

# Public Attachment "1"

## 64 Prince Arthur Avenue - Community Planning Analysis

Date: May 20, 2020

From: Director, Community Planning, Toronto and East York District

Ward: 11 - University-Rosedale

Planning Application Number: **17 226254 STE 20 OZ**

### **POLICY CONSIDERATIONS**

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

The Request for Directions Report dated June 13, 2018 from the Acting Director, Community Planning, Toronto and East York District, as adopted by City Council, contains the identification of the relevant policy considerations under the Provincial Policy Statement (2014) and the Growth Plan for the Greater Golden Horseshoe (2017).

Since the Request for Directions Report, the Province has released changes to the Provincial Policy Statement and the Growth Plan.

#### **Provincial Policy Statement (2020)**

On February 28, 2020, the Government of Ontario released the Provincial Policy Statement (2020), which came into effect on May 1, 2020. After this date, all planning decision shall be consistent with the PPS 2020.

The PPS 2020 continues to reflect the key issues identified in the June 13, 2018, Request for Directions Report. Additional changes include the direction that planning authorities identify appropriate locations and promote opportunities for transit supportive development, accommodating a significant supply and range of housing options through intensification and redevelopment where it can be accommodated. The City's Official Plan, including Downtown Secondary Plan, continues to appropriately identify areas for intensification and redevelopment while respecting the existing and planned context to demonstrate that a proposed development can be accommodated and ensuring that we build healthy, liveable and sustainable complete communities.

The PPS (2020) continues to recognize and acknowledge the Official Plan as an important document for implementing the policies within the Policy 4.6 of the PPS.

#### **A Place to Grow: Growth Plan for the Greater Golden Horseshoe (2019)**

A Place to Grow: Growth Plan for the Greater Golden Horseshoe (2019) (the "Growth Plan (2019)") came into effect on May 16, 2019. This new plan replaces the previous Growth Plan for the Greater Golden Horseshoe, 2017. The Growth Plan (2019) continues to provide a strategic framework for managing growth and environmental

protection in the Greater Golden Horseshoe region, of which the City forms an integral part. The Growth Plan, 2019 establishes policies that require implementation through a Municipal Comprehensive Review (MCR), which is a requirement pursuant to Section 26 of the *Planning Act* that comprehensively applies the policies and schedules of the Growth Plan (2019), including the establishment of minimum density targets for and the delineation of strategic growth areas, the conversion of provincially significant employment zones, and others.

Policies not expressly linked to a MCR can be applied as part of the review process for development applications, in advance of the next MCR. These policies include:

- Directing municipalities to make more efficient use of land, resources and infrastructure to reduce sprawl, contribute to environmental sustainability and provide for a more compact built form and vibrant public realm;
- Directing municipalities to engage in an integrated approach to infrastructure planning and investment optimization as part of the land use planning process;
- Achieving complete communities with access to a diverse range of housing options, protected employment zones, public service facilities, recreation and green space that better connect transit to where people live and work;
- Retaining viable lands designated as employment areas and ensuring redevelopment of lands outside of employment areas retain space for jobs to be accommodated on site;
- 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.

The Growth Plan (2019) builds upon the policy foundation provided by the PPS and provides more specific land use planning policies to address issues facing the GGH region. The policies of the Growth Plan (2019) take precedence over the policies of the PPS to the extent of any conflict, except where the relevant legislation provides otherwise.

### **City of Toronto Official Plan**

The City of Toronto Official Plan remains relatively unchanged from the issues and policies identified in the June 13, 2018, Request for Directions Report, with exception of a few matters identified below.

### **Official Plan Amendment No. 320**

On December 7, 2018 the LPAT approved OPA 320 with policies that were modified in part by settlements reached between the City and appellants. Built up *Apartment Neighbourhoods* are stable areas of the City where significant growth is generally not anticipated. There may, however, be opportunities for additional townhouses or apartments on underutilized sites and the Plan sets out criteria to evaluate these situations.

Development proposals in *Apartment Neighbourhoods* are evaluated to:

- locate and mass new buildings to provide a transitional between areas of different development intensity and scale, as necessary to achieve the objectives of the Plan, through setbacks and stepping down of heights towards, lower scale *Neighbourhoods*.
- locate and mass new buildings to adequately limit shadow impacts on properties in adjacent lower scale Neighbourhoods particularly during the spring and fall equinoxes.
- locate and mass new buildings to frame the edge of streets and parks with good proportion and maintain sunlight and comfortable wind conditions for pedestrians on adjacent streets, parks and open spaces.
- provide indoor and outdoor recreation space for building residents in every significant multi-unit residential development provide ground floor uses that enhance the safety, amenity and animation of adjacent streets and open spaces.

### **The Downtown Secondary Plan**

City Council adopted OPA 406 on July 27, 2018. OPA 406 included amendments to the Downtown section of the Official Plan and Map 6 of the Official Plan and brought forward a new Secondary Plan for the entire Downtown area.

On August 9, 2018 the City's application under Section 26 of the *Planning Act* was sent to the Minister of Municipal Affairs and Housing (MMAH) for approval. The Ministry issued its decision regarding OPA 406 on June 5, 2019, approving a modified version of the Downtown Plan. As the application was deemed complete prior to June 5, 2019, the Downtown Secondary Plan does not apply to the application, but does inform the planned context for the site and the surrounding context, and the Downtown Urban Growth Centre more generally.

Section 3 of the Downtown Plan outlines the goals for development within the Downtown area to create complete communities. Policy 3.3 directs that new buildings will fit within their existing and planned context, conserve heritage attributes, expand and improve the public realm, create a comfortable microclimate, provide compatibility between differing scales of development and include indoor and outdoor amenities for both residents and workers.

While there is substantial development within the Downtown, there is a predominance of small development sites within the Downtown that require coordination and collaboration. Policy 3.18 directs that property owners should coordinate and collaborate to achieve the objectives of the Plan and to achieve complete communities.

Section 4 of the Downtown Plan outlines how growth will be directed and distributed. Policy 4.1 notes that growth is encouraged on lands designated Mixed Use Areas 1, Mixed Use Areas 2, Mixed Use Areas 3, Regeneration Areas and Institutional Areas. While the policies direct that the highest density of development should be directed to *Mixed Use Areas* in close proximity to existing or planned transit stations, Policy 4.2 clarifies that not all areas will experience the same amount of intensification. Development intensity will be determined by the policies of the Official Plan, the

Downtown Plan and other applicable Secondary Plans and Site and Area Specific Policies. *Apartment Neighbourhoods*, such as this Site, are not intended to have the highest level of development according to the Downtown Plan. The Direction in Policy 4.1 is that *Mixed Use Areas* are directed for growth, with varying levels of scale and intensity within each *Mixed Use Areas*, and that other areas in the Downtown will have more modest levels of intensification.

Under the Downtown Plan, the subject lands are not designated Mixed Use Areas 1 through to 4. Along Bloor Street from Avenue Road to Bathurst Street, majority of the lands are designated Mixed Use Areas 2 and 3, with certain lands north of Bloor Street designated Mixed Use Areas 4. The Downtown Plan direct that development within the various *Mixed Use Areas* will include building typologies that respond to their site context. Policy 6.20 identifies that in these areas that building heights, massing and scale of development will be compatible between each of the four *Mixed Use Areas*, with the tallest buildings located in Mixed Use Areas 1 stepping down through Mixed Use Areas 2 and Mixed Use Areas 3 to low-scale buildings in Mixed Use Areas 4. These lands are directly adjacent to Site and Area Specific Policy 334, and east of Avenue Road those lands are subject to Site and Area Specific Policy 221 both of which provide more detailed direction on built form, height, mass scale and transition within the SASPs and to the surrounding context. While these SASPs are not applicable to this site, combined with the Downtown Plan inform the planned context of the surrounding area.

Section 9 of the Downtown Plan contains the built form policies that are to be applied on an area-wide basis to address potential negative impacts associated with intensification. The policies emphasize the importance of development contributing to the livability of the surrounding context by providing access to sunlight, natural light, openness and sky-view; and maintaining adequate privacy.

The policies also provide direction for base buildings, including that base buildings will generally fit compatibly within the existing and planned context of neighbouring streetwall heights. Policy 9.8 and 9.9 directs that development will generally provide a transition from the base building to relate to adjacent properties with a lower-scale planned context, as may be required to achieve the objectives of the Downtown Plan.

Policy 9.14 directs that development will be located and massed to define and frame the edges of the public realm with good street proportion, providing for comfortable sun and wind conditions on the public realm and neighbouring properties by stepping back building mass above the streetwall height to allow daylight and sunlight to penetrate to the street and lower building levels.

The built form policies also emphasizes that although existing and approved buildings form part of the existing and planned context, the siting, massing, height and design of a building on one site will not necessarily be a precedent for development on an adjacent or nearby site (Policy 9.11).

The policies also outlines how development can be designed to mitigate its impacts on neighbouring properties to provide access to sunlight and sky-views as well as establish a human scale. Generally, Policy 9.22 notes that development may be required to

provide built form transition where necessary to create a more liveable environment in the public realm. Policy 9.23 directs that transition in development scale can be achieved through the different combination of angular planes, stepping height limits, location and orientation of the building, the use of setbacks and step-backs of building mass, separation distances, as well as other means to achieve compatibility with the surrounding uses and built form.

Policy 9.24 of the Plan outlines that development may be required to transition in scale if the proposal is of a greater intensity and scale than the adjacent and surrounding planning context; adjacent to nearby lands that have a planned context that does not anticipate tall buildings, including but not limited to, *Neighbourhoods*, *Mixed Use Areas 3* and *Mixed Use Areas 4*; and/or adjacent to existing or planned parks and open spaces. While transition in scale can take different forms, policy 9.27 clearly directs that where transition is desirable to achieve compatibility, transition will generally be provided within the development site itself and provides direction on addressing built form adjacencies in Policy 9.25 and 9.26.

## **COMMENTS**

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### **Section 2 of the Planning Act**

The proposal has been reviewed and evaluated against Section 2 of the Planning Act, and fails to have regard to the relevant matters of provincial interest including: the orderly development of safe and healthy communities; the appropriate location of growth and development; the supply, efficient use and conservation of energy and water; the adequate provision and efficient use of communication, transportation, sewage and water services and waste management systems; and the promotion of a built form that is well designed, encourages a sense of place, and provides for public spaces that are of high quality, safe, accessible, attractive and vibrant.

### **Provincial Policy Statement and Provincial Plans (2020)**

The proposal has been reviewed and evaluated against the PPS (2020) and the Growth Plan (2019). In the opinion of planning staff, the revised proposal is not consistent with the PPS and does not conform with the Growth Plan.

The Provincial Policy Statement (PPS) 2020, and in particular Policy 1.1.3.3 and 1.1.3.4, encourages intensification and efficient development patterns and redevelopment, recognizing the importance of local context and the availability of infrastructure and public service facilities to meet projected needs that is transit supportive. Accordingly, the City of Toronto Official Plan identifies areas for intensification and provides a policy framework that encourages intensification in those areas, provided that it is respectful of the existing and planned local context in a compact form.

In addition, Policy 1.7.1 e) outlines that long-term economic prosperity should be supported by encouraging a sense of place, by promoting well-designed built form. The proposal, in its current form, is not consistent with the PPS 2020.

The proposal is inconsistent with the PPS, including Policies 1.1.3.3 and 1.1.3.4 of the PPS as the proposed level of intensification cannot be accommodated on the site and fails to take into account the existing building stock of the area and the existing and planned context surrounding the subject site. The proposed development does not conform to the policies of the Official Plan that implements the PPS, including Healthy Neighbourhoods, Built Form and *Apartment Neighbourhoods* policies.

Policy 4.6 of the PPS 2020 states the Official Plan is the most important vehicle for implementation of the PPS 2020. As a result, the City of Toronto has established a vision and policy framework for this area. The proposal is not consistent with these overall policy outcomes of the PPS 2020 as further articulated by the City's Official Plan. This is outlined in detail later in the report.

### **A Place to Grow: Growth Plan for the Greater Golden Horseshoe (2019)**

A key goal of the Growth Plan (2019) is for 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 municipal official plan policies, site design and urban design standards.

Policy 2.2.1.4 a) and c) supports complete communities that feature a diverse mix of land uses, including residential and employment uses, which provide a diverse range and mix of housing options to accommodate people at all stages of life and accommodate the needs of all household sizes and incomes. Subsection e) directs the provision of a more compact built form and a vibrant public realm that are well designed to meet people's needs for daily living throughout an entire lifetime. In addition, complete communities provide convenient access to an appropriate mix of jobs, local services, public service facilities, and a full range of housing to accommodate a range of incomes and household sizes.

Policy 2.2.2.3(b) requires intensification areas to be planned to achieve an appropriate type and scale of development and transition of built form to adjacent areas. These policies build on Section 2(r) of the *Planning Act*, which recognizes the promotion of built form that is well-designed, encourages a sense of place and provides for public spaces that are of high quality, safe, accessible, attractive and vibrant are provincial interests that decision makers shall have regard to. The Growth Plan (2019) policies also build on PPS (2020) Policy 1.7.1(d) and (e) which states that long term economic prosperity will be supported by enhancing the vitality and viability of downtowns and main streets as well as by encouraging a sense of place by promoting well-designed built form, and by conserving features that help define character.

The Growth Plan for the Greater Golden Horseshoe, in policy 2.2.2.3 b), states that municipalities will identify the appropriate type and scale of development in strategic growth areas and transition of built form to adjacent areas. The Downtown Secondary Plan provides for that direction for the Downtown Urban Growth Centre, being a Strategic Growth Area and through its various land use policies, including the Official Plan and relevant Site and Area Specific Policies, establishes an integrated framework establishing the appropriate type and scale of development and transition to adjacent areas.

While, in general, the proposed development orients development in an area that makes use of transit and infrastructure, the level of intensification, scale and built form relationships does not conform to the Growth Plan (2019). The development does not achieve a built form relationship that results in a vibrant public realm or mitigates its impacts on the existing or planned context, and therefore does not result in a development that conforms with the Growth Plan (2019). In this instance, while the proposed uses may be appropriate for the site, the built form simply is not contextually appropriate, does not result in a vibrant public realm and would not positively contribute to the existing and planned context.

## **Land Use**

This application has been reviewed against the policies of the Toronto Official Plan as a whole. The subject site is in an area designated *Apartment Neighbourhoods* in the Official Plan. It is immediately south of an area designated *Neighbourhoods* and southwest of Taddle Creek Park which is designated *Parks* in the Official Plan. The proposed residential use complies with the permitted uses in an *Apartment Neighbourhoods* designation in the Official Plan. Both current Zoning By-laws permit the proposed use of an apartment building and therefore the use is acceptable.

## **Density, Height, Massing**

This application has been reviewed against the official plan policies and design guidelines described in the Policy Considerations Section of the Report.

The consistent principle in all of the Official Plan and the Downtown Secondary Plan built form policies is that new buildings will be sited for adequate light, view, privacy and compatibility with the surrounding built form context.

Section 3.1.2.3 of the City's Official Plan require that new development "fit harmoniously into its existing and/or planned context". The proposed development fails to conform with these policies in the Official Plan. This is further articulated in Section 3 of the Downtown Plan, which directs that development will fit within their existing and planned context, expand and improve the public realm, create a comfortable microclimate, provide compatibility between differing scales of development and include indoor and outdoor amenities for both residents and workers.

Section 9 of the Downtown Plan contains the built form policies that are to be applied to address potential negative impacts associated with intensification. The policies emphasize the importance of development contributing to the livability of the surrounding context by providing access to sunlight, natural light, openness and sky-view; and maintaining adequate privacy.

It is important to note that the Downtown Plan also emphasizes that although existing and approved buildings form part of the existing and planned context, the siting, massing, height and design of a building on one site will not necessarily be a precedent for development on an adjacent or nearby site (Policy 9.11).

The proposed development has a scale and intensity that is out of character with the surrounding *Apartment Neighbourhoods*. The proposed tall building, does not fit harmoniously into the existing or planned context. It would set a negative precedent of an undesirable scale of development for this size of site in an *Apartment Neighbourhood*.

The Healthy Neighbourhoods policies of the Official Plan state that *Apartment Neighbourhoods* are considered physically stable, and that new development will respect and reinforce the existing physical character of buildings, streetscapes, and open space patterns in the area.

The Built Form policies further require that new development will be designed to fit harmoniously into its existing and/or planned context, and to limit impacts on neighbouring streets, parks, open spaces and properties. Taller buildings are to be located to ensure adequate access to sky view for the proposed future use of streets, parks, and open spaces.

The *Apartment Neighbourhoods* policies require that new development contribute to quality of life by locating and massing new buildings to frame the edge of streets with good proportion and maintain sunlight for pedestrians on adjacent streets, parks and open spaces.

OPA 320, approved by the Minister of Municipal Affairs and Housing, and is now in force and amends the Healthy Neighbourhoods policies. The amended policies state that *Apartment Neighbourhoods* are considered to be physically stable, and that new development will be consistent with this objective and will respect the criteria contained in the *Apartment Neighbourhoods* policies and other relevant sections of the Official Plan.

The existing context along Prince Arthur Avenue is primarily apartment buildings of 11 to 19-storeys in a generous landscaped setting. There is a mix of existing buildings ranging from the 2-storey Royal Canadian Yacht Club building to the 19-storey apartment building immediately east of the proposed development and the 12-storey apartment building immediately west of the site, fronting on St. George Street. The proposed 19-storey building is considerably taller in metered height than any of the adjacent buildings in the existing context. In comparison, the proposal is 66.7 metres excluding the mechanical penthouse, the existing building to the east (50 Prince Arthur Avenue) is 50.4 metres and the building to the west (145 St. George Street) is 29.0 metres.

The Tall Building Design Guidelines directs that tall buildings fit within the existing or planned context and provide an appropriate transition in scale down to lower-scaled buildings, parks and open space. An existing 10-unit townhouse complex of 12 metres in height is located on the abutting property to the north within the *Neighbourhoods* designation.

The Downtown Tall Building Design Guidelines states that the tower component of a tall building should be setback at least 20 metres, excluding balconies, from the property line abutting a lower scale neighbourhood. The proposal sets back 7.5 metres from the



rear property line up to the top of the 6th floor and above the 6th floor, it steps back 10 metres from the rear property line, which abuts the yard of the *Neighbourhoods* designated property at 83A Lowther Avenue (3-storey townhouse). The proposed setback of 7.5 metres and step back of 10 metres above the 6th floor do not provide an appropriate transition in scale to the adjacent lower scale neighbourhood and do not meet the intent of the Downtown Tall Building Design Guidelines. City Planning staff believe the site is too small for a tall building to meet the Downtown Tall Building Guidelines. In such cases, a small site may only be able to accommodate a lower-scale building form, such as a mid-rise building.

The Tall Building Design Guidelines identifies a minimum 12.5 metre tower setback from the side and rear property lines in order to avoid a “first-to-the-post” development scenario, whereby the need to provide access to sunlight, sky view, privacy, and daylighting, may restrict adjacent sites from developing in a similar manner.

The tower is proposed without any side yard setbacks except for some cutouts on the east and west sides of the building that provide 5.5-metre step backs. Above the 14th floor the tower steps back 5.5 metres from the eastern property. Above the 17th floor, the tower steps back 5.5 metres from to the western property line. These setbacks and stepbacks do not provide appropriate separation distances to the side property lines and do not meet the intent of the tall Building Design Guidelines or OPA 352.

The proposed building has a density of 8.86 times the area of the site. The density of the existing buildings on the block fronting on both sides of Prince Arthur Avenue and St. George Street range from 3.7 to 3.43 times the area of the lot. This existing density reflects the character of lower building heights, larger sites and more generous landscaped open space. The existing buildings consequently have less impact on neighbouring properties, along with additional open space.

Further, the proposal does not conform to the Toronto Official Plan, particularly in Policy 4.2.2 a) locating and massing to provide a transition between areas of different development intensity and scale. Also, Policy 4.2.3 c) providing separation distances between buildings on and adjacent to the site so as to achieve adequate sunlight and privacy.

The height, setbacks and density of the revised proposal is not acceptable or appropriate for its context in the neighbourhood. The proposal similarly fails to maintain the intent of the Downtown Secondary Plan for similar reasons regarding the mass, scale, height of the proposed built form regarding the policies identified in this Report. The proposal fails to provide for an urban form that fits within the existing and planned context both on and adjacent to this site.

## **Sun, Shadow**

The Built Form policies require that new buildings limit impacts on neighbouring streets, parks, open spaces and properties by providing adequate light and privacy, and limiting resulting shadowing of those areas. The *Apartment Neighbourhoods* policies state that new buildings are to be located and massed to frame the edge of streets with good proportion and maintain sunlight for pedestrians on adjacent streets and open spaces.

The Public Realm policies recognize City streets as significant public open spaces that provide amenities such as sky view and sunlight, and serve as public gathering places.

The proposed 66.7 metre excluding the mechanical penthouse tall tower will cast net-new shadows on Taddle Creek Park in the spring and fall equinoxes for approximately 3 hours starting at 1:18 pm through 4:18 pm over mature trees, swings, seating, playground area and sandpit. Access to sunlight is especially important in the shoulder seasons where sunlight can compensate for colder temperatures, promoting park use and tree growth. The proposed development should not introduce net-new shadows on the park during these critical time frames. Also, the Downtown Tall Building Vision and Supplementary Design Guidelines states that no new net- shadows are permitted on parks located within and adjacent to the Downtown Guidelines boundary area between 12 pm and 2 pm on September 21.

## **Wind**

The revised pedestrian-level wind assessment submitted with the application concludes that wind safety criterion is met in all areas for the proposed development. Wind conditions at the building's main entrance would be suitable throughout the year. Wind conditions on the surrounding sidewalks, transit stops and in Taddle Creek Park would be generally similar to the existing conditions. Should this application be approved in some form, further analysis of pedestrian-level wind conditions will be required at the site plan stage to determine if additional wind mitigation strategies are required. The requirement to implement any wind mitigation measures would be secured in a Section 37 Agreement.

## **Traffic Impact, Access, Parking**

The updated Transportation Impact Assessment prepared by LEA Consulting Ltd. (dated December 16, 2019) was submitted in support of the proposed development. The study estimates approximately 23 to 36 two-way trips during the am and pm Peak Hours, respectively. Given this level of trip generation the consultant concludes the projected site traffic will have minimal impacts on area intersections, and therefore can be acceptably accommodated on the adjacent road network.

The proposed parking was originally a car elevator system that has been replaced with a traditional parking layout with space for 25 resident parking spaces in a 3-level below grade garage. No visitor parking is provided. Transportation Services staff indicated the parking ratio is of 0.14 is acceptable. However, given the traditional parking layout now being proposed, Transportation Planning staff recommend 7-visitor parking spaces of the proposed supply be provided on level P1.

## **Engineering and Construction Services**

Engineering and Construction Services reviewed the recent Functional Servicing Report. The Functional Servicing Report is still required to be revised to illustrate that there is capacity in the municipal infrastructure for the proposed site discharge. Furthermore, the Functional Servicing Report is required demonstrate and confirm in the site development complies with the Ministry of the Environment and Climate Change

(MOECP) Procedure F-5-5, Determination of Treatment Requirements for Municipal and Private Combined, new developments connecting to combined sewers. Also, if deemed required, pay for and construct any improvements to the municipal infrastructure in connection with the Functional Servicing Report, to be resubmitted for review and acceptance by the Chief Engineer & Executive Director, Engineering & Construction Services, should it be determined that improvements to such infrastructure are required to support this development.

## **Parkland**

The Official Plan contains policies to ensure that Toronto's systems of parks and open spaces are maintained, enhanced and expanded. Map 8B of the City of Toronto Official Plan shows local parkland provisions across the City. The lands which are the subject of this application are in an area with 0 to 4.2 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 priority area, as per Chapter 415, Article III, of the Toronto Municipal Code. The site is located within the Downtown Secondary Plan area boundary.

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. This proposal is subject to a cap of 10% parkland dedication. The site is less than 200 metres walking distance away from Taddle Creek Park, a 3,212 square metre park which contains a playground, sand pit, ornamental fountain and a drinking fountain.

## **Toronto Green Standard**

Council has adopted the four-tier Toronto Green Standard (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 Toronto Green Standard. 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.

## **Section 37**

The Official plan contains policies pertaining to the provision of community benefits in exchange or increases in height and/or density greater than the Zoning By-law would otherwise permit pursuant to Section 37 of the *Planning Act*. As the applicant is seeking an increase in height and density, a Section 37 contribution would be warranted if this revised application were approved.

Planning staff have not had any discussions with the applicant or Ward Councillor regarding a Section 37 contribution due to staff's concerns with the proposed development as addressed in this Report.

A Section 37 contribution should be secured in the event of approval in some form by LPAT. Priorities for the Community Services and Facilities are identified through the

Council Adopted Downtown Community Services and Facilities Strategy which may be found here:

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2018.PG29.7>

### **Community Consultation**

There have been no community consultation meetings since the newly revised 19-storey proposal was submitted on December 16, 2019. However, it was circulated to all parties to the LPAT appeal including the Annex Residents Association and all the adjacent neighbours property owners.

### **Conclusion**

The proposal has been reviewed against the policies of the PPS (2020), the Growth Plan (2019), and the Toronto Official Plan. The proposed development does not conform to the Healthy Neighbourhoods, Built Form or *Apartment Neighbourhoods* policies of the Official Plan. Further, the proposed development does not adequately address the City's Tall Building Design Guidelines and Downtown Tall Building – Vision and Supplementary Design Guidelines, or the intent of those guidelines. Staff are of the opinion that the proposal is not consistent with the PPS (2020), does not conform with the Growth Plan (2019) and fails to conform to the City's Official Plan. The proposed development also fails to maintain the intent and purpose of the Downtown Secondary Plan. The proposal does not represent good planning and is not in the public interest.

### **ATTACHMENTS**

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City of Toronto Data/Drawings

Attachment 1: Application Data Sheet

Attachment 2: Location Map

Attachment 3: Official Plan Land Use Map

Attachment 4: Existing Zoning By-law Map

Applicant Submitted Drawings

Attachment 5: Site Plan

Attachment 6: North Elevation

Attachment 7: South Elevation

Attachment 8: East Elevation

Attachment 9: West Elevation

## Attachment 1: Application Data Sheet

**Municipal Address:** 64 Prince Arthur Ave **Date Received:** August 31, 2017

**Application Number:** 17 226254 STE 20 OZ

**Application Type:** Zoning By-law Amendment

**Project Description:** A 19-storey residential building (height 73 metres)

<b>Applicant</b>	<b>Agent</b>	<b>Architect</b>	<b>Owner</b>
Andrew Ferancik,WND		Core Architects	64 Prince Arthur Limited Partnership

### EXISTING PLANNING CONTROLS

Official Plan Designation: Apartment Neighbourhood Site Specific Provision: OPA 320

Zoning: R (d2.0) (x110) Heritage Designation: No

Height Limit (m): 14 Site Plan Control Area: Yes

### PROJECT INFORMATION

Site Area (sq m): 1,213 Frontage (m): 27 Depth (m): 45

Building Data	Existing	Retained	Proposed	Total
Ground Floor Area (sq m):	268		531	531
Residential GFA (sq m):			10,736	10,736
Non-Residential GFA (sq m):	803			
Total GFA (sq m):	803		10,736	10,736
Height - Storeys:	2		19	19
Height - Metres:			67	67

Lot Coverage Ratio (%): 43.76 Floor Space Index: 8.85

**Floor Area Breakdown    Above Grade (sq m)    Below Grade (sq m)**

Residential GFA:                    10,736

Retail GFA:

Office GFA:

Industrial GFA:

Institutional/Other GFA:

**Residential Units  
by Tenure**

	<b>Existing</b>	<b>Retained</b>	<b>Proposed</b>	<b>Total</b>
Rental:				
Freehold:				
Condominium:			178	178
Other:				
Total Units:			178	178

**Total Residential Units by Size**

	<b>Rooms</b>	<b>Bachelor</b>	<b>1 Bedroom</b>	<b>2 Bedroom</b>	<b>3+ Bedroom</b>
Retained:					
Proposed:		30	60	71	17
Total Units:		30	60	71	17

**Parking and Loading**

Parking Spaces: 25                    Bicycle Parking Spaces: 180    Loading Docks: 1

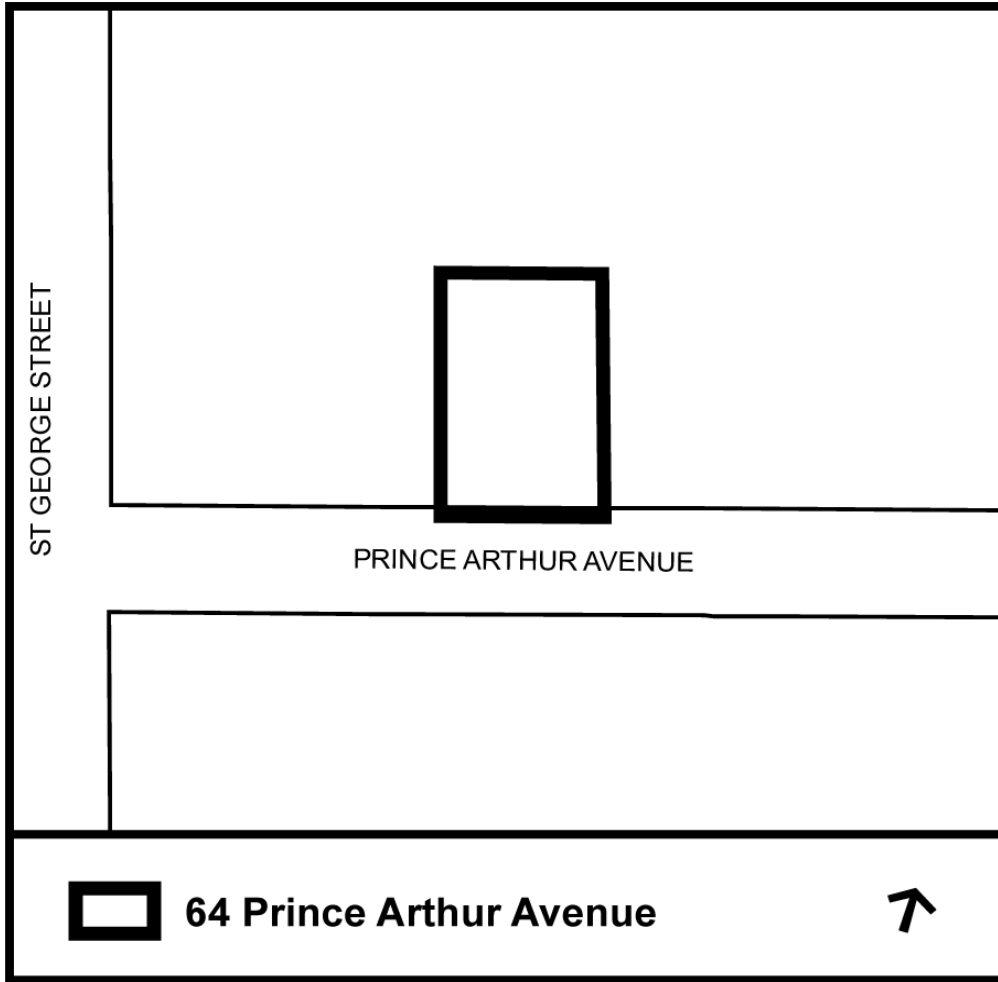
**CONTACT:**

Barry Brooks, Senior Planner

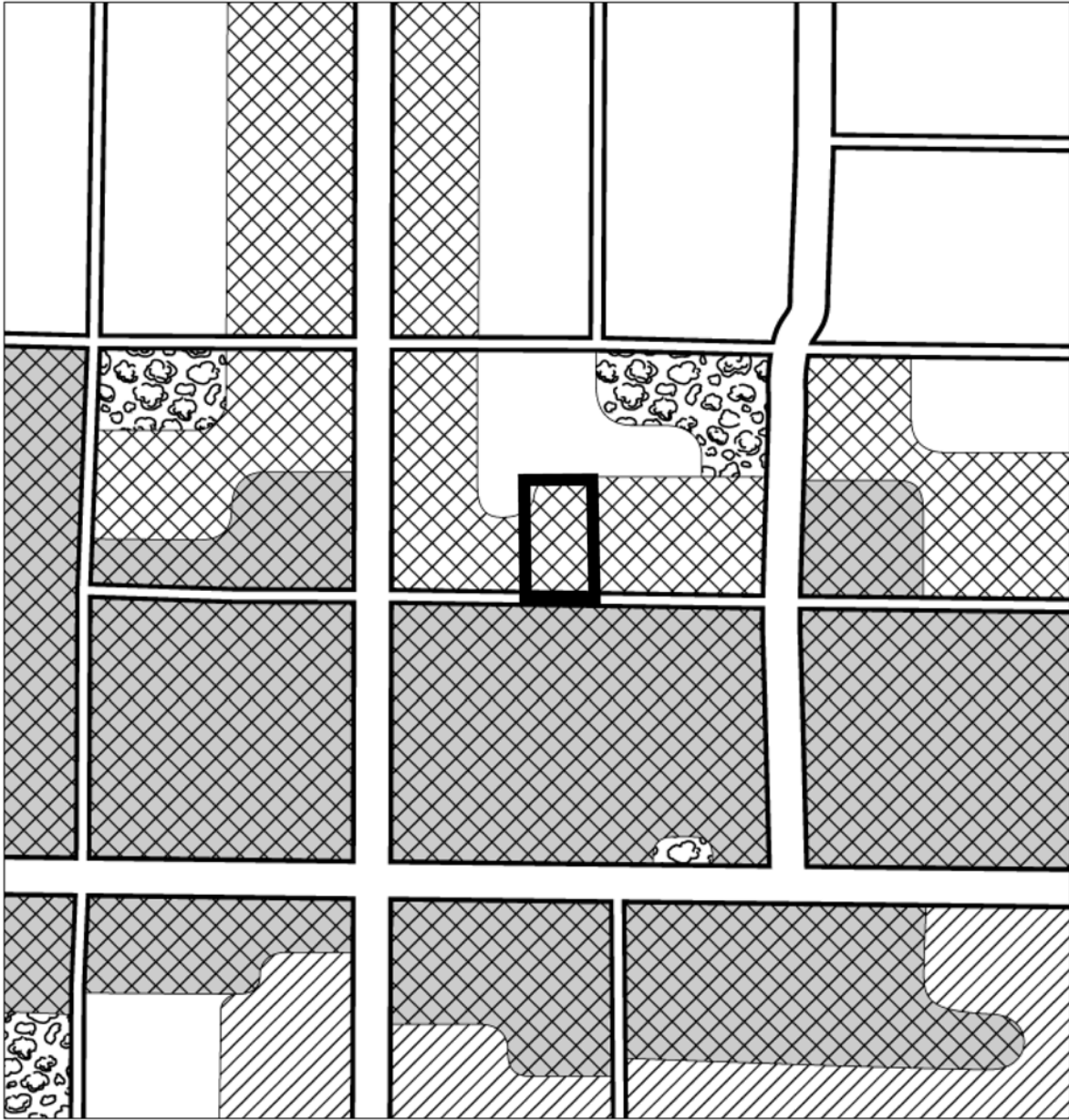
(416) 392-1316

Barry.Brooks@toronto.ca

Attachment 2: Location Map



Attachment 3: Official Plan Land Use Map



**TORONTO** City Planning  
**Extract from Official Plan**

**64 Prince Arthur Avenue**

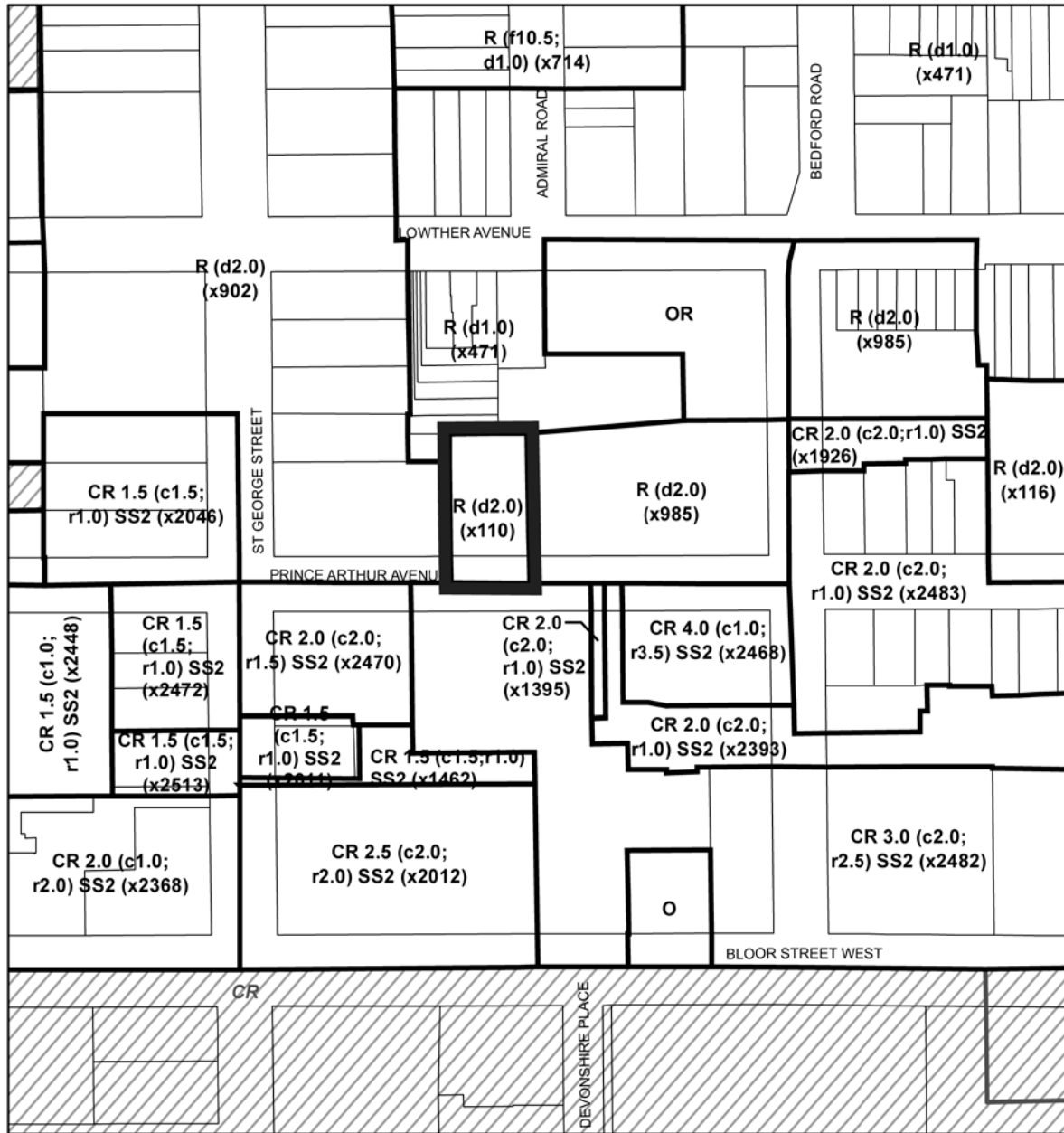
File # 17 226254 STE 20 0Z

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|--|--|---|
|  Site Location            |  Parks & Open Space Areas |  Institutional Areas |
|  Neighbourhoods           |  Parks                    |   |
|  Apartment Neighbourhoods |  |   |
|  Mixed Use Areas          |  |   |

  
 Not to Scale  
 MM/DD/2014



Attachment 4: Existing Zoning By-law Map



Zoning By-Law No. 569-2013

64 Prince Arthur Avenue

File # 17 226254 STE 20 OZ



Location of Application



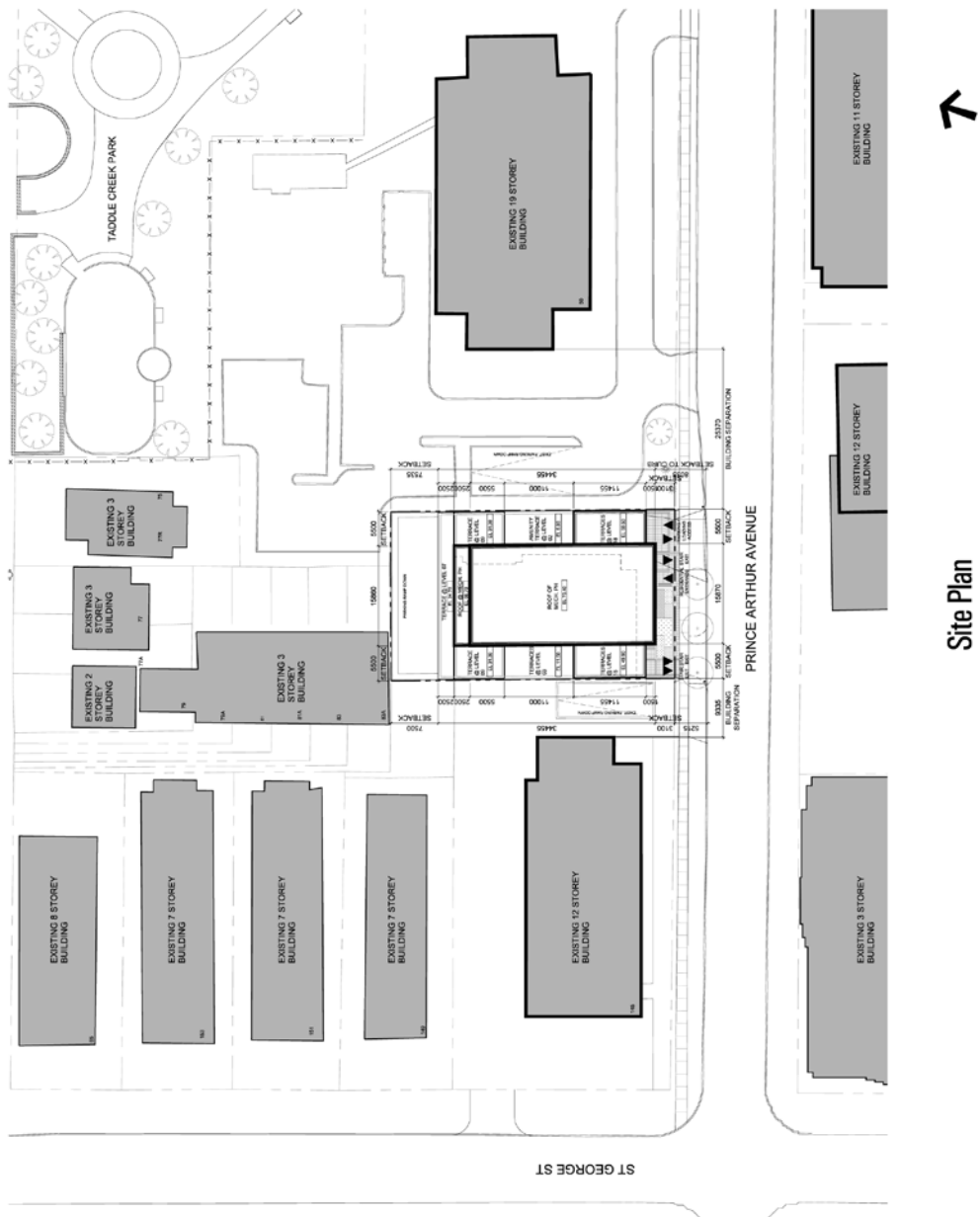
See Former City of Toronto By-Law No. 438-86  
CR Mixed-Use District

- R Residential
- CR Commercial Residential
- O Open Space
- OR Open Space Recreation

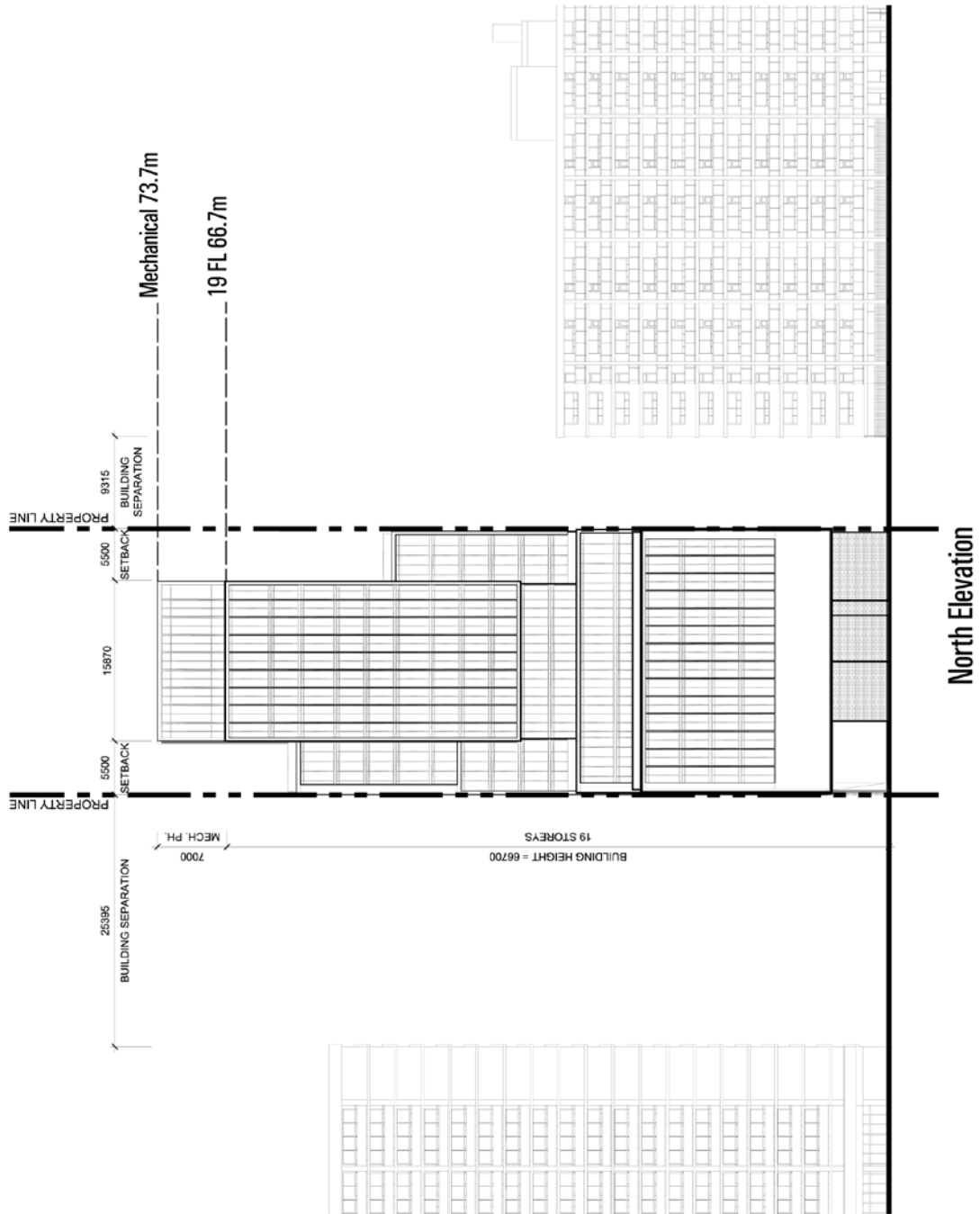


Not to Scale  
Extracted: 10/04/2017

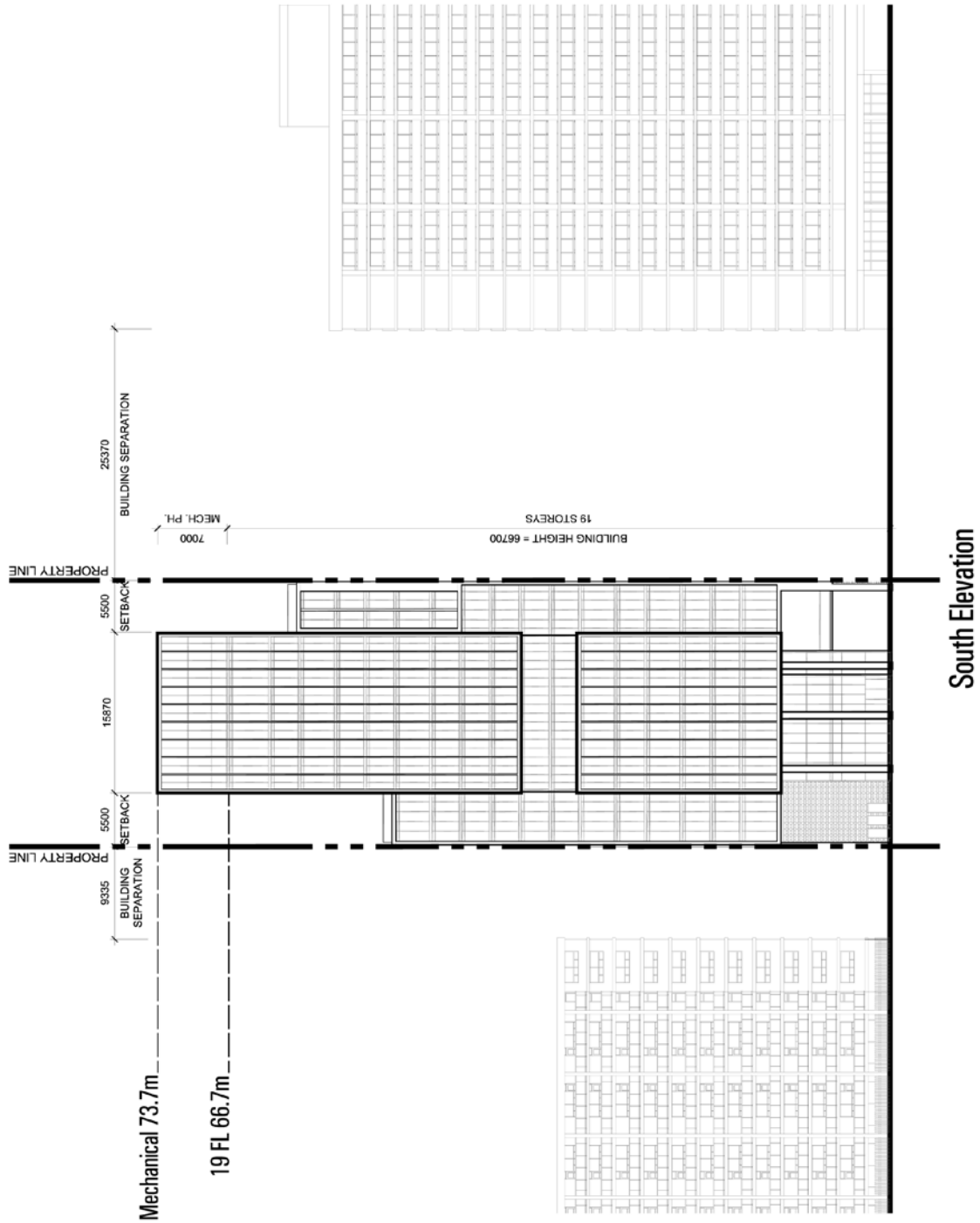
Attachment 5: Site Plan



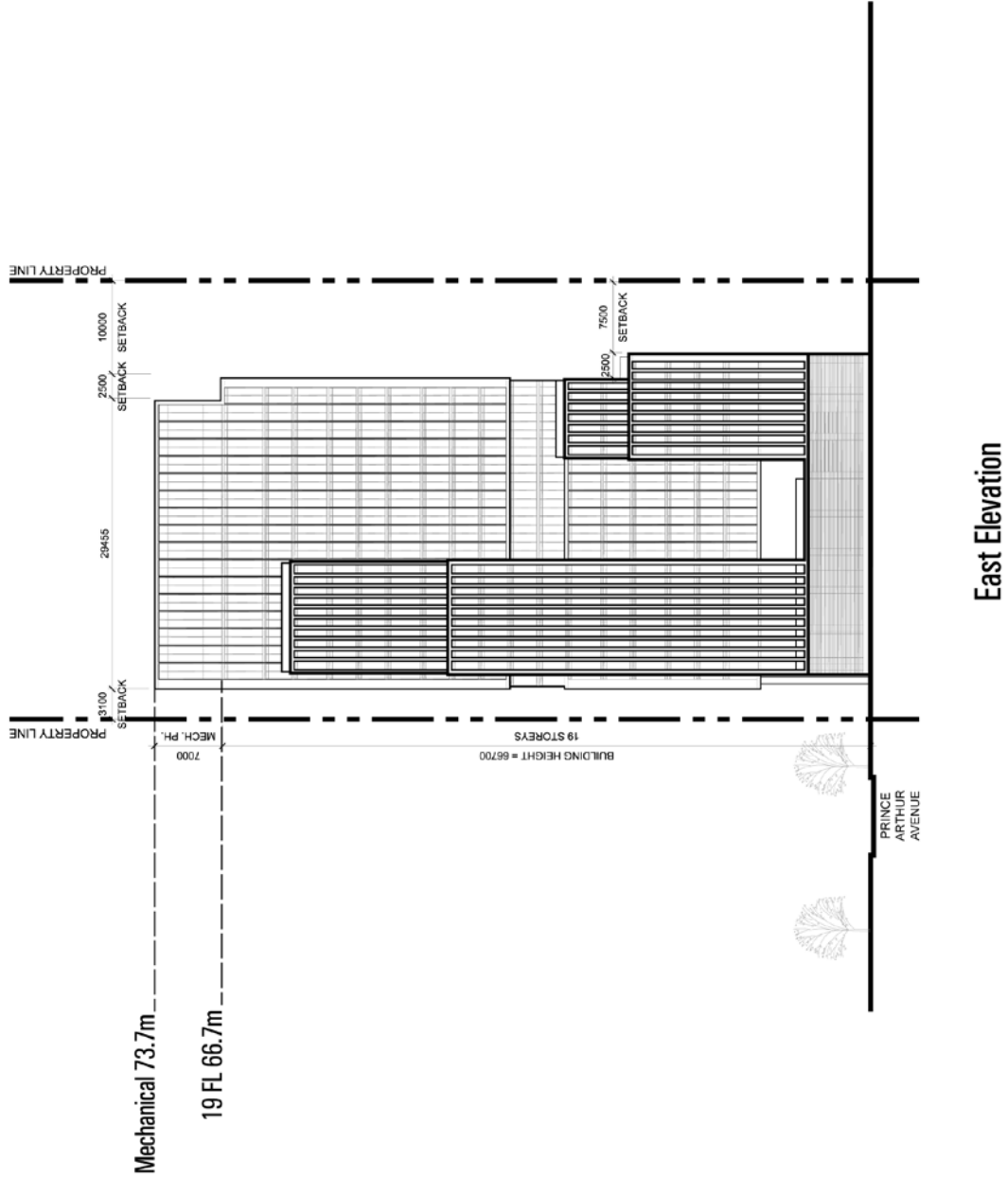
Attachment 6: North Elevation



Attachment 7: South Elevation



Attachment 8: East Elevation



Attachment 9: West Elevation

