

Schedule "A" - City Planning Analysis

SUMMARY

This application proposes to permit a 19-storey mixed-use building containing 516 residential units, 6,197 square metres of retail space and 429 vehicular parking spaces within a 3-level underground garage, at 250 to 260 Front Street East and 383 King Street East.

The proposed development is not consistent with the Provincial Policy Statement (2014) (the "PPS") and does not conform with the Growth Plan for the Greater Golden Horseshoe (2017) (the "Growth Plan"). City Planning staff have concerns with the building's setbacks to the eastern property line, the building's overall height, the need for on-site parkland, and the location of the driveway access via Front Street East.

ISSUE BACKGROUND

Proposal

The applicant is proposing a mixed-use building consisting of two 19-storey components (75.5 metres including the mechanical penthouse) connected by a 15-storey component (55 metres) and a base building of 2 storeys (15 metres). The proposal has a total gross floor area of 45,336 square metres, of which 39,139 square metres is residential and 6,197 square metres is non-residential in the form of retail spaces on the first two storeys (refer to Attachment 8: Site Plan and Attachments 9-12: Elevations).

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

2-storey Base Building	North	0 m.
	East	3 m. on 1st storey 0 m. on 2nd storey
	South	0 m.
	West	0 m.
Two 19-storey Components	North	5 - 7 m. from 3rd to 9th storey 8 m. from 15th storey 9 m. on 19th storey
	East	0 m. from 3rd to 9th storey 5.5m from 15th storey 12.5 m. on 19th storey
	South	5 m from 3rd to 9th storey 6 m. from 15th storey 7 m. on 19th storey
	West	5 m. from 3rd to 15th storey 7 m. on 19th storey
15-storey Component	East	15 m. from 3rd storey
	West	6 to 7 m. from 3rd storey

The application proposes a total of 516 residential units, consisting of: 332 (64 percent) one bedroom units; 165 (32 percent) two bedroom units; and 19 (4 percent) three bedroom units.

Indoor amenity space of 1,032 square metres is proposed on the 3rd storey. Outdoor amenity space of 1,032 square metres is proposed on the 3rd and 16th storeys.

Pedestrian access to the residential lobby is located on Berkeley Street. Pedestrian access to the retail spaces are on King Street East, Front Street East and Berkeley Street. A north-south pedestrian connection is proposed on the eastern portion of the site.

Vehicular access is proposed on a private driveway via Front Street East. A 3-level underground garage is proposed to accommodate: 465 residential; 52 visitor; and 35 commercial parking spaces. Four loading spaces comprising of: 2 Type 'B'; 1 Type 'C'; and 1 Type 'G' are proposed to be accessed from the private driveway. Bicycle parking spaces are proposed to be located on the ground floor and within the underground garage to accommodate: 465 resident; 52 visitor; and 35 commercial spaces (refer to Attachment 1: Application Data Sheet).

Site and Surrounding Area

The subject site is an irregular shaped parcel with an area of 5,026 square metres with a frontage of 59 metres along King Street East, 77 metres along Berkeley Street and 52 metres along Front Street East. Currently, the site contains a 1-storey commercial building with an associated surface parking lot.

The surrounding uses are as follows:

North: Across King Street East are the row of 2-storey house-form buildings along Berkeley Street that are included on the City's Heritage Register; a 1-storey commercial building at 310 King Street East; and a 15-storey residential condominium building with retail uses on the ground floor at 330 King Street East.

East: A 2-storey commercial building with an associated surface parking lot at 68 and 70 Parliament Street. Across Parliament Street are the 4-storey mixed use building at 393 King Street East, Derby Street and the 1 and 2-storey 51 Toronto Police Service 51 Division at 63 Parliament Street, designated under Part IV of the Ontario Heritage Act by By-laws 9-78 and included on the City's Heritage Register.

South: Across Front Street East is the site of Canada's First Parliament buildings designated under Part IV of the Ontario Heritage Act by By-law 91-97 at 265 and 271 Front Street, 25 Berkeley Street and 44 Parliament Street and included on the City's Heritage Register. The site currently consists of two commercial buildings of 1 to 2-storeys, private surface parking lots and a Green P parking lot.

West: Across Berkeley Street is the 17-storey office building at 351 King Street East; a 4-storey mixed-use building at 359 King Street East that is designated under Part IV of the Ontario Heritage Act by By-law 682-84 and included on the City's Heritage Register.

The site at 333-351 King Street East is subject to a Zoning By-law amendment application (file no. 18 196225 STE 28 OZ) to permit a 25-storey office building.

Zoning

The site is zoned RA "Reinvestment Area" with a height limit of 23 metres and certain permission and exception provisions under Zoning By-law 438-86. The RA designation permits a mixture of uses including residential, retail, office and manufacturing uses. Exception provisions for the site include: a massing height of up to 20 metres for the base building, with a 3 metre stepback on subsequent massing height along the Power Street and Adelaide Street East frontages; and a massing height of up to 16 metres for the base building, with the application of an angular plane of 44 degrees on subsequent massing height along King Street East.

On May 9, 2013, City Council enacted city-wide Zoning By-law 569-2013. *Planning Act* applications submitted after May 9, 2013 are subject to the new Zoning By-law. The eastern portion of the site is zoned CRE (x1), and the western portion of the site is zoned CRE (x2) "Commercial Residential Employment", with the entire site having a height limit of 23 metres under Zoning By-law 569-2013. The CRE zone permits a range of uses similar to the former designation under Zoning By-law 438-86. The (x1) and (x2) provisions refer to site specific exceptions that are carried over from Zoning By-law 438-86 (refer to Attachment 6: Zoning).

Site Plan Control

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

Reasons for Application

The proposal requires an amendment to the two applicable zoning by-laws (the "Zoning By-laws") for: an increase in overall height; an increase in base building height; reductions of building setbacks; and reduced parking ratios, among others.

Complete Application Submission

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

- Survey
- Context Plan
- Site Plan
- Floor Plans
- Elevations
- 3-D Computer Massing Model
- Landscape Plans
- Sun/Shadow Study
- Planning and Urban Design Rationale including a Community Services Facilities Study
- Transportation Impact Study
- Heritage Impact Statement
- Stage 1 Archaeological Resource Assessment
- Functional Servicing Report
- Stormwater Management Report
- Geotechnical Study

Pedestrian Level Wind Study
Noise and Vibration Study
Arborist Report
Toronto Green Standard Checklist

A Notification of Incomplete Application was issued on December 29, 2017 identifying the outstanding materials required for a complete application submission as follows:

Public Consultation Plan
Topographical Survey
Energy Strategy
Hydrological Review
Building Sections

The outstanding materials were submitted on July 11, 2018 and a Notification of Complete Application was subsequently issued on August 2, 2018 indicating a complete application date of July 11, 2018.

Agency Circulation

The application together with the applicable reports/studies noted above, have been circulated to all appropriate agencies and City divisions. Responses received have been used to assist in evaluating the application.

Community Consultation

A community consultation meeting was held on April 16, 2018 at the Little Trinity Anglican Church Annex at 425 King Street East. Approximately 30 members of the public attended, along with the Ward Councillor and City staff. Concerns raised at the meeting include:

- The location of the driveway and loading access on Front Street East;
- The location and design of the laneway;
- The insufficient height and massing transition towards the lower heights of Corktown to the east;
- The insufficient building setback along Berkeley Street;
- The shadow impacts on the surrounding public realm and neighbouring properties; and
- The lack of heritage conservation measures to respect the adjacent First Parliament site to the south.

The analysis of the proposal was informed by the comments received through the community consultation process.

COMMENTS

Planning Act, Provincial Policy Statement and Provincial Plans

Section 2 of the *Planning Act* establishes a list of provincial interests that approval authorities, including the City of Toronto (the "City"), shall have regard for when carrying out their responsibilities under the *Planning Act*.

The proposal in its current form does not have regard to 2.j) and 2.r) which speak to the adequate provision of a full range of housing, including affordable housing, and the promotion of built form that: (i) is well-designed; (ii) encourages a sense of place; and (iii) provides for public spaces that are of high quality, safe, accessible, attractive and vibrant.

These provincial interests and others are further articulated through Provincial Policy Statements that are released from time to time and through other area specific Provincial Plans, such as the Growth Plan. Consistency or conformity with these documents help to determine if regard has been had for the particular provincial interests listed in Section 2 of the *Planning Act*.

The proposal has been reviewed and evaluated against the PPS and the Growth Plan. The proposal has also been reviewed and evaluated against Policy 5.1 of the Growth Plan which states that where a municipality must decide on a planning matter before its official plan has been amended to conform with this Plan, or before other applicable planning instruments have been updated accordingly, it must still consider the impact of its decision as it relates to the policies of the Growth Plan which require comprehensive municipal implementation.

PPS

In Part III of the PPS, direction is provided in terms of "How to read the Provincial Policy Statement". There are subsections that speak to the use of specific terms, that the policies have to be read together and specifically, a section that speaks to the "minimum standards":

"The policies of the Provincial Policy Statement represent minimum standards.

Within the framework of the provincial policy-led planning system, planning authorities and decision-makers may go beyond these minimum standards to address matters of importance to a specific community, unless doing so would conflict with any policy of the Provincial Policy Statement."

The phrase "to address matters of importance to a specific community" is relevant in the context of this proposal.

The key policies for the purpose of this report include the following:

Policy 1.1.1 in the PPS indicates healthy, liveable and safe communities are sustained by:

b) accommodating an appropriate range and mix of residential (including second units, affordable housing, and housing for older persons), employment (including industrial and commercial), institutional (including places of worship, cemeteries and long-term care homes), recreation, park and open space, and other uses to meet long-term needs.

Policy 1.1.3.2(b) states that land use patterns within settlement areas shall be based on a range of uses and opportunities for intensification and redevelopment in accordance with the criteria in policy 1.1.3.3, where this can be accommodated. Policy 1.1.3.3 indicates planning authorities shall identify appropriate locations for intensification and redevelopment while Policy 1.1.3.4 refers to appropriate development standards to facilitate intensification, redevelopment and compact form, while avoiding or mitigating risks to public health and safety.

Policy 1.1.3.5 indicates that Planning authorities shall establish and implement minimum targets for intensification and redevelopment within built-up areas, based on local conditions.

Policy 1.4.3 states that planning authorities shall provide for an appropriate range and mix of housing types and densities to meet projected requirements of current and future residents of the regional market area by: permitting and facilitating 1. All forms of housing required to meet the social, health and well-being requirements of current and future residents, including special needs requirements and 2. All forms of residential intensification, including second units, and redevelopment in accordance with Policy 1.1.3.3. This policy further directs planning authorities to promote densities for new housing which efficiently use land, resources, infrastructure and public service facilities, and support the use of active transportation and transit in areas where it exists or is to be developed. Planning authorities are also directed to establish development standards for residential intensification which minimize the cost of housing and facilitate compact form.

Policy 1.5.1 indicates that healthy, active communities should be promoted by:

a) planning public streets, spaces and facilities to be safe, meet the needs of pedestrians, foster social interaction and facilitate active transportation and community connectivity;

b) planning and providing for a full range and equitable distribution of publicly-accessible built and natural settings for recreation, including facilities, parklands, public spaces, open space areas, trails and linkages, and, where practical, water-based resources.

Policy 1.7.1 of the PPS states long-term economic prosperity should be supported by: maintaining and, where possible, enhancing the vitality and viability of downtowns and main streets; encouraging a sense of place, by promoting a well-designed built form and cultural planning, and by conserving features that help define character, including built heritage resources.

Consistency with the above referenced PPS policies are discussed later in this Report.

Growth Plan

While the PPS is a province-wide policy document, the Growth Plan has been created to manage and direct growth within a specific geographic area known as the Greater Golden Horseshoe (the "GGH"). The City is a single tier municipality within the GGH. There are key policies in this plan which the proposed application does not conform with. These include the following:

Policy 2.2.1.1 of the Growth Plan speaks to the population and employment forecasts contained in Schedule 3 will be used for planning and managing growth.

Policy 2.2.1.4 of the Growth Plan speaks to the achievement of complete communities that:

- b) improve social equity and overall quality of life, including human health, for people of all ages, abilities, and incomes;
- c) provide a diverse range and mix of housing options, including second units, and affordable housing, to accommodate people at all stages of life, and to accommodate the needs of all household sizes and incomes;
- e) ensures the development of high quality compact built form, an attractive and vibrant public realm, including public open spaces, through site design and urban design standards;

Policy 2.2.3.2 deals with Urban Growth Centres ("UGC"). In the City there are 5 UGCs in total, and each of these are to be planned at a minimum density target of 400 people/jobs per hectare.

Policies 2.2.2.4(a), (b), (d) and (f) of the Growth Plan speak to delineated built-up areas and states that all municipalities will develop a strategy to achieve the minimum intensification target and intensification throughout delineated built-up areas, which will:

- a) encourage intensification generally to achieve the desired urban structure;
- b) identify the appropriate type and scale of development and transition of built form to adjacent areas;
- d) ensure lands are zoned and development is designed in a manner that supports the achievement of complete communities; and
- f) be implemented through official plan policies and designations, updated zoning and other supporting documents.

Policies 2.2.6.1, 2.2.6.2 and 2.2.6.3 of the Growth Plan provide direction on housing strategy and mixture of unit sizes with the objective of achieving complete communities.

Policy 2.2.6.2 of the Growth Plan states that a municipality, in preparing a housing strategy, will support the achievement of complete communities by considering the range and mix of housing options of the existing housing stock.

Policy 2.2.6.3 of the Growth Plan states that in order to support the achievement of complete communities, municipalities will consider the use of available tools to require

that multi-unit residential developments incorporate a mix of unit sizes to accommodate a diverse range of household sizes and incomes.

Policy 5.2.5.5(b) states that for each applicable delineated area, the minimum density targets in this Plan are to be implemented through:

"b) single-tier official plan policies that identify the minimum density targets and, through secondary planning or other initiatives, establish permitted uses within the delineated area and identify densities, heights, and other elements of site design;"

Further, Policy 5.2.5.6 states that for planning to achieve the minimum intensification and density targets in this Plan, municipalities will develop and implement urban design and site design Official Plan policies and other supporting documents that direct the development of a high quality public realm and compact built form.

Collectively, both the PPS and Growth Plan policies provide outcome based policy direction and it is largely the expectation and responsibility of municipalities like the City to implement these directions through its Official Plan, zoning by-laws and supporting documents.

Section 4.7 of the PPS provides the direction that the Official Plan is the most important vehicle for implementation. The Official Plan shall set out land use designations and policies and shall "direct development to suitable areas".

Similarly, the Growth Plan relies on the Official Plan for implementation in many areas such as identifying strategic growth areas, establishing density targets, permitted uses and other urban design and site design to ensure that development is contextually appropriate.

To that end, the City has adopted the City of Toronto Official Plan (the "Official Plan"), the King-Parliament Secondary Plan ("the KPSP"), Official Plan Amendment 352 - Downtown Tall Building Setback Area ("OPA 352") (Tall Buildings) (currently under appeal) and even the most recent Downtown Plan Official Plan Amendment ("OPA 406") (TOcore) (awaiting ministerial approval) that address such matters as:

- including policies that are context specific for the KPSP area;
- providing direction on how development is to be massed to ensure it is appropriate based on the existing and planned context, including surrounding streets and open space areas;
- including housing policies that speak to providing a full of range of housing types; and
- the provision for new parks and open spaces as being necessary for growth areas.

These policies are to work together with the City's zoning by-laws and other supporting documents like the Tall Building Design Guidelines, Growing-Up Draft Urban Design Guidelines, the King-Parliament Urban Design Guidelines and the St. Lawrence Neighbourhood Heritage Conservation District (the "HCD").

As such, if this proposal does not conform to the policies of the Official Plan/Secondary Plan, zoning by-laws and other supporting documents that are intended to implement

the policies in the PPS and Growth Plan, then that in and of itself would mean that the proposal is also not consistent with and not in conformity with the provincial policies.

The linkage between the provincial policies and the Official Plan and KPSP, zoning by-laws and other supporting documents are addressed in the following sections.

Conformity with Growth Targets and Density Targets

The most recent Official Plan update was undertaken when the City's Official Plan was approved by the Ontario Municipal Board in 2006 and considered further through the statutory five-year review of the Official Plan that commenced in 2011. The five-year review resulted in a number of Official Plan amendments that were approved by the province on various dates. The Official Plan sets out areas for future growth while at the same time establishing policies that are appropriate and considerate of the surrounding context.

The site is within the UGC of the built-up area boundary as identified in the Growth Plan, where a significant share of population and employment growth is anticipated. The City is required through its Official Plan to plan for a future population of 3,190,000 people by the year 2031. Additional density targets are provided for the various urban growth centres in the City at a rate of 400 people and jobs per hectare to help achieve this overall population. The City is presently on track to meet these overall 2031 Growth Plan forecasts based on Census data, current development proposals and future trends that are currently being considered by the City.

The density of the Downtown Toronto UGC area in 2016 was 354 people and jobs per hectare, based on the 2016 Census population and the 2016 Toronto Employment Survey results. From 2011 to 2016, the population increased by 41,668 people. Employment increased by 69,280 jobs over the same period. The increase in density as a result of this growth is an additional 52 people and jobs per hectare over the 2011-2016 period. This demonstrates the growth and growth in density of the UGC.

Table 1: Downtown Toronto Urban Growth Centre

Year	Census Population	TES Employment	Area (hectares)	Density (people & jobs)
2011	205,888	441,920	2,143	302
2016	247,556	511,200	2,143	354
2011-2016	41,668	69,280	2,143	52

Sources: 2011 and 2016 Census, Statistics Canada, 2011 and 2016 Toronto Employment Survey, City of Toronto

In the Downtown Toronto UGC, the 2016 Q4 Development Pipeline contained 42,556 units in projects that were built between 2012 and 2016, and a further 45,236 units in projects which are active and thus which have at least one Planning approval, for which Building Permits have been applied for or have been issued, and/or those which are under construction, but are not yet built (see Profile Toronto: How Does the City Grow? April 2017). The number of units in the area that are in active projects is greater than the number of units which have been built over the past five years.

If a similar number of units in active projects were realized in the near term as were built in the previous five years, and if the same population and employment growth occurred in the Downtown Toronto Urban Growth Centre over the near term from 2016 as occurred over the past five years from 2011 to 2016, the resulting density would be 406 people and jobs per hectare. Thus if the current trends continued, the resulting density would be above the minimum Urban Growth Centre density target of the Growth Plan for the Greater Golden Horseshoe (2017). In addition, there would remain an additional ten years for additional approved development to occur.

This single application is not required for the City to meet the density target of 400 people and jobs per hectare in the Downtown UGC. The density target is to be measured across the whole of the Downtown UGC (Policy 5.2.5.4 of Growth Plan). The proposal must be considered in the context of the other policies in the Growth Plan, the Official Plan, the KPSP, the Zoning By-laws, the emerging Council adopted TOcore (OPA 406) and applicable Guidelines, and should not be rationalized solely on the basis of the density targets provided by the Growth Plan.

Land Use

Non-residential Use

The proposal contemplates 6,197 square metres of retail gross floor area on the 1st and 2nd storeys, representing 13.5 percent of the proposed total gross floor area. The proposed retail use generally conforms to the Regeneration Area 'A' designation of the KPSP.

Policy 6.8 of OPA 406 requires new development within the King-Parliament area to provide a minimum 25 percent of the total gross floor area as non-residential uses. City Planning staff will continue to work with the applicant on increasing the overall percentage of non-residential uses as part of the proposal.

On October 5, 2016, City Council considered the draft amendments to Official Plan policies and Zoning By-law to support the role of pedestrian shopping areas. Specifically, the draft amendments seek to strengthen Official Plan policy direction to improve retail shopping streets by setting standards on new retail development. City Planning staff requested a Retail Impact Study be submitted for this proposal to justify the proposed retail gross floor area, and will continue to work with the applicant to address the size and programming of the retail units.

Residential Use

The proposal contemplates 39,139 square metres of residential use starting on the 3rd storey. The proposed residential use generally conforms to the Regeneration Area 'A' designation of the KPSP.

Height

The existing planning framework was analysed in respect to the proposed overall height of the building. The PPS indicates the Official Plan is the most important vehicle for the implementation of the provincial document. The Growth Plan require municipalities to develop a strategy that identifies the appropriate type and scale of development and

transition of built form to adjacent areas. The Official Plan recognizes Regeneration Areas within the Downtown as areas where intensification is encouraged. The Official Plan lays out the parameters of the City's planning framework by stipulating Regeneration Areas will need "tailor-made" strategies and frameworks for development through a Secondary Plan. The KPSP in turn requires new development to be located and organized to fit within its existing and planned context so it achieves a compatible relationship with the built form context.

The proposal's overall height of 19 storeys (75.5 metres including the mechanical penthouse) exceeds the Zoning By-law height limit of 23 metres. Policy 3 of section 3.1.2 in the Official Plan requires new development to fit harmoniously into its existing and/or planned context. Policy 3.1.1 of the KPSP requires new development to respect the physical character of King-Parliament. Further Policy 3.2 (e) requires new buildings to achieve a compatible relationship with their built form context through such matters as building height. Policy 3.2 (d) requires buildings to be massed to provide adequate light, view and privacy for neighbouring properties. The site is designated within the eastern limit of the Regeneration Area "A" policy area in the KPSP, where Policy 8.1 acknowledges the policy area is targeted for significant growth. However, the site is also within the western limit of the Corktown Area of Special Identity in the KPSP, where the King-Parliament Urban Design Guidelines indicate new development will need to respect the historical and urban design significance of the area. Also, building heights are currently and anticipated to be lower in scale. This dual framework is evident in the existing context of the site's surrounding area, where to the west of the site is the 17-storey (83.3 metres) office tower, and to the east are predominately lower scale buildings (with the exception of the 19 and 22-storey building under construction northeast of the site at 48 Power St.).

Through OPA 406, the site is also designated as Mixed Use Area 2 - Intermediate, where building heights are to be "in-between" in scale, responding to the existing character of the area.

Policy 6.27 of OPA 406 requires the scale and massing of buildings to respect and reinforce the existing and planned context of the neighbourhood, including prevailing heights. Policies 9.26 and 9.27 of OPA 406 direct the scale of development provide transition in scale between tall to low-rise built form.

Lastly, the Tall Building Design Guidelines encourage tall buildings to fit and transition to lower scale buildings.

Given the physical height context of the surrounding area, and the policy framework on planned building heights, City Planning staff requested a reduction in the overall building height from 19 storeys to 17 storeys. City Planning staff will continue to work with the applicant in achieving a building height in conjunction with a building mass that achieves a compatible relationship with the built form context.

Massing

The existing planning framework was analysed in respect to the proposal's building massing and its fit to its immediate context. The PPS indicates the Official Plan is the most important vehicle for the implementation of the provincial document. The Growth

Plan requires municipalities to develop a strategy that identifies the appropriate type and scale of development and transition of built form to adjacent areas. Policy 3 of Section 3.1.2 in the Official Plan requires new development to fit harmoniously into its existing and/or planned context. Policy 4 requires new development to be massed to define edges of streets at good proportion. Policy 1 requires new development on corner sites to give prominence to the corner. The site fronts on King Street East and Berkeley Street, both identified as a Special Street in the KPSP, where policy 3.1.3 indicates the quality, role and character of the streets will be maintained and enhanced. The King-Parliament Urban Design Guidelines indicate new development will need to respect the historical and urban design significance of the Corktown area. On Berkeley Street, development shall complement and maintain the massing and orientation of the industrial buildings along the street. On King Street East, development shall respect and reinforce the building type and height along the street frontage. Policy 3.2 d) requires new buildings to be sited and massed to provide adequate light, view and privacy for neighbouring properties. Policy 3.2 e) requires new buildings to achieve a compatible relationship with their built form context through massing, scale, setbacks and stepbacks. The Zoning By-law requires a 7.5 metre side and rear setback to the property line.

OPA 352 and associated amending Zoning By-laws 1106 and 1107-2016 provide direction on appropriate separation distance between tall buildings, in particular the requirement to provide a 12.5 metre building setback from the property line.

Policy 9.8 of OPA 406 requires base buildings to be designated to: respect the scale and proportion of adjacent streets, fit harmoniously within the existing and planned context of neighbouring streetwall heights; and respect the scale and built form character of the existing context of both streets when located on a corner lot.

Given the policy framework for the area's built form, City planning requested the following massing revisions to the proposal:

- A building setback of a minimum 12.5 metres from the east lot line after the 6th storey, or after a building height of 20 metres in order to provide for a minimum 25 metre tower separation distance should the lot to the east be redeveloped;
- A 3 metre stepback from the building face after the 12th storey along Berkeley Street, along with a shift of the 15-storey mass easterly by a maximum of 12.5 metres from the east lot line to maintain and enhance the role of the street;
- A 5 metre stepback after the 3rd storey, and a subsequent 3 metre stepback from the building face after the 6th storey along Front Street East in order to better respect the scale and proportion of the street across from the First Parliament site to the south.

City Planning staff will continue to work with the applicant in achieving a building mass that achieves a compatible relationship with the built form context.

Shadow Impact

A Shadow Study was submitted in support of the proposal. The study assessed the proposal's shadow impacts on the surrounding areas on the 21st day of March, June,

September and December between the hours of 10:18 am to 5:18 pm. City Planning staff consider the level of shadow impacts acceptable in this instance.

Housing Issues

The proposal contemplates 516 residential units, consisting of: 332 (64 percent) 1-bedroom units; 154 (32 percent) 2-bedroom units; and 19 (4 percent) 3-bedroom units. The Planning Rationale report indicated the proposed mixture of residential units meets the Official Plan's direction for a full range of housing to meet the current and future needs of residents. City Planning staff do not agree with the report's opinion. Further to the policy direction of the PPS and the Growth Plan, Policy 4 a) of Section 2.2.1 in the Official Plan indicates a full range of housing will be encouraged through residential intensification in the Regeneration Areas of Downtown. Policy 1 of Section 3.2.1 indicates a full range of housing, in terms of form, tenure and affordability across the City will be provided and maintained to meet the current and future needs of residents.

Policy 11.1 of OPA 406 directs development containing more than 80 units to include: a minimum 15 percent of the total number of units as 2-bedrooms with an area of 87 square metres per unit; and 10 percent of the total number of residential units as 3 bedrooms with an area of 100 square metres per unit. Further, the Growing-Up Guidelines also provide direction on a similar mixture of residential unit types and unit sizes for multi-unit development.

City Planning staff requests the percentage of 3-bedroom units of the total number of units be increased to at least 10 percent, and to ensure the 2-bedroom units to each have a gross floor area of 87 square metres, and the 3-bedroom units to each have a minimum gross floor area of 100 square metres in order to better conform to the existing and emerging policy direction.

Amenity Space

The Zoning By-laws' standards require 2.0 square metres of indoor and outdoor amenity space each per dwelling unit. This standard results in 1,032 square metres of indoor and outdoor amenity space each for the 516 dwelling proposal. The proposal includes 1,032 square metres of indoor amenity space on the 3rd storey and 1,032 square metres of outdoor amenity spaces on the 3rd and 15th storey. This amount of amenity meets the Zoning By-law standards.

Noise Impact

A Preliminary Noise and Vibration Impact Study was submitted. The study indicated the proposed development can be accommodated while achieving applicable environmental noise and vibration criteria. City Planning staff requires an addendum report to include traffic data as part of the noise impact analysis.

Pedestrian Wind Impact

A Qualitative Pedestrian Level Wind Assessment was submitted. The report indicated wind velocity levels will be suitable for the intended uses along the abutting sidewalks and outdoor amenity areas. Although City Planning staff have no concerns with the findings of the report, a revised pedestrian wind assessment will be requested on a revised massing proposal, should the application be approved in a revised form.

Traffic Impact, Vehicular Access and Loading Access

Vehicular and loading access is proposed on a driveway via Front Street East. The Urban Transportation Considerations report concluded the location of the driveway is appropriate. Transportation Services staff reviewed the proposal and require the driveway access be revised from Front Street East to Berkeley Street. This requirement is consistent with Policy 2 of 3.1.2 in the Official Plan that requires new development to locate vehicular access to improve safety and attractiveness of adjacent streets.

The Urban Transportation Considerations report concluded traffic impacts generated by the proposed development will not negatively impact the existing traffic volume in the surrounding area. Transportation Services staff generally accepts the findings of the report, but will require an update on the traffic volume forecasting once the proposed driveway is relocated from Front Street East to Berkeley Street.

The Urban Transportation Considerations report concluded the four loading spaces consisting of two Type 'B', one Type 'C' and one Type 'G' will sufficiently accommodate the proposal. Transportation Services staff generally finds the number and configuration of loading spaces to be acceptable, but will require revised manoeuvring diagrams with the relocation of the driveway access from Front Street East to Berkeley Street.

Vehicular Parking

The Zoning By-laws' standards require a total of 429 spaces consisting of 317 residential and 112 non-residential for the shared use of residential visitors and retail. The proposal provides 429 parking spaces consisting of 317 residential and 112 non-residential spaces to be shared for residential visitors and retail. Transportation Services staff finds the proposed number of parking spaces to be acceptable.

Bicycle Parking

The Zoning By-laws' standards require a total of 553 spaces consisting of 479 long-term and 74 short term spaces. The proposal will meet the Zoning By-law requirements for bicycle parking spaces.

Streetscape

The proposed pedestrian sidewalk width measured from the curb to the building face along King Street East, Berkeley Street and Front Street East are 3 metres, 4 metres and 2.9 metres respectively.

The PPS indicates the Official Plan is the most important vehicle for the implementation of the provincial document. The Growth Plan require municipalities to develop a strategy that ensure the development of high quality compact built form, an attractive and vibrant public realm, including public open spaces, through site design and urban design standards. Policy 5 of Section 3.1.1 in the Official Plan indicates city streets are significant public open spaces and be designed to perform their diverse roles by: a) balancing the needs and priorities of the various users and uses within the right-of-way, including street elements; and c) reflecting differences in local context and character. Policy 2.6 of the KPSP indicates that King-Parliament's physical character, including the structure of its public streets and open spaces, will be retained and where possible, enhanced. Policy 2.7 indicates new development will contribute to the achievement of

inviting, attractive, pleasant and safe streets. Furthermore, Policy 9.5 of OPA 406 expands on the Official Plan direction by requiring sidewalk conditions to achieve a minimum 6 metres in order to perform their diverse roles. City Planning staff requests the sidewalk zones be increased to a minimum of 6 metres on all street frontages.

Pedestrian Walkway

A 3 metre north-south walkway is proposed along the eastern boundary of the site. Although Policy 3.1.6 of the KPSP indicates the introduction of new public lanes to serve development will be encouraged, City Planning has concerns with the configuration of the walkway and suggested it be revised to a diagonal configuration that connects the south-west corner of the site to the northeast corner of the site.

Tree Preservation

There are 19 trees on and within 6 metres of the site. The proposal contemplates the removal of all the trees except for the 6 trees along King Street East. An Arborist Report and a Tree Protection Plan were submitted in support of the application. Urban Forestry staff reviewed the submitted documentation and indicated that the tree protection plan does not meet the City's Tree By-laws. The owner will need to ensure the proposal conforms to the City's Tree By-laws should this application be approved in some form.

Servicing

A Functional Servicing and Stormwater Management report was submitted. The proposal is to be connected by three new sanitary sewer connections to the existing 350 mm x 450 mm combined sewer on Front Street East, and by two connections to the existing 300 mm watermain on King Street East. Engineering and Construction Services' staff reviewed the report and require amendments to the analysis provided prior to accepting the proposal may be accommodated.

Hydrogeological Impacts

A Hydrogeological Investigation report was submitted. The report provided an estimate on the rate of construction dewatering and long-term estimate of sub-drain water discharge. Engineering and Construction Services and Toronto Water staff have reviewed the report and indicate additional analysis is required on groundwater quality and quantity proposed to be discharged to the City's sewers.

Archaeological Potential

A Stage 1 Archaeological Assessment was submitted. The report has determined that the property continues to exhibit archaeological potential, and a Stage 2 archaeological assessment is required prior to the undertaking of any below grade land disturbances. Heritage Preservation Services staff has reviewed the report and recommends that the archaeological requirements be secured as part of an agreement, should the application be approved in some form.

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 Official Plan shows local parkland provisions across the City. The lands which are the subject of this application are in an area with 0 to 0.42 hectares of local parkland per 1,000 people.

The site is in the lowest quintile of current provision of parkland. The site is in a parkland acquisition priority area, as per Chapter 415, Article III of the Toronto Municipal Code.

At the alternative rate of 0.4 hectares per 300 units specified in Chapter 415, Article III of the Toronto Municipal Code, the parkland dedication requirement is 6.88 square metres or 158.3 percent of the site area. However, for sites that are less than 1 hectare in size a cap of 10 percent of the development site is applied to the residential use while the non-residential use is subject to a 3 percent parkland dedication. In total, the parkland dedication requirement is 448 square metres.

The applicant is required to satisfy the parkland dedication requirement through an on-site parkland dedication of 448 square metres. The park is to be unencumbered, uniform in shape and topography, with visibility and accessibility from public roads.

An on-site parkland will enhance the availability of green space in the vicinity of the development. Ideally, the park is recommended to be located on the southwest corner of the development with frontage on Berkeley Street and Front Street East.

Further discussion is required pertaining to the specific configuration and location of the on-site parkland dedication. The land to be conveyed should meet the requirements set out in Policy 8 of section 3.2.3 in the Official Plan.

Heritage Impact & Conservation Strategy

The subject site is within the boundary of the St. Lawrence Neighbourhood HCD Plan, and is adjacent to various contributing properties. The adjacent heritage properties are located both within and outside the boundaries of the HCD Plan area. The adjacent heritage properties within the HCP Plan are all designated under Part IV of the *Ontario Heritage Act*. A Heritage Impact Assessment (HIA) was submitted in support of the application. The assessment finds that the current proposal implements the intent of, and conforms to, Official Plan heritage policies and relevant urban design guideline and that it conserves the cultural heritage value of adjacent heritage properties, as well as the cultural heritage value and character of the St. Lawrence Neighbourhood HCD. Heritage Preservation Services staff agree with this assessment based on the proposal in its current form. Should the application be approved in some form, staff will work with the applicant at the site plan approval stage to ensure that the expression of the base building conserves the adjacent heritage properties and meets the intent of the HCD Plan. At that time staff will review the base building's proposed materiality and articulation in relation to its surrounding heritage context and in the context of the HCD Plan.

Toronto Green Standard

Council has adopted the four-tier Toronto Green Standard (the "TGS"). The TGS is a set of performance measures for green development. Applications for Zoning By-law Amendments, Draft Plans of Subdivision and Site Plan Control are required to meet and demonstrate compliance with Tier 1 of the TGS. Tiers 2, 3 and 4 are voluntary, higher levels of performance with financial incentives. Tier 1 performance measures are secured on site plan drawings and through a Site Plan Agreement or Registered Plan of Subdivision.

The applicant is required to meet Tier 1 of the TGS. Performance measures for the Tier 1 development features to be secured through the zoning by-law process include: automobile infrastructure; cycling infrastructure; and storage and collection of recycling and organic waste.

Community Services Assessment

Community Services and Facilities ("CS&F") are an essential part of vibrant, strong and complete communities. CS&F are the lands, buildings and structures for the provision of programs and services provided or subsidized by the City or other public agencies, boards and commissions, such as recreation, libraries, childcare, schools, public health, human services, cultural services and employment services.

The timely provision of community services and facilities is as important to the livability of the City's neighbourhoods as "hard" services like sewer, water, roads and transit. The City's Official Plan establishes and recognizes that the provision of and investment in community services and facilities supports healthy, safe, liveable, and accessible. Providing for a full range of community services and facilities in areas experiencing major or incremental growth, is a responsibility shared by the City, public agencies and the development community.

A CS&F Study was submitted as part of the application. City Planning staff reviewed the study. In reference to Policy 1 of Section 3.2.2 in the Official Plan, staff request the provision for on-site child care facility and community space be explored.

City Planning staff also identified the following CS&F within the area that require improvements:

- Programming and services at existing community centres;
- Programming at Toronto Public Libraries; and
- Maintaining existing affordable human service agency spaces.

Section 37

The proposal at its current height, massing and density will be subject to Section 37 contributions under the *Planning Act*. Section 37 benefits have not yet been discussed. Should this proposal be approved in some form, Section 37 benefits should be secured in accordance with applicable policies and guidelines. Potential benefits may include: provision for affordable housing units; the implementation of the Heritage Interpretation Master Plan for Old Town Toronto; the implementation of the Heritage Lighting Master Plan for Old Town Toronto; and local streetscape and parkland improvements in accordance with the King-Parliament Community Improvement Plan.

Conclusion

The proposal has been reviewed against the policies of the PPS, the Growth Plan, the Official Plan, the KPSP, OPA 352, OPA 406, and the direction of the Tall Building Guidelines, Growing-Up Guidelines, and St. Lawrence Neighbourhood HCD.

Staff are of the opinion that the proposal in its current form does not meet specific policies highlighted above which provide direction for how future development is to fit in with the existing and planned context. These primarily relate to the height, massing, streetscaping, public realm, need for on-site parkland and the lack of a mixture of housing options to meet the needs of present and future residents.

Both the PPS and the Growth Plan rely on the Official Plan/Secondary Plan, zoning by-laws and other supporting documents to help with implementation. They provide the ability for the City to identify areas for future intensification and to use various tools including zoning and supporting documents (Guidelines) to ensure the development is contextually appropriate and that there are the necessary accompanying uses (e.g. parkland) in place to support the planned growth. These policies address such matters as height, density, scale, transition, existing and planned context, unit mix and size, public realm, among others.

Given that the City has adopted/endorsed the various policies and/or guidelines, non-conformity with these policies and guidelines would also mean non-consistency with Policies 1.1.1b), 1.1.3.4, 1.1.3.5, 1.4.3 b), 1.5.1 a) and b), 1.7.1 c) and d), and 4.7 of the PPS and non-conformity with policies 2.2.1.4 c) and e), 2.2.2.4 a), b), d) and f), 5.2.5.5 b) and 5.2.5.6 of the Growth Plan; and would also not have regard for the provincial interests in Section 2 of the *Planning Act*, specifically 2 j) and r).

In addition, the following staff and community concerns have not been resolved:

- Servicing to accommodate the development;
- Groundwater impacts from the development; and
- Vehicular and loading access location.

CONTACT

Henry Tang, Senior Planner, Tel. No. 416-392-7572, Fax No. 416-394-6063, E-mail: henry.tang@toronto.ca

ATTACHMENTS

City of Toronto Data/Drawings

Attachment 1: Application Data Sheet

Attachment 2: Location Map

Attachment 3: Official Plan Land Use Map

Attachment 4: King-Parliament Secondary Plan Land Use Map

Attachment 5: King-Parliament Secondary Plan Areas of Special Identity Map

Attachment 6: Existing Zoning By-law Map

Attachment 7: Heritage Conservation District Plan Boundary

Applicant Submitted Drawings

Attachment 8: Site Plan

Attachment 9: North Elevation

Attachment 10: South Elevation

Attachment 11: East Elevation

Attachment 12: West Elevation

Attachment 1: Application Data Sheet

Municipal Address: 250 FRONT ST E Date Received: November 30, 2017
Application Number: 17 269658 STE 28 OZ
Application Type: OPA / Rezoning, Rezoning

Project Description: Zoning By-law Amendment to permit a 19-storey mixed-use building (75.5 metres including mechanical penthouse) with street related retail uses and residential dwelling units above. The proposed development is comprised of a total gross floor area of approximately 45,824 square metres, including 6,197 square metres of retail gross floor area that is distributed between the first two levels of the building.

Applicant	Agent	Architect	Owner
LINO PELLICANO			ROVERELLA DEVELOPMENTS LTD

EXISTING PLANNING CONTROLS

Official Plan Designation:	Regeneration Areas	Site Specific Provision:
Zoning:	RA	Heritage Designation:
Height Limit (m):	23	Site Plan Control Area: Yes

PROJECT INFORMATION

Site Area (sq m): 5,026 Frontage (m): 51 Depth (m): 100

Building Data	Existing	Retained	Proposed	Total
Ground Floor Area (sq m):	2,234		2,724	2,724
Residential GFA (sq m):			39,139	39,139
Non-Residential GFA (sq m):	2,492		6,197	6,197
Total GFA (sq m):	2,492		45,336	45,336
Height - Storeys:	2		19	19
Height - Metres:			70	70

Lot Coverage Ratio (percent):	54	Floor Space Index:	9.02
-------------------------------	----	--------------------	------

Floor Area Breakdown	Above Grade (sq m)	Below Grade (sq m)
Residential GFA:	39,139	

Retail GFA: 6,197
 Office GFA:
 Industrial GFA:
 Institutional/Other GFA:

Residential Units by Tenure	Existing	Retained	Proposed	Total
Rental:				
Freehold:				
Condominium:			516	516
Other:				
Total Units:			516	516

Total Residential Units by Size

	Rooms	Bachelor	1 Bedroom	2 Bedroom	3+ Bedroom
Retained:					
Proposed:					
Total Units:			332	165	19

Parking and Loading

Parking Spaces: 429 Bicycle Parking Spaces: 552 Loading Docks: 4

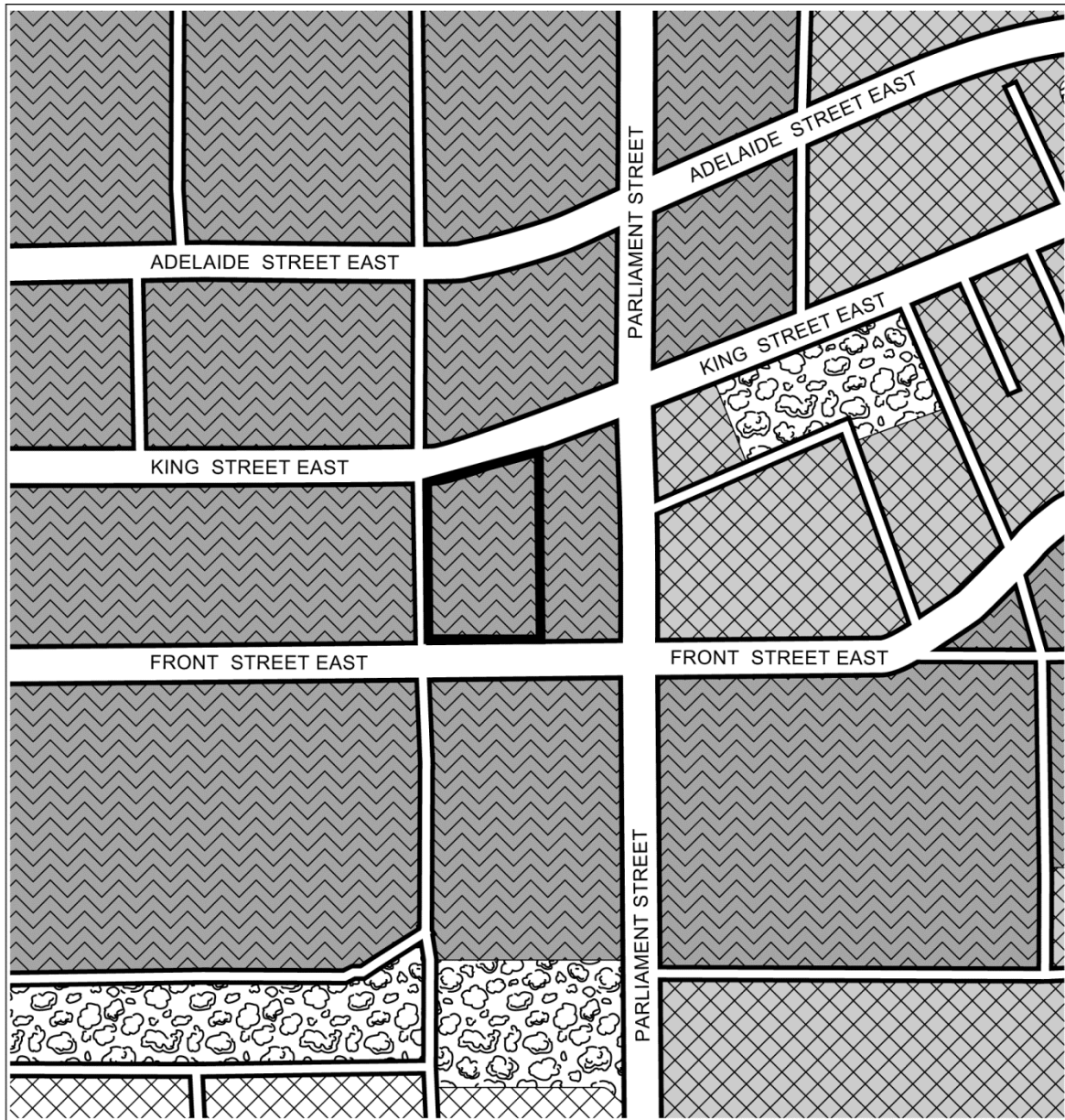
CONTACT:

Henry Tang, Planner
 (416) 392-7572
 Henry.Tang@toronto.ca

Attachment 2: Location Map



Attachment 3: Official Plan Land Use Map



TORONTO
Official Plan

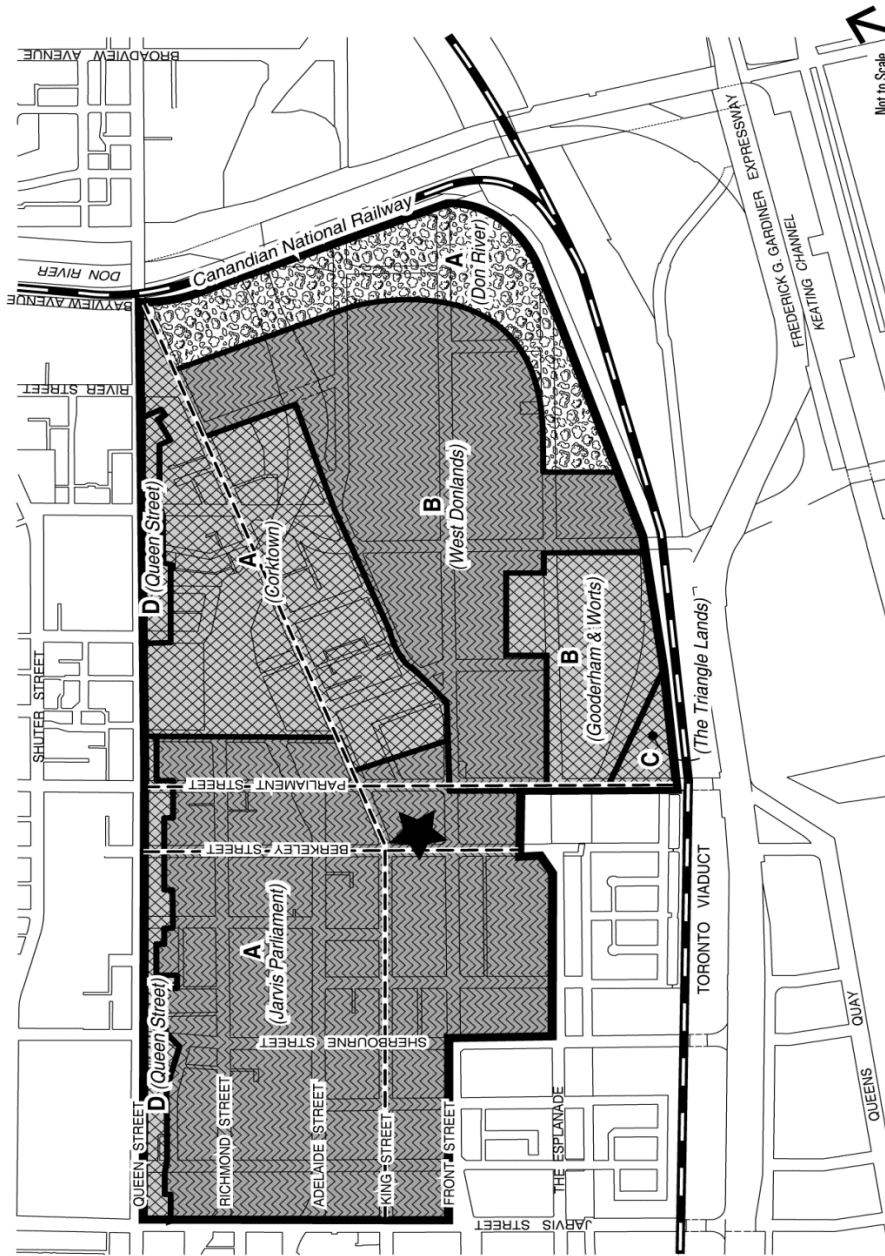
250 and 260 Front Street East
and 383 King Street East

File # 17 269658 STE 28 0Z






 Site Location	Parks & Open Space Areas	 Institutional Areas	 Utility Corridors
 Neighbourhoods	 Natural Areas	 Regeneration Areas	
 Apartment Neighbourhoods	 Parks	 Employment Areas	
 Mixed Use Areas	 Other Open Space Areas		


Not to Scale
01/04/2018

Attachment 4: King-Parliament Secondary Plan Land Use Map



King-Parliament Secondary Plan
MAP 15-1 Land Use Plan

-  Secondary Plan Boundary
-  Regeneration Areas
-  Mixed Use Areas
-  Special Streets
-  Parks and Open Space Areas

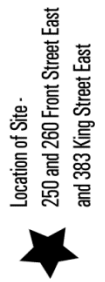
June 2006

King-Parliament Secondary Plan

MAP 15-1 Land Use Plan

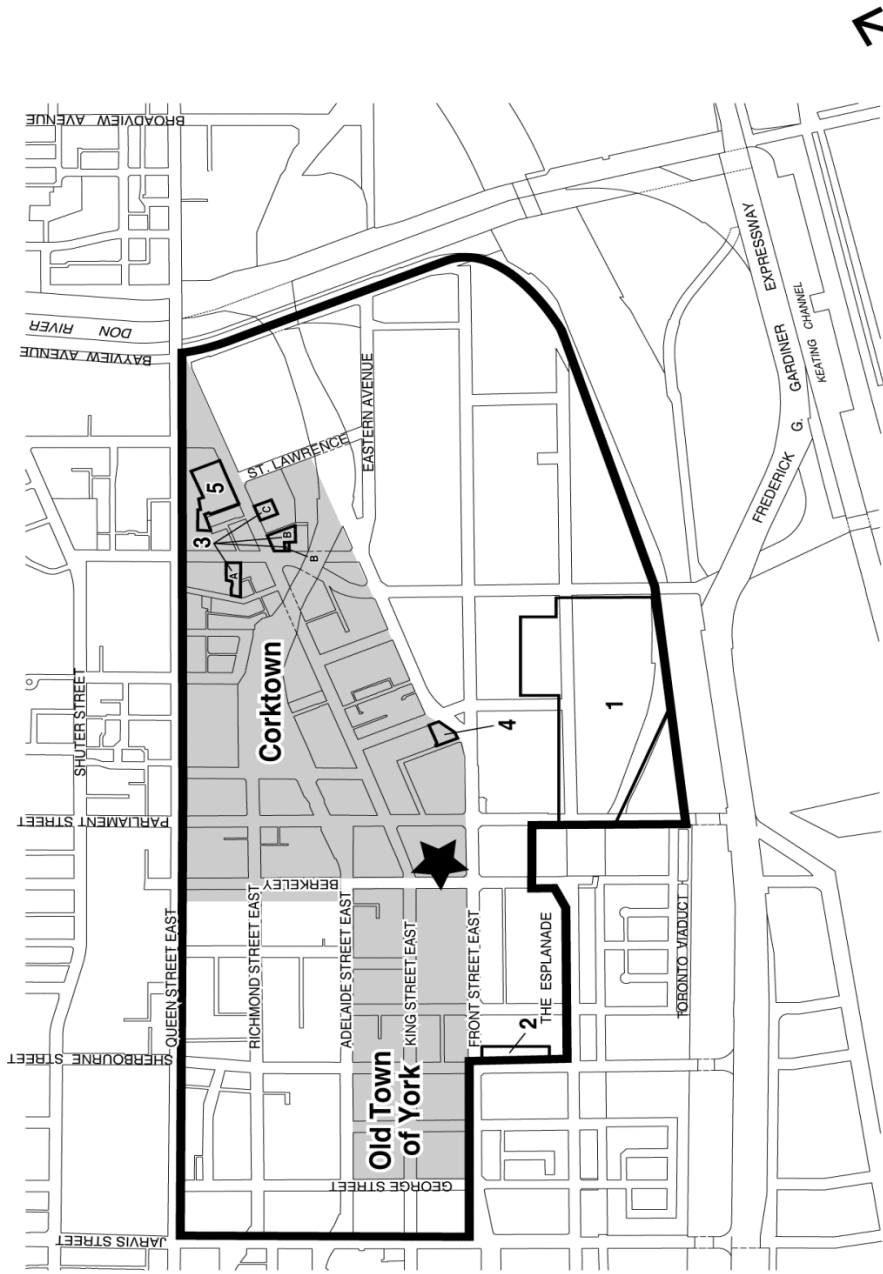
Not to Scale
01/05/2018

250 and 260 Front Street East and 383 King Street East






File # 17 269658 STE 28 0Z

Attachment 5: King-Parliament Secondary Plan Areas of Special Identity



King-Parliament Secondary Plan

MAP 15-3 Areas of Special Identity

-  Secondary Plan Boundary
-  Areas of Special Identity
-  1 Site and Area Specific Policies

December 2010

King-Parliament Secondary Plan

MAP 15-3 Areas of Special Identity

250 and 260 Front Street East and 383 King Street East

Location of Site -
250 and 260 Front Street East
and 383 King Street East



Not to Scale
01/05/2018

File # 17 269658 STE 28 0Z

Attachment 6: Zoning By-law



Zoning By-Law No. 569-2013

250 and 260 Front Street East
 383 King Street East
 File # 17 269658 STE 28 0Z

Location of Application

R Residential CR Commercial Residential
 CRE Commercial Residential Employment

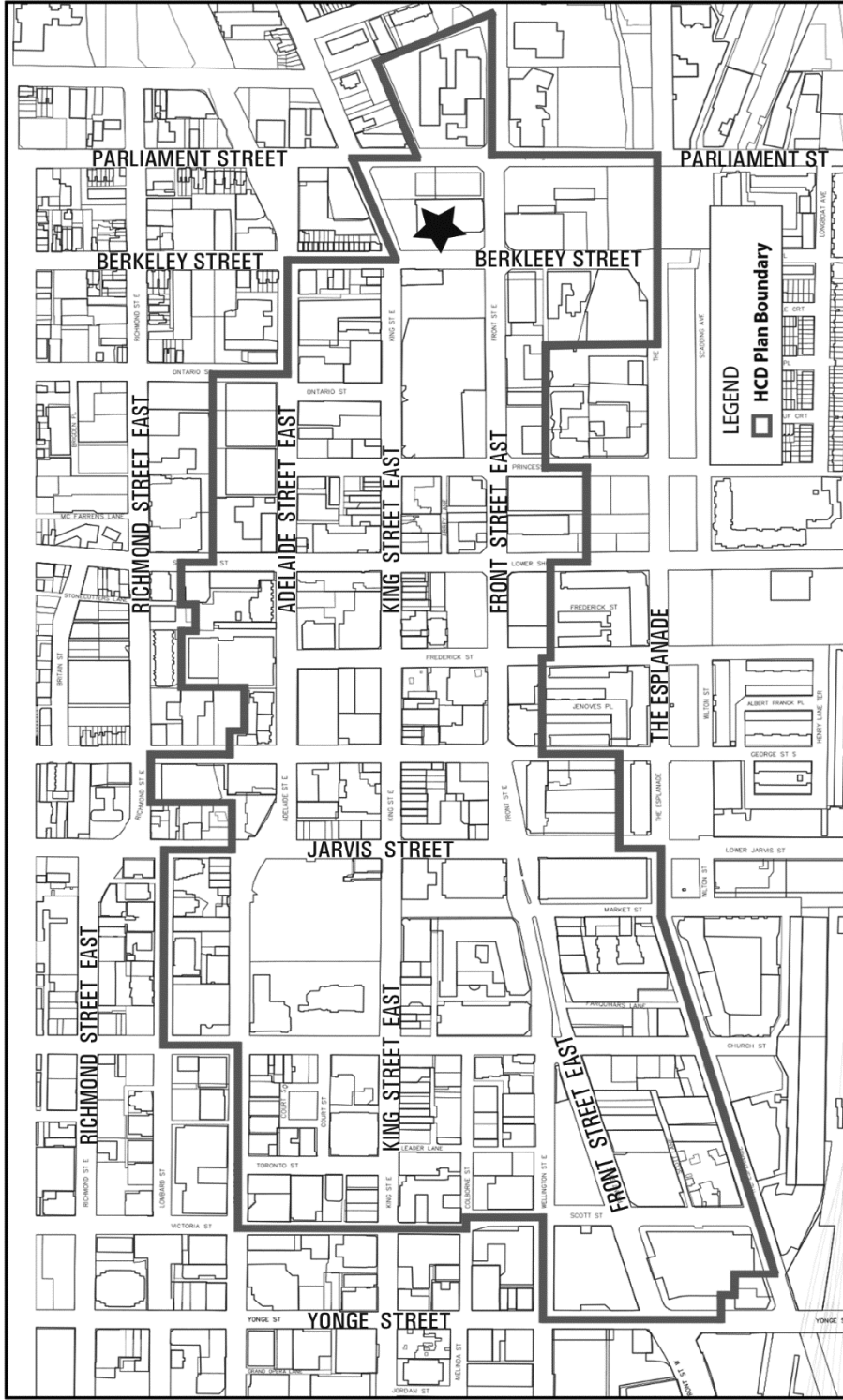
See Former City of Toronto By-Law No. 438-86

R3 Residential District
 CR Mixed-Use District
 MCR Mixed-Use District
 RA Mixed-Use District



Not to Scale
 Extracted: 01/04/2018


Attachment 7: Heritage Conservation District Plan Boundary



Map 4: HCD boundary

Heritage Conservation Plan Boundary

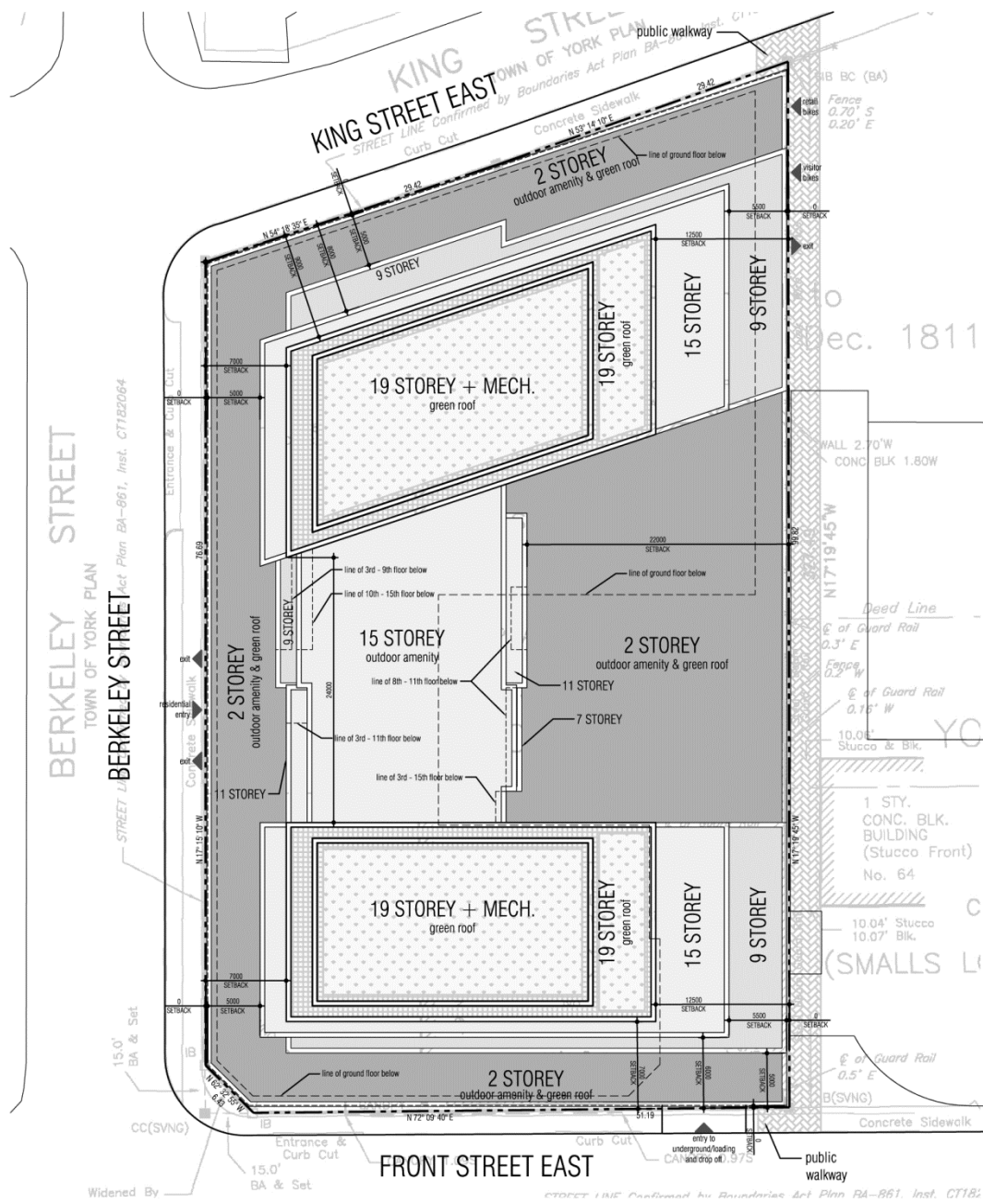
250 and 260 Front Street East and 383 King Street East

Location of Site -

 250 and 260 Front Street East
 and 383 King Street East

Not to Scale
 01/05/2018

File # 17 269658 STE 28 0Z

Attachment 8: Site Plan



Site Plan

Applicant's Submitted Drawing

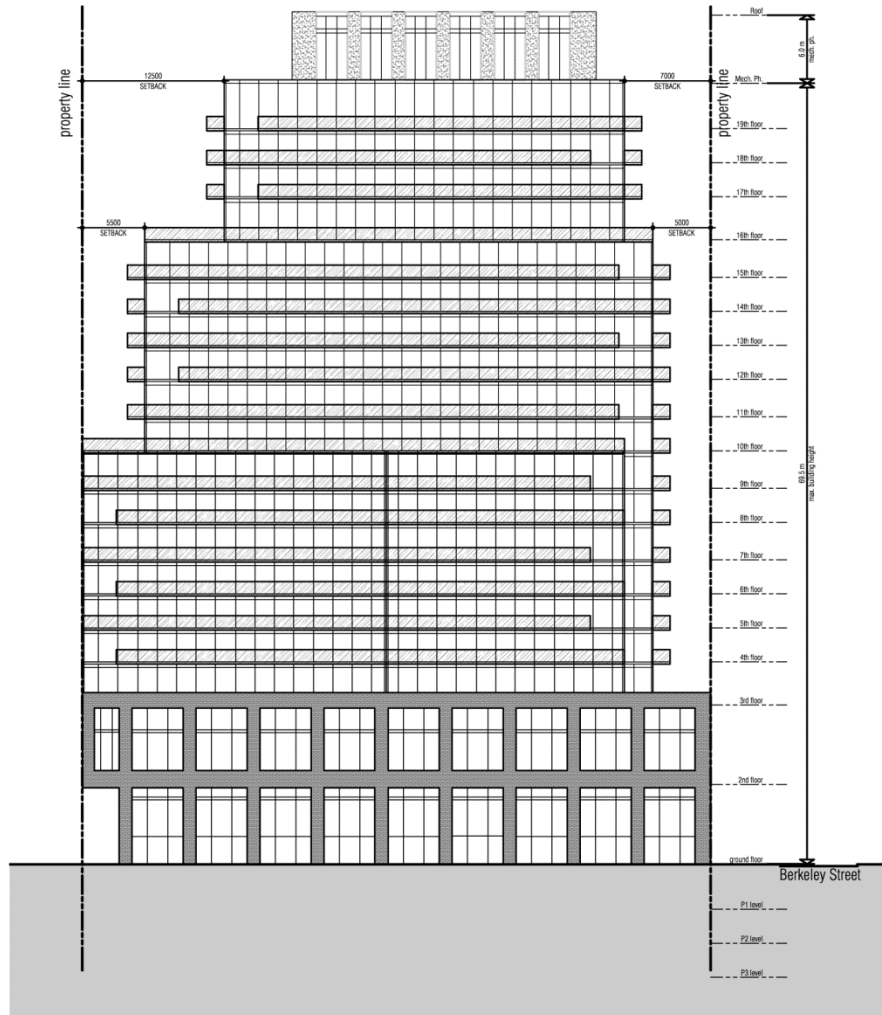
Not to Scale
01/10/2018



250 and 260 Front Street East and 383 King Street East

File # 17 269658 STE 28 0Z

Attachment 9: North Elevation



North Elevation 2
Scale - 1/8" = 1'-0"
4403

North Elevation

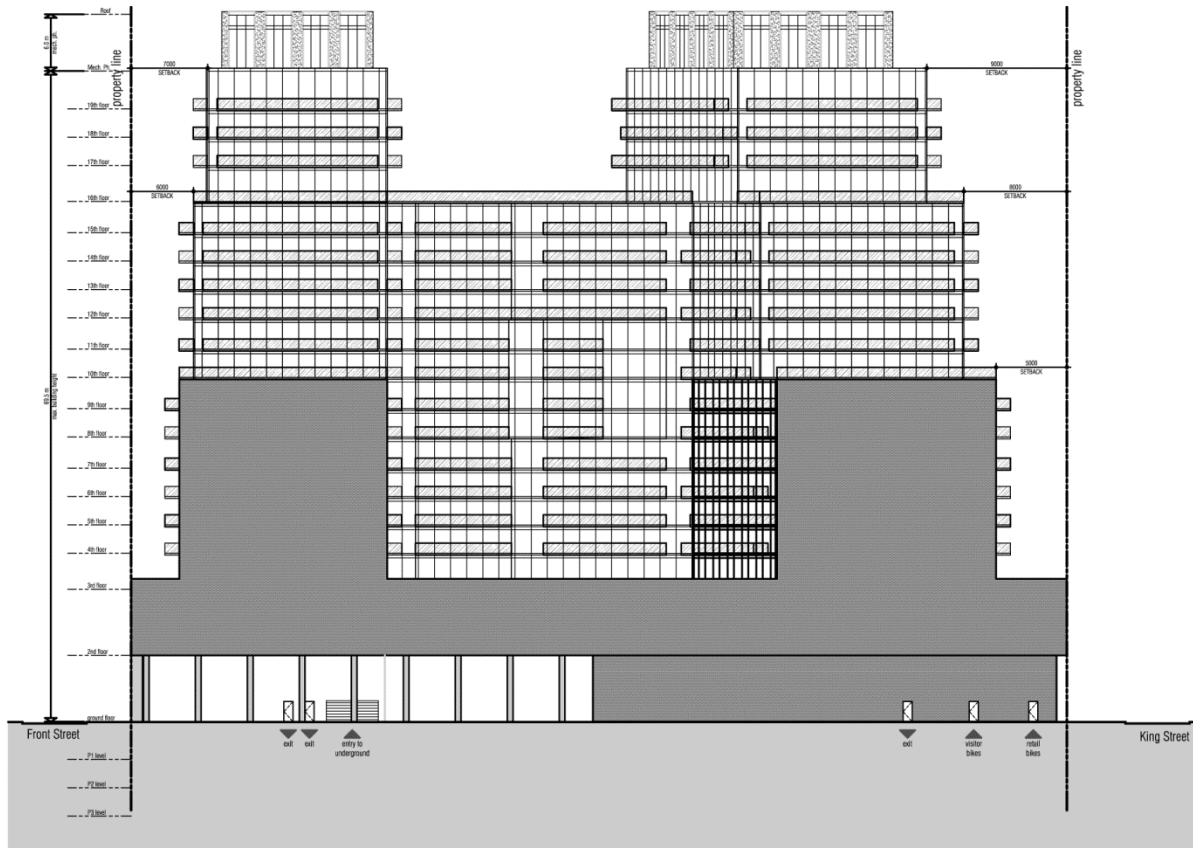
Applicant's Submitted Drawing

Not to Scale
01/10/2018

250 and 260 Front Street East and 383 King Street East

File # 17 269658 STE 28 OZ

Attachment 11: East Elevation



East Elevation

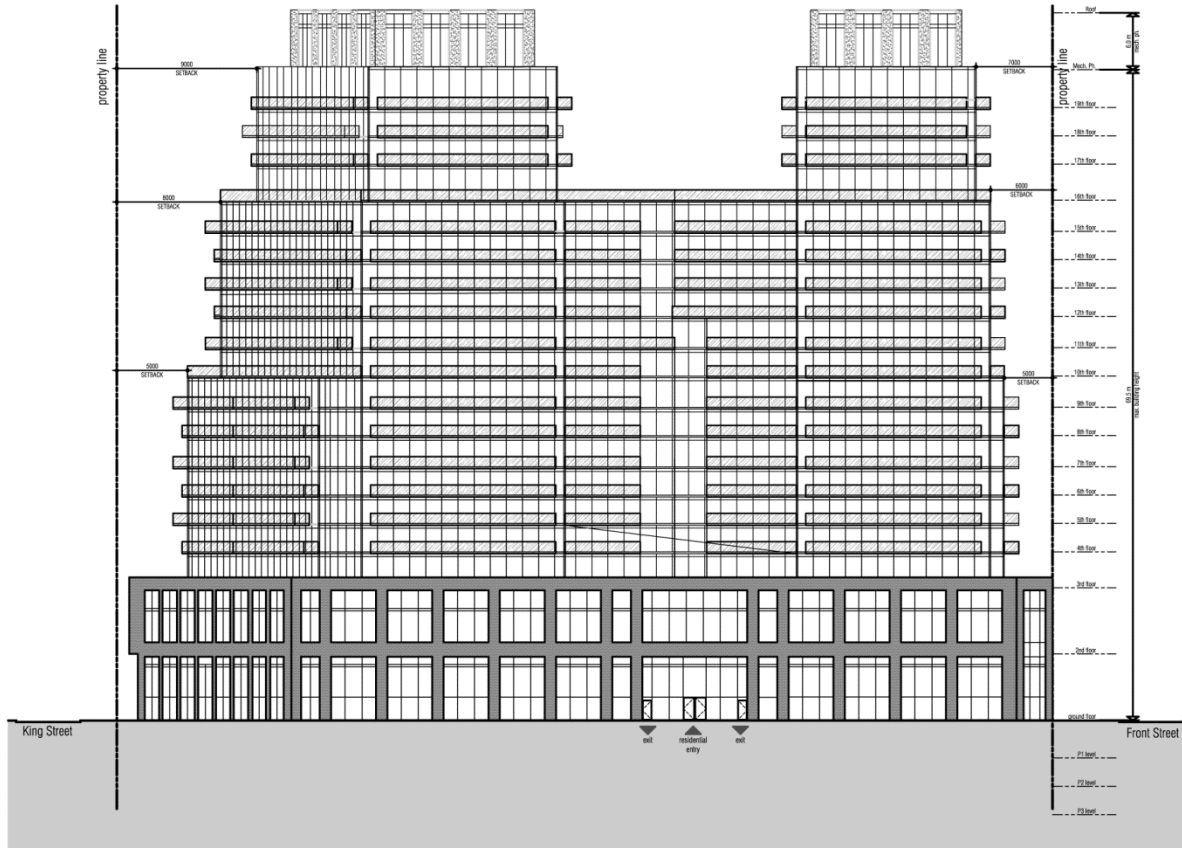
Applicant's Submitted Drawing

Not to Scale
01/10/2018

250 and 260 Front Street East
and 383 King Street East

File # 17 269658 STE 28 OZ

Attachment 12: West Elevation



West Elevation 1
SAC - 100
4/01

West Elevation

Applicant's Submitted Drawing

Not to Scale
01/10/2018

250 and 260 Front Street East
and 383 King Street East

File # 17 269658 STE 28 OZ