



## STAFF REPORT ACTION REQUIRED

### 33 and 37 Parliament Street - Official Plan and Zoning By-law Amendment Application - Preliminary Report

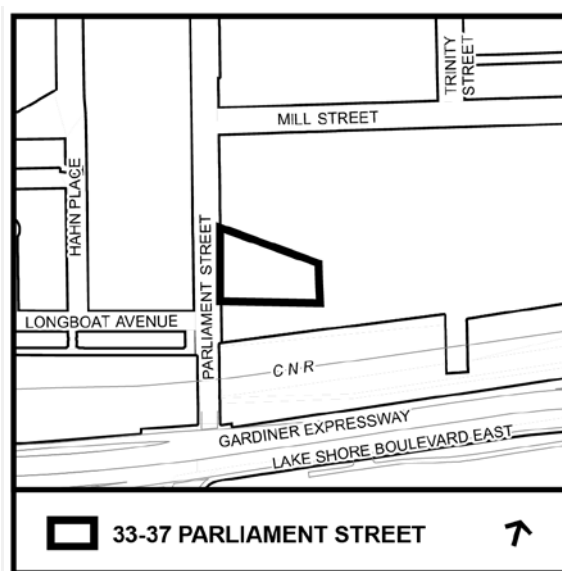
<b>Date:</b>	October 27, 2017
<b>To:</b>	Toronto and East York Community Council
<b>From:</b>	Acting Director, Community Planning, Toronto and East York District
<b>Wards:</b>	Ward 28 – Toronto Centre-Rosedale
<b>Reference Number:</b>	17 219060 STE 28 OZ

#### SUMMARY

An Official Plan and Zoning By-law Amendment application has been submitted for 33 and 37 Parliament Street, to permit a 15 and 39-storey mixed use building. The proposal contains: 622 residential units, 1,248 square metres of retail space; and 262 vehicular and 623 bicycle parking spaces within a 3-level underground garage.

The Official Plan Amendment is required to permit the 15 and 39-storey building because the existing in-force King-Parliament Secondary Plan requires building heights be consistent with the heights of the St. Lawrence Community, which generally consist of lower building forms. The Zoning By-law Amendment is required for relief from various standards including land use permissions, building height, gross floor area and parking space ratios.

This application is also not consistent with the emerging policy direction of City Council adopted Official Plan Amendment 304 (OPA 304), an amendment that provides direction on redevelopment in the Distillery District and Triangle Lands policy areas. OPA 304 allows for a single tall building of up to 30 storeys within the entire western portion of the Triangle Lands, bounded by Parliament Street, Distillery Lane, the property at 31R Parliament Street and the Lake Shore East rail corridor where the subject site is located.



The proposal as submitted represents over-development of the site and is not supportable in its present form. It is recommended that a community consultation meeting be scheduled by staff, in consultation with the Ward Councillor. A Final Report and public meeting under the *Planning Act* to consider the application is targeted for the first quarter of 2018.

## RECOMMENDATIONS

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### The City Planning Division recommends that:

1. Staff be directed to schedule a community consultation meeting for the lands at 33 and 37 Parliament Street together with the Ward Councillor.
2. Notice for the community consultation meeting be given to landowners and residents within 120 metres of the site.
3. Notice for the public meeting under the *Planning Act* be given according to the regulations of the *Planning Act*.

### Financial Impact

The recommendations in this report have no financial impact.

## DECISION HISTORY

On August 12, 2014, Toronto and East York Community Council (TEYCC) directed City Planning staff to initiate a built form study to provide built form, heritage conservation and infrastructure direction for the Distillery District and the Triangle Lands, which include the subject site. A built form study for the area was necessary to develop an appropriate built form direction for lands in and around the Distillery District due to the submission of development applications that were not contemplated in the existing planning framework. The decision document and report can be accessed at:

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2014.TE34.85>

On June 14, 2016, TEYCC adopted a status report on the built form study and the resultant draft OPA 304. The status report provided an overview of the existing planning framework, decision history, the study process, existing development applications within the study area and the proposed amendment. The decision document and report can be accessed at:

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2016.TE17.65>

On March 31, April 1 and 2, 2015, City Council authorized staff to undertake a study of the Distillery District as a potential Heritage Conservation District (HCD) and directed the Chief Planner and Executive Director, City Planning, to initiate the study of the Distillery District. The built form study is consistent with the boundary of the HCD study. The decision document and report can be accessed at:

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2015.PG2.8>

On December 7, 2016, the Toronto Preservation Board endorsed City Planning's decision to proceed from the Study Phase to the Plan Phase of the proposed Distillery District HCD, including its recommended boundary and the recommendation to proceed to district designation. The endorsement document and report can be accessed at:  
<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2016.PB19.9>

On July 4, 2017, City Council adopted OPA 304 – an amendment to provide development direction for the Distillery District, the Triangle Lands and portions of the West Don Lands on: massing and building typology; maintaining the utility of open spaces by minimizing new net shadows; maintaining the cultural heritage values of the area's heritage buildings; and the promotion of various transportation modes. The decision document and report can be accessed at: <http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2017.TE25.7>

## Pre-Application Consultation

Preliminary meetings with the applicant were held on December 12, 2016 and June 23, 2017 on the development potential of the subject lands. City staff indicated the lands were subject to the policies of the Triangle Lands, and were within the study area of OPA 304. Staff noted that the existing policy direction require building heights to be consistent with the neighbouring St. Lawrence Community. The emerging policy direction of OPA 304 was to permit only one tall building of up to 30 storeys within the western portion of the Triangle Lands, where the subject site is located on a portion of the lands. The remainder of the lands are planned for mid-rise building development.

A pre-application consultation meeting was held with the applicant on July 24, 2017 to discuss complete application submission requirements. City staff indicated that the proposal is over-development and that staff would not be in a position to support of the proposal given the existing in force policies for the Triangle Lands and the emerging policy direction of OPA 304.

## ISSUE BACKGROUND

### Proposal

The applicant is proposing a 39-storey tower (131 metres including the mechanical penthouse) with a 6-storey base building connected to a 15-storey building (50 metres). The 39-storey tower has a floor plate area of 750 square metres. The proposal has a total gross floor area of 47,019 square metres, of which 45,770 square metres is residential and 1,248 square metres is non-residential (refer to Attachment 1: Site Plan and Attachments 2a-d: Elevations).

The proposal's buildings setbacks are summarized in the following table:

Base Building Setbacks from Property Line (m.)	North	1.8 from 2 <sup>nd</sup> to 6 <sup>th</sup> storey 2.0 to 8.6 starting on the 7 <sup>th</sup> storey
	East	1.8 starting on the 7 <sup>th</sup> storey measured from the building edge
	South	N/A
	West	0 from 2 <sup>nd</sup> to 6 <sup>th</sup> storey 4.4 starting on the 7 <sup>th</sup> storey

39-storey Tower Setbacks from Property Line (m.)	North	2.0 to 8.6 starting on the 7 <sup>th</sup> storey
	East	1.8 starting on the 7 <sup>th</sup> storey measured from the building edge 5 to 58.0 starting on the 7 <sup>th</sup> storey
	South	12.3 starting on the 16 <sup>th</sup> storey
	West	4.4 starting on the 16 <sup>th</sup> storey
15-storey Building Setbacks from Property Line (m.)	North	1.8 to 20.3 from 1 <sup>st</sup> to 14 <sup>th</sup> storey 3.0 to 23.4 starting on 15 <sup>th</sup> storey
	East	0 from 1 <sup>st</sup> to 14 <sup>th</sup> storey 1.9 starting on 15 <sup>th</sup> storey
	South	9.0 from 1 <sup>st</sup> to 14 <sup>th</sup> storey 10.9 starting on 15 <sup>th</sup> storey
	West	0 from 1 <sup>st</sup> to 14 <sup>th</sup> storey 2.3 starting on 15 <sup>th</sup> storey

The application proposes a total of 622 residential units, consisting of: 23 (4%) bachelor units; 341 (55%) one bedroom units; 198 (32%) two bedroom units; and 60 (10%) three bedroom units.

Indoor amenity space of 1,246 square metres and outdoor amenity space of 1,679 square metres are proposed on the 7<sup>th</sup> and 16<sup>th</sup> storey. The amount of indoor and outdoor amenity space for the proposed 622 residential dwelling unit development exceeds the standard of the Zoning By-law. A privately-owned publicly accessible courtyard is proposed on the northern portion of the site abutting Distillery Lane with an area of approximately 390 square metres.

Pedestrian accesses to the residential lobby and at-grade retail uses are proposed on Parliament Street and the proposed courtyard off of Distillery Lane. A private driveway is proposed along the southern boundary of the site to be used for vehicular access and serve as a pedestrian connection to the Distillery District.

Vehicular access is proposed on the private driveway via Parliament Street. A 3-level underground parking garage is proposed to accommodate: 192 resident; 37 visitor; and 33 commercial parking spaces. Two loading spaces comprising of: 1 Type 'B'; and 1 Type 'G' are proposed to be accessed from the private driveway. Bicycle parking spaces are proposed to be located within the underground garage to accommodate 560 resident and 63 visitor parking spaces (refer to Attachment 7: Application Data Sheet).

## Site and Surrounding Area

The subject site is a rectangular shaped parcel with an area of 3,913 square metres with a frontage of 62 metres along Parliament Street. Currently, the site contains two 1-storey commercial/industrial buildings with an associated garage and a surface parking lot.

The surrounding uses are as follows:

North: The Distillery District – a National Historic Site of Canada, currently a mixed-use community consisting of various buildings designated under Part IV of the *Ontario Heritage Act* by By-law 156-76 and included in the City's Heritage Register. The Distillery District is also comprised of a privately owned, publicly accessible laneway system that functions as a network of pedestrian open space areas and occasional servicing corridors. There are also 6 existing residential condominium buildings ranging from 12 to 40 storeys.

East: A surface commercial parking lot at 31R Parliament Street, 370 and 370R Cherry Street. The lands are subject to an Ontario Municipal Board (OMB) approved Official Plan amendment and Rezoning application to permit a 49-storey tower and a 1-storey addition to the previously approved 4-storey 'Ribbon Building', file no. 14 174007 STE 28 OZ.

South: A 1-storey industrial building and associated surface parking lot, currently subject to an Official Plan and Zoning By-law Amendment application to permit a 49-storey tower, file no. 16 188179 STE 28 OZ. The application at 31 Parliament Street is currently under appeal to the OMB.

West: Across Parliament Street is a series of 2 to 9 storey cooperative residential buildings that are part of the Harmony Cooperative within the St. Lawrence Community. Further northwest is Parliament Square Park and the site of Canada's First Parliament buildings designated under Part IV of the *Ontario Heritage Act* by By-law 91-97.

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

Section 2 of the *Planning Act* sets out matters of provincial interest, which City Council shall have regard to in carrying out its responsibilities. The matters include: the orderly development of safe and healthy communities; the adequate provision and efficient use of communication, transportation, sewage and water services and waste management systems; the conservation of features of significant architectural, cultural, historical and archaeological or scientific interest; the appropriate location of growth and development; and the promotion of a 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.

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;

- Encouraging a sense of place in communities, by promoting well-designed built form and by conserving features that help define local character;
- Conserving significant built heritage resources and significant cultural heritage landscapes; and,
- Ensuring development and site alteration adjacent to protected heritage properties are evaluated to ensure that the heritage attributes are conserved.

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 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;
- Recognizing the importance of watershed planning for the protection of the quality and quantity of water and hydrologic features and areas; and,
- Requiring municipalities to work with stakeholders in developing and implementing official plan policies and strategies for the identification, wise use and management of cultural heritage resources.

Like other provincial plans, the Growth Plan for the Greater Golden Horseshoe (2017) builds upon the policy foundation provided by the PPS and provides more specific land use planning policies to address issues facing the GGH region. The policies of the Growth Plan take precedence over the policies of the PPS to the extent of any conflict, except where 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.

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

## Official Plan

The site is identified within the *Downtown and Central Waterfront* area in Map 2 – Urban Structure of the Official Plan. The *Downtown* is a growth area and will continue to evolve as a healthy and attractive place to live and work. However, growth is not envisioned to spread uniformly throughout the *Downtown*. Policy 6 of Section 2.2.1 indicates specific districts in the *Downtown* with historic and distinct character shall have guidelines to ensure development respect the context of such districts. The City has implemented this Official Plan policy through the adoption of the King-Parliament Urban Design Guidelines as discussed later in this report.

The site is designated *Mixed Use Areas* in Map 18 – Land Use Plan of the Official Plan. **Section 4.5** indicates *Mixed Use Areas* are made up of a broad range of commercial, residential and institutional uses. Policy 2 provides development criteria for *Mixed Use Areas* which directs that development shall: locate and mass new buildings to provide a transition between areas of different intensity and scale; locate and mass buildings to frame the edges of streets with good proportion; maintain sunlight and comfortable wind conditions; provide good access and circulation for vehicular activity; and provide recreation space for residents. Development on underutilized lands within *Mixed Use Areas* shall also provide: new jobs and homes for our growing population; access to schools; access to parks and community centres; and access to transit services (Refer to Attachment 3: Official Plan).

**Section 3.1.2** – “Built Form” directs new development to fit within the existing and/or the planned context of the neighbourhood. In particular, Policy 2 requires new development to integrate above-grade parking structures to have usable building space at grade facing adjacent streets. Policy 3 requires new development to be massed to fit harmoniously into its existing and/or planned context by creating appropriate transitions in scale to neighbouring buildings, providing for adequate light and privacy and framing adjacent streets and open spaces in a way that respects the street proportion. Policy 4 requires new development to be massed to define edges of streets, parks and open spaces at good proportion. Taller buildings will be located to ensure there is adequate access to sky view. Policy 5 requires new development to provide amenity for adjacent streets and open spaces to make these areas attractive, interesting, comfortable and functional for pedestrians.

**Section 3.1.3** – “Built Form – Tall Buildings” provides policy direction for tall buildings. Policy 2 requires tall building proposals to address key urban design considerations that includes: demonstrating how the proposal will contribute to and reinforce the overall City structure; taking into account the relationship of the site to topography and other tall buildings; and providing high quality, comfortable and usable publicly accessible open space areas.

**Section 3.1.5** – “Heritage Conservation” provides policy direction on the conservation of heritage properties in the City's Heritage Register and on development adjacent to heritage properties. Policy 5 requires proposed alterations or development on or adjacent to a property on the Heritage Register to ensure that the integrity of the heritage property's cultural heritage value and attributes will be retained. Policy 26 requires new construction on, or adjacent to a property on the Heritage Register be designed to conserve the cultural heritage values, attributes and character of the property and to mitigate the visual and physical impact on it, including consideration such as scale, massing, materials, height, building orientation and location relative

to the heritage property. Policy 27 encourages the conservation of buildings and structures on the Heritage Register.

**Section 5.6** – "Interpretation" provides guidance as to the understanding and interpretation of the Official Plan. Policy 1 indicates the Official Plan should be read as a whole to understand its comprehensive and integrative intent as a policy framework for priority setting and decision making. Policy 1.1 indicates the goal of the Official Plan is to balance and reconcile a range of diverse objectives affecting land use planning in the City. Further, Section 1.5 – "How to Read the Plan" indicates the Official Plan is a comprehensive and cohesive whole. This application is being reviewed against all policies of the Official Plan. The Official Plan can be accessed at: [http://www1.toronto.ca/static\\_files/CityPlanning/PDF/chapters1\\_5\\_dec2010.pdf](http://www1.toronto.ca/static_files/CityPlanning/PDF/chapters1_5_dec2010.pdf)

### **Lower Don Special Policy Area**

The site is within the Lower Don floodplain and is identified within the *Downtown Spill Zone* of the *Lower Don Special Policy Area* (SPA) in the former Municipality of Metropolitan Toronto Official Plan. The *Lower Don SPA* permits development provided that flood proofing measures are implemented. Any changes to the boundaries and/or policies of a SPA require Provincial approval. On October 30, 2012, City Council adopted City-initiated Official Plan Amendment 394 (OPA 394), an amendment to remove the lands within the *Downtown Spill Zone* from the *Lower Don SPA*, after the risk of flooding was eliminated by the construction of the Flood Protection Landform on the West Don Lands east of the site. OPA 394 is not in full force and effect until it is approved by the Province and the appeal period expires.

### **King-Parliament Secondary Plan**

The site is within the King-Parliament Secondary Plan, which forms part of the Official Plan. The main objective of the Secondary Plan is to encourage reinvestment in the area for a mixture of uses that reinforces the historic built form and public realm, while ensuring growth is mutually compatible and complements the existing built form character and scale of the area.

The site is designated *Mixed Use Area 'C' (Triangle Lands)* in the Secondary Plan, where a mixture of uses is permitted provided that: the massing, siting and design of any new development is complementary and sensitive to the heritage character of the Distillery District; and the height of any development is consistent with the heights of the neighbouring portions of the St. Lawrence Community (refer to Attachment 4: King-Parliament Secondary Plan).

Other built form policy directions are provided in Section 3 – "Urban Structure and Built Form" of the Secondary Plan where new development shall: provide adequate light, view and privacy to neighbouring properties; achieve a compatible relationship with their built form context through consideration of such matters as building height, massing, scale, setbacks, roof line and profile and architectural character and expression; provide appropriate proportional relationships to adjacent streets to minimize wind and shadowing impacts; and provide streetscape and open space improvements.

Policy direction on heritage conservation is provided in Section 4 – "Heritage and Community Improvement" of the Secondary Plan. Heritage buildings are identified as essential elements of the physical character in the King-Parliament area. New buildings should achieve a compatible



relationship with heritage buildings in their context through consideration of such matters as building height, massing, scale, setbacks, roof line and profile and architectural character and expression.

This application is being reviewed against all policies of the Secondary Plan, which can be accessed at:

[http://www1.toronto.ca/static\\_files/CityPlanning/PDF/15\\_king\\_parliament\\_dec2010.pdf](http://www1.toronto.ca/static_files/CityPlanning/PDF/15_king_parliament_dec2010.pdf)

## **Official Plan Amendment 304**

As indicated in the Decision History section of this report, City Council adopted OPA 304, enacted as By-law 847-2017. The purpose of OPA 304 is to amend the King-Parliament Secondary Plan to provide an updated policy direction for redevelopment in the Distillery District, the Triangle Lands and portions of the West Don Lands. Specifically, OPA 304 permits a maximum of two tall buildings within the Triangle Lands, with all other development to be mid-rise buildings in both height and scale. This built form direction is established in order to maintain the cultural heritage values of the Distillery District and the utility of the area's open spaces, among other objectives.

The subject site is within the western portion of the Triangle Lands policy area. The direction of OPA 304 permits one tall building of up to 30 storeys in the western portion of the Triangle Lands provided certain parameters are met, including: providing an adequate height transition down towards the St. Lawrence Community; minimizing incremental shadows on the surrounding public realm; that the massing, site and design conserve and complement the heritage character of the Distillery District; ensuring adequate sky views are maintained from the Distillery District; and expanding the publicly accessible pedestrian network and open space of the Distillery District. There are two appeals submitted to the OMB on By-law 847-2017. The first appeal is by the applicant for the subject lands. The second appeal is by the applicant for 31 Parliament Street to permit a 49-storey tower. Both site specific appeals are located within the western portion of the Triangle Lands where OPA 304 permits one tall building of up to 30 storeys. The City Council enacted By-law 847-2017 can be accessed at:

<http://www.toronto.ca/legdocs/bylaws/2017/law0847.pdf>

## **Zoning**

The site is zoned IC D2 N0.5 under Zoning By-law 438-86, with a height limit of 23 metres. This zoning designation permits various non-residential uses of an industrial and commercial nature. The maximum density is 2 times the lot area with a maximum commercial density of 0.5 times the lot area. The site is subject to certain exception provisions, including: the prohibition of a commercial parking garage or a private commercial garage; and a maximum gross floor area of 8,000 square metres for a single retail use (refer to Attachment 5: Zoning).

## **Site Plan Control**

The application is subject to Site Plan Control. An application for Site Plan Control has not been submitted to date.

## **King-Parliament Urban Design Guidelines**

The King-Parliament Urban Design Guidelines provide urban design direction to the policy intent of the King-Parliament Secondary Plan. Policy 6 in Section 2.2.1 of the Official Plan indicates specific districts in the *Downtown* with historic and distinct character shall have guidelines to ensure development respect the context of such districts. The site fronts on Parliament Street, identified as a Special Street, where the creation of new buildings along the street edge shall be consistent in general character and scale with the existing heritage industrial buildings.

This application is being reviewed against the King-Parliament Urban Design Guidelines, which can be accessed at:

[https://www1.toronto.ca/city\\_of\\_toronto/city\\_planning/community\\_planning/files/pdf/14kingparliament.pdf](https://www1.toronto.ca/city_of_toronto/city_planning/community_planning/files/pdf/14kingparliament.pdf)

## **City-Wide Tall Building Design Guidelines**

In May 2013, Toronto City Council adopted the updated city-wide Tall Building Design Guidelines and directed City Planning staff to use these Guidelines in the evaluation of all new and current tall building development applications. The Guidelines establish a unified set of performance measures for the evaluation of tall building proposals to ensure they fit within their context and minimize their local impacts.

Policy 1 in Section 5.3.2 – ‘Implementation Plans and Strategies for City-Building’ of the Official Plan states Guidelines will be adopted to advance the vision, objectives, and policies of the Plan. Urban design guidelines specifically are intended to provide a more detailed framework for built form and public improvements in growth areas. The Tall Building Design Guidelines serve this policy intent, helping to implement Chapter 3.1 – ‘The Built Environment’ and other policies within the Official Plan related to the design and development of tall buildings in Toronto.

This application is being reviewed against the city-wide Tall Building Design Guidelines, including sections on context analysis, fit and transition in scale, sunlight and sky view, views from the public realm, heritage properties and Heritage Conservation Districts, floor plate size and shape, tower placement, separation distance, site servicing and access, pedestrian realm, publicly accessible open space and sustainable design. The city-wide Guidelines can be accessed at: <http://www.toronto.ca/planning/tallbuildingdesign.htm>

## **Distillery District Heritage Conservation District Study**

City Council prioritized the Distillery District Heritage Conservation District (HCD) study to be initiated in 2016. The purpose of the HCD Study was to determine if the study area contains cultural heritage value and warrants designation as an HCD under Part V of the *Ontario Heritage Act*.

As indicated in the Decision History section of this report, the Toronto Preservation Board endorsed City Planning's recommendation to proceed from the study phase to the plan phase of the proposed Distillery District HCD, including the recommended boundary, draft objectives and

statement of cultural heritage value. The subject site is within the boundaries of the Distillery District HCD, and has been identified as a non-contributing property (refer to Attachment 6: HCD Study Area).

## **TOcore**

TOcore: Planning Downtown is an inter-divisional study, led by City Planning, which is updating the planning framework for Downtown and developing a series of infrastructure strategies to support implementation. TOcore is a response to the rapid intensification of Downtown that is placing pressure on physical and social infrastructure assets and occurring in a pattern and at an intensity that threatens to jeopardize the quality of life in the city centre and the economic role that the Downtown plays for the entire city. TOcore's purpose is to ensure growth positively contributes to Toronto's Downtown as a great place to live, work, learn, play and invest by determining: a) how future growth will be accommodated and shaped, and b) what physical and social infrastructure will be needed, where it will go and how it will be secured. The 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 the east.

Building on Downtown's existing planning framework and drawing on best practices within City Planning Division, the Downtown Plan is being developed to serve as a blueprint for future growth and infrastructure in the heart of Toronto over the next 25 years. It will provide detailed direction on the appropriate scale and location of future growth. It will also link this growth with infrastructure provision to ensure the creation of 'Complete Communities', addressing the requirements under the Provincial Policy Statement (2014) and the Growth Plan for the Greater Golden Horseshoe (2017). A series of infrastructure strategies for transportation, parks and public realm, community services and facilities, water and energy are in development as part of this review.

On October 5-7, 2016, City Council adopted Official Plan Amendment (OPA) 352 – Downtown Tall Building Setback Area (currently under appeal). The purpose of OPA 352 is to establish the policy context for tall building setbacks and separation distances between tower portions of tall buildings Downtown. At the same meeting, City Council adopted area-specific Zoning By-laws 1106-2016 and 1107-2016 (also under appeal), which provide the detailed performance standards for portions of buildings above 24 metres in height.

At its meeting on October 2-4, 2017, City Council considered the Proposed Downtown Plan and directed Staff to undertake stakeholder and public consultation on that document and its proposed policies, leading to a recommendations report and an amendment to Toronto's Official Plan in the second quarter of 2018. Additionally, Council directed Staff to consider the policies contained within the Proposed Downtown Plan in the review of all development applications within the Downtown going forward:

6. City Council request City Planning staff to consider the Proposed Downtown Plan policies, in Attachment 1 to the report (August 18, 2017) from the Chief Planner and Executive Director, City Planning, 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.

More information on Council direction pertaining to TOcore can be accessed at: <http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2017.PG22.1>. Further background information can be accessed at [www.toronto.ca/tocore](http://www.toronto.ca/tocore).

## **Reasons for the Application**

The proposal requires an amendment to the Official Plan and Zoning By-law. The proposal requires an amendment to Policy 12.1(b) of the King-Parliament Secondary Plan to allow a building height that is not consistent with the building heights of the neighbouring portions of the St. Lawrence Community to the west. It is noted that the proposal also does not conform to the policy direction of OPA 304.

The proposal requires an amendment to the Zoning By-law for: the residential use; the retail use, increase in maximum density; increase in building heights; and reduction in vehicular parking spaces, among others.

## **COMMENTS**

### **Application Submission**

The following documents were submitted with the application:

- Draft Official Plan Amendment
- Draft Zoning By-law Amendment
- Boundary and Topographic Survey
- Architectural Plans
- Landscaping Plans
- Tree Inventory & Preservation Plan
- Computer Generated Building Mass Model
- Planning Rationale Report
- Urban Design Report
- Shadow Study
- Community Services and Facilities Study
- Heritage Impact Assessment
- Stage 1 Archaeological Assessment
- Preliminary Pedestrian Level Wind Study
- Noise and Vibration Study
- Air Quality Study
- Transportation Impact Study
- Functional Servicing Report
- Stormwater Management Report
- Geotechnical Investigation
- Hydrogeological Investigation
- Phase II Environmental Assessment
- Tree Inventory and Preservation Plan Report
- Public Consultation Plan
- Energy Strategy Letter

- Completed Toronto Green Standard Checklist

A Notification of Complete Application was issued on September 15, 2017 indicating that the application is deemed complete on September 12, 2017.

Copies of the submitted documents are available on the City's Application Information Centre at: [aic.to/33Parliament](http://aic.to/33Parliament)

## Issues to be Resolved

Staff finds the 15 and 39-storey building proposal to be over-development, whereas the current policy direction require building heights of approximately 9 storeys in order to be consistent with the neighbouring St. Lawrence Community.

OPA 304 updates the existing policy framework by allowing tall buildings in certain locations while maintaining the heritage character of the Distillery District and the utility of the area's open spaces, among other objectives. In this regard, OPA 304 allows for a tall building of up to 30 storeys in the western portion of the Triangle Lands, where the subject site is located on a portion of the lands provided such a tower provides appropriate transition towards the lower scale St. Lawrence Community to the west. In order for the proposal to better conform to OPA 304, the overall height of the building will need to be reduced to 30 storeys. The proposal's overall massing will also need to be revised in order to conform to the policy direction on:

- Minimizing incremental shadows on Parliament Square Park and the site of Canada's First Parliament Buildings;
- Minimizing incremental shadows on Trinity Street and Trinity Square in the Distillery District;
- Minimizing incremental shadows on the future potential park northeast of Mill Street and Parliament Street; and,
- Continuing and expanding on the publicly accessible open space system of the Distillery District, among others.

This application and the application at 31 Parliament Street south of the subject site are proposing two tall buildings in the western portion of the Triangle Lands, where OPA 304 directs only one tall building of up to 30 storeys is permitted. City Planning staff will work with both applicants in resolving the emerging policy direction of OPA 304.

The proposal is also being reviewed for its impact to the various buildings within the Distillery District and the site of Canada's First Parliament Buildings all designated under Part IV of the *Ontario Heritage Act*. The proposal's built form will need to be informed by the adjacent heritage resources.

Other issues to be addressed by the review of this application include, but not limited to:

- Appropriate servicing to accommodate the proposed development;
- Adequacy of community services and facilities in the area necessary to support the proposed density;

- Vehicular parking, drop-off and loading requirements for the site;
- Number of residential, visitor and commercial parking spaces; and,
- Conformity with the Toronto Green Standard.

## **Conclusion**

This proposal for a 15 and 39-storey building does not conform to the existing policy framework for the Triangle Lands and the emerging policy framework stipulated in the City Council adopted OPA 304. As such, staff cannot support the proposal in its present form.

## **CONTACT**

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## **SIGNATURE**

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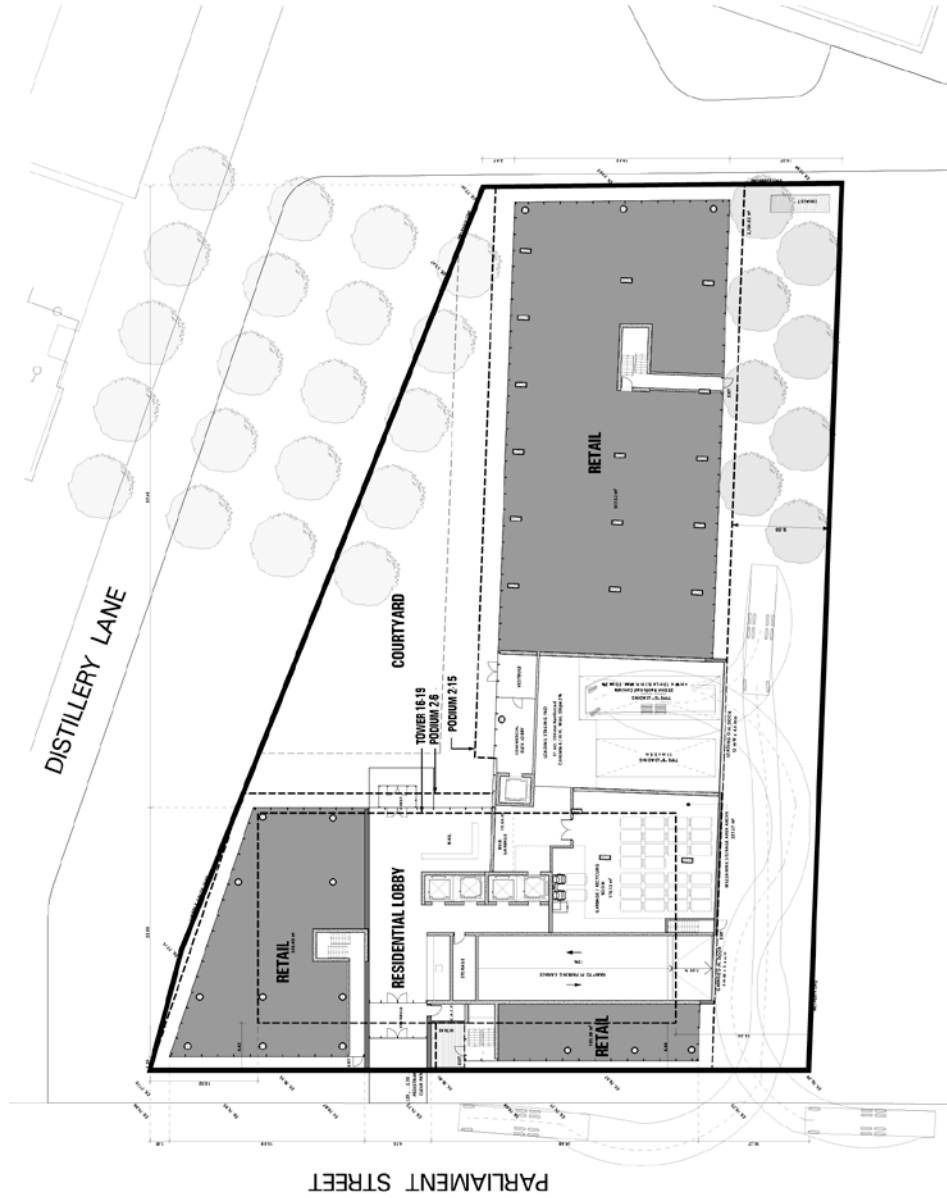
Lynda H. Macdonald  
Acting Director, Community Planning  
Toronto and East York District

(P:\2017\Cluster B\pln\TEYCC\26471322053.doc) - vc

## **ATTACHMENTS**

Attachment 1: Site Plan  
Attachment 2a-d: Elevations  
Attachment 3: Official Plan  
Attachment 4: King-Parliament Secondary Plan  
Attachment 5: Zoning  
Attachment 6: HCD Study Area  
Attachment 7: Application Data Sheet

## Attachment 1: Site Plan



33, 37 Parliament Street

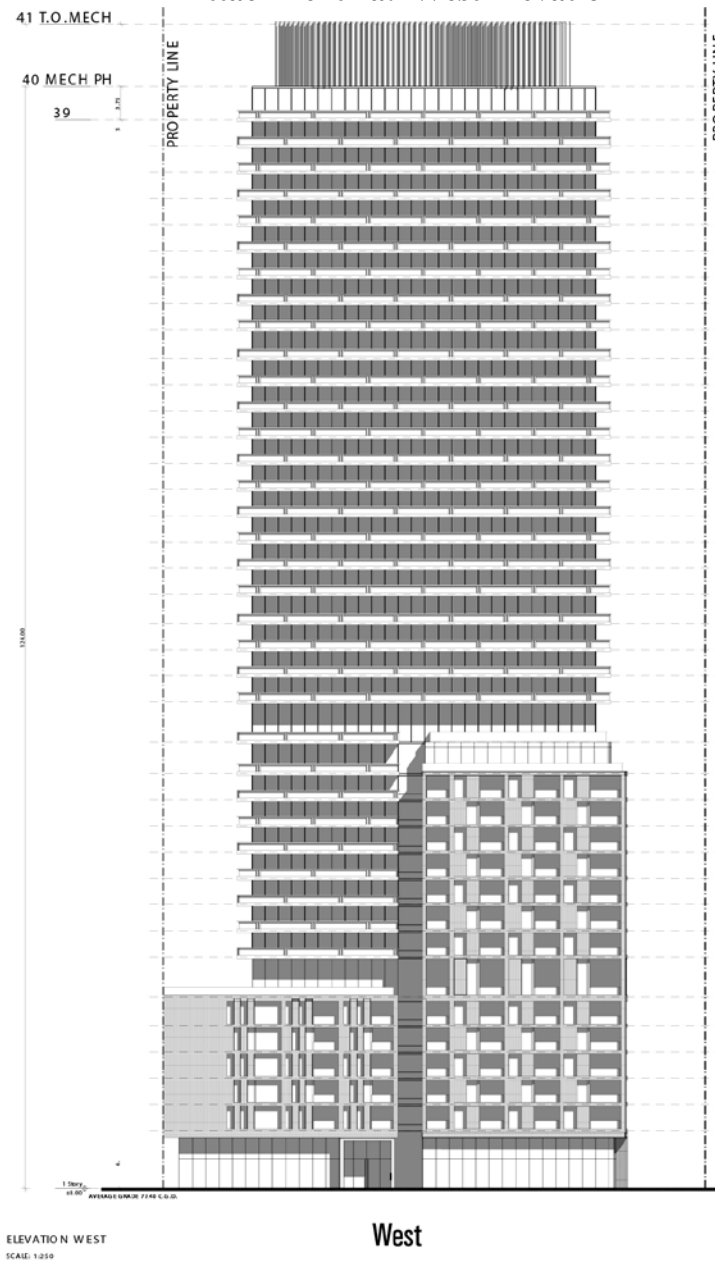
Site Plan

Applicant's Submitted Drawing

Not to Scale  
09/06/17

File # 17 181232 ESC 40 0Z

## Attachment 2a: West Elevation



### Elevation

Applicant's Submitted Drawing

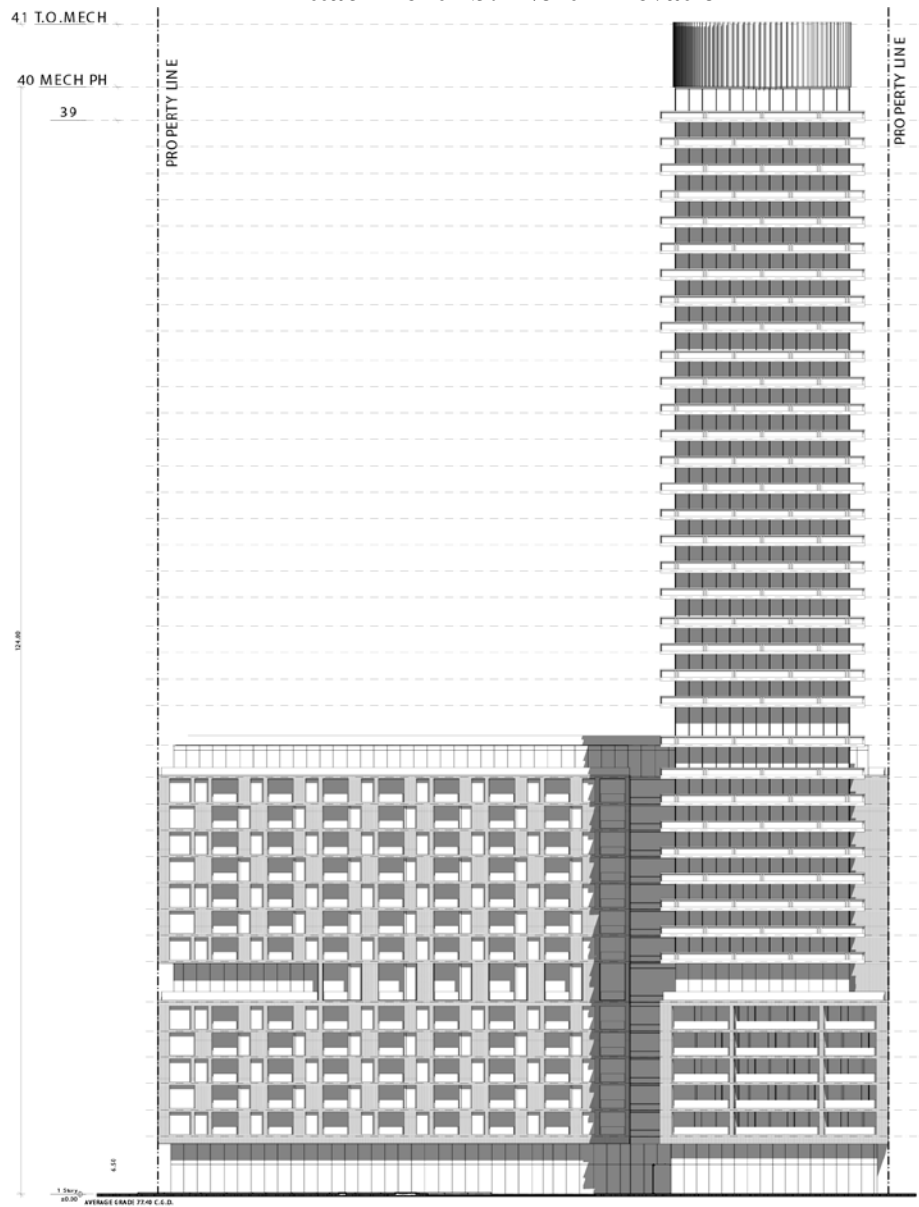
Not to Scale  
09/06/17

33, 37 Parliament Street

File # 17 219060 STE 28 OZ



## Attachment 2b: North Elevation



North

### Elevation

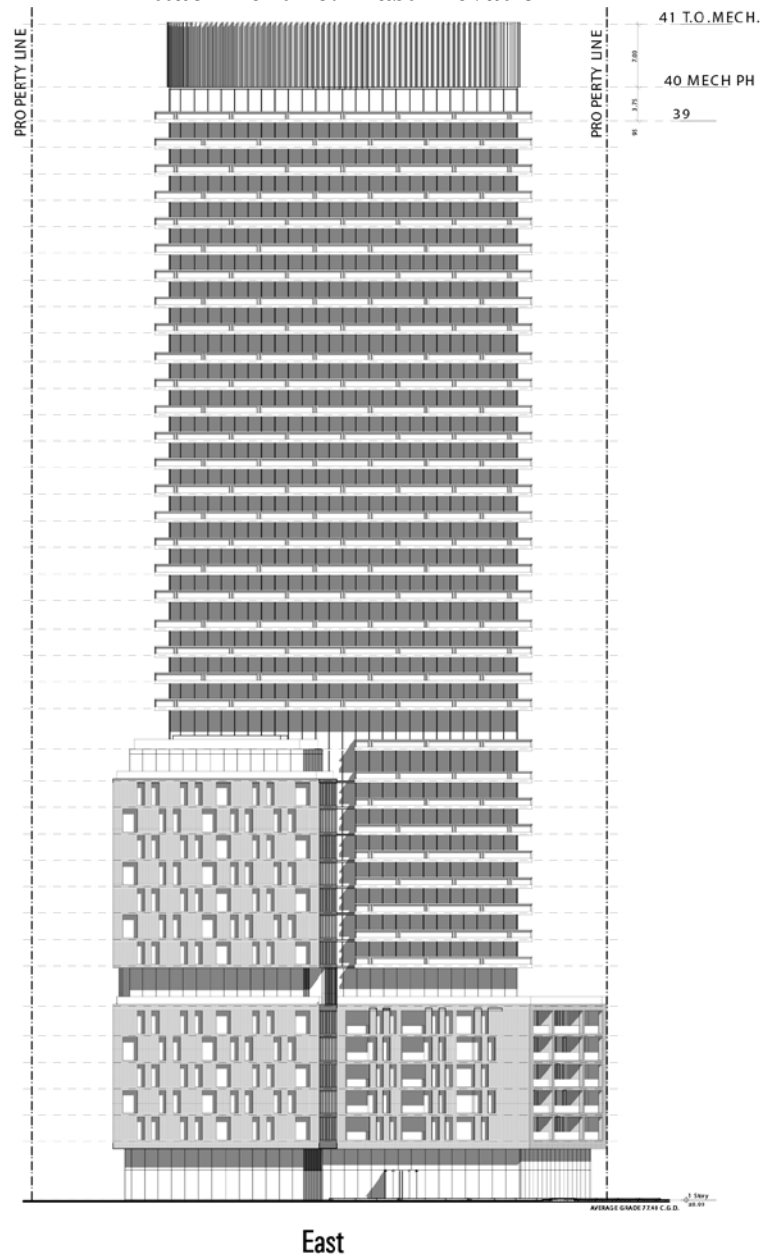
Applicant's Submitted Drawing

Not to Scale  
09/06/17

33, 37 Parliament Street

File # 17 219060 STE 28 OZ

## Attachment 2c: East Elevation



### Elevation

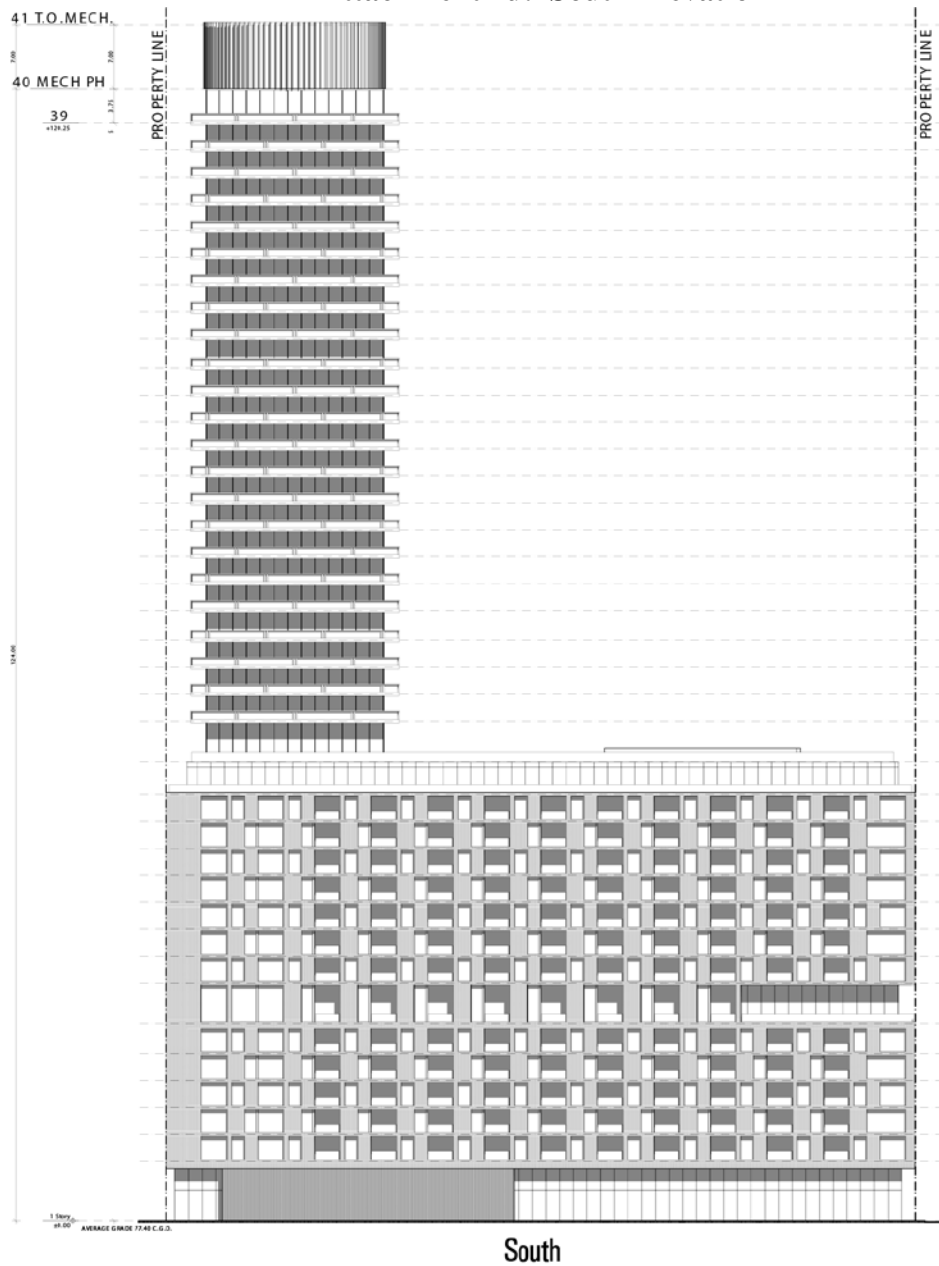
Applicant's Submitted Drawing

Not to Scale  
09/06/17

33, 37 Parliament Street

File # 17 219060 STE 28 OZ

## Attachment 2d: South Elevation



### Elevation

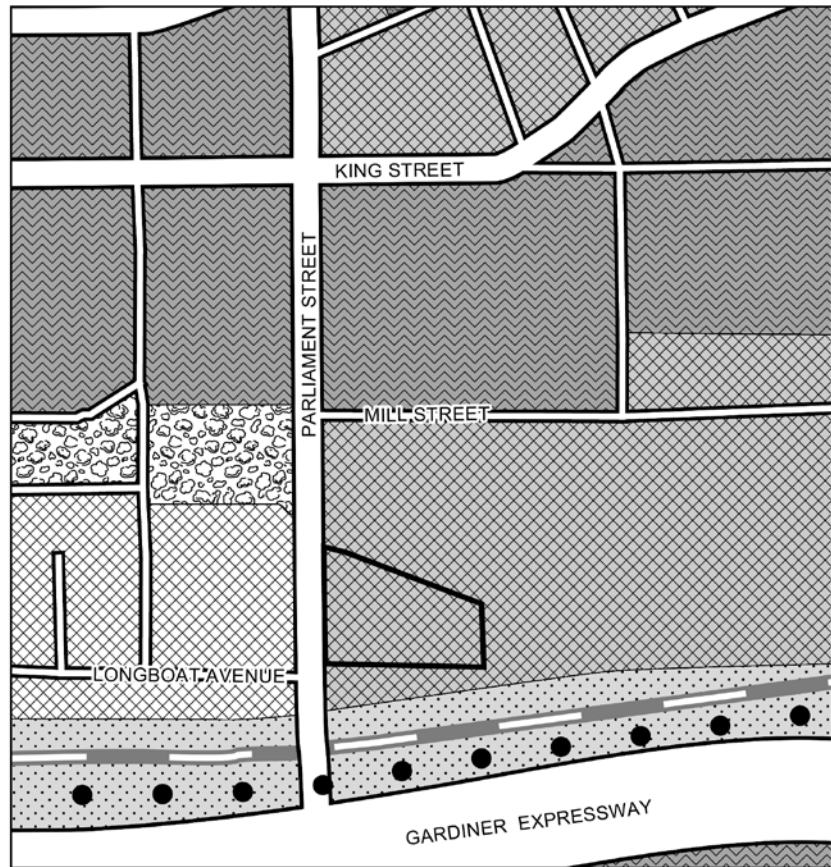
Applicant's Submitted Drawing

Not to Scale  
09/06/17

33, 37 Parliament Street

File # 17 219060 STE 28 OZ

### Attachment 3: Official Plan



**Toronto**  
Official Plan

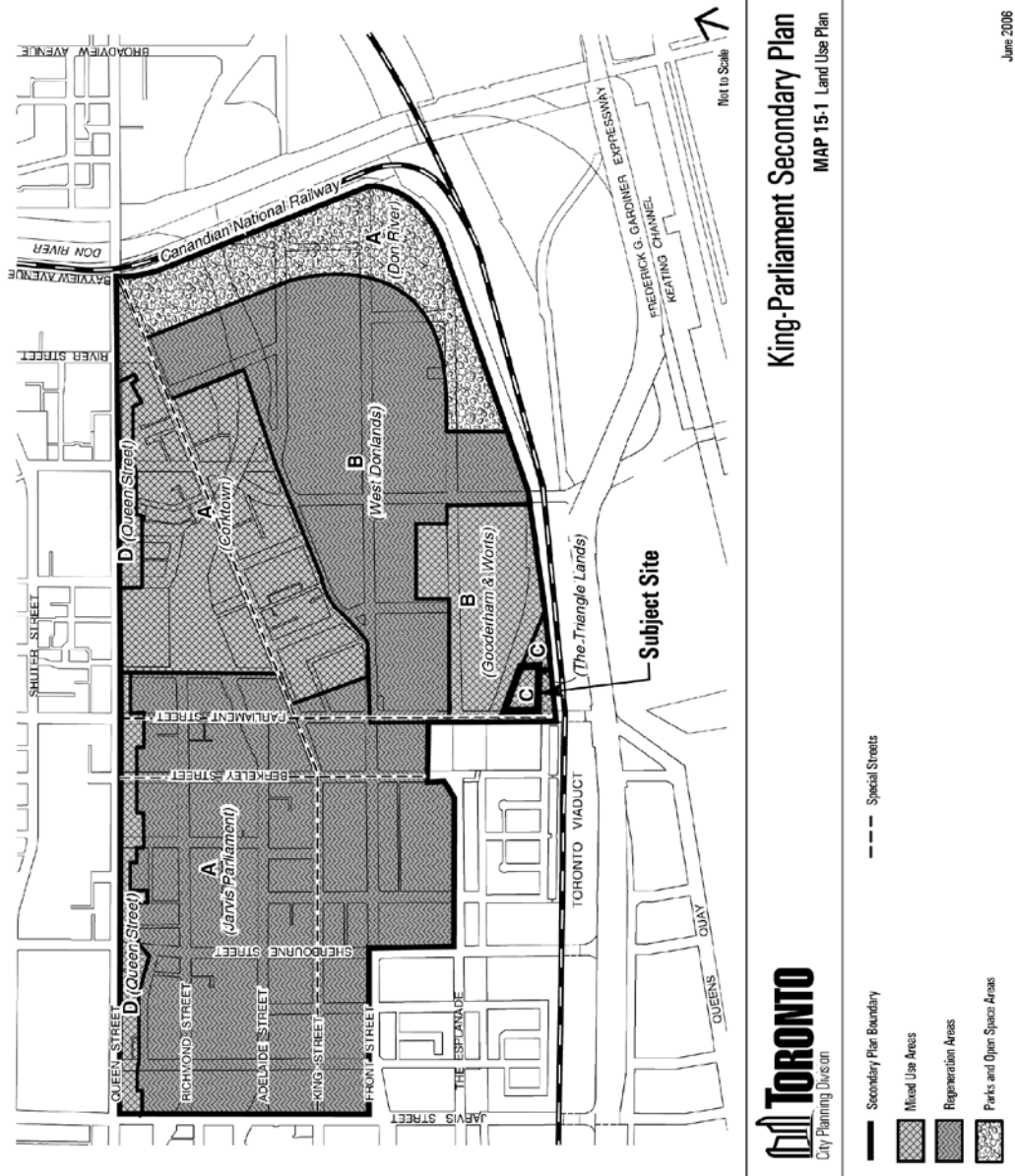
33, 37 Parliament Street

File # 17 219060 STE 28 02



↑  
Not to Scale  
10/05/17

## Attachment 4: King-Parliament Secondary Plan




## Attachment 5: Zoning



Zoning By-Law No. 569-2013

33-37 Parliament Street

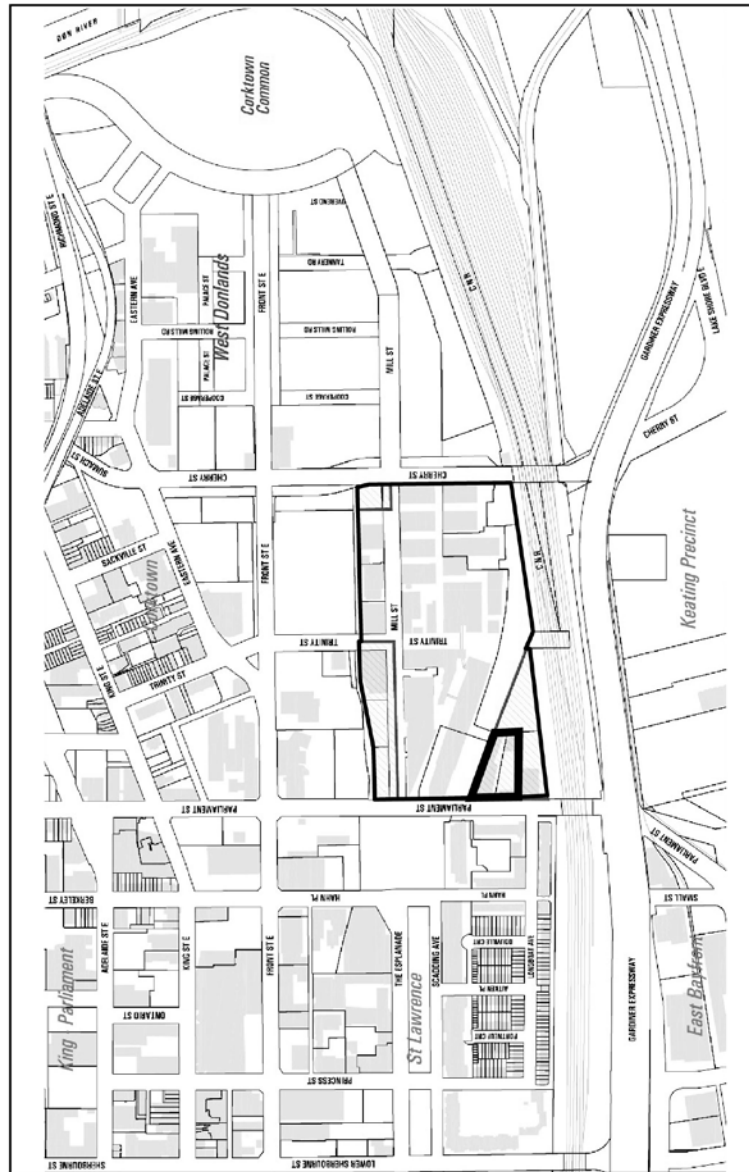
File # 17 219060 STE 28 02

 Location of Application  
R Residential   O Open Space

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

  
Not to Scale  
Extracted: 09/08/2017

## Attachment 6: HCD Study Area



HCD Study Boundary

33 and 37 Parliament Street

Not to Scale  
09/14/2017

File # 17 219060 STE OZ

Study Boundary	Subject Site
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☐ Original Gooderham and Worts Boundary  
☒ Potential Additions to Boundary

## Attachment 7: Application Data Sheet

Application Type	Official Plan Amendment & Rezoning	Application Number:	17 219060 STE 28 OZ
Details	OPA & Rezoning, Standard	Application Date:	August 18, 2017
Municipal Address:	33 AND 37 PARLIAMENT STREET		
Location Description:	PLAN 76 PT WATER LOT A PLAN 108 PT LOTS 4 & 5 **GRID S2813		
Project Description:	Proposal for Official Plan Amendment and rezoning to permit to a 39 and 15 storey mixed-use building with a total of 622 residential units and retail uses at-grade.		
<b>Applicant:</b>	<b>Agent:</b>	<b>Architect:</b>	<b>Owner:</b>
2547575 ONTARIO INC.		architectsAlliance	2547575 ONTARIO INC.

### PLANNING CONTROLS

Official Plan Designation:	Mixed Use Areas	Site Specific Provision:	
Zoning:	IC D2 N0.5	Historical Status:	Yes
Height Limit (m):	23	Site Plan Control Area:	Yes

### PROJECT INFORMATION

Site Area (sq. m):	3,913.2	Height:	Storeys:	39
Frontage (m):	61		Metres:	124 (131 inc. MPH)
Depth (m):	82.2			
Total Ground Floor Area (sq. m):	2,194.92			<b>Total</b>
Total Residential GFA (sq. m):	45,770.39		Vehicular Parking Spaces:	262
Total Non-Residential GFA (sq. m):	1,248.28		Loading Docks:	2
Total GFA (sq. m):	47,018.67		Bicycle Parking Spaces:	623
Lot Coverage Ratio (%):	56			
Floor Space Index:	12			

### DWELLING UNITS

### FLOOR AREA BREAKDOWN (upon project completion)

Tenure Type:	Condo		<b>Above Grade</b>	<b>Below Grade</b>
Rooms:	0	Residential GFA (sq. m):	45,770.39	0
Bachelor:	23 (3.7%)	Retail GFA (sq. m):	1,248.28	0
1 Bedroom:	341 (54.8%)	Office GFA (sq. m):	0	0
2 Bedroom:	198 (31.8%)	Industrial GFA (sq. m):	0	0
3 + Bedroom:	60 (9.7%)	Institutional/Other GFA (sq. m):	0	0
Total Units:	622 (100%)			

<b>CONTACT:</b>	<b>PLANNER NAME:</b>	<b>Henry Tang, Senior Planner</b>
	<b>TELEPHONE:</b>	<b>(416) 392-7572</b>