

# **109 to 125 George Street, and 231 Richmond Street East – Official Plan and Zoning Amendment Applications – Preliminary Report**

Date: May 22, 2020

To: Toronto and East York Community Council

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

Ward 13 - Toronto Centre

**Planning Application Number:** 20 120382 STE 13 OZ

**Date Application Deemed Complete:** February 28, 2020

**Potential Heritage Buildings on Site:** Yes

**Current Uses on Site:** A 3-storey office building; a 4.5 -storey office building; and a 2-storey commercial building

## **SUMMARY**

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This report provides information and identifies a preliminary set of issues regarding the application for a 39-storey mixed use building located at 109 to 125 George Street and 231 Richmond Street East. 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**

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The City Planning Division recommends that:

1. Staff schedule a community consultation meeting for the application located at 109 to 125 George Street and 231 Richmond Street East 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

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City Planning confirms that there are no financial implications resulting from the recommendations included in the report in the current budget year or in future years.

## ISSUE BACKGROUND

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### Application Description

This application proposes to amend the Official Plan and zoning by-law for the properties at 109 to 125 George Street and 231 Richmond Street East, to permit a tall building of 39-storeys (148.7 metres including the mechanical penthouse) containing: 7,515.2 square metres of office gross floor area; 295.2 square metres of retail gross floor area; 31,155.9 square metres of residential gross floor area resulting in 520 dwelling units; and 102 vehicular parking spaces within a 4-level underground garage. The existing buildings at 109 and 125 George Street are proposed to be incorporated as part of the development. A privately owned publicly-accessible open space (POPS) with an area of 265 square metres is also proposed. The subject site encompass two parcels under separate ownership. A conveyance of the air rights above the parcel at 109 to 117 George Street in order to secure the proposed tall building separation distances will be required should this proposal be approved in some form.

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

The Provincial Policy Statement ("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 recognized 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 be consistent with the PPS.

The PPS recognizes and acknowledges the Official Plan as an important document for implementing the policies of the PPS. Policy 4.7 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."

On February 29, 2020, the Province released the PPS, 2020, which came into effect on May 1, 2020. After this date, all planning decisions shall be consistent with the PPS, 2020.

### **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") 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 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 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 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 current application is located on lands shown as Downtown on Map 2 - Urban Structure, and designated Regeneration Areas on Map 18 - Land Use, of the Official Plan.

See Attachment 5 of this report for the land use designation of the Official Plan.

## **Official Plan Amendments 479 and 480 - Public Realm and Built Form**

On December 17 and 18, 2019, City Council adopted Official Plan Amendment 479 - Public Realm ("OPA 479") and Official Plan Amendment 480 - Built Form ("OPA 480"). OPAs 479 and 480 is part of the City's Five Year Official Plan Review under Section 26 of the *Planning Act*, and are intended to strengthen the existing policies and provide greater clarity to describe public realm, built form and built form types. OPAs 479 and 480 have been submitted to the MMAH for approval. The Council decision document can be found here:

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2019.PH11.4>

## **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 tall 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. The owner of the subject site are appellants on the appeals of OPA 352 and Zoning By-laws 1106-2017 and 1107-2016.

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

## **The Downtown Plan**

City Council adopted OPA 406 at its meeting on May 22-24, 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. Since this application was submitted after June 5, 2019, OPA 406, the new Downtown Secondary Plan, applies to this application. The in-force Downtown Plan may be found here:

<https://www.toronto.ca/legdocs/mmis/2019/cc/bgrd/backgroundfile-135953.pdf>

The site is designated Mixed Use Areas 2 - Intermediate. Development in Mixed Use Areas 2 will include building typologies that respond to their site context, including mid-rise and some tall buildings. Specific policy direction articulated in the King-Parliament Secondary Plan is to be read together with the Downtown Plan.

Non-residential uses will be protected and promoted in the King-Parliament Secondary Plan Area, especially uses related to the culture sector.

## **King-Parliament Secondary Plan**

The site is within the boundary of the King-Parliament Secondary Plan. The main objective of the Secondary Plan is to encourage reinvestment in the area for a mixture of uses that reinforces the historic built form and public realm, while ensuring growth is mutually compatible and complements the existing built form character and scale of the area. The King-Parliament Secondary Plan may be found here:

<https://www.toronto.ca/wp-content/uploads/2017/11/9063-cp-official-plan-SP-15-KingParliament.pdf>

The site is designated Regeneration Area 'A' (Jarvis-Parliament) in the Secondary Plan.

## **King-Parliament Secondary Plan Review**

On May 22, 2018, 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 29, 2019, City Council directed staff to use the proposed King-Parliament Plan on current development applications, and directed staff to bring forward a recommended King-Parliament Secondary Plan and updated Zoning By-law to City Council by the third quarter of 2020. The proposed King-Parliament Secondary Plan can be found here:

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

## **Official Plan Amendment to Further Protect Heritage Views of St. James Cathedral**

On April 23, 2013, Council adopted Official Plan Amendment 199 ("OPA 199") to establish revised heritage policies in the Official Plan as part of the 5-year review. Additional policies were also added to the Public Realm section (3.1.1) to provide for the protection of important views to landmark buildings and structures, important natural heritage views and the downtown/financial district skyline. The amendment was forwarded to the MMAH and was subsequently approved in November 2013. Following the Minister's approval, the amendment was appealed to the Ontario Municipal Board ("OMB"). After a series of OMB mediation sessions, the OMB on May 12, 2015 issued a decision which brought OPA 199 into force and effect with minor modifications. A copy of the OMB decision can be found here:

<http://www.omb.gov.on.ca/edecisions/pl131323-May-12-2015.pdf>

Through the OMB's decision a set of new Official Plan policies came into effect, including Policy 3.1.1.9 and Policy 3.1.1.10 which established view protection policies from the public realm to prominent buildings, structures and landscapes and natural features, including the view of the St. James Cathedral spire from King Street East at Church Street (southwest and northwest corners), and Front Street East (north side) across from Farquhars Lane.

A city-initiated Official Plan Amendment is underway to clarify, through enhanced study, the existing view protection policies in the Official Plan as they affect the silhouette views associated with City Hall, Old City Hall and St. James Cathedral. On July 23,

2018, City Council directed staff to use the proposed policies and diagrams contained in the latest status report to inform the evaluation of current and future development applications in the surrounding area. The status report can be found here: <https://www.toronto.ca/legdocs/mmis/2018/te/bgrd/backgroundfile-118130.pdf>

### **Zoning By-laws**

The site is zoned Reinvestment Area (RA), with a maximum building height of 30 metres, in the former City of Toronto Zoning By-law 438-86, as amended. This zoning category permits a range of uses.

The site is zoned Commercial Residential Employment (CRE) (x41) in the city-wide Zoning By-law 569-2013, as amended. The standards of By-law 438-86 are carried forward into By-law 569-2013 for the site.

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/>

### **Design Guidelines**

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

- King-Parliament Urban Design Guidelines;
- City-wide Tall Building Design Guidelines; and
- Growing Up: Planning for Children in New Vertical Communities Draft Urban 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**

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### **Reasons for the Application**

The proposal requires amendments to Zoning By-laws 438-86 and 569-2013 for the site at 109 to 125 George Street and 231 Richmond Street East to vary performance standards, including: the increase in overall height; reduction in building setbacks; reduction in residential amenity standards; and reduction in vehicular parking standards; among others.

The applicant also submitted an Official Plan amendment to create a site and area specific policy that allows for a building with a height of 39 storeys and a maximum tower floorplate of 1,050 square metres on the site.

## **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), the PPS (2020) 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. In particular, staff will review the proposal against sections 3.1.1, 3.1.2, 3.1.3, 3.1.5, 3.2.1 and 4.7.

### **Built Form, Planned and Built Context**

Staff will continue to assess the suitability and appropriateness of the proposed height, massing, and other built form issues based on Section 2 (d), (p), (q) and (r) of the *Planning Act*; the PPS; the Growth Plan; the City's Official Plan policies; OPA 352; the proposed heritage view protection policies; the current and proposed King-Parliament Secondary Plan policies; the Downtown Plan's policies; and the City's Design Guidelines.

The following preliminary issues have been identified:

- The suitability of the proposed height and massing, including setbacks and stepbacks, in relation to the area's existing and planned built form character and scale;
- The appropriateness of the tower floor plate dimensions and tower setbacks and separation distances;
- The appropriate building setback at-grade in order to provide sufficient pedestrian sidewalk right-of-way;
- The impacts of new shadowing on the public realm and private open spaces. A Sun-Shadow Study was submitted and is currently under review by City staff;



- The impacts of any changes to the pedestrian level wind conditions along abutting and nearby streets, and surrounding properties. A Pedestrian Wind Assessment was submitted and is currently under review by City staff;
- The proposed integration of the buildings at 109 and 125 George Street, which have the potential to hold cultural heritage value, and the impacts of the proposal to the potential view corridor of St. James Cathedral. A Heritage Impact Assessment was submitted and is currently under review by City staff; and

### **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 no trees on or within proximity of the subject site. Opportunities to increase the tree canopy on the subject site will be explored.

### **Archaeological Assessment**

An archaeological resource assessment identifies and evaluates the presence of archaeological resources also known as archaeological sites. A Stage 1 Archaeological Assessment was submitted and is currently under review.

### **Heritage Conservation**

The properties at 109-117 and 125 George Street were identified as having the potential to hold cultural heritage value through the Cultural Heritage Resource Assessment done as part of the King-Parliament Secondary Plan review. Staff will be researching and evaluating the property using the criteria prescribed under the *Ontario Heritage Act* for determining significance. If the property is found to meet the Provincial criteria, staff will be seeking appropriate conservation through the development proposal.

The subject site is located within the proposed St. James Cathedral Silhouette View Corridor Area Site and Area Specific Policy. Staff will be reviewing the impacts of the proposal to the proposed silhouette line of the St. James Cathedral Spire and Clock Tower when viewed from the sidewalk at the northwest and southwest corners of King Street East and Church Street.

### **Infrastructure/Service Capacity**

Staff are reviewing the application to determine if there is sufficient infrastructure capacity to accommodate the proposed development and the cumulative impact of all the proposed developments in the area. With regard to stormwater, the proposed development will need to meet the requirements of the City of Toronto's Wet Weather Flow Management Guidelines. The proposed development will also need to ensure the discharging of groundwater to the City's sewer system can be adequately supported.

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

## **Transportation Impacts**

A 4-level underground garage that provides 102 vehicular parking spaces for the development is proposed to be accessed from a driveway on Richmond Street East. Loading spaces for the proposal are also proposed to be accessed from the same driveway. A Transportation Impact Study has been submitted and is under review by City staff 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 development.

## **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.

Staff will assess the impact of the proposed development and local development activity on community services and facilities, including assessment of existing capacity to support the proposed future population.

## **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 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.

## **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.

A TGS Checklist was submitted and is currently under review by City staff for compliance with the Tier 1 performance measures. Staff will encourage the applicant to achieve Tier 2 performance measures or higher as part of 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**

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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 Northeast

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

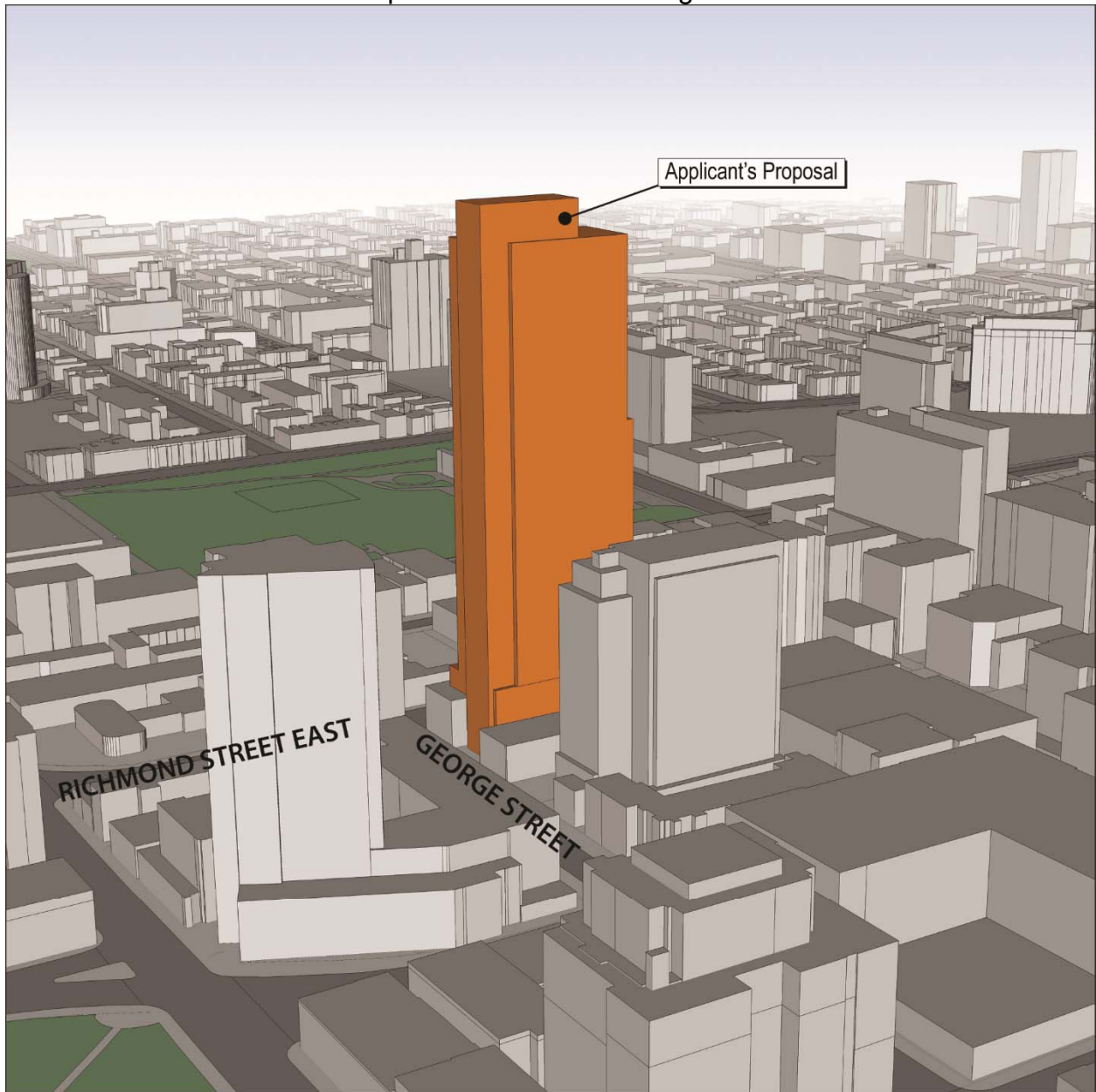
Attachment 3: Location Map

Attachment 4: Site Plan

Attachment 5: Official Plan Map

Attachment 6: Application Data Sheet

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

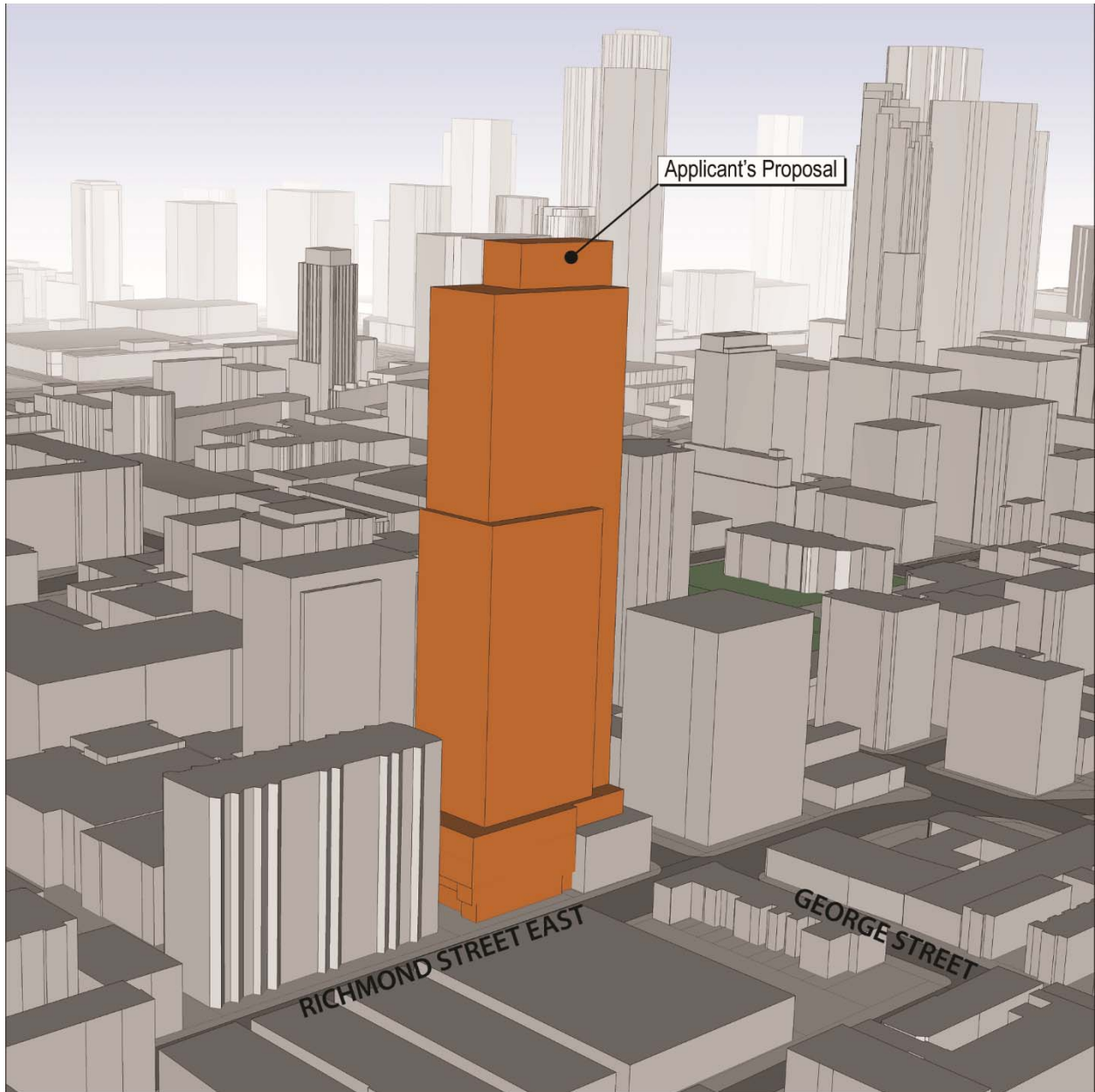


View of Applicant's Proposal Looking Northeast



04/14/2020

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

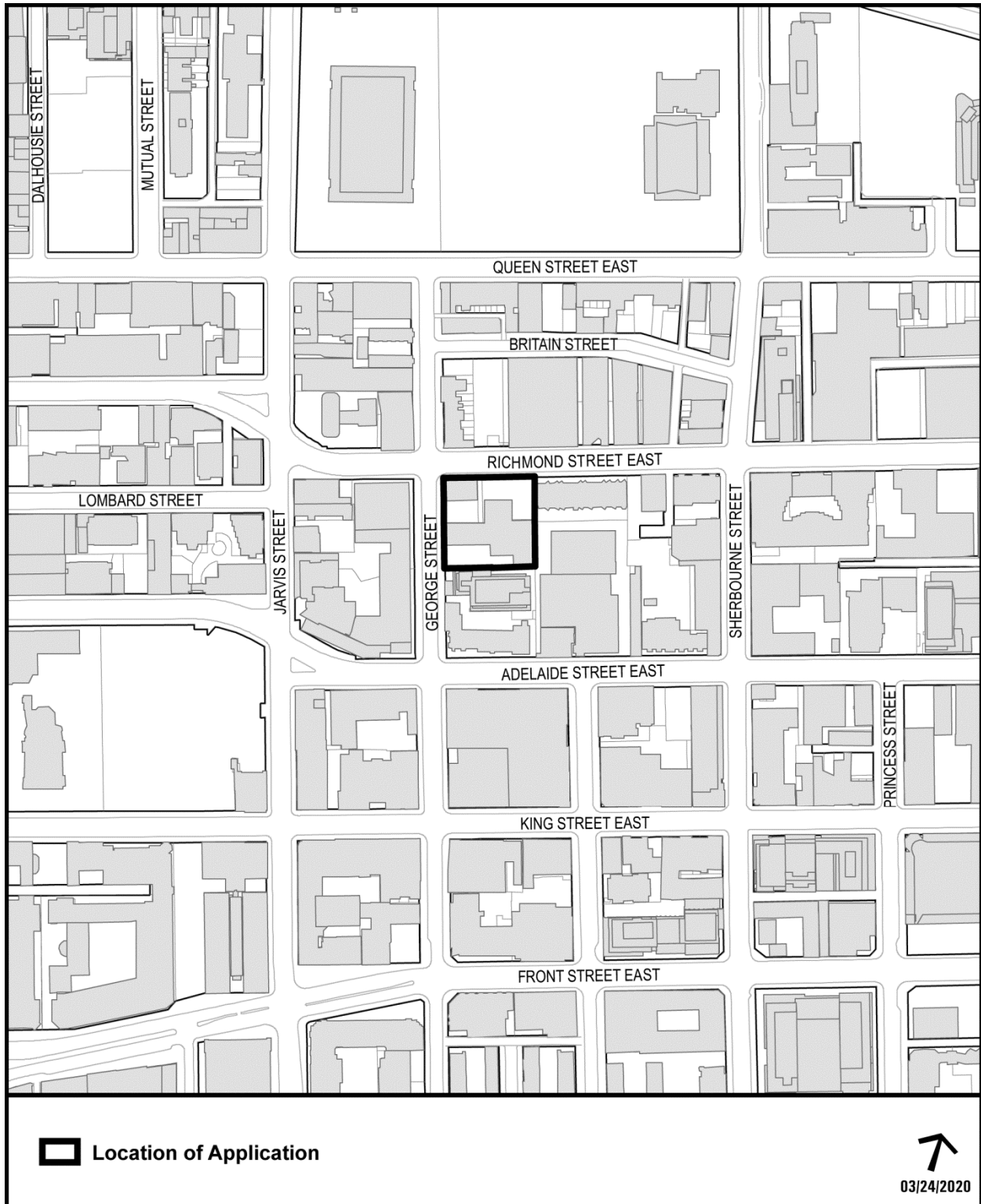


View of Applicant's Proposal Looking Southwest

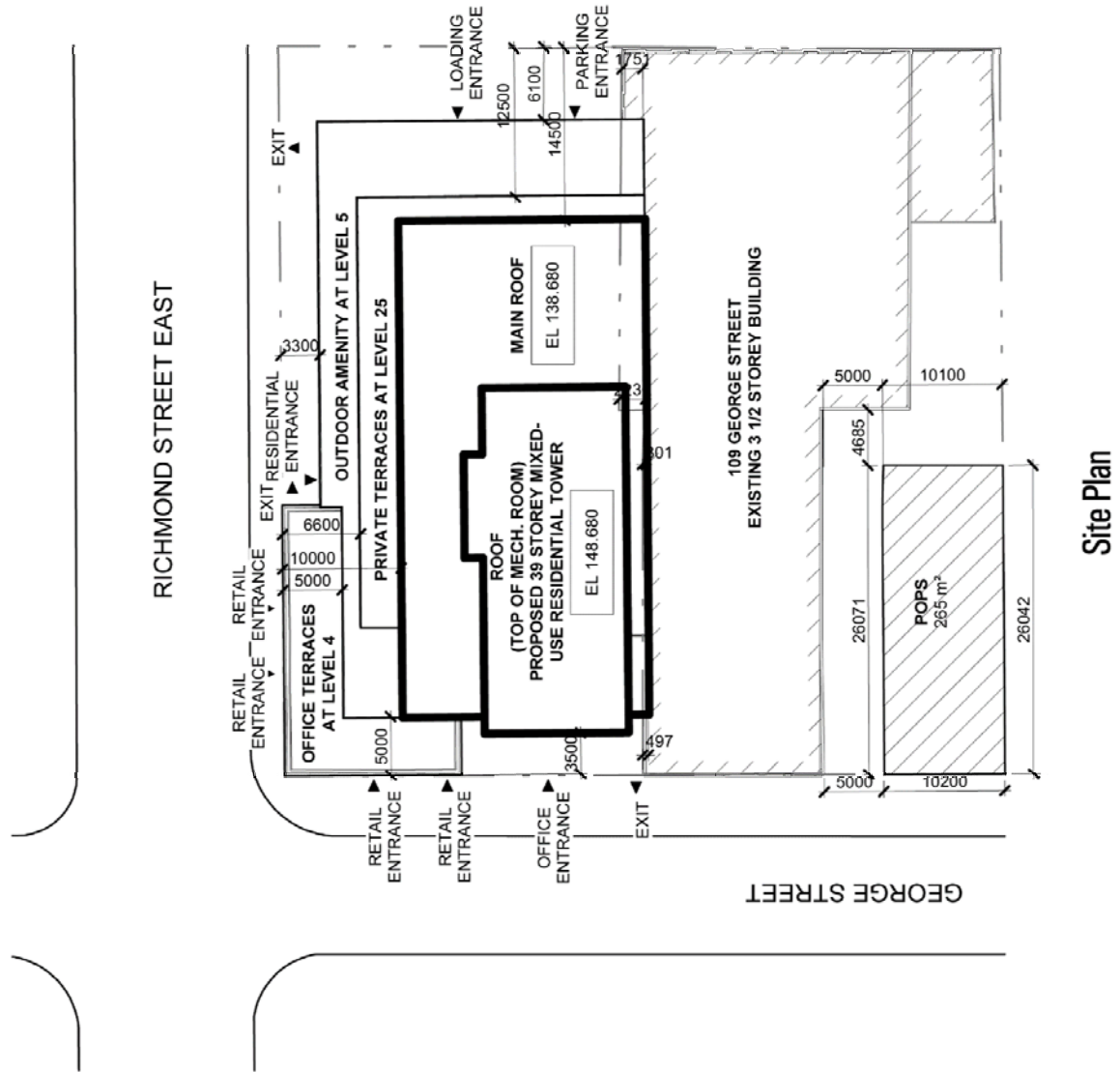


04/14/2020

Attachment 3: Location Map



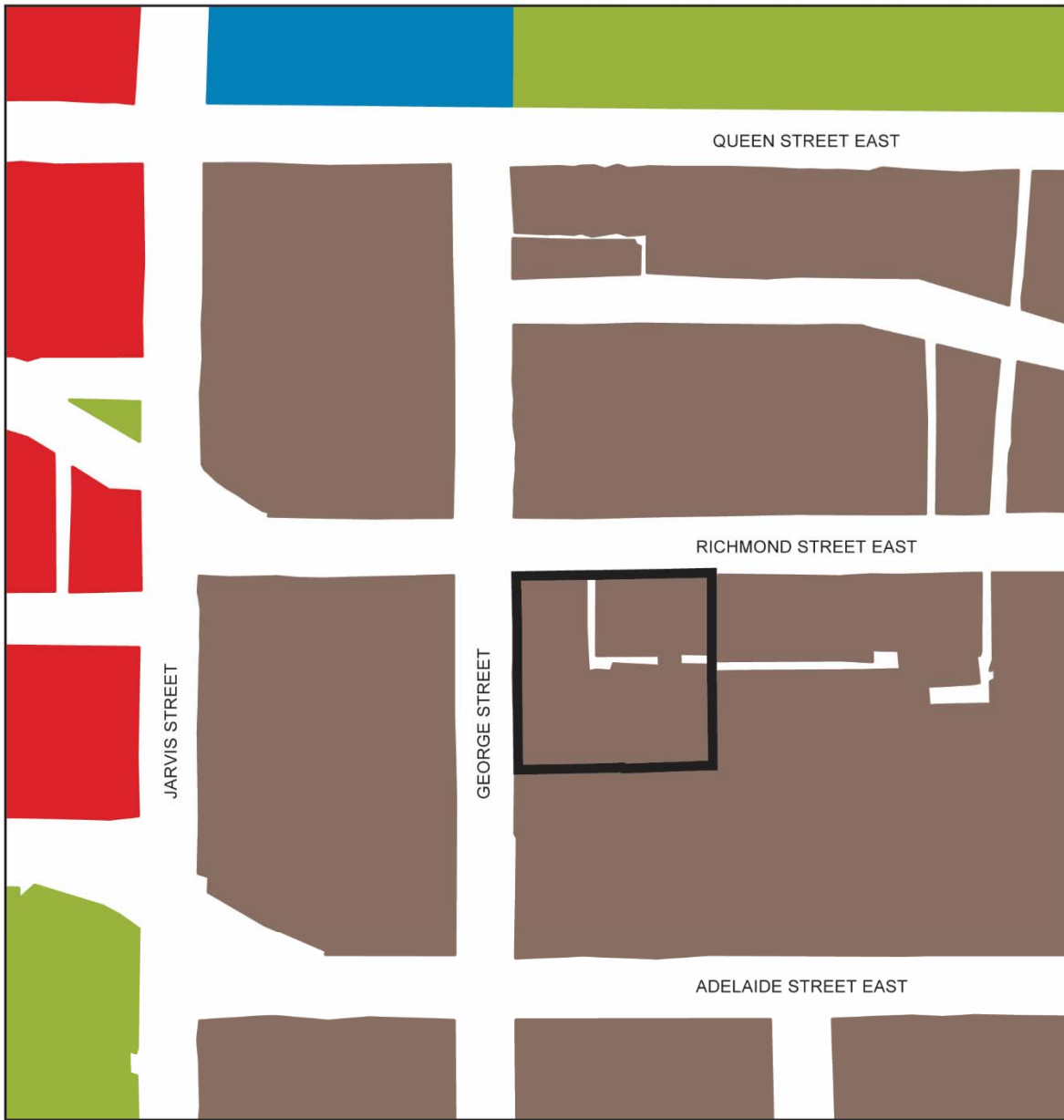
Attachment 4: Site Plan



Site Plan



Attachment 5: Official Plan Map



109-125 George Street and 231 Richmond Street East

Official Plan Land Use Map #18

File # 20 120382 STE 13 OZ



↑  
Not to Scale  
04/14/2020



## Attachment 6: Application Data Sheet

Municipal Address: 231 RICHMOND ST E Date Received: February 28, 2020

Application Number: 20 120382 STE 13 OZ

Application Type: OPA / Rezoning, OPA & Rezoning

Project Description: Official Plan and Zoning By-law amendment application to permit the development a 39-storey mixed-use building. The proposed development includes a 254 m<sup>2</sup> POPS space along George Street, retail uses at grade, office uses on the 2nd through 4th floors, and a residential tower above, with 520 dwelling units. The buildings at 109 and 125 George Street are proposed to be incorporated as part of the development.

Applicant	Agent	Architect	Owner
Richmond-George Limited		Sweeny&Co Architects	Richmond-George Limited

### EXISTING PLANNING CONTROLS

Official Plan Designation:	Regeneration Areas	Site Specific Provision:	N
Zoning:	CRE (x41)	Heritage Designation:	Y
Height Limit (m):	30	Site Plan Control Area:	Y

### PROJECT INFORMATION

Site Area (sq m): 3,697      Frontage (m): 61      Depth (m): 62

Building Data	Existing	Retained	Proposed	Total
Ground Floor Area (sq m):		1,308	1,389	2,697
Residential GFA (sq m):			31,156	31,156
Non-Residential GFA (sq m):	5,402	3,822	3,988	7,810
Total GFA (sq m):	5,402	3,822	35,144	38,966
Height - Storeys:			39	39
Height - Metres:			139	139

Lot Coverage Ratio (%) : 72.94      Floor Space Index: 10.54

Floor Area Breakdown	Above Grade (sq m)	Below Grade (sq m)
Residential GFA:	31,156	
Retail GFA:	295	

Office GFA: 3,693  
 Industrial GFA:  
 Institutional/Other GFA:

Residential Units by Tenure	Existing	Retained	Proposed	Total
Rental:				
Freehold:				
Condominium:			520	520
Other:				
<b>Total Units:</b>			<b>520</b>	<b>520</b>

Total Residential Units by Size

	Rooms	Bachelor	1 Bedroom	2 Bedroom	3+ Bedroom
Retained:		55	202	212	51
Proposed:					
<b>Total Units:</b>		<b>55</b>	<b>202</b>	<b>212</b>	<b>51</b>

Parking and Loading

Parking Spaces: 102      Bicycle Parking Spaces: 544      Loading Docks: 2

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