

111 to 125 River St – Zoning Amendment and Rental Housing Demolition Applications – Final Report

Date: April 29, 2021

To: Toronto and East York Community Council

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

Ward: 13 - Toronto Centre

Planning Application Numbers: 19 231689 STE 13 OZ and 19 248623 STE 13 RH

SUMMARY

This application proposes a new 34-storey mixed-use building (106 metres plus mechanical) with 433 residential units (27,416.6 square metres), 176.6 square metres of retail space at grade and 77 vehicular parking spaces at 111 to 125 River Street.

This Rental Housing Demolition Application proposes to demolish an existing residential rental property containing a total of 10 dwelling units (five rental dwelling units and five owner occupied dwelling units) located at 111 to 125 River Street. The applicant has not proposed to replace the demolished units within the proposed development, however the owner will be required to provide tenant relocation assistance as a condition of demolition approval.

The proposed development is consistent with the Provincial Policy Statement (2020) and conforms with A Place to Grow: Growth Plan for the Greater Golden Horseshoe (2020).

The proposal represents an appropriate redevelopment of the site with a mix of uses, built form and public realm improvements that are compatible with the surrounding context.

This report reviews and recommends approval of the application to amend the Zoning By-law. This report also recommends approval of the Rental Housing Demolition Application under Chapter 667 of the Toronto Municipal Code and the Residential Demolition Permit under Chapter 363 of the Toronto Municipal Code, subject to conditions.

RECOMMENDATIONS

The City Planning Division recommends that:

1. City Council amend Zoning By-law 438-86, for the lands at 111 to 125 River Street substantially in accordance with the draft Zoning By-law Amendment attached as Attachment No. 12 to the report from the Director, Community Planning, Toronto and East York District, dated April 29, 2021.
2. City Council amend City of Toronto Zoning By-law 569-2013 for the lands at 111 to 125 River Street substantially in accordance with the draft Zoning By-law Amendment attached as Attachment No. 13 to the report from the Director, Community Planning, Toronto and East York District, dated April 29, 2021.
3. City Council authorizes the City Solicitor to make such stylistic and technical changes to the draft Zoning By-law Amendments as may be required.
4. Before introducing the necessary Bills to City Council for enactment, City Council require the owner to:
 - a) Provide a revised Functional Servicing Report to demonstrate whether the existing municipal infrastructure is adequate to service the proposed development and to determine whether any upgrades may be required to the existing infrastructure to support the proposed development, to the satisfaction of the Chief Engineer and Executive Director, Engineering and Construction Services;
 - b) Secure the design and provision of financial securities for any improvements to the municipal infrastructure identified in the accepted Functional Servicing Report, to the satisfaction of the Chief Engineer and Executive Director, Engineering and Construction Services, should it be determined that improvements to such infrastructure are required to support this development;
 - c) enter into an Agreement pursuant to Section 37 of the Planning Act, and any other necessary agreements, satisfactory to the Chief Planner and Executive Director, City Planning and the City Solicitor securing the matters identified in Recommendations 9 and 12 at the owner's expense, with such Agreement to be registered on title to the lands at 111 to 125 River Street in a manner satisfactory to the City Solicitor;
 - d) enter into an Agreement pursuant to Section 111 of the City of Toronto Act 2006, satisfactory to the Chief Planner and Executive Director, City Planning and the City Solicitor securing the matters identified in Recommendation 5 at the owner's expense, with such Agreement to be registered on title to the lands at 111 to 125 River Street in a manner satisfactory to the City Solicitor; and
 - e) register a Limiting Distance Agreement between the owners of 111 to 125 River Street, 761 Dundas Street East, and the City of Toronto, to the satisfaction of the City Solicitor, which will establish a Limiting Distance

Area on the property at 761 Dundas Street East where no new building or structure may be constructed within 11 metres of the east property line abutting 111 to 125 River Street, and no building taller than 22 metres may be constructed within 25 metres of the east property line abutting 111 to 125 River Street.

5. City Council approve the Rental Housing Demolition Application File No. 19 248623 STE 13 RH in accordance with Chapter 667 of the Toronto Municipal Code and pursuant to Section 111 of the City of Toronto Act, 2006 which allows for the demolition of five (5) existing rental dwelling units located at 111-125 River Street, subject to the following condition:

- a) The owner shall provide an acceptable tenant relocation and assistance plan to mitigate hardship for eligible tenants of the existing rental housing proposed to be demolished at 111-125 River Street. The tenant relocation and assistance plan shall be developed in consultation with, and to the satisfaction of, the Chief Planner and Executive Director, City Planning Division.

6. City Council authorize the Chief Planner and Executive Director, City Planning Division, to issue Preliminary Approval of the Rental Housing Demolition Permit under Chapter 667 of the Toronto Municipal Code pursuant to Section 111 of the City of Toronto Act, 2006 for the demolition of the five (5) existing rental dwelling units located at 111-125 River Street after all the following have occurred:

- a) Satisfaction or securing of the condition in Recommendation 5 above;
- b) The Zoning By-law Amendments have come into full force and effect;
- c) The issuance of the Notice of Approval Conditions for site plan approval by the Chief Planner and Executive Director, City Planning Division or their designate, pursuant to Section 114 of the City of Toronto Act, 2006;
- d) The issuance of excavation and shoring permits (conditional or full permit) for the approved development on the site;
- e) The owner has confirmed, in writing, that all existing rental dwelling units proposed to be demolished are vacant; and
- f) The execution and registration of one or more agreements pursuant to Section 37 of the Planning Act and Section 111 of the City of Toronto Act, 2006 securing Recommendation 5 above and any other requirements of the Zoning-Bylaw Amendment.

7. City Council authorize the Chief Building Official and Executive Director, Toronto Building to issue a Rental Housing Demolition Permit under Chapter 667 of the Toronto Municipal Code after the Chief Planner and Executive Director, City Planning Division has given Preliminary Approval referred to in Recommendation 6 above.

8. City Council authorize the Chief Building Official and Executive Director, Toronto Building to issue a Residential Demolition Permit under Section 33 of the Planning Act and Chapter 363 of the Toronto Municipal Code for 111-125 River Street after the Chief Planner and Executive Director, City Planning Division has given Preliminary Approval

referred to in Recommendation 6 above, which may be included in the Rental Housing Demolition Permit under Chapter 667 pursuant to section 6.2 of Chapter 363, on condition that:

- a) The owner removes all debris and rubble from the site immediately after demolition;
- b) The owner erects construction hoarding to the satisfaction of the Chief Building Official and Executive Director, Toronto Building;
- c) The owner erects the proposed mixed-use building on site no later than four (4) years from the date that the demolition of such building commences, subject to the timeframe being extended at the discretion of the Chief Planner and Executive Director, City Planning Division; and
- d) Should the owner fail to complete the proposed mixed-use building within the time specified in Recommendation 8.c. above, the City Clerk shall be entitled to enter on the collector's roll, as with municipal property taxes, an amount equal to the sum of twenty thousand dollars (\$20,000.00) per dwelling unit for which a demolition permit is issued, and that such amount shall, until payment, be a lien or charge upon the land for which the demolition permit is issued.

9. City Council direct that the owner be required to enter into an Agreement pursuant to Section 37 of the Planning Act to secure the following community benefits at the owner's expense, as follows:

- a) a cash contribution of three million one hundred thousand dollars (\$3,100,000.00) to be allocated toward:
 - i. \$1,550,000.00 to new City-owned affordable housing or community space and/or capital improvements to City owned affordable housing and/or community recreation space in Ward 13;
 - ii. \$1,550,000.00 to local area streetscape and park improvements in Ward 13, at the discretion of the Chief Planner and Executive Director, City Planning, in consultation with the Ward Councillor and the General Manager, Park, Forestry and Recreation;
- b) the owner shall prepare, at its expense, a Public Art Plan for the provision of Public Art upon the adjacent City-owned lands and shall submit the Public Art Plan to the City, to the satisfaction of the Chief Planner and Executive Director, City Planning, in consultation with the Toronto Public Art Commission, in accordance with the terms of the Section 37 Agreement; and
- c) Prior to the issuance of the first above grade building permit for the development, the owner shall provide financial security in the form of a Letter of Credit in the amount of five hundred thousand dollars (\$500,000) to secure the commission and installation of public art in accordance with the Public Art Plan in Recommendation 9. b).

10. the cash contribution referred to in Recommendation 9. a) shall be indexed upwardly in accordance with the Statistics Canada Residential or Non-Residential, as the case may be, Building Construction Price Index for the Toronto Census Metropolitan Area, reported quarterly by Statistics Canada in Building Construction Price Indexes Table 18-10-0135-01, or its successor, calculated from the date of the Agreement to the date of payment;

11. In the event the cash contribution referred to in Recommendations 9. a) has not been used for the determined purpose within three years of the amending Zoning By-law 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, in consultation with the Ward Councillor, provided the purpose is identified in the Official Plan and will benefit the community in the vicinity of the lands;

12. City Council also direct that the following be secured in the Section 37 Agreement as a legal convenience to secure matters required to support the development:

- a) an acceptable tenant relocation and assistance plan shall be developed and implemented to mitigate hardship for eligible tenants of the existing rental housing proposed to be demolished. The tenant relocation and assistance plan shall be developed in consultation with, and to the satisfaction of, the Chief Planner and Executive Director, City Planning Division;
- b) the design, construction, provision and maintenance of streetscape improvements adjacent to the site, including the open space located at the corner of Dundas Street East and River Street to the satisfaction of the Chief Planner and Executive Director, City Planning, and secured in a Site Plan Agreement with the City;
- c) the construction, provision and maintenance of privately owned publicly accessible open space (POPS) on the lands with a minimum size of 68 square metres in a location and configuration satisfactory to the to the satisfaction of the Chief Planner and Executive Director, City Planning and adjacent to the open space located at the corner of Dundas Street East and River Street, all to the satisfaction of the Chief Planner and Executive Director, City Planning. The owner shall convey to the City, for nominal consideration, easement(s) along the surface of the lands, to the satisfaction of the City Solicitor, which shall constitute the POPS. The owner shall own, operate, maintain and repair the POPS and install and maintain a sign, at its own expense, stating that members of the public shall be entitled to use the POPS at all times of the day and night, 365 days of the year; and the specific location, configuration, design and timing of conveyance of the POPS shall be determined in the context of a site plan approval pursuant to Section 114 of the City of Toronto Act, 2006, and secured in a Site Plan Agreement with the City;
- d) prior to final Site Plan Approval for any part of the site, the owner shall submit a construction management plan for the development with the general matters included in the Section 37 Agreement, including but not limited to, 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, coordination with adjacent on-going development construction, parking and access, refuse storage, site security, site supervisor contact information, and a communication strategy with 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; and
- e) the owner will construct and maintain the development of the site in accordance with Tier 1, Toronto Green Standard, and the owner will be encouraged to achieve Tier 2 Toronto Green Standard, or higher, where appropriate, consistent with the performance standards of Toronto Green Standards applicable at the time of the site plan application for each building on the site.

13. City Council authorize the appropriate City officials to take such actions as are necessary to implement City Council's decision, including execution of the Section 37 Agreement, and any other necessary agreement(s).

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

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 current Official Plan. The area is designated Regeneration Areas within the current 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. 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>

The LPAT approved the Queen River Secondary Plan (Official Plan Amendment 287) in a Decision and Order dated February 10, 2020. By-law 261-2020 containing the final version of the Secondary Plan can be accessed at the following link:

<https://www.toronto.ca/legdocs/bylaws/2020/law0261.pdf>

A Preliminary Report on the application was adopted by Toronto and East York Community Council on January 8, 2020 authorizing staff to conduct a community consultation meeting. The report can be accessed at the following link:

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2020.TE12.24>

PROPOSAL

This application proposes to amend 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 plus mechanical) mixed-use building with a 4 to 6-storey podium and retail uses at grade. The development includes 176.6 square metres of retail space and 27,416.6 square metres of residential floor area, with a total FSI of 19.3 times the area of the lot. A maximum of 433 residential units are proposed, consisting 163 one-bedroom units (30%), 97 one-bedroom plus den units (22.4%), 82 two-bedroom units (18.9%), 47 two-bedroom plus den units (10.9%) and 44 three-bedroom units (10.2%). There are 77 below grade parking spaces and 483 bicycle parking spaces proposed.

The Rental Housing Demolition Application proposes to demolish the five (5) existing residential rental units located at 111-125 River Street consisting of 2 one-bedroom units, 1 two-bedroom unit and 2 three-bedroom units, all of which were vacant at the time of application.

See Attachment 1 of this report for the location map, Attachments 2 and 3 for a three dimensional representation of the project in context, Attachment 4 for the proposed site plan drawing, Attachments 5 through 8 for the elevations, and Attachment 11 for the application data sheet.

Site and Surrounding Area

The site contains 8 house form buildings with a mix of owner-occupied and rental residential units and commercial uses, as outlined below:

- 111 River Street: one (1) owner-occupied residential dwelling unit;
- 113 River Street: one (1) owner-occupied residential dwelling unit;

- 115 River Street: two (2) rental dwelling units comprised of one (1) three-bedroom unit and one (1) two-bedroom unit;
- 117 River Street: one (1) owner-occupied residential dwelling unit, one (1) one-bedroom rental dwelling unit and one (1) retail unit;
- 119 River Street: one (1) three-bedroom rental dwelling unit and one (1) retail unit;
- 121 River Street: one (1) owner-occupied residential dwelling unit;
- 123 River Street: one (1) three-bedroom rental dwelling unit; and
- 125 River Street: one (1) owner-occupied residential dwelling unit and one (1) commercial unit.

The five (5) existing rental dwelling units are comprised of three (3) affordable rental dwelling units, one (1) mid-range rental dwelling unit, and one (1) high-end rental dwelling unit. At the time of application, all five of the existing rental dwelling units were vacant. Site history research points to the possibility that some of the rental units may have also been used as dwelling rooms.

The buildings and uses surrounding the subject site include the following:

North: two single-storey City-owned Facilities Management buildings, a 6-storey residential building (Tannery Lofts) and a 2-storey commercial building. Further east on the north side of Dundas Street East is the 2-storey Lexus automobile dealership.

East: A 2-storey Mercedes-Benz automobile dealership, with the surface parking lot associated with the building being immediately adjacent to the subject property.

South: 2 and 2 and 1/2-storey detached house form buildings and townhouses, some with commercial uses at grade.

West: a recently constructed 29-storey mixed-use building that is part of the larger Regent Park redevelopment.

Reasons for Application

The applicant has submitted a Rezoning application because the proposed building height, density and massing are not permitted by the Zoning By-law. The proposed development also seeks amendments to other matters, including the number of parking spaces and amount of amenity space proposed.

The applicant has submitted an application for a Rental Housing Demolition Permit because the proposed development will require the demolition of at least six residential dwelling units, of which at least one of these residential dwelling units is a rental dwelling unit.

APPLICATION BACKGROUND

Application Submission Requirements

The following reports/studies were submitted in support of the applications:

- Planning and Urban Design Rationale;
- Rental Housing Demolition and Conversion Declaration of Use and Screening Form;
- Architectural Plans, Elevations and Sections;
- Survey Plan;
- Public Utilities Plan;
- Urban Transportation Considerations;
- Housing Issues Report;
- Community Services and Facilities Study;
- Toronto Green Standard Checklist;
- Geotechnical Investigation;
- Geohydrology Assessment;
- Functional Servicing and Storm Water Management Report;
- Energy Strategy Report;
- Noise and Vibration Feasibility Study;
- Arborist/Tree Preservation Report;
- Landscape Plan;
- Sun/Shadow Study;
- Pedestrian Wind Level Study: and,
- Public Consultation Strategy.

The application was submitted on October 3, 2019 and deemed complete on November 25, 2019.

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

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

Agency Circulation Outcomes

The application, together with the applicable reports noted above, has been circulated to all appropriate agencies and City divisions. Responses received have been used to assist in evaluating the application and to formulate the Zoning By-law amendments.

Statutory Public Meeting Comments

In making their decision with regard to the applications, City Council members have an opportunity to consider the submissions received prior to and at the statutory public meeting held by the Toronto and East York Community Council for the applications.

Oral submissions made at the meeting are broadcast live over the internet and recorded for review.

POLICY CONSIDERATIONS

Planning Act

Section 2 of the Planning Act sets out matters of provincial interest which City Council shall have regard to in carrying out its responsibilities, including: the orderly development of safe and healthy communities; the adequate provision of employment opportunities; the conservation of features of significant architectural, cultural, historical, archaeological or scientific interest; the appropriate location of growth and development; the adequate provision and distribution of educational, health, social, cultural and recreational facilities; the resolution of planning conflicts involving public and private interests; and the promotion of a built form that is well designed, encourages a sense of place, and provides for public spaces that are of high quality, safe, accessible, attractive and vibrant.

Provincial Land-Use Policies: Provincial Policy Statement and Provincial Plans

Provincial Policy Statements and geographically specific Provincial Plans, along with municipal Official Plans, provide a policy framework for planning and development in the Province. This framework is implemented through a range of land use controls such as zoning by-laws, plans of subdivision and site plans.

Provincial Plans are intended to be read in their entirety and relevant policies are to be applied to each situation. The policies of the Plans represent minimum standards. Council may go beyond these minimum standards to address matters of local importance, unless doing so would conflict with any policies of the Plans.

All decisions of Council in respect of the exercise of any authority that affects a planning matter shall be consistent with the PPS and shall conform with Provincial Plans. All comments, submissions or advice affecting a planning matter that are provided by Council shall also be consistent with the PPS and conform with Provincial Plans.

The Provincial Policy Statement (2020)

The Provincial Policy Statement (2020) (the "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 use and management of land and infrastructure;
- ensuring the sufficient provision of housing to meet changing needs including affordable housing;
- ensuring opportunities for job creation;

- ensuring the appropriate transportation, water, sewer and other infrastructure is available to accommodate current and future needs; and
- protecting people, property and community resources by directing development away from natural or human-made hazards.

The provincial policy-led planning system recognizes 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 also be consistent with the PPS.

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

A Place to Grow: Growth Plan for the Greater Golden Horseshoe (2020)

A Place to Grow: Growth Plan for the Greater Golden Horseshoe (2020) came into effect on August 28, 2020. This was an amendment to the Growth Plan for the Greater Golden Horseshoe, 2019. The Growth Plan (2020) 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 (2020), establishes policies that require implementation through a Municipal Comprehensive Review (MCR), which is a requirement pursuant to Section 26 of the Planning Act.

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, and better connected 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 (2020), builds upon the policy foundation provided by the PPS and provides more specific land use planning policies to address issues facing the GGH region. The policies of the Growth Plan (2020), 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 (2020). Comments, submissions or advice affecting a planning matter that are provided by Council shall also conform with the Growth Plan (2020).

Toronto Official Plan

The City of Toronto Official Plan is a comprehensive policy document that guides development in the City, providing direction for managing the size, location, and built form compatibility of different land uses and the provision of municipal services and facilities. 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/>

On September 21, 2020 the Minister of Municipal Affairs and Housing Issued Notices of Decision approving OPA 479 and OPA 480. OPA 479 (Public Realm) and OPA 480 (Built Form) were adopted as part of the Five-Year Official Plan Review. The OPAs replace Sections 3.1.1, 3.1.2, and 3.1.3 of the Official Plan with new and revised policies for the public realm, built form and built form types, which respond to Council's direction to amend the urban design policies of the Official Plan.

The original Official Plan Amendments can be found at:

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

This application has been reviewed against the policies of the City of Toronto Official Plan, Official Plan Amendment 287, Official Plan Amendment 352 (implementing By-laws 1106-2016 and 1107-2016) and Official Plan Amendment 406 (Downtown Plan).

Chapter 2 – Shaping the City

Policy 2.2.1 Downtown: The Heart of Toronto

Policy 2.2.1 outlines the policies for development within the Downtown. The proposed development is located in the Downtown area as defined by Map 2 of the City of Toronto Official Plan. Although much of the growth is expected to occur in the Downtown, not all of the Downtown is considered a growth area. The Official Plan states that: "while we anticipate and want Downtown to accommodate growth, this growth will not be spread uniformly across the whole of Downtown."

Policy 2.2.1.3 c) and d) refers to the quality of the Downtown will be improved by enhancing existing parks and strengthening the range and quality of the social, health and community services located Downtown.

Policy 2.2.1.4 a) states that a full range of housing opportunities will be encouraged through residential intensification in the Mixed Use Areas of Downtown.

Policy 2.2.1.11 prioritizes street improvements to enhance the pedestrian environment and other measures to make it safer to walk and cycle in the Downtown.

Chapter 3 – Building a Successful City

Policy 3.1.1 The Public Realm

This section provides guidance on the roles and key relationships between elements of the public realm as well as direction on the expansion, enhancement and maintenance of the public realm through development review and capital projects.

Policy 3.1.1.2 recognizes the role of the public realm in providing the organizing framework and setting for development, and directs that it will foster complete, well-connected walkable communities, support active transportation and public transit, provide a comfortable, attractive and vibrant, safe and accessible setting for civic life and social interaction and recreation, and fit within a larger network that contributes to the City's climate resilience.

Policy 3.1.1.3 promotes expanding and enhancing the public realm to support and contribute to a high quality of life for existing and future populations.

Policy 3.1.1.6 recognizes the diverse roles of City streets as significant public open spaces which connect people and places and support the development of sustainable, economically vibrant and complete communities, and directs that they will incorporate a Complete Streets approach balancing the needs of their various users.

Policies 3.1.1.13 and 3.1.1.14 provide direction on measures to ensure that sidewalks and other components of the public realm will be designed to provide safe, attractive, interesting and comfortable spaces for pedestrians and users of all ages and abilities.

Policy 3.1.1.18, 3.1.1.19, and 3.1.1.20 provide direction on the location, design and accessibility of new parks and open spaces, including POPS, to ensure they are integrated into the broader public realm and provide appropriate landscaping and features.

Policy 3.1.2 Built Form

Policy 3.1.2.1 states that development will be located and organized to fit within its existing and planned context.

Policy 3.1.2.4 requires new development to locate and organize vehicle parking, vehicular access and ramps, loading, servicing, storage areas and utilities to minimize their impact and improve the safety and attractiveness of the public realm, the site and surrounding properties.

Policy 3.1.2.5 requires development be located and massed to fit within the existing and planned context, define and frame the edges of the public realm with good street proportion, fit with the character, and ensure access to direct sunlight and daylight on the public realm.

Policy 3.1.2.6 requires new development to provide good transition in scale between areas of different building heights and/or intensity of use in consideration of both the existing and planned contexts of neighbouring properties and the public realm.

Policy 3.1.3 Built Form – Building Types

Policy 3.1.3.7 tall buildings are generally greater in height than the width of the adjacent right-of-way.

Policy 3.1.3.9 the base portion of tall buildings should a) respect and reinforce good street proportion and pedestrian scale and b) be lined with active, grade-related uses.

Policy 3.1.3.10 the tower portion of a tall building should be designed to a) reduce the physical and visual impacts of the tower onto the public realm; b) limit shadow impacts on the public realm and surrounding properties; c) maximize access to sunlight and open views of the sky from the public realm; d) limit and mitigate pedestrian level wind impacts; and e) provide access to daylight and protect privacy in interior spaces within the tower.

Policy 3.2.1 Housing

Section 3.2.1 of the Official Plan provides policy direction with respect to housing. Policy 3.2.1.1 states a full range of housing, in terms of form, tenure and affordability will be provided and maintained to meet the current and future needs of residents. A full range of housing includes: social housing, shared and/or congregate-living housing arrangements.

Policy 3.2.1.6 states that new development that would have the effect of removing a private building or related group of buildings and would result in the loss of six or more rental housing units will not be approved unless all such units have rents that exceed mid-range rents at the time of the application, or at least the same number, size, and type of rental units are replaced and maintained with rents similar to those in effect at the time the application is made. Rental replacement is not required as a condition of development approval, since the application proposes to demolish fewer than six (6) rental dwelling units.

City Council adopted Policy 3.2.1.12 at its meeting on June 18 and 19, 2019. The policy directs that new development that would result in the loss of one or more rental units or dwelling rooms will not be approved unless an acceptable tenant relocation and assistance plan is provided to lessen hardship for existing tenants

Policy 3.2.3 Parks and Open Spaces

Policy 3.2.3 refers to the system of parks and opens spaces. Policy 3.2.3.3 states the effects of development from adjacent properties, including additional shadows, will be minimized as necessary to preserve their utility.

Chapter 4 – Land Use Designations

The properties were originally designated *Regeneration Areas* on Map 18 - Land Use Plan. Official Plan Policy 4.7(2) states that “for each *Regeneration Area*, a framework for development will be set out in a Secondary Plan. Development should not proceed prior to approval of a Secondary Plan.” The Secondary Plan will guide the revitalization of the area.

Since that time, Council has proceeded to adopt the Queen-River Secondary Plan (OPA 287) for this area and has applied new land use designations within the Queen-River area, including *Mixed Use Areas*, *Neighbourhoods*, and *Existing Use Areas*, which are shown on Map 34-1 of the Queen-River Secondary Plan.

The properties identified as 111-125 River are now designated as a *Mixed Use Area* through the new Secondary Plan. As such, any development going forward will be guided by the secondary plan policies as well as the Mixed Use policies in the parent official plan.

Policy 4.5 Mixed Use Areas

Mixed Use Areas are intended to provide a broad range of commercial, residential and institutional uses in single-use or mixed-use buildings.

Policy 4.5.2 c) states development within Mixed Use Areas will locate and mass new buildings to provide a transition between areas of different intensity and scale through means such as setbacks and/or stepping down of heights.

Policy 4.5.2 e) states development will frame the edges of streets and parks with good proportion and maintain sunlight and comfortable wind conditions for pedestrians on adjacent streets, parks and open spaces.

Policy 4.5.2 i) refers to development that will provide an adequate supply of parking for residents and visitors and in 4.5.2 j) locate and screen service areas, ramps, and garbage storage to minimize the impact.

Policy 4.5.2 k) also refers to development that will provide indoor and outdoor recreation space for building residents in every significant multi-unit residential development.

Chapter 5 – Implementation

Policy 5.1.1 Height and/or Density Incentives

This policy refers to Section 37 of the Planning Act which gives municipalities the authority to pass zoning by-laws involving increases in the height and/or density of development in return for the provision by the owner of community benefits. Section 5.1.1 of the Official Plan includes policies dealing with the use of Section 37. The policies state that Section 37 community benefits are capital facilities and/or financial contributions toward specific capital facilities and include amongst other matters, the provision of affordable housing.

Policy 5.6 Interpretation

Policy 5.6.1 states that the Plan should be read as a whole to understand its comprehensive and integrative intent as a policy framework for priority setting and decision making and in Policy 5.6.1.1 that policies should not be read in isolation. When more than one policy is relevant, all appropriate policies are to be considered in each situation.

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 is within the new Mixed Use Area 'E'. The policies of the secondary plan allow for a building in this location with a height of 106 metres. Units are not permitted on the ground floor facing River Street; 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 the City will actively pursue the provision of new affordable housing units in new developments.

TOcore: Planning Downtown

Official Plan Amendment 406 - The Downtown Plan

Official Plan Amendment 406 (the Downtown Plan) was adopted by City Council on May 22, 2018 and approved by the Minister of Municipal Affairs and Housing on June 5, 2019. 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. This application was deemed complete after June 5, 2019 and as such the plan is in full force and effect for this application.

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. In this case, the property is located within the Queen-River Secondary Plan area.

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 Downtown Plan can be found here:

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

OPA 352 – Downtown Tall Building Setback Area

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

The Official Plan Amendment can be found here:

<http://app.toronto.ca/tmmis/viewAgendaltemHistory.do?item=2016.TE18.7>

OPA 352 and Zoning By-laws 1106-2016 and 1107-2016 were appealed to the Local Planning Appeal Tribunal (LPAT) following City Council's adoption of the planning instruments. On November 25, 2020 and February 2, 2021, City Council approved modifications to OPA 352 and the Zoning By-laws with the intention of resolving the appeals. On March 15, 2021, City Legal, together with the appropriate City Staff, presented the modifications to the LPAT for approval. At the time of this report, a written decision from the LPAT on the modified policies and regulations has not been issued.

Rental Housing Demolition and Conversion By-law

Section 111 of the City of Toronto Act, 2006 authorizes Council to regulate the demolition and conversion of residential rental properties in the City. Chapter 667 of the Toronto Municipal Code, the Rental Housing Demolition and Conversion By-law, implements Section 111. The By-law prohibits the demolition or conversion of rental housing units in buildings containing six or more residential units, of which at least one unit is rental, without obtaining a permit from the City and requires a decision by either City Council or, where delegated, the Chief Planner and Executive Director, City Planning Division.

Council may refuse an application, or approve the demolition with conditions that must be satisfied before a demolition permit is issued. Pursuant to the City's Residential Demolition Control By-law, Chapter 363 of the Toronto Municipal Code, City Council approval of the demolition of residential dwelling units under Section 33 of the Planning Act is also required where six or more residential dwelling units are proposed to be demolished, before the Chief Building Official can issue a permit for demolition under the Building Code Act.

Where an application for rezoning triggers an application under Chapter 667 for rental demolition or conversion and an application under Chapter 363 for residential demolition control, City Council typically considers both applications at the same time. Unlike

Planning Act applications, decisions made by City Council under By-law 885-2007 are not appealable to the Local Planning Appeal Tribunal (LPAT).

On November 13, 2019, the applicant made an application for a Rental Housing Demolition Permit pursuant to Chapter 667 of the City of Toronto Municipal Code.

Zoning

The site is 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.

The site is also 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/>

Design Guidelines

Part III of the PPS under the section titled "Guidance Material" states that guidance material and technical criteria may be issued from time to time assist planning authorities and decision-makers with implementing the policies of the Plan. Policy 5.2.5.6 of the Growth Plan indicates supporting documents, such as design guidelines, will direct the development of a high quality public realm and compact built form in achieving minimum intensification and density targets of the Plan

Official Plan Policy 5.3.2.1 states that Guidelines will be adopted to advance the vision, objectives, and policies of the Plan. Urban design guidelines are intended to provide a more detailed framework for built form and public improvements.

The following design guidelines have been reviewed in the evaluation of this application:

- City-Wide Tall Building Design Guidelines, Downtown Tall Buildings: Vision and Supplementary Design Guidelines;
- Growing Up: Planning for Children in New Vertical Communities Guidelines
- Pet Friendly Design Guidelines and Best Practices for New Multi-Unit Buildings
- Retail Design Manual

The City's Design Guidelines may be found here:

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

City-Wide Tall Building Design Guidelines

City Council has adopted city-wide Tall Building Design Guidelines and directed City Planning staff to use these Guidelines in the evaluation of tall building development applications. The Guidelines establish a unified set of performance measures for the evaluation of tall building proposals to ensure they fit within their context and minimize their local impacts. The link to the guidelines is here:

<https://www.toronto.ca/legdocs/mmis/2013/pg/bgrd/backgroundfile-57177.pdf>.

Growing Up Urban Design Guidelines

On July 28, 2020, City Council adopted the updated Growing Up: Planning for Children in New Vertical Communities Urban Design Guidelines ("Growing Up Guidelines"). The update was based on the continued review and assessment from the draft guidelines adopted by Council in July 2017. The objective of the Growing Up Guidelines is that developments deliver tangible outcomes to increase liveability for larger households, including families with children at the neighbourhood, building and unit scale. The Growing Up Design Guidelines was considered in the review of this revised proposal.

The guidelines can be found here

<https://www.toronto.ca/city-government/planning-development/planning-studies-initiatives/growing-up-planning-for-children-in-new-vertical-communities/>

Retail Design Manual

The Retail Design Manual supports the objectives of complete communities and vibrant streets which are closely tied to the provision of successful, resilient and dynamic retail uses. This Manual is a collection of best practices and is intended to provide guidance on developing successful ground floor retail spaces to achieve good city building and economic objectives, and contributes to an animated and inviting public realm. City Council adopted the Retail Design Manual on October 27, 2020.

The Guidelines can be found here:

<https://www.toronto.ca/wp-content/uploads/2020/01/960d-Toronto-Retail-Design-Manual-December-2019.pdf>

Pet Friendly Design Guidelines and Best Practices for New Multi-Unit Buildings

The purpose of this document is to guide new developments in a direction that is more supportive of a growing pet population, considering opportunities to reduce the current burden on the public realm, and provide needed pet amenities for high density residential communities.

The Guidelines can be found here:

<https://www.toronto.ca/wp-content/uploads/2019/12/94d3-CityPlanning-Pet-Friendly-Guidelines.pdf>

Site Plan Control

A Site Plan Approval application was submitted on October 20, 2020 and is under review.

COMMENTS

Planning Act

The Planning Act governs land use planning in Ontario and sets out the means by which a municipality must implement land use planning decisions. Section 2 of the Planning Act sets out matters of provincial interest that City Council shall have regard to in making any decision under the Planning Act and requires that municipalities, when carrying out their responsibility under this Act regard shall be had to matters of provincial interest including:

- (h) the orderly development of safe and healthy communities;
- (j) the adequate provision of a full range of housing, including affordable housing;
- (p) the appropriate location of growth and development; and
- (r) the promotion of built form that is well-designed, encourages a sense of place, and provides for public spaces that are of high quality, safe, accessible, attractive and vibrant.

These matters, which all approval authorities shall have regard for in carrying out their responsibilities under the Planning Act, are particularly relevant to this proposal.

The proposed development has regard to the relevant matters of provincial interest. These provincial interests are further articulated through the PPS (2020) and the Growth Plan (2020).

Provincial Policy Statement and Provincial Plans

The PPS (2020) came into effect on May 1, 2020 and provides policy direction on matters of provincial interest related to land use planning and development. City Council's planning decisions are required to be consistent with the PPS (2020).

The PPS (2020) is to be read in its entirety. The language in each policy, including the Implementation and Interpretation policies assists decision makers in understanding how the policies are to be implemented. The PPS (2020) contains minimum standards and municipalities can go beyond these standards unless doing so would conflict with other policies of the PPS (2020).

Key policies applicable to this application include:

Policy 1.1.1 states that healthy, livable and safe communities are sustained by: promoting efficient development and land use patterns; and accommodating an appropriate range and mix of residential uses, including second units, affordable housing and housing for older persons.

Policy 1.1.3.1 states that settlement areas shall be the focus of growth and development, and their vitality and regeneration shall be promoted.

Policy 1.1.3.2 states that land use patterns within settlement areas shall be based on densities and a mix of land uses which: efficiently use land and resources; are appropriate for, and efficiently use, the infrastructure and public service facilities which are planned or available; support active transportation; and are transit-supportive.

Policy 1.1.3.3 states that planning authorities shall identify appropriate locations and promote opportunities for intensification and redevelopment.

Policy 1.1.3.4 states that development standards should be promoted which facilitate intensification, redevelopment and compact form, while avoiding or mitigating risks to public health and safety.

Policy 1.4.3 directs planning authorities to provide a range of housing types and densities to meet projected requirements of current and future residents. This policy directs planning authorities to permit and facilitate all forms of housing required to meet the social, health and well-being requirements of current and future residents, and all forms of residential intensification and redevelopment where existing or planned infrastructure can accommodate projected needs. This policy further directs planning authorities to promote densities for new housing which efficiently use land, resources, infrastructure and public service facilities, and support the use of active transportation and transit in areas where it exists or is to be developed. Planning authorities are also directed to establish development standards for residential intensification which minimize the cost of housing and facilitate compact form.

Policy 1.6.7.4 promotes a land use pattern, density and mix of uses that minimizes the length and number of vehicle trips and supports current and future use of transit and active transportation.

From a built form perspective, Policy 1.7.1 e) indicates long-term economic prosperity should be supported by...encouraging a sense of place, by promoting well-designed built form and cultural planning, and by conserving features that help define character, including built heritage resources and cultural heritage landscapes. Policy 1.1.3.4 states appropriate development standards should be promoted to facilitate intensification, redevelopment and compact form. Development standards are established in the Official Plan, Secondary Plans, Site and Area Specific Policies, and supporting documents including urban design guidelines. This proposal is consistent in this regard as the proposed mass, scale, and height fits in its immediate existing and planned context. The development provides a widened public realm with setbacks to allow for wider sidewalks and the addition of a POPS adjacent to the building that will create a large open space at the north end of the proposed development. This open space, which will be designed through the Site Plan Approval process will include a public art element.

The proposed development is consistent with the above noted intensification, land use and built form policies as it provides intensification and redevelopment in an appropriate location in close proximity to the Dundas and Queen Street streetcar lines, make efficient use of available infrastructure and in a well-designed built form that has respect for its local context. The unit mix provides for a range of unit sizes. Although not providing for any affordable housing on-site, through the Section 37 contribution, \$1.55 can be allocated to new and existing affordable housing in the ward.

Based on the analysis of the policies, it is City Planning staff's opinion that the applications and the amending Zoning By-laws are consistent with the PPS (2020).

Growth Plan (2020)

The Growth Plan (2020) provides a framework for managing growth in the Greater Golden Horseshoe. City Council's planning decisions are required to conform with the Growth Plan.

The key Growth Plan policies applicable to this application are:

Policy 2.2.1.3 c) directs municipalities to undertake integrated planning to manage forecasted growth which will provide for an urban form that will optimize infrastructure, particularly along transit and transportation corridors, to support the achievement of complete communities through a more compact built form.

Policy 2.2.1.4 c), d) and e) state that applying the policies of the Growth Plan (2020) will support the achievement of complete communities that: provide a diverse range and mix of housing options to accommodate people at all stages of life, and to

accommodate the needs of all household sizes and incomes; expand convenient access to transportation options and open space; and provide for a more compact built form and a vibrant public realm.

Policy 2.2.2.3 c) states that all municipalities will develop a strategy to achieve the minimum intensification target and intensification throughout delineated built-up areas, which will encourage intensification generally throughout the delineated built-up area.

Policy 2.2.6.3 states that to support the achievement of complete communities, municipalities will consider the use of available tools to require that multi-unit residential developments incorporate a mix of unit sizes to accommodate a diverse range of household sizes and incomes.

The proposed development conforms with the above noted policies by: promoting sensitive intensification within a built-up area; providing a compact built form in close proximity to public transit and a variety of public parks; providing public realm improvements; and contributing to the overall achievement of a complete community.

It is City Planning staff's opinion that the application, and amending Zoning By-laws conform to the Growth Plan (2020).

Housing - Unit Mix and Unit Sizes

Affordable Housing and Smart Urban Growth are key Strategic Actions for the City of Toronto. Section 3.2.1 of the City's Official Plan states that a full range of housing will be provided and maintained to meet the needs of current and future residents. A Place to Grow: Growth Plan for the Greater Golden Horseshoe, 2020 also contains policies 2.2.1.4, 2.2.4.9 and 2.2.6.3 to support the development of affordable housing and a range of housing to accommodate the needs of all household sizes and incomes.

The Downtown Secondary Plan approved by the Minister on June 5, 2019, includes housing policies to achieve a balanced mix of unit types and to support the creation of housing suitable for families. The plan requires that developments containing more than 80 residential units include a minimum of 15% 2-bedroom units, a minimum of 10% 3-bedroom units, and an additional 15% of units as some combination of 2- and 3-bedroom units or units that can be converted to 2 and 3 bedroom units through accessible or adaptable design measures.

The Growing-Up Guidelines provide similar guidance on the proportion and size of larger units recommended in new multi-unit residential developments.

The applicant is proposing 260 (60%) one-bedroom/den units, 129 (30%) two-bedroom/den and 44 (10%) three bedroom units. Staff are of the opinion that the proposed unit mix supports the unit mix objectives of the Growing Up Guidelines, Downtown Secondary Plan and applicable Official Plan and provincial policies in order to accommodate, within new developments, a broad range of households including families with children.

Rental Housing Demolition - Tenant Relocation and Assistance

The subject site contains five (5) rental housing units located at 115, 117, 119 and 123 River. The Housing Issues Report submitted by the applicant confirms that the five (5) existing rental dwelling units were vacant when the Rental Housing Demolition Application was submitted on November 13, 2019. However, records provided to the City indicate that former tenants vacated their units within the 6 months prior to submission of the official plan and zoning by-law amendment applications on October 3, 2019. One tenant vacated their unit the day before the Rental Housing Demolition Application was submitted to the City and relocated to an alternative rental unit secured by the applicant.

Chapter 667-6 outlines that no owner of residential rental property or person acting on the owner's behalf shall interfere with a tenant's reasonable enjoyment of a rental unit with the intent of discouraging the participation of the tenant in the Rental Housing Demolition application or approval process. The intent is to ensure that existing rental units are not vacated prematurely and that tenants are not forced to relocate before the Rental Housing Demolition Application is approved. Where tenants vacate rental units prematurely without being informed of the Rental Housing Demolition approval process, they are deemed to be eligible for tenant relocation and assistance.

The owner has agreed to provide tenant relocation and assistance to all tenant households deemed eligible, all of which would be to the satisfaction of the Chief Planner and Executive Director, City Planning. As part of this plan, all eligible tenants would receive the following:

- Compensation equal to 3 month's rent pursuant to the Residential Tenancies Act or an acceptable alternative rental unit;
- Additional compensation based on length of tenure;
- A move-out moving allowance or moving services provided by a professional and insured moving company; and
- Additional compensation for special needs tenants, with the final determination by the Chief Planner and Executive Director, City Planning.

The proposed tenant relocation and assistance plan is consistent with the City's current practices and will be secured through one or more agreements with the City and to the satisfaction of the Chief Planner and Executive Director, City Planning Division.

City staff called and left messages with known former tenants of the 5 existing rental dwelling units to determine what information was shared with them prior to vacating their units, to review the City's housing policies and Rental Housing Demolition approval process and to outline the components of a typical Tenant Relocation and Assistance Plan. Staff were able to speak with tenants from two of the existing units to inform them of the application. Efforts were also made to connect with former tenants through the local Legal Aid Clinic and community agencies.

Land Use

The site is designated Mixed Use Area E in the Queen River Secondary Plan. This designation permits a mixed-use building with retail and residential uses. Based on the applicable policy framework for this site, it is City Planning staff's opinion that the proposed mix of land uses conforms to the Official Plan and supports the creation of a complete community within the Downtown.

Built Form

The proposed built form has been reviewed against the Official Plan, the Queen River Secondary Plan, OPA 406 and OPA 352 (both approved but not in effect for this application), as well as the relevant design guidelines described in the Policy Considerations section of this report.

Policy 1.1.3.4 of the PPS states that appropriate development standards should be promoted which facilitate intensification, redevelopment and compact form. Policy 2.2.2.3 b) of the Growth Plan states that all municipalities will develop a strategy to achieve the minimum intensification target and intensification throughout delineated

built-up areas, which will identify the appropriate type and scale of development in strategic growth areas and transition of built form to adjacent areas. The Official Plan and urban design guidelines provide the City's strategy for identifying the appropriate height and massing of development.

Policy 3.1.2.1 of the Official Plan states that development will be located and organized to fit with its existing and planned context.

Policy 3.1.2.6 of the Official Plan states that development will be required to provide good transition in scale between areas of different building heights and/or intensity of use in consideration of both the existing and planned contexts of neighbouring properties and the public realm.

Built Form - Height

As noted during the Queen River Secondary Plan study, the proposed maximum height for a tower within Mixed Use Area 'E' is 106 metres (in which this property falls). This height limits intended to provide for a transition in tower height between the recently constructed towers in Regent Park located on the west side of River Street and south of Dundas Street East where the buildings range from 28 to 29 storeys and the planned towers within the Queen-River area in Mixed Use Areas 'B' and 'C' that have buildings that in the range of 37 to 38 storeys.

Built Form-Base Building

The base building, or podium, is the lower portion of the building which defines its relationship to the public realm. Policy 3.1.3.9 of the Official Plan states that the base

portion of tall buildings should respect and reinforce good street proportion and pedestrian scale, and be lined with active, grade-related uses. Policy 3.1.2.5 adds that the building massing should provide streetwall heights and setbacks that fit harmoniously with the existing and/or planned context, and step back the building mass above the streetwall height.

Policy 4.1.3 of the Queen River Secondary Plan also indicates that the base building height of up to approximately 100 percent of the widest adjacent right of way width may be permitted provide there is a base building setback at a maximum height of approximately 80 percent of the adjacent right of way. Tall Building Design Guideline 3.1.1 also recommends aligning the new base building with the height of the existing streetwall context, or provide a base building height between 10.5 metres and 80% of the width of the adjacent right-of-way (up to 24 metres) where there is no consistent streetwall height context. Guideline 3.2.2 recommends a minimum setback of 3 metres from the face of the base building to the tower along all street frontages.

The proposed tower has a base building of 4 storeys (height of 15 metres) with a 1.5 metre setback to an additional 2 storeys (height of 22 metres) on both the Dundas Street and River Street frontages, which is in keeping with buildings to the south along River Street and generally consistent with the requirement of the Queen River Secondary Plan.

Built Form - Tower Placement, Separation Distances and Floorplates

Policy 3.1.3.10 of the Official Plan states that the tower portion of a tall building should be designed to reduce the physical and visual impacts of the tower onto the public realm by limiting shadow and wind impacts, and maximizing sunlight and open views of the sky. The tower design should also provide access to daylight and protect privacy in interior spaces within the tower. Policy 3.1.3.11 states that Policy 3.1.3.10 should be achieved through measures such as stepping back the tower from the base building, limiting and shaping the size of tower floorplates, and providing appropriate separation distances from side and rear lot lines as well as other towers.

Policy B) i) of OPA 352 (Council approved but not in full force and effect) states that development will provide setbacks from the lot lines to the tower portion of the building so that individual tall buildings on a site and the cumulative effect of multiple tall buildings within a block contribute to building strong healthy communities by fitting in with the existing and/or planned context.

The Tall Building Design Guidelines provide more specific direction for towers including limiting the tower floorplate to 750 square metres (Guideline 3.2.1), providing a setback of 12.5 metres or greater from side and rear property lines or the centre line of an abutting lane (Guideline 3.2.3) and providing a separation distance of 25 metres or greater between towers on the same site (Guideline 3.2.3).

The Queen River Secondary Plan Policy 4.1.2 states that tall buildings are encouraged to have a floor plate no larger than 750 square metres, unless it can be demonstrated to the satisfaction of City Staff that the impact of a larger floor plate (sunlight/shadow,

transition, sky view and wind) can be sufficiently mitigated. In this case, the tower floor plate with an area of 798.5 square metres, does not create any significant impact on sunlight/shadow, transition, skyview or wind impacts.

Although the building is not set back from the east property line, the applicant will enter into a limiting distance agreement with the neighbouring property owner at 761 Dundas Street East, which would ensure that a minimum of 25 metres separation distance would exist if a tall building was to be developed on the adjacent property and a minimum separation distance of 11 metres for any mid-rise component of the building. The minimum setback of 12.5 metres to the tower portion to the mid-point of the public roads has been provided on the Dundas Street East (16.82 metres), River Street (17.35 metres) and Mark Street (12.75 metres).

The existing stable residential uses to the south along Mark Street will continue to have access to skyview, light and privacy with appropriate separation distances and transitions in building height and massing to this lower-scaled residential area.

Given the existing and the planned context for the subject property and the surrounding area, the massing proposed is appropriate for this site and can be supported by staff.

Traffic Impact, Access, Parking

A Transportation Impact Study was submitted with the application and has been reviewed by staff. Vehicular access and egress to the site would be from Mark Street on the south side of the site with vehicles entering and leaving in a forward motion. The proposed development would provide vehicular parking and loading in a three-level underground parking garage with loading at-grade within the building podium.

Transportation Services staff have reviewed the proposal and commented that they concur with the applicant's assertion that anticipated traffic impacts will have minimal impacts on the local road network.

The proposal includes 77 parking spaces, 483 bicycle parking spaces and 1 Type G loading space. The proposed parking and loading space standards are also acceptable and have been incorporated into the implementing draft by-law.

Servicing

Engineering and Construction Services staff reviewed the Functional Servicing Report submitted with the application. Revisions to the report are required to be provided prior to final acceptance by staff to demonstrate whether the existing municipal infrastructure is adequate to service the proposed development and to determine what upgrades may be required to the existing infrastructure to support the proposed development. The owner will be responsible to pay for and construct any improvements to the municipal infrastructure in connection with the Functional Servicing Report, should it be determined that improvements to such infrastructure is required to support the

development. Staff recommend that a revised Functional Servicing Report be submitted to the satisfaction of the Chief Engineer and Executive Director of Engineering and Construction Services prior to introducing the necessary Bills to City Council.

Public Realm

For development in the Downtown, Official Plan Policy 2.2.1.11 refers to street improvements enhancing the pedestrian environment. This is expanded on by Public Realm Policy 3.1.1.6 which refer, among other things, to a Complete Streets approach and in Policy 3.1.1.13 that sidewalks and boulevards will be designed to provide safe, attractive, interesting and comfortable spaces for users of all ages.

Downtown Policy 9.1.2 refers to development being encouraged to contribute to liveability by improving the public realm. Additionally, Policy 9.5 refers to a 6 m curb to building face easement as a community benefit.

Tall Building Design Guideline 4.2 also recommends a minimum 6 metre wide sidewalk zone. Policy 4.2.1 of the Queen River Secondary Plan requires that new buildings be set back from the street curb to provide ample space for tree planting, a pedestrian clearway, street furniture, lighting as well as for landscaped open space within the site.

The applicant is proposing a minimum of 6 m pedestrian realm setback (building face to curb) on both Dundas Street East and River Street. Further, the addition of a POPS with a depth of 2 metres adjacent to the open space existing at the Dundas Street East and River Street, further contributes to the public realm. This design and function of this open space will be determined through the Site Plan Approval process.

Amenity Space

Official Plan Built Form Policy 3.1.2.11 states that new indoor and outdoor amenity spaces be provided as part of multi-unit residential developments and consider the needs of residents of all ages and abilities over time and throughout the year. Official Plan Policy 4.5.2 k) states that in Mixed-Use Areas development will provide indoor and outdoor recreation space for building residents in every significant multi-unit residential development. Downtown Policy 9.30 to 9.36 encourage amenity space to be designed in an appropriate form. Downtown Policy 9.36 also encourages the provision of pet amenity areas. These requirements are implemented through Zoning By-law 438-86, which requires a minimum of 2.0 m² of indoor and 2.0 m² of outdoor amenity space for each unit, and Zoning By-law 569-2013 which requires a minimum of 4.0 m² of amenity space for each unit (of which at least 2m² shall be indoor).

The development proposal includes both indoor and outdoor amenity space. The proposal is for a total of 764.8 m² (1.77 m² per dwelling unit) of indoor and 593.6 m² (1.37 m² per dwelling unit) of outdoor space proposed for a total of 1,358.3 m² (3.14 m² per dwelling unit). The majority of the amenity space is located on the 7th floor, which has been designed so that the indoor space is adjacent to the outdoor space. A separate amenity space has also been provided on the ground floor. The determination of the use of the amenity spaces will be further revised as part of the Site Plan approval

application, including the provision of appropriate indoor and outdoor spaces for both children and pets. The proposed indoor and outdoor amenity space provision is appropriate and although less than required by the by-law, is similar to what has been approved in other developments in the area and so is acceptable in this instance.

Open Space/Parkland

The Official Plan contains policies to ensure that Toronto's system of parks and open spaces are maintained, enhanced and expanded. Map 8B of the Toronto Official Plan shows local parkland provisions across the city. The lands which are the subject of this application are in an area with 0 to 0.42 hectares of local parkland per 1,000 people. The site is in the lowest quintile of current provision of parkland. The site is in a parkland acquisition priority area, as per Chapter 415, Article III of the Toronto Municipal Code

In accordance with Chapter 415, Article III of the Toronto Municipal Code, the applicant is required to satisfy the parkland dedication requirement through cash-in-lieu. The non-residential component of this proposal is subject to a 2% parkland dedication while the residential component is subject to a cap of 10% parkland dedication.

The value of the cash-in-lieu of parkland dedication will be appraised through Real Estate Services. The appraisal will be conducted upon the submission of an application for the first above grade building permit and is valid for six months. Payment will be required prior to the issuance of the first above grade permit.

Parks, Forestry and Recreation staff have also commented that given the current rise in dog-owning populations, the applicant is expected to provide on-site dog amenities to help alleviate pressure on existing neighbourhood parks.

Privately-Owned Publicly Accessible Open Space (POPS)

Privately-owned publicly accessible open space (POPS) of approximately 68 square meters is being proposed. The POPS will extend the city-owned lands located at the corner of Dundas Street East and River Street resulting in an open space area of approximately 282 square metres. Staff consider the proposed POPS to be a positive element of the proposal. It will provide opportunity for significant public realm enhancements. Staff recommend that the POPS be secured in the Section 37 Agreement and its final design be secured through the Site Plan Control approval process.

Urban Forestry

The applicant has submitted a Tree Inventory and Preservation Plan Report which states that there are 11 trees on and within 6 metres of the site, 10 of which will be required to be removed. Urban Forestry requires a total of 12 new large-growing shade trees to be planted as compensation for the 4 healthy trees that are proposed for removal. The replacement planting will be determined through the Site Plan Approval

application and the owner will be required to provide cash-in-lieu if the full number of trees are not able to be planted because of site constraints.

As part of that site plan approval application, the owner will need detailed landscape plans, sections, and details with sufficient information to assure Urban Forestry that the required City tree plantings and associated soil volumes and soil infrastructure is feasible.

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. The applicant is encouraged to achieve Tier 2 or higher to advance the City's objectives for resilience and to achieve net-zero emissions by 2050 or sooner. The site specific Zoning By-law will secure performance measures for the following Tier 1 development features: the wider sidewalk space and bicycle parking spaces. Other applicable TGS performance measures will be secured through the Site Plan Approval process. Staff will continue to work with the applicant to encourage them to exceed the minimum requirements and achieve greater sustainability.

Community Services Assessment

Community Services and Facilities (CS&F) are an essential part of vibrant, strong and complete communities. CS&F are the lands, buildings and structures for the provision of programs and services provided or subsidized by the City or other public agencies, boards and commissions, such as recreation, libraries, childcare, schools, public health, human services, cultural services and employment services.

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. 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.

Official Plan Policy 3.2.2.7 refers to the inclusions of community services facilities being encouraged in all significant private sector developments. Downtown Policy 10.2 states that development will be encouraged to contribute to the delivery of community facilities as a community benefit and in Downtown Policy 10.3.1 that they be located in highly visible locations.

The applicants submitted a Community Services and Facilities Study. Staff have reviewed the report and commented on the need for a range of community facilities in the area. Section 37 funds from this project will assist in providing capital improvements for affordable housing and/or community recreation space within the broader neighbourhood which will also serve the needs of residents in this building.

Section 37

The Official Plan contains policies pertaining to the provision of community benefits in exchange for increases in height and/or density pursuant to Section 37 of the Planning Act. While the proposed development exceeds the height and density limits of the existing Zoning By-law, the application is consistent with the objectives and policies of the Official Plan, and thus constitutes good planning.

It is standard to secure community benefits in a section 37 agreement that is then registered on title. The community benefits recommended to be secured in the Section 37 Agreement are as follows:

- a) a cash contribution of three million one hundred thousand dollars (\$3,100,000.00) to be allocated toward:
 - i. \$1,550,000.00 to new City-owned affordable housing or community space and/or capital improvements to City owned affordable housing and/or community recreation space in Ward 13;
 - ii. \$1,550,000.00 to local area streetscape and park improvements in Ward 13, at the discretion of the Chief Planner and Executive Director, City Planning, in consultation with the Ward Councillor and the General Manager, Park, Forestry and Recreation; and
- b) \$500,000.00 for a Public Art Plan for the provision of Public Art upon the adjacent City-owned lands.

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

- a) an acceptable tenant relocation and assistance plan shall be developed and implemented to mitigate hardship for eligible tenants of the existing rental housing proposed to be demolished;
- b) the design, construction, provision and maintenance of streetscape improvements adjacent to the site, including the open space located at the corner of Dundas Street East and River Street to the satisfaction of the Chief Planner and Executive Director, City Planning, and secured in a Site Plan Agreement with the City;
- c) the construction, provision and maintenance of privately owned publicly accessible open space (POPS) on the lands with a minimum size of 68 square metres in a location and configuration to the satisfaction of the

- Chief Planner and Executive Director, City Planning and adjacent to the open space located at the corner of Dundas Street East and River Street, for nominal consideration, easement(s) along the surface of the lands;
- d) a construction management plan for the development, including but not limited to, 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, coordination with adjacent on-going development construction, parking and access, refuse storage, site security, site supervisor contact information, and a communication strategy with 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; and
 - e) that the owner will construct and maintain the development of the site in accordance with Tier 1, Toronto Green Standard, and the owner will be encouraged to achieve Tier 2 Toronto Green Standard, or higher, where appropriate, consistent with the performance standards of Toronto Green Standards applicable at the time of the site plan application for each building on the site.

Community Consultation Meeting

A community consultation meeting was held in the neighbourhood to discuss this proposal on February 27, 2020. Three members of the public attended the meeting. Questions and comments at the meeting related to traffic, parking availability and concerns respecting the amount of new development in the area. The number of parking spaces proposed has been reduced to 77 parking spaces for the 433 residential units, which will minimize the amount of traffic on neighbouring streets.

Conclusion

City Planning Staff have reviewed the proposed development and find that it is suitable for the site. The proposal conforms with the Growth Plan (2020) and the Official Plan and is consistent with the PPS (2020). Planning staff recommends approval of the proposed Zoning By-law Amendments.

Staff are recommending that City Council approve the demolition of the 5 existing rental dwelling units located at 111-125 River Street subject to the conditions set out in the Recommendations of this report.

CONTACT

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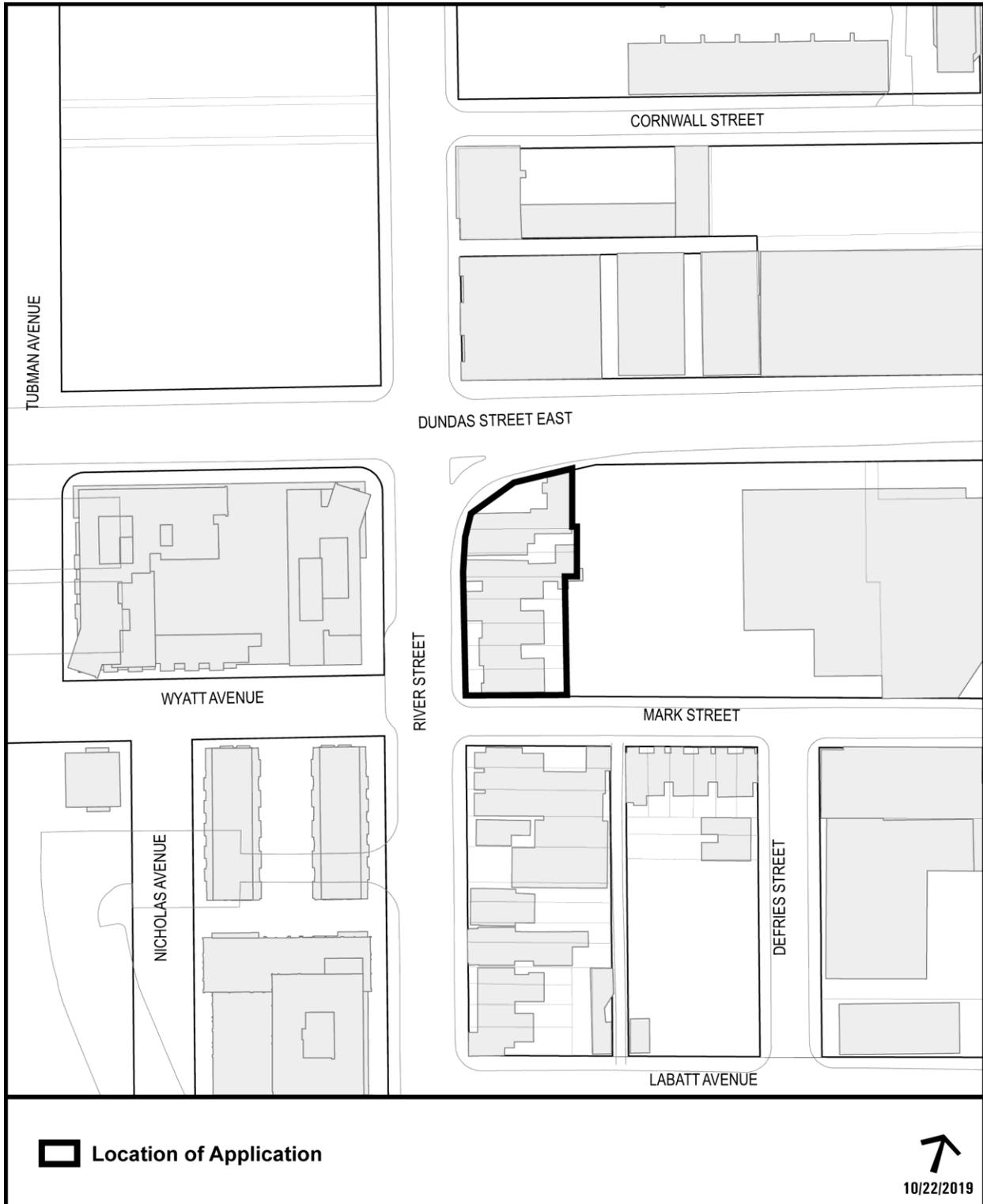
SIGNATURE

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

ATTACHMENTS

- Attachment 1: Location Map
- Attachment 2: 3D Model of Proposal in Context - Looking south-east
- Attachment 3: 3D Model of Proposal in Context - Looking north-east
- Attachment 4: Site Plan
- Attachment 5: West Elevation
- Attachment 6: North Elevation
- Attachment 7: South Elevation
- Attachment 8: East Elevation
- Attachment 9: Official Plan Land Use Map
- Attachment 10: Queen River Secondary Plan Land Use Map
- Attachment 11: Project Data Sheet
- Attachment 12: Draft 438-86 Zoning By-law Amendment
- Attachment 13: Draft 569-2013 Zoning By-law Amendment

Attachment 1: Location Map



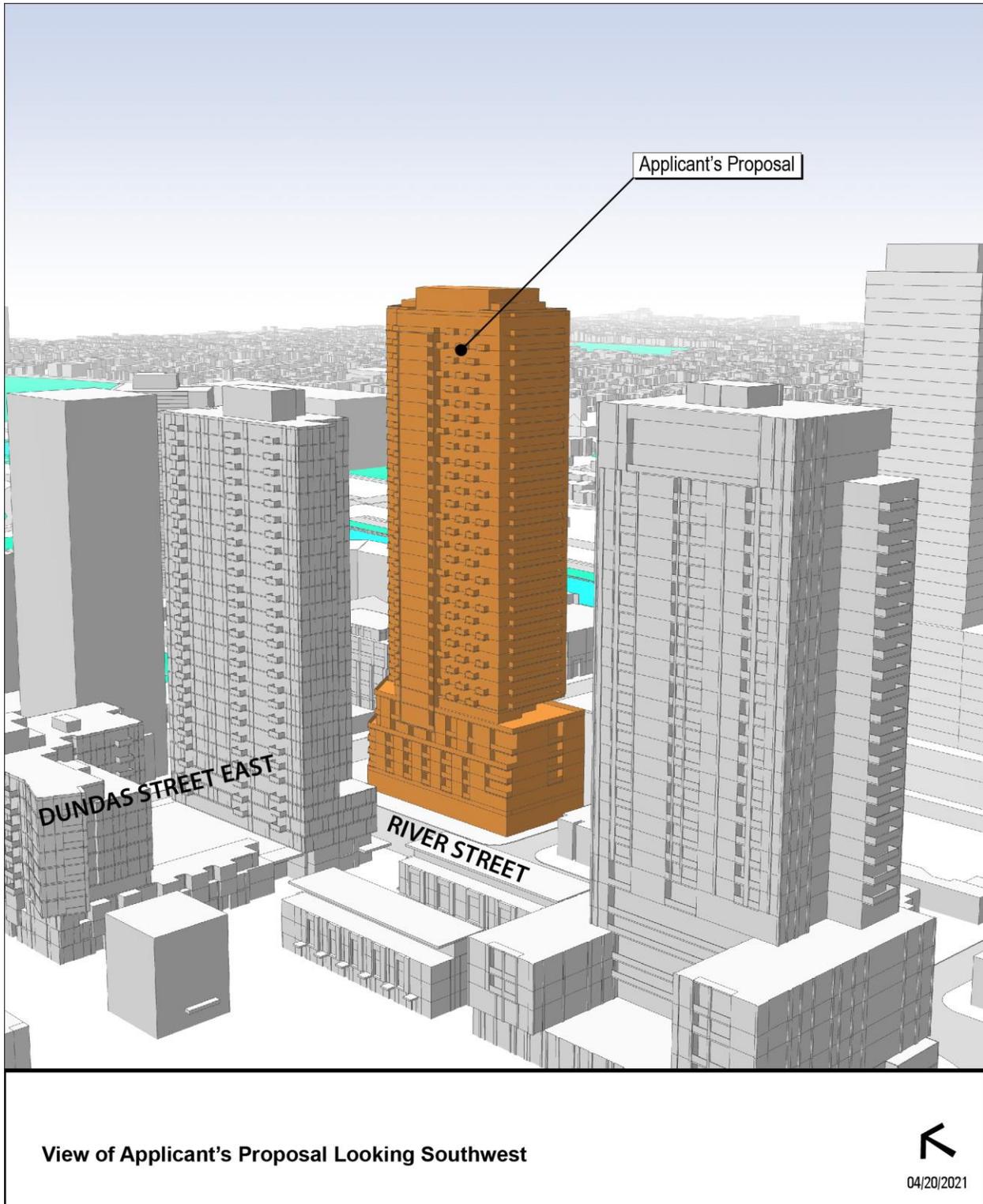
Attachment 2: 3D Model of Proposal in Context - Looking south-east



View of Applicant's Proposal Looking Northwest



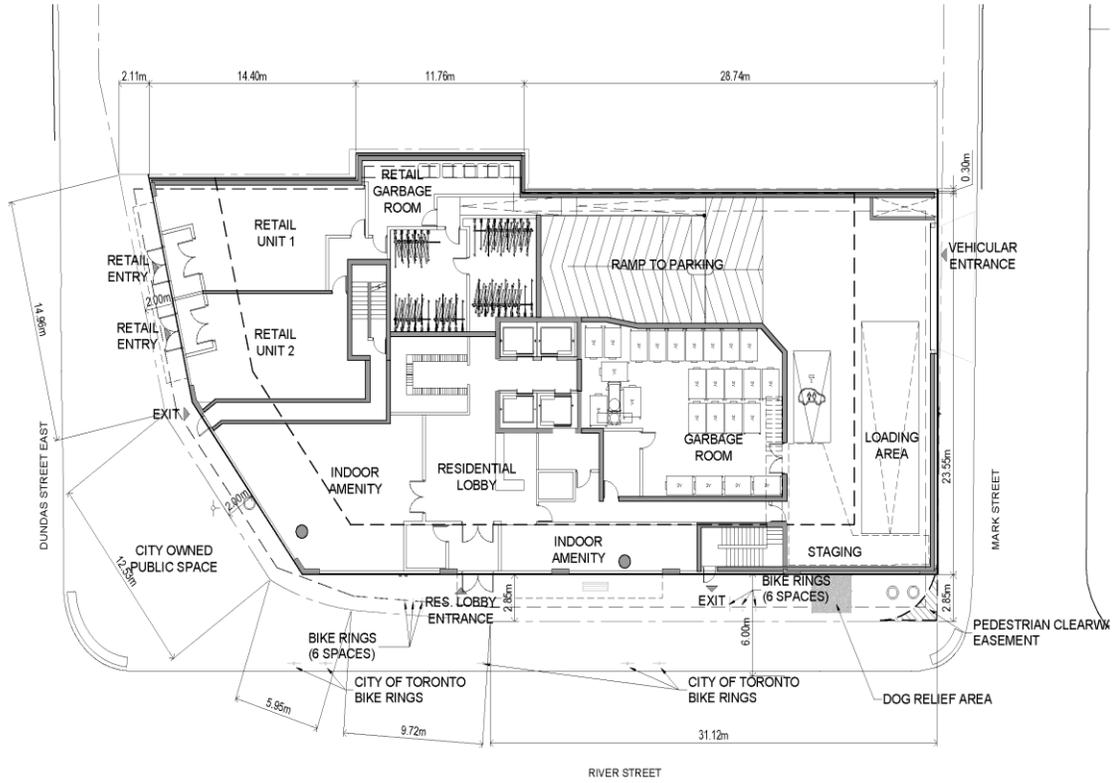
Attachment 3: 3D Model of Proposal in Context - Looking north-east



View of Applicant's Proposal Looking Southwest

04/20/2021

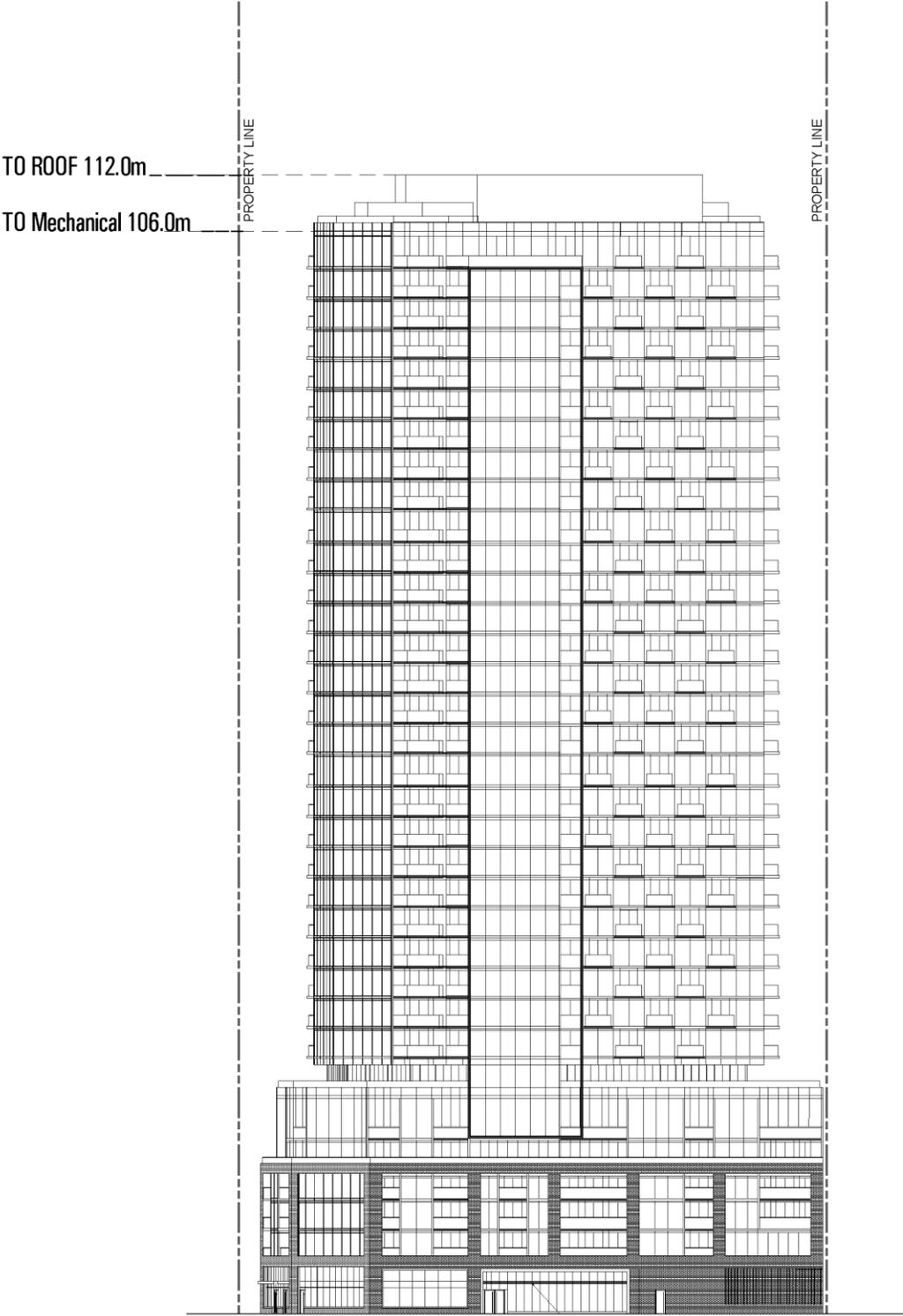
Attachment 4: Site Plan



Site Plan

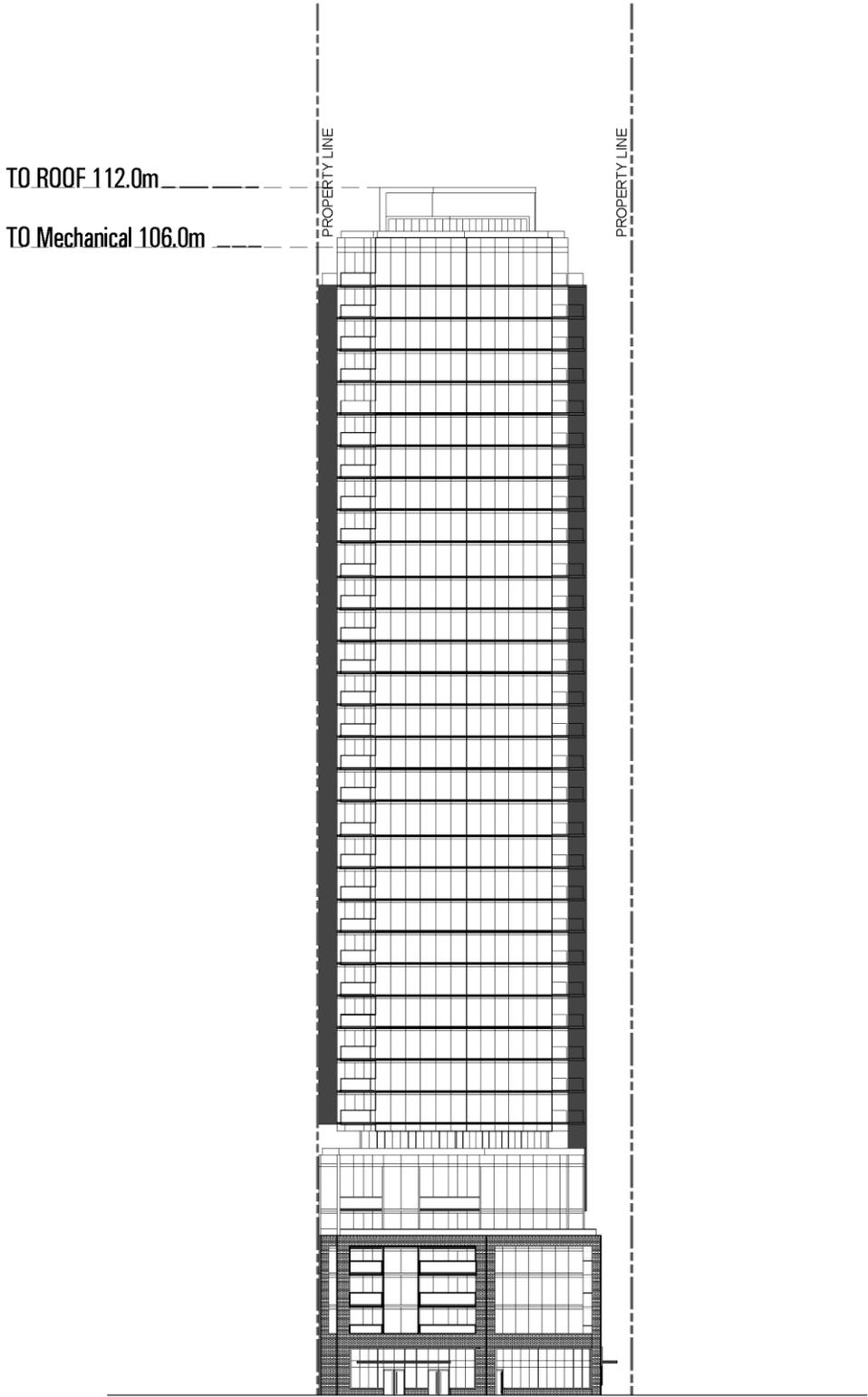


Attachment 5: West Elevation



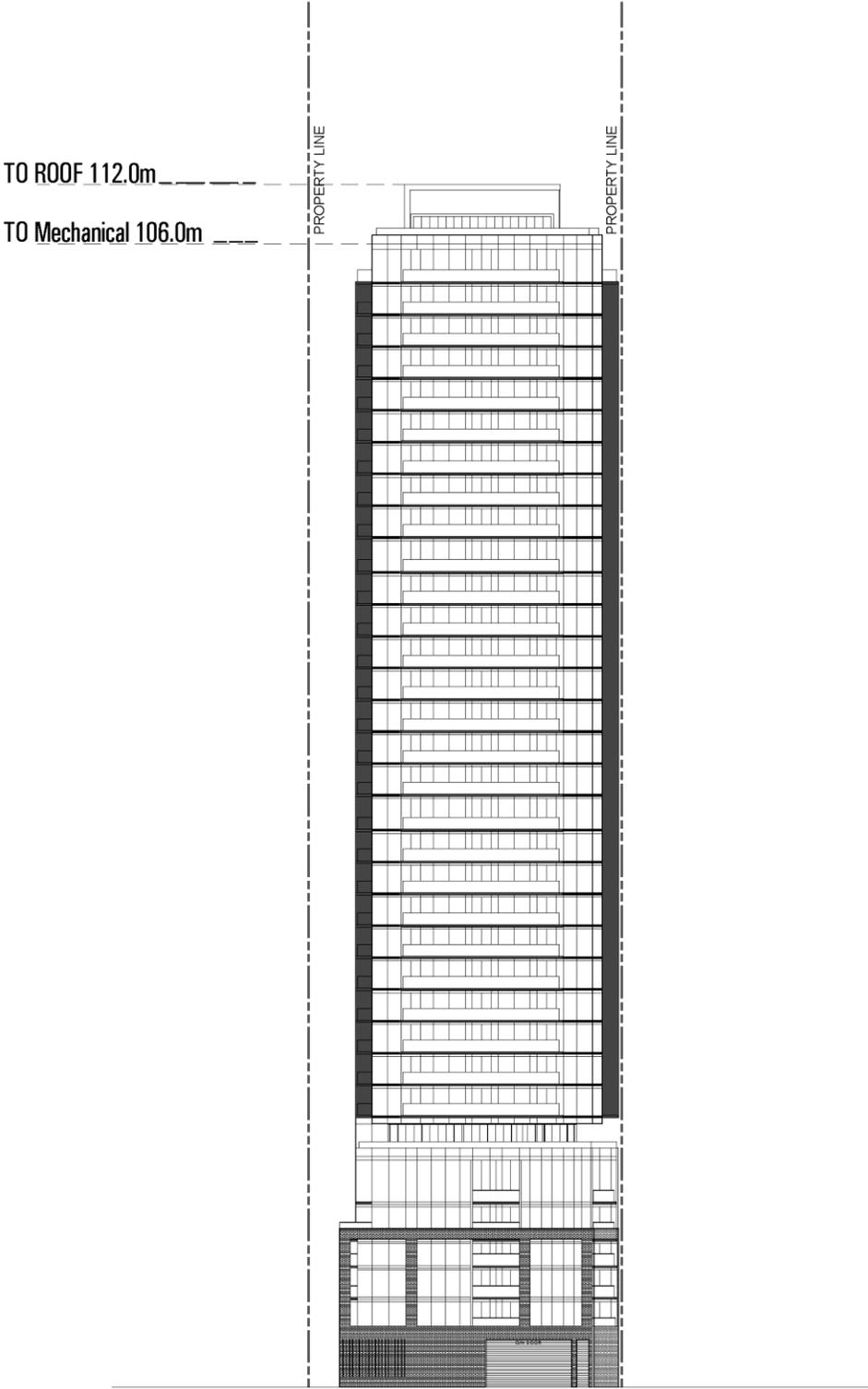
West Elevation

Attachment 6: North Elevation



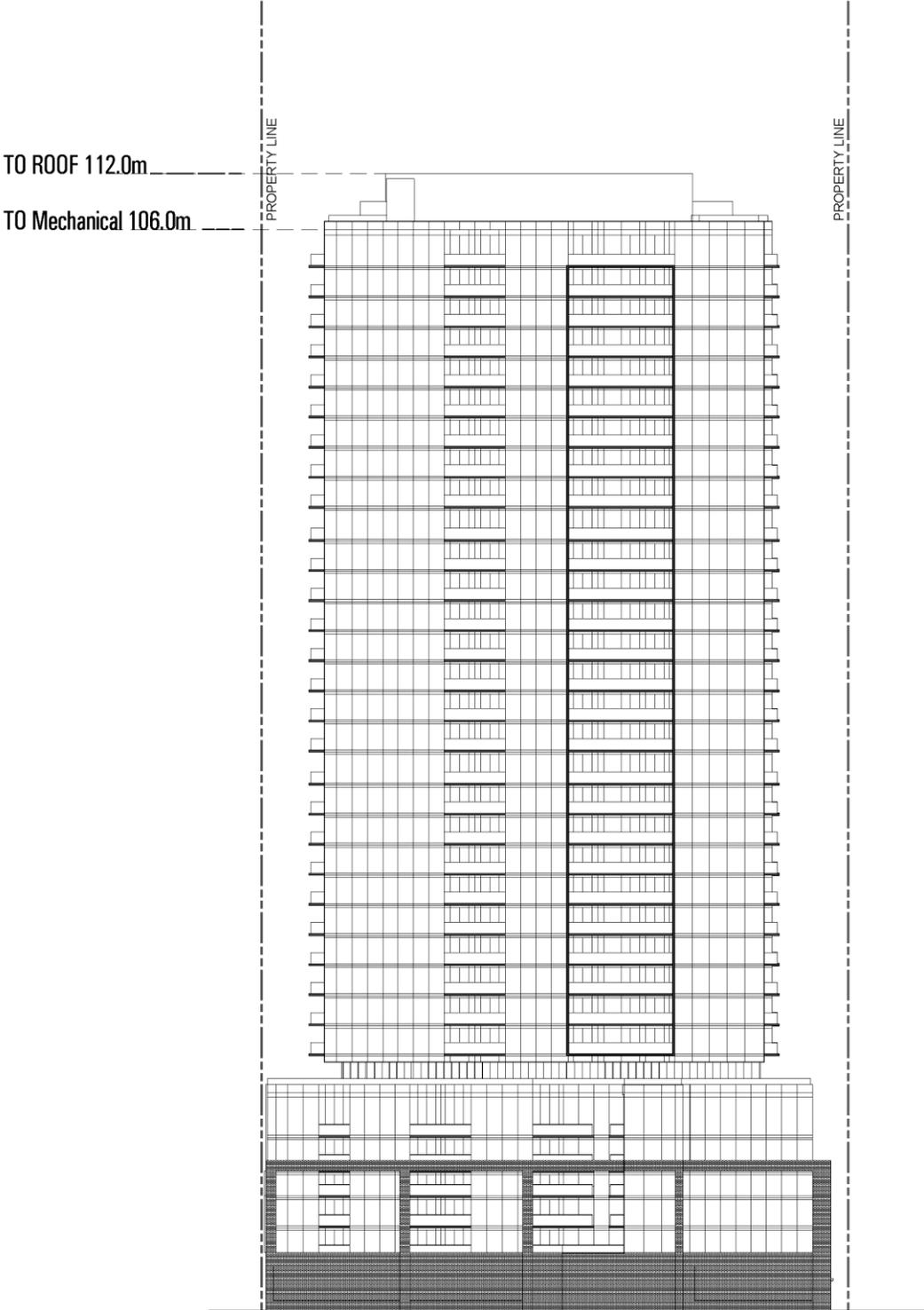
North Elevation

Attachment 7: South Elevation



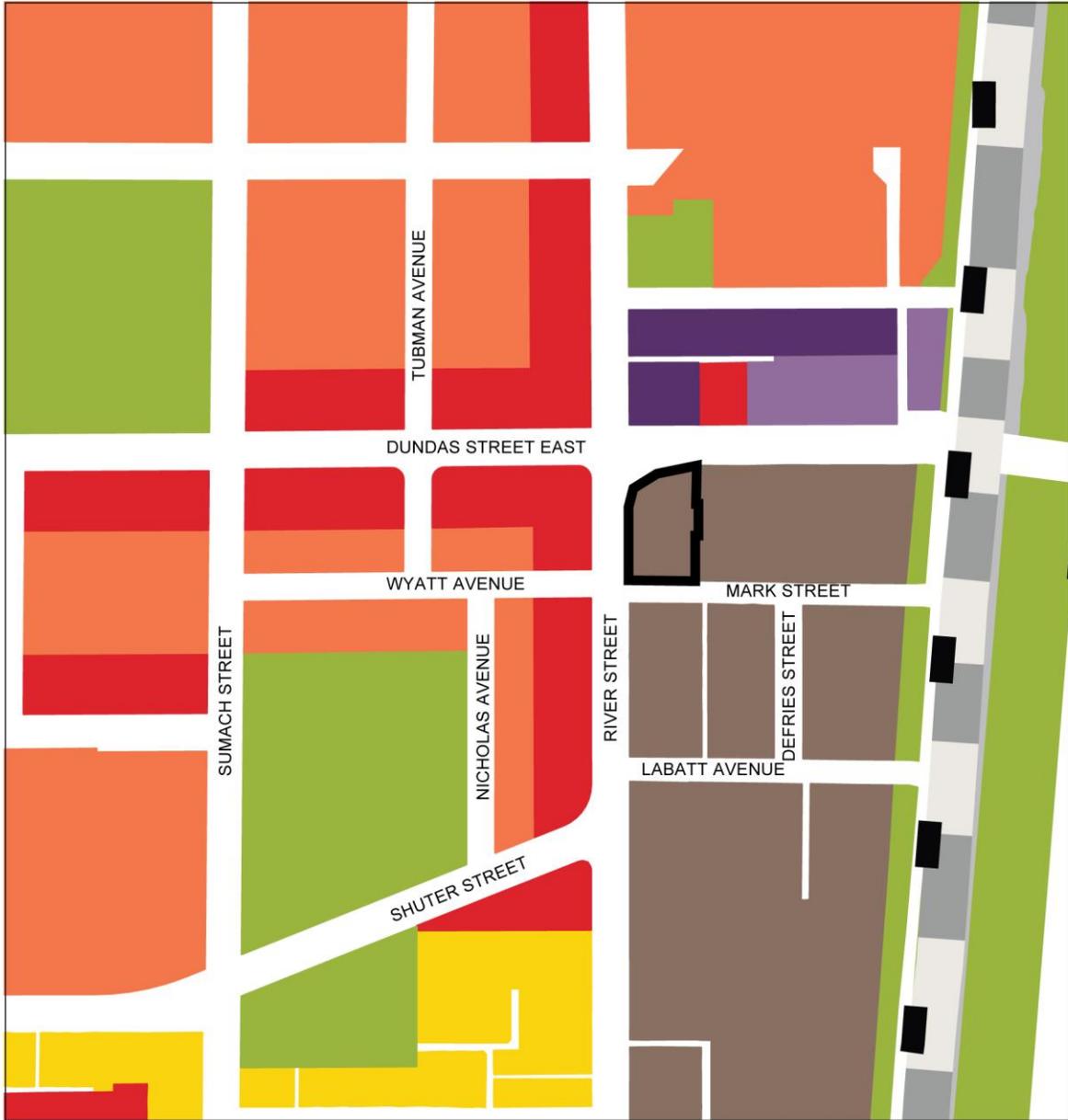
South Elevation

Attachment 8: East Elevation



East Elevation

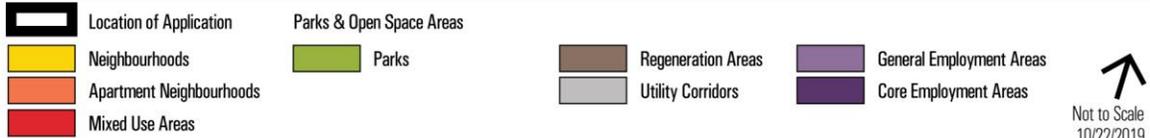
Attachment 9: Official Plan Land Use Map



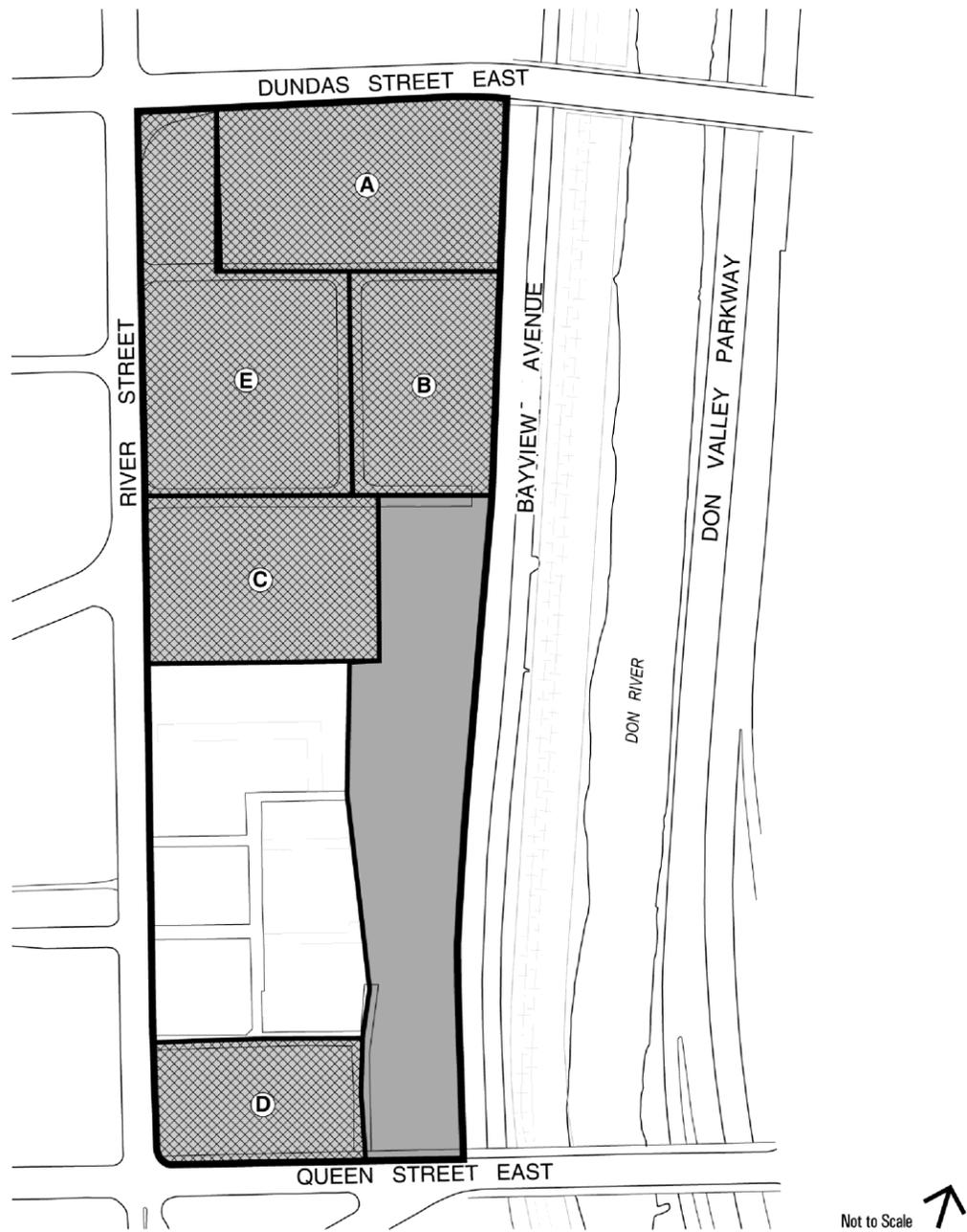
Official Plan Land Use Map #18

111-125 River Street

File # 19 231689 STE 13 0Z



Attachment 10: Queen River Secondary Plan Land Use Plan



Queen-River Secondary Plan

MAP 34-1 Land Use Plan

-  Secondary Plan Boundary
-  Neighbourhoods
-  Existing Use Areas
-  Mixed Use Areas

June 2019

Attachment 11: Project 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 4-storey podium containing 433 residential dwelling units.

Applicant	Agent	Architect	Owner
BOUSFIELDS INC		WALLMAN ARCHITECTS	LIFETIME RIVER STREET INC

EXISTING PLANNING CONTROLS

Official Plan Designation:	Mixed Use Areas	Site Specific Provision:
Zoning:	CR 2.5 (c2.0; r1.5) SS2 (x1864)	Heritage Designation:
Height Limit (m):	14	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):	724		1,237	1,237
Residential GFA (sq m):	1,290		27,417	27,417
Non-Residential GFA (sq m):	304		236	236
Total GFA (sq m):	1,594		27,653	27,653
Height - Storeys:	3		34	34
Height - Metres:			102	102

Lot Coverage Ratio (%): 86.45 Floor Space Index: 19.32

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

Residential GFA: 27,349 69
 Retail GFA: 236
 Office GFA:
 Industrial GFA:
 Institutional/Other GFA:

Residential Units by Tenure	Existing	Retained	Proposed	Total
Rental:	4			
Freehold:				
Condominium:			433	433
Other:				
Total Units:	4		433	433

Total Residential Units by Size

	Rooms	Bachelor	1 Bedroom	2 Bedroom	3+ Bedroom
Retained:					
Proposed:			260	129	44
Total Units:			260	129	44

Parking and Loading

Parking Spaces: 77 Bicycle Parking Spaces: 483 Loading Docks: 1

CONTACT:

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 (416) 397-4079
 Leontine.Major@toronto.ca

Attachment 12: Draft 438-86 Zoning By-law Amendment

To be provided prior to May 19, 2021 Toronto East York Community Council.

Attachment 14: Draft 569-2013 Zoning By-law Amendment

To be provided prior to May 19, 2021 Toronto East York Community Council.