

**18-32 Eastern Avenue, 1 Gilead Place & 2 Sackville Street – Official Plan and Zoning By-law Amendment Applications – Request for Direction**

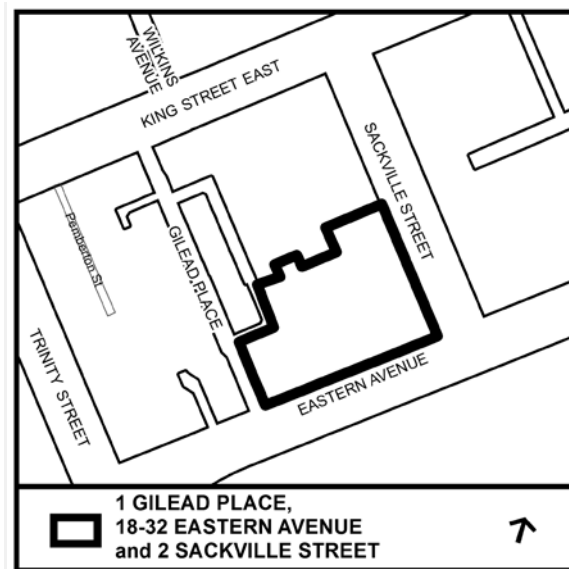
<b>Date:</b>	April 30, 2018
<b>To:</b>	Toronto and East York Community Council
<b>From:</b>	Acting Director, Community Planning, Toronto and East York District
<b>Wards:</b>	Ward 28 – Toronto Centre-Rosedale
<b>Reference Number:</b>	16 216777 STE 28 OZ

**SUMMARY**

The application proposes a 12-storey mixed-use building containing 1,327 square metres of at-grade retail space and 331 residential units, including townhouses fronting onto Sackville Street, Gilead Place and Corktown Lane. The overall building height is 45.6 m, including mechanical penthouse.

On May 18, 2017, the City Clerk's Office received notification that the applicant filed an appeal of both the Official Plan and Zoning By-law Amendments to the Ontario Municipal Board ("OMB"), citing Council's failure to make a decision on the applications within the prescribed timelines of the *Planning Act*. An OMB pre-hearing was held on January 5, 2017 and a second pre-hearing date before the newly established Local Planning Appeal Tribunal ("LPAT") has been scheduled for June 4, 2018.

The purpose of this report is to seek City Council's direction with respect to the position of the City at the LPAT.



This report recommends that Council direct the City Solicitor, together with appropriate City staff, to support the proposal at the LPAT, subject to a number of conditions.

## **RECOMMENDATIONS**

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

1. City Council authorize staff to attend the Local Planning Appeal Tribunal in support of the revised proposal at 18-32 Eastern Avenue, 2 Sackville Street and 1 Gilead Place based on the following:
  - a. The 1.5 m building step back above the 7<sup>th</sup> storey along the Eastern Avenue elevation is clear of any balconies and/or encroachments above the 7<sup>th</sup> storey;
  - b. The owner entering into and registering an agreement under Section 37 of the *Planning Act* to secure the following payments and/or capital improvements to be included in the Zoning By-law amendment, all to the satisfaction of the Chief Planner, and Executive Director, City Planning Division and the City Solicitor:
    - i) A cash contribution to be allocated to community benefits in the vicinity of the development, and in an amount, to the satisfaction of the Chief Planner and Executive Director, City Planning Division in consultation with the Ward Councillor;
    - ii) The cash contribution in Recommendation 1(b)(i) above is to be indexed upwardly in accordance with the Statistics Canada Non-Residential building Construction Price Index for Toronto, calculated from the date of the Section 37 Agreement to the day the payment is made.
    - iii) In the event the cash contribution in recommendation in 1(b)(i) has not been used for the intended purpose with five (5) years of the by-laws coming into full force and effect, the cash contribution may be redirected for another purpose(s), at the discretion of the Chief Planner and Executive Director, City Planning, in consultation with the Ward Councillor, provided that the purpose(s) is identified in the Official Plan and will benefit the community in the vicinity of the lands;
  - c. The owner has submitted revised plans that indicate and note that a 5.0 metre corner rounding at the Eastern Avenue and Sackville Street corner of the property will be conveyed to the City, as a Pedestrian Sidewalk Easement and is to the satisfaction to the General Manager of Transportation Services, to ensure that the Official Plan requirement for

additional width for sidewalk/pedestrian clearway purposes at the intersection is satisfied.

- d. The owner has submitted revised plans that indicate and annotate the staging pad abutting the front of the Type G loading space will be at least 28.1 square metres, has an unencumbered vertical clearance of 6.1 metres, is level (+/-2%), and is constructed of a minimum of 200 millimetre reinforced concrete, to the satisfaction of the General Manager of Solid Waste Management.
3. City Council authorize the City Solicitor to request that the OMB withhold its Order on the Official Plan and Zoning By-law amendment appeals pending:
    - a. Receipt of confirmation from the City Solicitor that the final form of both the Official Plan and Zoning By-law amendments are to the satisfaction of the Chief Planner and Executive Director, City Planning Division and the City Solicitor;
    - b. Receipt of confirmation from the City Solicitor that the owner and the City have executed the Section 37 Agreement as required in Recommendation 1(a).
    - c. Receipt of confirmation from the City Solicitor that the owner has submitted a revised Hydrogeology Report to the satisfaction of the Chief Engineer and Executive Director of Engineering and Construction Services.

### **Financial Impact**

The recommendations in this report have no financial impact.

### **DECISION HISTORY**

In September 2016 the applicant, Alterra Developments, submitted an application for a 13-storey mixed-use development at the properties at 18-32 Eastern Avenue, 1 Gilead Place and 2 Sackville Street. The preliminary report dated November 15, 2016 raised several issues with the application, in particular, the proposed height and massing. The Preliminary Report can be viewed via this link:

<https://www.toronto.ca/legdocs/mmis/2017/te/bgrd/backgroundfile-99265.pdf>

On May 18, 2017, the City Clerk's Office received notification that the applicant had filed an appeal of both the Official Plan Amendment and Zoning By-law Amendment application to the Ontario Municipal Board, citing Council's failure to make a decision on the applications within the prescribed timelines of the *Planning Act*. A prehearing was held on January 5, 2018 and a second pre-hearing date has been scheduled for June 4, 2018.

## ISSUE BACKGROUND

### Proposal

The applicant's proposal has been revised since the original submission in September 2016. A summary of the revisions are outlined below. The applicant is proposing to construct a 12-storey mixed-use building containing 331 residential units and 1,327 metres square of at-grade retail space.

**Table 1 – Summary of Revisions to the Application**

	<b>First Submission</b>	<b>Revised Proposal</b>
<b>Site Area</b>	3,628 m <sup>2</sup>	3,628 m <sup>2</sup>
<b>Height</b> (including mechanical penthouse)	13-storeys /49.6 m	12-storeys /45.6 m
<b>Total Gross Floor Area</b>	29,768 m <sup>2</sup>	26,034 m <sup>2</sup>
Residential	28,2015 m <sup>2</sup>	24,707 m <sup>2</sup>
Retail	1,553 m <sup>2</sup>	1,327 m <sup>2</sup>
<b>Floor Space Index</b>	8.21	7.15
<b>Residential Units</b>	381	331
1-Bedroom Units	255 (67%)	190 (57%)
2-Bedroom Units	110 (29%)	102 (31%)
3-Bedroom Units	16 (4%)	39 (12%)
<b>Indoor Amenity Space</b>	873 m <sup>2</sup> (2.29 m <sup>2</sup> / unit)	662 m <sup>2</sup> (2 m <sup>2</sup> / unit)
<b>Outdoor Amenity Space</b>	786 m <sup>2</sup> (2.06 m <sup>2</sup> / unit)	664 m <sup>2</sup> (2 m <sup>2</sup> / unit)
<b>Vehicular Parking Spaces</b>	143	115
Residential	109	91
Visitor/Commercial	34	22
Car Share	0	2
<b>Bicycle Parking Spaces</b>	394	338

The proposed at-grade retail space is located along the Eastern frontage. There are 4 townhouses proposed fronting onto Sackville Street, 5 townhouses fronting onto Gilead Place and 7 townhouses along Corktown Lane. The applicant is providing a 1.49 metre laneway widening conveyance along Corktown Lane.

Below is a summary of the revised setbacks and step backs:

**Table 2 – At grade Setbacks**

<b>Property Line</b>	<b>Revised Proposal</b>
Eastern Avenue	3.3 m
Sackville Street	2.1 - 3.3 m
Gilead Place	1.7 m
Corktown Lane	0.5 -3.5 m
North Property Line	0

The building massing has been revised to incorporate a 45-degree angular plane from the north property line commencing at a height of 10.5 metres to provide transition to the abutting low-rise buildings to the north. The below provides a summary of the revised building setbacks.

**Table 3 – Revised Building Setbacks and Stepbacks**

	<b>Eastern Avenue Property Line</b>	<b>Sackville Street Property Line</b>	<b>Gilead Place Property Line</b>	<b>Corktown Lane Property Line (after 1.49 m lane conveyance)</b>	<b>North Property Line</b>
<b>2<sup>nd</sup> floor</b>	0 m	0 – 1 m	2 m	0.5 – 7.5 m	0 m
<b>3<sup>rd</sup> floor</b>	0 m	1.5 – 2.5 m	2 m	0.5 – 7.5 m	Eastern Wing – 1.7 m Western Wing – 0 m
<b>4<sup>th</sup> floor</b>	0 m	1.5 – 2.5 m	2 m	0.5 – 7.5 m	Eastern Wing – 4.6 m Western Wing – 0 -1.2 m
<b>5<sup>th</sup> floor</b>	0 m	1.5 – 2.5 m	2 m	0.5 – 7.5 m	Eastern Wing – 0.8 – 7.9 m Western Wing – 16.5 m
<b>6<sup>th</sup> floor</b>	0 m	1.5 – 2.5 m	2 m	0.5 – 7.5 m	Eastern Wing – 1 - 10.8m Western Wing – 16.5 m
<b>7<sup>th</sup> floor</b>	0 m	1.5 – 2.5 m	7.45 m	0.5 -7.5 m	Eastern Wing – 3 - 13.8 m Western Wing –16.5 m
<b>8<sup>th</sup> floor</b>	1.5 m	1.5 – 2.5 m	7.45 m	0.5 -7.5 m	Eastern Wing – 6.2 - 16.6 m Western Wing –16.5 m
<b>9<sup>th</sup> floor</b>	1.5 m	1.5 – 2.5 m	7.45 m	0.5 – 7.5 m	Eastern Wing – 9.7 - 20 m Western Wing – 16.5 m
<b>10<sup>th</sup> floor</b>	1.5 m	1.5 – 2.5 m	9.05 m	0.5 – 7.5 m	Eastern Wing – 12.5 - 22.8 m Western Wing – 19.8 m
<b>11<sup>th</sup> floor</b>	1.5 m	1.5 – 2.5 m	9.05 m	0.5 – 7.5 m	Eastern Wing – 15 - 25.7 m Western Wing – 28 m
<b>12<sup>th</sup> floor</b>	1.5 m	1.5 – 2.5 m	9.05 m	0.5 – 7.5 m	Eastern Wing – 18.5 - 28.7 m Western Wing –28 m

As originally proposed, the building resembled a U-shape configuration in plan which proposed an approximate 13 metre separation distance between the interior building faces. The U-shape configuration has been revised to what is for the most part, an L-shaped plan by trimming the majority of the west wing which was directly behind the properties fronting Gilead Place. The East begins to recede as the building step backs from the rear property line to adhere to the 45 degree angular plane. The massing along Sackville Street that forms the eastern wing of the U-shape configuration begins stepping back from the rear property line at the 3<sup>rd</sup> storey, while the western wing steps back at the 4<sup>th</sup> storey. The massing fronting onto Gilead Place has been significantly reduced by stepping back from both the Gilead Place and Corktown Lane property lines above the 7<sup>th</sup> storey and furthermore above the 9<sup>th</sup> storey.

The applicant is providing a 1.5 metre step back along the Sackville Street elevation above the 2<sup>nd</sup> storey and 1.5 m step back along the Eastern Avenue elevation above the 7<sup>th</sup> storey. The outdoor amenity space will be located on the mezzanine level and on the rooftop.

Access to both the underground garage and the proposed Type "B" and Type "G" loading spaces is provided at the northwest corner of the site along Sackville Street.

## **Site and Surrounding Area**

The site is located on the north side of Eastern Avenue between Sackville Street and Gilead Place. The site is uniquely shaped and is approximately 3,628 square metres in size with 76 metres of frontage along Eastern Avenue; 59 metres along Sackville Street; 28 metres along Gilead Place; and 15 metres along Corktown Lane.

**North:** along Gilead Place there is a 2-storey mixed-use building, beyond are eight 3-storey townhouses, and located along Corktown Lane and fronting onto King Street East is a 3-storey mixed-use building. North of the site along Sackville Street is a 2-storey commercial building.

**South:** at the southeast corner of Eastern Avenue and Cherry Street is a vacant parcel of land which is owned by Infrastructure Ontario. Directly south of the site is a 4-storey Honda dealership building and further west is a vacant 2-storey commercial building.

**West:** directly west of the site is a 2-storey commercial building.

**East:** directly east along Sackville Street is Inglenook Community High School, which is a listed heritage property, and further north along the east side of Sackville Street are 2-storey residential dwellings.

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

The Provincial Policy Statement, 2014 ("PPS") 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 impact 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 planning and development matters. The PPS is issued under Section 3 of the *Planning Act* and all decisions of City Council affecting land use planning matters "shall be consistent with" the Provincial Policy Statement.

The Growth Plan for the Greater Golden Horseshoe, 2017 ("Growth Plan") 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.

Like other provincial plans, the Growth Plan builds upon the policy foundation provided by the PPS 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 City 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.

## **Official Plan**

The subject property is located within the *Downtown and Central Waterfront Areas* on Map 2 – Urban Structure Map in the Official Plan. The commentary section of Section 2.2.1, *Downtown: the Heart of the City*, identifies that the *Downtown* offers opportunities for substantial employment and residential growth, but the growth will not be spread uniformly across the whole of *Downtown*. Policy 2.2.1.4(a) directs that a full range of

housing opportunities will be encouraged through residential intensification in the *Mixed Use Areas* and *Regeneration Areas* of the *Downtown*.

This site is designated as *Mixed Use Areas* on Map 18- Land Use Plan of the Official Plan. The *Mixed Use Areas* designation provides for a range of residential, commercial and institutional uses, in single uses or mixed-use buildings, as well as parks and open spaces and utilities. The Official Plan states that "*Mixed Use Areas* will absorb most of the anticipated increase in retail, office, service employment in Toronto in the coming decades, as well as much of the new housing." However, not all *Mixed Use Areas* will experience the same scale or intensity of development.

The Official Plan includes development criteria for *Mixed Use Areas*. Policy 4.5.2 outlines that new development will:

- create a balance of high quality commercial, residential, institutional and open space uses that reduce automobile dependency and meets the needs of the local community;
- locate and mass new buildings to provide a transition between areas of different development intensity and scale as necessary to achieve the objectives of this Plan, through means such as providing appropriate setbacks and/or a stepping down of heights, particularly towards lower scale *Neighbourhoods*;
- locate and mass new buildings so as to adequately limit shadow impacts on adjacent *Neighbourhoods*, particularly during the spring and fall equinoxes;
- locate and mass buildings to frame the edges of streets and parks with good proportion and maintain sunlight and comfortable wind conditions for pedestrians on adjacent streets, parks and open spaces;
- provide an attractive, comfortable and safe pedestrian environment;
- provide good site access and circulation and an adequate supply of parking for residents and visitors;
- locate and screen service areas, ramps and garbage storage to minimize the impact on adjacent streets and residences; and
- provide indoor and outdoor recreation space for building residents in every significant multi-unit residential development.

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 providing appropriate transitions in scale, 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 the scale of development the greater the need for transition. Appropriate transition in scale can be achieved with many geometric relationships and design methods in different methods in different combinations, including angular planes, stepping height limits, appropriate location and orientation of the building, the use of setback and step backs of building mass.

Public Realm policies 3.1.1.5 and 3.1.1.6 outline that City streets are a significant open space that serve pedestrians and vehicles, provide space for trees and landscaping and are public gathering space and will be designed to serve that purpose. Streets will be designed to perform their diverse roles, balancing the spatial needs of existing and future users within the right-of-way. Sidewalks and boulevards will be designed to provide safe, attractive, interesting and comfortable spaces for pedestrians.

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 space and properties;
- provide space for public utilities and services, trees and landscaping, building access, amenities such as view and sunlight, and public gathering places;
- provide for adequate light and privacy;
- limit any resulting shadows and uncomfortable wind conditions; and
- minimize any additional shadowing and uncomfortable wind conditions on neighbouring parks as necessary to preserve their utility.

The subject property is not included on the City's Heritage Register, but it is adjacent to a listed heritage property to the east (Inglenook Community High School). Official Plan Policy 3.1.5.26 states that construction on or adjacent to a property on the Heritage Register will be designed to conserve cultural heritage values, attributes and character of the property. The Official Plan states "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."

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

The site is within the boundary of the King-Parliament Secondary 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 development is compatible and complementary to the existing built form character and scale of the area. The site is designated Mixed Use Area "A" (Corktown). New development within the Mixed Use Area "A" (Corktown) will consist primarily of small scale infill development and building conversions that are sensitive to the existing character and form of the community.

The Built Form policies of the Official Plan are further refined in Section 3 – “Urban Structure and Built Form” of the King-Parliament Secondary Plan, where it indicates:

- New buildings for any use will be sited and massed to provide adequate light, view and privacy for neighbouring properties;
- New buildings will achieve a compatible relationship with their built form context through consideration of such matters as building height, massing, scale, setbacks, roof line and profile architectural character and expression;
- Buildings adjacent to streets, parks or open spaces will be massed to provide appropriate proportional relationships and will be designed to minimize the wind and shadowing impacts on the streets, parks or open spaces; and
- New development will provide comprehensive, high quality, co-ordinated streetscape and open space improvements to promote greening, landscape enhancement, access, orientation and confidence of personal safety within King Parliament.

The subject site is also within the Corktown Area of Special Identity on Map 15-3 – Areas of Special Identity (See King-Parliament Urban Design Guidelines).

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

The King-Parliament Urban Design Guidelines provide a framework for development and are to be read in conjunction with the urban design policies of both the Official Plan and the King Parliament Secondary Plan.

The Corktown Mixed-Use Area is situated south-east of Queen and Parliament Streets to the Don River. New development within the Corktown Area will respect the historical and urban design significance of the area. The guidelines indicate that new residential dwellings will be houseform in character with attention to peaks, roof lines and fenestration which is consistent with buildings in the neighbourhood, and that new or infill developments will provide landscape plans containing a majority of soft rather than hard materials.

### **Zoning**

The site is subject to Zoning By-law No. 438-86 and is zoned I1 D3, which permits a restricted range of light industrial, commercial and institutional uses. The zoning permits a building height of 12 metres and a density of 3 times the area of the lot.

By-law No. 21930 is a site-specific zoning by-law that applies to 28-34 Eastern Avenue and permits the extension of a metal wares business.

On May 9, 2013, Toronto City Council enacted City-wide Zoning By-law No. 569-2013, currently under appeal to the Local Planning Appeal Tribunal. Zoning By-law No. 569-2013 does not apply to this site.

## **Heritage**

A Heritage Impact Assessment ("HIA") was provided with an addendum by Goldsmith Borgal & Company Ltd. Architects (dated November 17, 2017) and has been reviewed by Heritage Preservation Services staff.

Staff have identified that the large scale, form and massing of the development which rises to twelve floors on Eastern Avenue needs to be mitigated relative to the two-and-a-half storey located at 19 Sackville Street. The applicant has provided some mitigation through the articulation and stepping of the Eastern and Sackville facades. Further mitigation will be achieved through the detailing and materiality of the building to be secured at the site plan application stage what would improve the relationship between the new development and adjacent heritage property.

## **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 that they fit within their context and minimize their local impacts. The city-wide Guidelines are available at <http://www.toronto.ca/planning/tallbuildingdesign.htm>

Tall buildings are defined as buildings with a height that is greater than the width of the adjacent street right-of-way. Eastern Avenue has a right-of-way width of 20 m in this location and the proposed building height is 39.6 m (excluding the mechanical penthouse), and therefore by definition this is a tall building proposal.

Policy 1 in Section 5.3.2 Implementation Plans and Strategies for City-Building, the Official Plan states that 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 Plan related to the design and development of tall buildings in Toronto.

Guideline 1.3 speaks to ensuring that tall buildings fit within the existing or planned context and provide an appropriate transition in scale down to lower-scale buildings, parks and open space. Angular planes provide appropriate transition from tall buildings down to lower-scale building and assist in maintaining adequate access to sunlight and sky view for surrounding streets, parks, public or private open space and neighbouring properties. The revised proposal provides transition through the application of a 45-degree angular plane to the lower-scale buildings to the north.

Guideline 4.2 provides guidance on adequate spacing between the front of the building and adjacent street curbs to safely and comfortably accommodate pedestrian movement, streetscape elements, and activities related to the uses at grade. Along the primary street frontages of a tall building site, a minimum 6 metre wide sidewalk zone should be secured. The proposal has been revised to include a 6 metre wide sidewalk zone along both the Eastern Avenue and Sackville Street frontages.

Guideline 2.3 recommends locating "back of house" activities, such as loading, servicing, utilities, and vehicle parking, underground or within the building mass, away from the public realm and public view. The applicant is proposing to locate the loading, servicing and access ramp to the underground garage within the building mass at the rear of the building.

### **Site Plan Control**

The proposal is subject to Site Plan Control but an application has not yet been submitted.

### **Reasons for Application**

This proposal requires both an Official Plan and Zoning By-law Amendment. An Official Plan Amendment is required because the proposal does not comply with the policies of The King-Parliament Secondary Plan regarding residential use and building height. The King-Parliament Secondary Plan states that a change of use on a lot from industrial or light industrial to residential use is permitted within Mixed Use Area "A" (Corktown), provided the new development does not exceed the permitted height limit in the Zoning By-law. Zoning By-law No. 438-86 restricts the maximum permitted building height for the site to 12 metres and the proposed height is 39.6 metres, therefore requiring an Official Plan Amendment.

A Zoning By-law Amendment is required to for the change in use from industrial to residential. Furthermore, the proposed 12-storey building (39.6 metres building height, excluding mechanical penthouse) exceeds the 12 metre height permission that applies to the site, and the proposed density of 7.24 times the area of the lot exceeds the permitted density of 3.0 times the area of the lot. An amendment is also required to establish appropriate development standards for the proposal.

### **Community Consultation**

City Planning staff, in consultation with the Ward Councillor hosted a community consultation meeting on February 9, 2017 at the Little Trinity Church to discuss the original 13-storey building proposal. The meeting was attended by approximately 47 members of the public. City Planning staff presented the policy framework and an overview of the application review process. The applicant provided further details with respect to the proposal and its planning rationale.

Comments and issues raised by the residents in attendance at the meeting as well as comments received by Planning staff subsequent to the meeting, have been discussed with the applicant.

Residents were very engaged and raised concerns regarding the following:

### **Traffic/ Parking**

- Potential traffic impacts on Gilead Place as it is one of the only two-way local streets that runs north/south between King Street and Eastern Avenue;
- The proposal may exacerbate the already existing on-street parking permit issue within the area and residents of the proposal should not be granted parking permits;
- Potential traffic impacts relating to a lack of proposed 'pick-up and drop off' area;
- The proposed residential and visitor vehicular parking ratio is insufficient; and
- A transportation study needs to be conducted for the broader area.

### **Built Form**

- The proposal does not represent the surrounding fine grain context;
- The proposed height and density are too high;
- The proposal does not provide sufficient transition to the properties along Gilead Place and properties to the north;
- The proposal will change the character of the neighbourhood;
- Proposed townhouses do not appear to look like actual townhouses, but rather like at-grade units;
- The proposal is not consistent with the King Parliament Secondary Plan.
- The lack of proposed three bedroom units; and
- Potential overlook and shadowing of properties to the north.

### **Heritage**

- Potential heritage value of the existing building at the corner of Eastern Avenue and Gilead Place.

### **Agency Circulation**

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

## **COMMENTS**

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

The Provincial Policy Statement requires provisions to be made for an appropriate range of housing types and densities to meet projected requirements of current and future residents. This policy for healthy, livable and safe communities is achieved, amongst other means, by accommodating a range of residential, employment, institutional and other uses to meet long-term needs, facilitating all forms of residential intensification and redevelopment, promoting densities for new housing which effectively use land, resources, infrastructure and public services, and support the use of public transit.

Section 2.6.3 directs that "planning authorities shall not permit development and site alteration on adjacent lands to protected heritage property except where the proposed development and site alteration has been evaluated and it has been demonstrated that the heritage attributes of the protected heritage property will be conserved."

Section 4.7 – Implementation and Interpretation of the PPS states that the municipal official plan is "the most important vehicle for implementation" of the PPS and that "comprehensive, integrated and long-term planning is best achieved through official plans."

Growth Plan Policy 4.2.7.1 of Cultural Heritage Resources states "Cultural heritage resources will be conserved in order to foster a sense of place and benefit communities, particularly in strategic growth."

This application is consistent with the PPS direction of intensification to achieve growth and urban vitality while making efficient use of existing infrastructure. The application also complies with policies of the PPS that require new development to be directed to appropriate locations for growth.

Similarly, the proposal conforms with the Growth Plan.

## **Land Use**

The subject property is designed *Mixed Use Area "A"* and zoned I1 D3 (Industrial). The *Mixed Use Area "A"* designation allows both the residential and commercial uses being proposed. The King-Parliament Secondary Plan allows for changes in use from industrial to residential only when an application does not exceed the permitted height limit. However, although the proposal exceeds the permitted height limits, as discussed in the "built form" section of this report, the revised application adequately addresses transition to and impact on the neighbouring properties to the north. The proposed uses are permitted within the *Mixed Use Area* designation.

The I1 D3 zoning does not permit residential use. However, the industrial zoning is a remnant of the former industrial character of the Corktown area, but does not represent the existing and emerging character of the neighbourhood.

## **Built Form**

Through further review and design changes, the applicant has addressed issues that were previously raised with regard to the relationship, separation and transition to the adjacent low-rise properties to the north and along Gilead Place.

The Official Plan and City-wide Tall Building Design Guidelines state that tall buildings should respect the scale of the local context and display appropriate transition in height and intensity especially when adjacent to areas of differing land use, lower-scale built form, and heritage properties.

City Planning staff worked with the applicant based on the feedback from the community to substantially reduce the proposed massing by incorporating stronger transition to the existing low-rise context to the north. As such, a 45-degree angular plane drawn from the rear lot line and commencing at a height of 10.5 metres, was incorporated to increase and improve the proposed transition to the abutting properties to the north. Angular planes are a commonly applied measurement to provide transition in scale from taller buildings to lower scaled areas, limiting shadow and overlook on neighbouring properties that are lower scale.

Based on the feedback from the residents along Gilead Place, Planning Staff worked with the applicant to substantially reduce the proposed building massing along Gilead Place by stepping back from both the Gilead Place and Corktown Lane property lines above the 7<sup>th</sup> storey. The revised massing located along Gilead Place steps back approximately 7.5 – 9.05 metres from the Gilead Place property line and 3.5 -5 metres from the Corktown Lane property line above the 7<sup>th</sup> and 9<sup>th</sup> storeys. The proposal was revised to include a 1.5 metre step back above the 3<sup>rd</sup> storey along the Sackville Street elevation to reflect feedback from residents of the area to ensure greater articulation along the proposed eastern elevation and to strengthen the relationship to the adjacent heritage building. Together, the revised step backs and the application of the 45-degree angular plane has reduced the proposed massing and significantly improved the transition and separation between the proposed building and the low-rise buildings to the north.

The proposed height has been reduced by 1 storey and pushed towards the Eastern Avenue frontage to allow for greater transition between the proposed building and the adjacent lower scale buildings to the north. Planning staff also worked with the applicant to provide a building step back of 1.5 m above the 2<sup>nd</sup> storey along the Sackville elevation and above the 7<sup>th</sup> storey along the Eastern Avenue elevation. Planning staff do not support balconies and/or encroachment into the 1.5 m building step back above the 7<sup>th</sup> storey along Eastern Avenue.

The application has been revised to provide transition to the surrounding low-rise buildings, through the implementation of appropriate setbacks and stepping down of heights.

The City-wide Tall Building Design Guidelines call for a minimum 6 metre sidewalk zone in order to comfortably accommodate pedestrian movement, streetscape elements and activities related to the uses at-grade. The applicant has increased the proposed base building setback along Eastern Avenue to achieve a 6 metre sidewalk zone along Eastern Avenue.

## **Sun and Shadow**

A shadow study was submitted with the application illustrating the incremental shadow impacts during March 21<sup>st</sup> and September 21<sup>st</sup> (Spring and Fall Equinoxes), June 21<sup>st</sup> (Summer Solstice) and December 21<sup>st</sup>.

The March 21<sup>st</sup> and September 21<sup>st</sup> shadow studies show new shadows cast between 9:18 a.m. and 11:18 a.m. on abutting properties to the north of the site, including the residential properties along Gilead Place. At 12:18 p.m. the shadow brushes the mixed-use building to the north, and the proposed shadows slightly exceeds the as-of-right shadows at 12:18 p.m. At 1:18 p.m. the shadows move off the existing residential units north of the site and onto the commercial buildings along Sackville Street. It is important to note that the as-of-right shadows also cast shadows on the properties to the north. The Inglenook Community School will be shadowed at 2:18 p.m. and both the school and its front yard open space between 3:18 p.m. and 6:18 p.m.

The June 21<sup>st</sup> shadow studies illustrate that the proposed building will cast new shadows on the abutting properties to the north, including the residential properties along Gilead Place, between 9:18 a.m. to 11:18 a.m. The Inglenook Community School's existing front yard open space is slightly shadowed from 3:18 p.m. to 4:18 p.m.

Planning staff have assessed the proposed development in terms of the incremental impact resulting from the proposed 12-storey tower and are satisfied that it adequately limits shadow on areas designated as *Neighbourhoods* and *Parks*.

### **Wind Study**

Planning staff are satisfied with the wind conditions that would result from the proposed development, subject to further assessment during the Site Plan Control process for potential mitigation strategies.

The applicant submitted a Pedestrian Wind Assessment, dated August 29, 2016, prepared by Rowan Williams Davies & Irwin Inc. The study indicated that the wind conditions at grade of the building would be suitable for the anticipated pedestrian uses throughout the year. The study also concluded that the wind conditions on the 2<sup>nd</sup> floor outdoor amenity space and rooftop terraces are acceptable with mitigation, which will be further assessed through the Site Plan Control process.

### **Traffic Impact & Parking**

BA consultants submitted an Urban Transportation Considerations update report on November 17, 2017 and the conclusions of the revised report were accepted by Transportation Services Staff.

The applicant is proposing a parking ratio of 0.30 vehicular parking spaces per residential unit and 0.06 visitor/commercial parking spaces per residential unit, resulting in 99 residential parking spaces and 22 visitor/commercial parking spaces. The applicant is

also proposing 2 car share parking spaces. The total number of parking spaces when incorporating the 2 car share spaces is 91 residential parking spaces and 22 visitor/commercial spaces. The proposed parking ratio and reductions have been accepted by Transportation Services Staff.



Staff are requesting that the LPAT withhold its Order until the applicant submits revised plans to the satisfaction of the General Manager of Transportation Services, that indicate a 5.0 metre corner rounding at the Eastern Avenue and Sackville Street corner of the property to be conveyed to the City, as a Pedestrian Sidewalk Easement. This will ensure that the Official Plan requirement for additional width for sidewalk/pedestrian clearway purposes at the intersection is satisfied.

### **Loading**

The application is proposing one Type G and one Type B loading space located at the rear of the building. The loading space supply is acceptable and satisfies the minimum requirements. However, the applicant is required to revise the plans to indicate and annotate that the staging pad abutting the front of the Type G loading space will be at least 28.1 square metres, has an unencumbered vertical clearance of 6.1 metres, is level (+/-2%), and is constructed of a minimum of 200 millimetre reinforced concrete, to the satisfaction of the General Manager of Solid Waste Management, prior to the LPAT issuing its Order.

### **Servicing**

Engineering and Construction Services staff reviewed a Hydrogeology Report submitted with the application. Staff recommend that a revised Hydrogeology Report be submitted to the satisfaction of the Executive Director of Engineering and Construction Services, prior to the LPAT issuing its Order.

### **Open Space/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 the area with 1.57 to 2.99 hectares of local parkland per 1,000 people. The site is in the second highest 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 non-residential portion of the proposal is subject to a 2% parkland dedication while the residential portion is subject to a 10% parkland dedication. The value of the cash-in-lieu of parkland dedication will be determined by Real Estate Services staff and payment will be required prior to the issuance of the first above grade building permit.

Given the current rise in dog population, especially within condominium developments, staff will require the applicant to provide on-site dog off-leash amenities with proper disposal facilities for the building residents, or dog relief stations within the building, through the Site Plan Control process.

## **Streetscape**

The proposed streetscape plan will provide three street trees along the Eastern Avenue frontage and five street trees along Sackville Street. No street trees are proposed along Gilead Place or Corktown Lane. An overall boulevard width of 6 m will be provided along Eastern Avenue and 9 -10 m along Sackville Street.

## **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.

## **Section 37**

The Official Plan contains policies pertaining to the provision of community benefits in exchange for increases in height and/or density pursuant to Section 37 of the *Planning Act*. While the proposed development exceeds the height and density limited of the existing Zoning By-law, the application is consistent with the objective and policies of the Official Plan, and constitutes good planning.

Planning staff recommend that a cash contribution to be secured in a Section 37 Agreement to be allocated to community benefits in the vicinity of the development, and in an amount, to the satisfaction of the Chief Planner and Executive Director, City Planning Division in consultation with the Ward Councillor.

The cash contribution referenced above be above be indexed upwardly in accordance with the Statistics Canada Non-Residential building Construction Price Index for Toronto, calculated from the date of the Section 37 Agreement to the day the payment is made.

In the event the cash contribution in recommendation has not been used for the intended purpose with five (5) years of the by-laws coming into full force and effect, the cash contribution may be redirected for another purpose(s), at the discretion of the Chief Planner and Executive Director, City Planning, in consultation with the Ward Councillor, provided that the purpose(s) is identified in the Official Plan and will benefit the community in the vicinity of the lands.

## **Conclusion**

The revised proposal represents a substantial improvement to the proposal in comparison to the original application and more fully responds to the context and range of issues raised during the application review process. The proposed development, as revised, is acceptable, on a settlement basis, subject to conditions in the Recommendations section of this report.

## **CONTACT**

Jennifer Renaud, Planner  
Tel. No. 416-394-2608  
Fax No. 416-394-6063  
E-mail: Jennifer.Renaud@toronto.ca

## **SIGNATURE**

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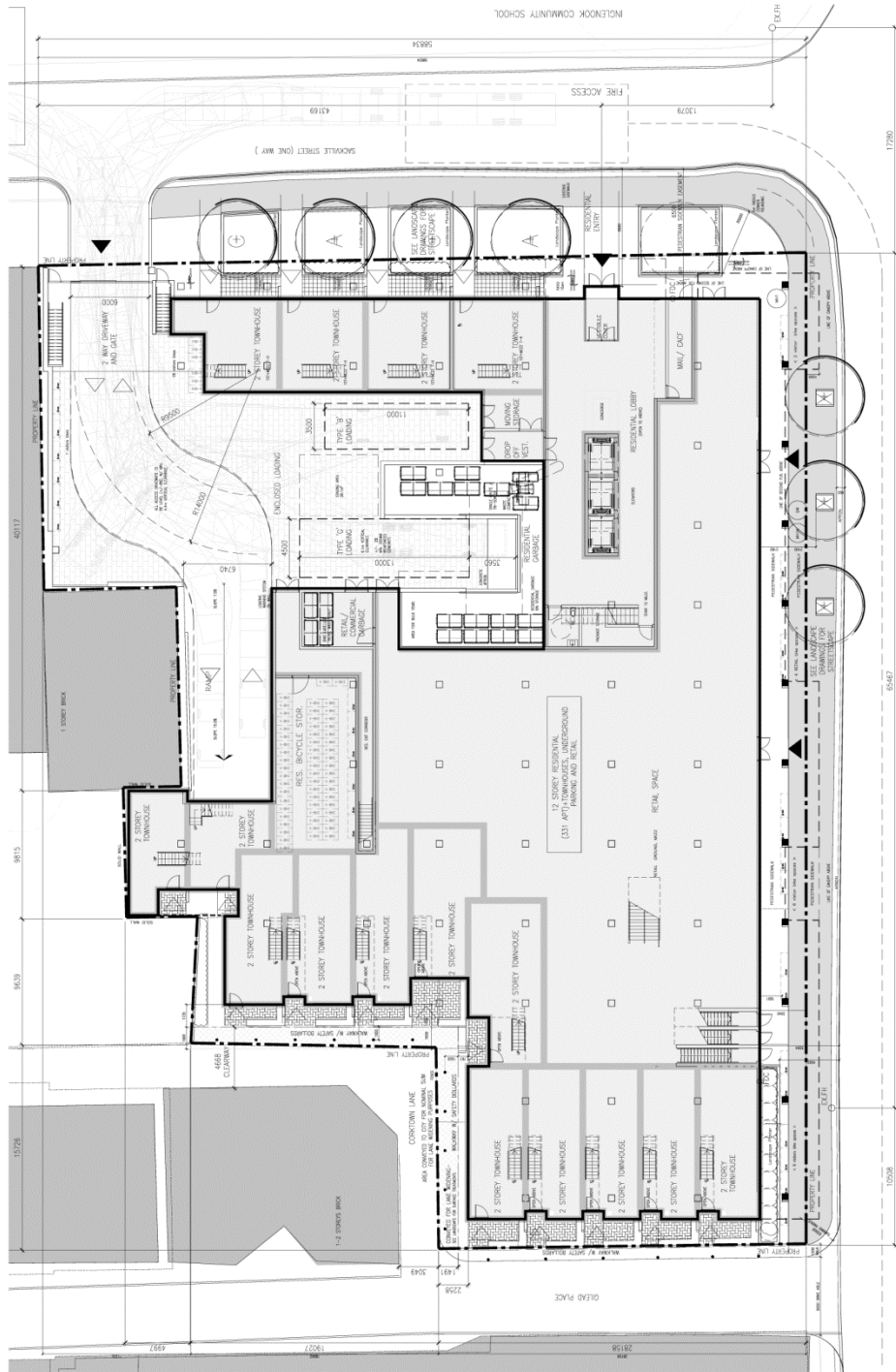
Lynda H. Macdonald  
Acting Director, Community Planning  
Toronto and East York District

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## **ATTACHMENTS**

Attachment 1: Site Plan  
Attachment 2: North Elevation  
Attachment 3: South Elevation  
Attachment 4: East Elevation  
Attachment 5: West Elevation  
Attachment 6: Official Plan  
Attachment 7: Official Plan King Parliament Secondary Plan  
Attachment 8: Zoning  
Attachment 9: Application Data Sheet

# Attachment 1: Site Plan



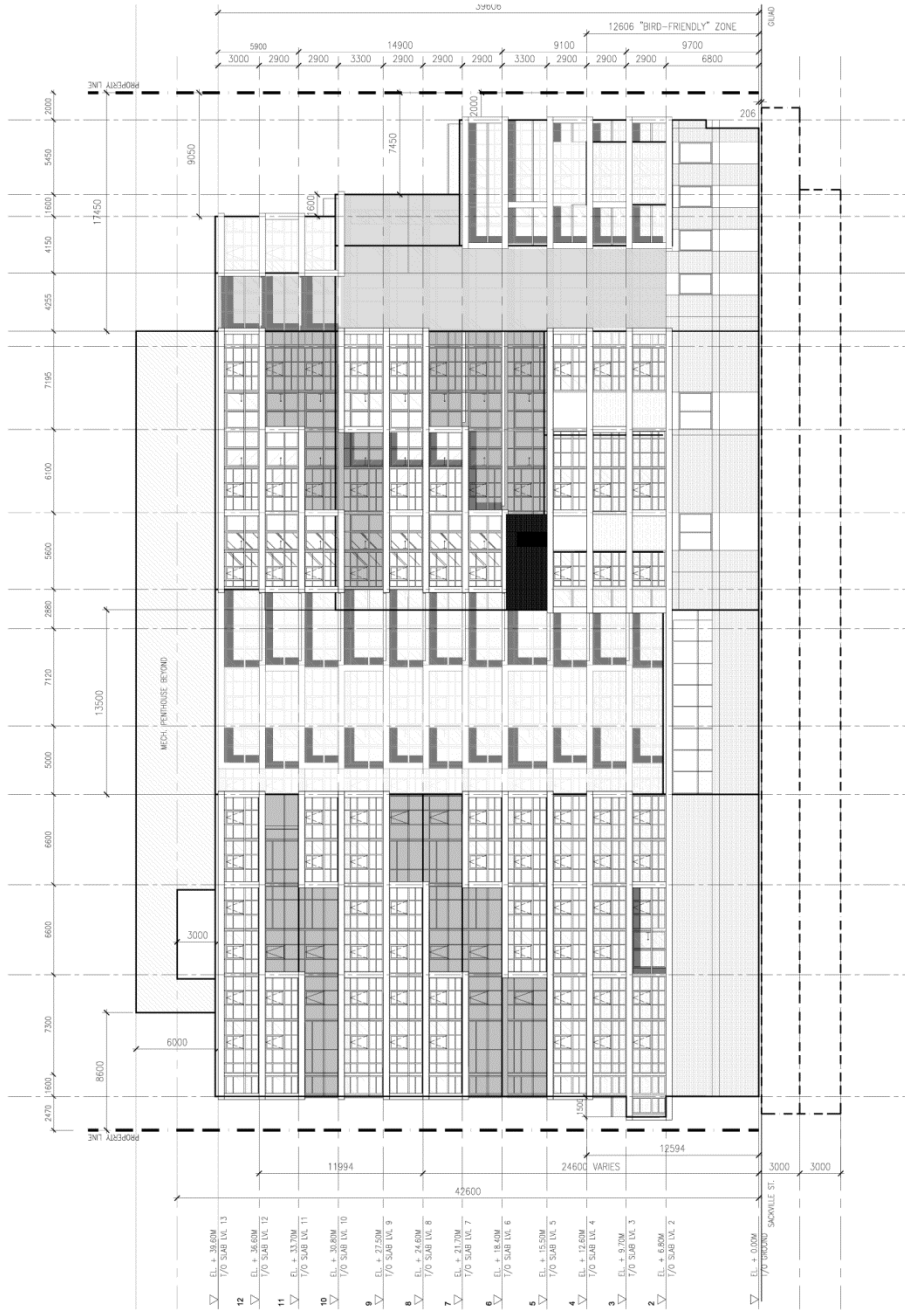
**1 Gilead Place, 18-32 Eastern Avenue and 2 Sackville Street**

**Site Plan**  
 Applicant's Submitted Drawing

Not to Scale  
 04/17/2018

File # 16 216777 STE 28 0Z

# Attachment 2: North Elevation



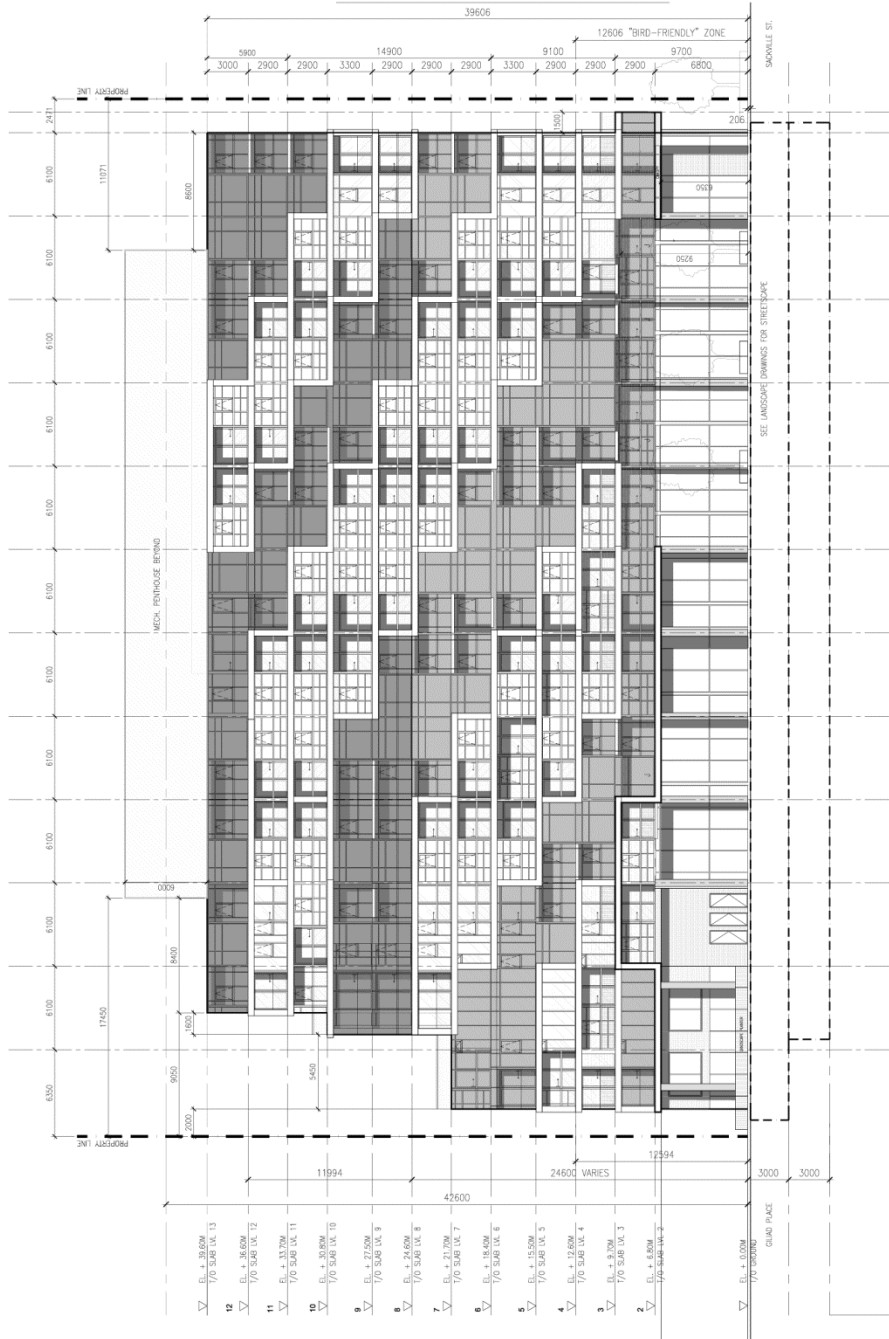
1 Gilead Place, 18-32 Eastern Avenue and 2 Sackville Street

North Elevation  
 Applicant's Submitted Drawing

Not to Scale  
 04/17/2018

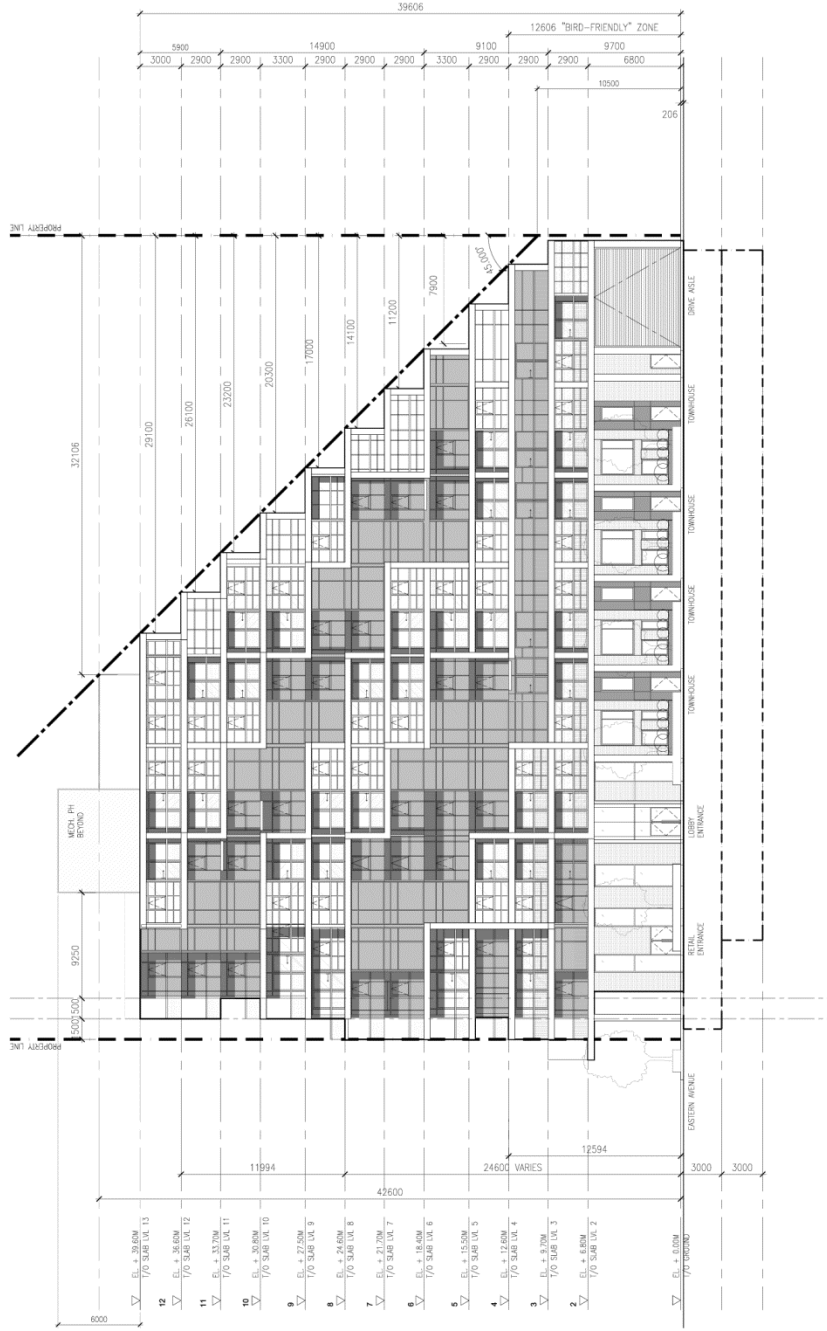
File # 16 216777 STE 28 0Z

### Attachment 3: South Elevation



**South Elevation**  
**1 Gilead Place, 18-32 Eastern Avenue and 2 Sackville Street**  
 Applicant's Submitted Drawing  
 Not to Scale  
 04/17/2018  
 File # 16 216777 STE 28 0Z

# Attachment 4: East Elevation

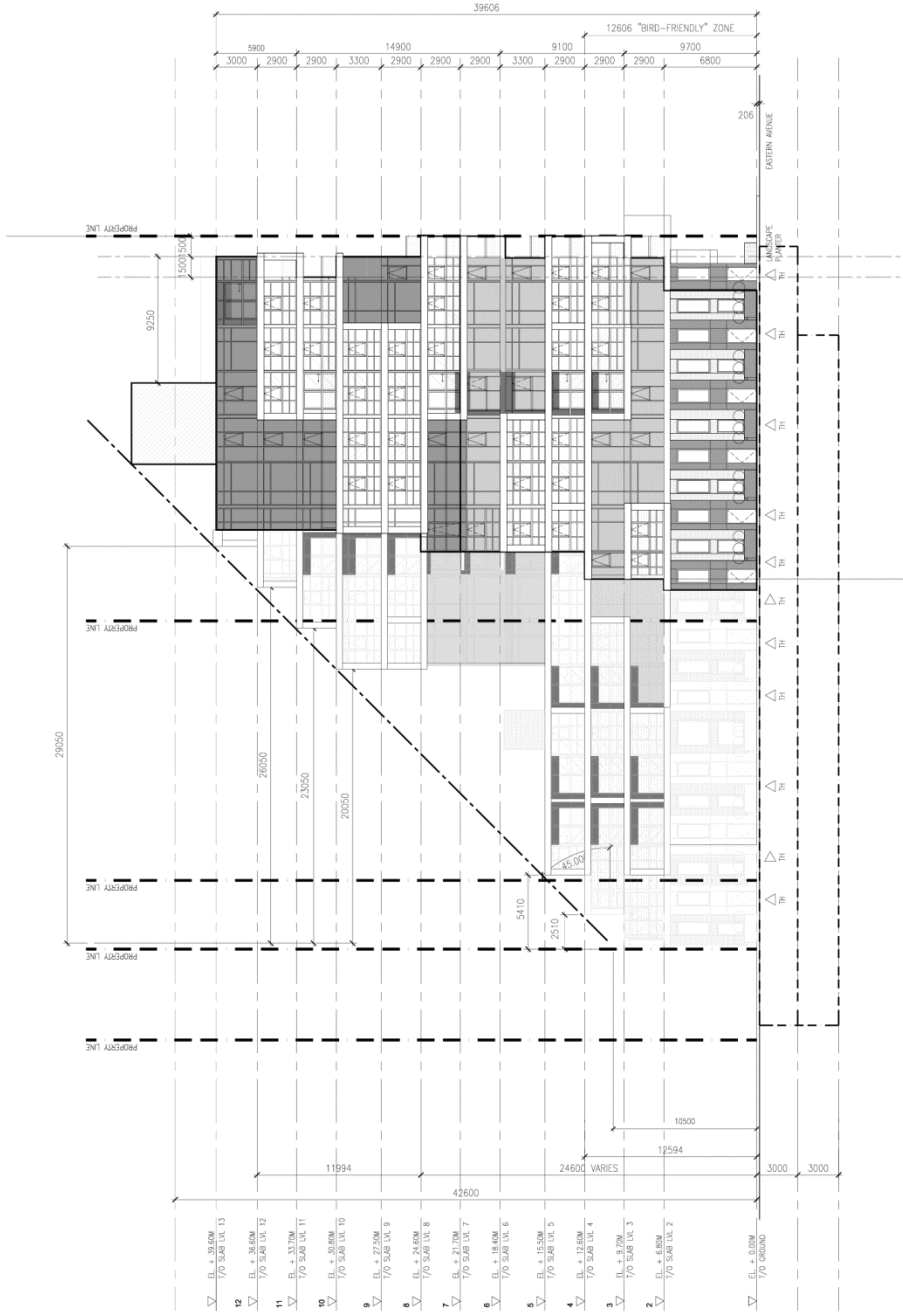


**East Elevation**  
 Applicant's Submitted Drawing  
 Not to Scale  
 04/17/2018

**1 Gilead Place, 18-32 Eastern Avenue and 2 Sackville Street**

File # 16 216777 STE 28 0Z

# Attachment 5: West Elevation



1 Gilead Place, 18-32 Eastern Avenue and 2 Sackville Street

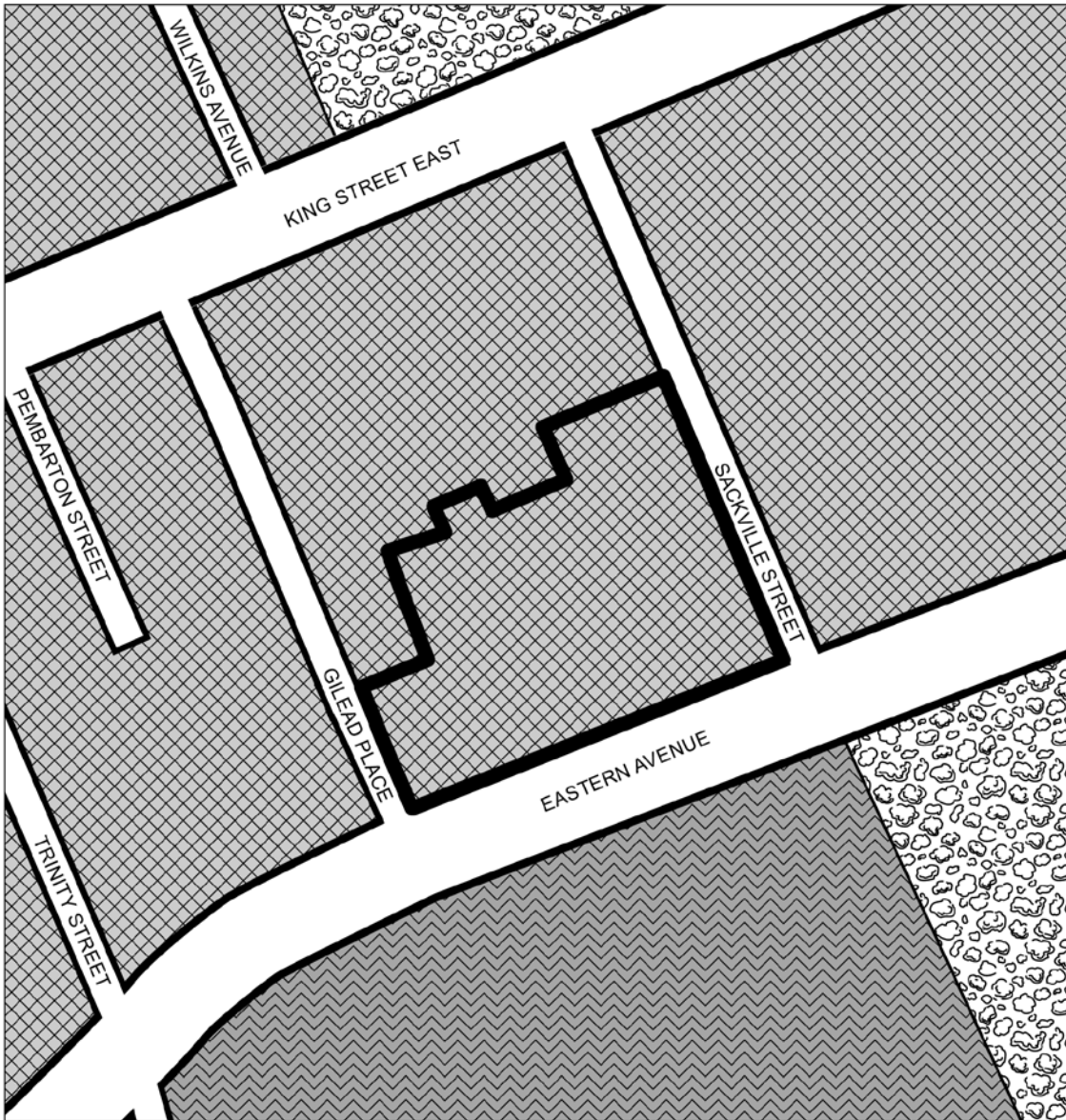
West Elevation  
 Applicant's Submitted Drawing

Not to Scale  
 04/17/2018

File # 16 216777 STE 28 0Z



**Attachment 6: Official Plan**



**TORONTO**  
 Extract from Official Plan

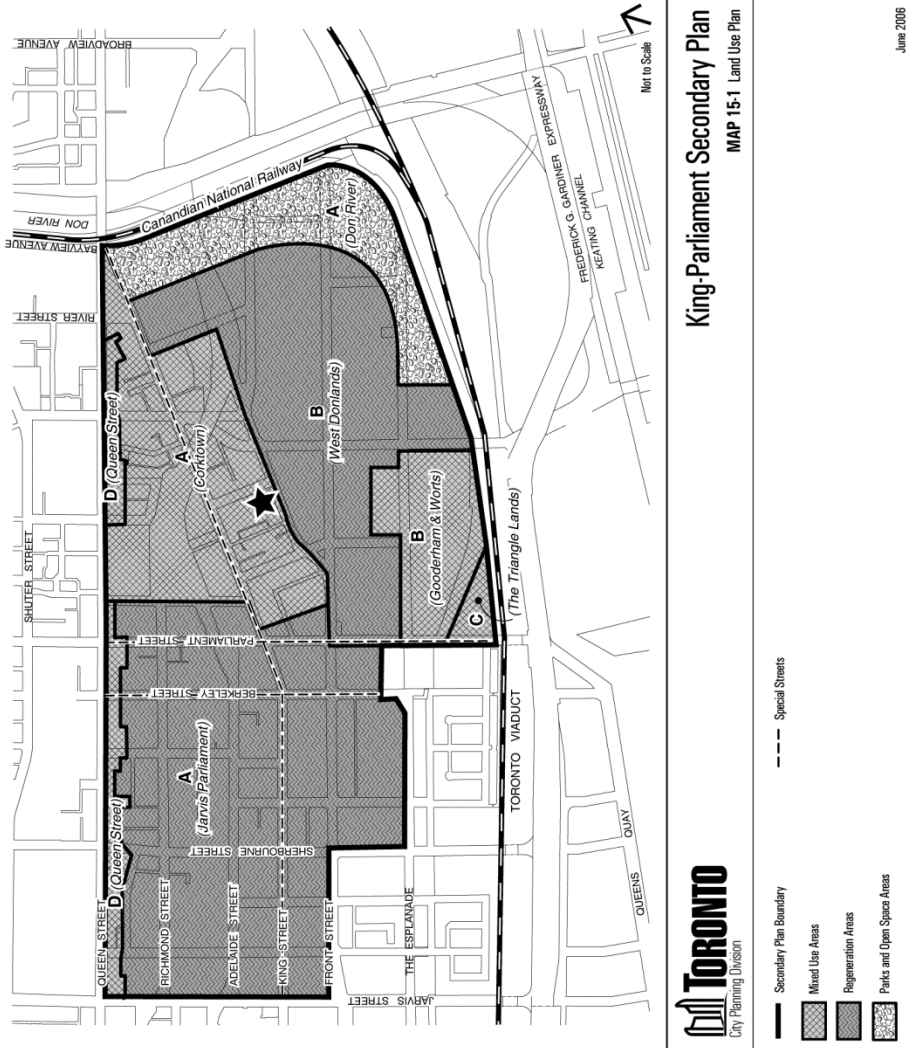
1 Gilead Place,  
 18-32 Eastern Avenue and 2 Sackville Street

File # 16 216777 STE 28 0Z

- |   |  |  |
|---|--|--|
|  Site Location   |  Parks & Open Space Areas |  Regeneration Areas |
|  Mixed Use Areas |  Parks                    |  |

  
 Not to Scale  
 11/18/2016

# Attachment 7: King Parliament Secondary Plan

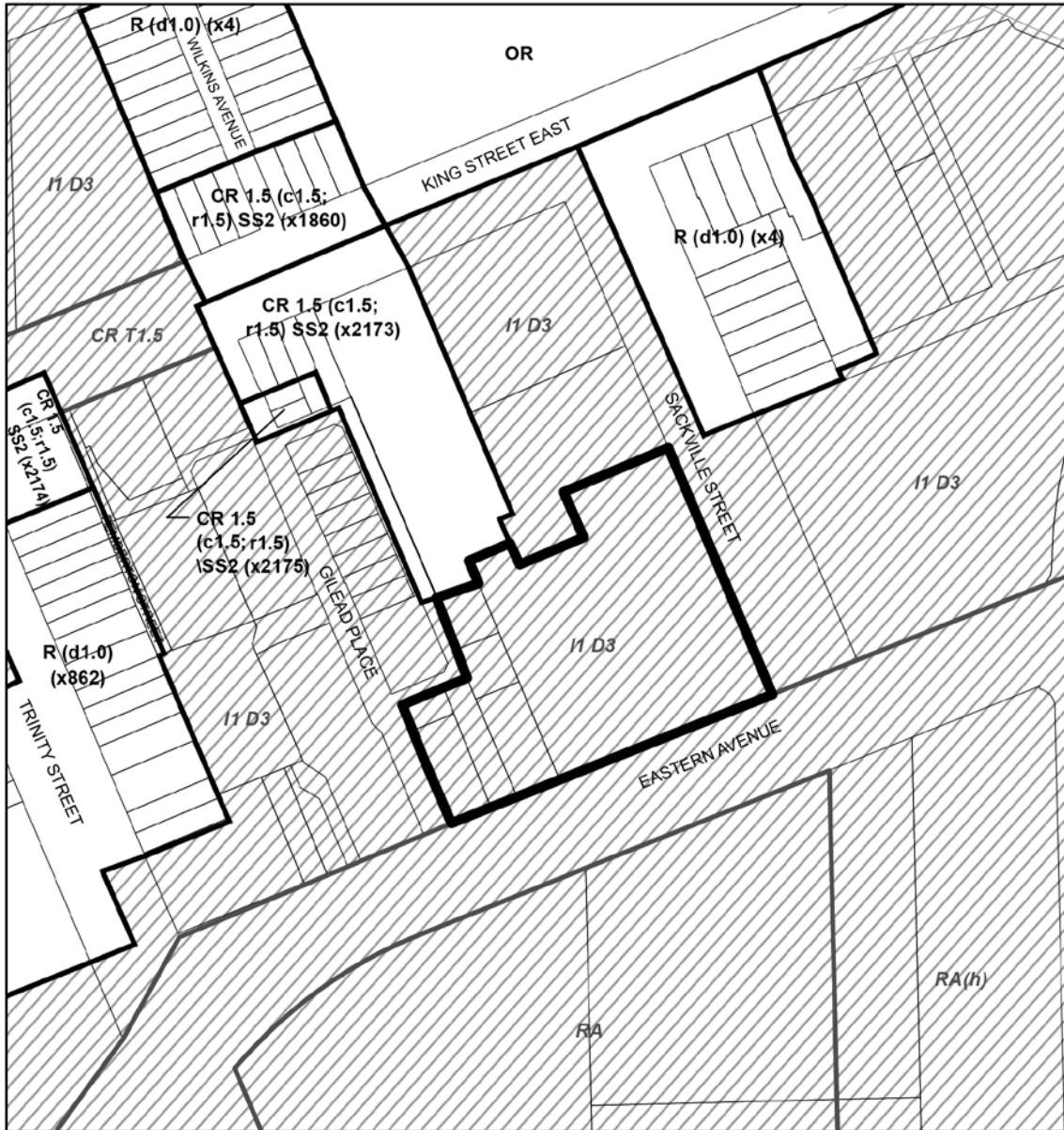


King Parliament Secondary Plan 1 Gilead Place, 18-32 Eastern Avenue and 2 Sackville Street

Not to Scale  
04/17/2018

File # 16 216777 STE 28 0Z

## Attachment 8: Zoning



**Zoning By-Law No. 569-2013**

**1 Gilead Place,  
18-32 Eastern Avenue and 2 Sackville Street  
File # 16 216777 STE 28 OZ**



Location of Application

R Residential

CR Commercial Residential  
OR Open Space Recreation



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

R3 Residential District  
CR Mixed-Use District  
RA Mixed-Use District  
I1 Industrial District



Not to Scale  
Extracted: 11/18/2016

## Attachment 9: Application Data Sheet

Application Type	Official Plan Amendment & Rezoning	Application Number:	16 216777 STE 28 OZ
Details	OPA & Rezoning, Standard	Application Date:	September 1, 2016
Municipal Address:	1 Gilead Place, 18 – 32 Eastern Aveune & 2 Sackville Street		
Location Description:	PLAN 242E PT LOT 20 **GRID S2813		
Project Description:	Proposal for a 12-storey mixed-use building onto Eastern Ave. The building will have a total gross floor area of approximately 26,034 square metres, including 1,327 square metres of retail space on the ground floor and mezzanine, resulting in a density of 7.15 FSI. A total of 331 residential units are proposed. A total of 115 vehicular parking spaces and 338 bicycle spaces are proposed. A 1.5 metre lane widening is also proposed along Corktown Lane.		

**Applicant:**

BOUSFIELDS INC  
3 Church Street, Suite 200  
Toronto, Ontario  
M5E 1M2

**Architect:**

Teepie Architects  
5 Camden Street  
Toronto, Ontario  
M5V 1V2

**Owner:**

ALTERA - FINER  
920 Yonge Street, Suite 1000  
Toronto, Ontario  
M4W 3C7

**PLANNING CONTROLS**

Official Plan Designation:	Mixed Use Areas	Site Specific Provision:	By-law 21930
Zoning:	I1 D3.0	Historical Status:	N
Height Limit (m):	12 m	Site Plan Control Area:	Required

**PROJECT INFORMATION**

Site Area (sq. m):	3,628	Height:	Storeys:	12
Frontage (m):	76		Metres:	39.6
Depth (m):	59			
Total Ground Floor Area (sq. m):	3,345			<b>Total</b>
Total Residential GFA (sq. m):	24,707		Parking Spaces:	115
Total Non-Residential GFA (sq. m):	1,327		Loading Docks	2
Total GFA (sq. m):	26,034			
Lot Coverage Ratio (%):	92			
Floor Space Index:	7.15			

**DWELLING UNITS**

Tenure Type:	Condo
Rooms:	0
Bachelor:	0
1 Bedroom:	190
2 Bedroom:	102
3 + Bedroom:	39
Total Units:	331

**FLOOR AREA BREAKDOWN** (upon project completion)

		Above Grade	Below Grade
Residential GFA (sq. m):	26,034		0
Retail GFA (sq. m):	1,327		0
Office GFA (sq. m):	0		0
Industrial GFA (sq. m):	0		0
Institutional/Other GFA (sq. m):	0		0

**PLANNER NAME:** Jennifer Renaud, Planner  
**CONTACT: TELEPHPHONE:** 416-394-2608