

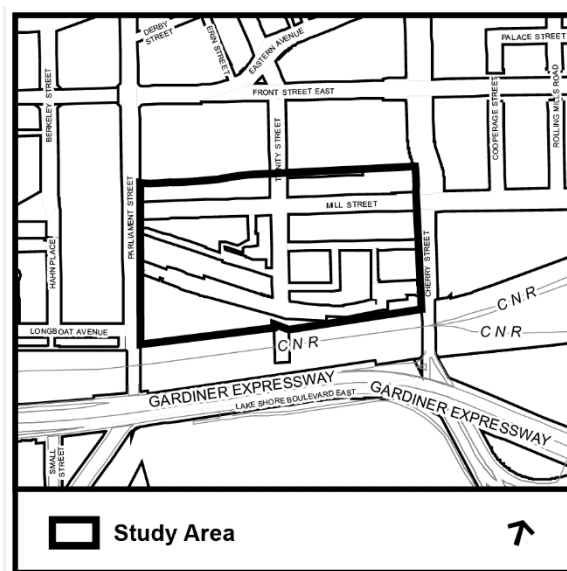
## City-initiated Official Plan Amendment for the Gooderham & Worts Special Identity Area, Triangle Lands and Portions of the West Don Lands – Final Report

<b>Date:</b>	May 26, 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 28 – Toronto Centre-Rosedale
<b>Reference Number:</b>	14 263137 STE 28 OZ

### SUMMARY

The purpose of this report is to recommend the approval of proposed amendments to the Gooderham & Worts Special Identity Area (the Distillery District), Triangle Lands and Portions of the West Don Lands policy areas in the King-Parliament Secondary Plan as Official Plan Amendment 304 (OPA 304).

OPA 304 is the result of a built form study for an area bounded by Parliament Street, properties on the north side of Mill Street, Cherry Street and the Union Station Railway Corridor. The study and the resulting OPA provides planning direction on: an appropriate massing and building typology within the study area; protecting the utility of open spaces within and surrounding the study area from new shadows; maintaining the cultural heritage values of the area's heritage buildings; and promoting various transportation modes to reduce vehicular traffic impacts.



On June 14, 2016, a status report on the draft OPA 304 was considered by Toronto and East York Community Council, with direction to schedule a community consultation meeting to obtain feedback from members of the public. A community consultation meeting took place on November 7, 2016. This report provides a revised OPA 304 based on feedback from the community consultation and further staff consideration.

## **RECOMMENDATIONS**

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

1. City Council adopt Official Plan Amendment 304, attached as Attachment 2 to this report (May 26, 2017) from the Director, Community Planning, Toronto and East York District.
2. City Council direct staff to consider Official Plan Amendment 304 in the evaluation of all current and new development proposals falling within its boundaries.
3. City Council authorize the City Solicitor and the Chief Planner and Executive Director, City Planning Division to make such stylistic and technical changes to Official Plan Amendment 304 as may be required, including the insertion of site specific policies for 60 Mill Street and 31R Parliament Street, 370 and 370R Cherry Street to reflect the Ontario Municipal Board decision on file nos. PL151116 and PL151118 when it is issued.

### **Financial Impact**

The recommendations in this report have no financial impact.

## **DECISION HISTORY**

On August 12, 2014, Toronto and East York Community Council (TEYCC) directed City Planning staff to initiate a built form study to provide built form, heritage conservation and infrastructure direction for the study area. TEYCC's direction to require a built form study was based on the submission of the Official Plan and Zoning By-law amendment application to permit a 57-storey tower at 31R Parliament Street, 370 and 370 Cherry Street (file no. 14 174007 STE 28 OZ), which was considered to be over-development of the site. A built form study for the site and the surrounding area was considered necessary to provide guidance on an appropriate built form direction for lands in and around the Distillery District. The decision document and report can be accessed at: <http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2014.TE34.85>

On June 14, 2016, Toronto and East York Community Council adopted a status report on the built form study and the resultant draft OPA 304. The status report provided an overview of the existing planning framework, decision history, the study process, existing development applications within the study area and the proposed amendment. The decision document and report can be accessed at: <http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2016.TE17.65>

On March 31, April 1 and 2, 2015, City Council authorized the Distillery District as a potential Heritage Conservation District (HCD) and directed the Chief Planner and Executive Director, City Planning, to initiate the study of the Distillery District. This built form study is consistent with the boundary of the HCD study. The decision document and report can be accessed at:

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2015.PG2.8>

On December 7, 2016, the Toronto Preservation Board endorsed City Planning's decision to proceed from the Study Phase to the Plan Phase of the proposed Distillery District HCD, including its recommended boundary and the recommendation to proceed to district designation. The endorsement document and report can be accessed at:

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2016.PB19.9>

On January 31, 2017, City Council refused the Official Plan and Zoning By-law amendment application to permit a 49-storey tower at 31 Parliament Street (file no. 16 188179 STE 28 OZ), an application submitted after the commencement of the built form study. The report stated the proposal was over-development and did not conform to the objectives of the King-Parliament Secondary Plan. The application has since been appealed to the Ontario Municipal Board (OMB). The decision document and report can be accessed at:

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2017.TE21.8>

On March 28 and 29, 2017, City Council supported a proposed settlement in principle on two appealed development applications within the built form study area, being: the Official Plan and Zoning By-law amendment application at 60 Mill Street; and the Official Plan and Zoning By-law amendment application at 31R Parliament Street, 370 and 370R Cherry Street. The proposed settlement resulted in reducing the proposed 34-storey tower to a maximum 12-storey building (6-7 storey addition on top of the existing heritage building) at 60 Mill Street and resulted in reducing the proposed 57-storey tower to a 49-storey tower at 31R Parliament Street, among other revisions. Upon the OMB issuing its decision, it is intended that site specific policies that would allow the developments at 60 Mill Street and 31R Parliament Street, 370 and 370R Cherry Street be inserted into OPA 304. The Council decision document and City Legal's report can be accessed at:

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2017.CC27.2>

## **ISSUE BACKGROUND**

An explanation of the issue background, policy context, existing development applications and study chronology are detailed in the status report dated June 8, 2016. The report can be accessed at:

<http://www.toronto.ca/legdocs/mmis/2016/te/bgrd/backgroundfile-93492.pdf>

## **Built Form Study**

As directed by TEYCC, City Planning staff initiated a built form study for the area that is consistent with the Distillery District HCD boundary. The purpose of the study was to

guide appropriate future development within the area, while conserving the cultural heritage value of the Distillery District.

The study was guided by the establishment of a vision statement based on five objectives:

- Promoting a healthy and complete community;
- Maintaining and improving the public realm;
- Conserving heritage resources;
- Ensuring a complementary and compatible built form; and
- Reducing traffic congestion.

The intent of the vision statement is to provide a guide to balance the additional density proposed through existing/potential development applications and to ensure that the elements for a complete community are provided. Such elements include: ensuring the utility of parks and open space are maintained; encouraging transportation modes other than the automobile; and the provision of a mixture of land uses for residents to live, work, learn and play. The vision statement also works with the policy intent for the Distillery District as a mixed-use community that serves as a tourist destination, a cultural hub and a residential community within an area that contains a collection of buildings of national heritage significance.

### **Draft Official Plan Amendment 304**

The draft OPA 304 is based on the objectives of the vision statement, an examination of conceptual massing studies, a review of the existing and planned context and a review of the existing policy framework. The following sections are proposed to be amended in the King-Parliament Secondary Plan in Chapter Six – Secondary Plans of the Official Plan:

- Section 10 – Regeneration Area ‘B’ (West Don Lands);
- Section 12 – Mixed Use Area ‘C’ (Triangle Lands);
- Section 15 – Site and Area Specific Policies; and
- Appendix 3 – Design Guidelines – A. For the Entire Gooderham and Worts Special Identity Area.

The King-Parliament Secondary Plan policy areas that comprise of the study area are shown in Attachment 1.

An amendment is also proposed to Map 18 – Land Use Plan in Chapter Seven – Site and Area Specific Policies of the Official Plan.

### **Agency Circulation**

The draft OPA was circulated to all appropriate agencies and City divisions. Comments raised by the circulated agencies were incorporated into OPA 304.

### **Community Consultation**

The community consultation process included meetings with an advisory committee made up of members of the Gooderham and Worts Neighbourhood Association and a

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community consultation meeting to get feedback from the community. The following is the list of meetings that took place:

<b>Date</b>	<b>Meeting Type</b>
November 18, 2015	Advisory Committee Meeting #1
December 9, 2015	Advisory Committee Meeting #2
November 7, 2016	Community Consultation Meeting
December 7, 2016	Advisory Committee Meeting #3

The first advisory committee meeting provided an opportunity for committee members to give feedback on the draft vision statement. The second advisory committee meeting gathered feedback on the conceptual massing study based on the vision statement.

The community consultation meeting was held on November 7, 2016 at the Lucie & Thornton Blackburn Conference Centre at 80 Cooperage Street. Approximately 70 members of the public attended the meeting, along with the Ward Councillor and City staff. There was support for the draft OPA 304's direction on:

- identifying additional lands for parks and/or open spaces;
- ensuring that better wind mitigation measures are provided to ensure that open spaces are comfortable for sitting; and,
- encouraging active transportation and other modes of transportation besides the automobile.

Community concerns raised on the draft OPA 304 are categorized into the five objectives of the vision statement below:

#### Promoting a Healthy and Complete Community:

- Employment, creative/cultural uses should be encouraged;
- Amenities for pets should be encouraged;
- Affordable residential dwelling units should be required for new development;
- More residential dwelling units with 3 or more bedrooms should be required for new development; and,
- Noise and light pollution should be better addressed.

#### Improving the Public Realm:

- There should be no new net shadows on Trinity Square; and,
- A pedestrian connection from the Distillery District to the lands along the waterfront south of the railway is needed.

#### Conserving Heritage Resources:

- The associated Distillery District HCD study should be completed prior to the finalization of OPA 304; and,
- Permission for additional tall buildings adjacent to the Distillery District will negatively impact and diminish its industrial heritage character.

#### Ensuring a Complementary and Compatible Built Form:

- There should be no towers permitted within the Triangle Lands;
- A mid-rise typology, as opposed to the proposed tower typology is more appropriate for the Triangle Lands;
- Maximum building height within the Triangle Lands should range between 9 and 25 storeys;
- Tall buildings should progressively transition in height away from the Distillery District on the Triangle Lands; and,
- The proposed building height transition of a maximum 30 storey building for the western portion of the Triangle Lands does not provide a sufficient transition down to the St. Lawrence Community.

#### Provisions to Reduce Traffic Congestion:

- Vehicular parking spaces for both residents and visitors are needed; and,
- The area is highly inaccessible by vehicles.

A final meeting with the advisory committee took place on December 7, 2016, at 33 Mill Street. The meeting provided a summary of the comments received through the community consultation meeting and to gain additional feedback on the draft OPA 304.

## COMMENTS

### Planning Act, Provincial Policy Statement and Provincial Plans

Section 2 of the *Planning Act* sets out matters of provincial interest which City Council shall have regard to in carrying out its responsibilities. The matters include: the orderly development of safe and healthy communities; the adequate provision of a full range of housing; the conservation of features of significant architectural, cultural and historical interest; the adequate provision of employment opportunities; the protection of public health and safety; and the appropriate location of growth and development. The proposed OPA has regard to matters of provincial interest under the *Planning Act*.

The Provincial Policy Statement, 2014 (PPS) recognizes that local context is important and that a well-designed built form contributes toward overall long-term economic prosperity. Policy 4.7 indicates that the Official Plan is the most important vehicle for implementation of the PPS. Policy 1.1.3.3 indicates that planning authorities shall identify appropriate locations for intensification and redevelopment. In regards to heritage conservation, the PPS aligns with the *Ontario Heritage Act* by not permitting development on protected heritage properties or on adjacent lands to protected heritage

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properties except where the proposed development and site alteration has been evaluated and it has been demonstrated that the attributes of the heritage property will be conserved. The proposed OPA 304 is consistent with the PPS.

The study area is within the urban growth centre, an intensification area identified in the Growth Plan for the Greater Golden Horseshoe. Policy 2.2.3.6 of the Growth Plan directs the City's Official Plan to establish policies to achieve intensification and intensification targets. Further, Policy 2.2.3.6 directs the Official Plan to contain policies to identify the appropriate type and scale of development in intensification areas. Further, Policy 2.2.3.7 state that intensification areas will be planned and designed to cumulatively attract a significant portion of population and employment growth, provide a diverse and compatible mix of land uses, generally achieve higher densities than the surrounding areas and achieve an appropriate transition of built form to adjacent areas. Policy 2.2.4.4 d) states urban growth centres is to accommodate a significant share of population and employment growth. Policy 4.2.4.1e) indicates municipalities will develop and implement Official Plan policies and other strategies in support of cultural heritage conservation, including conservation of cultural heritage resources where feasible. The proposed OPA 304 was assessed in accommodating additional density while providing an appropriate scale of development that transitions to the built form of adjacent areas. As such, OPA 304 conforms to and does not conflict with the Growth Plan.

### **Official Plan Amendment 304 Objectives**

The draft OPA 304 was presented in the status report dated June 8, 2016. Community feedback on the draft OPA 304 was obtained from the community at the November 7, 2016 community consultation meeting and the December 7, 2016, advisory committee meeting. The following is a summary of the policy direction based on the five objectives and response to the feedback from the community.

#### **Promoting a Healthy and Complete Community**

This objective is to promote the study area as a great place to live, work, learn and play. This objective also provides direction on providing a mixture of housing options, including affordable housing.

OPA 304 clarifies the land use direction for the Triangle Lands by amending Section 12 of the King-Parliament Secondary Plan including office, institutional, recreational and cultural land uses. The existing policy direction for the Distillery District already permits a mixture of land uses. Community feedback was generally supportive of the policy direction to diversify the land uses within the Triangle Lands. This policy direction remains unchanged. Future redevelopment that contains a range of uses will be encouraged.

The previous draft OPA 304 did not provide policy direction for the provision of a mixture of residential unit types in new residential development. While the Official Plan provides policy direction for a range of housing in Policies 3.2.1.1 and 2.2.1.4, the draft OPA 304 is now revised to include policy direction to require the provision of a mixture of residential unit types and encourage the provision of affordable housing units based on

community feedback. This is to specifically seek the diversification of the housing stock in the study area.

Community feedback also indicated the need for amenity spaces for pets and better mitigation strategies for noise and light pollution. The implementation of pet amenity spaces will continue to be advanced through the review of development applications as they occur within the study area. Potential noise and light pollution will be assessed through the review of development applications as they occur in the study area, including conformity to the Toronto Green Standard. Existing noise and light pollution is to be addressed through compliance with the Municipal Code standards.

### **Maintaining and Improving the Public Realm**

This objective is to ensure that the quality and utility of the study area's parks, lanes, courtyards, publicly accessible interior spaces and other open spaces are maintained. This objective also seeks to expand the public realm within and surrounding the study area to provide much needed parks and open spaces for area residents.

Regarding the expansion of parks and open spaces, OPA 304 provides direction on:

- The expansion of Parliament Square Park – where the lands are planned to connect to the site of Canada's First Parliament Building to the north; and,
- A future park located northeast of Mill Street and Parliament Street – a planned park and open space area identified as part of the Phase III West Don Lands in the City Council endorsed West Don Lands Precinct Plan, 2005 and in the approved portions of the Central Waterfront Secondary Plan. The area was confirmed for park purposes in the West Don Lands Block Plan and Design Guidelines of May 2006, the Parks and Public Spaces Conveyance & Phasing Plan of April 2011 (Parks Plan) and the West Don Lands Public Realm Master Plan of May 2011 (Public Realm Plan). Both the Parks Plan and the Public Realm Plan outline the amount, location, dimension and type of open space to be distributed throughout the entire West Don Lands. Specifically, the lands northeast of Mill Street and Parliament Street are planned to be a neighbourhood park with an area of 0.4 hectares for the use of the Distillery District and the future West Don Lands Phase III communities. It is anticipated that the implementation of the Parks Plan and the Public Realm Plan will evolve through future development application approvals. City staff will continue to ensure park space will be provided through the future build out of the West Don Lands.

Regarding shadow impacts on open spaces from new development, OPA 304 requires new development to minimize new net shadows from late morning to late afternoon between March 21<sup>st</sup> and September 21<sup>st</sup> in open space areas that are sensitive to new shadows. The policy direction also requires no new net shadows on June 21<sup>st</sup> at 2:18pm on the open spaces that are sensitive to new shadows as listed below:



- Trinity Street and Trinity Square between Mill Street and the railway corridor – a multi-functional area that serves as a pedestrian walkway, outdoor patio space, an event space and community gathering place;
- The site of Canada's First Parliament Building and Parliament Square Park; and,
- The future park located northeast of Mill Street and Parliament Street.

Community feedback indicated the importance of Trinity Square as an important open space where incremental shadows from new development should not be allowed. City Planning staff acknowledge the concerns raised by the community but are satisfied with the proposed policy direction to minimize new net shadows in this instance. Based on the results of the massing study, new development within the Triangle Lands should not create new net shadows on Trinity Square – the portion of Trinity Street bordered by the Stone Distillery Building until 2:18 pm during the spring and fall equinoxes.

Community feedback also indicated the need to protect all other outdoor publicly accessible areas from incremental shadows. OPA 304 is now revised to include policy direction for development to minimize new net shadows on all other outdoor publicly accessible areas where possible.

Regarding the provision of comfortable wind conditions at ground level for pedestrians, the draft OPA directs new development to provide mitigation measures to ensure comfortable wind conditions for sitting within the various open spaces, taking into account the particular character of outdoor spaces throughout the four seasons within the Distillery District. Community feedback was generally supportive of this approach so this policy direction remains unchanged.

### **Conserving Heritage Resources**

The draft OPA 304 maintains the existing policy direction of the Official Plan and the King-Parliament Secondary Plan. Since the status report dated June 8, 2016, the Toronto Preservation Board has endorsed City Planning's decision to proceed from the Study Phase to the Plan Phase of the Distillery District HCD. The study has determined the study area contains significant cultural heritage value and would be best preserved as an HCD.

Many community members expressed concern on the direction of OPA 304 that calls for a maximum of two towers within the Triangle Lands and the possible impact to the heritage character of the Distillery District. Feedback included suggestions to withhold the recommendation to adopt OPA 304 until the associated HCD Plan is complete. City Planning staff acknowledge that the policy direction of OPA 304 should be complementary to the policies and guidelines of the Distillery District HCD Plan. However, staff believe an Official Plan amendment is needed at this time to provide a clear direction for redevelopment within the remaining developable sites of the study area given the applications submitted and anticipated.

### **Ensuring a Complementary and Compatible Built Form**

Massing studies were undertaken for redevelopment sites in the study area based on the standards of the city-wide Tall Building Guidelines, the existing and planned context of the surrounding areas, the submitted development applications at the time the built form study commenced and the existing policy framework. Overall, new tall buildings should continue to maintain the heritage character and community attributes such as sky view in the study area, in order not to inadvertently create a tall building community that puts the heritage context in the background. In particular, massing studies examined the sky views on Trinity Street looking south from Front Street East and looking north from the foot of Trinity Square.

OPA 304 allows for a maximum of two tall buildings on the total of the Triangle Lands, where each tower shall achieve an average floorplate of 750 square metres and a minimum separation distance of 25 metres between towers. City Planning staff also examined the intent of the existing Triangle Lands policy direction which requires that building heights be consistent with the St. Lawrence Community – an area where the tallest buildings are approximately 9 to 10 storeys. OPA 304 directs a tall building with a maximum height of 30 storeys be placed on the western portion of the Triangle Lands and a tall building with a maximum height of 45 storeys be placed on the eastern portion, both with appropriate base buildings. The placement of the two tall buildings and the associated base buildings provide a height transition downwards toward the St. Lawrence Community to the west. The height of the east tower with a maximum height of 45 storeys is within the height range of existing tall buildings within the Distillery District and also is contextually responsive to the tower heights within the Distillery District and the surrounding area.

City Planning staff reviewed the feedback received during and after the community consultation. There was strong opposition to a tall building on the eastern portion of the Triangle Lands. The proposed placement of a tall building of up to 45 storeys is based on an analysis of a tower's potential impact from the pedestrian view points along Trinity Street, and its incremental shadow impacts on the public realm. City Planning staff can support a tall building of up to 45 storeys on the eastern portion of the Triangle Lands provided that such building mass casts minimal new net shadows on Parliament Square Park, the site of Canada's First Parliament Building and the potential parklands northeast of Mill Street and Parliament Street. Any tall building at the eastern portion of the Triangle Lands should not cast additional shadows on Trinity Square until 2:18 pm during the spring and fall equinoxes.

City Planning staff through OPA 304 continue to support a tall building on the western portion of the Triangle Lands of up to 30 storeys. A tall building may be supported provided that such a building casts minimal new net shadows on Parliament Square Park and the site of Canada's First Parliament Building where the majority of the open space will not be impacted by incremental shadows between 10:18 am to 5:18 pm during the spring and fall equinoxes to maintain their utility. Further, a height transition in building height from the east to the west within the Triangle Lands provides an appropriate

transition to the 9 to 10 storey building heights of the St. Lawrence Community to the west.

The massing studies also reconfirmed the existing policy direction for the Distillery District that does not allow for any more tall buildings than the two identified in the Triangle Lands. The studies show that any additional tall buildings will negatively impact the sky views on Trinity Street and other pedestrian areas within the Distillery District. Additional towers will significantly diminish the sought after balance between accommodating growth while maintaining the utility of open spaces and sky views from within the Distillery District, among other considerations. Further, Official Plan Amendment 352, a City-initiated Official Plan amendment to establish the policy context for tall building setbacks and separation distances between towers, recognizes that not all sites can accommodate a tall building.

### **Reducing Traffic Congestion**

This objective is to support the implementation of various modes of transport besides the automobile and to encourage measures to alleviate traffic congestion within the study area.

OPA 304 provides wording to support an integrated transportation network that favours public transit and various forms of active transportation over the automobile. Also, the draft OPA requires new development to provide a transportation management strategy to accommodate potential vehicular pick-up and drop-off of passengers, where possible.

There was concern from the community about the lack of vehicular parking spaces in the area. The implementation of an appropriate number of vehicular parking spaces will continue to be advanced through the review of development applications as they occur within the study area.

Feedback from the community also expressed concern about the lack of designated motor coach drop off and pick up areas surrounding the Distillery District, forcing many motor coaches to park on the street illegally potentially blocking vehicular traffic. City Planning staff acknowledge the nature of the Distillery District as a tourist destination. The illegal parking of vehicles is under the jurisdiction of Right-of-Way Management of Transportation Services. The revised draft OPA requires new development to provide a transportation management strategy to improve traffic circulation and conditions for commercial vehicles, including motor coach parking, where appropriate.

### **Existing Development Applications within Study Area**

As of the date of this report, there are three development applications within the study area submitted to City Planning that have since been appealed to the OMB:

- An Official Plan and Zoning By-law amendment to permit a 34-storey tower as an addition to Rack House D at 60 Mill Street (at the northeast corner of Mill Street and Trinity Street, within the Distillery District) submitted prior to the commencement of the built form study;

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- An Official Plan and Zoning By-law amendment to permit a 57-storey tower proposal at 31R Parliament Street, 370 and 370R Cherry Street (within the eastern portion of the Triangle Lands) submitted prior to the commencement of the built form study; and
- An Official Plan and Zoning By-law amendment to permit a 49-storey tower at 31 Parliament Street (within the western portion of the Triangle Lands) submitted after the commencement of the built form study.

Regarding the 34-storey tower proposal at 60 Mill Street, City Planning staff examined the proposal with a three-dimensional analysis of the proposal's massing against the existing built form of the surrounding area and concluded that a tall building cannot be supported at this location.

Regarding the 57-storey tower proposal, City Planning staff worked with the applicant in revising the height, massing and placement of the tower in order to achieve a complementary and compatible built form that minimizes new net shadows on the public realm and ensures that pedestrian view points along Trinity Street are not obstructed by the tower's massing. Staff determined that a tall building of up to 45 storeys on the eastern portion of the Triangle Lands could be supported provided that such a tower is shifted southwest and rotated from the original proposed location.

Subsequently, on February 7, 8, and 28, 2017, mediation sessions were conducted by the OMB for the 34-storey tower proposal at 60 Mill Street and the 57-storey tower proposal at 31R Parliament Street, 370 and 370R Cherry Street. At the conclusion of the mediation sessions, a settlement in principle was reached. The results of the proposed settlement contemplate a revised 6-7 additional storeys on top of the existing heritage building at 60 Mill Street and a 49-storey tower at 31R Parliament Street. Although the settlement does not completely conform to the policy direction of OPA 304, staff recommended that Council accept the proposal on a settlement basis.

The final decision has not been issued by the OMB on the proposed settlement for 60 Mill Street and 31R Parliament Street, 370 and 370 Cherry Street. In order to ensure the proposed settlement aligns with OPA 304, site specific policies allowing for the developments at 60 Mill Street and 31R Parliament Street, 370 and 370R Cherry Street are to be inserted into OPA 304 upon the OMB issuing its decision.

Regarding the 49-storey tower proposal at 31 Parliament Street, City Planning staff examined the proposal based on the study direction and cannot support the proposal in its current form. The proposal was refused by City Council on January 31, 2017. OPA 304 provides policy direction that allows for a tall building generally within the western section of the Triangle Lands with a maximum of 30 storeys as this massing will minimize new net shadows on the public realm and provide an appropriate transition downward towards the St. Lawrence Community.

## **Conclusion**

The draft OPA 304 for the study area was formulated based on the built form study initiated in light of existing development applications submitted. A community consultation meeting to gain feedback from the community was scheduled and revisions were made to the draft OPA where appropriate. The final draft of OPA 304 is included as Attachment 2 to this report and is recommended for adoption. City Planning staff recommends that OPA 304 be considered in the evaluation of all current and new development applications falling within its boundary.

An implementing Zoning By-law amendment is not proposed at this time. New development within the study area will be processed through site specific zoning by-law amendments or minor variances.

## **CONTACT**

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## **SIGNATURE**

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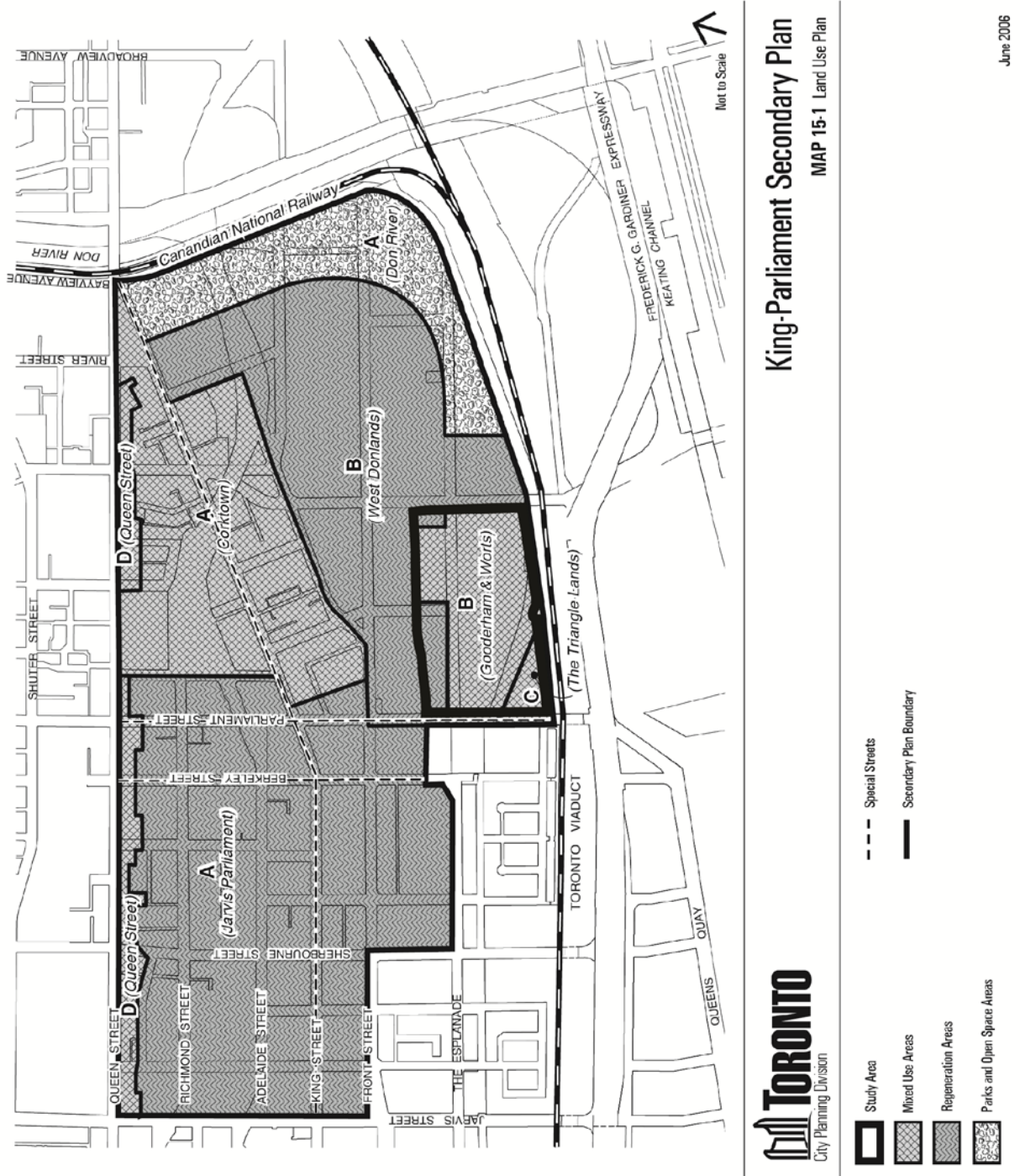
Gregg Lintern, MCIP, RPP  
Director, Community Planning  
Toronto and East York District

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## **ATTACHMENTS**

Attachment 1: King-Parliament Secondary Plan Map 15-1  
Attachment 2: Draft Official Plan Amendment 304

## Attachment 1: King-Parliament Secondary Plan Map 15-1



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## **Attachment 2: Draft Official Plan Amendment 304**

Authority: Toronto and East York Community Council Item ~ as adopted by City of Toronto Council on ~, 20~

Enacted by Council: ~, 20~

### **CITY OF TORONTO**

**Bill No. ~**

**BY-LAW No. ~-20~**

**To adopt an amendment No. 304 to the Official Plan  
for the City of Toronto  
respecting the Gooderham & Worts Special Identity Area, the Triangle Lands and  
portions of the West Don Lands generally bordered by Parliament Street to the  
west, the properties fronting on the north side of Mill Street, Cherry Street to the  
east and the Canadian National Railway corridor to the south**

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

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. 304 to the Official Plan is hereby adopted pursuant to the *Planning Act*, as amended.

ENACTED AND PASSED this ~ day of ~, A.D. 20~.

JOHN TORY,  
Mayor

ULLI S. WATKISS,  
City Clerk

(Corporate Seal)

**AMENDMENT NO. 304 TO THE OFFICIAL PLAN**

**Mixed Use Area 'B' (Gooderham & Worts Special Identity Area), Mixed Use Area 'C' (Triangle Lands) and Regeneration Area 'B' (West Don Lands)**

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Chapter 6, Section 15 – King-Parliament Secondary Plan, is amended as follows:

Section 10 – Regeneration Area 'B' (West Don Lands)

1. Add subsection (e) to Policy 10.4 so that it reads as follows:

10.4....

- (e) It is the intent of the City to acquire the lands north of Mill Street and east of Parliament Street for parkland, where opportunities exist.

Section 12 – Mixed Use Area 'C' (Triangle Lands)

2. Delete Policy 12 and replace with the following:

'12.1 Residential, retail, office, institutional, recreational and cultural land uses are permitted in combination with the light industrial uses on the lands shown on Map 15-1 as *Mixed Use Area 'C'* provided that:

- (a) the massing, siting and design of any development/redevelopment shall conserve and complement the prevalent industrial heritage character of *Mixed Use Area 'B'*, through the consideration of matters as identified, but not limited to, in Policy 4.4 and the Heritage Conservation policies of the Official Plan;
  - (b) *Mixed Use Area 'C'* contains a maximum of 2 tall buildings, consisting of a base building and tower;
  - (c) the height of a tall building development/redevelopment shall transition down in height from the east to the west towards the St. Lawrence Community, where a tall building of up to 45 storeys may be permitted within the eastern portion of *Mixed Use Area 'C'* and a tall building of up to 30 storeys may be permitted within the western portion of *Mixed Use Area 'C'*;
  - (d) development/redevelopment, with the exception of a tall building, shall be mid-rise in height and scale;



- (e) a minimum separation distance of 25 metres is provided between the building face of tall buildings, excluding balconies;
- (f) an average floor plate area of a maximum 750 square metres for the tower component of a tall building is achieved;
- (g) the height of the base building on any development/redevelopment shall be informed by the adjacent heritage resources, or a maximum of 16 metres where there are no adjacent heritage resources;
- (h) development/redevelopment shall ensure adequate sky views are maintained from *Mixed Use Area 'B'*;
- (i) development/redevelopment shall continue the publicly accessible open space system within *Mixed Use Area 'C'* by providing courtyards, lanes and open spaces as appropriate;
- (j) development/redevelopment shall maintain the quality of publicly accessible open space system within *Mixed Use Area 'B'* and important views to those lands;
- (k) development/redevelopment shall minimize new net shadows on Trinity Street and Trinity Square as shown on Map 15.1 (Map 3 of 3) between March 21 to September 21 from the hours 10:18 a.m. to 5:18 p.m. Development/redevelopment shall cast no new net shadows on June 21 at 2:18 p.m.;
- (l) development/redevelopment shall minimize new net shadows on the site of Canada's First Parliament Building at 25 Berkeley Street, 265 and 271 Front Street and Parliament Square Park between March 21 and September 21 from the hours of 10:18 a.m. to 5:18 p.m. Development/redevelopment shall cast no new net shadows on June 21 at 2:18 p.m. ;
- (m) development/redevelopment shall minimize new net shadows on the lands northeast of Mill Street and Parliament Street, the site of a potential park and open space between March 21 to September 21 from the hours 10:18 a.m. to 5:18 p.m. Development/redevelopment shall cast no new net shadows on June 21 at 2:18 p.m.;
- (n) development/redevelopment shall minimize new net shadows on the publicly accessible open space system consisting of existing streets, lanes, courtyards and open spaces within *Mixed Use Area 'C'* where possible;

- (o) for the purposes of policies 12.1 (k) to (n), new net shadows means shadow cast by a proposed development/redevelopment in excess of the shadow cast by existing and approved buildings and structures and by the building envelope permitted in the existing in-force Zoning By-law;
- (p) development/redevelopment is flood proofed in accordance with the policies set out by the Toronto and Region Conservation Authority;
- (q) satisfactory strategies are secured to mitigate other environmental matters such as air quality, noise, dust, vibration and rail safety;
- (r) an archaeological strategy for investigating and managing the potential heritage resources associated with the former Gooderham & Worts Distillery on the site is secured;
- (s) any impacts on the additional need for community services and facilities created by the development/redevelopment have been satisfactorily addressed;
- (t) a pedestrian wind mitigation strategy is secured to ensure building entrances, courtyards, lanes and open spaces within *Mixed Use Area 'B'* and *Mixed Use Area 'C'* is at a level where wind conditions are comfortable for sitting during the summer;
- (u) a transportation management strategy is secured to accommodate potential vehicular lay-bys and drop-off areas and motor coach parking zones, without negatively impacting the existing transportation network; and
- (v) a construction management plan is secured to minimize disruptions of the daily activities of residents, employees and tourists, where appropriate.

#### 12.2 Residential development will provide:

- (a) A residential unit mix with 25 percent or more of the units built as two-bedroom units or larger, including 10 percent of the total units built as three-bedroom units or larger; and
- (b) Affordable rental and affordable ownership units, where possible.

#### Section 15.1 – Site and Area Specific Policies – Gooderham & Worts Special Identity Area

3. Amend Policy 2 by deleting subsection 2.4 and replacing it with the following:

- 2.4 A high level of public use of and public accessibility to the Area will be ensured by securing a publicly accessible open space system that includes, but not limited to:
- existing streets, lanes, courtyards and open spaces;
  - within the buildings containing public uses; and
  - within the buildings with specified heritage interiors and/or interpretation.
4. Amend Policy 3 by deleting subsection 3.1 and replacing it with the following:
- 3.1 It is an objective to ensure that the conservation, restoration and any permitted alteration of heritage buildings conserve the cultural heritage value and attributes of the existing heritage resources, including both exteriors and interiors. Additions to existing buildings in *Mixed Use Area '2'* and *'3'* and the *Neighbourhood Apartment Area* may be permitted only if it has been demonstrated that they respect the three dimensional integrity of the heritage building and the quality and the character of both the heritage building being added to and its relationship to adjacent heritage buildings within the Area and shall be in accordance with the Standards and Guidelines for the Conservation of Historical Places in Canada, as revised from time to time and as adopted by Council.
5. Amend Policy 3 by deleting subsection 3.5 and replacing it with the following:
- 3.5 Development/redevelopment, where permitted by other policies in this Site and Area Specific Policy shall respect and complement the industrial heritage character of the Area, through the consideration of, but not limited to, building height, massing, scale, setbacks, stepbacks and the existing heritage building rooflines from the pedestrian ground level and create a lively public environment which will enhance the retention and adaptive re-use of existing heritage buildings. Such development/redevelopment shall be in accordance with the Standards and Guidelines for the Conservation of Historical Places in Canada, as revised from time to time and as adopted by Council.
6. Amend Policy 4 – ‘Concept Plan Uses and Densities’ Introduction Paragraph with the following:
- The Gooderham & Worts Special Identity Area consists of five districts shown on Map 15-1 (Map 1 of 3), each identified with a unique role in any proposed development/redevelopment of the Area. Trinity Street and Trinity Square, as shown on Map 15.1 (Map 3 of 3), from the northern boundary to the southern boundary of the Area, is the focus of the major assembly of heritage buildings to be retained, conserved, rehabilitated, restored and respectfully re-used. Trinity Street and Trinity Square also serves as the Area's main open space. Mill Street is the major linkage to neighbouring districts and the focus of neighbourhood services.

Residential development within the Area will be located within *Mixed Use Area '1'*, *Mixed Use Area '3'* and the *Neighbourhood Apartment Area*. The lands within *Mixed Use Area '3'* will also be the location of major commercial development for the Area. The *Parks and Open Space Area* will be publicly accessible open space, including a bicycle path and a publicly accessible, private road.

7. Amend Policy 4 by deleting Policy 4.1.1 and replace with the following:
  - 4.1.1 *Mixed Use Area '2'* will be regarded as the focus of the heritage resources in the Area. The physical character of the heritage buildings will be preserved. New buildings will not be permitted. Additions to existing buildings within *Mixed Use Area '2'* may be permitted only where they do not negatively impact the cultural heritage value of the resource.
8. Amend Policy 4 by adding Policy 4.1.4 c) to read as follows:

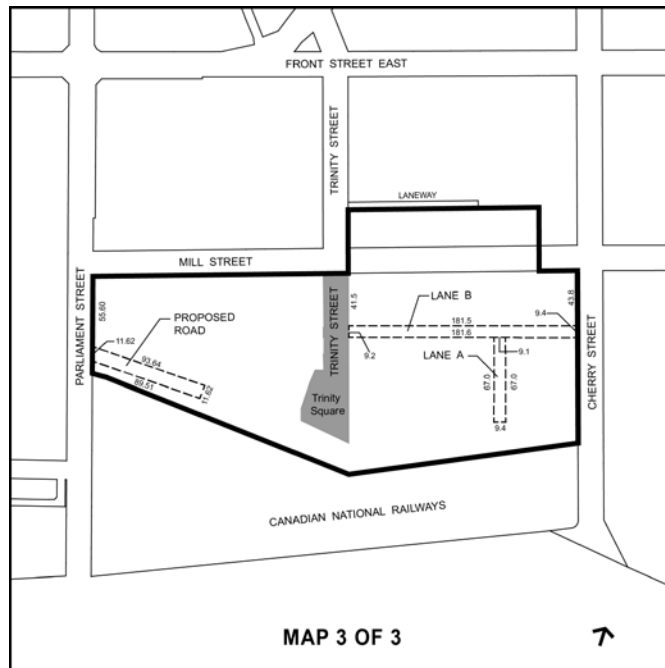
[Site Specific Policies for Rack House 'D', identified as Building No. 42 to conform to forthcoming decision of the Ontario Municipal Board under case no. 151118.]
9. Amendment Policy 4 by adding Policy 4.2.4 to read as follows:

[Site specific policies for 370 Cherry Street and 370R Cherry Street to conform to forthcoming decision of the Ontario Municipal Board under case no. 151116.]
10. Amend Policy 4 by deleting Policy 4.4.1 and replace with the following:
  - 4.4.1 *Apartment Neighbourhoods* contains two one-storey heritage buildings along Mill Street. The Area will contain residential uses and may contain cultural or arts related uses, ground level retail and service shops and ground level community service and facility use. New buildings will be designed with consideration for possible future development/redevelopment of the lands to the north and east of the Area.
11. Amend Policy 6 – ‘Open Space and Pedestrian Circulation’ Introduction paragraph with the following:

As a result of the layout of the heritage buildings, the Area includes a series of streets, courtyards, lanes and open spaces within the regular grid system of the City streets comprising of the publicly accessible open space system. The publicly accessible open space system will enhance the sense of public accessibility and the linkages between the system and buildings within the Area and the emerging larger neighbourhood.
12. Amend Policy 6 by deleting Policy 6.1 and replacing with the following:

- 6.1 The Area will be pedestrian oriented and retain the interconnected streets, courtyards, lanes and open spaces as the publicly accessible open space system reflecting the Area's heritage character. The publicly accessible open space system shall be secured through any development/redevelopment.
13. Amend Policy 6 by adding Policy 6.4 and 6.5 to read as follows:
- 6.4 Development/redevelopment will maintain the quality and utility of the publicly accessible open space system.
- 6.5 Pedestrian linkages connecting the publicly accessible open space system to the emerging larger neighbourhood is encouraged through development/redevelopment.
14. Amend Policy 7 by deleting Policy 7.1 and replacing with the following:
- 7.1 The incremental implementation of a system of transit to the Area which is integrated into the existing transportation network will be sought, so as to achieve:
- (a) A high level of public accessibility to the Area;
  - (b) A network that favours transit, cycling and other forms of active transportation over the automobile.
15. Amend Policy 7 by deleting Policy 7.3 and replacing with the following:
- 7.3 To maintain the quality and character of Trinity Street and Trinity Square within the Area, as shown on Map 15.1 (Map 3 of 3), vehicular access will be restricted so as only to permit bicycles, emergency vehicles, vehicles providing access to *Mixed Use Area '3'* for people with disabilities and deliveries to the buildings fronting on Trinity Street.
16. Amend Policy 7 by adding Policies 7.6 and 7.7 respectively so that it reads as follows:
- 7.6 Development/redevelopment will internalize loading and servicing areas.
- 7.7 Development/redevelopment will require the submission of a transportation management plan that establishes a strategy to accommodate potential vehicular lay-bys, drop-off area and motor coach parking zones, without negatively impacting the existing transportation network.
17. Amend Policy 10 by deleting policy 10.2. and renumbering the subsequent sections accordingly.

18. Amend Policy 10 by deleting policies 10.4 and 10.6 and replacing with the following respectively:
  - 10.4 The City will consult with other levels of government and their agencies such as the Ministry of Tourism, Culture and Sport and the Department of Canadian Heritage (Canadian Heritage) respecting the ongoing heritage planning of the Area to assist in ensuring that a quality of conservation, rehabilitation and restoration, respectful re-use of buildings, structures, open spaces, courtyards, streets and lanes is achieved and that heritage recording, archaeological activities and site interpretation activities are conducted in accordance with good practice.
  - 10.6 The submission of satisfactory studies related to pedestrian wind mitigation, sunlight conditions, air quality and noise and vibration will be required at the time of an application under the Planning Act and the submission and implementation of such studies and remediation measures to be taken by the owner will be secured through a Section 37 agreement or other legal agreement as appropriate.
19. Amend Policy 10 by adding new Policy 10.7 and renumbering the subsequent sections accordingly:
  - 10.7 A pedestrian wind study for development/redevelopment will address, in addition to standard requirements as stipulated in the Official Plan, mitigation measures for building entrances, courtyards, lanes and open spaces in the Area and *Mixed Use Area 'C'* shown on Map 15-1 of the King-Parliament Secondary Plan at a level where wind conditions are comfortable for sitting.
20. Delete Map 15.1 (Map 3 of 3) and replace with the following schedule:



### Appendix 3 – Design Guidelines

21. Delete the 12<sup>th</sup> bullet point of Section A – 'For the Entire Gooderham and Worts Special Identity Area'.
22. Amend Section A – 'For the Entire Gooderham and Worts Special Identity Area', by deleting the 18<sup>th</sup> bullet point and replacing it with the following:
  - streets, open spaces, lanes and courtyards comprising of the publicly accessible should have an acceptable level of sunlight penetration. In particular, new net shadows shall be minimized on Trinity Street and Trinity Square as shown on Map 15-1 (Map 3 of 3) between March 21<sup>st</sup> to September 21<sup>st</sup> from the hours 10:18 a.m. to 5:18 p.m. New net shadows is not permitted on June 21<sup>st</sup> at 2:18 p.m. on Trinity Street and Trinity Square. New net shadows is not permitted on June 21<sup>st</sup> at 2:18p.m. on Trinity Street and Square. New net shadow means shadow cast by a proposed development/redevelopment in excess of the shadow cast by existing and approved buildings and structures and by the building envelope permitted in the existing in-force Zoning By-law.
23. Amend Section A – 'For the Entire Gooderham and Worts Special Identity Area', by adding the following bullet point items:
  - public art and private art pieces are encouraged within the Area as appropriate.

- special landscape treatment to signify the pedestrian entry points, in keeping with the heritage character of the Area are encouraged.

24. Amend Section E – Mixed Use Area 3, by deleting the 5<sup>th</sup> bullet point.

Section 15.6 – Site and Area Specific Policies – 31R Parliament Street

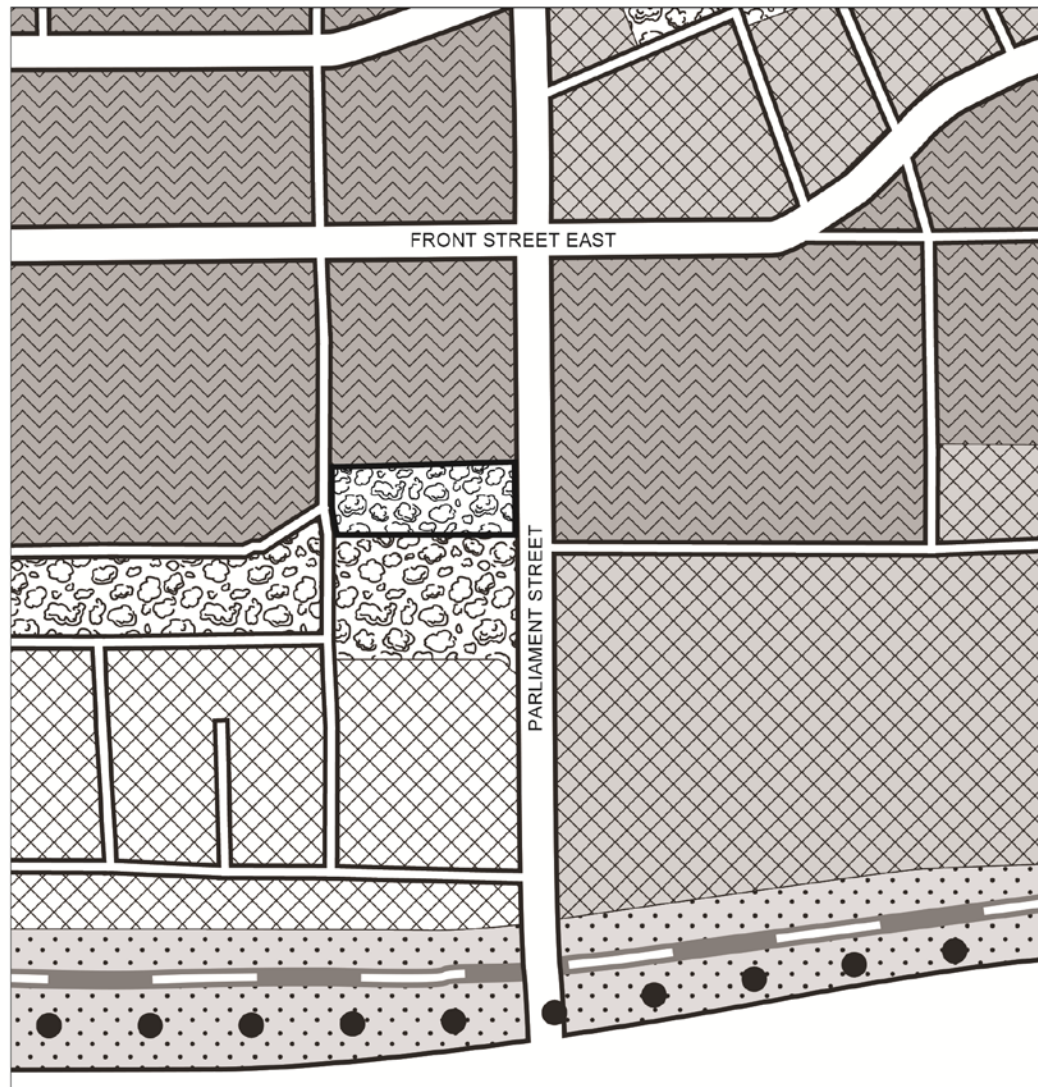
25. [Site specific policies to conform to forthcoming decision of the Ontario Municipal Board under case no. 151116.]



## Maps

Map 18 – Land Use Plan of the Toronto Official Plan, is amended as follows:

26. Revise Map 18 – Land Use Plan by redesignating the area south of Front Street East and west of Parliament Street from "Regeneration Areas" to "Parks" as shown on the following schedule:



### Official Plan Amendment #304

Revisions to Land Use Map 18 to Redesignate lands from Regeneration Areas to Parks

File # 14 263137 STE 28 02

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

Not to Scale  
06/07/2016