

55-61 Charles Street East – Zoning Amendment and Rental Housing Demolition Applications – Final Report

Date: June 13, 2019

To: Toronto and East York Community Council

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

Ward 13 - Toronto Centre

Planning Application Number: *18 144553 STE 27 OZ & 18 144572 STE 27 RH*

SUMMARY

This application proposes a 48-storey residential building at 55-61 Charles Street East. The building will be 160.5 metres tall, including the mechanical penthouse, and has a total gross floor area of 45,000 square metres. A total of 541 condominium units and 100 rental replacement units are proposed in the building. A total of 155 parking spaces and 642 bicycle parking spaces are proposed within a 4-level underground garage accessed from Macy Dubois Lane. The proposed building would have a density of 19.71 times the area of the lot.

The Rental Housing Demolition application proposes to demolish two existing residential rental apartment buildings containing a total of 100 rental dwelling units and provide replacement of all 100 rental dwelling units within the proposed building.

As part of the Section 37 contribution, an off-site property at 218 Carlton Street will be purchased, renovated and transferred to the City by the owner for affordable housing purposes. The City will select an experienced non-profit housing agency through a competitive proposal call to operate the affordable rental apartments under a 50 year lease.

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).

This report reviews and recommends approval of the application to amend the Zoning By-laws (438-86 and 569-2013). The proposal represents an appropriate redevelopment of the site and presents a built form and public realm that is compatible with the surrounding context. The massing of the building has been revised to provide a better relationship with the public realm and adequate transition to neighbouring properties.

This report reviews and recommends approval of the Zoning By-law Amendment and Rental Housing Demolition Applications.

RECOMMENDATIONS

The City Planning Division recommends that:

1. City Council amend Zoning By-law 438-86, for the lands at 55-61 Charles Street East substantially in accordance with the draft Zoning By-law Amendment attached as Attachment No. 8 to the June 13, 2019 report from the Director, Community Planning, Toronto and East York District.
2. City Council amend City of Toronto Zoning By-law 569-2013 for the lands at 55-61 Charles Street East substantially in accordance with the draft Zoning By-law Amendment attached as Attachment No. 9 to the June 13, 2019 report from the Director, Community Planning, Toronto and East York District.
3. City Council authorizes the City Solicitor to make such stylistic and technical changes to the draft Zoning By-law Amendments as may be required.
4. City Council instruct the City Solicitor to enter into an Agreement pursuant to Section 37 of the *Planning Act* satisfactory to the City Solicitor, together with satisfactory provisions in the amending By-laws, to secure the following, at the owner's expense, in connection with the development at 55-61 Charles Street East, all to the satisfaction of the Chief Planner and Executive Director, City Planning, the Executive Director, Housing Secretariat and the City Solicitor, with such agreement to be registered to the satisfaction of the City Solicitor:
 - a. The following community benefits are recommended to be secured in a Section 37 Agreement:
 - i. The owner of 218 Carlton Street, shall transfer to the City the property at 218 Carlton Street, renovated and furnished at no cost to the City, for use as affordable rental housing units prior to the earlier of December 31, 2021 or registration of a plan of condominium for 55-61 Charles Street East substantially on the terms and conditions outlined in Attachment 10 to this report and to the satisfaction of the Executive Director, Housing Secretariat, the value for which shall be \$6,400,000.00;
 - ii. Prior to February 12, 2020, the owner shall pay to the City the sum of \$200,000.00 to be allocated towards the Capital Revolving Reserve Fund for Affordable Housing (XR1058) for pre-development funding at 218 Carlton Street, to the satisfaction of the Executive Director, Housing Secretariat;
 - iii. City Council authorize the Executive Director, Housing Secretariat, to provide capital funding from the Capital Revolving Reserve Fund for Affordable Housing (XR1058) to a not for profit housing provider, in an amount not to exceed \$200,000.00 for pre-development funding, at 218 Carlton Street;

iv. City Council approve an increase to the 2019 Approved Operating Budget for Shelter, Support and Housing Administration, in coordination with the Executive Director, Housing Secretariat, cost centre FH5795, of \$200,000.00 gross, \$0 net for affordable housing at 218 Carlton Street, funded from the Capital Revolving Reserve Fund for Affordable Housing (XR1058);

v. Prior to the issuance of the first above-grade building permit, the owner shall pay to the City the sum of \$1,470,000.00 to be allocated towards the Capital Revolving Reserve Fund for Affordable Housing (XR1058) for existing and/or new affordable housing that may be owned by Toronto Community Housing within Ward 13, to the satisfaction of the Executive Director, Housing Secretariat;

vi. Prior to the issuance of the first above-grade building permit, the owner shall pay to the City the sum of \$1,660,000.00 to be allocated towards local area park or streetscape improvements located within Ward 13 and within the vicinity of the subject lands, to the satisfaction of the Chief Planner and Executive Director, City Planning, in consultation with the Ward Councillor, the General Manager, PF&R and the General Manager, Transportation Services;

vii. Prior to the issuance of the first above-grade building permit, the owner shall pay to the City the sum of \$1,670,000.00 to be allocated towards community, cultural, or recreational facilities capital improvements within Ward 13;

viii. The cash contributions outlined in (ii), (v), (vi) and (vii) above are to be indexed upwardly in accordance with the Statistics Canada Non-Residential Construction Price Index for the Toronto Census Metropolitan Area, reported quarterly by Statistics Canada in Building Construction Price Indexes Publication No. 327-0058, or its successor, and calculated from the date that the Section 37 Agreement is registered on title;

ix. In the event the above-noted cash contributions have not been fully 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 local Councillor, provided that the purpose is identified in the Toronto Official Plan and will benefit the community in the vicinity of the subject lands.

b. The following matters of convenience are recommended to be secured in a Section 37 Agreement:

i. Before introducing the necessary Bills to City Council for enactment, a restriction on the property at 620 Church Street will be secured through a

Limiting Distance Agreement between the owner of 55-61 Charles Street East, the owner of 620 Church Street, and the City of Toronto, to the satisfaction of the City Solicitor, which will establish a Limiting Distance Area on the property at 620 Church Street where no new building or structure may be constructed within 25 metres of the building at 55-61 Charles Street East, above a height of 24.5 metres.

ii. Before introducing the necessary Bills to City Council for enactment, the owner is required to submit a revised Functional Servicing Report satisfactory to the Chief Engineer & Executive Director, Engineering & Construction Services.

iii. The owner shall provide and maintain 140 knock-out panels between units on Levels 9-48 to enable the conversion or combination of two or more units into larger units, and include appropriate provision(s) in any condominium documents to enable any such conversions in the future.

iv. The owner shall construct and maintain the development in accordance with Tier 1 performance measures of the Toronto Green Standard, as adopted by Toronto City Council at its meeting held on October 26 and 27, 2009 through the adoption of item PG32.3 of the Planning and Growth Committee, and as updated by Toronto City Council at its meeting held on December 5, 6 and 7, 2017 through the adoption of item PG23.9 of the Planning and Growth Committee, and as may be further amended by City Council from time to time.

v. Prior to the issuance of a permit for excavation and shoring work, the owner will submit a Construction Management Plan, to the satisfaction of the Chief Planner and Executive Director, City Planning Division, the General Manager of Transportation Services, and the Chief Building Official, in consultation with the Ward Councillor, and thereafter will implement the plan during the course of construction. The Construction Management Plan will include the size and location of construction staging areas, dates of significant concrete pouring, lighting details, construction vehicle parking and queuing locations, refuse storage, site security, site supervisor contact information, a communication strategy with the surrounding community, and any other matters requested by the Chief Planner and Executive Director, City Planning, and the General Manager of Transportation Services, in consultation with the Ward Councillor.

5. City Council approve the application for a Rental Housing Demolition permit in accordance with Chapter 667 of the Toronto Municipal Code to allow for the demolition of one hundred (100) existing rental dwelling units located at 55 Charles Street East and 61 Charles Street East, subject to the following conditions:

a. The owner shall provide and maintain one-hundred (100) replacement rental dwelling units, comprised of twenty (20) bachelor units, seventy-five (75) one-bedroom units, and five (5) two-bedroom units, on the subject site for a period of at least twenty (20) years, beginning from the date that each replacement rental

dwelling unit is first occupied, and as shown on the architectural plans titled 55 Charles Street East, Rental Floor Plans, dated April 30, 2019. Any revision to these plans shall be to the satisfaction of the Chief Planner and Executive Director, City Planning;

b. The owner shall, as part of the one-hundred (100) replacement rental dwelling units required above, provide at least four (4) one-bedroom replacement rental dwelling units at affordable rents, and twenty (20) bachelor units, seventy-one (71) one-bedroom units, and five (5) two-bedroom units replacement rental dwelling units at mid-range rents, as defined in the City's Official Plan, all for a period of at least ten (10) years, beginning from the date that each replacement dwelling unit is first occupied;

c. The owner shall provide tenants of the replacement rental dwelling units with access to all indoor and outdoor amenities in the proposed rental replacement building at no extra charge. Access and use of these amenities shall be on the same terms and conditions as any other building resident without the need to pre-book or pay a fee, unless specifically required as customary practices for private bookings;

d. The owner shall provide at least 35 replacement rental dwelling units with a balcony or terrace;

e. The owner shall provide tenants of the replacement rental dwelling units with access to all bicycle parking and visitor parking on the same terms and conditions as any other resident of the building;

f. The owner shall make common storage areas available to tenants, with a combined area of no less than 51 metres, with the final number of lockers to be determined at Site Plan Approval;

g. The owner shall make available a clothes laundry room to all tenants, containing at least nine (9) washing machines and seven (7) drying machines;

h. The owner shall provide tenant relocation and assistance to all eligible tenants occupying the existing rental dwelling units proposed to be demolished, including the right to return to a replacement rental dwelling unit, all to the satisfaction of the Chief Planner and Executive Director, City Planning; and

i. The owner shall enter into and register on title one or more agreement(s), pursuant to the *City of Toronto Act, 2006*, to secure the conditions outlined in (a) through (h) above to the satisfaction of the City Solicitor and the Chief Planner and Executive Director, City Planning.

6. City Council authorize the Chief Planner and Executive Director, City Planning to issue the Preliminary Approval for the application under Chapter 667 of the Toronto Municipal Code for the demolition of the one-hundred (100) existing rental dwelling units at 55 and 61 Charles Street East after all of the following have occurred:

- a. The conditions in Recommendation 5 above have been fully satisfied;
- b. The Zoning By-law Amendment has come into full force and effect;
- c. The issuance of the Notice of Approval Conditions for site plan approval by the Chief Planner and Executive Director, City Planning or their designate, pursuant to Section 114 of the *City of Toronto Act, 2006*;
- d. The issuance of excavation and shoring permits for the approved structure on the site; and
- e. The execution and registration of a Section 37 Agreement pursuant to the *Planning Act* securing Recommendation 5 (a) through (h) and any other requirements of the Zoning By-law Amendment.

7. City Council authorize the Chief Building Official and Executive Director, Toronto Building to issue a Rental Housing Demolition permit under Municipal Code Chapter 667 after the Chief Planner and Executive Director, City Planning Division has given Preliminary Approval referred to in Recommendation 6 above.

8. City Council authorize the Chief Building Official and Executive Director, Toronto Building to issue a demolition permit under Section 33 of the *Planning Act* no earlier than the issuance of the first building permit for excavation and shoring of the development, and after the Chief Planner and Executive Director, City Planning has given Preliminary Approval referred to in Recommendation 6 above, which permit may be included in the demolition permit for Chapter 667 under 363-11.1, of the Municipal Code, on condition that:

- a. The owner remove all debris and rubble from the site immediately after demolition;
- b. The owner erect solid construction hoarding to the satisfaction of the Chief Building Official and Executive Director, Toronto Building;
- c. The owner erects a residential building on site no later than four (4) years from the day demolition of the buildings is commenced; and
- d. Should the owner fail to complete the new building within the time specified in condition (c) above, the City Clerk shall be entitled to enter on the collector's roll, to be collected in a like manner as municipal taxes, the sum of twenty thousand dollars (\$20,000.00) for each dwelling unit for which a demolition permit is issued, and that each sum shall, until payment, be a lien or charge upon the land for which the demolition permit is issued.

9. City Council declare surplus the property municipally known as 218 Carlton Street, effective as of the date the City acquires ownership of 218 Carlton Street, with the intended manner of disposal to be by way of a long term lease to a not for profit affordable rental housing provider for the purposes of operating of affordable rental housing for a period of 50 years.

10. City Council authorize all steps necessary to comply with the City's real estate disposal process, as set out in Chapter 213 of the City of Toronto Municipal Code, to be taken.

11. City Council authorize and direct the appropriate City officials to undertake a competitive process for the selection of a not for profit affordable rental housing provider to operate affordable rental housing within the existing building at 218 Carlton Street for a minimum period of at least 50 years, under a long term lease with the City, in consultation with the Ward Councillor.

12. City Council authorize up to 20 affordable rental housing units to be developed on 218 Carlton Street to be exempt from the payment of development charges, building, planning and parkland dedication fees.

13. City Council exempt the up to 20 affordable rental homes to be developed at 218 Carlton Street from taxation for municipal and school purposes for the term of 50 years.

14. City Council authorize City staff to cancel or refund any taxes paid from the by-law exempting the property from taxation.

15. City Council authorize the Executive Director, Housing Secretariat, to negotiate and execute, on behalf of the City, a municipal housing facility agreement (the City's Contribution Agreement), and any other agreements necessary with MOD Developments (Charles) Inc., 2690799 Ontario Inc., or such other related corporation, and a municipal housing facility agreement, and any other agreements necessary with the successful non-profit proponent under the competitive process for an operator, all agreements to secure the financial assistance, being provided and to set out the terms of the development and operation of the new affordable rental homes at 218 Carlton Street on terms and conditions satisfactory to the Executive Director, Housing Secretariat and in a form satisfactory to the City Solicitor.

16. City Council authorize severally each of the Executive Director, Housing Secretariat and the General Manager, Shelter, Support and Housing Administration to execute, on behalf of the City, any security or financing documents required by MOD Developments (Charles) Inc., 2690799 Ontario Inc. or its related corporation, or the successful non-profit proponent under the competitive process for an operator, to secure construction and conventional financing and subsequent refinancing, including any postponement, tripartite agreement, confirmation of status, discharge or consent documents where and when required during the term of the Contribution Agreements, as required by normal business practices, and provided that such documents do not give rise to financial obligations on the part of the City that have not been previously approved by City Council.

17. City Council authorize the Executive Director, Housing Secretariat to provide any consent necessary, pursuant to the Contribution Agreements to assign the Contribution Agreements and to negotiate and enter into any agreements or other documents required to effect such assignment on terms and conditions satisfactory to the Executive Director, Housing Secretariat and in a form satisfactory to the City Solicitor.

18. City Council authorize the appropriate City officials to take such actions as are necessary to implement the foregoing, including execution of the Section 37 Agreement, Section 111 Agreement, and other related agreements.

FINANCIAL IMPACT

There are no financial impacts to the City resulting from the proposed redevelopment at 55-61 Charles Street East. However, as part of the Section 37 contribution, an off-site property at 218 Carlton Street will be acquired, renovated and transferred to the City by the owner at an estimated cost of \$6,400,000. The City will select an experienced not for profit housing agency through a competitive proposal call to operate the affordable rental apartments under a 50 year lease.

This report recommends up to \$200,000 be provided from the Capital Revolving Reserve Fund for Affordable Housing (XR1058) to a not for profit housing provider for pre-development funding at 218 Carlton Street. The transfer of \$200,000 for affordable housing at 218 Carlton Street will result in the need to increase the 2019 Approved Operating Budget for Shelter Support and Housing Administration by \$200,000 gross and \$0 net.

This report also recommends City incentives through the Open Door Affordable Rental Housing Program to be provided for the off-site affordable housing at 218 Carlton Street. Open Door Program incentives include relief from development charges, planning and building permit fees and property taxes for 50 years. Based on preliminary architectural designs, it is estimated that the building can be renovated to provide 20 apartment units. The final number of units will be determined after a not for profit housing provider has been selected through a competitive proposal call and completes the design process.

A list of City incentives is summarized below:

Affordable Rental Homes*	Affordability Period	Estimated Development Charges**	Estimated Planning Fees and Charges***	Estimated Net Present Value of Property Taxes	Estimated Total Value of Incentives
20	50 years	\$561,080	\$15,436	\$392,453	\$968,969

* unit count based on preliminary estimate

** calculated using November 2019 Rates as per [By-law 515-2018](#)

***includes 2019 building permit fees of \$9,536, and planning fees of \$5,900.

The value of the annual property tax exemption is estimated at \$15,253 at current 2019 rates. The net present value of tax relief over the 50 year term is estimated at \$392,453 as summarized below:

Property Tax	Annual	NPV: 50 years
City	\$11,204	\$288,269
Education	\$3,995	\$102,778
City Building	\$55	\$1,406
Total	\$15,253	\$392,453

A tax exemption would have no net present impact to the City for the educational portion of taxes remitted to the Province.

In the event of a default, the Contribution Agreement will provide that the by-law providing the property tax exemption will be repealed.

The Chief Financial Officer and Treasurer has reviewed this report and agrees with the financial impact information

PROPOSAL

This application proposes a 48-storey residential building with a total gross floor area of 45,000 square metres and a density of 19.71 times the area of the site. The overall height is 160.5 metres, including the mechanical penthouse.

A total of 541 condominium units and 100 replacement rental units are proposed in the building. The unit mix for the condominium units consists of 46 bachelor units (9%), 297 one-bedroom units (55%), 144 two-bedroom units (27%), and 54 three-bedroom units (10%). The unit mix for the replacement rental units consists of 20 bachelor units, 75 one-bedroom units, and 5 two-bedroom units.

The form of the building consists of a 7-storey (24.75 metres) podium base building and a 41-storey tower element above. The building is setback 4.8 metres from the front property line, allowing for a 10.89 metre setback from the curb to accommodate a generous sidewalk area and appropriate streetscape improvements. The podium steps back 3 metres above the 4th storey, and the tower steps back a further 1.5 metres from the podium above the 7th storey.

The ground floor contains a residential lobby and ten townhouse-style units which are incorporated within the east and west sides of the base building and are accessed from both interior and exterior walkways. Functional and service elements, including loading areas and a ramp to the underground parking garage, are located at the rear of the building accessed from Macy Dubois Lane.

The replacement rental units are located on levels 2-6, and the condominium units are located on levels 7, and 9-48. Two elevator banks are proposed to serve the podium and tower components separately. Indoor and outdoor amenity space for the replacement rental and condominium units is located on level 8 and the tower rooftop. Indoor amenity space is also located on levels 3-5.

The tower element has a floor plate of 880 square metres, with an alternating pattern of balconies up the four faces of the tower. A mechanical penthouse with a height of 9.5 metres is located at the top of the tower.

The tower is set back 12.5 metres from the west property line, resulting in a tower separation distance of approximately 17.82 metres from the closest point of 45 Charles Street East (21.59 metres to the main wall). The tower is set back 8.71 metres from the east property line (11.71 metres to the centreline of Macy Dubois Lane), which results in a tower separation distance of approximately 36.20 metres from 620 Church Street. A Limiting Distance Agreement will be used to secure a minimum tower separation distance of 25 metres between 55-61 Charles Street East and 620 Church Street, in the event that future development occurs on the property at 620 Church Street. To the south, the tower is set back 3.0 metres to the property line (approximately 6.0 metres to the centreline of Macy Dubois Lane), resulting in a tower separation distance of approximately 26.88 metres from 66 Isabella Street, and approximately 13.60 metres from 48 Isabella Street.

A total of 155 parking spaces are proposed within a 4-level underground garage accessed from Macy Dubois Lane, including 130 parking spaces for residents, 7 parking spaces for visitors, 16 parking spaces operated as a commercial parking garage, and 2 car share parking spaces. A total of 642 bicycle parking spaces are also proposed, including 577 bicycle parking spaces for residents and 65 bicycle parking spaces for visitors, all located within the first level of the underground garage. Type G and Type C loading spaces are proposed internal to the rear of the building, also accessed from Macy Dubois Lane.

The development would require the demolition of the two existing rental apartment buildings located on the subject lands, containing 100 rental dwelling units. The applicant proposes to replace all existing rental dwelling units in the new residential building. Four of the replacement rental dwelling units will have affordable rents and 96 of the replacement rental dwelling units will have mid-range rents as defined by the Official Plan. All replacement rental dwelling units would have the same access arrangements as the condominium units, including access to the shared indoor and outdoor amenity spaces.

See Attachments 1 and 11-15 of this report for application data, site plan, and elevations for the proposed development.

Changes from the Original Proposal

Revised applications were submitted on November 21, 2018 and on April 2, 2019 and incorporates a number of changes from the original proposal submitted in April 2018. The revisions include:

- Overall building height reduced from 55 storeys (178.5 metres including mechanical) to 48 storeys (160.5 metres including mechanical);
- Increased front yard setback from 2.2 metres to 4.8 metres;
- Modified podium design from 6 storeys (21.5 metres) to 7 storeys (24.75 metres) with a 3 metre stepback above the 4th storey (15.25 metres);
- Modified tower positioning from offset on the site to 12.5 metres setback from the west property line and 11.71 metres setback from the centerline of the adjacent lane to the east, plus a Limiting Distance Agreement with the property at 620 Church Street to guarantee a total tower separation distance of 25 metres;
- Increased tower floor plate from 855 square metres at the lower levels and 750 square metres at the upper levels to 880 square metres at all tower levels; and
- Elimination of the proposed ground floor community space.

The following table summarizes the development statistics.

Category	April 2018 Proposal	April 2019 Proposal
Site Area	2,283 square metres	2,283 square metres
Building Height	55 storeys (178.5 metres including mechanical)	48 storeys (160.5 metres including mechanical)
Base Building Height	6 storeys (21.5 metres)	4 storeys (15.25 metres) and 7 storeys (24.75 metres)
Base Building Setbacks North South East West	2.2 metres 0 metres 0 metres 5.5 metres	4.8 metres 0.9 metres 1.65 metres 5.5 metres
Tower Floor Plate	Levels 8-17: 855 square metres Levels 18-55: 750 square metres	Levels 9-48: 880 square metres
Tower Stepbacks North South East West	3.0 metres 3.9 metres 4.8 metres 12.9 metres	4.5 metres 2.1 metres 8.71 metres 7.0 metres

Category	April 2018 Proposal	April 2019 Proposal
Gross Floor Area Residential Community Space Total	43,756 square metres 317 square metres 44,073 square metres	45,000 square metres
Density (FSI)	19.3	19.71
Number of Dwelling Units Replacement Rental Bachelor 1 Bedroom 2 Bedroom 3 Bedroom Total Condominium Bachelor 1 Bedroom 2 Bedroom 3 Bedroom Total	20 (20%) 75 (75%) 5 (5%) 0 (0%) 100 (100%) 66 (12%) 291 (53%) 128 (23%) 63 (11%) 548 (100%)	20 (20%) 75 (75%) 5 (5%) 0 (0%) 100 (100%) 46 (9%) 297 (55%) 144 (27%) 54 (10%) 541 (100%)
Vehicle Parking Residential Residential Visitors Commercial Parking Garage Car Share	130 22 2	130 7 16 2
Bicycle Parking Residential Residential Visitors	584 65	577 65
Residential Amenity Space Indoor Outdoor	1,296 square metres (2.00 m ² /unit) 855 square metres (1.32 m ² /unit)	1,341 square metres (2.1 m ² /unit) 711 square metres (1.2 m ² /unit)

Reasons for Application

Amendments to both the former City of Toronto Zoning By-law No. 438-86 and the City-Wide Zoning By-law No. 569-2013 are required to implement the proposed height and density, as well as the new performance standards. The height limit in the Zoning By-laws is 30 metres exclusive of the mechanical penthouse, while the proposal is 160.5 metres, inclusive of the mechanical penthouse. The current density permitted is 2 times the area of the lot, while the requested density is 19.85 times the area of the lot.

Additional deviations from the zoning by-laws related to building setbacks, amenity space, and parking, amongst other matters, are also required.

The applicant has submitted an application for a Rental Housing Demolition and Conversion permit pursuant to Chapter 667 of the City of Toronto Municipal Code for the demolition of the existing rental housing units as the subject lands contain six or more residential dwelling units, of which at least one is rental.

APPLICATION BACKGROUND

A pre-application consultation meeting was held with the applicant to discuss complete application submission requirements as well as to provide feedback on the proposal. The application was submitted on April 16, 2018 and a Notice of Complete Application was issued on May 17, 2018, deeming the application complete as of April 16, 2018

A Preliminary Report on the application was adopted by Toronto and East York Community Council on July 4, 2018 authorizing staff to conduct a community consultation meeting. Community consultation is summarized in the Community Consultation section of this Report. The decision can be found here:

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2018.TE34.96>

Application Submission Requirements

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

- Boundary and Topographical Survey
- Architectural Plans
- Shadow Study
- Landscape Plans
- Tree Preservation Plan
- Arborist Report
- Planning and Urban Design Report
- Public Consultation Strategy
- Community Services & Facilities Study
- Draft Zoning By-law Amendments
- Rental Housing Demolition and Conversion Declaration of Use & Screening Form
- Housing Issues Report
- Toronto Green Standards Development Checklist
- Heritage Impact Assessment
- Qualitative Pedestrian Level Wind Assessment
- Transportation Impact Study
- Functional Servicing Report
- Stormwater Management Report
- Geohydrology Assessment
- Geotechnical Investigation Report
- Energy Strategy
- Phase I Environmental Site Assessment

The application materials are available at <http://aic.to/55CharlesE>

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 Zoning By-law standards.

Statutory Public Meeting Comments

In making their decision with regard to this application, Council members will have had an opportunity to view the oral submissions made at the statutory public meeting held by the Toronto and East York Community Council for this application, as these submissions are broadcast live over the internet and recorded for review.

Site and Surrounding Area

The site is rectangular in shape and measures approximately 2,283 square metres with a frontage of 45.9 metres (refer to Attachment 2: Location Map). The site is currently occupied by a 9-storey rental residential building at 55 Charles Street East containing 76 units, and a 3-storey rental residential building at 61-63 Charles Street East containing 24 units. According to the information provided by the applicant, the unit mix and rent classification for all existing rental units is as follows:

- 21 bachelor units: all 21 units have mid-range rents
- 75 one-bedroom units: 4 units with affordable rents and 71 units with mid-range rents
- 4 two-bedroom: all 4 units have mid-range rents

Surrounding uses and buildings near the site include:

North: On the north side of Charles Street East is a 55-storey mixed-use building at 50 Charles Street East ("Casa III") which includes the conservation of the 3-storey semi-detached house-form building at 62-64 Charles Street East which is listed on the City's Inventory of Heritage Properties. To the east is a 3-storey detached house-form building at 66 Charles Street East which is listed on the City's Inventory of Heritage Properties. At the northwest corner of Charles Street East and Church Street is 628 Church Street where a 47-storey mixed-use building has been approved (City File No: 14 227468 STE 27 OZ). Further to the west on the north side of Charles Street East is a 56-storey residential building at 42 Charles Street East ("Casa II") and a 32-storey residential building at 35 Hayden Street ("The Bloor Street Neighbourhood"). To the west is a Part IV designated property with a 3-storey apartment building at 30 Charles Street East, and a 6-storey Toronto Parking Authority garage at 20 Charles Street East.

South: To the south of the site is the east-west portion of Macy Dubois Lane, beyond which are properties fronting onto Isabella Street. At the northwest corner of Isabella Street and Church Street is a 26-storey mixed-use building at 66 Isabella Street. To the

east is a 10-storey residential building at 48 Isabella Street, a 3 ½ -storey residential building at 40-42 Isabella Street which is listed on the City's Inventory of Heritage Properties, a 2 ½ -storey house-form building at 38 Isabella Street which is listed on the City's Inventory of Heritage Properties and houses an addiction treatment facility, a Part IV designated property with a 2 ½ -storey house-form building at 34 Isabella Street which houses the Canadian Lesbian and Gay Archives, a 7-storey office building at 30 Isabella Street which houses the Children's Aid Society of Toronto, and George Hislop Park.

East: To the east of the site is a north-south portion of Macy Dubois Lane. At the southwest corner of Charles Street East and Church Street is a 26-storey hotel ("Town Inn Suites") at 620 Church Street which is subject to an application to permit two 3-storey infill apartment buildings on the property (City File No: 11 330270 STE 27 OZ). At the southeast corner of Charles Street East and Church Street is a 16-storey mixed use building at 71 Charles Street East ("Paxton Place"), and at the north-east corner is a 6-storey mixed-use commercial office building at 625 Church Street.

West: To the west of the site is a 47-storey residential building at 45 Charles Street East ("Chaz Yorkville"), west of which is a north-south portion of Macy Dubois Lane. Further to the west is a 46-storey residential building at 33 Charles Street East ("Casa"), a church building at 25 Charles Street East which houses Sanctuary Ministries Toronto, and George Hislop Park. Further to the west are properties and a mix of uses generally located within the Yonge Street corridor.

POLICY CONSIDERATIONS

Planning Act

Section 2 of the *Planning Act* sets out matters of provincial interest which City Council shall have regard to in carrying out its responsibilities, including: the orderly development of safe and healthy communities; the adequate provision of a full range of housing, including affordable housing; the appropriate location of growth and development; and the promotion of a built form that is well designed, encourages a sense of place, and provides for public spaces that are of high quality, safe, accessible, attractive and vibrant.

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

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

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 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.

Toronto Official Plan

This application has been reviewed against the policies of the City of Toronto Official Plan as follows:

Downtown Policies

The Official Plan places the site within the Downtown and Central Waterfront on Map 2 "Urban Structure." The policies for the Downtown describe a healthy and attractive place to live and work which will continue to evolve through new development which supports the reurbanization strategy and goals for Downtown. The policies for the Downtown will shape the City's future by accommodating development that:

- a) achieves a minimum combined gross density target of 400 jobs and residents per hectare for Downtown which delineates the Downtown urban growth centre for the purposes of the Growth Plan; and
- c) provides a full range of housing opportunities for Downtown workers and reduces the demand for in-bound commuting (Policy 2.2.1.1).

A full range of housing opportunities will be encouraged through residential intensification in the Mixed Use Areas and Regeneration Areas of Downtown (Policy 2.2.1.4).

Design guidelines specific to districts of historic or distinct character will be developed and applied to ensure new development respects the context of such districts in terms of the development's fit with existing streets, setbacks, heights and relationship to landmark buildings (Policies 2.2.1.5 and 2.2.1.6). In this case, the North Downtown Yonge Street Urban Design Guidelines have been prepared to implement Policy 2.2.1.6.

Mixed Use Areas Policies

The site is designated "Mixed Use Areas" on Map 18 – Land Use Plan in the Official Plan and is subject to Policy 4.5 (refer to Attachment 3: Official Plan). This designation permits a range of residential, commercial and institutional uses, in single use or mixed use buildings, as well as parks and open spaces and utilities. Development in Mixed Use Areas will provide a balance of uses which meet the needs of the local community; have access to schools, parks, community centres, libraries and childcare; include on-site indoor and outdoor recreation space for residents; and take advantage of nearby transit services and allow for reduced automobile dependency.

New buildings should be located and massed to provide a transition between areas of different development intensity and scale; frame streets with good proportion and provide an attractive, comfortable and safe environment for pedestrians, including maintaining sunlight and comfortable wind conditions; provide good site access, circulation, and adequate parking for residents and visitors; and locate and screen service areas, ramps and garbage storage to minimize the impact on adjacent streets and residences.

Built Form Policies

The development criteria in the Mixed Use Areas policies are supplemented by additional development criteria in the Official Plan's Built Form policies, including policies that specifically address tall buildings. The Built Form policies 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. New buildings are required to provide appropriate massing and transition in scale that will respect the character of the surrounding area.

The Official Plan's Built Form policies (Policy 3.1.2) identify the importance of urban design as a fundamental element of City building. They require that new development:

- be located and organized to fit with its existing and/or planned context;
- locate and organize vehicular and service areas in such a way to minimize their impact and to improve the safety and attractiveness of adjacent streets, parks and open spaces;
- be massed to provide an appropriate transition in scale to neighbouring existing and/or planned buildings;
- be massed to frame adjacent streets and open spaces in a way that respects the existing and/or planned street proportion;
- incorporate exterior design elements, their form, scale, proportion, pattern and materials, and their sustainable design, to influence the character, scale and appearance of the development;
- provide amenity for adjacent streets and open spaces for pedestrians;
- provide for adequate light, privacy and sky view, and limit the resulting shadowing and wind conditions on neighbouring streets, properties and open spaces;
- provide indoor and outdoor amenity space for residents; and
- provide amenity for adjacent streets and open spaces to make these areas attractive, interesting, comfortable and functional for pedestrians by providing improvements to adjacent boulevards and sidewalks, co-ordinated landscape improvements in setbacks to create attractive transitions from the private to public realms, weather protection such as canopies and awnings, landscaped open space within the development site, and public art.

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

- a base building with an appropriate scale for adjacent streets, parks and open spaces, which integrates with adjacent buildings, and minimizes the impact of parking and servicing uses;
- a tower with an appropriate floor plate shape and size for the site, which is appropriately located and oriented on the site in relationship to the base building and adjacent buildings; and
- a tower top that contributes to the skyline character and integrates the roof top mechanical systems into the design.

Heritage Policies

Section 3.1.5 of the Official Plan provides policies regarding heritage conservation. Policy 3.1.5.5 states that proposed development on or adjacent to a property on the Heritage Register will ensure that the integrity of the heritage property's cultural heritage value and attributes will be retained. Policy 3.1.5.26 requires that new construction on, or adjacent to, a property on the Heritage Register will be designed to conserve the cultural heritage values, attributes and character of that property and to mitigate visual and physical impact on it.

The adjacent properties at 62-64 Charles Street East are designated under Part IV of the *Ontario Heritage Act*, and 66 Charles Street East is listed on the City's Heritage Register.

Housing Policies

The Official Plan contains policies addressing the need to preserve and increase the City's supply of rental and affordable housing. Section 3.2.1 of the Official Plan includes policies that encourage the provision of a full range of housing in terms of form, tenure and affordability. The Plan states that the existing stock of housing will be maintained and replenished. New housing supply will be encouraged through intensification and infill that is consistent with the overall policies of the Official Plan.

Policy 3.2.1.6 states that for new development that would result in the loss of six or more rental housing units will not be approved unless all of the rental housing units have rents that exceed mid-range rents at the time of application, or the following are secured:

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

The proposal has been reviewed against the policies described above as well as the policies of the Official Plan as a whole.

The City of Toronto Official Plan can be found here: <https://www.toronto.ca/city-government/planning-development/official-plan-guidelines/official-plan/>.

North Downtown Yonge Site and Area Specific Policy 382

At its meeting on November 13, 2013, City Council adopted the North Downtown Yonge Area Specific Policy 382, known as Official Plan Amendment (OPA) 183, and approved the North Downtown Yonge Urban Design Guidelines for the area generally bounded by Charles Street, Bay Street, Church Street and College/Carlton Street. Parts of OPA 183 were adopted by the OMB in a Phase I hearing and are in full force and effect, including the majority of the Isabella Character Area policies and the area-wide policies. Other parts of OPA 183, including the policies related to the Historic Yonge Street HCD, remain under appeal and will be addressed through a Phase II hearing, which is not yet scheduled.

The site is located within the Isabella Character Area which extends from the properties on the south side of Charles Street East to the properties on the north side of

Gloucester Street, between the linear park east of Yonge Street and the rear of the properties fronting on Church Street (refer to Attachments 4-5: OPA 183 (SASP 382)).

The commentary section of Section 5.4, Isabella Character Area, notes that the area along Charles Street East designated Mixed Use Areas will continue to experience growth and change while the area to the south has remained relatively stable and is not intended for significant growth and intensification.

OPA 183 also contains area-wide policies related to sun and shadows, parks and open spaces, the public realm, and urban design, which will be considered during the review of the application.

The proposal has been reviewed against all policies of the North Downtown Yonge Site and Area Specific Policy 382, which can be accessed at: <http://www.omb.gov.on.ca/e-decisions/pl131355-Aug-25-2017.pdf>

Site and Area Specific Policy 211

Site and Area Specific Policy (SASP) 211 in the Official Plan recognizes that the Bloor-Yorkville/North Midtown Area comprises a broad mix of districts with differing intensities, scales and heights in a diversity of building forms. It forms the north edge of the Downtown and provides for transition in density and scale towards the boundaries of the area from the more intensive use and development forms to the south and within the Height Peak at Yonge Street and Bloor Street.

Map 2 of SASP 211 provides a height structure plan for the area, comprising of a "Height Peak," "Height Ridges," and "Low-Rise Areas." The site is located at the southern edge of the Church Street Height Ridge (refer to Attachment 6: SASP 211). The policy states that the tallest buildings in the Bloor-Yorkville/North Midtown area will be located in the Height Peak, located in the vicinity of the intersection of Yonge Street and Bloor Street, with height and density permissions generally diminishing the further one gets from Bloor Street. Development along the Height Ridges will be at a lesser height and physical scale than the Bloor/Yonge Height Peak, and in a form compatible with adjacent areas.

The Bloor-Yorkville/North Midtown Urban Design Guidelines have been prepared to provide direction for reviewing development applications in this area; however, the extent of the Study Area within the Urban Design Guidelines does not include the site.

TOcore: Planning Downtown

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.

OPA 352 – Downtown Tall Building Setback Area

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

Zoning

The site is zoned CR T2.0 C1.0 R2.0 in Zoning By-law 438-86, which permits a mix of commercial and residential uses. The maximum permitted height is 30 metres and the maximum permitted density is 2 times the lot area. Other site specific permissions and exceptions from Section 12(2)80 and 12(2)132 also apply which limit the use of parking facilities and prohibit commercial parking garage uses, respectively.

On May 9, 2013, City Council enacted city-wide Zoning By-law 569-2013. *Planning Act* applications submitted after May 9, 2013, are subject to the new Zoning By-law. The site is zoned CR 2.0 (c1.0; r2.0) SS1 (x1454) in Zoning By-law 569-2013 (refer to Attachment 7: Existing Zoning). The CR zone permits a range of uses similar to the former designation under Zoning By-law 438-86 and a maximum permitted height of 30 metres. The (x1454) provisions indicate site specific permissions and exceptions that are carried over from Zoning By-law 438-86.

North Downtown Yonge Urban Design Guidelines

The North Downtown Yonge Urban Design Guidelines provide further direction for implementation of the policies contained in OPA 183. A unique aspect of the Isabella Character Area is its special built form and open space configuration which results in large separation distances from adjacent properties and porosity through the block. The open spaces on these blocks are valuable and contribute to the quality of life for residents.

Infill developments on these blocks shall:

- Protect the low-rise built form, heritage buildings and human pedestrian scale;
- Maintain the open space network by identifying sites that can complement and enhance the existing public open spaces;

Additionally:

- The height of new developments should create a height transition from Yonge Street to the midrise built form along Church Street.
- There shall be a compatible relationship of potential new developments to the street right-of-way, immediate context, existing heritage buildings, nearby parks and open spaces and Neighbourhoods.
- The streetscape should provide strong street edges with tree planting, minimum paved sidewalk width and be in conformity with the City of Toronto Streetscape Manual.

The guidelines also contain a framework for built form and the public realm.

The North Downtown Yonge Urban Design Guidelines have been considered during the review of the proposal. The North Downtown Yonge Urban Design Guidelines are available at: <https://www.toronto.ca/legdocs/mmis/2013/te/bgrd/backgroundfile-61187.pdf>

City-Wide Tall Building Design Guidelines

City Council has adopted city-wide Tall Building Design Guidelines and directed City Planning staff to use these Guidelines in the evaluation of tall building development applications. The Guidelines establish a unified set of performance measures for the evaluation of tall building proposals to ensure they fit within their context and minimize their local impacts. The link to the guidelines is here:

<https://www.toronto.ca/legdocs/mmis/2013/pg/bgrd/backgroundfile-57177.pdf>.

The Official Plan states that Guidelines will be adopted to advance the vision, objectives, and policies of the Plan (Policy 5.3.2.1). Urban Design guidelines specifically are intended "to provide a more detailed framework for built form and public improvements in growth areas." The Tall Building Design Guidelines serve this policy intent, helping to implement Chapter 3.1, The Built Environment, and other policies within the Official Plan related to the design and development of tall buildings in Toronto.

The guidelines state that the tower floor plate size should be limited to 750 square metres or less per floor. Any increases in tower floor plate size require that exceptional design attention be given to the shape and articulation of the tower to diminish the overall scale and impact of the building mass. The tower floor plate should be located and articulated to minimize shadow impacts and negative wind conditions on surrounding streets, parks, open space, and properties; minimize loss of sky view from the public realm; allow for the passage of natural light into interior spaces; create architectural interest and visually diminish the overall scale of the building mass; and present an elegant profile for the skyline (Section 3.2.1).

Tower placement is addressed in Sections 3.2.2 and 3.2.3 of the Guidelines. Tall building towers should be set back 12.5 metres or greater from the side and rear property lines or centre line of an abutting lane. The tower, including balconies, should step back 3 metres or more from the base building along all street frontages. Tower

steppbacks greater than 3 metres are encouraged and may be required for tall buildings to fit harmoniously within an existing context, including sites that contain or are adjacent to heritage properties.

Downtown Tall Buildings: Vision and Supplementary Design Guidelines

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

On Map 1 - High Streets Map - Charles Street East is shown as a Secondary High Street.

On Map 2 - Downtown Vision Height Map - no height range has been established for the Secondary High Streets. Section 1.2 states that the height ranges for Secondary High Streets will generally be one-third lower than the High Streets they run parallel to. A height range of 77-137 metres (25-45 storeys) is applied to Bloor Street East between Yonge Street and Church Street, 62-107 metres (20-35 storeys) is applied to the southwest and southeast corners of Church Street and Bloor Street East, and 47-77 metres (15-25 storeys) is applied to the east side of Church Street north of Charles Street East.

Map 3 - High Streets Typologies Map - applies a Tower-Base Form or Residential Landscaped Setback Form to Charles Street East.

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 are available at

<https://www.toronto.ca/legdocs/mmis/2017/pg/bgrd/backgroundfile-103920.pdf>

Site Plan Control

The application is subject to Site Plan Control. An application for Site Plan Control has been submitted and is currently under review.

Rental Housing Demolition and Conversion By-law

Section 111 of the *City of Toronto Act, 2006* authorizes Council to regulate the demolition and conversion of residential rental properties in the City. Chapter 667 of the Toronto Municipal Code, the Rental Housing Demolition and Conversion By-law, implements Section 111. Chapter 667 prohibits the demolition or conversion of rental housing units in buildings containing six or more residential dwelling units, of which at least one unit is rental, without obtaining a permit from the City and requires a decision by either City Council or, where delegated, the Chief Planner and Executive Director, City Planning.

City Council may refuse or approve an application to demolish a rental building and may impose conditions upon such an approval, including conditions that must be satisfied before a demolition permit is issued. These conditions implement the City's Official Plan policies protecting rental housing.

Pursuant to the City's Residential Demolition Control By-law, Chapter 363 of the Toronto Municipal Code, City Council approval of the demolition of residential dwelling units under Section 33 of the *Planning Act* is also required where six or more residential dwelling units are proposed for demolition, before the Chief Building Official can issue a permit for demolition under the *Building Code Act*.

On April 16, 2018, the applicant made an application for a Rental Housing Demolition permit pursuant to Chapter 667 of the City of Toronto Municipal Code.

COMMUNITY CONSULTATION

A Community Consultation Meeting was held on December 5, 2018 at St. Paul's Bloor Street Church where the revised 48-storey proposal was presented. The local Councillor, the applicant, and approximately 80 members of the public attended. The concerns raised by residents with respect to the proposed development were generally related to the following matters:

- Existing and future traffic congestion on Charles Street East and surrounding streets, including vehicles stopping for pick-up and drop-off in the roadway;
- Crowding of buildings on Charles Street East and concerns about the bulkiness of the proposed building;
- Impacts on views and privacy for current and future residents of the building and the broader area;
- Concerns about existing and future wind conditions on Charles Street East, as well as sunlight on sidewalks;
- Timing of construction in relation to other developments nearby;
- Concerns about the impacts of intensification in the area, including transit capacity, school capacity, and crowding on area sidewalks;

- Allocation of Section 37 funds in the area and suggestions for community benefits (e.g. support for the nearby charitable organization Sanctuary, improvements to the linear park over the subway corridor) as well as concerns that the community benefits from developments in the area are not apparent;
- Features of the proposed building, including unit sizes, provision of areas for pet relief, and implementation of green building elements (e.g. provision for electric cars and bikes);
- Questions of building construction including an interest in the use of high quality materials, and questions about falling glass and objects being blown off balconies during high winds; and,
- Appreciation for the existing building at 61-63 Charles Street East and a suggestion to use part of the old building in the new building or make some reference to the existing building in the design of the new building.

Several members of the public also expressed support for the revised 48-storey proposal that was presented at the Community Consultation Meeting, noting their appreciation for the revised architectural design, including the ground-level units and balcony design.

Attendees who lived in the existing buildings on the site also had questions and concerns about continuing to live in the buildings, the process used to secure replacement rental housing and rents, future tenant meetings, and the terms of the tenant assistance plan.

Some members of the public also provided comments in writing by mail and through the online Application Information Centre, which included the following additional concerns:

- Suggestion that the proposal be expanded to include additional market rental housing;
- Concerns raised by representatives from neighbouring properties with respect to continuous access to Macy Dubois Lane (66 Isabella Street) and tower setbacks from property lines which consider the development potential of neighbouring properties (620 Church Street)
- Questioning what artistic addition will benefit the community;
- Quality of building materials, particularly at the street level; and,
- Concerns about the tall building form with respect to safety during emergencies.

These issues have been considered in the review of the application. Some of the more detailed issues, such as building materials and features, will be addressed through the Site Plan application.

Tenant Consultation

City Planning staff hosted a Tenant Consultation Meeting on March 12, 2019, as required by Municipal Code Chapter 667. The purpose of the meeting was to review the City's rental housing policies, provide information on the proposed redevelopment and outline the proposed Tenant Relocation and Assistance Plan. This meeting was attended by approximately 35 tenant households, City Planning staff, applicant representatives, and a staff member from the office of the local ward councillor.

During the meeting, tenants asked questions about the proposed development including details of the replacement rental units, permitted rent increases for the replacement rental dwelling units, and the expected length of construction. During the meeting, tenants expressed concern that the Tenant Relocation and Assistance Plan did not include compensation components presented to them by the applicant prior to submission of the rental housing and zoning by-law amendment applications. Tenants asked that both sets of terms be included in a Tenant Relocation and Assistance Plan. Tenants were informed that an update to the Plan would be provided via a letter to all tenants. This letter was delivered on May 2, 2019 and contains the terms summarised under the Tenant Relocation and Assistance Plan section below.

COMMENTS

Provincial Policy Statement and Provincial Plans

The proposal has been reviewed and evaluated against the PPS (2014) and the Growth Plan (2019). The proposal has also been reviewed and evaluated against Policy 5.1 of the Growth Plan as described in the Issue Background section of the Report.

Staff have determined that the proposal is consistent with the PPS and conforms with the Growth Plan as follows:

The PPS (2014) requires provisions to be made for an appropriate range of housing types and densities to meet projected requirements of current and future residents. This policy for healthy, livable and safe communities is achieved, amongst other means, by accommodating a range of residential, employment, institutional and other uses to meet long-term needs, facilitating all forms of residential intensification and redevelopment, promoting densities for new housing which effectively use land, resources, infrastructure and public services, and support the use of public transit. Specifically, the PPS requires growth and development to focus in settlement areas, and promotes the use of appropriate development standards to support intensification and redevelopment while mitigating risks to public health and safety.

Policy 1.4.3 outlines that one of the ways planning authorities shall provide for an appropriate range and mix of housing types and densities to meet projected requirements of current and future residents is by directing the development of new housing towards locations where appropriate levels of infrastructure and public service facilities are or will be available to support current and projected needs.

Policy 4.7 of the PPS refers to the Official Plan as the most important vehicle for implementing the PPS and as such the development standards in the Toronto Official

Plan have particular relevance. The Toronto Official Plan section of this Report evaluates the appropriateness of the subject site for intensification.

The proposed development supports Provincial policy objectives to focus growth in existing settlement areas. The proposal would also support efficient land use, mix of housing types (including a mix of unit tenure as well as unit sizes), reduced land consumption related to residential development, and efficient use of existing infrastructure, and would be transit supportive. The proposed development is therefore consistent with the PPS.

The Growth Plan provides a framework for managing growth in the Greater Golden Horseshoe. Section 2.2.1.2 of the Growth Plan directs the vast majority of growth to occur within settlement areas that have a delineated built boundary, have existing or planned municipal infrastructure including water and waste water systems, and that can support the achievement of complete communities.

Section 2.2.1.4 of the Growth Plan provides further direction on the achievement of complete communities. It articulates a set of objectives including a diverse mix of land uses, and range and mix of housing options to accommodate people at all stages of life, and to accommodate the needs of all household sizes and incomes. Access to a range of transportation options, public service facilities, and open spaces and recreational facilities is also highlighted as a key component of complete communities. Furthermore, this section directs that complete communities provide for a compact built form and a vibrant public realm.

The proposed development conforms with the relevant sections of the Growth Plan. The proposal provides for a compact built form and a vibrant public realm within a settlement area with convenient access to a range of transportation options, public service facilities, and open spaces and recreational facilities. The proposed development conforms to the Growth Plan.

Conformity with Growth Targets and Density Targets

The most recent Official Plan update was undertaken when the City's Official Plan was approved by the Ontario Municipal Board in 2006 and considered further through the statutory five-year review of the Official Plan that commenced in 2011. The five-year review resulted in a number of Official Plan amendments that were approved by the province on various dates. The Official Plan sets out areas for future growth while at the same time establishing policies that are appropriate and considerate of the surrounding context.

The subject site is within the urban growth centre (UGC) of the built-up area boundary as identified in the Growth Plan, where a significant share of population and employment growth is anticipated. The City of Toronto is required through its Official Plan to plan for a future population of 3,190,000 people by the year 2031. Additional density targets are provided for the various UGCs in the City at a rate of 400 people and jobs combined per hectare to help achieve this overall population. The City is presently on track to meet these overall 2031 Growth Plan's forecasts based on Census data,

current development proposals and future trends that are currently being considered by the City.

The density of the Downtown Toronto UGC area in 2016 is 354 people and jobs per hectare, based on the 2016 Census population and the 2016 Toronto Employment Survey results. From 2011 to 2016, the population increased by 41,668 people. Employment increased by 69,280 jobs over the same period. The increase in density as a result of this growth is an additional 52 people and jobs per hectare over the 2011-2016 period. This demonstrates total population and employment growth and growth in density of the UGC.

Table 2: Downtown Toronto UGC

Year	Census Population	TES Employment	Area (hectares)	Density (people & jobs)
2011	205,888	441,920	2,143	302
2016	247,556	511,200	2,143	354
2011-2016	41,668	69,280	2,143	52

Sources: 2011 and 2016 Census, Statistics Canada, 2011 and 2016 Toronto Employment Survey, City of Toronto

In the Downtown Toronto UGC area, the 2016 Q4 Development Pipeline contained 42,556 units in projects that were built between 2012 and 2016, and a further 45,236 units in projects which are active and thus which have at least one Planning approval, for which Building Permits have been applied for or have been issued, and/or those which are under construction, but are not yet completed (see ProfileToronto: How Does the City Grow? April 2017). The number of units in the area that are in active projects is greater than the number of units which have been built over the past five years.

If a similar number of units in active projects was realized in the near term as were built in the previous five years, and if the same population and employment growth occurred in the Downtown Toronto UGC over the near term from 2016 as occurred over the past five years from 2011 to 2016, the resulting density would be 406 people and jobs per hectare. Thus if the current trends continue, the resulting density would be above the minimum UGC density target of the Growth Plan (2017). In addition, there would remain an additional ten years for additional approved development to occur.

This proposal will add to the density of people and jobs per hectare in the Downtown Toronto UGC. As such, it is City Planning staff's opinion that this application and the amending Zoning By-laws does conform with the Growth Plan as it is contributing to the achievement of the population forecasts in the Growth Plan, as well as the achievement of the 400 people and jobs per hectare density target for the Downtown UGC (Policy 2.2.3.2).

Land Use

The Official Plan states that Mixed Use Areas are made up of a broad range of commercial, residential and institutional uses, in single use or mixed use buildings. Development in Mixed Use Areas will create a balance of high quality commercial, residential, institutional and open space uses that reduces automobile dependency and meets the needs of the local community, and provide for new jobs and homes for Toronto's growing population on underutilized lands including those in the Downtown (Policies 4.5.1 and 4.5.2).

The development contains residential uses, including a mix of condominium units and replacement rental units, which is consistent with the surrounding uses on Charles Street East. Staff have determined that the proposed uses are appropriate for the site and comply with the Mixed Use Areas policies contained in the Official Plan.

Density, Height

The proposed increase in height and density is supported by Official Plan policies that direct growth to Mixed Use Areas and to the Downtown, which is an Urban Growth Centre identified in the Growth Plan.

The proposed building height adequately addresses Policy 4.5.2(c) that requires development in Mixed Use Areas to be located and massed "to provide a transition between areas of different development intensity and scale" and SASP 211 which states that height and density permissions generally diminish the further one gets from Bloor Street. The immediate surrounding context includes buildings on the north side of Charles Street East with heights of 56, 55, and 47 storeys, and buildings on the south side of the street with heights of 47 and 26 storeys.

Massing

The base building height is 7 storeys (24.75 metres), with a 3 metre stepback above the 4th storey (15.25 metres) to reduce the visual impact of the podium mass from the street. The stepback above the 4th storey will allow the base building mass to be generally consistent with the existing pattern of new buildings on Charles Street East with base building heights ranging from 3 to 5 storeys (9 to 17 metres). The lower podium height is also less than 80% of the width of the adjacent right of way (20 metres for Charles Street East). For both of these reasons, the lower podium height is generally consistent with the Tall Building Design Guidelines (Guideline 3.1.1). City Planning staff will accept the height of the taller podium element as it has been designed to contain the replacement rental dwelling units and is set back from the lower podium.

The tower portion of the building is set back a further 1.5 metres from the top of the 7 storey podium. This stepback provides additional prominence to the building podium and allows space for balconies to project from the tower face without affecting the 3 metre stepback provided above the 4th storey.

The proposed tower separation from existing and planned towers is acceptable since it generally satisfies the intent of the minimum standards provided in the Tall Building Design Guidelines and By-laws 1106-2016 and 1107-2016 -- Downtown Tall Building

Setback Area, which reflect the Tall Building Design Guidelines. The standards aim to achieve a minimum 25-metre separation between towers by requiring a minimum 12.5-metre tower setback from the property line or the centerline of an adjacent lane.

The proposed tower setbacks are 12.5 metres from the west side lot line and 11.71 metres from the centerline of Macy Dubois Lane on the east side of the tower, which will be supplemented by a Limiting Distance Agreement to secure a minimum tower separation distance of 25 metres between 55-61 Charles Street East and 620 Church Street, in the event that future development occurs on the property at 620 Church Street.

The tower is set back approximately 6.0 metres from the centerline of Macy Dubois Lane on the south side of the tower. City Planning staff consider the reduced tower setback acceptable in this case as there will be a total separation distance of 26.88 metres between the proposed building and the existing building at 66 Isabella Street which was recently expanded and is not expected to expand further to the north into this separation area.

The proposed tower floor plate has an area of 880 square metres from level 9-48. While the size of the tower floor plate exceeds the recommended size contained in the Tall Building Design Guidelines, it is acceptable in this instance based on a number of factors, including the north-south orientation of the tower which will minimize the impact of a larger floor plate on Charles Street East with respect to loss of sky view and shadow impacts, as well as limiting the extent of balconies projecting in the zoning by-law to minimize the perceived addition to the tower mass of long or wrap-around balconies.

Overall, the proposed massing generally conforms to sections 4.5, 3.1.2, and 3.1.3 of the Official Plan as it fits with the existing and planned context, complies with the applicable design guidelines, and frames the adjacent street at an appropriate proportion. Pedestrian safety and interest will be improved through animated ground floor uses including the main building entrance and walkways to the side entrances to ground-level units, as well as a large front setback area which is discussed further in the Streetscape section of this report.

Sun, Shadow

The Official Plan states that new development is required to adequately limit any resulting shadowing of neighbouring streets, properties and open spaces, having regard for the varied nature of such areas, and minimize any additional shadowing on neighbouring parks as necessary to preserve their utility (Policy 3.1.2.3(e) and (f)). Additionally, new development in Mixed Use Areas is to be located and massed to maintain sunlight for pedestrians on adjacent streets, parks and open spaces (Policy 4.5.2(e)). Taken together, the intent of these policies is to ensure that new development in Mixed Use Areas does not result in significant shadowing impacts on public amenities such as streets and open spaces.

Through review of the Shadow Study submitted with the revised application, City Planning staff are satisfied that the proposed building will not shadow any parks. While

the building will add to the cumulative shadow impacts on Charles Street East throughout the day, the shadowing of the adjacent street is as expected for a new tall building on the site. Taken as a whole with the direction for intensification within the Downtown and Mixed Use Areas, the expected shadow impacts are acceptable and meet the intent of the Official Plan.

Wind

The Official Plan states that new development is required to adequately limit uncomfortable wind conditions on neighbouring streets, properties and open spaces, having regard for the varied nature of such areas, and minimize any additional uncomfortable wind on neighbouring parks as necessary to preserve their utility (Policy 3.1.2.3(e) and (f)). Additionally, new development in Mixed Use Areas is to be located and massed to maintain comfortable wind conditions for pedestrians on adjacent streets, parks and open spaces (Policy 4.5.2(e)).

City Planning staff have reviewed the Pedestrian Level Wind Study and the addendum submitted with the revised application. The Study concludes that wind conditions at all ground level locations within and around the site will be acceptable for the intended uses on a seasonal basis.

Traffic Impact, Access, Parking

The Official Plan states that development in Mixed Use Areas will provide good site access and circulation and an adequate supply of parking for residents and visitors (Policy 4.5.2(i)). New development will also locate and organize vehicle parking, vehicular access, service areas and utilities to minimize their impact on the property and on surrounding properties and to improve the safety and attractiveness of adjacent streets (Policy 3.1.2.2).

Vehicular access to the site for parking and loading will be from Macy Dubois Lane, a public lane running adjacent to the east and south sides of the property.

A total of 155 parking spaces are proposed in a 4-level underground parking garage. Seven parking spaces for visitors to the building and two parking spaces for car share vehicles are located on the first underground level of the parking garage. A letter of intent has been provided by Zipcar confirming that the company is interested in expanding their car sharing service to this new development. Sixteen commercial parking spaces are located on the second underground level, and the remainder of the underground parking garage is occupied by 130 parking spaces for residents.

Transportation Services staff have reviewed the Urban Transportation Considerations report submitted with the application. The development is expected to generate approximately 44 and 40 two-way vehicular trips during the AM and PM peak hours, respectively. This level of estimated trip generated and the anticipated impacts on area intersections are considered acceptable. The proposed parking supply is also acceptable to Transportation Services staff.

Type G and Type C loading spaces are also accessed from Macy Dubois Lane and located internally within the ground level of the building.

Bicycle parking spaces for residents (577 spaces) and visitors (65 spaces) are located in the first underground level of the parking garage.

Road Widening

In order to satisfy the Official Plan requirement of a 6 metre right-of-way for the adjacent public lane (Macy Dubois Lane), a 0.71 metre lane widening is required and is proposed to be conveyed to the City with this application along the easterly portion of the property. A 1.5 x 1.5 metre corner splay is also required at the south east corner of the property where the north-south and east-west segments of Macy Dubois Lane intersect. The conveyances will be to a minimum depth of 1.2 metres from the finished grade to allow the construction of the underground parking garage to the existing lot line.

Streetscape

The Official Plan states that new development will provide amenity for adjacent streets and open spaces to make these areas attractive, interesting, comfortable and functional for pedestrians by providing improvements to adjacent boulevards and sidewalks and co-ordinated landscape improvements in setbacks (Policy 3.1.2.5).

The streetscape on Charles Street East is characterized by generous landscaped front yards. The front yard setback for the proposed development has been increased from 2.2 metres in the original submission to 4.8 metres in the revised application, which aligns with the setback of the neighbouring building at 45 Charles Street East and results in a total setback of 10.89 metres from the curb to the face of the building.

A detailed landscape design for the front yard which is consistent with the overall streetscape design for Charles Street East will be secured through Site Plan Approval.

Amenity Space

The Official Plan states that every significant new multi-unit residential development will provide indoor and outdoor amenity space for residents of the new development (Policies 3.1.2.6 and 4.5.2(k)).

Indoor amenity space is proposed at a rate of 2.1 square metres per unit and is primarily located on Level 8 and the lower mechanical penthouse level. Smaller amenity areas are also located on the ground level and Levels 3-5. Outdoor amenity space is proposed at a rate of 1.2 square metres per unit and is located adjacent to the indoor amenity spaces on Level 8 and the lower mechanical penthouse level. Design of these amenity areas, including the provision of wind mitigation barriers where necessary around outdoor amenity areas, and the inclusion of amenities for residents with pets, will be secured through the Site Plan application.

All indoor and outdoor amenity areas will be accessible to residents of the condominium units and the replacement rental units. The provision of amenity space is acceptable for Staff.

Unit Mix

The Official Plan states that a full range of housing, in terms of form, tenure and affordability, across the City and within neighbourhoods, will be provided and maintained to meet the current and future needs of residents (Policy 3.2.1.1). The Draft Growing Up Guidelines speak to the need for a diverse unit mix. The Growing Up Guidelines indicate that a minimum of 25% of units in a new building should be large units, and further directs that 10% of the proposed units should be three-bedroom units, and 15% of the units should be two-bedroom units (Guideline 2.1(a)).

The proposed unit mix consists of 46 bachelor units (9%), 297 one-bedroom units (55%), 144 two-bedroom units (27%), and 54 three-bedroom units (10%) in the new condominium portion, and 20 bachelor units (20%), 75 one-bedroom units (75%) and 5 two-bedroom units (5%) in the replacement rental portion, which reflects the unit mix currently on the site except for one additional two-bedroom unit that is proposed to replace a bachelor unit. The proposed unit mix is consistent with the relevant policies and guidelines with respect to providing a mix of small and large units to accommodate a variety of household sizes.

The Growing Up Guidelines contemplate an ideal unit sizes of 87-90 square metres (969 square feet) for two-bedroom units and 100-106 square metres (1,140 square feet) for three-bedroom units (Guideline 3.0). The proposed two-bedroom units in the condominium portion of the building range in size from approximately 64 to 136 square metres (the largest units are the two-storey ground level units), with an average size of approximately 78 square metres. The proposed three-bedroom units in the condominium portion of the building range in size from 91 to 147 square metres, with an average size of approximately 94 square metres.

While the three-bedroom unit sizes are smaller than the recommended minimum size of 100 square metres, the floor plans have also been designed so that there are 280 one-bedroom units with knock-out panels between them that could be combined into 140 units with a typical size of approximate 100-106 square metres. City planning will accept this approach, which will be secured in the Section 37 agreement.

Servicing

Engineering and Construction Services staff have reviewed the Functional Servicing and Stormwater Management Implementation Report and Geohydrology Assessment submitted with the application. A revised Functional Servicing Report must be provided for review and acceptance by the Executive Director of Engineering and Construction Services prior to introducing the necessary Bills to City Council. The report will determine whether the municipal water, sanitary and storm sewer systems can support the proposed development and whether upgrades or improvements of the existing municipal infrastructure are required.

Open Space / Parkland

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

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 8,987 m² or 394% of the site area. However, for sites that are less than 1 hectare in size, a cap of 10% of the development site is applied to the residential use. In total, the parkland dedication requirement is 228.3 m².

The applicant has demonstrated a willingness to provide an off-site parkland dedication. The size and location of the off-site conveyance would be subject to the approval of the General Manager, Parks, Forestry & Recreation and would be subject to Parks, Forestry & Recreation's conditions for conveyance of parkland prior to the issuance of the first above grade building permit. If the pursuit of an off-site dedication is not successful, the applicant must demonstrate to Parks, Forestry & Recreation that all efforts were made and opportunities were assessed before a payment of cash-in-lieu would be accepted. Cash-in-lieu is payable prior to the issuance of the first above grade building permit.

Heritage Impact

The Official Plan states that proposed development on or adjacent to a property on the Heritage Register will ensure that the integrity of the heritage property's cultural heritage value and attributes will be retained, and will be designed to conserve the cultural heritage values, attributes and character of that property and to mitigate visual and physical impact on it (Policies 3.1.5.5 and 3.1.5.26).

The adjacent properties at 62-64 Charles Street East are designated under Part IV of the *Ontario Heritage Act*, and 66 Charles Street East is listed on the City's Heritage Register.

Heritage Preservation Services staff have reviewed the Heritage Impact Assessment submitted with the application and do not have any concerns with the proposal with respect to its impacts on adjacent heritage properties.

Tree Preservation

The application is subject to the provisions of the City of Toronto Municipal Code, Chapter 813 Articles II (Street Trees by-law) and III (Private Tree by-law). The Arborist Report submitted with the application identifies 6 City-owned trees which will be removed to facilitate the proposal.

Urban Forestry staff have reviewed the Arborist Report and Tree Preservation Plan submitted with the application and do not object to the proposed tree removal.

Prior to Site Plan approval the applicant is to provide a tree loss payment and tree planting security deposit for new tree planting with the City road allowance. Four new trees are proposed to be planted within the Charles Street East right-of-way.

Toronto Green Standard

Council has adopted the Toronto Green Standard (TGS) which is a set of performance measures for green development. The applicant is required to meet Tier 1 of the TGS. Some performance measures for the Tier 1 development features, such as bicycle parking, will be secured through the zoning by-law amendment and/or Section 37 Agreement. Other performance measures will be secured through the Site Plan process.

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 states that the City's ability to grow wisely depends on responding in a timely way to the demand for new or additional services and facilities generated as the population grows. To ensure this kind of timely response, a standard component of local community planning must be a strategy setting out the facilities required to expand the capacity of local service providers (Section 3.2.2).

City Planning has recently completed a three-year study called TOcore: Planning Downtown which included the Downtown Plan and five supporting infrastructure strategies, including a Downtown CS&F Strategy, which were approved by City Council at its meeting of May 22-25, 2018. The Downtown CS&F Strategy identifies community space and facility needs, and sets out priorities to support future growth for recreation, child care, libraries, public schools and human services.

The original application included a 317 square metre community space in the ground level which would be used by a non-profit entity to be determined. While the provision for non-profit community space as part of the development responds to the facility priorities identified in the Council-approved Downtown Plan and CS&F Strategy, the proposed size would need to be enlarged to a minimum of 465 square metres to create operationally feasible space for non-profit community organizations to run arts, cultural and human services programs. The proposed community space was removed from the proposal as it could not be enlarged within the footprint of the proposed building.

Rental Housing Units

A total of 100 replacement rental dwelling units are proposed as part of the new development. The proposed unit mix is 20 bachelor, 75 one-bedroom and 5 two-bedroom units, which differs from the existing unit mix on site of 21 bachelor, 75 one-bedroom and 4 two-bedroom units. City Planning staff are supportive of the modified unit mix as a bachelor unit will be replaced with a larger unit type.

The total gross floor area for the 100 replacement rental dwelling units will be approximately 16 per cent greater than the total gross floor area for the existing rental dwelling units on the site. The average unit size for the bachelor, one-bedroom and two-bedroom replacement rental dwelling units will be between 13 and 46 per cent greater than the average size of existing rental dwelling units. The increased floor area for the replacement rental dwelling units is largely a result of the configuration of the units within the podium floor plate as well as floor area increases to provide for hallways and other unusable space within certain unit configurations.

Tenants of the replacement rental units will have access to all indoor and outdoor amenity space provided within the new building, which will be shared with condominium residents. All other facilities will also be shared, including entranceways and all elevators. Bicycle and visitor parking will be available to tenants of the replacement rental dwelling units on the same terms as other residents of the residential building. Storage lockers will be provided on the rental replacement floors for tenants use. Visitor car and bike parking will be made available to tenants in the replacement rental dwelling units on the same terms as residents in the condominium residential units. Returning tenants who currently have access to a parking space will have first option to use a parking space in the new building. Air conditioning will be provided in each unit. Balconies will be provided for 35 of the replacement rental dwelling units, whereas currently 39 existing rental units have access to a private balcony.

The Section 37 and Section 111 Agreements will secure all details regarding minimum unit sizes and tenants' access to all facilities and amenities.

Tenure and Rents for the Replacement Rental Dwelling Units

The applicant has agreed to provide and maintain the 100 replacement rental dwelling units within the development for at least 20 years. The 20 year period would begin from the date that each replacement rental dwelling unit is first occupied and until the owner obtains approval for a Zoning By-law Amendment.

At the time of application, the affordability of the rental dwelling units consisted of four units in the affordable rent category, and 96 in the mid-range rent category, as defined by the Official Plan. The applicant has agreed to secure the rents for the 100 replacement rental units for at least 10 years. These matters will be secured in the appropriate agreements registered on title to the property.

Tenant Relocation and Assistance Plan

The owner has agreed to provide Tenant Relocation and Assistance to all tenants currently residing at 55 and 61 Charles Street East. The Tenant Relocation and

Assistance Plan will be to the satisfaction of the Chief Planner and Executive Director, City Planning, and secured through the Section 37 and Section 111 Agreements with the City.

The Tenant Relocation and Assistance Plan will assist affected tenants in finding and securing alternative accommodations while the replacement rental dwelling units are being constructed.

As part of this plan, all pre-application eligible tenants who continue to reside at 55 or 61 Charles Street East would receive:

- At least six (6) months notice of the date that they must vacate their rental unit;
- The right to return to a replacement rental unit of the same bedroom type in the new building, with similar rent;
- Compensation equal to three (3) month's rent pursuant to the *Residential Tenancies Act*;
- A move-out moving service or allowance and a move-back moving service or allowance if they exercise their right to return to a replacement rental dwelling unit;
- Additional compensation provided as an equal payment to each tenancy and further compensation based on the length of tenure within the building; and
- Additional compensation and assistance for special needs tenants as determined by the Chief Planner and Executive Director, City Planning.

All pre-application eligible tenants who move out prior to a notice to vacate their unit would receive the right to return to a replacement rental unit of the same bedroom type in the new building, with similar rent.

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*. While the proposed development exceeds the height and density limits of the existing Zoning By-law, the application is consistent with the objectives and policies of the Official Plan, and thus constitutes good planning.

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

1. \$6,400,000 for the purchase, renovation and transfer to the City of the property at 218 Carlton Street for new affordable rental housing to be operated by a non-profit housing provider. Should the City not be satisfied with the value of the renovations, the City may require an independent assessment of the property and its renovations at the sole cost of the owner. Should the independent assessment indicate that the value of the land and renovation is such that the owner has not provided the City with a total of \$6,400,000 in value, the difference will be paid to the City by the owner and directed to the City's Capital Revolving

Reserve Fund for Affordable Housing (XR1058) for the provision of off-site affordable housing within Ward 13;

2. \$200,000 to be allocated towards the Capital Revolving Reserve Fund for Affordable Housing for pre-development funding at 218 Carlton Street;
3. \$1,470,000 to be allocated towards the Capital Revolving Reserve Fund for Affordable Housing for existing and/or new affordable housing that may be owned by Toronto Community Housing within Ward 13;
4. \$1,660,000 to be allocated towards local area park or streetscape improvements located within Ward 13 and within the vicinity of the subject lands.
5. \$1,670,000 to be allocated towards community, cultural, or recreational facilities capital improvements within Ward 13;

With regard to the property at 218 Carlton Street, the City's Housing Secretariat will hold a competitive proposal call for an experienced community non-profit housing provider to operate the affordable rental apartments under a 50 year lease with the City. The owner will work with the non-profit housing provider and the City to complete architectural designs for the renovation. The design process will determine the final number of units at 218 Carlton Street, but a preliminary estimate is that the building can be renovated to provide a maximum of 20 efficiency apartments. 218 Carlton Street will be transferred to the City once the owner has completed the renovations. The City will then lease the property to the non-profit housing provider. This report seeks approval to provide up to \$200,000 from the Capital Revolving Reserve Fund for Affordable Housing (XR1058) to the non-profit housing provider as pre-development funding. To support the delivery of the affordable housing, this report also recommends the City's Open Door Affordable Rental Housing Program contributions, in the form of planning fees, development charges and tax relief for the 50-year lease, be provided for the homes at 218 Carlton Street. The Open Door Program contributions are detailed in the Financial Impact section of this report.

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

1. A restriction on the property at 620 Church Street, secured through a Limiting Distance Agreement, which will establish a Limiting Distance Area on the property at 620 Church Street where no new building or structure may be constructed within 25 metres of the building at 55-61 Charles Street East, above a height of 24.5 metres.
2. The owner be required to submit a revised Functional Servicing Report satisfactory to the Chief Engineer & Executive Director, Engineering & Construction Services.
3. The owner be required to construct and maintain 140 knock-out panels between units in the tower to enable the conversion or combination of two or more units into a larger unit.

4. The owner be required to construct and maintain the proposed development in accordance with Tier 1 performance measures of the Toronto Green Standard.
5. The owner be required to submit a Construction Management Plan , to the satisfaction of the Chief Planner and Executive Director, City Planning Division, the General Manager of Transportation Services, and the Chief Building Official, in consultation with the Ward Councillor, and thereafter will implement the plan during the course of construction.
6. Rental housing matters, including rental replacement requirements and tenant relocation and assistance.

Conclusion

The proposal has been reviewed against the policies of the PPS (2014), the Growth Plan (2019), the Greenbelt Plan (2017) and the Toronto Official Plan. Staff are of the opinion that the proposal is consistent with the PPS (2014) and conforms with the Growth Plan (2019). Furthermore, the proposal is in keeping with the intent of the Toronto Official Plan, particularly as it relates to promoting development that is compatible with the existing and planned context. Staff worked with the applicant and the community to address and resolve key concerns related to the overall building height and massing, and appropriate measures for replacing the existing rental units on site and mitigating hardship for existing tenants. Staff recommend that Council support approval of the rezoning application.

Staff have reviewed the Rental Housing Demolition application against the City's rental housing demolition policies and have determined that the applicant's demolition and replacement proposal for 55 and 61-63 Charles Street East would satisfy all of the required City's approval conditions. This report recommends that City Council approve,

with conditions, the application for a Rental Housing Demolition permit in accordance with Chapter 667 of the Toronto Municipal Code to allow for the demolition of the one hundred (100) existing rental units.

CONTACT

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SIGNATURE

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

ATTACHMENTS

City of Toronto Data/Drawings

- Attachment 1: Application Data Sheet
- Attachment 2: Location Map
- Attachment 3: Official Plan Land Use Map
- Attachment 4: OPA 183 (SASP 382) Map 1: Character Areas
- Attachment 5: OPA 183 (SASP 382) Map 2: Open Space Network and Height Areas
- Attachment 6: SASP 211 Map 2: Built Form Height Peaks & Ridges
- Attachment 7: Existing Zoning By-law Map
- Attachment 8: Draft Zoning By-law Amendment (438-86)
- Attachment 9: Draft Zoning By-law Amendment (569-3013)
- Attachment 10: Section 37 Agreement Terms Related to 218 Carlton Street Affordable Housing

Applicant Submitted Drawings

- Attachment 11: Site Plan
- Attachment 12: North Elevation
- Attachment 13: East Elevation
- Attachment 14: South Elevation
- Attachment 15: West Elevation

Attachment 1: Application Data Sheet

APPLICATION DATA SHEET

Municipal Address: 55-61 CHARLES ST E **Date Received:** April 16, 2018

Application Number: 18 144553 STE 27 OZ

Application Type: OPA / Rezoning, Rezoning

Project Description: The application for a Zoning By-law Amendment, Rental Housing Demolition & Conversion, and Site Plan Control proposes a 48-storey residential building consisting of a 7-storey podium base building (24.4 metres) and a 41-storey tower element above. The building will be 160.5 metres tall, including the mechanical penthouse, and has a total gross floor area of 45,000 square metres. A total of 541 condominium units and 100 replacement rental units are proposed in the building. A total of 155 parking spaces and 642 bicycle parking spaces are proposed.

Applicant	Agent	Architect	Owner
MOD DEVELOPMENTS (CHARLES) LP		ARCHITECTS ALLIANCE	MOD DEVELOPMENTS (CHARLES) INC

EXISTING PLANNING CONTROLS

Official Plan Designation:	Mixed Use Areas	Site Specific Provision:	
Zoning:	CR T2.0 C1.0 R2.0	Heritage Designation:	None
Height Limit (m):	30	Site Plan Control Area:	Yes

PROJECT INFORMATION

Site Area (sq m): 2,283 Frontage (m): 46 Depth (m): 50

Building Data	Existing	Retained	Proposed	Total
Ground Floor Area (sq m):	1,154		1,630	1,630
Residential GFA (sq m):	7,352		45,000	45,000
Non-Residential GFA (sq m):				
Total GFA (sq m):	7,352		45,000	45,000
Height - Storeys:	9		48	48
Height - Metres:	24		160.5	160.5

Lot Coverage Ratio (%): 71.4

Floor Space Index: 19.71

Floor Area Breakdown **Above Grade** (sq m) **Below Grade** (sq m)

Residential GFA: 45,000

Retail GFA:

Office GFA:

Industrial GFA:

Institutional/Other GFA:

Residential Units by Tenure	Existing	Retained	Proposed	Total
Rental:	100		100	100
Freehold:				
Condominium:			541	541
Other:				
Total Units:	100		641	641

Total Residential Units by Size

	Rooms	Bachelor	1 Bedroom	2 Bedroom	3+ Bedroom
Retained:					
Proposed:		66	372	149	54
Total Units:		66	372	149	54

Parking and Loading

Parking Spaces: 155 Bicycle Parking Spaces: 642 Loading Docks: 2

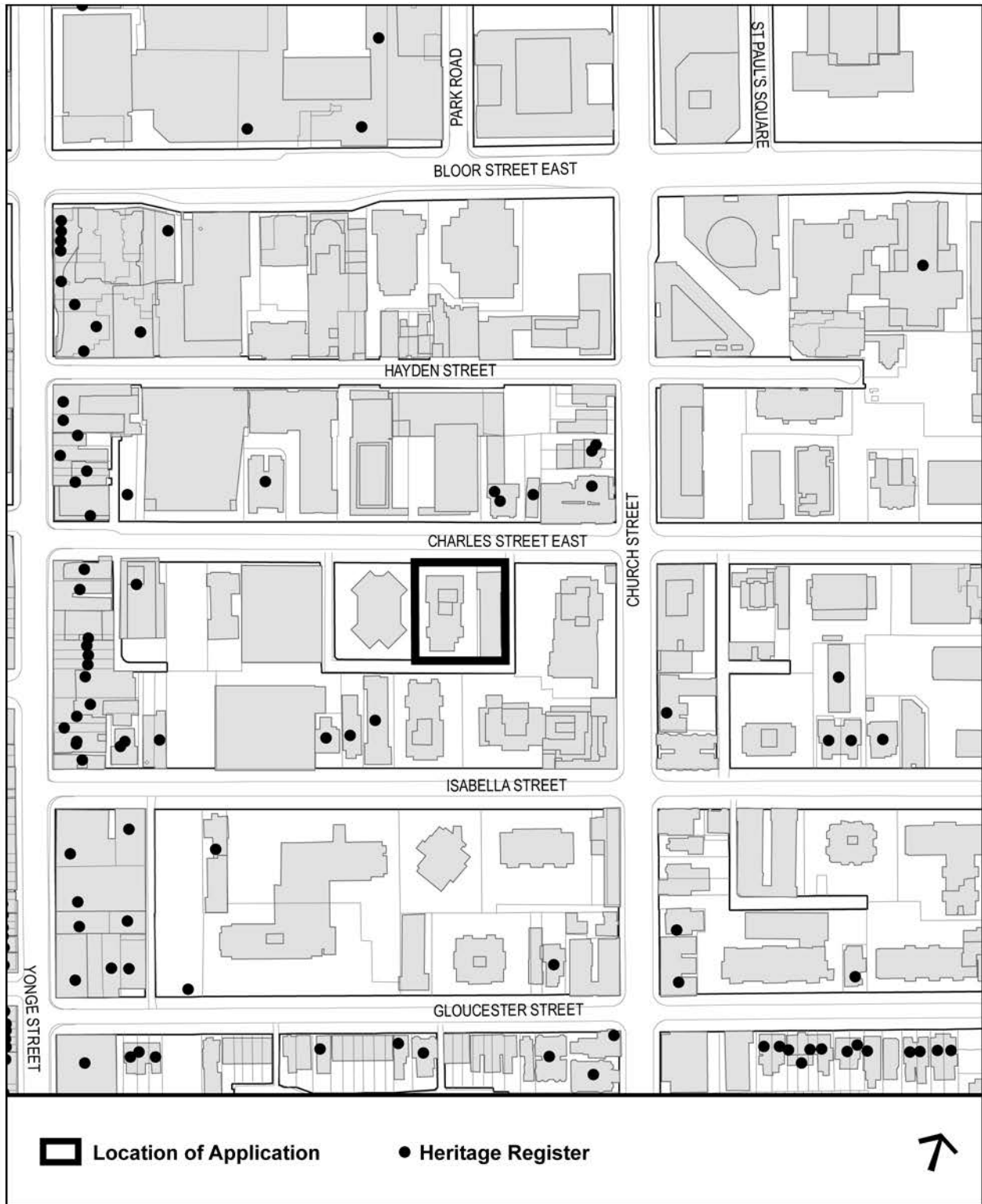
CONTACT:

Katherine Bailey, Planner

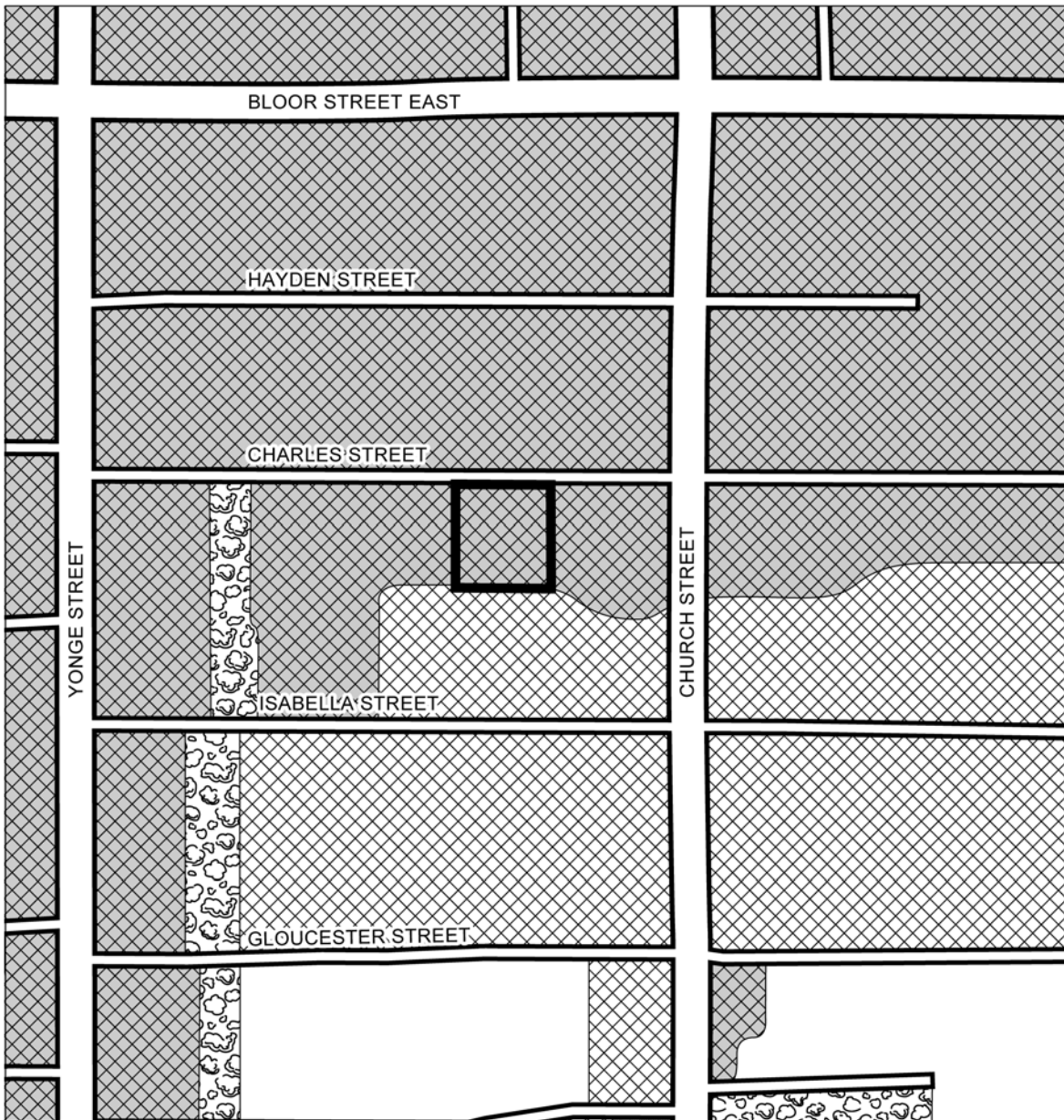
(416) 397-1761

Katherine.Bailey@toronto.ca

Attachment 2: Location Map



Attachment 3: Official Plan Land Use Map



Official Plan Land Use Map #18

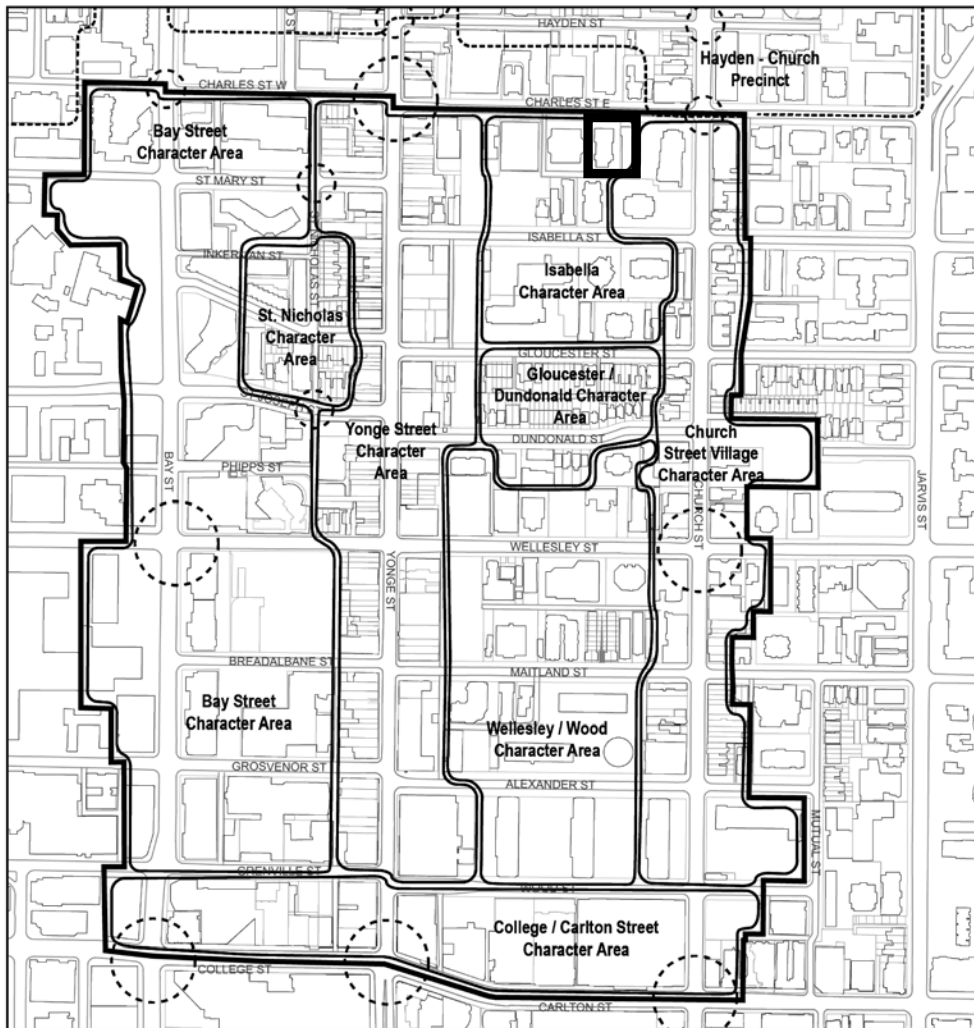
55-61 Charles Street East

File # 18 144553 STE 27 0Z

-  Location of Application
-  Neighbourhoods
-  Apartment Neighbourhoods
-  Mixed Use Areas
-  Parks & Open Space Areas
-  Parks

↑
Not to Scale
06/06/2018

Attachment 4: OPA 183 (SASP 382) Map 1: Character Areas



TORONTO City Planning
 Official Plan Amendment #183
 Map 1: Character Areas

North Downtown Yonge
 Planning Framework Study
 File # 11 247686

— Character Areas ○ Area-Wide Gateway ◌ Sub-Area Gateway



Not to Scale
 08/22/2013

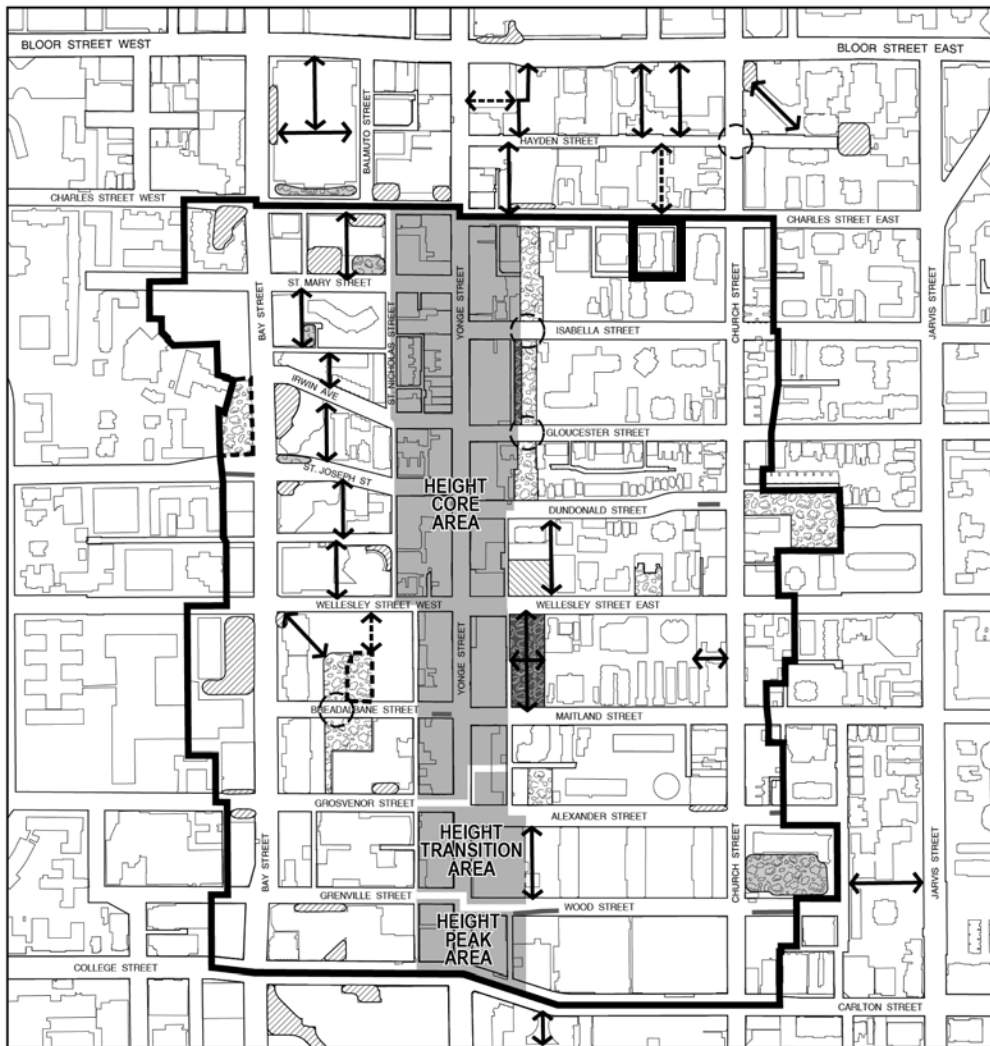
OPA 183 Character Areas

55-61 Charles Street East

Not to Scale
 06/06/2018

File # 18 144553 STE 27 0Z

Attachment 5: OPA 183 (SASP 382) Map 2: Open Space Network and Height Areas



TORONTO City Planning

Official Plan Amendment #183
Map 2: Open Space Network and Height Map

North Downtown Yonge
Planning Framework Study

File # 11 247686

- | | | |
|------------------------------------|----------------------------------|--|
| Public Park | Potential Open Space Opportunity | Pedestrian Mid-block Connections |
| New Public Park | Publicly Accessible Green Roof | Proposed Future Pedestrian Connections |
| Green Open Space | Park Connections | Boulevard Parking Transformation |
| Courtyards, Forecourts and Squares | | Not to Scale
08/15/2013 |

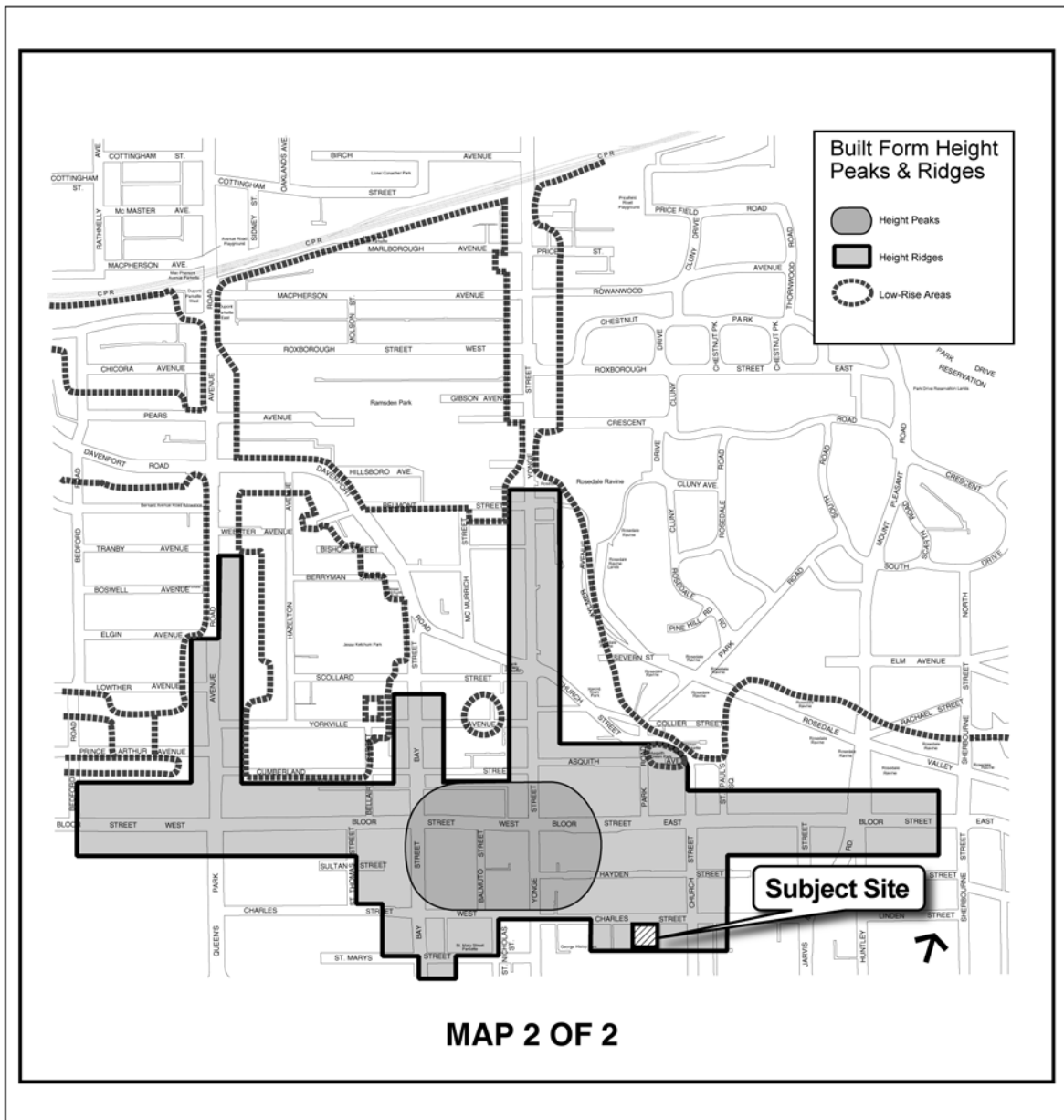
OPA 183 Open Space Network
and Height Map

Not to Scale
06/06/2018

55-61 Charles Street East

File # 18 144553 STE 27 0Z

Attachment 6: SASP 211 Map 2: Built Form Height Peaks & Ridges



Official Plan - SASP211 Map 2of2

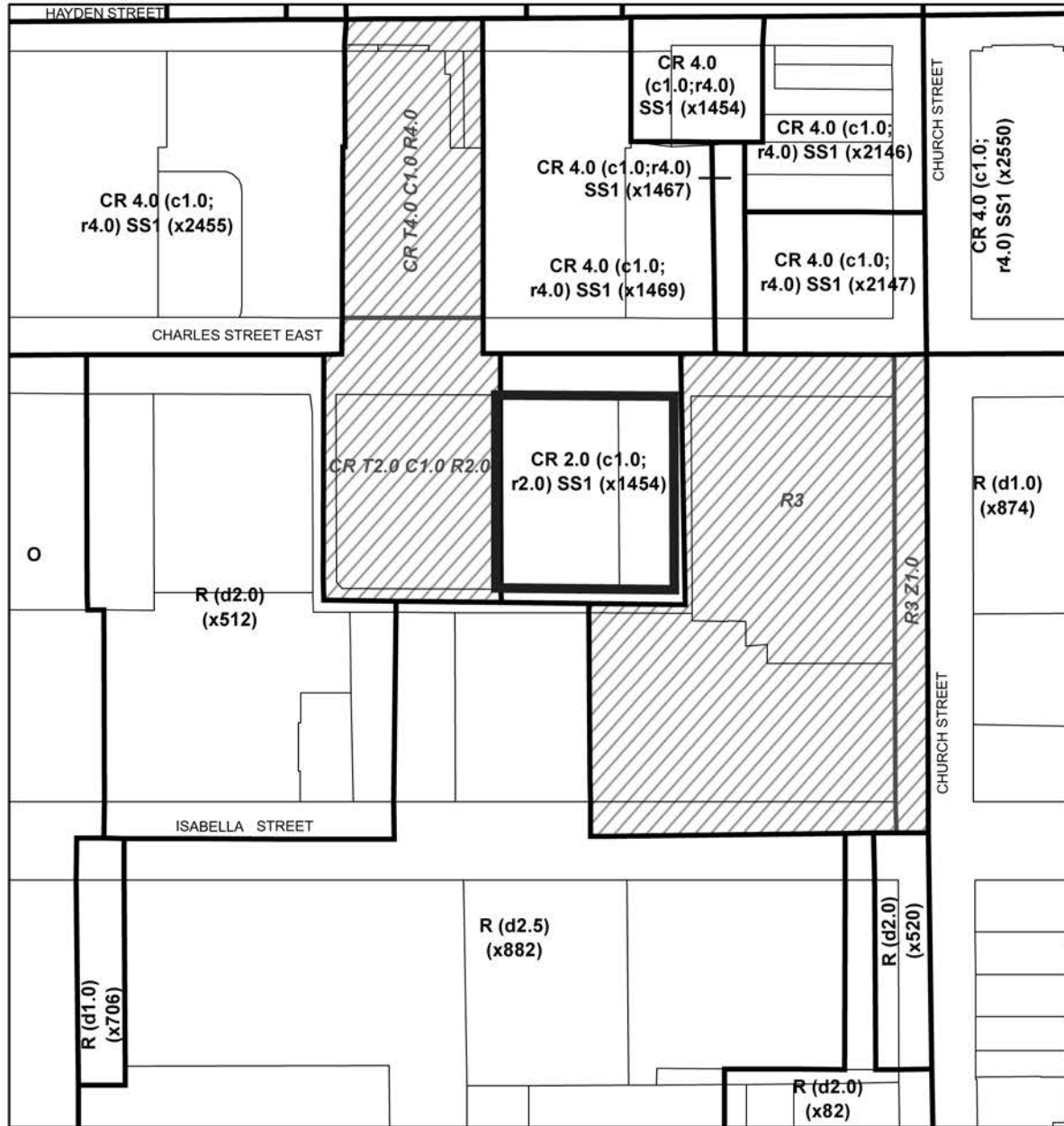
55-61 Charles Street

File # 18 144553 STE 27 0Z



Not to Scale
06/06/2018

Attachment 7: Existing Zoning By-law Map



Zoning By-law 569-2013

55-61 Charles Street East

File # 18 144553 STE 27 0Z

Location of Application

R Residential CR Commercial Residential
 O Open Space

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

R3 Residential District
 CR Mixed-Use District



Not to Scale
 Extracted: 06/06/2018

Attachment 8: Draft Zoning By-law Amendment (438-86)

To be available at or before the June 25, 2019 Toronto East York Community Council Meeting.

Attachment 9: Draft Zoning By-law Amendment (569-3013)

To be available at or before the June 25, 2019 Toronto East York Community Council Meeting.

Attachment 10: Section 37 Agreement Terms Related to 218 Carlton Street Affordable Housing

The Section 37 Agreement shall incorporate the following terms and conditions regarding the affordable housing component at 218 Carlton Street (the "Property"), and include such other or amended terms and conditions as may be acceptable to the Chief Planner and Executive Director, City Planning, in consultation with the Executive Director, Housing Secretariat and Director, Real Estate Services and in a form satisfactory to the City Solicitor.

- a) Transfer of 218 Carlton Street to the City for nominal consideration;
- b) The Owner shall register or cause to be registered a restriction on 218 Carlton Street pursuant to Section 118 of the Land Titles Act;
- c) All closing costs for 218 Carlton Street, including but not limited to land transfer tax and registration fees, related to both the purchase by the Owner and the acquisition from the Owner, by the City; exclusive of the usual adjustments made on closing;
- d) The transfer of 218 Carlton Street to the City will be conditional upon the Owner providing an up-to-date survey or reference plan showing the location of the building on the Property, satisfactory to the City, in its sole and absolute discretion, within 90 days of the execution of this Agreement;
- e) The transfer of 218 Carlton Street to the City, is conditional upon the Owner providing a Phase 1 Environmental Site Assessment, together with a letter confirming the City's ability to reply on the study, satisfactory to the Executive Director, Housing Secretariat, in his sole and absolute discretion, within 90 days of the execution of this Agreement;
- f) The transfer of 218 Carlton Street to the City is conditional upon the City receiving a State of Good Repair Building Condition Assessment Report satisfactory to the Executive Director, Housing Secretariat, in his sole and absolute discretion, after completion of the renovations and prior to transfer to the City. The State of Good Repair Building Condition Assessment Report is to be conducted by the Owner and provided to the City with a letter confirming the ability of the City to reply on the study;
- g) The City shall have the right, after the execution of this Agreement, to give notice of this Agreement to any governmental body and to obtain any and all information within the records of such governmental body relating to the regulatory and compliance status of the Property (including without limitation, information regarding environmental matters, building standards, permits) and as to any other matter that might affect the City's enjoyment, use, possession and ownership of the Property after closing;
- h) The Owner hereby consents to any governmental body releasing to the City details of all property standards, status files and information on any studies,

plans or proposals affecting the Property. The Owner agrees to promptly execute and deliver such further authorizations in this regard as the City's solicitor may require to ensure the release of such details;

i) The property shall be legally zoned for multi-residential use at the time of closing;

j) The property shall be free and clear of encumbrances, to the satisfaction of the City Solicitor;

k) The building on the Property shall be and remain at the risk of the Owner until transfer to the City. Pending the transfer, the Owner shall hold all insurance policies and the proceeds thereof in trust for the parties as their interests may appear and in the event of substantial damage, as determined by the City in its sole and absolute discretion, the City may, at its sole option either: (i) take the proceeds of any insurance and complete the transfer of the Property; or (ii) elect to receive from the Owner the sum of \$6,400,000.00 to be directed to the City's Capital Revolving Reserve Fund for Affordable Housing (XR1058);

l) The Owner shall provide access to the City and/or the not for profit housing provider selected to operate 218 Carlton Street, during normal business hours, as often as is deemed necessary by the City/not for profit housing provider acting reasonably, provided that such access shall be subject to written notice by the City/ not for profit housing provider to the owner, acting reasonably;

m) The Transfer shall (save for the Land Transfer Tax Affidavit, which shall be prepared by the City) be prepared in registerable form at the expense of the Owner;

n) The Owner covenants to execute and deliver to the City all transfer, assignments, declarations, consents and other documents to cause the authorized officers of the Owner to do all things as may be reasonably requested by the City, so as to further assure the effective transfer of the Property and evidence performance of this Agreement by the Owner;

o) As a registrant, required to self-assess and remit HST, the City shall execute and deliver a certificate confirming that it is a registrant, provide its HST Registration Number and confirming that the City's registration has not been withdrawn or revoked. The City will further undertake to self-assess, file returns and remit to the appropriate authority any HST owing in respect of the transfer of the Property to the City;

p) The Owner represents and warrants to the City that, to the best of the Owner's knowledge, the building on the Property contains or have never contained insulation that contains urea formaldehyde. This warranty shall survive and not merge on the completion of this transaction;

q) The Owner agrees that at the request of the City Solicitor and at its sole cost and expense to provide to the City such preliminary and/or final title opinions

required by the City Solicitor in respect of the conveyance of 218 Carlton Street, in a form provided by the City Solicitor, to the satisfaction of the City Solicitor, prior to the registration of the conveyance of by the Owner to the City of 218 Carlton Street;

r) The Owner shall provide, prior to transfer to the City, written disclosure of all access and security codes applicable to the Property, all operating and maintenance manuals for the systems and equipment forming part of or servicing the Property, and shall assign to the City all warranties and guarantees relating to the residential building located on the Property, given to or obtained for or in respect of materials, equipment or other items incorporated in or otherwise used in connection with the renovation and operation of that building (collectively, the "Warranties and Guarantees") together with an acknowledgement from the applicable contractors, subcontractors or suppliers, as the case may be, that the Warranties and Guarantees may be relied upon and enforced by the City;

s) The Owner must adhere to City policies for procurement and construction, as applicable, including but not limited to the Fair Wage Policy and Contractual Trades Obligations;

t) The Owner shall provide the Director, Real Estate Services and the Executive Director, Housing Secretariat with 60 days notice of expected substantial completion of the Property;

u) The City will be provided with access to the Property within the 60 days noted above in order to conduct such inspections, appraisals and reviews as it, in its sole discretion considers advisable. The City shall give notice to the Owner, advising if the City, acting reasonably, is satisfied with the substantial completion of the Property;

v) In the event that the City, in its sole discretion, determines not to accept the conveyance of the property at 218 Carlton Street, the owner of 55-61 Charles Street East shall pay to the City, prior to the Closing Date the sum of \$6,400,000.00 to be directed to the City's Capital Revolving Reserve Fund for Affordable Housing (XR1058), with the proviso that the funds be spent on affordable housing in Ward 13;

w) The Owner agrees that if at the time of transfer of 218 Carlton Street, the City is not satisfied with the value of the renovations, the City may require an independent assessment of the property and its renovations at the sole cost of the Owner. Should the independent assessment indicate that the value of the renovations is such that the Owner has not provided the City with a total of \$6,400,000.00 in value (land and renovation), the difference will be paid to the City by the Owner and directed to the City's Capital Revolving Reserve Fund for Affordable Housing (XR1058), with the proviso that the funds be spent on affordable housing in Ward 13;

x) The Owner is to provide approximately 5678 square feet of finished living space, designed as self-contained dwelling units, each containing its own

bathroom and kitchen, in accordance with the design and specifications provided by the City and/or a not for profit affordable rental housing provider chosen by the City, which shall be comparable in quality of work and finishes to the affordable housing suites being constructed at 505 Richmond Street West, Toronto as agreed to by the parties, acting reasonably, which design and specifications shall include, but not be limited to the following:

i) General

- (1) Materials, assemblies, systems and finishes will be designed and selected for durability in accordance with Part 5 of the Ontario Building Code, and CSA S478 "Guidelines for Durability in Buildings";
- (2) Window replacement to be insulated double-glazed windows;
- (3) Laundry facilities to be well-lit and include a minimum of three Energy Star water efficient washers and a minimum of three Energy Star dryers;
- (4) Surface preparation and paint application to recommendations of Master Painters Institute Painting Specifications Manual;
- (5) All paint to be high-performing and wear-resistant, premium grade with low VOC and uniform dispersion of pigment in a homogeneous mixture to the Master Painters Institute Painting Specifications Manual;
- (6) All windows to have durable, commercial-grade window coverings;
- (7) Design of all doorways to aim for flush or minimal thresholds;
- (8) All doors to have lever handles and overhead door stops;
- (9) Glazing in doors and sidelights to be double-glazed, tempered;
- (10) Guards and handrails to be designed, constructed, and secured to withstand forces as defined in OBC with blocking as needed;
- (11) Fixtures and products to be harmonized or selected so that building management will not have to stock multiple different replacement materials and products.

ii) Suites

- (1) Solid core entry door with lock hardware and security view-hole;
- (2) Baseboards in dwelling units to be painted and not less than 100mm (4") high;
- (3) Suite closets to be equipped with full-length clothes rod and shelf;

(4) All suites to have an operable exterior window;

(5) Suites will be separated from another suite in the building with acoustic separation of STC50 as per the Ontario Building Code-prescribed Sound Transmission Class rating and measurement standards.

iii) Kitchen

(1) Durable, easy to clean, laminate kitchen cabinetry providing appropriate and adequate storage;

(2) Durable, easy to clean, solid surface countertops with a patterned finish to reduce signs of wear;

(3) Durable, easy to clean, sink and backsplash;

(4) All stoves are to be EnergyStar Certified with Safe-T elements;

(5) A high capacity range hood in matching width will be provided, vented to exterior and equipped with removable/washable filter and integrated LED lights;

(6) Matching, easy to clean and maintain EnergyStar 18cu.ft. refrigerator, and free-standing microwave.

iv) Bathroom

(1) Durable, easy to clean vanity with integrated storage;

(2) Solid surface countertops and in a patterned finish to reduce signs of wear;

(3) Mirror above vanity;

(4) Matching, durable and easy to clean sinks, toilets, tubs/ shower;

(5) Bathroom exhaust fans are to be EnergyStar certified with a 1.5 Sones or less sound rating and directly vented to the exterior;

(6) All walls and ceilings will be mould/ moisture-resistant drywall;

(7) All shower and bathtub surrounds will be tiled full height on wall with an adhered, sheet or troweled-on waterproof membrane;

(8) Pressure balance valve required for tub/ shower;

(9) Accessory package including at minimum towel bar and toilet paper holder will be anchored into studs or blocking.

v) Flooring

- (1) Washroom will be slip-resistant porcelain tile;
- (2) Flooring, except washrooms, to be long lasting wood, engineered wood and/ or vinyl with an acoustic subfloor to minimize sound transmission;
- (3) Bathroom floor to be provided with floor drains for Barrier Free path of travel;
- (4) No carpeting is permitted in the building;
- (5) Flooring will be laid with an acoustic subfloor to minimize sound transmission. It must be installed within or above dwelling units and provide minimum performance of Impact Insulation Class IIC 50.

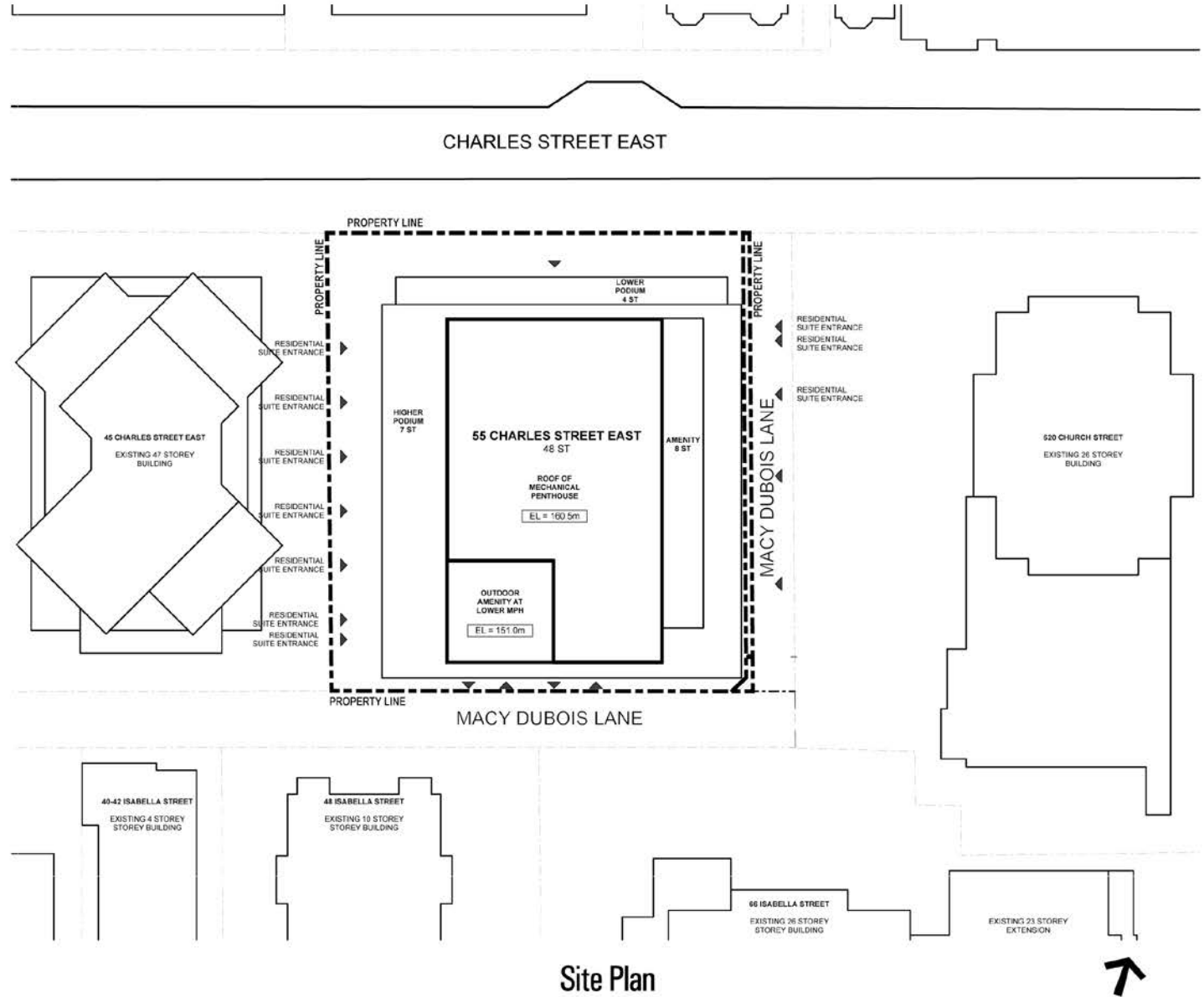
vi) Lighting

- (1) Common-area lighting to have as few types of replacement bulbs as possible;
- (2) All lighting within dwelling units shall have a universal bulb type with standard North American base that is replaceable at the hardware store;
- (3) All Lighting is to be LED type;
- (4) Adequate exterior lighting for safety and security.

vii) Safety and Technology

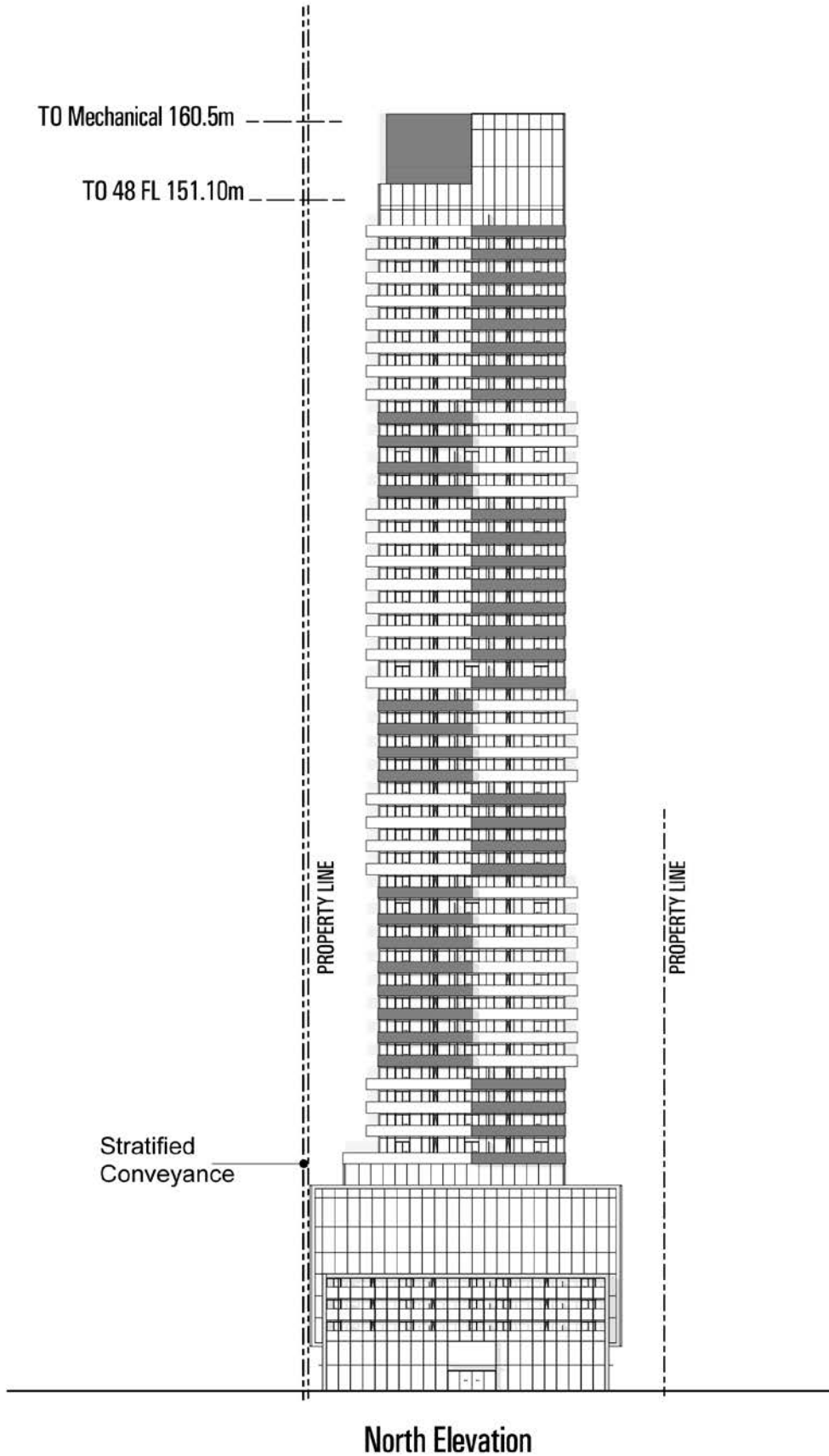
- (1) Smoke/ carbon monoxide detector where applicable;
- (2) Pre-wired for high-speed internet access, cable TV and telephones in suites and where applicable elsewhere in the building e.g. operator's office space;
- (3) Security system to include as appropriate cameras in select interior and exterior locations;
- (4) Fire sprinkler system in all suites and common areas as per code;
- (5) Mechanical system with heat recovery ventilator to allow year-round heating and cooling;
- (6) Activation devices for building and suite entries to be suitable for persons with varying disabilities (e.g. buttons, fobs, card access);

(7) Main entries to provide automatic door openers on both the exterior and vestibule doors as per code.

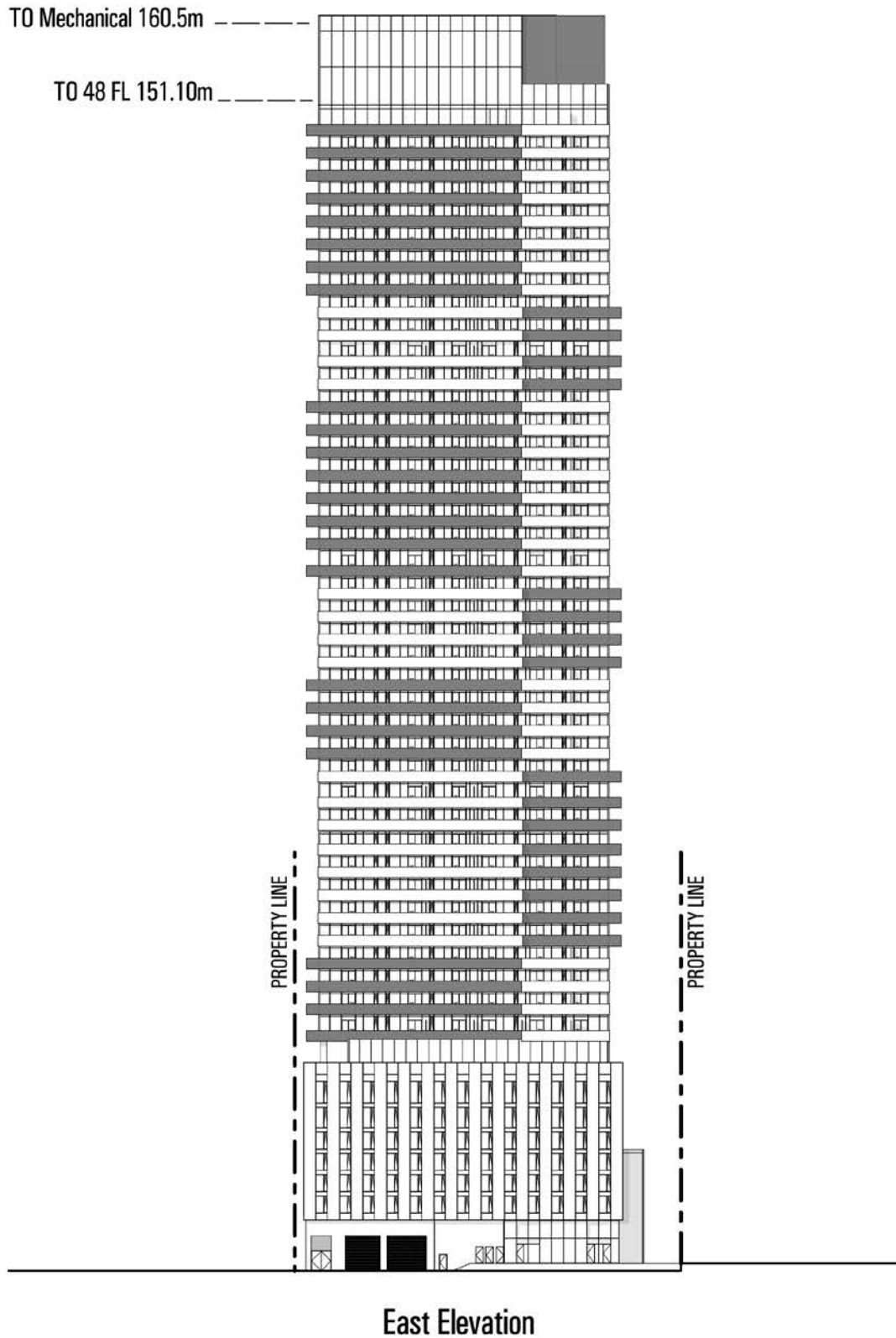


Site Plan

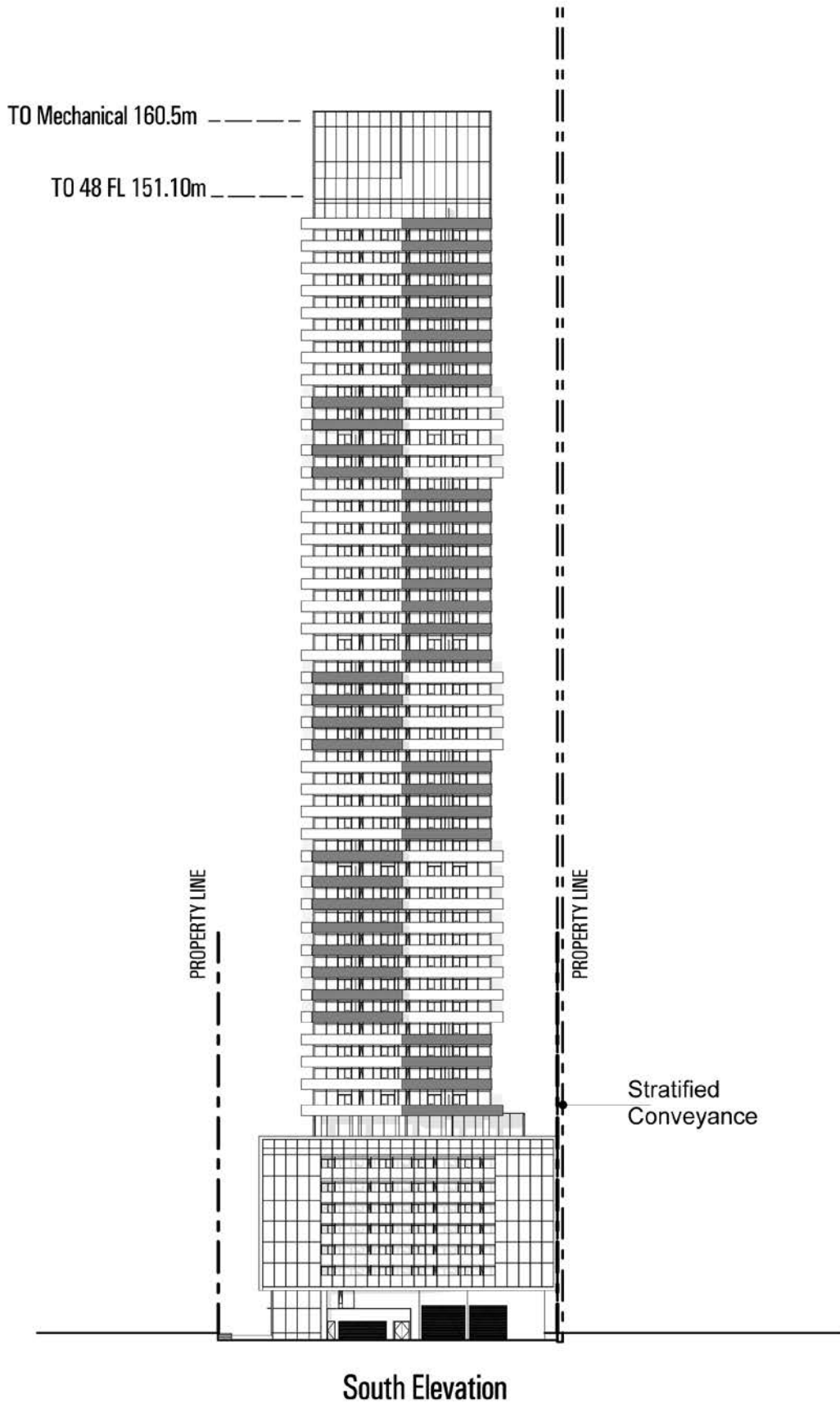
Attachment 12: North Elevation



Attachment 13: East Elevation



Attachment 14: South Elevation



Attachment 15: West Elevation

