TORONTO

REPORT FOR ACTION

111 to 125 River St – Official Plan Amendment and Zoning Amendment Applications and Rental Housing Demolition Applications – Preliminary Report

Date: December 12, 2019

To: Toronto and East York Community Council

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

Ward: 13 - Toronto Centre

Planning Application Number: 19 231689 STE 13 OZ; 19 248623 STE 13 RH

Notice of Complete Application Issued: November 25, 2019

Anticipated City Council Meeting Date: April 29, 2020

Current Uses on Site: Five 3.5-storey row houses and a pair of semi-detached house

currently used for retail purposes.

SUMMARY

This report provides information and identifies a preliminary set of issues regarding the application for a 34-storey mixed use building located at 111 to 125 River 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 111 to 125 River Street together 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

Under the former City of Toronto Official Plan, the Queen-River area was subject to the Queen-River Part II Plan, which designated most of the area as *Restricted Industrial Area*. The Part II Plan designated the properties fronting on the east side of River Street from Dundas Street East to Wascana Avenue as *Low Density Mixed Commercial-Residential Area*.

At its meeting of November 26, 27 and 28, 2002, Council adopted the new Official Plan for the City of Toronto; the former Queen-River Part II Plan was not carried forward into the new Official Plan. The area is designated *Regeneration Areas* within the new Official Plan. The Official Plan states that development should not occur within *Regeneration Areas* until a Secondary Plan is in place.

City Council adopted the Queen-River Secondary Plan (OPA 287) at their meeting on February 10 and 11, 2015. The Queen-River Secondary Plan area includes the subject site and is generally bounded by Dundas Street East to the north, Bayview Avenue to the east, Queen Street East to the south, and River Street to the west. The final report for the Queen-River Secondary Plan can be found using the following link: http://www.toronto.ca/legdocs/mmis/2015/te/bgrd/backgroundfile-74409.pdf

The Queen-River Secondary Plan was appealed to the Ontario Municipal Board, now referred to as the Local Planning Appeal Tribunal (LPAT), by several property owners in May 2015. The case number is PL150375. A pre-hearing conference was held on October 19, 2015, and a subsequent pre-hearing conference was held on September 5, 2018. A further hearing date is scheduled for January 2020. The status of any completed or planned hearings and the associated LPAT decisions are available using the following link:

https://www.omb.gov.on.ca/ecs/CaseDetail.aspx?n=PL150375

At its meeting of July 16, 2019 City Council adopted amendments to the Queen-River Secondary Plan and requested that the City Solicitor appear before the Local Planning Appeal Tribunal (LPAT) in support of City Council's decision on the proposed changes to the Queen-River Secondary Plan. The proposed changes support the development that is proposed by this application.

http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2019.TE7.19

ISSUE BACKGROUND

Application Description

This application proposes to amend the Official Plan and Zoning By-laws 438-86 and 569-2013 for the properties at 111 to 125 River Street to permit the construction of a 34-storey (106 metre) mixed-use building with a 6-storey podium, retail uses at grade and 309 residential units. The development includes 422 square metres of retail space and 21,574 square metres of residential floor area, with a total FSI of 15.37 times the area of the lot. The proposal includes a maximum of 309 residential units, consisting of 37

bachelor units, 139 one-bedroom units, 101 two-bedroom units and 32 three-bedroom units. There are 71 below grade parking spaces and 309 bicycle parking spaces proposed.

The Rental Housing Demolition Application proposes to demolish the 5 existing residential rental units located at 111-125 River Street. According to the Housing Issues Report dated November 2019, the existing residential rental units consist of 2 one-bedroom units, 1 two-bedroom unit and 2 three-bedroom units, all of which were vacant at the time of application.

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 sheet.

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 Policies and Planning Studies

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. Refer to Attachment 5 of this report for a map illustrating the Official Plan designation of the site.

The application is also located within the Queen-River Secondary Plan, which currently designated the lands as *Neighbourhoods*. Modifications to the Queen-River Secondary Plan were adopted by City Council at its meeting of July 16, 2019. These modifications that that are not yet in force redesignate the lands as *Mixed-Use Area 'E'*, which contains specific development permissions for the subject property.

Downtown Plan

Official Plan Amendment 406 (the Downtown Plan) is now in-force and effect. OPA 406 includes amendments to Section 2.2.1 and Map 6 of the Official Plan, as well as a new Downtown Secondary Plan. It applies to all applications deemed complete after June 5, 2019. The Plan – in conjunction with the associated infrastructure strategies that address water, energy, mobility, parks and public realm, and community services and facilities –provides a comprehensive and integrated policy framework to shape growth in Toronto's fast-growing Downtown over the next 25 years. It provides the City with a blueprint to align growth management with the provision of infrastructure, sustain liveability, achieve complete communities and ensure there is space for the economy to grow. The Plan area is generally bounded by Lake Ontario to the south, Bathurst Street to the west, the mid-town rail corridor and Rosedale Valley Road to the north and the Don River to the east.

The Downtown Plan (Policies 1.5 through 1.7) state that Official Plan policies, Secondary Plans, Site and Area Specific Policies and Heritage Conservation Districts that fall within the boundary of the Downtown Plan must be read together with this Plan. In the case of conflict, any policy contained within a Secondary Plan or a Site and Area Specific Policy located completely or partially within the Downtown Plan boundaries will take precedence over the policies and maps of the Downtown Plan. The provisions of the Official Plan, which set out the policies applicable to *Neighbourhoods*, and development criteria within *Neighbourhoods*, will continue to apply to Neighbourhoods in the Downtown unless such policies are in conflict with an applicable Secondary Plan, or Site and Area Specific Policy. In this case, although the subject property is designated as *Neighbourhoods* in the Downtown Plan, the direction with respect Council adopted modifications to the Queen-River Secondary Plan designate the property as *Mixed-Use*.

Notwithstanding this, policies within the Downtown Plan relating to enhancing community services and facilities to support a diverse range of programs and services to support communities, contribute to quality of life and act as neighbour focal points where people gather, socialize and access services will apply, as well as policies relating to Park and Public Realm.

The in-force Downtown Plan can be found at: https://www.toronto.ca/legdocs/mmis/2019/cc/bgrd/backgroundfile-135953.pdf

Official Plan Amendment 287 - Queen-River Secondary Plan

The Queen-River Secondary Plan applies to the lands bounded by River Street, Dundas Street East, Bayview Avenue and Queen Street East. The goal of the Secondary Plan is to provide a planning policy framework for new development that recognizes the need to attract new investment to the area while ensuring that new development is compatible with the existing and planned context, addresses the interface between residential and non-residential uses, improves the public realm and promotes a complete community.

The subject site and the adjacent lands to the south are currently designated *Neighbourhoods* on Map 34-1 of the Queen-River Secondary Plan. Notwithstanding the *Neighbourhoods* designation, at its meeting of July 16, 2019 City Council adopted amendments to the Queen River Secondary Plan which would redesignate the subject property as *Mixed Use Area 'E'*. The proposed changes to the Queen-River Secondary Plan are largely in response to the issues and concerns raised by the appellants and parties involved in the LPAT appeal process, and are described in the June 19, 2019 report that was considered by City Council on July 16 2019. The changes also address an evolving planned context and issues raised through the community consultation process. The policies for *Mixed Use Area 'E'* are as follows:

New Mixed Use Area 'E':

The proposed change to the Land Use Plan for the Queen-River Secondary Plan applies to the lands at 83-125 River Street, 1-11 Mark Street, 16-18 Defries Street and 2-10 Labatt Avenue. The lands are designated *Regeneration Areas* on Map 18 of the Official Plan and are currently planned to be redesignated as *Neighbourhoods* as per the current version of the Queen-River Secondary Plan that was approved by City Council in 2015. The proposal is to change the planned *Neighbourhood* to *Mixed Use Area 'E'* within the Secondary Plan with area-specific policies that specify the vision and criteria for new development in *Mixed Use Area 'E'*.

Proposed new policies:

- a) The *Mixed Use Areas* land use designation in Chapter 4 of the Official Plan will apply;
- b) A maximum of two tall buildings, each consisting of a base building and tower, may be permitted provided that one tall building must be located north of Mark Street and the other tall building must be located adjacent to River Street and adjacent to the planned Park / Open space on the north side of Labatt Avenue:
- c) Tall buildings will have a maximum height of 106 metres;
- d) New dwelling units are not permitted on the ground floor facing River Street;

- e) New development on lands adjacent to Labatt Avenue will provide on-site parkland dedication and privately-owned publicly-accessible open space (POPS) adjacent the parkland;
- f) New development on lands adjacent to both River Street and Dundas Street East will provide a POPS adjacent to the existing open space feature located within the right-of-way on the southeast corner of River Street and Dundas Street East; and
- g) The City will actively pursue the provision of new affordable housing units in new developments.

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

Zoning By-laws

The site is zoned CR 2.5 (c2.0; r1.5) SS2 (x1864) under the City's harmonized Zoning By-law 569-2013. This zoning designation permits a range of commercial and residential uses. The current zoning permits a height of 15.0 metres, a maximum floor space index of 2.5 times the area of the lot, and specifies a number of required setbacks.

Development Standard 2 deals with required setbacks adjacent to the street and from the rear lot line and implements an angular plane from the front lot line.

Exception 1864 carries forward provisions from By-law 438-86 and prohibits the use of the land for commercial and private parking garages and limits the amount of retail gross floor area to what currently exists on the property and an additional 1,800 square metres.

The City's Zoning By-law 569-2013 may be found here: https://www.toronto.ca/city-government/planning-development/zoning-by-law-preliminary-zoning-reviews/zoning-by-law-569-2013-2/

The site is also subject to former City of Toronto Zoning By-law 438-86, under which it is zoned mixed commercial residential CR T2.5 C2.0 R1.5 with a maximum height of 15 metres, which is substantially the same with respect to use, density, and height as the provisions under Zoning By-law 569-2013.

Design Guidelines

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

- City-wide Tall Building Design Guidelines;
- Downtown Tall Buildings Vision and Supplementary Design Guidelines;
- Draft Growing Up Urban Design Guidelines.

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.

Rental Housing Demolition and Conversion By-law

The applicant submitted an application on November 13, 2019, for a Section 111 permit pursuant to Chapter 667 of the City of Toronto Municipal Code for the demolition of the existing rental housing units, as the lands subject to the application contain six or more residential units, of which at least one is rental. Where an application for rezoning triggers an application under Chapter 667 for rental demolition or conversion, City Council typically considers both applications at the same time. A Housing Issues Report has been submitted with the required application and is currently under review.

COMMENTS

Reasons for the Application

The Official Plan and Zoning By-law Amendment Application has been submitted in order to permit an increase in the overall height and density on the site and to modify various performance standards such as those for setbacks and parking. Once the City Council Adopted modifications to the Queen-River Secondary Plan are in force, the Official Plan Amendment will no longer be required.

The Rental Housing Demolition application is required to permit the demolition of the five existing rental housing units, as required by Chapter 667 of the Municipal Code.

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

Section 2 of the *Planning Act* requires municipalities to have regard for matters of provincial interest, including: the protection of ecological systems, including natural areas, features and functions; conservation of features of significant architectural, cultural, historical, archaeological or scientific interest; the appropriate location of growth and development; the promotion of development that is designed to be sustainable, to support public transit and to be oriented to pedestrians; and the promotion of a built form that is well designed, encourages a sense of place, and provides for public spaces that area of high quality, safe and accessible, attractive and vibrant.

The application will be evaluated against the PPS and the Growth Plan to establish the application's consistency with the PPS and conformity to the Growth Plan, including but not limited to whether: the proposal makes efficient use of land and resources, infrastructure and public facilities; the proposal is directed at an appropriate location; appropriate development standards are promoted which facilitate compact form; the proposal adequately conserves significant built heritage resources and cultural heritage landscapes; and the proposal represents an appropriate type and scale of development and transition of built form to adjacent areas.

Built Form, Planned and Built Context

Staff are reviewing the suitability and appropriateness of the proposed height and massing and other built form criteria based on Section 2(d), (j), (q) and (r) of the *Planning Act*, the PPS (2014); the Growth Plan (2019); the City's Official Plan policies; and Design Guidelines.

The following preliminary issues have been identified:

- Building Massing, including setbacks and podium height;
- Provision of Publically Accessible Open Space (POPS) as identified in the Queen-River Secondary Plan;
- The provision of affordable housing units.

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 11 trees on or within proximity of the subject site, 4 of which will require permits for removal. An Arborist Report has been submitted and is currently under review by Urban Forestry staff.

Housing

The Rental Housing Demolition application will be assessed against the requirements of the Planning Act, the City of Toronto Act, Official Plan policies relating to rental housing, and Chapter 667 of the Toronto Municipal Code. Staff have requested that a site visit be conducted in order to fully assess the application.

The proposal includes 309 residential dwelling units, consisting of: 37 (12%) bachelor units; 139 (45%) one-bedroom units; 101 (33%) two-bedroom units; and 32 (10%) three-bedroom units. The proposed bachelor units range in size between 34.3 and 46.1 square metres, the one-bedroom units range in size between 46.2 and 58.3 square metres, the two-bedroom units range in size between 60.9 and 70.1 square metres and the three-bedroom units range in size between 73.5 and 91 square metres.

Staff are reviewing the proposed mixture and unit sizes for conformity with the policies of OPA 406 and the Growing Up Guidelines to ensure housing is provided for a broad range of households, including family with children.

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 City's Official Plan establishes and recognizes that the provision of and investment in community services and facilities supports healthy, safe, liveable, and accessible communities. Providing for a full range of community services and facilities in areas experiencing major or incremental growth, is a responsibility shared by the City, public agencies and the development community. City staff will be reviewing the proposal and will identify necessary CS&F that are needed in building a complete community.

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 at its current height and density 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 the proposal be approved in some form.

Infrastructure/Servicing Capacity

The proposed development is to be serviced by connections to the existing watermains and sanitary sewers on River Street. The proposed development will need to meet the requirements of the City of Toronto's Wet Weather Flow Management Guidelines.

The proposed development will need to ensure the discharging of groundwater to the City's sewer system can be adequately supported.

A Functional Servicing and Stormwater Management Report, Geotechnical Investigation Report, and Hydrogeological Review were submitted and are currently under review by City staff.

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.

The applicant is required to meet Tier 1 of the TGS. Performance measures for the Tier 1 development features to be secured through the zoning by-law process include: automobile infrastructure; cycling infrastructure; and storage and collection of recycling and organic waste. The applicant will be encouraged to achieve Tier 2 or higher through the review process.

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

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

ATTACHMENTS

City of Toronto Drawings

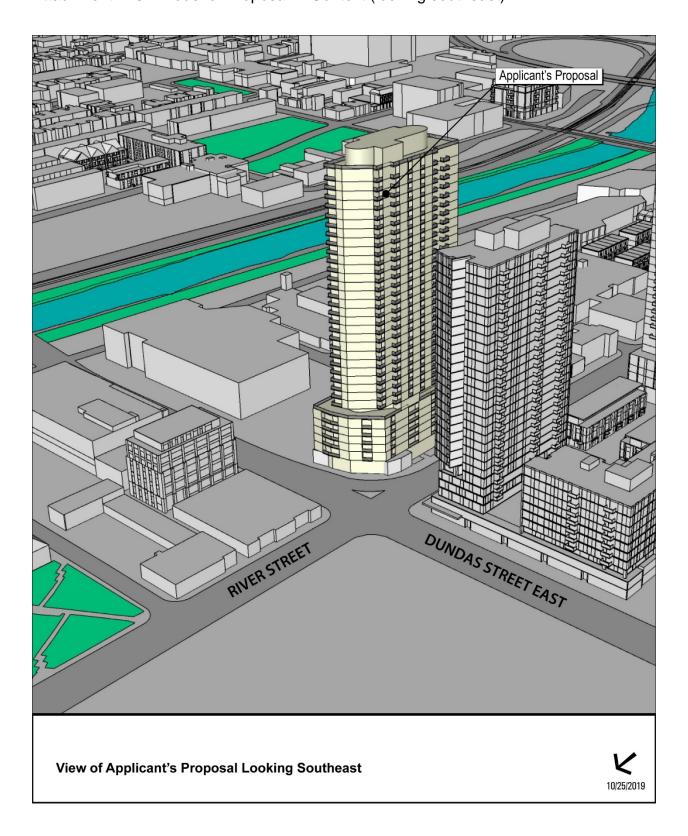
Attachment 1: 3D Model of Proposal in Context (looking southeast) Attachment 2: 3D Model of Proposal in Context (looking northwest)

Attachment 3: Location Map Attachment 4: Site Plan

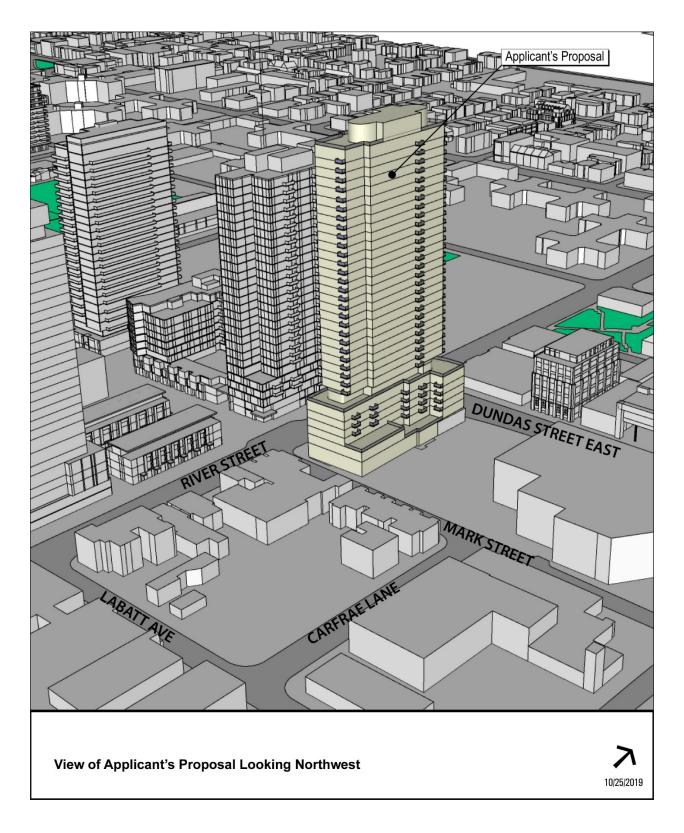
Attachment 5: Official Plan Map

Attachment 6: Application Data Sheet

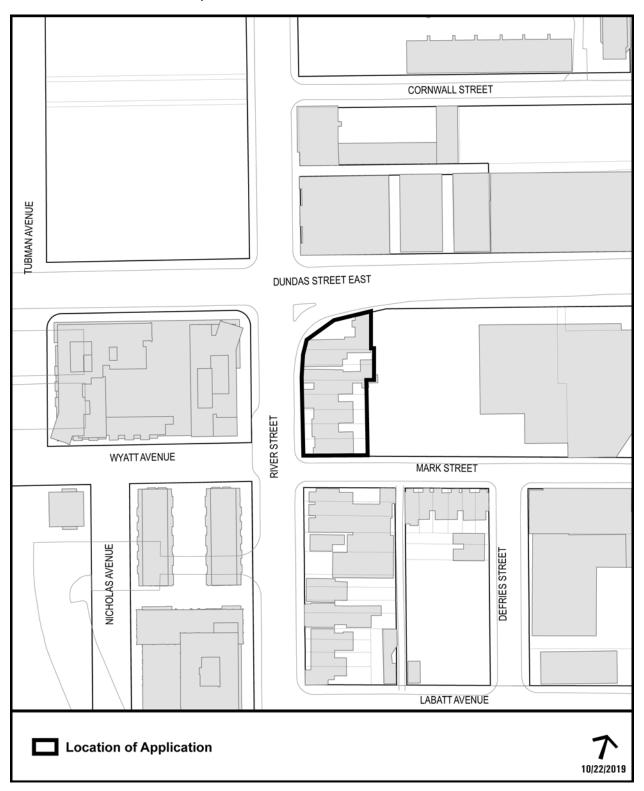
Attachment 1: 3D Model of Proposal in Context (looking southeast)

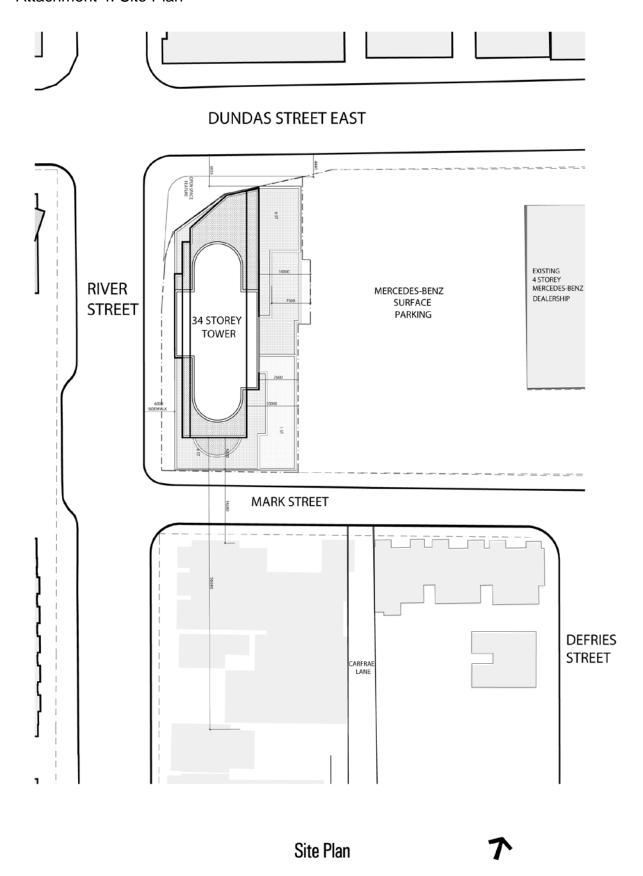


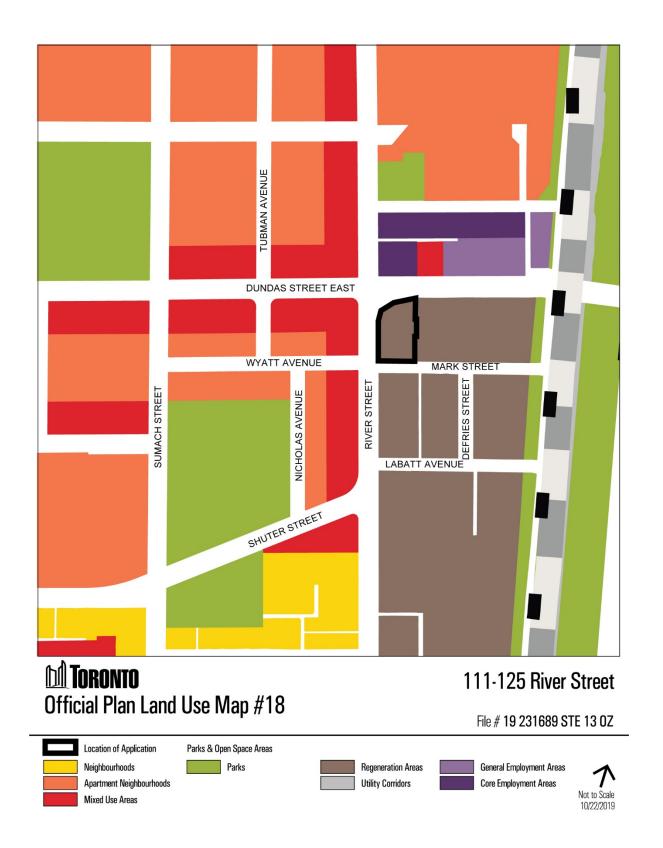
Attachment 2: 3D Model of Proposal in Context (looking Northwest)



Attachment 3: Location Map







Attachment 6: Application Data Sheet

Municipal Address: 111 RIVER ST Date Received: October 3, 2019

Application Number: 19 231689 STE 13 OZ

Application Type: OPA / Rezoning, OPA & Rezoning

Project Description: Official Plan and Zoning By-law Amendment to facilitate the

development of a 34-storey tower with 6-storey podium

containing 309 residential dwelling units.

Applicant Agent Architect Owner

BOUSFIELDS INC WALLMAN LIFETIME RIVER

ARCHITECTS STREET INC

EXISTING PLANNING CONTROLS

Official Plan Designation: Mixed Use Areas Site Specific Provision: N

CR 2.5 (c2.0;

Zoning: r1.5) SS2 Heritage Designation: N

(x1864)

Height Limit (m): 15 metres Site Plan Control Area: Y

PROJECT INFORMATION

Site Area (sq m): 1,431 Frontage (m): 57 Depth (m): 25

Building Data	Existing	Retained	Proposed	Total
Ground Floor Area (sq m):			1,222	1,222
Residential GFA (sq m):			21,574	21,574
Non-Residential GFA (sq m):			422	422
Total GFA (sq m):			21,996	21,996
Height - Storeys:	4		34	34
Height - Metres:			106	106

Lot Coverage Ratio 85.39 Floor Space Index: 15.37

(%):

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

Residential GFA: 21,574
Retail GFA: 422

Office GFA: Industrial GFA:

Institutional/Other GFA:

Residential Units by Tenure	Existing	Retained	Proposed	Total
Rental:	5			
Freehold:				
Condominium:			309	309
Other:				
Total Units:	5		309	309

Total Residential Units by Size

	Rooms	Bachelor	1 Bedroom	2 Bedroom	3+ Bedroom
Retained:					
Proposed:		37	139	101	32
Total Units:		37	139	101	32

Parking and Loading

Parking Spaces: 71 Bicycle Parking Spaces: 309 Loading Docks: 1

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