

**135-143 Portland Street - Zoning By-law Amendment  
Application - Preliminary Report**

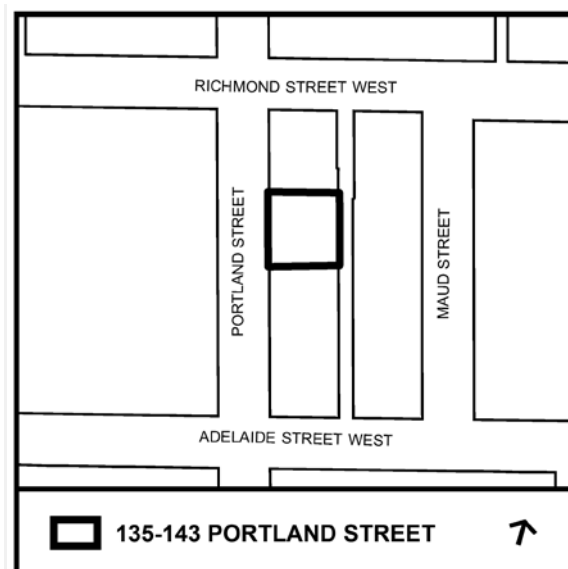
<b>Date:</b>	October 27, 2017
<b>To:</b>	Toronto and East York Community Council
<b>From:</b>	Acting Director, Community Planning, Toronto and East York District
<b>Wards:</b>	Ward 20 – Trinity-Spadina
<b>Reference Number:</b>	17 213544 STE 20 OZ

**SUMMARY**

This application proposes a 16-storey building with approximately 243 square metres of retail uses on the ground floor and 117 residential units above at 135-143 Portland Street. The façade of 143 Portland Street is proposed to be retained while all other existing buildings on the site would be demolished.

Seven residential units, of which five appear to be rental dwelling units, are located within the existing group of buildings on the site. The final number of units is yet to be confirmed. Redevelopment sites containing six or more dwelling units, of which at least one is a rental dwelling unit, require a permit per Chapter 667 of the Municipal Code to demolish rental housing. A Rental Housing Demolition application has not yet been received. A decision on rental housing would be made by City Council combined with the reporting for the subject Zoning By-law Amendment application.

This report provides preliminary information on the above-noted application and seeks Community Council's directions on further processing of the application and on the community consultation process.



Staff have significant concerns about the appropriateness of the proposed heritage conservation, height and massing of the building in the context of the West Precinct of King-Spadina, among other matters. The proposal is not supportable in the present form. The further processing of the application and public consultation process are recommended in order to give the applicant the opportunity to work with City staff, the community and the Ward Councillor to address these and other issues that may arise through further review of the application.

A final report and public meeting under the *Planning Act* will be scheduled following the resolution of the outstanding issues, and provided the applicant submits all the required information in a timely manner.

## **RECOMMENDATIONS**

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

1. Staff be directed to schedule a community consultation meeting for the lands at 135-43 Portland Street together with the Ward Councillor.
2. Notice for the community consultation meeting be given to landowners and residents within 120 metres of the site.
3. Notice for the public meeting under the Planning Act be given according to the regulations of the Planning Act.

### **Financial Impact**

The recommendations in this report have no financial impact.

### **Pre-Application Consultation**

On May 5, 2016, a pre-application consultation meeting was held with the applicant to discuss complete application submission requirements and to identify preliminary issues with the proposal. Staff identified a number of issues including the appropriateness of the proposed built form for the site, the treatment of the contributing heritage buildings on the site, the building height and side yard setbacks and stepbacks and consistency with the character of the surrounding area and policies of the King-Spadina Secondary Plan and the Official Plan more broadly.

## **ISSUE BACKGROUND**

### **Proposal**

This application proposes the development of a 16-storey building with approximately 243 square metres of retail space on the ground floor and 9,216 square metres of residential space above. The overall height would be approximately 52.7 metres, including the mechanical penthouse. The five existing semidetached and rowhouse buildings on the subject site are proposed to be demolished, other than the façade of 143 Portland Street, which is proposed to be retained.

The existing two-storey houseform structures at 135, 139, 141 and 143 Portland Street were constructed in the late 19<sup>th</sup> century and are identified as contributing heritage properties within the King-Spadina Heritage Conservation District Plan based upon their design and contextual values. The proposal includes the demolition of three contributing houseform buildings at 135, 139 and 141 Portland Street and alteration of the façade of the contributing houseform building at 143 Portland Street. The non-contributing three-storey dwelling at 137 Portland Street would also be demolished.

The ground floor of the building would be set back approximately 1.5 metres from the west (Portland Street) lot line, which would align with the existing front setback of the dwelling at 143 Portland Street that is proposed to be retained. This setback would continue up to the seventh floor of the building along Portland Street, above which it would step back slightly at each floor, reaching a maximum setback of approximately 2.5 metres from the Portland Street lot line at the sixteenth floor.

On the western (front) half of the proposed building, no setbacks are proposed from the north and south lot lines. On the eastern (rear) half of the proposed building, no setbacks are proposed from the north and south lot lines up to the ninth floor, above which approximately 1.5 metre setbacks are proposed.

No setback is proposed from the eastern lot line along the laneway up to the ninth storey. A 4.5 metre setback is proposed at the tenth floor and a 1.5 metre setback is proposed for the eleventh through fifteenth floors.

Retail space is proposed on the ground floor fronting Portland Street. Residential units are proposed on the second through fifteenth floors. The proposed residential unit breakdown is as follows:

Type of Residential Unit	Number of Units	Percentage of Total
Bachelor	20	17
One-Bedroom	42	36
Two-Bedroom	45	38
Three-Bedroom	10	9
Total	117	100

Approximately 215 square metres of outdoor amenity space (1.8 square metres per unit) and 143 square metres of indoor amenity space (1.2 square metres per unit) are proposed on the sixteenth storey.

Vehicular access to the site would be provided from the laneway along the east side of the building. Two parking elevators are proposed to provide access to 24 parking spaces in two underground levels for residents. No visitor parking is proposed. One hundred eighteen bicycle parking spaces are proposed on one underground level, of which 106 would be for residents and 12 would be for visitors, and four spaces would be provided on the ground floor associated with the retail space.

For additional details, see Attachment 1: Site Plan, Attachments 2-5: Elevations and Attachment 7: Application Data Sheet.

## **Site and Surrounding Area**

The site is located east side of Portland Street midway between Richmond Street West to the north and Adelaide Street West to the south. The rectangular-shaped site has an area of approximately 783 square metres with frontage on Portland Street of approximately 27 metres and a depth of approximately 29 metres.

The site currently contains two-storey houseform structures at 135, 139, 141 and 143 Portland Street, which were constructed in the late 19<sup>th</sup> century and are identified as contributing heritage properties within the King-Spadina Heritage Conservation District Plan. These contain a mix of residential and commercial uses. A newer three-storey, non-contributing dwelling is located at 137 Portland Street. All buildings on the site are proposed to be demolished, other than the front façade of 143 Portland Street, which is proposed to be retained.

The group of related buildings contains at least seven residential dwelling units, of which at least five are rental dwelling units. One of the rental dwelling units is vacant and two dwelling units are owner-occupied. The final number of units, their tenure type and rent affordability categories is yet to be confirmed by the applicant through a Rental Housing Demolition application and associated Housing Issues Report.

Surrounding uses include:

**North:** A two-storey semi-detached dwelling is located immediately north of the site at 145 Portland Street, which is connected to the front façade of 143 Portland Street that is proposed to be retained. A two-storey office building is located to the north at 147 Portland Street and a nine-storey mixed-use building with retail at grade and residential above is located at the southeast corner of Richmond Street West and Portland Street. A four-storey residential building is located at the northeast corner of Richmond Street West and Portland Street and a seven-storey building with three levels of retail and residential uses above is located at the northwest corner of Richmond Street West and Portland Street.

**East:** A public lane that connects Richmond Street West and Adelaide Street West is located immediately east of the site with a mix of two- to five-storey commercial buildings and surface parking areas beyond along Maude Street. A 10-storey residential building is located at the southwest corner of Maude Street and Richmond Street West. Farther east is St. Andrew's Playground, which is a designated heritage site and an Area of Special Identity in the King-Spadina Secondary Plan. North of St. Andrew's Playground at 497-505 Richmond Street West a 13-storey building is under construction, which will include a YMCA and conservation of the heritage-designated Waterworks Building.

South: A four-storey commercial building is located immediately south of the subject site at 127 Portland Street. A 12-storey building with commercial uses on the ground floor and residential above is proposed to the south at 502 Adelaide Street West and 119-123 Portland Street where a mix of two-storey rowhouses and a one-storey commercial building are currently located (File No.: 16 228717 STE 20 OZ). A surface parking lot is located at the southeast corner of Adelaide Street West and Portland Street. A three-storey commercial building is located at the southwest corner of Adelaide Street West and Portland Street. Farther south is a mixture of two- to five-storey commercial and residential buildings.

West: Portland Street is located immediately west of the site. On the west side of Portland Street are a mixture of commercial and residential uses in two-storey houseform buildings. A 15-storey building with commercial space on the ground level and residential uses above is approved at the southwest corner of Adelaide Street West and Portland Street, where a two-storey warehouse and office building is currently located (File No.: 14 267424 STE 20 OZ).

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

The Provincial Policy Statement (2014) (the "PPS") provides policy direction Province wide on land use planning and development to promote strong communities, a strong economy, and a clean and healthy environment. It includes policies on key issues that affect communities, such as:

- The efficient and wise use and management of land and infrastructure over the long term in order to minimize impacts on air, water and other resources;
- Protection of the natural and built environment;
- Building strong, sustainable and resilient communities that enhance health and social well-being by ensuring opportunities exist locally for employment;
- Residential development promoting a mix of housing types and affordability to meet projected requirements of current and future residents; recreation, parks and open space; and transportation choices that increase the use of active transportation and transit; and
- Encouraging a sense of place in communities, by promoting well-designed built form and by conserving features that help define local character.

The City of Toronto uses the PPS to guide its Official Plan and to inform decisions on other planning and development matters. The PPS is issued under Section 3 of the Planning Act and all decisions of Council affecting land use planning matters "shall be consistent with" the PPS.

The PPS recognizes and acknowledges the Official Plan as an important document for implementing the policies within the PPS. Policy 4.7 of the PPS states that, "The official plan is the most important vehicle for implementation of this Provincial Policy Statement. Comprehensive, integrated and long-term planning is best achieved through official plans."

The Growth Plan for the Greater Golden Horseshoe (2017) (the "Growth Plan") came into effect on July 1, 2017 and provides a strategic framework for managing growth in the Greater Golden Horseshoe region including:

- Setting minimum density targets within settlement areas and related policies directing municipalities to make more efficient use of land, resources and infrastructure to reduce sprawl, cultivate a culture of conservation and promote compact built form and better-designed communities with high quality built form and an attractive and vibrant public realm established through site design and urban design standards;
- Directing municipalities to engage in an integrated approach to infrastructure planning and investment optimization as part of the land use planning process;
- Building complete communities with a diverse range of housing options, public service facilities, recreation and green space that better connect transit to where people live and work;
- Retaining viable employment lands and encouraging municipalities to develop employment strategies to attract and retain jobs;
- Minimizing the negative impacts of climate change by undertaking stormwater management planning that assesses the impacts of extreme weather events and incorporates green infrastructure; and
- Recognizing the importance of watershed planning for the protection of the quality and quantity of water and hydrologic features and areas.

Like other provincial plans, the Growth Plan for the Greater Golden Horseshoe (2017) builds upon the policy foundation provided by the Provincial Policy Statement (2014) and provides more specific land use planning policies to address issues facing the GGH region. The policies of the Growth Plan take precedence over the policies of the PPS to the extent of any conflict, except where the relevant legislation provides otherwise. All decisions by Council affecting land use planning matters are required by the *Planning Act*, to conform, or not conflict, as the case may be, with the Growth Plan.

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

## **Official Plan**

The site is identified as part of the *Downtown and Central Waterfront* on Map 2 of the Official Plan. The Official Plan states that *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. While *Downtown* is identified as an area offering opportunities for substantial employment and residential growth, this growth is not anticipated to be uniform. Design guidelines specific to districts of historic or distinct character will be implemented to ensure new development respects the context of such districts in terms of the development's fit with existing streets, setbacks, heights and relationship to landmark buildings.

Chapter Three of the Official Plan identifies that most of the City's future development will be infill and redevelopment and, as such, will need to fit in, respect and improve the character of the surrounding area. Section 3.1.1 contains Public Realm policies, which identify that great cities not only have great buildings, but that the buildings work together to create great streets, plazas, parks and public places. Policies require that new development enhances the quality of the public realm and that sidewalks and boulevards will be designed to provide safe, attractive, interesting and comfortable spaces for pedestrians. Section 3.1.2 contains Built Form policies,

which indicate that development will be located, organized and massed to fit harmoniously with the existing and/or planned context. Development will limit its impacts on neighbouring properties and the public realm by respecting street proportions, creating appropriate transitions in scale, providing for adequate light and privacy, limiting impacts of servicing and vehicular access on the property and neighbouring properties and limiting shadow and wind impacts.

Section 3.1.5 of the Official Plan addresses the identification and evaluation of properties of cultural heritage value or interest. It also provides for conservation of heritage resources and includes policies that state that Heritage Impact Assessments will evaluate the impact of a proposed alteration to a property on the Heritage Register, and/or to properties adjacent to a property on the Heritage Register, to the satisfaction of the City.

Policy 3.1.5.2 provides that properties of potential cultural heritage value or interest will be identified and evaluated to determine their cultural heritage value or interest consistent with provincial regulations, where applicable, and will include consideration of the cultural heritage values including, design or physical value, historical or associative value and contextual value. Policy 3.1.5.26 identifies that new construction on, or adjacent to, a property on the Heritage Register will be designed to conserve the cultural heritage values, attributes and character of that property and to mitigate visual and physical impacts on it. Policy 3.1.5.27 requires that where it is supported by the cultural heritage values and attributes of a property on the Heritage Register, the conservation of whole or substantial portions of buildings, structures, and landscapes on those properties is desirable and encouraged. The retention of facades alone is discouraged.

Section 3.2.1 of the Official Plan contains Housing policies, which state that a full range of housing in terms of form, tenure and affordability, across the City and within neighbourhoods, is to be provided and maintained to meet the current and future needs of residents. New housing supply will be encouraged through intensification and infill that is consistent with the Official Plan. Policy 3.2.1.6 requires that new development that would result in the loss of six or more rental housing units will not be approved unless:

- All of the rental housing units have rents that exceed mid-range rents at the time of application; and
- In cases where planning approvals other than site plan are sought, the following will be secured:
  - At least the same number, size and type of rental housing units are replaced and maintained with rents similar to those in effect at the time the redevelopment application is made;
  - For a period of at least 10 years, rents for replacement units will be the rent at first occupancy increased annually by not more than the Provincial Rent Increase Guideline or a similar guideline as Council may approve from time to time; and
  - An acceptable tenant relocation and assistance plan addressing the right to return to occupy one of the replacement units at similar rents, the provision of alternative accommodation at similar rents, and other assistance to lessen hardships.

The site is designated *Regeneration Areas* on Map 18 of the Official Plan. This land use designation provides for a broad mix of commercial, residential, light industrial, parks and open space, institutional, live/work and utility uses in an urban form and is intended to revitalize areas. The framework for new development in these areas is set out in a Secondary Plan, which for the subject site is the King-Spadina Secondary Plan.

## **King-Spadina Secondary Plan**

Chapter 6.16 of the Official Plan contains the King-Spadina Secondary Plan. The Secondary Plan emphasizes the reinforcement of the characteristics and qualities of the area through special attention to built form and the public realm. The King-Spadina Urban Design Guidelines (2006) will also be referenced in reviewing this application.

Major objectives of the King-Spadina Secondary Plan are as follows:

- New investment is to be attracted to the King-Spadina Area;
- The King-Spadina Area will provide for a mixture of compatible land uses with the flexibility to evolve as the neighbourhood matures;
- The King-Spadina Area is an important employment area. Accordingly, the retention and promotion of commercial and light industrial uses including media, design and fashion businesses within the area is a priority;
- Commercial activity, including the retail service industry, which supports the changing demands of the King-Spadina Area will be provided for, to ensure the necessary services for the new residents and businesses of the area; and
- Heritage buildings and other important buildings within the King-Spadina Area, will be retained, restored, and re-used.

The King-Spadina Secondary Plan emphasizes reinforcement of the characteristics and qualities of the area through special attention to built form and the public realm. The policies of Section 3 Built Form, and in particular the policies of Section 3.6 – General Built Form Principles, and Section 4 Heritage, specify, among other matters, that:

- the lower levels of new buildings will be sited and organized to enhance the public nature of streets, open spaces and pedestrian routes;
- servicing and parking are encouraged to be accessed from lanes rather than streets;
- new development will be designed to minimize pedestrian/vehicular conflicts;
- new buildings will be sited and massed to provide adequate light, view, privacy and compatibility with the built form context;
- new buildings will achieve a compatible relationship with their built form context through consideration of such matters as height, massing, scale, setbacks, stepbacks, roof line and profile and architectural character and expression;
- appropriate proportional relationships to streets and open spaces will be achieved and wind and shadow impacts will be minimized on streets and open spaces;
- streetscape and open space improvements will be coordinated in new development; and
- heritage buildings will be retained, conserved, rehabilitated, re-used and restored.



A primary objective of the plan is to assess new development in the context of the historic fabric of the area. The particular scale, massing and street relationships of the existing heritage buildings should form the basis for new development in this part of the King-Spadina Secondary Plan area. The applicable plan area guidelines articulate that new development should maintain and reinforce the existing building heights of the area in conjunction with the relationships of buildings to one another along the street and the design of buildings at the street level.

Portland Street is identified in the King-Spadina Secondary Plan as a Significant Street. The Secondary Plan identifies that the quality and character of Significant Streets will be enhanced through zoning, design guidelines and streetscape improvement programs.

The proposed development is west of St. Andrew's Playground, which is identified as an Area of Special Identity and an important park within the King-Spadina Area. New development is to respect the integrity and potential for increased use of the park. The King-Spadina Secondary Plan requires buildings adjacent to parks to be designed to minimize the wind and shadow impacts on streets, parks and open spaces.

## **Zoning**

The site is zoned Reinvestment Area (RA) in former City of Toronto Zoning By-law No. 438-86. This zoning category permits a range of residential, commercial, institutional and limited industrial uses. The current zoning permits a maximum building height of 23 metres for this site if a three metre stepback at 20 metres is provided. An additional five metres is permitted for rooftop mechanical elements. A minimum 7.5 metre setback from both the side and rear lot lines for areas located farther than 25 metres from the street lot line is required.

On May 9, 2013, City Council enacted City of Toronto Zoning By-law No. 569-2013. This By-law is subject to appeals at the Ontario Municipal Board and is not in-force. The site is zoned Commercial Residential Employment (CRE), which permits a maximum height of 23 metres and a variety of residential and non-residential uses.

See Attachment 6: Zoning for additional details.

## **Site Plan Control**

The application is subject to site plan control. A Site Plan Control application has not been submitted for the site.

## **TOcore: Planning Downtown**

TOcore: Planning Downtown is an inter-divisional study, led by City Planning, which is updating the planning framework for Downtown and developing a series of infrastructure strategies to support implementation. TOcore is a response to the rapid intensification of Downtown that is placing pressure on physical and social infrastructure assets and occurring in a pattern and at an intensity that threatens to jeopardize the quality of life in the city centre and the economic role that the Downtown plays for the entire city. TOcore's purpose is to ensure growth positively contributes to Toronto's Downtown as a great place to live, work, learn, play and invest by determining: a) how future growth will be accommodated and shaped, and b) what physical and social infrastructure will be needed, where it will go and how it will be secured. The

study area is bounded by Lake Ontario to the south, Bathurst Street to the west, the mid-town rail corridor and Rosedale Valley Road to the north, and the Don River the east.

Building on Downtown's existing planning framework and drawing on best practices within City Planning Division, the Downtown Plan is being developed to serve as a blueprint for future growth and infrastructure in the heart of Toronto over the next 25 years. It will provide detailed direction on the appropriate scale and location of future growth. It will also link this growth with infrastructure provision to ensure the creation of 'Complete Communities', addressing the requirements under the Provincial Policy Statement (2014) and the Growth Plan for the Greater Golden Horseshoe (2017). A series of infrastructure strategies for transportation, parks and public realm, community services and facilities, water and energy are in development as part of this review.

On October 5-7, 2016, City Council adopted Official Plan Amendment (OPA) 352 – Downtown Tall Building Setback Area (currently under appeal). The purpose of OPA 352 is to establish the policy context for tall building setbacks and separation distances between tower portions of tall buildings Downtown. At the same meeting, City Council adopted area-specific Zoning By-laws 1106-2016 and 1107-2016 (also under appeal), which provide the detailed performance standards for portions of buildings above 24 metres in height.

At its meeting on October 2-4, 2017, City Council considered the Proposed Downtown Plan and directed staff to undertake stakeholder and public consultation on that document and its proposed policies, leading to a recommendations report and an amendment to Toronto's Official Plan in the second quarter of 2018. Additionally, Council directed Staff to consider the policies contained within the Proposed Downtown Plan in the review of all development applications within the Downtown going forward:

6. City Council request City Planning staff to consider the Proposed Downtown Plan policies, in Attachment 1 to the report (August 18, 2017) from the Chief Planner and Executive Director, City Planning, during the evaluation of current and future development applications in the Downtown Plan area and continue to refine the policies in consultation with stakeholders and the community.

More information on Council direction pertaining to TOcore can be found at <http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2017.PG22.1>. Further background information can be found at [www.toronto.ca/tocore](http://www.toronto.ca/tocore).

## **King-Spadina Secondary Plan Review**

King Spadina is one of the highest growth areas in the downtown and it has a strongly influential heritage character. An estimated 50,000 people will live in King Spadina and the area will accommodate space for an estimated 50,000 jobs. The King-Spadina Secondary Plan is under review, recognizing that the Secondary Plan area has evolved from an area of employment (non-residential uses) into an area with a range of uses including residential. It is expected that the updated Secondary Plan will recognize that while the area will continue to grow and change, it must do so in a way that positively contributes to liveability, is better

supported by hard infrastructure and community infrastructure, and more carefully responds to the strong heritage and character of the area.

At its meetings on August 25, 2014 and July 7, 2015 City Council endorsed a number of directions for the King-Spadina East Precinct to be used in reviewing current and future development applications including a downward gradation of tower heights from east to west from University Avenue towards Spadina Avenue, employing the city-wide Tall Buildings Guidelines to evaluate towers, particularly with regard to tower spacing and tower floor plates and protecting the network of mid-block connections and laneways as a defining feature of the public realm, and expanding these connections to further the pedestrian network.

At its meeting on July 7, 2015, City Council also expanded the boundary of the King-Spadina East Precinct Built Form Study to include the Spadina Precinct. Further, at its meeting on September 6, 2017, Toronto and East York Community Council expanded the Study boundary include the West Precinct. The Secondary Plan is currently under review and a report on the Secondary Plan amendments is anticipated in November 2017.

### **King–Spadina Heritage Conservation District Study**

At its meeting of October 2, 2012 Toronto City Council directed Heritage Preservation Services (HPS) staff to undertake a Heritage Conservation District (HCD) study of the King-Spadina area. A team led by Taylor-Hazell Architects undertook the study, and was subsequently retained to prepare the Plan. The first phase of the HCD Study was concluded in the spring of 2014 and recommended that the area merited designation under Part V of the Ontario Heritage Act as an HCD on the basis of its historical, associative, physical, contextual, and social and community values. On May 23, 2014, the Toronto Preservation Board received a staff report and endorsed the first phase conclusions of the HCD Study and its recommendations, including the recommendation to proceed with the development of two HCD plans for the recommended HCDs.

HPS initiated the second (plan) phase of the study in the fall of 2014 which resulted in the development of the statements of objectives, statements of cultural heritage value, boundaries, policies and guidelines, and community and stakeholder consultation.

The plan was considered at the June 22, 2017 Toronto Preservation Board meeting followed by the September 6, 2017 Toronto and East York Community Council and was adopted at the October 2-4, 2017 meeting of City Council, thereby designating the King-Spadina Heritage Conservation District Plan under Part V of the Ontario Heritage Act as the district plan for the King-Spadina Heritage Conservation District.

The final report and decision of City Council are available at <http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2017.TE26.14>

The overall objective of the King-Spadina HCD Plan is the protection, conservation and management of its heritage attributes including contributing properties so that the District's cultural heritage value is protected in the long-term. The properties at 135, 139, 141 and 143 Portland Street are identified as contributing heritage properties in the King-Spadina HCD Plan.

Contributing properties are to be conserved in a manner that ensures the long term conservation of the District's cultural heritage value, heritage attributes and the integrity of the contributing property.

### **King-Spadina Urban Design Guidelines**

Urban Design guidelines, in conjunction with the Official Plan policies, work together to achieve optimal building siting and design that enhances the public realm, while respecting and reinforcing the surrounding built environment and context. Guidelines are crucial planning tools that assist in testing the appropriateness of development applications in the policy context. The Guidelines are intended to assist in the implementation of the Official Plan policies for built form, and serve as a unified set of directions for the evaluation of development applications.

The King-Spadina Urban Design Guidelines support the implementation of the King-Spadina Secondary Plan. These guidelines state that new development should be compatible with existing heritage buildings in terms of massing, height, setbacks, stepbacks, and materials. New development, within the context of existing adjacent buildings, should define and contribute to a high quality public realm. Development should reinforce the character and scale of the existing street wall in the immediate surrounding area. In addition, the scale of the building brought to the sidewalk should respond proportionally to the width of the right-of-way.

Section 4.3.3 Built Form, recognizes that new development in the West Precinct has a distinguishing character of uniform height, scale and massing, producing an effect of a maturing mid-rise neighbourhood, which is different from Spadina Avenue and the East Precinct.

### **Citywide Tall Building Design Guidelines**

In May 2013, Toronto City Council adopted the updated citywide 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 they fit within their context and minimize their local impacts. The citywide Guidelines are available at <http://www.toronto.ca/planning/tallbuildingdesign.htm>

### **Tree Preservation**

The Arborist Report and Tree Preservation Plan submitted in support of this application indicate there are 11 trees both within and immediately adjacent to the subject site. Of these, eight trees are proposed to be removed and all of the trees qualify for protection under the City's Tree Protection By-law.

### **Rental Housing Demolition By-law**

Section 111 of the *City of Toronto Act, 2006* authorizes Council to regulate the demolition and conversion of residential rental properties in the City. Chapter 667 of the City's Municipal Code, the Rental Housing Demolition and Conversion By-law, implements Section 111. The By-law prohibits the demolition or conversion of rental housing units in buildings containing six or more residential units, of which at least one unit is rental, without obtaining a permit from the City and requires a decision by either City Council or the Chief Planner.

Council may refuse an application, or approve the demolition with conditions that must be satisfied before a demolition permit is issued. These conditions implement the City's Official Plan policies protecting rental housing. Council approval of demolition under Section 33 of the *Planning Act* may also be required where six or more residential units are proposed for demolition before the Chief Building Official can issue a permit for demolition under the *Building Code Act*.

Where an application for rezoning triggers an application under Chapter 667 for rental demolition or conversion, City Council typically considers both applications at the same time. Unlike *Planning Act* applications, decisions made by City Council under By-law 885-2007 are not appealable to the Ontario Municipal Board.

A Rental Housing Demolition application has not yet been received for a Section 111 permit pursuant to Chapter 667 of the City of Toronto Municipal Code. A Housing Issues Report would need to be submitted with the required application to confirm consistency with the Official Plan.

As per Chapter 667-14, a tenant consultation meeting shall be held to review the impact of the proposal on tenants of the residential rental property and matters under Section 111.

## **Reasons for the Application**

Amendments to both the former City of Toronto Zoning By-law 438-86 and the new City-wide Zoning By-law 569-2013 are required to establish appropriate performance standards to regulate the built form on the site, increase the permitted building height, reduce the parking and amenity space provisions and revise other development regulations as necessary.

The need for a Rental Housing Demolition application has been identified, with the final requirements of the application still to be confirmed by the applicant. The applicant has not yet submitted an application for Rental Housing Demolition under Chapter 667 of the Municipal Code for a section 111 permit pursuant to the *City of Toronto Act* and this will be part of the planning review process to be brought forward to City Council.

## **COMMENTS**

### **Application Submission**

The following reports/studies were submitted with the application:

- Planning Rationale
- Urban Design Rationale
- Heritage Impact Assessment
- Public Consultation Plan
- Shadow Impact Study
- Pedestrian Wind Assessment
- Arborist Report
- Noise and Vibration Study
- Toronto Green Standard Checklist
- Community Services and Facilities Study

- Transportation Impact Study
- Parking Study
- Geotechnical Investigation
- Water Taking Plan
- Hydrogeological Study
- Functional Servicing and Stormwater Management Report
- Phase Two Environmental Site Assessment

Based on the information initially submitted as part of the subject Zoning By-law Amendment application, a Notification of Complete Application was issued on September 1, 2017. However, based on site inspections and further review of the existing housing on the site, the need for the following additional application and report has been identified:

- Rental Housing Demolition application
- Housing Issues Report

### **Issues to be Resolved**

The application has been circulated to City divisions and public agencies for comment. Several preliminary issues have been identified through the review of this application. Overall, this development application, with the proposed height, massing and heritage conservation strategy, is not supportable. Planning staff will work with the applicant to resolve the issues identified to reduce the scale of development and achieve an acceptable built form that is sensitive to the existing and planned context. Issues to be addressed include:

- Consistency with the Provincial Policy Statement and conformity to the Growth Plan for the Greater Golden Horseshoe.
- Conformity with Official Plan and King-Spadina Secondary Plan policies, including the requirement that development result in a height, built form and massing that is complementary to the historic physical fabric of the area and the more mid-rise character of the West Precinct.
- Consistency with the emerging policies and direction of the King-Spadina Secondary Plan Review and the TOcore initiative.
- Compliance with the Citywide Tall Buildings Guidelines and to Official Plan Amendment 352 requiring specific building setback and separation distance standards. OPA 352 and associated Zoning By-law Nos. 1106-2016 and 1107-2016 are currently under appeal and not in force and effect. However, the policies inform staff's position on the proposal, reflect the Tall Building Guidelines and represent City Council-adopted policy on appropriate built form.
- Whether the proposed height, density and massing are suitable for the subject site.
- Determination of appropriate relationships to the adjacent properties, including side yard setbacks and the impact to the heritage properties.

- Consideration of the King-Spadina Heritage Conservation District and heritage policies of the Official Plan. The proposal would not maintain the existing buildings on the site, which have been identified as contributing properties in the King-Spadina Heritage Conservation District Plan. On-site conservation of heritage resources will be sought and the conservation strategy should look to sympathetically rehabilitate and restore various architectural elements of the properties.
- Determination of an appropriate built form relationship with the existing grade-related homes on the site.
- Suitability of the proposed pedestrian realm and the relationship of the building to the street, including analysis of the sufficiency of the proposed sidewalk width.
- Evaluation of the wind and shadow impacts created by the proposal on the site and surrounding area.
- Suitability and adequacy of the proposed location and amount of indoor and outdoor amenity space.
- Evaluation of traffic impact, bicycle and vehicle parking, site servicing and loading issues.
- Evaluation of tree protection and injury mitigation measures as a result of the proposal and opportunities for new tree planting.
- Whether rental housing replacement is required to fulfill policy 3.2.1.6 of the Official Plan, a proposal for a tenant relocation and assistance plan and the evaluation of an application for and conditions of a Rental Housing Demolition Permit under chapter 667 of the Municipal Code pursuant to section 111 of the *City of Toronto Act*.
- Desirability of the proposed unit type and mix, including increasing the number of larger dwelling units suitable for a broader range of households including families with children.
- Compliance with the Tier 1 performance measures of the Toronto Green Standard.
- Confirming the number of existing rental dwelling units in the related group of buildings.
- Rental housing issues including the development of a tenant assistance and relocation plan and tenant communication and consultation plan, and potentially rental replacement units if more than six existing rental units are confirmed.
- Securing appropriate Section 37 contributions should the project proceed to approval.

Additional issues may be identified through the review of the application, agency comments and the community consultation process.

## **CONTACT**

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## **SIGNATURE**

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Lynda H. Macdonald  
Acting Director, Community Planning  
Toronto and East York District

(P:\2017\Cluster B\pln\TEYCC\28546721013.doc) – vc

## **ATTACHMENTS**

Attachment 1: Site Plan

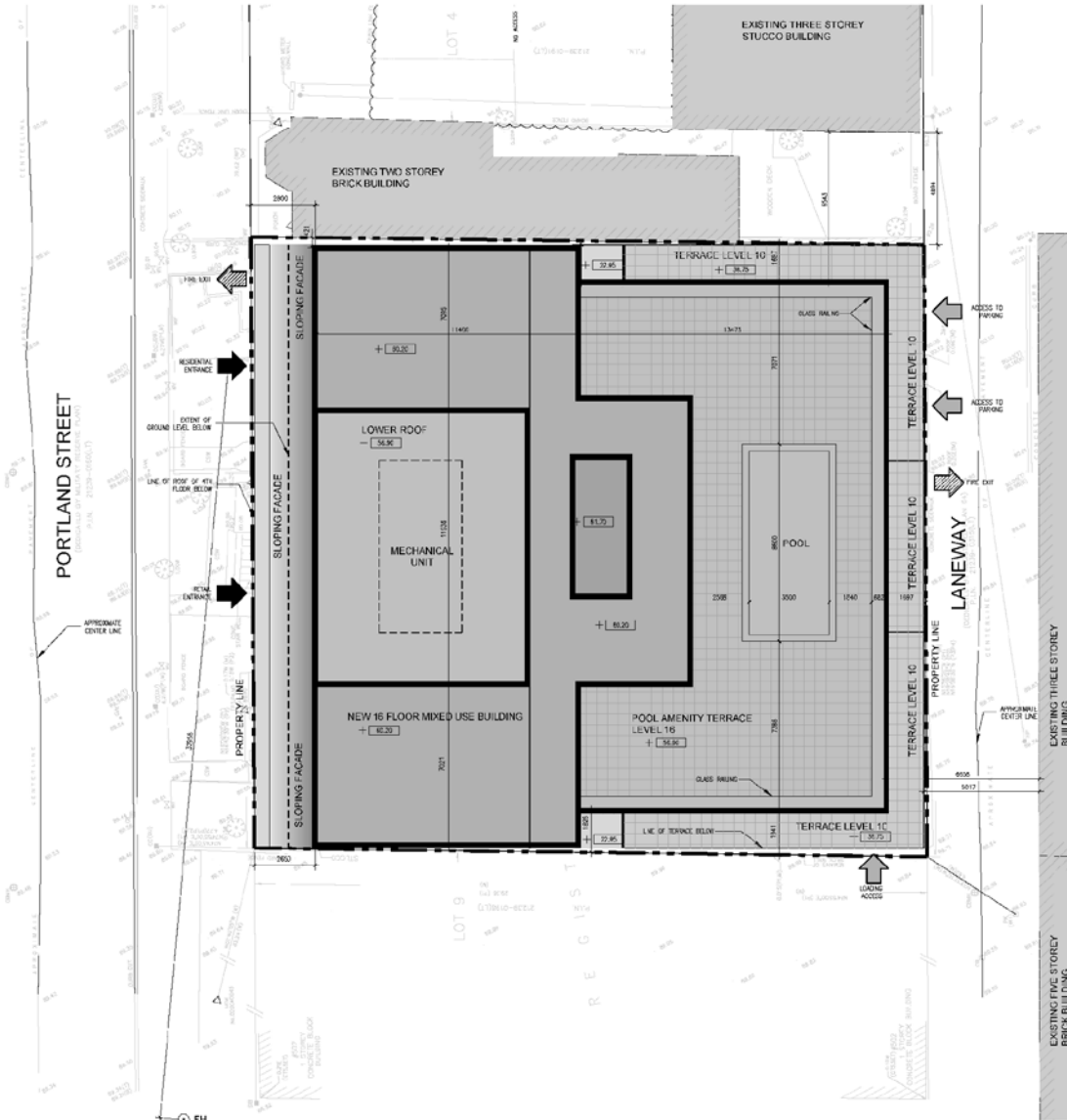
Attachment 2-5: Elevations

Attachment 6: Zoning

Attachment 7: Application Data Sheet



# Attachment 1: Site Plan



## Site Plan

135-143 Portland Street

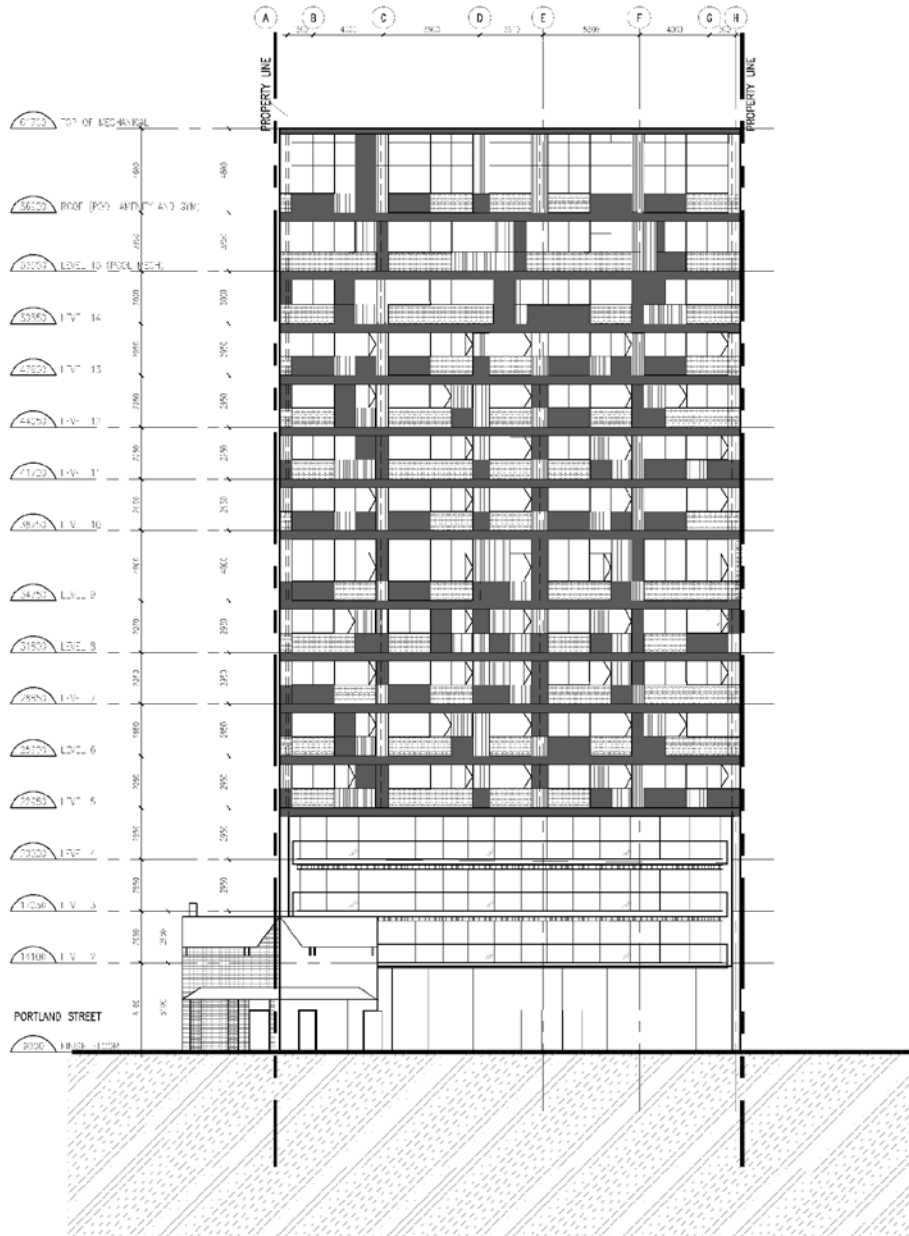
Applicant's Submitted Drawing

Not to Scale

10/05/2017

File # 17 213544 STE 20 0Z

## Attachment 2: West Elevation



**West Elevation**

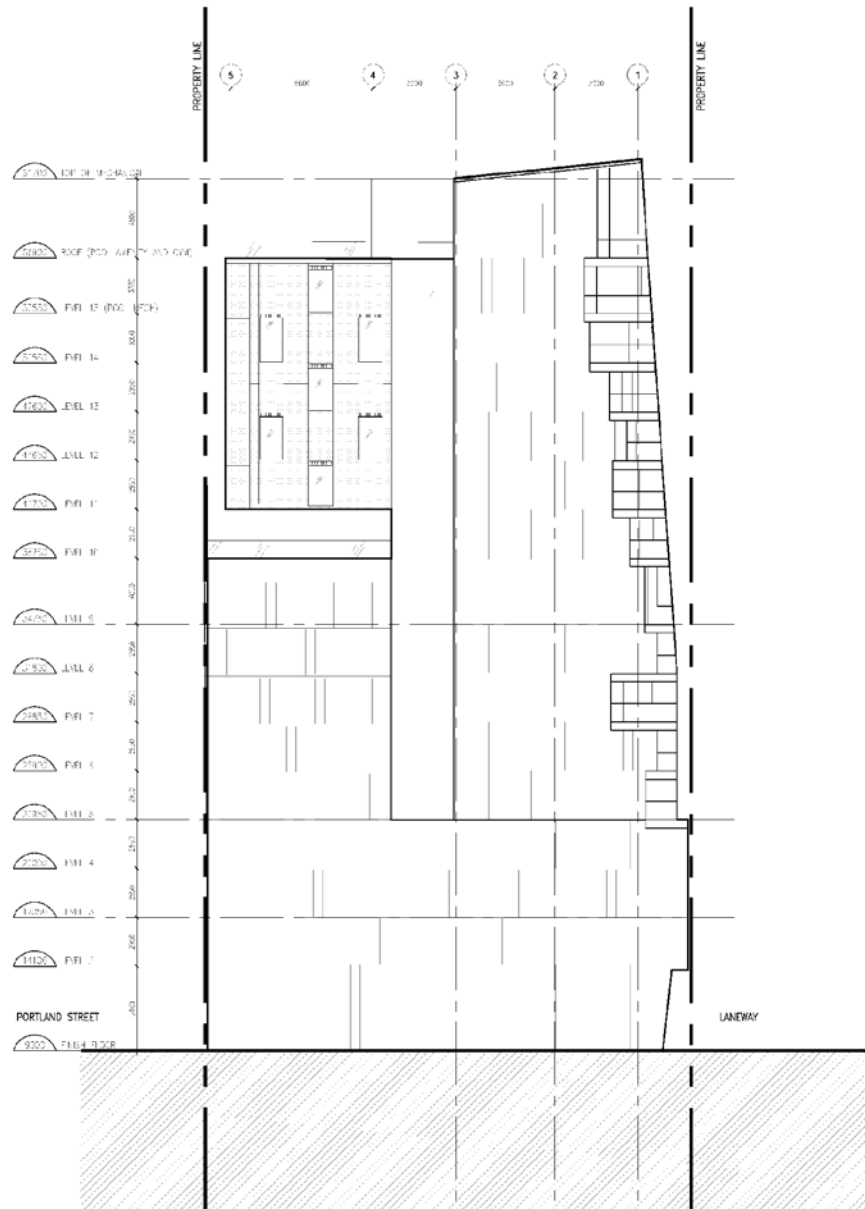
**135-143 Portland Street**

Applicant's Submitted Drawing

Not to Scale 10/05/2017

File # 17 213544 STE 20 OZ

### Attachment 3: North Elevation



North Elevation

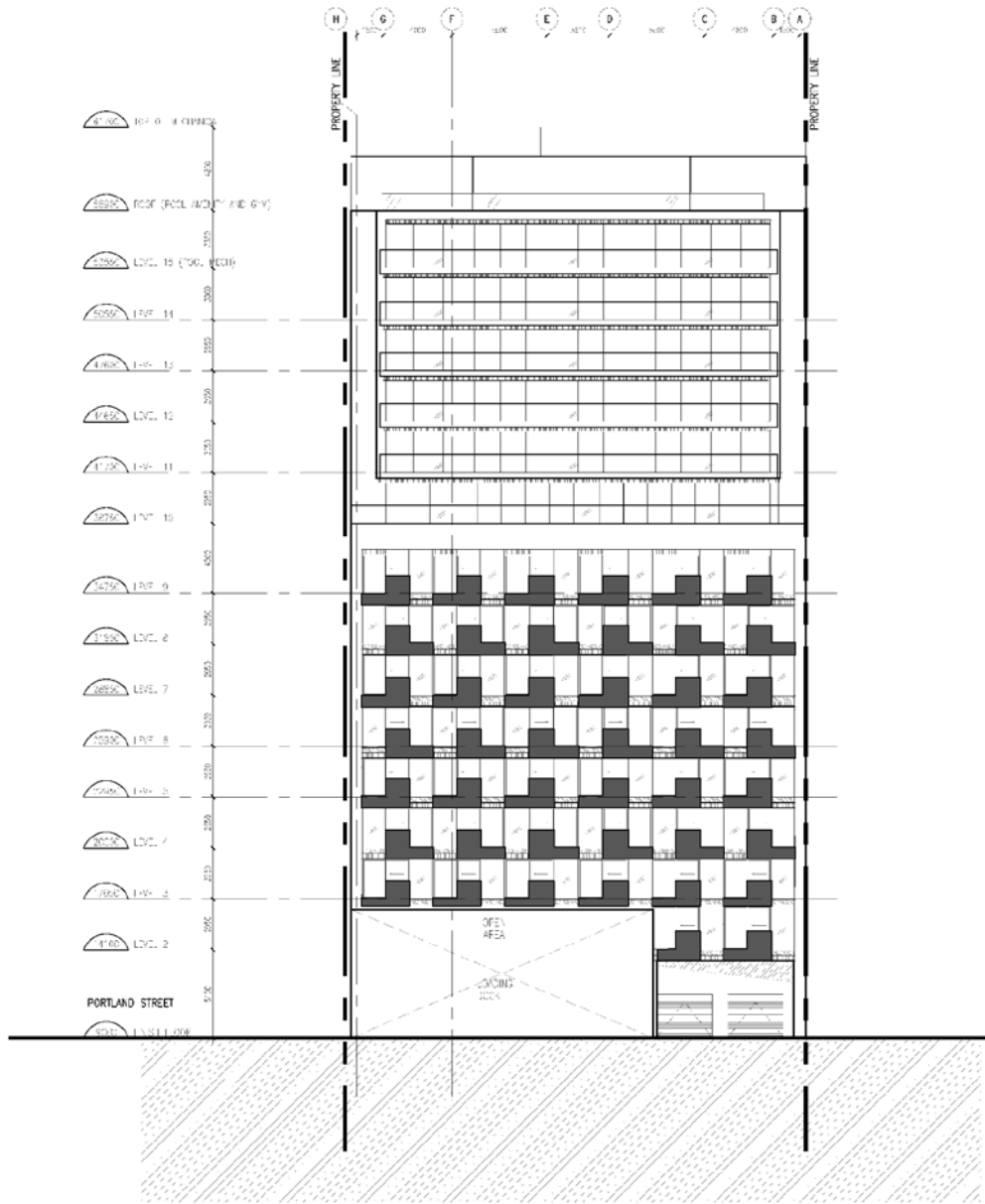
135-143 Portland Street

Applicant's Submitted Drawing

Not to Scale   
10/05/2017

File # 17 213544 STE 20 OZ

# Attachment 4: East Elevation



East Elevation

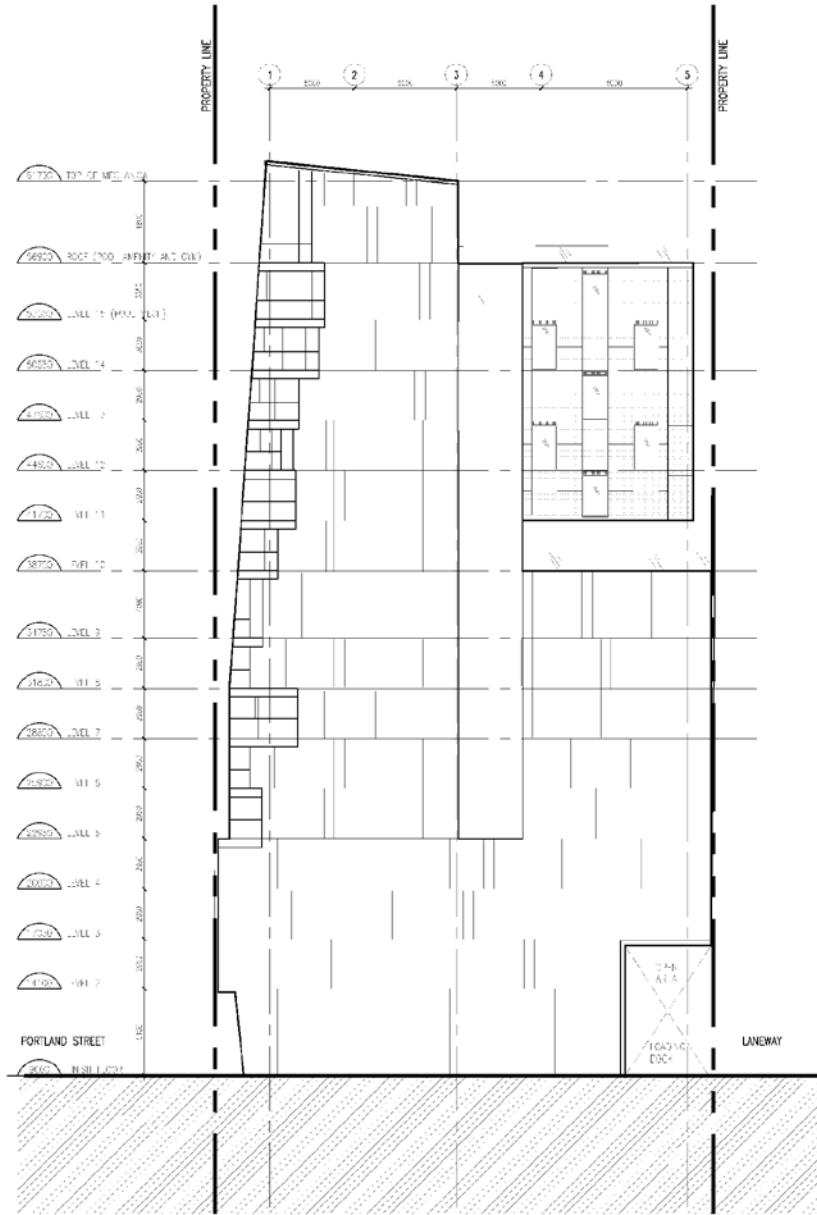
135-143 Portland Street

Applicant's Submitted Drawing

Not to Scale 

File # 17 213544 STE 20 OZ

## Attachment 5: South Elevation



**South Elevation**

**135-143 Portland Street**

Applicant's Submitted Drawing

Not to Scale 10/05/2017

File # 17 213544 STE 20 OZ

## Attachment 6: Zoning



**Zoning By-Law No. 569-2013**

**135-143 Portland Street**

**File # 17 213544 STE 20 0Z**



Location of Application



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

**CRE** Commercial Residential Employment    **OR** Open Space Recreation



Not to Scale  
Extracted: 10/25/2017

## Attachment 7: Application Data Sheet

Application Type	Rezoning	Application Number:	17 213544 STE 20 OZ
Details	Rezoning, Standard	Application Date:	August 9, 2017
Municipal Address:	135 PORTLAND ST		
Location Description:	PLAN 64 PT LOT 8 **GRID S2012		
Project Description:	Proposed 16-storey building with approximately 244 square metres of retail uses on the ground floor and 117 residential units above. The facade of 143 Portland Street is proposed to be retained while all other existing buildings on the site would be demolished. The proposal would contain 122 bicycle parking spaces and 24 vehicle parking spaces in three underground levels.		

<b>Applicant:</b>	<b>Agent:</b>	<b>Architect:</b>	<b>Owner:</b>
Walker Nott Dragicevic Associates Ltd.		Quadrangle Architects Ltd.	ADI Development (Portland) Inc.

### PLANNING CONTROLS

Official Plan Designation:	Regeneration Areas	Site Specific Provision:	
Zoning:	CRE (x76)	Historical Status:	Yes
Height Limit (m):	23	Site Plan Control Area:	Yes

### PROJECT INFORMATION

Site Area (sq. m):	783	Height:	Storeys:	16	
Frontage (m):	26.63		Metres:	47.9	
Depth (m):	29.37				
Total Ground Floor Area (sq. m):	603				<b>Total</b>
Total Residential GFA (sq. m):	9216		Parking Spaces:	24	
Total Non-Residential GFA (sq. m):	243		Loading Docks	1	
Total GFA (sq. m):	9216				
Lot Coverage Ratio (%):	77				
Floor Space Index:	12.1				

### DWELLING UNITS

### FLOOR AREA BREAKDOWN (upon project completion)

			Above Grade	Below Grade
Tenure Type:	Condo			
Rooms:	0	Residential GFA (sq. m):	9216	0
Bachelor:	20	Retail GFA (sq. m):	243	0
1 Bedroom:	42	Office GFA (sq. m):	0	0
2 Bedroom:	45	Industrial GFA (sq. m):	0	0
3 + Bedroom:	10	Institutional/Other GFA (sq. m):	0	0
Total Units:	117			

<b>CONTACT:</b>	<b>PLANNER NAME:</b>	<b>Paul Johnson, Planner</b>
	<b>TELEPHONE:</b>	<b>416-397-0259</b>