



## **REPORT FOR ACTION**

# **230 Oak Street – Official Plan Amendment and Zoning Amendment Applications – Request for Direction Report**

Date: June 10, 2019

To: Toronto and East York Community Council

From: Director, Community Planning, Toronto and East York District

Ward: 13 - Toronto Centre (formerly Ward 28)

**Planning Application Numbers:** 13 277895 STE 28 OZ

### **SUMMARY**

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The applications to amend the Official Plan and Zoning By-law propose to allow the construction of a new 32-storey residential building with 330 dwelling units at 230 Oak Street and a new child care facility in the existing apartment building at 230 Oak Street. The existing apartment building will be retrofitted on the lower two floors to provide for the new child care facility and provide additional indoor amenity space. The applications were appealed to the Local Planning Appeal Tribunal (LPAT) in October 2017.

An application for Rental Housing Demolition and Conversion under Chapter 667 of the Municipal Code has been submitted to permit the demolition of 6 existing rental dwelling units on the site. The applicant has proposed to replace all existing rental dwelling units to be demolished within the proposed residential building. A separate staff report to address the Rental Housing Demolition and Conversion application will be brought forward at a later date.

The proposed development is consistent with the Provincial Policy Statement (2014) and conforms with A Place to Grow: Growth Plan for the Greater Golden Horseshoe (2019).

The proposed development has been revised since the original submission to adequately address staff concerns with respect to building height, building separation, proximity to the Don Valley top-of-bank on the east side of the property, and pedestrian connections to Gerrard Street East.

This report reviews and recommends that City staff support of the application to amend the Official Plan and Zoning By-law at the LPAT, subject to conditions.

## RECOMMENDATIONS

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The City Planning Division recommends that:

1. City Council support the revised application to amend the Official Plan, for the lands at 230 Oak Street, substantially in accordance with the draft Official Plan Amendment attached as Attachment 5 to the report dated June 10, 2019, from the Director, Community Planning, Toronto and East York District.
2. City Council support the revised application to amend City of Toronto Zoning By-law 569-2013 for the lands at 230 Oak Street substantially in accordance with the draft Zoning By-law Amendment attached as Attachment No. 6 to the report dated June 10, 2019, from the Director, Community Planning, Toronto and East York District.
3. City Council support the revised application to amend Zoning By-law 438-86, for the lands at 230 Oak Street, to have the same intent and effect as the draft Zoning By-law Amendment attached as Attachment No. 6 to the report dated June 10, 2019, from the Director, Community Planning, Toronto and East York District.
4. City Council authorizes the City Solicitor to make such stylistic and technical changes to the draft Official Plan Amendment and draft Zoning By-law Amendments as may be required.
5. City Council authorize the City Solicitor and appropriate City staff to appear before the Local Planning Appeal Tribunal (LPAT) in support of City Council's decision on the proposed Official Plan Amendment and Zoning By-law Amendments.
6. City Council direct the City Solicitor to request the Local Planning Appeal Tribunal (LPAT) to withhold any final Order on the proposed Official Plan Amendment and Zoning By-law Amendment until the following conditions are met:
  - a. The owner submits a fee for the preparation of a Section 37 Agreement to the Customer Service Planning Consultant in Toronto Building, Toronto and East York District, in accordance with City Planning fee schedule in effect at the time of payment;
  - b. The owner has entered into an Agreement pursuant to Section 37 of the Planning Act, or other legal agreement, to the satisfaction of the City Solicitor and the Chief Planner and Executive Director, City Planning Division, and the Section 37 Agreement, or other legal 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:

- i. A cash contribution of \$1,200,000.00 for capital improvements to parks and/or streets in Ward 13 in the vicinity of the subject property. The design of the streetscape improvements must comply with the Streetscape Manual or be to the satisfaction of the Chief Planner and Executive Director, City Planning;
- ii. A cash contribution of \$1,200,000.00 for capital improvements to new or existing local community, recreation and/or cultural facilities in Ward 13 in the vicinity of the subject property;
- iii. Either the provision of on-site affordable rental housing units with a construction cost, excluding land value, of \$1,330,000.00, to the satisfaction of the Chief Planner and Executive Director, City Planning Division, or a cash contribution of \$1,330,000.00 for capital improvements to new or existing Toronto Community Housing facilities, including dwelling units, or other affordable housing facilities;
- iv. The owner agrees to design, construct and maintain two new accessible pedestrian bridges to provide new mid-block pedestrian connections between Gerrard Street East and the subject property, which must each have a minimum width of 3.0 metres and be substantially constructed prior to issuance of the first above-grade building permit for the new tall building, all at the sole expense of the owner. The bridge design must be to the satisfaction of the Chief Planner and Executive Director, City Planning Division. The community benefit of the two bridges is valued at \$670,000.00, which represents approximately one third of the estimated bridge construction costs (the remaining construction costs will be provided by the owner and are not considered a community benefit under Section 37 of the *Planning Act*). The owner must demonstrate design excellence for the two pedestrian bridges to the satisfaction of the Chief Planner and Executive Director, City Planning Division. The bridge design must have regard for the character of Gerrard Street East and surrounding lands, integration with the existing railing on Gerrard Street East, appropriate lighting, and consideration for incorporating public art;
- v. The payments required in items i., ii., iii., and iv. above will be increased by upwards index in accordance with the Non-Residential Building Construction Price Index for the Toronto CMA, reported by Statistics Canada or its successor, calculated from the date the Section 37 Agreement is registered to the date each such payment is made;
- vi. In the event the cash contributions required in items i., ii., iii., and iv. 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;

vii. Conveyance to the City of public access easements over two new pedestrian bridges on the subject property that will provide direct access to Gerrard Street East, as well as a public access easement on the subject property between the southerly ends of the pedestrian bridges, to the satisfaction of the General Manager of Transportation Services and the Chief Planner and Executive Director, City Planning Division;

viii. Pursuant to Ontario Regulation 166/06, the owner is required to obtain a Toronto and Region Conservation (TRCA) permit prior to any development and/or site alteration on the subject property;

ix. The owner agrees to provide information to the Toronto and Region Conservation Authority (TRCA) that describes how a Limiting Distance Separation Agreement and a Maintenance Easement will be secured through the appropriate development agreement(s), to the satisfaction of TRCA and prior to approval of a Site Control application and prior to any development and/or site alteration on the subject property;

x. In conjunction with a Site Plan Control application, the owner agrees to convey to the City, at nominal cost, prior to the issuance of an above-grade building permit for a new building (Building B) on the subject property, a 4.76-metre wide strip of land to the full extent of the site abutting the west limit of Bayview Avenue, such lands to be free and clear of all encumbrances, save and except for utility poles, in accordance with the City's environmental standards, and subject to a right-of-way for access purposes in favour of the grantor until such time as the said lands have been dedicated for public highway purposes;

xi. Prior to issuance of the first above-grade building permit, the owner is required to provide the City with payment-in-lieu of parkland contribution based on a parkland dedication of 714 square metres;

xii. The owner must implement the Ravine Stewardship Plan as detailed in Section 8 of the Natural Heritage Impact Study and Ravine Stewardship Plan dated August 2016 prepared by MMM Group.

xiii. The owner shall construct and maintain the development in accordance with the version of the Tier 1 performance measures of the Toronto Green Standard that is in effect at the time a Site Plan Control application has been received by the City and has been deemed complete;

xiv. The owner agrees to implement any recommended wind mitigation measures identified in a Final Pedestrian Level Wind Study, and, if applicable, any such measures identified in a peer review of the Final Pedestrian Level Wind Study, both to be determined through the review of a Site Plan Control application, to the satisfaction of the Chief Planner and Executive Director, City Planning Division;

xv. The owner shall provide and secure the indoor and outdoor amenity space, and furnishings and appointments thereof, in and adjacent to the existing rental building (Building A) for the use and enjoyment of the tenants of the existing building (Building A) without pass-through of such costs in the rents to tenants. Any proposed changes to the size, location or function of the indoor and amenity spaces as shown in the architectural plans prepared by Sweeny & Co Architects Inc. dated August 15, 2016, shall be to the satisfaction of the Chief Planner and Executive Director, City Planning Division. The owner agrees to complete the indoor amenity space in the existing building (Building A) and make it available to the existing tenants prior to issuance of the first above-grade building permit for the new building (Building B) or alternative timing to the satisfaction of the Chief Planer and Executive Director, City Planning Division;

xvi. The owner agrees to provide and maintain within the new residential building (Building B) a dwelling unit mix that includes a minimum of 15% three-bedroom dwelling units and a minimum of 25% two-bedroom units;

xvii. The owner agrees to secure the rental tenure of 319 existing rental dwelling units to be retained on-site in the existing building (Building A) for a period of at least 20 years beginning from the date that the site-specific zoning by-law amendments come into full force and effect;

xviii. Prior to the commencement of any excavation and shoring work, the owner will submit a Construction Management and Community Communication Plan to the satisfaction of the Chief Planner and Executive Director, City Planning Division, the General Manager of Transportation Services, in consultation with the Ward Councillor, and thereafter shall implement the plan during the course of construction. The Construction Management and Community Communication Plan will include, but not be limited to, the size and location of construction staging areas, location and function of gates, information on concrete pouring, lighting details, construction vehicle parking and queuing locations, alternate parking arrangements for existing residents for the duration of any affected parking spaces used by existing residents, refuse storage, site security, site supervisor contact information, a communication strategy with the surrounding community and existing tenants, and any other matters requested by the Chief Planner and Executive Director, City Planning, or the General Manager of Transportation Services, in consultation with the Ward Councillor;

xix. The owner agrees to pay for and construct any improvements to the municipal infrastructure in connection with the site servicing assessment, should it be determined that upgrades are required to the infrastructure to support this development;

xx. The owner agrees to haul off-site any private water until the end of the construction dewatering phase. In the absence of a short-term discharge approval, the owner shall ensure any private water (including but not limited to groundwater and construction wastewater) collected from the subject property is hauled away using a hauler approved by The Ministry of the Environment, Conservation and Parks (MOECP) to ensure that no water is discharged directly or indirectly into the City's sewage works and thereby comply with Municipal Code Chapter 681-Sewers;

xxi. Prior to approval of a Site Plan Control application, the owner agrees to satisfy the following requirements:

A. Submit to the Chief Engineer and Executive Director, Engineering & Construction Services, for review and approval prior to deposit in the Land Registry Office, a draft Reference Plan of Survey in metric units and integrated into the Ontario Coordinate System with coordinate values shown on the face of the plan, and delineating thereon by separate PARTS the lands to be conveyed to the City for road widening purposes, the remainder of the site, and any portions of the access driveway to be subject to vehicular easements and any appurtenant easements;

B. The owner acknowledges the need for separate applications to the General Manager of Transportation Services for permits to carry out any works involving the construction in, or occupancy of the abutting rights-of-way;

C. The owner must make a separate application to the General Manager of Transportation Services for a Bridge Agreement, in respect of the proposed pedestrian bridge connections above the abutting Gerrard Street East right-of-way, designed in compliance with the Pedestrian Bridge Design Principles and Requirements, prepared by LEA Consulting Ltd., dated November 25, 2016; and

D. The owner must obtain all necessary exemptions, in the form of a discharge agreement or permit issued in accordance with Section 6 of Chapter 681 of the City of Toronto Municipal Code, to allow the discharge of private water to a City sewer which is otherwise prohibited under Chapter 681 ("Discharge Agreements"), to the satisfaction of the General Manager, Toronto Water, and shall be in good standing under any such Discharge Agreements;

c. The LPAT has been advised by the City Solicitor that the proposed Official Plan amendment and zoning by-law amendments are in a form satisfactory to the City, including securing the replacement rental units, rents, tenant relocation and assistance plan and any other related rental matters for the 6 rental dwelling units to be demolished at 230 Oak Street, and are in conformity with Section 3.2.1.6 of the Official Plan; and

d. City Council has approved the Rental Housing Demolition Application No. 13 277898 STE 28 RH under Chapter 667 of the Toronto Municipal Code, pursuant to Section 111 of the City of Toronto Act, 2006, to demolish 6 of the existing rental dwelling units at 230 Oak Street.

7. City Council authorize the appropriate City Officials to take such actions as are necessary to implement the foregoing, including entering into any Agreements.

## **FINANCIAL IMPACT**

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The recommendations in this report have no financial impact.

## **PROPOSAL**

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The proposed development is a new 32-storey building comprising a one-storey base building (ground floor and mezzanine) and a point tower. The existing 22-storey residential rental building will be retained, renovated and retrofitted as part of the development proposal to create new indoor and outdoor amenity space, a new child care facility with an adjacent outdoor playground, and to accommodate new parking spaces.

Six existing residential rental units will need to be demolished in order to accommodate the new amenity space and child care facility in the existing building. The applicant has proposed to replace all demolished rental dwelling units within the proposed residential building. A Rental Housing Demolition Application has been submitted to permit the proposed demolition.

The proposed child care facility in the existing building has an area of 295 square metres and the adjacent outdoor play area is 211 square metres. The proposed new indoor amenity space has an area of 256 square metres and will be located on the P1 level on the northwest side of the existing building, which is at ground level in this location. The amenity space will include a multi-purpose room, theatre room, fitness room, and washroom. Improved private outdoor amenity space is proposed on the northwest side of the building adjacent to the indoor amenity space as well as in the central courtyard space located on the southwest side of the outdoor playground.

The proposed 32-storey residential rental building has a one-storey base building with a partial mezzanine level and a point tower containing 330 dwelling units. The building height is 99.25 metres plus a mechanical penthouse for a total height of 104.25 metres. The location of the proposed building is almost entirely on top of an existing underground parking structure for the existing building.

The gross floor area of the building is 21,363 square metres and the tower floorplate is 756.5 square metres. The proposed unit breakdown is 60 (18%) bachelor units, 120 (36%) one-bedroom units, 90 (27%) two-bedroom units, and 60 (18%) three-bedroom units.

The proposed building provides 2.0 square metres of both indoor and outdoor amenity space per dwelling unit, for a total of 660 square metres of indoor amenity space and 660 square metres of outdoor amenity space. The residential amenity space is located primarily on the second floor of the building with 468 square metres of indoor amenity space surrounded by the entirety of the outdoor amenity space located on the roof of the base building. An additional 192 square metres of indoor amenity space is located on the north side of the ground floor, adjacent to an outdoor walkway that generally follows the top-of-bank of the Don Valley.

Vehicular access is solely from Oak Street, which is mostly a private street east of River Street that terminates in a loop that provides access to the existing building at 230 Oak Street, as well as access to the other existing residential buildings at 210 and 220 Oak Street. The proposed loading area and ramp to the underground parking garage are located at the southeast corner of the building facing south towards the driveway for 220 Oak Street. A child care drop-off area for 4 vehicles is located adjacent to the playground and accessed from a driveway between the existing and proposed buildings at 230 Oak Street. A small drop-off area and turnaround space is located in front of the main entrance to the proposed building. The drop-off areas and the driveway between the buildings will be designed as a shared-street that encourages pedestrian use.

Pedestrian access is from Oak Street and from two new pedestrian bridges that will provide new mid-block connections to Gerrard Street East. The pedestrian bridges may replace an existing pedestrian ramp that is accessed from the southeast corner of River Street and Gerrard Street East and runs parallel to the Gerrard Street East sidewalk, within the public right-of-way but below street level. The proposed easterly pedestrian bridge provides a direct visual connection between the proposed building and Gerrard Street East and provides a direct route east towards the Don Valley. The westerly pedestrian bridge provides a direct route west towards River Street.

The existing underground parking garage will be retrofitted and expanded to provide 253 parking spaces spanning three levels for both the existing and proposed buildings at 230 Oak Street. A Type G loading space, with a minimum length of 13 metres, is proposed within the proposed building at ground level adjacent to the ramp to the underground parking and will be used for garbage trucks and moving trucks. A Type C loading space, with a minimum length of 6 metres, is proposed outdoors at ground level adjacent to the drop-off area and 4 parking spaces for the child care facility.



A total of 649 bicycle parking spaces are proposed, including 145 long-term resident spaces and 47 short-term visitor spaces for the existing building and 192 long-term resident spaces and 48 short-term visitor spaces for the proposed building. All visitor spaces will be located outdoors at ground level with weather protection for most of the spaces. All the residents' spaces will be located indoors in secured areas with 144 spaces located on the mezzanine level of the proposed building and the remaining spaces located on the three levels of underground parking.

The proposed development has been substantially revised since the original submission to address comments and concerns raised by staff and the community. The following table provides a comparison of key metrics of how the original proposal as described in the Preliminary Report compares to the revised proposal as described above. Refer to Attachment 1 for further development statistics. Refer to Attachments 7, 8 and 9 for the applicant's illustrations of the proposed development, including a Site Plan, elevations, and perspective renderings.

<b>Proposed Residential Building (Building B)</b>		
	<b>Original Proposal</b>	<b>Current Proposal</b>
<b>Rental Units in Existing Building</b>	Demolition of eight existing rental dwelling units and replacement in the new proposed building.	Demolition of six existing rental dwelling units and replacement in the new proposed building.
<b>Land Use</b>	Mixed-Use: Commercial and institutional uses in the base building (floors 1-4), retirement home dwelling units in the lower 12 floors of the tower, and residential rental units on the upper 17 floors.	Residential rental units only
<b>Total height</b>	35 storeys (112 metres, excluding mechanical penthouse)	32 storeys (99 metres, excluding mechanical penthouse)
<b>Base building height</b>	4 storeys	1 storey (ground floor and mezzanine)
<b>Tower Floorplate</b>	778 square metres	757 square metres

<b>Gross Floor Area</b>	25,063 square metres	21,363 square metres
<b>Ground Floor Gross Construction Area</b>	955 square metres	809 square metres
<b>Base building separation from existing building at 230 Oak Street</b>	9.82 metres	11.30 metres
<b>Tower separation from existing building at 230 Oak Street</b>	9.82-metre minimum distance  25.04 metres between principle windows	14.50-metre minimum distance  29.7 metres between principle windows
<b>Tower separation from existing building at 220 Oak Street</b>	23.0-metre minimum distance  25.1-metre facing distance of principle windows on parallel walls	23.0-metre minimum distance  25.1-metre facing distance of principle windows on parallel walls
<b>Number of residential units</b>	348 (144 retirement home dwelling units and 204 residential rental units)  (not including 325 existing rental units in Building A)	330 residential rental units (including 6 rental replacement units)  (not including 325 existing rental units in Building A)
<b>Unit mix</b>	25% bachelor 38% one-bedroom 37% two-bedroom 0% three-bedroom	18% bachelor 36% one-bedroom 27% two-bedroom 18% three-bedroom
<b>Connections to Gerrard Street East</b>	One bridge with a driveway and walkways on both sides	Two pedestrian bridges

<b>Automobile Parking (for both existing and proposed buildings)</b>	274 parking spaces (including 5 drop-off spaces for the proposed daycare in the existing building)	257 parking spaces (including 4 drop-off spaces for the proposed daycare in the existing building)
<b>Bicycle Parking (for both existing and proposed buildings)</b>	677 bicycle parking spaces	649 bicycle parking spaces

### Site and Surrounding Area

The subject property is located at the east end of Oak Street, adjacent to the south side of Gerrard Street East and the west side of Bayview Avenue. There is one existing 22-storey residential apartment building on the site that was built in the 1970s. The property is irregularly shaped with a total land area of 8,165 square metres. It has approximately 127 metres of frontage on Gerrard Street East and approximately 50 metres of frontage on Bayview Avenue (see Attachment 2).

The first development on the subject site occurred in the late 1800s, when the eastern portion of the property was occupied by an oil refinery. Subsequently, from the 1910s to the late 1960s, the site was used by Sheet Metal Products Ltd.. The eastern portion of the site contains substantial fill material that was brought in from unknown sources prior to 1974. The industrial uses and/or fill material resulted in soil and groundwater contamination on the eastern portion of the site below a depth of 1.5 metres. A Record of Site Condition was certified on November 2, 2005, which allows for stratified site conditions and confirms the upper layer of soil and groundwater within 1.5 metres of ground level has acceptable levels of soil and groundwater contaminants.

The westerly portion of the site that includes the area covered by the existing and proposed buildings slopes gently downwards from southwest to northeast with a steeper slope adjacent to Gerrard Street East where the site grade is approximately one storey lower than the street grade. The easterly portion of the site slopes down steeply to the east towards Bayview Avenue and is below the top-of-bank of the Don Valley. There are no existing or proposed connections across the subject property from Bayview Avenue.

The existing rental building on the site contains 325 rental units with a range of unit sizes and types (i.e. bachelor, one-bedroom and two-bedroom units). According to the rent rolls provided by the owner at the time of application, many of the existing rental units had affordable and mid-range rents. There is existing underground parking, an outdoor garbage storage and loading area, and outdoor bicycle racks. There is currently no existing indoor amenity space.

The subject property is adjacent to two other properties that both also have residential apartment buildings, 17 storeys and 27 storeys, which were also built in the 1970s.

The following uses surround the site:

North: North of Gerrard Street East is Riverdale West Park and the north end of River Street that leads down the valley to Bayview Avenue.

West: A 17-storey residential apartment building (210 Oak Street) is located on the west side of the subject property. Further west, across River Street, is the Regent Park neighbourhood that is in the midst of redevelopment.

East: East of the site is Bayview Avenue and a portion of the neighbouring property, 220 Oak Street. East of Bayview Avenue there is the Metrolinx-Richmond Hill rail corridor, the Lower Don River trail, the Don River and the Don Valley Parkway.

South: Immediately south of the site is a 27-storey residential apartment building (220 Oak Street) owned by Toronto Community Housing. Further south is a seven-storey residential apartment building surrounded by three-storey townhouses and Oak Street Park.

### **Reasons for Application**

An Official Plan Amendment is required to permit the proposed building since it abuts the valley top-of-bank whereas Policy 3.4(8) requires development to be set back a minimum of 10 metres from a valley top-of-bank.

A Zoning Bylaw Amendment is required to permit the proposed increase in the maximum height and density, permit the proposed child care facility, reduce the required parking, and allow for other site-specific provisions.

The applicant has submitted a Rental Housing Demolition application pursuant to Chapter 667 of the City of Toronto Municipal Code as the subject lands contain six or more residential dwelling units, of which at least one is rental. This application will be further addressed in a separate report.

## **APPLICATION BACKGROUND**

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A pre-application consultation meeting was held with the applicant on July 18th, 2013. The current application was submitted on December 13, 2013, and deemed complete on April 7, 2014.

A Preliminary Report for the proposed development at 230 Oak Street was brought forward to Toronto and East York (TEY) Community Council on February 25, 2014, at which time they deferred the consideration of the report until June 17, 2014, and requested Community Planning to undertake further consultation with the applicant, the Ward Councillor, and community stakeholders, and report on the outcome of such consultations at the TEY Community Council meeting scheduled for June 17, 2014.

The Preliminary Report was brought forward again to TEY Community Council on June 17, 2014, where they directed staff to schedule a community consultation meeting, provide notice for the community consultation meeting to landowners and residents within 120 metres of the site and additional residents and owners to be determined in consultation with the Ward Councillor, and provide notice for the public meeting under the Planning Act.

### **Application Submission Requirements**

The following reports/studies were submitted in support of the application:

- Planning and Urban Design Rationale
  - Housing Issues Report
  - Community Facility and Services Report
  - Pedestrian Level Wind Study
  - Sun/Shadow Study
  - Stage 1 Archaeological Assessment
  - Natural Heritage Impact Study and Ravine Stewardship Plan
  - Arborist Report and Tree Inventory and Preservation Plan
  - Toronto Green Standard Checklist - Tier 1
  - Traffic Impact Study
  - Functional Servicing Report
  - Stormwater Management Report
  - Hydrogeological Assessment
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- Geotechnical Assessment
  - Subsurface Investigation
  - Record of Site Condition

The application was deemed complete as of April 7, 2014.

### **Agency Circulation Outcomes**

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

### **Community Consultation**

A community consultation meeting was held on September 21, 2015, with approximately 8 local residents to get community feedback on the proposed development. Residents raised the following comments and concerns.

- The pedestrian ramp and walkway from Gerrard Street East should be better maintained.

- Supportive of the proposed building being entirely a rental apartment building.
- Child care facility should be fully accessible.
- Improve the design and quality of the open spaces with new landscaping and planting.
- Construction impacts on existing building such as noise and dust need to be mitigated.
- Suggest providing space for local small businesses such as a café in the proposed development.
- Community benefits to be secured though a Section 37 Agreement should include improvements to Oak Street in the vicinity of 210, 220, and 230 Oak Street with a particular focus on improved lighting.
- Oak Street is currently in poor condition and needs to be fixed promptly and maintained throughout construction.

Since the community consultation meeting, the proposal has been revised to address the above comments by providing new pedestrian connections to Gerrard Street East, ensuring the child care facility will be fully accessible, refining the landscaping and ravine stewardship plan and allocating funding from the Section 37 community benefits towards improvements to Oak Street. Construction management that mitigates noise and dust impact will be secured through the Site Plan Control process.

### **Tenant Consultation**

A tenants' meeting was held on January 25, 2016, to discuss the proposed alterations to the existing apartment building and the tenant relocation process for six existing rental units that will be demolished and replaced as part of the proposed development. This meeting was attended by approximately 25 tenants.

The following issues and questions were raised by the tenants and addressed by staff.

- Explanation of the tenant relocation process and availability of units.
- Construction management, including timing and duration of construction, parking arrangements, compensation for impact of noise and vibration, children's' safety with regard to truck traffic, wear and tear on Oak Street that is already in a state of disrepair.
- Location of alternative parking facilities during construction and concerns regarding alternative parking area security, weather protection, proximity to 230 Oak Street, potential effect on insurance premiums, and cost of alternative parking.

- Long term impacts from the proposed development, including views to the valley, shadow impact on existing buildings, safety of outdoor amenity space, transit capacity on the 506 Carlton streetcar route, loss of outdoor amenity space, potentially insufficient provision of parking, rent increases due to recent and proposed improvements to the building.

## **POLICY CONSIDERATIONS**

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### **Provincial Land-Use Policies: Provincial Policy Statement and Provincial Plans**

Section 2 of the *Planning Act* sets out matters of provincial interest that City Council shall have regard for when carrying out its responsibilities, including: the protection of ecological systems, including natural areas, features and functions; the orderly development of safe and healthy communities; the protection of public health and safety, the adequate provision of a full range of housing, including affordable housing; and the appropriate location of growth and development.

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.

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

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

### **The Provincial Policy Statement (2014)**

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.

PPS Policy 3.1.1 requires development to be generally directed outside of *hazardous lands* adjacent to a river that are impacted by *flooding hazards* and/or *erosion hazards*. Policy 3.2.2 states that "sites with contaminants in land or water shall be assessed and remediated as necessary prior to any activity on the site associated with the proposed use such that there will be no *adverse effects*."

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."

### **A Place to Grow: Growth Plan for the Greater Golden Horseshoe (2019)**

A Place to Grow: Growth Plan for the Greater Golden Horseshoe (2019) (the "Growth Plan (2019)") came into effect on May 16, 2019. This new plan replaces the previous Growth Plan for the Greater Golden Horseshoe, 2017. The Growth Plan (2019) continues to provide a strategic framework for managing growth and environmental protection in the Greater Golden Horseshoe region, of which the City forms an integral part. The Growth Plan (2019) establishes policies that require implementation through a Municipal Comprehensive Review (MCR), which is a requirement pursuant to Section 26 of the *Planning Act* that comprehensively applies the policies and schedules of the Growth Plan (2019), including the establishment of minimum density targets for and the delineation of strategic growth areas, the conversion of provincially significant employment zones, and others.

Policies not expressly linked to a MCR can be applied as part of the review process for development applications, in advance of the next MCR. These policies include:



- Directing municipalities to make more efficient use of land, resources and infrastructure to reduce sprawl, contribute to environmental sustainability and provide for a more compact built form and a vibrant public realm;
- Directing municipalities to engage in an integrated approach to infrastructure planning and investment optimization as part of the land use planning process;
- Achieving complete communities with access to a diverse range of housing options, protected employment zones, public service facilities, recreation and green space that better connect transit to where people live and work;
- Retaining viable lands designated as employment areas and ensuring redevelopment of lands outside of employment areas retain space for jobs to be accommodated on site;
- 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 (2019) 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 (2019) 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.

Section 5.1 of the Growth Plan (2019) 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 (2019) which require comprehensive municipal implementation.

Staff have reviewed the proposed development for consistency with the PPS (2014) and for conformity with the Growth Plan (2019). The outcome of staff analysis and review are summarized in the Comments section of this Report.

### **Toronto Official Plan**

This application was reviewed against all the policies of the City of Toronto Official Plan including the "Downtown", "Transportation", "Environment", "Public Realm", "Built Form" and "Parks and Open Space" sections of the Plan. The Official Plan is available at:

## 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 along bus and rapid transit routes. Areas that can best accommodate this growth are shown on Map 2 – Urban Structure of the Official Plan.

The subject property is located within the *Downtown and Central Waterfront* area shown on Map 2 - Urban Structure. The *Downtown* is a growth area but growth is contextual and will not be distributed uniformly.

Map 3 - Right-of-Way Widths Associated with Existing Major Streets, identifies Gerrard Street East, Bayview Avenue, and River Street as major streets with planned right-of-way widths of 20 metres. Map 5 - Surface Transit Priority Network, shows Gerrard Street East as a Transit Priority Segment for surface transit expansion.

## Chapter 3 - Building a Successful City

Section 3.1 of the Official Plan titled "The Built Environment" includes policies that emphasize the importance of ensuring that new development fits within its existing and/or planned context, while limiting impacts on neighbouring streets, parks and open spaces and properties.

Housing policies in Section 3.2.1 encourage the development of a full range of housing including purpose-built rental housing, with the use of regulatory measures and incentives such as Section 37 community benefits to secure the construction of new rental housing. Policy 3.2.1(5) requires that significant new development on sites containing six or more rental units, where existing rental units will be kept on-site, should secure the rental tenure of the existing rental housing if the rents are in the affordable and mid-range rent category. Improvements and renovations to the existing rental housing may also be secured without passing the costs along to the tenants in the form of rent increases.

Policy 3.2.1.6 requires that new development that would result in the loss of six or more rental housing units will not be approved unless all of rental housing units have rents that exceed mid-range rents at the time of application or, in cases where planning approvals other than site plan are sought, the following are secured:

- at least the same number, size and type of rental housing units are replaced and maintained with similar rents to those in effect at the time the redevelopment application was made;

- for a period of at least 10 years, rents for replacement units will be the rent at first occupancy, increased annually by not more than the Provincial Rent Increase Guideline or a similar guideline as Council may approve from time to time; and
- An acceptable tenant relocation and assistance plan addressing the right to return to occupy one of the replacement rental units at similar rent, the provision of alternative accommodation at similar rents and other assistance to lessen the hardship of relocation.

Section 3.4 The Natural Environment includes policies that require new development to protect the natural environment. Policy 3.4(8) specifies that development must be set back from the top-of-bank of a valley by at least 10 metres. Policy 3.4(12) states that all proposed development in or near the natural heritage system will be evaluated to assess the development's impacts and identify mitigation measures and/or improvements to the natural heritage system.

Map 9 - Natural Heritage shows the easterly portion of the subject property that is below the top-of-bank is part of the Don Valley natural heritage system.

#### Chapter 4 - Land Use Designations

The site is designated *Apartment Neighbourhoods* on Map 18 – Land Use Plan (see Attachment 3). *Apartment Neighbourhoods* are residential areas with taller buildings and higher densities than *Neighbourhoods* that are generally physically stable areas where significant growth is not anticipated. There may, however, be opportunities for additional apartments or townhouses on underutilized sites. Policy 4.2(2) includes the following criteria for permitting new development in *Apartment Neighbourhoods*:

- locate new building to provide a transition between areas of different development intensity and scale;
- locate new buildings to adequately limit shadow impacts in lower-scale *Neighbourhoods*;
- locate new buildings to adequately frame the edges of streets and parks and maintain sunlight and comfortable wind conditions for pedestrians on adjacent streets, parks and open spaces;
- provide indoor and outdoor recreation space for building residents; and
- provide ground floor uses that enhance the safety, amenity and animation of adjacent streets and open spaces.

Policy 4.2(3), which was recently updated through the LPAT approval of Official Plan Amendment (OPA) 320, includes the following development criteria for new development on a site with an existing apartment building:

- be compatible with the scale, including height and massing, of the existing apartment buildings on and adjacent to the site;
- provide separation distances between buildings on and adjacent to the site to achieve adequate sunlight and privacy;
- maintain or replace and improve indoor and outdoor residential amenities on the site;
- improve the quality of landscaped open space and outdoor amenity space for new and existing residents, including the preservation or replacement of significant landscape features and walkways and creating such features where they did not previously exist;
- provide adequate on-site structured shared vehicular parking for both new and existing development;
- consolidate and where achievable, relocate parking and servicing areas where they are not visible from streets, parks and landscaped open spaces;
- provide all residents, including existing residents, with access to the community benefits that are secured through a Section 37 Agreement;
- provide adequate sunlight to units, outdoor amenity spaces and open spaces for both new and existing residents;
- provide adequate sky views from the public realm and create safe and comfortable open spaces; and
- improve pedestrian access to the buildings from public sidewalks and through the site; and
- provide needed improvements, renovations and retrofits to the existing rental housing to extend the life of the existing building(s) that are to remain.

### **TOcore – Downtown Plan**

City Council adopted OPA 406 on July 27, 2018. OPA 406 included amendments to the Downtown section of the Official Plan and Map 6 of the Official Plan and brought forward a new Secondary Plan for the entire Downtown area.

On August 9, 2018 the City's application under Section 26 of the Planning Act was sent to the Minister of Municipal Affairs and Housing (MMAH) for approval. The Ministry issued its decision regarding OPA 406 on June 5, 2019.

As part of the decision the Ministry revised the Plan to add the following transition policy: "This Plan does not apply to applications for official plan amendment, zoning by-law amendment, draft plan of subdivision or condominium approval, site plan approval,

consent or minor variance which were complete prior to the approval of this Plan and which are not withdrawn. In-force site-specific official plan and/or zoning by-law amendments shall be deemed to conform with this Plan." Given that this application was complete prior to June 5, 2019, OPA 406, the new Downtown Secondary Plan, does not apply to this application.

### **Official Plan Amendment 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.

At its meeting on October 2-4, 2017, City Council considered the Proposed Downtown Plan and directed Staff to undertake stakeholder and public consultation on that document and its proposed policies, leading to the Downtown Plan Official Plan Amendment.

Further background information can be found at [www.toronto.ca/tocore](http://www.toronto.ca/tocore).

### **Official Plan Amendment 320**

The Local Planning Appeals Tribunal issued an Order on December 7, 2018, to approve and bring into force OPA 320. The approved policies reflect the policies endorsed by Council at its meetings of June 26 to 29, 2018 and July 23 to 30, 2018 in response to mediation and settlement offers from OPA 320 Appellants.

OPA 320 was adopted as part of the Official Plan Five Year Review and contains new and revised policies on Healthy Neighbourhoods, *Neighbourhoods* and *Apartment Neighbourhoods*. The approved amendments uphold the Plan's goals to protect and enhance existing neighbourhoods that are considered stable but not static, allow limited infill on underutilized *Apartment Neighbourhood* sites and help attain Tower Renewal Program goals.

In its Order that approves OPA 320, the LPAT found that the OPA 320 policies are consistent with the Provincial Policy Statement (2014) and conform with the Growth Plan for the Greater Golden Horseshoe (2017), which has since been updated.

OPA 320 helps to implement the City's Tower Renewal Program by promoting the renewal and retrofitting of older apartment buildings, and by encouraging fruit and vegetable gardens on underutilized portions of *Apartment Neighbourhood* sites.

OPA 320 provides additional policies for Section 2.3.1 - Healthy Neighbourhoods, including direction to encourage owners of existing apartment buildings to renovate and retrofit older apartment buildings in order to improve safety and security, improve indoor

and outdoor facilities for social and recreational activities, and improve pedestrian access to the buildings from public sidewalks and through the site as appropriate.

The outcome of staff analysis and review of relevant Official Plan policies and designations are summarized in the Comments section of this Report.

## **Zoning**

The city-wide Zoning By-law 569-2013, which is partially in effect and partially under appeal to the Local Planning Appeal Tribunal, shows the site is zoned *Residential (R (d.0.6) (x904))* (see Attachment 4). This zoning category permits a broad range of residential building types including apartment buildings with a maximum density of 0.6 times the site area and a maximum height of 10 metres. Exception 904 requires a 4.87 metre setback from the rear lot line.

The subject site is zoned *Residential (R2 Z0.6)* in the former City of Toronto Zoning By-law 438-86, as amended. The uses and regulations are essentially the same as those in By-law 569-2013.

The lands are also subject to three site-specific zoning by-law exceptions. By-laws 22846, 23046 and 783-78 were approved to accommodate the existing towers at 210, 220 and 230 Oak Street. Together, the by-laws permit the construction of the three existing apartment buildings, require 77 percent of the site to be landscaped open space, establish a 0.75 parking space per unit ratio and a 0.25 visitor parking space per unit ratio, and regulate unit size and overall permitted gross floor area. If the proposed rezoning is approved, new site-specific by-laws will be applied to the subject site and the site-specific by-laws listed above will no longer apply.

## **Design Guidelines**

The following design guidelines have been adopted by City Council and apply to the proposed development. 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 are intended to provide a more detailed framework for built form and public improvements.

### **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**

The subject property is located within an area that is also subject to the Downtown Tall Buildings: Vision and Supplementary Design Guidelines. This document identifies

where tall buildings belong 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 Draft Urban Design Guidelines**

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 have been considered in the review of this proposal. The Guidelines can be found here:

<https://www.toronto.ca/citygovernment/planning-development/planning-studies-initiatives/growing-up-planning-forchildren-in-new-vertical-communities/>

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

Section 111 of the *City of Toronto Act, 2006* authorizes Council to regulate the demolition and conversion of residential rental properties in the City. By-law No. 885-2007 (also known as the Rental Housing Demolition and Conversion By-law) established Chapter 667 of the Toronto Municipal Code and implements Section 111. The By-law prohibits the demolition or conversion of rental housing units in buildings containing six (6) or more residential units, of which at least one (1) unit is rental, without obtaining a permit from the City and requires a decision by either City Council or the Chief Planner.

Council may refuse an application, or approve the demolition with conditions that must be satisfied before a demolition permit is issued. These conditions implement the City's Official Plan policies protecting rental housing. Council approval of a demolition under Section 33 of the *Planning Act* may also be required where six (6) or more residential units are proposed to be demolished before the Chief Building Official can issue a permit for demolition under the *Building Code Act*.

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

On December 13, 2013, the applicant submitted an application for a Rental Housing Demolition permit pursuant to Chapter 667 of the Toronto Municipal Code to permit the removal of 6 of the existing rental dwelling units at 230 Oak Street and provide 6 replacement in the new development. As per Chapter 667-14, a tenant consultation

meeting is required to review the impact of the proposal on tenants of the residential rental property to be demolished and other matters under Section 111.

A separate report on the Rental Housing Demolition application will be brought forward for consideration by Toronto and East York District Community Council at a future date and it is recommended that the Order from the LPAT be withheld pending City Council's approval of the Rental Housing Demolition application.

### **Ravine Control and Tree Preservation**

This site is partially located within the Toronto and Region Conservation Authority (TRCA) Regulation Limit area and regulated by the City of Toronto Ravine and Natural Feature Protection By-law. The ravine/valley limit is determined by establishing the top-of-bank of the valley. TRCA staked the top-of-bank on the subject property on August 7, 2013.

There are a total of 63 trees on or within 6 metres of the site, 25 of which are proposed to be removed, primarily to accommodate the proposed pedestrian bridges to Gerrard Street East. Urban Forestry typically requires three new on-site tree plantings for every tree being removed, as well as one new tree for every 25 square metres of protected area lost to hard surfaces. A Ravine Stewardship Plan is also required to provide an impact mitigation strategy.

### **Site Plan Control**

A Site Plan Control application is required for the proposed development but has not yet been submitted.

## **COMMENTS**

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This section provides planning considerations used in the evaluation of the proposed Official Plan Amendment and rezoning. Such considerations draw on input from City and agency staff, the community and local stakeholders, technical studies, a review of applicable provincial and municipal planning policies, and an analysis of the proposed development and its physical context.

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

The proposal has been reviewed and evaluated against Section 2 of the *Planning Act*, the PPS (2014) and the Growth Plan (2019). The proposal is consistent with the PPS and conforms with the Growth Plan (2019). The following policy excerpts highlight how the PPS and A Place to Grow apply to the proposed development.

The proposed development has demonstrated regard to relevant matters of provincial interest in Section 2 of the *Planning Act* as the proposal adequately protects natural areas, provides for a built form that is well-designed given the constraints of the site and adequately protects public health and safety.



In accordance with Policies 1.1.1(a) and (b) of the PPS, the proposed development will contribute to a healthy, liveable and safe community through increased density that will make more efficient use of existing infrastructure and through an appropriate mix of new residential rental units that include 27% two-bedroom units and 18% three-bedroom units, as well as through the provision of new child care facility.

In keeping with Policy 1.1.3.3, the subject site is suitably located for intensification as it is within a built up area that is well served by existing infrastructure, including municipal sewage and water services as specified in Policy 1.6.6.1(a).

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 density and mix of land uses supports an efficient use of land and existing transit considering the adjacent 506 Carlton streetcar route, nearby streetcar routes on Dundas Street East and Broadview Avenue, and the feasibility of walking or cycling to the extensive and increasing employment opportunities within the Downtown.

The proposed pedestrian bridges will provide new mid-block connections and a more direct route for eastbound pedestrians on Gerrard Street East that will help foster social interaction and facility active transportation and community connectivity, which will promote healthy, active communities in accordance with PPS Policies 1.5.1(a) and (b).

In accordance with PPS Policy 3.1.1, the proposed location of the tall building is outside of *hazardous lands* adjacent to a river that are impacted by *flooding hazards* and/or *erosion hazards*. The development site does not extend below the valley top-of-bank, indicating the site is not at risk of flooding. The existing underground parking structure and reinforcements required to support the proposed tower will serve to protect the building foundation from *erosion hazards*.

The Official Plan is the "most important vehicle for implementation" of the PPS as stated in Policy 4.7 and zoning bylaws are also important for implementing the PPS as per Policy 4.8. Relevant Official Plan policies are analyzed in subsequent subsections of this report.

With respect to A Place to Grow, the subject site is suitably located for intensification because it is within an urban growth centre that is intended to accommodate significant population growth as per Policy 2.2.3(1)(d) and specifically planned to achieve a minimum density target of 400 residents and jobs combined per hectare by 2031 as required by Policy 2.2.3(2)(a). The proposed development will contribute towards achieving the minimum density target if it has not already been achieved.

The proposal supports the achievement of complete communities in accordance with A Place to Grow Policy 2.2.1(4) by providing convenient access to a range of transportation options, providing new residential rental units including 45% two and three-bedroom units, providing a compact built form with new pedestrian mid-block connections, and providing an on-site child care facility.

## Land Use

The proposed residential tower is appropriate for the subject property considering residential use is the primary land use in *Apartment Neighbourhoods*. The proposed child care facility is an appropriate non-residential use since it is supported by Official Plan Policy 4.2(1) that indicates *Apartment Neighbourhoods* may also include small-scale service uses that serve the needs of area residents.

The proposed Official Plan Amendment to allow the proposed building to abut the valley top-of-bank is justified by the existing underground parking garage that already abuts the top-of-bank. The proposed building will be constructed almost entirely above the existing underground parking structure and will not extend beyond the top-of-bank. The established top-of-bank is based on a site visit and staked demarcation by the Toronto and Region Conservation Authority on August 7, 2013.

The new building will result in a loss of outdoor open space on the site. The provision of new indoor amenity space and landscaping improvements to the remaining outdoor space to create more usable outdoor amenity areas, all of which will be available for use by residents of both the existing and proposed buildings, will sufficiently compensate for the overall loss of outdoor space. The new indoor amenity space and improved outdoor amenity space satisfy the criteria specified in Official Plan Policy 4.2.3(d) and (e), as amended by OPA 320, which requires improvements to amenity spaces.

## Density, Height, Massing

The proposed 32-storey tower is located in the context of three existing apartment buildings at the east end of Oak Street that have heights of 17, 22 and 27 storeys. The proposed building is 5 storeys taller than the tallest existing building in the vicinity, representing a reasonable and incremental progression of height.

A suitable transition in height and scale to the nearest low-rise *Neighbourhoods* is achieved by a separation distance of approximately 130 metres from the closest existing houses, which are located to the northeast on River Street north of Gerrard Street East. This transition satisfies Official Plan Policy 4.2(2)(b) regarding appropriate transition towards lower scale *Neighbourhoods* as it far exceeds the guideline for a minimum 20-metre separation between a tower and a *Neighbourhood* as specified in the Downtown Tall Buildings: Vision and Supplementary Design Guidelines.

The overall massing of the proposed building is similar to the three existing buildings due to the comparatively small tower floorplate that compensates for the visual impact of the additional height. The proposed floor plate of 757 square metres only marginally exceeds the guideline of 750 square metres. The exceedance is reasonable considering the three surrounding towers have floorplates that are substantially above 750 square metres. The proposed gross floor area is less than the gross floor area of 210 and 220 Oak Street and marginally higher than that of 230 Oak Street. The proposal satisfies Official Plan Policy 4.2(3)(b) regarding infill development in an *Apartment Neighbourhood* that is compatible with the scale, height and massing of existing buildings on and adjacent to the site.

The proposed 32-storey tower meets the intent of the Tall Building Guidelines and the criteria for infill in an *Apartment Neighbourhood* per Official Plan Policies 4.2(3)(c)(k)(l) and (m) in terms of its fit with the surrounding buildings and effect on the public realm. The following rationale accounts for aspects of the proposed development that do not entirely comply with the guidelines.

The building placement does not frame the adjacent public streets, namely Gerrard Street East and Bayview Avenue, but it does have the same orientation as the surrounding towers, reinforcing the existing built form pattern. The two pedestrian bridges provide a connection to Gerrard Street East but locating buildings to frame the street is not feasible given the site topography and alignment of the valley top-of-bank.

The tall building guideline for minimum separation distance between towers is 25 metres, which is reinforced by By-law 1107-2016 that applies to all tall buildings in the Downtown and specifies minimum setbacks required to achieve a minimum 25-metre tower separation. The proposed minimum tower separation of 14.5 metres from the existing building at 230 Oak Street is acceptable in this instance because there are no dwelling unit windows facing each other on either the existing or proposed building where the separation is only 14.5 metres and because the tower separation increases to 29.7 metres for the north half of the existing and proposed towers. The proposed tower separation generally satisfies the criteria provided in Official Plan Amendment (OPA) 352 for reducing the minimum tower setbacks.

The Downtown Tall Buildings: Vision and Supplementary Design Guidelines does not provide site-specific direction for the subject property because the guidelines typically only identify potential tower sites within *Mixed Use Areas* that are not within a Secondary Plan boundary. Most of the lands designated *Apartment Neighbourhoods* within the Downtown are not identified as tall building sites in the guidelines.

Overall, given the existing and the planned context for the subject property and the surrounding area, the height, massing, location and orientation of the proposed building is appropriate for the subject site and is consistent with the Official Plan.

### **Sun, Shadow, Wind**

Official Plan Policy 4.2(2)(b) requires new buildings "to adequately limit shadow impacts on properties in adjacent lower-scale *Neighbourhoods*, particularly during the spring and fall equinoxes." Although this policy does not technically apply to the subject property because there are no adjacent lands designated *Neighbourhoods*, the proposed building will still adequately limit shadow impact on existing *Neighbourhoods* in the vicinity. Specifically, during the spring and fall equinoxes, the building will cast additional shadow on existing houses located to the northwest on Sword Street and on River Street for less than one hour during the morning while the shadow impact on any individual house will be much less than one hour. During the late afternoon the building will cast some additional shadow on existing houses located to the east on Blackburn Street, Munro Street and Hamilton Street for less than one hour. Shadow impact on the existing building at 230 Oak Street is limited to the morning.

Regarding shadow impact on parks and open spaces, there will be additional shadow on a portion of Riverdale Park West located south of River Street from approximately 10 a.m. to 2 p.m.. During the morning the additional shadow is minimal as it falls primarily within the existing shadow of the existing building at 230 Oak Street. The afternoon shadow that will fall on the most easterly portion of the park is limited to an area that has a steep slope with no trails and very little pedestrian activity. From approximately 2 p.m. to 6 p.m. the proposed building will cast additional shadow on the Don River multi-use path. Any given location on the path will not be in the building's shadow for much more than one hour and after 4 p.m. the proposed building's shadow falls mostly within shadows from existing buildings. Overall, sunlight on parks and open spaces is adequately maintained as required by Official Plan Policy 4.2(3)(j).

## **Wind**

A Pedestrian Level Wind Study prepared for the proposed development identifies four locations where projected wind levels would exceed suitable levels of comfort if wind mitigation measures were not applied. The locations comprise the walkway along the west side of the proposed building, the walkway at the southeast corner of the existing building, the proposed playground for the child care facility, and the outdoor amenity space on the second floor of the proposed building. The study recommends wind mitigation measures in the form of wind screens, planting beds, walkway relocation and a green roof to limit access. The mitigation measures have been incorporated into the proposed development, will be secured in the Section 37 Agreement, and will be further refined through the Site Plan Control process.

## **Traffic Impact, Access, Parking**

The primary entrance of the proposed building faces south towards Oak Street, a private street, which is in keeping with the entrance orientation of the surrounding buildings. A secondary entrance faces the pedestrian bridge that provides direct access to Gerrard Street East, providing a well-defined, clearly visible, and universally accessible access from the adjacent public sidewalk.

Traffic impact from the proposed development will be relatively minor overall. The intersection most impacted by the proposed development is River Street and Oak Street, which is an unsignalized intersection that is projected to continue operating at good levels of service under future total traffic conditions. The busiest intersection in the vicinity is River Street and Gerrard Street East, where the most congested traffic movements in the morning peak hour are northbound left turns and southbound through traffic. In the afternoon the most congestion is experienced in the northbound and eastbound movements.

The existing ramp structure to the underground parking garage will be replaced by a consolidated point of access within the new building for both the existing and proposed buildings. The loading area and ramp to the underground garage will not be visible from the public realm and they are separated from the main pedestrian routes through and adjacent to the site. This design satisfies Official Plan Policy 4.2(3)(f) and (g) regarding consolidated and well-screened parking areas.

A total of 257 parking spaces are proposed for the existing and proposed buildings, which is 218 spaces less than would be required by the Zoning By-law. The existing building currently provides 113 parking spaces. The proposed number of parking spaces is appropriate considering the existing underground parking is underutilized, the subject property is well-served by existing streetcar routes (i.e. 506 Carlton, 505 Dundas and 504 King that runs along Broadview Avenue), and walking and cycling are viable transportation options considering the site's downtown context. The proposed parking provision of 0.31 resident parking spaces per unit is very similar to the existing rate of automobile ownership of 0.32 spaces per apartment household in the vicinity of the subject property, based on the findings of the 2011 Transportation Tomorrow Survey.

The proposed Type G loading space, with a minimum length of 13 metres, is sufficient to serve the new building with regard for waste management and space for a moving truck. The proposed Type C loading space, with a length of 6 metres, is not mandatory but will provide a convenient space for delivery vehicles servicing the proposed child care facility since it is located adjacent to the child care facility.

Pedestrian connectivity to the public realm will be significantly enhanced by the two new pedestrian bridges that will create two new mid-block pedestrian connections. The bridges will provide more convenient and safer access to Gerrard Street East for the proposed building, existing buildings at 210, 220, and 230 Oak Street, and existing and future buildings located south of Oak Street. The easterly pedestrian bridge will provide a much more direct route for pedestrians travelling east along Gerrard Street East over the Don Valley. The westerly pedestrian bridge will provide a direct route to the west towards River Street. The combination of both bridges, both highly visible from Gerrard Street East, normalizes the somewhat unique approach to pedestrian connectivity to Gerrard Street East and provides an alternative route if a pedestrian had any reason to want to avoid one of the bridges.

The proposed building and pedestrian bridges will be fully accessible. All residential floors and underground parking levels are accessible via elevators. Accessibility features and requirements will be further reviewed and secured through the Site Plan Control process.

## **Road Widening**

In order to satisfy the Official Plan requirement of a 20-metre right-of-way for this segment of Bayview Avenue, a 4.76-metre road widening dedication along the Bayview Avenue frontage of the subject site is required and is proposed to be conveyed to the City. There are no imminent plans to alter this section of Bayview Avenue.

## **Streetscape**

Street animation of Gerrard Street East is primarily addressed through the introduction of two new pedestrian bridges that will provide new mid-block connections and create additional pedestrian activity around the subject property and along the Gerrard Street

East frontage. The new bridges satisfy the requirement for "improving pedestrian access to the buildings from public sidewalks and through the site" as specified in Official Plan Policy 4.2(3)(n).

The two new pedestrian bridges will help animate Gerrard Street East that currently appears as a very long uninterrupted bridge with parapet fencing on each side. Community benefits to be secured through a Section 37 Agreement includes funding dedicated towards local parks and streetscape improvements that may include improvements along Gerrard Street East between Parliament Street and Blackburn Street and along both the public and private portions of Oak Street east of River Street.

There are no opportunities for street trees on the south side of Gerrard Street East in front of the subject property because this portion of the street is above ground level, making it unfeasible to provide the required soil volume.

### **Servicing**

The Functional Servicing Report concludes that the proposed development can be serviced and meets the City's requirements for water supply, sanitary sewers, and storm sewers to the extent practical given the site constraints. The Stormwater Management Report concludes that the proposed development satisfies the City's Wet Weather Flow Management Guidelines in terms of water balance, water quality, water quantity and erosion control. Staff are satisfied with the Functional Servicing Report and Stormwater Management Report for the purpose of the proposed rezoning.

### **Housing Issues**

The existing rental apartment building has a mix of affordable and mid-range rental units. 6 existing rental dwelling units on two lower floors of the building will be demolished to allow for new indoor residential amenity space and a new child care facility. The demolished units will be replaced in the new building, all of which will be secured through one or more agreements with the City. The 6 replacement units will not be considered a community benefit under Section 37 of the *Planning Act*.

In keeping with Official Plan Policy 3.2.1(5), the 319 existing rental dwelling units to be retained in the existing building at 230 Oak Street will be secured as rental dwelling units for at least twenty (20) years, beginning from the date the zoning by-law amendments come into full force and effect.

The applicant will also provide the following needed improvements to the existing rental building as identified through the application review process as per Official Plan Policy 3.2.1(5):

- Internalized garbage and loading storage;
- New amenity space for the existing building comprising at least 250 square metres which are to be programmed as a:

- Fitness Room,
  - Theater Room, and
  - Multipurpose Room with a kitchen, bathroom, and access to the adjacent outdoor amenity area;
- 310 square metres of new outdoor amenity space for the existing rental building; and
  - 272 bicycle parking spaces located in a safe and sheltered area.

Access to these amenities will be secured for all tenants of the related group of buildings. The amenity improvements will be provided without pass-through cost to any of the tenants in the existing rental dwelling units at 230 Oak Street.

To minimize the impacts associated with the construction of the proposed building on the residents in the existing rental building, a construction mitigation strategy and tenant communication plan will be developed and implemented by the applicant, in consultation with City Staff and to the satisfaction of the Chief Planner and Executive Director, City Planning

To satisfy Policy 3.2.1(5) with regard to existing rental housing, the Section 37 Agreement will secure the existing rental housing units at 230 Oak Street as rental housing and will secure new indoor and outdoor amenity space in and adjacent to the existing building.

### **Open Space / Parkland**

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 that are the subject of this application are in an area with 0 to 0.42 hectares of local parkland per 1,000 people which represents the lowest quintile of parkland provision per person in the city. The site is in a parkland acquisition 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 4,400 square metres or 61.79% of the site area. However, for sites that are less than one hectare in size, a cap of 10% of the development site is applied to the residential use while the non-residential use is subject to a 2% parkland dedication. In total, the parkland dedication requirement is 714 square metres or 9.89% of the net site area.

The applicant is required to satisfy the parkland dedication requirement through cash-in-lieu. This is appropriate as a dedication of 714 square metres cannot be appropriately configured to develop a programmable park due to the excessive grades on the site. At this time, the site does not abut an existing city park which could be expanded through this dedication. However, the site is across the street from Riverdale Park West to the north and is approximately 120 metres away from Oak Street Parkette to the south.

The actual amount of cash-in-lieu to be paid will be determined at the time of issuance

of the building permit.

Naturalized open space located below the top-of-bank on the subject property will be protected by applying a *Natural Areas* designation as part of the Official Plan Amendment and applying an *Open Space – Natural (ON)* zone to the valley lands as part of the rezoning.

### **Pedestrian Bridges**

The two proposed pedestrian bridges from the subject site to Gerrard Street East will function as pedestrian mid-block connections. The bridges and pathways leading to the bridges will be subject to a pedestrian public access easement with a minimum width of 2.1 metres. The public access easements will be connected along the south side of the subject site in order provide a continuous public pedestrian route that does not terminate on private lands.

### **Ravine Protection**

The subject site is mostly within the Toronto and Region Conservation Authority (TRCA) Regulated Area. The proposed development will require a TRCA permit prior to any construction taking place. The site is also mostly within the City's Ravine and Natural Feature Protection By-law area. The location of the proposed building abuts the valley top-of-bank.

Typically new buildings require a 10-metre setback from the top-of-bank but in this case the proposed location has been deemed acceptable by City staff and the TRCA because the existing underground parking garage structure already abuts the top-of-bank and the proposed building will be built almost entirely above the existing structure. The existing structure provides the necessary slope stability. Since TRCA is satisfied that the 10-metre setback is not required in this instance, the proposed site-specific Official Plan Amendment to allow development within 10-metres of a valley top-of-bank, contrary to Official Plan Policy 3.4(8)(a), is acceptable.

In accordance with Official Plan Policy 3.4(5), the proposed building will not be located in the Don Valley floodplain since it will be located entirely above the valley top-of-bank. utilities and services may be located within the floodplain or cross the floodplain as permitted by Policy 3.4(7), which allows for the proposed pedestrian bridges to Gerrard Street East and servicing connections to Bayview Avenue.

### **Natural Heritage Protection and Tree Preservation**

The subject site is entirely within the Natural Heritage System as delineated on Map 9 of the Official Plan. A Natural Heritage Impact Study and Ravine Stewardship Plan have been prepared for the proposed development to address the impact on the easterly portion of the site within the Ravine and Natural Feature Protection area and particularly below the valley top-of-bank. The study identifies the various components of the ravine, provides an evaluation of the potential impact on the ravine, and recommends a natural heritage restoration strategy.



The primary impact from the proposed development is related to removal of vegetation along the valley slope for the new easterly pedestrian bridge between Gerrard Street East and the subject property. This will include the removal of 25 trees and disturbance to other vegetation for construction of the bridge foundation. Such disturbance is appropriate considering the pedestrian bridge is essential to pedestrian connectivity and will provide a community benefit to the area. The disturbance is mitigated by the recommended restoration strategy to plant 75 native trees and shrubs on the east slope to replace any trees and vegetation that are removed, which would ultimately provide an ecological benefit over the current condition that has several non-native species and some invasive species.

The study finds there are no significant habitats or species that will be affected by the proposed development, with the exception of the potential for impacting migratory and resident birds.

Vegetation on the valley slope below the top-of-bank is described as a "cultural meadow" with a weedy groundcover and a dense assortment of younger trees, including both native and non-native species. The cultural meadow is undergoing a succession towards a "cultural woodland" category of vegetation. The Ravine Stewardship Plan involves the establishment of native vegetation via new plantings, removal of non-native invasive species, removal of debris and litter, and a three-year monitoring program that involves pruning, watering, mulching and vegetation replacement.

### **Archaeological Assessment**

The subject site is located within an area deemed to have archaeological potential. An archaeological resource assessment identifies and evaluates the presence of archaeological resources also known as archaeological sites. A Stage I Archaeological Assessment was conducted in 2013, which found that extensive land alterations and construction impacts in the late 1800s resulting from industrial uses and the rerouting of the Don River has diminished the archaeological potential. As a result, no further archaeological assessment is recommended and City staff agree that no further assessment is required.

### **Toronto Green Standard**

Council has adopted a four-tier Toronto Green Standard (TGS), known as TGS Version 3. 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 site-specific zoning by-laws, a Site Plan Agreement and/or Registered Plan of Subdivision.

The proposed rezoning is subject to TGS Version 2, which has two tiers of performance measures, and which was in effect at the time the applications were submitted. The applicant has indicated they are only seeking to achieve compliance with Tier 1 standards. The site-specific zoning by-law will secure performance measures for the following Tier 1 development features: automobile infrastructure, cycling infrastructure, pedestrian infrastructure, and storage and collection of recycling and organic waste. Other applicable TGS performance measures will be secured through the Site Plan Approval process, which will be subject to TGS Version 3 or a later version that is in effect when the Site Plan application is submitted.

## **Community Services Assessment**

Community Services and Facilities (CS&F) are an essential part of vibrant, strong and complete communities. CS&F are the lands, buildings and structures for the provision of 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 timely provision of community services and facilities is as important to the livability of the City's neighbourhoods as "hard" services like sewer, water, roads 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.

A Community Services & Facilities Study was submitted as part of the complete application. The study found the local schools have sufficient capacity to accommodate the approximately 39 additional school-aged children that are anticipated to live in the proposed development. Local parks including Regent Park, the Regent Park Athletic Field, Riverdale Park and Oak Street Parkette will provide sufficient parks and open space for the new residents. The proposed child care facility will help address the demand for new child care facilities in the Downtown.

## **Section 37**

The Official Plan contains policies pertaining to the provision of community benefits in exchange for increases in height and/or density pursuant to Section 37 of the Planning Act. The community benefits must bear a reasonable planning relationship to the proposed development including at a minimum, an appropriate geographic relationship and addressing planning issues associated with the development.

The benefits recommended to be secured in a Section 37 agreement have a current value of \$4,400,000.00. The actual amount of the payments will be increased based on increases in the Statistics Canada Non-Residential Construction Price Index for Toronto, calculated from the date of execution of this agreement to the date of submission of the funds by the owner to the City.

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

1. Cash contribution of \$1,200,000 for capital improvements to local parks and streets in Ward 13;
2. Cash contribution of \$1,200,000 for capital improvements for new or existing local community, recreation and/or cultural facilities in Ward 13;
3. Affordable housing with a value of \$1,330,000: either an in-kind on-site provision in the new building or a cash contribution for capital improvements to existing publicly-owned affordable housing property.
4. Two new pedestrian bridges to provide two new mid-block pedestrian connections between Gerrard Street East and the subject property, valued \$670,000, which represents approximately one third of bridge construction costs (the remaining construction costs will be provided by the owner and are not considered a community benefit under Section 37 of the Planning Act). The owner must demonstrate design excellence for the two pedestrian bridges. The bridge design must have regard for the character of Gerrard Street East and surrounding lands, integration with the existing parapet on Gerrard Street East, and consideration for incorporating public art

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

5. Public access easement over the two new pedestrian bridges between the subject property and Gerrard Street East.
6. TRCA permit required prior to development.
7. Information provided to TRCA regarding a Limiting Distance Separation Agreement and a Maintenance Easement, to the satisfaction of TRCA.
8. Conveyance of a 4.76-metre wide strip of land adjacent to Bayview Avenue for a road widening.
9. Payment-in-lieu of parkland dedication based on a dedication of 714 square metres.
10. Implementation of the Ravine Stewardship Plan as detailed in Section 8 of the Natural Heritage Impact Study and Ravine Stewardship Plan dated August 2016 prepared by MMM Group.
11. Construct and maintain the development in accordance with Tier 1 performance measures of the Toronto Green Standard.
12. Implementation of any recommended wind mitigation measures identified in a Final Pedestrian Level Wind Study, and, if applicable, any such measures identified in a

peer review of the Final Pedestrian Level Wind Study, both to be determined through the Site Plan Control review process;

13. Provide and secure the indoor and outdoor amenity space for the existing building (Building A) at the owner's expense prior to issuance of the first above-grade building permit for the new building (Building B).

14. Provide and maintain within the new residential building (Building B) a dwelling unit mix that includes a minimum of 15% three-bedroom dwelling units and a minimum of 25% two-bedroom units.

15. Construction Management and Community Communication Plan to the satisfaction of Chief Planner and Executive Director of City Planning and the General Manager of Transportation Services, in consultation with the Ward Councillor.

16. Secure the rental tenure of 319 existing rental dwelling units to be retained on-site in the existing building (Building A) for a period of at least 20 years.

17. Pay for and construct any improvements to the municipal infrastructure in connection with the site servicing assessment, should it be determined that upgrades are required.

18. Haul off-site any private water until the end of the construction dewatering phase. In absence of a short-term discharge approval, the owner shall ensure any private water collected from the subject property is hauled away to ensure that no water is discharged directly or indirectly into the City's sewage works;

19. Prior to approval of a Site Plan Control application, the owner agrees to satisfy the following requirements:

A. submit a draft Reference Plan of Survey delineating by separate PARTS the lands to be conveyed to the City for road widening purposes, the remainder of the site, and any portions of the access driveway to be subject to vehicular easements and any appurtenant easements;

B. acknowledge the need for separate applications to Transportation Services for permits to carry out any works involving the construction in, or occupancy of the abutting rights-of-way;

C. make a separate application to Transportation Services for a Bridge Agreement, in respect of the proposed pedestrian bridge connections above the abutting Gerrard Street East right-of-way, designed in compliance with the Pedestrian Bridge Design Principles and Requirements, prepared by LEA Consulting Ltd., dated November 25, 2016; and

D. obtain all necessary exemptions, in the form of a discharge agreement or permit to allow the discharge of private water to a City sewer which is otherwise prohibited.

## **Conclusion**

The proposed rezoning has been reviewed against the policies of the PPS (2014), A Place to Grow (2019), and the Toronto Official Plan. Staff are of the opinion that the proposal is consistent with the PPS (2014) and conforms with A Place to Grow (2019). The proposed development satisfies the criteria provided in Official Plan Policies 4.2(2) and (3) for development and infill intensification of an *Apartment Neighbourhoods*. Staff are satisfied that the proposed development represents good planning, will benefit the local community and is in the public interest. Staff recommend that City Council support the applications at the LPAT to amend the Official Plan and zoning by-law.

## **CONTACT**

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Thomas Rees, Senior Planner, Tel: 416-392-1791, E-mail: [thomas.rees@toronto.ca](mailto:thomas.rees@toronto.ca)

## **SIGNATURE**

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Lynda H. Macdonald, MCIP, RPP, OALA, FCSLA  
Director, Community Planning  
Toronto and East York District

## **ATTACHMENTS**

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City of Toronto Data/Drawings

Attachment 1: Application Data Sheet

Attachment 2: Location Map

Attachment 3: Official Plan Land Use Map

Attachment 4: Existing Zoning By-law Map

Attachment 5: Draft Official Plan Amendment

Attachment 6: Draft Zoning By-law Amendment -- By-law 569-2013

Applicant Submitted Drawings

Attachment 7: Site Plan

Attachment 8a-d: Elevations

Attachment 9a-b: Perspective Renderings

## Attachment 1: Application Data Sheet

Application Type	Official Plan Amendment & Rezoning	Application Number:	13 277895 STE 28 OZ
Details	OPA & Rezoning, Standard	Application Date:	December 13, 2013

Municipal Address: 230 OAK ST

Location Description: PLAN D93 LOTS 43 44 60 TO 68 PT LOTS 37 TO 41 45 46 58 59 AND 84 PT GERRARD ST E PT BELL ST AND DON TERR SEE NTE \*\*GRID S2805

Project Description: Official Plan Amendment and Zoning By-law Amendment to allow the renovation of the existing apartment building on the site and the construction of a new 32--storey mixed-use building with 330 residential units.

Applicant:

DERMOT SWEENEY  
ARCHITECT

Agent:

Architect:

DERMOT SWEENEY  
ARCHITECT

Owner:

OAK HEIGHTS  
APARTMENTS INC.

### PLANNING CONTROLS

Official Plan  
Designation:

Apartment  
Neighbourhood  
R2 Z0.6

Site Specific  
Provision:

569-2013

Zoning:

Historical Status:

Height Limit (m):

10

Site Plan Control  
Area:

### PROJECT INFORMATION

Site Area (sq. m):

8166

Height:

Storeys:

32

Frontage (m):

50.48

Metres:

99.25

Depth (m):

130

Total Ground Floor Area (sq. m):

1756.4

Total

Total Residential GFA (sq. m):

41628.2

Parking  
Spaces:

257

Total Non-Residential GFA (sq. m):

297.5

Loading  
Docks

1

Total GFA (sq. m):

41925.7

Lot Coverage Ratio (%):

21.5

Floor Space Index:

5.26

### DWELLING UNITS

### FLOOR AREA BREAKDOWN (upon project completion)

Tenure Type:

Rental

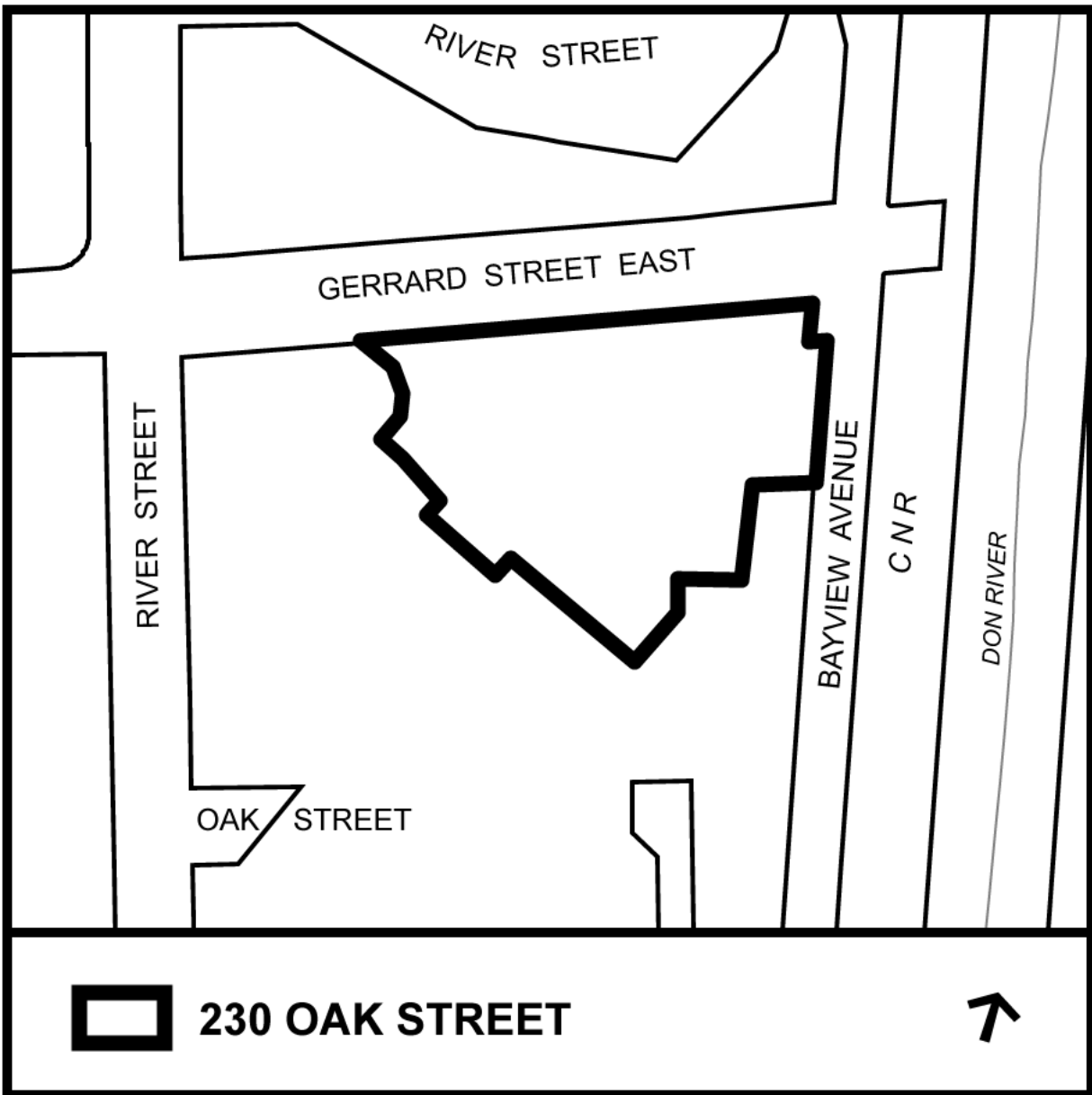
Above  
Grade

Below  
Grade

Rooms:	0	Residential GFA (sq. m):	42,665.2	0
Bachelor:	60	Retail GFA (sq. m):	0	0
1 Bedroom:	312	Office GFA (sq. m):	0	0
2 Bedroom:	217	Industrial GFA (sq. m):	0	0
3 + Bedroom:	60	Institutional/Other GFA (sq. m):	297.5	0
Total Units:	649 (Buildings A and B combined)			

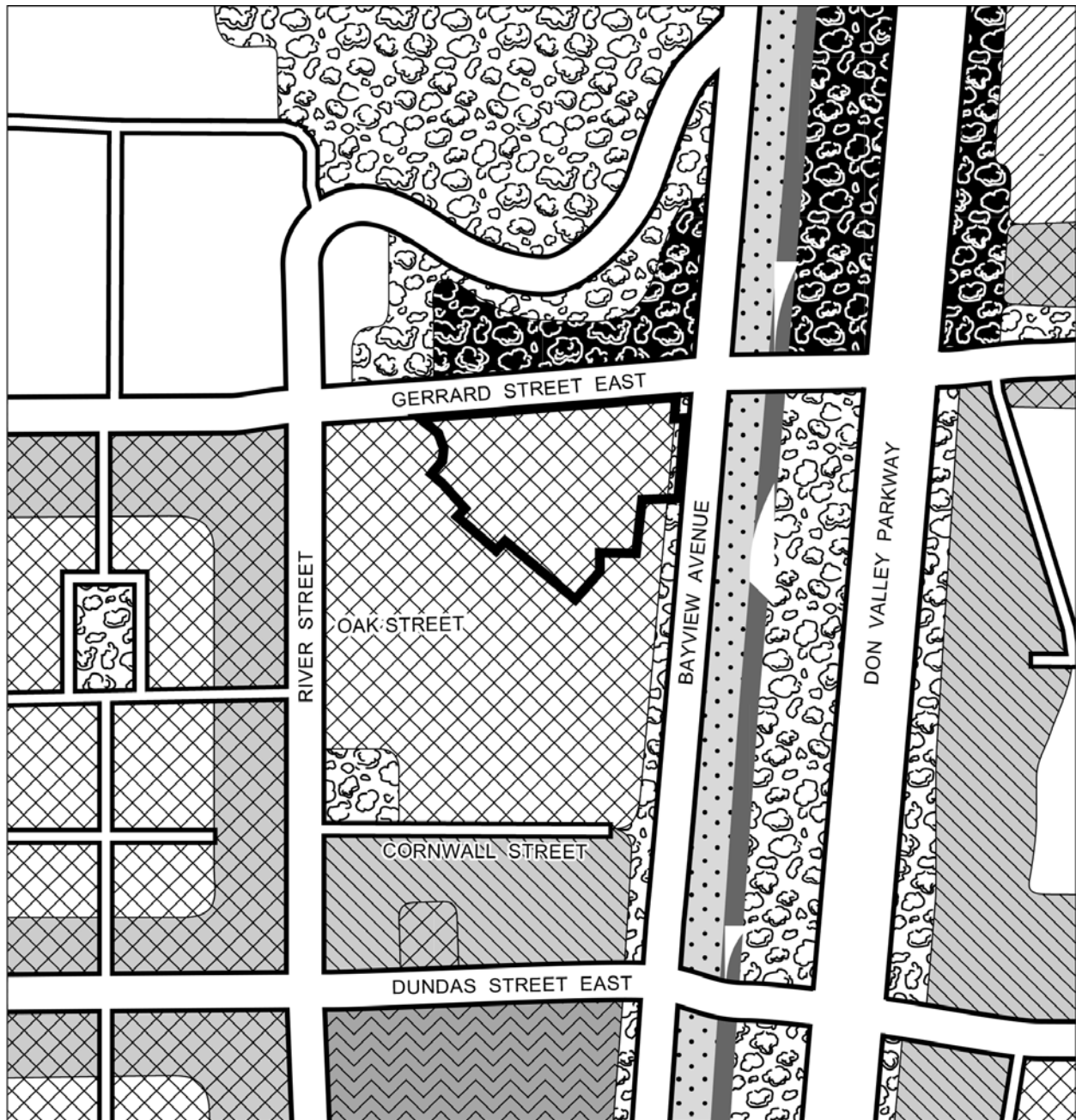
CONTACT:	PLANNER NAME:	Thomas Rees, Senior Planner
	TELEPHONE:	416-392-1791

Attachment 2: Location Map





### Attachment 3: Official Plan Land Use Map



 **Toronto** City Planning

**230 Oak Street**

**Extract from Official Plan**

File # 13 277895 STE 28 0Z

 Site Location	 Parks & Open Space Areas	 Employment Areas
 Neighbourhoods	 Natural Areas	 Utility Corridors
 Apartment Neighbourhoods	 Parks	
 Mixed Use Areas		

  
Not to Scale  
04/11/2016

## Attachment 4: Existing Zoning By-law Map



**Zoning By-law 569-2013**

**230 Oak Street**

File # 13 227895 STE 28 0Z



Location of Application

**R** Residential  
**E** Employment  
**ON** Open Space Natural  
**OR** Open Space Recreation

**UT** Utility and Transportation



See Former City of Toronto Bylaw No. 438-86

**R2** Residential District  
**R4A** Residential District  
**CR** Mixed-Use District  
**I2** Industrial District



Not to Scale  
Extracted 04/11/2016

## **Attachment 5: Draft Official Plan Amendment**

Authority: Local Planning Appeal Tribunal Decision/Order issued on ~, 2019 with respect to Case No. PL171048

### **CITY OF TORONTO BY-LAW No. \_\_\_\_-2019 (LPAT)**

**To adopt Amendment 461 to the Official Plan of the City of Toronto respecting the lands known municipally in the year 2019 at 230 Oak Street**

Whereas authority is given to the Local Planning Appeal Tribunal under the *Planning Act*, R.S.O. 1990, c. P.13, as amended, to approve this by-law;

The Official Plan of the City of Toronto, as amended, is further amended by the Local Planning Appeal Tribunal as follows:

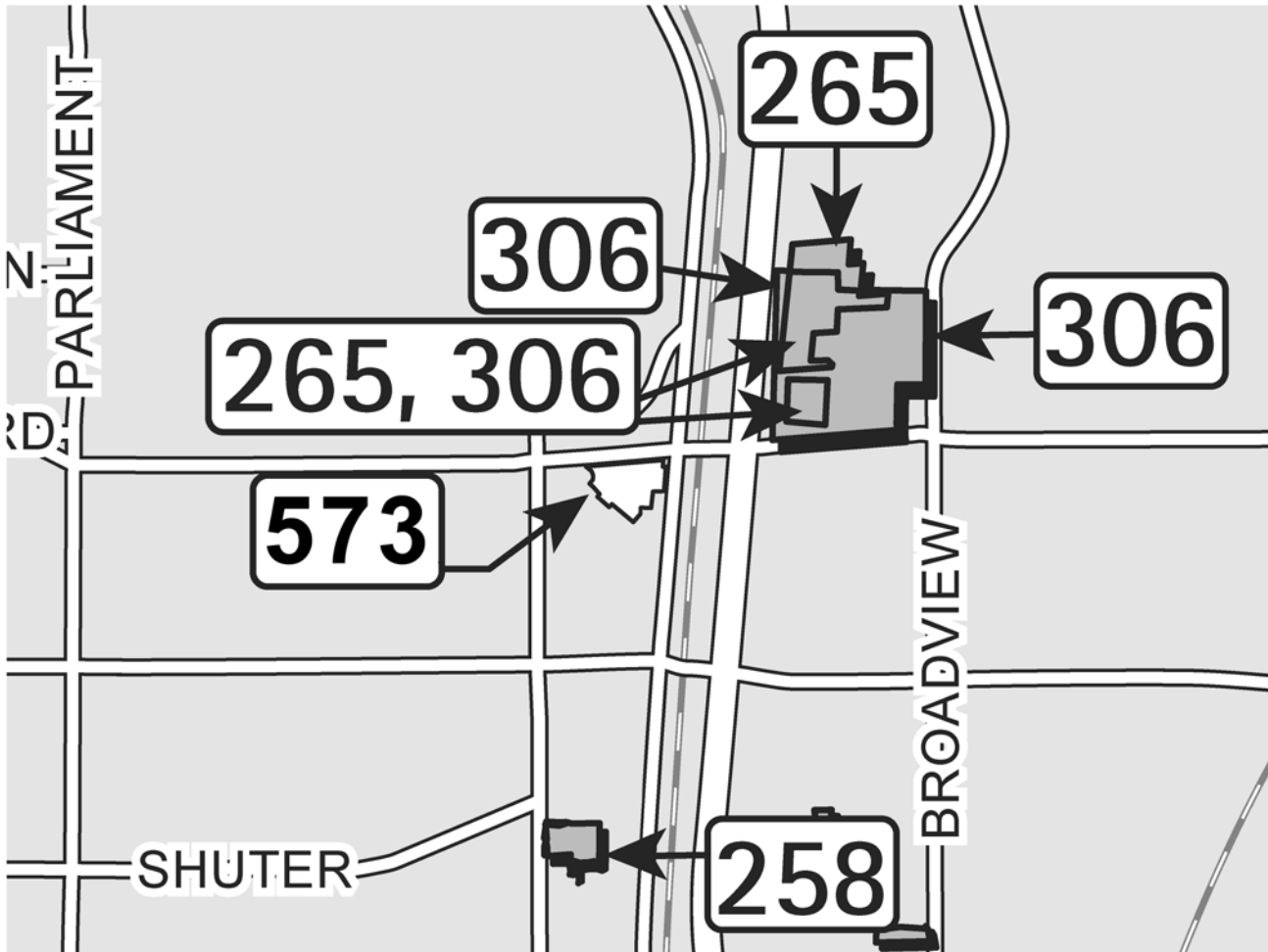
1. The text and mapping attached to Amendment No. 461 is hereby adopted as an amendment to the Official Plan of the City of Toronto.

Local Planning Appeal Tribunal Decision/Order issued on ~, 2019 with respect to Case No. PL171290

**AMENDMENT NO. 461 TO THE OFFICIAL PLAN  
OF THE CITY OF TORONTO**

The following text and mapping constitutes Amendment No. 461 to the Official Plan of the City of Toronto:

1. Chapter 7, Site and Area Specific Policies, is amended by adding Site and Area Specific Policy No. 573 for the lands known municipally in 2019 as 230 Oak Street as follows:
  - a. A building or structure does not require a setback from the valley top-of-bank as staked by the Toronto and Region Conservation Authority on August 7, 2013; and
  - b. A structure required for a pedestrian bridge may be located either above or below the valley top-of-bank as staked by the Toronto and Region Conservation Authority on August 7, 2013.
2. Map 29, Site and Area Specific Policies is amended by adding the lands at 230 Oak Street as Site and Area Specific Policy No. 573 as shown on attached Schedule A.
3. Map 18, Land Use Plan is amended by redesignating a portion of the lands at 230 Oak Street from *Apartment Neighbourhoods to Parks and Open Space Areas - Natural Areas*, as shown on attached Schedule B.
4. Map 8A, City Parkland is amended by adding as "City Parkland" a portion of the lands at 230 Oak Street as shown on attached Schedule C.



# Official Plan Amendment # 461

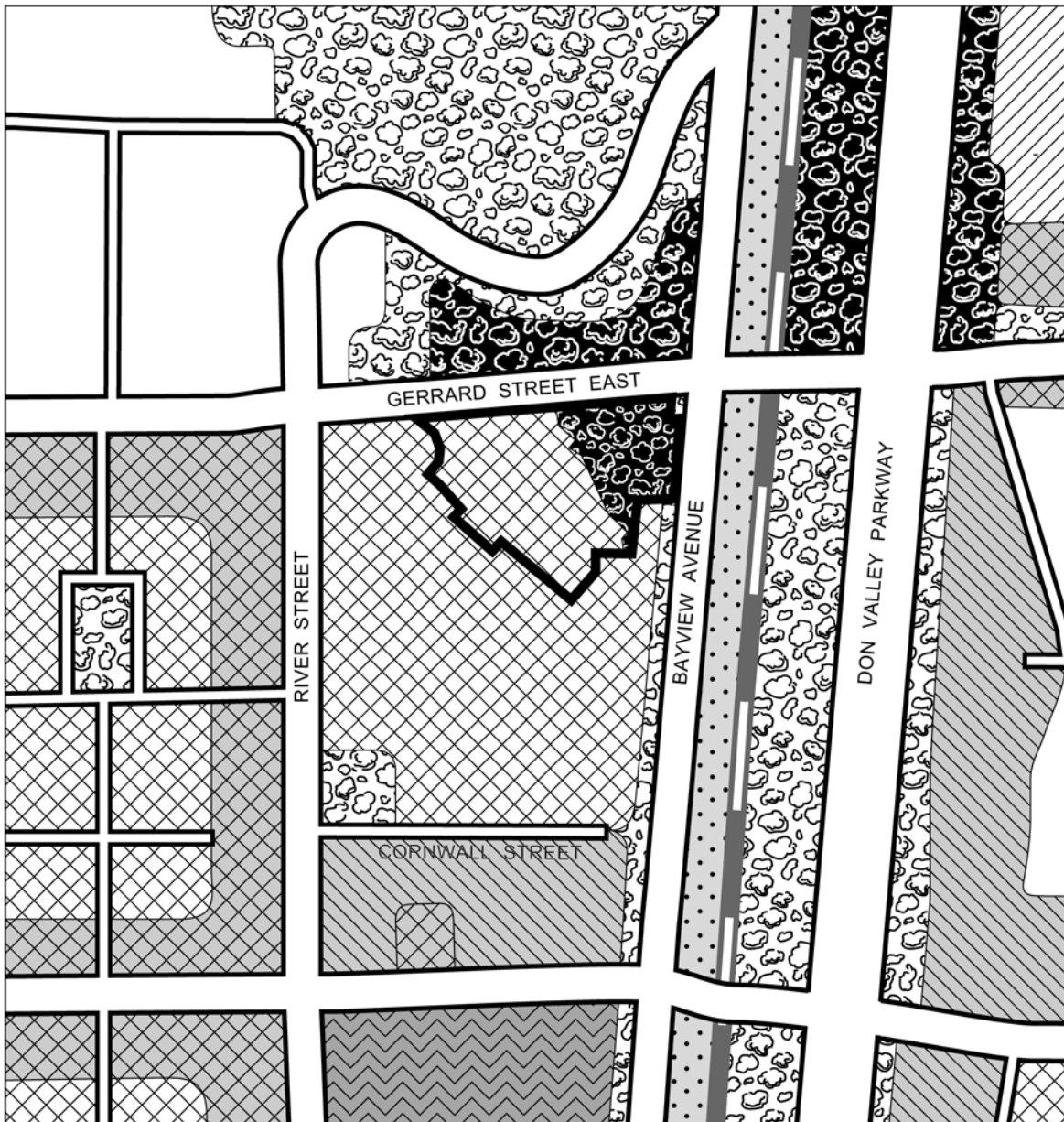
230 Oak Street

File # 13 277895 STE 28 0Z

- Official Plan Amendment Area
- Site and Area Specific Policies

Revisions to Site and Area Specific Policies Map 29 by adding Site and Area Specific Policy Area XXX

## Schedule B



**Toronto**

### Official Plan Amendment #461

Revisions to Land Use Map 18 to Redesignate lands from Apartment Neighbourhoods to Natural Areas

230 Oak Street

File # 13 277895 STE 28 0Z

 Location of Application	 Parks & Open Space Areas	 Institutional Areas	 Utility Corridors
 Neighbourhoods	 Natural Areas	 Regeneration Areas	
 Apartment Neighbourhoods	 Parks	 Employment Areas	
 Mixed Use Areas			

↑  
Not to Scale  
06/05/2019

## Schedule C



### Official Plan Amendment #461

Revision to Map 8A – City Parkland to add new City Parkland

230 Oak Street

File # 13 277895 STE 28 02



## **Attachment 6: Draft Zoning By-law Amendment for By-law 569-2013**

Authority: Local Planning Appeal Tribunal Order/Decision issued on ~, 2019 in Tribunal File No. PL171048

**Bill No. ~**

### **CITY OF TORONTO**

#### **BY-LAW No. XXXX-2019**

#### **To amend Zoning By-law No. 569-2013, as amended, with respect to the lands municipally known in the year 2016 as 230 Oak Street**

Whereas the Local Planning Appeal Tribunal, by its Order/Decision issued ~, 2019, in Tribunal File No. PL171048 approved amendments to amend Zoning By-law No. 569-2013, as amended, with respect to the lands known municipally as 230 Oak Street; and

Whereas the Local Planning Appeal Tribunal has the authority pursuant to Section 34 of the *Planning Act*, R.S.O. 1990, c. P.13, as amended, to pass this by-law; and

Whereas the Official Plan for the City of Toronto contains provisions relating to the authorization of increases in height and density of development; and

Whereas pursuant to Section 37 of the *Planning Act*, a by-law under Section 34 of the *Planning Act*, may authorize increases in the height and density of development beyond those otherwise permitted by the by-law and that will be permitted in return for the provision of such facilities, services or matters as are set out in the by-law; and

Whereas subsection 37(3) of the *Planning Act* provides that where an owner of land elects to provide facilities, services and matters in return for an increase in the height or density of development, the municipality may require the owner to enter into one or more agreements with the municipality dealing with the facilities, services and matters in accordance with Schedule A of this By-law; and

Whereas the owner of the aforesaid lands has elected to provide the facilities, services and matters hereinafter set out; and

Whereas the increase in height and density permitted beyond that otherwise permitted on the aforesaid lands by By-law 569-2013, as amended, is permitted in return for the provision of the facilities, services and matters set out in this By-law which is secured by one or more agreements between the owner of the land and the City of Toronto;

The Local Planning Appeal Tribunal orders:

The lands subject to this By-law are outlined by heavy black lines on Diagram 1 attached to this By-law.



The words highlighted in bold type in this By-law have the meaning provided in Zoning By-law No. 569-2013, Chapter 800 Definitions.

Zoning By-law No. 569-2013, as amended, is further amended by amending the zone label on the Zoning By-law Map in Section 990.10 respecting the lands outlined by heavy black lines to R (d0.6) (xXXX) and ON as shown on Diagram 2 attached to this By-law.

Zoning By-law No. 569-2013, as amended, is further amended by amending Article 900.2.10 Exception Number XXX so that it reads:

#### **Exception R XXX**

The lands, or a portion thereof as noted below, are subject to the following Site Specific Provisions, Prevailing By-laws and Prevailing Sections.

##### Site Specific Provisions:

(A) On 230 Oak Street, if the requirements of By-law XXXX-2019 are complied with, none of the provisions of Clauses 10.10.40.10 and 10.10.40.40 apply to prevent the erection or use of a **building, structure**, addition or enlargement permitted in accordance with (B) to (V) below;

(B) Despite Regulation 150.45.50.1(1), an outdoor play area for a **day nursery** may be located in a **front yard** or **side yard** abutting a street;

(C) Two towers, namely Tower A and Tower B, are permitted on the lands in the locations shown on Diagram 3 of By-law XXXX-2017;

(D) Despite Regulation 10.5.40.10(1), the height of a **building** is the distance between the Geodetic Vertical Datum 2013 of 87.935 metres and the highest point of the building;

(E) Despite Regulation 10.10.40.10(1), the maximum height of a **building** or **structure** is specified by the numbers following "HT" in the locations shown on Diagram 3 of By-law XXXX-2019, subject to the height exemptions described in Clause 10.5.40.10 and the following height exemptions:

(i) parapets to a maximum height of 1.0 metre may exceed the height limits shown on Diagram 3 of By-law XXXX-2019; and

(ii) a bridge structure with a minimum width of 3 metres is not subject to height limits;

(F) The maximum number of **storeys**, for towers on the **lands** is as follows:

(i) Tower A – 23 **storeys**, including a mechanical penthouse; and

- (ii) Tower B – 34 **storeys**, including a mezzanine level and a mechanical penthouse;
- (G) Despite Regulation 10.10.40.40 (1), the maximum permitted floor space index is 7.7.
- (H) The **gross floor area** must not exceed the following:
  - (i) Total **gross floor area** on the **lands** must not exceed 43000 square metres;
  - (ii) Tower A must not exceed a **gross floor area** of 21,000 square metres;
  - (iii) Tower B must not exceed a **gross floor area** of 22,000 square metres; and
  - (iv) a **day nursery** must not exceed a **gross floor area** of 500 square metres;
- (I) The maximum total area of any floor more than 6.5 metres above the Geodetic Vertical Datum 2013 of 87.935 metres, measured from the exterior of the of the **main wall** of each floor level, is as follows:
  - (i) Tower A must not exceed 948 square metres and
  - (ii) Tower B must not exceed 757 square metres.
- (J) A maximum of 649 **dwelling units** are permitted, subject to the following:
  - (i) Tower A may have a maximum of 319 **dwelling units**;
  - (ii) Tower B may have a maximum of 330 **dwelling units**; and
  - (iii) the mix of dwelling units in Tower B must include a minimum of 25% two-bedroom units and a minimum of 15% three bedroom units;
- (K) Despite Clauses 5.10.40.70(2) and 10.10.40.70, the required minimum **building** and **structure** setbacks are as shown on Diagram 3 of Bylaw **XXXX**-2019, subject to the following exemptions:
  - (i) the building setback requirements do not apply to the parts of the **building** or **structure** below ground; and
  - (ii) a bridge **structure** with a minimum width of 3 metres is not subject to any setback requirements;
- (L) Despite Regulations 5.10.40.70(6) and 5.10.40.80(1), a **building** or **structure** setback from the top-of-bank as shown on Diagram 3 of By-law **XXXX**-2019 is not required for Tower B, stairway enclosures, bridge structures, and any below-ground portion of a building;

- (M) Despite Regulation 10.10.40.30(1), a **building** on the lands may have:
- (i) a maximum **building depth** of 69 metres below grade; and
  - (ii) a maximum **building depth** at grade and above grade as shown on Diagram 3 of By-law XXXX-2019;
- (N) Despite Regulation 10.10.40.50 (1), the minimum required **amenity space** is as follows:
- (i) Tower A must have a minimum of 255 square metres of indoor **amenity space** that includes at least one multi-purpose room that contains a kitchen and washroom and has direct access to outdoor **amenity space**;
  - (ii) Tower A must have a minimum of 310 square metres of outdoor **amenity space** in one or more locations provided at least one location is adjoining or directly accessible from indoor **amenity space**;
  - (iii) Tower B must have a minimum of 660 square metres of indoor **amenity space** that includes at least one multi-purpose room that contains a kitchen and washroom and has direct access to outdoor **amenity space**; and
  - (iv) Tower B must have a minimum of 660 square metres of outdoor **amenity space** in one or more locations provided they all adjoin or are directly accessible from indoor **amenity space**;
- (O) Despite Regulation 230.5.1.10(9)(B), long-term **bicycle parking spaces** may be located within a secured underground parking garage, on any level, subject to the following:
- (i) a maximum of 108 long-term **bicycle parking spaces** for occupants may be located in the underground parking garage on level P2; and
  - (ii) a maximum of 51 long-term **bicycle parking spaces** for occupants may be located in the underground parking garage on level P3;
- (P) Despite Regulation 230.5.10.1(5), A total of 649 **bicycle parking spaces** must be provided in accordance with the following:
- (i) a minimum of 272 long-term **bicycle parking spaces** for residential occupants of Tower A;
  - (ii) a minimum of 47 short-term **bicycle parking spaces** for residential visitors of Tower A;
  - (iii) a minimum of 282 long-term **bicycle parking spaces** for residential occupants of Tower B; and

- (iv) a minimum of 48 short-term **bicycle parking spaces** for residential visitors of Tower B;
- (Q) Despite Regulation 200.5.10.1(1), **parking spaces** for Tower A must be provided in accordance with the following:
  - (i) a minimum of 85 **parking spaces** for residential occupants;
  - (ii) a minimum of 26 **parking spaces** for residential visitors; and
  - (iii) a minimum of 1 **parking space** for a day nursery;
- (R) Despite Regulation 200.5.10.1(1), **parking spaces** for Tower B must be provided and maintained on the **lands** in accordance with the following:
  - (i) a minimum of 101 **parking spaces** for residential occupants; and
  - (ii) a minimum 26 **parking spaces** for residential visitors;
- (S) Despite Regulation 200.15.1.5(1), the required accessible **parking spaces** must be located in the underground parking garage within 20 metres of the closest elevators;
- (T) Despite Regulation 10.5.80.1(2), an **ancillary** outdoor parking area for the short-term parking of up to five (5) motor vehicles is permitted in the parking area as shown on Diagram 3 of By-law XXXX-2017 and does not require any fencing around the parking area;
- (U) Despite Regulation 220.5.10.1(3), a minimum of one **loading space - type "G"** must be provided on the lands; and
- (V) Despite Regulation 10.5.50.10(4), a minimum of 2,000 square metres of landscaped open space must be provided on the lands.

Prevailing By-laws and Prevailing Sections: None apply

## 5. Section 37 Provisions

- (A) Pursuant to Section 37 of the Planning Act, and subject to compliance with this By-law, the increase in height and density of the development is permitted beyond that otherwise permitted on the lands shown on Diagram 1 in return for the provision by the owner, at the owner's expense of the facilities, services and matters set out in Schedule A hereof and which are secured by one or more agreements pursuant to Section 37(3) of the Planning Act that are in a form and registered on title to the lands, to the satisfaction of the City Solicitor;
- (B) Where Schedule A of this By-law requires the owner to provide certain facilities, services or matters prior to the issuance of a building permit, the issuance of such permit shall be dependent on satisfaction of the same; and

(C) The owner shall not use, or permit the use of, a building or structure erected with an increase in height and density pursuant to this By-law unless all provisions of Schedule A are satisfied.

Enacted and passed on month ##, 2019.

Ulli S. Watkiss,  
Speaker City Clerk

(Seal of the City)

## **SCHEDULE A**

### **Section 37 Provisions**

**The facilities, services and matters set out below are required to be provided to the City at the owner's expense in return for the increase in height and density of the proposed development on the lands as shown in Diagram 1 in this By-law and secured in an agreement or agreements under Section 37(3) of the Planning Act whereby the owner agrees as follows:**

(1) Prior to issuance of the first above-grade building permit for all or any part of Tower B on the lands, the owner must:

- a. provide to the City a cash contribution of \$1,200,000.00 for capital improvements to parks and/or streets in Ward 13 in the vicinity of the lands. The design of the streetscape improvements must comply with the Streetscape Manual or be to the satisfaction of the Chief Planner and Executive Director, City Planning;
- b. provide to the City a cash contribution of \$1,200,000.00 for capital improvements to new or existing local community, recreation and/or cultural facilities in Ward 13 in the vicinity of the lands;
- c. provide either on-site affordable rental housing units with a construction cost, excluding land value, of \$1,330,000.00, to the satisfaction of the Chief Planner and Executive Director, City Planning Division, or provide to the City a cash contribution of \$1,330,000.00 for capital improvements to new or existing Toronto Community Housing facilities, including dwelling units, or other affordable housing facilities;
- d. design, construct and maintain two new accessible pedestrian bridges to provide new mid-block pedestrian connections between Gerrard Street East and the subject property, which must each have a minimum width of 3.0 metres and be substantially constructed prior to issuance of the first above-grade building permit for the new tall building, all at the sole expense of the owner. The bridge design must be to the satisfaction of the Chief Planner and Executive Director, City Planning Division. The community benefit of the two bridges is valued at \$670,000.00, which represents approximately one third of the estimated bridge construction costs (the remaining construction costs will be provided by the owner and are not considered a community benefit under Section 37 of the *Planning Act*). The owner must demonstrate design excellence for the two pedestrian bridges, to the satisfaction of the Chief Planner and Executive Director, City Planning Division. The bridge design must have regard for the character of Gerrard Street East and surrounding lands, integration with the existing parapet on Gerrard Street East, appropriate lighting, and consideration for incorporating public art;

(2) The payment amounts in Sections 1a, 1b, and 1c of this Schedule A will be increased by upwards indexing in accordance with the Statistics Canada Apartment

Building Construction Price Index for Toronto, calculated from the date of execution of the Section 37 Agreement to the date the payment is made.

(3) In the event the cash contributions referred to in Sections 1a, 1b, and 1c of this Schedule A, have not been used for the intended purpose within four (4) 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 purposes are identified in the Toronto Official Plan and will benefit the community in the vicinity of the lands.

(4) Prior to issuance of the first above-grade building permit for the new building (Tower B), the owner must convey to the City public access easements with a minimum clearway width of 2.1 metres over the two new pedestrian bridges, as referenced in 1d, on the subject property that will provide direct access to Gerrard Street East, as well as a public access easement with a minimum clearway width of 2.1 metres on the subject property between the southerly ends of the pedestrian bridges, all to the satisfaction of the General Manager of Transportation Services and the Chief Planner and Executive Director, City Planning Division. Public access must be available 24 hours a day, every day of the year, unless temporary closure is required for maintenance or unsafe conditions;

(5) Pursuant to Ontario Regulation 166/06, the owner is required to obtain a Toronto and Region Conservation (TRCA) permit prior to any development and/or site alteration on the subject property;

(6) The owner agrees to provide information to the Toronto and Region Conservation Authority (TRCA) that describes how a Limiting Distance Separation Agreement and a Maintenance Easement will be secured through the appropriate development agreement(s), to the satisfaction of TRCA and prior to approval of a Site Control application and prior to any development and/or site alteration on the subject property;

(7) In conjunction with a Site Plan Control application, the owner agrees to convey to the City, at nominal cost, prior to the issuance of an above-grade building permit for a new building (Tower B) or structure on the subject property, a 4.76-metre wide strip of land to the full extent of the site abutting the west limit of Bayview Avenue, such lands to be free and clear of all encumbrances, save and except for utility poles, in accordance with the City's environmental standards, and subject to a right-of-way for access purposes in favour of the grantor until such time as the said lands have been dedicated for public highway purposes;

(8) Prior to issuance of the first above-grade building permit, the owner is required to provide the City with payment-in-lieu of parkland contribution based on a parkland dedication of 714 square metres;

(9) The owner must implement the Ravine Stewardship Plan as detailed in Section 8 of the Natural Heritage Impact Study and Ravine Stewardship Plan dated August 2016 prepared by MMM Group.

(10) The owner shall construct and maintain the development in accordance with the version of the Tier 1 performance measures of the Toronto Green Standard that is in effect at the time a Site Plan Control application has been received by the City and has been deemed complete;

(11) The owner agrees to implement any recommended wind mitigation measures identified in a Final Pedestrian Level Wind Study, and, if applicable, any such measures identified in a peer review of the Final Pedestrian Level Wind Study, both to be determined through the review of a Site Plan Control application, to the satisfaction of the Chief Planner and Executive Director, City Planning Division.

(12) The owner shall provide and secure the indoor and outdoor amenity space, and furnishings and appointments thereof, in and adjacent to the existing rental building (Building A) for the use and enjoyment of the tenants of the existing building (Tower A) without pass-through of such costs in the rents to tenants. Any proposed changes to the size, location or function of the indoor and amenity spaces as shown in the architectural plans prepared by Sweeny & Co Architects Inc. dated August 15, 2016, shall be to the satisfaction of the Chief Planner and Executive Director, City Planning Division. The owner agrees to complete the indoor amenity space in the existing building (Tower A) and make it available to the existing tenants prior to issuance of the first above-grade building permit for the new building (Tower B) or alternative timing to the satisfaction of the Chief Planner and Executive Director, City Planning Division.

(13) The owner agrees to provide and maintain within the new residential building (Tower B) a dwelling unit mix that includes a minimum of 15% three-bedroom dwelling units and a minimum of 25% two-bedroom units.

(14) The owner agrees to secure the rental tenure of 319 existing rental dwelling units to be retained on-site in the existing building for a period of at least 20 years beginning from the date that the site-specific zoning by-law amendments come into full force and effect.

(15) Prior to the issuance of any building permit for Tower A or Tower B, the owner must submit a Construction Management and Community Communication Plan to the satisfaction of the Chief Planner and Executive Director, City Planning Division, the General Manager of Transportation Services, in consultation with the Ward Councillor, and thereafter shall implement the plan during the course of construction. The Construction Management and Community Communication Plan will include, but not be limited to, the size and location of construction staging areas, location and function of gates, information on concrete pouring, lighting details, construction vehicle parking and queuing locations, alternate parking arrangements for existing residents for the duration of any affected parking spaces used by existing residents, refuse storage, site security, site supervisor contact information, a communication strategy with the surrounding community and existing tenants, and any other matters requested by the Chief Planner and Executive Director, City Planning, or the General Manager of Transportation Services, in consultation with the Ward Councillor.



(16) The owner agrees to pay for and construct any improvements to the municipal infrastructure in connection with the site servicing assessment, should it be determined that upgrades are required to the infrastructure to support this development;

(17) The owner agrees to haul off-site any private water until the end of the construction dewatering phase. In the absence of a short-term discharge approval, the owner shall ensure any private water (including but not limited to groundwater and construction wastewater) collected from the subject property is hauled away using a hauler approved by The Ministry of the Environment, Conservation and Parks (MOECP) to ensure that no water is discharged directly or indirectly into the City's sewage works and thereby comply with Municipal Code Chapter 681-Sewers; and

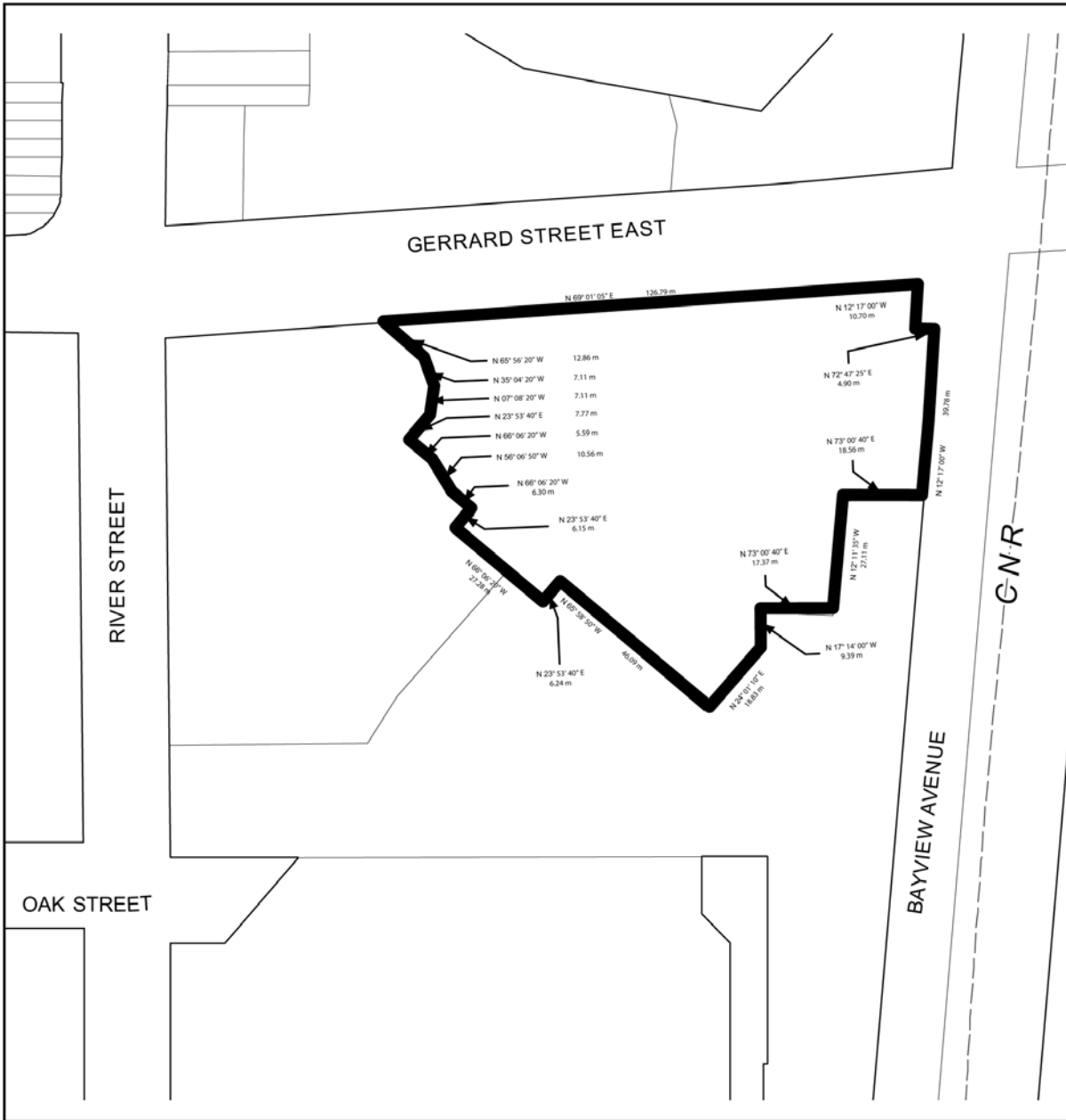
(18) Prior to approval of a Site Plan Control application, the owner agrees to satisfy the following requirements:

a. Submit to the Chief Engineer and Executive Director, Engineering & Construction Services, for review and approval prior to deposit in the Land Registry Office, a draft Reference Plan of Survey in metric units and integrated into the Ontario Coordinate System with coordinate values shown on the face of the plan, and delineating thereon by separate PARTS the lands to be conveyed to the City for road widening purposes, the remainder of the site, and any portions of the access driveway to be subject to vehicular easements and any appurtenant easements;

b. The owner acknowledges the need for separate applications to the General Manager of Transportation Services for permits to carry out any works involving the construction in, or occupancy of the abutting rights-of-way;

c. The owner must make a separate application to the General Manager of Transportation Services for a Bridge Agreement, in respect of the proposed pedestrian bridge connections above the abutting Gerrard Street East right-of-way, designed in compliance with the Pedestrian Bridge Design Principles and Requirements, prepared by LEA Consulting Ltd., dated November 25, 2016; and

d. The owner must obtain all necessary exemptions, in the form of a discharge agreement or permit issued in accordance with Section 6 of Chapter 681 of the City of Toronto Municipal Code, to allow the discharge of private water to a City sewer which is otherwise prohibited under Chapter 681 ("Discharge Agreements"), to the satisfaction of the General Manager, Toronto Water, and shall be in good standing under any such Discharge Agreements.



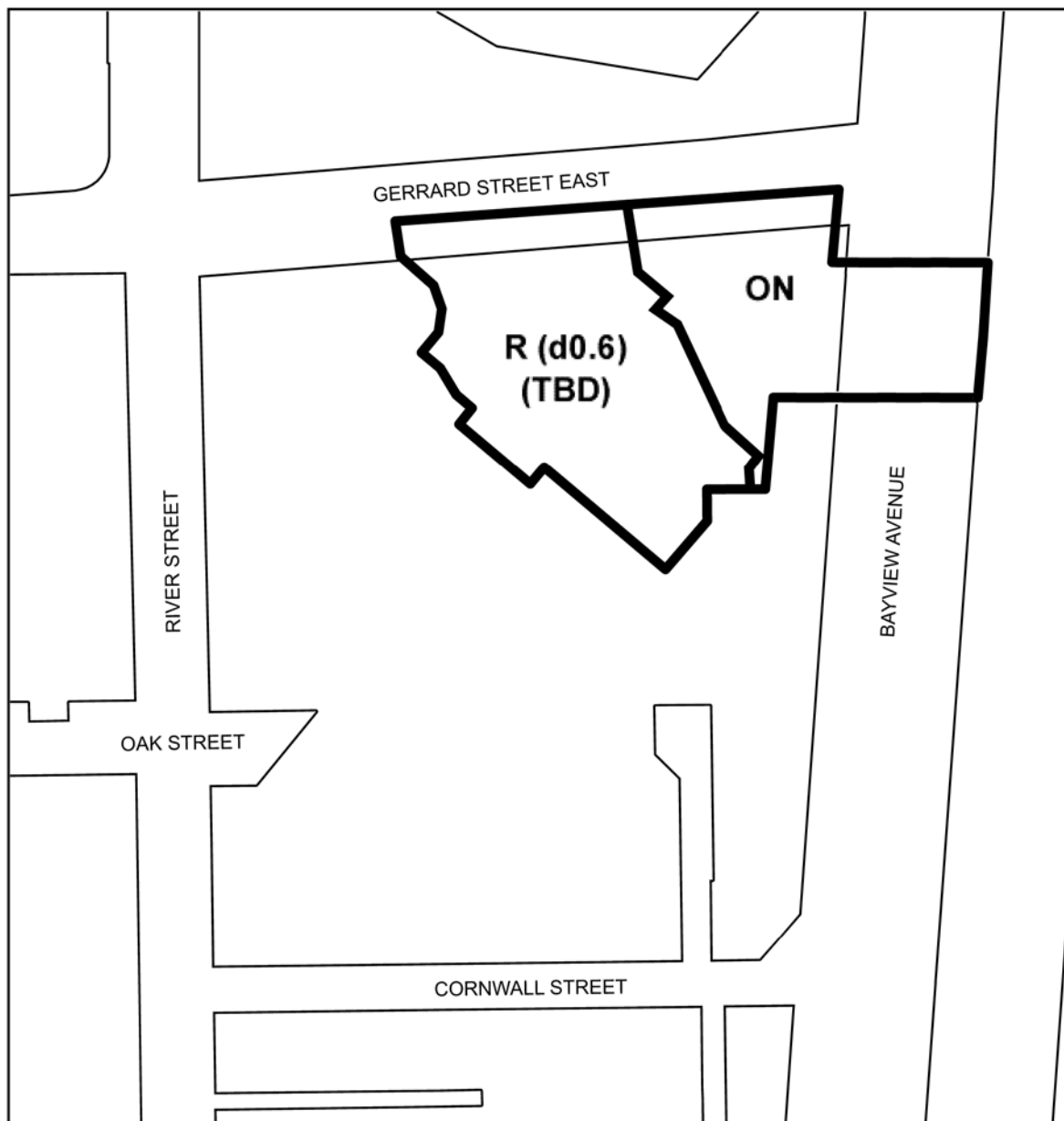
**Toronto**  
Diagram 1

230 Oak Street

File # 13 277895 STE 28



City of Toronto By-Law 569-2013  
Not to Scale  
09/15/2016



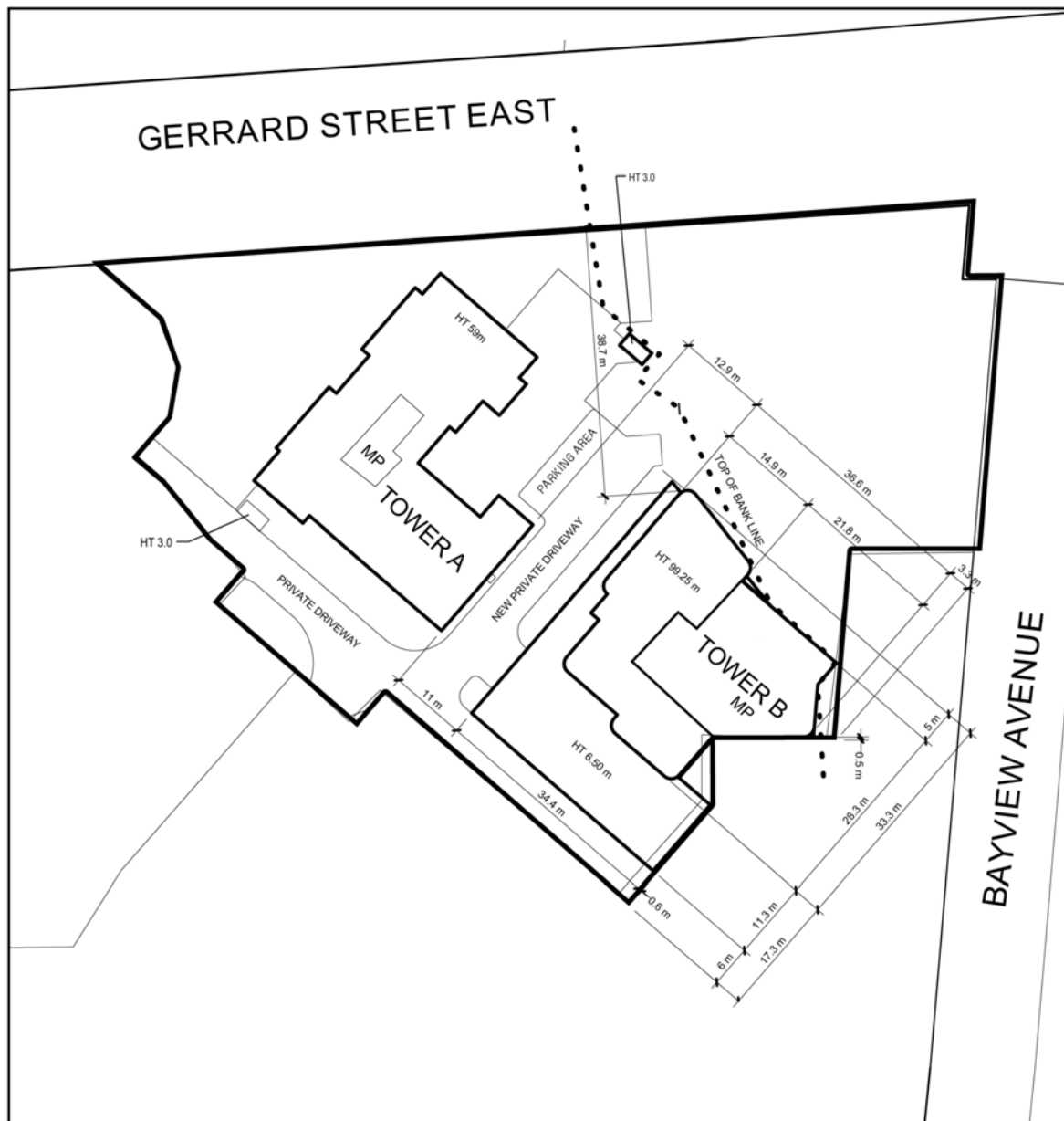
 **Toronto**  
Diagram 2

230 Oak Street

File # 13 277895 STE 28



City of Toronto By-Law 569-2013  
Not to Scale  
05/16/2019



**Toronto**  
Diagram 3

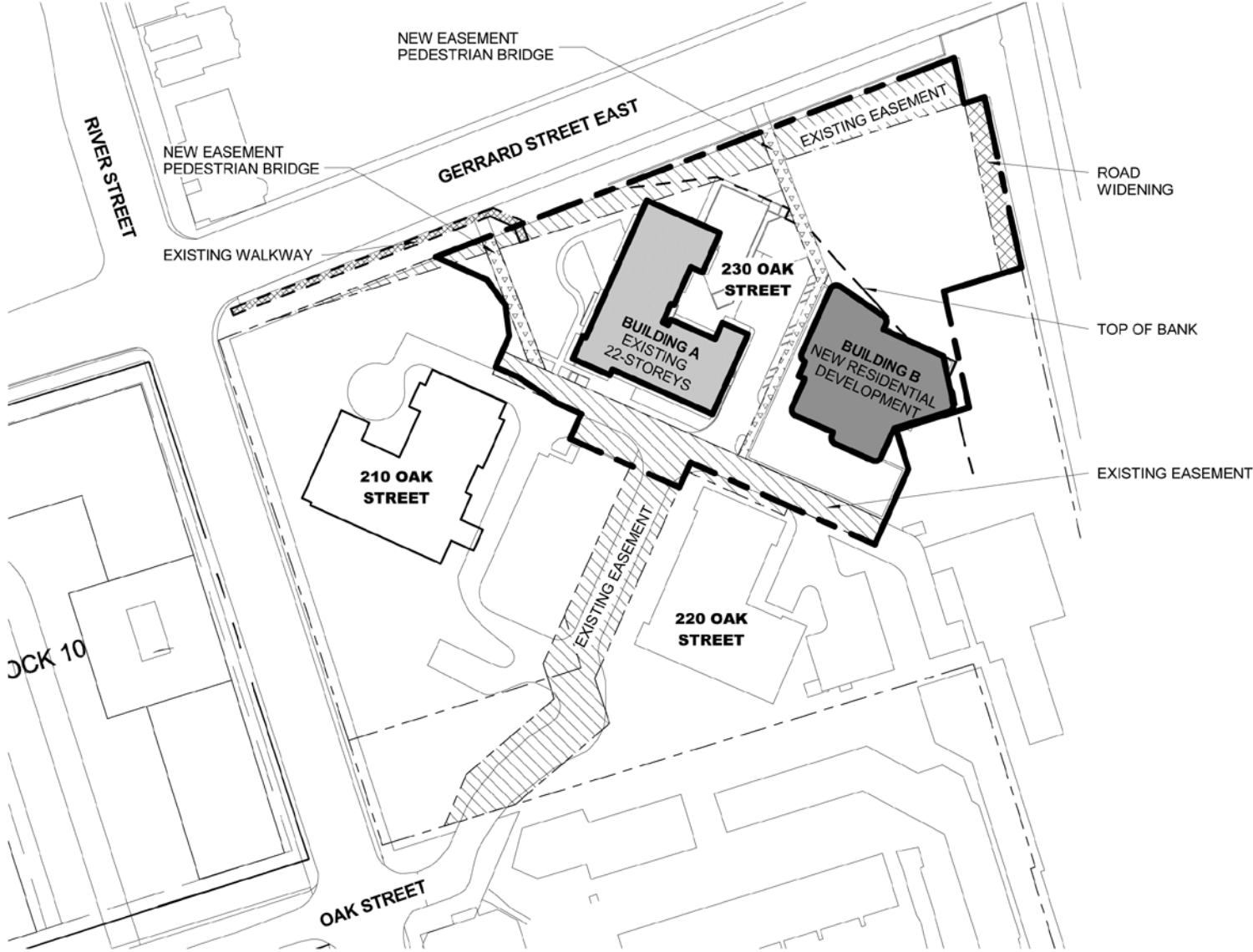
230 Oak Street

File # 13 277895 STE 28

• • • • Top-of-Bank Line  
MP Mechanical Penthouse



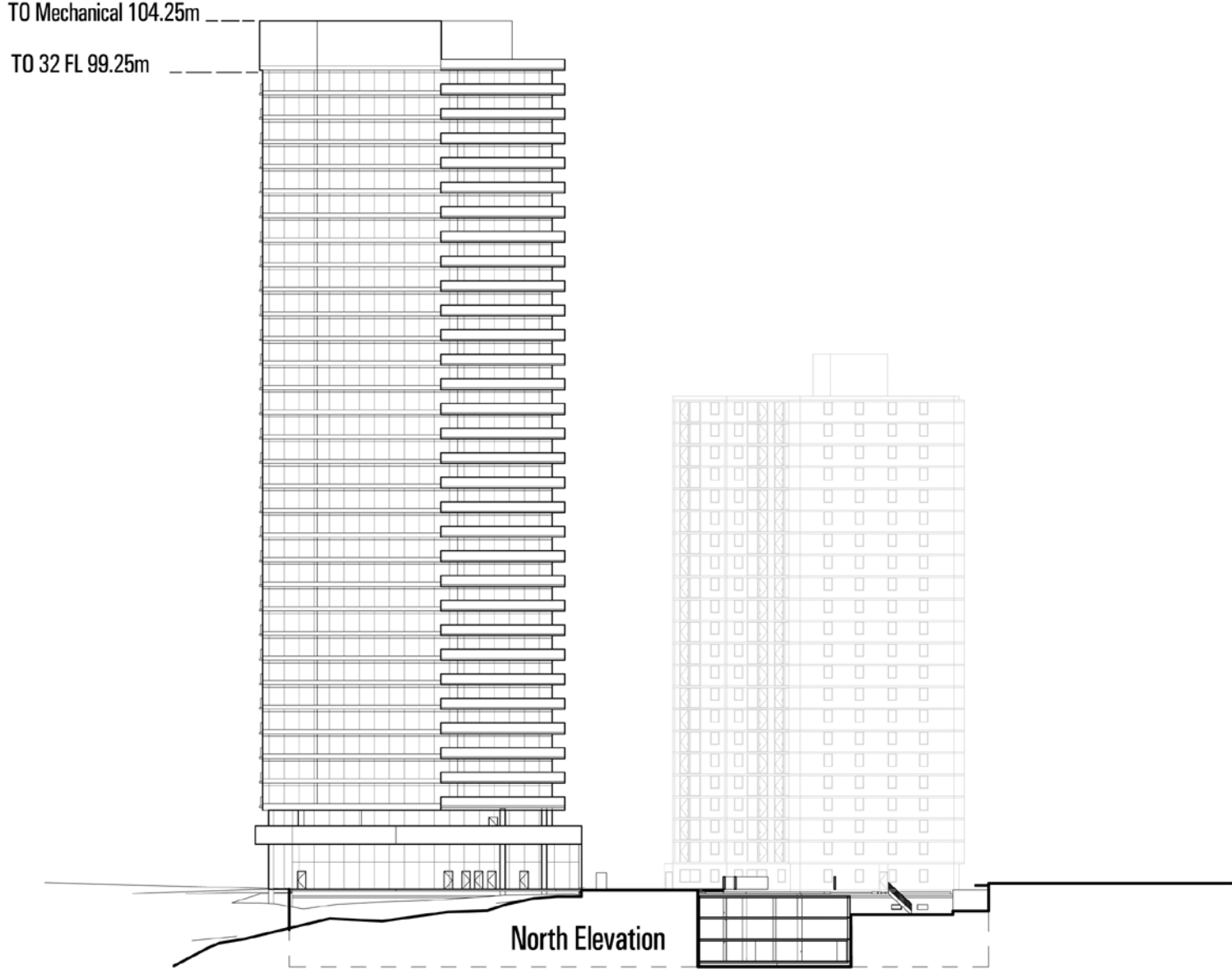
City of Toronto By-Law 569-2013  
Not to Scale  
05/16/2019



Site Plan



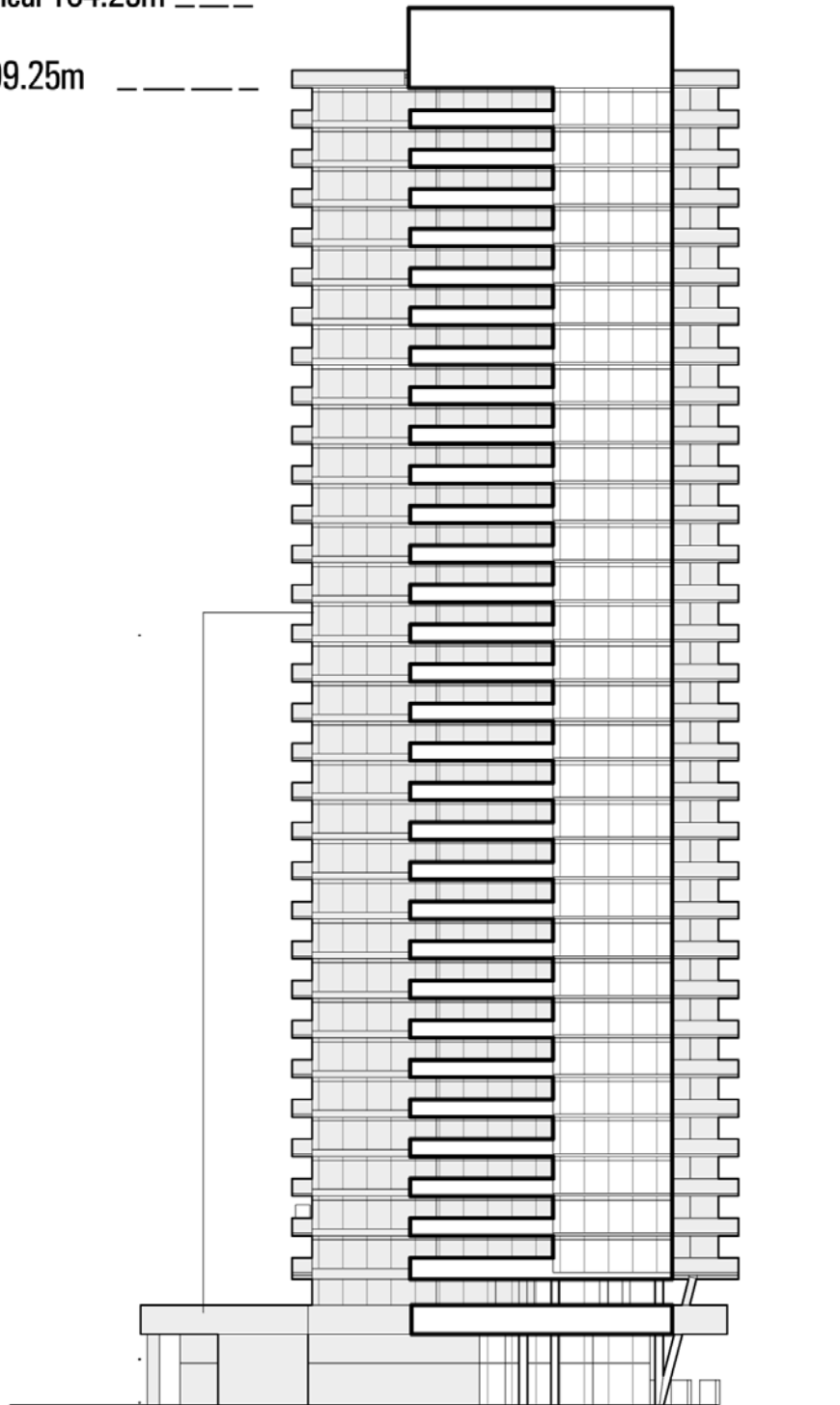
Attachment 8a: North Elevation



## Attachment 8b: East Elevation

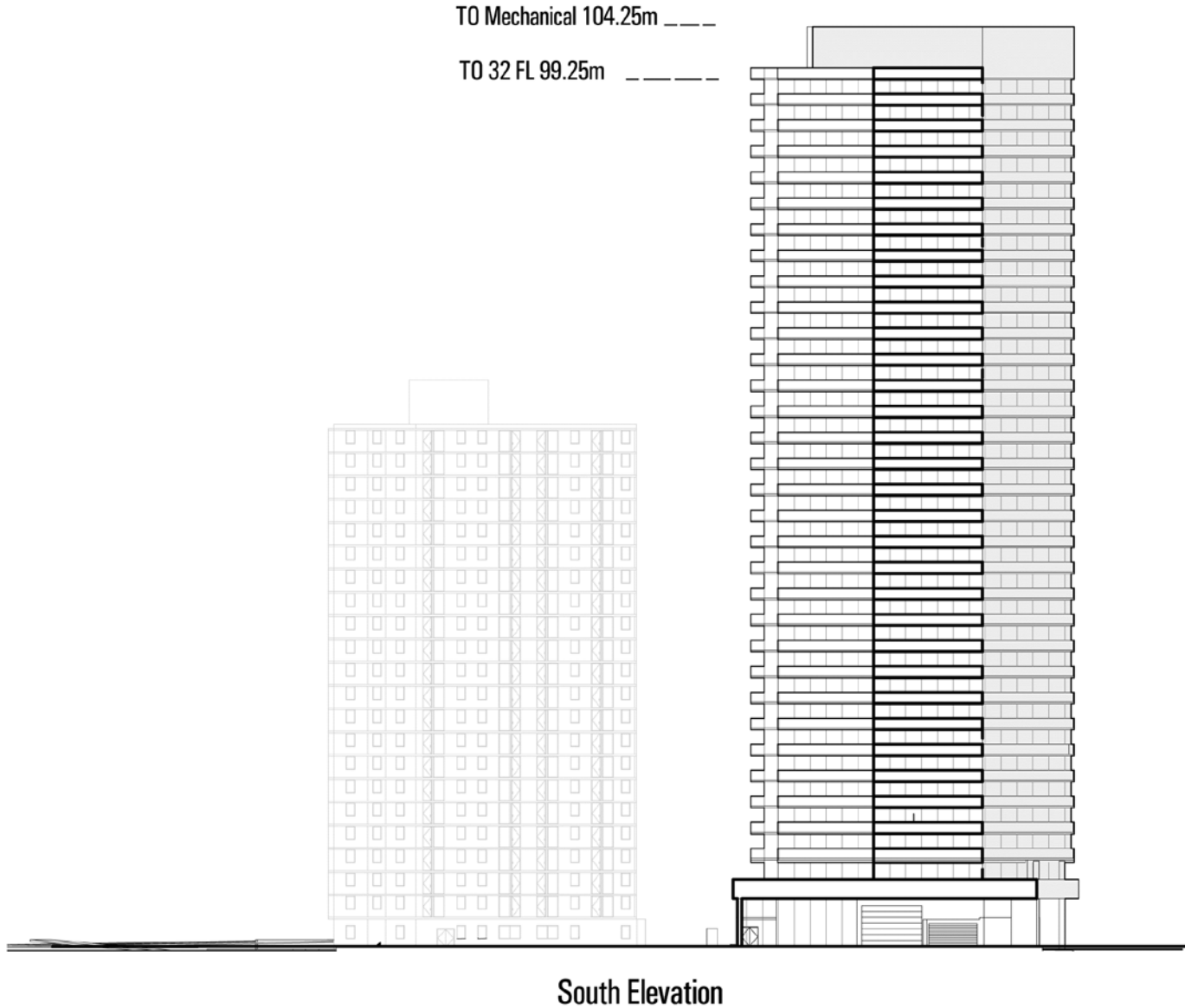
TO Mechanical 104.25m \_ \_ \_ \_

TO 32 FL 99.25m \_ \_ \_ \_ \_



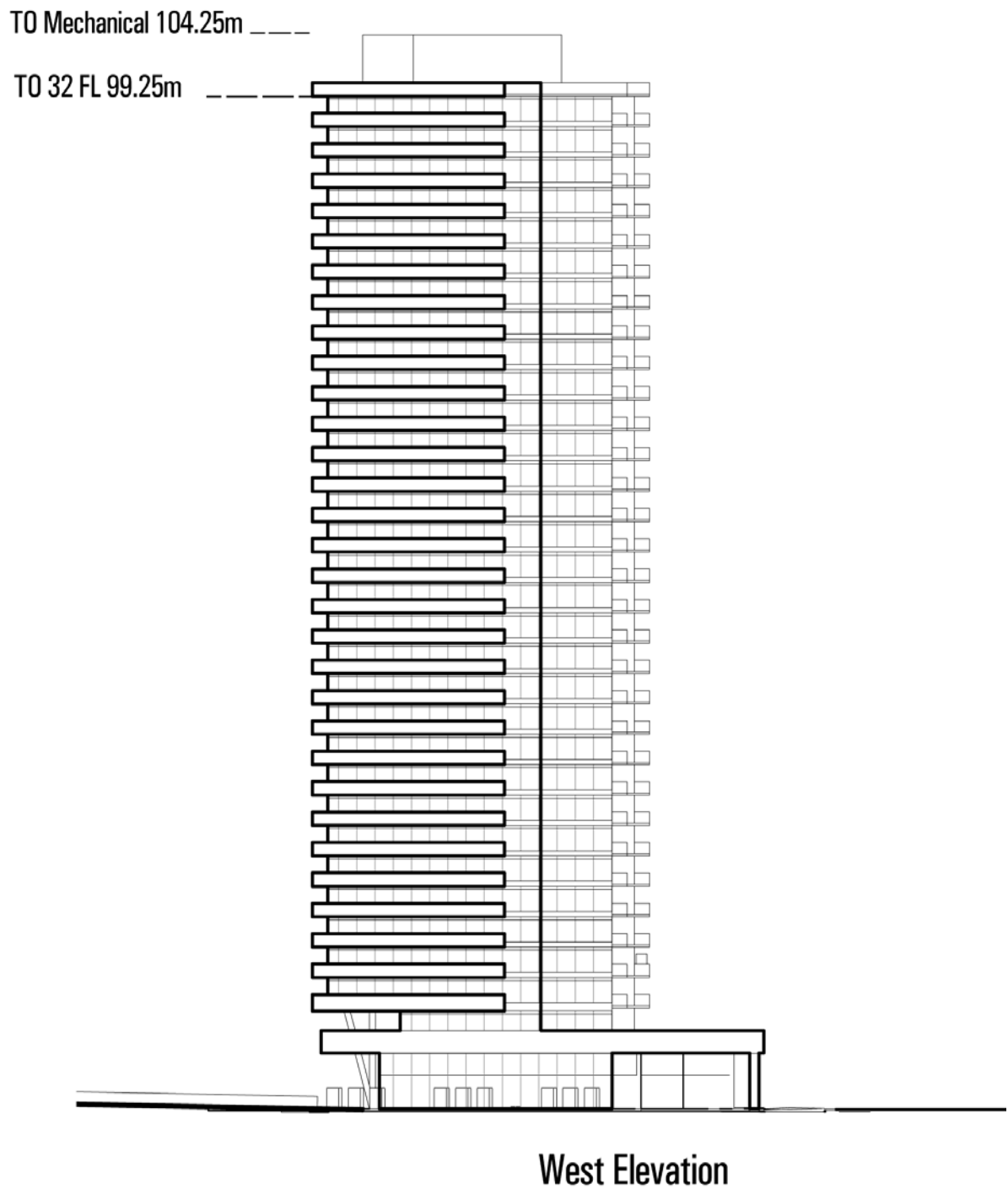
East Elevation

Attachment 8c: South Elevation





## Attachment 8d: West Elevation





Perspective: Looking West on Gerrard Street East

Applicant's Submitted Drawing

Not to Scale  
09/12/2016

230 Oak Street

File # 13 277895 STE 28 OZ



Perspective: Looking South from Riverdale Park West

Applicant's Submitted Drawing

Not to Scale  
09/12/2016

230 Oak Street

File # 13 277895 STE 28 0Z