

700 University Avenue - Zoning Amendment - Supplementary Report

Date: December 7, 2021
To: City Council
From: Chief Planner and Executive Director, City Planning
Ward: 11 - University-Rosedale

Planning Application Number: 20 181659 STE 11 OZ

SUMMARY

On November 24, 2021, Toronto and East York Community Council had before them item TE29.3, 700 University Avenue – Zoning Amendment Application – Final Report dated November 3, 2021.

The Final Report recommended approval of the application to amend the Zoning By-law to permit a vertical 5-storey (25 metre) addition on the existing 19-storey office building known as the Ontario Hydro Building, and a 56-storey (196 metre) rental residential building on the south-west corner of the site. The community benefits recommended to be secured in the Section 37 Agreement include a cash contribution in the amount of \$4,125,000 towards streetscape and/or public realm improvements, and \$4,125,000 towards the provision of affordable housing in the vicinity of the site. A detailed construction management plan was also recommended to be secured as part of the Section 37 agreement as a legal convenience to support development.

Toronto and East York Community Council submitted the item to City Council without recommendations and requested staff to continue to work with the applicant prior to City Council to resolve outstanding concerns respecting the Section 37 community benefits set out in Recommendation 3 of the Final Report, including but not limited to, reallocating \$8,250,000 in contributions towards maximizing on-site affordable housing, and securing additional measures to address noise and dust impacts from construction onto the adjacent public school.

This report provides revised recommendations for the Section 37 community benefits package.

RECOMMENDATIONS

The Chief Planner and Executive Director, City Planning, recommends that:

Supplementary Report - 700 University Avenue

1. City Council delete recommendation 3 from the Final Report dated November 3, 2021 and replace with the following:

Before introducing the necessary Bills to City Council for enactment, require the owner to enter into an Agreement pursuant to Section 37 of the Planning Act as follows:

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

i. Prior to the issuance of the first above-grade building permit, a cash contribution of \$8,250,000 towards the provision of affordable housing in the vicinity of the site, to the satisfaction of the Chief Planner and Executive Director, City Planning Division, in consultation with the Ward Councillor and the Executive Director, Housing Secretariat;

ii. All cash contributions referred to in Recommendation 3(a)(i) shall be indexed upwardly in accordance with the Statistics Canada Construction Price Index for Toronto, calculated from the date of registration of the Section 37 Agreement to the date the payment is made.

iii. In the event the cash contributions referred to in Recommendation 3(a)(i) have not been used for the intended purposes within 3 years of the By-laws coming into full force and effect, the cash contribution may be redirected for another purpose, at the discretion of the Chief Planner and Executive Director, City Planning Division, in consultation with the Ward Councillor, provided that the purpose is identified in the Toronto Official Plan and will benefit the community in Ward 11.

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

i. Prior to the commencement of any excavation and shoring work, the owner shall submit a Construction Management Plan to the satisfaction of the Chief Planner and Executive Director, City Planning Division, the General Manager of Transportation Services, and the Chief Building Official, in consultation with the Ward Councillor, in consultation with the Toronto District School Board through the Toronto Lands Corporation and the local community, and thereafter shall implement the plan during the course of construction. The Construction Management Plan will include, but not be limited to the following construction-related details: noise, dust, size and location of staging areas, location and function of gates, dates of significant concrete pouring, lighting details, vehicular parking and queuing locations, street closures, parking and laneway uses and access, refuse storage, site security, site supervisor contact information, and a communication strategy with the Toronto District School Board through the Toronto Lands Corporation and the surrounding community, and any other matters requested by the Chief Planner and Executive Director, City Planning, and the General Manager, Transportation Services, in consultation with the Ward Councillor.

ii. Prior to the commencement of any excavation and shoring work, and as part of the Construction Management Plan, the owner submit an air quality and dust management plan prepared by a third party, and to the satisfaction of the Chief Planner and Executive Director, City Planning Division, and subject to peer review, and thereafter shall implement the plan during the course of construction. The owner shall be responsible for any costs associated with the mitigation measures recommended as part of the air quality and dust management plan such as, but not limited to, HVAC upgrades to the Orde Street School, as may be solely required or related to and during the period of its construction activities. The owner shall also be responsible for any costs related to peer review of the air quality and dust review if deemed necessary by the Chief Planner.

FINANCIAL IMPACT

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

DECISION HISTORY

On November 24, 2021, Toronto and East York Community Council considered item TE29.3 - 700 University Avenue - Zoning Amendment Application – Final Report dated November 3, 2021.

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2021.TE29.3>

COMMENTS

Subsequent to the meeting of the Toronto and East York Community Council on November 24, 2021, City staff, the Councillor's Office and the applicant have worked together to resolve the proposed community benefits respecting the development proposal at 700 University Avenue. A reallocation of the Section 37 contributions is being proposed as well as additional measures to mitigate the impact of construction on the adjacent Orde Street School.

The Final Report recommended allocating \$4,125,000 of the Section 37 contributions towards streetscape and/or public realm improvements and \$4,125,000 towards off-site affordable housing in the vicinity of the site. As a result of Toronto and East York Community Council motions, opportunities to reallocate the Section 37 funds towards maximizing on-site affordable housing was explored. However, after discussions involving Housing Secretariat staff, it was determined that there are a number of affordable housing initiatives in the vicinity of the site that require funding and will be able to deliver the units more quickly, than through the provision of affordable housing

on the subject site. As such, City staff recommend that the proposed Section 37 financial contribution be reallocated in its entirety towards the provision of affordable housing in the vicinity of the site.

In response to providing additional construction mitigation measures, the condition in the Final Report related to the Construction Management Plan was revised to include the Toronto District School Board and the Toronto Lands Corporation as community stakeholders to be consulted with by the owner while preparing the Construction Management Plan. An additional condition is recommended to be added that would require the applicant to submit an air quality and dust management plan, and to implement the plan during construction. The owner shall also be responsible for any costs associated with the mitigation measures recommended as part of the plan such as, but not limited to, upgrades to the Orde Street School's HVAC system.

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SIGNATURE

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