

373 Front Street East and 90 Mill Street - Zoning Amendment Application – Preliminary Report

Date: October 18, 2019

To: Toronto and East York Community Council

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

Wards: Ward 13 - Toronto Centre

Planning Application Number: 19 228307 STE 13 OZ

Current Use on Site: Commercial surface parking lots

SUMMARY

This report provides information and identifies a preliminary set of issues regarding the application for three 13-storey buildings located at 373 Front Street East and 90 Mill Street. Staff are currently reviewing the application. It has been circulated to all appropriate agencies and City divisions for comment. Staff will proceed to schedule a community consultation meeting for the application with the Ward Councillor.

RECOMMENDATIONS

The City Planning Division recommends that:

1. Staff schedule a community consultation meeting for the application located at 373 Front Street East and 90 Mill Street in consultation with the Ward Councillor.
2. Notice for the community consultation meeting be given to landowners and residents within 120 metres of the application site, and to additional residents, institutions and owners to be determined in consultation with the Ward Councillor, with any additional mailing costs to be borne by the applicant.

FINANCIAL IMPACT

The recommendations in this report have no financial impact.

DECISION HISTORY

On October 2, 2017, City Council adopted EX27.15 "Creating 600 Affordable Rental Homes at the West Don Lands and 27 Grosvenor/26 Grenville Sites" authorizing that the affordable housing to be constructed on the lands known as Blocks 3, 4 and 7 in the West Don Lands (the "subject site", with municipal addresses 373 Front Street East and 90 Mill Street) be approved for Open Door incentives including exemption from the payment of development charges, building, planning and parkland dedication fees and charges, and property taxes for the affordability period, all part of the Provincial Affordable Housing Lands Program. The City Council decision may be found here: <http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2017.EX27.15>

On May 14, 2019, City Council adopted PH5.3 "Creating Affordable Rental Homes at the West Don Lands and 27 Grosvenor/26 Grenville Streets - Update" authorizing the approval of an additional 80 affordable rental homes to be created to a total of 680 between the subject site, Block 20 in the West Don Lands, and 27 Grosvenor/26 Grenville Streets. City Council also authorized the extension of residential property tax exemptions for the affordable units for the subject site be increased from 49 to 99 years. The City Council decision may be found here: <http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2019.PH5.3>

ISSUE BACKGROUND

Application Description

This application proposes to amend the Zoning By-law to permit three buildings. At 373 Front Street East, two 13-storey (48.62 metres) buildings are proposed consisting of: 71,733 square metres of residential gross floor area resulting in 746 rental units, of which 222 are affordable; 3,468 square metres of retail gross floor area; and 500 square metres of gross floor area for an undetermined community use. The two proposed buildings are separated by a privately-owned publicly accessible space (POPS) at street level.

At 90 Mill Street, a 13-storey (48.6 metres including the mechanical penthouse) building is proposed containing: 7,088 square metres of residential gross floor area resulting in 88 residential rental units, of which 26 are affordable units; and 42 square metres of retail gross floor area.

A two-level underground garage consisting of 616 vehicular parking spaces is proposed at 373 Front Street East to serve all three proposed buildings. Of the total proposed 834 residential rental dwelling units proposed, 248 of the units, or 30 percent are affordable rental units.

Detailed project information is found on the City's Application Information Centre at:

<https://www.toronto.ca/city-government/planning-development/application-information-centre/>

See Attachments 1 and 2 of this report for a three dimensional representation of the project in context, Attachment 3 for the location map, Attachment 4 for the proposed site plan drawing and Attachment 6 for the application data.

Provincial Policy Statement and Provincial Plans

Land use planning in the Province of Ontario is a policy led system. Any decision of Council related to this application is required to be consistent with the Provincial Policy Statement (2014) (the "PPS"), and to conform with applicable Provincial Plans which, in the case of the City of Toronto, include: the Growth Plan for the Greater Golden Horseshoe (2019) and, where applicable, the Greenbelt Plan (2017). The PPS and all Provincial Plans may be found on the Ministry of Municipal Affairs and Housing website.

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

Place to Grow: Growth Plan for the Greater Golden Horseshoe (2019) (the "Growth Plan") 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 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 Greater Golden Horseshoe 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 (2019).

The Growth Plan (2019) contains policies pertaining to population and employment densities that should be planned for in major transit station areas ("MTSAs") along priority transit corridors or subway lines. MTSAs are generally defined as the area within an approximately 500 to 800 metre radius of a transit station, representing about a 10-minute walk. The Growth Plan (2019) requires that, at the time of the next MCR, the City update its Official Plan to delineate MTSA boundaries and demonstrate how the MTSAs achieve appropriate densities.

Toronto Official Plan

The City of Toronto Official Plan is a comprehensive policy document that guides development in the City, providing direction for managing the size, location, and built form compatibility of different land uses and the provision of municipal services and facilities. Authority for the Official Plan derives from The Planning Act of Ontario. The PPS recognizes the Official Plan as the most important document for its implementation. Toronto Official Plan policies related to building complete communities, including heritage preservation and environmental stewardship may be applicable to any application. Toronto Official Plan policies may be found here:

<https://www.toronto.ca/city-government/planning-development/official-plan-guidelines/official-plan/>

The application is located on lands within the Downtown and Central Waterfront area on Map 2, and designated Regeneration Areas on Map 18 of the Official Plan. See Attachment 5 of this report for the Official Plan designation of the site.

The application is also located within the King-Parliament Part II Plan, and the Central Waterfront Secondary Plan. The policy direction of both Secondary Plans are applicable to the subject application.

King-Parliament Secondary Plan Review

On May 22, 23 and 24, 2019, City Council directed staff to undertake a review of the King-Parliament Secondary Plan and the area north of Queen Street East between Jarvis Street and River Street. The review focuses on three themes being built form, public realm and heritage. On October 10, 2019, Toronto and East York Community Council adopted the proposed King-Parliament Plan, and directed staff to undertake an update of the Zoning By-law to reflect the policy direction of the proposed Plan. The proposed King-Parliament Secondary Plan may be found here:

<https://www.toronto.ca/legdocs/mmis/2019/te/bgrd/backgroundfile-138215.pdf>

The application is located on lands designated West Don Lands Mixed Use Area in the proposed King-Parliament Secondary Plan.

West Don Lands Precinct Plan and Supporting Documents

In May 2005, City Council adopted the West Don Lands Precinct Plan, 2005 ("The Precinct Plan") as a non-statutory plan. A partial update was completed in 2011. The Plan area is generally bordered by Eastern Avenue, Bayview Avenue, the railway corridor and Parliament Street. The Precinct Plan sets out a vision for the area, and identifies the public investment required for redevelopment, includes a development plan and guidelines, and a phasing and implementation approach. A Class Environmental Assessment Master Plan was also adopted by City Council in May 2005 in conjunction with the Precinct Plan that addresses the planning of the infrastructure needed for the area.

The application is located on lands identified as Blocks 3, 4 and 7 of the Precinct Plan.

Official Plan Amendment 352 - Updating Tall Building Setbacks Downtown

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

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

Distillery District Heritage Conservation District Study and Plan

The Distillery District Heritage Conservation District ("HCD") Study provides and understanding of the history, evolution, built fabric and public realm of the Distillery District in order to identify and describe the character of the area. The HCD Study was completed in 2016 and included a recommendation to initiate the HCD Plan for the study area. Work on the HCD Plan is expected to commence in late 2019.

The property at 90 Mill St. forms part of the HCD Study area, and is identified as a non-contributing property.

Zoning By-laws

The site is zoned RA (h) - "Reinvestment Area" with a holding symbol (h) under Zoning By-law 438-86, with a maximum height of 26 metres.

Design Guidelines

The following design guidelines will be used in the evaluation of this application:

- West Don Lands Block Plan and Urban Design Guidelines;
- Mid-Rise Building Performance Standards and Addendum;
- City-wide Tall Building Design Guidelines;
- Growing Up: Planning for Children in New Vertical Communities Draft Urban Design Guidelines; and
- Affordable Rental Housing Design Guidelines; among others.

The City's Design Guidelines may be found here: <https://www.toronto.ca/city-government/planning-development/official-plan-guidelines/design-guidelines/>

Site Plan Control

The application is subject to Site Plan Control. A Site Plan Control application has not been submitted.

COMMENTS

Reasons for the Application

The proposal requires an amendment to Zoning By-law 438-86 for the properties at 373 Front Street East and 90 Mill St. to vary performance standards, including: the increase in overall building height; reduced building setbacks; reduced vehicular parking standards; and others. The proposal also seeks to lift the holding provisions (h) tied to the properties under the Zoning By-law by submitting various development plans showing the orderly development of the site to the satisfaction of the City.

ISSUES TO BE RESOLVED

The application has been circulated to City divisions and public agencies for comment. At this stage in the review, the following preliminary issues have been identified:

Provincial Policies and Plans Consistency/Conformity

Staff will continue to evaluate this planning application for consistency with the PPS (2014) and conformity with the Growth Plan (2019). Given the recognition in Provincial Policy of the importance of official plans and long term planning, conformity with the PPS and the Growth Plan will be informed by conformity with the Official Plan.

Official Plan Conformity

Staff will continue to evaluate this planning application against the Official Plan to determine the application's conformity to the Official Plan including the King-Parliament Part II Plan and the Central Waterfront Secondary Plan.

Staff will also continue to assess the suitability of the proposed height, massing, and other built form issues based on Section 2 d), j), p) and r) of the Planning Act, the PPS, the Growth Plan (2019), and the City's Official Plan policies and supporting documents.

The following preliminary issues have been identified:

- The height, massing, and scale of the proposal in relation to the existing and planned context;
- The massing projections after the 4th storey over the proposed pedestrian sidewalks;
- The separation distance between the proposed west wall of the 13-storey building at 90 Mill Street and the east wall of the building at 80 Mill Street;
- The configuration and programming of the POPS;
- The placement of the land uses at grade, in particular the residential unit entrances off of the proposed POPS; and
- The placement and relationship of the market based and affordable housing units from an equity perspective.

West Don Lands Precinct Plan

Staff will continue to evaluate this planning application against the the Precinct Plan, and the associated Environmental Assessment Master Plan. Preliminary issues include assessing the proposal against the the road configuration, land use, massing, public realm network and contribution to its context as identified in the Plan, among other matters.

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). There are 41 trees within proximity of the subject site. An Arborist Report has been submitted and is under review by City Staff.

Heritage Conservation

The subject site is adjacent to various properties designated under Part IV of the Ontario Heritage Act and included in the City's Heritage Register. The portion of the subject site that comprise of 90 Mill Street is also within the Distillery District HCD Plan area, an area which includes a very significant cluster of heritage buildings. A Heritage Impact Assessment was submitted and is currently under review by City staff.

Community Services and Facilities

Community Services and Facilities (CS&F) are an essential part of vibrant, strong and complete communities. CS&F are the lands, buildings and structures used for the provision of programs and services provided or subsidized by the City or other public agencies, boards and commissions. They include recreation, libraries, childcare, schools, public health, human services, cultural services and employment services, etc. 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 Official Plan establishes and recognizes that the provision of and investment in community services and facilities supports healthy, safe, liveable, and accessible communities. Providing for a full range of community services and facilities in areas experiencing major or incremental growth, is a responsibility shared by the City, public agencies and the development community. City staff will be reviewing the proposal and will identify necessary CS&F that are needed in building a complete community.

Infrastructure/Servicing Capacity

Staff and commenting agencies are reviewing the application to determine if there is sufficient infrastructure capacity to accommodate the proposed development. The applicant has submitted a Functional Servicing and Stormwater Management Report, Geotechnical Study, a Hydrogeological Investigation, and a Transportation Impact Study. Staff will be reviewing the servicing reports in order to evaluate the effects of the development on the City's municipal servicing infrastructure, and identify and provide the rationale for any new infrastructure and upgrades to existing infrastructure necessary to adequately service the proposal. Staff will also be reviewing the Transportation Impact Study in order to evaluate the effects of the development on the transportation system, and to identify any transportation improvements that are necessary to accommodate the travel demands and impacts generated by the proposed development.

Toronto Green Standard

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

applicant will be encouraged to pursue a higher level of sustainability through the application review process.

City-owned Laneway

The existing east-west, city-owned laneway south of 373 Front Street East is proposed to be widened to form a local street and extended to connect to Cherry Street as part of this proposal. City staff will assess the public right-of-way reconfiguration against the proposal and surrounding context, and identify the necessary conditions for the right-of-way's reconfiguration should the proposal be approved in some form.

Section 37 Community Benefits

The Official Plan provides for the use of Section 37 of the Planning Act to pass by-laws for increases in height and/or density not otherwise permitted by the Zoning By-law in return for the provision by the applicant of community benefits in the form of capital facilities. It is standard to secure community benefits in a Section 37 Agreement which is then registered on title.

The proposal in its current height will be subject to Section 37 contributions under the Planning Act. Section 37 benefits have not yet been discussed. City staff intends to apply Section 37 provisions of the Planning Act should this application be approved in some form. Potential benefits may include: local streetscape and parkland improvements; child care facilities; and community space.

Other Matters

Additional issues may be identified through the review of the application, agency comments and the community consultation process.

CONTACT

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SIGNATURE

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Toronto and East York District

ATTACHMENTS

Attachment 1: 3D Model of Proposal in Context Looking Southeast

Attachment 2: 3D Model of Proposal in Context Looking Northwest

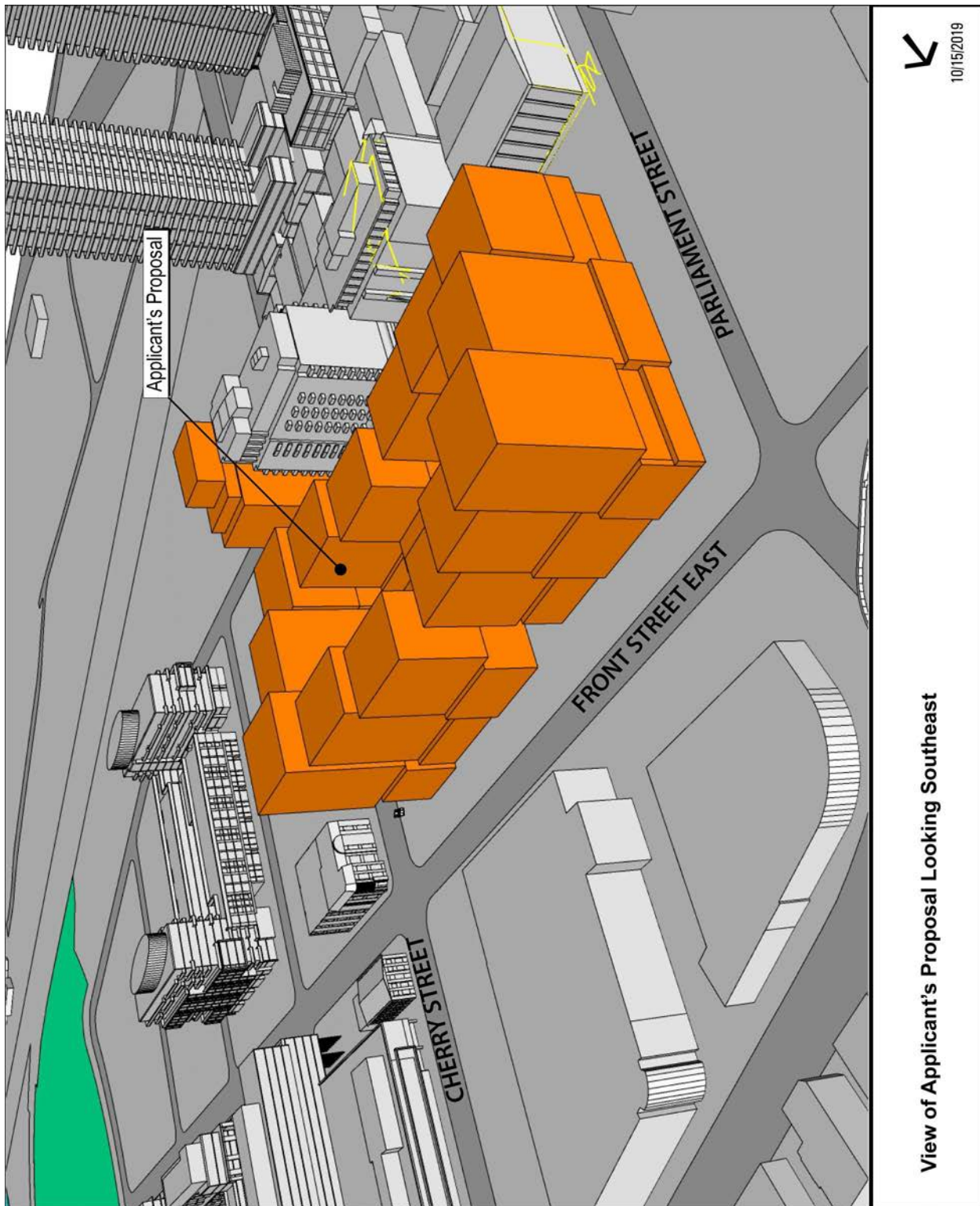
Attachment 3: Location Map

Attachment 4: Site Plan

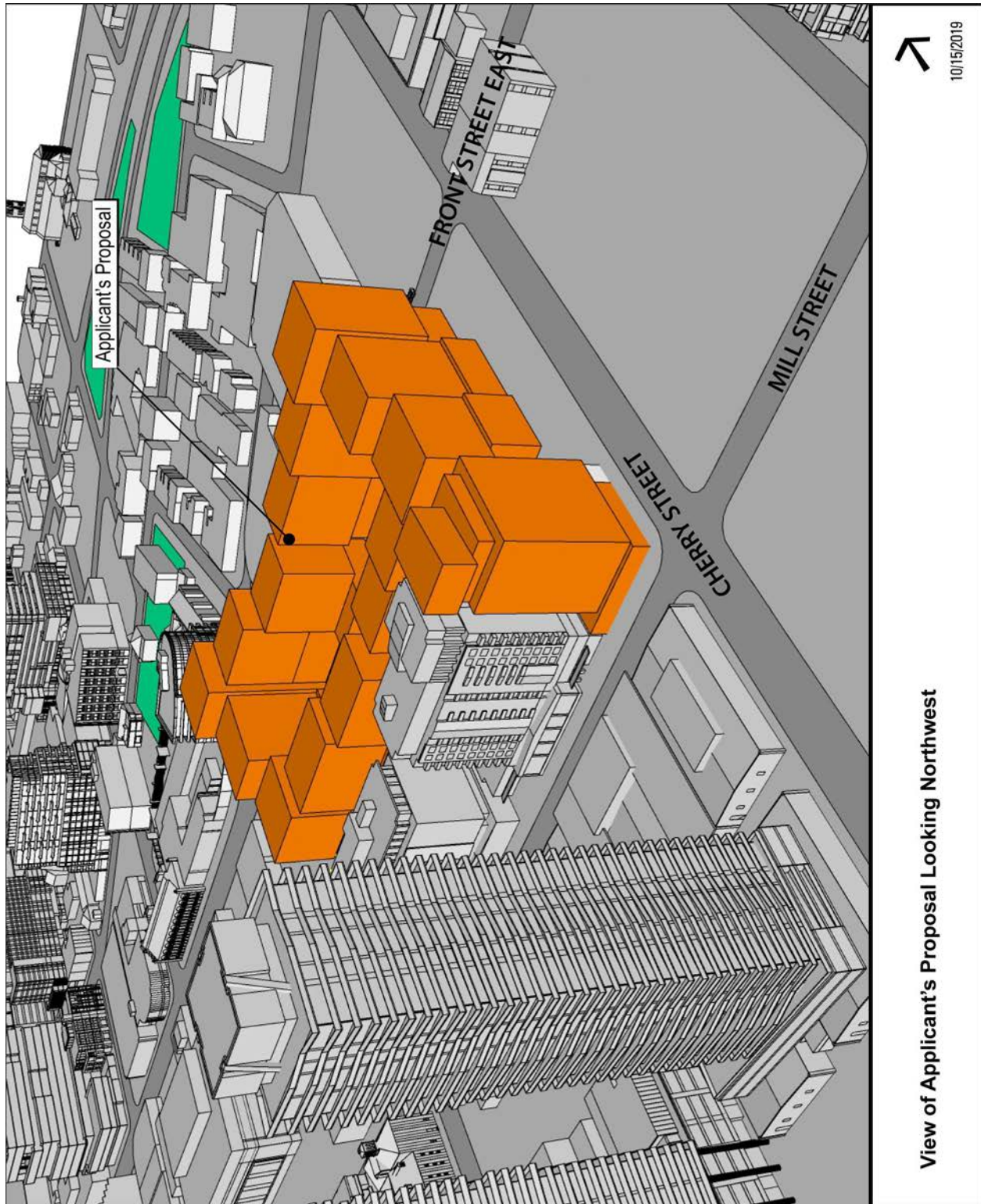
Attachment 5: Official Plan Map

Attachment 6: Application Data Sheet

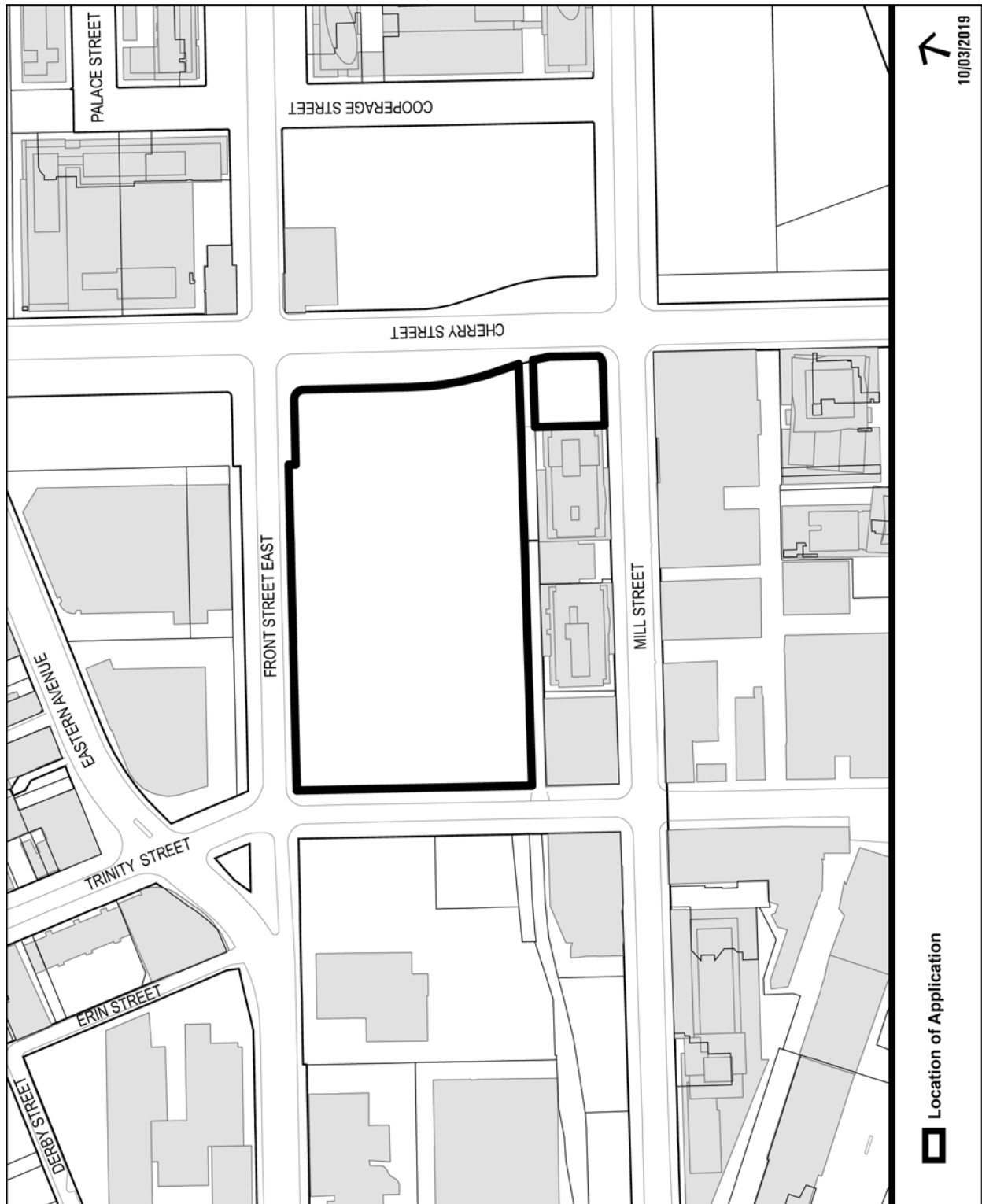
Attachment 1: 3D Model of Proposal in Context Looking Southeast



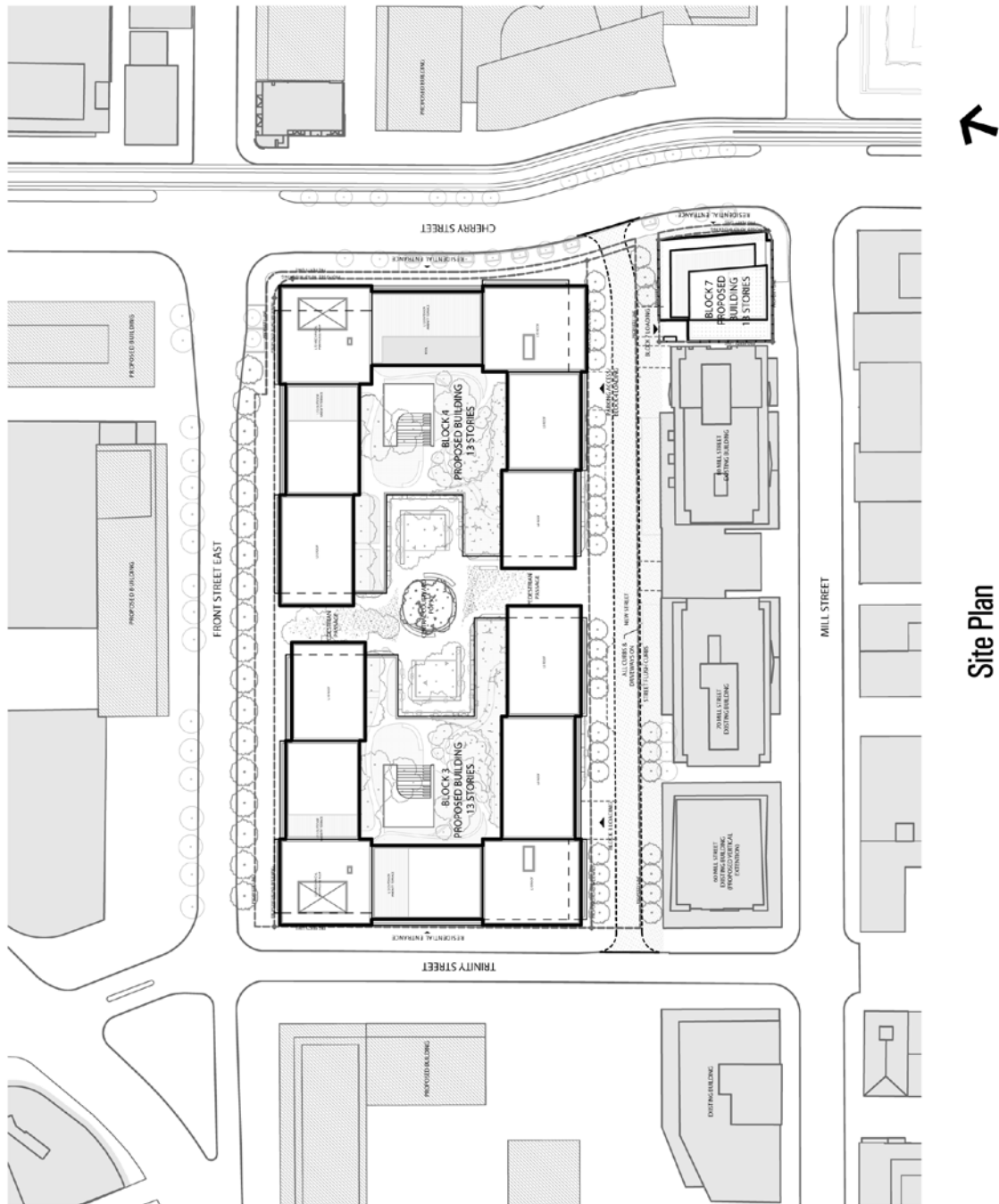
Attachment 2: 3D Model of Proposal in Context Looking Northwest



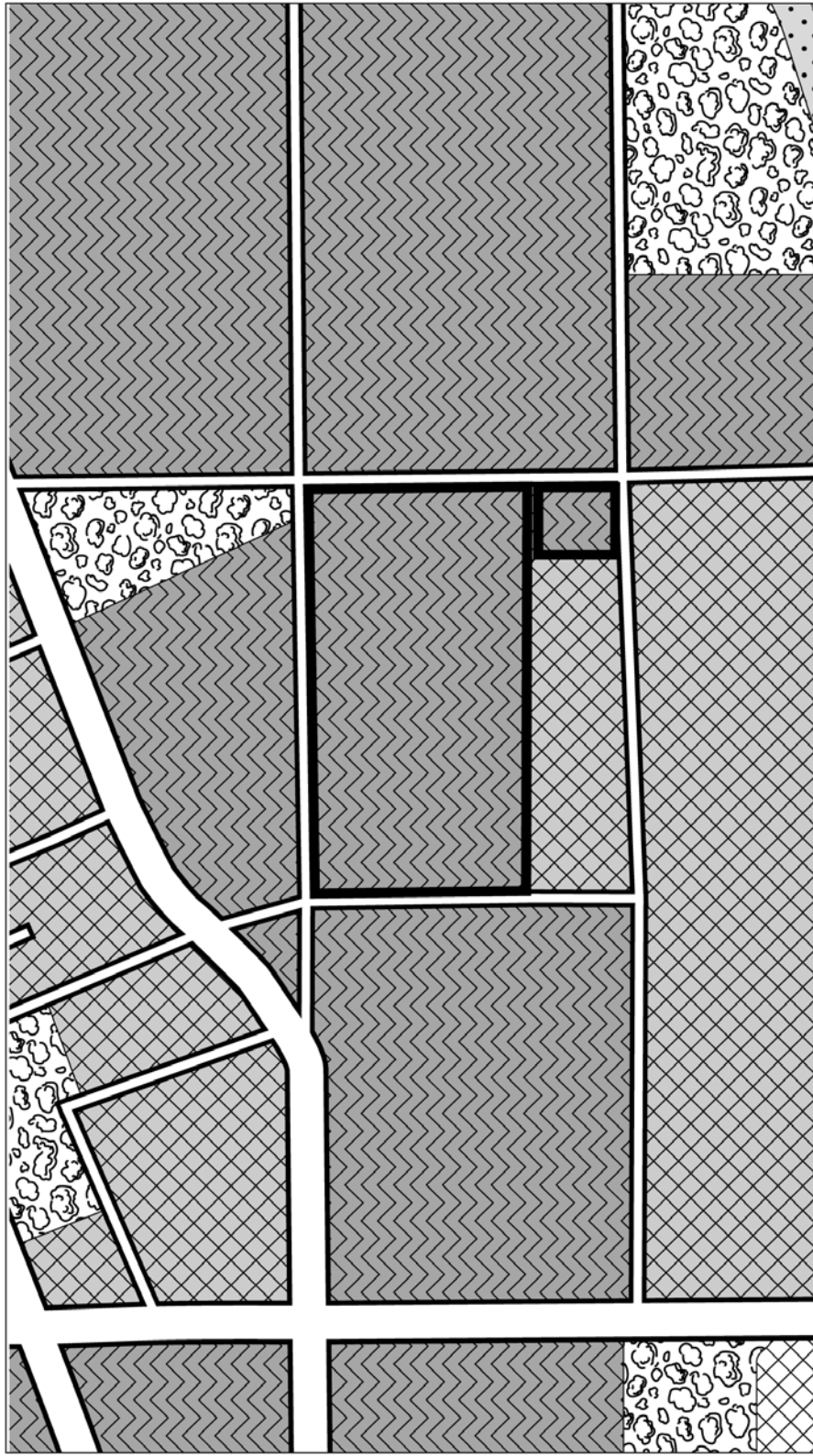
Attachment 3: Location Map



Attachment 4: Site Plan



Site Plan

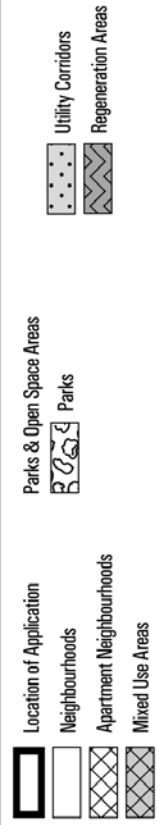


373 Front Street East and 90 Mill Street

Toronto
Official Plan Land Use Map #18

Note: This map was extracted from the July 2015 Land Use Plan. For current information refer to the February 2019 data.

File # 19 228307 STE 13 0Z



↑
 Not to Scale
 10/17/2019

Attachment 6: Application Data Sheet

Municipal Address: 373 Front St. E & 90 Mill St. Date Received: September 27, 2019

Application Number: 19 228307 STE 13 OZ

Application Type: Rezoning

Project Description: Zoning By-law Amendment application to permit the development of three 13-storey mixed-use buildings. The proposal will consist of 4,010 square metres of non-residential floor area and 834 residential dwelling units, of which 248 are affordable units.

Applicant	Agent	Architect	Owner
WDL 3/4/7 LP		COBE Architects and architectsAlliance	Her Majesty the Queen in Right of Ontario

EXISTING PLANNING CONTROLS

Official Plan Designation:	Regeneration Areas	Site Specific Provision:
Zoning:	RA(h)	Heritage Designation:
Height Limit (m):	26	Site Plan Control Area: Y

PROJECT INFORMATION

Site Area (sq m): 17,689 Frontage (m): 452 Depth (m): 100

Building Data	Existing	Retained	Proposed	Total
Ground Floor Area (sq m):			11,196	11,196
Residential GFA (sq m):			78,821	78,821
Non-Residential GFA (sq m):			4,010	4,010
Total GFA (sq m):			82,831	82,831
Height - Storeys:			13	13
Height - Metres:			49	49

Lot Coverage Ratio (%): 63.29 Floor Space Index: 4.68

Above Grade (sq m) Below Grade (sq m)

Floor Area Breakdown

Residential GFA: 78,821
 Retail GFA: 4,010
 Office GFA:
 Industrial GFA:
 Institutional/Other GFA:

Residential Units by Tenure	Existing	Retained	Proposed	Total
Rental:			834	834
Freehold:				
Condominium:				
Other:				
Total Units:			834	834

Total Residential Units by Size

	Rooms	Bachelor	1 Bedroom	2 Bedroom	3+ Bedroom
Retained:					
Proposed:			371	352	111
Total Units:			371	352	111

Parking and Loading

Parking Spaces: 616 Bicycle Parking Spaces: 868 Loading Docks: 4

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