

187 King Street East and 65 George Street – Zoning Amendment – Refusal Report

Date:	September 29, 2017
To:	Toronto and East York Community Council
From:	Director, Community Planning, Toronto and East York District
Wards:	Ward 28 – Toronto Centre-Rosedale
Reference Number:	17 147290 STE 28 OZ

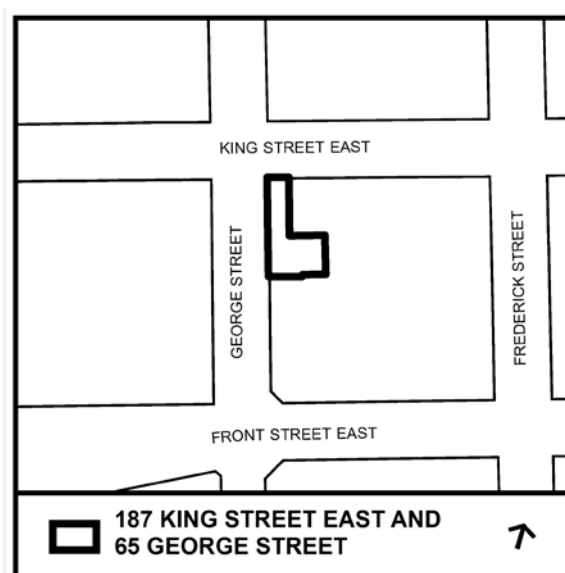
SUMMARY

This application proposes the retention of the existing 4-storey heritage designated building at 187 King Street East and the demolition of a heritage-listed building at 65 George Street to construct a 17-storey residential condominium building. A total of 16 units and 20 residential parking spaces are proposed.

A community consultation meeting was held on June 29, 2017 at George Brown College, where the community had the opportunity to review the application, provide comments and ask questions of City staff and the applicant.

This application is not appropriate for the site. The proposed development does not have adequate separation distances to adjoining properties; is too tall and proposes the demolition of a heritage building. It does not conform to the Official Plan; is inconsistent with Council-approved guidelines and the St. Lawrence Heritage Conservation District policies; and does not fit within the existing and planned context for St. Lawrence Neighbourhood.

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



RECOMMENDATIONS

The City Planning Division recommends that:

1. City Council refuse the application to amend the Zoning By-law for the lands at 187 King Street East and 65 George Street because the proposal:
 - a. is inconsistent with the Provincial Policy Statement (PPS) 2014, specifically Policies 1.7.1 and 2.6.1;
 - b. does not conform to the policies of the Growth Plan for the Greater Golden Horseshoe (2017);
 - c. provides insufficient tower separation, insufficient tower setbacks and stepbacks from the property lines;
 - d. does not achieve a compatible relationship with the existing and planned built form context as required by Policies 15.3.2(e) and 15.4.4 of the King-Parliament Secondary Plan;
 - e. does not conserve the onsite and adjacent heritage properties consistent with the Official Plan Policies in Section 3.1.5;
 - f. is inconsistent with the policies and guidelines provided in the St. Lawrence Neighbourhood Heritage Conservation District (HCD) Plan.
 - g. does not comply with Official Plan Policy 3.1.2(3) with regard to massing that fits into its existing and planned context and an provides appropriate transition in scale to neighbouring buildings;
 - h. does not sufficiently address Official Plan Policy 3.1.3(2) with regard to demonstrating how the proposed tall building relates its existing and planned context; and
 - i. other planning rationale set out in the staff report of the Director, Community Planning, Toronto and East York District, dated September 29, 2017.
2. City Council authorize the City Solicitor and appropriate City staff to appear before the Ontario Municipal Board (OMB) in support of Council's decision on the Zoning By-law Amendment, in the event City Council's decision on this application is appealed to the OMB.
3. City Council direct the City Solicitor to request the OMB, in the event the application is appealed to the OMB and the OMB allows the appeal and permits the proposed additional height or density, or some variation, to:

- a. Secure community benefits with the final allocation and distribution determined by the Chief Planner and Executive Director, City Planning, in consultation with the office of the Ward Councillor, and enter into and register an Agreement to secure those benefits, pursuant to Section 37 of the Planning Act.
- b. Withhold its Order allowing the appeal in whole or in part allowing the Zoning By-law Amendment until:
 - i. The Owner has entered into an Agreement under Section 37 of the Planning Act to the satisfaction of the City Solicitor and the Chief Planning and Executive Director, and the Section 37 Agreement has been registered on title of the property to the satisfaction of the City Solicitor.
 - ii. The OMB has been provided with a proposed Zoning By-law Amendment by the City Solicitor together with confirmation the proposed Zoning By-law Amendment is in a form satisfactory to the City.
 - iii. The Owner has provided a satisfactory Functional Servicing Report to the satisfaction of Development Engineering
4. City Council authorize the City Solicitor and any other City staff to take such actions as necessary to give effect to the recommendations of this report.

Financial Impact

The recommendations in this report have no financial impact.

DECISION HISTORY

There are no previous development applications that affect the subject properties.

On April 17, 1979, City of Toronto Council passed By-law 335-79 to designate 187 King Street East as a heritage property under Part IV of the Ontario Heritage Act.

ISSUE BACKGROUND

Proposal

The applicant proposes the development of a 17-storey residential building (67.7 metres, including mechanical) on the property at 65 George Street. The applicant proposes the retention of the 4-storey heritage building at 187 King Street East and the demolition of the 2-storey building at 65 George Street. Interior and alterations to the south elevation are proposed to the building at 187 King Street East in order to connect the two buildings, however it is proposed that the building remain being used for retail/commercial uses. The proposed development would have a floor space index of 8.3 times the area of the site.

Category	Proposed Development
Site Area	483 square metres
Building Height	17 storeys (67.7 metres including mechanical)
Tower Floor Plate	197 to 221 square metres
Gross Floor Area	4,018 square metres
Floor Space Index	8.3
Number of Dwelling Units	16
Base Building Setbacks <ul style="list-style-type: none"> - South - West - North - East 	0.0 metres 1.6 metres 0.0 metres 0.0 metres
Tower Setbacks <ul style="list-style-type: none"> - South - West - North - East 	0.0 metres 0.45 to 2 metres 0.0 metres (cantilevered 3 metres over 187 King Street E) 0.0 metres
Vehicle Parking <ul style="list-style-type: none"> - Residential Occupants - Residential Visitors 	20 0
Bicycle Parking <ul style="list-style-type: none"> - Residential Occupants - Residential Visitors 	No bicycle parking spaces provided.
Residential Amenity Space <ul style="list-style-type: none"> - Indoor - Outdoor 	No amenity space provided.

Above the ground level, each floor of the proposed tower will consist of one 2-bedroom unit with a private outdoor terrace or balcony, for a total of 16 units. The tower has an approximate floorplate size of between 197 and 221 square metres.

The ground floor at 65 George Street will contain the residential lobby, vehicular access, a Type 'C' loading space and car elevator. Below grade, 3 levels of underground parking are provided for 20 parking spaces, accessible by car elevator. The car elevator will be accessed by a garage door at the south side of the site leading onto George Street.

Resident bicycle parking will not be provided, however, the applicant has indicated in their submission that residents will have the ability to park their bicycles within their respective units. Three visitor bicycle parking spaces will be provided at-grade along George Street.

The applicant is not proposing to provide any indoor or outdoor amenity space for the residential units.

For more information regarding the proposal, see Attachment No. 7, Application Data Sheet.

Site and Surrounding Area

The site, which is comprised of two properties, is located at the southeast corner of King Street East and George Street, within the St. Lawrence neighbourhood. The subject properties are part of the original ten blocks that formed the Town of York when it was first settled in 1793. In total, the site has an area of 483 square metres, a frontage of 7.9 metres of frontage along King Street East and 36.6 metres of frontage along George Street.

187 King Street East

The property at 187 King Street East is occupied by a 4-storey, Part IV designated heritage building formerly known as 'Little York Hotel'. This property is also subject to a Heritage Easement Agreement with the City of Toronto. The building is currently used as a real estate office and office space.

65 George Street

The property at 65 George Street is a heritage-listed building (1984), which contained the stables associated with the former 'Little York Hotel'. The two-storey building is currently occupied by a commercial art gallery.

Land uses surrounding the site include:

- North: across King Street East is the St. James Campus building of George Brown College at 200 King Street East. This property is designated under Part IV of the Ontario Heritage Act. At the intersection of King Street East and George Street, the campus building is one storey, further east; the building is a height of 8-storeys. At the northwest corner of King Street East and George Street is the 15-storey King George Square residential building. This property includes the Sovereign Bank Building and is designated under Part IV of the Ontario Heritage Act.
- East: are 3-storey mixed-use buildings along King Street East. The property at 197 King Street East is a 4-storey Part IV designated heritage building. The properties at 193A and 193 King Street are identified as contributing buildings in the St. Lawrence Neighbourhood Heritage Conservation District Plan. Further east, on the north side of Front Street East, at 154 Front Street East are two OMB-approved towers at 22 and 26 storeys, respectively.
- South: a 10-storey mixed-use building at 25 George Street with retail uses at the ground level and residential condominiums above. On the south side of Front Street East, is a 10-storey mixed-use building at 135 Front Street East with retail uses on the ground level and residential condominiums above.
- West: several 3 to 4-storey heritage-listed buildings along the south side of King Street East. Immediately west of the development site is the listed Thomas Thompson

Building at 185 King Street East. At the southeast corner of King Street East and Jarvis Street is a 9-storey mixed-use building.

Planning Act, Provincial Policy Statement and Provincial Plans

The *Planning Act* guides development in the Province. Under the *Planning Act*, sets out matters of Provincial interest that shall be had regard to including the conservation of features of significant architectural, cultural, historical, archaeological and scientific interest (Section 2(d)) and the promotion of built form that, is well-designed, encourages a sense of place and provides for public spaces that are of high quality, safe accessible, attractive and vibrant (Section 2(r)).

The Provincial Policy Statement (2014) provides policy direction Province wide on land use planning and development to promote strong communities, a strong economy, and a clean and healthy environment. It includes policies on key issues that affect communities, such as:

- The efficient and wise use and management of land and infrastructure over the long term in order to minimize impacts on air, water and other resources;
- Protection of the natural and built environment;
- Building strong, sustainable and resilient communities that enhance health and social well-being by ensuring opportunities exist locally for employment;
- Residential development promoting a mix of housing; recreation, parks and open space; and transportation choices that increase the use of active transportation and transit; and
- Encouraging a sense of place in communities, by promoting well-designed built form and by conserving features that help define local character.

The City of Toronto uses the PPS to guide its Official Plan and to inform decisions on other planning and development matters. The PPS is issued under Section 3 of the *Planning Act* and all decisions of Council affecting land use planning matters "shall be consistent with" the Provincial Policy Statement. Policy 4.7 states that the Official Plan is the most important vehicle for implementing the PPS.

The Growth Plan for the Greater Golden Horseshoe (2017) provides a strategic framework for managing growth in the Greater Golden Horseshoe region including:

- Setting minimum density targets within settlement areas and related policies directing municipalities to make more efficient use of land, resources and infrastructure to reduce sprawl, cultivate a culture of conservation and promote compact built form and better-designed communities with high quality built form and an attractive and vibrant public realm established through site design and urban design standards;
- Directing municipalities to engage in an integrated approach to infrastructure planning and investment optimization as part of the land use planning process;

- Building complete communities with a diverse range of housing options, public service facilities, recreation and green space that better connect transit to where people live and work;
- Retaining viable employment lands and encouraging municipalities to develop employment strategies to attract and retain jobs;
- Minimizing the negative impacts of climate change by undertaking stormwater management planning that assesses the impacts of extreme weather events and incorporates green infrastructure; and
- Recognizing the importance of watershed planning for the protection of the quality and quantity of water and hydrologic features and areas.
- Conserving Cultural Heritage in order to foster a sense of place and to benefit communities, particularly in strategic growth areas.

Like other provincial plans, The Growth Plan for the Greater Golden Horseshoe (2017) builds upon the policy foundation provided by the Provincial Policy Statement (2014) and provides more specific land use planning policies to address issues facing the Greater Golden Horseshoe region. The policies of the Growth Plan take precedence over the policies of the PPS to the extent of any conflict, except where the relevant legislation provides otherwise. All decisions by Council affecting land use planning matters are required by the *Planning Act*, to conform, or not conflict, as the case may be, with the Growth Plan.

The Growth Plan identifies Downtown Toronto as an Urban Growth Centre. Urban Growth Centres (UGC)s are intended to be focal areas for accommodating a significant share of people and jobs as well as investment in major services, institutions and transit services to ensure these areas “become more vibrant, mixed-use, transit-supportive communities”. The Growth Plan supports intensification and advances density targets to accommodate the projected growth identified in the Plan. UGCs in Toronto are required to achieve a combined minimum gross density target of 400 residents and jobs combined per hectare by 2031.

Staff have reviewed the proposed development having regard to the relevant provincial interests under Section 2 of the Planning Act, for consistency with the Provincial Policy Statement and for conformity with the Growth Plan for the Greater Golden Horseshoe, 2017.

Official Plan

The subject properties is located within the *Downtown* as shown on Map 2 – Urban Structure and is designated *Regeneration Areas* on Map 18 – Land Use Plan. *Regeneration Areas* provide for a broad mix of commercial, residential, light industrial, institutional, and recreational uses in order to revitalize underused lands, create new jobs and homes that use existing infrastructure, and restore existing buildings that are adaptable for re-use. New development in *Regeneration Areas* requires a Secondary Plan to be in place to help guide the revitalization which is the in force King-Parliament Secondary Plan, in this case.

Chapter Three, Building a Successful City, identifies that most of the City's future development will be infill and redevelopment and will need to fit in, respect and improve the character of the surrounding area. Development will be located, organized and massed to fit harmoniously with its existing and/or planned context. Development will limit its impacts on neighbouring properties and the public realm by respecting street proportions, creating appropriate transitions in scale, providing for adequate light and privacy, and limiting shadow and wind impacts. The Plan also notes that tall buildings are desirable in the right places but they do not belong everywhere and are only one form of intensification. The larger the difference in scale of development, the greater the need for transition.

Built Form policies in Section 3.1.2 outline that new development will:

- be massed and its exterior façade designed to fit harmoniously into its existing and/or planned context and limit its impact on neighbouring streets, parks, open spaces and properties;
- provide space for public utilities and services, trees and landscaping, building access, amenities such as view corridors, sky view and sunlight, and public gathering places;
- create appropriate transition in scale to neighbouring existing and/or planned buildings;
- provide for adequate light and privacy;
- limit any resulting shadow and uncomfortable wind conditions;
- locate taller buildings to ensure adequate access to sky view for the proposed and future use of these areas; and
- provide for the base buildings of tall buildings to give definition and support at an appropriate scale for adjacent streets, parks and open spaces, integrate with adjacent buildings, and minimize the impact of parking and servicing uses.

Policy 3.1.3.1 indicates that where a tall building is appropriate, it should have a base at an appropriate scale for the street and that integrates with adjacent buildings, a middle with a floor plate size and shape with appropriate dimensions for the site, and a top that contributes to the skyline character.

Policy 3.1.3.2 requires new tall building development to address key urban 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/or planned context; taking into account the relationship of the site to topography and other tall buildings; providing high quality, comfortable and usable publicly accessible open space areas; and meeting other objectives of the Official Plan.

Section 2.2.1.6 of the Official Plan states that "design guidelines specific to districts of historic and distinct character will be developed and applied to ensure new development respects the context of such districts in terms of the development's fit with existing streets, setbacks, heights and relationship to landmark buildings."

Section 3.1.5 provides policies regarding heritage conservation, which were recently updated through Official Plan Amendment No. 199. Policy 3.1.5 (4) states that properties on the Heritage Register will be conserved and maintained consistent with the *Standards and Guidelines for the Conservation of Historic Places in Canada*. Policy 3.1.5(5) states that proposed development "on or adjacent to, a property on the Heritage Register will ensure that the integrity of the heritage property's cultural heritage value and attributes will be retained". Policy 3.1.5(26) requires that "new construction on, or adjacent to, a property on the Heritage Register will be designed to conserve the cultural heritage values, attributes and character of that property and to mitigate visual and physical impact on it." Similarly, with regard to Heritage Conservation Districts (HCDs), Policy 3.1.5(32) states that the impact of new development within or adjacent to HCDs will be "assessed to ensure that the integrity of the district's heritage values, attributes, and character are conserved." Finally Policy 3.1.5(33) states that HCDs should be managed and conserved by approving only those alterations, additions, new development, demolitions, removals and public works in accordance with respective HCD plans.

King-Parliament Secondary Plan

The King-Parliament Secondary Plan applies to an area bounded by Jarvis Street to the west, Queen Street East to the north, the Don Valley to the east, and Front Street, The Esplanade, and the rail corridor to the south. The subject properties are designated *Regeneration Area 'A' (Jarvis-Parliament)*, which is "an area targeted for significant growth, having a mix of compatible land uses including commercial, industrial, institutional, residential, live/work and entertainment uses within new buildings and existing ones, including the numerous historically and architecturally significant buildings in the area."

The subject properties are part of the Old Town of York *Area of Special Identity*. Policy 3.1.4 requires new development to "implement urban design policies adopted by Council to protect the Areas of Special Identity, namely The Old Town of York." King Street East is identified as a *Special Street* with unique physical characteristics. Policy 15.3.1.3 requires "the quality, role and character" to be maintained and enhanced.

King Street East and George Street at this location are identified as *Significant Streets* and form part of the *10 Original City Blocks* of the Old Town of York, Toronto's first historical settlement. The subject properties are located at the western edge of the ten original blocks which extend eastward to Berkeley Street.

The following built form principles as per Policy 15.3.2 apply to new buildings and are meant to "ensure the maintenance and enhancement of public spaces that are attractive, pleasant, comfortable and inviting."

- Frame streets, parks, public squares, and mid-block pedestrian routes;

- Provide adequate light, view and privacy for neighbouring properties;
- Achieve a compatible built form relationship with surrounding buildings through consideration of building height, massing, scale, setbacks, stepbacks, roof line, and architectural character;
- Design and locate servicing and vehicular parking so as to minimize pedestrian/vehicular conflicts; and
- Provide high quality open spaces for the use of residents, visitors and area workers.

Policy 4.1 identifies that heritage buildings are essential elements of the physical character to be retained, conserved, rehabilitated, re-used and/or restored. Further, Policy 4.4 states that new buildings should achieve a compatible relationship with heritage buildings in their context through consideration of such matters as, but not limited to, building height, massing, scale, setbacks, stepbacks, roof line profile and architectural character and expression.

King-Parliament Urban Design Guidelines

The King-Parliament Urban Design Guidelines pre-date the King-Parliament Secondary Plan and were used to inform some of the Secondary Plan policies. The guidelines identify the subject properties as part of an *Area of Special Identity* known as The Old Town of York, which is defined as the original ten blocks bounded by Adelaide Street East, Berkeley Street, Front Street East, and George Street.

King Street is Toronto's first commercial street and is characterized by relatively continuous frontages of 3 to 4 storey commercial and industrial buildings, from the late 19th and early 20th centuries. The Guidelines outline that new infill development will respect and reinforce the established built form character in terms of general building type and height along the street frontage and vertical and horizontal articulation.

Tall Building and Downtown Tall Building Design Guidelines

In 2013, City Council adopted updated city-wide Tall Building Design Guidelines and directed City Planning staff to use them in the evaluation of development applications for tall buildings. The Guidelines establish a unified set of performance measures to ensure that tall buildings fit within their context and minimize their local impacts.

The properties are also located within an area that is 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 specific Downtown streets that are most suitable for tall building development, establishes a height range along these streets and provides a set of supplementary Downtown specific design guidelines which address Downtown built form and context.

The Downtown Vision and Supplementary Design Guidelines should be used together with the City-wide Tall Building Design Buildings to evaluate tall building proposals in the Downtown.

The Guidelines implement the Official Plan Policies regarding fit and transition in scale; sunlight and sky view; the pedestrian realm and street animation, including publicly accessibly open space; servicing, access and parking; base building height and scale and separation distances between buildings. Specifically, the Guidelines indicate that the height of base building should match the existing streetwall context, a minimum tower separation of 25 metres should be achieved, with each adjacent site responsible for providing a 12.5 metre setback, and the placement of the tower on the base should achieve appropriate tower setbacks.

The Guidelines include the following statement: The City of Toronto values its heritage properties and requires that they be protected and that new development conserve the integrity of their cultural heritage value, attributes, and character, consistent with accepted principles of good heritage conservation (see Appendix A: Heritage Conservation Principles).

Section 1.6 Heritage Properties and Heritage Conservation Districts states: Locate and design tall buildings to respect and complement the scale, character, form, and setting of on-site and adjacent heritage properties and Heritage Conservation Districts (HCDs). Subsection d. states: The objective for the long-term preservation, integration, and re-use of heritage properties may mean that not all sites with or adjacent to heritage properties are appropriate for tall building development.

The Rationale for the section includes the following statement:

"There may be instances where conservation principles outweigh the goals of intensification and redevelopment, and may limit the construction of tall buildings or require additional "breathing space" to preserve the integrity of an HCD, heritage property, or special attributes. In locations where tall buildings are considered appropriate, heritage properties should be referenced to inform the scale and contextual treatment of the new development. If well designed and appropriately sited, tall buildings can make a positive contribution to a historical setting."

Under Section 3.4 of the Downtown Tall Building: Vision and Supplementary Design Guidelines, Section 3.4 Supplementary Design Guideline #4 sets out parameters for Heritage Properties and Heritage Conservation Districts respecting the location and design of all tall buildings. The Guidelines state that tall buildings should be located and designed to:

- Respect and complement the scale, character, form and setting of on-site and adjacent heritage properties;
- Respect the character and values of downtown area Heritage Conservation Districts;

Furthermore, the guidelines make reference to the St. Lawrence Area Heritage Conservation (Study Area). The HCD Plan for the St. Lawrence area has since been developed and was enacted by Council in 2015 (under appeal). The guidelines states: "All development within a Heritage Conservation District must adhere to the policies and guidelines of the District Plan and in the event of any conflict between the city-wide and Supplementary Downtown Tall Buildings Design Guidelines and an approved HCD Plan, the HCD Plan policies and guidelines will prevail."

TOcore: Planning Downtown

‘TOcore: Planning Downtown’ is an initiative to prepare a 25-year plan for Toronto’s Downtown along with a series of five infrastructure-related strategies, which will address: parks and public realm, community services and facilities, mobility, energy, and water. This plan, working in tandem with its accompanying strategies, will provide a blueprint to manage the growth and intensification being experienced and anticipated to continue in the Downtown.

The Downtown study area is bounded by Lake Ontario to the south, Bathurst Street to the west, the mid-town rail corridor and Rosedale Valley Road to the north and the Don River to the east. A new Downtown Plan will be developed for the Downtown geography, establishing a renewed vision and local development policies to guide growth and development. The Downtown Plan will provide an integrated planning framework and structure addressing elements of land use, built form, housing, office, institutional, retail, parks and open spaces, community facilities, streets, transit, energy and water. Emphasis is being placed on keeping Downtown an inclusive and affordable place for vulnerable populations.

TOcore began on May 13, 2014 when Toronto and East York Community Council adopted a staff report regarding 'TOcore: Planning Toronto's Downtown', along with a related background document entitled 'Trends and Issues in the Intensification of Downtown'.

On September 7, 2017, Planning and Growth Management Committee adopted a staff report titled "TOcore: Proposed Downtown Plan". Attached to the report were the Proposed Downtown Plan Policies. Planning and Growth Management Committee added a recommendation at its meeting, requesting City Planning staff consider the Proposed Downtown policies during the evaluation of current and future development applications in the Downtown Plan area and continue to refine the policies in consultation with stakeholders and the community.

Additional information is available on the study website at: www.toronto.ca/tocore.

St. Lawrence Neighbourhood Focused Area Urban Design Guidelines

The site is located at the eastern boundary of the St. Lawrence Neighbourhood Focused Area Urban Design Guidelines boundary. As Official Plan Policy 2.2.1.6 outlines district specific guidelines are developed and applied to ensure new development respects the context. The guidelines outline the diversity of the various precincts within the area and create a template for sensitive development that is responsive to the unique historic character of the focused area of the St. Lawrence Neighbourhood. The goal of the guidelines is to improve the quality of the environment of the Focused Area for the St. Lawrence Neighbourhood and to ensure that the elements contribute to the special character of the diverse parts of the area are maintained and enhanced. The guidelines identify that the preservation and enhancements of properties within the St. Lawrence Neighbourhood is vital to the identity. The guidelines indicate the listed and designated buildings in the area should be preserved in all cases.

Section 4.3.1, Building Heights, identify George Street to be in the 'Mixed-Use Height Sensitive Area' and state that that area "is comprised of [a] range of building heights primarily from low-rise (up to 6 storeys) to mid-rise (6-12 storeys). The low-rise form is a fundamental aspect that defines this area as it reinforces the area's historic built character and vibrant pedestrian

environment. Where taller buildings have been introduced, careful siting and/or setbacks have ensured that the higher levels are not generally visible from the perspective of the pedestrian at the sidewalk."

Section 4.3.4, Angular Plane and Stepbacks, of the guidelines outline an angular plane requirement from King Street that exists under the current zoning under Zoning By-law No. 438-86. The intent of these angular planes must be followed in order to maintain the character of the area and to maximize sunlight exposure on the public realm. Additionally, in order to create a comfortable pedestrian experience, stepbacks should be used to strengthen the existing street wall. Appropriate streetwall heights are determined by the predominant scale of the existing buildings on the street. In instances where buildings are permitted to be higher than the streetwall, a minimum stepback will be imposed so that the higher portion does not overwhelm the street wall and pedestrian scale.

Section 4.4, under the heading 'Compatibility with Historical Contexts', the guidelines state that "fitting contemporary architectural styles within more historical contexts should be achieved through compatible building proportions, replicating rhythms or vertical and horizontal lines and through the use of similar materials and colourings."

St. Lawrence Neighbourhood Heritage Conservation District Plan

The St. Lawrence Neighbourhood Heritage Conservation District (HCD) Plan applies to the oldest part of the city and includes the subject properties. The area extends as far west as Yonge Street, as far south as The Esplanade, east to just beyond Parliament Street, and as far north as Richmond Street, although the boundaries are very site-specific and often follow mid-block property lines as opposed to streets.

City Council adopted the HCD Plan on December 9, 2015, but it is not yet in effect because it is subject to several appeals to the Ontario Municipal Board (OMB). Despite the HCD Plan not yet being in effect, the policies and guidelines provided in the Plan are the outcome of a thorough planning analysis with an emphasis on heritage conservation and are relevant in evaluating development proposals.

The overall objective of the HCD Plan is to protect and conserve the heritage value of the St. Lawrence neighbourhood. The Plan seeks to guide change within the neighbourhood while maintaining its heritage attributes. The policies and guidelines contained within the Plan have been formulated to assist property owners in ensuring that proposed alterations conform to the district objectives and respect the overall neighbourhood context.

The HCD Plan should assist the City of Toronto and property owners in managing change over time within the St. Lawrence Neighbourhood, while ensuring that the heritage features valued in the District are conserved. The Old Town contains numerous institutions that continue to attract visitors to the District to enjoy its attractions and participate in its ambience from across the City and beyond. The historical origins of the St. Lawrence Neighbourhood date back to the late 18th Century when the Town of York (forerunner to the City of Toronto) was established as the capital of Upper Canada. Under the direction of Lieutenant-Governor John Graves Simcoe, a ten-block townsite was laid out between present day Front Street East, George

Street, Adelaide Street East and Berkeley Street.

The HCD Plan is divided into six sub-areas. Both properties are located within the King – St. James Sub-Area and considered contributing buildings. The HCD provides the following built form policies and guidelines for this sub-area:

Heritage building retention: All of the contributing heritage buildings as identified in the HCD Plan should be retained. The demolition of buildings that are contributing properties will not be permitted. Any proposed alterations will need to be assessed within the context of a Heritage Impact Assessment.

Stepbacks: Provide a minimum 10-metre setback above the existing street wall.

Angular plane: Apply a 45-degree angular plane from King Street East as measured from the property line at the height of the existing street wall, extending the full depth of the property.

Corner lots: Historic role and importance of defining the corner must be protected and maintained.

Streetwall Composition: The new base building must maintain or enhance the quality of the existing streetwall and correspond with the existing streetwall height.

Heritage context: The building design and materiality should have regard for designated heritage and contributing property at 187 King Street East.

Heritage Conservation

Little York Hotel

The property at 187 King Street East was designated on April 17, 1979 by City of Toronto by-law 335-79. The property contains the Little York Hotel which was constructed in 1879. The designating by-law identifies the building as a well preserved example of the Second Empire Style. The property is also subject to a Heritage Easement Agreement with the City that is registered on title. The St. Lawrence Neighbourhood Heritage Conservation District Plan identifies this property as contributing to the heritage character of the District.

Little York Hotel Stable Building

The property at 65 George Street is listed on the City of Toronto's Heritage Register. The building was constructed circa 1879 and it was listed by the former City of Toronto on June 25 and 28, 1984. The St. Lawrence Neighbourhood Heritage Conservation District Plan identifies this property as contributing to the heritage character of the District.

Zoning

Under Zoning By-law 438-86, both properties are zoned Reinvestment Area (RA) with a maximum building height of 30 metres. The RA zone permits a wide range of residential, commercial, industrial and institutional uses.

Under Zoning By-law 569-2013, the property at 187 King Street East is zoned CRE (x82) and the property at 65 George Street is zoned CRE (x73). The CRE zone permits a maximum building height of 30 metres.

Both By-laws also contains of exceptions that apply to the site: Section 12(2)246 related to building setbacks, Section 12(2)132 preventing the construction or erection of a commercial parking garage or private commercial garage; Section 12(2)270 related to uses and non-residential gross floor area and Section 12(2)260 requiring an angular plane of 44 degree from a base building height of 16 metres. The purpose of the angular plane is to reinforce streetwall heights and sky view characteristics of the area.

Site Plan Control

The proposed development is subject to Site Plan Control. A Site Plan application has not yet been submitted.

Reasons for Application

The proposed Zoning By-law Amendment application is required because the proposed deviates from the current Zoning By-laws in the following ways:

- exceeds the height permitted by the Zoning By-laws;
- exceed the angular plane requirement from King Street East;
- provides no indoor and outdoor amenity space;
- provides reduced building setbacks;
- provides no visitor parking;
- reduces parking space dimensions; and
- provides no long-term (resident) bicycle parking spaces.

Application Submission

The following reports/studies were submitted in support of the application:

- Planning Justification Report
- Heritage Impact Assessment
- Toronto Green Standards (TGS) Checklist
- Arborist Report
- Noise and Vibration
- Stage 1 Archaeological Resource Assessment
- Hydrogeological Assessment
- Geotechnical Study
- Community Services & Facilities Study
- Pedestrian Wind Study
- Transportation Impact Letter
- Functional Servicing and Stormwater Management Report

A Notification of Complete Application was issued on May 26, 2017.

Agency Circulation

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

Community Consultation

A meeting with the applicant, City staff, and the St. Lawrence Neighbourhood Association (SLNA) was held on June 1, 2017, where the applicant presented the proposed development. The SLNA provided a response letter dated July 12, 2017 that raised the following issues:

- Demolition of a heritage listed building;
- The special identity of the original 10 blocks of the Town of York;
- Retention of the existing trees along George Street;
- Elimination of the parking in the proposal;
- Loss of the existing office space at 65 George Street;
- Design of the building with the neighbouring properties;
- The inclusion of the over-hang on the designated heritage building at 187 King Street East; and
- The commercial viability of the development as proposed.

On June 29, 2017, a community consultation meeting was attended by approximately 45 members of the public at George Brown College, 200 King Street East.

The attendees expressed comments, issues and concerns, including:

- Heritage preservation – heritage buildings should be protected and not demolished.
- Fit – "original 10 blocks" require special treatment, contextually the building does not fit, building could be designed to better integrate.
- Design of the tower – should be responsive, in particular to the datum line of Little York Hotel.
- Height of the tower – adherence to the 45 degree angular plane from George Street, highest building in the area.
- Vehicular Access – potential for queueing of cars onto George Street, one way access into the building, length of time to enter one's parking spot.
- Parking - pedestrian oriented area, questioned whether providing parking is necessary.
- Pedestrian safety, crossings and comfort – in particular, in relation to the proposed parking access, concerns about pedestrian safety.
- Shadow impacts – loss of sunlight on the north side of King Street.
- Materiality – building material should be brick. Curtain wall of glass isn't necessary.
- Unit Type/Size – proposed unit sizes will not attract families.
- Construction – concern of the impact on traffic and the neighbourhood during construction.
- Traffic impact – increased vehicular traffic on George Street.
- Precedent setting – for other developments in the St. Lawrence Neighbourhood.
- Trees – tree canopy along George Street is highly valued.

COMMENTS

This section provides an overview of planning considerations used in the evaluation of the proposed rezoning. The comments draw on input from City and agency staff, the community and local stakeholders, technical studies, applicable planning policies and guidelines, and an analysis of the proposed development, surrounding context and historical context.

Planning Act, Provincial Policy Statement and Provincial Plans

Staff are of the opinion that the proposed development application does not have regard to relevant matters of provincial interest in Section 2 (d) and (r) of the *Planning Act*, is not consistent with the Provincial Policy Statement (2014) and does not conform with the Growth Plan for the Greater Golden Horseshoe (2017).

The proposed development does not have regard to relevant matters of provincial interest in Section 2 (d) and (r) of the *Planning Act* as the proposal does not conserve features of significant architectural, cultural and historical interest and does not provide for a built form that is well-designed.

The proposal is not consistent with the Provincial Policy Statement (PPS) 2014 due to the following reasons:

- The proposal has not demonstrated that it sufficiently conserves *built heritage resources* that help define character as required by Policy 1.7.1.
- The proposal does not *conserve significant built heritage resources* as required by Policy 2.6.1.

The proposal to demolish the heritage-listed Stable Building at 65 George Street and does not conserve the heritage property.

The PPS is implemented through Official Plan policies and zoning by-laws as per Policies 4.7 and 4.8 respectively. The Official Plan, design guidelines and applicable zoning provide direction on the appropriate scale, massing height and separation distances between buildings for this site. As the proposed development has not addressed the policy direction in the Official Plan and its supporting documents, the proposal is not consistent with the PPS (2014).

Policy 4.2.7(1) of the Growth Plan states that *cultural heritage resources*, which includes *built heritage resources*, will be *conserved* in order to foster a sense of place and benefit communities. Both the PPS and the Growth Plan outline that *built heritage resources* are generally located on a property that has been designated under Parts IV or V of the Ontario Heritage Act, or included on local, provincial and/or federal registers.

Policy 2.2.3(2) establishes that a minimum density target of 400 residents and jobs combined per hectare will be achieved by 2031 in the Downtown Urban Growth Centre (UGC). Currently, the Downtown UGC is on track to exceed this density target. The Growth Plan target density is the average for the entire Downtown UGC area, and it is not for any one particular area within Downtown. The proposed development is not required to meet or contribute to the minimum density target for the Downtown UGC. However, the Plan also recognizes in Section 5.2.4 that

development is permitted beyond the minimum density targets provided that the type and scale of built form is contextually appropriate.

In this instance, the built form is not contextually appropriate and fails to meet the City's Official Plan policies and guidelines for tall buildings, appropriate built form, and heritage conservation.

Land Use

The proposed residential and non-residential uses are generally acceptable. Both uses are permitted within the *Regeneration Area* of the Official Plan and the King-Parliament Secondary Plan, as well as in the Zoning By-laws.

The proposal maintains office uses in the building at 187 King Street East. Overall, there is a net loss of office space of 231 square metres as the building at 65 George Street is currently contains office space and is proposed to be demolished. The City's Official Plan's Employment Land policies were revised as part of the Plan's 5 year review (OPA 231). Under OPA 231, new office uses within the *Downtown and Central Waterfront* are encouraged. However, because the properties do not contain at least 1,000 square metres of existing non-residential gross floor area used for offices, an increase in office space is not required as part of this application.

Tall Building Design Guidelines

The Tall Building Design Guidelines have been applied to the proposed development along with the tall building policies provided in Section 3.1.2 and 3.1.3 of the Official Plan and the built form policies provided in Section 15.3.2 of the King-Parliament Secondary Plan.

The Tall Building Guidelines explain that angular planes are a commonly applied measure to provides transition in scale from tall buildings down to lower scale areas. The Tall Building Guidelines also explain that "unless otherwise specified in a Secondary Plan or other City approved policy, standard, guideline, or study which would apply to a specific site, a 45 degree angular plane, measured from the relevant property line(s), is typically used to provide transition in scale from growth areas/tall building developments down to lower scale areas."

The Guidelines provide additional direction on how to design a tall building so that it can make a positive contribution in a historical setting. The Guidelines state that Heritage properties should be used to inform the scale and contextual treatment of the new development. They further state in part that when a tall building is adjacent to a lower-scale heritage property, a base should be designed to respect the urban grain, scale, setbacks, proportions, visual relationships, topography, and materials of the historic context; integrate the existing heritage character into the base building through high-quality, contemporary design cues; and provide additional tall building setbacks, step backs, and other appropriate placement or design measures to respect the heritage property.

The proposed building does not comply with or meet the intent of the Tall Building Guidelines, including those regarding transition in scale, sunlight and sky view, heritage properties and heritage conservation districts, tower placement, and tower separation. The guidelines are further described and discussed subsequently in this report under the headings "Built Form" and "Heritage Preservation".

Built Form

The proposed 17-storey building is unacceptable given its existing and planned context. The proposed development is not contextually responsive, demonstrates a significant lack of consistency with good planning and built form policy and practice and therefore not compatible overall.

Fit and Transition in Scale

The Official Plan requires all new tall development to address key urban design considerations, including demonstrating how the proposed building and site design relate to the existing and/or planned context (Policy 3.1.2.1). The Tall Building Design Guidelines indicate that fit and transition in scale are achieved by applying a combination of maximum height, minimum setbacks and stepbacks, and angular planes in relation to the height and horizontal separation distance of existing and planned buildings and open spaces surrounding the subject property. Building fit and transition are particularly sensitive on the site considering the property contains heritage resources and is located within the original ten blocks of the Old Town of York. The property also faces King Street East, which is identified as a *Special Street* in the King-Parliament Secondary Plan.

A 45-degree angular plane measured from King Street is another method to provide suitable transition in scale, which is referenced in Section 1.3 of the Tall Building Design Guidelines, Section 4.3.4 of the St. Lawrence Neighbourhood Focused Area Guidelines and the current zoning. The angular plane serves to maintain the character of the area, enhance sky views and maximize sunlight exposure to the public realm. A significant portion of the tower penetrates the angular plane.

Height

The King-Parliament Secondary Plan states that new buildings will achieve a compatible relationship with their built form context through consideration of, among other matters, height. The site is located in the original ten blocks of the Old Town of York, an Area of Special Identity specifically noted as requiring new development to respect the historical significance of the area. It is not apparent how this building's proposed height 'fits' with the existing or planned context, as it has no relationship to the surrounding buildings. The overall height of the proposed building is incompatible with the scale of adjacent buildings and does not relate to the historical significance of the Old Town of York.

Tower Separation Distances

In order to provide a suitable degree of privacy, sky view and daylight on the public realm and neighbouring properties, the Tall Building Guidelines state that the separation distances between towers are necessary to ensure a tall building fits harmoniously within an existing or planned context. The proposal provides no tower separations to the east and south property lines and proposes windows on all four sides of the tower. This assumes no other tall building will be built and appropriates other sites for the purposes of maintaining light, view and privacy. The Tall Building Guidelines states that "the construction of tall buildings on sites that are too small to accommodate the minimum tower setbacks and stepbacks results in negative impacts on the quality of the public realm, neighbouring properties, the living and working conditions for building occupants and the overall liveability of the City".

Official Plan area-specific policy, OPA 352 (currently under appeal), which applies to tall buildings in the Downtown, was adopted by City Council on October 5-7, 2016. The policy refers to associated Zoning By-laws (i.e. By-law Nos. 1106-2016 and 1107-2016), also adopted on October 5-7, 2016. These policies are currently under appeal and not in force and effect; however, the policies inform staff's position on the proposal, reflect the Tall Building Guidelines, and represent City Council-adopted policy on appropriate built form.

OPA 352 includes the following minimum standards for tower setbacks and separation distances between towers:

- minimum tower setback of 3.0 metres from a lot line that abuts a street; and
- 12.5 metres to a lot line which neither abuts a street, nor a public lane.

Policy B(i) of OPA 352 indicates that tall building development will provide setbacks from the lot line to the building face of the tower. The tower setbacks will ensure that individual tall buildings within a block and the cumulative effect of multiple tall buildings within a block contribute to building strong and healthy communities by fitting in with the existing and/or planned context.

Providing adequate space between towers within the block will:

- a. enhance the ability to provide a high-quality, comfortable public realm;
- b. protect development potential of other sites within the block;
- c. provide access to sunlight on surrounding streets, parks, open spaces, school yards, and other public or civic properties;
- d. provide access to natural light and a reasonable level of privacy for occupants of tall buildings;
- e. provide pedestrian-level views of the sky between towers particularly as experienced from adjacent streets, parks and open spaces, and views between towers for occupants of tall buildings; and
- f. limit the impacts of uncomfortable wind conditions on streets, parks, open spaces and surrounding properties.

Further, Policy B(ii) of OPA 352 states that not every site in the Downtown can accommodate a tall building and that proposed tall buildings that do not meet the intent of Policy B(i) present a significant concern for building strong healthy communities in the Downtown and as such those sites are not considered suitable for tall building development.

Staff find that the proposed rezoning does not satisfy the intent of OPA 352.

Tower Placement and Design

The Tall Building Guidelines specify that towers should be placed "away from streets, parks, open space and neighbouring properties to reduce visual and physical impacts of the tower and allow the base building to be the primary defining element for the site and adjacent public realm." This may be largely achieved through tower stepbacks from the base building. The St. Lawrence Neighbourhood HCD Plan specifies a minimum 10-metre tower stepback from the existing street wall along all four street frontages surrounding the subject property to preserve the three dimensional integrity of the contributing property. From King Street East, the tower is setback 18.7 to 21.7 metres from the street. On George Street, at the ground level, the tower has a setback of 1.6 metres. Above the ground level, the tower has small and insignificant stepbacks, which are unacceptable and contrary to the Tall Building Guidelines and the St. Lawrence Neighbourhood Focused Area Guidelines that identify that the purpose of providing tower stepbacks is to reinforce the base building as a defining element for the public realm and limit the visual impact of the tower at grade. Overall, the scale and proportion of the base building does not respect the adjacent streets and does not fit harmoniously within the existing context of neighbouring building heights.

Tower Floorplate

The proposed tower floorplate varies between 197 and 221 square metres. While it is well below the 750 square metre floorplate guideline as outlined in the Tall Building Guidelines, the tower is not able to provide sufficient separation distances, tower setbacks and stepbacks and a streetwall height and built form design that is contextually responsive.

Heritage Preservation

Heritage Preservation Services has reviewed the Heritage Impact Assessment (HIA) submitted in support of the application prepared by ERA Architects Inc. and dated February 9, 2017. The HIA states that the development conforms to the City of Toronto's Official Plan Heritage Policies and is consistent with the objectives of the Council adopted St. Lawrence Neighbourhood Heritage Conservation District Plan. Staff do not agree with this assessment.

The proposal to demolish the listed Stable Building on the subject property at 65 George Street does not appropriately conserve the heritage property. For this reason the proposal is not consistent with the Growth Plan, the PPS, and the City's Official Plan heritage policies.

Notwithstanding the proposal demolition, the massing of both the proposed tower and its base do not sufficiently mitigate physical and visual impacts on the Little York Hotel nor do they sufficiently mitigate visual impacts on the 3-storey Thomas Thompson Building on the west side of George Street. The proposed 7-storey height of the base building does not sufficiently respond to the adjacent lower scale heritage buildings. The proposed 0.41 metre tower step back of the tower from its base fails to sufficiently respond to both the onsite and adjacent heritage context.

The proposal includes the modification of the south elevation of the Little York Hotel in order to connect it into the base of the new tower. It is unclear from the HIA whether or not any of the heritage attributes on this elevation will be retained as part of this development.

The objectives of the Council approved St. Lawrence Heritage Conservation District Plan are to protect and conserve the cultural heritage value and interest of the District as manifested by its heritage attributes in order to preserve these qualities for the benefit of current and future generations. The statement of objectives are further defined through specific objectives and the Plan contains Policies and Guidelines that are intended to guide conservation and manage change.

The Little York Hotel, the Stable Building, and the Thomas Thompson Building are all identified as contributing buildings in the heritage conservation District Plan. The proposal to demolish the stable building is not consistent with the policies in the Plan as the Plan does not permit the demolition of heritage properties unless their heritage integrity has been lost. While the HIA claims that the heritage integrity of this property has been diminished, it has not demonstrated that it has been lost.

The policies in the Plan also speak to respecting massing and street wall height. Notwithstanding the proposal to demolish the stable building, the height, and design of the proposed base building, and the proposed tower step back from its base do not meet these policies. The Plan also includes policies that call for the conservation of heritage features on the south elevation of the Little York Hotel. It is unclear from the application how these policies are being addressed. Finally, the Plan includes policy that requires new development to be setback from King Street East within a 45 degree angular plane. The proposal does not fall within this angular plane.

The City's Official Plan heritage policies call for new development to be designed to conserve the cultural heritage, values attributes and character of heritage properties and to mitigate visual and physical impact on them. The proposed development does not conform to the City's Official Plan Heritage Policies nor does it conform to the objectives of the St. Lawrence Neighbourhood Heritage Conservation District Plan.

Sun, Shadow

Official Plan Policy 3.1.2.3(d) states that new development should limit its impacts on neighbouring streets by adequately limiting the resulting shadow. Further, the Tall Building Guidelines direct tall buildings to be located and designed "to protect access to sunlight and sky view within the surrounding context of streets, parks, public and private open space, and other shadow sensitive areas". The scale and height of the base building should provide for at least five hours of sunlight on the opposite side of the street during the equinoxes. Towers should be "slender point towers with generous separation distance to retain sky view between buildings and reduce the size of shadows and length of time they are cast on a particular area" with consideration for "the cumulative effect of multiple towers on resulting shadowing".

The applicant provided a shadow study in support of the proposed development. While the tower floorplate is quite small, which results in a faster-moving shadow, the height of the proposed development results in approximately 7 hours of shadow on the sidewalk on the opposite side of King Street East at the equinoxes between the hours of 9:18 a.m. and 3:18 p.m.

Wind

The Preliminary Pedestrian Level Wind Study modelled wind velocities at 32 locations on and surrounding the subject property for both the existing condition and proposed development during both summer and winter conditions. The wind conditions under the proposed development are generally acceptable and will contribute to anticipated pedestrian comfort conditions that are suitable for the context.

Access and Circulation

Access to the 20-space underground parking garage is via a car elevator, with access from a 3.3 m wide garage entrance/driveway extending east from George Street. The driveway also provides access to the proposed Type 'C' loading space. Transportation Services has concerns with the access configuration given that the two-way operation associated with loading activity and car elevator ingress and egress will rely solely on the 3.3 m wide driveway, and find the configuration to be unacceptable. It also must be demonstrated to the satisfaction of Transportation Services how the proposed design will operate without negatively impacting the safety of pedestrians within the sidewalk on the east side of George Street.

Traffic Impact, Parking, Loading

Traffic Impact

In support of the subject proposal, the Owner submitted a Transportation Impact Letter, dated February 9, 2017, prepared by LEA Consulting Ltd. The letter estimates that the proposed development will generate 7 trips in the AM peak hour (1 inbound and 6 outbound) and 8 trips in the PM peak hour (5 inbound and 3 outbound). The letter also indicates that the addition of site traffic to the boundary roads will have little impact on road operations and can be accommodated on the surrounding road network. All intersections are expected to operate at acceptable levels of service. Transportation Services staff have not raised any issues or concerns with the projected traffic impact.

Parking

The proposal includes 20 residential parking spaces, which meets the minimum Zoning By-law requirement of 13 spaces. The 20 residential parking spaces will be accessed by a car elevator accessed from George Street. The proposal provides zero visitor parking spaces, where 1 parking space is required. Given the site constraints, the provision for only one space and that access to the underground parking garage would be by car elevator, Transportation Services has no objection to the request to provide no visitor parking spaces.

Bicycle Parking

The proposal provides no residential bicycle parking spaces and indicates in the application that future owners of the units will be able to store their bicycles in their respective units. Three visitor bicycle parking spaces will be provided at-grade along George Street.

Loading

Under Zoning By-law 569-2013, a loading space is not required for the proposed development as there are under 31 residential units proposed. However, the applicant has indicated that a Type 'C' loading space will be provided on the ground level for service vehicles. Staff have reviewed the turning movements associated with the proposed loading space and have determined them to

be unsatisfactory as the forward turning movement passes through the building's walls. In accordance with the Council-adopted policies, vehicles using the loading space must have the ability to access and egress the site in a forward motion.

Servicing

A Functional Servicing and Stormwater Management Report by Cole Engineering has been reviewed by Staff and requires further revisions to satisfy Engineering and Construction Services.

Unit Mix

A mix of unit sizes and types is desirable to accommodate a range of household sizes and incomes. In particular, staff typically seek to secure a minimum of 10% 3-bedroom units to accommodate families and households with three or more people. The proposal includes 16 two-bedroom units and while it is recognized that the site is small in size, a greater mix of unit types and sizes is preferred.

Community Services and Facilities

The Community Services and Facilities Study submitted by the applicant indicates that the proposed development, given its scale, will not put a strain or pressure on existing community services and will not create a situation where additional or specialized facilities will be required.

Tree Preservation

There are no trees on the subject properties and five existing trees within the City's right-of-way adjacent to the site along George Street. An Arborist Report was submitted with the application and has been reviewed by Urban Forestry and deemed unacceptable. The applicant is proposing to remove the southernmost tree on George Street. For the remaining four trees on George Street, the applicant must include tree protection information on the relevant plans. Urban Forestry has requested that one or two new trees should be planted on George Street and one new tree should be planted on King Street.

Parkland

The Official Plan contains policies to ensure that Toronto's system of parks and open spaces are maintained, enhanced and expanded. Map 8B of the Toronto Official Plan shows local parkland provisions across the City. The lands which are the subject of this application are in an area with 0 to 0.42 hectares of local parkland per 1,000 people. The site is in the lowest quintile of current provision of parkland. The site is in a parkland acquisition priority area, as per Chapter 415, Article III of the Toronto Municipal Code.

In accordance with Chapter 415, Article III of the Toronto Municipal Code, the applicant is required to satisfy the parkland dedication requirement through cash-in-lieu. The residential nature of this proposal is subject to a 10% parkland dedication.

The value of the cash-in-lieu of parkland dedication will be appraised through Real Estate Services. Payment will be required prior to the issuance of the first above-grade building permit.

Toronto Green Standard

In 2013 City Council updated the two-tiered Toronto Green Standard (TGS) that was adopted by City Council on October 27, 2009. The TGS is a set of performance measures for green development. Tier 1 is required for new development. Tier 2 is a voluntary, higher level of performance with financial incentives. Achieving the Toronto Green Standard will improve air and water quality, reduce greenhouse gas emissions and enhance the natural environment.

The applicant is required to meet Tier 1 of the TGS. If the rezoning application is appealed to the Ontario Municipal Board (OMB) and the OMB ultimately approves an increase in height and/or density, recommendation 4(b) in this report is intended to secure development standards in compliance with Tier 1 of the TGS.

TGS performance measures may also be secured through the Site Plan Control process.

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. Policy 5.1.4 of the Official Plan identifies that Section 37 may only be used for developments with more than 10,000 square metres of gross floor area and/or significant increases in the permitted height. However, as the proposal would result in a significant increase in the permitted height, if the rezoning application is appealed to the Ontario Municipal Board (OMB) and the OMB ultimately approves an increase in height and/or density, recommendation no. 3 in this report is intended to provide an opportunity for staff to determine an appropriate allocation and distribution of community benefits, in consultation with the office of the Ward Councillor, prior to the OMB issuing a final decision and Order.

Conclusion

This application for a tall building is not appropriate for the site. The proposed development is not consistent with the PPS, does not conform to the Growth Plan and does not conform to relevant Official Plan policies and guidelines including the Tall Building Guidelines. The proposal does not conserve the onsite and adjacent heritage properties and is inconsistent with the policies and guidelines in the St. Lawrence HCD Plan. With respect to built form, the tower provides insufficient separation, setbacks and stepbacks from adjacent property lines. It is noted that the Official Plan requires that guidelines for areas of historic or district character be both developed and applied. The guidelines for this area include the St. Lawrence Neighbourhood Focused Area Guidelines and the King-Parliament Urban Design Guidelines. The proposal does not conform with the intent of these Council-approved guidelines as required by the Official Plan. For these reasons, this report recommends refusal of the application to amend the Zoning By-law. Should the application be appealed to the Ontario Municipal Board, it is recommended that staff be directed to attend the Ontario Municipal Board hearing in opposition.

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: West Elevation

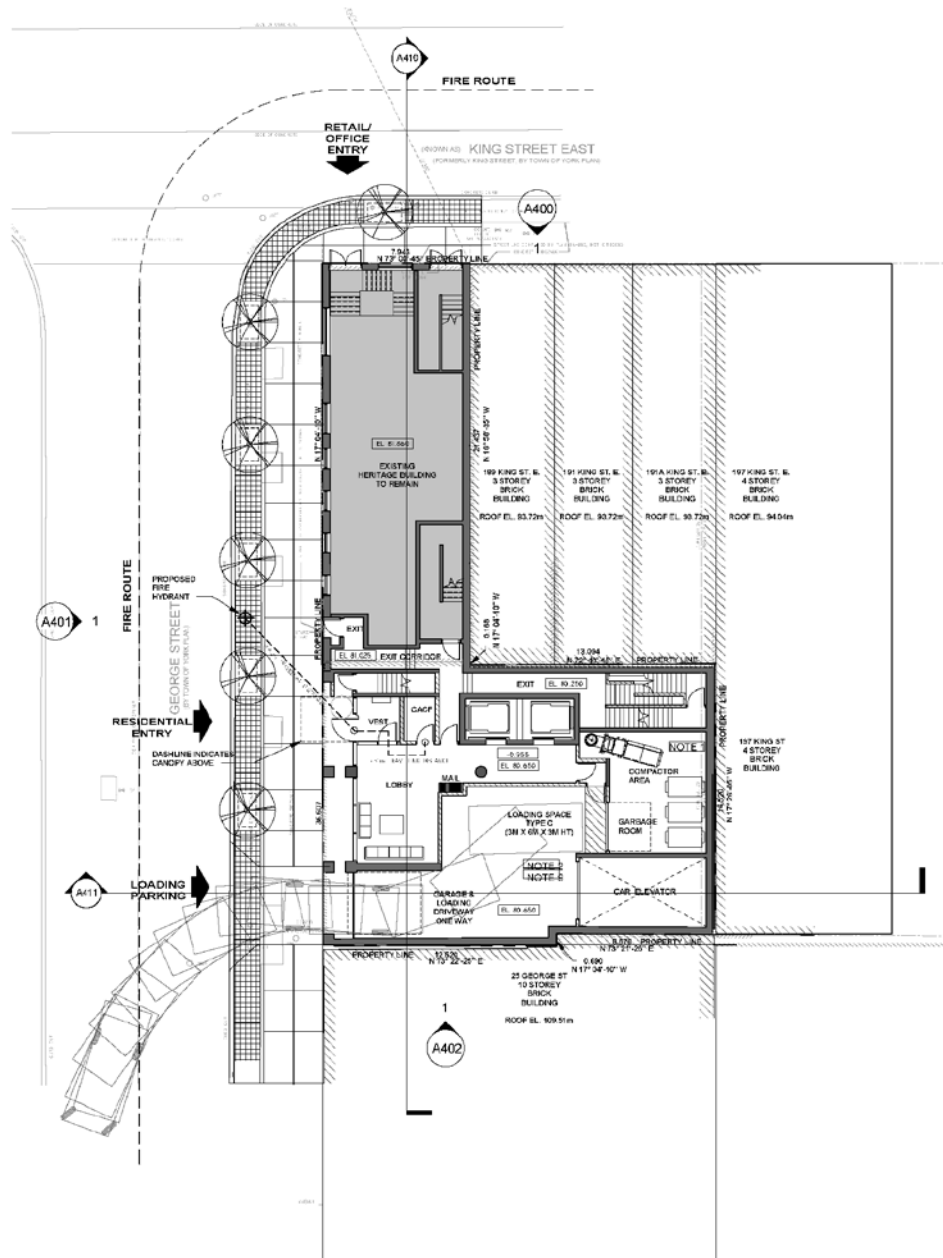
Attachment 4: South Elevation

Attachment 5: East Elevation

Attachment 6: Zoning

Attachment 7: Application Data Sheet

Attachment 1: Site Plan



Site Plan

187 King Street East and 65 George Street

Applicant's Submitted Drawing

Not to Scale
05/02/2017

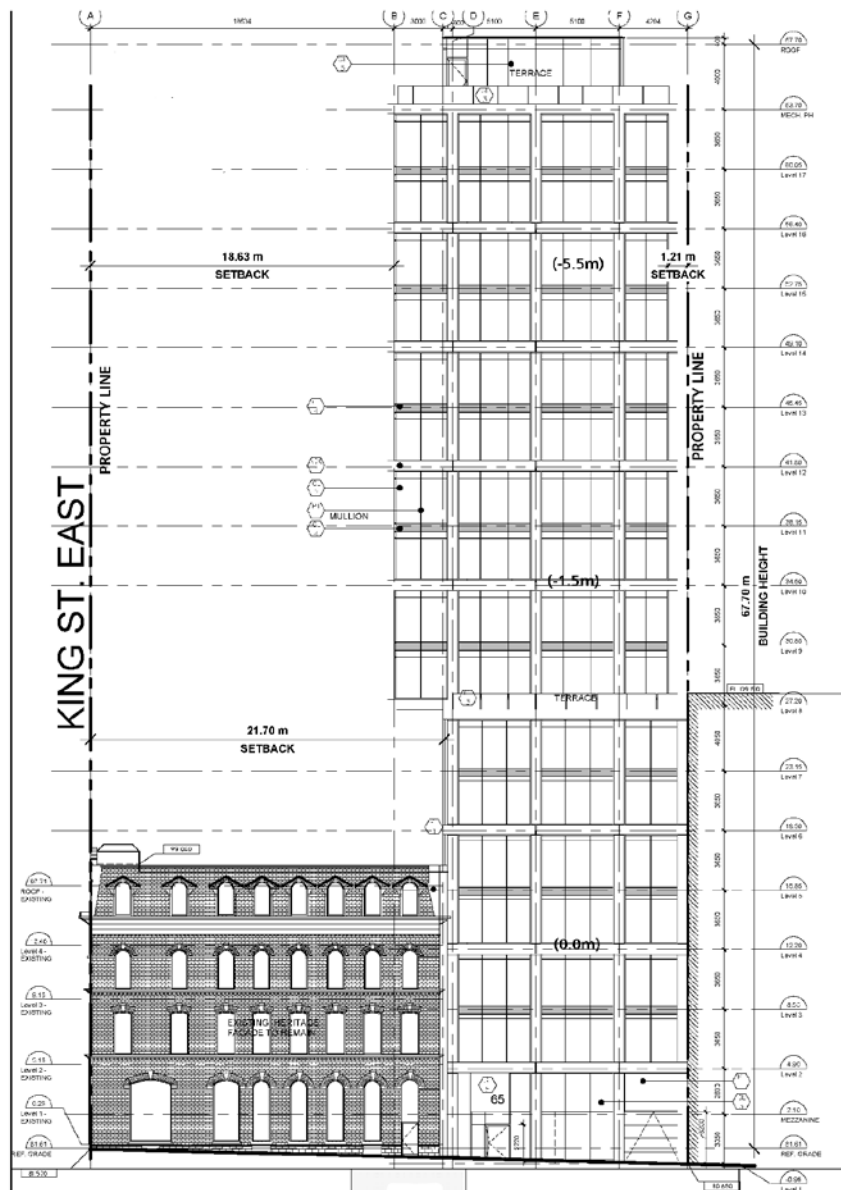
File # 17 147290 STE 28 OZ

Architectural drawing of a building facade on George St. The drawing shows a multi-story building with a grid of windows. Key features include:

- 5.78 m SETBACK (top)
- 1.65 m SETBACK (right)
- 67.76 m BUILDING HEIGHT
- PROPERTY LINE
- WINDOW SPRINKLERS (IFRR) MR
- GEORGE ST.
- EXISTING BUILDINGS
- EXISTING HERITAGE BUILDING
- Levels: Level 1 to Level 17
- setbacks: (-18.6m), (-21.7m), (-21.7m)
- setbacks: 0.45 m SETBACK

File # 17 147290 STE 28 OZ

Attachment 3: West Elevation



West Elevation

187 King Street East and 65 George Street

Applicant's Submitted Drawing

Not to Scale
05/02/2017

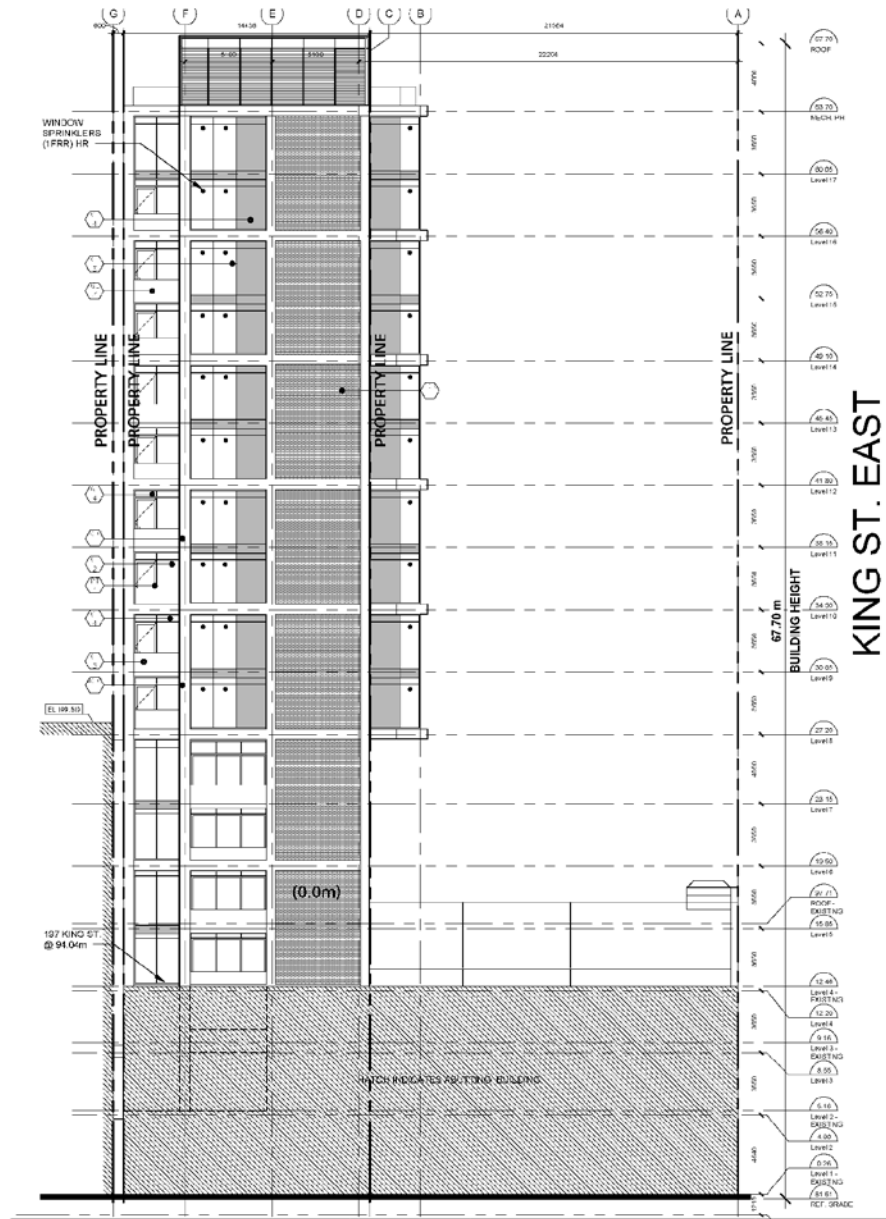
File # 17 147290 STE 28 0Z

187 King Street East and 65 George Street

Not to Scale
05/02/2017

File # 17 147290 STE 28 OZ

Attachment 5: East Elevation



East Elevation

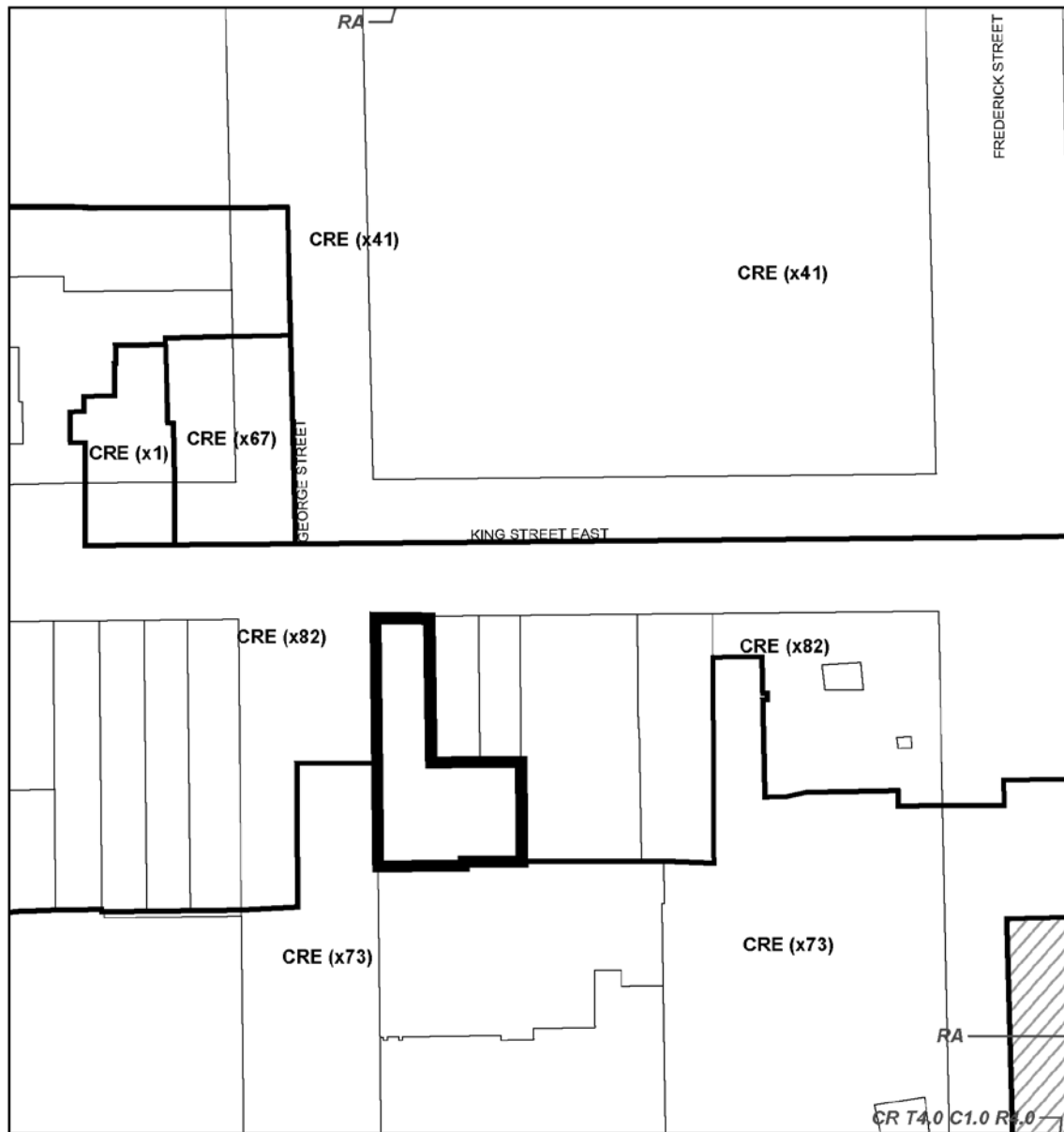
187 King Street East and 65 George Street

Applicant's Submitted Drawing

Not to Scale
05/02/2017

File # 17 147290 STE 28 OZ

Attachment 6: Zoning



Zoning By-Law No. 569-2013

187 King Street East and 65 George Street

File # 17 147290 STE 28 02

 Location of Application
CRE Commercial Residential Employment

 See Former City of Toronto By-Law No. 438-86
RA Mixed-Use District


Not to Scale
Extracted: 05/02/2017

Attachment 7: Application Data Sheet

Application Type	Rezoning	Application Number:	17 147290 STE 28 OZ
Details	Rezoning, Standard	Application Date:	April 21, 2017
Municipal Address:	187 KING ST E & 65 GEORGE ST		
Location Description:	PLAN TOWN OF YORK PT LOT 20 RP63R 1354 PART 1 **GRID S2810		
Project Description:	A Zoning By-law Amendment application for the development of a 17-storey (63.7 metres) building at 65 George Street. The existing heritage listed building will be demolished. The 4-storey Part IV designated building at 187 King Street East is being retained and will continue to be used as commercial/retail space. The application proposes 16 2-bedroom units and 3 levels of underground parking (accessible by car elevator).		

Applicant:	Agent:	Architect:	Owner:
WALKER NOTT DRAGICEVIC ASSOC LTD	ANDREW FERANCIK	CORE ARCHITECTS INC.	1266845 ONTARIO LTD

PLANNING CONTROLS

Official Plan Designation:	Regeneration Areas	Site Specific Provision:
Zoning:	RA	Historical Status:
Height Limit (m):	30	Site Plan Control Area:

PROJECT INFORMATION

Site Area (sq. m):	483	Height:	Storeys:	17
Frontage (m):	36.61		Metres:	67.7 (including mech.)
Depth (m):	7.94			
Total Ground Floor Area (sq. m):	459			Total
Total Residential GFA (sq. m):	3458		Parking Spaces:	20
Total Non-Residential GFA (sq. m):	560.6		Loading Docks	1
Total GFA (sq. m):	4018.6			
Lot Coverage Ratio (%):	95			
Floor Space Index:	8.32			

DWELLING UNITS

FLOOR AREA BREAKDOWN (upon project completion)

Tenure Type:	Condo		Above Grade	Below Grade
Rooms:	0	Residential GFA (sq. m):	3458	0
Bachelor:	0	Retail GFA (sq. m):	122	0
1 Bedroom:	0	Office GFA (sq. m):	438.6	0
2 Bedroom:	16	Industrial GFA (sq. m):	0	0
3 + Bedroom:	0	Institutional/Other GFA (sq. m):	0	0
Total Units:	16			

CONTACT:	PLANNER NAME:	Kate Goslett, Planner
	TELEPHONE:	416-395-7105