

**231-237 College Street, and 177-189 Huron Street -
Official Plan and Zoning Amendment & Rental
Demolition Under Municipal Code 667 Applications –
Final Report**

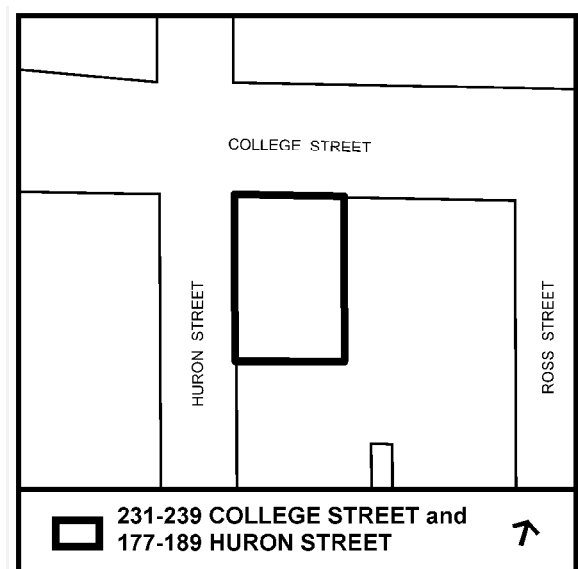
Date:	July 10, 2014
To:	Toronto and East York Community Council
From:	Director, Community Planning, Toronto and East York District
Wards:	Ward 20 – Trinity-Spadina
Reference Number:	13 142125 STE 20 OZ

SUMMARY

This application proposes to amend the Official Plan and Zoning By-law to permit the development of a 17-storey building containing 142 dwelling units, and retail space at grade at 231-237 College Street, and 177-189 Huron Street.

This application also proposes to demolish all existing buildings on the site which currently includes 15 rental housing units at affordable and mid-range rents. The demolition of the rental housing requires a Section 111 permit issued under the City of Toronto's Rental Housing Demolition and Conversion By-law (Chapter 667 of the Municipal Code).

A Rental Housing Demolition Application (13 142127 STE 20 RH) has been filed under Chapter 667 of the Municipal Code with the Official Plan and Zoning By-law amendment applications to permit the demolition of the existing 15 residential rental units at the above addresses. The applicants have proposed a full replacement of the rental units as well as new rental



units within the building envelope with affected tenants receiving relocation assistance and the right to return to a replacement unit at a similar rent.

This report reviews and recommends approval of the applications to amend the Official Plan and former City of Toronto Zoning By-law 438-86, as amended. This report also recommends approval of the rental housing demolition application under Municipal Code 667, subject to conditions.

RECOMMENDATIONS

The City Planning Division recommends that:

1. City Council amend the Official Plan, for the lands at 231-237 College Street, and 177-189 Huron Street substantially in accordance with the draft Official Plan Amendment attached as Attachment No. 10 to the report dated July 10, 2014 from the Director, Community Planning, Toronto and East York District.
2. City Council amend former City of Toronto Zoning By-law 438-86, as amended, for the lands at 231-237 College Street, and 177-189 Huron Street substantially in accordance with the draft Zoning By-law Amendment attached as Attachment No. 11.
3. City Council authorize the City Solicitor to make such stylistic and technical changes to the draft Official Plan Amendment and/or draft Zoning By-law Amendment as may be required.
4. Before introducing the necessary Bills to City Council for enactment, City Council require the owner to incorporate the existing heritage building at 231-237 College Street, and 177-189 Huron Street into the design of the development, to the satisfaction of the Manager, Heritage Preservation Services.
5. Before introducing the necessary Bills to City Council for enactment, City Council require the Owner to enter into an Agreement to the satisfaction of the Chief Planner and Executive Director, City Planning and the City Solicitor, pursuant to Section 37 of the *Planning Act*, such agreement to be registered on title to secure the following facilities, services and matters as follows:

The community benefits recommended to be secured in the Section 37 Agreement are as follows:

- a) A cash contribution in the amount of \$500,000, payable to the City of Toronto prior to the issuance of any above *grade* building permits for the development of the *lot*, the amount to be used for:

- i) A cash contribution in the amount of \$200,000 for capital improvements to Toronto Community Housing in Ward 20;
 - ii) A cash contribution in the amount of \$150,000 for streetscape improvements in the immediate area;
 - iii) A cash contribution in the amount of \$50,000 for improvement to the Huron Street Garden located at 180 Huron Street; and
 - iv) A cash contribution in the amount of \$100,000 for cycling infrastructure in the immediate area.
 - v) the amounts indicated in i) through iv) above shall be indexed upwardly in accordance with the Statistics Canada Non-Residential Construction Price Index for Toronto for the period from the date of the execution of the Section 37 Agreement to the date of payment.
 - vi) in the event the cash contributions referred to in Section (a)(i) through (iv) above has not been used for the intended purpose within three (3) years of this By-law coming into full force and effect, the cash contribution may be redirected for another purpose, at the discretion of the Chief Planner and Executive Director of City Planning, in consultation with the local Councillor, provided that the purpose is identified in the Toronto Official Plan and will benefit the community in the vicinity of the lands.
- b) The following matters are also recommended to be secured in the Section 37 Agreement as a legal convenience to support development:
- i) The provision and maintenance of not less than seventeen (17) new replacement rental *dwelling units* on the subject site as rental housing for a period of at least 20 years, comprised of 6 one-bedroom and 11 two bedroom units as shown on the plans submitted to the City Planning Division dated April 23, 2014 with any revisions to be to the satisfaction of the Chief Planner and Executive Director, City Planning, and of which two one-bedrooms shall have no rent stipulation, at least two (2) one bedroom and two (2) two bedroom units shall have affordable rents and the remainder shall have no higher than mid-range rents;
 - ii) The owner shall provide in the Tenant Relocation and Assistant plan a minimum of the following matters for all affected tenants, including: an extended notice period; financial assistance beyond the minimums of the *Residential Tenancies Act*; the right to return

to a rental replacement unit for all of the tenants; a moving allowance and other financial assistance on a sliding scale geared to the length of occupancy of each tenant. All of these matters must be to the satisfaction of the Chief Planner and Executive Director, City Planning Division,;

6. City Council approve the application to demolish the 15 rental housing units located at 231-237 College Street, and 177-189 Huron Street pursuant to Municipal Code Chapters 667 and 363, subject to the following conditions under Chapter 667 which provide for the replacement of the rental housing units:
 - a) the owner shall provide and maintain 17 residential rental dwelling units in the development for a period of 20 years, comprising 6 one-bedroom units and 11 two-bedroom units, of which two (2) one bedroom units shall have no rent stipulation, least two (2) one bedroom and two (2) two bedroom units shall have affordable rents and the remainder shall have no higher than mid-range rents;
 - b) the owner provide tenant relocation assistance to the tenants in the existing rental units including the right to return to a rental replacement unit as provided for in the approved Tenant Relocation and Assistance Plan to the satisfaction of the Chief Planner and Executive Director, City Planning Division;
 - c) that the Official Plan and Zoning By-law Amendments in Recommendations 1 and 2 have come into full force and effect;
 - d) the owner shall enter into and register on title one or more Section 111 Agreement(s) to secure the conditions outlined in (a) and (b) above and as described in the Draft Zoning By-law Amendment attached hereto (Attachment 11) to the satisfaction of the City Solicitor and the Chief Planner and Executive Director, City Planning; and
 - e) the owner shall enter into and register on title, a Section 118 Restriction under the *Land Titles Act* (to the satisfaction of the City Solicitor) agreeing not to transfer or charge those parts of the lands, comprising the 15 replacement rental units, without the written consent of the Chief Planner and Executive Director, City Planning or her designate, to assist with securing the Section 111 Agreement against future owners and encumbrances of the lands until such time as the City Solicitor determines that its registration on title is no longer required to secure the provisions of the Section 111 Agreement.

7. City Council authorize the Chief Planner and Executive Director, City Planning Division to issue a preliminary approval to the application under Municipal Code Chapter 667 pursuant to Section 111 of the *City of Toronto Act* after the satisfaction of the following conditions:
 - a) that the Official Plan and Zoning By-law Amendments have come into full force and effect;
 - b) the satisfaction of the conditions in Recommendation 6; and
 - c) Site Plan Approval for the proposed development is issued pursuant to Section 114 of the *City of Toronto Act, 2006* and pursuant to the Zoning By-law Amendment.
8. City Council authorize the Chief Building Official to issue a Section 111 permit under Municipal Code Chapter 667 after the Chief Planner and Executive Director, City Planning Division has given the preliminary approval in Recommendation 7.
9. City Council authorize the Chief Building Official to issue a demolition permit under Section 33 of the *Planning Act* no earlier than the issuance of the first Building Permit for the foundation of the development, and after the Chief Planner and Executive Director, City Planning Division has given the preliminary approval in Recommendation 7, which permit may be included in the demolition permit for Chapter 667 under 363-11.1E, of the Municipal Code, on condition that:
 - a) the owner erect a residential building on site no later than two (2) years from the day demolition of the buildings is commenced; and
 - b) should the owner fail to complete the new building within the time specified in Condition 9 (a), the City Clerk shall be entitled to enter on the collector's roll, to be collected in a like manner as municipal taxes, the sum of twenty thousand dollars (\$20,000.00) for each dwelling unit for which a demolition permit is issued, and that each sum shall, until payment, be a lien or charge upon the land for which the demolition permit is issued.
10. City Council authorize the appropriate City officials to take such actions as are necessary to implement the foregoing, including execution of the Section 111 Agreements.

Financial Impact

The recommendations in this report have no financial impact.

ISSUE BACKGROUND

Proposal

The application for a Section 111 permit proposes to demolish two multi-unit rental buildings with retail uses at grade, and to provide for the full replacement of the 15 residential rental units and a tenant relocation assistance plan. The buildings at 183 and 189 Huron Street most recently contained 6 and 5 rental units respectively, and 4 rental units exist at 233 and 235 College Street.

The applicant proposes to develop the site with a 17-storey mixed-use building consisting of an 8-storey podium with a tower above. The overall building height proposed is approximately 52 metres, plus mechanical penthouse. The applicant proposes a total gross floor area of 10,484 square metres, of which 10,077 square metres would be residential gross floor area, with the remaining 407 square metres assigned to non-residential gross floor area. The total density proposed for the site is 7.83 times the lot area.

A total of 142 residential dwelling units are proposed as part of this development. The applicant proposes to replace the currently existing 15 rental units on site in the new development with 15 new rental units and two additional units which shall be secured as rental for a total of 17 secured units,. The applicant also proposes to provide an additional 9 rental units which are unsecured for a total of 26 rental units. Unsecured units are those that could be registered as condominium and will not be part of any of the specified agreements for tenure or rents with the City. The applicant proposes to replace the rental units through a minor variation which would replace: one of the existing bachelor units as a one bedroom unit, four units will be approximately 20% smaller than the current units that they are replacing; and more units will be sized larger than the existing unit in size. In addition, the applicant proposed to maintain the replacement rental units at similar rent levels for a minimum of 10 years. The remaining 116 dwelling units are proposed to be registered as a condominium.

Site and Surrounding Area

The subject site is located at the southeast corner of Huron and College Streets. The site is rectangular in shape, and is comprised of three properties. The site has a total area of 1,385 square metres, with frontages of 30 metres along College Street and 46 metres along Huron Street.

The site is currently occupied by two, 3-storey mixed-use building containing non-residential uses at grade, and 15 residential units above. There is also a surface parking lot located at the eastern and southern portions of the site.

Development in the vicinity is as follows:

- North: The north side of College Street forms part of the University of Toronto, St. George Campus and includes a mix of buildings ranging in height from 4 storeys to 13 storeys.
- South: The area immediately south of the site is comprised of low density residential uses.
- East: To the east of the site are a number of mixed use buildings ranging in height from 3 to 5 storeys. Further east are office and institutional buildings ranging in height from 4 storeys to 14 storeys.
- West: To the immediate west of the subject site, there are a number of mixed use buildings ranging in height from 3 to 5-storeys, and the Lillian Smith Library. A 25-storey student residence proposed for 245-255 College and 39&40 Glasgow Street was recently approved by the Ontario Municipal Board.

Provincial Policy Statement and Provincial Plans

Section 2 of the *Planning Act* sets out matters of provincial interest, which include the adequate provision of a full range of housing, including affordable housing and the orderly development of safe and healthy communities.

The Provincial Policy Statement (PPS), 2014 provides policy direction on matters of provincial interest related to land use planning and development. These policies support the goal of enhancing the quality of life for all Ontarians. Key policy objectives include: building strong healthy communities; wise use and management of resources, and protecting public health and safety. The housing policies of the PPS require planning authorities to provide for an appropriate range of housing, including affordable housing, to meet the needs of current and future residents. The PPS also identifies that significant built heritage resources and significant cultural heritage landscapes shall be conserved. The PPS recognizes that local context and character is important. Policies are outcome-oriented, and some policies provide flexibility in their implementation provided that provincial interests are upheld. City Council's planning decisions are required to be consistent with the PPS.

The Growth Plan for the Greater Golden Horseshoe provides a framework for managing growth in the Greater Golden Horseshoe including: directions for where and how to grow; the provision of infrastructure to support growth; and protecting natural systems and cultivating a culture of conservation. City Council's planning decisions are required to conform, or not conflict, with the Growth Plan for the Greater Golden Horseshoe.

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

Official Plan

Map 2 of the Official Plan identifies that the subject site is located *Downtown*. The Official Plan identifies that the *Downtown* will continue to evolve as a healthy and attractive place to live and work, as new development that supports the reurbanization

strategy and the goals for *Downtown*, is attracted to the area. In particular, Section 2.2.1.1 of the Plan identifies that the *Downtown* policies of the Plan will shape the City's future by accommodating development that:

- builds on the strength of *Downtown* as the premier employment centre in the GTA; and
- provides a full range of housing opportunities for *Downtown* workers and reduces the demand for in-bound commuting.

Although the Plan identifies that the *Downtown* as one of the areas which can accommodate growth, Section 3.1.3 identifies that tall buildings are desirable in the right places, but also acknowledges that they are not appropriate in all locations. When tall buildings are poorly located or designed, they can physically and visually overwhelm adjacent streets, parks and neighbourhoods. The Plan acknowledges that tall buildings are also only one form of intensification. Most of the proposed intensification is anticipated to be achieved with street-oriented, grade related or mid-rise type buildings.

The Healthy Neighbourhoods Section of the Official Plan identifies that the intensification of land adjacent to neighbourhoods will be carefully controlled so that neighbourhoods are protected from negative impact. The plan also states that developments in *Mixed Use Areas* that are adjacent or close to *Neighbourhoods* will, among other matters, be compatible with those *Neighbourhoods*, provide a gradual transition of scale and density, and maintain adequate light and privacy for residents in those *Neighbourhoods*.

The majority of the site is designated *Mixed Use Areas* in the Official Plan. This designation permits a broad range of commercial, residential and institutional uses and includes policies and development criteria to guide development and its transition between areas of different development intensity and scale.

The development criteria in *Mixed Use Areas* include, but are not limited to:

- creating a balance of high quality commercial, residential, institutional and open space uses that reduces automobile dependency and meets the needs of the local community;
- providing for new jobs and homes for Toronto's growing population on underutilized lands;
- locating and massing new buildings to provide a transition between areas of different development intensity and scale;
- locating and massing new buildings to frame the edges of streets and parks;
- providing an attractive, comfortable and safe pedestrian environment;
- providing good site access and circulation and an adequate supply of parking for residents and visitors;

- locating and screening service areas, ramps and garbage storage to minimize the impact on adjacent streets and residences; and
- providing indoor and outdoor recreation space for building residents in every significant multi-residential development.

A portion of the site is designated *Neighbourhoods* within the Official Plan.

Neighbourhoods are considered physically stable areas made up of residential uses in lower scale buildings such as detached houses, semi-detached houses, duplexes, triplexes and townhouses, as well as interspersed walk-up apartments that are no higher than 4-storeys. Parks, low scale local institutions, home occupations, cultural and recreational facilities and small-scale retail, service and office uses are also provided for in *Neighbourhoods*. The Plan identifies these established areas as physically stable in which development will respect and reinforce the existing physical character of the neighbourhood. Particular aspects of physical character are identified including: patterns of streets, blocks and lanes; lot size; heights, massing, scale and dwelling type of nearby residential properties; prevailing building types, or predominant forms of development in the neighbourhood; and, prevailing patterns of rear and side yard setbacks and landscaped open space.

The Built Form policies, contained within section 3.1.2 of the Official Plan emphasise the importance of ensuring that new development fits within its existing and/or planned context, while limiting impacts on neighbouring streets, parks and open spaces. New buildings are required to provide appropriate massing and transition in scale that will respect the character of the surrounding area.

The Plan also contains policies regarding tall buildings in the city. Tall buildings are identified as those whose height is typically greater than the width of the adjacent road allowance. The Plan limits these buildings to parts of the *Downtown*, *Centres*, and other areas of the city where they are specifically permitted by a Secondary Plan or Zoning By-law. The Official Plan also sets out key urban design considerations when considering a tall building proposal.

The Official Plan contains policies addressing the need to provide and maintain the City's supply of rental and affordable housing. Section 3.2.1 of the Official Plan includes policies that encourage the provision of a full range of housing, in terms of form, tenure and affordability and the protection of rental housing units as well as housing that makes more efficient use of the existing building stock.

Applicants proposing to demolish six or more residential rental units, except where all of the rents are above the mid-range rent category, are required (by policy 3.2.1.6) to replace the rental units with the same number, size and type of rental housing units and maintain them with rents similar to the rents of existing units on the site. Applicants are also required to secure those units for a minimum of 20 years as residential rental units, with no applications for conversion or demolition. They are further required to secure the rights of those tenants displaced by the development to return to the new units, at similar rents and that mitigation for hardship be made to those tenants for the displacement.

The Heritage Resource policies, contained within Section 3.1.5 of the Official Plan speak to heritage resources in the city, and identify that our heritage buildings, districts, and landscapes create a unique sense of place and a rooted sense of local identity and continuity. The Official Plan focuses on conserving Toronto's remaining irreplaceable heritage resources. Policy 3.1.5.1 states that "significant heritage resources will be conserved by: listing properties of architectural and/or historic interest on the City's Inventory of Heritage Properties, designating them and entering into conservation agreements with owners of designated heritage properties; and designating areas with a concentration of heritage resources as Heritage Conservation Districts and adopting conservation and design guidelines to maintain and improve their character."

The proposal will be reviewed against the policies described above as well as all of the policies of the Official Plan as a whole. To review these and all sections of the Toronto Official Plan refer to the City's website at:

www.toronto.ca/planning/official_plan/introduction.htm.

Zoning

The majority of the subject site is zoned MCR T3.0 C2.0 R2.5 in the former City of Toronto Zoning By-law 438-86, as amended. The MCR zone permits a range of residential and commercial uses within this zoning category to a maximum height of 16.0 metres.

The Huron Street properties are zoned R3 Z1.0 in the former City of Toronto Zoning By-law 438-86, as amended. The R3 zone permits a range of residential uses to a maximum height of 12.0 metres.

The site is not subject to the harmonized Zoning By-law 569-2013.

Rental Housing Demolition and Conversion By-law

The Rental Housing Demolition and Conversion By-law (885-2007) is one of the tools to implement the City's Official Plan policies protecting rental housing. The By-law prohibits demolition or conversion of rental housing units without obtaining a permit from the City issued under Section 111 of the *City of Toronto Act*.

Application under Section 111 of the City of Toronto Act (Chapter 667 of the Municipal Code) is required to permit the demolition of the existing buildings which contains a total of 15 rental dwelling units at affordable and mid-range rents.

An application for Rental Housing Demolition and Conversion, and the required supporting documentation, have been submitted as part of the development application and are currently under review by the City. Where an application for a rezoning triggers an application under Chapter 667, City Council typically considers both applications at the same time, but the decision on Section 111 is not appealable to the OMB.

Tall Buildings Design Guidelines

In May 2013, Toronto City Council adopted the updated city-wide Tall Building Design Guidelines and directed City Planning staff to use these Guidelines in the evaluation of all new and current tall building development applications. The guidelines establish a unified set of performance measures for the evaluation of tall building proposals to ensure that they fit within their context and minimize their local impacts. The city-wide Guidelines are available at <http://www.toronto.ca/planning/tallbuildingdesign.htm>

This project is located within an area that is also subject to the Downtown Tall Buildings: Vision and Supplementary Design Guidelines (adopted by City Council in July 2012 and consolidated with the city-wide Tall Building Design Guidelines May 2013). This document identifies where tall buildings belong *Downtown*, and establishes a framework to regulate their height, form and contextual relationship to their surroundings. The Downtown Vision and Supplementary Design Guidelines should be used together with the city-wide Tall Building Design Guidelines to evaluate new and current Downtown tall building proposals. The Downtown Tall Buildings Guidelines are available at <http://www.toronto.ca/planning/tallbuildingstudy.htm#guidelines>

The subject property is located on College Street which is identified as a Special Study Street on Map 1. The portion of College Street between McCaul Street and Bathurst Street is not intended as a "High Street". The north side of this segment of College Street is exempt from the Downtown Tall Buildings Vision and Performance Standards Design Guidelines as it comprises the University of Toronto Secondary Plan Area and is subject to its own set of guidelines. However, due to the strong institutional presence found on the street, City Planning staff are conducting a study of both sides of College Street, generally from University Avenue to Bathurst Street, to address: land uses and the inclusion of institutional uses within mixed-use buildings; appropriate building scale and height; and public realm design including streetscape improvements.

Site Plan Control

The subject site and development are subject to Site Plan Control. An application for Site Plan Control was submitted on April 28, 2014.

Reasons for the Application

An Official Plan Amendment application is required to redesignate the portion of the site designated *Neighbourhoods to Mixed Use Areas*.

The proposed construction of a 17-storey mixed use building at a density of 7.83 times the lot area exceeds the 3.0 times the lot area density permitted by the former City of Toronto By-law 438-86, as amended.

At 17-storeys or 52 metres in height, the proposed mixed commercial-residential building will require an amendment to the former City of Toronto By-law 438-86, as amended, to exceed the permitted height of 16 metres.

Other areas of non-compliance have been included in the draft By-law attached to this report.

A Rental Housing Demolition and Conversion Application under Section 111 of the City of Toronto Act (Chapter 667 of the Municipal Code) is required to permit the demolition of the existing buildings which contained a total of 15 rental dwelling units at affordable and mid-range rents at the time of application.

Community Consultation Meeting

A Community Consultation meeting was held on October 29, 2013 at the Church of Saint Stephen-in-the-Fields. Approximately 25 members of the public were in attendance at the meeting. Matters that arose at the consultation meeting included:

- the location of the driveway, and its close proximity to the low density residential to the south;
- how to reduce the impact of the parking area on the neighbouring property;
- the design of the podium; the proposed height of the building;
- rental housing matters, and how those would be dealt with;
- if the existing buildings on site had a heritage listing and/or designation;
- the timing of this proposal and the College Street Study, and how this application can proceed when a study is currently being undertaken; and
- shadow studies (date/time of study), if a wind study has been undertaken, and if a noise study was required.

Tenant Consultation Meeting

City Planning staff hosted a meeting on June 4, 2014 for tenants living at 231-237 College Street, and 177-189 Huron Street. Planning staff described the City's policies and practices when considering applications that involve the demolition of rental housing. Tenants' rights under the *Residential Tenancies Act* were explained by a representative of the Federation of Metro Tenants Association (FMTA).

Staff advised the tenants that the redevelopment and demolition, if approved, was not imminent given the planning process still to be completed and that they did not need to vacate the units until notice was given. If approval was to be recommended, staff explained that it is the City's policy to require a Tenant Relocation and Assistance Plan as a condition of approval, including extended notice before having to vacate for demolition and financial assistance that exceeds the requirements of provincial legislation. The right to return to replacement rental housing is an important part of the relocation provisions. The applicant presented the proposals including the proposed unit layouts and the Tenant Assistance and Relocation Plan. Tenants were generally concerned about finding other accommodations in the interim, the right to return process, move-in/move-out supplements, that the units would not necessarily have the same

ceiling heights as the current units, a lack of parking or parking permit restrictions and the option to upgrade or downgrade their unit size upon their return.

Agency Circulation

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

COMMENTS

Provincial Policy Statement and Provincial Plans

The Provincial Policy Statement (PPS) promotes the appropriate intensification and efficient use of land, recognizing that land use must be carefully managed to accommodate appropriate development to meet the full range of current and future needs, while achieving efficient development patterns. The housing policies of the PPS require planning authorities to provide for an appropriate range of housing, including affordable housing, to meet the needs of current and future residents. The PPS recognizes that local context and character is important. The Provincial Policy Statement states, in Section 4.7, that the Official Plan is the most important vehicle for implementing the Provincial Policy Statement. Furthermore, Section 4.7 directs municipalities to provide clear direction for the development of the municipality as well as areas suitable for growth.

The Growth Plan for the Greater Golden Horseshoe provides a framework for managing growth in the Greater Golden Horseshoe including: directions for where and how to grow; the provision of infrastructure to support growth; and protecting natural systems and cultivating a culture of conservation of both natural and cultural heritage resources.

The proposal is consistent with the PPS and the Growth Plan for the Greater Golden Horseshoe.

Land Use

The Provincial Policy Statement indicates that the Official Plan is to direct development to suitable areas. Intensification and redevelopment is to be provided in areas that take into account the existing building stock or area, and availability of infrastructure and public service facilities that meet projected needs.

The subject site is designated *Mixed Use Areas* in the Official Plan. The Official Plan identifies that these areas are intended to achieve a multitude of planning objectives by combining a broad array of residential, office, retail and service uses. *Mixed Use Areas* are intended to be areas which allow residents to live, work and shop in the same area, even in the same building, giving individuals an opportunity to be less dependent upon their automobiles, while creating districts along transit routes that are animated, attractive, and safe. Although *Mixed Use Areas* will absorb most of the anticipated increase in retail, office and service uses in the City, not all *Mixed Use Areas* will experience the same scale or intensity of development. The highest buildings and

greatest intensity will occur in the *Downtown*, with decreased intensity and scale in the *Centres* and along *Avenues*.

The development criteria contained within Section 4.5.2 of the Official Plan seeks to ensure that, among other matters, development in *Mixed Use Areas* creates a balance of high quality commercial, residential, institutional uses that reduce automobile dependency while meeting the needs of the local community. The Plan also seeks to create and sustain well paid, stable, safe and fulfilling employment opportunities on lands designated *Mixed Use Areas*. The proposed development, is appropriate for this site and generally complies with *Mixed Use Areas* policies contained within the Official Plan.

Heritage

At its meeting of June 18, 2013, the Toronto and East York Community Council deferred consideration of TE25.59 "Preliminary Report – 231-237 College Street and 177-189 Huron Street – Official Plan and Zoning Amendments" until its next meeting on September 10, 2013 with a request that Heritage Preservation Services prepare a report to the Toronto Preservation Board on the heritage potential of the properties.

Heritage Preservation Services prepared a report, dated September 19, 2013, from the Acting Director, Urban Design, City Planning Division, which recommended that City Council state its intention to designate the properties at 233-237 College Street and 189 Huron Street under Part IV, Section 29 of the Ontario Heritage Act for their cultural heritage value. Located on the southeast corner of College and Huron Streets, the site contains a commercial block historically known as the John Davison Buildings (1890). Toronto and East York Community Council considered the item on October 17, 2013 and deferred the report until such time as the report from the Director, Community Planning, Toronto and East York District on the final Official Plan and Zoning Amendment applications is submitted to the Toronto and East York Community Council.

The application proposes to demolish the existing building on site. Staff recommend that the building at 231-237 College Street and 177-189 Huron Street be incorporated into the design of the project. The incorporation of the existing buildings into the design of the project will require revisions to the proposal. Staff are recommending that the Bills be held until such time as a design has been submitted to the satisfaction of Chief Planner, City Planning Division, or her designate.

Height

The *Downtown* is one of the areas of the city which is intended to accommodate a vibrant mix of residential and employment growth. The Official Plan policies provide a framework for change and the planned context that will emerge over time. Often the planned context is also informed by other factors which support growth such as site configuration, the availability of higher order transit, amenities, and land use patterns.

Unlike other areas within the *Downtown*, this portion of College Street has not experienced much growth or development, and thus the current context of College Street is low rise in form, with buildings ranging in height from 1 to 6-storeys. The applicant's

proposed 17-storey building, with a proposed height of approximately 52 metres plus mechanical penthouse, is similar in height to the recently approved mixed use building at 297 College Street, west of Spadina Avenue (File No. 11 267875 STE 20 OZ). Staff have evaluated the applicants proposal in the context of the surrounding area and recent approvals, considered impacts and consider the proposed height to be appropriate at this location subject to the siting and massing described below.

Building Siting and Massing

The Official Plan Built Form policies stress the importance of new development fitting harmoniously into its existing and/or planned context and limiting its impacts on neighbouring streets, parks, open spaces and properties. The policies contained within the Official Plan assist in the review of development applications. The Official Plan identifies that developments may be considered not only in terms of the individual building and site, but also in terms of how that building and site fit within the context of the neighbourhood and the City.

The applicant's proposal consists of a building where the podium would have a street wall height of 24 metres at the 8th storey, which is 80% of the right-of-way width as prescribed by the Tall Buildings Guidelines. The applicant proposes to provide "juliette balconies" but does not propose projecting balconies within the podium.

The tower element of the proposal is setback a minimum of 3.0 metres from the north and west properties line, 10.0 metres from the east property line, and 14 metres from the south property line. The applicant is proposing to have balconies having a depth of 1.5 metres projecting into the east and west setbacks. The draft Zoning By-law Amendment will limit balcony projections to the west and south facades, and limit the maximum depth to 1.5 metres. The By-law will prohibit balcony projections beyond the building face on the podium.

Many main streets in the City face competing demands for space to accommodate a range of uses within the public right-of-way. These include sidewalks, street trees, marketing areas, vehicular lanes, on-street and dedicated transit lanes, bike lanes, on-street parking and utilities. New development provides an opportunity to achieve improved minimum standards for sidewalks through building setbacks. The building has been brought to the property line at College Street, where the heritage building currently sits, in order to maintain the active retail uses at grade, while maintaining a sidewalk zone of approximately 6 metres. A 2.1 metre wide sidewalk zone, with landscaped area is provided along Huron Street.

The siting, massing of the proposed development is in keeping with the built form policies and the development criteria contained within the "*Mixed Use Areas*" designation.

Demolition of 231-237 College Street, and 177-189 Huron Street

Cit Staff visited the site and toured vacant units as well as all the interior common spaces and utility and maintenance areas of the building. The units were highly variable in

layout, design and size with some with high ceilings, and others that were small and sometimes dark. During the site visit it was noted that tenants had access to a secure "bike shed" that contained bicycles and a motorcycle and some tenants had use of storage in the basement of the building. Also noted was a space that was possibly previously inhabited by a superintendent that had been internally demolished. As this possible unit would have been a substandard unit being almost entirely below grade with unusual access to the facilities and maintenance areas, it was agreed that the owners would secure at unlimited rents two additional units with the rental replacement portion of the new building for 20 years. Thus, this is considered to fulfill the Official Plan policy 3.2.1.6 by securing more than the same number and minimum unit types and exceeding the minimum floor spaces in total for the rental replacement portion of the building. This is also considered to provide additional security and stability to the other rental replacement units in that portion as the other new rental units could apply for conversion to condominium in the future before the 20 year horizon has been reached. One bachelor unit is proposed to be replaced with a one-bedroom unit, this will have the same rent as a bachelor unit at the mid-range level. As well as the planning approvals, it is necessary that City Council approve the demolition of the recognized 15 rental units and provide authorization to City officials to issue the appropriate approvals and permits.

The applicant has proposed a building with a separate entrance and lobby off of College Street, and exclusive laundry and amenity area from the proposed condominium building. Bike parking and storage would also be separate, with the entrance off of Huron Street. The proposed unit breakdown of the 17 secured replacement units and the new 9 additional rental units in this portion of the building are as shown in Table 1, contained in Attachment 11.

The Section 37 will secure the minimum unit sizes as follows for the 15 rental replacement and 2 additional rental units:

- That three, one-bedroom dwelling units shall be not less than 40 square metres, and at or below the mid-range rent threshold, with one one-bedroom unit having special rent provisions as it replaces a bachelor unit;
- That three, one-bedroom dwelling units shall be not less than 41 square metres, one of which shall be at an affordable rent, and the other two with no rent stipulation;
- That five, two-bedroom dwelling units shall be not less than 73 square metres, of which three shall have affordable rents, and two shall be at or below the mid-range rent threshold;
- That six, two-bedroom dwelling units shall be not less than 75 square metres, and at or below the mid-range rent threshold; and

- That the combined residential gross floor area of the secured replacement units shall be not less than 975 square metres.

No unit shall have any interior bedrooms. All rents with stipulations shall be secured as per the City's standard practices. Rents for tenants moving in during the first 10 years shall be no higher than the CMHC average market rent in the case of affordable rents, and no more than 1.5 times average market rent for the mid-range units. Annual increases are limited to the provincial rent guideline increase, and above-guideline increases if applicable, during this period, and for any tenant who remains after the tenth year, these protections will continue until they move or until the 20th year of the building's occupancy, with a 3 year phase in to unrestricted market rent. Commencing in the 11th year, any new tenants may be charged market rents, unrestricted by the owner's agreement with the City.

The recommendations in this report follow the City's typical practices when approving the demolition under Municipal Code Chapters 667 and 363 for those units, and issuance of a demolition permit pursuant to Section 33 of the *Planning Act*. The demolition permit for the buildings at 231-237 College Street, and 177-189 Huron Street will not be issued until all recommended conditions are satisfied, and no earlier than the issuance of the foundation permit for the approved development.

Tenant Relocation and Assistance Plan

Recently several tenants have left the building, including the most recent superintendent. At the time of writing this report 8 tenants remained in the building with affordable and mid-range rents. Some tenants had only been resident for approximately two years, but others have been part of the tenant community of the building for more than 15 years.

For tenants receiving a notice of eviction for demolition under the *Residential Tenancies Act* provides for four months' notice and three months' compensation. This is to aid tenants seeking new accommodation to have time to move more conveniently and to find appropriate alternate housing. The City of Toronto has a low vacancy rate and a competitive downtown rental market, and so the practice of the City of Toronto is to provide a longer notice period and more compensation than is required under the Act.

The applicant has offered to provide to the tenants the following assistance in addition to the requirements of provincial legislation: a moving allowance of \$1,500 per unit for moving out of the existing unit and moving into a new unit after construction, should they choose to return, and additional compensation in the form of a cash payment. The applicant has not agreed to the final rent category of "15+ years or Special Needs", however, after examining the rent rolls and meeting with the tenants, feel this is an appropriate condition to be added to Table 2 below.

Table 2: Sliding scale compensation table	
Years Residency	Compensation
0-5 years	4 months' rent
5-10 years	5 months' rent

10 -15 years	6 months' rent
15+ years or Special needs	7 months' rent

Tenants will be allowed to choose units based on seniority of tenure in the existing building. If approved by Council, the modified Tenant Relocation and Assistance Plan will be secured in the Section 37 Agreement.

Traffic Impact Study

A Transportation Considerations Report was submitted as part of the application. In that study, the consultant estimates that the proposal will generate 30 and 25 two-way trips during the AM and PM peak hours, respectively. The consultant concludes that the proposal can be accommodated on the adjacent road network without the need for any road improvements. The City's Engineering and Construction Services Division concurs with the consultant's conclusion, and accept the traffic impact of the proposal.

In response to suggestions from area stakeholders, the applicant's consultant conducted a sensitivity analysis for the conversion of the northern section of Huron Street, south of College Street, from the existing one-way to two-way operation. According to the consultant, the future traffic volumes can be readily accommodated at the College Street/Huron Street signalized intersection should the City wish to pursue the introduction of two-way traffic operation on Huron Street between the site access and College Street. The City's Engineering and Construction Services Division are in the process of reviewing these potential changes and may implement them in the future if determined feasible.

Parking

The applicant proposes to provide a total of 52 parking spaces located within two levels of underground parking. The applicant proposes to operate the parking garage as a commercial parking facility. The applicant's consultant has indicated that parking will be made available to residents, resident visitors, as well as the general public on a non-exclusive basis. Parking would be made available to residents on a monthly basis.

The subject site is within Permit Parking Area 6D, which is generally bounded by Spadina Avenue in the west, College Street in the north, McCaul Street in the east and Queen Street West in the south. Engineering and Construction Services staff have identified that there is a high demand for permit parking in this residential area. Engineering and Construction Services staff has raised concern that a parking shortfall within the project would result in increased competition for parking permits in this area, which is not appropriate. Parking demands for new developments should be accommodated on-site. Furthermore, Engineering and Construction Services staff have recommend that warning clauses be included in the site plan approval and condominium approvals advising purchasers that they will not be eligible for permit parking.

To date, the applicant has not provided the City with acceptable documentation to justify the proposed reduction in parking supply. In order to provide some flexibility with respect to the number and mix of residential units, it is recommended that the owner

provide and maintain parking spaces to serve the project, in accordance with the minimum ratios as contained in the draft Zoning By-law, attached to this report (Attachment No. 10). Compliance with the By-law would result in a requirement for approximately 83 residential parking spaces, and 14 visitor parking spaces.

Bicycle Parking

The Official Plan contains policies which encourage reduced automobile dependency as well as promoting alternative modes of transportation. The policies contained within the Plan attempt to increase the opportunities for better walking and cycling conditions for residents of the City.

Policy 2.4.7 states, “Policies, programs and infrastructure will be introduced to create a safe, comfortable, and bicycle friendly environment that encourages people of all ages to cycle for everyday transportation and enjoyment including... the provision of bicycle parking facilities in new developments”. The development will provide 152 bicycle parking spaces, of which, 133 spaces will be for residents of the building, 14 will be for visitors, and 5 will be for the retail occupants/visitors. The bicycle parking, as proposed by the applicant is satisfactory, and has been secured in the draft Zoning By-law attached to this report (Attachment No. 10).

As the replacement of an existing building, and one that had secure bicycle storage, replacement units are recommended to have priority access to the permanent bicycle storage facilities in the new development. To do otherwise would not be consistent with current City of Toronto policies and practices regarding Council approval of the demolition of existing rental housing under Section 111.

Loading

As per the Zoning By-law requirements, one Type G loading space is required to service this development. The applicant is proposing to provide one Type G loading space. Engineering and Construction Services staff have identified the provision of one Type G loading space is generally acceptable.

Residential Amenity Areas

Section 3.1.2.6 of the Official Plan states that every significant new multi-unit residential development will provide indoor and outdoor amenity space for residents of the new development, in addition to identifying that each resident will have access to outdoor amenity spaces. In addition, the former City of Toronto Zoning By-law requires that a minimum of 2m² per unit of indoor and outdoor amenity space be provided. The applicant proposes to provide a total of 304 square metres of indoor amenity space, and 362 square metres of outdoor amenity space as part of this proposal.

The amenity space for the rental units will be located on the second floor. The applicant proposes to provide 127 square metres of indoor amenity space for the rental units, directly adjacent to approximately 97 metres of outdoor amenity space. The indoor amenity space is proposed to be provided on the second floor, and is proposed to contain a fitness room and a multipurpose lounge with kitchen and accessible bathroom for the

casual use of the tenants on an everyday basis. This lounge provides access to a second-floor, south-facing terrace of 97 square meters that will have two permanent barbecues for the use of the tenants. An on-site laundry room is also proposed to be provided.

The amenity space for the condominium units is proposed to be located on the ninth floor. The applicant proposes to provide 178 square metres of indoor amenity space, directly adjacent to 265 square metres of outdoor amenity space. The location and configuration of the amenity space in this proposal satisfies the minimum requirement of 2m² per dwelling unit. The amount and location of indoor and outdoor amenity space will be secured within the draft Zoning By-law, as attached to this report (Attachment No 10).

Full Range of Housing

The Official Plan provides direction to provide a full range of housing in terms of form, tenure and affordability. The provision of this range of housing across the City and within neighbourhoods is important to achieving the diversity required to meet current and future needs of residents, and to provide economic competitiveness and social cohesion. The applicant proposes to provide 10% of the condominium units as 3-bedroom units. In this instance, and based on unit count, the applicant is proposing to provide 12, 3-bedroom units. The applicant also proposes to provide 27, 2-bedroom units as part of this development application.

As discussed above, the applicant has agreed to provide one and two-bedroom units as rental replacement units and as new rental units. This will be secured in the draft Zoning By-law, the Section 37 Agreement and the Section 111 Agreement. In addition, the number of 3-bedroom units will be secured as a performance standard in the draft Zoning By-law attached to this report.

Open Space/Parkland

The Official Plan contains policies to ensure that Toronto's system of parks and open spaces are maintained, enhanced, and expanded. Map 8B of the Toronto Official Plan shows local parkland provisions across the City. The lands which are the subject of this application are in 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 priority area, as per City Wide Parkland Dedication By-law 1020-2010.

The applicant proposes 142 residential units and 407 square metres of non-residential uses on a site with a net area of 1,385 square metres. At the alternative rate of 0.4 hectares per 300 units specified in By-law 1020-2010, the parkland dedication requirement is 0.210 hectares of 157% of the site area. However, for sites that are less than 1 hectare in size, a cap of 10% is applied to the residential use while the non-residential use is subject to a 2% parkland dedication. In total, the parkland dedication requirement is 135 square metres.

The applicant is required to satisfy the parkland dedication requirement through cash-in-lieu. This is appropriate as an on-site parkland dedication requirement of 135 square

metres would not be of a usable size and the site would be encumbered with below grade parking. The actual amount of cash-in-lieu to be paid will be determined at the time of issuance of the building permit.

Toronto Green Standard

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

Section 37

Section 37 of the *Planning Act* allows the City to authorize increased density and/or height in return for the provision of services, facilities or matters. The Official Plan contains provisions authorizing these Section 37 matters, provided the density and/or height increase are consistent with the objectives of the Official Plan regarding building form and physical environment.

Given the increase in proposed height, the Official Plan would require the provision of Section 37 benefits. The applicant has agreed to the following Section 37 contribution. The benefits to be secured would be as follows:

1. A cash contribution in the amount of \$500,000, indexed and payable to the City of Toronto prior to the issuance of any above *grade* building permits for the development of the *lot*, the amount to be used for:
 - a) A cash contribution in the amount of \$200,000 for capital improvements to Toronto Community Housing in Ward 20;
 - b) A cash contribution in the amount of \$150,000 for streetscape improvements in the immediate area;
 - c) A cash contribution in the amount of \$50,000 for improvement to the Huron Street Garden located at 180 Huron Street; and
 - d) A cash contribution in the amount of \$100,000 for cycling infrastructure in the immediate area.
 - e) In the event the cash contributions referred to in Section (1)(a) through (d) above has not been used for the intended purpose within three (3) years of this By-law coming into full force and effect, the cash contribution may be redirected for another purpose, at the discretion of the Chief Planner and Executive Director of City Planning, in consultation with the local Councillor, provided that the purpose is identified in the Toronto Official Plan and will benefit the community in the vicinity of the lands.

The following matters are also recommended to be secured in the Section 37 Agreement as a legal convenience to support development:

2. The provision and maintenance of not less than 17 new replacement rental *dwelling units* on the *lot*, along with all the facilities and appropriate appurtenances to the replacement rental *dwelling units*, with rents no higher than mid-range rents, to the satisfaction of the Chief Planner and Executive Director, City Planning Division, subject to the following:
 - a) the replacement rental dwelling units shall comprise of 6 one-bedroom and 11 two-bedroom units; and the combined floor area of the 17 replacement rental dwelling units shall not have a combined residential gross floor area of less than 975 square metres. A minimum of 3 dwelling units shall be accessible units. The units shall have a range of sizes as per the following list:
 - i) That three, one-bedroom dwelling units shall be not less than 40 square metres, and at or below the mid-range rent threshold, with one one-bedroom unit having special rent provisions as it replaces a bachelor unit;
 - ii) That three, one-bedroom dwelling units shall be not less than 41 square metres, one of which shall be at an affordable rent, and the other two with no rent stipulation;
 - iii) That five, two-bedroom dwelling units shall be not less than 73 square metres, of which three shall have affordable rents, and two shall be at or below the mid-range rent threshold;
 - iv) That six, two-bedroom dwelling units shall be not less than 75 square metres, and at or below the mid-range rent threshold; and
 - v) That the combined residential gross floor area of the secured replacement units shall be not less than 975 square metres;
 - (vi) the replacement rental dwelling units shall be maintained as rental housing units for at least 20 years, beginning with the date each unit is occupied and until the owner obtains approval for a zoning by-law amendment removing the requirement for the replacement rental housing units to be maintained as rental units. No application may be submitted for condominium registration, or for any other conversion to non-rental housing purposes, or for demolition without providing for replacement during the 20 year period; and

- (vii) the building permit which provides for the replacement rental dwelling units shall be issued no later than the issuance of the first above-grade building permit for any building with residential uses on the lot. The 17 replacement rental dwelling units shall be ready for occupancy no later than the date by which no more than 90% of the other dwelling units on the lot are available and ready for occupancy;
- 2. To provide and maintain affordable rents charged to the tenants who rent each of the 4 affordable rental replacement *dwelling units* during the first 10 years of its occupancy, such that the initial rent shall not exceed an amount based on the most recent Fall Update Canada Mortgage and Housing Corporation Rental Market Report average rent for the City of Toronto by unit type, and over the course of the 10 year period, annual increases shall not exceed the Provincial Rent Guideline and, if applicable, permitted above-Guideline increases. Upon turn-over during the 10 year period, the rent charged to any new tenant shall not exceed an amount based on the initial rent, increased annually by the Provincial Rent guideline, and any above-Guideline increase, if applicable.
- 3. The provision and maintenance of rents no greater than mid-range rents charged to the tenants who rent each of the designated to the satisfaction of the Chief Planner and Executive Director, City Planning 15 replacement rental dwelling units during the first 10 years of occupancy, such that the initial rent shall not exceed an amount based on one and a half times (1.5x) the most recent Fall Update Canada Mortgage and Housing Corporation Rental Market Report average rent for the City of Toronto by unit type inclusive of basic utility costs. Upon turnover, the rent charged to any new tenant shall not exceed the greater of the most recently charged rent or one and a half times (1.5x) the most recent Fall Update Rental Market Report average rent for the City of Toronto by unit type, and over the course of the 10 year period, annual increases shall not exceed the Provincial rental guideline and, if applicable, permitted above-guideline increases;
- 4. The rents charged to tenants occupying a replacement rental dwelling unit at the end of the 10-year period set forth in 2 above shall be subject only to increases which do not exceed the Provincial rent guideline and, if applicable, permitted above guideline increases, so long as they continue to occupy their dwelling unit or until the expiry of the rental tenure period set forth in 1(ii) above with a phase-in period of at least three years to unrestricted rents;
- 5. The rents charged to tenants newly occupying one of the two replacement rental dwelling units, designated as such by the Chief Planner and Executive Director, City Planning at unrestricted rents will not be bound by the rental statutes of either 2 or 3, listed above.

6. The rents charged to tenants newly occupying any of the remained of the 15 replacement rental dwelling units after the completion of the 10-year period set forth in 2 above will not be subject to restrictions by the City of Toronto under the terms of the Section 37 Agreement;
7. The owner shall provide, prior to the introduction of Bills to City Council, and may begin to implement a Tenant Relocation and Assistance Plan to the satisfaction of the Chief Planner and Executive Director, City Planning Division, that requires the owner to provide for each eligible tenant at 183-187 Huron Street and 233-235 College Street, the right to return to a replacement rental dwelling unit, assistance that includes at least a moving allowance and other financial assistance geared to a sliding scale based on length of tenancy, with provisions for special needs tenants;
8. The owner shall enter into an agreement with the City pursuant to Section 37 of the Planning Act, to secure the provision of said facilities, services and matters, in a form satisfactory to the City Solicitor as set forth in Appendix 1 of the draft zoning by-law (Attachment 10) with conditions providing for indexed escalation of financial contributions, no credit for development charges, indemnity, insurance, HST, termination and unwinding, and registration and priority of the agreement; and
9. The owner shall enter into an agreement with the City, prior to any building permit, to secure the implementation of appropriate local roadway improvements, at the Owner's expense, as may be required which address the potential traffic impacts of the proposed development to the satisfaction of the Director of Engineering and Construction Services, Toronto and East York District.

Conclusion

The proposed 17-storey mixed use building at 231-237 College Street, and 177-189 Huron Street is appropriate for this site and is consistent with *Mixed Use Areas* Policies contained within the Official Plan. In addition, the proposed siting, massing and built form of the development is in keeping with the built form policies and the development criteria contained within the “*Mixed Use Areas*” designation.

The replacement proposal, including the proposed Tenant Relocation and Assistance Plan, meets the applicable Official Plan policies and does not require an amendment for the changes proposed to the unit mix, and is generally consistent with the City's standard practices for rental replacement. The draft Zoning By-Law Amendment provides for the securing of these matters in a Section 37 Agreement.

City Planning staff recommend approval of the applications for the Official Plan and Zoning By-law Amendments and the Rental Housing Demolition Application, including the integration of the heritage building at College and Huron Streets, to the satisfaction of Heritage Preservation Services.

CONTACT

Marian Prejel, Senior Planner
Tel. No. (416) 392-9337
E-mail: mprejel@toronto.ca

Lauralyn Johnston
Tel. No. (416) 392-8575
Email: ljohnst@toronto.ca

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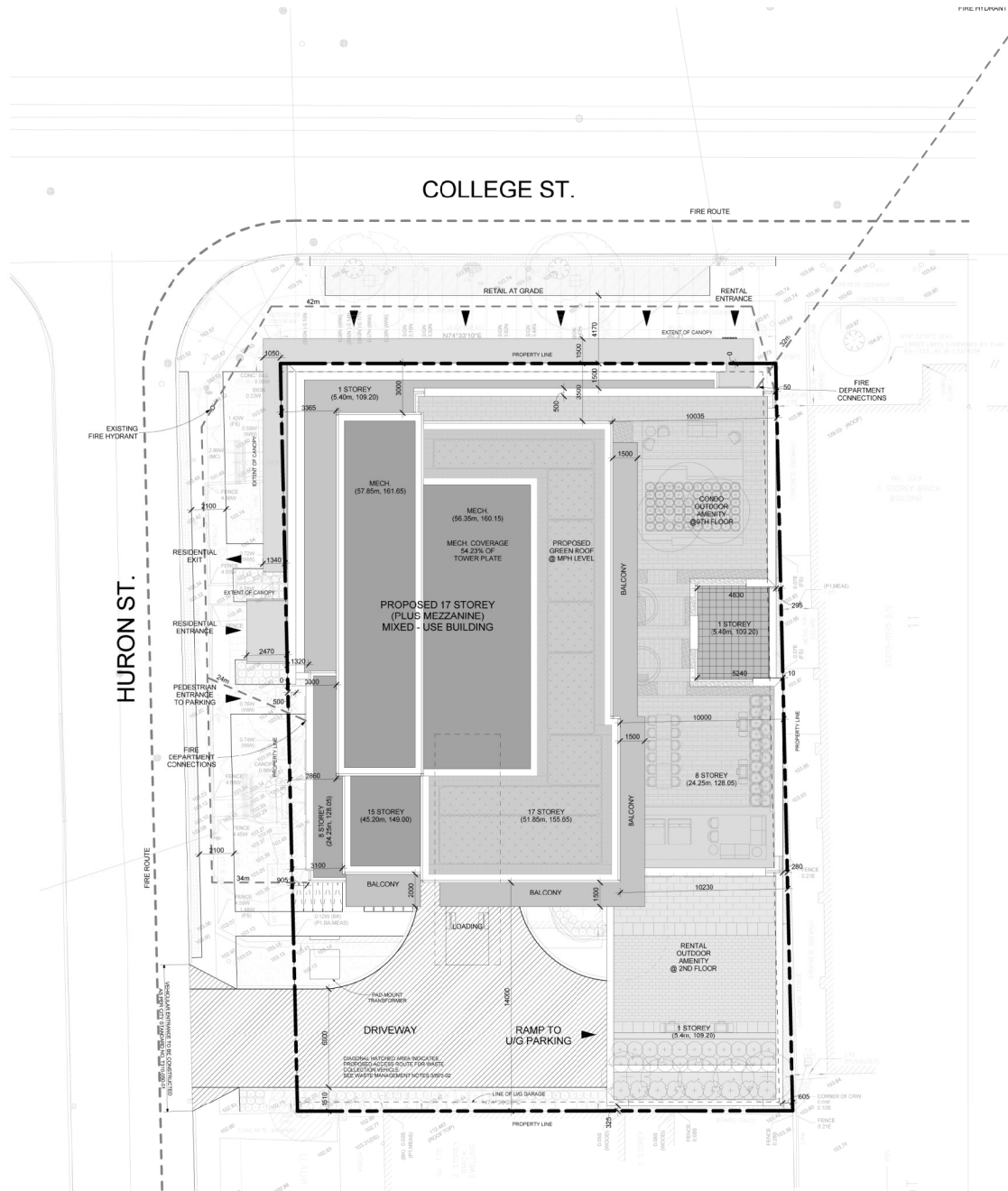
Gregg Lintern, MCIP, RPP
Director, Community Planning
Toronto and East York District

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ATTACHMENTS

Attachment 1: Site Plan
Attachment 2: Elevations
Attachment 3: Elevations
Attachment 4: Elevations
Attachment 5: Elevations
Attachment 6: Zoning
Attachment 7: Official Plan
Attachment 8: Application Data Sheet
Attachment 9: Draft Official Plan Amendment
Attachment 10: Draft Zoning By-law Amendment
Attachment 11: College and Huron Rental Replacement Unit Comparison Table

Attachment 1: Site Plan



Site Plan

Applicant's Submitted Drawing

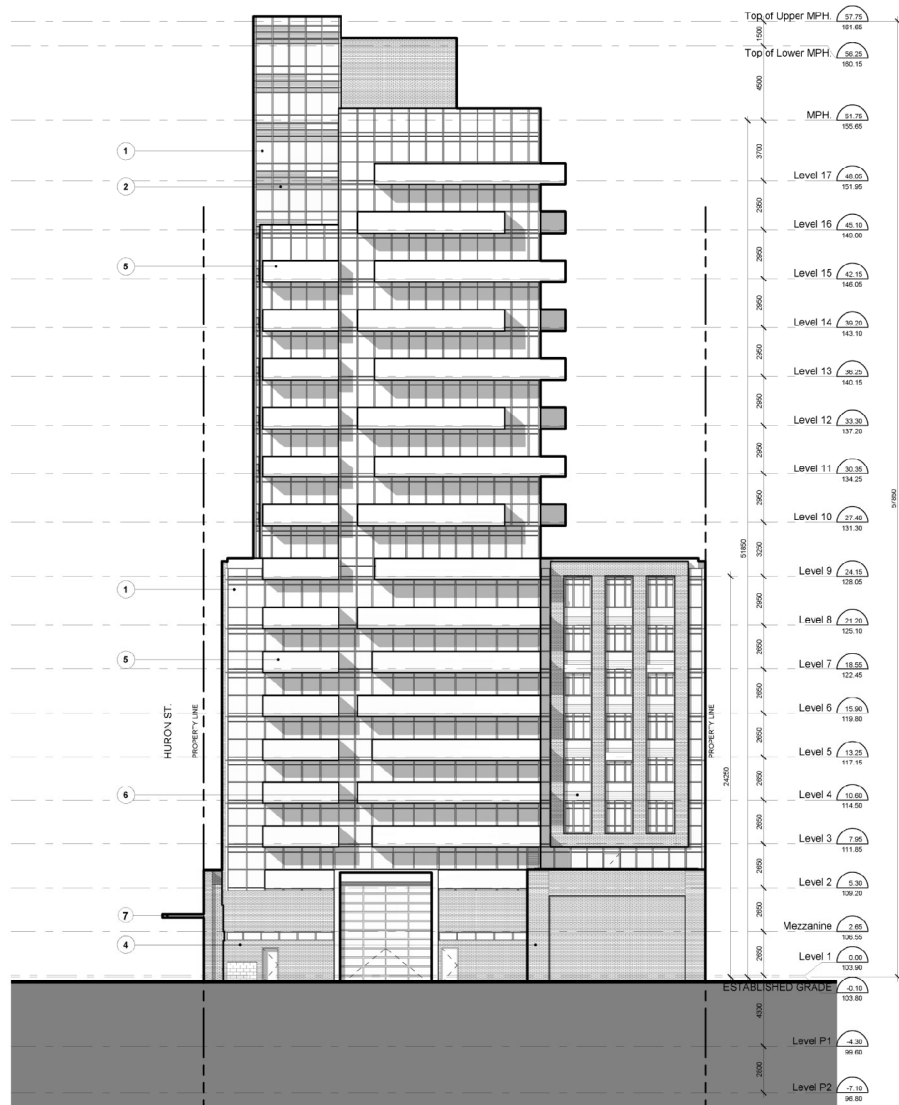
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231-237 College Street and
177-189 Huron Street

File # 13 142125

Attachment 2: Elevations



South Elevation

Elevations

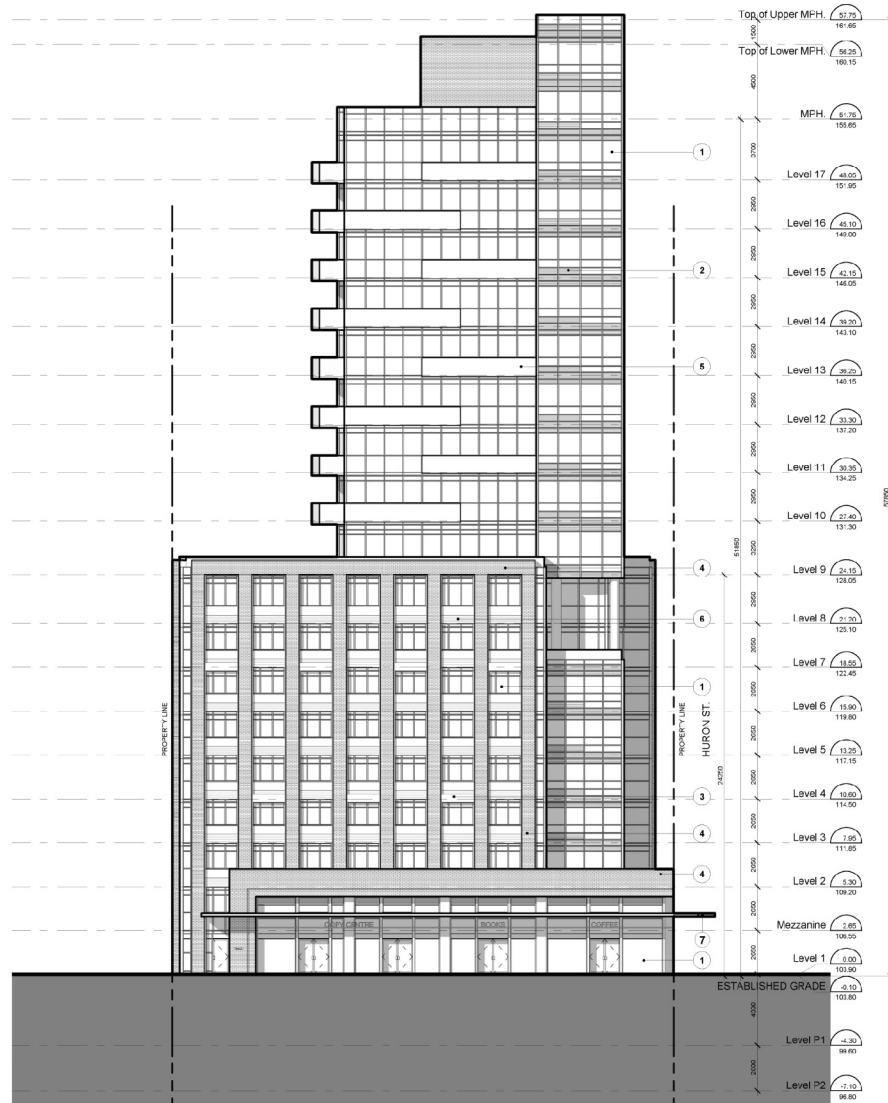
Applicant's Submitted Drawing

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231-237 College Street and
177-189 Huron Street

File # 13 142125

Attachment 3: Elevations



North Elevation

Elevations

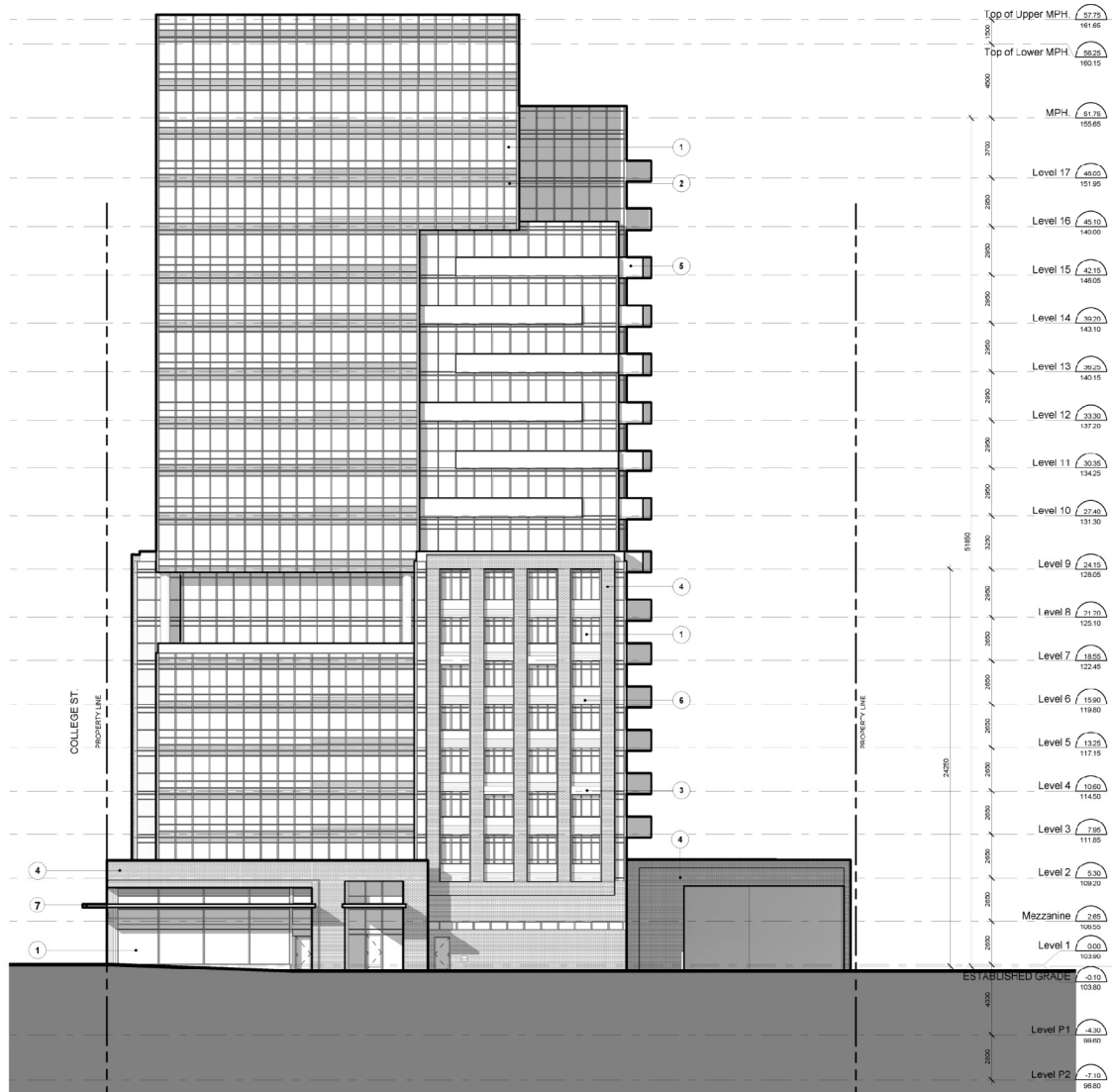
Applicant's Submitted Drawing

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231-237 College Street and
177-189 Huron Street

File # 13 142125

Attachment 4: Elevations



West Elevation

Elevations

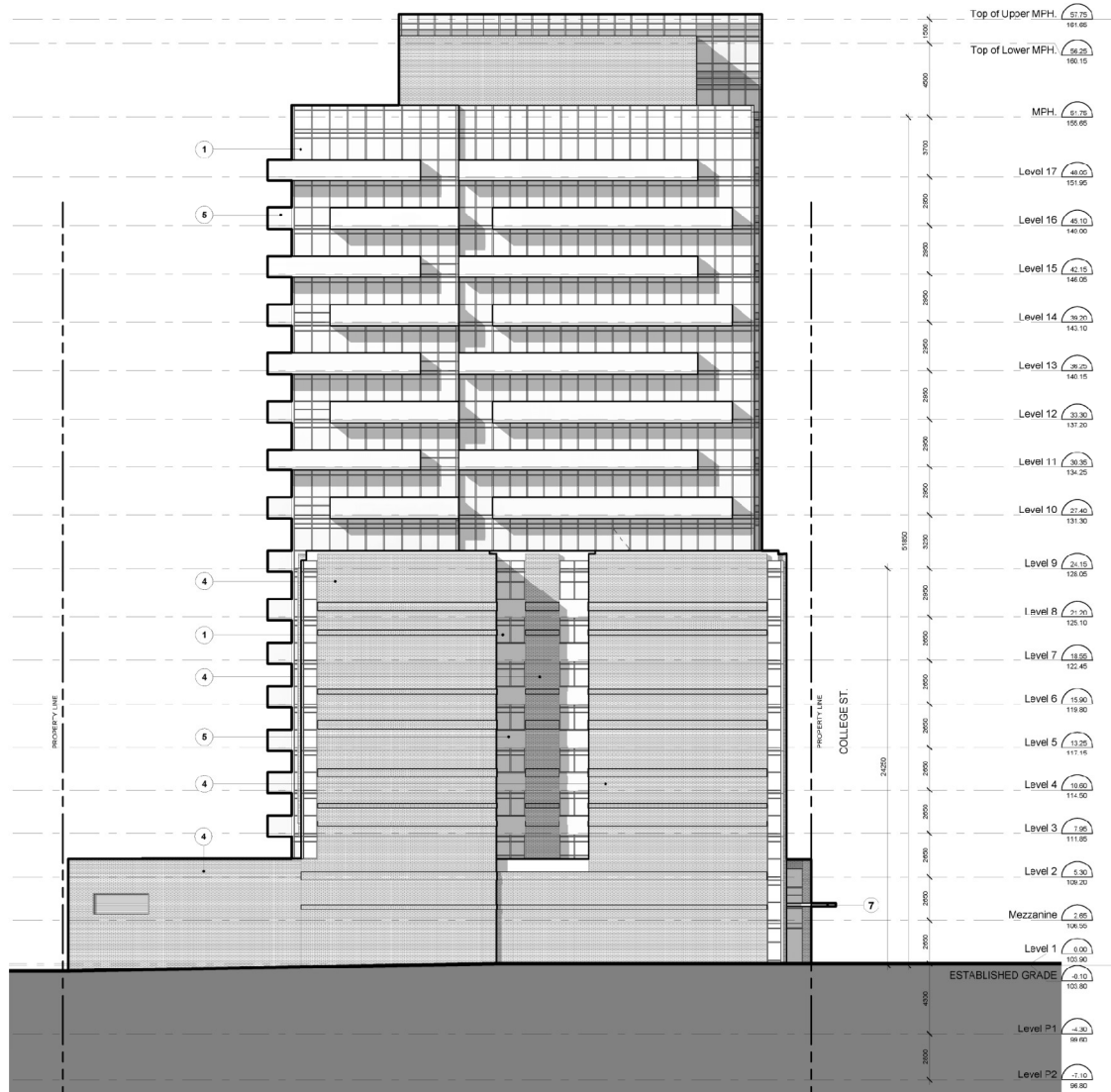
Applicant's Submitted Drawing

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231-237 College Street and
177-189 Huron Street

File # 13 142125

Attachment 5: Elevations



East Elevation

Elevations

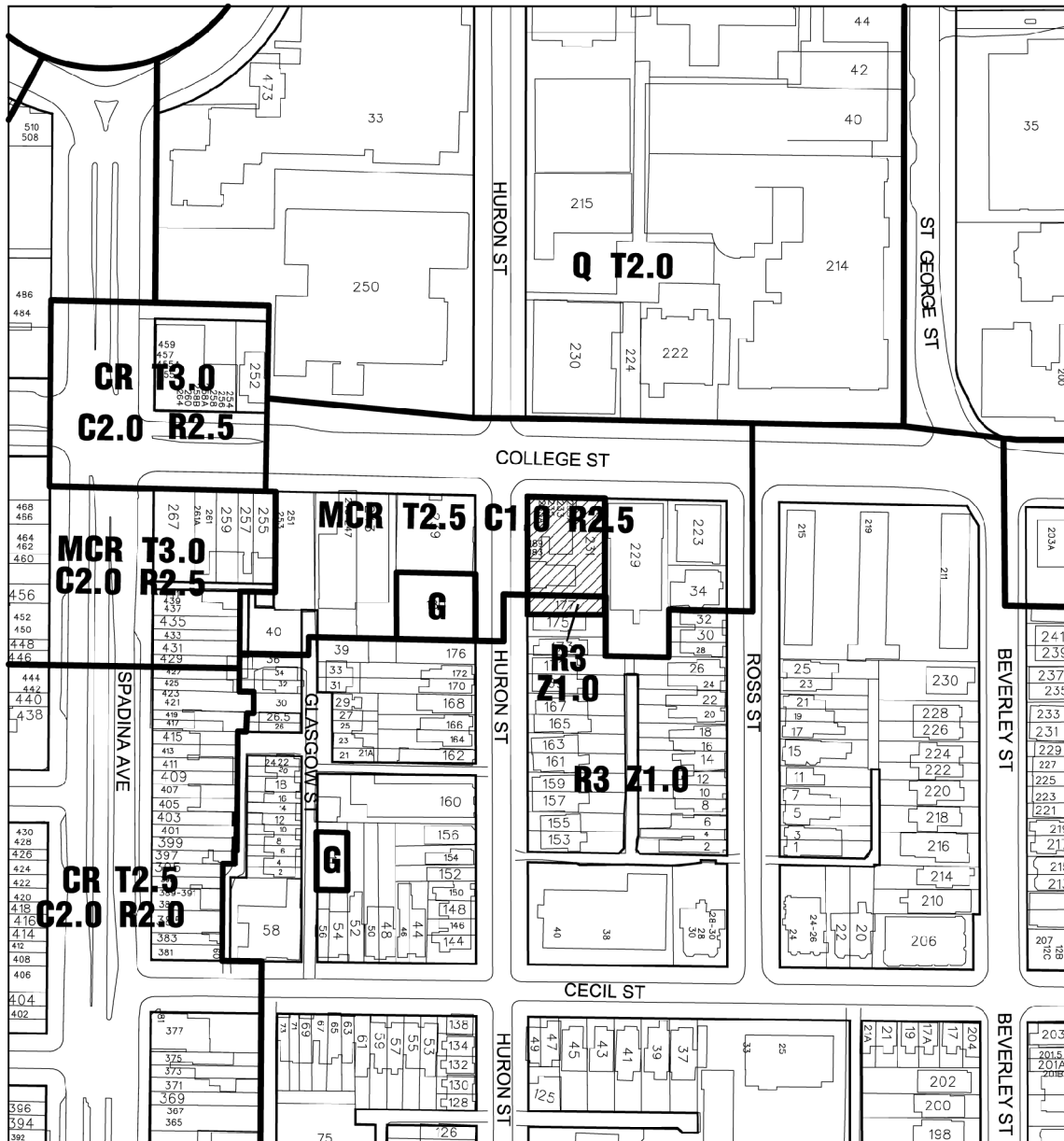
Applicant's Submitted Drawing

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231-237 College Street and
177-189 Huron Street

File # 13 142125

Attachment 6: Zoning



TORONTO City Planning
Zoning

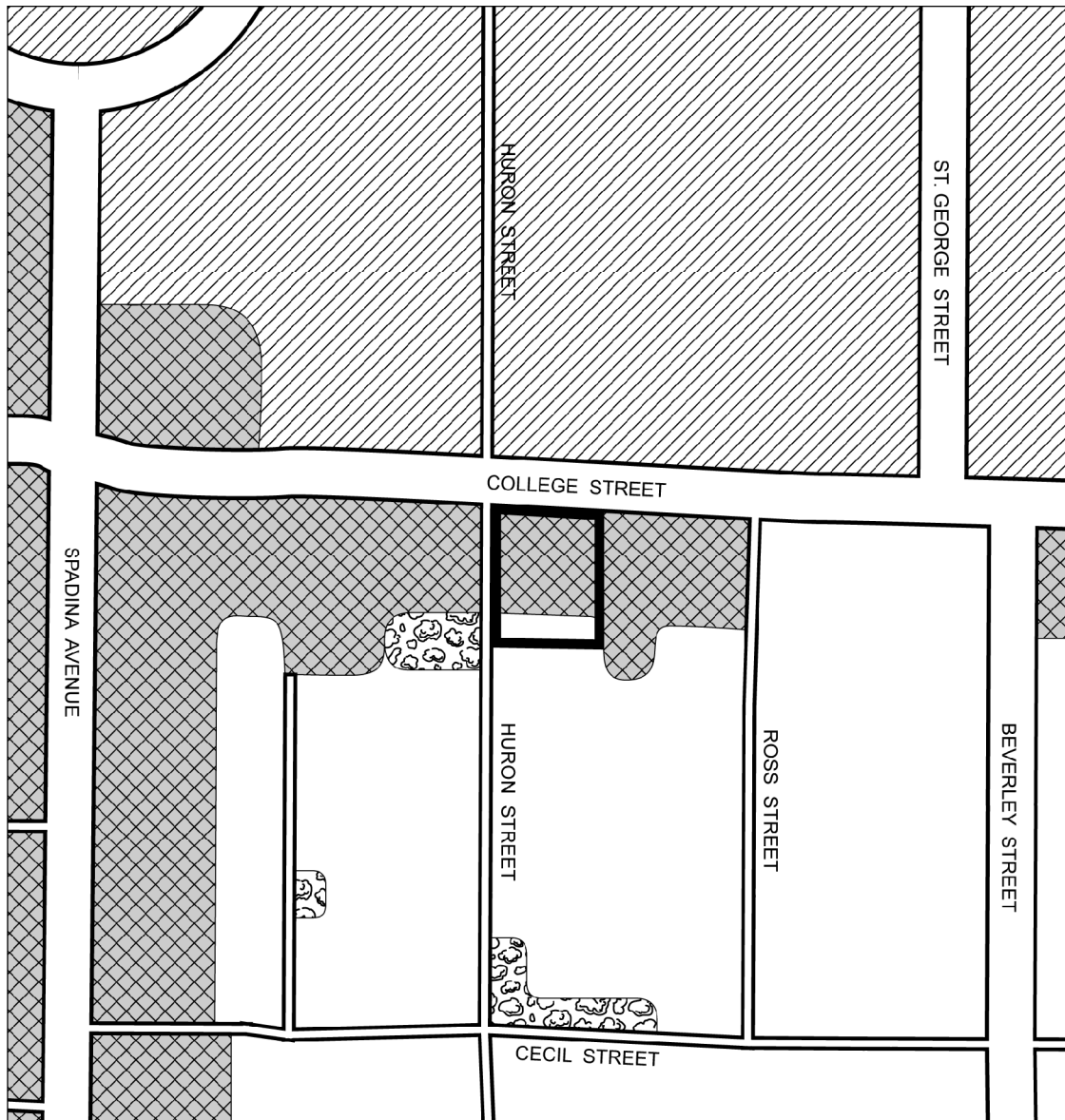
231-239 College Street and 177-189 Huron Street

File # 13 142125 0Z

MCR Mixed-Use District
CR Mixed-Use District
R3 Residential District
Q Mixed-Use District
G Parks District

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Zoning By-law 438-86 (as amended)
Extracted 05/16/2013

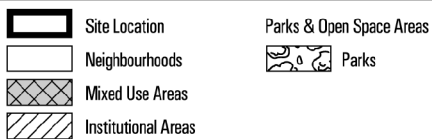
Attachment 7: Official Plan



Toronto City Planning
Official Plan

**231-239 College Street and
177-189 Huron Street**

File # 13 142125 02



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05/16/2013

Attachment 8: Application Data Sheet

Application Type	OPA, ZBA, SPC	Application Number:	14 148319 STE 20 SA
Details		Application Date:	April 28, 2014
Municipal Address:	233 COLLEGE ST		
Location Description:	PLAN D286 PT LOT 10 **GRID S2009		
Project Description:	Application for Sit Plan Approval for a 17 storey mixed use building with a total combine gross floor area of 10, 848.33 square metres and an overall unit count 142 units with the rental apartment unit count of 26 units.		
Applicant:	Agent:	Architect:	Owner:
SHIUPONG (231 COLLEGE) LIMITED	SHERMAN BROWN	Kirkor Architects	CURTRO HOLDINGS INC

PLANNING CONTROLS

Official Plan Designation:	Mixed Use Areas	Site Specific Provision:	202
Zoning:	MCR T2.5 C1.0 R2.5	Historical Status:	
Height Limit (m):	14, 0, 0	Site Plan Control Area:	Y

PROJECT INFORMATION

Site Area (sq. m):	1384.8	Height:	Storeys:	17
Frontage (m):	30.3		Metres:	57.75
Depth (m):	45.72			
Total Ground Floor Area (sq. m):	1104			Total
Total Residential GFA (sq. m):	10441		Parking Spaces:	52
Total Non-Residential GFA (sq. m):	407		Loading Docks	1
Total GFA (sq. m):	10848			
Lot Coverage Ratio (%):	80			
Floor Space Index:	7.83			

DWELLING UNITS

FLOOR AREA BREAKDOWN (upon project completion)

Tenure Type:	Rental, Condo		Above Grade	Below Grade
Rooms:	0	Residential GFA (sq. m):	10441	0
Bachelor:	4	Retail GFA (sq. m):	319	0
1 Bedroom:	99	Office GFA (sq. m):	0	0
2 Bedroom:	27	Industrial GFA (sq. m):	0	0
3 + Bedroom:	12	Institutional/Other GFA (sq. m):	31	65
Total Units:	142			

CONTACT:	PLANNER NAME:	Marian Prejel, Senior Planner
	TELEPHONE:	(416) 392-9337

Attachment 9: Draft Official Plan Amendment

CITY OF TORONTO

Bill No. ~

BY-LAW No. ~

**To adopt Amendment No. 277 to the Official Plan for the City of Toronto
respecting the lands known municipally in the year 2013 as
231-237 College Street and 177-189 Huron Street.**

WHEREAS authority is given to Council under the *Planning Act*, R.S.O. 1990, c. P. 13, as amended, to pass this By-law; and

WHEREAS Council of the City of Toronto has provided adequate information to the public and has held at least one public meeting in accordance with the *Planning Act*;

The Council of the City of Toronto HEREBY ENACTS as follows:

1. The attached Amendment No. 277 to the Official Plan is hereby adopted pursuant to the *Planning Act*, as amended.

ENACTED AND PASSED this ~ day of 2014.

FRANCES NUNZIATA,
Speaker

ULLI S. WATKISS,
City Clerk

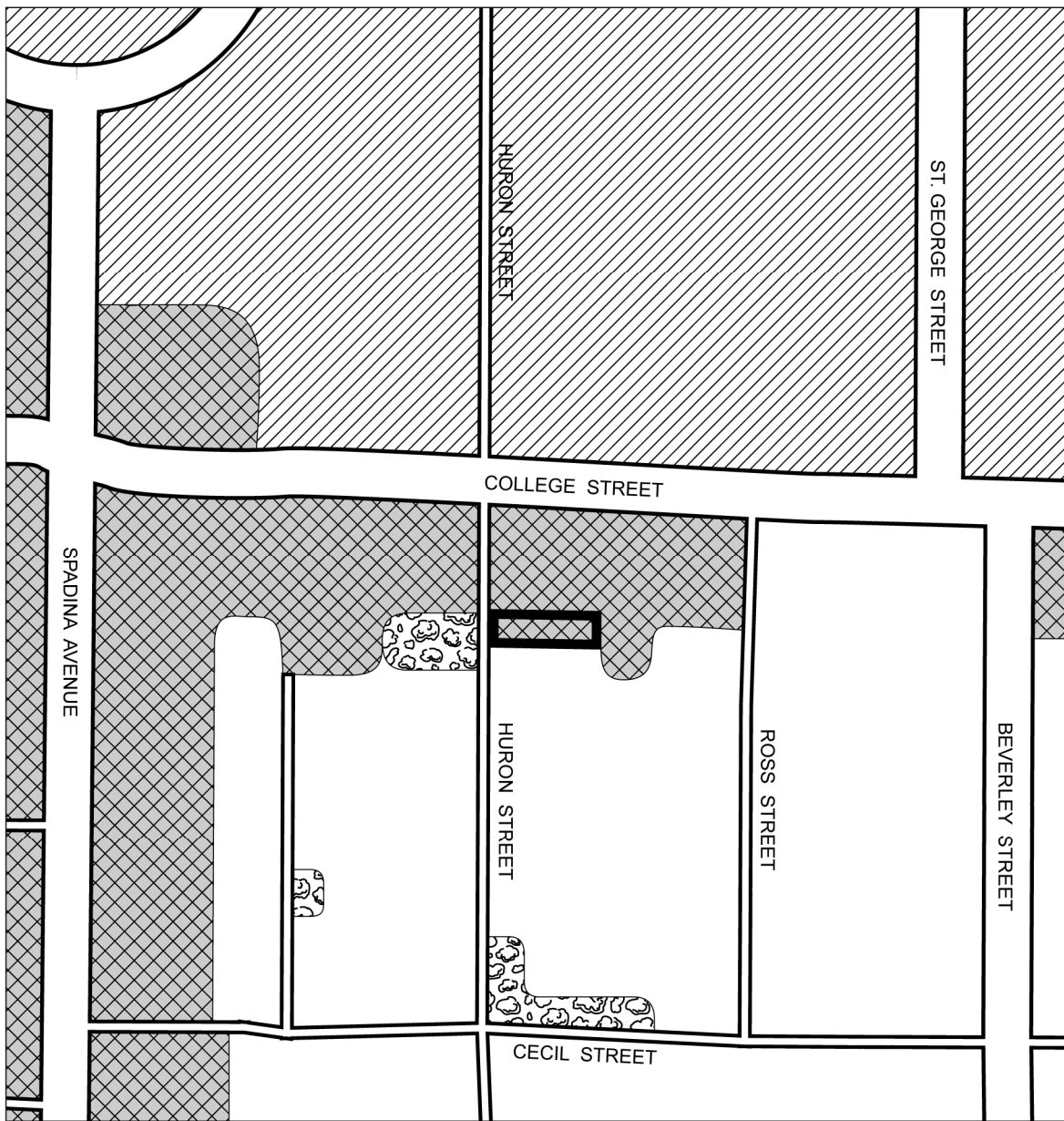
(Corporate Seal)

AMENDMENT NO. 277 TO THE OFFICIAL PLAN

**LANDS KNOWN MUNICIPALLY IN THE YEAR 2013 AS
231-237 COLLEGE STREET AND 177-189 HURON STREET**

The Official Plan of the City of Toronto is amended as follows:

1. Map 18, Land Use Plan, is amended by re-designating the southernmost portion of Part of Lot 10, Plan D-286, known municipally in 2013 as 231-237 College Street and 177-189 Huron Street, from *Neighbourhoods* to *Mixed Use Areas*, as indicated on the attached Schedule A, so that all the lands shown thereon are designated *Mixed Use Areas*.



Official Plan Amendment #277

Revisions to Land Use Map 18 to Redesignate lands from Neighbourhoods to Mixed Use Areas

231-239 College Street and
177-189 Huron Street

File # 13 142125 0Z



Parks & Open Space Areas



Not to Scale
07/21/2014

Attachment 10: Draft Zoning By-law Amendment

CITY OF TORONTO

Bill No. ~

BY-LAW No. XXX-2014

To amend Zoning By-law No. 438-86 for the former City of Toronto, as amended, respecting the lands known municipally in the year 2014 as 231-237 College Street and 177-189 Huron Street.

WHEREAS Council of the City of Toronto has provided adequate information to the public and has held at least one public meeting in accordance with the *Planning Act*;

The Council of the City of Toronto HEREBY ENACTS as follows:

1. District Map No. 50H-312 contained in Appendix “A” and “B” of By-law 438-86, being “A By-law to regulate the use of land and the erection, use, bulk, height, spacing of and other matters relating to buildings and structures and to prohibit certain uses of lands and the erection and use of certain buildings and structures in various areas of the City of Toronto” as amended, is further amended by redesignating from “R3 Z1.0” to “MCR T2.5 C1.0 R2.5” the lands identified as “MCR T2.5 C1.0 R2.5” on Appendix “A” as outlined on Plan 1 attached to and forming part of this By-law and by changing the height limit applicable to such lands on Appendix “B” to 14 metres;
2. None of the provisions of Section 2 with respect to the definitions of the terms *grade*, *height*, *lot*, *non-residential gross floor area*, *residential gross floor area* and Sections 4(2)(a), 4(3), 4(5), 4(12), 4(13), 4 (16), 8(3) Part I, 8(3) Part II, 8(3) Part IV, 8(3) Part and Section 12(2)132 of the aforementioned Zoning By-law No. 438-86, as amended, shall apply to prevent the erection of a *mixed-use building* on the *lot*, which may contain dwelling units, non-residential uses, and uses *accessory* thereto, provided that:
 - (a) the *lot* comprises at least the lands delineated by heavy lines on Map 1 attached to and forming part of this By-law;
 - (b) the total combined *residential gross floor area* and *non-residential gross floor area* of the building does not exceed 11,000 square metres;
 - (c) the maximum *residential gross floor area* shall not exceed 10,500 square metres;
 - (d) the maximum *non-residential gross floor area* shall be 500 square metres;

- (e) a maximum of 142 *dwelling units* may be provided on the *lot*;
- (f) of the 142 *dwelling units* listed above, a minimum of 12 of the *dwelling units*, shall be three bedroom units in compliance with the provisions of the Ontario Building Code;
- (g) of the 142 *dwelling units* listed above, a total of 17 rental replacement *dwelling units* comprising 6 one bedroom units, and 11 two bedroom units shall be provided in contiguous clusters of 6 or more as required pursuant to Schedule "A" attached, to satisfy the replacement of rental *dwelling units* existing on the lot at the time of enacting this by-law;
- (h) no portion of any building or structure shall be located otherwise than wholly within the heavy lines identified on Map 2 attached to and forming part of this By-law, with the exception of the following:
 - (i) cornices, light fixtures, awnings, ornamental elements, parapets, landscape features, trellises, eaves, window sills, ventilation shafts, guardrails, balustrades, railings, stairs, stair enclosures, doors, wheel chair ramps, canopies, and underground garage ramps, architectural feature wall and associated structures; and
 - (ii) balconies provided that they extend no more than 1.5 metres beyond the areas delineated by heavy lines on Map 2;
- (i) no portion of any building or structure shall have a greater *height* in metres than the *height* limits specified by the numbers following the symbol H on Map 2 attached to and forming part of this By-law, with the exception of the following:
 - (i) a structure used for outside or open air recreation, safety or wind protection purposes, elements of a green roof, balconies, canopies, vents, stacks or other heating, cooling or ventilating equipment, a screen around such equipment, window washing equipment, ornamental elements, architectural elements, landscaping elements, privacy walls, trellises, parapets, stairs, stair enclosures, guardrails and railings, extending no more than 2.0 metres above the applicable *height* limit; and
 - (ii) the structures and elements identified in Section 2 (h)(i) of this By-law;
- (j) *parking spaces* for the residential uses shall be provided on the *lot* in accordance with the following standards:

Dwelling type	Minimum number of parking spaces required
Bachelor Unit (up to 45 square metres)	0.3 spaces per unit
Bachelor Unit (greater than 45 square metres)	1.0 space per unit
1-bedroom Units	0.5 spaces per unit
2-bedroom Units	0.8 space per unit
3+ bedroom Units	1.0 spaces per unit
Residential Visitors	0.12 spaces per unit

- (j) *parking spaces* for the non-residential uses shall be provided on the lot in accordance with the following standards:

Use	Minimum Parking Requirement
Retail Uses	1.0 spaces per 100 square metres of gross floor area

- (k) a minimum of one *loading space – Type G* shall be provided on the *lot*;
- (l) a minimum of 2 square metres of *residential amenity space* located indoors shall be provided on the *lot* for each *dwelling unit* and shall be provided in a multi-purpose room or rooms at least one of which contains a kitchen and a washroom;
- (m) a minimum of 2 square metres of *residential amenity space* located outdoors shall be provided on the *lot* for each *dwelling unit*, and shall be contiguous with the *indoor amenity space*, and shall accessed via the *indoor amenity space* area;
- (n) a minimum of 149 *bicycle parking spaces* shall be provided and maintained on the *lot*, of which:
- (i) a minimum of 128 *bicycle parking spaces* shall be provided and maintained for the exclusive use of residents of the building, and shall be located within the *mixed use building* located on the *lot*;
 - (ii) a minimum of 15 *bicycle parking spaces* shall be provided and maintained on the *lot* for the exclusive use of residential visitors;

(iii) a minimum of 1 *bicycle parking spaces* shall be provided and maintained on the *lot* for the exclusive use of retail occupants;

(iv) a minimum of 5 *bicycle parking spaces* shall be provided and maintained on the *lot* for the exclusive use of retail visitors; and

(v) the *bicycle parking spaces* required by Section 2(n) (i), (ii), and (iv) may be provided in *bicycle stacking units*.

3. None of the provisions of Zoning By-law No. 438-86, as amended, or this By-law shall apply to prevent a *temporary sales office* on the *lot*.

4. SECTION 37 OF THE PLANNING ACT

a) Pursuant to Section 37 of the *Planning Act* and subject to compliance with this By-law, the increase in height and density of development on the *lot* is permitted in return for the Owner's election to provide, at the Owner's expense, the facilities, services and matters set out in Schedule "A" hereof which are secured by one or more agreements pursuant to Section 37(3) of the *Planning Act* that are in a form satisfactory to the City Solicitor and registered on title to the *lot*.

b) Where Schedule "A" of this By-law requires the Owner to provide certain facilities, services or matters prior to the issuance of a building permit, the issuance of such permit shall be dependent on satisfaction of the same.

c) The Owner shall not use, or permit the use of, a building or structure erected with an increase in height and density pursuant to this By-law unless all provisions of Clause 1 of Schedule "A" are satisfied.

5. For the purposes of this By-law, all italicized words and expressions have the same meaning as defined in By-law 438-86, as amended, with the exception of the following:

"*bicycle parking spaces*" has the same meaning as provided in By-law No. 438-86, as amended, with the exception that bicycle stackers may also be used for the purposes of parking and securing bicycles, whereby bicycles may be parked above one another with the aid of an elevation mechanism.

"*bicycle stacking units*" shall mean a horizontal *bicycle parking space* that is positioned above or below another *bicycle parking space* equipped with a mechanical device providing floor level access to both *bicycle parking spaces*. The minimum dimension of a stacked *bicycle parking space* is:

(i) minimum length of 1.8 metres;

(ii) minimum width of 0.6 metres; and

(iii) minimum vertical clearance for each bicycle parking space of 1.2 metres.

“*grade*” means 103.8 metres Canadian Geodetic Datum;

“*height*” means the vertical distance between *grade* and the highest point of the roof of any building on the *lot*, except for those elements prescribed by this By-law;

“*temporary sales office*” means a building, structure, facility or trailer on the lot used for the purpose of the sale of the first dwelling units to be erected on the lot; and

“*lot*” shall refer to those lands delineated by a heavy black line on Map 1, attached to and forming part of this By-law.

6. Despite any existing or future severance, partition or division of the *lot*, the provisions of this By-law shall apply to the whole of the *lot* as if no severance, partition or division occurred.

ENACTED AND PASSED this ~ day of 2014.

FRANCES NUNZIATA,
Speaker

ULLI S. WATKISS,
City Clerk

(Corporate Seal)

SCHEDULE "A"

Section 37 Provisions

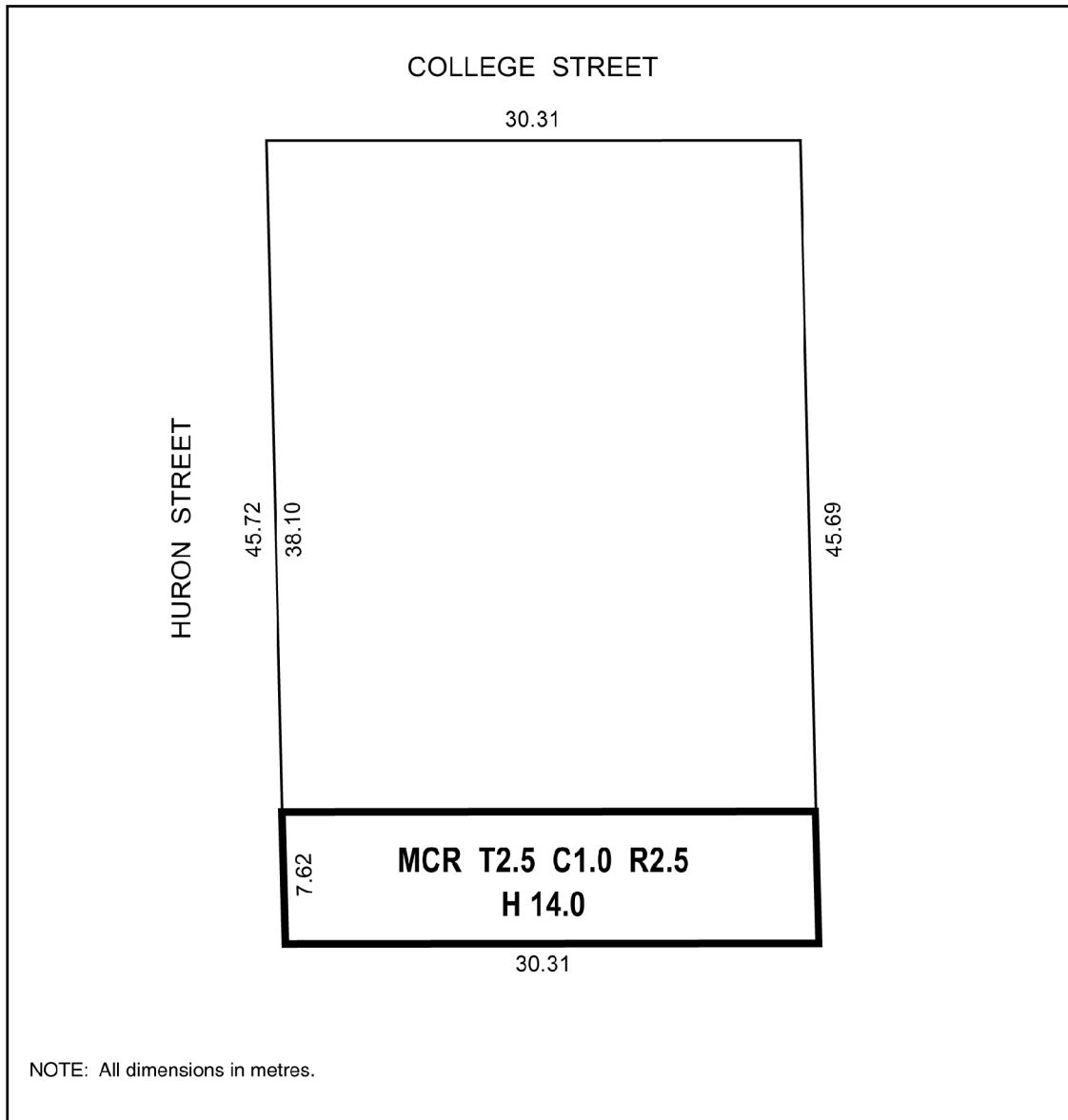
The facilities, services and matters set out below are required to be provided to the City at the Owner's expense in return for the increase in height and density of the proposed development on the *lot* and secured in an agreement or agreements under Section 37(3) of the *Planning Act* whereby the Owner agrees as follows:

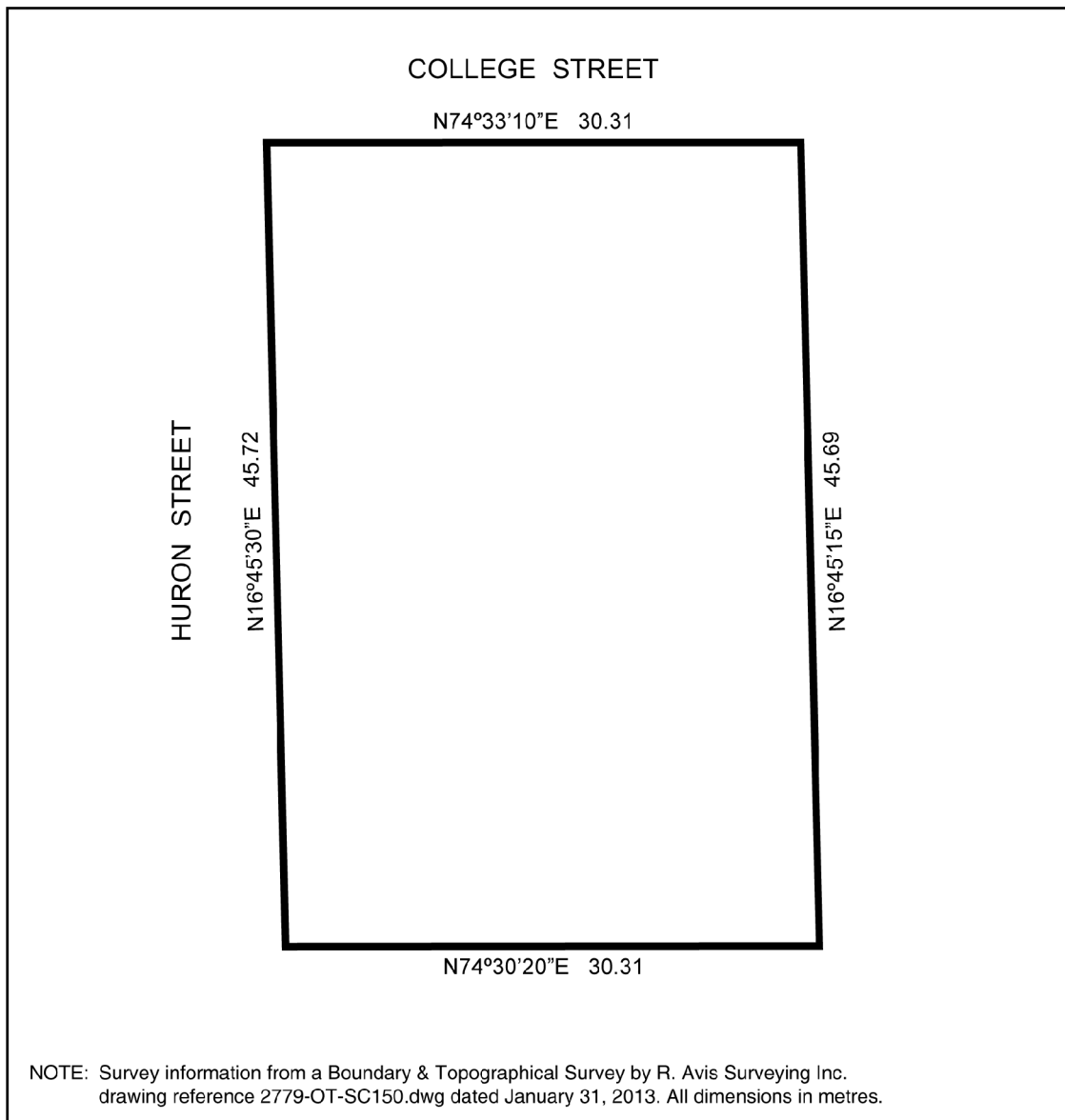
1. A cash contribution in the amount of \$500,000, indexed and payable to the City of Toronto prior to the issuance of any above *grade* building permits for the development of the *lot*, the amount to be used for:
 - i) A cash contribution in the amount of \$200,000 for capital improvements to Toronto Community Housing in Ward 20;
 - ii) A cash contribution in the amount of \$150,000 for streetscape improvements in the immediate area;
 - iii) A cash contribution in the amount of \$50,000 for improvement to the Huron Street Garden located at 180 Huron Street; and
 - iv) A cash contribution in the amount of \$100,000 for cycling infrastructure in the immediate area.
2. In the event the cash contributions referred to in Section 1 has not been used for the intended purpose within three (3) years of this By-law coming into full force and effect, the cash contribution may be redirected for another purpose, at the discretion of the Chief Planner and Executive Director of City Planning, in consultation with the local Councillor, provided that the purpose is identified in the Toronto Official Plan and will benefit the community in the vicinity of the lands.
3. The provision and maintenance of not less than 17 new replacement rental *dwelling units* on the *lot*, with at least 4 units at affordable rents and eleven at rents no higher than mid-range, with rents no higher than mid-range rents, to the satisfaction of the Chief Planner and Executive Director, City Planning Division, subject to the following:
 - (i) the replacement rental *dwelling units* shall comprise of 6 one-bedroom and 11 two-bedroom units; and the combined floor area of the 17 replacement rental *dwelling units* shall not have a combined *residential gross floor area* of less than 975 square metres. A minimum of 3 *dwelling units* shall be accessible units. The units shall have a range of sizes as per the following list:

- a. That three, one-bedroom *dwelling units* shall be not less than 40 square metres, and at or below the mid-range rent threshold, with one one-bedroom unit having special rent provisions as it replaces a bachelor unit;
 - b. That three, one-bedroom *dwelling units* shall be not less than 41 square metres, one of which shall be at an affordable rent, and the other two with no rent stipulation;
 - c. That five, two-bedroom *dwelling units* shall be not less than 73 square metres, of which three shall have affordable rents, and two shall be at or below the mid-range rent threshold;
 - d. That six, two-bedroom *dwelling units* shall be not less than 75 square metres, and at or below the mid-range rent threshold; and
 - e. That the combined *residential gross floor area* of the secured replacement units shall be not less than 975 square metres;
- (ii) the replacement rental *dwelling units* shall be maintained as rental housing units for at least 20 years, beginning with the date each unit is occupied and until the owner obtains approval for a zoning by-law amendment removing the requirement for the replacement rental housing units to be maintained as rental units. No application may be submitted for condominium registration, or for any other conversion to non-rental housing purposes, or for demolition without providing for replacement during the 20 year period; and
 - (iii) the building permit which provides for the replacement rental *dwelling units* shall be issued no later than the issuance of the first above-grade building permit for any building with residential uses *on the lot*. The 17 replacement rental *dwelling units* shall be ready for occupancy no later than the date by which no more than 90% of the other *dwelling units* on the *lot* are available and ready for occupancy;
- 4. The provision and maintenance of rents no greater than affordable rents charged to the tenants who rent each of the designated affordable rental replacement units to the satisfaction of the Chief Planner and Executive Director, City Planning, during the first 10 years of occupancy, such that the initial rent shall not exceed an amount based

- on the most recent Fall Update Canada Mortgage and Housing Corporation Rental Market Report average rent for the City of Toronto by unit type inclusive of basic utility costs. Upon turnover, the rent charged to any new tenant shall not exceed the greater of the most recently charged rent or the most recent Fall Update Rental Market Report average rent for the City of Toronto by unit type, and over the course of the 10 year period, annual increases shall not exceed the Provincial rental guideline and, if applicable, permitted above-guideline increases.
5. The provision and maintenance of rents no greater than mid-range rents charged to the tenants who rent each of the designated to the satisfaction of the Chief Planner and Executive Director, City Planning 15 replacement rental *dwelling units* during the first 10 years of occupancy, such that the initial rent shall not exceed an amount based on one and a half times (1.5x) the most recent Fall Update Canada Mortgage and Housing Corporation Rental Market Report average rent for the City of Toronto by unit type inclusive of basic utility costs. Upon turnover, the rent charged to any new tenant shall not exceed the greater of the most recently charged rent or one and a half times (1.5x) the most recent Fall Update Rental Market Report average rent for the City of Toronto by unit type, and over the course of the 10 year period, annual increases shall not exceed the Provincial rental guideline and, if applicable, permitted above-guideline increases;
 6. The rents charged to tenants occupying a replacement rental *dwelling unit* at the end of the 10-year period set forth in 4 above shall be subject only to increases which do not exceed the Provincial rent guideline and, if applicable, permitted above guideline increases, so long as they continue to occupy their *dwelling unit* or until the expiry of the rental tenure period set forth in 1(ii) above with a phase-in period of at least three years to unrestricted rents;
 7. The rents charged to tenants newly occupying one of the two replacement rental *dwelling units*, designated as such by the Chief Planner and Executive Director, City Planning at unrestricted rents will not be bound by the rental statutes of either 4 or 5.
 8. The rents charged to tenants newly occupying any of the remained of the 15 replacement rental *dwelling units* after the completion of the 10-year period set forth in 2 above will not be subject to restrictions by the City of Toronto under the terms of the Section 37 Agreement;
 9. Prior to the introduction of Bills to City Council, the owner may begin to implement a Tenant Relocation and Assistance Plan to the satisfaction of the Chief Planner and Executive Director, City Planning Division, that requires the owner to provide for each eligible tenant at 183-187 Huron Street and 233-235 College Street, the right to return to a replacement rental *dwelling unit*, assistance that includes at least a moving allowance and other financial assistance geared to a sliding scale based on length of tenancy, with provisions for special needs tenants;

10. The owner shall enter into an agreement with the *City* pursuant to Section 37 of the *Planning Act*, to secure the provision of said facilities, services and matters, in a form satisfactory to the City Solicitor as set forth in Appendix 1 of the draft zoning by-law (Attachment 11) with conditions providing for indexed escalation of financial contributions, no credit for development charges, indemnity, insurance, HST, termination and unwinding, and registration and priority of the agreement; and
11. The owner shall enter into an agreement with the City, prior to any building permit, to secure the implementation of appropriate local roadway improvements, at the Owner's expense, as may be required which address the potential traffic impacts of the proposed development to the satisfaction of the Director of Engineering and Construction Services, Toronto and East York District.

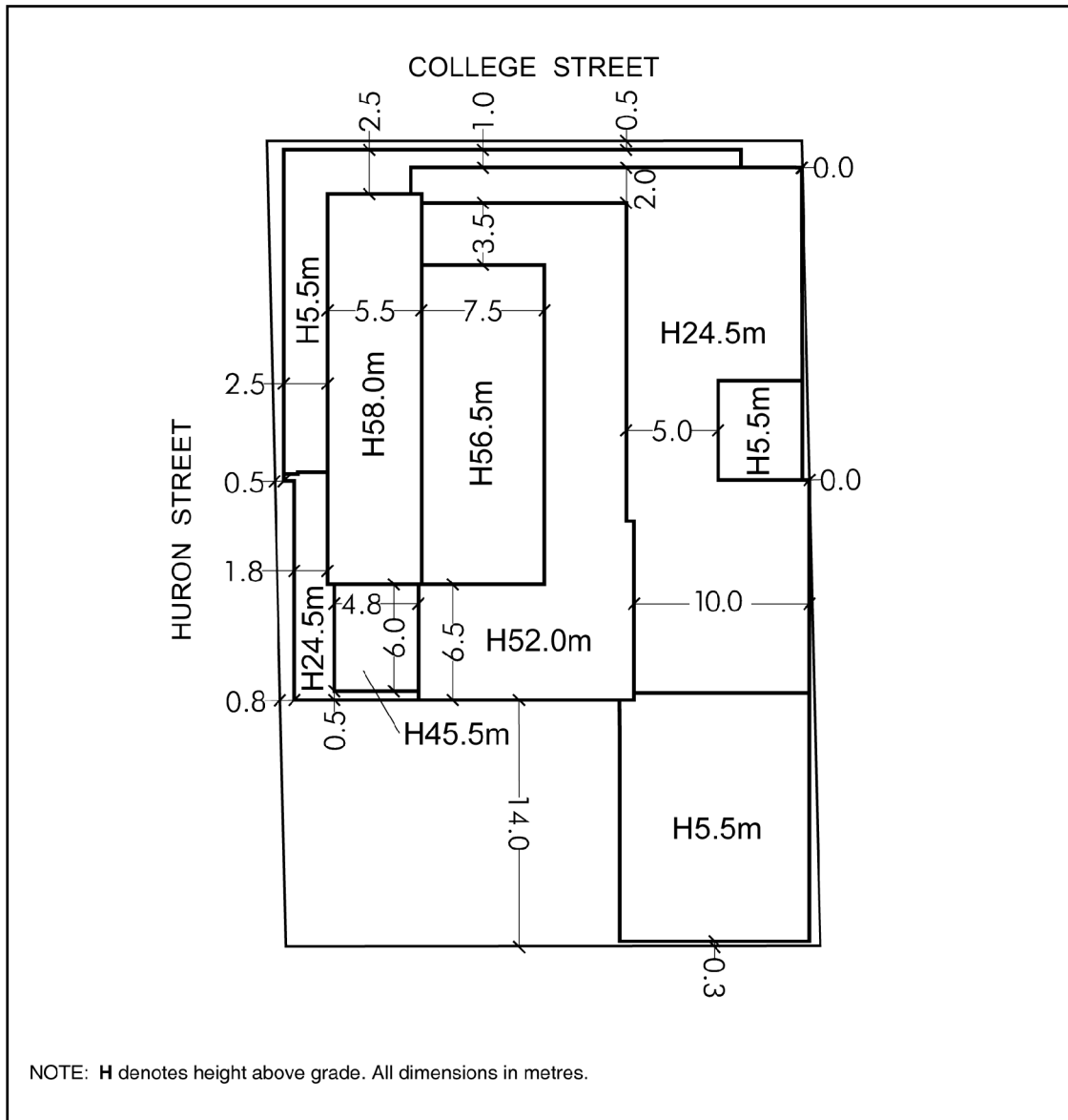




Toronto City Planning
Map 1

**231-237 College Street and
177-189 Huron Street**
File # 13 142125 0Z

↑
Not to Scale
07/21/2014



Attachment 11: College and Huron Rental Replacement Unit Comparison Table
(Based on Applicant's submission of April 18, 2014)

existing address	unit #	rentable area (m ²)	unit type	proposed - April 18, 2014			
				rental gfa (m ²)	type	% change	affordability
183 Huron St	6	53.70	2	73.67	2	137%	M
	7	53.88	2	74.79	2	139%	M
	8	56.67	2	74.79	2	132%	M
	9	37.07	1	40.60	1	110%	M
	10	29.54	B	40.23	1	136%	M (B)
	11	90.12	2	74.79	2	83%	M
189 Huron St	1	50.26	1	40.23	1	80%	A
	2	68.84	2	74.79	2	109%	M
	3	74.41	2	73.67	2	99%	M
	4	60.48	2	73.67	2	122%	A
	5	31.77	1	40.23	1	127%	M
233 College St	a	96.06	2	74.79	2	78%	M
	b	58.81	2	73.67	2	125%	A
235 College St	a	93.92	2	74.79	2	80%	M
	b	54.16	2	73.67	2	136%	A
totals		909.70		978.35		113%	
			extra secured	40.60	1		U
				40.60	1		U
Total secured replacement				1,059.55		116%	
				40.23	1		
				40.23	1		
				40.23	1		
				40.23	1		
				40.60	1		
				40.60	1		
				40.60	1		
				40.60	2		
				73.67	2		
				73.67	2		
				1,611.39			

Table prepared by L. Johnston July 2014, rent thresholds determined at time of application as compared to the average market rents by Type by the most recent Fall Market Survey by CMHC
 ,Units occupied in June 2014 in dark grey bands