

**25 Ontario Street and 280 King Street East – Zoning
Amendment Application – Supplementary Report**

Date:	August 30, 2017
To:	Toronto and East York Community Council
From:	Director, Community Planning, Toronto and East York District
Wards:	Ward 28 – Toronto Centre-Rosedale
Reference Number:	11 327900 STE 28 OZ

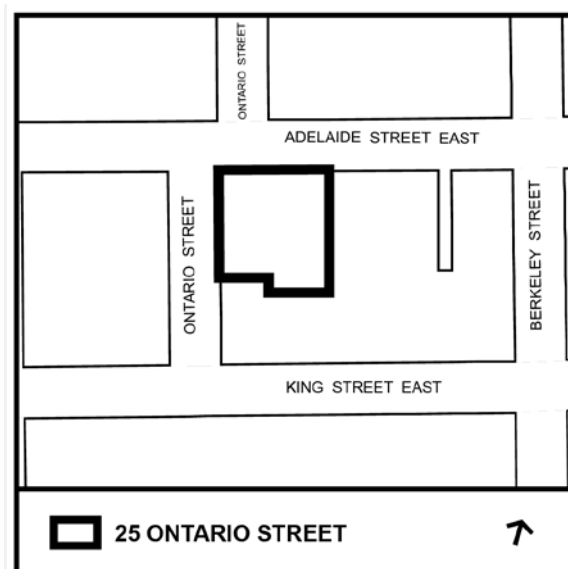
SUMMARY

This report provides recommendation for a Section 37 community benefits package in conjunction with the recommendations to approve the 23-storey Class A office building at 25 Ontario Street and a portion of 280 King Street East in the Final Report dated August 18, 2017. This report also proposes to revise recommendations in the August 18, 2017 report with respect to the timeframe for the owner to withdraw site specific appeals on Official Plan Amendment 231 and the St. Lawrence Neighbourhood Heritage Conservation District Plan.

RECOMMENDATIONS

The City Planning Division recommend that recommendations 4, 5 and 11 in the report (August 18, 2017) from the Director, Community Planning, Toronto and East York District, be deleted with subsequent recommendations renumbered accordingly and replace recommendation 11 with the following recommendation:

- Before introducing the necessary Bills to City Council for enactment, require the Owner to enter into an Agreement pursuant to Section 37 of the Planning Act as follows:



- A. Community benefits in the form of a cash contribution in an amount of one million and three hundred thousand dollars (\$1,300,000) to be secured in the Section 37 Agreement and allocated to any combination of the following:
- i. Local streetscape/parkland improvements within the vicinity of the subject site, including but not limited to streetscape improvements on Ontario Street and Adelaide Street East to the satisfaction of the Chief Planner and Executive Director, City Planning Division, in consultation with the Ward Councillor;
 - ii. The redevelopment of the site of Canada's First Parliament Buildings, municipally known as 25 Berkeley Street, 44 Parliament Street and 265 and 271 Front Street East, to the satisfaction of the Chief Planner and Executive Director, City Planning Division, and the Ontario Heritage Trust, in consultation with the Ward Councillor; and
 - iii. The preservation of off-site heritage resources that are designated and/or listed on the City of Toronto Heritage Register, including the implementation of the Heritage Interpretation Master Plan for Old Town Toronto and/or the Heritage Lighting Master Plan for Old Town Toronto, to the satisfaction of the Chief Planner and Executive Director, City Planning Division, in consultation with the Ward Councillor.
- B. The payment amounts referred to in Recommendation 9 A. herein to be increased upwards by indexing in accordance with the Non-residential Construction Price Index for the Toronto CMA, reported by Statistics Canada or its successor, calculated from the date of the Section 37 Agreement to the date the payment is made to the City.
- C. In the event the cash contributions referred to in Recommendation 9 A. 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, City Planning Division, in consultation with the Ward Councillor, provided that the purpose is identified in the Toronto Official Plan and will benefit the community in the vicinity of the lands.
- D. The following matters are also recommended to be secured in the Section 37 Agreement as a legal convenience to support development:
- i. That prior to Final Site Plan approval in connection with the Zoning By-law Amendment for the property at 25 Ontario Street and a portion of 280 King Street East, the owner shall:

- a. Provide final site plan drawings substantially in accordance with the approved Conservation Plan required in Recommendation 1.a.2 in the report dated July 31, 2017 from the Chief Planner and Executive Director, City Planning Division to the satisfaction of the Senior Manager, Heritage Preservation Services;
 - b. Have obtained final approval for the necessary Zoning By-law Amendment required for the subject property, such Amendment to have come into full force and effect;
 - c. Provide an Interpretation Plan for the subject property, to the satisfaction of the Senior Manager, Heritage Preservation Services and thereafter shall implement such Plan to the satisfaction of the Senior Manager, Heritage Preservation Services;
 - d. Provide a Heritage Lighting Plan that describes how the exterior of the heritage property will be sensitively illuminated to enhance its heritage character to the satisfaction of the Senior Manager, Heritage Preservation Services and thereafter shall implement such Plan to the satisfaction of the Senior Manager Heritage Preservation Services;
 - e. Submit a Signage Plan to the satisfaction of the Senior Manager, Heritage Preservation Services.
- ii. That prior to the issuance of any permit for all or any part of the property at 25 Ontario Street or a portion of 280 King Street East, including a heritage permit or a building permit, but excluding permits for repairs and maintenance and usual and minor works for the existing heritage building as are acceptable to the Senior Manager, Heritage Preservation Services, the owner shall:
- a. Have obtained final approval for the necessary Zoning By-law Amendment required for the subject property, such Amendment to have come into full force and effect;
 - b. Provide building permit drawings, including notes and specifications for the conservation and protective measures keyed to the approved Conservation Plan required in Recommendation 1.a.2 in the report July 31, 2017 from Chief Planner and Executive Director, City Planning Division, including a description of materials and finishes, to be prepared by the project architect and a qualified heritage consultant to the satisfaction of the Senior Manager, Heritage Preservation Services;

- c. Provide a Letter of Credit, including provision for upwards indexing, in a form and amount and from a bank satisfactory to the Senior Manager, Heritage Preservation Services to secure all work included in the approved Conservation Plan and Interpretation Plan;
- iii. That prior to the release of the Letter of Credit required in Recommendation 1.b.3 in the report July 31, 2017 from the Chief Planner and Executive Director, City Planning Division, the owner shall:
 - a. Provide a letter of substantial completion prepared and signed by a qualified heritage consultant confirming that the required conservation work and the required interpretive work has been completed in accordance with the Conservation Plan and Interpretation Plan and that an appropriate standard of conservation has been maintained, all to the satisfaction of the Senior Manager, Heritage Preservation Services;
 - b. Provide replacement Heritage Easement Agreement photographs to the satisfaction of the Senior Manager, Heritage Preservation Services;
- iv. A portion of the east wall abutting the property at 284 Front Street East be designed as a blank wall during the site plan approval process to the satisfaction of the Chief Planner and Executive Director, City Planning Division;
- v. Prior to the earlier of site plan approval or 30 days following the Zoning By-laws coming into full force and effect, the owner of 25 Ontario Street shall withdraw their appeal to Official Plan Amendment 231; and
- vi. Prior to the earlier of site plan approval or 30 days following the Zoning By-laws coming into full force and effect, the owner of 25 Ontario Street shall withdraw their appeal to the St. Lawrence Neighbourhood Heritage Conservation District Plan.

Financial Impact

The recommendations in this report have no financial impact.

DECISION HISTORY

Toronto and East York Community Council has before them at their meeting of September 6, 2017 item TE26.11, 25 Ontario Street and 280 King Street East – Zoning By-law Amendment Application – Final Report dated August 18, 2017. The report recommends approval of a 23-

storey Class A office building, and indicated a supplementary report is to be provided to Community Council on a Section 37 community benefits package.

COMMENTS

Section 37

The applicant has agreed to provide community benefits for the local community in consultation with City Planning staff and the Ward Councillor in a total amount of \$1,300,000, to be secured in a Section 37 Agreement under the *Planning Act*. The monetary contribution is to be allocated for any combination of the following community benefits:

1. Local streetscape/parkland improvements within the vicinity of the subject site, including but not limited to streetscape improvements on Ontario Street and Adelaide Street East to the satisfaction of the Chief Planner and Executive Director, City Planning Division, in consultation with the Ward Councillor;
2. The redevelopment of the site of Canada's First Parliament Buildings, municipally known as 25 Berkeley Street, 44 Parliament Street and 265 and 271 Front Street East, to the satisfaction of the Chief Planner and Executive Director, City Planning Division, and the Ontario Heritage Trust, in consultation with the Ward Councillor; and,
3. The preservation of off-site heritage resources that are designated and/or listed on the City of Toronto Heritage Register, including the implementation of the Heritage Interpretation Master Plan for Old Town Toronto and/or the Heritage Lighting Master Plan for Old Town Toronto, to the satisfaction of the Chief Planner and Executive Director, City Planning Division, in consultation with the Ward Councillor.

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

1. That prior to Final Site Plan approval in Connection with the Zoning By-law Amendment for the property at 25 Ontario Street and a portion of 280 King Street East, the owner shall:
 - a. Provide final site plan drawings substantially in accordance with the approved Conservation Plan required in Recommendation 1.a.2 in the report dated July 31, 2017 from the Chief Planner and Executive Director, City Planning Division to the satisfaction of the Senior Manager, Heritage Preservation Services;
 - b. Have obtained final approval for the necessary Zoning By-law Amendment required for the subject property, such Amendment to have come into full force and effect;
 - c. Provide an Interpretation Plan for the subject property, to the satisfaction of the Senior Manager, Heritage Preservation Services and thereafter shall implement such Plan to the satisfaction of the Senior Manager, Heritage Preservation Services; and,

- d. Submit a Signage Plan to the satisfaction of the Senior Manager, Heritage Preservation Services;
2. That prior to the issuance of any permit for all or any part of the property at 25 Ontario Street or a portion of 280 King Street East, including a heritage permit or a building permit, but excluding permits for repairs and maintenance and usual and minor works for the existing heritage building as are acceptable to the Senior Manager, Heritage Preservation Services, the owner shall:
 - a. Have obtained final approval for the necessary Zoning By-law Amendment required for the subject property, such Amendment to have come into full force and effect;
 - b. Provide building permit drawings, including notes and specifications for the conservation and protective measures keyed to the approved Conservation Plan required in Recommendation 1.a.2 in the report July 31, 2017 from Chief Planner and Executive Director, City Planning Division, including a description of materials and finishes, to be prepared by the project architect and a qualified heritage consultant to the satisfaction of the Senior Manager, Heritage Preservation Services; and,
 - c. Provide a Letter of Credit, including provision for upwards indexing, in a form and amount and from a bank satisfactory to the Senior Manager, Heritage Preservation Services to secure all work included in the approved Conservation Plan and Interpretation Plan; and,
 3. That prior to the release of the Letter of Credit required in Recommendation 1.b.3 in the report July 31, 2017 from the Chief Planner and Executive Director, City Planning Division, the owner shall:
 - a. Provide a letter of substantial completion prepared and signed by a qualified heritage consultant confirming that the required conservation work and the required interpretive work has been completed in accordance with the Conservation Plan and Interpretation Plan and that an appropriate standard of conservation has been maintained, all to the satisfaction of the Senior Manager, Heritage Preservation Services;
 - b. Provide replacement Heritage Easement Agreement photographs to the satisfaction of the Senior Manager, Heritage Preservation Services;
 4. A portion of the east wall abutting the property at 284 Front Street East be designed as a blank wall during the site plan approval process to the satisfaction of the Chief Planner and Executive Director, City Planning Division;

5. Prior to the earlier of site plan approval or 30 days following the Zoning By-laws coming into full force and effect, the owner of 25 Ontario Street shall withdraw their appeal to Official Plan Amendment 231; and
6. Prior to the earlier of site plan approval or 30 days following the Zoning By-laws coming into full force and effect, the owner of 25 Ontario Street shall withdraw their appeal to the St. Lawrence Neighbourhood Heritage Conservation District Plan.

Other Matters

Recommendations 4 and 5 in the Final Report of TEYCC Item 26.11 dated August 18, 2017 required the owner to withdraw site specific appeals to Official Plan Amendment 231 and the St. Lawrence Neighbourhood Heritage Conservation District Plan prior to the enactment of Bills. The recommendations are now revised and incorporated into the Section 37 Agreement to require the owner to withdraw the appeals at the earlier of site plan approval or 30 days after the amending Zoning By-laws are in full force and effect.

CONTACT

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SIGNATURE

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Toronto and East York District

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