

245-285 Queen Street East, 348-410 Richmond Street East, 88-106 Ontario Street and 8-12 Brigden Place – Official Plan Amendment, Zoning By-law Amendment and Rental Housing Demolition Applications – Request for Direction Report

Date:	May 29, 2018
To:	Toronto and East York Community Council
From:	Acting Director, Community Planning, Toronto and East York District
Wards:	Ward 28 – Toronto Centre-Rosedale
Reference Number:	16 118638 STE 28 OZ 17 160339 STE 28 RH

SUMMARY

The purpose of this report is to request direction from City Council on the pending Local Planning Appeal Tribunal (LPAT) hearing on the revised application for an Official Plan and Zoning By-law amendment at the site bordered by Queen Street East to the north, Ontario Street to the east, Richmond Street East to the south and McFarrens Lane to the west. The application proposes to permit a mixed-use redevelopment consisting of three towers of 24, 28 and 37 storeys with base building heights ranging from 3 to 5 storeys, along with building components that are 12 storeys. The revised application consists of: 1,468 residential dwelling units (of which 52 are replacement rental units, and 24 are live/work units), 124 hotel rooms, 54,702 square metres of non-residential gross floor area; 1,687 bicycle parking spaces; and 821 vehicular parking spaces within a 4-level underground garage.

The application proposes to incorporate Brigden Place Lane and an unnamed north-south lane, both City-owned public lanes as part of the redevelopment where the underground garage is to encroach underneath the lands.



The application was revised in March 2018 and represents an improvement from the original submission submitted in February 2016 and a first revised proposal submitted in December 2016. However, the current proposal's massing and height still do not fit within the existing built form context of the King-Parliament area. Other outstanding issues include the area of the proposed retail spaces, appropriate heritage conservation measures, and outstanding traffic and functional servicing matters.

The proposed development is not consistent with the Provincial Policy Statement (2014) and does not conform with the Growth Plan for the Greater Golden Horseshoe (2017).

On November 15, 2017, the Official Plan and Zoning By-law amendment application was appealed to the LPAT by the applicant pursuant to Sections 22(7) and 24(11) of the *Planning Act* due to the City not making a decision within 180 and 120 days of the Official Plan amendment and Zoning By-law amendment submission respectively. It is recommended that the City oppose the application in its revised form at the LPAT. It is also recommended that staff continue discussions with the applicant to achieve revisions to the proposal that address the issues identified in this report.

A Rental Housing Demolition and Conversion application, file no. 17 160339 STE 28 RH, was submitted under Section 111 of the *City of Toronto Act* to demolish all 58 rental housing units on-site pursuant to Chapter 667 of the Toronto Municipal Code. There are 56 rental units contained in the 5-storey, mixed-use building at 90 Ontario Street, including existing live/work uses. There are 2 rental units contained in the 2-storey mixed-use building at 265 Queen Street East. The Rental Housing Demolition and Conversion application was reviewed concurrently with the Official Plan and Zoning By-law amendment application. The City's decision on the Rental Demolition and Conversion application is not appealable to the LPAT.

RECOMMENDATIONS

The City Planning Division recommends that:

1. City Council authorize the City Solicitor, together with City Planning staff and other appropriate staff, to oppose the Official Plan amendment and Zoning By-law amendment application for 245-285 Queen Street East, 348-410 Richmond Street East, 88-116 Ontario Street and 8-12 Brigden Place (file no. 16 118638 STE 28 OZ), and attend any Local Planning Appeal Tribunal (LPAT) hearings in opposition to such appeal, and retain such experts as the City Solicitor may determine are appropriate, for the following reasons:
 - i. The proposal is inconsistent with the Provincial Policy Statement (2014) as it does not promote a well-designed built form which appropriately conserves the built heritage resources that help define the character of the surrounding area;
 - ii. The proposal does not conform to the Growth Plan (2017) as it does not appropriately conserve the built heritage resources on-site, does not result in the

desired urban structure and does not result in an appropriate scale of development and transition of built form to adjacent areas; and,

- iii. The proposal does not conform to the Official Plan and King-Parliament Secondary Plan as it does not appropriately address built form and heritage conservation policies.
2. City Council authorize City staff to continue discussions with the applicant on a revised proposal, including a settlement at the Local Planning Appeal Tribunal (LPAT), which addresses the issues set out in this report, including:
 - i. Conformity to the Provincial Policy Statement (2014) and Growth Plan (2017);
 - ii. Reducing the proposed height and massing of the development; and,
 - iii. Appropriate heritage conservation measures.
 3. In the event the Local Planning Appeal Tribunal (LPAT) allows the appeal in whole or in part, the conveyances of the City-owned Brigden Place Lane and the unnamed laneway west of Ontario Street and north of Richmond Street East to the owner be finalized to the satisfaction of the General Manager, Transportation Services.
 4. In the event the Local Planning Appeal Tribunal (LPAT) allows the appeal, City Council authorize City staff to advise the Local Planning Appeal Tribunal (LPAT) of City Council's position that any redevelopment of the lands must also include the full replacement of the 58 existing rental dwelling units and a Tenant Relocation and Assistance Plan, including the right of tenants to return to the new rental units in accordance with the Official Plan, to the satisfaction of the Chief Planner and Executive Director, City Planning Division.
 5. City Council defer making a decision on the application under Chapter 667 of the Toronto Municipal Code pursuant to Section 111 of the City of Toronto Act to demolish the 58 existing residential rental dwelling units at 90 Ontario Street and 263-265 Queen Street East (file no. 17 160339 STE 28 RH), until such time as a decision is made on the Official Plan and Zoning By-law amendment application and a Tenant Consultation meeting has been held.
 6. In the event the Local Planning Appeal Tribunal (LPAT) allows the appeal in whole or in part, the full on-site parkland dedication pursuant to Section 42 of the Planning Act be required by City Council to be conveyed and constructed to base-park condition at no cost to the City, all to the satisfaction of the General Manager, Parks, Forestry and Recreation.
 7. In the event the Local Planning Appeal Tribunal (LPAT) allows the appeal in whole or in part, City Council approve a development charge credit against the Parks and Recreation

component of the Development Charges for the design and construction by the owner of the Above Base Park Improvements to the satisfaction of the General Manager, Parks, Forestry and Recreation. The development charge credit shall be in an amount that is the lesser of the cost to the owner of designing and constructing the Above Base Park Improvements, as approved by the General Manager, Parks, Forestry and Recreation, and the Parks and Recreation component of development charges payable for the development in accordance with the City's Development Charges By-law, as may be amended from time to time.

8. In the event the Local Planning Appeal Tribunal (LPAT) allows the appeal in whole or in part, City Council direct the City Solicitor to request the Local Planning Appeal Tribunal (LPAT) to withhold the issuance of any Orders approving the Official Plan and Zoning By-law amendment until:
 - i. The owner has provided draft by-laws to the Local Planning Appeal Tribunal (LPAT) in a form and with content satisfactory to the Acting Director, Community Planning, Toronto and East York District and the City Solicitor, which will include securing tenant assistance, replacement rental dwelling units, rents and any other rental related matters;
 - ii. The owner has provided a revised functional servicing report and a revised hydrogeological report, such reports to be reviewed to the satisfaction of the Chief Engineer and Executive Director, Engineering and Construction Services;
 - iii. The owner has satisfied the requirements of the Toronto Transit Commission in regards to Toronto Transit Commission infrastructure, to the satisfaction of the Development Coordinator, Toronto Transit Commission;
 - iv. The owner has provided an Archaeological Monitoring and Mitigation Strategy to the satisfaction of the Director, Urban Design, City Planning;
 - v. City Council has dealt with the Rental Housing Demolition Application (file no. 17 160339 STE 28 RH) under Chapter 667 of the Toronto Municipal Code to demolish 58 existing rental dwelling units at 90 Ontario Street and 265 Queen Street East;
 - vi. The owner enters into an Agreement under Section 37 of the Planning Act to secure appropriate services, facilities, and/or matters pursuant to Section 37 of the Planning Act as may be required by the Chief Planner and Executive Director, City Planning Division, in consultation with the Ward Councillor; and,
 - vii. The following matters are also recommended to be secured for the development in the Section 37 Agreement as a legal convenience:
 - a) The requirement to construct the Above Base Park improvements;

- b) Securing the proposed north-south walkway as a privately owned publicly accessible walkway; and,
 - c) Any conditions of a Council approved Section 111 permit and any associated conditions related to the permit.
9. City Council authorize the City Solicitor and other City staff to take any necessary steps to implement the foregoing.

Financial Impact

The recommendations in this report have no financial impact.

DECISION HISTORY

A Preliminary Report on the previous proposal on the subject site was adopted by Toronto and East York Community Council on May 10, 2016 authorizing staff to conduct a community consultation meeting with an expanded notification area. The report indicated the proposal did not conform to the overall policy direction of the King-Parliament Secondary Plan. The decision document can be accessed at:

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2016.TE16.38>

The properties at 90 Ontario Street, 245 Queen Street East and 384 and 410 Richmond Street East are subject to an Intention to Designate, adopted by City Council on November 8, 2016: <http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2016.TE19.18>

The properties at 263 and 265 Queen Street East are designated under Part IV of the Ontario Heritage Act by By-law No. 990-2015, enacted by City Council on October 2, 2015: <https://www.toronto.ca/legdocs/bylaws/2015/law0990.pdf>

ISSUE BACKGROUND

Original Proposal

The original proposal contemplated redevelopment of the site for a mixture of residential and retail uses within 3 towers on top of 2 base buildings. A weather protected, privately owned publicly accessible walkway that serves as a mid-block north-south pedestrian connection separated the proposal into two building blocks. The mid-block connection was enlarged in the middle of the site to serve as an open space, referred to as the 'Urban Room' by the applicant.

The western building block consisted of the first two towers of 39 and 45 storeys (151.5 and 169.8 metres including the mechanical penthouse respectively), referred to as "Tower A" and "Tower B" by the applicant, on top of a shared base building that fronted on Queen Street East, McFarrens Lane, Richmond Street East and the mid-block connection. The base building along Queen Street East was 3-storeys (14.6 metres), with a 3 metre stepback on the 4th storey, and a 16.6 metre stepback on the 5th storey up to the 11th storey. The building façade of 263-265

Queen Street East was proposed to be incorporated as part of the development. Retail space was proposed on the first 3 storeys.

The eastern block consisted of the third tower of 39 storeys (151.5 metres including the mechanical penthouse) referred to as "Tower C" by the applicant, on top of a base building that fronted on Queen Street East, Ontario Street, Richmond Street East and the mid-block connection. The massing of the base building followed the general conditions of the western base building by providing a 3-storey streetwall along Queen Street East, with a step back on the 4th storey and 5th storey. The building facades of 410-412 Richmond Street East, 78-82 Ontario Street and 90-98 Ontario Street were proposed to be incorporated as part of the development. Retail space was proposed on the first 3 storeys.

Revised Proposal No. 1

In December, 2016, a revised application was submitted that removed the property at 78-84 Ontario Street and 412 Richmond Street East. Key revisions contemplated were:

- An increase in total gross floor area from 153,159 square metres to 179,763 square metres;
- An increase in residential gross floor area from 121,581 square metres to 130,797 square metres, resulting in an increase of 1,645 to 1,820 units;
- Inclusion of office gross floor area of 14,951 square metres;
- Inclusion of hotel gross floor area of 9,894 square metres resulting in 150 suites;
- A reduction in retail gross floor area from 31,578 square metres to 19,251 square metres; and,
- Increases in the tower heights from 39, 45 and 39 storeys to 47, 52 and 56 storeys respectively.

Current Proposal

Since May 2017, City staff have worked with the applicant on revising the proposal to address the outstanding issues identified in the Preliminary Report, including: reducing the overall tower heights; providing parkland on-site; and accommodating appropriate considerations to the existing heritage buildings, among other matters.

The current proposal continues to contemplate 3 tower forms and the mixture of land uses, but in a different configuration and massing in contrast to the previous proposal.

The proposal now contemplates the following:

- Building A – an L-shaped 28-storey building (102.1 metres including the mechanical penthouse) with an approximate floor plate of 2,850 square metres (from the 6th storey) on the west side of the site which incorporates the north façade of the heritage building at 245 Queen Street East into a new base building that ranges between 2 storeys (13.0 metres) to 5 storeys (27.6 metres);

- Building B – a 24-storey building (89.8 metres including the mechanical penthouse) with an approximate floor plate of 1,960 square metres (from the 6th storey) on the northeast side of the site which incorporates the north facades of the heritage buildings at 263 and 265 Queen Street East into a base building of 2 storeys (13.1 metres) to 5 storeys (27.6 metres), including two 12-storey massing components (49.6 metres); and,
- Building C – a 37-storey building (128.1 metres including the mechanical penthouse) with an approximate floor plate of 1,140 square metres (from the 5th storey) on the southeast side of the site, on top of the heritage buildings at 90 Ontario Street, 384 and 410 Richmond Street East (refer to Attachment Nos. 2-5: Elevations and Attachment No. 6: Axonometric Views)

An on-site parkland dedication of 1,400 square metres on the north side of the site is proposed, connected to the east to Ontario Street by a private driveway and a proposed Privately-Owned Publicly Accessible Space (POPS) walkway to the south to Richmond Street East (refer to Attachment 1: Site Plan).

Loading accesses are proposed along McFarrens Lane for Building A, comprising of: 3 Type 'B'; 1 Type 'G'; and 2 Type 'C' spaces. Loading accesses for both Building B and Building C are proposed along the private driveway via Ontario Street. Loading spaces for Building B comprise of: 2 Type 'B'; 1 Type 'G'; and 2 Type 'C' spaces. Loading spaces for Building C comprise of: 1 Type 'B'; 1 Type 'G'; and 2 Type 'C' spaces. A total of 821 vehicular parking spaces are proposed, comprising of 510 residential spaces and 311 non-residential spaces within a 4-level underground garage (refer to Attachment 11: Application Data Sheet).

The details of the three submissions are identified in the following table:

	February 19, 2016 Submission	December 23, 2016 Submission	March 27, 2018 Submission
Site Area (sq.m.)	15,244	14,925	14,925
Floor Space Index	10.1	12.1	10.6
Breakdown of Gross Floor Area (sq.m.)			
Residential	121,563	48,966	103,572
Retail	31,578	19,251	14,815
Office	0	14,951	32,803
Hotel	0	9,894	7,084
Total	153,141	179,763	158,274

Breakdown of Residential Units			
Live/work	0	0	24
Bachelor	0	0	20
1-Bedroom	1,172	1,275	942
2-Bedroom	304	329	329
3-Bedroom	169	216	153
Total	1,645	1,820	1,468
Residential Amenity Space (sq.m. per unit)			
Indoor	2.3 (3,823 m ²)	2.0 (3,640 m ²)	2.0 (2,936 m ²)
Outdoor	2.1 (3,439 m ²)	2.0 (3,640 m ²)	2.2 (3,230 m ²)
Car Parking Spaces	1,082	1,131	821
Bicycle Parking Spaces	2,010	2,426	1,687
Tower Heights (m.)	152, 170 and 152	162, 177, 189	102, 90 and 128
Tower Floor Plates (sq.m.)	850, 850, 850	850, 850, 850	2,850, 1,960, 1,140
Parkland (sq.m.)	0	0	1,400
Heritage Conservation	Façade retention and demolition of heritage buildings	Façade retention and demolition of heritage buildings	Facade retention and reconstruction of heritage buildings

Site and Surrounding Area

The site is a rectangular sized parcel with frontage on Queen Street East to the north, Ontario Street to the east, Richmond Street East to the south, and McFarrens Lane to the west. The site consists of various properties. Along Queen Street East are:

- 245-251 Queen Street East – a 2-storey commercial office building designated under Part IV of the *Ontario Heritage Act*, and surface parking lot;
- 257 Queen Street East – a 2-storey auto collision centre;

- 261 Queen Street East – a 1-storey auto repair facility;
- 263 and 265 Queen Street East – a 2-storey mixed use building designated under Part IV of the *Ontario Heritage Act*;
- 267-281 Queen Street East – a surface parking lot; and,
- 285 Queen Street East – a 1-storey auto repair facility.

Along Ontario Street are:

- 106 Ontario Street – a 1-storey industrial building; and,
- 90 Ontario Street – a 3 to 5-storey mixed use building designated under Part IV of the *Ontario Heritage Act*; and

Along Richmond Street East are:

- 410 Richmond Street East – a 5-storey warehouse building designated under Part IV of the *Ontario Heritage Act*;
- 384 Richmond Street East – a 4 to 5-storey warehouse building designated under Part IV of the *Ontario Heritage Act*;
- 360 Richmond Street East – a surface parking lot; and,
- 348-354 Richmond Street East – a 2-storey motor vehicle dealership facility.

The site also includes Brigden Place Lane, an east-west City-owned public laneway that connects to Ontario Street to the east and the unnamed north-south City-owned public laneway to the west. The north-south laneway, in turn, connects to Richmond Street East to the south. A 2-storey warehouse building at 8-12 Brigden Place Lane fronts on the laneway.

There are 58 rental dwelling units currently at 90 Ontario Street and 263-265 Queen Street East.

The surrounding uses are as follows:

North: On the north side of Queen Street East are 216 – 232 Queen Street East – 3-storey mixed-use buildings listed in the City's Heritage Register; 234 – 242 Queen Street East – 3-storey mixed-use buildings designated under Part IV of the *Ontario Heritage Act* by By-law 762-89 and included in the City's Heritage Register; 244 – 252 Queen Street East – 2 and 3 storey mixed-use buildings; Seaton Street, and the Moss Park Apartments comprising of three 15-storey residential buildings and an open space area. Further northwest, across Sherbourne Street is Moss Park and the John Innes Community Recreation Centre.

East: 78 Ontario Street – a 2 to 3-storey commercial building that is subject to an Intention to Designate under Part IV of the *Ontario Heritage Act*. On the east side of Ontario Street are 291 Queen Street East – a 3-storey mixed use building; 107 and 111 Ontario Street – two 1-storey auto repair facilities; 101

Ontario Street – a 9-storey residential building; a surface parking lot; and 79-81 Ontario Street – two semi-detached residential buildings.

South: On the south side of Richmond Street East are 411 Richmond Street East – a 3-storey brick commercial/industrial building that is designated under Part IV of the *Ontario Heritage Act* by By-law 352-83 and included in the City's Heritage Register; 381-387 Richmond Street East – a 2-storey office/industrial building; and 323 Richmond Street East – a 14-storey residential building with retail at grade.

West: On the west side of McFarrens Lane are 235 Queen Street East – a 1-storey retail building; 237 Queen Street East - the 3-storey Andrew McFarren building designated under Part IV of the *Ontario Heritage Act* by By-law 989-2015 and also included in the City's Heritage Register; and 320 Richmond Street East – a 17-storey residential building with retail at grade.

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, including: 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, historical, archaeological or scientific interest; the appropriate location of growth and development; and the promotion of a built form that is well designed, encourages a sense of place, and provides for public spaces that are of high quality, safe, accessible, attractive and vibrant.

Provincial Policy Statements and geographically specific Provincial Plans, along with municipal Official Plans, provide a policy framework for planning and development in the Province. This framework is implemented through a range of land use controls such as zoning by-laws, plans of subdivision and site 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; 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;

- Conserving significant built heritage resources and significant cultural heritage landscapes; and,
- Ensuring development and site alteration adjacent to protected heritage properties are evaluated to ensure that the heritage attributes are conserved.

The provincial policy-led planning system recognizes and addresses the complex inter-relationships among environmental, economic and social factors in land use planning. The PPS supports a comprehensive, integrated and long-term approach to planning, and recognizes linkages among policy areas.

The PPS is issued under Section 3 of the *Planning Act* and all decisions of Council in respect of the exercise of any authority that affects a planning matter shall be consistent with the PPS. Comments, submissions or advice affecting a planning matter that are provided by Council shall also be consistent with the PPS.

The PPS is more than a set of individual policies. It is to be read in its entirety and the relevant policies are to be applied to each situation.

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") provides a strategic framework for managing growth and environmental protection in the Greater Golden Horseshoe region, of which the City forms an integral part, including:

- Establishing minimum density targets within strategic growth 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.

The Growth Plan builds upon the policy foundation provided by the PPS 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.

In accordance with Section 3 of the *Planning Act* all decisions of Council in respect of the exercise of any authority that affects a planning matter shall conform with the Growth Plan. Comments, submissions or advice affecting a planning matter that are provided by Council shall also conform with the Growth Plan.

Provincial Plans are intended to be read in their entirety and relevant policies are to be applied to each situation. The policies of the Plans represent minimum standards. Council may go beyond these minimum standards to address matters of local importance, unless doing so would conflict with any policies of the Plans.

All decisions of Council in respect of the exercise of any authority that affects a planning matter shall be consistent with the PPS and shall conform with Provincial Plans. All comments, submissions or advice affecting a planning matter that are provided by Council shall also be consistent with the PPS and conform with Provincial Plans.

Policy 5.1 of the Growth Plan states that where a municipality must decide on a planning matter before its official plan has been amended to conform with this Plan, or before other applicable planning instruments have been updated accordingly, it must still consider the impact of its decision as it relates to the policies of the Growth Plan which require comprehensive municipal implementation.

Staff have reviewed the proposed development for consistency with the PPS and for conformity with the Growth Plan. The outcome of staff analysis and review are summarized in the Comments section of the Report.

Official Plan

This application has been reviewed against the policies of the City of Toronto Official Plan and the King-Parliament Secondary Plan as follows:

Chapter 2 – Shaping the City

The subject site is within the *Downtown and Central Waterfront* on Map 2 of the Official Plan. Section 2.2.1 Downtown: the Heart of Toronto: The Official Plan states the *Downtown* is a growth area and will continue to evolve as a healthy and attractive place to live and work. However, growth is not envisioned to spread uniformly throughout. Policy 6 of Section 2.2.1 indicates that specific districts in the *Downtown* with historic and distinct character shall have guidelines to ensure development respect the context of such districts. The City has implemented this policy through the adoption of the King-Parliament Urban Design Guidelines as discussed later in this report.

Chapter 3 - Building a Successful City

Section 3.1.2 Built Form: The Official Plan states that architects and developers have a civic responsibility to create buildings that not only meet the needs of their clients, tenants and customers, but also the needs of the people who live and work in the area. New development in Toronto will be located and organized to fit with its existing and/or planned context. It will do this by generally locating buildings parallel to the street or along the edge of a park or open space, acknowledge the prominence of corner sites, locate entrances so they are clearly visible and provide ground floor uses that have views into and access from the streets. New development will also locate and organize vehicle parking and vehicular access to minimize their impacts on the public realm. Furthermore, new development will create appropriate transitions in scale to neighbouring existing and/or planned buildings, limit shadowing on streets, properties and open spaces, and minimize any additional shadowing and uncomfortable wind conditions on neighbouring parks as necessary to preserve their utility.

In addition to the policies identified above, new development will also be massed to define the edge of streets, parks and open spaces to ensure adequate access to sky views for the proposed and future uses. New development will provide public amenity, and enhance the public realm through improvements to adjacent boulevards and sidewalks through tree plantings.

Section 3.1.3 Built Form – Tall Buildings: The Official Plan states tall buildings are desirable in the right places but they don't belong everywhere. When poorly designed they can physically and visually overwhelm streets, parks and neighbourhoods. Policy 2 requires tall building proposals to address key urban design considerations that include: demonstrating how the proposed building and site design will contribute to and reinforce the overall City structure; taking into account the relationship of the site to the topography and other tall buildings; and providing high quality, comfortable and usable publicly accessible open space areas.

Section 3.1.5 Heritage Conservation: The Official Plan provides the policy framework and directions for conservation in conjunction with development in the City. Policy 4 indicates properties on the Heritage Register will be conserved and maintained. Policy 5 indicates proposed alterations or development on or adjacent to a property on the Heritage Register will ensure the integrity of the heritage property's cultural heritage value and attributes will be retained. Policy 6 encourages the adaptive re-use of properties on the Heritage Register. Policy 26 requires new construction on, or adjacent to a property on the Heritage Register be designed to conserve the cultural heritage values, attributes and character of the property and to mitigate the visual and physical impact on it, including consideration such as scale, massing, materials, height, building orientation and location relative to the heritage property. Policy 27 encourages the conservation of whole buildings and structures on the Heritage Register.

Section 3.2.1 Housing: The Official Plan include policies that encourage the provision of a full range of housing, in terms of form, tenure and affordability, and the protection of rental housing units. Policy 6 states that new development that would result in the loss of six or more rental housing units will not be approved unless all of rental housing units have rents that exceed mid-

range rents at the time of application, or in cases where planning approvals other than site plan are sought, the following secured:

- At least the same number, size and type of rental housing units are replaced and maintained with similar rents to those in effect at the time the redevelopment application was 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 rental units at similar rent, the provision of alternative accommodation at similar rents and other assistance to lessen the hardship of relocation.

Section 3.2.3 Parks and Open Spaces: The Official Plan provides direction on the need for parks and open spaces. Policy 1 indicates adding new parks in growth areas will be a necessary element of city building.

Chapter 4 – Land Use Designations

The subject site is designated *Regeneration Areas* on Map 18 of the Official Plan. Section 4.7 indicates *Regeneration Areas* are unique areas of the City where a mixture of uses is encouraged and where strategies and a framework for development shall be “tailor-made” based on the specific policies of the Secondary Plan (refer to Attachment 7: Official Plan).

Chapter 5 – Implementation: Making Things Happen

Section 5.6 Interpretation: The Official Plan provides guidance on the understanding and interpretation of the Plan. Policy 1 indicates the Official Plan should be read as a whole to understand its comprehensive and integrative intent as a policy framework for priority setting and decision making.

The City of Toronto Official Plan can be accessed at:

<https://www.toronto.ca/city-government/planning-development/official-plan-guidelines/official-plan/>

Official Plan Amendment 231

Official Plan Amendment (OPA) 231, an amendment to the City’s economic health and employment lands policies, was approved by City Council on December 18th, 2013, and subsequently approved, with minor modifications, by the Minister of Municipal Affairs and Housing (MMAH) in July 2014. Various appeals have been submitted to the LPAT from MMAH's decision. OPA 231 amends Section 3.5.1 of the Official Plan by adding Policy 9, which requires office space in residential redevelopment be maintained or increased, where there is currently a minimum 1,000 square metres of office space on-site. *Planning Act* applications submitted after approval of OPA 231 by the Province shall meet the intent of both City Council’s

and the Province's direction. The applicant has not appealed OPA 2031 and the proposal currently contains over 1,000 square metres of office space on-site.

Chapter 6 – King-Parliament Secondary Plan

The site is within the boundary of the King-Parliament Secondary Plan. The main objective of the Secondary Plan is to encourage reinvestment in the area for a mixture of uses that reinforces the historic built form and public realm, while ensuring growth is mutually compatible and complement to the existing built form character and scale of the area.

The portion of the site fronting on Queen Street East is designated *Mixed Use Area 'D'* (Queen Street) on Map 15-1 – Land Use Plan. Lands designated *Mixed Use Area 'D'* consists of a wide range of low-rise building types, where a mixture of street-related retail, residential and institutional uses are permitted. The portion of the site fronting on Ontario Street, Richmond Street East and Brigden Place is designated *Regeneration Area 'A'* (Jarvis-Parliament) on Map 15-1 – Land Use Plan. Lands designated *Regeneration Area 'A'* are targeted for significant growth as a whole, having a mixture of compatible land uses within new and existing buildings (refer to Attachment 8: King-Parliament Secondary Plan – Land Use).

The built form policies of the Official Plan are further refined in Section 3 – “Urban Structure and Built Form” of the Secondary Plan. New development shall: provide adequate light, view and privacy to neighbouring properties; achieve a compatible relationship with its built form through height, massing, scale, setbacks, roof line, and profile and architectural character and expression; provide appropriate proportional relationships to adjacent streets to minimize wind and shadowing impacts; and provide streetscape and open space improvements.

Policy direction on heritage conservation are provided in Section 4 – “Heritage and Community Improvement” of the Secondary Plan. Heritage buildings are identified as essential elements of the physical character in the King-Parliament area. New buildings should achieve a compatible relationship with heritage buildings in their context through consideration of such matters as building height, massing, scale, setbacks, roof line and profile and architectural character and expression.

This application was reviewed against all policies of the Secondary Plan, which can be accessed at:

<https://www.toronto.ca/wp-content/uploads/2017/11/9063-cp-official-plan-SP-15-KingParliament.pdf>

TOcore: Planning Downtown

At its May 1, 2018 meeting, Planning and Growth Management (PGM) Committee held a Special Public Meeting pursuant to Section 26 of the *Planning Act* and adopted a staff report entitled 'TOcore: Downtown Plan Official Plan Amendment', as amended, that recommended adoption of the Downtown Plan Official Plan Amendment (OPA). The recommended OPA includes amendments to Section 2.2.1 and Map 6 of the Official Plan, as well as a new Downtown Plan. Future amendments to existing Secondary Plans and Site and Area Specific

Policies located within the Downtown area are recommended to be implemented once the OPA comes into force and effect. The Committee's recommendations have been submitted for City Council consideration at its May 23-25, 2018 meeting and can be accessed here: <http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2018.PG29.4>.

The Committee also directed staff to meet as appropriate with deputants and report directly to City Council with any further recommendations.

This recommended OPA – in conjunction with the associated infrastructure strategies that address water, energy, mobility, parks and public realm and community services and facilities that were also adopted as separate items at the same Committee meeting – is the result of a three-year study called TOcore: Planning Downtown. The TOcore study area is generally 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 to the east.

After a decade of unprecedented growth and development that has transformed Downtown into one of Canada's most desirable places to live and work, an updated planning framework is required to ensure that growth and the timely provision of infrastructure is addressed so that Downtown remains liveable and economically competitive. The Downtown Plan serves as a blueprint for future growth and infrastructure in the heart of Toronto over the next 25 years. It provides detailed direction on the appropriate scale and location of future growth. It also links this growth with infrastructure provision to ensure the creation of 'Complete Communities', addressing the requirements under the PPS and the Growth Plan.

As part of the City of Toronto's Five Year Official Plan Review under Section 26 of the *Planning Act*, the Downtown Plan Official Plan Amendment (OPA) is a component of the work program to bring the Official Plan into conformity with the Growth Plan. The OPA is consistent with the Provincial Policy Statement (2014), conforms to the Growth Plan and has regard to matters of provincial interest under Section 2 of the *Planning Act*. It will be submitted to the Minister of Municipal Affairs for approval pursuant to Section 26 of the *Planning Act*.

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 the Downtown Plan Official Plan Amendment. At that meeting, Council directed Staff to consider the policies contained with the Proposed Downtown Plan in the review of all development applications within the Downtown going forward. This direction was reiterated by PGM Committee at its May 1, 2018 meeting, with a recommendation that City

Council direct the Chief Planner and Executive Director, City Planning to use the Downtown Plan policies to inform evaluation of current and future development applications in the Downtown Plan area while the OPA is under consideration by the Minister of Municipal Affairs.

Further background information can be found at www.toronto.ca/tocore.

Zoning

Under Zoning By-law 438-86, the properties fronting on Queen Street East (245-285 Queen Street East) are zoned MCR T3.0 “Mainstreet Commercial Residential”, with a height limit of 16 metres. This zone permits a range of uses including residential, retail, and offices. The maximum density is 3 times the lot area. The area under the MCR zone is subject to certain permission and exception provisions, including: a base building height of 16 metres with a subsequent angular plane of 44 degrees along Queen Street East; and a maximum gross floor area of 8,000 square metres for a single retail use.

The remainder of the site is zoned RA “Reinvestment Area”, with a height limit of 30 metres for the properties at 348-354 Richmond Street East and 26 metres for the properties at 360-410 Richmond Street East, 8-12 Brigden Place, and 88-106 Ontario Street. The RA zoning was developed to implement the King-Parliament Secondary Plan. A mixture of uses including residential, retail, office and manufacturing uses are permitted. The RA zone is subject to certain permission and exception provisions, including: a base building height of 20 metres with a subsequent step back of 3 metres along Richmond Street East and Ontario Street; and a maximum gross floor area of 8,000 square metres for a single retail use.

On May 9, 2013, City Council enacted city-wide Zoning By-law 569-2013. *Planning Act* applications submitted after May 9, 2013 are subject to the new Zoning By-law. The north portion of the site fronting on Queen Street East is zoned CR 3.0 (c3.0; r3.0) SS2 (x2104). The remainder of the site is zoned CRE (x41) and CRE (x32). The height limits, range of uses, and site specific permission and exception provisions are carried over from Zoning By-law 438-86 (refer to Attachment 10: Zoning).

King-Parliament Urban Design Guidelines

The King-Parliament Urban Design Guidelines provides urban design direction to the policy intent of the King-Parliament Secondary Plan. A north-south mid-block connection that connects Queen Street East to Richmond Street East is identified for the site (refer to Attachment 9: King-Parliament Secondary Plan – Urban Structure).

This application was reviewed against the King-Parliament Urban Design Guidelines, which can be accessed at:

<https://www.toronto.ca/wp-content/uploads/2017/08/8fde-Toronto-Urban-Design-Guidelines-King-Parliament.pdf>

City-wide Tall Building Design Guidelines

City Council has adopted city-wide Tall Building Design Guidelines and directed City Planning staff to use these Guidelines in the evaluation of 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.

Policy 1 in Section 5.3.2 – ‘Implementation Plans and Strategies for City-Building’ of the Official Plan states Guidelines will be adopted to advance the vision, objectives, and policies of the Plan. Urban design guidelines specifically are intended to provide a more detailed framework for built form and public improvements in growth areas. The Tall Building Design Guidelines serve this policy intent, helping to implement Chapter 3.1 – ‘The Built Environment’ and other policies within the Official Plan related to the design and development of tall buildings in Toronto.

This application was reviewed against the city-wide Tall Building Design Guidelines, including sections on context analysis, fit and transition in scale, sunlight and sky view, views from the public realm, heritage properties and HCDs, floor plate size and shape, tower placement, separation distance, site servicing and access, pedestrian realm, publicly accessible open space, and sustainable design. The link to the guidelines can be accessed at: <https://www.toronto.ca/legdocs/mmis/2013/pg/bgrd/backgroundfile-57177.pdf>

Site Plan Control

The proposed development is subject to Site Plan Control. An application has not been submitted.

Rental Housing Demolition and Conversion 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 LPAT.

On May 15, 2017, the applicant made an application for a Section 111 permit pursuant to Chapter 667 of the City of Toronto Municipal Code. As per Chapter 667-14, a tenant consultation meeting will be held to review the impact of the proposal on tenants of the residential rental property and matters under Section 111 at 90 Ontario Street and 263-265 Queen Street East. City staff will be reviewing the submitted materials, including the Housing Issues Report, to evaluate the appropriateness of the rental replacement strategy and measures to mitigate hardship for tenants.

Reasons for Application

The proposal requires an amendment to the Official Plan and Zoning By-law. The overall built form of the proposal requires an amendment to the Official Plan as it does not conform to Policy 2.2 of the King-Parliament Secondary Plan that directs development be compatible and complement the existing built form character and scale of the area. The proposal also require an amendment to Policy 3.2.1.6 b) of the Official Plan to permit a rental replacement strategy that does not provide for the same size and type of the existing stock of rental units.

The proposal requires an amendment to the Zoning By-law to remove the current standards on: overall building height; base building height; building step backs; adherence to an angular plane along Queen Street East; maximum gross floor area for a single retail use; and minimum parking ratios, among others.

Community Consultation

Development Proposal Consultation Meetings

A community consultation meeting for the original application was held on May 30, 2016 at George Brown College at 200 King Street East. Approximately 100 members of the public attended, along with the Ward Councillor and City staff. Concerns raised at the meeting and through written submissions include the following:

- Built form is inconsistent with the character of the existing neighbourhood;
- Loss of adequate light and view for the east facing residential units at the condominium at 320 Richmond Street East;
- The need for affordable housing units;
- Increased traffic congestion on McFarrens lane;
- The demolition of buildings on-site that contain heritage value;
- The impact of a potential large scale retail store to the existing and future retailers in the area;
- Increased traffic noise; and,
- Safety concerns on the design of the proposed "Urban Room" and the pedestrian connections on-site.

A second community consultation meeting for the current proposal was held on April 30, 2018 at the John Innes Community Recreation Centre at 150 Sherbourne Street. Approximately 80

members of the public attended, along with the Ward Councillor and City staff. The meeting was set up as a round table format with specific themes for public members to comment on. Comments raised on the following themes include:

Land Uses

- The proposed mixture of uses was a positive step;
- Concerns with the viability of the hotel suites;
- The need for affordable housing units as part of the proposal;
- The percentage of 2 to 3 bedroom units should be increased to accommodate families; and,
- Concerns with the viability of the large retail spaces and whether it will serve the local neighbourhood.

Built Form

- The building setbacks along Queen Street East to help maintain the low-rise character of the corridor was appreciated;
- The massing and building heights needs to be reduced along Richmond Street East; and,
- The building separation between the east wall of the condominium at 320 Richmond Street East and the west wall of the proposed Building A needs to be increased as it will negatively impact residents' access to light and views.

Pedestrian Realm

- There was a general consensus that the on-site parkland is needed. However, many questioned the location and dimension of the proposed park, citing safety concerns;
- Concerns that the proposed massing will cast a shadow on the surrounding open spaces, including the proposed park and POPS spaces; and,
- The proposed sidewalks need to be widened in order to provide a better environment for pedestrians.

Heritage Conservation

- There was a general consensus that the proposed alteration to the heritage buildings on-site was a better step than the initial proposal; and,
- The interior spaces of the heritage buildings, in particular the brick and beam construction should be conserved as part of this proposal.

Other Concerns

- Increased traffic noise pollution in the area. In particular, there were many who expressed concerns with traffic congestion on McFarrens Lane;
- The displacement of existing residents at 90 Ontario Street and the loss of the existing units that are unique to the building;
- Compensation for the existing residents at 90 Ontario Street to relocate;
- The number and price of parking spaces; and,
- Increased wind impacts, in particular on McFarrens Lane.

Tenant Consultation Meeting

On November 30, 2017, City Planning staff hosted a Tenant Consultation meeting at 90 Ontario Street for tenants of 90 Ontario Street and 263-265 Queen Street East as required under the City's Rental Housing Demolition and Conversion By-law to review the City's housing policies, discuss the applicant's replacement rental proposal and outline the components of a typical Tenant Relocation and Assistance Plan. The meeting concluded with a question and answer period. The meeting was attended by approximately 40 tenant households, City Planning staff and the applicant.

In the event that the LPAT allows the appeal in whole or in part, at least one additional tenant meeting will be held to provide tenants with more detailed information on the replacement rental proposal and the anticipated Tenant Relocation and Assistance Plan.

Agency Circulation

The application together with the applicable reports noted above, have been circulated to all appropriate agencies and City divisions. Responses received have been used to assist in evaluating the application.

COMMENTS

Provincial Policy Statement and Provincial Plans

Planning Act

Section 2 of the *Planning Act* establishes a list of provincial interests that approval authorities, including the City of Toronto, shall have regard for when carrying out their responsibilities under the *Planning Act*.

The proposal, in its current form does not have regard to 2 p) and r) which speak to the appropriate location for growth and development and the promotion of built form that, (i) is well-designed, (ii) encourages a sense of place, and (iii) provides for public spaces that are of high quality, safe, accessible, attractive and vibrant. The proposal also does not have regard to 2 d) which speak to the conservation of features of significant architectural, cultural, historical, archaeological or scientific interest.

These provincial interests and others are further articulated through Provincial Policy Statements that are released from time to time and through other area-specific Provincial Plans, such as the Growth Plan.

The proposal has been reviewed and evaluated against the PPS (2014) and the Growth Plan (2017). The proposal has also been reviewed and evaluated against Policy 5.1 of the Growth Plan, as described in the Issue Background section of this Report.

Provincial Policy Statement, 2014

Staff has determined that the proposal is not consistent with the PPS for the following reasons:

Policy 1.1.3.3 indicates planning authorities shall identify appropriate locations for intensification and redevelopment. Working in conjunction with the Growth Plan, this exercise was undertaken when the City's Official Plan was approved by the Ontario Municipal Board in 2006 and considered further through the statutory five year review of the Official Plan that commenced in 2011. The five year review has resulted in a number of Official Plan amendments that were approved by the province on various dates. The Official Plan sets out areas for future growth while at the same time establishing policies that are appropriate and considerate of the surrounding context.

Policy 4.7 of the PPS states the Official Plan is the most important vehicle for implementation of the PPS. As a result, the City of Toronto has established a vision and policy framework for this area. The proposal in its current form does not meet these overall policy outcomes of the PPS as further articulated by the City's Official Plan. This is outlined in detail later in the report.

Policy 1.7.1 of the PPS states long-term economic prosperity should be supported by: maintaining and, where possible, enhancing the vitality and viability of downtowns and mainstreets; and encouraging a sense of place, by promoting a well-designed built form and cultural planning, and by conserving features that help define character, including built heritage resources. The proposal does not promote a well-designed built form that enhances the vitality of Queen Street East. As noted in Policy 4.7 above, the City's Official Plan, together with the King-Parliament Secondary Plan contain built form policies that implement the policies of the PPS. Built form elements will be discussed further in the Height and Massing section of this report.

Policy 2.6.1 of the PPS states significant built heritage resources and significant cultural heritage landscapes shall be conserved. Policy 2.6.3 of the PPS states planning authorities shall not permit development and site alteration on adjacent lands to protected heritage property except where the proposed development and site alterations has been evaluated and it has been demonstrated that the heritage attributes of the protected heritage property will be conserved. The Official Plan further refines the direction of the PPS to require appropriate built form to fit harmoniously into its existing and/or planned context and the conservation of heritage properties. This proposal has not addressed an appropriate method to conserve the heritage designated buildings on-site, as discussed in the Heritage Conservation section of this report.

Growth Plan for the Greater Golden Horseshoe, 2017

Any decision under the *Planning Act* must conform to the Growth Plan for the Greater Golden Horseshoe.

Policy 2.2.1.1 of the Growth Plan speaks to the population and employment forecasts contained in Schedule 3 will be used for planning and managing growth.

The site is within the urban growth centre of the built-up area boundary as identified in the Growth Plan, where a significant share of population and employment growth is anticipated. The City of Toronto is required through its Official Plan to plan for a future population of

3,190,000 people by the year 2031. Additional density targets are provided for the various *urban growth centres* in the City at a rate of 400 pp/jobs per hectare to help achieve this overall population. The City is presently on track to meet these overall 2031 Growth Plan's forecasts based on Census data, current development proposals and future trends that are currently being considered by the City.

This single application is not required for the City to meet the density target of 400 people and jobs/hectare in the Downtown *urban growth centre*. The density target is to be measured across the whole of the Downtown urban growth centre (Policy 5.2.5.4 of Growth Plan). The proposal must be considered in the context of the other policies in the Growth Plan, the Official Plan, the King-Parliament Secondary Plan, Zoning By-laws and Guidelines, and should not be rationalized solely on the basis of the density targets provided by the Growth Plan

Policies 2.2.2.4(a), (b), (d) and (f) of the Growth Plan speak to delineated built-up areas and states that all municipalities will develop a strategy to achieve the minimum intensification target and intensification throughout delineated built-up areas, which will:

- a) encourage intensification generally to achieve the desired urban structure;
- b) identify the appropriate type and scale of development and transition of built form to adjacent areas;
- d) ensure lands are zoned and development is designed in a manner that supports the achievement of complete communities; and,
- f) be implemented through official plan policies and designations, updated zoning and other supporting documents.

The proposal contemplates the intensification of a site within a delineated built-up area. While it is recognized that intensification is generally encouraged by the Growth Plan and in Urban Growth Centres, it must achieve the policy goals as outlined above. In this regard, the City has developed a strategy to achieve the minimum density targets through the City of Toronto Official Plan and in conjunction with the King Parliament Secondary Plan which provides a greater level of detail and specificity on matters such as e built form, massing and scale of development within this section of Queen Street East. These policies are further informed by the existing zoning by-law and the City's Tall Buildings Guidelines, which apply as there are two tall buildings being proposed.

The proposal in its current form does not represent an appropriate scale of development as set out in the City's Official Plan, King Parliament Secondary Plan and Zoning By-law and as such does not achieve the desired urban structure as contemplated in the Growth Plan. A general transition of building heights is anticipated from the west to the east towards Corktown, which this proposal does not provide. Further, Parliament Street is characterized as a 'Special Street' which require the quality, role and character of these streets to be maintained. This is implemented through the City's Zoning By-laws which permit a maximum base building height of 20 metres along Power Street and 16 metres along Parliament Street. The proposal does not provide this as will be discussed in the Height and Massing section of this report.

The built form policies relating to intensification are implemented through official plan policies and designations, updated zoning and other supporting documents. As noted in the discussion of the PPS, this exercise was previously undertaken as part of the approval of the City's Official Plan which identifies areas for future growth while at the same time establishing policies that are appropriate and considerate of the surrounding context. The exercise would have also included consideration of the King-Parliament Secondary Plan and associated zoning by-laws for this area. Therefore, the proposed development does not have regard for Policies 2.2.2.4(a), (b), (d) and (f) of the Growth Plan.

Policy 2.2.4.7 of the Growth Plan states the Province may identify additional priority transit corridors and planning requirements for major transit station areas on priority transit corridors, to support the optimization of transit investments across the Greater Golden Horseshoe. It is noted that the subject site is adjacent to the preferred alignment of the Relief Line, and is in proximity to Sherbourne Station. Notwithstanding this, the relief line is not identified on Schedule 5 of the Growth Plan as a *priority transit corridor* (as defined under the Growth Plan). Until this takes place through the province in accordance with policy 2.2.4.7, the minimum density targets for *major transit station areas* will not be applicable, as outlined in Policy 2.2.4.3(a).

Policy 5.2.4.5(b) of the Growth Plan states municipalities may plan for development beyond the horizon of this Plan provided that the type and scale of built form for the development would be contextually appropriate. This proposal is not contextually appropriate. Policy 5.2.5.6 of the Growth Plan states municipalities are to develop and implement urban design and site design official plan policies and other supporting documents that direct the development of a high quality public realm and compact built form in order achieve the minimum intensification and density targets in the Growth Plan.

The City has implemented this requirement through the adoption of built form policies and design guidelines including the King-Parliament Urban Design Guidelines and the Tall Building Guidelines. It is noted that Policy 2.2.3.2 (a) of the Growth Plan requires the *Downtown urban growth centre* will be planned to achieve a minimum density target of 400 residents and jobs combined per hectare by 2031 based on existing census data, current development proposals and future trends. The *Downtown* is anticipated to meet the minimum density target by 2031.

For the reasons noted above, the proposed development does not have regard to relevant matters of provincial interest in section 2 of the *Planning Act*, is not consistent with the PPS, 2014 and does not conform to the Growth Plan for the Greater Golden Horseshoe.

Land Use

This proposal consists of a mixture of residential, retail, office, and hotel uses. The proposed mixture of uses conforms to the *Regeneration Area 'A'* and *Mixed Use Area 'D'* designations of the King-Parliament Secondary Plan.

Policy 3.5.1.9 of OPA 231, currently under appeal to the LPAT, requires the replacement and increase of office space on the subject site. The proposal contemplates a total of 32,803 square metres of office space. The amount of office space contemplated in this proposal meets the policy direction of OPA 231.

The proposal contemplates 14,815 square metres of retail space, located on the 1st and 2nd storeys of the proposal. On October 5, 2016 City Council considered draft amendments to the Official Plan and Zoning By-law to support the role of pedestrian shopping areas. Specifically, the draft amendments seek to strengthen the Official Plan policy direction to improve retail shopping streets by setting standards on new retail development. City Planning staff requests the unit sizes of the retail space on the 1st floor be delineated and secured in order to promote Queen Street East and Richmond Street East as a pedestrian shopping area. City Planning staff have concerns with the size and location of the retail space on the 2nd storey, and will continue to work with the applicant in addressing the emerging policy direction on retail development. The report and decision document of October 5, 2016 can be accessed at:

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2016.PG14.2>

The proposal contemplates 24 'live/work' units as part of the application for a Section 111 permit pursuant to Chapter 667 of the City of Toronto Municipal Code. Discussion on this matter is addressed in the Housing section of this report.

Height and Massing

The existing planning policy framework and area context was analysed in respect to the proposal's height and massing. The Official Plan recognizes *Regeneration Areas* within *Downtown* as areas where intensification is encouraged. The Official Plan lays out the parameters of the City's planning framework by stipulating *Regeneration Areas* will need "tailor-made" strategies for development through a Secondary Plan. The King-Parliament Secondary Plan divides the subject site to two distinct policy areas: the low to mid-rise Queen Street East corridor designated *Mixed Use Area 'D'* where development is to maintain a main street character; and the remainder of the lands designated *Regeneration Area 'A'* where significant growth is anticipated, including tall building forms that complements the existing character of the area. The scale of development is implemented through the built form controls of the Zoning By-law where a maximum building height of 16 metres and a subsequent adherence to an angular plane of 44 degrees is permitted within *Mixed Use Area 'D'*, and maximum building heights of 30 metres within *Regeneration Area 'A'*. Further, the King Parliament Secondary Plan also requires development to achieve a compatible relationship with its built form context through building height, scale and massing.

In regards to building height, the proposal contemplates three tower forms of 24-storeys (102 metres), 28-storeys (90 metres) and 37-storeys (128 metres). The overall heights of the buildings are in the higher range within the King-Parliament area. The height of Building C will be the tallest building within the King-Parliament area. Both Building A and Building B are partially within the *Mixed Use Area 'D'* designation where taller elements of the two buildings would penetrate the 44 degree angular plane along Queen Street East. City Planning staff will continue

to work with the applicants in revising the heights of the proposal in order to meet the policy direction of the King-Parliament Secondary Plan.

In regards to the proposal's massing, Building A consist of a base building of 3 to 5 storeys, with the taller element starting on the 6th storey creating an L-shaped slab building up to 28-storeys. The floor plate of Building A measured from the 6th storey is approximately 2,850 square metres. Building B consist of a base building of 2 to 5 storeys with taller elements starting on the 6th storey resulting in a slab building with an east-west orientation of up to 24 storeys. The floor plate of Building B measured from the 6th storey is 1,960 square metres. Building C consist of a base building of 3 storeys, with the tower portion starting on the 4th storey of up to 37 storeys, resulting in a floor plate of 1,140 square metres. The tall building forms proposed deviate from the Tall Building Guidelines. Section 3.2.1 of the Tall Building Guidelines direct a tall building to have a maximum floorplate area of 750 square metres, in order to provide an adequate amount of pedestrian views and daylight. City Planning recognize the tall building typology character of the *Regeneration Area 'A'* designation of King-Parliament consists of tall buildings generally within the range of 15 to 30 storeys with a larger floor plate than 750 square metres. However, the proposed heights of the buildings, in conjunction with the large floor plates do not fit within the character of the King-Parliament area.

For the portion of the site designated *Regeneration Area 'A'*, the associated Zoning By-law standard permits a maximum base building height of 20 metres along Richmond Street East and Ontario Street. Section 3.1.1 of the Tall Building Guidelines directs base building heights of a maximum of 80% of the abutting street right-of-way, resulting in 16 metres. Policy 3.2 a) of the King-Parliament Secondary Plan require new buildings to front on property lines to define and form edges along streets, parks and mid-block pedestrian routes. Policy 3.2 d) requires new buildings be massed to provide adequate light, view and privacy for neighbouring properties. Policy 3.2 f) require buildings to provide appropriate proportional relationships to minimize wind and shadowing impacts. The proposal contemplates a base building height of up to 27.6 metres along Richmond Street East and along the proposed on-site park, POPS and private driveway. The proposed base building height condition is not proportional to the existing and planned context of the King-Parliament area where base building heights are generally 20 metres. Further, the proposed height of the base building, in conjunction with the proposed separation distances between base buildings of 6 metres results in a built form that does not provide adequate views and natural light for both residents and pedestrians. City Planning staff will continue to work with the applicants to revise the heights and massing of the proposal to address the outstanding built form issues.

Section 3.2.3 of the Tall Building Guidelines directs tall building development to provide a setback of 12.5 metres to the side or rear property lines in order to achieve a separation distance of 25 metres between tower forms. OPA 352 and Zoning By-laws 1106-2016 and 1107-2016, currently under appeal to the LPAT, provide policy and zoning standard direction for tall buildings to provide for a minimum 12.5 metre setback. This proposal has met this requirement.

Housing

58 rental dwelling units currently exist at 90 Ontario Street and 263-265 Queen Street East. The proposal provides for replacement of the 58 existing rental and live/work dwelling units with a total of 76 replacement rental dwelling units comprising 24 live/work units and 52 residential-only rental dwelling units. The existing 5,111 square metres of rental dwelling units would be replaced with a total of 5,042 square metres of gross floor area.

Given the diverse mix of existing housing forms, including live/work uses, the applicant has proposed an Official Plan Amendment to help achieve a number of housing policy objectives within the revised proposal. An Official Plan Amendment is required because Official Plan policy 3.2.1.6 a) requires rental housing to be replaced with at least the same number, size and type of rental housing. The applicant's proposal replaces at least the same number and type but will not replace all units of at least the same size.

Staff generally support the draft Official Plan amendment to accommodate this change as shown in the architectural drawings provided in the latest submission. The existing residential and live/work gross floor area would be replaced overall, but a larger number of individual units would be provided through efficient unit sizes reflecting the unit sizes in the remainder of the development.

The total live/work replacement gross floor area is proposed to be 1,752 square metres with units ranging in size from 54 square metres to 108 square metres. The 24 replacement live/work units are proposed on the 7th storey of Building A with a separate entrance directly from Richmond Street East, as well as having additional shared workspace and 3 metre floor to ceiling heights. These features support the function of these units for live/work purposes.

The total residential-only replacement gross floor area is proposed to be 3,290 square metres, making up the balance of the 5,042 square metres of replacement rental housing gross floor area. The 54 units are proposed on the 8th and 9th storeys of Building A, and are fully integrated into the proposed development, with shared access to amenities on site and shared access with all other residents

The development proposal includes 22% two-bedroom units (329 units), and 10% three-bedroom units. This unit mix does not fully meet the Downtown Plan policy 11.1 to be considered by City Council for adoption at its meeting on May 22, 23 and 24, 2018. The Downtown Plan requires a minimum of 15 per cent of the total number of units as two-bedroom units, a minimum of 10 per cent as three-bedroom, and an additional 15 per cent as a combination of two- and three-bedroom units. The proposed unit mix has an 8% shortfall of two- and three-bedroom units.

The revised project data sheet identifies typical unit sizes for two-bedroom units as 70 square metres which falls below the 87 square metres target for 15% of the two-bedroom units contemplated in the Downtown Plan. The typical three-bedroom unit size is identified as 100 square metres, which is in line with the 100 square metres target in the Downtown Plan and generally conforms to the Council adopted Growing Up Guidelines.

The proposal does not currently include additional affordable or mid-range rental housing or affordable ownership housing. Inclusion of such diverse housing types would better support the policy direction of the PPS, namely sections 1.4.3 and section 2.2.6, and policy 2.4.4.9 of the Growth Plan. City Planning staff will continue discussions with the applicant to address an appropriate mixture of unit types.

Amenity Space

Zoning By-law standards require 2 square metres per dwelling each for indoor and outdoor amenity space. Based on the proposed 1,468 residential dwelling unit proposal, an amount of 2,936 square metres each of indoor and outdoor amenity space are required. The proposal provides for 2,936 square metres of indoor and 3,230 square metres of outdoor amenity space, which meets the Zoning By-law standards.

Heritage Conservation

There are six heritage properties on site, all designated under Part IV of the *Ontario Heritage Act*:

- 263 and 265 Queen Street East (Christina Lauder Building);
- 245 Queen Street East (S. Price and Sons Dairy Building);
- 90 Ontario Street (Newell Building);
- 384 Richmond Street East (Dominion Envelope Company Building); and,
- 410 Richmond Street East (Newell Building Annex).

The Heritage Impact Assessment (HIA), prepared by ERA Architects Inc. was submitted in support of the application and indicates the existing heritage resources will be partially retained and integrated with new construction.

The proposed new construction atop the heritage buildings at 245, 263 and 265 Queen Street East would step back 3 metres from the front elevation of the heritage buildings. Further, the applicant proposes to remove the visible side walls of both 245 and 263 Queen Street East and build new walls with no discernible step back of new development above. The addition of a substantial amount of massing atop the low-scale heritage buildings along with the removal of their original walls does not achieve an adequate level of conservation. Further changes will be needed to better protect the buildings' heritage character, attributes and values as whole, two-storey buildings.

Additionally, the massing of the new development proposed fronting Queen Street East does not respond to the adjacent heritage buildings in terms of transitioning to the scale of the heritage buildings and the established streetwall height.

Official Plan Policies require that new development will conserve a heritage property's values, attributes and character and mitigate visual and physical impact. Further, the retention of facades is discouraged and whole building conservation is desirable.

The applicant is proposing sufficient setbacks of new development atop the heritage buildings at 90 Ontario Street, 384 and 410 Richmond Street West. However, the north wall of 90 Ontario Street, the east wall of 410 Richmond Street East and the west wall of 384 Richmond Street East are all proposed to be dismantled and reconstructed with new openings.

Archaeological Potential

A Stage 1 Archaeological Assessment was submitted in support of the original application. The assessment indicated a Stage 2 assessment is required. City Planning staff requests outstanding assessments be completed prior to a final Order is issued by the LPAT, and that certain conditions be imposed, should the proposal be approved by the LPAT in some form.

Shadow Impact

A Sun/Shadow Study was submitted in support of the proposal, showing net-new shadows on the public realm resulting from the proposal's massing during the 21st of March, June, September and December. The proposal will cast shadows on Moss Park between 9:18 am and 11:18 am during March 21st and September 21st. Policy 3.1.2.3 f) of the Official Plan states new development will be massed to minimize additional shadows on parks to preserve their utility. Policy 3.2 f) of the King-Parliament Secondary Plan directs buildings be designed to minimize shadowing impacts on parks. This policy direction is further articulated now in the Downtown Plan where Policy 9.18 requires development to not cast net-new shadows on the park from March 21st to September 21st from 10:18 am to 4:18 pm. It is noted that Official Plan Amendment 82, currently under appeal, requires development to not cast net-new shadows on the park from 10:00 am to 6:00 pm between March 21st to September 21st. Further, the Downtown Tall Building Guidelines identify Moss Park as a Signature Park where development is not to cast shadows on the park from 10:00 am to 4:00 pm from March 21st to September 21st. The massing of the proposal that results in net-new shadows on the southeast portion of Moss Park between 10:18 am to 11:18 am will need to be revised in order to meet the Official Plan's existing and emerging policy direction.

The study shows the proposal will cast shadows on the Moss Park Apartment open space to the northeast between 11:18am to 4:18pm during March 21st and September 21st. The proposed on-site park will also be cast in shadows for the majority of the day during March 21st and September 21st. Policy 3.1.2.3 e) of the Official Plan states new development be massed to limit shadowing on open spaces, having regard for the varied nature of such areas. Policy 3.2 f) of the King-Parliament Secondary Plan require buildings adjacent to open spaces be designed to minimize shadowing impacts on open spaces. The Moss Park Apartments open space area serves as an outdoor amenity space for its residents. City Planning staff will continue to work with the applicants to reduce shadow impacts on the open space, including relocation of the parkland in order to reduce net-new shadows.

Noise and Vibration Impact

The Noise and Vibration Impact Study submitted in support of the application assessed noise and vibration impacts to the proposed uses. The study concluded the noise and vibration sources can be adequately mitigated. A detailed Noise and Vibration study will be required, outlining

mitigation measures to be implemented as part of the site plan approval process, should this proposal be approved by the LPAT in some form.

Air Quality

An updated Air Quality Assessment was submitted in support of the application. The assessment identified small scale commercial uses surrounding the site and concluded the proposed uses would not be impacted from an air quality perspective.

Wind Impact

The Pedestrian Level Wind Study submitted in support of the application assessed the wind velocities within and surrounding the site. The study concluded the proposal will generally result in wind conditions acceptable for the intended uses throughout the year, provided certain mitigation measures are implemented. The study noted certain outdoor amenity spaces and sidewalks abutting the site will experience uncomfortable wind conditions during the winter months. Further, the study noted certain outdoor amenity areas and the proposed POPs linear walkway will experience wind conditions for fast walking. City Planning staff will continue to work with the applicant to address the projected uncomfortable conditions through revising the massing of the buildings, or securing appropriate mitigation measures to improve wind velocity conditions.

Traffic Impact and Vehicular Access

An updated Transportation Impact Study (TIS) was submitted in support of the application. The study concluded traffic activity generated by the development can be accommodated by the existing area road network, along with the conversion of Ontario Street to a two-way operation between Queen Street East and Richmond Street East and the addition of traffic signals at the Queen Street East and Ontario Street intersection. The study also noted the current proposal will result in fewer vehicular trips compared to the original proposal. Transportation Services staff have reviewed the traffic impact assessment of the TIS and concur with the conclusions. However, Transportation Services staff do not agree with the proposed signalization of the Queen Street East and Ontario Street intersection.

The updated TIS also indicated the proposed driveway and loading accesses for vehicles and trucks are to be provided along McFarrens Lane and the private driveway on Ontario Street. Transportation Services staff have reviewed the documentation and have no concerns with the locations of the driveway and loading accesses.

The future pavement widening of Ontario Street to accommodate two-way operation, and the redesign of McFarrens Lane will be addressed through the site plan approval process, should the proposal be approved by the LPAT in some form.

Vehicular Parking

The updated TIS indicated the proposed 851 vehicular parking spaces, comprising of 510 residential spaces and 311 non-residential spaces is sufficient for the development. Transportation Services staff have reviewed the TIS and concur with the parking justification.

The parking rates will be secured in the amending Zoning By-laws, should the proposal be approved by the LPAT in some form. The garage layout and other site design matters will be addressed through the site plan approval process, should the proposal be approved by the LPAT in some form.

Bicycle Parking

The proposal provides for a total of 1,687 bicycle parking spaces consisting of: 1,322 spaces for the residential occupants; 147 spaces for residential visitors; 97 spaces for the non-residential tenants; and 121 spaces for non-residential visitors. The proposed number of bicycle parking spaces meets the standard of the Zoning By-law and the provisions of the Toronto Green Standard.

St. Michael's Hospital Flight Path

The proposal is within the St. Michael's Hospital Air Ambulance Service Protection Corridor Map as indicated in Minister's Zoning Order O. Reg. 114/16, and in By-law 1432-2017. The application was circulated to St. Michael's Hospital for comments. The proposal in its current form does not encroach into the Service Protection Corridor. Confirmation from St. Michael's Hospital on any outstanding issues on the proposal's relation to the hospital flight path will be required should the application be approved by LPAT in some form.

Relief Line Project Assessment

On May 24 2017, Council approved the alignment and stations for the Relief Line project – a study to determine the preferred alignment and stations for a new rapid transit line connecting the Bloor-Danforth Subway east of the Don River to the Downtown. The report and decision document can be accessed at:

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2017.EX25.1>

The Notice of Commencement for the Transit Project Assessment Process (TPAP) was issued on March 26, 2018. Preliminary design for the Relief Line is currently underway. A report to Council on the Relief Line cost estimate is anticipated in the fourth quarter of 2019.

The subject site fronts on Queen Street East and is located along the Council approved alignment of the Relief Line. The site is also situated within 500 metres of the Sherbourne station located at the intersection of Queen Street East and Sherbourne Street. City staff reviewed the proposal in light of the Relief's line's approved alignment and station locations. Notwithstanding Council's approval, there is no TPAP approval for the Relief Line nor is there any funding strategy.

The Toronto Transit Commission (TTC) reviewed the proposal and requests a minimum 3 metre clearance between the proposed buildings and potential TTC infrastructure. This requirement will need to be addressed to the satisfaction of the TTC prior to final order, should the proposal be approved by the LPAT in some form.

Servicing, Stormwater Management and Hydrogeological Impact

A Functional Servicing Report was submitted in support of the proposal. The report indicated the proposal can be adequately serviced by: new connections to the existing combined sewer on Queen Street East and the sanitary sewers on Richmond Street East and Ontario Street; and new connections to the existing watermain on Queen Street East, Ontario Street and Richmond Street. Engineering and Construction Services staff have reviewed the report and indicate additional analysis and reporting is required to confirm there is sufficient capacity to service the proposal.

A Stormwater Management Report was submitted in support of the proposal. The report indicated the proposed stormwater management strategy addresses all stormwater impacts from the proposal and will meet the City's Wet Weather Flow Management Guidelines. Engineering and Construction Services staff have reviewed the report and indicate additional analysis and reporting is required to confirm stormwater runoff from the site is satisfactory.

A Hydrogeological Investigation Report was submitted in support of the proposal. The report indicated temporary discharge of groundwater during construction and permanent discharge of groundwater once construction is completed will be required. Toronto Water staff are currently reviewing the report. Any additional analysis required to ensure groundwater quality and quantity discharged into the City's sewers will need to be addressed to the satisfaction of Toronto Water Services prior to the final order of the LPAT, should this proposal be approved in some form.

Parkland Dedication

The Official Plan contains policies to ensure that Toronto's system of parks and open spaces are maintained, enhanced and expanded. Map 8B of the Toronto Official Plan shows local parkland provisions across the City. The lands which are the subject of this application are in an area with 0 to 0.42 hectares of local parkland per 1,000 people. The site is in the lowest quintile of current provision of parkland. The site is in a parkland acquisition priority area, as per Chapter 415, Article III of the Toronto Municipal Code.

The proposal is located in a low parkland provision area and therefore based upon the review of the application in conjunction with the Official Plan and the King-Parliament Secondary Plan, if the development application is approved in its current form, Parks, Forestry and Recreation will be requesting a full on-site parkland dedication of 1,576 square metres. The applicant is currently proposing a 1,400 square metres park on the north side of the site with frontage on Queen Street East. Alternatively, a public park located on the south side of the development block with frontage on Richmond Street East would be considered, provided that the relocation of the proposed buildings does not cast any new net shadows onto Moss Park. The parkland dedication must be unencumbered, uniform in shape and topography, with visibility and accessibility from public roads.

Privately Owned Publicly Accessible Space

A north-south pedestrian POPS walkway with a right-of-way of 2.8 metres and an area of 140 square metres is proposed to connect the proposed on-site park from the north to Richmond

Street East to the south. The proposed POPS walkway is to be encumbered by a building projection above the 1st storey. The POPS will serve as a pedestrian connection between Queen Street East and Richmond Street East and meets the King-Parliament Secondary Plan's direction for such a pedestrian connection.

City Planning staff will continue to work with the applicant in enlarging the POPS space to create a better pedestrian environment. The POPS space is to be secured as a legal convenience in the Section 37 Agreement and be designed in the site plan approval process, should the proposal be approved by the LPAT in some form.

City-owned Public Laneways

The site contains the east-west city-owned Brigden Place Lane, and the north-south unnamed city-owned lane. The applicant will need to seek authority to close and purchase these two lanes in order to proceed with the proposal in its current form. An application to close the laneways has been submitted. City Planning staff is of the opinion the closure of the city-owned public laneways are premature pending the decision of the LPAT.

Streetscape

The site fronts on Queen Street East to the north, Ontario Street to the east, Richmond Street East to the south, and McFarren's Lane to the west. The following is the proposed pedestrian sidewalk widths at grade:

- Queen Street East: approximately 3.6 metres;
- Ontario Street East: approximately 5 metres;
- Richmond Street East: approximately 2.5 metres to 6 metres; and,
- McFarrens Lane: approximately 1.8 to 4.8 metres.

Section 4.2 of the Tall Building Guidelines directs development to provide a minimum 6 metre wide sidewalk zone. Policy 9.5 of the Downtown Plan requires development to provide a minimum 6 metre wide sidewalk unless the prevailing pattern of buildings consists of narrow frontages or properties on the Heritage Register exists on-site. City Planning staff requests the proposed sidewalk conditions along Ontario Street, the western section of Richmond Street East and McFarrens Lane be revised to accommodate a minimum 6 metre wide pedestrian sidewalk.

The proposed pedestrian entrances to the hotel and residential uses in Building A are proposed to be accessed on McFarrens Lane where the pedestrian sidewalk width is minimal. City Planning staff will work with the applicants to provide better pedestrian entrance conditions during the site plan approval process, should this proposal be approved by the LPAT in some form.

Tree Preservation

An Arborist Report and a Landscape Plan was submitted for the site. The Arborist Report indicated there are 21 trees on and within 6 metres of the site, with 5 of the trees to be preserved for the proposal. The Landscape Plan shows 3 trees along the Queen Street East sidewalk and 10 trees along the Ontario Street pedestrian sidewalk. Urban Forestry staff has reviewed the

documentation and requests trees be planted along McFarrens Lane and Richmond Street East. The owner will need to ensure the proposal conforms to the City's Tree By-laws should the proposal be approved by the LPAT in some form.

Rental Housing Demolition and Conversion By-law

On May 15, 2017, the applicant made an application for a Section 111 permit pursuant to Chapter 667 of the City of Toronto Municipal Code for the demolition of 58 rental units at 90 Ontario Street and 263-265 Queen Street East. As per Chapter 667-14, a tenant consultation meeting was held on November 30, 2017 to review the impact of the proposal on tenants of the residential rental property and matters under Section 111.

The Rental Housing Demolition and Conversion application has been deemed complete. Should the planning matters be resolved, a separate report to Council will outline recommendations with regard to this application. This report will set out final details of the replacement rental dwelling units and the Tenant Relocation and Assistance Plan, including information on the process for tenants' right to return and rents to be charged for replacement units.

The matters with respect to the Rental Housing Demolition and Conversion application are not appealable to the LPAT. City staff requests the LPAT to withhold its final order until City Council has made a decision on the Rental Housing Demolition and Conversion application.

Toronto Green Standard

In 2013 City Council updated the two-tiered Toronto Green Standard (TGS) that was adopted by City Council on October 27, 2009. The TGS is a set of performance measures for green development. Tier 1 is required for new development. Tier 2 is a voluntary, higher level of performance with financial incentives. Achieving the Toronto Green Standard will improve air and water quality, reduce green house gas emissions and enhance the natural environment.

The applicant is required to meet Tier 1 of the TGS. City Planning staff will continue discussions with the applicant to meet Tier 1, and on the possibility of achieving Tier 2 of the TGS.

Section 37

The proposal at its current height, massing, and density will be subject to Section 37 contributions under the Planning Act. Section 37 benefits were not discussed in the absence of an agreement on the proposal's height and massing. Should this proposal be approved in some form by the LPAT, City Planning staff recommends staff be authorized to negotiate an appropriate agreement for Section 37 benefits with the applicant, in consultation with the Ward Councillor. Potential benefits may include: provision for affordable housing units; contribution of on-site public art; the implementation of the Heritage Interpretation Master Plan for Old Town Toronto; and local streetscape and parkland improvements.

The following matters are also recommended to be secured in a Section 37 Agreement as a Legal convenience to support development should this applicant be approved in some form:

- a. The requirement to construct the Above Base Park improvements;
- b. Securing the proposed north-south walkway as a privately owned publicly accessible walkway; and,
- c. Any conditions of a Council-approved Section 111 permit and any associated conditions to the permit.

CONCLUSION

City Planning staff are not in support of the proposal in its current form. The proposed built form represents over-development of the site and does not appropriately conserve the designated heritage properties. The site is located in two distinct policy areas in the King-Parliament Secondary Plan: the northern portion of the site is designated *Mixed Use Area 'D'* where redevelopment is anticipated to be low to mid-rise in scale to maintain the main street character of Queen Street East; and the southern portion is designated *Regeneration Area 'A'* where redevelopment of tall buildings that transition to the lower scale Queen Street East corridor is anticipated. The proposal does not do enough at present to recognize the distinction between these two areas. Other outstanding issues include the appropriate heritage conservation measures for the existing heritage resources on-site, outstanding functional servicing requirements, and the appropriate mixture of land uses. This proposal in its current form has not addressed the planning framework direction articulated in the Official Plan, the King-Parliament Secondary Plan, Zoning By-laws and applicable urban design guidelines. As such, it is not consistent with the PPS, the Growth Plan and does not have regard for Section 2 of the *Planning Act*. Notwithstanding this, the current proposal is an improvement from the original proposal submitted in 2016 with the reduction in building heights, a better mixture of land uses, and the provision of an on-site parkland.

City Planning staff recommends continued discussions with the applicant to consider revisions to the proposal which address the issues set out in this report.

CONTACT

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SIGNATURE

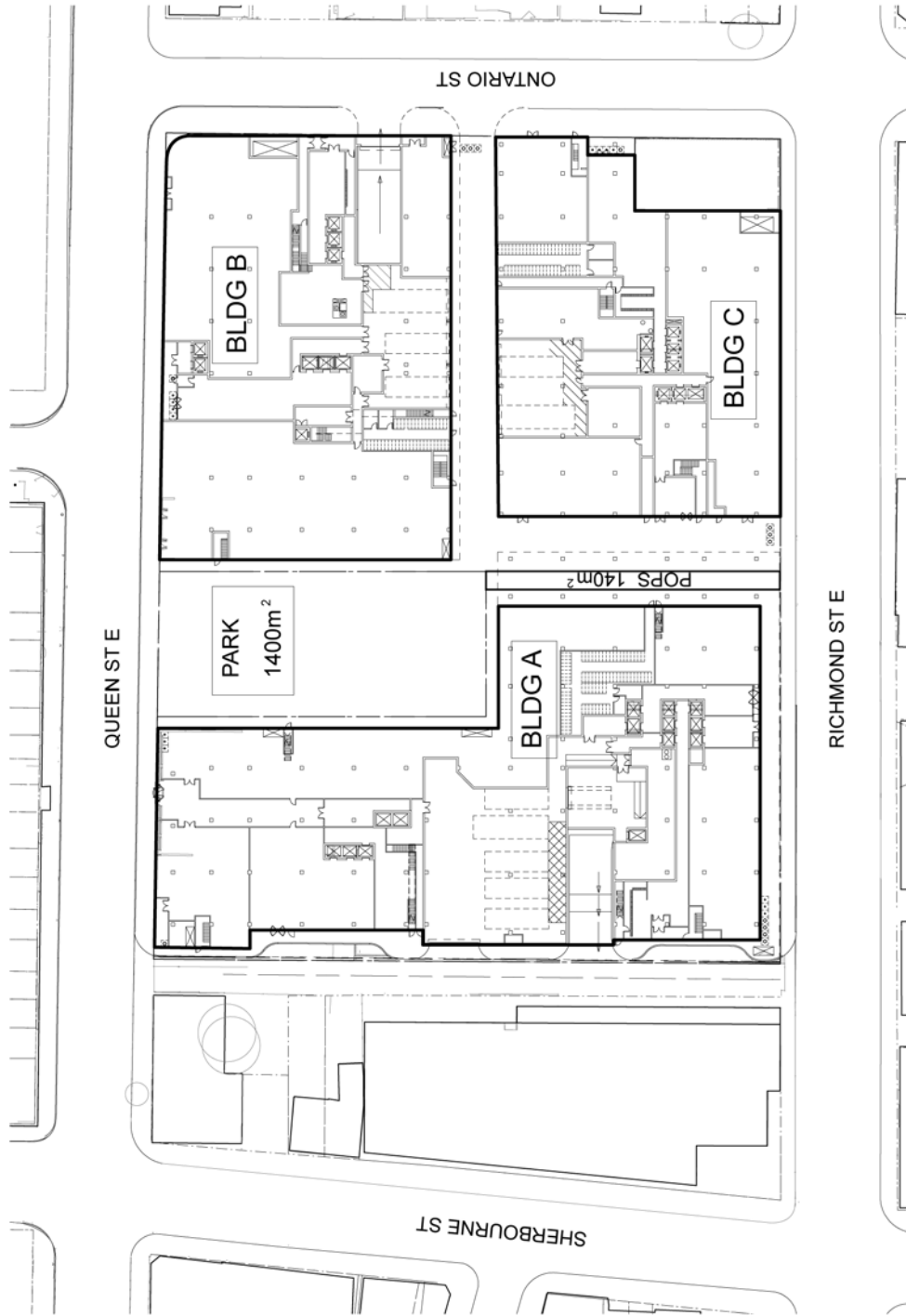
Lynda H. Macdonald,
Acting Director, Community Planning
Toronto and East York District

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ATTACHMENTS

Attachment 1: Site Plan
Attachment 2: North Elevation
Attachment 3: East Elevation
Attachment 4: South Elevation
Attachment 5: West Elevation
Attachment 6: Axonometric View
Attachment 7: Official Plan
Attachment 8: King-Parliament Secondary Plan Land Use
Attachment 9: King-Parliament Secondary Plan Urban Structure
Attachment 10: Zoning
Attachment 11: Application Data Sheet

Attachment 1: Site Plan

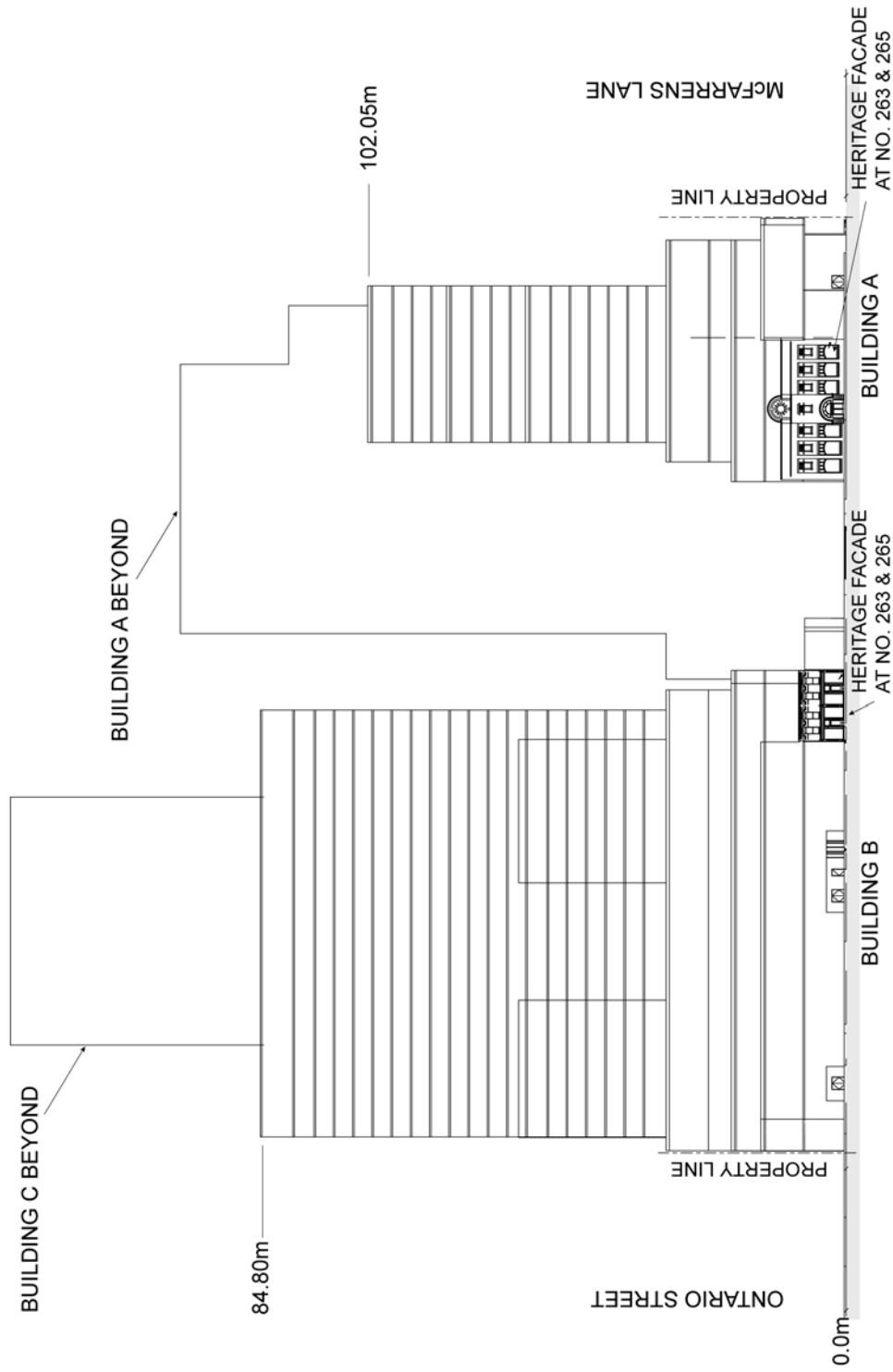


Site Plan
 Applicant's Submitted Drawing
 Not to Scale
 05/02/2018

**245-285 Queen street East, 348-410 Richmond Street East,
 88-106 Ontario Street & 8-12 Bridgen Place**

File # 16 118638 STE 28 0Z

Attachment 2: North Elevation

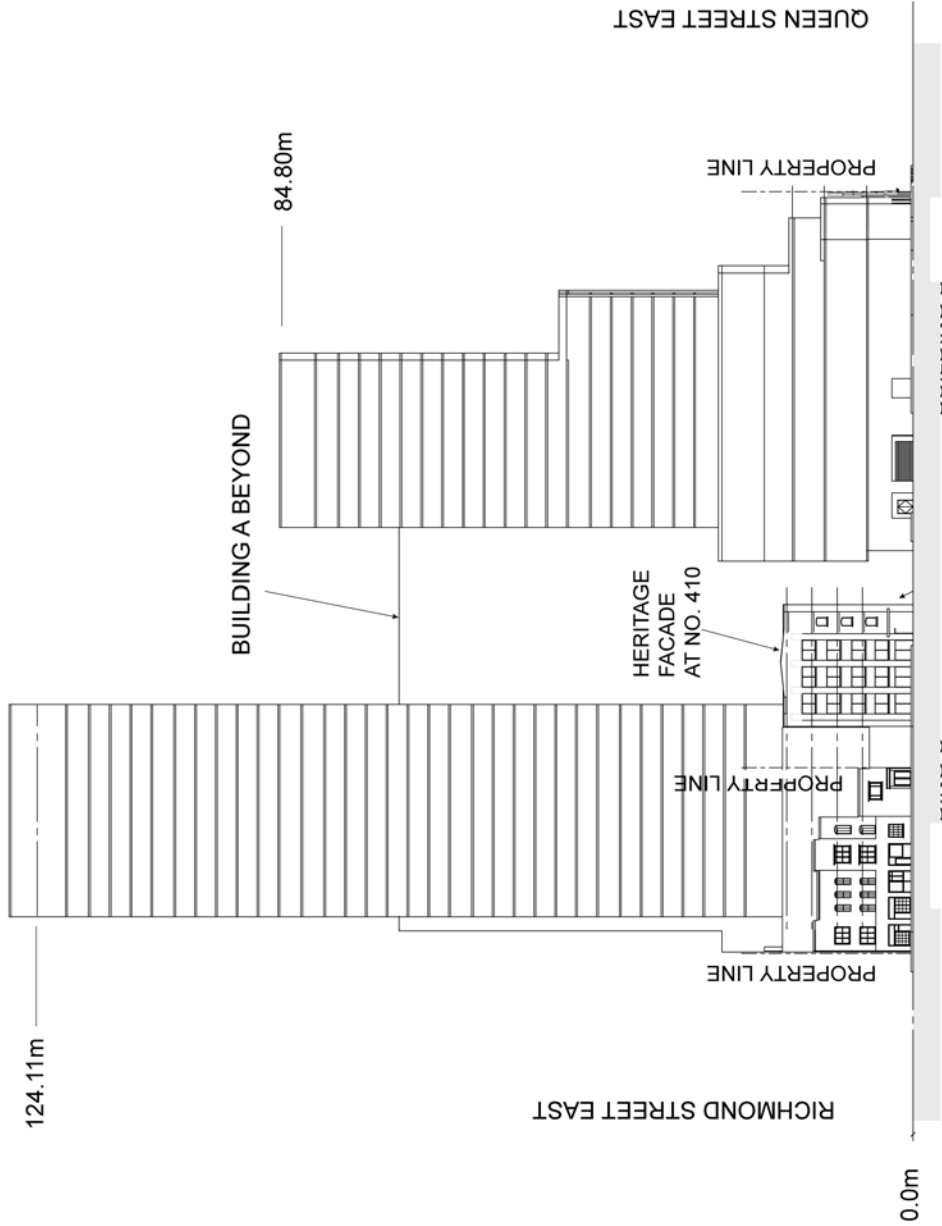


North Elevation
 Applicant's Submitted Drawing
 Not to Scale
 05/02/2018

**245-285 Queen street East, 348-410 Richmond Street East,
 88-106 Ontario Street & 8-12 Bridgen Place**

File # 16 118638 STE 28 0Z

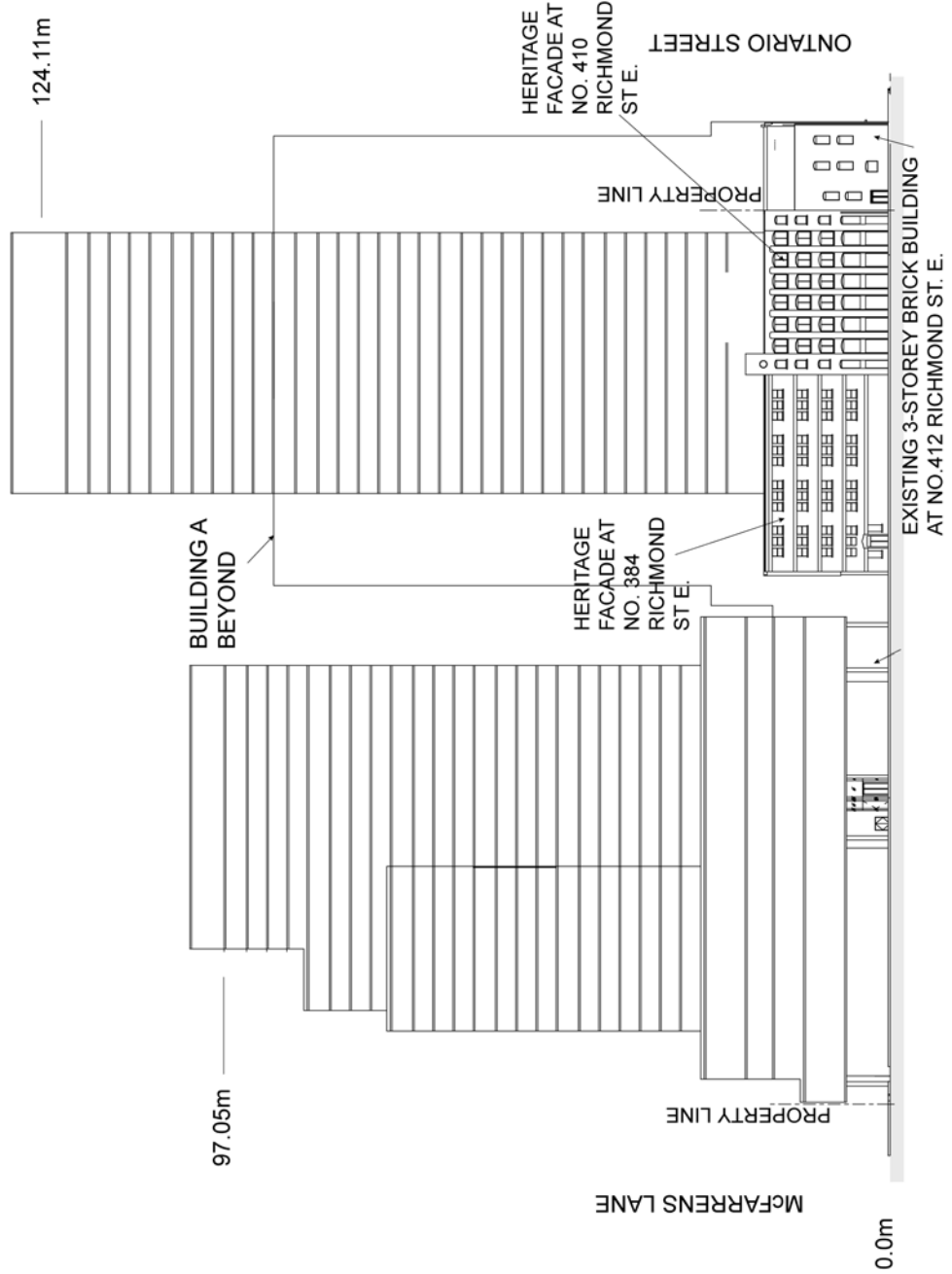
Attachment 3: East Elevation



East Elevation
Applicant's Submitted Drawing
245-285 Queen street East, 348-410 Richmond Street East,
88-106 Ontario Street & 8-12 Bridgen Place

Not to Scale
05/02/2018
File # 16 118638 STE 28 0Z

Attachment 4: South Elevation

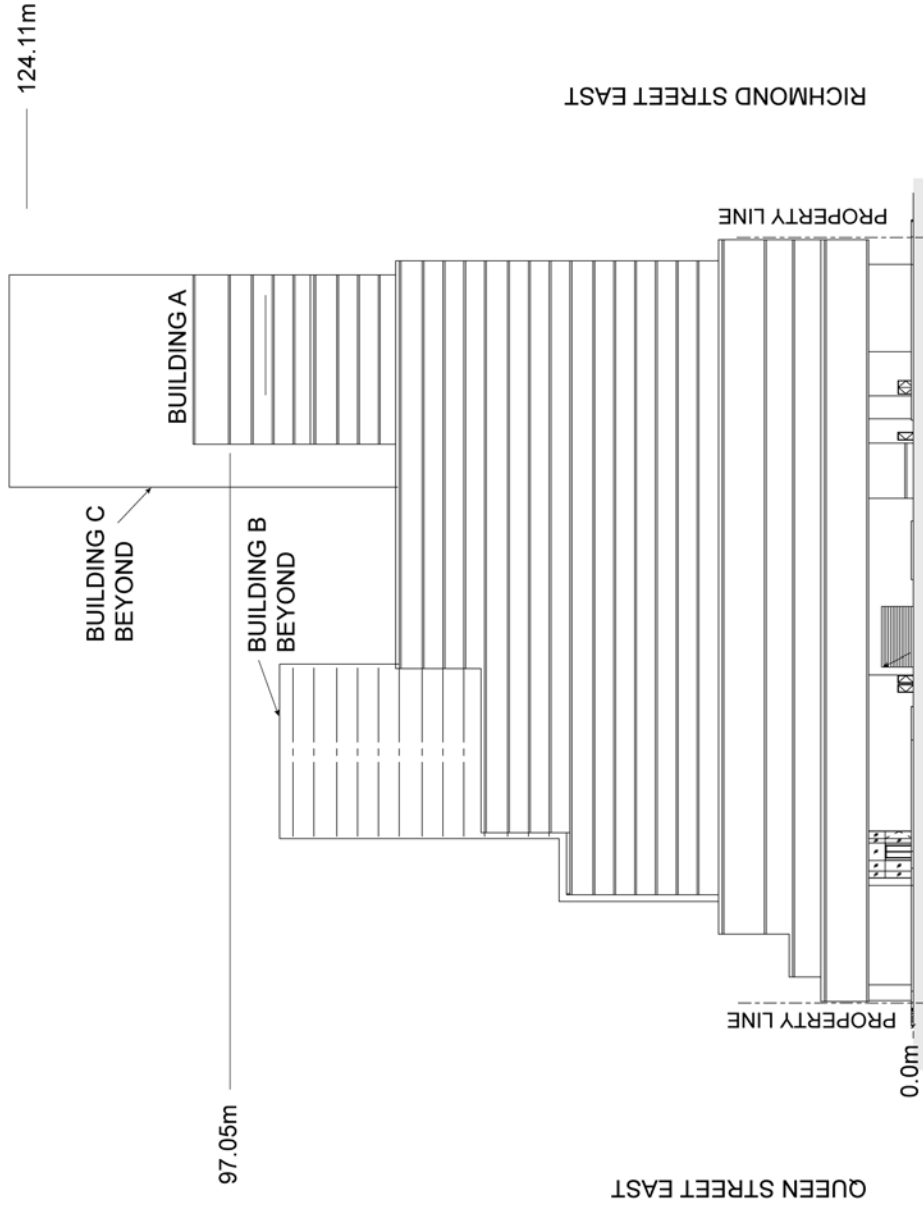


South Elevation
 Applicant's Submitted Drawing
 Not to Scale
 05/02/2018

**245-285 Queen street East, 348-410 Richmond Street East,
 88-106 Ontario Street & 8-12 Bridgen Place**

File # 16 118638 STE 28 0Z

Attachment 5: West Elevation

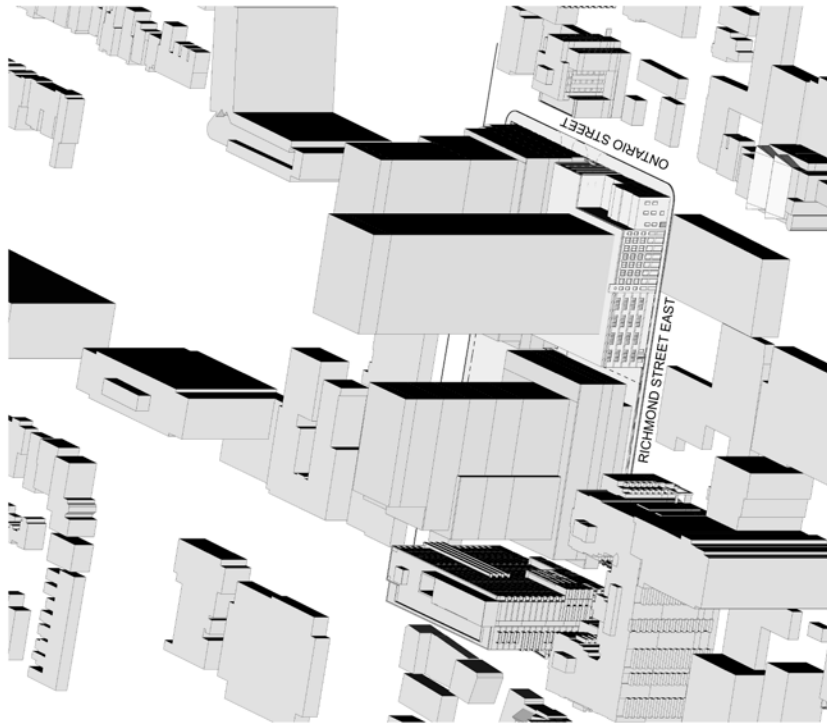
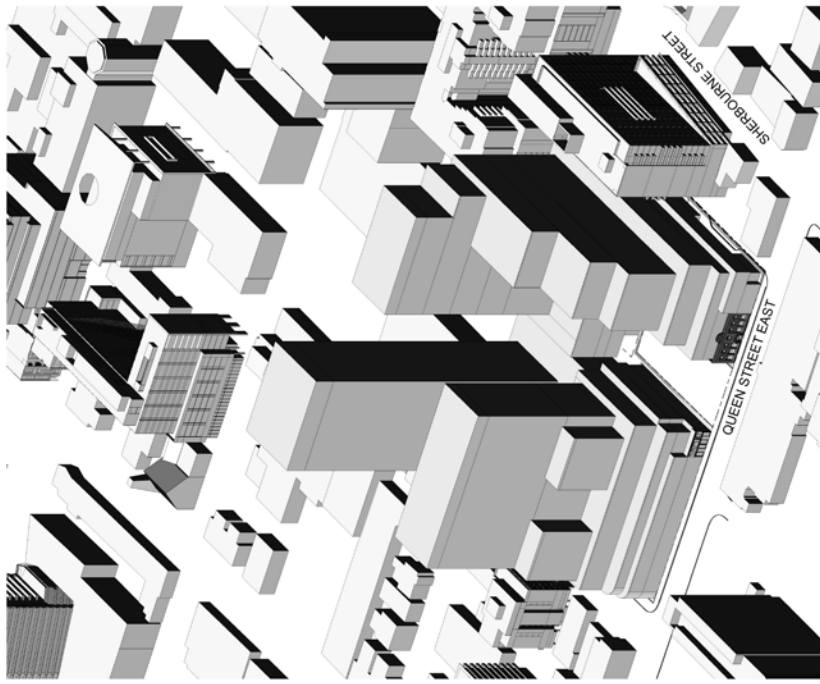


West Elevation
 Applicant's Submitted Drawing
 Not to Scale
 05/02/2018

**245-285 Queen street East, 348-410 Richmond Street East,
 88-106 Ontario Street & 8-12 Bridgen Place**

File # 16 118638 STE 28 0Z

Attachment 6: Axonometric Views



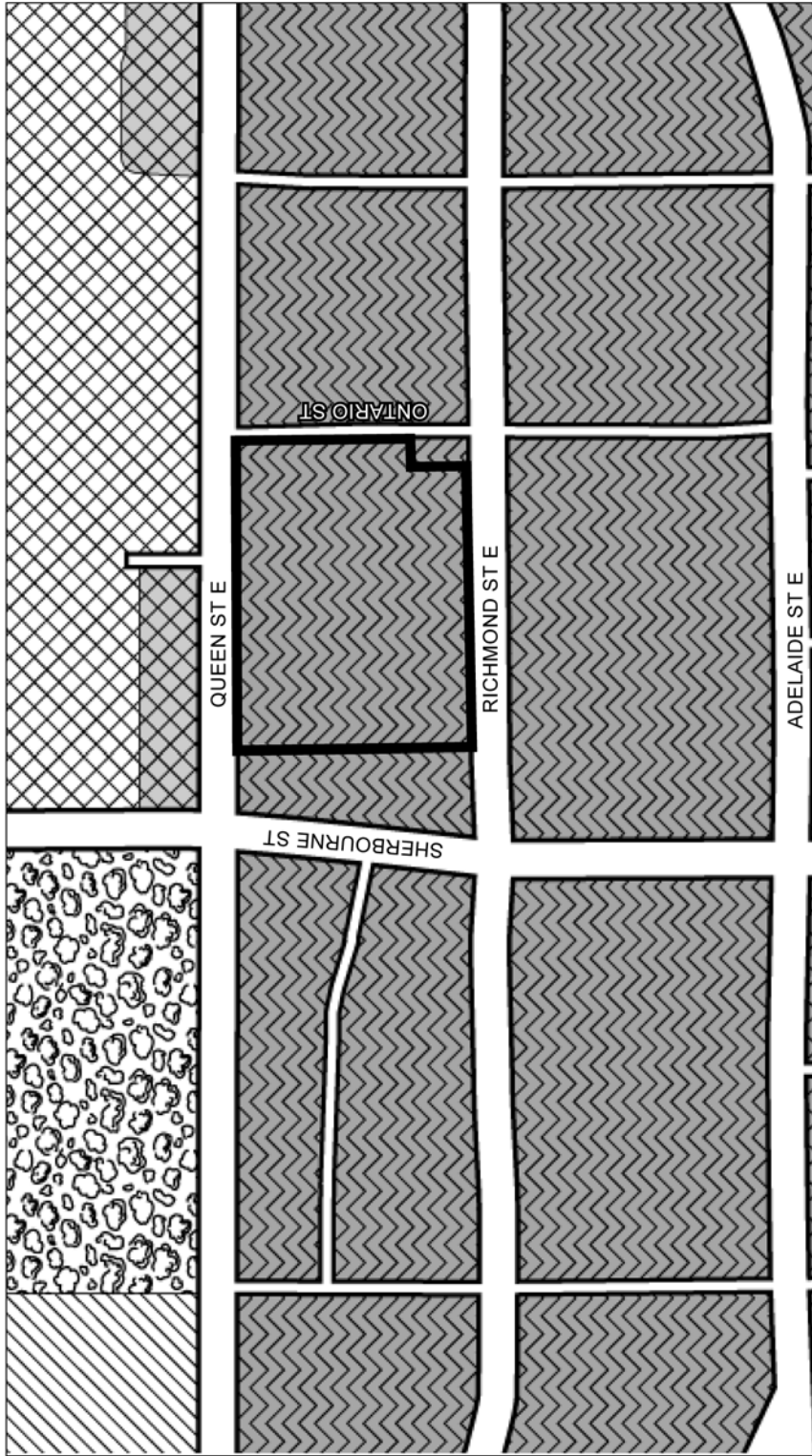
West Elevation
Applicant's Submitted Drawing

245-285 Queen street East, 348-410 Richmond Street East,
88-106 Ontario Street & 8-12 Brigden Place

Not to Scale
05/02/2018

File # 16 118638 STE 28 0Z

Attachment 7: Official Plan



Official Plan Land Use Map #18

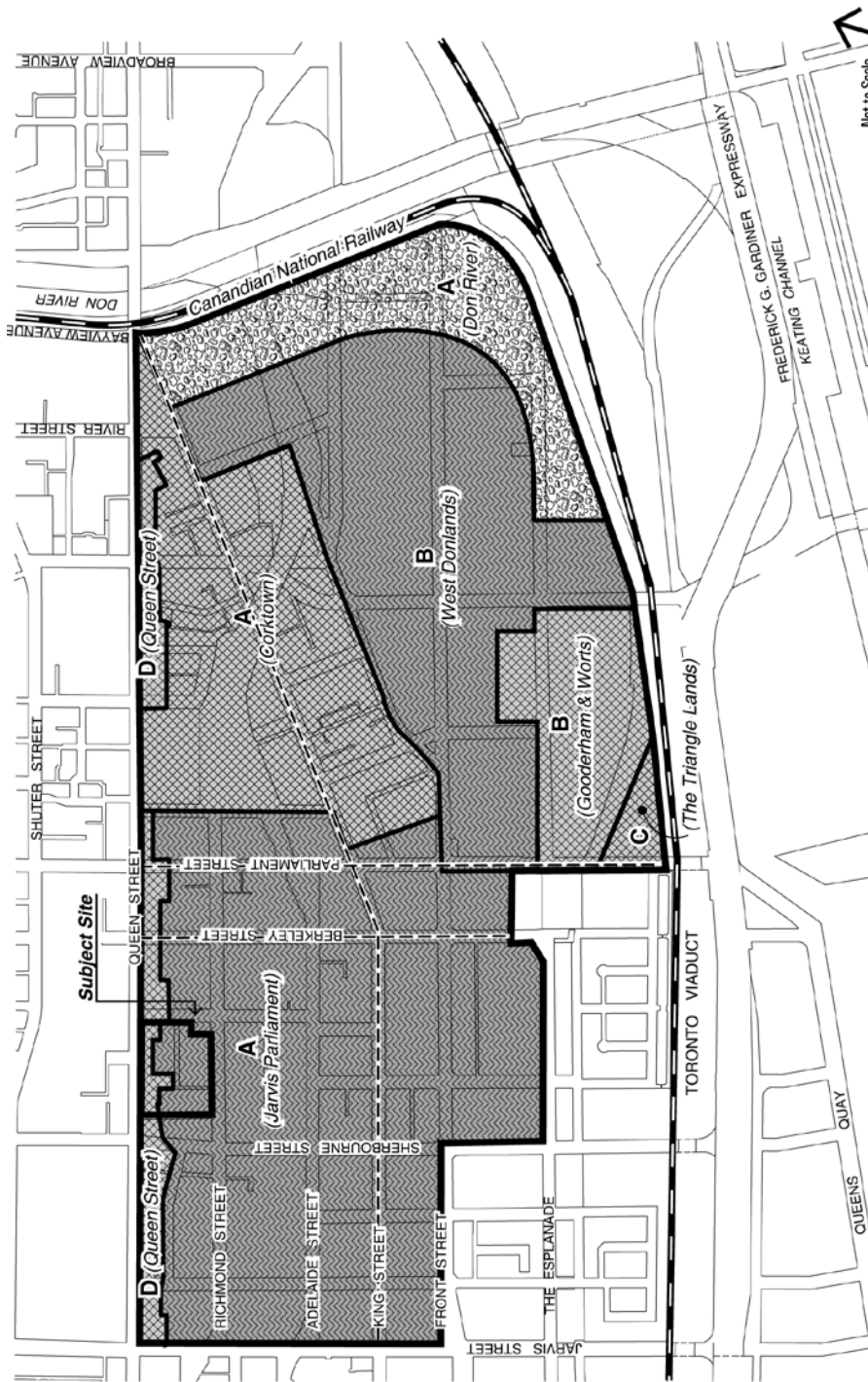
245-285 Queen Street East, 348-410 Richmond Street East
88-106 Ontario Street & 8-12 Brigden Place

File # 16 118638 STE 28 0Z



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05/02/2018

Attachment 8: King-Parliament Secondary Plan – Land Use



King-Parliament Secondary Plan
 MAP 15-1 Land Use Plan

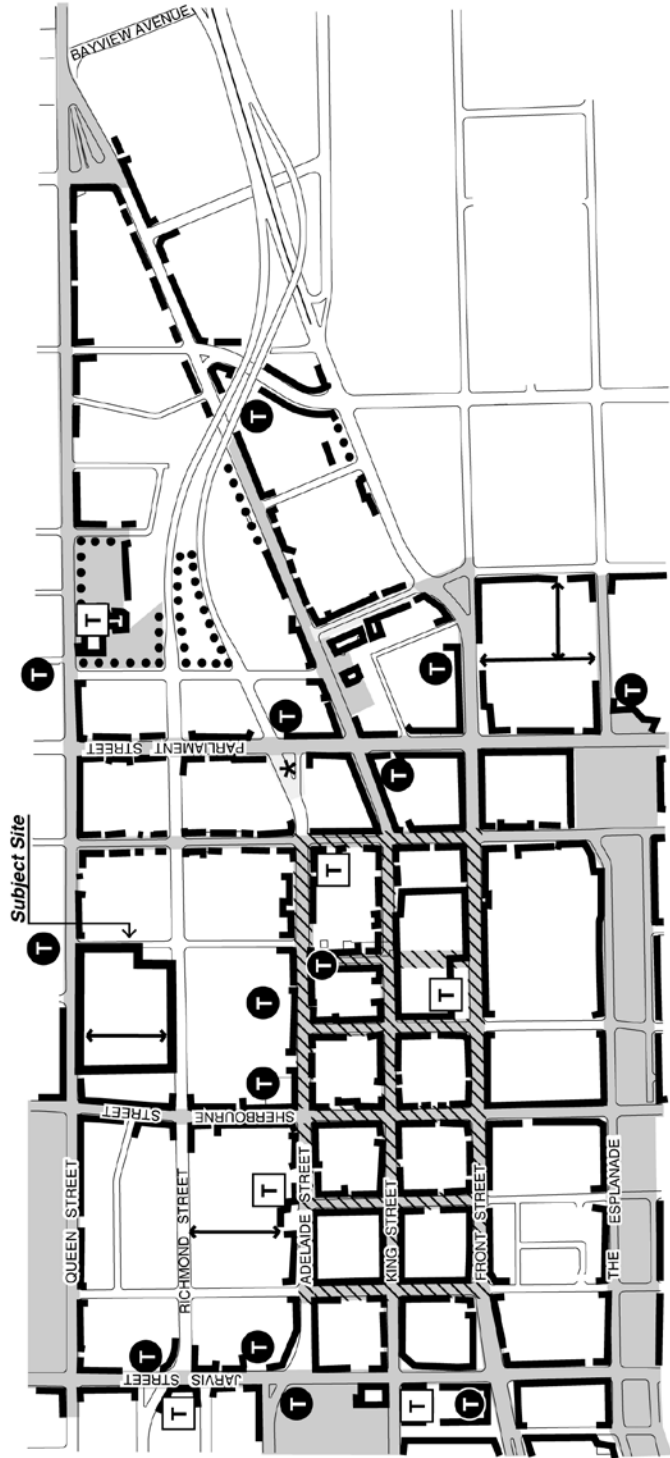


- Secondary Plan Boundary
- Special Streets
- ▨ Mixed Use Areas
- ▩ Regeneration Areas
- ▤ Parks and Open Space Areas

Not to Scale

June 2006

Attachment 9: King-Parliament Secondary Plan Urban Structure



Not to Scale

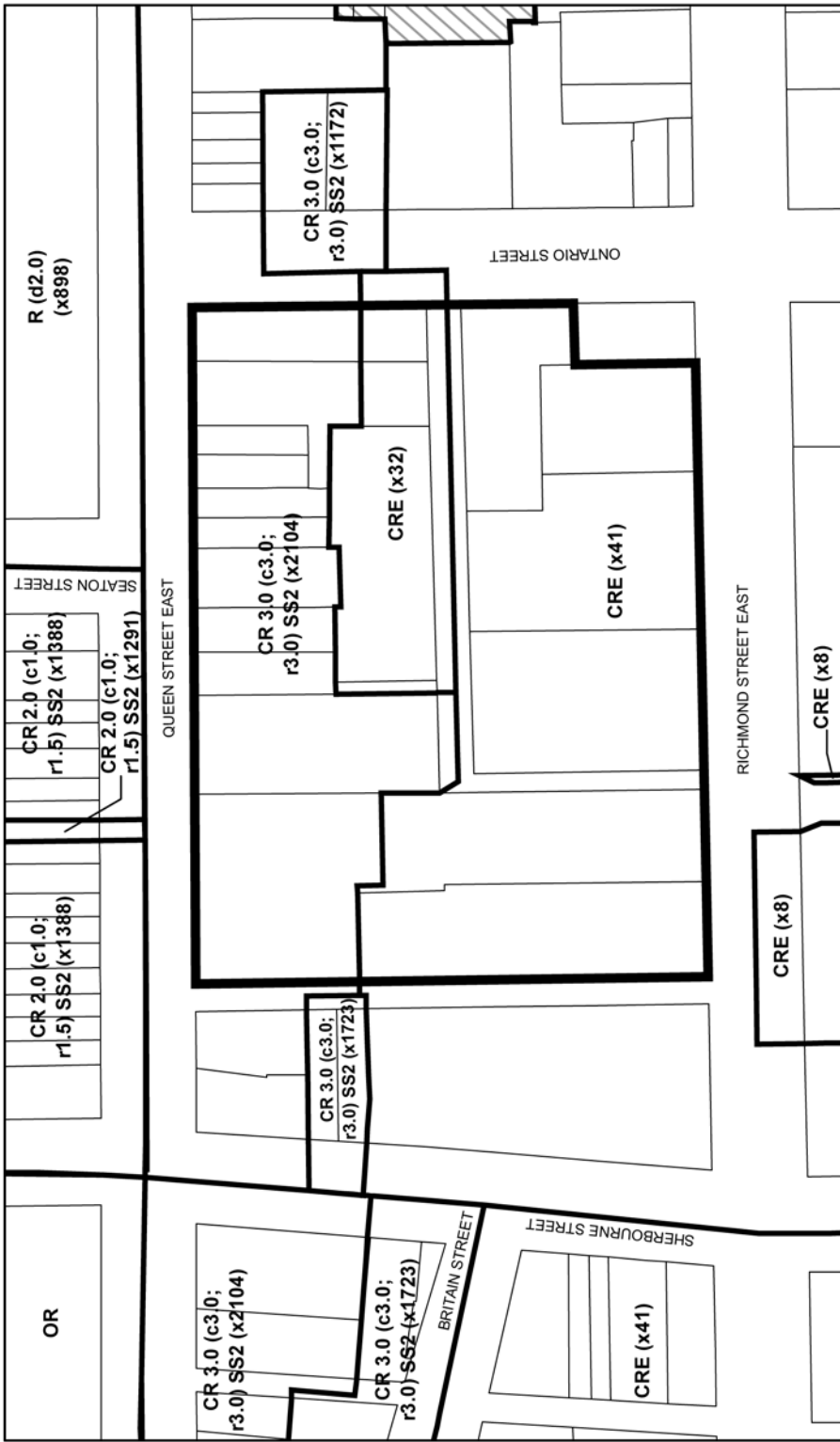
King-Parliament Secondary Plan MAP 15-2 Urban Structure



- Potential View Terminus
- Existing View Terminus
- Landscape Edge
- 10 Original City Blocks
- Existing and Potential Building Edge
- Area for Streetscape Improvement
- Potential Mid-block Connections
- Significant Street and Open Space

June 2006

Attachment 10: Zoning



Toronto City Planning
Zoning By-Law No. 569-2013
 245-285 Queen Street East, 348-412 Richmond Street East
 88-106 Ontario Street & 8-12 Bridgen Place
 File # 16 118638 STE 28 0Z

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

- Location of Application
- Residential
- Commercial Residential
- CRE Commercial Residential Employment
- OR Open Space Recreation



Not to Scale
 Extracted: 04/06/2016

Attachment 11: Application Data Sheet

Municipal Address: 245 QUEEN ST. E. et al **Date Received:** February 19, 2016

Application Number: 16 118638 STE 28 OZ

Application Type: OPA / Rezoning, OPA & Rezoning

Project Description: This is a revised Official Plan and Zoning By-law amendment to permit a mixed-use development consisting of three towers of 24, 16 to 28 and 37 storeys. The base building heights range from 3 to 5 storeys, with certain massing components that are 12 storeys. The revised proposal includes 1,468 dwelling units, 124 hotel rooms, 54,702 sq.m. of non-residential space, 821 vehicular parking spaces, and 1,687 bicycle parking spaces.

Applicant	Agent	Architect	Owner
PETER SMITH, BOUSFIELDS		SWEENEY&CO ARCHITECTS	RICHMOND RESIDENTIAL LIMITED PARTNERSHIP

EXISTING PLANNING CONTROLS

Official Plan Designation:	Regeneration Areas	Site Specific Provision:
Zoning:	CRE(x32)	Heritage Designation: Yes
Height Limit (m):	16, 26, 30	Site Plan Control Area: Yes

PROJECT INFORMATION

Site Area (sq m): 14,925 Frontage (m): 142 Depth (m): 106

Building Data	Existing	Retained	Proposed	Total
Ground Floor Area (sq m):			12,123	12,123
Residential GFA (sq m):			103,572	103,572
Non-Residential GFA (sq m):			54,702	54,702
Total GFA (sq m):			158,274	158,274
Height - Storeys:			37	37
Height - Metres:			129	129
Lot Coverage Ratio (%): 81.23		Floor Space Index:	10.6	

Floor Area Breakdown	Above Grade (sq m)	Below Grade (sq m)
Residential GFA:	103,572	
Retail GFA:	14,815	
Office GFA:	32,803	
Industrial GFA:		
Institutional/Other GFA:	7,084	

Residential Units by Tenure	Existing	Retained	Proposed	Total
Rental:	2		519	519
Freehold:				
Condominium:			949	949
Other:				
Total Units:	2		1,468	1,468

Total Residential Units by Size

	Rooms	Bachelor	1 Bedroom	2 Bedroom	3+ Bedroom
Retained:					
Proposed:	24	20	942	329	153
Total Units:	24	20	942	329	153

Parking and Loading

Parking Spaces: 821 Bicycle Parking Spaces: 1,687 Loading Docks: 15

CONTACT:

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Henry.Tang@toronto.ca