



STAFF REPORT ACTION REQUIRED

114 & 120 Church Street and 59 Richmond Street East – Zoning Amendment Application – Request for Direction

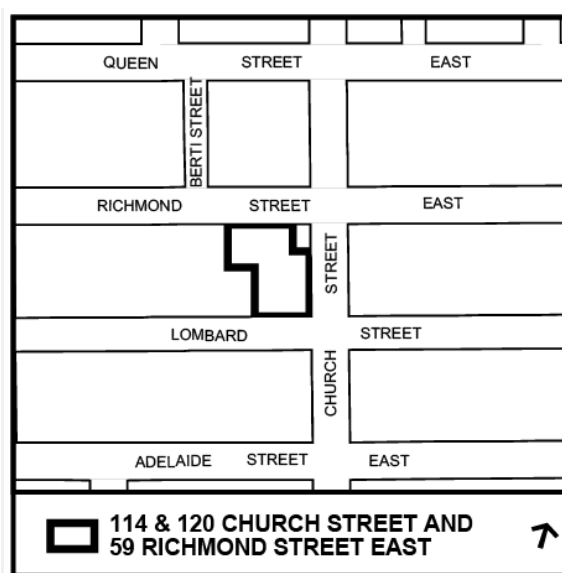
Date:	June 29, 2018
To:	Toronto and East York Community Council
From:	Acting Director, Community Planning, Toronto and East York District
Wards:	Ward 28 – Toronto Centre-Rosedale
Reference Number:	17 253844 STE 28 OZ

SUMMARY

This application proposes to construct a 45-storey mixed-use building (149.5 metres, including mechanical penthouse) at 114 & 120 Church Street and 59 Richmond Street East. The proposal is comprised of varying podium elements ranging in heights from 3 to 10-storeys. Above the podium, the tower reaches a total height of 45-storeys at the corner of Church Street and Lombard Street with a 12-storey building connected to the north side of the tower along Richmond Street. A 198 square metre on-site park is proposed on the west side of the site fronting Richmond Street East.

The proposed development contains a total of 442 residential dwelling units and 2,100 square metres of retail and commercial uses on the first and second storeys, resulting in a total gross floor area of 37,400 square metres. A total of 157 parking spaces are proposed in four underground levels accessed from the existing public lane to the west.

The proposed development is consistent with the Provincial Policy Statement (2014) and conforms with the Growth Plan for the Greater Golden Horseshoe (2017).



This report provides information and comments on the application to amend the Zoning By-law and recommends that City Council support the application, which is currently under appeal to the Local Planning Appeals Tribunal (LPAT).

RECOMMENDATIONS

The City Planning Division recommends that:

1. City Council direct the City Solicitor, together with the appropriate staff, to attend the Local Planning Appeal Tribunal (LPAT) respecting the Zoning By-law Amendment appeal for 114&120 Church Street and 59 Richmond Street East in support of the revisions made to the proposed development as described in the report (June 29, 2018) from the Acting Director, Community Planning, Toronto and East York District.
2. City Council authorize the City Solicitor and appropriate City staff to appear before the LPAT in support of City Council's decision on the proposed Zoning By-law Amendment.
3. City Council direct the City Solicitor to request the LPAT to withhold any final Order on the proposed Zoning By-law Amendment until such time as:
 - a. The owner has provided draft by-laws to amend the Zoning By-law(s) to the LPAT in a form and with content satisfactory to the Acting Director, Community Planning, Toronto and East York District, and the City Solicitor;
 - b. Confirmation is received by the City Solicitor that the owner / applicant has withdrawn site-specific appeals to OPA 352 (Downtown Tower Separation) and the associated zoning by-laws (1106-2016 and 1107-2016);
 - c. The owner submits an updated Hydrogeological Report and updated Functional Servicing Report that addresses outstanding comments from Development Engineering, to the satisfaction of the Chief Engineer and Executive Director, Engineering and Construction Services;
 - d. The owner makes satisfactory arrangements, including entering into a financially secured agreement with the City for the design and construction of any improvements to the municipal infrastructure, should it be determined that upgrades are required to this infrastructure to support this development, according to the Functional Servicing Report to the satisfaction of the Chief Engineer and Executive Director, Engineering and Construction Services;
 - e. The owner has entered into an Agreement pursuant to Section 37 of the Planning Act to the satisfaction of the City Solicitor and the Chief Planner and Executive Director, City Planning Division, and the Section 37 Agreement has been registered on title of the property to the satisfaction of the City Solicitor, that

secures the following community benefits and other matters to support the development including:

- i. Prior to the issuance of the first above-grade building permit, the owner shall pay to the City the a section 37 contribution of \$4,450,000 to be allocated to areas including but not limited to local area park improvements and streetscape improvements, existing community non-profits, recreation and/or cultural space improvements, heritage interpretation and/or Heritage Lighting Master Plan and public art, to the satisfaction of the Chief Planner and Executive Director, City Planning Division, in consultation with the Ward Councillor, within the vicinity of the site;
- ii. The payments required in item (i) above must be increased by upwards indexing in accordance with the Construction Price Index, reported quarterly by Statistics Canada in Building Construction Price Indexes Publication No. 327-0058, or its successor, calculated from the date of the Section 37 Agreement to the date each such payment is made;
- iii. In the event the cash contributions required in item (i) above have not been used for the intended purpose within three (3) years of the date of the issuance of the first above-grade building permit, the cash contribution may be directed to another purpose, at the discretion of the Chief Planner and Executive Director, City Planning Division, in consultation with the Ward Councillor, provided that the purpose is identified in the Toronto Official Plan and will benefit the community in the vicinity of the subject property;
- iv. The owner provides a conveyance of a 198 square metre portion of the subject site to the City to satisfy the parkland dedication requirement;
- v. The owner prepares and register of all documents and studies required to convey the parkland to the City;
- vi. The owner shall provide a minimum of 10 percent family sized units in the development, containing at least three bedrooms;
- vii. The owner provides a conveyance of a 0.5-metre wide strip of land along the east limit of the public lane and a 0.57-metre wide conveyance along the north limit of the public lane to the City for the widening of the Barbed Wire Lane;

- viii. The owner provides a conveyance of lands to the City consisting of a 5.0-metre corner rounding at Church Street and Lombard Street;
 - ix. The owner has submitted a construction management plan to the satisfaction of the Acting Director, Community Planning, Toronto and East York District, in consultation with the Ward Councillor, and thereafter shall implement the plan during the course of construction; and
 - x. the Owner shall construct and maintain the development in accordance with Tier 1 performance measures of the Toronto Green Standard, as adopted by Toronto City Council.
4. City Council approve a development charge credit against the Parks and Recreation component of the Development Charges for the design and construction by the owner of Above Base Park Improvements to the satisfaction of the General Manager, Parks, Forestry and Recreation (PF&R). The development charge credit shall be in an amount that is the lesser of the cost to the owner of designing and constructing the Above Base Park Improvements, as approved by the General Manager, Parks, Forestry and Recreation, and the Parks and Recreation component of development charges payable for the development in accordance with the City's Development Charges By-law, as may be amended from time to time.

Financial Impact

The recommendations in this report have no financial impact.

DECISION HISTORY

Three pre-application consultation meetings were held with the applicant to discuss the proposal and complete application submission requirements.

At the first pre-application consultation meeting on May 31, 2017, the applicants presented two linked towers at 39-storeys and 46-storeys on the properties. Detailed feedback was provided by Staff. It was communicated that the proposal would not be supportable and that the site could accommodate only one tower.

Two subsequent meetings were held with the applicant with concepts showing modifications to the original concept.

A Preliminary Report on the original proposal for the Zoning By-law Amendment was brought forward to Toronto and East York Community Council on January 16, 2018. Community Council directed staff to schedule a community consultation meeting, distribute notice for the community consultation meeting to landowners and residents within 120 metres of the site and to other recipients to be determined in consultation with the Ward Councillor, and to give notice for the public meeting under the *Planning Act*.

The application was appealed to the LPAT on March 5, 2018 for Council's failure to make a decision within the allotted time in the *Planning Act*. A pre-hearing conference has been scheduled for November 26, 2018.

ISSUE BACKGROUND

Revised Proposal

On May 22, 2018, the applicant submitted a revised proposal for a 45-storey tower (149.5 metres, including a 6-metre mechanical penthouse) and a 12-storey building at 114 & 120 Church Street and 59 Richmond Street East (see Attachments 1-6). The development consists of commercial and retail uses on the first two floors (2,060 square metres) and residential uses above, including 442 residential units. The overall density proposed is 18.5 times the area of the site. The applicant proposes to demolish the existing building on site at 120 Church Street.

The proposed base building along Church Street has a height of 4-storeys (19 metres), which steps down to 3-storeys (16 metres) towards the corner of Richmond Street adjacent to 124 Church Street. Along Lombard Street and adjacent to the Indigo Condominium at 50 Lombard Street, the base building has a height of 5-storeys (22 metres).

On Richmond Street, a 12-storey building (42.5 metres) is proposed, which is connected to the overall 45-storey tower. The 12-storey portion of the building proposes a 10-storey (36.5 metres) street wall height. Beyond the 10-storey street wall height, a 3-metre stepback is provided to the 12th storey.

The 45-storey tower is an irregular shape with a floor plate of 790 square metres. Inset balconies are proposed on all sides of the tower. The tower is setback 3 metres from the base building along Church Street and Lombard Street. To the west, adjacent to Barbed Wire Lane, the tower is setback 9.5 metres from the property line and 12.5 metres from the centerline of the lane.

At the northwest corner of the site, along Richmond Street, the applicant is proposing a 198 square metre on-site park. The park measures 8 metres in width and extends southward to Barbed Wire Lane. A 2-metre setback is proposed adjacent to the park between the 12-storey building.

The proposed base building is setback to provide 6-metre sidewalks along all frontages. Street trees are proposed along Richmond Street, Church Street and Lombard Street.

The proposal provides for 594 square metres of outdoor amenity space (1.3 square metres per unit) and 1,150 square metres of indoor amenity space (2.6 square metres per unit). Outdoor amenity space is located on Level 6 and Level 13.

A total of 157 parking spaces are proposed in a four-level below-grade parking garage, with the first level being proposed as paid commercial parking for residential visitors and retail. Two Type C loading spaces and one Type G loading space is proposed. All vehicular access, including parking and loading is proposed to be accessed from Barbed Wire Lane. A total of 457

bicycle parking spaces are proposed, including 398 spaces for residents and 59 spaces for visitors and the retail commercial uses.

The proposed development as described above has considerably changed since the application was originally submitted. The original proposal was for a 45-storey tower, with a 20-storey component on Richmond Street East. The table below summarizes the difference between the original and revised proposal. See Attachment 9: Application Data Sheet for more information.

Category	Original Submission	Revised Submission
Site Area	2,016.4 square metres	2,016.4 square metres
Building Heights	Varied, including a 45-storey tower (149.5 metres, including mechanical)	Varied, including a 45-storey tower (149.5 metres, including mechanical)
Gross Floor Area <ul style="list-style-type: none"> – Residential – Non-Residential – Total 	40,500 square metres 2,500 square metres 43,000 square metres	35,300 square metres 2,100 square metres 37,400 square metres
Floor Space Index	21.3	18.5
Tower Floorplate	1,319 square metres (Levels 10 to 20) 790 square metres (Levels 21 to 45)	790 square metres
Number of Dwelling Units <ul style="list-style-type: none"> – 1-bedroom – 2-bedroom – 3-bedroom Total 	215 (38%) 295 (52%) 57 (10%) 567	158 (36%) 241 (54%) 43 (10%) 442
Base Building Height	3, 5 and 10-storeys	3, 4, 5 and 10-storeys
Sidewalk Widths <ul style="list-style-type: none"> – Church Street – Richmond Street – Lombard Street 	6 metres 6 metres 4 metres	6 metres 6 metres 6 metres
Vehicle Parking <ul style="list-style-type: none"> – Residential – Visitor/commercial – Total 	92 37 129	124 33 157
Loading Spaces	1 - Type G/B 2 - Type C	1 - Type G 2 - Type C

Category	Original Submission	Revised Submission
Bicycle Parking		
– Residential	511	398
– Visitor	57	45
– Retail	16	14
– Total	584	457
Residential Amenity		
- Indoor	1,130 square metres (2 square metres per unit)	1150 (2.6 square metres per unit)
- Outdoor	700 square metres (1.2 square metres per unit)	594 (1.3 square metres per unit)
Parkland/Private Owned Publically Accessible Space (POPS)	58 square metre POPS at the corner of Church Street and Lombard Street	198 square metre on-site parkland dedication along Richmond Street

Site and Surrounding Area

The subject site, municipally known as 114 & 120 Church Street and 59 Richmond Street East is located on the west side of Church Street south of Richmond Street East and north of Lombard Street.

The site is irregular in shape and has a total area of 2,016.4 square metres with a frontage of 35.0 metres on Church Street, 37.8 metres on Richmond Street East, and 33.6 metres on Lombard Street. It is currently occupied by a 3-storey commercial building at 120 Church Street containing a restaurant and night club, with commercial surface parking lots occupying the remainder of the site. The site is accessed from two existing driveways on Richmond Street East and Church Street.

The surrounding uses are as follows:

North: To the immediate north of the site is a 2.95 metre wide private lane, accessed from Church Street, separating the site from the 4-storey commercial building at the corner of Church Street and Richmond Street East known as McVeigh's Irish Pub (124 Church Street) which contains a restaurant with residential uses in the upper levels. On the northwest corner of Church Street and Richmond Street East is a 4-storey office building (70 Richmond Street East) with an 11-storey co-operative residence with a restaurant use at grade to the west (60 Richmond Street East). On the northeast corner of Church Street and Richmond Street East is a 5-storey office building with a restaurant at grade (107 Church Street).

- South: On the southwest corner of Lombard Street and Church Street is a 45-storey (150.0 metre) mixed-use building known as Spire (33 Lombard Street). On the southeast corner of Lombard Street and Church Street is a 6-storey mixed-use building known as The Bentley with commercial uses at grade (80 Adelaide Street East & 55 Lombard Street).
- East: On the southeast corner of Church Street and Richmond Street East is 5-storey Part IV designated heritage property containing restaurant uses at grade and commercial uses above (103-105 Church Street). To the south fronting on Church Street is a 2-storey commercial building at (97-99 Church Street), and a surface parking lot at the northeast corner of Church Street and Lombard Street. The properties at 89-99 Church Street are the subject of applications for rezoning and site plan approval to permit a 49-storey (162.5 metre) mixed-use building, which has been appealed to the Local Planning Appeal Tribunal (Application No. 16 142844 STE 28 OZ).
- West: To the immediate west of the site on Richmond Street East is a surface parking lot extending the length of the block up to a TTC transformer station (35 Richmond Street East) and two linked 46-storey (142 metres and 154 metres) mixed-use buildings at 25 Richmond Street East which are currently under construction. To the immediate west of the site on Lombard Street is an L-shaped public lane called Barbed Wire Lane which provide access to the site and the 26-storey residential building to the west known as the Indigo condominium (50 Lombard Street).

Provincial Policy Statement and Provincial Plans

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

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

- The efficient and wise use and management of land and infrastructure over the long term in order to minimize impacts on air, water and other resources;
- Protection of the natural and built environment;
- Building strong, sustainable and resilient communities that enhance health and social well-being by ensuring opportunities exist locally for employment;
- Residential development promoting a mix of housing; recreation, parks and open space; and transportation choices that increase the use of active transportation and transit; and

- Encouraging a sense of place in communities, by promoting well-designed built form and by conserving features that help define local character.

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 ("GGH") region, of which the City forms an integral part, including:

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

- Recognizing the importance of watershed planning for the protection of the quality and quantity of water and hydrologic features and areas.

The Growth Plan builds upon the policy foundation provided by the PPS and provides more specific land use planning policies to address issues facing the GGH region. The policies of the Growth Plan take precedence over the policies of the PPS to the extent of any conflict, except where the relevant legislation provides otherwise.

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

Toronto Official Plan

This application has been reviewed against the policies of the City of Toronto Official available here: <https://www.toronto.ca/city-government/planning-development/official-plan-guidelines/official-plan/>.

Chapter 2 - Shaping the City

Section 2.2 Structuring Growth in the City: Integrating Land Use and Transportation:

The Official Plan states that future growth within Toronto will be steered to areas which are well served by transit, the existing road network and which have a number of properties with redevelopment potential. Growth areas in the City are locations where good transit access can be provided. Areas that can best accommodate this growth are shown on Map 2 – Urban Structure of the Official Plan. Map 2 shows the subject site is within the *Downtown and Central Waterfront*, which is a focus for intensification. Policy 2.2(2) specifies that growth will be directed to the *Downtown* in order to efficiently use existing infrastructure, concentrate people in areas well served by transit, increase opportunities for living close to work and to encourage walking and cycling for local trips.

Chapter 3 - Building a Successful City

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

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

The Policies of Section 3.1.3 also makes it clear that tall buildings come with larger civic responsibilities and obligations than other buildings. To ensure that tall buildings fit within their existing and/or planned context and limit local impacts, additional built form principles will be applied to the location and design of tall buildings.

Policy 3.1.2(5) requires new development to "provide amenity for adjacent streets and open spaces to make these areas attractive, interesting, comfortable and functional for pedestrians by providing: improvements to adjacent boulevards and sidewalks", coordinated landscape improvements, landscaped open space within the development site, and public art. Indoor and outdoor amenity spaces for residents of new multi-unit residential development are required by Policy 3.1.2(6).

Policy 3.1.5 (4) states that properties on the Heritage Register will be conserved and maintained consistent with the Standards and Guidelines for the Conservation of Historic Places in Canada. Policy 3.1.5(5) states that proposed development "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) requires 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."

Section 3.2.3 Parks and Open Spaces provides direction for maintaining, improving and expanding the parks and open space system. Parkland acquisition strategies and whether to accept parkland or cash-in-lieu as a condition of development needs to take into account the amount of existing parkland in the area, parkland characteristics, existing natural features, demographic trends, anticipated development, opportunities to link parks and open spaces, urban form, and land availability and cost. In areas with low parkland provision, which includes the vicinity of the subject site, new parkland should be provided where possible. Policy 3.2.3(8) states that new parkland should be free of encumbrances, be sufficiently visible and accessible from adjacent public streets, be of a usable shape, size and topography, be consolidated or linked with existing or proposed park or green space, and meet applicable Provincial soil regulations and/or guidelines for parkland use.

Chapter 4- Land Use Designations

The subject site is designated *Mixed Use Area* on Map 18—Land Use Plan (see Attachment 8: Official Plan). Policy 4.5.2 of the Official Plan outlines that development in *Mixed Use Areas* is subject to a number of development criteria including: locate and mass new buildings to provide a transition between areas of different development intensity and scale; provide good site access and circulation and an adequate supply of parking for residents and visitors; provide an attractive, comfortable and safe pedestrian environment; locate and screen service areas, ramps

and garbage storage to minimize the impact on adjacent streets and residences; and, provide indoor and outdoor recreation space for building residents in every significant multi-unit residential development.

TOcore: Planning Downtown

OPA 406 – Downtown Plan

At its May 1, 2018 meeting, Planning and Growth Management (PGM) Committee held a Special Public Meeting pursuant to Section 26 of the *Planning Act* and adopted a staff report entitled 'TOcore: Downtown Plan Official Plan Amendment', as amended, that recommended adoption of the Downtown Plan Official Plan Amendment (OPA 406). OPA 406 includes amendments to Section 2.2.1 and Map 6 of the Official Plan, as well as a new Downtown Plan. Future amendments to existing Secondary Plans and Site and Area Specific Policies located within the Downtown area are recommended to be implemented once OPA 406 comes into force and effect.

At its May 22-24, 2018 meeting, City Council adopted OPA 406, as amended. The Council decision is available here:

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2018.PG29.4>

Pursuant to Section 26 of the *Planning Act*, the Downtown Plan will be forwarded to the Minister of Municipal Affairs for approval. Council has directed Staff to use the policies contained within the Downtown Plan to inform evaluation of current and future development applications in the Downtown Plan area while the OPA is under consideration by the Minister.

The OPA – in conjunction with the associated infrastructure strategies that address water, energy, mobility, parks and public realm and community services and facilities – is the result of a four-year study called TOcore: Planning Downtown. The TOcore study area is generally bounded by Lake Ontario to the south, Bathurst Street to the west, the mid-town rail corridor and Rosedale Valley Road to the north and the Don River to the east. This OPA brings forward a comprehensive and integrated policy framework to shape growth in Toronto's fast-growing Downtown over the next 25 years. It provides the City with a blueprint to align growth management with the provision of infrastructure, sustain liveability, achieve complete communities and ensure there is space for the economy to grow.

As part of the City of Toronto's Five Year Official Plan Review under Section 26 of the *Planning Act*, OPA 406 is a component of the work program to bring the Official Plan into conformity with the Growth Plan. City Council has declared that OPA 406 is consistent with the Provincial Policy Statement (2014), conforms with the Growth Plan and has regard to matters of provincial interest under Section 2 of the *Planning Act*.

OPA 352 – Downtown Tall Building Setback Area

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

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

Zoning

The eastern half of the site is zoned CR T4.0 C2.0 R4.0 and the western half is zoned CR T6.0 C4.5 R6.0 in Zoning By-law 438-86, which permits a mix of commercial and residential uses. The maximum permitted height is 30 metres on the east side and 46 metres on the west side. The maximum permitted residential density is 4 and 6 times the lot area, respectively. Non-residential uses are limited to a maximum FSI of 2 and 4.5, respectively. The site is subject to a number of permissive and restrictive exceptions including Section 12(2) 260 which limits the base height of the building along Church Street to 16 metres, above which an angular plane of 44 degrees applies (114-120 Church Street).

On May 9, 2013, City Council enacted city-wide Zoning By-law 569-2013. Planning Act applications submitted after May 9, 2013, are subject to the new Zoning By-law. The site is zoned CR 4.0 (c2.0; r4.0) SS1 (x2160) at 114 and 120 Church Street, CR 6.0 (c4.5;r6.0) SS1 (x1327) at the rear of 114 Church Street, CR 4.0 (c2.0; r4.0) SS1 (x1319) on the east side of 59 Richmond Street East, and CR 6.0 (c4.5; r6.0) SS1 (x2312) on the west side of 59 Richmond Street East in Zoning By-law 569-2013 (refer to Attachment 7 – Zoning). The CR zone permits a range of uses similar to the former designation under Zoning By-law 438-86. The site specific permissions and exceptions have been carried over from Zoning By-law 438-86.

Design Guidelines

Official Plan Policy 5.3.2(1) states that guidelines will be adopted to advance the vision, objectives, and policies of the Plan. Urban design guidelines specifically are intended "to provide a more detailed framework for built form and public improvements in growth areas."

City-Wide Tall Building Design Guidelines

City Council has adopted city-wide Tall Building Design Guidelines and directed City Planning staff to use these Guidelines in the evaluation of tall building development applications. The Guidelines establish a unified set of performance measures for the evaluation of tall building proposals to ensure they fit within their context and minimize their local impacts. The link to the guidelines is here: <https://www.toronto.ca/legdocs/mmis/2013/pg/bgrd/backgroundfile-57177.pdf>

Downtown Tall Buildings: Vision and Supplementary Design Guidelines

This project is located within an area that is also subject to the Downtown Tall Buildings: Vision and Supplementary Design Guidelines. This document identifies suitable locations for tall buildings in the Downtown and establishes a framework to regulate their height, form and contextual relationship to their surroundings. The Downtown Vision and Supplementary Design Guidelines should be used together with the city-wide Tall Building Design Guidelines to evaluate Downtown tall building proposals. The link to the guidelines is here: <https://www.toronto.ca/wp-content/uploads/2018/03/9712-City-Planning-Downtown-Tall-Building-Web.pdf>.

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. Section 3 of the Guidelines identifies ideal unit sizes to ensure their functionality and the percentage of two and three-bedroom units. The Growing Up Draft Urban Design Guidelines have been considered in the review of this proposal and will be further applied through the Site Plan Control process.

The Guidelines are available at:

<https://www.toronto.ca/city-government/planningdevelopment/planning-studies-initiatives/growing-up-planning-for-children-in-new-verticalcommunities/>

Site Plan Control

The proposed development is subject to Site Plan Control. An application for Site Plan approval has yet to be submitted.

Reasons for Application

The proposal requires an amendment to the Zoning By-law for an increase in building height and density. The amendment to the Zoning By-law also includes other development standards including a reduction in parking, loading and amenity space that will require site specific zoning provisions.

Agency Circulation

The application together with the applicable reports noted above, were circulated to all appropriate agencies and City divisions. Responses received have been used to assist in evaluating the application and to formulate appropriate Zoning By-law standards.

Community Consultation

On February 8, 2018, a community consultation meeting was held by City Planning, in consultation with the Ward Councillor, at the Pantages Hotel (200 Victoria Street). The meeting was attended by approximately 80 individuals. Planning staff presented the policy framework, an overview of the application, and identified staff's preliminary concerns with the proposal. The applicant provided further details with respect to the proposal. Following the presentations, City staff facilitated a round table feedback session with four themes, as outlined below.

On April 19, 2018, staff held a working group meeting with a small group of local residents and members of the St. Lawrence Neighbourhood Association. At the meeting, the applicant presented how the design of the proposal was progressing and welcomed feedback.

The following provides a summary of questions, comments, and concerns expressed both at the meetings and individually submitted to City Planning:

Relating to planning considerations:

- the loss of views and shadow impacts
- the overall height of the building
- the size of the POPS space at the corner of Lombard Street and Church Street being too small and should be increased to be as large as the POPS provided at the Spire condominium (33 Lombard Street)
- proposal should include affordable housing and a child care facility
- the tower separation distance between Indigo building (50 Lombard Street)
- floorplate of the 20-storey portion on Richmond Street is too large
- wind impacts on 6-storey amenity area
- the loss of live music venue at Diner 120
- shortage of housing - build higher

Relating to urban design and architecture:

- the tower separation distance to the north and west
- privacy and overlook concerns
- limiting views and sky view for existing residents of the Indigo building
- the height of the base building
- concerns about light pollution from the roof top
- the shadowing on the green roof
- the retail has to be mixed with other uses

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- the heights of the podium and McVeigh's building (124 Church Street) should match
- concerns about the height of the 20-storey tower on Richmond Street
- concerns about the smell from garbage room and noise from Barbed Wire Lane
- concerns about the amenity area on the roof creating noise
- retail on Lombard Street should be moved to Church Street
- lobby entrance on Lombard Street should be moved to Church Street

Relating to traffic and transportation considerations:

- concerns about the amount of traffic and width of the lane
- questions were raised about the locations of the loading spaces and manoeuvring
- concerns about traffic levels at the intersection of Church Street and Lombard Street
- concerns about the loss of commercial parking
- extend Barbed Wire Lane to the north
- concern about the number of visitor parking spaces

Relating to heritage considerations:

- questions about whether there was any impact on the view to St. James Cathedral from Front Street East
- the podium of the building should relate to the Spire Condominium and McVeigh's
- emphasis on the importance of being sensitive to the context
- cultural heritage significance of the music venues (120 Diner and Club 120)

COMMENTS

This section provides an overview of provincial and municipal planning considerations used in the evaluation of the proposal. The comments draw on input from City and outside agency staff, technical studies, applicable planning policies and guidelines, an analysis of the proposed development, built form, surrounding context, historical context and community and stakeholder consultation.

Provincial Policy Statement and Provincial Plans

Section 2 of the Planning Act identifies matters of provincial interest, which include, among other matters, the orderly development of safe and healthy communities, the appropriate location of growth and development, the adequate provision of a full range of housing, and the promotion of a built form that is well-designed. The proposed development has regard for matters of provincial interest as identified in section 2 of the Planning Act.

The proposal is consistent with the Provincial Policy Statement (PPS). The PPS contemplates new development accommodating a range and mix of uses, which the proposed development does through the provision of both retail and residential uses. Policy 1.1.3.3 indicates that "Planning authorities shall identify appropriate locations and promote opportunities for intensification and redevelopment where this can be accommodated taking into account existing building stock or areas...". The subject site has been identified as an appropriate location for intensification and redevelopment and the proposed development takes into account the existing building stock.

Policy 1.6.7.4 of the PPS promotes a land use pattern, density and mix of uses that minimizes the length and number of vehicle trips and supports current and future use of transit and active transportation. The proposal is consistent with the PPS in this regard. The proposed land use and density provides a built form that supports an efficient use of land and existing transit infrastructure.

The proposed on-site parkland dedication is supported by Policy 1.5.1(b) of the PPS that indicates that healthy, active communities should be promoted by "planning and providing for a full range of equitable distribution of publicly-accessible built and natural settings for recreation, including facilities, parklands, public spaces, open space areas...".

Section 4.7 indicates that the Official Plan is the most important vehicle for implementation of the PPS and that Official Plans shall identify provincial interests, as identified in Section 2 of the Planning Act, which includes the promotion of a well-designed built form. The proposed development is consistent with Official Plan policies and provides a well-designed built form. This application provides intensification and redevelopment in an appropriate location in a built form that fits within its local context and is consistent with the 2014 PPS.

The Growth Plan for the Greater Golden Horseshoe (2017) designates this site within the delineated built up area. Section 2.2.2.4 identifies that delineated built up areas as areas to encourage intensification and also identifies that municipalities will identify the appropriate type and scale of development and transition of built form to adjacent areas. The Official Plan built form policies and design guidelines identify the appropriate type and scale of development and transition of built form to adjacent areas. This application accommodates intensification and transition, in a manner generally consistent with the policies in Official Plan and design guidelines. The proposal conforms with the Growth Plan for the Greater Golden Horseshoe.

Land Use

Planning staff are satisfied that the proposed residential and non-residential uses are acceptable. The proposed uses are permitted within the *Mixed Use Areas* of the Official Plan as well as the CR zone in the Zoning By-laws. The development will create a balance of commercial and residential uses that reduces automobile dependency by providing at-grade retail commercial.

Density, Height, Massing

The development proposal has been reviewed against provincial policies, Official Plan policies related to built form, tall buildings, heritage conservation, parkland acquisition and the Tall Building Design Guidelines as described in the Issue Background section of this report. The revisions to the proposal have addressed the majority of comments received through the community consultation process. In particular, an on-site park has been provided and the height of the building on Richmond Street East reduced to 12-storeys to address the concerns from the adjacent Indigo condominium at 50 Lombard Street. Additionally, the tower separation distances have been increased and base building heights reduced to respond appropriately to the surrounding context. Given that the proposal has been revised, staff are of the opinion that the density, height and massing is generally appropriate for the subject site, is similar to other recently planned developments in the vicinity and conforms to Official Plan policies.

The proposed building height of 45-storeys (149.5 metres, including mechanical penthouse) exceeds the height of 20 to 35 storeys (62-107 metres) in the Downtown Tall Building Guidelines, but is appropriate in light of the emerging planned context. The approved, under construction mixed-use building at 25 Richmond Street has a height of 45-storeys (154 metres, including mechanical penthouse). The Spire condominium building located at 33 Lombard Street is approximately 45-storeys (150 metres, including mechanical penthouse).

The proposed 12-storey component of the building on Richmond Street does not fit within a standard building typology as defined by the Tall Building Design Guidelines but is appropriate given the lot's configuration and the existing and planned context along Richmond Street East. On the north side of Richmond Street East, directly opposite the site, at 60 Richmond Street East, is an existing 11-storey (35 metres) Toronto Community Housing Corporation building. The proposed 12-storey building steps down to 10-storeys, with a 3-metre stepback along the Richmond Street East frontage, which will provide a consistent streetwall height with the adjacent 11-storey building at 60 Richmond Street East.

The proposed base building along Church Street has a height of 4-storeys (19 metres), which steps down to 3-storeys (16 metres) towards the corner of Richmond Street East adjacent to 124 Church Street. Along Lombard Street and adjacent to the Indigo Condominium at 50 Lombard Street, the base building has a height of 5-storeys (22 metres). The varying base building heights appropriately respond and relate to the surrounding buildings. The proposed base building is setback to provide 6-metre sidewalks along all frontages.

In order to provide a suitable degree of privacy, sky view and daylight on the public realm and neighbouring properties, the Tall Building Guidelines, OPA 352 and Zoning By-law Nos. 1106-2016 and 1107-2016, state that a minimum tower setback of 12.5 metres should be provided from adjacent property lines and to the centreline of the abutting public lanes and streets.

To the west, adjacent to Barbed Wire Lane, the tower is setback 9.5 metres from the property line and 12.5 metres from the centreline of Barbed Wire Lane, which meets the policies of OPA 352 and the Tall Building Guidelines. The tower is setback approximately 22.5 metres from the centerline of Richmond Street East and 13 metres from the centerline of Church Street. Abutting the existing surface parking lot to the west at 45 Richmond Street East, the tower is setback approximately 19.3 metres from the west property line, separated by the 12-storey building and on-site park. Along Barbed Wire Lane, north of the Indigo condominium at 50 Lombard Street, the tower is setback 3 metres from the property line. This reduced setback is appropriate given that it is east of the Indigo Building and does not result in two tall buildings being located adjacent to one another at this location. The tower is setback 3 metres from the west property line of 124 Church Street and by the width of the existing private lane to the south. This setback is generally considered appropriate as 124 Church Street has been identified as a potential heritage property by Heritage Preservation Services and it is not suitable for a tall building.

The Tall Building Guidelines outline that a tower should be setback a minimum of 3 metres or more from the base building in order to define the street wall. The tower setbacks allow the base building to be the primary defining element for the site and adjacent public realm with respect to the intent of Section 3.2.2 in the Tall Building

Design Guidelines that addresses tower placement. The tower is setback 3 metres from the base building along both Church Street and Lombard Street. Additionally, as mentioned, the 12-storey building on Richmond Street East is setback 3 metres from the 10-storey base building height.

The proposed tower floor plate of 790 square metres exceeds to the Tall Building Design Guideline of 750 square metres but is acceptable for the subject site. The proposed inset balconies on all sides of the tower, help minimize shadow impact and the overall perceived width of the tower.

Sun, Shadow

The Tall Building Design Guidelines provide direction for addressing shadow impact on neighbouring properties and streets. Under Section 1.4, tall buildings should be located and designed "to protect access to sunlight and sky view within the surrounding context of streets, parks public and private open space, and other shadow sensitive areas". The Downtown Tall Building Guidelines - Supplementary Design Guideline #2 states that new buildings should be located and designed not to cast any new net shadow on parks between 12:00 PM and 2:00 PM on September 21st. The proposal introduces incremental shadow on the open space in front of Metropolitan United Church fronting onto Queen Street East between 11:00 AM and 1:19 PM. The open space in front of the Metropolitan United Church fronting onto Queen Street East is in private ownership and leased to the City and maintained by the City's Parks and Recreation

Division. The tower floor plate has inset balconies on all sides and the tower is located on the south side of the site, which serves to minimize this incremental shadow impact on the open space in front of the Metropolitan United Church.

Wind

A Pedestrian Wind Assessment prepared by RWDI dated October 25, 2017 was submitted with the original proposal. The report measured wind at key pedestrian areas including main entrances, sidewalks, and the outdoor amenity areas located on Level 7 and 20. An addendum to the Pedestrian Wind Assessment was received dated June 20, 2018. The original Pedestrian Wind Assessment concluded the wind conditions were generally expected to be suitable for the intended usage for sidewalks and most building entrances throughout the year. However, accelerated wind speeds and potentially uncomfortable wind conditions were expected towards the intersection of Church Street and Lombard Street in the winter and during the summer months on the proposed outdoor amenity space on Level 20. The addendum summarizes the proposed building changes and the respective impacts on the site wind conditions. The updated ground floor plan provides increased sidewalk widths resulting in a sheltered path for pedestrians and the reduction in the height to 12-storeys along Richmond Street East will reduce wind speeds on the outdoor amenity space.

Overall, wind speeds are expected to improve or be similar to the original proposed design with the exception of the corner of Church Street and Lombard Street where wind speeds have increased and could result in uncomfortable wind conditions in the winter months. The study recommends localized wind control measures and design solutions as possible solutions to address the uncomfortable wind conditions, which would be secured through the Site Plan approval process. The report concludes that a detailed wind tunnel study should be conducted to quantify and confirm expected wind conditions.

Heritage Preservation

The proposed development is adjacent to the northern boundary of the St. Lawrence Neighbourhood Heritage Conservation District (HCD) and will not impact the integrity of the district's heritage values, attributes or character. While it is acknowledged that the introduction of a tower would contribute to a change in the context of the neighbouring HCD, there are no contributing properties adjacent to the proposed development that would be directly affected by it. Further, significant views will not be disrupted and shadows will not be cast by the proposed tower on shadow-sensitive areas identified in the HCD Plan, including St. James Cathedral and the open space between the North and South St. Lawrence Market.

At 3-storeys in height, the east portion of the north elevation base building corresponds with the height of the adjacent potential heritage property at 124 Church Street. The base building then extends to a height of 10-storeys on the western portion of the site. On the east elevation the applicant is proposing a 4-storey base building which also steps back to the tower. The proposed stepbacks to the tower portion help to support the street wall height established by the building at 124 Church Street. Together, the street wall height and step back of the new development mitigates some of the impact the tower would have on the adjacent 4-storey potential heritage property, which conforms to the policies of Section 3.1.5 of the Official Plan.

Traffic Impact, Access, Parking

Traffic Impact

In support of the subject proposal, the owner's transportation consultant, LEA Consulting Ltd, prepared a Transportation Impact Study, dated October 2017 and a revised Transportation Impact Study Updated Letter dated May 18, 2018. The original Transportation Impact Study estimated that the development will generate approximately 34 new two-way trips during the AM Peak Hour and 57 new two-way trips during the PM peak hours. Transportation Services agrees with the conclusions of the Study that the projected site traffic will have minimal impacts on area intersections, and therefore, can be acceptably accommodated on the adjacent road network.

Parking

A total of 157 parking spaces will be provided, consisting of 124 parking spaces for residents and 33 parking spaces to be shared between the residential visitors and the retail spaces. The proposed residential parking supply is provided at a rate of 0.28 parking spaces per residential unit, which is acceptable. Transportation Services has no concerns with the parking demand associated with the residential visitor and the retail parking spaces being shared within the underground parking garage.

Bicycles

A total of 457 bicycle parking spaces (398 long-term/occupant and 59 short-term/visitor spaces). The residential and visitor bicycle parking spaces are proposed to be located on Level 3, accessed by a dedicated bicycle elevator. The remainder of the provided bicycle parking spaces will be located at grade to serve the retail uses. The quantity and location of bicycle parking is acceptable to staff. The quantity of bicycle parking will be secured in the site-specific zoning by-laws.

Loading

The application provides 1 Type G and two Type C loading spaces accessed off of Barbed Wire Lane. In accordance with Zoning By-law 569-2013, the requirement is to provide 1 Type G, 2 Type B and 1 Type C. The applicant's consultant, LEA Consulting Ltd, proposes that the 1 Type G loading space be shared by both the residential component and the retail component and the addition of a second Type C loading space. The applicant's consultant concludes that the proposed loading supply will be sufficient to satisfy the loading demands for the development. Scheduling for the use of the Type G/B loading space will be coordinated to ensure there are no conflicts between residential refuse collection and any move-in and move-out activity. Transportation Services is satisfied with the loading as proposed. The number and type of loading spaces will be secured through the site-specific Zoning By-laws.

Driveway Access and Site Circulation

Currently, access to the site is from two driveways, including a driveway from Richmond Street East and a driveway from Church Street. The redevelopment will eliminate these driveway accesses and access to the underground parking garage and loading spaces will be provided from the Barbed Wire Lane, as widened. All existing entrance driveways will have to be closed and

restored to the satisfaction of, and at no cost to, the City. The proposed underground parking ramp and vehicular turning diagrams are satisfactory to Transportation Services.

Road Widenings

A public lane, known as Barbed Wire Lane, abuts the site located at the west and south limits of the site. In accordance with Official Plan Policy 2.2.3 c) public lanes that serve mixed commercial-residential lands must be at least 6-metres wide. The portion of the subject north-south public lane is 5.5 metres wide and the portion of the east-west public lane is 5.43 metres wide. As a result, the applicant is required to convey a 0.50 metre wide strip of land across the westerly property limit and a 0.57 metre wide strip of land across the northerly property limit adjacent to the public lane. Transportation Services also requires the conveyance of corner rounding with a 5-metre radius at Church Street and Lombard Street, which is reflected on the revised plans. The required widenings and corner rounding conveyance will be required through the approval of a Site Plan application and will be secured in a Section 37 Agreement.

Servicing

Engineering and Construction Services staff reviewed a Functional Servicing Report and Hydrogeological Report submitted with the revised application. Revisions to the Functional Servicing Report and Hydrogeological Report are required to be provided prior to final acceptance by staff. Staff recommend that the revised reports be submitted to the satisfaction of the Executive Director of Engineering and Construction Services, prior to introducing the necessary Bills to the Local Planning Appeal Tribunal. The Owner is required to pay for and construct any improvements to the municipal infrastructure in connection with the Functional Servicing Report, as accepted by the Executive Director of Engineering and Construction Services, should it be determined that improvements to such infrastructure are required to support this development.

A detailed Stormwater Management, Site Servicing and Grading Plans will be required and secured through the Site Plan Control process.

Amenity

The Official Plan requires that new development provide adequate indoor and outdoor amenity space for residents. The Zoning By-law establishes a standard minimum amenity space rate of two square metres indoor and minimum two square metres outdoor amenity space per dwelling unit. The proposal provides for 594 square metres of outdoor amenity space (1.3 square metres per unit) and 1,150 square metres of indoor amenity space (2.6 square metres per unit). Combined the proposed indoor and outdoor amenity space is 3.9 square metres, which is generally acceptable.

Streetscape

The development criteria for *Mixed Use Areas* call for development to provide an attractive, comfortable and safe pedestrian environment, and to locate and screen service areas, ramps and garbage storage to minimize the impact on adjacent streets. The proposed development satisfies the Official Plan policies by locating the loading and service areas in the interior of the site, with

access from Barbed Wire Lane. The existing two site accesses on Richmond Street East and Church Street will be removed and reinstated.

The Official Plan states that new development will provide amenity for adjacent streets and open spaces to make these areas attractive, interesting, comfortable and functional for pedestrians. Existing sidewalks along the property's frontage are 3.2 metres on Richmond Street East, 3.5 metres on Church Street and 2.4 metres on Lombard Street. The base building is setback on the ground floor to provide 6-metre sidewalks along all three street frontages, in accordance with the Tall Building Guidelines. The landscape plans

submitted in support of the proposal show street trees in tree trenches along all three frontages. Additionally, the proposed on-site park on Richmond Street East expands and improves the city's existing network of parks and will improve the quality of the pedestrian environment along the existing road network.

Planning staff are satisfied that the pedestrian realm, including the widened sidewalks and the on-site park meets the intent of the City's Official Plan policies and guidelines with respect to streetscape design. The proposed streetscaping initiatives will improve pedestrian comfort, safety and utility of fronting streets. Final landscaping details and streetscaping treatments will be reviewed and secured through Site Plan Control.

Unit Mix

Official Plan policies state that a full range of housing in terms of form, affordability and tenure arrangements will be provided and maintained to meet the needs of current and future residents. The PPS and Growth Plan for the Greater Golden Horseshoe contain policies to support the development of affordable housing and a range of housing to accommodate the needs of all household sizes and incomes. The Council-adopted Growing Up: Planning for Children in New Vertical Communities Design Guidelines also provide guidance on the proportion and size of larger units recommended for new multi-unit residential developments.

The proposed overall unit breakdown consists of 36% one-bedroom units, 54% two-bedroom units and 10% three-bedroom units. The Guidelines mandate minimum unit sizes and the minimum number of 2 and 3-bedroom units. The proposal achieves the minimum of 10% three-bedroom units and the minimum of 15% two-bedroom units, as outlined in the Guidelines.

Open Space/Parkland

The Official Plan contains policies to ensure that Toronto's systems of parks and open spaces are maintained, enhanced and expanded. Map 8B of the City of Toronto Official Plan shows local parkland provisions across the City. The subject site is in an area with less than 0.43 hectares of local parkland per 1,000 people, which represents the lowest quintile of current provision of parkland. The site is in a parkland priority area, as per Chapter 415, Article III, of the Toronto Municipal Code.

At the alternative rate of 0.4 hectares per 300 units specified in Chapter 415, Article III of the Toronto Municipal Code, the parkland dedication requirement is 7,600 square metres or 181% of the site area. However, for sites that are less than 1 hectare in size, a cap of 10% of the development site is applied to the residential use. In total, the parkland dedication requirement is 189 square metres.

A 198 on-site park is proposed to be located on the west side of the development with frontage on Richmond Street. The park will enhance the availability of green space in the vicinity of the development and will be an integral part of an emerging network of adjacent and nearby open spaces.

Toronto Green Standard

The Toronto Green Standard (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. Tier 1 performance measures are secured through the site-specific zoning by-law, on site plan drawings and/or through a Site Plan Agreement. The proposed rezoning is not subject to version 2 of the TGS because the application was received prior to April 30, 2018. The applicant is not currently pursuing compliance with Tier 2 of the TGS.

The Site Plan Control application, which has not yet been submitted, will be subject to version 3 of the TGS, which provides a new four-tier standard that came into effect on May 1, 2018. Tiers 2, 3 and 4 are voluntary, higher levels of performance with financial incentives. TGS performance measures that cannot be secured through the site-specific zoning by-law will be secured through the Site Plan Control process

Section 37

Section 5.1.1 of the Official Plan contains policies pertaining to the provision of community benefits for increases in height and/or density pursuant to section 37 of the Planning Act. While the proposed development exceeds the height and density limits of the Zoning By-law, the application is consistent with the objectives and policies of the Official Plan, and thus constitutes good planning.

The community benefits recommended to be secured in the Section 37 Agreement are as follows:

1. An indexed cash payment of \$4,450,000 payable prior to the issuance of the first above-grade building permit. The amount to be indexed upwardly in accordance with the Construction Price Index, reported quarterly by Statistics Canada in Building Construction Price Indexes Publication No. 327-0058, or its successor, calculated from the date of the Section 37 Agreement to the date the payment is made. The funds shall be directed to areas including but not limited to local area park improvements and streetscape improvements, existing community non-profits, recreation and/or cultural space improvements, heritage interpretation and/or Heritage Lighting Master Plan and public art, in consultation with the Ward Councillor.

2. In the event the cash contributions referred to above have not been used for the intended purpose within three (3) years of this By-law coming into full force and effect, the cash contribution may be redirected for another purpose, at the discretion of the Chief Planner and Executive Director of City Planning, in consultation with the local Councillor, provided that the purpose is identified in the Toronto Official Plan and will benefit the community in the vicinity of the lands.

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

1. the owner shall provide a minimum of 10 percent family sized units in the development, containing at least three bedrooms;
2. Conveyance of a 0.5-metre wide strip of land along the east limit of the public lane and a 0.57-metre wide conveyance along the north limit of the public lane to the City for the widening of the Barbed Wire Lane;
3. Conveyance of lands to the City consisting of a 5.0-metre corner rounding at Church Street and Lombard Street;
4. Conveyance of a 198 square metre portion of the subject site to the City to satisfy the parkland dedication requirement;
5. Preparation and registration of all documents and studies required to convey the parkland to the City;
6. the owner has submitted a construction management plan to the satisfaction of the Acting Director, Community Planning, Toronto and East York District, in consultation with the Ward Councillor, and thereafter shall implement the plan during the course of construction; and
7. the owner is required to pay for and construct any improvements to the municipal infrastructure in connection with the Functional Servicing Report, should it be determined that improvements to such infrastructure are required to support this development;
8. the owner shall construct and maintain the development in accordance with Tier 1 performance measures of the Toronto Green Standard, as adopted by Toronto City Council.

Conclusion

The proposal has been reviewed against the policies of the PPS, the Growth Plan, and the Toronto Official Plan. Staff are of the opinion that the proposal is consistent with the PPS and

does not conflict with the Growth Plan. Furthermore, the proposal is in keeping with the intent of the Toronto Official Plan, particularly as it relates to appropriate land use, built form and the expansion of parks and public open spaces. Staff worked with the applicant and the community to address and resolve key concerns, which has resulted in a reduced height of the building on Richmond Street East, reduced base building heights, increased tower setbacks and on-site parkland dedication. Staff recommend that Council support approval of the application at the LPAT.

CONTACT

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SIGNATURE

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

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ATTACHMENTS

Attachment 1: Site Plan

Attachment 2: North Elevation

Attachment 3: East Elevation

Attachment 4: West Elevation

Attachment 5: South Elevation

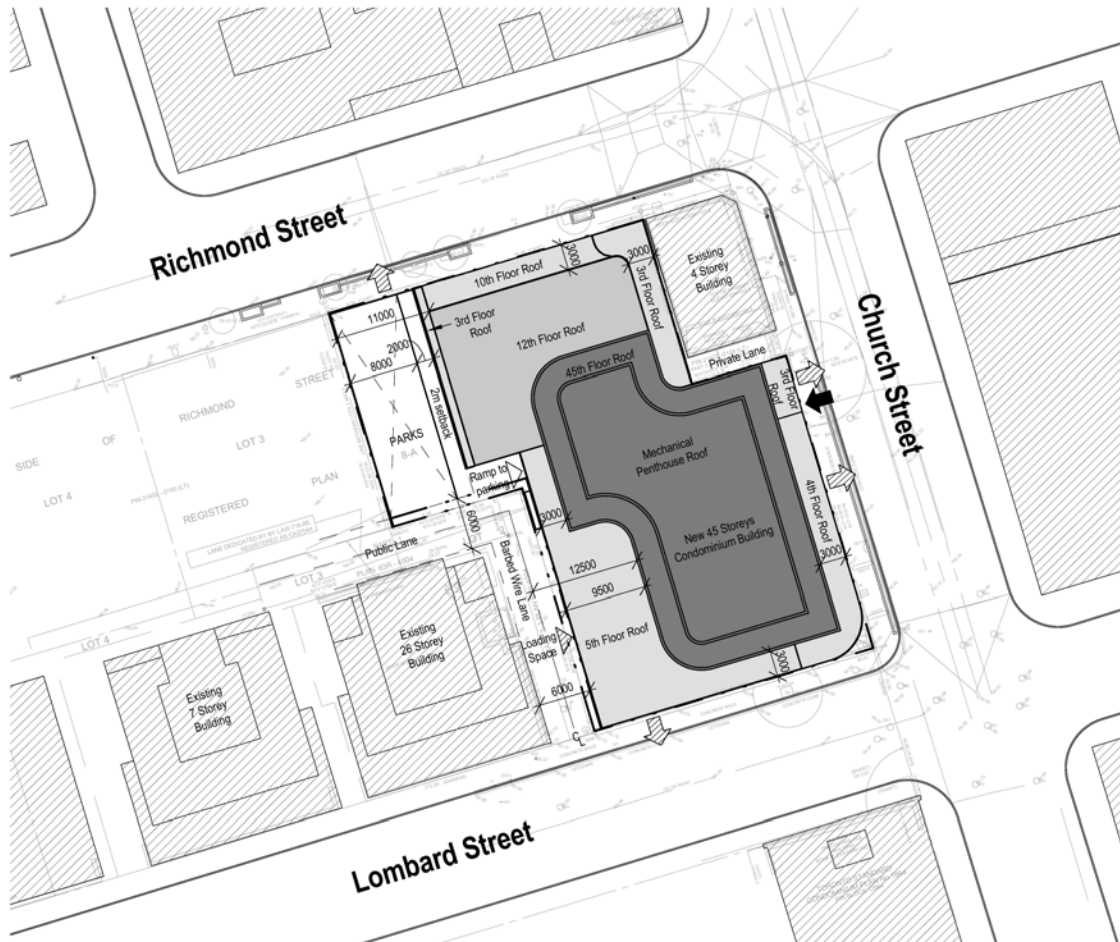
Attachment 6: Ground Floor Plan

Attachment 7: Zoning

Attachment 8: Official Plan

Attachment 9: Application Data Sheet

Attachment 1: Site Plan



Site Plan

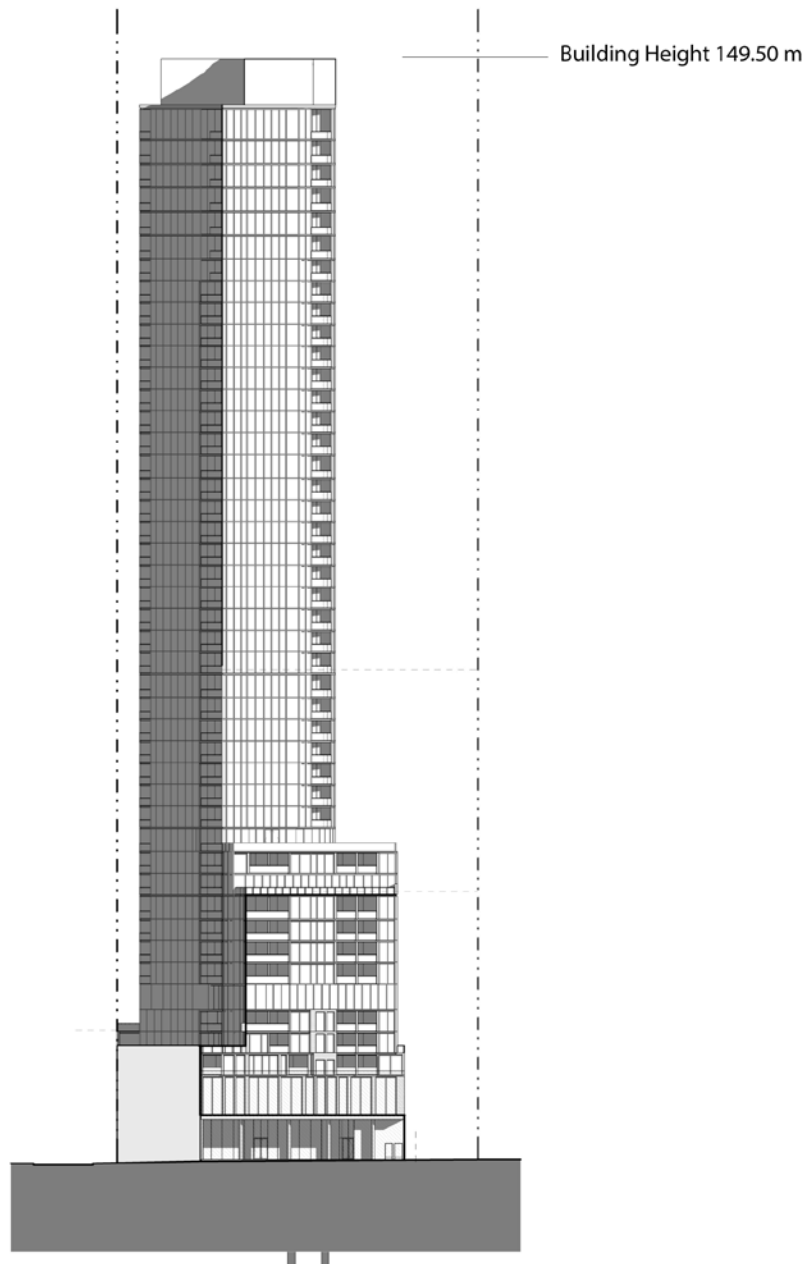
Applicant's Submitted Drawing

Not to Scale
06/05/2018

114-120 Church Street & 59 Richmond Street East

File # 17 253844 STE 28 0Z

Attachment 2: North Elevation



North Elevation

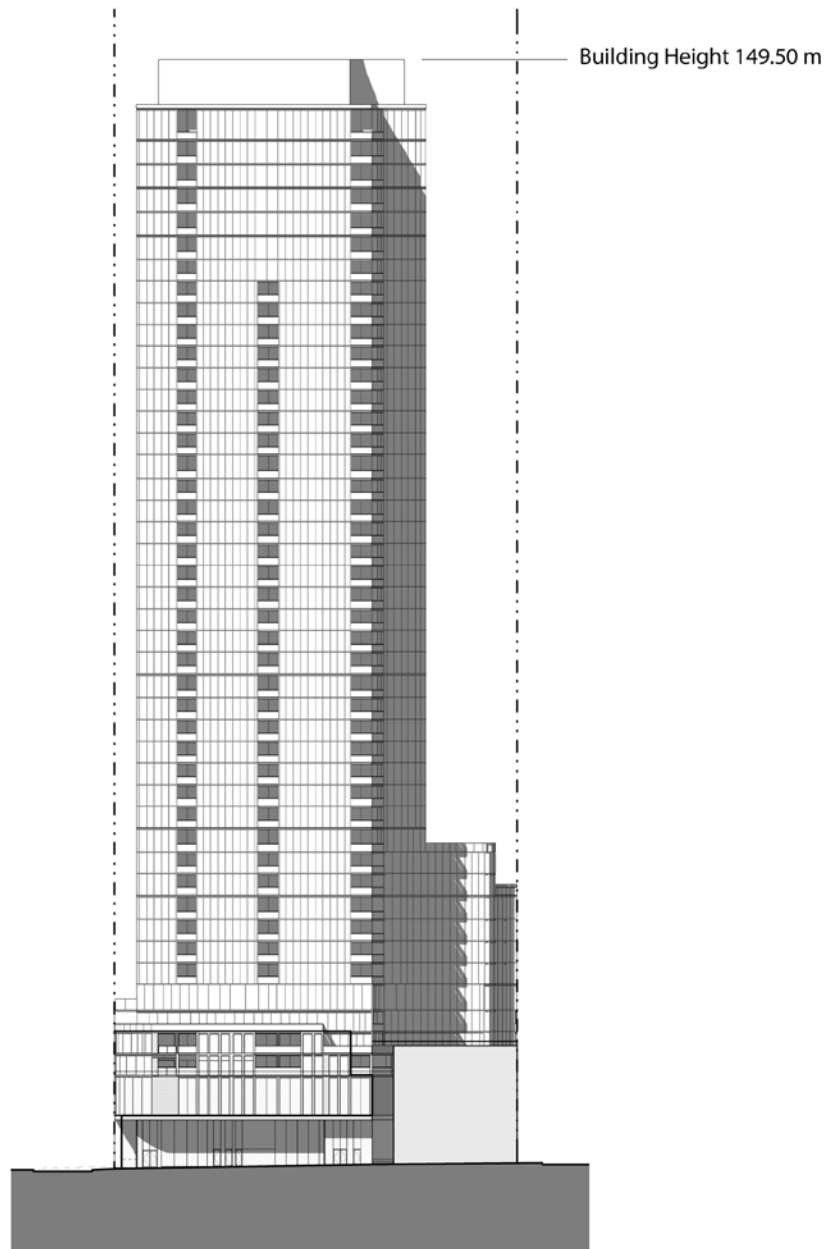
114-120 Church Street & 59 Richmond Street East

Applicant's Submitted Drawing

Not to Scale
06/05/2018

File # 17 253844 STE 28 0Z

Attachment 3: East Elevation



East Elevation

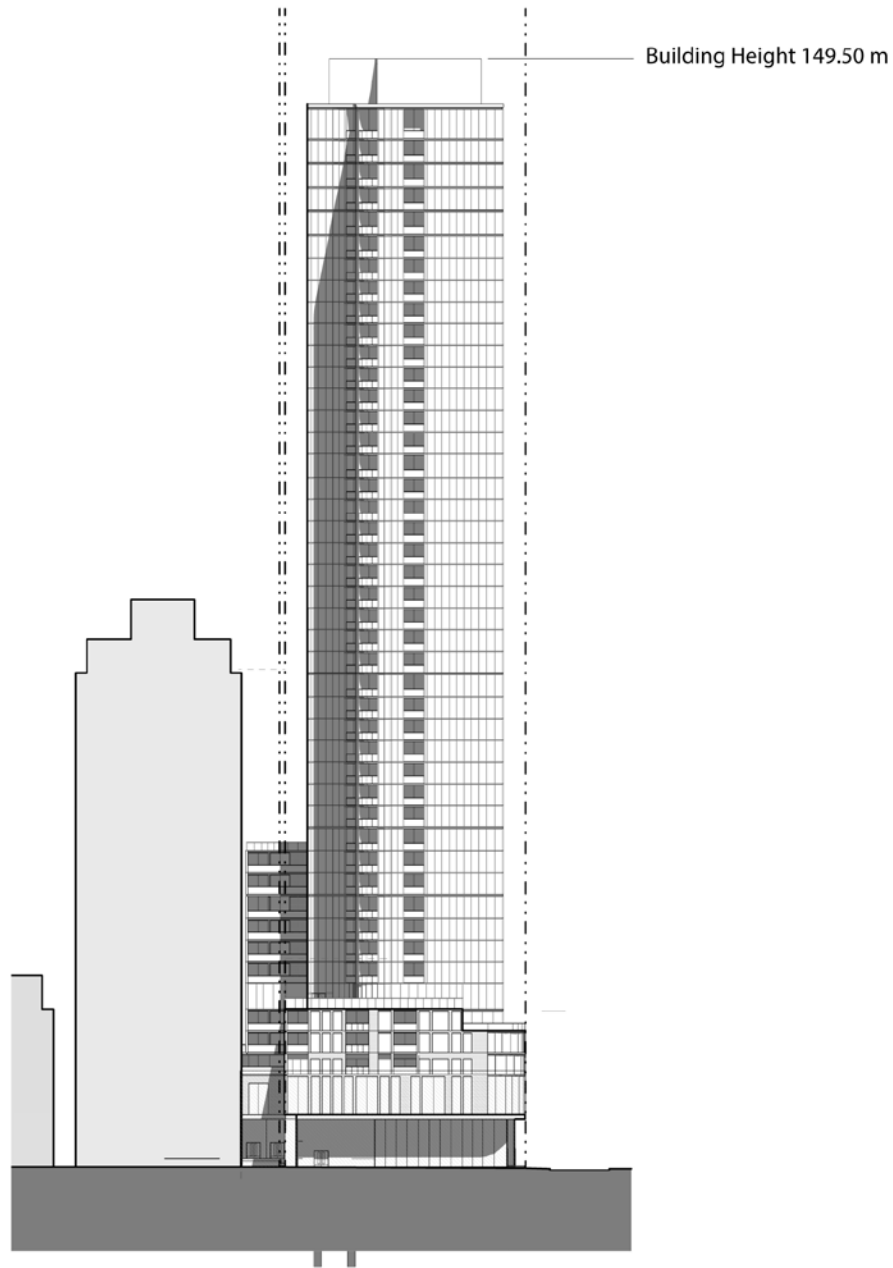
114-120 Church Street & 59 Richmond Street East

Applicant's Submitted Drawing

Not to Scale
06/05/2018

File # 17 253844 STE 28 OZ

Attachment 4: West Elevation



South Elevation

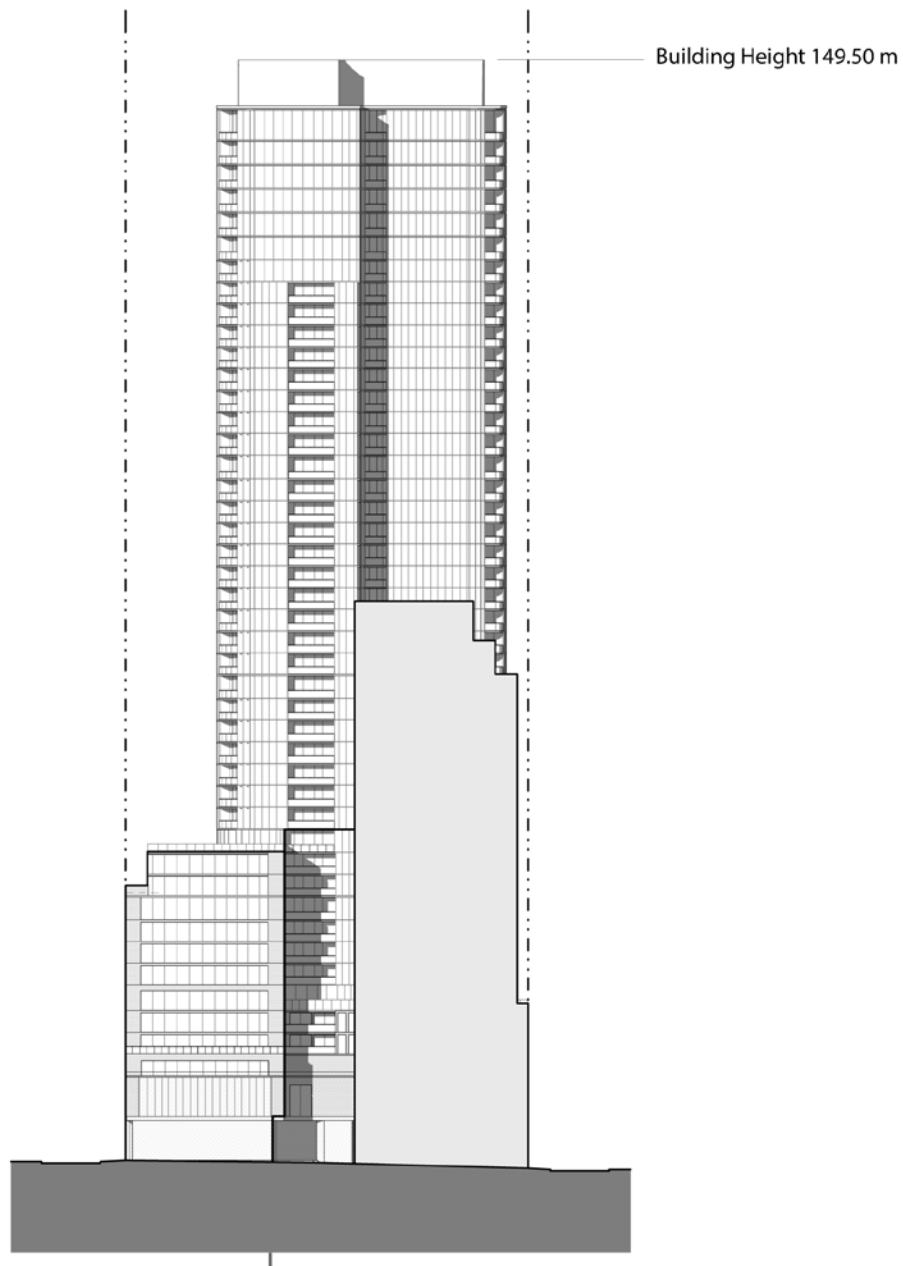
114-120 Church Street & 59 Richmond Street East

Applicant's Submitted Drawing

Not to Scale
06/05/2018

File # 17 253844 STE 28 02

Attachment 5: South Elevation



West Elevation

114-120 Church Street & 59 Richmond Street East

Applicant's Submitted Drawing

Not to Scale
06/05/2018

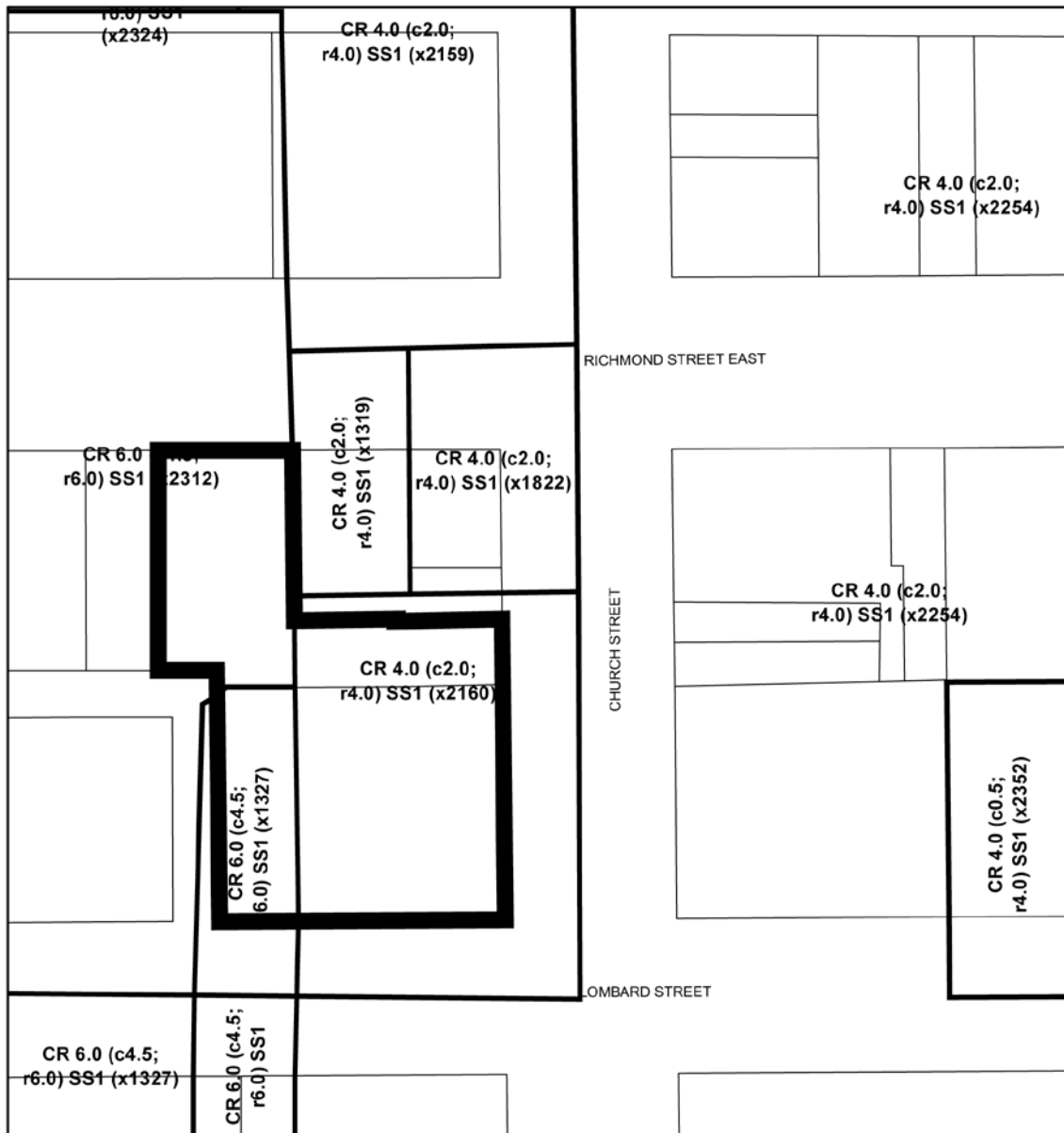
File # 17 253844 STE 28 02

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114-120 Church Street & 59 Richmond Street East

File # 17 253844 STE 28 OZ

Attachment 7: Zoning



Zoning By-law 569-2013

114-120 Church Street & 59 Richmond Street East

File # 17 253844 STE 28 0Z



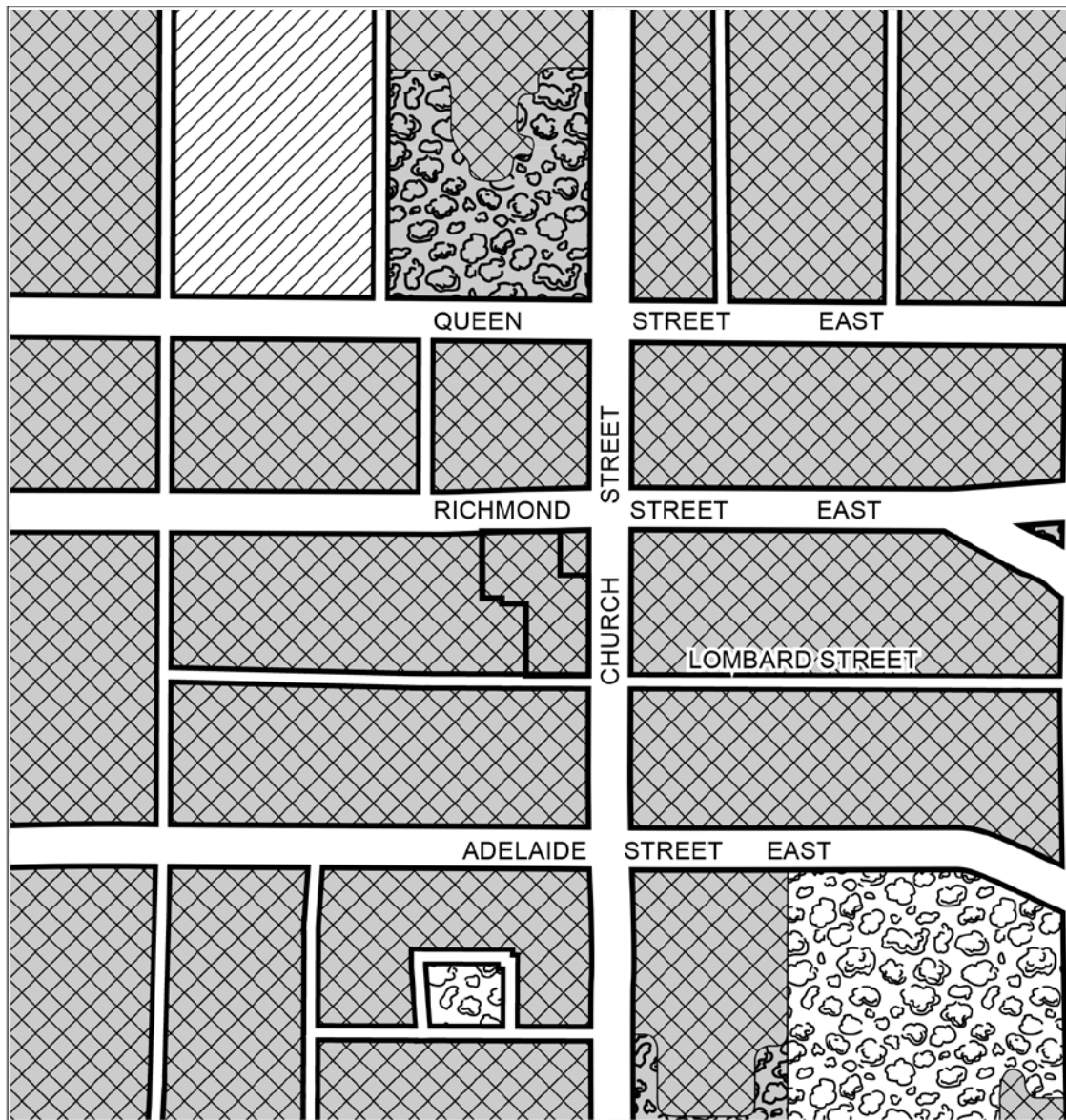
Location of Application

CR Commercial Residential



Not to Scale
Extracted: 06/05/2018

Attachment 8: Official Plan



TORONTO City Planning
Official Plan

114 & 120 Church Street and 59 Richmond Street East

File # 17_253844 STE 28 0Z



↑
Not to Scale
11/01/15

Attachment 9: Application Data Sheet

Municipal Address: 114 & 120 CHURCH ST and 59 RICHMOND ST **Date Received:** October 26, 2017

Application Number: 17 253844 STE 28 OZ

Application Type: OPA / Rezoning, Rezoning

Project Description: This application proposes to construct a 45-storey mixed-use building (149.5 metres, including mechanical penthouse). The proposal is comprised of varying podium elements ranging in heights from 3 to 10-storeys. Above the podium, the tower reaches a total height of 45-storeys at the corner of Church and Lombard Street with a 12-storey component connected to the north side of the tower along Richmond Street. A 198 square metre on-site park is proposed on the west side of the site fronting Richmond Street East.

Applicant	Agent	Architect	Owner
MADISON GROUP	JOSH ZAGDANSKI	TEEPL ARCHITECTS	LOUTAN LIMITED

EXISTING PLANNING CONTROLS

Official Plan Designation:	Mixed Use Areas	Site Specific Provision:	SASP 517
Zoning:	CR 4.0 (c2.0; r4.0) SS1 (x2160)	Heritage Designation:	N/A
Height Limit (m):	46, 30	Site Plan Control Area:	Y

PROJECT INFORMATION

Site Area (sq m):	2,011	Frontage (m):	35	Depth (m):	38
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Building Data	Existing	Retained	Proposed	Total
Ground Floor Area (sq m):			1,012	1,012
Residential GFA (sq m):			35,300	35,300
Non-Residential GFA (sq m):			2,100	2,100
Total GFA (sq m):			37,400	37,400
Height - Storeys:			45	45
Height - Metres:			143	143

Lot Coverage Ratio (%): 50.3

Floor Space Index: 18.5

Floor Area Breakdown	Above Grade (sq m)	Below Grade (sq m)
Residential GFA:	35,300	
Retail GFA:	2,100	
Office GFA:		
Industrial GFA:		
Institutional/Other GFA:		

Residential Units by Tenure	Existing	Retained	Proposed	Total
Rental:				
Freehold:				
Condominium:			422	422
Other:				
Total Units:			422	422

Total Residential Units by Size

	Rooms	Bachelor	1 Bedroom	2 Bedroom	3+ Bedroom
Retained:					
Proposed:			158	241	43
Total Units:			158	241	43

Parking and Loading

Parking Spaces: 157 Bicycle Parking Spaces: 457 Loading Docks: 3

CONTACT:

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