



STAFF REPORT ACTION REQUIRED

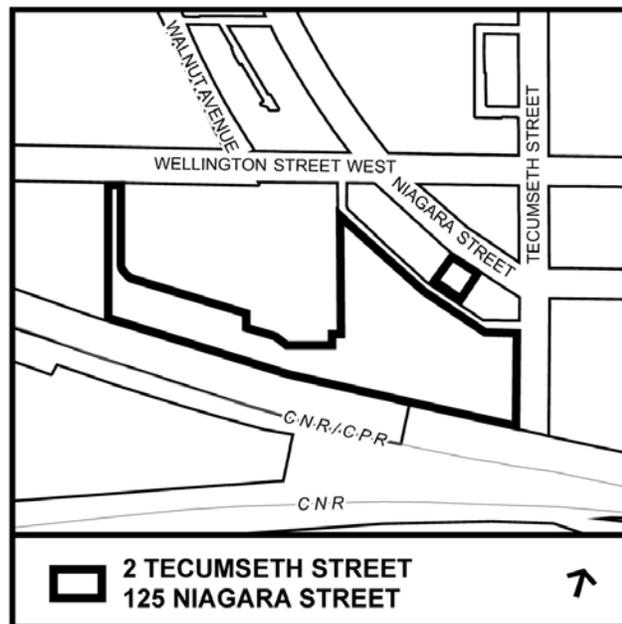
2 Tecumseth Street and 125-133 Niagara Street - Official Plan and Zoning By-law Amendment Application – Request for Directions Report

Date:	June 25, 2018
To:	Toronto and East York Community Council
From:	Acting Director, Community Planning, Toronto and East York District
Wards:	Ward 19 – Trinity-Spadina
Reference Number:	17 264041 STE 19 OZ

SUMMARY

On November 17, 2017, applications to amend the Official Plan and Zoning By-law were submitted to the City of Toronto for 2 Tecumseth Street and 125-133 Niagara Street. The proposed development includes a total of 6 buildings comprising mixed commercial and residential buildings; one commercial and office building; and two retail buildings which are also used to access underground parking. The proposal includes a 38-storey mixed-use tower, a 15-storey mixed-use building, and an 11-storey office and retail building proposed atop the retained 2-storey frame of a building within the former abattoir facility. A total of 91,347 square metres of residential, office and retail floor area is proposed, including 651 residential units.

On March 29, 2018, the applicant (TAS Tecumseth Niagara GP Inc.) appealed the Zoning By-law Amendment application to the Local Planning Appeal Tribunal (LPAT), 12 days after the earliest possible appeal date. The Official Plan Amendment was appealed to the LPAT on May 28, 2018. Both appeals were without revisions



to the original proposal and citing Council's failure to make a decision on the application within the timeframe prescribed by the *Planning Act*. A pre-hearing conference is scheduled for January 7, 2019.

The proposed development is situated within the area subject to the recently completed South Niagara Planning Strategy, adopted by City Council in August 2014. The Strategy includes the lands bordered by Bathurst Street, Strachan Avenue, Wellington Street West and the Metrolinx Georgetown rail corridor. The South Niagara Planning Strategy, implemented by Official Plan Amendment 273 (OPA 273), also under appeal by the applicant, includes policies to guide the form and scale of new development with regard for adjacent areas and the Fort York National Historic Site; adds a range of uses and parks and open space areas; guides the conservation and reuse of heritage resources; and establishes pedestrian, cyclist, and vehicle connections. OPA 273 builds on the in-force policy objectives in the Garrison Common Secondary plan and the Official Plan.

The site represents an opportunity to introduce a mix of uses, a variety of building forms and an expansion of the public realm to reintegrate this former industrial parcel with the broader community in keeping with the Official Plan, the Garrison Common North Secondary Plan and the Council-approved South Niagara Planning Strategy.

The application, in its current form, represents overdevelopment of the site. City Planning staff's concerns with the application include lack of on-site parkland dedication, the height, form, scale and location of the buildings on site, density, cycling and pedestrian connections and the proximity to the rail corridor.

The proposal is not consistent with the Provincial Policy Statement (PPS 2014), does not conform to the Growth Plan for the Greater Golden Horseshoe (2017) and does not conform with the City's Official Plan and the Council-approved South Niagara Planning Strategy.

This report recommends that the City Solicitor together with City Planning staff and other appropriate staff be directed to oppose the application, in its current form, at the LPAT.

This report also recommends that despite the applicant's appeal of the Official Plan and Zoning By-law Amendment application to the LPAT, City Planning staff will continue to work with the applicant's team on revisions to the application to bring forward a proposal that represents a supportable development of the site.

RECOMMENDATIONS

The City Planning Division recommends that:

1. City Council direct the City Solicitor and appropriate City Staff to attend the Local Planning Appeal Tribunal (LPAT) to oppose the Official Plan and Zoning By-law Amendment application for 2 Tecumseth Street and 125-133 Niagara Street in its current form for reasons set out in the report (June 25, 2018), from the Acting Director, Community Planning, Toronto and East York District.

2. City Council authorize the City Solicitor and appropriate City Staff to continue discussions on appropriate height, density, deployment of density on site, the location of buildings on the site, the on-site parkland dedication requirement and community benefits.
3. City Council authorize the Acting Director, Community Planning, Toronto and East York District, in consultation with the Ward Councillor, to secure services, facilities or matters pursuant to Section 37 of the *Planning Act*, should the proposal be approved in some form by the Local Planning Appeal Tribunal (LPAT).
4. Should the Local Planning Appeal Tribunal (LPAT) allow the appeals in whole or in part, the following matters are also recommended to be secured in a Section 37 Agreement and the Zoning By-laws in support of the development:
 - a. The owner agrees to provide alternative rail safety mitigation measures for any proposed development on the site, which is set back less than 30 metres from the Metrolinx rail corridor, to the satisfaction of Metrolinx, the Chief Engineer and Executive Director, Engineering and Construction Services and the Chief Planner and Executive Director, City Planning, including the following:
 - i. Proposed rail safety mitigation measures that provide at least the same level of rail safety as the required 30 metre setback and berm, as identified in the Federation of Canadian Municipalities Guidelines for New Development in Proximity to Railway Operations;
 - ii. The submission of a development viability report bearing the stamp of a fully insured, qualified, professional structural engineer, in addition to the noise, air quality and vibration reports, showing how at least the same level of rail safety is to be achieved, with reliance to be extended to the City, to be subject to peer review by a rail safety expert retained by and reporting to the City, at the expense of the owner, and to be provided to Metrolinx for review that includes the following criteria:
 1. Any required rail safety, air quality and noise/vibration mitigation structures or other measures such as berms and noise walls must be of a high design quality. Crash walls are to be concealed with landscape berms and planting. Berms are to be landscaped and maintained by the applicant. Opportunities for graphic patterns, murals and/or community artwork are to be pursued on the south face of crash walls and/or other structures, at the applicant's expense and to the satisfaction of the Chief Planner and Executive Director, City Planning. The artwork is to be provided as part of the capital expense of these mitigation measures, not as a monetary Section 37 benefit; and
 2. Crash walls are not to exceed a height of 1.5 metres measured from the finished grade of the south property line in order to maintain views to

Fort York. Transparent noise walls are acceptable above that height, to be maintained by the applicant.

- iii. If the development viability assessment is accepted by the City:
 1. The owner agrees to the construction and on-going maintenance of the alternative mitigation measures to be secured through an agreement between the City and the landowner at the cost of the owner;
 2. Warning clauses in all relevant documents should be registered on title to provide notice for future purchasers and occupants; and
 3. The owner will enter into an agreement with the City to be registered on title, whereby the owner assumes responsibility for, and indemnifies the City from, damages to the property resulting from a derailment on the Metrolinx rail corridor.
5. In the event that the Local Planning Appeal Tribunal allows the appeals in whole or in part, City Council direct the City Solicitor to request that the Tribunal withhold its Order until such time as the Tribunal has been advised by the City Solicitor that:
 - a. The proposed Official Plan and Zoning By-law Amendments are in a form satisfactory to the Acting Director, Community Planning, Toronto and East York District and City Solicitor;
 - b. A Section 37 Agreement has been executed and registered to secure Section 37 contributions and related matters satisfactory to the Acting Director, Community Planning, Toronto and East York District;
 - c. The owner has addressed the comments in the Engineering and Construction Services Memo dated January 4, 2018, as applicable, to the satisfaction of the Chief Engineer and Executive Director, Engineering and Construction Services;
 - d. The owner has submitted a revised Community Services Assessment and Wind Study to address the concerns as indicated in this staff report to the satisfaction of the Acting Director, Community Planning, Toronto and East York District;
 - e. All technical reports have been submitted and accepted by the relevant City divisions.
6. City Council authorize the City Solicitor and necessary City staff to take such necessary steps, as required, to implement the foregoing.

Financial Impact

The recommendations in this report have no financial impact.

DECISION HISTORY

The application was received and deemed complete as of November 17, 2017. A Preliminary Report was prepared for the February 21, 2018 meeting of Toronto and East York Community Council. The preliminary report is available at:

<https://www.toronto.ca/legdocs/mmis/2018/te/bgrd/backgroundfile-112595.pdf>

Previous Area Planning Studies

In 2004, a land use and built form study was undertaken by City Planning for the area bordered by Bathurst Street, King Street West, Shaw Street and Wellington Street West. This study was concluded in 2005 and resulted in Zoning By-law Amendments in the area.

The study's conclusions did not provide detailed land-use and built form direction for the employment lands south of Wellington Street West. At the time, these lands were intended to remain as *Employment Areas*. The 2005 Niagara Neighbourhood Study website can be viewed at:

<http://www.toronto.ca/planning/niagara.htm>

In 2011, as part of the City's Municipal Comprehensive Review of the Official Plan, the City received a conversion request for the 2 Tecumseth Street property.

In December 2013, City Council approved the conversion of 2 Tecumseth Street from *Employment Areas* to *Regeneration Areas* through Official Plan Amendment 231 (OPA 231).

On July 9, 2014, the Minister of Municipal Affairs and Housing issued a decision approving OPA 231, with minor modifications and deferrals, thus approving the conversion of 2 Tecumseth Street from *Employment Areas* to *Regeneration Areas*.

Official Plan Amendment 231 can be found at:

<http://www.toronto.ca/legdocs/bylaws/2013/law1714.pdf>

South Niagara Planning Study

Through the adoption of Official Plan Amendment 231, City Council established a framework and terms of reference for a future study of the employment areas located west of Bathurst Street, between Wellington Avenue and the Metrolinx Georgetown rail corridor.

On May 16, 2013, Planning and Growth Management Committee directed City Planning to initiate a study of the area bordered by Bathurst Street, Wellington Street West, Strachan Avenue and the Metrolinx rail corridor. Recommendation 5 from Item PG24.5 was adopted by City Council on June 11, 12 and 13, 2013, and stated that:

"City Council request the Chief Planner and Executive Director, City Planning Division to develop and implement, within the Garrison Common North Secondary Plan, a terms of reference for a land use and redevelopment plan for the lands at 28 Bathurst Street, 2 Tecumseth Street and the City owned lands at 677, 701 Wellington Street West; the terms of reference to be developed concurrently with, and in the context of, the Five Year and Municipal Comprehensive Reviews and to include the following elements:

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- a. Continue to permit the ongoing meat processing operations at 2 Tecumseth Street for as long as they continue on the site;
- b. Permit only employment uses on the lands currently designated *Employment Areas* until the completion of the study;
- c. Redesignation of lands to permit non-employment uses will only be contemplated upon completion of the study;
- d. Facilitate an overall redevelopment vision for the lands in consultation with landowners, the surrounding community, representatives of Fort York National Historic Site, the Ward Councillor, and City staff, that better integrates future potential land uses into the surrounding neighbourhood;
- e. Consider potential redevelopment scenarios that include maintaining and increasing the amount of employment space on the lands;
- f. Provide effective buffering between the lands at 2 Tecumseth Street, the rail corridor and the City's Works Yard at 677, 701 Wellington Street West from any existing or potential future sensitive uses; and
- g. Consider alternative land ownership options and associated land use redesignations that will provide the best redevelopment scenario for the lands."

City Council direction on this matter can be found at:

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2013.PG24.5>

As part of the study, four community consultation meetings took place in 2013 and 2014.

On August 25, 26, 27 and 28, 2014, City Council adopted OPA 273, which included a series of amendments to the Official Plan Land Use Maps and Garrison Common North Secondary Plan.

OPA 273 included amendments to the site to redesignate the lands from *Regeneration Areas* to *Mixed Use Areas, Neighbourhoods* and *Parks and Open Space Areas*.

Council's decision on this matter can be found at:

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2014.PG35.4>

OPA 273 was appealed on behalf of a previous owner of the site (OMB Case No. PL141078). No prehearings on the matter have been scheduled.

Pre-Application Consultation

Several meetings with the applicant were held in 2016 and 2017, with the formal pre-application meeting occurring on April 25, 2017. The meetings included discussions of the City's goals for the redevelopment of the site, timing, process and complete application submission requirements.

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City Planning staff provided preliminary comments to the applicant in a letter dated August 11, 2017. In the letter, staff acknowledged that the proposed concept development's attempts to address a number of broad city-building objectives identified in the City's Official Plan, including the provision of a range of housing and employment opportunities.

However, the letter also noted City Planning's concerns with the proposal's lack of regard for OPA 273. These concerns included: scale of the proposed buildings; relationship to the surrounding neighbourhood; limited public access and address; shadowing and views to the Wellington Destructor Site, Fort York Historic Site and proposed view corridors from the south along the historical route of the Garrison Creek; and lack of a public park dedication. The letter advised that City Planning staff did not support the concept proposal and recommended revisions prior to submission. The application submitted on November 17, 2017, is substantially consistent with the pre-application proposal.

The applicant also conducted a number of self-initiated public consultation meetings beginning in August 2016 in advance of submitting the applications. These included engagement and design sessions with neighbourhood residents and stakeholders, informal gatherings, site tours and events with students. City Planning staff were not in attendance.

ISSUE BACKGROUND

Proposal

The site is irregularly-shaped and consists of three separate properties. The 2 Tecumseth Street property comprises the majority of the site and has 75 metres of frontage on Tecumseth Street and 7 metres of frontage onto Wellington Street West. The 125-133 Niagara Street property has 25 metres of frontage on Niagara Street. The combined 2 Tecumseth Street and 125-133 Niagara Street site is 1.98 hectares (4.89 acres) in area. The site slopes downward approximately 3 metres from east to west.

The site was previously operated as an abattoir by Quality Meats Limited. Operations ceased in 2014. A portion of the former Toronto Municipal Abattoir building is proposed to be maintained on the site to be used as a base building for Building 1. The remainder of the buildings are proposed to be demolished.

The proposed development has a total of 6 buildings on site. The proposal includes 651 residential units, 29,023 square metres of office floor area and 11,422 square metres of retail floor area. The proposal's site plan, elevations and 3D model are appended to this report as Attachments 2-6.

The buildings are proposed as follows:

Building 1 is proposed to be situated at the eastern portion of the site, fronting Tecumseth Street and would be located directly to the rear of the existing low rise buildings fronting Niagara Street. Building 1 has a proposed height of 13 storeys (66 metres), including the retention of a two-storey building formerly used as an abattoir as the base. The proposed building includes

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office and retail uses. Building 1 contains 23,407 square metres of office and 2,330 square metres of retail floor area.

Building 2 is proposed to be situated west of Building 1 and is connected to Building 1 via a concourse level. Building 2 has a total height of 38 storeys (142 metres) atop of a 3-storey podium, and includes retail, office and residential uses. A total of 3,936 square metres of office floor area, 1,052 square metres of retail floor area, and 354 residential dwelling units located at and above the 5th storey, totalling 27,392 square metres of residential floor area.

Building 3 is proposed to be situated at the western portion of the site parallel to the rail corridor (south) and the City Works Yard (north), and contains a combination of residential and retail uses. Building 3 has a proposed height of 15 storeys (54 metres) and includes 1,510 square metres of retail uses and 297 dwelling units in 23,510 square metres of residential floor area.

Buildings 4, 5 and 6 are proposed as low-rise commercial buildings. Building 4 is proposed to be located on the 125-133 Niagara Street property at the northeast corner of the site, fronting onto Niagara Street. Building 4 is proposed to be 2 storeys (10.5 metres) in height, containing 1,066 square metres of retail floor area. An enclosed pedestrian connection is proposed as part of Building 4 and would provide access to Niagara Street.

Building 5 is a proposed one-storey building abutting the public lane connecting Wellington Street West and Tecumseth Street which contains a parking access ramp and 235 square metres of retail uses. Building 6, located directly south of the City-owned Wellington Destructor building at 677 Wellington Street West, is proposed as a one-storey kiosk building containing 176 square metres of retail space.

A number of vehicular access points are proposed to serve the development. Vehicular access is proposed from existing driveways on Tecumseth Street at the easterly portion of the site, the public laneway directly south of Niagara Street at the northern portion of the site, the existing north-south private driveway onto Wellington Street, and the driveway running north-south between the City Public Works Yard and Wellington Destructor.

Two separate below grade parking areas are proposed to serve the development. Access to parking areas is proposed from Wellington Street West and Tecumseth Street. A total of 423 parking spaces are contained in the two proposed parking areas.

The following tables detail the proposal. Further information can be found in the Application Data Sheet appended to this report (Attachment 10).

Overall Project Statistics

	November 17, 2017
Site Area	19,795 square metres (4.89 acres)

Gross Floor Area	Residential	50,902 square metres (55.7%)
	Office	29,023 square metres (31.8%)
	Retail	11,422 square metres (12.5%)
	TOTAL	91,347 square metres
Number of Residential Units	Building 2	354 units
	Building 3	297 units
	TOTAL	651 units
Floor Space Area (FSI)		4.61
Vehicular Parking (residential:non-residential:carshare)		423 spaces (218:199:6)
Bicycle Parking (res long-term:res short-term:non-res long-term)		901 spaces (609:212:80)
Loading Spaces (Type B:C:G)		7 loading spaces (3:2:2)
Amenity Area	Indoor	651 square metres
	Outdoor	651 square metres
	TOTAL	1,302 square metres

Proposed Building Height and Gross Floor Area (GFA)

Building	Height	Residential GFA (square metres)	Office GFA (square metres)	Retail GFA (square metres)
1	13 storeys	NA	24,607	4,571
2	38 storeys	27,392	4,416	3,893
3	15 storeys	23,511	NA	1,511
4	2 storeys	NA	NA	1,066
5	1 storey	NA	NA	235
6	1 storey	NA	NA	177
TOTAL (square metres)		50,903	29,023	11,453

Proposed Residential Unit Mix

Type of Residential Unit	Number	Percentage
<i>Building 2</i>		
Studio	68	19%
1 Bedroom	82	23%
1 Bedroom + Den	89	25%
2 Bedroom	41	12%
2 Bedroom + Den	34	10%
3 Bedroom	40	11%
TOTAL	354	
Type of Residential Unit	Number	Percentage
<i>Building 3</i>		
Studio	52	17%

1 Bedroom	73	25%
1 Bedroom + Den	89	30%
2 Bedroom	56	19%
2 Bedroom + Den	0	0%
3 Bedroom	27	9%
TOTAL	297	

The proposal includes privately-owned public-space in a large plaza between Buildings 1 and 2, and a new multi-use trail proposed along the south boundary of the site which would link the proposed development and Tecumseth Street. No on-site public park space has been proposed.

Site and Surrounding Area

Surrounding land uses are as follows:

North: To the northwest of the site and across Wellington Street West is Stanley Park South. Directly north of the site are two City-owned properties: a Public Works Yard at 701 Wellington Street West, which consists of a large salt storage dome and outdoor storage areas for vehicles and other equipment; and the Wellington Destructor Building at 677 Wellington Street West which is listed on the City's Heritage Register. To the northeast of the site is a small restaurant at the southwest corner of Tecumseth Street and Niagara Street, several 2½-storey townhouses farther west on the south side of Niagara Street and a few detached houses on the north side of Niagara Street. Nos. 139 to 163 Niagara Street are listed heritage properties.

South: The Metrolinx railway corridor and Union-Pearson Link abuts the site to the south. The Fort York National Historic Site is on the south side of the rail corridor. Directly south of Fort York is the Gardiner Expressway.

East: At the southeast corner of Niagara Street and Tecumseth Street is an approved mixed use development which includes the retention and restoration of the existing heritage buildings at 89-109 Niagara Street and the construction of two new residential buildings at 12 storeys (39 metres) and 14 storeys (45 metres) south of the heritage buildings. The proposed development has a total of 367 dwelling units and 2,322 square metres of non-residential gross floor area. A new 1.35 hectare (3.4 acre) public park is proposed on the east side of Tecumseth Street at 28 Bathurst Street.

West: A vacant lot currently used for outdoor storage as well as a staging area for the construction of Garrison Crossing, an under-construction pedestrian and cycling bridge connecting Wellington Street West to the Fort York National Historic Site on the south side of the railway corridor.

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;
- Planning for the appropriate design, buffer and/or separation of major facilities and sensitive land uses to prevent or mitigate adverse effects from odour, noise and other contaminants, minimize risk to public health and safety, and to ensure the long-term viability of major facilities;
- The conservation of significant built heritage resources and significant cultural heritage landscapes;
- 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 Toronto 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 to the Growth Plan.

Comments, submissions or advice affecting a planning matter that is provided by Council shall also conform to 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.

Official Plan

City Planning staff have reviewed the application 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 1 – Making Choices

Chapter 1 of the Official Plan contains a series of vision statements about the future of the City and the decisions that will help achieve this vision. Section 1.1 of the Official Plan outlines the Principles for a Successful Toronto as a City of Diversity and Opportunity, a City of Beauty, a City of Connections, and a City of Leaders and Stewards. Section 1.2 discusses the implementation of the Plan, stating that Toronto's future is about re-urbanization and its continuing evolution that will involve a myriad of situations and decisions that, while guided by the Official Plan, cannot encompass or even imagine every circumstance.

Chapter 2 – Shaping the City

Section 2.1: Building a More Liveable Urban Region

The Official Plan states that Toronto cannot plan in isolation. The competitive position of Toronto as a business location reflects the diversity and strength of the broader regional economy. Policies in Section 2.1.1 state that: "Toronto will work with neighbouring municipalities, the Province of Ontario and Metrolinx to address mutual challenges and to develop a framework for dealing with growth across the GTA which:" among other things: "e) Staff Report for Action – Request for Directions Report - 2 Tecumseth Street and 125-133 Niagara Street

increases the efficiency and safety of the road and rail freight networks in the movement of goods and services."

Section 2.3.1: Healthy Neighbourhoods

This section of the Official Plan contains policies that specifically address the relationship between *Neighbourhoods* and areas with other Official Plan designations in order to ensure development is sensitive to the physically stable areas within the *Neighbourhoods* designation. Policies in this section require development in *Mixed Use Areas*, *Regeneration Areas* and *Apartment Neighbourhoods* that are adjacent or close to *Neighbourhoods* to be: compatible with those *Neighbourhoods*; provide a gradual transition of scale and density, as necessary to achieve the objective of the Official Plan through the stepping down of buildings towards and setbacks from those *Neighbourhoods*; and, maintain adequate light and privacy for residents in those *Neighbourhoods*.

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 3.1.1: The Public Realm

Section 3.1.1 of the Official Plan includes policies on the public realm. The policies encourage development that improves the public realm (streets, sidewalks and open spaces) for pedestrians. This section speaks to the importance of views from the public realm to prominent, buildings, structures, landscapes and natural features. Parks and open spaces will be located and designed to connect and extend, wherever possible, to existing parks, natural areas and other open spaces.

New development lots within city blocks will be designed to have an appropriate size and configuration for the proposed land use, scale of development and intended form of buildings and open space, and will promote street-oriented development with buildings fronting onto street and park edges.

Section 3.1.2: Built Form

Section 3.1.2 of the Official Plan speaks to built form. The policies stress that infill and redevelopment sites will need to "fit in", respecting and improving the character of the surrounding area. Developments must be conceived not only in terms of the individual building site and program, but also in terms of how that site, building and its facades fit within the existing and/or planned context of the neighbourhood and the City. Each new building should promote and achieve the overall objectives of the Plan.

Section 3.1.2 policies provide guidance pertaining to the massing of new buildings to frame adjacent streets in a way that respects the existing and/or planned street proportion, incorporating exterior design elements, form, scale, proportion, pattern and materials, and sustainable design.

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This is done in order to influence the character, scale and appearance of the development, creating appropriate transitions in scale to neighbouring existing and/or planned buildings for the purpose of achieving the objectives of the Official Plan.

Further, Section 3.1.2 requires new development to be massed to define the edges of streets at good proportion and provide amenity for adjacent streets to make these areas attractive, interesting, comfortable and functional for pedestrians. This can be achieved by, amongst other things, the provision of adequate amenity and landscaped open space, coordinated landscape improvements in setbacks to create attractive transitions from the private to public realms and landscaped open space within the development itself. The intention is to enable new developments to "fit" within its existing context, while also improving the character of the surrounding area.

Section 3.1.3: Built Form – Tall Buildings

Section 3.1.3 provides policy direction for tall buildings. Policy 2 requires tall building proposals to address key urban design considerations that includes: demonstrating how the proposal will contribute to and reinforce the overall City structure; demonstrating how the proposed building and site design relate to the existing and/or planned context; taking into account the relationship of the site to 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.

Chapter 4 – Land Use Designations

Section 4.1: Neighbourhoods

The Official Plan identifies *Neighbourhoods* as being physically stable areas which can be made up of residential uses in lower scale buildings such as detached houses, semi-detached houses, duplexes, triplexes and townhouses, as well as interspersed walk-up apartments that are no higher than four storeys. Parks, low scale local institutions, home occupations, cultural and recreational facilities and small-scale retail, service and office uses are also provided for in *Neighbourhoods*.

Section 4.3: Parks and Open Space Areas

Parks and Open Space Areas are the parks, open spaces, valleys, watercourses and ravines, portions of the waterfront, golf courses and cemeteries that comprise a green open space network in Toronto.

Development is generally prohibited within *Parks and Open Space Areas* except for recreational and cultural facilities, conservation projects, cemetery facilities, public transit and essential public works and utilities where supported by appropriate assessment.

Section 4.4: Utility Corridors

Utility Corridors play a vital role in the City as corridors for the transmission of energy, communication and the movement of people and goods. *Utility Corridors* mainly consist of rail and hydro rights-of-way. These linear corridors are a defining element of the landscape fabric of the City and many of these corridors also serve important local functions as parkland, sport fields, pedestrian and cycling trails, and transit facilities. These corridors should be protected for future public transit routes and linear parks and trails.

Where appropriate, development or redevelopment on lands nearby or adjacent to *Utility Corridors* will screen and secure the property edge through such measures as setbacks, fencing, site grading, berms, landscaping, building treatment and construction techniques.

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 strategies and frameworks for development, provided through a Secondary Plan.

Chapter 5 – Implementation

Section 5.1.1: Height and/or Density Incentives

Policy 5.1.1 of the Official Plan allows for an increase in height and/or density in return for the provision of community benefits for a proposed development, in accordance with Section 37 of the *Planning Act*. The proposed density meets the Official Plan's threshold for Section 37 considerations.

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>

Garrison Common North Secondary Plan

The site is within the Garrison Common North Secondary Plan Area. The Secondary Plan's major objectives include:

- ensuring that new development be integrated into the established city fabric in terms of streets, blocks, uses, density patterns;
- permitting a variety of land uses and densities;
- providing community services and facilities;
- protecting industrial and communications uses; and
- providing of a range of housing types in terms of size, type, affordability and tenure through new development.

The site at 2 Tecumseth Street is located within Policy Area 1 of the Garrison Common North Secondary Plan with the property at 125 Niagara Street being located within Policy Area 2.

Policy Area 1 contains policies to guide the future land use and development potential within the area bordered generally by Bathurst Street, Wellington Street West, Strachan Avenue and the Metrolinx Rail Corridor. These policies were updated and brought into effect with the passing of OPA 231 in December 2013. Policy Area 1 speaks primarily to the site at 2 Tecumseth Street's former use as a meat processing facility.

Policy 10.1(e) of the Garrison Common Secondary Plan states that that the area will be subject to a further planning exercise and study which will take into consideration the need to provide employment uses within the area. This section provides eleven guiding policies for the preparation of the study, which include:

- (i) Consider the potential redevelopment of the lands at 2 Tecumseth Street once current meat processing operations have ceased;
- (ii) Identify and locate an appropriate land use buffer to be designated *General Employment Areas* in order to protect and buffer potential sensitive uses on lands east of the City Works and Emergency Services yard located at 677 and 701 Wellington Street West. Employment uses within this buffer zone will be limited to residentially sensitive employment uses such as offices and studios;
- (iii) Identify and locate appropriate buffering to the rail corridor on the southern boundary of the study area;
- (iv) Explore the potential to exchange and/or purchase/sale portions of land between owners to achieve the above buffering and create a more efficient ownership pattern for City operations at the Wellington Street West yard;

- (v) Address heritage considerations for the Wellington Street incinerator and the potential for adaptive reuse and preservation of the existing structure;
- (vi) Identify appropriate buffering and transition to the low scale residential uses in the area;
- (vii) Address measures to effectively link the study area with roads, pathways and/or corridors;
- (viii) Identify the appropriate location of new parks, open space and pedestrian links and treatment to existing parks in the area;
- (ix) Assess potential view impacts on Fort York due to potential development in the area;
- (x) Identify strategies to visually enhance the Front/Bathurst Street terminus; and
- (xi) Address the provision, location and/or relocation of community services and facilities in the study area such as daycares, libraries, community/recreation centres and public educational facilities.

With respect to the lands at 125 Niagara Street located within Policy Area 2, a mix of employment and residential uses are permitted provided that employment uses are restricted to those compatible with adjacent and neighbouring residential uses in terms of emissions, odour, noise and generation of traffic.

Through the adoption of OPA 231, City Council established a framework and terms of reference that provided City Planning staff with direction to undertake the study that resulted in the South Niagara Planning Strategy.

The Garrison Common North Secondary Plan is available on the City's website at: <https://www1.toronto.ca/planning/14-garrison-common.pdf>

South Niagara Planning Strategy (OPA 273)

In October 2013, City Planning staff commenced a study of the South Niagara Area generally located between Wellington Street West, Bathurst Street, Strachan Avenue and the Metrolinx Rail Corridor. In August 2014, City Council adopted OPA 273.

The objectives of the South Niagara Planning Strategy are as follows:

- Identify and protect the South Niagara Area's unique locational and heritage attributes;
- Ensure protection of existing City-services and the established neighbourhood;

- Provide a framework for new developments that will ensure an appropriate fit within the area context;
- Identify opportunities to expand and enhance the public realm and transportation network including better connectivity;
- Provide for continued employment uses within new developments in a manner that limits impacts to residential uses within the South Niagara Area;
- Expand existing park spaces; and
- Ensure visual transitions and view corridors resulting from any new development relating to the adjacent Fort York National Historic Site are appropriate.

OPA 273 amends the land use designations in the study area on Official Plan Map 18 – Land Use and Policy 10.1 of the Garrison Common North Secondary Plan to reflect these objectives. OPA 273 specifically amends Map 18 – Land Use by redesignating the eastern end of the site at 2 Tecumseth Street to *Mixed Use Areas*, and the western end of the site adjacent to the Wellington Destructor and City Public Works Yard to *Parks and Open Space Areas*.

OPA 273 also amends the land use designations of Wellington Destructor and City Public Works Yard properties to *Parks and Open Space Areas* with the objective of creating a parkland connection to facilitate a future southern extension of Stanley Park to the north landing of Garrison Crossing.

The South Niagara Planning Strategy permits redevelopment of the subject site in a form that is responsive to the area context. Generally, and in summary, the policies of OPA 273 respecting the site require the following:

- Provision of a minimum of 1 times the lot area of employment space on-site. Of note, there is an opportunity for a new development to invest in the adaptive reuse of the Wellington Destructor to offset the requirement to provide on-site employment space;
- Provision of 20% two bedroom and 10% three bedroom units within any residential development;
- Submission of a Works Yard Compatibility Analysis to demonstrate the proposal's impact on the adjacent City Public Works Yard, including any mitigation measures employed on the site;
- Expansion and improvement of the area street network, pedestrian connections and the eastward continuation of the West Toronto Rail path alignment;
- That new development will achieve a compatible built form relationship with area buildings on the City's Heritage Register, including the Wellington Destructor and Fort York National Historic Site;

- Incorporation of sustainable and environmentally responsible design in new development;
- Provision of on-site public park space;
- Submission of a satisfactory massing study which demonstrates both an appropriate relationship of new buildings to Fort York National Historic Site, and protection of view corridors;
- That new development will, through a public art contribution, or other means, include reference to the built, natural and/or contextual heritage of the South Niagara Area and surroundings; and
- That new development will consist of mid-rise buildings up to 11 storeys, situated beneath a 45 degree angular plane measured from the adjacent *Neighbourhoods*, and one taller building element which limits its impact on adjacent uses.

While OPA 273 has been appealed to the Local Planning Appeals Tribunal (LPAT), the Council-approved policy provides for the long-term objectives of the City's Official Plan for the development of the South Niagara Area.

Official Plan Amendment 273 as adopted by City Council is available on the City's website at: <https://www.toronto.ca/legdocs/bylaws/2014/law1042.pdf>

Zoning

The property at 2 Tecumseth Street is zoned I2 D3 – Industrial Districts under Zoning By-law No. 438-86 with a maximum permitted height of 18 metres and a maximum density of 3.0 times the area of the lot. The I2 D3 zone permits a range of industrial and commercial uses including clinics, health centres, banks, communication and broadcasting equipment, publishing and computer software and design. Residential uses are not permitted.

Under Zoning By-law No. 569-2013, the property at 2 Tecumseth Street is zoned E3.0(x296) – Employment Industrial with a maximum permitted height of 18 metres and a maximum density of 3.0 times the area of the lot. The E3.0(x296) zone permits various employment-related uses including offices, financial institutions, printing establishments, production studios and software development.

The property at 125-133 Niagara Street is zoned R3 Z1.5 – Residential Districts under Zoning By-law No. 438-86 with a maximum permitted height of 12 metres and a maximum density of 1.5 times the area of the lot. The R3 Z1.5 zone permits a range of residential uses and non-residential uses are limited. 125 Niagara Street is exempt from Zoning By-law No. 569-2013.

Site Plan Control

The application is subject to Site Plan Control. An application for Site Plan Approval has not been submitted to date.

Fort York Heritage Conservation District Study and Plan

Fort York is a 43-acre national historic site located south of the subject property. Fort York National Historic Site is also a Heritage Conservation District, a registered archaeological site, and home to Canada's largest collection of original War of 1812 buildings. Fort York is Significant Cultural Heritage Landscape.

The Fort York Heritage Conservation District Study and Plan reviews and consolidates the previous 1985 Fort York Heritage Conservation District Plan, addressing the conservation of nationally significant resources from the War of 1812 and remnants of Toronto's founding landscape. This new Plan was developed as a result of the City acquiring additional land to enlarge the Fort York site, the rapidly changing context of the Fort, including the new visitor centre, and changes to the *Ontario Heritage Act*. The Heritage Study and Plan include direction with regard to the protection of heritage attributes, view corridors, landforms and archaeological features both within the study boundaries and associated adjacent lands. The subject site is adjacent to the Fort York Heritage Conservation District.

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 Guidelines are available at <http://www.toronto.ca/planning/tallbuildingdesign.htm>

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.

Growing Up: Planning for Children in New Vertical Communities

In July 2017, Toronto City Council adopted the Growing Up Draft Urban Design Guidelines, and directed City Planning staff to apply the "Growing Up Guidelines" in the evaluation of new and under review multi-unit residential development proposals. The objective of the Growing Up Draft Urban Design Guidelines is that developments deliver tangible outcomes to increase liveability for larger households, including families with children at the neighbourhood, building and unit scale. The Growing Up Draft Urban Design Guidelines will be considered in the review of the proposal.

The Council Decision and draft Guidelines are available on the City's website at: <http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2017.PG21.3>

Tree Preservation

The proposal 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.

Wellington Destructor

Built in 1925, the Wellington Destructor is a large purpose-built garbage incinerator that was in active use until the incineration of solid waste was halted in the mid-1970s, and the site was changed to a transfer station until the 1980s. The transfer station has been decommissioned for decades and the site has been vacant. The property was listed on the City of Toronto Heritage Register in June 2005 by City Council and is subject to policies for its conservation.

City Council has authorized the issuance of a Request for Quotations (RFQ) to participate with the City in the adaptive reuse and redevelopment of the Wellington Destructor, located at 677 Wellington Street West. The Wellington Destructor site presents an important opportunity for adaptive reuse of an existing City-owned building as a cultural space, community hub or employment uses that could complement and support the surrounding area.

A link to Council's decision can be found at:

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2018.GM26.2>.

Reasons for the Application

The site is designated *Regeneration Areas* in the Official Plan and is located within Policy Area 1 of the Garrison Common North Secondary Plan. An amendment to the in-force Garrison Common North Secondary Plan is required to permit a mixed-use development containing residential, retail and office uses.

The site is also proposed to be designated *Mixed Use Areas and Parks and Open Space* as part of OPA 273. An amendment to OPA 273 would also be required to change the designation of the westerly portion of the site from *Parks and Open Space* to *Mixed Use Areas* to permit the development of the 15-storey mixed-use building (Building 3) on this portion of the site. Amendments to OPA 273 would also be required to permit multiple buildings higher than a mid-rise scale.

Amendments to both City of Toronto Zoning By-laws No. 438-86 and No. 569-2013 are required as the current I2 D3 and E3.0 (x296) zoning categories do not permit the proposed residential, retail and office uses. Additionally, the proposed building does not comply with other performance standards that apply to the lands.

Application Submission

A complete application was submitted on November 17, 2017. A Notification of Complete Application was issued on December 22, 2017.

Community Consultation

A Community Consultation Meeting/Open House was held on March 22, 2018, at the Fort York National Historic Site, Blue Barracks. The meeting was attended by the Ward Councillor, City Staff from City Planning, Transportation Services, Parks, Forestry and Recreation and Real

Estate Services, the applicant and approximately 90 members of the public. Written correspondence was also received from a number of residents who were unable to attend the Community Consultation meeting.

Comments received varied significantly regarding the development proposed. Community comments are summarized as follows:

Built Form and Density

- A range of opinions with respect to the proposed height and density were expressed. While many in attendance at the community meeting were supportive of the idea of the site being developed, some were concerned with the increase in population the proposal would have on the area, as well as the resultant shadow and overlook impacts of the buildings.
- Some in attendance expressed concerns with the proposed density and how it relates and compares to Liberty Village to the west.
- Concern was expressed with respect to the protection of heritage buildings in and around the site. Staff noted that while there were no designated heritage buildings on site that the impacts on Fort York and the Wellington Destructor would continue to be reviewed.
- Some comments considered the proposed building heights to be appropriate on the condition that liveability both on-site and for the surrounding area be enhanced by elements of the proposal.

Transportation

- The proposed parking supply, vehicle trips to and from the site, and infiltration of vehicle traffic into the surrounding neighbourhood was often noted as a concern.
- Air pollution from additional vehicles was noted as a concern.
- Many comments focused on existing area traffic concerns and how they are being addressed/mitigated by the proposal.
- Those in attendance also expressed concerns for long-term transportation plans for the area, specifically noting the impact that existing development in the area has had on neighbourhood streets.
- Comments questioned the capacity of area TTC services as well as the ability of the King Street Pilot Project, to address the new population in the proposed development.

Community Services and Residential Uses

- Affordability of both residential units and commercial spaces was raised as a concern, while there was general support for the introduction of more affordable units for individuals and families.

- Concerns were expressed regarding the ability of area child care and schools to handle the increase in population anticipated by the development.
- While many expressed approval of the public realm and range of activities proposed on site, some in attendance commented that expanded parkland should be considered as part of the application.

Other Comments

- Questions were asked with respect to the redevelopment and programming of the Wellington Destructor. Staff noted that the process for a private agency to partner with the City to program the site was in its early stages.
- Concerns were raised with respect to soil contamination and the potential for adverse effects during construction. It was noted that a Contaminated Site Assessment was submitted with the application and that full compliance with Ministry of Environment standards would be required.

Comments from the community have been considered in the review of this application.

Agency Circulation

The application was 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

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

The proposal, in its current form, does not have regard to Sections 2(o) which speaks to the protection of public health and safety; and Sections 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 Report for Action – Request for Directions Report - 2 Tecumseth Street and 125-133 Niagara Street

Staff has determined that the proposal, in its current form, is not consistent with the PPS for the following reasons:

Policy 1.1.3.3 of the PPS states that planning authorities shall identify appropriate opportunities for *intensification* and *redevelopment* where this can be accommodated taking into account existing building stock or areas. Policy 1.1.3.4 promotes appropriate development standards which facilitate intensification, redevelopment and compact form while avoiding or mitigating risks to public health and safety.

Working in conjunction with the Growth Plan, this exercise was undertaken through the South Niagara Planning Strategy in 2014. While it is recognized that OPA 273 is still under appeal, its intent was to set out areas for intensification and redevelopment, while at the same time establishing a policy framework that is appropriate and considerate of the surrounding context.

The highest proportion of density is proposed on the 2 Tecumseth Street part of the site, which is currently designated *Regeneration Areas* in the City's Official Plan. As part of OPA 273, the South Niagara Planning Strategy proposes the redesignation of the site to *Mixed Use Areas* (easterly portion) and *Parks and Open Space* (westerly portion). This application proposes to designate the entire site to *Mixed Use Areas*.

Through OPA 273, the City has identified that the easterly portion of the site provides an opportunity for intensification and redevelopment, with a maximum of (1) mid-rise or taller built form that may encroach beyond a height limit of 11-storeys, provided the building transitions appropriately to the adjacent *Neighbourhood* area; has regard for the City's Tall Building guidelines, specifically related to separation distance and maximum tower floor plate size; and is massed in a manner which protects view corridors to and from Fort York National Historic Site.

The westerly portion of the site is proposed to be designated *Parks and Open Space* through OPA 273 as a continuation of future City parkland and has not been identified as being appropriate for intensification. The application to construct three tall buildings at 38, 15 and 13 storeys exceeds the appropriate intensification envisioned by the City for the site.

Policy 1.2.6.1 states that: "*Major Facilities* and *sensitive land uses* should be planned to ensure they are appropriately designed, buffered and/or separated from each other to prevent or mitigate *adverse effects* from odour, noise and other contaminants, minimize risk to public health and safety, and to ensure the long-term viability of *major facilities*."

The PPS defines *Major Facilities* to include *Rail Facilities* which are defined as, among other things, rail corridors. Policy 1.6.9 of the PPS states that: "Planning for land uses in the vicinity of *airports*, *rail facilities* and *marine facilities* shall be undertaken so that:

- a) Their long-term operation and economic role is protected; and
- b) *Airports*, *rail facilities* and *marine facilities* and *sensitive land uses* are appropriately designed, buffered and/or separated from each in accordance with policy 1.2.6" cited above.

Sensitive land uses are defined as "Buildings, amenity areas, or outdoor spaces where routine or normal activities occurring at reasonably expected times would experience one or more *adverse effects* from contaminant discharges generated by a nearby *major facility*. *Sensitive land uses* may be a part of the natural or built environment. Examples may include, but are not limited to: residences, day care centres, and education and health facilities."

The proposed buildings are *Sensitive Land Uses* as defined by the PPS. The buildings about a rail corridor which is a *rail facility* and therefore a *Major Facility* as defined by the PPS. The proposed development is required by the PPS to demonstrate how the development and the rail corridor is: "appropriately designed, buffered and/or separated from each other to prevent or mitigate *adverse effects* from odour, noise and other contaminants, minimize risk to public health and safety, and to ensure the long-term viability of *major facilities*". This has not been satisfactorily demonstrated and is discussed further in the "Proximity to the Rail Corridor and Sensitive Land Uses" section of this report.

Policy 2.6.1 directs that "Significant built heritage resources and significant cultural heritage landscapes shall be conserved." Properties included on the City's Heritage Register are considered to be significant in this context. In the PPS 2014, conserved is defined as "the identification, protection, use and/or management of built heritage resources in a manner that ensures their cultural heritage value or interest is retained under the *Ontario Heritage Act*." The proposal, in its current form, does not have respect for the conservation of heritage resources including views to the Fort York National Historic Site and Wellington Destructor.

Policy 4.7 of the PPS states that 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 through the Garrison Common North Secondary Plan, including its eleven guiding principles and the subsequent South Niagara Planning Strategy adopted through OPA 273.

The proposal in its current form does not meet the policy objectives of the PPS, as articulated by the City's Official Plan.

Growth Plan for the Greater Golden Horseshoe, 2017

Any decision made by City Council and the Local Planning Appeals Tribunal (LPAT) 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.

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 Garrison Common North Secondary Plan and the South Niagara Planning Strategy which provides a greater level of detail and specificity on matters such as built form, massing, scale and location of development within this area. These policies are further informed by the City's Tall Buildings Guidelines, which apply to this application as there are three 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, South Garrison Common Secondary Plan and Zoning By-law and as such does not achieve the desired urban structure as contemplated in the Growth Plan. The proposal does not provide a transition of building height to surrounding areas as required by both the Built Form policies in the Official Plan and the policies contained in OPA 273.

The proposed development does not have regard for Policies 2.2.2.4(a), (b), (d) and (f) of the Growth Plan.

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 done this through its Official Plan policies and supporting guidelines discussed in this report. Together, the policies and guidelines provide a planning framework that enables new development and intensification on the site in a manner that achieves a number of city building objectives and positively contributes to the surrounding context.

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.

Proximity to the Rail Corridor

The entirety of the southern boundary of the site abuts the Metrolinx Rail Corridor, a major passenger line through the City that provides two-way service between Aldershot and Union stations. Any redevelopment of the site at 2 Tecumseth Street that abuts the rail corridor must consider the serious concerns related to the risk to health and safety in the event of a rail accident and noise and vibration

Policies related to proximity to the rail corridor are included in the Official Plan. Section 3.4 – The Natural Environment states that major facilities like rail infrastructure, corridors and yards and sensitive land uses such as residences and education and health facilities will be appropriately designed, buffered and/or separated from each other to prevent adverse effects from noise, vibration, odour and other contaminants and to promote safety.

The policy further states that to assist in identifying impacts and mitigating measures an applicant may be required to prepare studies in accordance with guidelines established for the policy's purpose. The applicant will be responsible for implementing the required mitigating measures. The rail corridor itself is designated in the Official Plan as *Utility Corridor*. Where appropriate, development or redevelopment on lands nearby or adjacent to *Utility Corridors* will screen and secure the property edge through such measures as setbacks, fencing, site grading, berms, landscaping, building treatment and construction technique (Policy 5(b) Section 4.4).

Guidelines for New Development in Proximity to Railway Operations

In May 2013, the Federation of Canadian Municipalities in conjunction with the Railway Association of Canada released the Guidelines for New Development in Proximity to Railway Operations (the "FCM Guidelines"). The FCM Guidelines focus on residential development in proximity to rail corridors. These Guidelines focus on treatment of the sites in terms of providing for safety and noise and vibration mitigation.

The Guidelines have not been adopted by the Province of Ontario or Toronto City Council and have no standing as either provincial or municipal policy. They do, however, provide guidance for planners and developers across Canadian jurisdictions when confronted with development in proximity to railway operations.

The Guidelines "strongly recommend that municipalities take a proactive approach to identifying and planning for potential conflicts between rail operations and new developments in proximity to railway corridors". The intent of the Guidelines is to promote awareness around issues of compatibility, promote consistency in the application of relevant standards across the country, establish an effective approval process for new residential development, and enhance the quality of living environments

In Chapter 3, the Guidelines propose a set of principles for mitigation design. The Guidelines state that the preferred option is for standard mitigation (30 metres and a berm). Should that not be possible, however, the guidelines recommend that the developer undertake development viability assessment to determine whether the project should proceed. The Guidelines recommend that municipalities establish minimum setbacks through a zoning by-law

amendment, which has not been done in this area. In any case, a functional design for mitigation must be achieved on site.

In the case of the subject proposal, the applicant proposes a crash wall directly adjacent to high occupancy retail, office and residential uses (Buildings 1, 2 and 3). However, the applicant's Planning and Urban Design Rationale makes no mention of rail safety measures to be implemented as part of the development. The subject proposal does not incorporate any low-occupancy element to its building, except for accesses to underground parking through Building 6. Given that the Metrolinx Rail Corridor is a major passenger rail line that is used extensively on a daily basis; concerns with health and safety are a critical aspect of this application.

Alternative mitigation measures must provide the same level of rail safety as required through the 30 metre setback and berm. The applicant has not submitted a mitigation alternative for the proposal other than the crash walls as proposed. Details with respect to structural design and presumably all other relevant engineering considerations would be submitted with the site plan application. City Planning staff find this approach to be problematic for a number of reasons.

The building envelopes are proposed and secured at the Zoning By-law Amendment stage of the planning approval process. The prudent approach is to have a proven engineering solution signed and stamped by a professional engineer, and peer reviewed, prior to approving building envelopes on a zoning schedule. In the event that alternative mitigation measures cannot be engineered to satisfy the proposed development; the relevant approval authority will have created zoning envelopes that cannot be used. It is premature to approve building envelopes in the proposed location in advance of being satisfied that there is an engineering solution that has been demonstrated to be as safe as the 30 metre buffer plus a berm.

In the event that the LPAT approves the application in some form, it is recommended that a development viability report bearing the stamp of a fully insured, qualified, professional structural engineer, in addition to the noise and vibration reports, demonstrating how at least the same level of rail safety is to be achieved for nearby residents, workers, visitors and shoppers as the required 30 metre setback and berm, be submitted to the City and subject to peer review by a rail safety expert retained by the City, at the expense of the Owner, which will be provided to Metrolinx for review and approval.

Land Use

This proposal consists of a mixture of residential, office and retail uses. This application has been reviewed against relevant policies including the Official Plan, the Garrison Common North Secondary Plan and the South Niagara Planning Strategy (OPA 273).

The lands are currently designated *Regeneration Areas* in the Official Plan. While it is recognized that *Regeneration Areas* will provide for a broad mix of commercial, residential, light industrial, parks and open space, institutional, live/work and utility uses in an urban form, the intent of *Regeneration Areas* is that a framework for new development will be set out in a Secondary Plan.

This is articulated further within the Garrison Common North Secondary Plan which places the lands at 2 Tecumseth Street into a Policy Area 1 designation. As previously noted, Policy 10.1(e) of the Garrison Common North Secondary Plan states that that the area will be subject to a further planning exercise and study which will take into consideration the need to provide employment uses within the area. This section provides eleven guiding policies for the preparation of the study, which resulted in Council's adoption of OPA 273. The following section examines the proposal against these eleven principles.

- (i) *Consider the potential redevelopment of the lands at 2 Tecumseth Street once current meat processing operations have ceased;*

The meat processing operations ceased as of 2014. While City Planning staff is supportive of the redevelopment of the site, it must be in conformity with the guiding principles advanced by Policy 10.1(e) of the Secondary Plan. As discussed in this report, the proposal in its current form does not meet the intent of these policies.

- (ii) *Identify and locate an appropriate land use buffer to be designated General Employment Areas in order to protect and buffer potential sensitive uses on lands east of the City Works and Emergency Services yard located at 677 and 701 Wellington Street West. Employment uses within this buffer zone will be limited to residentially sensitive employment uses such as offices and studios;*

An employment land use buffer to the east of the site was deemed to be unnecessary by the expansion of *Parks and Open Space* designated areas to the east of the site and the potential for the adaptive reuse of the Wellington Destructor.

- (iii) *Identify and locate appropriate buffering to the rail corridor on the southern boundary of the study area;*

Rail safety is a vital component of any site directly adjacent to a rail corridor. The entirety of the southern property line at 2 Tecumseth Street abuts the Metrolinx rail corridor, with each of the three main buildings proposed on the site directly adjacent to the rail corridor.

The following table provides a summary of building setbacks and mitigation measures proposed along the southerly property line for each of the buildings:

Setbacks and Mitigation Measures Proposed for Buildings 1, 2 and 3

Building	Approximate Min Setback from South Property Line	Mitigation Measures Proposed (West-East)
Building 1 (13 storeys)	5 metres	<ul style="list-style-type: none"> • For 89.80 metres: Vertical acoustic glass barrier on property line – 2.5 metres in height relative to nearest walkable surface. • Bicycle path along the entirety of Building 1
Building 2 (38 storeys)	4 metres	<ul style="list-style-type: none"> • For first 13 metres: Crash wall placed against Building 2 glass façade for 13 metres. • For next 29.6 metres: 1 metre thick guard wall (1.07 m above ground level) tilted acoustic glass barrier over guard wall measuring 2.5 metres in height relative to boardwalk, which is incrementally raised relative to boardwalk to maintain height. • Bicycle path along the entirety of Building 2
Building 3 (15 storeys)	1 metre	<ul style="list-style-type: none"> • 1 metre thick guard wall (1.07 m above ground level) tilted acoustic glass barrier over guard wall. • 2.5 metres in height relative to boardwalk, which is incrementally raised relative to terraces to maintain height. • Total length of 166.77 metres, which takes the guard wall to the middle of Building 6

City Planning staff appreciates that mitigation measures are being taken to protect the lower levels of the proposed buildings. While it is recognized that the retained abattoir building exists, the building was constructed at a time predating contemporary considerations.

City Planning staff are concerned with the location of high occupancy uses in close proximity to the rail corridor. Further discussion on buffering and mitigation measures from the rail corridor can be found in the “Proximity to the Rail Corridor” section of this report.

- (iv) *Explore the potential to exchange and/or purchase/sell portions of land between owners to achieve the above buffering and create a more efficient ownership pattern for City operations at the Wellington Street West yard;*

The application proposes a 15-storey mixed use building (Building 3) containing a combination of residential and retail uses directly to the south of the City's Works Yard. Per the current proposal, a total of 297 dwelling units would be located within approximately 14 metres of the southern boundary of the City's Works Yard.

The Works Yard Compatibility Study submitted with the application fails to properly justify and mitigate land use conflicts between the industrial-type use of the works yard and the 297 residential units, half of which would face the yard. The proposed buffer between the Works Yard and Building 3 is a driveway.

As part of this application review process, there are opportunities, such as the *Planning Act's* parkland requirements, for the western portion of the site to become publically owned and create a more efficient ownership pattern. In its current form, the application is not achieving adequate buffering between uses.

- (v) *Address heritage considerations for the Wellington Street incinerator and the potential for adaptive reuse and preservation of the existing structure;*

It is essential that any development proposal adjacent to the Wellington Destructor have adequate regard for its heritage attributes, particularly with respect to shadowing, views and scale. In its current form, the 38-storey tower presents significant shadow on the Destructor and its associated open space which is designated as a park by OPA 273.

The proposed 38-storey tower not only overwhelms the Destructor in terms of scale, but also adversely impacts views from the site to the Destructor, as well as views between the Destructor and the Fort York National Historic Site. In its current form, the proposal has not adequately addressed heritage considerations for the Wellington Destructor.

- (vi) *Identify appropriate buffering and transition to the low scale residential uses in the area;*

The lands to the immediate north of the site are designated *Neighbourhoods*. The Healthy Neighbourhoods policies (Section 2.3.1) of the Official Plan require that development in *Mixed Use Areas, Regeneration Areas* and *Apartment Neighbourhoods* provide a gradual transition of scale and density to adjacent *Neighbourhoods*. The Official Plan Built Form policies also require that new development create appropriate transitions in scale to neighbouring existing and planned buildings.

The proposal is out of scale with the type of development both contemplated in policy OPA 273 and in the surrounding context. The proposed 13-storey office building located at the eastern end of the site does not relate appropriately to the low scale *Neighbourhood* to the north. The proposal is out of scale with the type of development both contemplated in the Official Plan, OPA 273 and the surrounding context. This, combined with the massing and shadowing presented by the 38-storey, 142 metre high tower does not relate appropriately to the surrounding context, creating an abrupt and incongruous relationship with the adjacent low-scale residential areas.

The proposed 15-storey building toward the west of the site is designed as an east-to-west slab that will cast considerable shadow on the lands the City has designated for future park space on both the current City Works Yard and the north portion of the Wellington Destructor site. The building interrupts the proposed view corridor from the south along the historical route of the Garrison Creek to the Fort York National Historic Site, as noted in OPA 273.

The proposed height and massing is inconsistent with the policies and intent of the Garrison Common North Secondary Plan and OPA 273. Section 2.1(a) of the Garrison Common North Secondary Plan requires new development to be integrated into the established city fabric in terms of streets and blocks, uses and density patterns. City Planning staff does not support the height and mass of the proposed buildings in their current form. The transition of new building scale and mass to the surrounding context, as proposed, is not acceptable.

(vii) *Address measures to effectively link the study area with roads, pathways and/or corridors;*

Access to the site is proposed via a number of vehicular access points. Vehicular access is proposed from existing driveways on Tecumseth Street at the easterly portion of the site, the public laneway directly south of Niagara Street at the northern portion of the site, the existing north-south private driveway onto Wellington Street, and the driveway running north-south between the City Public Works Yard and Wellington Destructor. The Abbatoir site had an easement over this driveway associated with the former uses of the site. It is not clear if the proposal would benefit from this easement given the change of use.

With respect to pedestrian and cycling access, the development proposes a minimum 3 metre wide multi-use trail, which would connect the site to the lands east of Bathurst Street, Stanley Park, Garrison Crossing, and the West Toronto Rail Path, with a pedestrian-cyclist mixing area near the centre of the site. A public road was recommended as part of OPA 273 to achieve a vehicular connection between Front Street West and the South Niagara Area. As the abattoir building is being retained on site, a public road alignment may no longer be possible.

City Planning and Transportation Services staff are concerned about access to the site in its current form. Transportation Services has determined that the proposed vehicular access from the Niagara Street laneway is not functional as a two-way lane. The laneway's

existing substandard width is constrained by the private house to the east and the Wellington incinerator ramp to the west.

City Planning staff is also concerned about the potential disruption to cyclists caused by the proposed cyclist/pedestrian mixing zone proposed at the centre of the site as well as the narrow width of the pathway. The nature of the cycling and pedestrian connection should support commuter cycling as well as leisure cycling through the site. Staff are interested in seeing this path delivered as a continuation of the West Toronto Rail Path which can connect to Front Street West through the future park at 28 Bathurst Street.

While it is noted that access is being provided to the site in various ways, City Planning staff are of the opinion that further measures could be taken that more effectively provide clear and legible access and address from all proposed buildings in the study area to the surrounding area.

(viii) *Identify the appropriate location of new parks, open space and pedestrian links and treatment to existing parks in the area;*

Increasing the provision of park space is a key Official Plan policy and a core objective of the South Niagara Planning Strategy. The South Niagara Neighbourhood is surrounded by some of the City's most rapidly intensifying areas, such as King-Spadina, Liberty Village and the Fort York Neighbourhood. The provision of parkland in these areas has not kept pace with the level of intensification. The proposed development does not include any new public park land.

Section 2.1(b) of the Garrison Common North Secondary Plan requires new development to enhance the public open space system by completing the existing north-south public open space system, providing both visual and physical connections to Fort York and the waterfront. Section 10.1(e) speaks further to the 2 Tecumseth Street site and notes that the appropriate location of new parks, open space and pedestrian links and treatment to existing parks in the area will be identified as part of an area study.

In response, OPA 273 designated the west portion of the site adjacent to the rail corridor and south of the Works Yard as *Parks and Open Space Areas*. Securing this area as a park space is important to expand on the future planned extension of Stanley Park toward the south and west, and in order to avoid industrial-residential compatibility issues.

In place of the area designated as *Parks and Open Spaces* on Schedule 1 and noted as Future Park Space on Maps 14-4, 14-5 and 14-6 of OPA 273, the application proposes a 15-storey mixed-use building (Building 3) adjacent to the rail corridor. Several publicly accessible spaces, including the ground floors of buildings, are noted in the application submission as providing open space. While these spaces may present opportunities for programming and should continue to form part of the development proposal in some manner, they do not replace the requirement for, and utility of, a public park space.

The development in its current form, which includes no public park space, is not acceptable. Under Section 42 of the *Planning Act*, the City has the ability to require parkland as part of development. At 1.98 hectares, the site is large enough to provide the required parkland dedication and, as noted above, the City's planning framework for the area identified future parkland on the western portion of the site. The City will be pursuing an on-site parkland dedication in this location through its ongoing review of the application.

- (ix) *Assess potential view impacts on Fort York due to potential development in the area;*

Protection of views to and from the Fort York National Historic Site is established within the Garrison Common North Secondary Plan.

City Planning staff are concerned about the portion of the site west of the Destructor and are of the opinion that this should be considered relative to on-site parkland acquisition and the future of the Works Yard. A building in this location would block two of the view corridors to/from Fort York, and would block the view to the Destructor from the Strachan Avenue Bridge. With respect to Building 2, the current design of the building does not adequately address north-south views from Fort York to the Destructor.

City Planning staff are of the opinion that further measures must be taken with respect to protecting and enhancing views to the Fort York National Historic Site.

- (x) *Identify strategies to visually enhance the Front/Bathurst Street terminus; and*

This policy was included as part of the Garrison Common North Secondary Plan at a time when development was anticipated at 28 Bathurst Street. The City initially acquired 28 Bathurst Street under a Section 31 Agreement (under the *Expropriations Act*) after the City initiated expropriation proceedings in 1988 due to contamination issues and the proposed Front Street extension. The site was formerly used for industrial purposes.

Following City Council's decision to abandon plans for the Front Street extension, the property was declared surplus with the intended manner of disposal to be a transfer to Build Toronto. Build Toronto submitted an application to develop a 19-storey mixed use tower on the site.

On November 15, 2016 Toronto and East York Community Council requested that City Planning initiate the process of amending the Zoning By-law and Official Plan to change the land use designation from *Regeneration Areas* to *Parks*, and amend the zoning to an appropriate Park zone category, which was approved by City Council in April 2017. The future use of 28 Bathurst Street as a park, coupled with a multi-use trail on the 2 Tecumseth Street site will help to expand the public realm and connections from Bathurst Street west to Strachan Avenue.

- (xi) *Address the provision, location and/or relocation of community services and facilities in the study area such as daycares, libraries, community/recreation centres and public educational facilities.*

The Official Plan and Zoning By-law Amendment applications included a Community Services & Facilities Report prepared by Walker, Nott, Dragicevic (WND) Associates Limited.

The site is located within the South Niagara Area (OPA 273) which abuts the western boundary of the TOcore study area. However, it should be noted that the TOcore Community Services & Facilities Study area is broader given that service catchment areas are larger for many sectors, including schools, child care, recreation, libraries and human services. As such, the site is considered within the TOcore Community Services & Facilities Study service catchment area.

City Planning staff have reviewed the Community Services and Facilities Study. While the Study provides a demographic profile; proposed development population projections; and an inventory of community services and facilities, it is missing several key components including: listing of nearby development activity; growth analysis based on development that is occurring within the study area; sector analysis for libraries child care and recreational facilities; inclusion of human services sector in the inventory and analysis; and identification of Community Services & Facilities priorities.

Further discussion with respect to Community Services is contained within the "Community Services Assessment" part of this report.

It is City Planning staff's opinion that for the reasons noted above, the overall intent of Policy 10(e) of the Garrison Common North Secondary Plan is not being met by the proposal in its current form. Staff has expressed these concerns to the applicant on a number of occasions and, to date, these issues have not been addressed through revisions to the proposal.

As illustrated in Attachment 7, City Planning recommends considering the site in three distinct parts. The site presents an opportunity to meet a number of important city building objectives, including the provision of parkland and the improvement of pedestrian and vehicular connections in the area.

Site Analysis – Density, Height, Massing, Access and Building Locations

Part 1: Lands Directly South of the City Public Works Yard

Part 1 of the site is located directly south of the City's Works Yard and the proposed location of Building 3. Building 3 is proposed as a 15-storey mixed use building containing 1,510 square metres of retail uses and 297 dwelling units in 23,510 square metres of residential gross floor area.

The Garrison Common North Secondary Plan and the South Niagara Planning Strategy both direct that an effective buffer be provided between the lands at 2 Tecumseth Street, the rail corridor and the City's Works Yard. As proposed, City Planning staff has significant concerns with potential conflicts between the proposed Building 3 and the operation of the City Works Yard and rail corridor, as well as the proposed building's proximity to the Garrison Crossing Pedestrian Bridge.

Part 1 is an area intended by the City as future park land. The site has been identified in both the South Niagara Planning Strategy and the Downtown Plan, specifically on Maps 41-6: Core Circle and within "The Garrison Park – Fort York" Park District shown on Map 41-08: Park Districts, as a location to achieve on-site parkland to expand the South Stanley Park extension. Parks, Forestry and Recreation Staff note that a total parkland dedication of 1,830 square metres would be required on the west end of the site in this area directly south of the Works Yard. In addition to the required parkland dedication, it is recommended that the City and applicant explore opportunities to acquire the remaining lands abutting the southern property line of the current Works Yard. Part 1 of the site as a non-developed portion of the proposal would act as a buffer and provide transitional land uses between the City Works Yard and the potential introduction of a mix of uses at 2 Tecumseth Street.

The west portion of the site is desirable as public open space for a number of reasons:

- it is consistent with the policies and intent of the South Niagara Planning Strategy;
- it would help resolve land use incompatibility issues between the City Works Yard and residential uses;
- it roughly aligns with the Garrison Creek, a watercourse which has shaped the South Niagara Neighbourhood and surrounding communities;
- it will help protect views to and from Fort York along the route of the Garrison Creek as identified in the Fort York Heritage Conservation District Study and Plan;
- it will increase the amount of park space that serves the Niagara Neighbourhood;
- it is able to be achieved through various Planning tools, including the *Planning Act* parkland dedication requirements; and
- it provides key connections to the existing park system, the new Garrison Pedestrian Bridge and contributes to the master planning approach to the parks and public spaces in this part of the City.

It is recommended that City Planning staff, in consultation with Economic Development and Culture, Real Estate Services staff, the Ward Councillor and the applicant at 2 Tecumseth Street continue to discuss how Part 1 of the site can best achieve the objectives of the Garrison Common North Secondary Plan and OPA 273 as it relates to the dedication of parkland and extension of the public realm on the site.

Part 2: Lands to the South of the Wellington Destructor

Part 2 of the site is located directly south of the Wellington Destructor site and the proposed location of a 176 square metre kiosk building (Building 6) along with a privately owned, publically accessible open space (POPS) featuring an amphitheatre and a water play area.

To protect the views to Fort York and the Wellington Destructor, it is important that these lands remain visually open to both the north and south. While City Planning staff is supportive of a POPS in this location, Building 6, in its current location, obstructs views to and from the Destructor and should be removed. This part of the site is one of the most desirable open spaces due to the availability of sunlight and should remain open to ensure uninterrupted views to the Destructor.

City Planning staff recommend that this area maintain clear views to and from Fort York. The area should remain flexible in order to accommodate future uses in the Destructor which could front onto this space. The area could be further animated through the introduction of retail space at grade in Building 2.

Part 3: Lands Adjacent to the *Neighbourhoods* designation fronting Niagara Street (remainder of site)

Part 3 includes the remainder of the 2 Tecumseth Street and 125-133 Niagara Street property and is the proposed location of Buildings 1, 2, 4 and 5. Building 1 is proposed to contain office and retail uses, Building 2 is proposed to contain residential, office and retail, and Buildings 4 and 5 are proposed to contain retail uses. Building 4 is proposed on the 125-133 Niagara Street portion of the site fronting Niagara Street. This area also includes a proposed POPS in the form of a large plaza between Buildings 1 and 2.

Buildings 1 and 2 comprise the majority of the density proposed for the site and both are tall buildings. Building 1 has a proposed height of 13 storeys (66 metres) and includes the retention of a portion of the two-storey building formerly used as the abattoir. Building 2 is the tallest building on site, with a proposed height of 38 storeys (142 metres) atop of a 3-storey podium with a tower floor plate measuring between 789 and 851 square metres.

Built Form, Massing and Height:

Official Plan Built Form Policies 3.1.2.1 and 3.1.2.3 require that new development be located and organized to fit within its existing and/or planned context and be massed to fit harmoniously into its context. Section 3.1.2.3 (c) of the Official Plan refers to limiting impact by creating appropriate transitions in scale to neighbouring buildings. This section further requires that tall buildings relate to their existing and/or planned context. Section 3.1.3 specifically addresses tall buildings and requires tall buildings to meet the built form principles of the plan, as set out within Section 3.1.2.

Further direction on the built form and height envisioned for the site is detailed in the Garrison Common North Secondary Plan and OPA 273. The policies encourage a form of development

that respects the low-rise character of the adjacent *Neighborhood* and provides transitions to new and proposed green spaces and the Fort York National Historic Site. Policy 3(a)(ii)(A) of OPA 273 directs that building design and massing will create a comfortable pedestrian environment, integrate with the public realm and transition to protect the adjacent low-scale neighbourhood areas, parks and open spaces and Fort York National Historic Site.

Policy 3(a)(ii)(D) of OPA 273 directs that all proposed mid-rise buildings will be located underneath a 45-degree angular plane extending from the abutting property line of all lands with a *Neighbourhoods* designation. Buildings adjacent to park space will provide a transition that limits shadowing and maintains sky-view adjacent to the park spaces.

Policy 3(a)(ii)(E) of OPA 273 directs that additional storeys may be provided on one building, provided the proposed taller elements are consistent within the direction of the South Niagara Strategy with regard to: transition to low-rise *Neighbourhoods* and *Parks and Open Spaces*, protection and enhancement of view corridors to and from the Fort York National Historic Site, maintain sky view, and limit shadowing.

The Built Form policies of the Official Plan are implemented in part through the Tall Building Design Guidelines. Relevant Guidelines in this case include Guideline 1.1 (Context Analysis), 1.3 (Fit and Transition in Scale), 3.2.1 (Floor Plate Size and Shape) and 3.2.3 (Separation Distances).

Guideline 1.3 states that tall buildings are to fit within the existing or planned context and provide an appropriate transition in scale down to lower-scaled buildings, parks, and open space.

Guideline 3.2.1 limits the tower floor plate to 750 square metres or less per floor while acknowledging that modest increases may be permitted for very tall buildings.

Guideline 3.2.3 requires a 25 metre or greater separation distance between towers on the same site to ensure sufficient sky view, privacy and light to residents.

The intent of the City's Official Plan, the Garrison Common North Secondary Plan, OPA 273 and the City's Tall Buildings Guidelines has not been met by the proposal with respect to Buildings 1 and 2, for the following reasons:

- The proposed height and massing departs significantly from the policies and intent of the Garrison Common North Secondary Plan and OPA 273.
- Building 2, as it is currently proposed, would be one of the tallest buildings west of Bathurst Street and north of the rail corridor and does not respect or transition in accordance with Official Plan policies to the surrounding context, specifically the Fort York National Historic Site to the south and the low scale *Neighbourhood* to the north;
- Building 1, located at the eastern end of the site, does not transition appropriately to the low scale *Neighbourhood* to the north. The proposed height and floorplate of this

building creates an abrupt and inappropriate relationship with the scale of the adjacent *Neighbourhoods*;

- Buildings 1 and 2 encroach into the 45-degree angular plane measured from the *Neighbourhoods* designation to the north;
- The proposed tower floor plates of Buildings 1 and 2 are in excess of the performance standards of the City's Tall Building Design Guidelines. The size and shape of the tower floor plate work together to determine the overall massing and the physical impact it poses on surrounding streets, parks, open space and properties.

Although staff acknowledge that the non-residential floor plate of Building 1 may ultimately exceed 750 square metres which is not unusual for commercial floor plates, the very large floor plates in combination with the height is too massive in this context. The residential tower floor plates as proposed for Building 2 range between 789 square metres and 851 square metres (well beyond the tall buildings guidelines), which results in increased massing and shadowing;

- Buildings 1 and 2 do not meet the appropriate separation distances recommended by the City's Tall Building Design Guidelines. Guideline 3.2.3 requires a 25 metre separation distance between towers on the same site to ensure adequate access to skyview and sunlight. In this case, Buildings 1 and 2 are separated by approximately 18 metres which presents an inappropriate scale between the buildings; and,
- The proposed separation distance between the base of Building 2 and the Destructor is approximately 14.5 metres. While dimensions have not been provided to the abattoir building, it appears to be 7 metres which presents an inappropriate built form and scale between different land uses.

The proposed height and massing of Buildings 1 and 2 create an inappropriate relationship to the *Neighbourhoods* designated lands and the Wellington Destructor to the north, and the Fort York National Historic Site to the south. The redevelopment should better respond to the existing and planned context surrounding the site and allow for appropriate transition to the adjacent *Neighbourhoods* and *Parks and Open Space Areas*. The proposed buildings need to meet the built form and tall buildings policies of the Official Plan and respond to the Tall Buildings Guidelines.

City Planning staff recommends the reduction of height of Buildings 1 and 2 to limit impacts on the surrounding neighbourhood, the Wellington Destructor, Stanley Park and areas designated future parks.

City Planning staff support the land uses proposed in Part 3 as they contribute to the City's goals and objectives of providing a high-quality, publicly-accessible open space at grade with a mix of residential, office and retail uses. The City is also supportive of the retention of the abattoir building. However, the proposal in its current form is not acceptable with respect to the built form, height, and density proposed.

Public Realm, Site Access, Cycling and Pedestrian Connections

Given the site's limited street frontage and limited options for access, improvements to the public realm are important to achieve through this application. The creation of effective pedestrian and cyclist connections to the adjacent Stanley Park, the Wellington Destructor, Fort York National Historic Site, and Garrison Crossing.

The application proposes a POPS in the form of a large plaza between Buildings 1 and 2, and a minimum three metre wide multi-use trail, to connect the site to the lands east of Bathurst Street, Stanley Park, Garrison Crossing, and the West Toronto Rail Path. The Garrison Common North Secondary Plan and OPA 273 intend the strengthening of the public realm and the area's connectivity, City Planning staff is concerned about the design of the proposed cyclist/pedestrian mixing zone proposed at the centre of the site. The proposed design creates conflicts between cyclists and pedestrians at various points. The nature of the cycling and pedestrian connection should support safe commuter cycling as well as leisure cycling through the site.

Staff recommends that the applicant examine a trail width of a minimum of four metres plus buffer edges with a continuous cycle path through the site.

OPA 273 contemplates a vehicular connection from Front Street West, through the 28 Bathurst Street site and the southerly portion of the subject site, northward to Walnut Avenue. OPA 273 also proposed a potential connection between Wellington Street West to the north and the vehicular connection to the southerly portion of the site. A new street connection through the site is not likely due to the retention of the abattoir building and City Council's decision to designate 28 Bathurst Street as a park.

Vehicular access to serve the development is proposed from Tecumseth Street, the public laneway at the northern portion of the site, the existing north-south private driveway onto Wellington Street, and the driveway running north-south between the City Public Works Yard and Wellington Destructor.

City Planning and Transportation Services staff have determined that the proposed vehicular access from the Niagara Street laneway is not functional as a two-way lane. Staff has asked the applicant to explore relocating the proposed vehicular access ramp to a new lane from Niagara Street or to accommodate all vehicular access from Tecumseth Street.

City Planning staff has also suggested that Building 4 be reconsidered as a vehicular access to provide direct access and street address to the site from Niagara Street. As part of this concept, staff would prefer all vehicular access to underground parking areas be taken from the ramp on Tecumseth Street.

OPA 273 directs the protection of views southward from Tecumseth Street to the Fort York National Historic Site. In discussions with Transportation Services, City Planning staff has recommended the incorporation of a belvedere into the design of the project to provide for viewing opportunities from the end of Tecumseth Street to the Fort York National Historic Site.

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City Planning staff also recommends incorporating a low-rise building along the Niagara Street laneway to frame the open space and animate the area with grade-related units.

While the application in its current form includes many positive public realm improvements and cycling and pedestrian connections, further refinement and design considerations are needed.

Sun, Shadow, Wind

Shadow Impacts and Sky View

The shadow impacts resulting from the proposed development are not acceptable. In its current form, the proposed buildings would cast significant shadows on the *Neighbourhoods* to the north and Stanley Park to the northwest of the site.

Official Plan Built Form Policies 3.1.2.3 (e) and (f) require that new development provide adequate light and limit shadows on streets, properties and open spaces, while minimizing additional shadowing on neighbouring parks to preserve their utility. Policy 3.2.3.3 directs that development minimize additional shadows on parks and open spaces to preserve their utility.

Tall Building Design Guidelines 1.3 (Fit and Transition in Scale) and Guideline 1.4 (Sunlight and Sky View) are also applicable to the proposal. Guideline 1.3 (a) recommends maintaining access to sunlight and sky view for surrounding streets, parks, open space and neighbouring properties. Guideline 1.4 (a) and (b) recommends protecting access to sunlight and sky views including maintaining at least 5 hours of sunlight on the opposite side of the street and to provide protection to open spaces/parks and heritage properties.

The applicant has submitted studies illustrating the extent of shadowing in one hour increments that would result from the proposed development from 9:18 am to 6:18 pm for March 21st, June 21st and September 21st as well as from 9:18 am to 4:18 pm on December 21st. The submitted shadow studies illustrate shadowing impacts on the *Neighbourhoods* and *Parks and Open Spaces* designated lands, as well as impacts on the Destructor and proposed designated future park space to the west of the site as part of OPA 273.

The proposed height and mass of Building 1 adds significant shadows on lands designated as *Neighbourhoods* from 9:18 am to 3:18 pm on March 21st and September 21st and for the entire day on December 21st.

The proposed height and mass of Building 2 adds significant shadows on lands designated as *Parks and Open Spaces* designated lands (Stanley Park) to the north at 9:18 am on March 21st and September 21st, the *Neighbourhoods* designated lands and the Wellington Destructor at various points throughout the year.

The proposed height and mass of Building 3 shadows the proposed future park space to the west of the site between 9:18 am and 10:18 am during all seasons; the Wellington Destructor from 1:18 pm to 5:18 pm on March 21st and September 21st and from 1:18 pm to 4:18 pm on December 21st; and the lands designated *Parks and Open Spaces* (Stanley Park) to the north between 9:18 am and 10:18 am on December 21st.

The proposed shadowing is significant as it impacts a number of properties including existing and future parks. Official Plan Policies 3.1.2.3 and 3.2.3.3 and related Tall Building Design Guidelines (Guideline 1.3, 1.4 and 3.2) specifically state the need to minimize and limit shadows. Smaller tower floor plates and reduced building heights are recommended to reduce or eliminate shadow impacts.

The proposed development results in shadow impacts that are not acceptable and do not conform with or maintain the intent of the policies of the Official Plan.

Wind Impacts

The applicant has submitted a Preliminary Pedestrian Level Wind Assessment from Theakson Environmental Consulting Engineers, dated November 10, 2017, to detail the potential wind impacts resulting from the massing of the proposed buildings. A wind tunnel test is required for this analysis.

The preliminary assessment concludes that wind conditions are anticipated to be comfortable and suitable for walking, standing, or better, year round under normal wind conditions. The preliminary assessment recommends glass barriers be installed to satisfy noise requirements and these will have some effect on the comfort conditions related to wind.

City Planning requires an updated wind study, and will secure any mitigation measures through the Section 37 Agreement and a Site Plan Control application.

Traffic Impact and Parking

A Transportation Considerations Report, prepared by BA Group and dated November 15, 2017, was submitted in support of the proposed development. The proposal is expected to generate in the order of 155 and 185 two-way trips during the morning and afternoon peak hours, combined for each of the proposed uses.

Traffic generation for the proposed commercial uses is estimated to consist of 7 and 13 two-way trips in the weekday morning and weekday afternoon peak hours, respectively. Traffic generation for the proposed office uses will be in the order of 75 and 100 two-way trips in the weekday morning and weekday afternoon peak hours respectively.

Transportation Services staff has reviewed the Transportation Considerations Report and have raised concerns with the proposed access, parking and loading space dimensions advising that amendments to the study and further information are required. City Planning requires an updated Transportation Considerations Report.

Lane Widening

Transportation Services staff have indicated that 1.98 metre, 0.98 metre and 0.51 metre wide strips of land abutting the north and south limits of the east-west public lane that runs westerly from Tecumseth Street are required to be conveyed to City, at nominal cost, for lane widening purposes.

Servicing

Engineering and Construction Services require the applicant to submit a revised Functional Servicing and Stormwater Management Report to address outstanding requirements. These comments were outlined in a memorandum dated January 4, 2018. Toronto Water comments for this application have not yet been received.

Open Space/Parkland

The provision of new park space on this site is a key objective for the City. The application is not proposing any new on-site or off-site parkland. City Planning and Parks, Forestry and Recreation staff do not support the redevelopment of this site absent the provision of a public park.

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 alternative parkland dedication rate of 0.4 hectares per 300 units specified in Chapter 415, Article III of the Toronto Municipal Code applies to the site. For sites that are between 1 and 5 hectares in size, a cap of 15% of the site is applied to the proposed residential uses while the proposed non-residential uses are subject to a 2% parkland dedication. In total, the parkland dedication requirement is 1,830 m²

This site has been identified in both the South Niagara Planning Strategy and the Downtown Plan as a location of future on-site parkland to expand the South Stanley Park extension located to the west.

The applicant is required to satisfy the parkland dedication requirement through an on-site dedication. City Planning Staff recommend the park be located on the west end of the site in accordance with the South Niagara Planning Strategy and the Downtown Plan.

Heritage Conservation

The subject property is not listed on the City's Heritage Register. However, several adjacent properties are on the City's Heritage Register. The Wellington Destructor Building, located at 677 Wellington Street West, adjacent to the subject site, is listed on the City's Heritage Register. The Niagara Terraces, a group of 2 ½ storey townhouses located on the south side of Niagara Street at 135 to 163 Niagara Street, are listed on the City's Inventory of Heritage Properties. The National Casket Company Factories building located at 89-109 Niagara Street, east of the site is also listed on the City's Heritage Register. The Fort York National Historic Site, situated south of the site is designated under Part V of the *Ontario Heritage Act* as the Fort York Heritage Conservation District and on the City's Heritage Register.

The site is surrounded by significant built and cultural heritage resources. Provincial Policies and the City's Official Plan provide detailed policy direction regarding the development of lands adjacent to heritage resources.

The Planning Act, Section 2(d) directs municipalities to have regard for matters of provincial interest, such as the conservation of features of significant architectural, cultural, historical, or archaeological interest.

Policy 2.6.1 of the Provincial Policy Statement directs that "Significant built heritage resources and significant cultural heritage landscapes shall be conserved."

Policy 3.1.5.4 of the Official Plan requires that properties on the Heritage Register be conserved and maintained consistent with the Standards and Guidelines for the Conservation of Historic Places

Policy 3.1.5.5 of the Official Plan directs that proposed alterations, development, and/or public works on or adjacent to, a property on the Heritage Register will ensure that the integrity of the heritage property's cultural heritage value and attributes will be retained.

Policy 3.1.5.26 of the Official Plan directs that new construction on or adjacent to, a property on the Heritage Register will be designed to conserve the cultural heritage values, attributes and character of that property and to mitigate visual and physical impact on it.

The built form policies of OPA 273, including the maximum building heights, locations of building height, and building transition, were developed, in part, to guide the form and scale of a development on the subject site that would appropriately relate to the surrounding heritage resources. These policies are similar in nature to the policy frameworks guiding other development to the south and west of Fort York National Historic Site, all of which secure a stepping down of building height closer to the Fort.

In the opinion of City Planning staff, a property designated under Part V of the Ontario Heritage Act, in this instance, the Fort York National Historic site, is subject to a level of conservation that protects not only the historic site itself, but also requires careful consideration of changes to the surrounding context critical to that resource.

To conform to these policies, the scale, form, and deployment of new buildings on this site must have regard for the impact these new buildings create on the numerous adjacent heritage resources to ensure that the integrity of the heritage properties cultural heritage value and attributes will be retained.

The proposed development, at a height of 38 storeys, significantly exceeds the maximum building height, and fails to provide adequate building transition as directed by OPA 273. The proposed 38-storey building is also closer to the Fort York National site than any other building of that scale in the area around the Fort. A significant reduction in building height from this building is required to ensure the form of this building does not visually overwhelm the Fort.

The proposed 15-storey slab building and 38-storey tower are situated on the west and east side of the Wellington Destructor, respectively. The height and placement of these buildings significantly impacts views to and from the Destructor, and overwhelms the scale of the building. The removal of the 15-storey slab building and a reduction to the height of the 38-storey building is required.

The proposed 38-storey tower and 13-storey building do not achieve adequate transition to the Neighbourhood to the north which includes the listed Niagara Terraces, creating an abrupt and incongruous relationship with these low scale buildings. A significant reduction in the proposed 38-storey building height and improved transition on the site to the north is required.

In its current form, the proposed development scale, height and mass does not relate appropriately to the adjacent heritage resources and compromises the integrity of the cultural heritage values, attributes and character, specifically that of the Fort York National Historic Site. The impact the proposed height and massing will have on the adjacent heritage designated sites is not supportable. Significant revisions to the location, form, height, and scale of buildings on site are required to conform to the relevant Heritage Policies and conserve the integrity of the cultural heritage values, attributes and character of the numerous heritage resources surrounding the site.

Tree Preservation

An Arborist Report, prepared by Shady Lane Expert Tree Care Inc and dated May 25, 2017, was submitted in support of the proposed development. The Arborist Report submitted indicates that there are no trees on site meeting the requirements for protection under the City of Toronto Private Tree By-law; however there are 10 trees adjacent to the site that qualify for protection under the City's Tree Protection By-law. Of these, 4 trees on the Wellington Destructor site (Trees 1, 2 and 3) and the City Public Works Yard site (Tree 10) are proposed to be removed with the remaining 6 trees being protected.

The removal of the 4 trees has been deemed acceptable by Parks, Forestry and Recreation, subject to the applicant obtaining written permission from the City of Toronto that owns 677 Wellington Street West, to permit the removal of the subject trees. The City will secure the planting of new trees on the site and on adjacent public rights-of-way through Site Plan Approval.

Toronto Green Standard

Council has adopted the four-tier Toronto Green Standard (TGS). The TGS is a set of performance measures for green development. Applications for Zoning By-law Amendments, Draft Plans of Subdivision and Site Plan Control are required to meet and demonstrate compliance with Tier 1 of the Toronto Green Standard. Tiers 2, 3 and 4 are voluntary, higher levels of performance with financial incentives. Tier 1 performance measures are secured on site plan drawings and through a Site Plan Agreement or Registered Plan of Subdivision.

City Planning and Development Engineering staff will work towards securing a development that meets a high standard of environmental sustainability and resiliency. City Planning will also

work with the applicant to encourage the pursuit of a District Energy Block Plan with the surrounding Destructor and Works Yard, with input from the Environment and Energy Division.

Community Services Assessment

Community Services and Facilities (CS&F) are an essential part of complete communities and include programs and services provided or subsidized by the City or other public agencies, boards and commissions, such as recreation, libraries, childcare, schools, public health, human services, cultural services and employment services. The provision of community services and facilities is as important to the livability of the City's neighbourhoods as services like sewer, water, streets and transit. The City's Official Plan establishes and recognizes that the provision of and investment in community services and facilities supports healthy, safe, liveable, and accessible communities. Providing for a full range of community services and facilities in areas experiencing major or incremental growth, is a responsibility shared by the City, public agencies and the development community.

One of the major objectives of the Garrison Common North Secondary Plan is the provision of community services and facilities. The Secondary Plan states that new development within Garrison Common North will include community services and facilities to meet the needs of present and future residents and workers on a local basis, and that Sections 37 and 45 of the *Planning Act* will be used in ensuring the delivery of community services and facilities within Garrison Common North.

The site is located within the South Niagara Area which abuts the western boundary of the TOcore study area. The Downtown Plan CS&F Study area is broader than the Downtown Plan study area given that service catchment areas are larger for many sectors, including schools, child care, recreation, libraries and human services. The site is within the Downtown Plan CS&F Study service catchment area.

A Community Services & Facilities Report dated November 2017 prepared by Walker, Nott, Dragicevic (WND) Associates Limited was submitted as part of the application submission. The Report partially addresses the City's CS&F Study requirements identified in the Toronto Development Guide, CS&F Terms of Reference.

While the Report provides a demographic profile; proposed development population projections; and an inventory of community services and facilities, it is missing several key components including: listing of nearby development activity; growth analysis based on development that is occurring within the study area; sector analysis for libraries child care and recreational facilities; inclusion of human services sector in the inventory and analysis; and identification of CS&F priorities.

In the event that the LPAT approves the application in some form, and in advance of Section 37 discussions regarding the provision of community benefits, City Planning will require an updated Community Services & Facilities Report to address the comments above.

Section 37

Section 37 of the *Planning Act* allows the City to require community benefits in situations where increased density and/or height are permitted. Community benefits are specific capital facilities or cash contributions for specific capital facilities and can include: affordable housing; parkland and/or park improvements above and beyond the required Section 42 *Planning Act* parkland dedication; public art; streetscape improvements on the public boulevard not abutting the site; and other works detailed in Section 5.1.1.6 of the Official Plan.

City Planning staff recommend that the City Solicitor be directed to request the LPAT, in the event it determines to allow the appeals in whole or in part, to withhold any order until a Section 37 Agreement has been entered into as between the City and the owner and registered on title, all to the satisfaction of the Acting Director, Community Planning, Toronto and East York District and the City Solicitor.

Conclusion

In its current form, the proposal is not consistent with the PPS (2014), does not conform with the Growth Plan (2017) and the Official Plan, the Garrison Common North Secondary Plan, or the recommendations of the South Niagara Planning Strategy.

The proposal does not adequately respond to issues of rail safety, built form, provision of parkland dedication, and heritage conservation. The proposed height, form and scale of buildings does not fit within the existing or planned context or limit its impact on adjacent areas including open spaces, lower scale areas, and the Fort York National Historic Site. The development does not transition appropriately to adjacent areas of lower scale and does not relate appropriately to the numerous surrounding heritage resources. The proposed development does not include any new public parkland.

City Planning staff note that this site presents an opportunity to achieve a number of important city building objectives and staff will continue to work with the applicant, the ward Councillor, and area stakeholders on refinements to the application to address the policies intended to guide appropriate development on this site.

The proposed Official Plan and Zoning By-law Amendment application, in its current form, is not supported by City Planning staff. The proposal, in its current form is not good planning and does not represent the public interest.

City Planning recommends that City Council direct staff to continue discussions with the applicant on acceptable height, density, deployment of density on site, the location of buildings on the site, parkland dedication, the potential for a district energy block plan and appropriate public benefits.

In the event that the applications are not revised to propose an appropriate form of development on this site, City Planning recommends that City Council direct the City Solicitor and appropriate City staff to attend the Local Planning Appeals Tribunal in opposition to the proposal.

CONTACT

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SIGNATURE

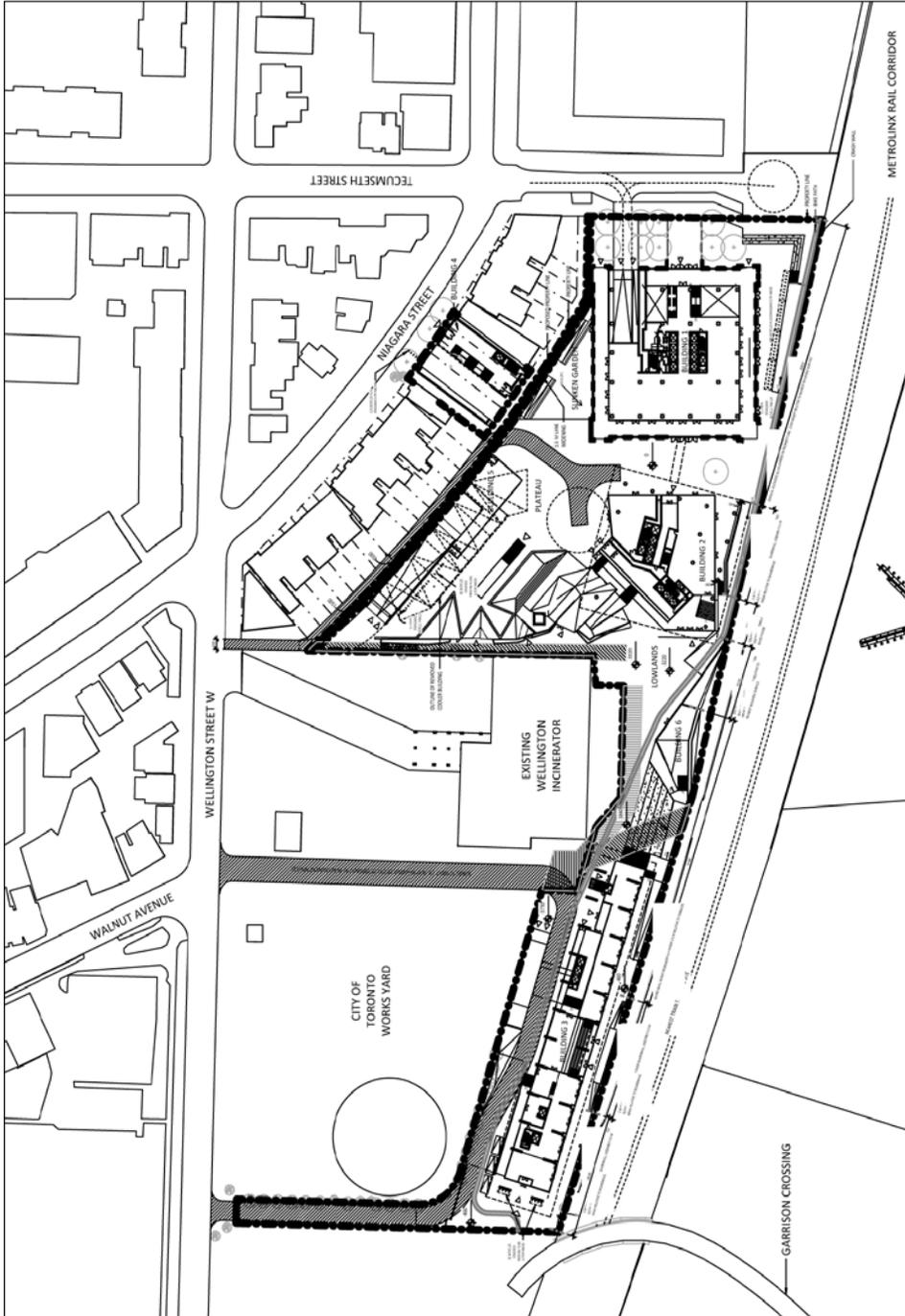
Lynda H. Macdonald
Acting Director, Community Planning
Toronto and East York District

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ATTACHMENTS

Attachment 1: Site Plan
Attachment 2: North Elevation
Attachment 3: South Elevation
Attachment 4: East Elevation
Attachment 5: West Elevation
Attachment 6: 3D Model
Attachment 7: Site Analysis Map
Attachment 8: Official Plan
Attachment 9: Zoning By-law No. 569-2013
Attachment 10: Application Data Sheet

Attachment 1: Site Plan

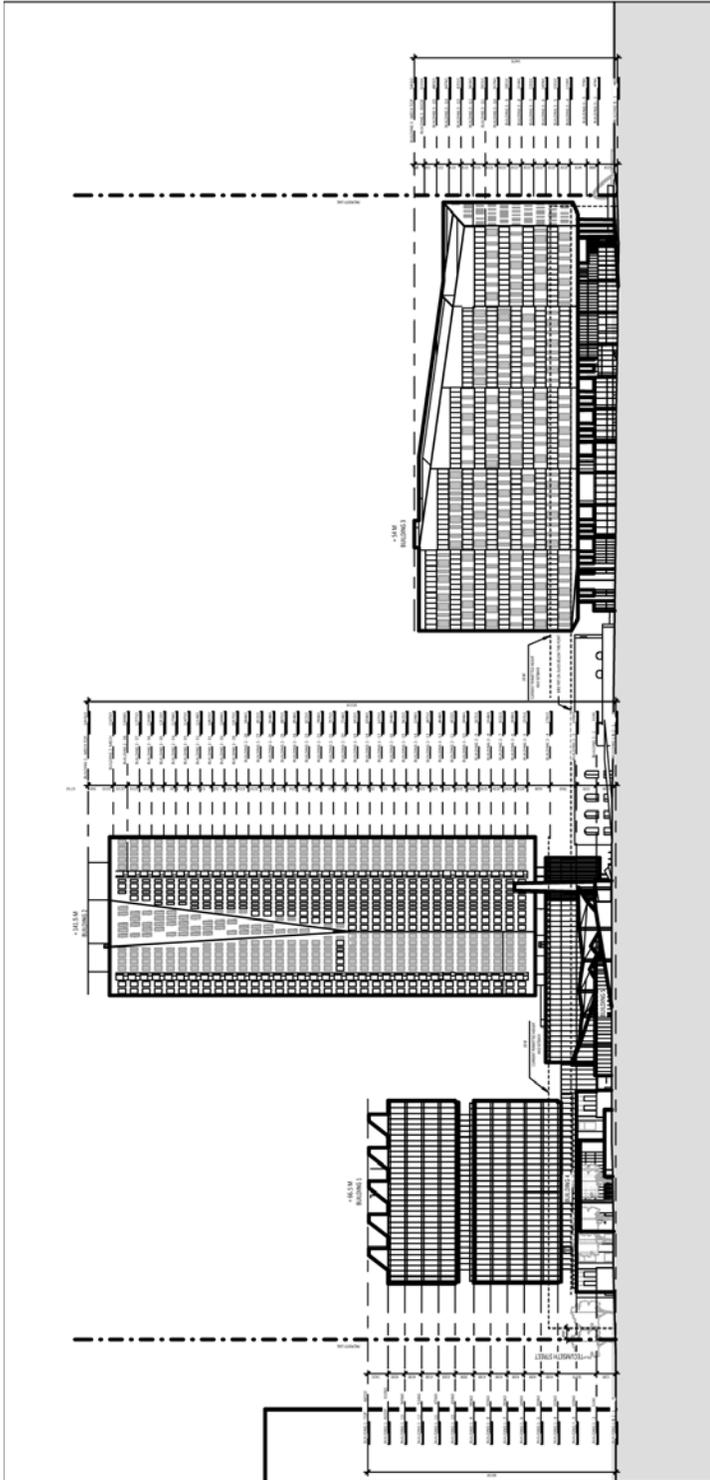


2 Tecumseth Street and 125 Niagara Street

Site Plan
Applicant's Submitted Drawing
Not to Scale
01/15/2018

File # 17 264041 STE 19 0Z

Attachment 2: North Elevation



North Elevation

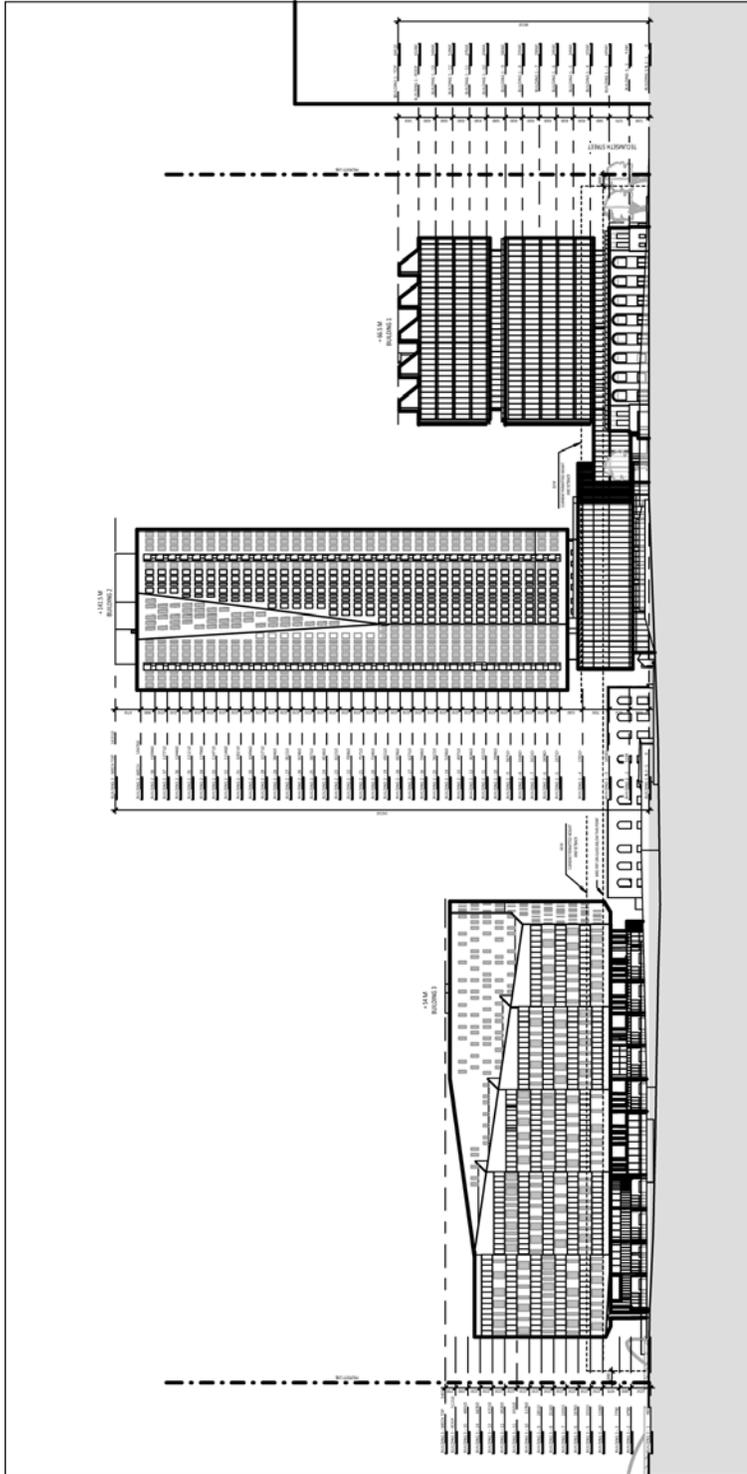
Applicant's Submitted Drawing

Not to Scale
01/15/2018

2 Tecumseth Street and 125 Niagara Street

File # 17 264041 STE 19 0Z

Attachment 3: South Elevation



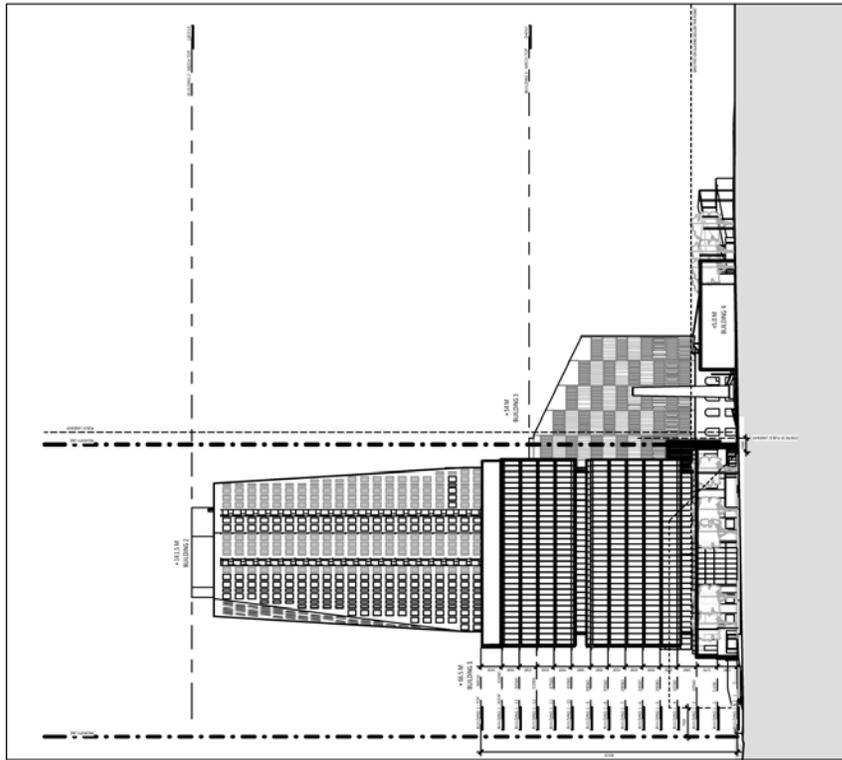
2 Tecumseth Street and 125 Niagara Street

South Elevation
Applicant's Submitted Drawing

Not to Scale
01/15/2018

File # 17 264041 STE 19 0Z

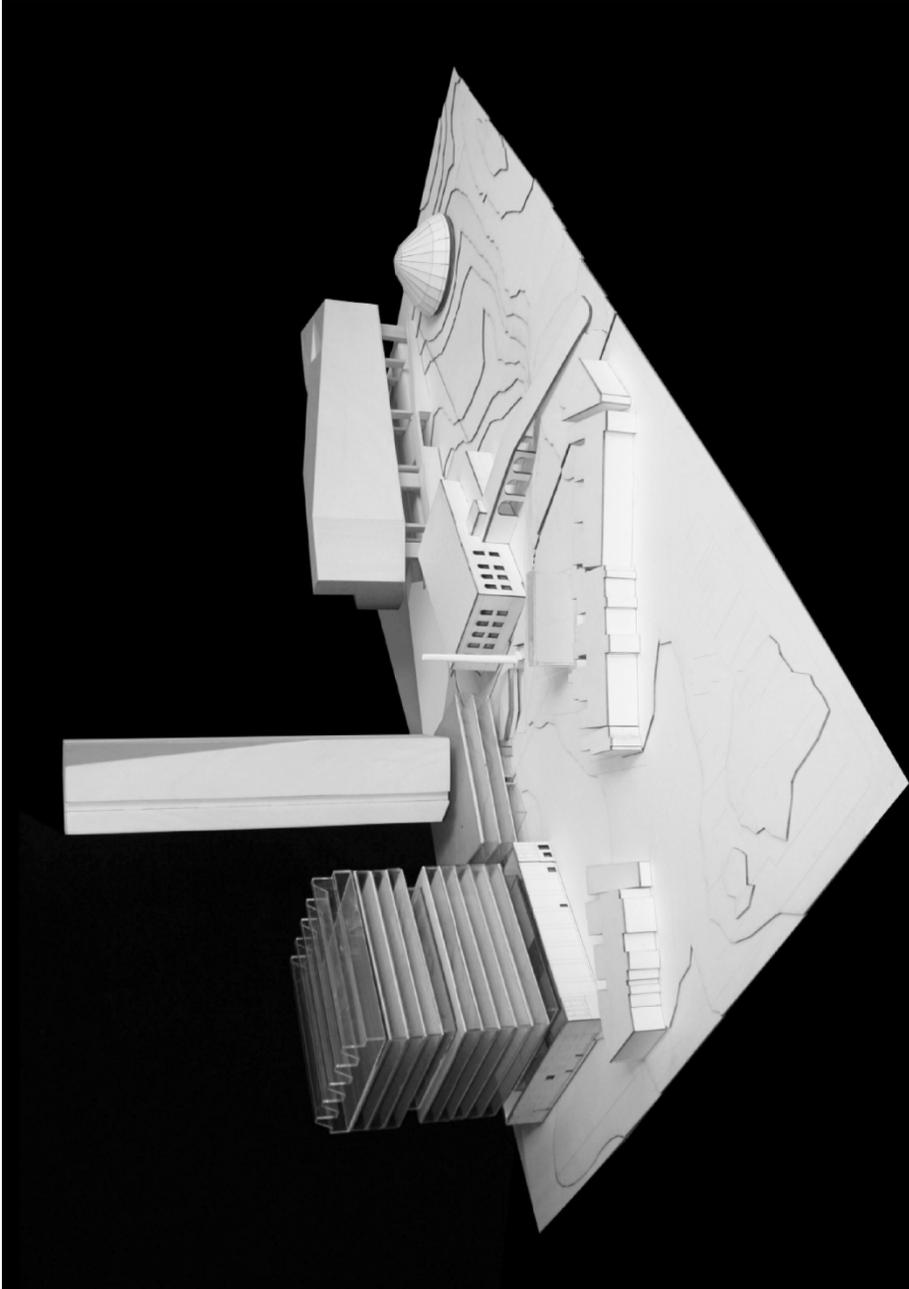
Attachment 4: East Elevation



East Elevation
Applicant's Submitted Drawing
Not to Scale
01/15/2018

2 Tecumseth Street and 125 Niagara Street
File # 17 264041 STE 19 0Z

Attachment 6: 3D Model



3D Model - View looking South-West

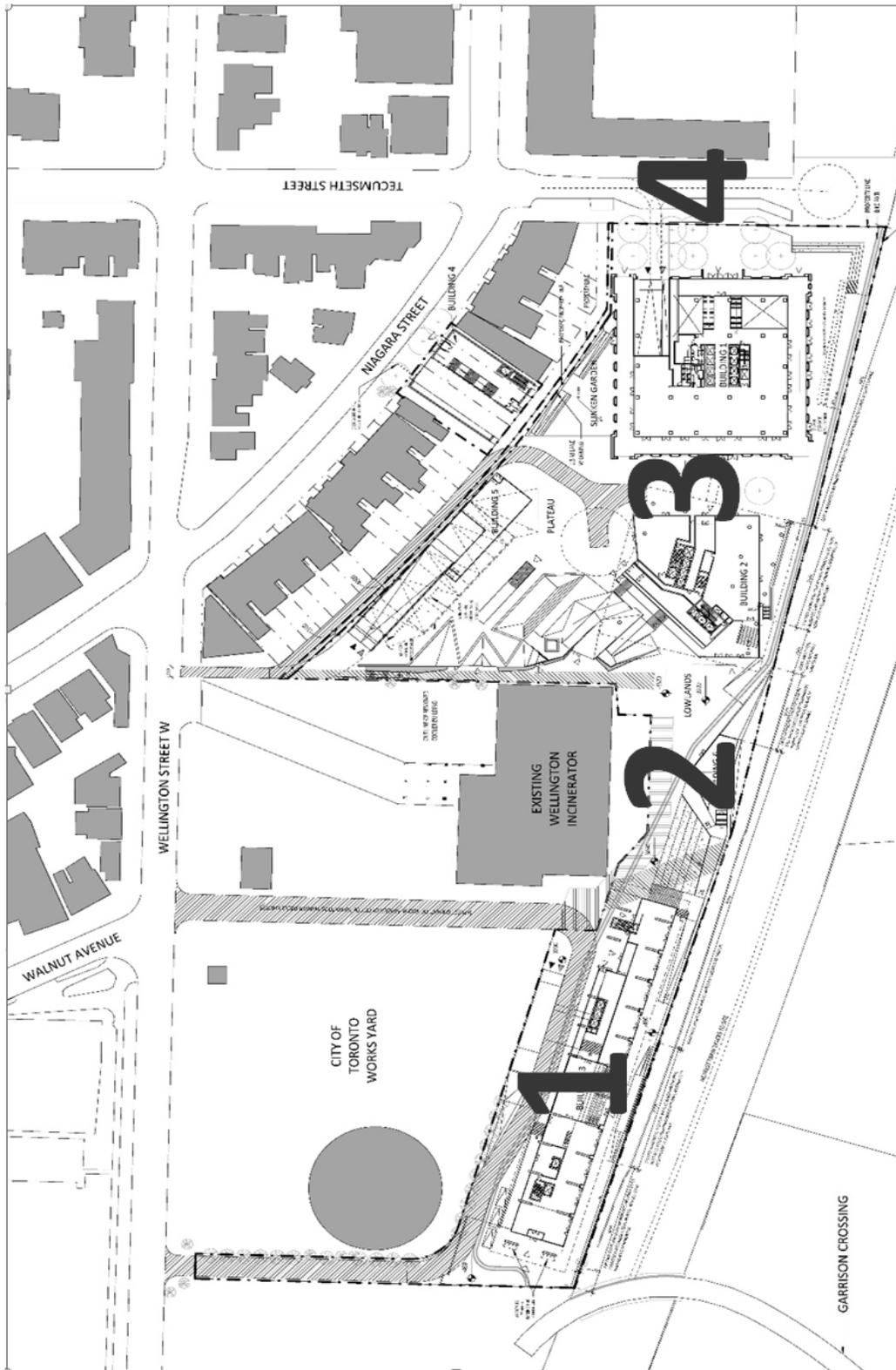
Applicant's Submitted Drawing

Not to Scale
01/15/2018

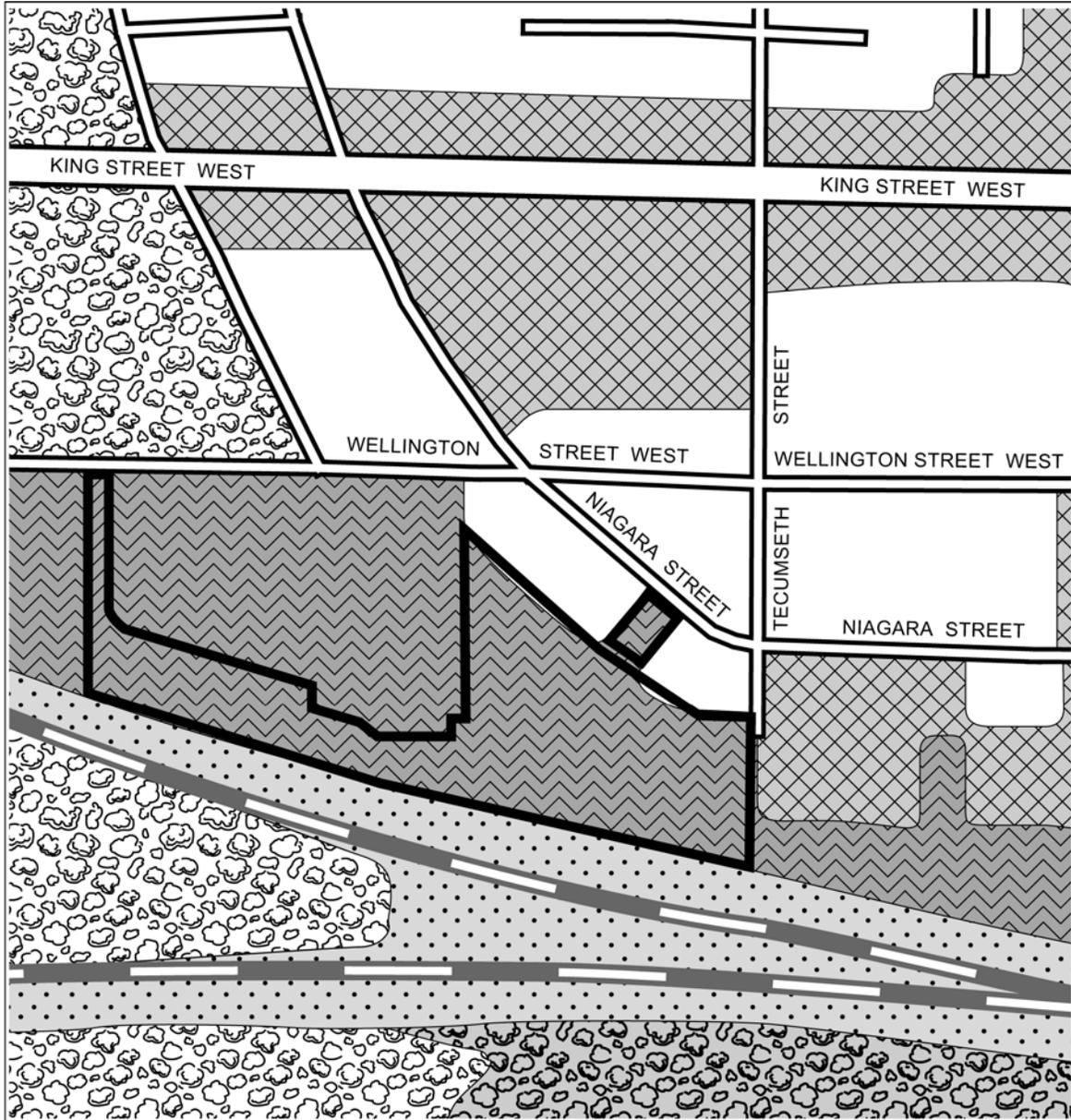
2 Tecumseth Street and 125 Niagara Street

File # 17 264041 STE 19 0Z

Attachment 7: Site Analysis Map



Attachment 8: Official Plan



TORONTO
Official Plan

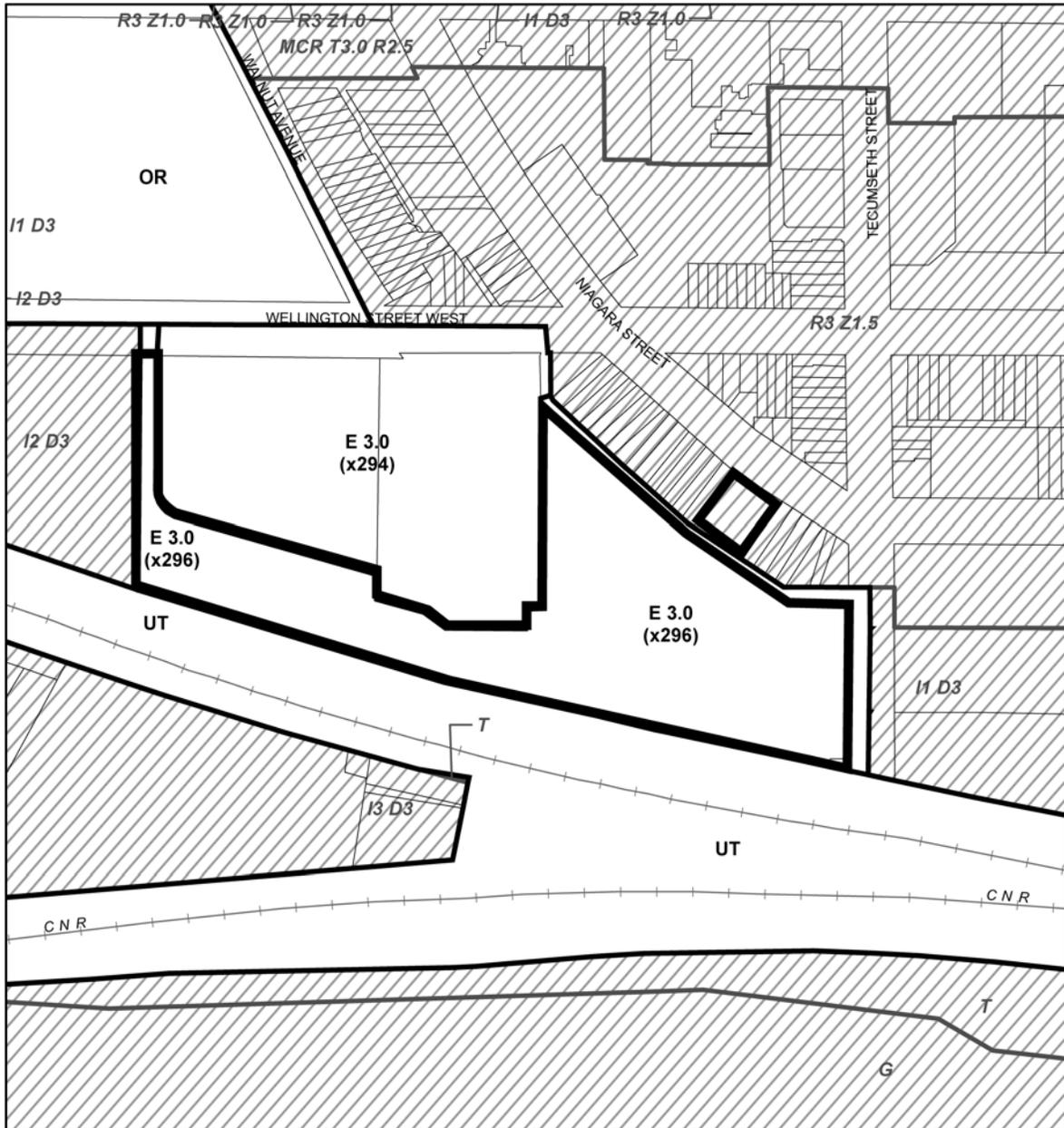
2 Tecumseth Street and 125 Niagara Street

File # 17 264041 STE 19 0Z

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

Not to Scale
 01/16/2018

Attachment 9: Zoning By-law No. 569-2013



Zoning By-Law No. 569-2013

2 Tecumseth Street and 125 Niagara Street

File # 17 264041 STE 19 OZ

- Location of Application
- E** Employment Industrial
- OR** Open Space Recreation
- UT** Utility and Transportation

- See Former City of Toronto By-Law No. 438-86
- R3** Residential District
- MCR** Mixed-Use District
- I1** Industrial District
- G** Parks District
- I2** Industrial District
- I3** Industrial District
- T** Industrial District

Not to Scale
 Extracted: 01/15/2018

Attachment 10: Application Data Sheet

Application Type	Official Plan Amendment & Rezoning	Application Number:	17 264041 STE 19 OZ
Details	OPA & Rezoning, Standard	Application Date:	November 17, 2017
Municipal Address:	2 TECUMSETH STREET and 125-133 NIAGARA STREET		
Location Description:	PLAN D246 PT BLK D **GRID S1909		
Project Description:	The proposed development includes the construction of a total of 6 buildings, 4 of which would contain either a residential, office or retail component. The proposed buildings range in height from a single-storey kiosk and entrance to underground parking to a 38-storey mixed-use tower at the east end of the site. The proposal also contemplates a 15-storey mixed-use building at the west end of the site and an 11-storey office and retail building addition to the existing 2-storey abattoir building, which is no longer in operation. A total of 91,347 square metres of residential, office and retail gross floor area is proposed for the site and includes 651 residential units in the proposed 38 and 15-storey towers.		

Applicant/Agent:	Architect:	Owner:
TAS Tecumseth Niagara GP Inc. 491 Eglinton Ave W Toronto, ON, M5N 1A8	KPMB Architects 322 King St W, 3 rd Floor Toronto, ON, M5V 1J2	Toronto Abattoirs Ltd. 10 Shorncliffe Rd, Suite 202 Toronto, ON, M9B 3S3

PLANNING CONTROLS

Official Plan Designation:	Regeneration Areas	Site Specific Provision:	OPA 273 (under appeal)
Zoning:	E 3.0 (x296)	Historical Status:	N
Height Limit (m):	18	Site Plan Control Area:	Y

PROJECT INFORMATION

Site Area (sq. m):	19795	Height:	Storeys:	38
Frontage (m):	75.3		Metres:	141
Depth (m):	312.7			
Total Ground Floor Area (sq. m):	5150			Total
Total Residential GFA (sq. m):	50902		Parking Spaces:	417
Total Non-Residential GFA (sq. m):	40455		Loading Docks	7
Total GFA (sq. m):	91347			
Lot Coverage Ratio (%):	26			
Floor Space Index:	4.61			

DWELLING UNITS

FLOOR AREA BREAKDOWN (upon project completion)

		Above Grade	Below Grade
Tenure Type:	Condo		
Rooms:	0	Residential GFA (sq. m):	50902
Bachelor:	120	Retail GFA (sq. m):	11422
1 Bedroom:	333	Office GFA (sq. m):	29023
2 Bedroom:	131	Industrial GFA (sq. m):	0
3 + Bedroom:	67	Institutional/Other GFA (sq. m):	0
Total Units:	651		

CONTACT:	PLANNER NAME:	Jason Brander, Planner
	TELEPHONE:	(416) 338-2577