



## STAFF REPORT ACTION REQUIRED

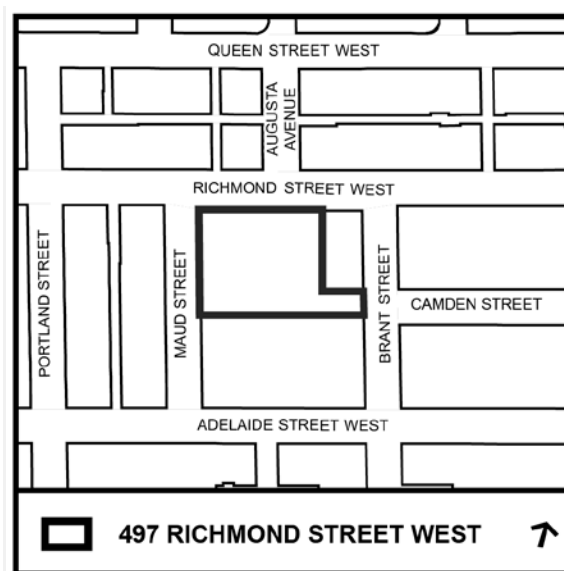
### 497, 505, and 511 Richmond Street West – Zoning Amendment Application – Supplementary Report

<b>Date:</b>	February 14, 2017
<b>To:</b>	Toronto and East York Community Council
<b>From:</b>	Director, Community Planning, Toronto and East York District
<b>Wards:</b>	Ward 20 – Trinity-Spadina
<b>Reference Number:</b>	16 196378 STE 20 OZ

## SUMMARY

This report provides additional information and removes recommendations 5(g) and (h), and adds recommendations 5(j) and 6(p), (q), (r) and (s) in the Final Report found at Item TE22.5, dated February 6, 2017 from the Director of Community Planning, Toronto and East York District, on the proposed Zoning By-law Amendment at 497, 505 and 511 Richmond Street West.

Recommendations 5(g) and (h) from the Final Report found at Item TE22.5, dated February 6, 2017 from the Director of Community Planning, Toronto and East York District required an amendment to an existing Heritage Easement Agreement and provision of a Conservation Plan before bills were adopted by City Council. The timing of these provisions has been amended to be secured in the Section 37 Agreement and will be required prior to final site plan approval as conditions 6(q) and (r). Due to the change in this timing, recommendation 5(j) has been added that requires that prior to bills the owner provide a letter from a professional engineer about the shoring, bracing, and structural support of the new addition atop the heritage building.



The addition of recommendations 6(p) is intended to provide additional that the community centre provided on the site will be built to the City's standard.

Recommendation 6(d) has been amended to include the requirement that the owner be financially responsible for all costs associated with any municipal infrastructure improvements deemed necessary pursuant of the accepted functional servicing report. Recommendation 6(s) has also been added to ensure that the owner obtain and submit a discharge agreement/permit for discharging groundwater to city sewers, if this is determined to be required based on the geohydrology assessment and the functional servicing report.

Minor wording modifications have also been made to the recommendations to provide additional clarification, however these minor wording changes have not impacted the intent of the recommendations.

## **RECOMMENDATIONS**

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

1. The Staff recommendations in the Final Report found as Item No. TE 22.5, dated February 6, 2017, from the Director of Community Planning, Toronto and East York District be deleted and replaced with the following:
2. City Council amend Zoning By-law 438-86, for the lands at 497, 505 and 511 Richmond Street West substantially in accordance with the draft Zoning By-law Amendment to be available at the February 22, 2017 Toronto and East York Community Council meeting.
3. City Council amend City of Toronto Zoning By-law 569-2013 for the lands at 497, 505 and 511 Richmond Street West substantially in accordance with the draft Zoning By-law Amendment to be available at the February 22, 2017 Toronto and East York Community Council meeting.
4. City Council authorize the City Solicitor to make such stylistic and technical changes to the draft Zoning By-law Amendments as may be required.
5. City Council authorize the City to enter into amending agreements in relation to any existing real property documents governing the permitted uses within the strata located above 47.5 metres, so as to also allow for outdoor amenity space within that strata, provided that the total area for all permitted uses does not exceed a footprint of 850 square meters, such agreements to be on such terms and conditions as may be approved by the Chief Corporate Officer and in a form satisfactory to the City Solicitor.

6. Before introducing the necessary Bills to City Council for enactment, City Council require the owner(s) to:
- a. Provide a revised geohydrology assessment, geotechnical report and associated municipal servicing plans to the satisfaction of the Executive Director, Engineering and Construction Services.
  - b. Provide a revised functional servicing and stormwater management report and associated municipal servicing plans to the satisfaction of the Executive Director, Engineering and Construction Services.
  - c. Make satisfactory arrangements with the Executive Director, Engineering and Construction Services for the construction of any improvements to the municipal infrastructure, should it be determined that upgrades are required to the infrastructure to support this development, in accordance with the functional servicing report accepted by the Executive Director, Engineering and Construction Services.
  - d. Provide revised drawings indicating that all access driveways to be used by the collection vehicle will be level (+/-8%), have a minimum vertical clearance of 4.4 metres throughout, a minimum width of 4.5 metres throughout, and be 6 metres wide at point of ingress and egress, to the satisfaction of the Executive Director, Engineering and Construction Services.
  - e. Provide revised drawings demonstrating at a minimum of 1.3 square metres per unit of outdoor amenity space within the boundaries of the applicant's site, such provision to be potentially addressed by securing such additional real property rights as are needed to locate the amenity space within the strata located above an elevation of 47.5 metres, and provided that the footprint of all uses located above that elevation does not exceed 850 square metres, or by locating such outdoor amenity space elsewhere on the site. This is to be completed to the satisfaction of the Chief Planner and Executive Director, City Planning Division.
  - f. The Community Access Agreement be executed between the YMCA and the City for the proposed YMCA facility, to the satisfaction City Solicitor in consultation with the General Manager Parks, Forestry and Recreation.
  - g. Retain a consultant archaeologist, licensed by the Ministry of Culture, Tourism and Sport, under the provisions of the Ontario Heritage Act (R.S.O 1990 as amended) to carry out a Stage 2 archaeological resources assessment of the subject property in accordance with the Stage 1 assessment report (Figure 2), June 27, 2016 and follow through on recommendations to mitigate, through preservation or resource removal and documentation, adverse impacts to any significant archaeological resources found. The assessment is to be completed in accordance with the 2011 Standards and Guidelines for Consulting Archaeologists, Ministry of Culture, Tourism and Sport. This is to be to the satisfaction of the Senior Manager, Heritage Preservation Services. Should the archaeological assessment process continue beyond a Stage 2

assessment, any recommendations for Stage 3-4 mitigation must be reviewed and approved by Heritage Preservation Services prior to commencement of site mitigation;

- h. Submit a copy of the relevant archaeological assessment report(s) to the Heritage Preservation Services Unit in both hard copy format and as an Acrobat PDF file on compact disk. This is to be completed to the satisfaction of the Senior Manager, Heritage Preservation Services;
  - i. Ensure no demolition, construction, grading or other soil disturbances shall take place on the subject property prior to the City's Planning Division (Heritage Preservation Services Unit) and the Ministry of Tourism, Culture and Sport (Heritage Operations Unit) confirming in writing that all archaeological licensing and technical review requirements have been satisfied. This is to be completed to the satisfaction of the Senior Manager, Heritage Preservation Services.
  - j. Provide a letter from a professional engineer describing how the heritage elevations will be shored and braced during construction and how the new addition will be structurally supported overtop of the heritage building to the satisfaction of the Senior Manager, Heritage Preservation Services.
- 7. Before introducing the necessary Bills to City Council for enactment, require the owner(s) to enter into an Agreement pursuant to Section 37 of the *Planning Act* satisfactory to the City Solicitor and in consultation with the Chief Planner and Executive Director, City Planning Division to secure the following:
  - a. The matters set out in Recommendations 1 c. 1-3., 1 d. 1-7, and 1 e. 1 & 2 of the Report of the Chief Planner and Executive Director, City Planning Division to the Toronto Preservation Board and Toronto and East York Community Council dated January 20, 2017 "Alterations to Designated Heritage Property and Authority to Amend a Heritage Easement Agreement - 497, 505 and 511 Richmond Street West";
  - b. The construction and maintenance at the owner's expense and no cost to the City, of a pedestrian walkway through the courtyard at the east entry of the Waterworks Building within the area generally as identified as Area A on Attachment 7 and having a minimum width of 2.1 metres for use by the City and the general public for the life of the development on terms set out in the Section 37 Agreement, including requirements for, commencing at occupancy, insurance and indemnification of the City, all to the satisfaction of the Chief Planner and Executive Director, City Planning. The details and location of the pedestrian walkway will be determined in the context of site plan approval;

- c. Construction and maintenance, at the owner's expense and no cost to the City, of an interior pedestrian walkway through the building from Richmond Street West to St. Andrew's Playground together with provision for use by the City and the general public 7 days a week between the hours of 7 a.m. and 11 p.m., or as otherwise agreed, for the life of the development on terms set out in the Section 37 Agreement and, commencing at occupancy, insurance and indemnification of the City, to the satisfaction of the Chief Planner and Executive Director, City Planning Division. This walkway may be closed for special events or other occasions as set out in the Section 37 agreement. The details and location of the pedestrian walkway will be determined in the context of site plan approval;
- d. The owner shall be financially responsible for all costs associated with any municipal infrastructure improvements deemed necessary pursuant of the accepted functional servicing report. the excavation, improvement, removal and/or relocation of any above or below-grade public or private utility resulting from the development of this property to the satisfaction of the Executive Director, Engineering and Construction Services;
- e. Prior to final site plan approval, the owner shall incorporate significant archaeological resources and findings into the proposed development through either in-situ preservation and interpretation where feasible, or commemorate and interpret the resources through exhibition development on site including, but not limited to, commemorative plaquing. This is to be completed to the satisfaction of the Senior Manager, Heritage Preservation Services; and
- f. Prior to the issuance of the first building permit, the owner will submit a Construction Management Plan, to the satisfaction of the Chief Planner and Executive Director, City Planning Division, the General Manager of Transportation Services, and the Chief Building Official, in consultation with the Ward Councillor and thereafter in support of the development, will implement the plan during the course of construction. The Construction Management Plan will include, but not be limited to, details regarding size and location of construction staging areas, dates and significant concrete pouring activities, measures to ensure safety lighting does not negatively impact adjacent residences, construction vehicle parking locations, refuse storage, site security, site supervisor contact information, and any other matters deemed necessary;
- g. Prior to site plan approval, the owner shall submit a Wind Study for the proposed development and an undertaking to implement any necessary mitigation measures, to the satisfaction of the Chief Planner and Executive Director, City Planning division;
- h. The owner shall, at its own expense, be responsible for winter maintenance of park walkways associated with the use of doors opening onto the park at the south side of the building;

- i. The owner shall ensure that the doors fronting onto St. Andrew's Playground are only open 7 days a week for the hours of 7 a.m. to 11 p.m., or as otherwise agreed, on terms set out in the Section 37 Agreement all to the satisfaction of the Chief Planner and Executive Director, City Planning Division in consultation with the General Manager, Parks, Forestry and Recreation;
- j. Provision of a maximum of four doors are permitted to exit into St. Andrew's Playground and no door swings into St. Andrew's Playground will be permitted. The proposed design of the doors will be to the satisfaction of the Chief Planner and Executive Director, City Planning Division in consultation with the General Manager, Parks, Forestry and Recreation;
- k. The provision of special design features to be built into the park edge along the south face of the building, will be at the owners expense, to accommodate the doors and concentrated pedestrian traffic resulting from their use to the satisfaction of the General Manager, Parks, Forestry and Recreation, the details to be determined in the context of final Site Plan approval;
- l. Payment of an annual fee to the City by the owner in the amount of \$10,000 (indexed) for additional park maintenance costs resulting from the spill out and intensification of use generated by the proposed food hall, including but not limited to extra garbage pick-up and wear and tear on the park materials to the satisfaction of the General Manager, Parks, Forestry and Recreation;
- m. Prior to the issuance of any above grade buildings permits, the owner will be required to provide information to the appropriate staff in Parks, Forestry and Recreation regarding the limiting distance requirements established under the Ontario Building Code Act, 1992. If the City agrees to enter into a Limiting Distance Agreement, the City will require compensation for the affected area;
- n. The owner shall be required to obtain an environmental assessment report, prepared by a qualified engineer, at the end of the permitted occupation of the parking lot on the west side of St. Andrew's Playground to verify that the parkland continues to meet the applicable laws, regulations and guidelines respecting sites to be used for public park purposes. The owner will be required to provide an RSC upon expiry of the lease agreement. The owner will be responsible for paying all costs associated with the City retaining a third-party peer reviewer for the environmental addendum. These matters are to be to the satisfaction of the General Manager, Parks, Forestry and Recreation;
- o. Provision of on-site dog amenities at the owner's expense with proper disposal facilities for the building residents or dog relief stations, to the satisfaction of the Chief Planner and Executive Director, City Planning Division;

- p. Prior to final site plan approval, plans will be provided demonstrating the design of the proposed community centre space be to the satisfaction of the General Manager, Parks, Forestry and Recreation in consultation with the Chief Planner and Executive Director, City Planning Division.
- q. Prior to final site plan approval, the owner shall amend the existing Heritage Easement Agreement for the property at 497, 505 and 511 Richmond Street West in accordance with the plans and drawings dated December 5, 2016, prepared by Diamond Schmitt Architects Inc., date-stamped received by the City Planning Division January 3, 2017, and on file with the Senior Manager, Heritage Preservation Services, and subject to and in accordance with the Conservation Plan required in Recommendation 1.b.2 in the report of January 20, 2017 from the Chief Planner and Executive Director, City Planning Division, all to the satisfaction of the Senior Manager, Heritage Preservation Services including registration of such amending agreement to the satisfaction of the City Solicitor; and
- r. Prior to final site plan approval, the owner shall provide a Conservation Plan, prepared by a qualified heritage consultant that is consistent with the conservation strategy set out in the Heritage Impact Assessment for 497, 505 and 511 Richmond Street West prepared by ERA Architects Inc., issued July 20, 2016 and revised January 20, 2016, to the satisfaction of the Senior Manager, Heritage Preservation Services."
- s. Prior to the issuance of the first building permit, the owner shall obtain and submit a discharge agreement/permit from City of Toronto, Toronto Water, Environmental Monitoring and Protection Section for discharging groundwater to city sewers, if applicable, to the satisfaction of the Executive Director, Engineering and Construction Services.

## **DISCUSSION**

The Final Report found as Item No. TE 22.5, dated February 6, 2017 makes reference that additional matters may be secured in a supplementary report in relation to the proposed YMCA. Recommendation 6(p) was also added in relation to the proposed YMCA. This recommendation would include in the Section 37 Agreement the requirement that prior to final site plan approval, the design of the proposed community centre space be to the satisfaction of the General Manager, Parks, Forestry and Recreation in consultation with the Chief Planner and Executive Director, City Planning Division. City Council has authorized the City to enter into a Construction Loan Guarantee and Capital Loan Guarantee on behalf of the YMCA with Infrastructure Ontario to fund the YMCA at 505 Richmond Street West. Included among the terms is that should the YMCA default on their loan to Infrastructure Ontario, the City has the option to assume the loan and facility. Due to this option, it is important that the design of the community centre space be to the satisfaction of the General Manager, Parks, Forestry and Recreation in consultation with the Chief Planner and Executive Director, City Planning Division. In addition, the draft zoning by-law will require inclusion of a community centre.

Recommendations 5(g) and (h) from the Final Report found at Item TE22.5, dated February 6, 2017 from the Director of Community Planning, Toronto and East York District required an amendment to an existing Heritage Easement Agreement and provision of a Conservation Plan before bills were adopted by City Council. The timing of these provisions has been amended to be secured in the Section 37 Agreement as conditions 6(q) and (5) and will now be required prior to final site plan approval. The modification to this timing came at the request of the applicant, as the applicant requested additional time to finalize design details of the market hall and the interior program for the new development. It is possible that changes to the interior program could result in minor changes to the conservation plan and accompanying final conservation drawings. Staff have determined that deferring fulfillment of these conditions to the Site Plan Approval stage is reasonable under the circumstances and would not endanger the heritage resource. Due to the change in this timing, recommendation 5(j) has been added that requires that prior to bills the owner provide a letter from a professional engineer about the shoring, bracing, and structural support of the new addition atop the heritage building.

Based on further discussions with Staff, recommendation 6(d) has been amended to include the requirement that the owner be financially responsible for all costs associated with any municipal infrastructure improvements deemed necessary pursuant of the accepted functional servicing report. Recommendation 6(s) has also been added to ensure that the obtain and submit a discharge agreement/permit for discharging groundwater to city sewers, if this is determined to be required based on the geohydrology assessment and the functional servicing report. The addition of these recommendations are necessary to ensure proper servicing for the development.

## **CONTACT**

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## **SIGNATURE**

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