and has taken a number of actions with respect to planning approvals for the redevelopment.

- At its meeting of July 22-24, 2003, Council directed that the interdepartmental review of the redevelopment proposal be undertaken as a priority.
- At its meeting of February 1-3, 2005, Council adopted a report (dated January 4, 2005) from the Director of Community Planning, South District, recommending approval of the Regent Park Secondary Plan and an area-specific zoning by-law, subject to Holding provisions. The Secondary Plan and zoning were appealed to the Ontario Municipal Board (OMB). The OMB issued an order on June 30, 2005 approving the Secondary Plan and a slightly revised zoning by-law, endorsing a settlement agreed upon between the appellant, the City and the TCHC.
- At its meeting of April 12-14, 2005, Council considered a City Planning report (dated March 16, 2005) regarding a Draft Plan of Subdivision for Regent Park. The City approved a Draft Plan of Subdivision for the Regent Park redevelopment on May 31, 2005.
- At its meeting of September 28-30, 2005 Council removed the Holding Symbol from the Zoning By-law for the first phase of the redevelopment and adopted a Community Facilities Strategy for Regent Park.
- At its meeting of October 23, 2007 Council removed the Holding Symbol for a parcel of land in Regent Park for the construction of an indoor swimming pool on the central park lands for the neighbourhood.

ISSUE BACKGROUND

Proposal

On March 17, 2009 TCHC made an application for amendments to area-specific Zoning By-law No. 141-2005 and City of Toronto By-law 438-86 for the Regent Park revitalization area. Within the Regent Park Secondary Plan area, the requested zoning by-law amendments are to allow for an increase in height for Type “B” Tower from 75

metres to 77 metres, the removal of the reference to the number of “storeys” leaving only the reference to maximum heights in metres and the addition of *live/work* at grade as a permitted use in the R4A districts.

In addition, within Phase 2 lands only, the application proposed amendments to the tower locations and to the height map (See Attachment Nos: 3 & 4). The proposed amendment to the tower locations is to add a third Type “C” Tower, initially proposed in this application as a Type “B” Tower. The proposed amendments to the height map include the following:

- East side of block 21: increase in height from existing permission of 22 metres to 40 metres. The initial application for this rezoning had requested a height of 50 metres
- Block 22 and east side of block 23: increase in height from existing permission of 15 metres to 22 metres. The initial application for this rezoning had requested a height of 30 metres
- Block 38: increase in height from existing permission of 10 metres to 20 metres. The initial application for this rezoning had requested a height of 30 metres
- South portion of block 25: decrease in height from the existing permission of 30 metres to 22 metres.

As shown in the list above, since the time of application, several changes have been incorporated into the height map proposed. In working with City staff, TCHC has revised the height map reflecting some local community concerns and concerns of staff in Community Planning and Urban Design.

The current Phase 2 lands (See Attachment No. 1) are comprised of blocks 15, 20 - 25, 38, 39, 43 and 44. Phase 2 originally was to comprise of blocks 16-23 (See Attachment No. 2). Since the adoption of the Regent Park Secondary Plan and an area-specific zoning by-law several opportunities came forward earlier than expected and lessons have been learned from the planning and construction of Phase 1 which prompted some reconsideration as to which areas of Regent Park will be included in the Phase 2 redevelopment and how Phase 2 could move forward. Some of these changes include the City moving forward on construction of an indoor swimming pool on the central park lands for the neighbourhood thus triggering the acceleration of the master planning and development of the central neighbourhood park. More recently, the City, working with the Toronto District School Board is moving forward with the decision to move the Regent Park South Community Center and construct a new community centre adjacent to Nelson Mandela Park School on block 38. TCHC is also exploring the feasibility of an arts and cultural facility for block 24, adjacent to the linear park site which is to run adjacent to a new street, “Street P.”

Site and Surrounding Area

TCHC, the City-owned, non-profit housing corporation, is undertaking the phased redevelopment of Regent Park. The redevelopment is central to the revitalization of one of Canada's largest and oldest public housing developments to result in a mixed-use, mixed-income neighbourhood. Regent Park comprises approximately 28 hectares (70 acres) of land on the eastern edge of downtown Toronto. The original development was made up of two "mega-blocks." North Regent Park is bounded by Dundas Street East, River Street, Gerrard Street East, and Parliament Street and is primarily developed with three-storey and six-storey apartment buildings fitting one of two standard designs, along with some townhouses. South Regent Park is bounded by Dundas Street East, River Street, Shuter Street, and Regent Street and developed with a mix of modernist high-rise apartment buildings and town houses. In 2005, Regent Park contained 2,083 rent-geared-to-income dwelling units owned and operated by the Toronto Community Housing Corporation.

Redevelopment is expected to take place in six (or fewer) phases. It is expected that the redevelopment will support a mix of approximately 5,400 rental and ownership housing units. This involves the demolition of the existing residential units and replacing them with a mixed-use neighbourhood. The redevelopment will reintroduce the grid street network, incorporate green technologies, provide a full range of community services and facilities, create new parks and open spaces as well as new employment and commercial opportunities to help better integrate the site with the surrounding neighbourhoods.

Surrounding neighbourhoods accommodate a number of built-forms and mixes of land use. To the north lies Cabbagetown, a late 19th century residential neighbourhood that has undergone substantial reinvestment in recent decades. Queen-River lies to the east, an area of mixed industrial and residential uses that is evolving to more residential uses alongside commercial and service sector uses. Trefann Court lies to the south containing primarily a mix of non-profit and market housing, along with commercial development lining Queen Street East. King-Parliament and the West Don Lands lie further to the south and both are areas targeted for significant reinvestment and redevelopment. The South of Carlton area, or South Cabbagetown, to the west of Regent Park, is a residential area with a mix of commercial and residential uses lining Dundas Street East and Gerrard Street East.

Redevelopment of Regent Park - Phase 1 is currently under construction. It is located north of Dundas Street East and east of Parliament Street. It will also allow for the introduction of two east-west streets (Cole Street and Oak Street) as well as extension north of Dundas Street East of Regent and Sackville Streets. The occupancy of the first rental replacement buildings is expected in the Spring of 2009.

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 by the Planning Act, to conform, or not conflict, with the Growth Plan for the Greater Golden Horseshoe.

Official Plan

The development is located within the "Downtown and Central Waterfront" area on Map 2 – Urban Structure and includes lands designated as "Apartment Neighbourhoods," "Mixed Use Areas" and "Parks" on Map 18 – Land Use Plan.

At its meeting of February 1-3, 2005, Council adopted a report (dated January 4, 2005) from the Director of Community Planning, South District, recommending approval of the Regent Park Secondary Plan and an area-specific zoning by-law, subject to Holding provisions. The Secondary Plan and zoning were appealed to the Ontario Municipal Board (OMB). The OMB issued an order on June 30, 2005 approving the Secondary Plan and a slightly revised zoning by-law, endorsing a settlement agreed upon between the appellant, the City and the TCHC.

The Secondary Plan sets out objectives for the redevelopment of the Regent Park neighbourhood and redesignates the lands in the neighbourhood. It sets policies respecting neighbourhood structure, form and amenity, land use, urban design, housing, community services, transportation and other matters.

Zoning

The area-specific Zoning By-law No.141-2005, is subject to holding (Holding Symbol (h)) provisions pursuant to Section 36 of the Planning Act. Lands are designated R4A(h), a residential designation which also includes permission for certain non-residential uses, CR(h) mixed commercial-residential and G(h) parks. The by-law does not limit density of development, but does set height limits for the area set out in Map 4 (Attachment 5).

Lifting of the "H"

The Holding Symbol is an important strategy to ensure that necessary infrastructure and facilities are in place prior to redevelopment of each phase and that important matters of public interest are being achieved as redevelopment proceeds. Policy 4.1.4 of the Regent Park Secondary Plan sets out the conditions that must be met prior to the removal of the holding symbol:

"4.1.4 The holding symbol may be removed incrementally or in phases, upon application by the owner to the City and only as the following plans and studies have been

provided and appropriate conditions secured through an agreement or agreements binding on the owner entered into pursuant to Section 37, 41, 51 or 53 of the Planning Act:

- a. Housing Issues Update;
- b. Urban Design Guidelines Update;
- c. Community Facilities Strategy and Update;
- d. Archaeology Assessment and Heritage Impact Statement;
- e. Arborist/Tree Preservation Report;
- f. Transportation Impact Study and Update, including appropriate consideration of parking, loading, traffic operations and transit improvements;
- g. Servicing and Stormwater Management Report;
- h. Tenant Relocation and Assistance Plan; and
- i. Consideration of financial implications and the timing of the provision of municipal infrastructure and services set out above.”

It is expected that TCHC will make an application to lift the Holding Symbol (h) for Phase 2 of the Regent Park redevelopment after Council’s decision on this rezoning application.

Site Plan Control

Application for Site Plan Control for all new development in Regent Park is required and has not been submitted. It will proceed once the Holding Symbol (h) for Phase 2 has been lifted on a building by building basis.

Reasons for Application

The application is for amendments to area-specific Zoning By-law No. 141-2005 and City of Toronto By-law 438-86 for the Regent Park revitalization area. The proposed amendments are a departure from the original plan for Regent Park revitalization. TCHC asserts that these modifications are a result of lessons learned from Phase 1 and changing opportunities (i.e. community facilities) that did not exist at the time the Secondary Plan and area-specific zoning by-law were approved.

Community Consultation

The proposal was the subject of a community consultation meeting held in the neighbourhood on Monday May 11, 2009, attended by approximately 20 members of the public. Response to the proposal was generally positive, however, attendees did raise concerns and questions, regarding the following aspects of the application:

- proposed heights along Shuter Street and whether the proposed heights served as an appropriate transition from the Regent Park Apartment Neighbourhood and surrounding Neighbourhood designations;
- shadow impacts of proposed towers;

- traffic impacts including desire to see traffic lights on Shuter Street at Sackville, where none is currently proposed as well as general questions regarding two-way traffic flow proposed for Sackville and Sumach Street, south of Dundas Street East and Shuter Street;
- removal of existing mature trees;
- impact of new residential on existing sewage pipes; and
- timing of the relocation of existing TCHC tenants, the demolition of existing units and construction of Phase 2.

Agency Circulation

The application was circulated to all appropriate agencies and City divisions. Responses received have been used to assist in evaluating the application and to formulate appropriate by-law standards.

COMMENTS

Provincial Policy Statement and Provincial Plans

The proposal is consistent with the PPS. The proposal conforms and does not conflict with the Growth Plan for the Greater Golden Horseshoe.

Land Use

The applicant has proposed the addition of *live-work unit* located at grade as a permitted use in the R4 residential district. The use would be limited to office, studio, custom workshop, personal grooming establishment, or tailoring shop. This is the similar definition of live-work unit currently permitted in Regent Park’s CR districts, with a maximum of two employees at any one given time, in addition to the residents of the unit. This restriction on the number of employees is more restrictive than the CR live-work which allows for any number of employees to work in the unit. Expanding the use list in the R4A district by adding the live work unit located at grade as a permitted use is in keeping with the vision for the development of Regent Park and will provide opportunities for tenants and other residents to develop entrepreneurial initiatives in an affordable setting that are compatible with adjacent residential uses while providing for further animation along the public realm.

Density, Height, Massing

TCHC has indicated that the regulation of building heights in terms of both the number of storeys and maximum height in metres in the Zoning By-law has created complications during the construction of Phase 1 development. The recommended amendment would remove the reference to “storeys” leaving maximum measured heights in place for all lands within the Regent Park Secondary Plan Area. Removing the maximum number of storeys associated with maximum heights creates a flexibility that staff feels is appropriate given the large development area, with multiple buildings to be built out over a 12-15 year period.

The revised tower locations, with the addition of a third tower, shift the taller buildings which were intended to book end Dundas Street East and a new internal local street on block 24 and 25. This reconfiguration, as proposed in Attachment 4 creates a greater separation between the towers, locating them at opposite ends of the blocks and improving the relationship between the towers themselves and the central neighbourhood park to the north. As the towers are located in the blocks between the open space at Nelson Mandela Park School across St. David Street and the central neighbourhood park to the north, they are situated in a location that is described in the Secondary Plan as being appropriate for taller buildings.

The City of Toronto's, *Design Criteria for Review of Tall Building Proposals, 2006* identifies criteria that elaborate on the built form criteria of the Official Plan. These criteria, along with the Urban Design Guidelines for Regent Park will be used to evaluate applications for site plan approval of the individual buildings. The key criteria that applies to the evaluation of the towers, as proposed, at this stage of planning review is the policies around separation distance between towers. The relocation of the towers allows for increased separation distances between the two towers along Dundas Street East and there is 25 meters separation distance between tower "B" and "C" on block 25. This meets the minimum separation distance as set out in the *Design Criteria for Review of Tall Building Proposals, 2006*.

The zoning amendment would also allow for a two metre increase in the permitted heights for Type "B" Towers. The addition of a Type "C" Tower at a maximum height of 88 metres allows for some articulation in the tower heights in Phase 2 and an opportunity for design excellence, which has been seen in Phase 1 of the Regent Park redevelopment.

Sun, Shadow, Wind

Shadow diagrams comparing the shadow impacts of the proposed development with the originally approved development show that there is little change in shadow impact between the originally approved development scheme and the revised proposal. There is a slight improvement in terms of impact on the central neighbourhood park as a result of the greater spacing of the two towers along Dundas Street East.

In discussions with the applicant, it was agreed that Wind Studies will be provided at the site plan application stage for each of the three tower locations proposed in Phase 2.

Traffic Impact, Access, Parking

Traffic Impact Study prepared by Dillon Consulting, dated February 2009 was submitted as part of this rezoning application. City staff from Transportation Planning and Traffic Services have reviewed the report and have requested several changes including trip generation assumptions for Saturday peak hours. Staff has advised the applicant that the assumptions did not necessarily reflect the mixed use nature of Regent Park's redevelopment which will accommodate a variety of transportation modes (walking, cycling and transit), as well as vehicular use. The required changes to the traffic impact

study, can be incorporated into the report that will be required once an application is made to lift the “H” on the zoning.

Servicing

Toronto Community Housing Corporation has submitted a Functional Servicing Report. Staff from Technical Services have requested some additional information and revised scenarios that are not expected to directly impact their assessment of the amendment being requested by this application. The report is required to be revised and finalized to the satisfaction of the Executive Director, Technical Services, prior to the lifting of the holding symbol for the Phase 2 lands.

CONCLUSIONS

The proposed changes maintain the overall vision and intent of the Regent Park Secondary Plan. Staff have evaluated this application and recommend the approval of the proposal.

CONTACT

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SIGNATURE

Raymond David, Director
Community Planning, Toronto and East York District

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ATTACHMENTS

Attachment 1: Regent Park Phasing Plan 2009
Attachment 2: Regent Park: Plan of Subdivision (Block Map)
Attachment 3: Proposed Changes to Height Map – Phase 2
Attachment 4: Proposed Changes to Tower Location Map – Phase 2
Attachment 5: Zoning Map 4
Attachment 6: Zoning Map 1 of 2
Attachment 7: Application Data Sheet
Attachment 8: Draft Zoning By-law

Attachment 1: Regent Park Phasing Map 2009



Phasing Plan

Applicant's Submitted Drawing

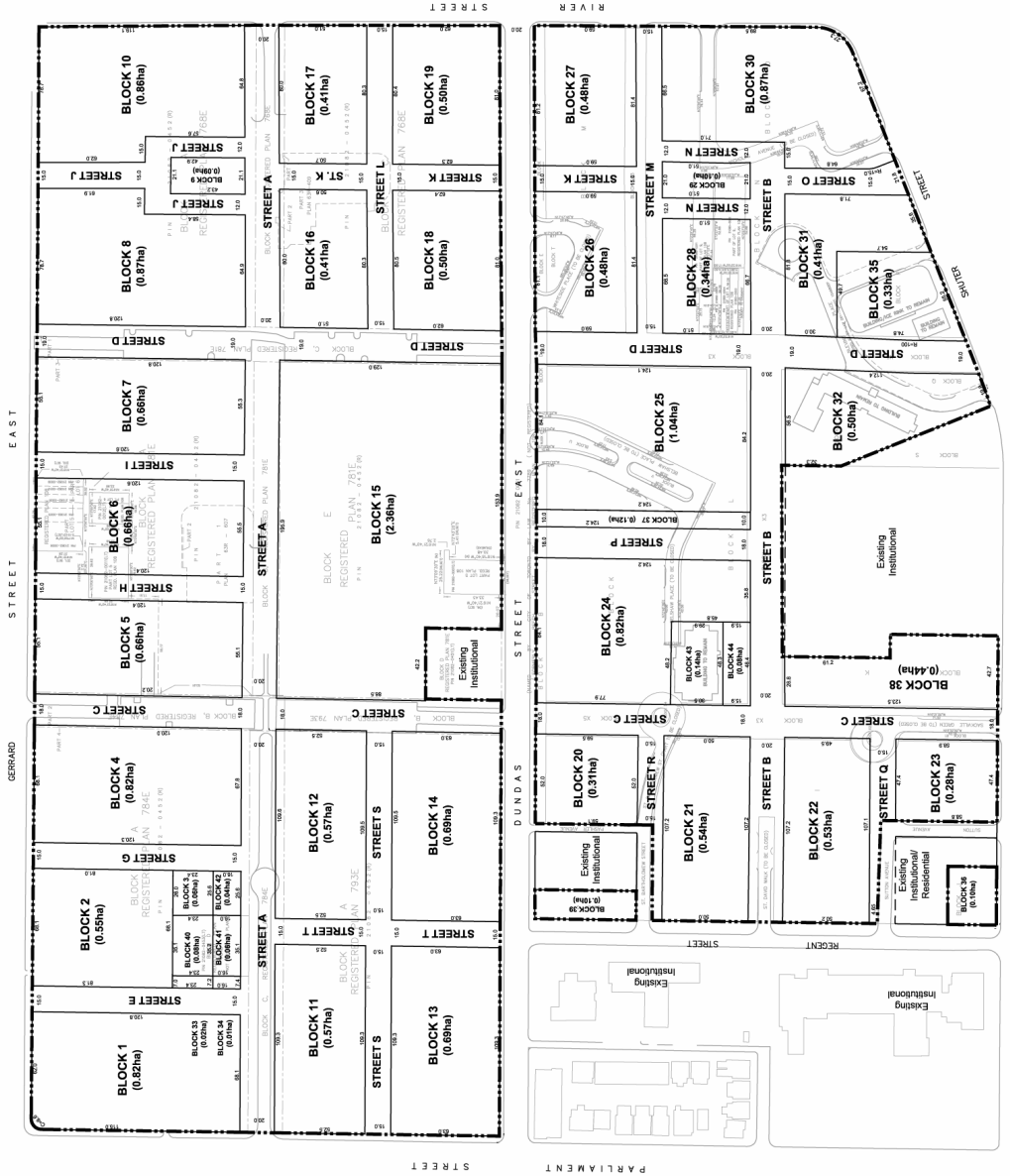
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Regent Park

File # 09_117788

Attachment 2: Regent Park Plan of Subdivision (Block Map)



Regent Park

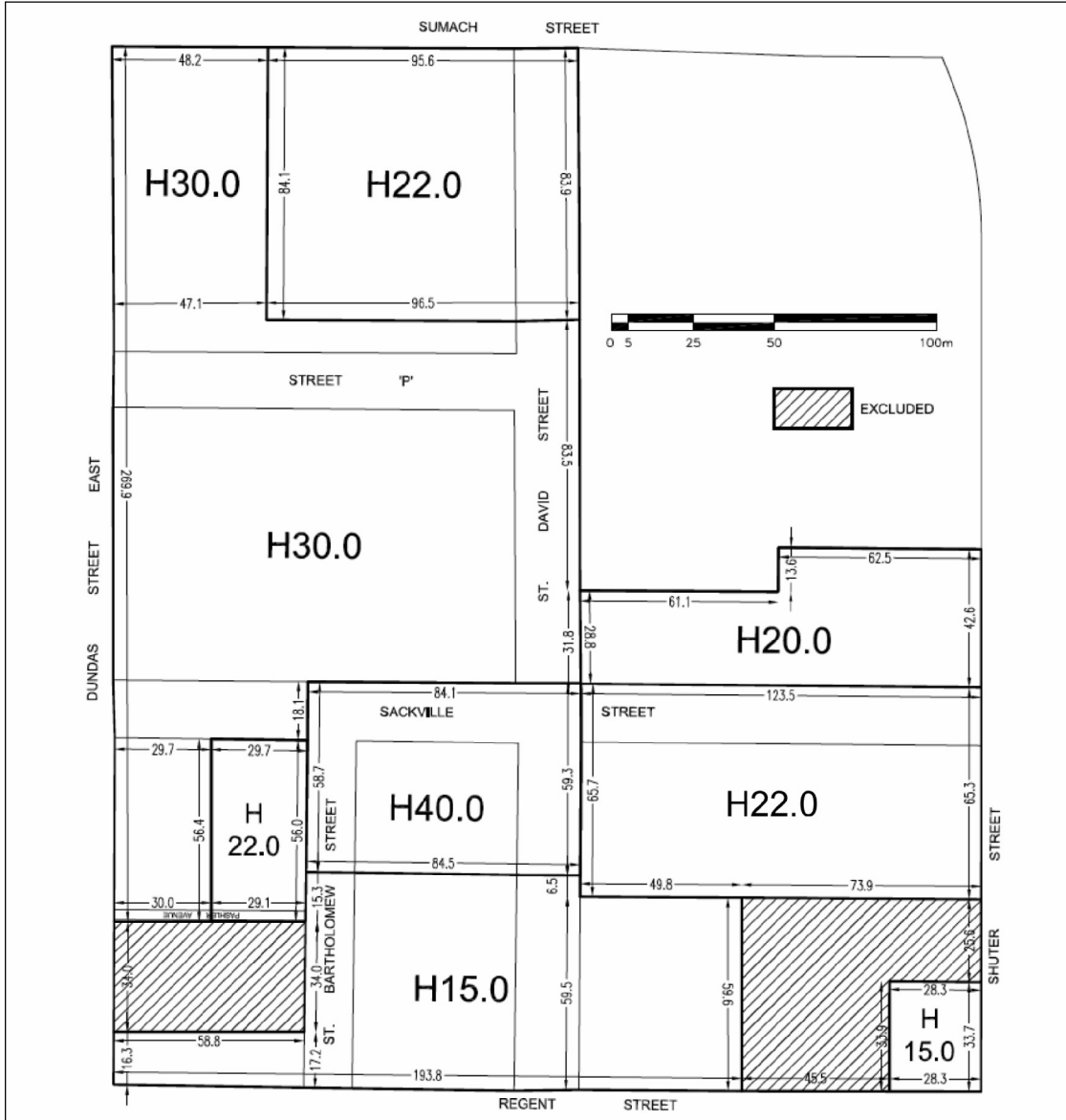
Draft Plan of Subdivision

Applicant's Submitted Drawing

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File # 09_117788

Attachment 3: Proposed Changes to Height Map – Phase 2



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Map 1
Amendment to Map 4 of Bylaw 141-2005

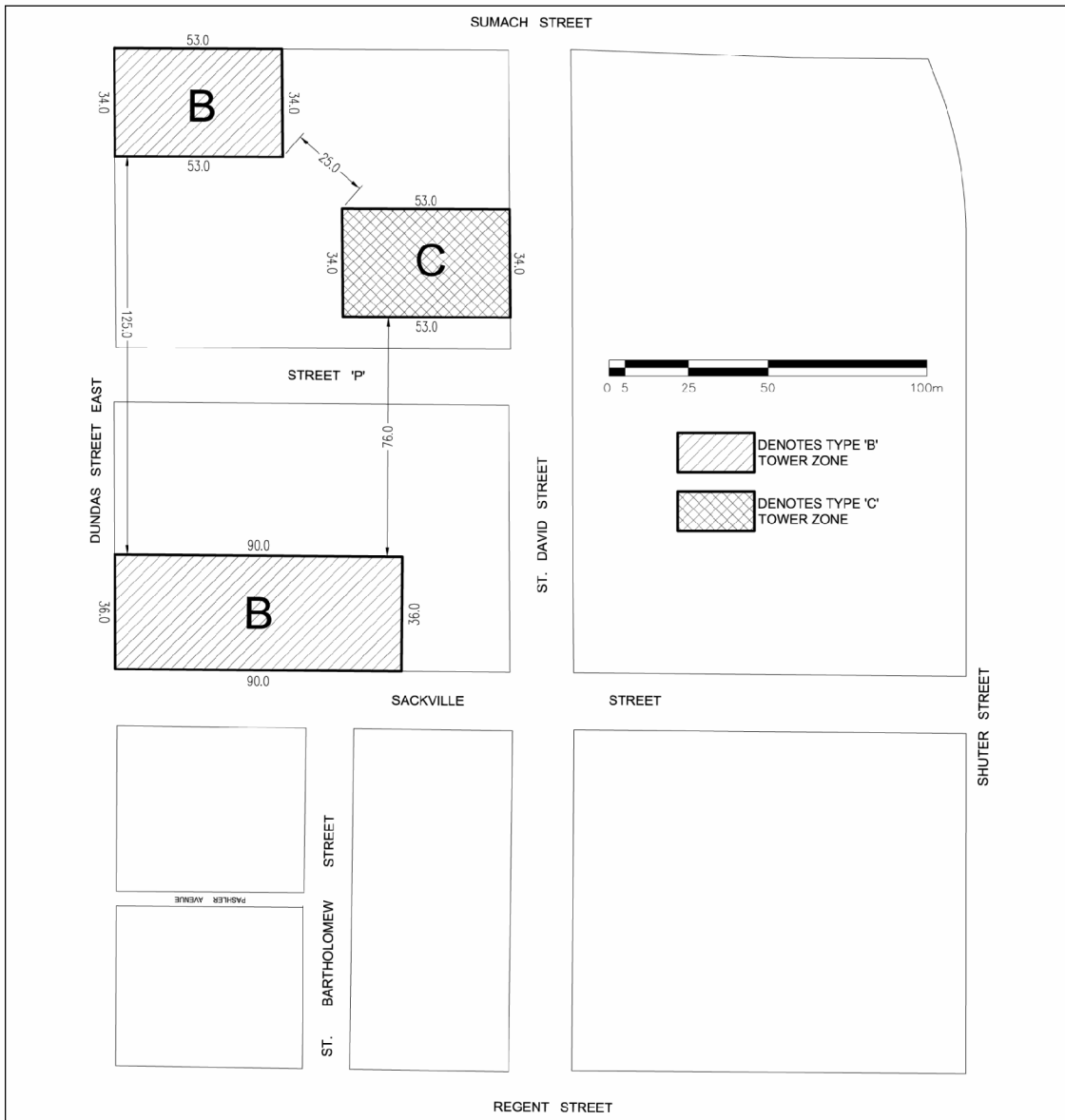
Regent Park
(591 Dundas Street East)

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Attachment 4: Proposed Changes to Tower Location Map – Phase 2



Map 2
Amendment to Map 1 of 2 of Bylaw 141-2005

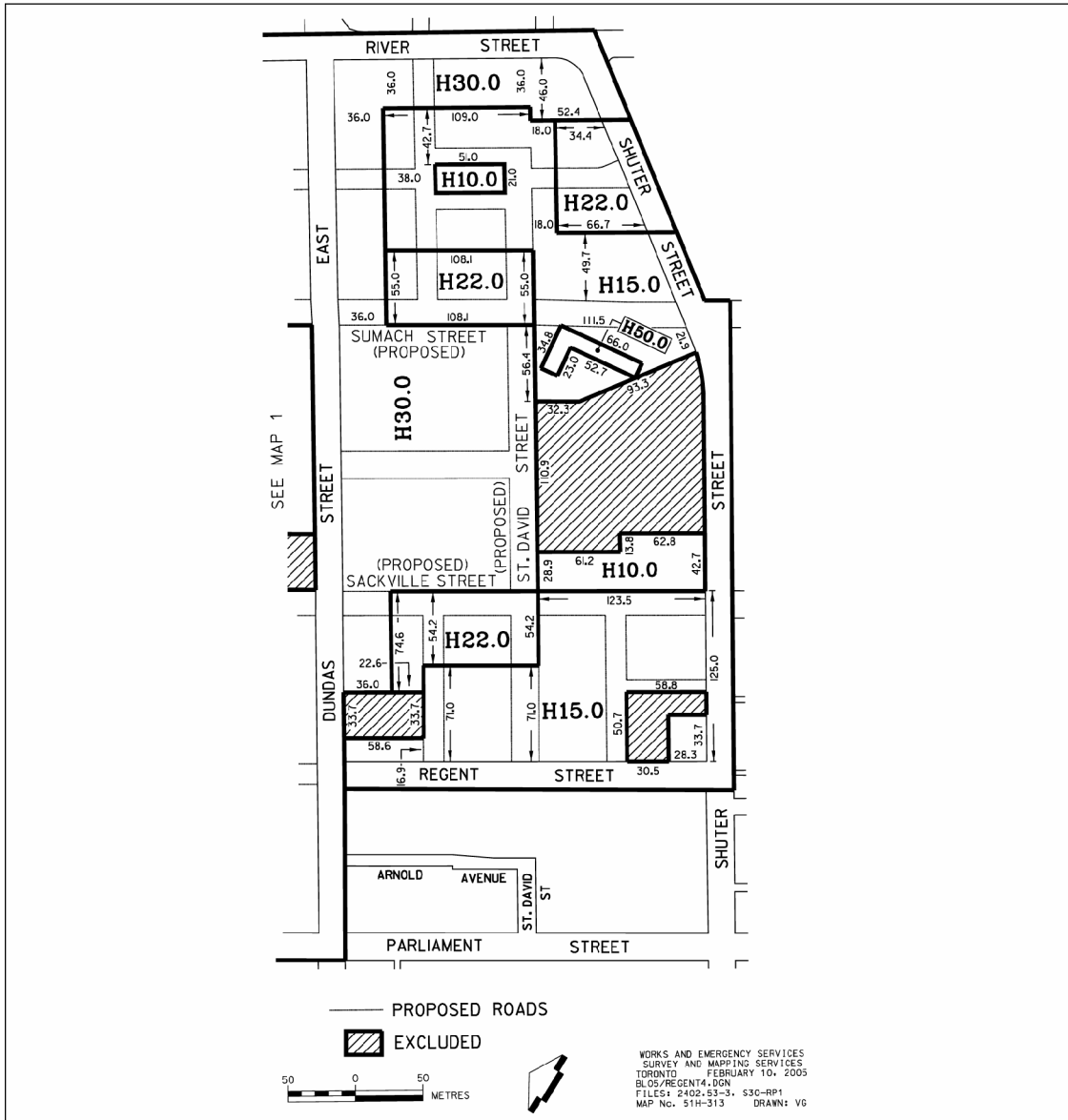
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(591 Dundas Street East)

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Attachment 5: Zoning Map 4 (Bylaw 141-2005)



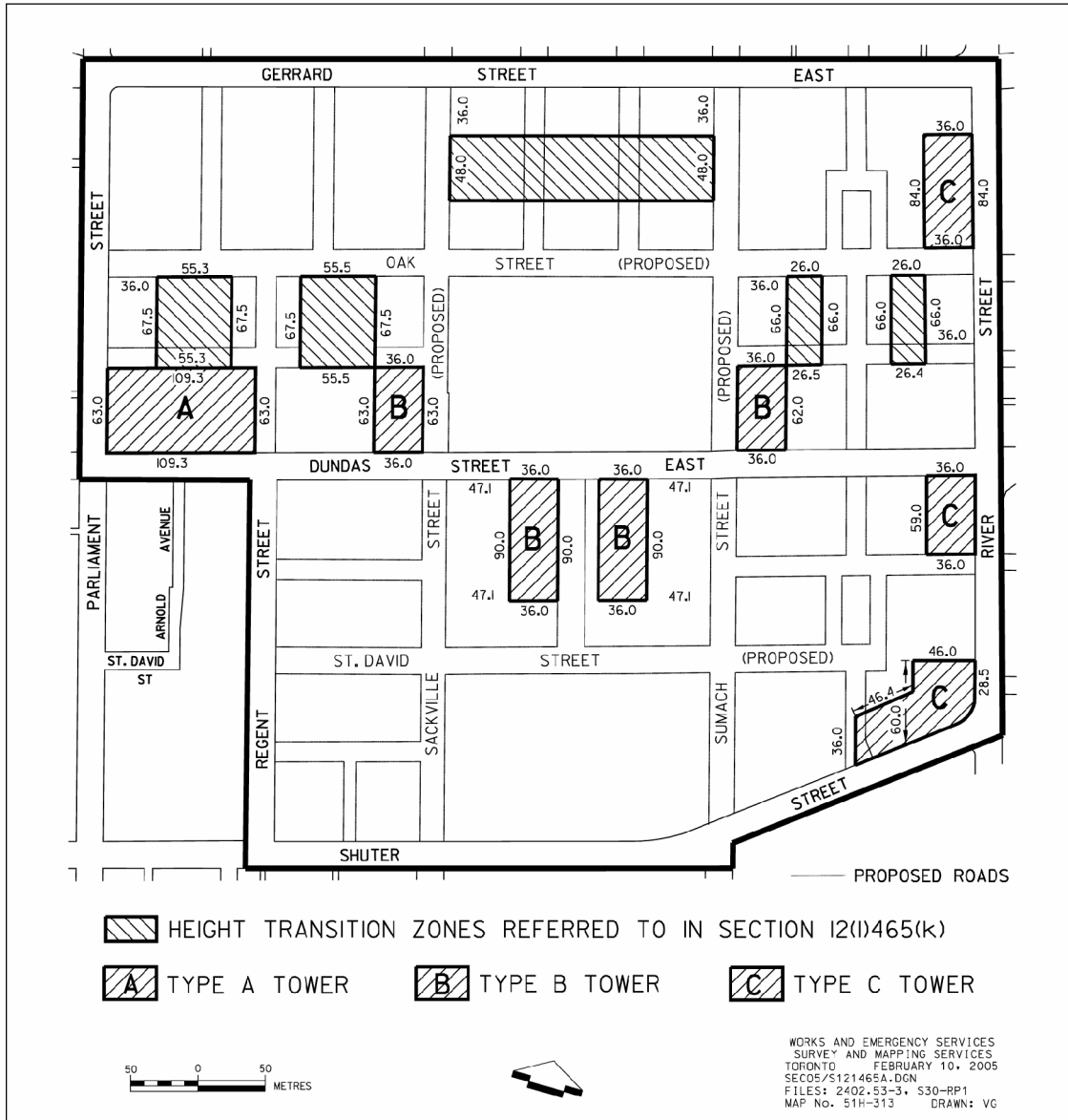
TORONTO City Planning
 Map 4 of Bylaw 141-2005

Regent Park
 (591 Dundas Street East)
 File # 09_117788



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Attachment 6: Zoning Map 1of 2 (Bylaw 141-2005) Permitted Tower Locations



TORONTO City Planning
 Map 1 of 2 of Bylaw 141-2005

Regent Park
 (591 Dundas Street East)
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Attachment 7: Application Data Sheet

Application Type	Rezoning	Application Number:	09 117788 STE 28 OZ
Details	Rezoning, Standard	Application Date:	March 17, 2009

Municipal Address: 591 DUNDAS STREET EAST

Location Description: RP 63R444 PTS 1 2 & 3 **GRID S2805

Project Description: Zoning amendment to allow “live/work” at grade as a permitted use as well as the removal of the reference to the number of “storeys” leaving maximum heights in place for all lands within the Regent Park Secondary Plan Area. In addition, for Phase 2 lands only, the proposed changes are with respect to heights and location of towers within Phase 2 lands.

Applicant:	Agent:	Architect:	Owner:
TORONTO COMMUNITY HOUSING CORPORATION 931 YONGE STREET TORONTO, ON M4W 2H2	N/A	N/A	TORONTO COMMUNITY HOUSING CORPORATION 931 YONGE STREET TORONTO, ON M4W 2H2

PLANNING CONTROLS

Official Plan Designation:	Regent Park Secondary Plan	Site Specific Provision:	
Zoning:	R4(h), CR(h), G(h)	Historical Status:	No
Height Limit (m):	See Height Map: Attachment 2	Site Plan Control Area:	Yes

PROJECT INFORMATION

Site Area (sq. m):	280,000 approx.	Height:	Storeys:	N/A
Frontage (m):	N/A		Metres:	See Height Map: Attachment 2
Depth (m):	N/A			
Total Ground Floor Area (sq. m):	N/A			Total
Total Residential GFA (sq. m):	N/A		Parking Spaces:	N/A
Total Non-Residential GFA (sq. m):	N/A		Loading Docks	N/A
Total GFA (sq. m):	N/A			
Lot Coverage Ratio (%):	N/A			
Floor Space Index:	N/A			

DWELLING UNITS

FLOOR AREA BREAKDOWN (upon project completion)

Tenure Type:	Rental & Market		Above Grade	Below Grade
Rooms:	N/A	Residential GFA (sq. m):	N/A	N/A
Bachelor:	N/A	Retail GFA (sq. m):	N/A	N/A
1 Bedroom:	N/A	Office GFA (sq. m):	N/A	N/A
2 Bedroom:	N/A	Industrial GFA (sq. m):	N/A	N/A
3 + Bedroom:	N/A	Institutional/Other GFA (sq. m):	N/A	N/A
Total Units:	N/A			

CONTACT: **PLANNER NAME:** **Angela Stea, Planner**
EMAIL/TELEPHONE: astea@toronto.ca (416) 392-7215

Attachment 8: Draft Zoning By-law

CITY OF TORONTO

BY-LAW NO. _____-2009

To amend By-law 438-86, of the former City of Toronto, as amended with respect to the *Regent Park Area*.

WHEREAS Council at its meeting of February 16, 2005 enacted Bylaw No. 141-2005;

WHEREAS this By-law is passed in implementation of the City of Toronto Secondary Plan for the *Regent Park Area*;

WHEREAS authority is given to Council by Section 34 of the *Planning Act*, R.S.O. 1990, C.P. 13, as amended, to pass this By-law; and

WHEREAS Council of the City of Toronto has provided adequate information to the public and has held at least one public meeting in accordance with the *Planning Act*;

NOW THEREFORE the Council of the City of Toronto **ENACTS** as follows:

Section 2(1) of By-law 438-86, being “a By-law to regulate the use of land in the erection, use, bulk, height, spacing of/and other matters relating to buildings and structures in various areas of the City of Toronto”, as amended, is further amended by:

1. Height and Minimum Lot Frontage Map 51H-313 contained in Appendix “B” of By-law No. 438-86, as amended, is hereby further amended by redesignating the lands delineated by heavy lines as shown on Map 1 attached hereto.

2. Section 12(1) 465 of Bylaw 438-86 is amended by:

a) deleting Section (c)(ii) in its entirety and replacing it with the following Section (c)(ii):

“a *residential building*; an *artist live/work studio*; *senior citizens’ housing*; *live-work unit* located at *grade* which is a dwelling unit that is also used for work purposes where the resident or residents of such accommodation and up to a maximum of 2 employees, at any one given time, of the residents work in the *dwelling unit*, provided the work component is restricted to the following uses or classifications: office, studio, *custom workshop*, *personal grooming establishment* or *tailoring shop*; a non-profit agency that provides community services such as but not limited to employment, immigration, counselling, welfare, or legal services; one *retail store* located on the ground floor or basement of an *apartment building*; *parking stacker*, and *accessory* uses thereto.”;

b) deleting Section (d)Iii) in its entirety and replacing it with the following Section (d)(ii):

“a residential building; a parking stacker; a live-work unit which is a dwelling unit that is also used for work purposes where the resident or residents of such accommodation and any number of employees of the residents work in the dwelling unit, provided the work component is restricted to the following uses or classifications: office, studio, custom workshop, personal grooming establishment or tailoring shop; designer’s studio; recycling depot, and accessory uses thereto.”;

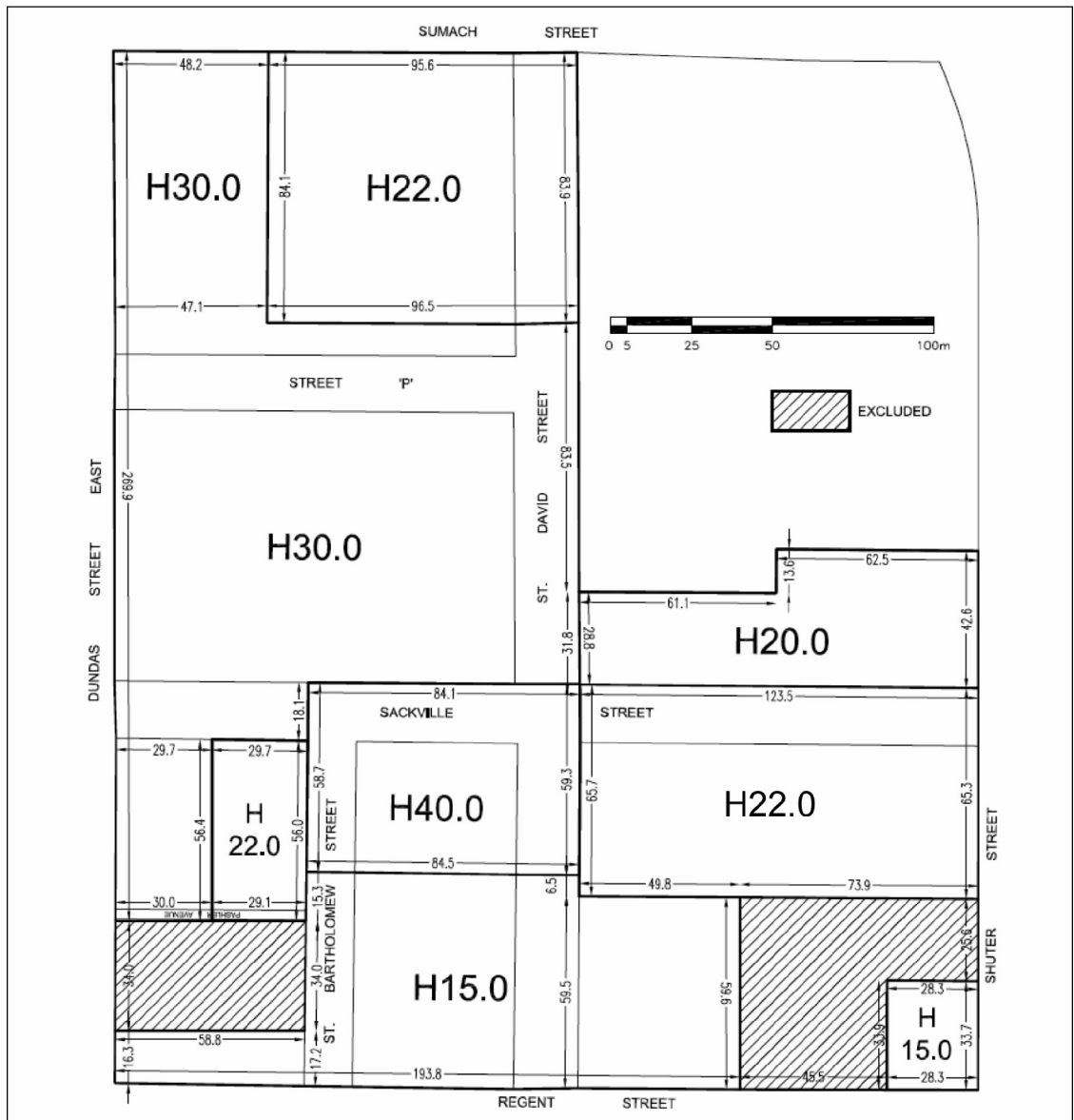
c) Section (k)(ii) is amended by deleting the number “75” in the third line thereof, and replacing it with the number “77”;

d) Sections (k)(iii) and (k)(iv) are deleted in their entirety;

e) Map 1 of 2 is amended to incorporate the changes shown on Map 2 attached hereto; and

f) For the purposes of this By-law, insert after 4 (vii) the following:

(viii) *custom workshop* means a building where there is carried on individual custom production of drapes and slip covers, venetian blinds, handmade leather goods, millinery, weaving, gold and silver engraving or an upholsterer’s shop and other non-offensive custom production of articles or things but does not include factory production or a shop or factory otherwise classified or defined in this by-law.



TORONTO City Planning
Map 1
 Amendment to Map 4 of Bylaw 141-2005

Regent Park
(591 Dundas Street East)
 File # 09_117788



05/22/2009

