

## **125R Mill Street – Official Plan and Zoning Amendment Applications – Preliminary Report**

Date: August 24, 2020

To: Toronto and East York Community Council

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

Wards: Ward 10 - Spadina-Fort York

**Planning Application Number:** 20 151415 STE 10 OZ

**Related Application:** 18 251580 STE 28 SA

**Date Application Deemed Complete:** June 22, 2020

**Listed Heritage Building(s) on Site:** No

**Designated Heritage Buildings(s) on Site:** No

**Current Use on Site:** Vacant; used as construction staging for development to the north

### **SUMMARY**

---

This report provides information and identifies a preliminary set of issues regarding the applications to permit two towers of 32 and 45 storeys on a shared 6-storey base building located at 125R 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 125R Mill 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 City Planning Division confirms that there are no financial implications resulting from the recommendations included in the report in the current budget year or in future years.

## **DECISION HISTORY**

---

On October 29, 2008, City Council adopted TE19.9 "Final Report - 181-225 Mill Street Rezoning Application" approving a district energy facility as a permitted use prior to the lifting of the "h" Holding Symbol on the subject lands, in accordance with the West Don Lands Precinct Plan. The City Council decision may be found here:

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2008.TE19.9>

On August 25, 2010, City Council adopted TE36.20 "West Don Lands, Phase 2 - Draft Plan of Subdivision, Official Plan Amendment, Zoning By-law Amendment and the Lifting of the "h" Holding Symbol" approving a portion of the West Don Lands, including the subject lands, for development in accordance with the West Don Lands Precinct Plan. The subject lands was approved in the Plan of Subdivision, Official Plan Amendment and the Zoning By-law for a mixture of uses, with a focus on a vehicular parking garage and a district energy facility in accordance with the West Don Lands Precinct Plan. The City Council decision may be found here:

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2010.TE36.20>

## **ISSUE BACKGROUND**

---

### **Application Description**

This application proposes to amend the Official Plan and zoning by-law for the property at 125R Mill Street to permit two towers of 32 and 45 storeys (119.0 and 162.6 metres including mechanical penthouse respectively) on a 6-storey base building consisting of: 24,353 square metres of office gross floor area, 311 square metres of retail gross floor area; and 54,455 square metres of residential gross floor area resulting in 661 dwelling units, of which 198 are affordable dwelling units. A 1-level underground garage providing 124 vehicular parking spaces is also proposed.

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 (2020) (the "PPS"), and to conform with applicable Provincial Plans which, in the case of the City of Toronto, include: A Place to Grow: 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.

### **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 applications are 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 proposal.

### **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 applications are 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 applications are located on lands originally identified as part of Block 8 in the Precinct Plan. The Plan of Subdivision registered on title in 2011 divided the Block 8 lands in forming the subject lands as a separate lot, termed Block 20. The Precinct Plan envisioned the subject lands as a parking garage and a district energy facility.

### **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](http://www.toronto.ca/tocore)

### **Zoning By-laws**

The site is zoned RA under Zoning By-law 438-86, as amended by By-law 4-2011, with a maximum height of 24 and 15 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;
- City-wide Tall Building Design Guidelines;
- Growing Up: Planning for Children in New Vertical Communities Draft Urban Design Guidelines;
- Affordable Rental Housing Design Guidelines; and
- Pet Friendly Design Guidelines and Best Practices for New Multi-unit Buildings; 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 to permit the proposal currently contemplated has not been submitted.

A Site Plan Control application to permit three towers at 125-181 Mill Street with the subject lands used for rail safety berm purposes has received Notice of Pre-Approval Conditions, file no. 18 251580 STE 28 SA.

### **Plan of Subdivision**

The lands is subject to a Plan of Subdivision as part of the West Don lands Phase 2 lands, registered on title and identified as Block 20.

### **Open Door**

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 Block 8/20 in the West Don Lands 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 Block 20 (the subject lands), and Blocks 3, 4 and 7 of 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>

The applicant has not applied to the Open Door program for the proposed affordable dwelling units on the site as of the date of this report.

## **COMMENTS**

---

### **Reasons for the Application**

The application requires an amendment to the Official Plan for 125R Mill Street to permit the proposal in its current form whereas the policies of the Central Waterfront Secondary Plan the King-Parliament Part II Plan does not contemplate the development in its current form. Specifically, the Central Waterfront Secondary Plan indicates the subject lands follow Precinct Implementation Strategies in the form of the Precinct Plan. The King-Parliament Part II Plan currently designates the subject site as part of the Don River Open Space District. It is noted the current application submitted contemplates an amendment to the King-Parliament Part II Plan only.

The application requires an amendment to Zoning By-law 438-86, as amended, to vary performance standards, including: the permission for the siting of a tower; the increase in overall building heights; and decreased minimum building setbacks; among other standards.

## **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 (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 for consistency with the PPS (2020) and conformity with the Growth Plan (2019). Given the recognition in Provincial Policy Staff will continue to evaluate this planning application against the Official Plan to determine the application's conformity to the Official Plan including the Central Waterfront Secondary Plan and the King-Parliament Part II Plan.

In regards to built form, staff's review will be based on Section 2 d), j), p) and r) of the Planning Act, the PPS, the Growth Plan, and the City's Official Plan policies and supporting documents.

The following preliminary matters will need to be reviewed:

- The mixture of land uses on the site;
- The appropriate built form for the site given its immediate and surrounding context;
- The servicing capacity of the site;
- Improvements to the existing transportation network to support the development;
- The appropriate size, dimension and function of the proposed privately-owned and publicly accessible space ("POPS"); and
- Mitigation measures necessary to protect the proposed land uses from the rail corridor to the south of the site.

### **West Don Lands Precinct Plan**

Staff will continue to evaluate the applications against the Precinct Plan, supporting documents and the associated Environmental Assessment Master Plan. Preliminary issues include assessing the proposal against the land use, the proportion and the number of affordable housing units, density, massing, public realm network, and the hard and soft infrastructure as identified in the Plan, among other matters.

### **Servicing Capacity**

Staff 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 and a Hydrogeological Investigation. 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 service the proposal.

### **Transportation Impact**

Staff are reviewing the application to determine the impacts to the transportation network this proposal will generate. The applicant has submitted a Transportation Impact Study. Staff will be reviewing the 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.

### **Rail Safety**

The applicant has submitted a Rail Safety and Development Viability Assessment. Staff will undertake a third party peer review of the study to ensure the proposed mitigation measures will be sufficient to ensure the proposal will be safely protected from train derailment.

### **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). An Arborist Report and a Tree Preservation Plan has been submitted, indicating there are 62 trees surrounding the subject site. The submitted documents are under review by 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 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.

### **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 applications review process.

### **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 heights 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**

---

Henry Tang, Senior Planner, Tel. No. (416) 392-7572, E-mail: Henry.Tang@toronto.ca

## **SIGNATURE**

---

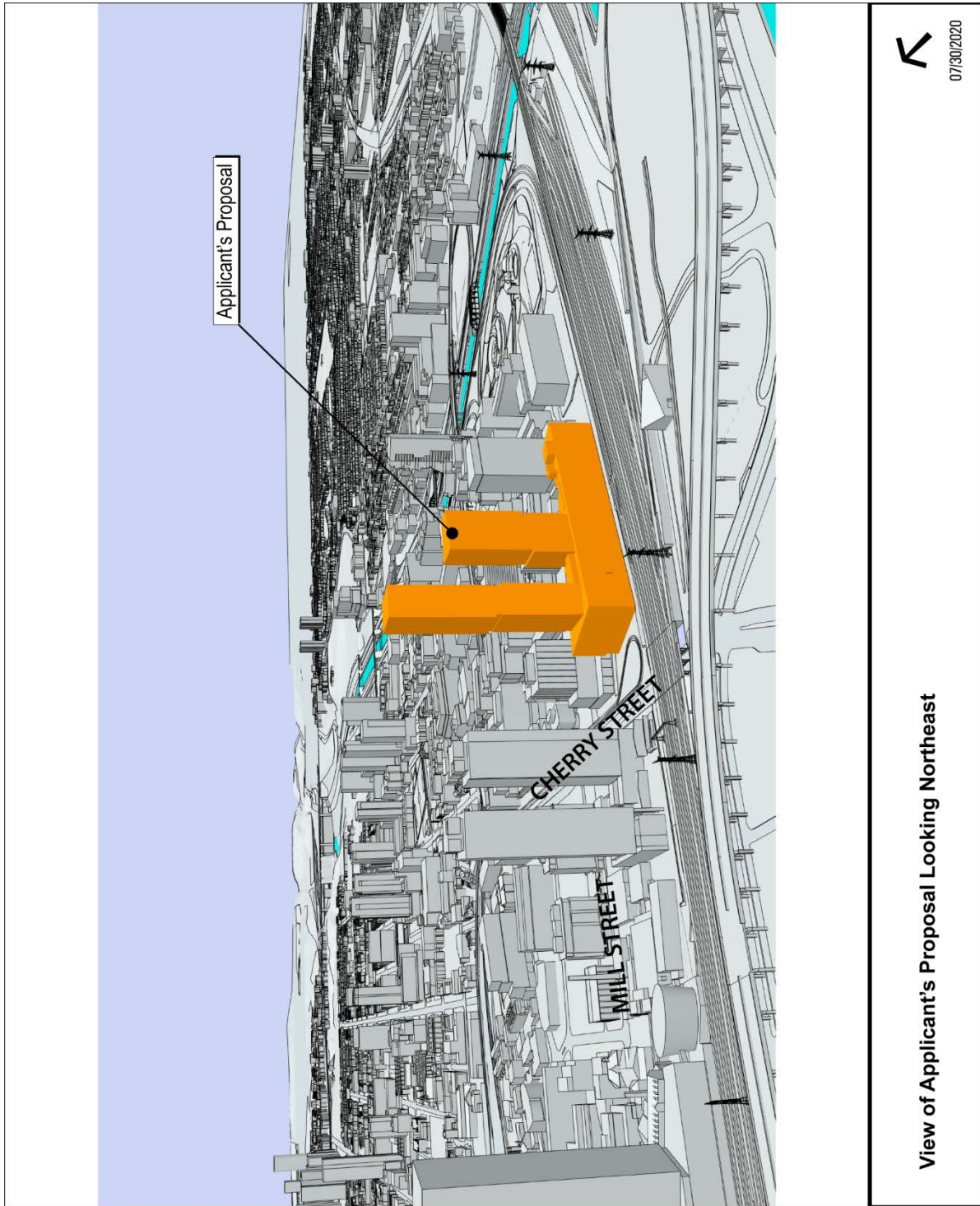
Lynda H. Macdonald, MCIP, RPP, OALA, FCSLA,  
Director, Community Planning,  
Toronto and East York District



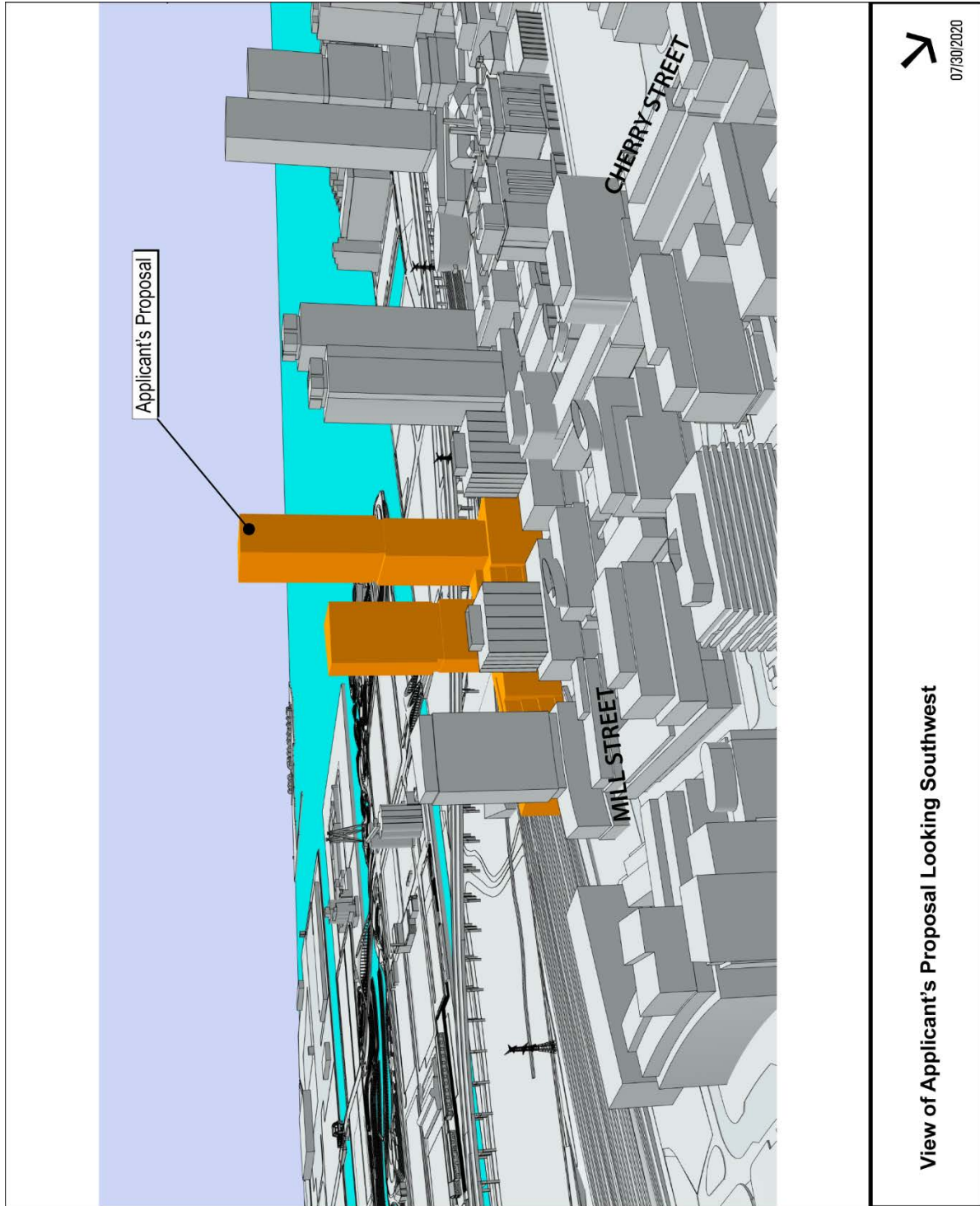
## **ATTACHMENTS**

- 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

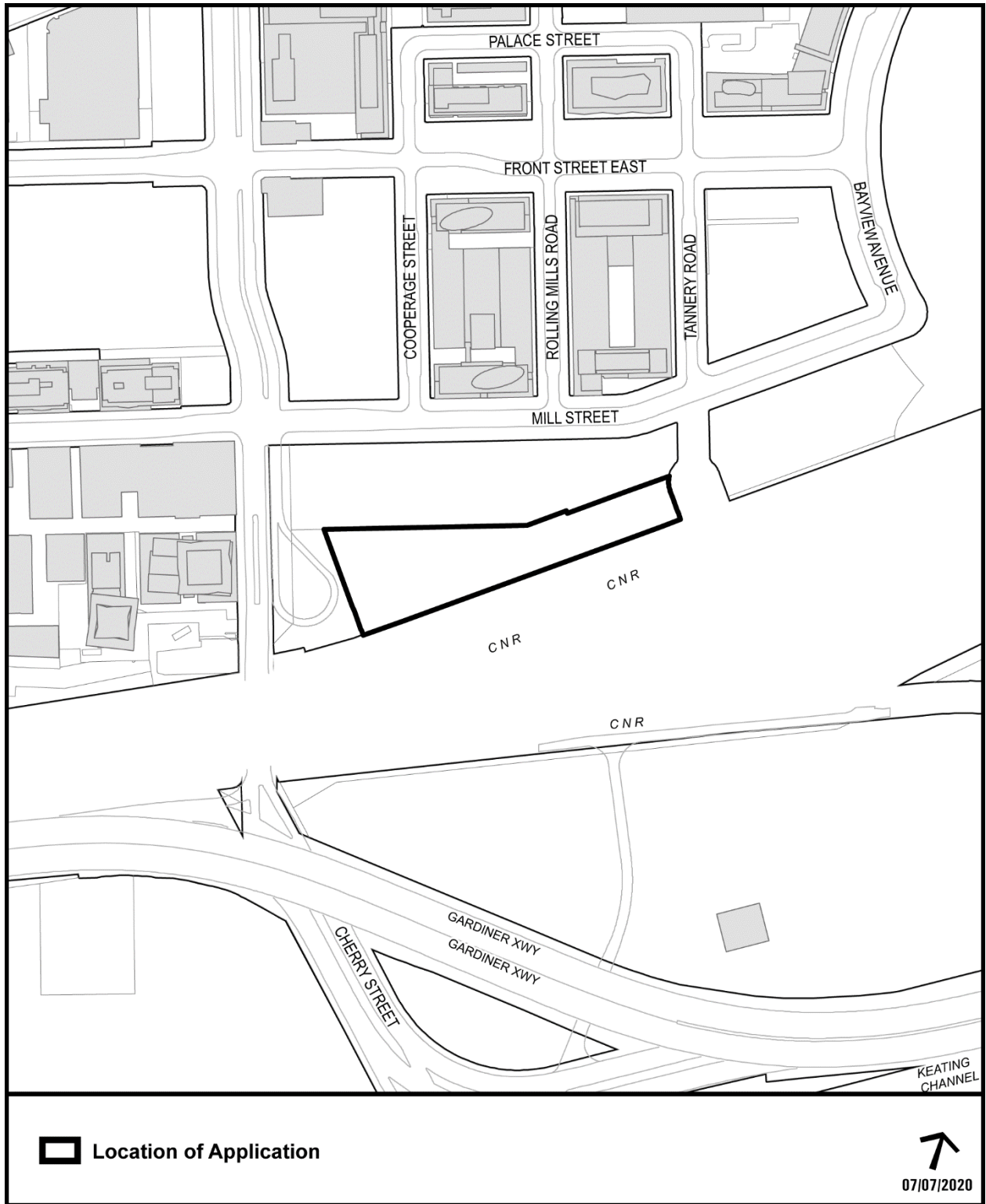
Attachment 1: 3D Model of Proposal in Context Looking Northeast



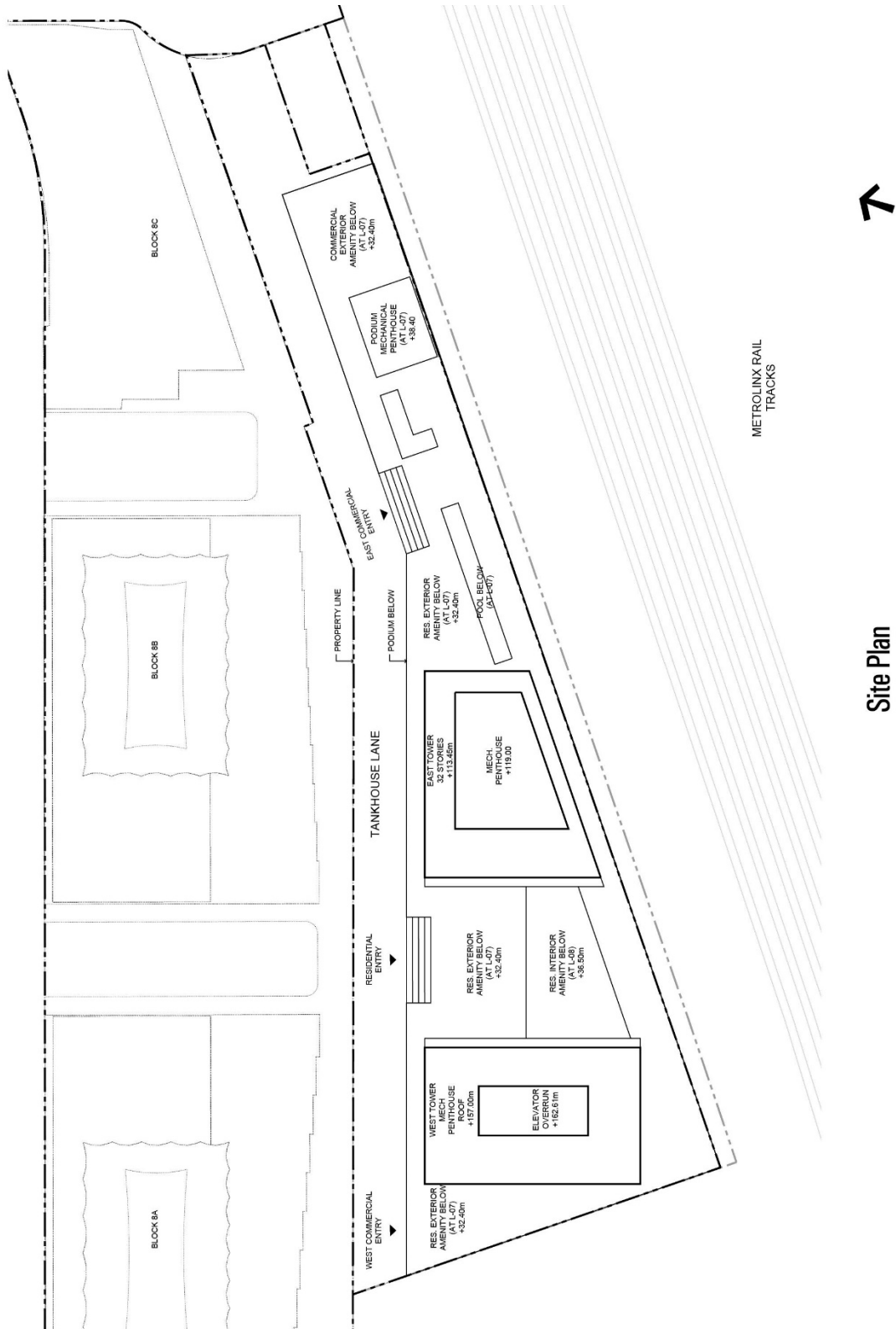
Attachment 2: 3D Model of Proposal in Context Looking Southwest



Attachment 3: Location Map



Attachment 4: Site Plan



Site Plan

Attachment 5: Official Plan Map



125R Mill Street

Official Plan Land Use Map #18

File # 20 151415 STE 10 0Z

- Location of Application
- Mixed Use Areas
- Parks & Open Space Areas
- Parks
- Regeneration Areas
- Utility Corridors

Not to Scale  
 07/08/2020

## Attachment 6: Application Data Sheet

Municipal Address: 125R MILL ST Date Received: June 2, 2020

Application Number: 20 151415 STE 10 OZ

Application Type: OPA / Rezoning, OPA & Rezoning

Project Description: Official Plan & Zoning by-law Amendment application to facilitate the development of the site for 45-storey and 32-storey mixed-use towers atop a 6-storey podium. A total of 24,353 square metres of non-residential gross floor area, and 54,455.0 square metres of residential gross floor area with 661 residential dwelling units are proposed.

Applicant	Architect	Owner
WDL 20 LP c/o Tony Medeiros	Henning Larsen architectsAlliance (AoR)	Province of Ontario, Minister of Energy and Infrastructure

### EXISTING PLANNING CONTROLS

Official Plan Designation:	Regeneration Areas	Site Specific Provision:	Y
Zoning:	438-86	Heritage Designation:	N
Height Limit (m):	24, 15	Site Plan Control Area:	Y

### PROJECT INFORMATION

Site Area (sq m): 7,439 Frontage (m): 145 Depth (m): 67

Building Data	Existing	Retained	Proposed	Total
Ground Floor Area (sq m):			4,924	4,924
Residential GFA (sq m):			54,455	54,455
Non-Residential GFA (sq m):			24,353	24,353
Total GFA (sq m):			78,808	78,808
Height - Storeys:			45	45
Height - Metres:			152	152

Lot Coverage Ratio 66.19 Floor Space Index: 10.59  
(%)

Floor Area Breakdown	Above Grade (sq m)	Below Grade (sq m)
Residential GFA:	54,455	
Retail GFA:	481	
Office GFA:	23,872	
Industrial GFA:		
Institutional/Other GFA:		

Residential Units by Tenure	Existing	Retained	Prop osed	Total
Rental:			661	661
Freehold:				
Condominium:				
Other:				
Total Units:		661	661	

Total Residential Units by Size

	Rooms	Bachelor	1 Bedroom	2 Bedroom	3+ Bedroom
Retained:					
Proposed:			363	217	81
Total Units:			363	217	81

Parking and Loading

Parking Spaces:	126	Bicycle Parking Spaces:	784	Loading Docks:	4
--------------------	-----	-------------------------	-----	----------------	---

CONTACT:

Henry Tang, Senior Planner, Community Planning  
(416) 392-7572  
Henry.Tang@toronto.ca