



STAFF REPORT ACTION REQUIRED

161 and 167 Parliament Street, 351, 363, 371 and 373 Queen Street East and 80, 90, 92 and 94 Power Street - Official Plan and Zoning By-law Amendment and Rental Housing Demolition Applications - Request for Interim Directions Report

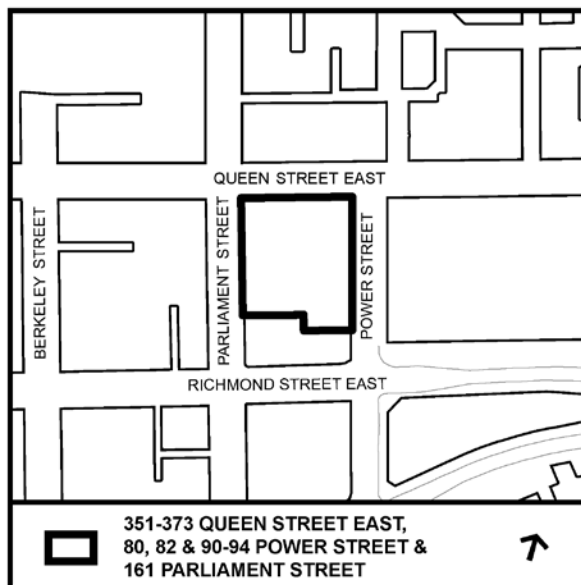
Date:	May 29, 2018
To:	Toronto and East York Community Council
From:	Acting Director, Community Planning, Toronto and East York District
Wards:	Ward 28 – Toronto Centre-Rosedale
Reference Number:	18 136695 STE 28 OZ and 18 136700 STE 28 RH

SUMMARY

This report responds to an application that staff are currently not in a position to provide a Final Report to Council, but which could be appealed to the Local Planning Appeal Tribunal due to a lack of decision during the break in Council's meeting schedule (July to December 2018).

The report sets out outstanding issues related to the application and makes an initial determination as to whether or not the application is consistent with the Provincial Policy Statement (2014) and conforms to the Growth Plan for the Greater Golden Horseshoe (2017).

The proposal is primarily comprised of 2 tall building elements: a 29-storey tower (98.4 metres) at the southeast corner of the site and a 16-storey tower (58.55 metres) at the westerly portion of the site along the Parliament Street frontage atop of a base building which gradually steps from 3-storeys along Queen Street East to



the taller building elements to the south. A total of 584 residential dwelling units (including 8 replacement units); 3,736 square metres of non-residential uses; 259 vehicular parking spaces within a 3-level underground parking garage; and 607 bicycle parking spaces are proposed.

A Rental Housing Demolition Application pursuant to Chapter 667 of the Toronto Municipal Code has been submitted seeking approval to demolish eight existing rental dwelling units for the lands identified above.

The proposed development is not consistent with the Provincial Policy Statement (2014) and does not conform to the Growth Plan for the Greater Golden Horseshoe (2017) in its current form. City Planning staff have major concerns with respect to the ability of the site to accommodate two tall buildings and the height and massing presented by this proposal. This issue and all additional matters that arise through the Development Review Process will need to be addressed prior to submission of the Final Report to Council.

A Community Consultation Meeting is anticipated to be held in June 2018. A Final Report will be submitted for Council's consideration following community consultation, the resolution of outstanding issues related to this application and the holding of a statutory Public Meeting under the *Planning Act*.

A Rental Housing Demolition Application pursuant to Chapter 667 of the Toronto Municipal Code has been submitted seeking approval to demolish eight existing rental dwelling units at 161 and 167 Parliament Street, 351, 363, 371 and 373 Queen Street East and 80, 90, 92 and 94 Power Street (File No. 18 136700 STE 28 RH). Staff recommend that Council withhold making a decision on this application, as the proposed development is not supported by Planning staff. Council's decision under this statute is not appealable to the LPAT. Should the application be appealed and should the LPAT approve the Zoning By-law Amendment appeals in whole or in part, this application would come back to City Council for final approval.

RECOMMENDATIONS

The City Planning Division recommends that:

1. City Council direct City Staff to continue to review the application and resolve any outstanding issues detailed in this report.
2. City Council direct the City Solicitor and appropriate City Staff to attend and oppose the application in its current form, should the application be appealed to the Local Planning Appeal Tribunal (the "LPAT") on the basis of Council's failure to make a decision on the application within the statutory timeframe of the *Planning Act*.

3. City Council withhold making a decision on Rental Housing Demolition Application (File No. 18 136700 STE 28 RH) pursuant to Chapter 667 of the Toronto Municipal Code to demolish 8 existing residential rental dwelling units at 161 and 167 Parliament Street, 351, 363, 371 and 373 Queen Street East and 80, 90, 92 and 94 Power Street.
4. In the event that the applicant appeals to the LPAT and should the LPAT allow the appeals in whole or in part, City Council direct the City Solicitor to request the LPAT to withhold the issuance of any Order(s) on the Official Plan and Zoning By-law Amendment appeals for the subject lands:
 - a. Until such time as the City Solicitor in consultation with the Chief Planner and Executive Director, City Planning and the owner have provided draft by-laws to the Board in a form and with content satisfactory to the Director, Community Planning, Toronto East York District and the City Solicitor, including securing replacement rental dwelling units, rents, tenant assistance and any other rental related matters at least in conformity with Section 3.2.1.6 of the Official Plan, and the owner has entered into and registered a Section 37 Agreement with the City incorporating such replacement rental dwelling units, rents, tenant assistance, any other rental related matters and other section 37 matters, all to the satisfaction of the City Solicitor; and
 - b. Pending City Council making a decision on Rental Housing Demolition Application (File No. 18 136700 STE 28 RH) pursuant to Chapter 667 of the Toronto Municipal Code to demolish the 8 existing rental dwelling units at 161 and 167 Parliament Street, 351, 363, 371 and 373 Queen Street East and 80, 90, 92 and 94 Power Street.
4. Staff be directed to schedule a community consultation meeting for the lands at 161 and 167 Parliament Street, 351, 363, 371 and 373 Queen Street East and 80, 90, 92 and 94 Power Street together with the Ward Councillor.
5. Notice for the community consultation meeting be given to landowners and residents within 120 metres of the site.
6. Notice for the public meeting under the *Planning Act* be given according to the regulations of the *Planning Act*.

Financial Impact

The recommendations in this report have no financial impact.

DECISION HISTORY

There have been no recent development applications filed on the subject property.

Pre-Application Consultation

Pre-application consultation meetings were held with the applicant on October 11, 2017 and December 13, 2017 for assistance in defining the requirements for application submission. The current application was submitted on March 29, 2018 and deemed complete on May 3, 2018.

ISSUE BACKGROUND

Proposal

This application proposes to amend the City's Official Plan and City of Toronto Zoning By-law Nos. 438-86 and 569-2013 for the lands at 161 and 167 Parliament Street, 351, 363, 371 and 373 Queen Street East and 80, 90, 92 and 94 Power Street to permit a mixed-use building with a 3-storey base element along Queen Street East (14.7 metres), which increases to 6-storeys (24.95 metres) moving south on the site (refer to Attachment 1: Site Plan). Two tall buildings are proposed for residential use along the southern boundary of the site: a 29-storey tower (103.44 metres) at the southeast corner of the site and a 16-storey tower (58.55 metres) at the westerly portion of the site along the Parliament Street frontage (refer to Attachments 2-5).

The application proposes 584 residential dwelling units (including 8 replacement rental units). The application has a gross floor area of approximately 44,361 square metres, including 3,736 square metres of retail uses spread over two levels with a density (floor space index) of 9.18 times the area of the lot. A tower floor plate of 958 square metres is proposed for the 29-storey tower at the southeast corner of the site.

The application also proposes a 300 square metre public Parkette at the Queen Street East and Power Street intersection, directly opposite St. Paul's Church. Indoor amenity space of 1,627 square metres and outdoor amenity space of 697 square metres are proposed.

A total of 259 vehicular parking spaces are proposed in a 3-storey underground parking garage to be accessed off of Parliament Street and Power Street, of which 176 spaces would be for the use of residents and 83 spaces would be for commercial and visitor use. Two Type 'B' and one Type 'G' loading space is proposed as part of the development. A total of 607 bicycle parking spaces are proposed, of which 584 would be for resident use and 23 would be for commercial use.

A Rental Housing Demolition Application has been submitted in conjunction with the Official Plan and Zoning By-law Amendment applications. This application proposed to demolish the eight existing rental dwelling units and one owner-occupied dwelling unit located on the subject site and provide eight replacement rental units within the proposed building. According to the Housing Issues Report submitted by the applicant, the eight replacement rental units would be of the same size, type and rent classification as the existing units.

Details of the application are outlined in the table below and in Attachment 10: Application Data Sheet.

Category	March 29, 2018	
Site Area	4,834 square metres	
Base Building Setbacks From Property Line	North (Queen Street East)	2.8 metres
	East (Power Street)	0 metres
	South	0 metres
	West (Parliament Street)	1.2 metres
Gross Floor Area (GFA)		
Residential	40,625 square metres	
Non-Residential	3,736 square metres	
Total	44,361 square metres	
Floor Space Index (FSI)	9.18	
Building Height	From 14.7 metres along Queen Street East to 103.4 metres to top of 29-storey tower (including MPH)	
Number of Proposed Residential Units		
Studio	51 (8.7%)	
1 Bedroom	310 (53.1%)	
2 Bedroom	163 (27.9%)	
3 Bedroom	60 (10.3%)	
Total	584	
Amenity Area		
Indoor	1,627 square metres (24 th storey)	
Outdoor	697 square metres	
Total	2,324 square metres	
Proposed Vehicular Parking (shared commercial and visitor: residential)	259 spaces (83:176)	
Loading Spaces		
Description	2 Type B 1 Type G	
Bicycle Parking (long-term res:short-term res/commercial)	607 spaces (584:23)	
Tower Heights	58.55 metres (16-storey portion) 103.4 metres (29-storey portion)	
Tower Floor Plates	1,054 square metres (16 storey portion) 968 square metres (29-storey portion)	
Tower Separation	18.2 metres	
Proposed Parkland Dedication	300 square metres	

Site and Surrounding Area

The site is located at the southeast corner of Queen Street East and Parliament Street and is bounded by Power Street to the east. The site consists of a total of 10 properties: 161 and 167 Parliament Street, 351, 363, 371 and 373 Queen Street East and 80, 90, 92 and 94 Power Street. The current land uses consist of the following:

Along Queen Street East is:

351 Queen Street East – a 2-storey retail building (Shoppers Drug Mart);
363 Queen Street East – a vacant 2-storey retail building;
371 Queen Street East – a 2-storey mixed use building with retail at grade and a dwelling unit above; and
373 Queen Street East - a 2-storey mixed use building with retail at grade and a dwelling unit above;

Along Parliament Street is:

167 Parliament Street – the rear portion of 351 Queen Street East and parking; and
161 Parliament Street – a 2-storey former residential rowhouse has been converted to a commercial use on the ground floor;

Along Power Street is:

90, 92 and 94 Power Street – 3-storey rowhouse dwellings; and
80 and 82 Power Street – a 2-storey office building.

The site is irregularly shaped and has an area of approximately 4,834 square metres with frontage on three public streets, including 65.9 metres of frontage on the south side of Queen Street East, 69.9 metres of frontage on the east side of Parliament Street, and 79.3 metres of frontage on the west side of Power Street. The site is relatively level and slopes slightly to the south.

The surrounding development and land uses are as follows:

North: 2 and 3-storey mixed-use buildings with street-related retail and residential uses above (348-384 Queen Street East).

South: Immediately to the south of the site are a Shell gas station, single-storey retail building and surface parking lot at 548 Richmond Street and 80A Power Street. Continuing south, there is an Ontario Municipal Board approved development application at 46-54 Power Street and 113-135 Parliament Street which consists of two tower elements of 19 and 22 storeys (69.4 metres and 78.4 metres, including mechanical penthouse), with a three-storey base building (19.7 metres).

East: Immediately to the east of the site is the St. Paul Catholic Elementary School (80 Sackville Street) and St. Paul's Church (83 Power Street), a listed heritage building. Further along the south side of Queen Street East are two and three-storey residential dwellings, as well as mixed-use buildings and converted dwellings that contain street-related commercial uses.

West: Directly opposite the site at the southwest corner of Queen Street East and Parliament Street, known as 345 Queen Street East is a three-storey mixed use building. Further south at 162 Parliament Street is the Creche Child and Family Centre. Along Parliament Street are 108 and 110 Parliament Street – two 2-storey semi-detached residential buildings; 112-124 Parliament Street – a site under construction for a 21-storey mixed-use building; 126 to 130 Parliament Street – three 2-storey office/retail buildings; Worts Lane – a “L” shaped public lane that terminates on Richmond Street East; and 134 Parliament Street – a one storey auto repair and sales shop.

According to the Housing Issues Report submitted by the applicant, the location and unit type of the eight existing rental dwelling are as follows:

- 161 Parliament Street – 2 three-bedroom units;
- 90 Power Street – 2 two-bedroom units;
- 92 Power Street – 2 two-bedroom units; and
- 94 Power Street – 2 two-bedroom units;

As of the date of application, all eight existing rental dwelling units were occupied by tenants at either affordable or mid-range rents.

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:

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- 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.

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 to Provincial Plans. All comments, submissions or advice affecting a planning matter that is provided by Council shall also be consistent with the PPS and conform to 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 has reviewed the proposed development for consistency with the PPS (2014) and for conformity with the Growth Plan (2017). The outcome of staff analysis and review are summarized in the Comments section of this Report.

City of Toronto Official Plan

This application has been reviewed against the policies of the Official Plan, a number of which are noted below. The Official Plan is intended to be read and interpreted as a comprehensive whole.

Chapter 2 – Shaping the City

Section 2.2.1 Downtown: The Heart of Toronto

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 of the Official Plan contains policies that guide growth by integrating social, economic and environmental perspectives in decision making to create an attractive Toronto with a strong economy and complete communities. The policies focus on the built environment, the human environment, the natural environment, economic health and new neighbourhoods. All applications for development are to be evaluated against the policies and criteria in the Chapter to ensure the best possible development choices are made.

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, have a consistent front yard setback, 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 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 above, new development will also be massed to define the edges of streets, parks and open spaces to ensure adequate access to sky view for the proposed and future uses.

New development will also provide public amenity and enhance the public realm through streetscape improvements.

Section 3.1.3: Built Form – Tall Buildings

The application proposes the construction of two 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

Section 3.1.5 provides policy direction on the conservation of heritage properties in the City's Heritage Register and on development adjacent to heritage properties. Policy 5 requires proposed alterations or development on or adjacent to a property on the Heritage Register to ensure that the integrity of the heritage property's cultural heritage value and attributes will be retained. 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 buildings and structures on the Heritage Register.

Section 3.2.1: Housing

Section 3.2.1 includes 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

Section 4.7: Regeneration Areas

The site is currently designated as *Regeneration Areas* on Map 18 of the Official Plan. *Regeneration Areas* open up unique areas of the City to a wide array of uses to help attract investment, re-use buildings, encourage new construction and bring life to the streets. These areas are key to the Plan's growth strategy, reintegrating areas of the City that are no longer in productive urban use due to shifts in the local or global economies. *Regeneration Areas* will differ in terms of its existing built context, character of adjacent areas and market opportunities for revitalization. *Regeneration Areas* will need "tailor-made" strategies and frameworks for development, provided through a Secondary Plan (refer to Attachment 6: Official Plan).

Chapter 5 – Implementation

Section 5.6: Interpretation

This section provides guidance as to the understanding and interpretation of the Official 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. Policy 1.1 indicates the goal of the Official Plan is to balance and reconcile a range of diverse objectives affecting land use planning in the City.

Policy 1 in Section 5.3.2 - Implementation Plans and Strategies for City-Building of the Official Plan states that Guidelines will be adopted to advance the vision, objectives, and policies of the Plan.

The Official Plan is available on the City's website at:

<https://www.toronto.ca/wp-content/uploads/2017/11/99b3-cp-official-plan-volume-1-consolidation.pdf>

The outcome of staff analysis and review of relevant Official Plan policies, designation and Secondary plans are summarized in the Comments section of the Report.

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 complementary 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

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range of low-rise building types, where a mixture of street-related retail, residential and institutional uses are permitted. The remainder of the site is designated *Regeneration Area 'A' (Jarvis-Parliament)* on Map 15-1 - Land Use Plan. The area designated *Regeneration Area 'A'* in the Secondary Plan, generally bordered by Jarvis Street, Queen Street East, Power Street, The Esplanade and Front Street is targeted for significant growth as a whole, having a mixture of compatible land uses (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 King-Parliament Secondary Plan, where it indicates:

- New buildings for any use will be sited and massed to provide adequate light, view and privacy for neighbouring properties;
- New buildings will achieve a compatible relationship with their built form context through consideration of such matters as building height, massing, scale, setbacks, roof line and profile architectural character and expression;
- Buildings adjacent to streets, parks or open spaces will be massed to provide appropriate proportional relationships and will be designed to minimize the wind and shadowing impacts on the streets, parks or open spaces; and
- New development will provide comprehensive, high quality, co-ordinated streetscape and open space improvements to promote greening, landscape enhancement, access, orientation and confidence of personal safety within King-Parliament.

The subject site is also within the *Corktown Area of Special Identity* on Map 15-3 – Areas of Special Identity. The site fronts onto Parliament Street to the west, identified as a *Special Street* on Map 15-1 – Land Use Plan. Further built form and urban design considerations are discussed in the following section of this report.

This application will be reviewed against all policies of the Secondary Plan. The King-Parliament Secondary Plan is available 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 found here:

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<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 Provincial Policy Statement (2014) and the Growth Plan for the Greater Golden Horseshoe, 2017 (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 within 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.

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

Zoning

Under Zoning By-law 438-86, the northern portion of the site fronting Queen Street East is 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 office uses. The maximum density is 3 times the lot area. The site is subject to certain permission and exception provisions, including: prohibition of a commercial parking garage use; a base building height of 16 metres with a subsequent angular plane of 44 degrees along Queen Street East; and a building height of up to 12 metres between the street limit to a lot depth of 12 metres along Parliament Street. The height limit, angular plane and density standards of the Zoning By-law implements the policy direction articulated in the Official Plan and King-Parliament Secondary Plan for this section of Queen Street East.

The remainder of the site is zoned RA "Reinvestment Area" with a height limit of 23 metres and certain permission and exception provisions under Zoning By-law 438-86. The RA designation permits a mixture of uses including residential, retail, office and manufacturing uses. Exception provisions for the site include: a massing height of up to 20 metres for the base building, with a 3 metre stepback on subsequent massing height along the Power Street and Parliament Street frontages; a massing height of up to 16 metres for the base building, with the application of an angular plane of 44 degrees on subsequent massing height along Parliament Street; and a limit of retail gross floor area based on what is existing on the lot plus an additional 1,800 square metres.

Under Zoning By-law No. 569-2013, the northern portion of the site fronting Queen Street East is zoned CR 3.0 (c3.0; r3.0) SS2 (x2172) and (x1715). The height limits, range of uses, and site specific permission and exception provisions are carried over from Zoning By-law 438-86, and also implements the built form policy direction articulated in the Official Plan and King-Parliament Secondary Plan for this section of Queen Street East.

The southern portion of the site is zoned CRE (x1) "Commercial Residential Employment", with the entire site having a height limit of 23 metres under Zoning By-law 569-2013. The CRE zone permits a range of uses similar to the former designation under Zoning By-law 438-86. The CRE(x1) provisions refer to site specific permission and exceptions that are carried over from Zoning By-law 438-86 (refer to Attachment 9: Zoning).

King-Parliament Urban Design Guidelines

The King-Parliament Urban Design Guidelines correspond to the policy direction of the King-Parliament Secondary Plan. As noted above, the site is identified within the *Corktown Area of Special Identity*. New development shall respect the historical and urban design significance of the area. Further, Parliament Street is identified as a *Special Street*. The Urban Design Guidelines direct new buildings along Parliament Street to be consistent in general character and scale with the heritage industrial buildings. The King-Parliament Urban Design Guidelines are available here:

http://www1.toronto.ca/city_of_toronto/city_planning/community_planning/files/pdf/14kingparliament.pdf

King-Parliament Community Improvement Plan

The King-Parliament Community Improvement Plan (CIP) is to complement the policies of the King-Parliament Secondary Plan in providing a framework for the improvement of public lands within the King-Parliament area. The *Corktown Area of Special Identity* is indicated as an area that deserves special attention in order to highlight their heritage and historical importance. Parliament Street, as a *Special Street* merits additional attention to its long-term physical improvement. Further, potential Gateways and Open Space Improvements as identified in the CIP, within proximity to the subject lands shall be considered for improvements.

City-Wide Tall Building Design Guidelines

In May 2013, Toronto City Council adopted the updated city-wide Tall Building Design Guidelines and directed City Planning staff to use these Guidelines in the evaluation of all new and current tall building development applications. The guidelines establish a unified set of performance measures for the evaluation of tall building proposals to ensure that they fit within their context and minimize their local impacts. The city-wide Guidelines are available at <http://www.toronto.ca/planning/tallbuildingdesign.htm>

Policy 1 in Section 5.3.2 - Implementation Plans and Strategies for City-Building of the Official Plan states that 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 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 application is subject to Site Plan Control. An application for Site Plan 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 By-law, implements Section 111. Chapter 667 prohibits the demolition of rental housing units in buildings containing six or more dwelling 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, where delegated, 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 housing demolition, 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 Local Planning Appeal Tribunal.

On March 29, 2018, the applicant made an application for a Rental Housing Demolition permit pursuant to Chapter 667 of the City of Toronto Municipal Code. The application proposes to demolish eight rental dwelling units. A Housing Issues Report has been submitted with the required application and is currently under review for consistency with the Official Plan.

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

Tree Preservation

The application is subject to the City of Toronto Private Tree By-law. Tree Preservation and Landscape Plans have been submitted with the application and circulated to the City's Urban Forestry staff for their review. Opportunities for tree preservation and planting of replacement private and street trees will form part of their review.

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 situated within a section of the Council approved alignment for the Relief Line. City and TTC staff will review the proposal in light of the Relief Line's approved alignment and station locations. The subject site fronts on Queen Street East and is situated within a section of the Council approved alignment for the Relief Line. City and TTC staff will review the proposal in light of the Relief 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.

Reasons for the Applications

An amendment to the Official Plan has been submitted and is required to permit a tall building that is not mutually compatible and complementary to the existing built form character and scale along this section of Queen Street East in the King-Parliament Secondary Plan. The Zoning By-law amendment is required for relief from various standards including overall building height, base building height, angular plane along Queen Street East, maximum density and number of parking spaces.

An amendment to both City of Toronto Zoning By-law Nos. 438-86 and 569-2013 is required for relief from various standards including overall building height, base building height, maximum density and number of parking spaces.

The applicant has submitted an application for a Rental Housing Demolition permit pursuant to Chapter 667 of the City of Toronto Municipal Code for the demolition of existing rental dwelling units on the subject site, as it contains six or more dwelling units, of which at least one is rental.

Application Submission

A complete application was submitted on March 29, 2018. A Notification of Complete Application was issued on May 3, 2018.

The following reports/studies were submitted with the application:

- Arborist/Tree Preservation Report;
- Archeological Assessment;
- Boundary Plan of Survey;
- Community Services and Facilities Study;
- Context Plan;
- Draft Official Plan Amendment;
- Draft Zoning By-law Amendment;
- Environmental Noise Feasibility Study;
- Floor Plans;
- Functional Servicing and Stormwater Management Report;
- Geotechnical Study;
- Green Development Standards Checklist;
- Heritage Impact Statement (Conservation Strategy);
- Housing Issues Report;

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- Hydrogeological Assessment;
- Landscape Plans;
- Pedestrian Level Wind Study;
- Phase I and II Environmental Site Assessment;
- Planning Rationale;
- Public Consultation Strategy;
- Site and Building Elevations and Sections;
- Streetcar Vibration Study;
- Sun/Shadow Study;
- Topographical Survey;
- Traffic Operations Assessment;
- Transportation Impact Study (Urban Transportation Considerations Report); and
- Tree Preservation Plan.

Community Consultation

The applicant has submitted a Public Consultation Strategy as part of the complete application submission requirements. In summary, the Public Consultation Strategy identifies the following opportunities for public consultation:

- The community and necessary department/agencies will be notified of the complete development application (once deemed complete by Community Planning) through various methods including the on-site application notice sign, and an update on the City's Development Application Centre;
- Residents and stakeholders can review the submission materials, including drawings and reports, either on-line on the City's Development Application Centre, or in-person at City Hall;
- Residents and stakeholders can direct comments and questions about the application to the assigned City planner on the file throughout the review process;
- Community Consultation Meeting organized by City Planning Staff in consultation with the Ward Councillor;
- Input from the Community Consultation Meeting will be considered and revisions will be made to the plans for a re-submission; and
- Statutory Public Meeting at Toronto and East York Community Council at a date to be determined.

Community consultation helps to inform Council in respect of the exercise of its authority to make a decision with regard to the planning application. This Report seeks Community Council's direction on the community consultation process.

COMMENTS

Provincial Policy Statement and Provincial Plans

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 2 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.

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.

The applicant has submitted a Heritage Impact Assessment that is under review by Heritage Preservation Services.

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 and retail uses. The proposed mixture of uses conforms to the *Regeneration Area 'A'* and *Mixed Use Area 'D'* designations of the King-Parliament Secondary Plan.

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.

In this regard, the King-Parliament Secondary Plan sets the subject site within 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 complement 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 23metres within *Regeneration Area 'A'*. Further, the King Parliament Secondary Plan also requires development to achieve a compatible relationship with their built form context through building height, scale and massing.

With respect to building height, the proposal contemplates two tower forms of 58.55 metres (16-storey portion) and 103.4 metres (29-storey portion). The overall height of the buildings is in the higher range of building heights within the King-Parliament area, when a general transition of building heights is anticipated from the west to the east towards Corktown, articulated in the Zoning By-law for the *Regeneration Area 'A'* designation . City Planning staff will continue to work with the applicants in revising the heights of the proposal to maintain the policy direction of the King-Parliament Secondary Plan.

With respect to the proposal's massing, the two tall building elements are set atop a 6-storey tower base that provides a minimum 2.8 metre setback along Queen Street East, 1.2 metre setback along Parliament Street, 0 metres along Power Street and 0 metres to the southerly property line. The proposed building is inset 16.5 metres along Queen Street East and 23 metres at the southwest corner of Queen Street East and Power Street to account for the proposed parkland dedication. The heights of the building range moving south on the property, from 15.3 metres along Queen Street East to 103.4 metres for the 29-storey tower at the southeast corner of the site. The floor plate of the 16-storey tower measured from the 6th storey is approximately 1,054 square metres incorporating the 12-storey element and the floor plate of the 29-storey tower measured from the 6th storey is 968 square metres.

The built form proposed deviates from the Tall Building Guidelines. Section 3.2.1 of the Tall Building Guidelines direct tall building floorplates to a maximum size of 750 square metres in order to provide an adequate amount of pedestrian views and daylight.

City Planning staff 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 Power Street and 16 metres along Parliament Street. 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 16-storey tower element along Parliament Street with a building height of up to 58.55 metres and the second 29 storey tower element along Power Street with a height of 103.4 metres. The proposed base building height condition is not proportional to the existing and planned context of the King-Parliament area where base building heights generally are 16-20 metres in keeping with the warehouse character of the area. The proposal results in a built form that does not provide adequate views and natural light for both residents and pedestrians.

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 is not meeting this requirement. In its current form, the tower elements are separated by approximately 18.2 metres at the northerly portion of the towers (separated by a green roof) and are joined at the south end of the building, which produces a large floor plate and presents significant massing at the southern portion of the site. The proposed tower elements are not providing a 12.5 metre setback to the side and rear property line, and instead is setback only 1.5 metres from Parliament Street, 3 metres from Power Street and 5.5 metres from the rear property line.

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.

Heritage Conservation

None of the properties that make up the subject site have a heritage designation; however there are designated properties adjacent to the site. The properties directly across from the site on both the west side of Queen Street East (345 Queen Street East) and east side of Power Street (St. Paul's Church) are listed in the City's Heritage Register.

A Heritage Impact Assessment has been submitted with the application. This application will be reviewed for its impact on the surrounding heritage properties, against the Parks Canada Standards and Guidelines for the Conservation of Historic Places in Canada, and the relevant sections of the Official Plan.

Archaeological Potential

A Stage 1 Archaeological Assessment was submitted in support of the original application and is currently under review by Heritage Preservation Services staff.

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/September and June.

The study shows the proposal will cast shadows on the Moss Park Apartment open space to the northwest between 9:18 am and 11:18 am on March 21st and September 21st. The proposed on-site park will also be cast in shadows from 1:18 pm to 6:18 pm on March 21st and September 21st. The study also shows the proposal will cast shadows on St. Paul's Church from 2:18 pm to 6:18 pm on 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 requires buildings adjacent to open spaces to 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 to reduce net-new shadows.

Noise and Vibration/Air Quality/Wind Impact

Noise and Vibration Impact, Air Quality and a Pedestrian Level Wind Study were submitted in support of the application and are currently under review by City Staff.

Traffic Impact and Vehicular Access

A Transportation Impact Study (TIS) has been submitted in support of the application and is currently under review by Transportation Services staff.

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.

Servicing, Stormwater Management and Hydrogeological Impact

A Functional Servicing Report, Stormwater Management Report and Hydrogeological Investigation Report was submitted in support of the proposal and are currently under review by Engineering and Construction Services staff.

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 application proposes a 300 square metre parkland dedication at the southwest corner of Queen Street East and Power Street. Parks Planning staff will evaluate the suitability of the proposed parkland dedication.

Tree Preservation

An Arborist Report and a Landscape Plan was submitted for the site. The Arborist Report indicated there are 31 trees on and within 6 metres of the site, with none of the trees to be preserved for the proposal. The Arborist Report and Landscape Plan will be reviewed by Urban Forestry Staff.

Rental Housing Demolition and Replacement

The Rental Housing Demolition Application has been deemed complete and is currently under review by City Planning staff. The matters with respect to the Rental Housing Demolition Application are not appealable to the LPAT.

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 have not yet been discussed. 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.

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. 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.

City staff and circulated agencies have not yet completed their review of the application. There remain outstanding issues related to built form, height, transition, conservation of adjacent heritage resources, and the appropriateness of the proposed parkland dedication.

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 and is therefore not consistent with the PPS, the Growth Plan and does not have regard for Section 2 of the *Planning Act*.

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

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SIGNATURE

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

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ATTACHMENTS

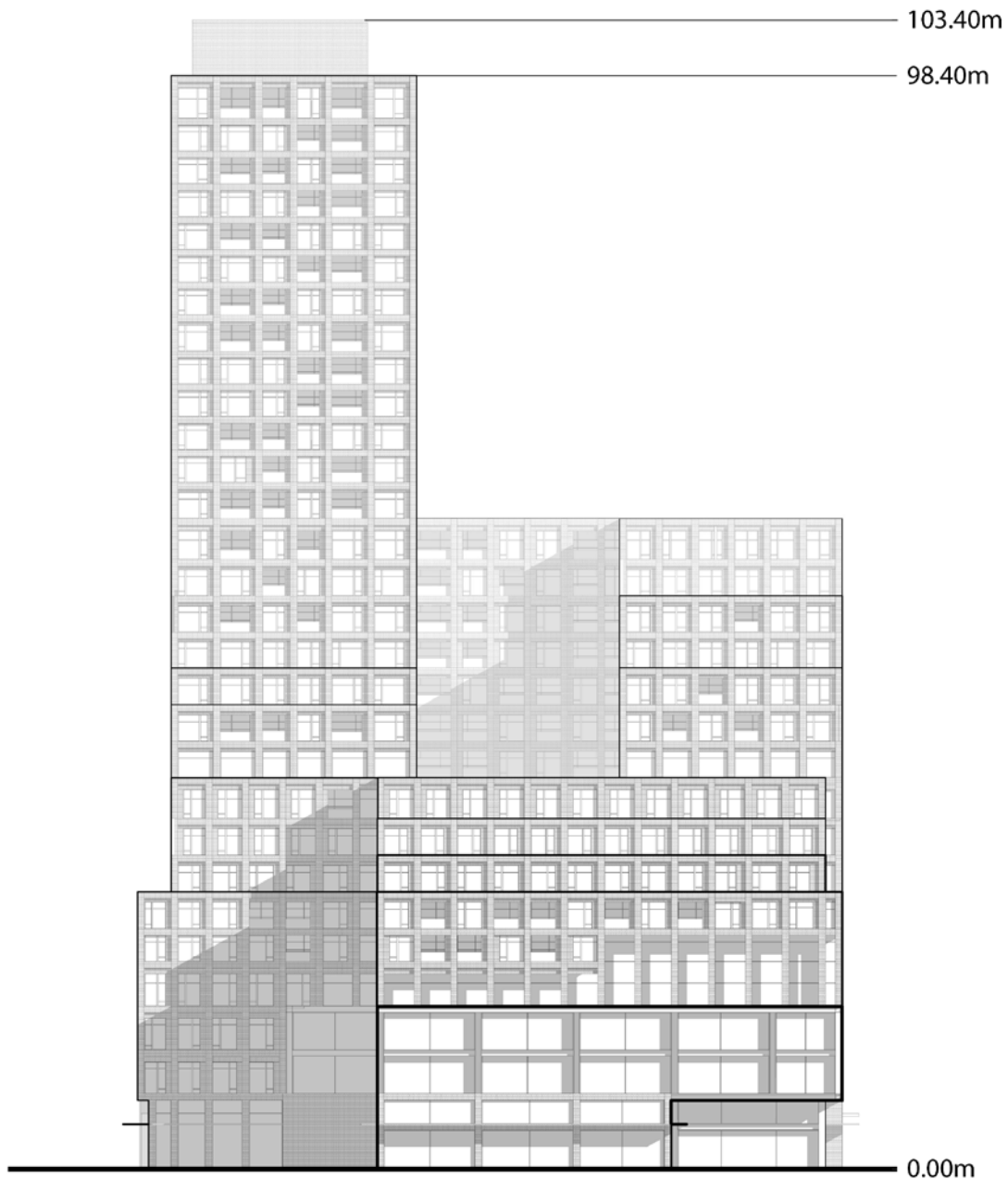
Attachment 1:	Site Plan
Attachment 2:	North Elevation
Attachment 3:	South Elevation
Attachment 4:	East Elevation
Attachment 5:	West Elevation
Attachment 6:	City of Toronto Official Plan
Attachment 7:	King-Parliament Secondary Plan: Land Use Map
Attachment 8:	King-Parliament Secondary Plan: Areas of Special Identity
Attachment 9:	City of Toronto Zoning By-law No. 569-2013
Attachment 10:	Application Data Sheet

351-373 Queen Street East, 80, 82 &
90-94 Power Street & 161 Parliament Street

Not to Scale
04/26/2018

Staff Report for Action –Request for Interim Directions Report - 161 and 167 Parliament Street, 351, 363, 371 and 373 Queen Street East and 80, 90, 92 and 94 Power Street

Attachment 2: North Elevation



North Elevation

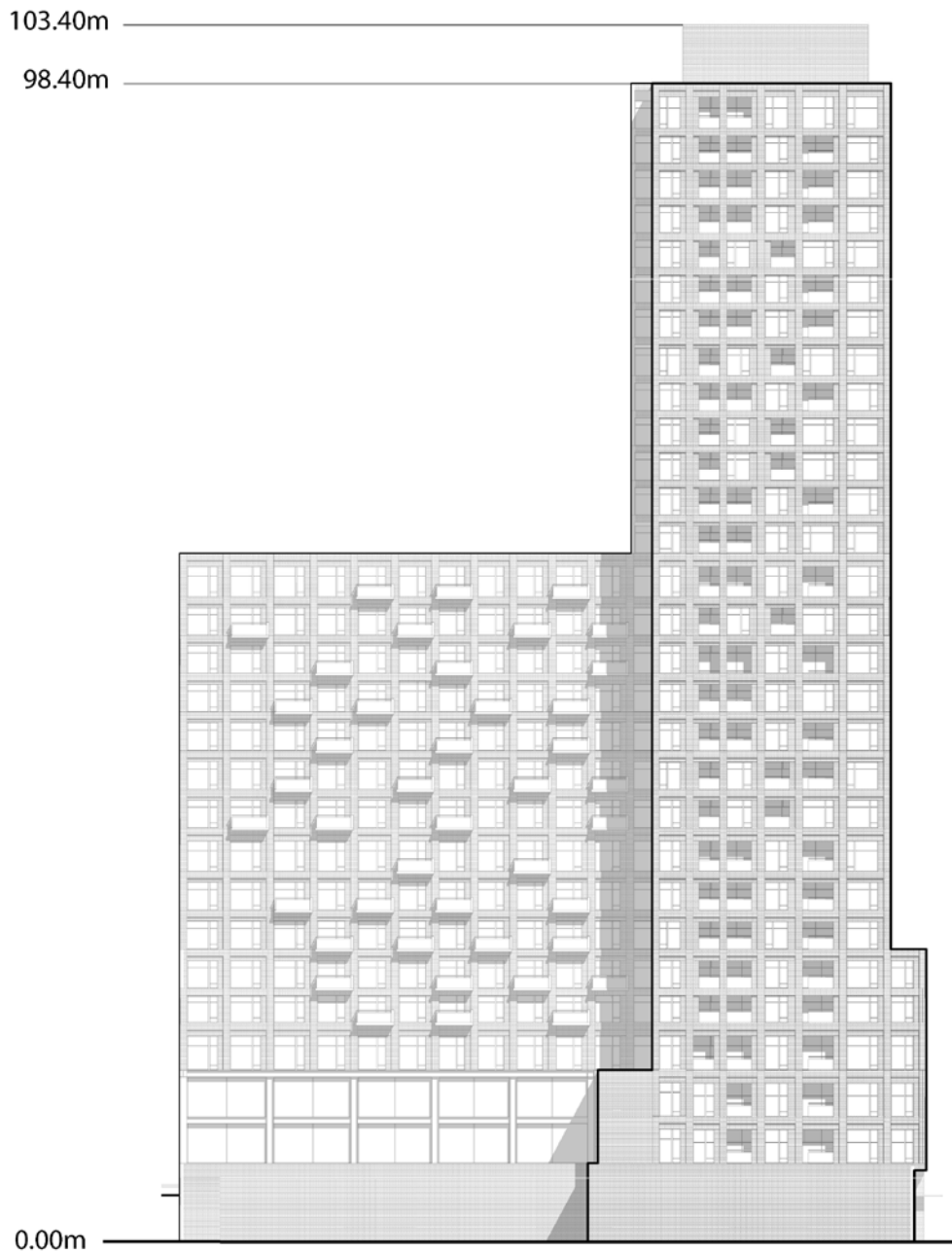
Applicant's Submitted Drawing

Not to Scale
04/26/2018

351-373 Queen Street East, 80, 82 &
90-94 Power Street & 161 Parliament Street

File # 18 136695 STE 28 0Z

Attachment 3: South Elevation



South Elevation

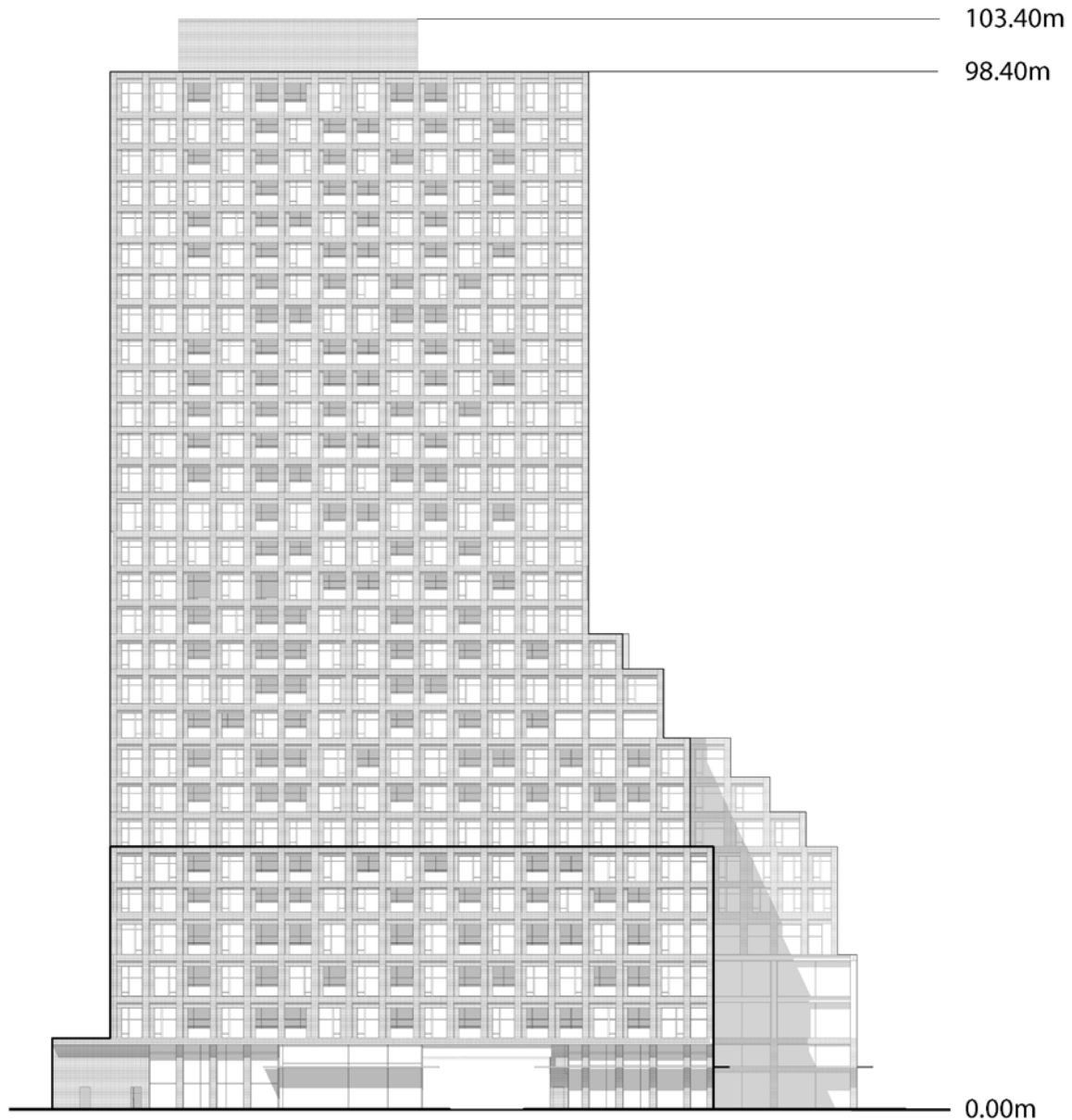
Applicant's Submitted Drawing

Not to Scale
04/26/2018

351-373 Queen Street East, 80, 82 &
90-94 Power Street & 161 Parliament Street

File # 18 136695 STE 28 0Z

Attachment 4: East Elevation



East Elevation

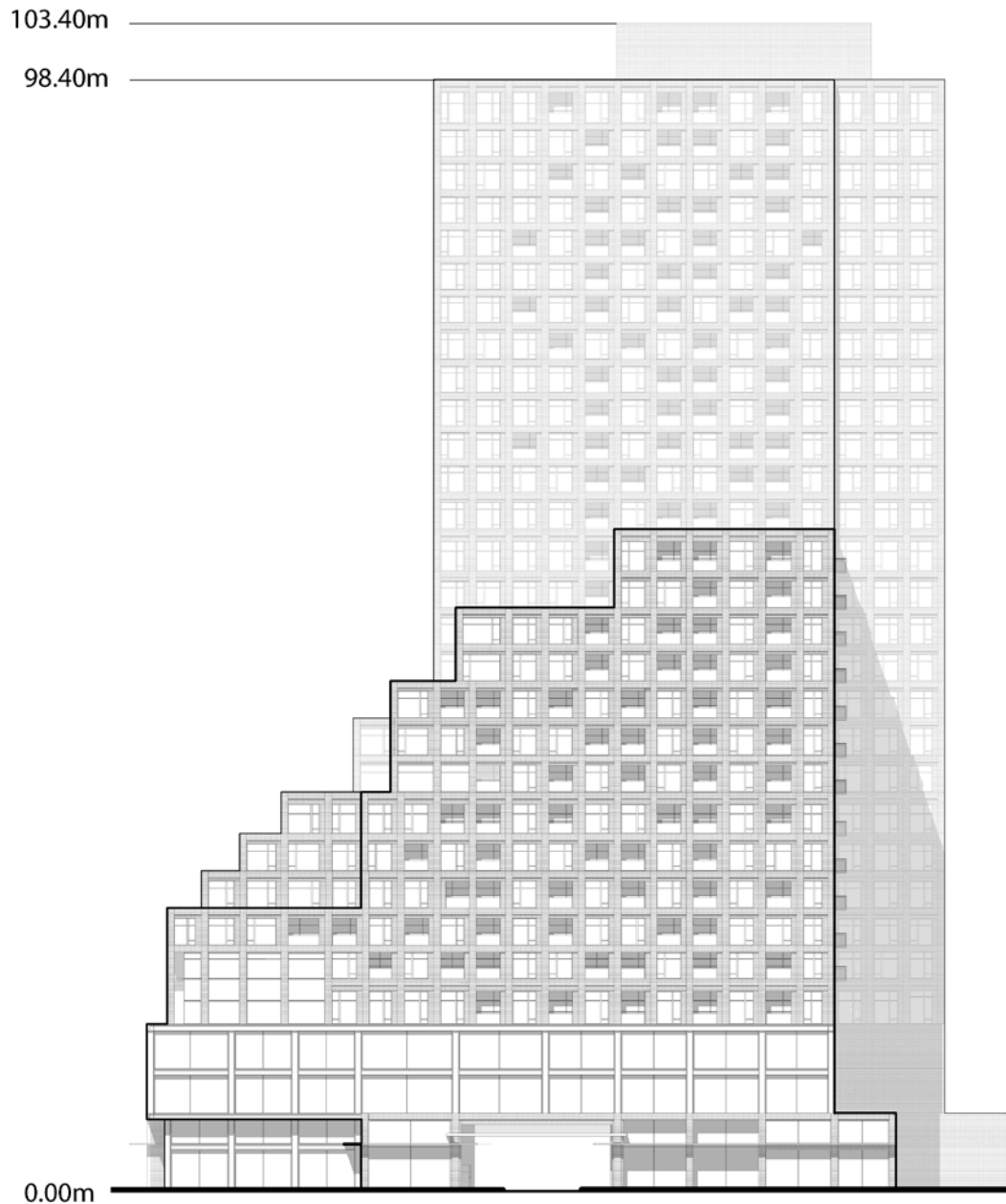
Applicant's Submitted Drawing

Not to Scale
04/26/2018

351-373 Queen Street East, 80, 82 &
90-94 Power Street & 161 Parliament Street

File # 18 136695 STE 28 0Z

Attachment 5: West Elevation



West Elevation

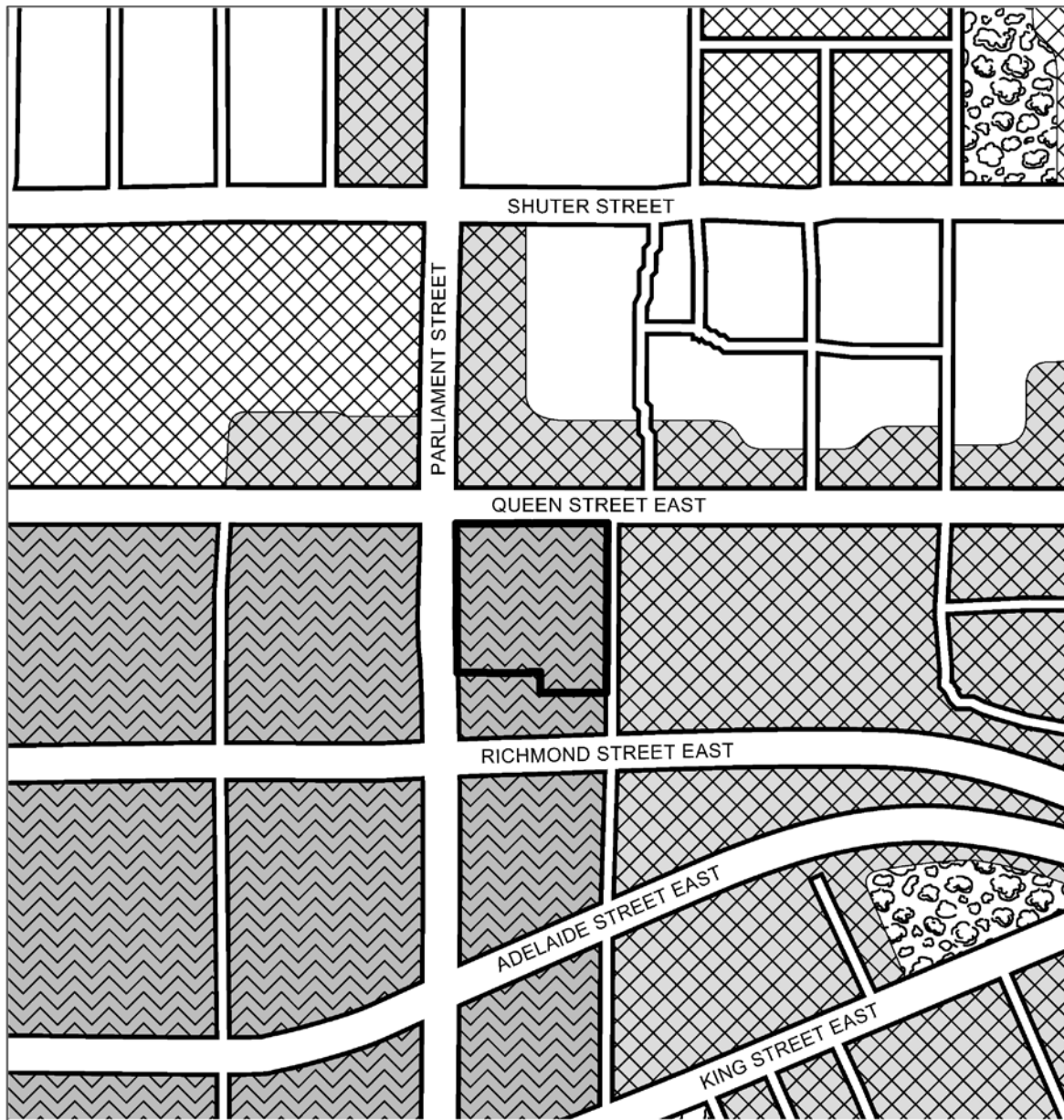
Applicant's Submitted Drawing

Not to Scale
04/26/2018

351-373 Queen Street East, 80, 82 &
90-94 Power Street & 161 Parliament Street

File # 18 136695 STE 28 0Z

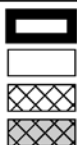
Attachment 6: City of Toronto Official Plan



Official Plan Land Use Map #18

351-373 Queen Street East, 80, 82 &
90-94 Power Street & 161 Parliament Street

File # 18 136695 STE 28 02



Location of Application

Neighbourhoods

Apartment Neighbourhoods

Mixed Use Areas

Parks & Open Space Areas

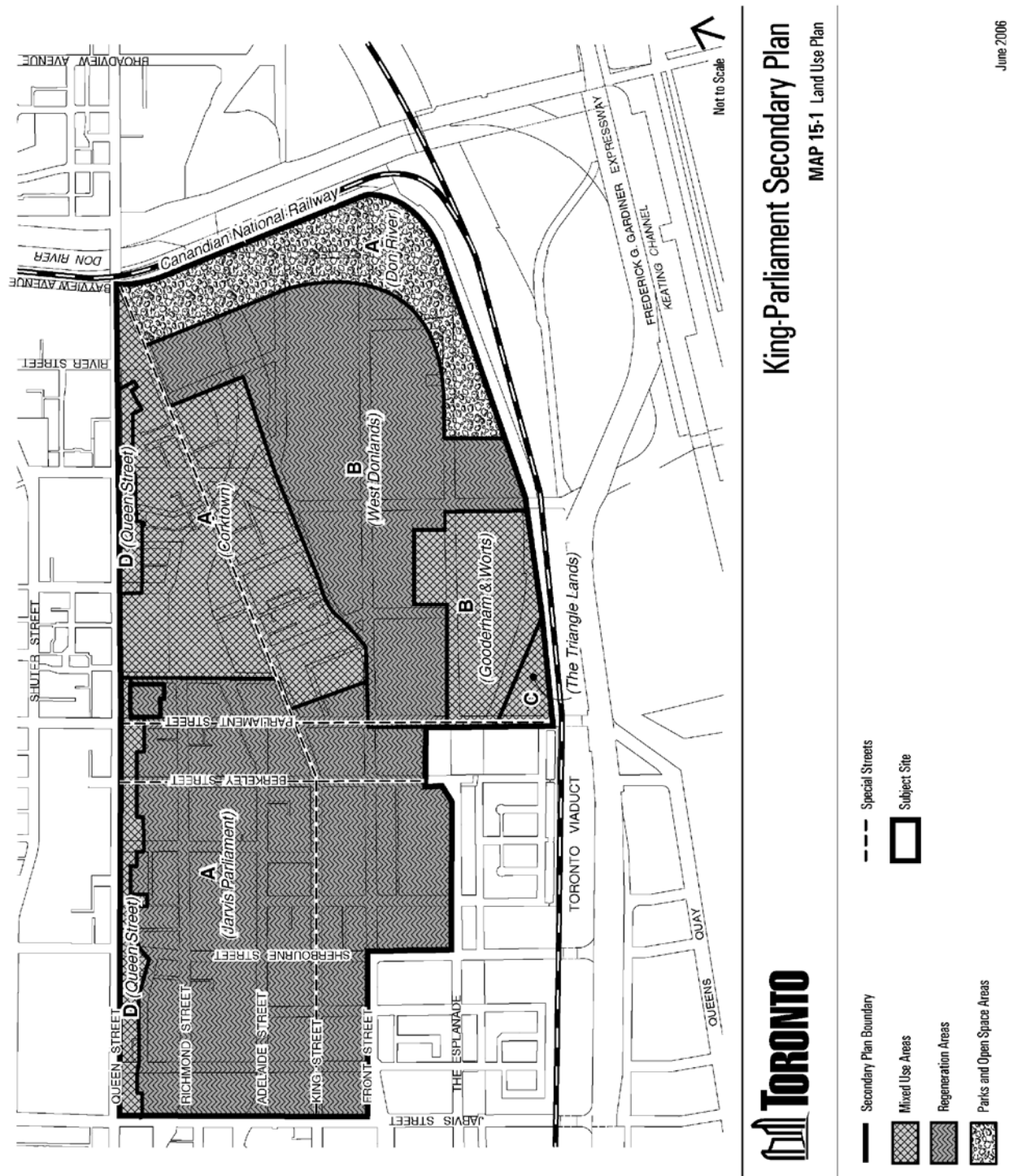
Parks

Regeneration Areas

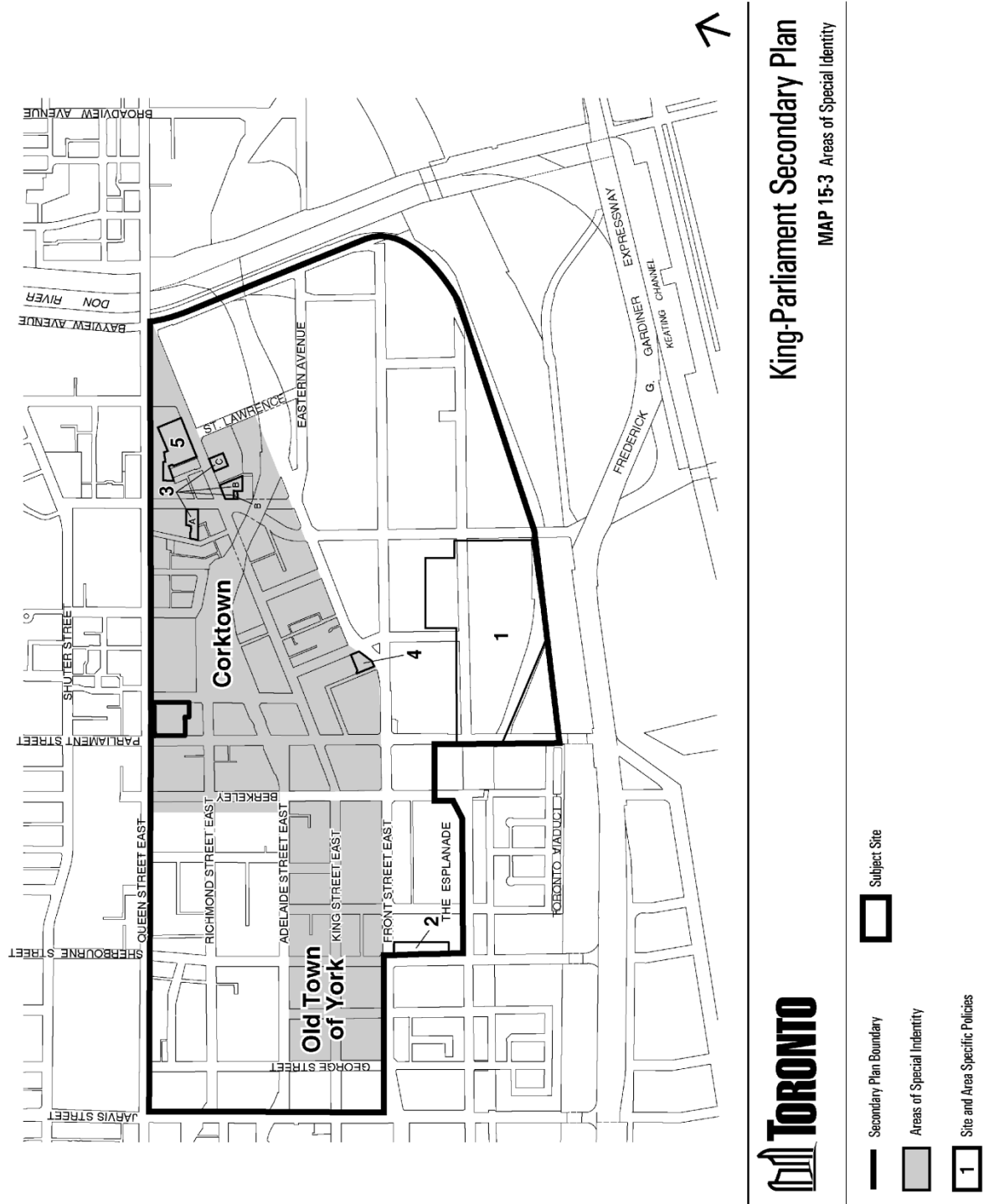


Not to Scale
04/26/2018

Staff Report for Action –Request for Interim Directions Report - 161 and 167 Parliament Street, 351, 363, 371 and 373 Queen Street East and 80, 90, 92 and 94 Power Street

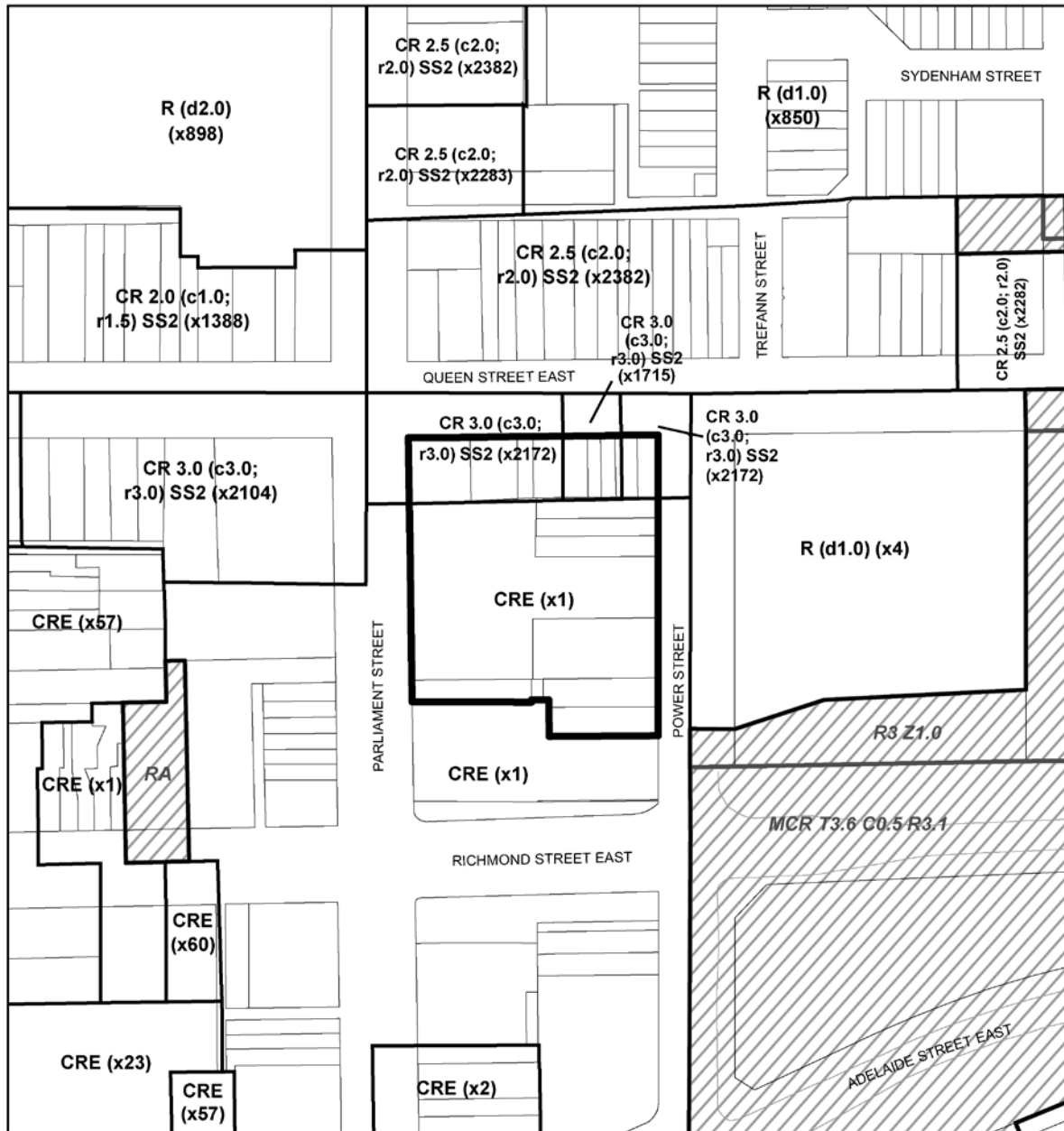


Attachment 8: King-Parliament Secondary Plan - Areas of Special Identity



December 2010

Attachment 9: City of Toronto Zoning By-law No. 569-2013



Zoning By-law 569-2013

351-373 Queen Street East, 80, 82 &
90-94 Power Street & 161 Parliament Street
File # 18 136695 STE 28 0Z



Location of Application

R Residential CR Commercial Residential
CRE Commercial Residential Employment



See Former City of Toronto By-Law No. 438-86

R3 Residential District
MCR Mixed-Use District
RA Mixed-Use District



Not to Scale
Extracted: 04/26/2018

Staff Report for Action –Request for Interim Directions Report - 161 and 167 Parliament Street, 351, 363, 371 and 373 Queen Street East and 80, 90, 92 and 94 Power Street

Attachment 10: Application Data Sheet

Application Type: Official Plan Amendment & Rezoning Application Number: 18 136695 STE 28 OZ
 Details: OPA & Rezoning, Standard Application Date: March 29, 2018
 Municipal Address: 161 and 167 Parliament Street, 351, 363, 371 and 373 Queen Street East and 80, 90, 92 and 94 Power Street
 Project Description: Proposal for a 29-storey tower (98.4 metres) at the southeast corner of the site and a 16-storey tower (58.55 metres) at the westerly portion of the site along the Parliament Street frontage. A total of 584 residential dwelling units and 3,736 square metres of non-residential uses are proposed.

Applicant/Agent:

Bousfields Inc.
 c/o Peter Smith
 3 Church St, Suite 200
 Toronto, ON, M5E 1M2

Architect:

Kirkor Architects + Planners
 20 De Boers Dr, #400
 Toronto, ON
 M3J 0H1

Owner:

QP Residential GP Inc,
 c/o One Property Mgmt LP
 10111 104 Avenue NW, Suite 2500
 Edmonton, AB, T5J 0J4

PLANNING CONTROLS

Official Plan Designation: Regeneration Areas Site Specific Provision: Y
 Zoning: CR 3.0 (c3.0; r3.0) SS2 (x2172)/CRE(x1) Heritage Designation: N
 Height Limit (m): 23/16 Site Plan Control Area: Y

PROJECT INFORMATION

Site Area (sq. m):	4,834	Height:	Storeys:	29
Frontage (m):	66		Metres:	98.4
Depth (m):	70			
Total Ground Floor Area (sq. m):	1,603			Total
Total Residential GFA (sq. m):	40,625		Vehicular Parking Spaces:	259
Total Non-Residential GFA (sq. m):	3,736		Loading Docks	3
Total GFA (sq. m):	44,361		Bicycle Parking Spaces	607
Lot Coverage Ratio (%):	33.16			
Floor Space Index:	9.18			

DWELLING UNITS

FLOOR AREA BREAKDOWN (upon project completion)

Tenure Type:	Condo		Above Grade	Below Grade
Rooms:	0	Residential GFA (sq. m):	40,625	0
Bachelor:	51 (8.7%)	Retail GFA (sq. m):	3,736	0
1 Bedroom:	310 (53.1%)	Office GFA (sq. m):	0	0
2 Bedroom:	163 (27.9%)	Industrial GFA (sq. m):	0	0
3 + Bedroom:	60 (10.3%)	Institutional/Other GFA (sq. m):	0	0
Total Units:	584			

CONTACT:

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