

145 St George Street – Zoning By-law Amendment and Rental Housing Demolition Applications – Preliminary Report

Date: September 23, 2021

To: Toronto and East York Community Council

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

Ward: 11 - University-Rosedale

Planning Application Number: 21 155923 STE 11 OZ

Rental Housing Demolition Application Number: 21 155940 STE 11 RH

Related Site Plan Application: 21 155930 STE 11 SA

Current Uses on Site: A 12-storey residential rental apartment building containing 130 rental dwelling units with surface and below-grade parking.

SUMMARY

This report provides information and identifies a preliminary set of issues regarding the Zoning By-law Amendment and Rental Housing Demolition applications respecting 145 St. George Street. The applications propose the demolition of the existing 12-storey apartment building to permit the construction of a new 29-storey residential apartment building containing 341 dwelling units (including 130 replacement rental dwelling units) and below-grade parking. A Privately Owned Publicly-Accessible Space (POPS) is proposed on the west side of the site fronting onto St. George Street.

The applications have been circulated to all appropriate agencies and City divisions for comment. City Planning staff will proceed to schedule a community consultation meeting for the application with the Ward Councillor.

RECOMMENDATIONS

The City Planning Division recommends that:

1. Staff schedule a community consultation meeting for the application located at 145 St. George Street together with the Ward Councillor.
2. Notice for the community consultation meeting be given to landowners and residents within 120 metres of the application site, and to additional residents, institutions and

owners to be determined in consultation with the Ward Councillor, with any additional mailing costs to be borne by the applicant.

FINANCIAL IMPACT

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

THE APPLICATIONS

Complete Application Submission Date

May 18, 2021

Description

The application to amend the Zoning By-law proposes to permit a 29-storey (92.15 metre, plus a 6 metre mechanical penthouse) residential apartment building containing 341 dwelling units, including 130 replacement rental dwelling units, and 1,234 square metres of amenity space. The total proposed gross floor area of the proposal is 23,076 square metres, which represents a density of 10.1 times the area of the lot. The proposed residential unit mix includes 72 bachelor units (21%), 196 one-bedroom units (57%), 50 two-bedroom units (15%), and 23 three-bedroom units (7%).

Also included in the proposal is a Privately Owned Publicly-Accessible Space (POPS) on the west side of the site fronting onto St. George Street, as well as a two-storey, below-grade parking garage. A total of 94 vehicular parking spaces and 345 bicycle parking spaces are proposed on the site.

The Rental Housing Demolition application proposes to demolish the 130 existing rental dwelling units on the site and replace them within the proposed development. As of the date of this application, 7 of the 130 rental units were vacant and one was occupied subject to an employment agreement. The breakdown of the existing rental units by unit type and rent classification, according to the housing issues report submitted by the applicant, is as follows:

Table 1: Breakdown of Existing Rental Units by Unit Type and Rent Classification

Unit Type	Affordable	Mid-Range	High-End	Vacant	Total
Studio	35	31	0	6	72
One-Bedroom	10	34	0	1	45
Two-bedroom	4	8	0	1	13

Unit Type	Affordable	Mid-Range	High-End	Vacant	Total
Total	49	73	0	8	130

See Attachments 2, 3, and 7 of this report, for a three dimensional representation of the project in context, a site plan of the proposal, and the Application Data Sheet, respectively.

Detailed project information including all plans and reports submitted as part of the application can be found on the City's Application Information Centre at: <http://app.toronto.ca/AIC/index.do?folderRsn=OwuO9yfmmxEGwBUViaMHPg%3D%3D>

Reason for the Applications

The Zoning By-law Amendment Application proposes to amend City of Toronto Zoning By-law 569-2013 and former Zoning By-law 438-86 to vary performance standards, including: building height, setbacks, floor space index, amenity space, landscaping, and vehicular and bicycle parking space requirements. Additional amendments to the Zoning By-laws may be identified as part of the application review.

The Rental Housing Demolition application under Chapter 667 of the Toronto Municipal Code pursuant to Section 111 of the City of Toronto Act, 2006 has been submitted in order to demolish the 130 existing rental housing units on the lands.

Site Plan Control

The application is subject to Site Plan Control. A Site Plan Control application has been submitted and is under review.

POLICY CONSIDERATIONS/PLANNING FRAMEWORK

Provincial Policy Statement and Provincial Plans

Land use planning in the Province of Ontario is a policy-led system. Any decision of Council related to this application is required to be consistent with the Provincial Policy Statement (2020) (the "PPS"), and to conform with applicable Provincial Plans which, in the case of the City of Toronto, include: A Place to Grow: Growth Plan for the Greater Golden Horseshoe (2020) and, where applicable, the Greenbelt Plan (2017). The PPS and all provincial plans may be found on the Ministry of Municipal Affairs and Housing website.

Growth Plan for the Greater Golden Horseshoe (2020)

A Place to Grow: Growth Plan for the Greater Golden Horseshoe (2020) (the "Growth Plan") came into effect on August 28, 2020. The Growth Plan continues to provide a

strategic framework for managing growth and environmental protection in the Greater Golden Horseshoe region, of which the City forms an integral part. The Growth Plan establishes policies that require implementation through a Municipal Comprehensive Review ("MCR"), which is a requirement pursuant to Section 26 of the Planning Act.

Policies not expressly linked to an 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, 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 take precedence over the policies of the PPS to the extent of any conflict, except where the relevant legislation provides otherwise. In accordance with Section 3 of the Planning Act all decisions of Council in respect of the exercise of any authority that affects a planning matter shall conform with the Growth Plan. Comments, submissions or advice affecting a planning matter that are provided by Council shall also conform with the Growth Plan.

Major Transit Station Areas

The Growth Plan as amended contains policies pertaining to population and employment densities that should be planned for in major transit station areas ("MTSAs") along priority transit corridors or subway lines. MTSAs are generally defined as the area within an approximately 500 to 800 metre radius of a transit station, representing about a 10-minute walk. The Growth Plan requires that, at the time of the next municipal comprehensive review (MCR), the City update its Official Plan to delineate MTSA boundaries and demonstrate how the MTSAs are planned for the prescribed densities.

Toronto Official Plan Policies

The City of Toronto Official Plan is a comprehensive policy document that guides development in the City, providing direction for managing the size, location, and built form compatibility of different land uses and the provision of municipal services and facilities. Authority for the Official Plan derives from the Planning Act. The PPS recognizes the Official Plan as the most important document for its implementation.

The Official Plan contains policies related to building complete communities, including heritage preservation and environmental stewardship. The Official Plan also provides for the use of Section 37 of the Planning Act to pass by-law for increases in height and/or density not otherwise permitted by the Zoning By-law in return for the provision of community benefits in the form of capital facilities and local improvements. In the event the applicant provides in-kind benefits pursuant to Section 37 of the Planning Act, the City's Fair Wage Policy and Labour Trades Contractual Obligations will apply to such work.

Section 3.2.1 of the Official Plan contains policies pertaining to the provision, maintenance, and replacement of rental housing. Policy 3.2.1.6 states that new development that would have the effect of removing all or a part of a building or related group of buildings and would result in the loss of 6 or more rental housing units will not be approved unless all of the units have rents that exceed mid-range rents at the time of application, or, where planning approvals other than site plan are sought, 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 of application. The policy also requires an acceptable tenant relocation and assistance plan, addressing the right for existing tenants to return to a replacement unit at similar rent and other assistance to mitigate hardship.

The site is located on lands shown as the Downtown and Central Waterfront area on Map 2 of the Official Plan and is designated Apartment Neighbourhoods on Land Use Map 17. There are lands designated Neighbourhoods adjacent to the northeast corner of the site. See Attachment 4 of this report for the Official Plan Land Use Map.

Toronto Official Plan policies may be found here: <https://www.toronto.ca/city-government/planning-development/official-plan-guidelines/official-plan/>

Downtown Plan

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

to the west, the mid-town rail corridor and Rosedale Valley Road to the north and the Don River to the east.

While the site is designated Apartment Neighbourhoods, the other corners of the intersection of St. George Street and Prince Arthur Avenue are designated Mixed Use Area 2 to the southeast, Mixed Use Area 3 to the southwest, and Mixed Use Area 4 to the northwest on Mixed Use Areas Map 41-3. See Attachment 5 of this report for the Mixed Use Areas Map.

The Downtown Plan may be found here:

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

Official Plan Amendment 352 - Downtown Tall Building Setback Area

On May 28, 2021, the Ontario Land Tribunal partially approved modifications to OPA 352 and area-specific Zoning By-laws 1106-2016 and 1107-2016. The purpose of OPA 352 and the related Zoning By-laws is to establish the policy context and performance standards for tall building setbacks and separation distances between tower portions of tall buildings in the Downtown area. These policies and Zoning By-laws are in full force and effect for the property at 145 St. George Street.

The Official Plan Amendment and associated Zoning By-law Amendments can be found here:

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

Official Plan Amendment 479 and 480 - Public Realm and Built Form Official Plan Policies

On September 21, 2020, the Ministry of Municipal Affairs and Housing issued Notices of Decision approving OPA 479 and OPA 480. OPA 479 (Public Realm) and OPA 480 (Built Form) 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 Official Plan Amendment can be found here:

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

Zoning By-laws

The site is zoned R (d2.0) (x902) by City of Toronto Zoning By-law 569-2013 and R2 Z2.0 under former City of Toronto Zoning By-law 438-86. The maximum permitted height is 14 metres. The total maximum permitted density is 2 times the lot area.

See Attachment 6 of this report for the Zoning By-law Map.

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/>

Affordable Housing

Affordable Housing and Smart Urban Growth are strategic actions for the City of Toronto. Section 3.2.1 of the City's Official Plan states that a full range of housing, including affordable housing, will be provided and maintained to meet the needs of current and future residents. The Growth Plan also contains policies to support the development of affordable housing and the provision of a range of housing options to accommodate the needs of all household sizes and incomes.

Tree Preservation

The application is subject to the provisions of the City of Toronto Municipal Code, Chapter 813 Articles II (Street Trees By-law) and III (Private Tree By-law). There are 18 trees located on and within 6 metres of the property. The removal of 8 trees is proposed to accommodate the proposed development. Urban Forestry staff will be reviewing the appropriateness of the proposed tree removal, preservation, and replanting plans.

Design Guidelines

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

- Tall Buildings Design Guidelines;
- Downtown Tall Buildings Vision and Supplementary Design Guidelines;
- Growing Up Guidelines Planning for Children in New Vertical Communities;
- Pet Friendly Design Guidelines and Best Practices for New Multi-Unit Buildings;
- Best Practices for Bird-Friendly Glass;
- Best Practices for Effective Lighting; and
- Toronto Accessibility Design Guidelines

The City's Design Guidelines may be found here: <https://www.toronto.ca/city-government/planning-development/official-plan-guidelines/design-guidelines/>

Toronto Green Standard (Climate Mitigation and Resilience)

Climate change mitigation and resilience are key concerns of the City. On October 2, 2019, City Council declared a Climate Emergency and set a new goal to achieve net zero greenhouse gas emissions by 2050 or sooner. In 2021, an updated TransformTO Net Zero Strategy will be presented to Council, outlining the necessary climate action to reach net zero GHG emissions community-wide. In June 2019, the Resilience Strategy was published, which set out that new development should be resilient to a changing climate.

The Toronto Green Standard (the "TGS") sets out the key sustainable performance measures new developments are required to meet to address climate mitigation and resilience. The TGS is a critical component of the City's efforts to achieve zero emissions buildings by 2030, to meet 2050 citywide greenhouse gas reduction targets, and to build a more resilient city. The TGS also supports other City-wide strategies

related to environmental sustainability, including TransformTO, the Resilience Strategy, Ravine Strategy and Biodiversity Strategy.

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 TGS. Tier 1 performance measures are secured on site plan drawings and through a site plan agreement or registered plan of subdivision. Tiers 2+ are voluntary higher levels of performance with financial incentives (post-construction development charge refunds) intended to facilitate the foregoing objectives. Applicants are strongly encouraged to pursue higher tiers of the TGS wherever possible.

Applications must use the documentation required for the version of the TGS in effect at the time of the initial site plan application. TGS Version 3.0 applies to new applications submitted on or after May 1, 2018. TGS Version 4.0 will apply to all new applications submitted on or after May 1, 2022.

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

Rental Housing Demolition and Conversion By-law

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

City Council may refuse a Rental Housing Demolition application or approve an application with conditions, including conditions requiring an applicant to replace the rental units proposed to be demolished and/or to provide tenant relocation and assistance, which must be satisfied before a demolition permit is issued. These conditions implement the City's rental housing protection policies in the Official Plan. However, unlike Planning Act applications, decisions by City Council under Chapter 667 are not appealable to the Ontario Land Tribunal (OLT).

Section 33 of the Planning Act also authorizes Council to regulate the demolition of residential properties. Section 33 is implemented through Chapter 363 of the Toronto Municipal Code, the Building Construction and Demolition By-law, which requires Council approval of the demolition of any residential property that contains 6 or more dwelling units (irrespective of whether any are rental) before the Chief Building Official can issue a demolition permit under the Building Code Act.

The proposal for 145 St. George Street requires Council approval under both Chapters 363 and 667 of the Toronto Municipal Code because it involves the demolition of at least 6 dwelling units and at least 1 rental unit. On May 18, 2021, an application for a Section 111 permit was submitted under Chapter 667 of the Toronto Municipal Code to demolish 130 rental dwelling units on the site. As per Chapter 667-14, a tenant

consultation meeting will be held to review the impact of the proposal on existing tenants of the residential rental property and matters under Section 111.

COMMENTS

ISSUES TO BE RESOLVED

City Planning staff have identified a number of preliminary issues with the proposed development and will work with the applicant to address these concerns and achieve a proposal which is compatible with its surrounding context.

Provincial Policies and Plans Consistency/Conformity

Staff will evaluate this application to determine its consistency with the PPS (2020) and conformity with the Growth Plan, including whether: the proposal makes efficient use of land and resources, infrastructure and public facilities; the proposal is directed at an appropriate location; appropriate development standards are promoted to facilitate compact form; and the proposal represents an appropriate type and scale of development and transition of built form to adjacent areas. Given the recognition in Provincial Policy of the importance of official plans and long term planning, consistency with the PPS and conformity with the Growth Plan will be informed by conformity with the City's Official Plan.

Official Plan

Staff will evaluate the applications to determine their conformity with the Official Plan.

Built Form, Planned and Built Context

Staff will assess the suitability and appropriateness of the proposed height, massing and other built form issues based on applicable Provincial policies; the City's Official Plan policies; the Downtown Plan; and the City's Design Guidelines.

The following preliminary issues have been identified:

- The proposed height and massing, including setbacks, step-backs and balcony encroachments;
- Compatibility of the proposal with the low-rise Neighbourhood to the north, including transition of scale and density, adequate light and privacy;
- Appropriate unit mix and sizes; and
- Adequate provision of outdoor amenity area.

Public Realm, Open Space, and Privately Owned Publicly-Accessible Space

- Adequate improvements to the public realm, including but not limited to the provision of an appropriate pedestrian clearway along St. George Street;
- Integration of the privately owned publicly-accessible space into the broader public realm and its contribution toward an enhanced public realm experience for all users;

- Suitable improvements to naturalization and landscaping elements, including large shade tree planting and soft landscaping;
- Shadow impacts on Taddle Creek Park and Huron Street Playground, and the public realm; and
- Pedestrian level wind conditions along adjacent street frontages and in outdoor amenity areas. A Pedestrian Level Wind Study was submitted and is currently under review by City Planning staff.

Rental Housing Issues

The Housing Issues Report submitted with the Rental Housing Demolition application identifies that at least 122 of the existing rental units on the site have either affordable or mid-range rents. Thus, the applicant is required replace all of existing rental units proposed to be demolished within the proposed development (Official Plan Policy 3.2.1.6).

City staff will work with the applicant to develop a detailed rental replacement proposal and an acceptable tenant relocation and assistance plan to mitigate hardship for existing tenants. A site visit by City staff will also be required as part of the application assessment.

Affordable Housing

Staff will engage in discussions with the applicant, the Ward Councillor, and City staff to evaluate potential opportunities for the provision of affordable housing.

Toronto Green Standard

City Planning staff will review the TGS Checklist submitted by the applicant for compliance with the Tier 1 performance measures. Staff will encourage the applicant to pursue Tier 2, 3, or 4.

Additional Issues

The application has been circulated to City divisions and public agencies for comment. Additional issues may be identified through the review of the application, agency comments and the community consultation process.

NEXT STEPS

City Planning staff will host a Community Consultation Meeting.

City staff will work with the applicant to resolve the preliminary issues discussed in this report and any additional issues that may be identified by staff and the public. City Planning staff will report back at the appropriate time in the review of the application. If a Final Report is prepared, the report will proceed to the Toronto and East York Community Council meeting which will serve as the Statutory Public Meeting as required by the Planning Act, before being considered by City Council for a decision.

CONTACT

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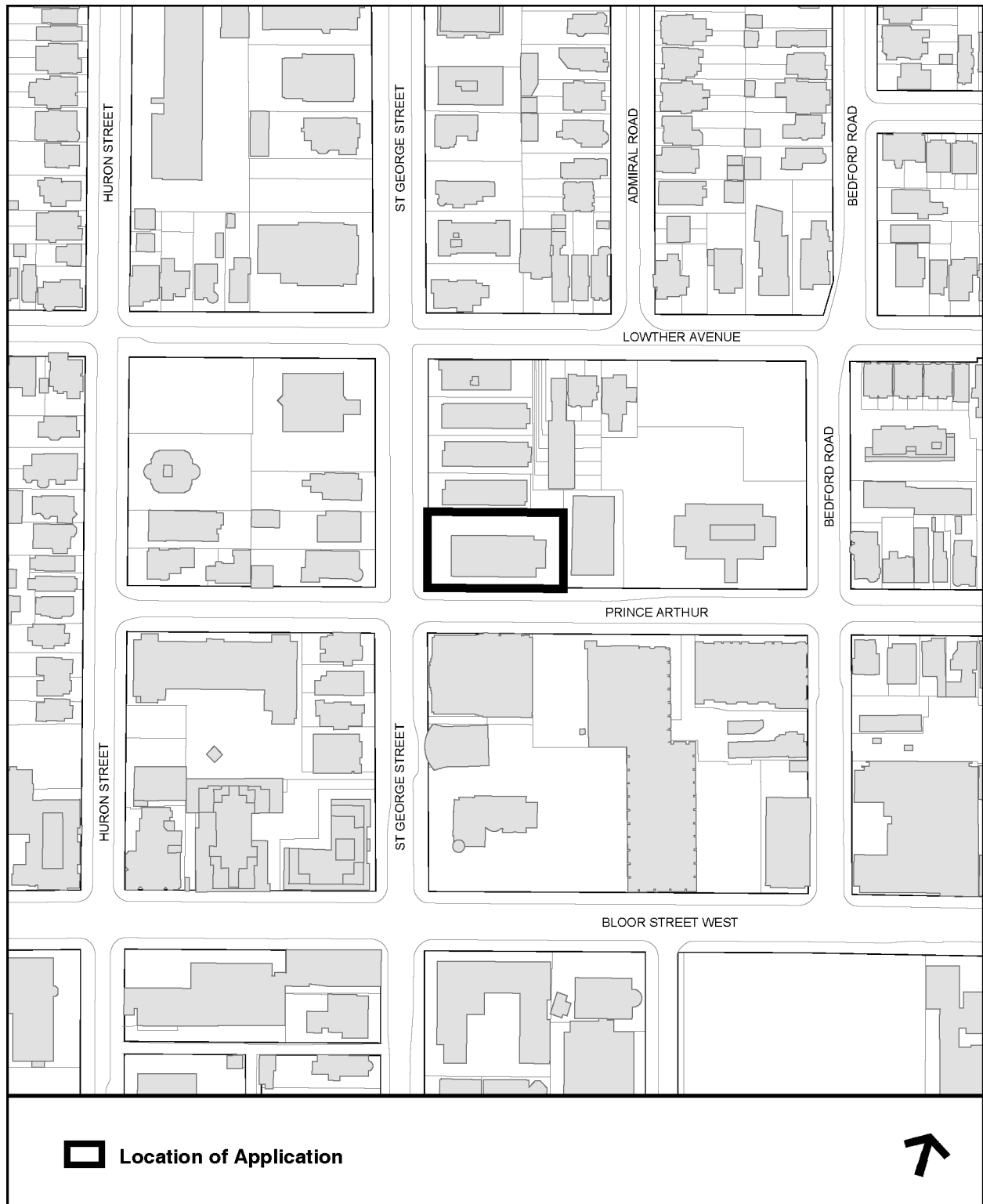
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Lynda H. Macdonald, MCIP, RPP, OALA, FCSLA
Director, Community Planning
Toronto and East York District

ATTACHMENTS

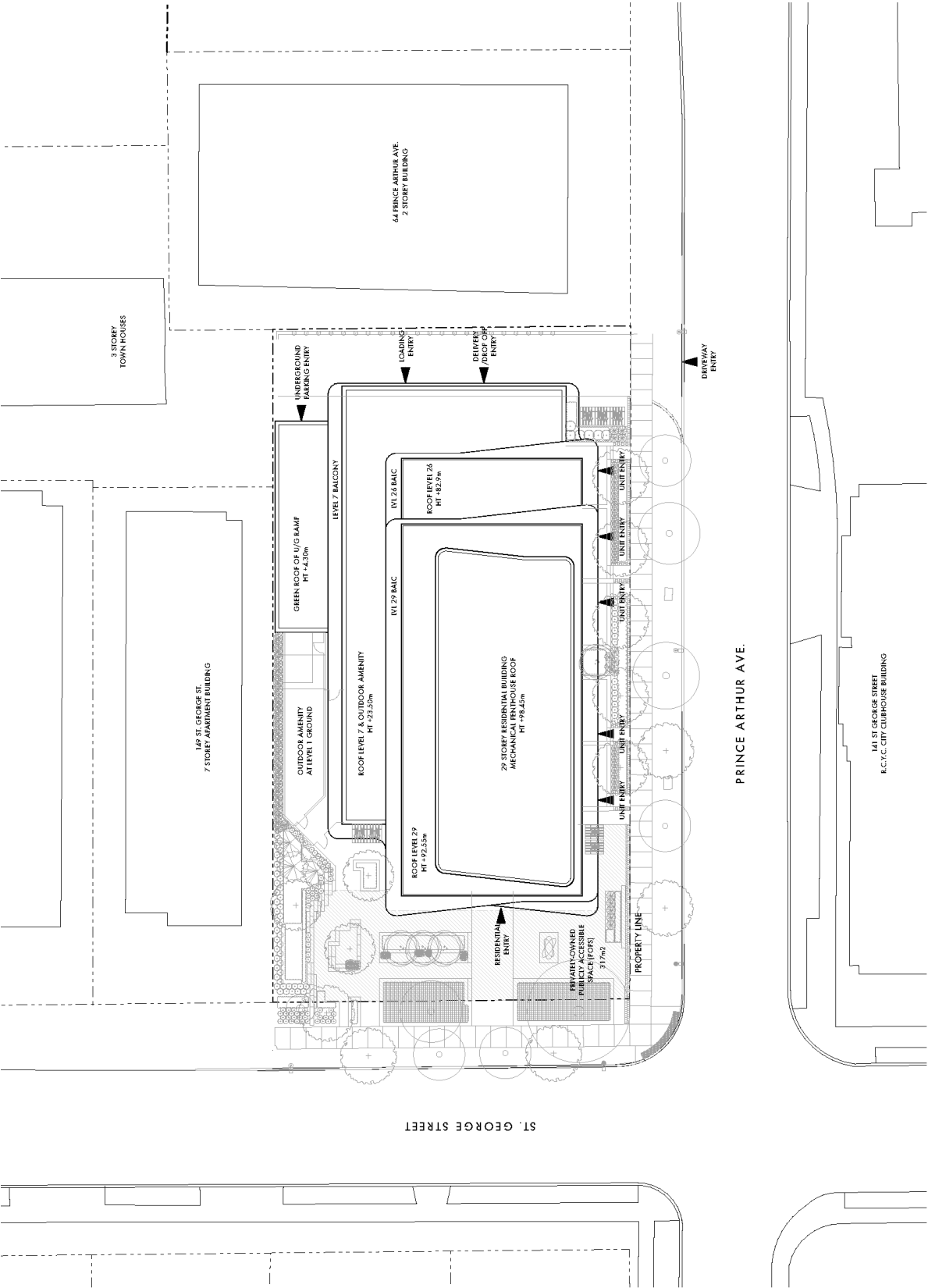
Attachment 1: Location Map
Attachment 2: 3D Model of Proposal in Context
Attachment 3: Site Plan
Attachment 4: Official Plan Map
Attachment 5: Downtown Plan, Land Use Map 41-3
Attachment 6: Zoning By-law Map
Attachment 7: Application Data Sheet

Attachment 1: Location Map



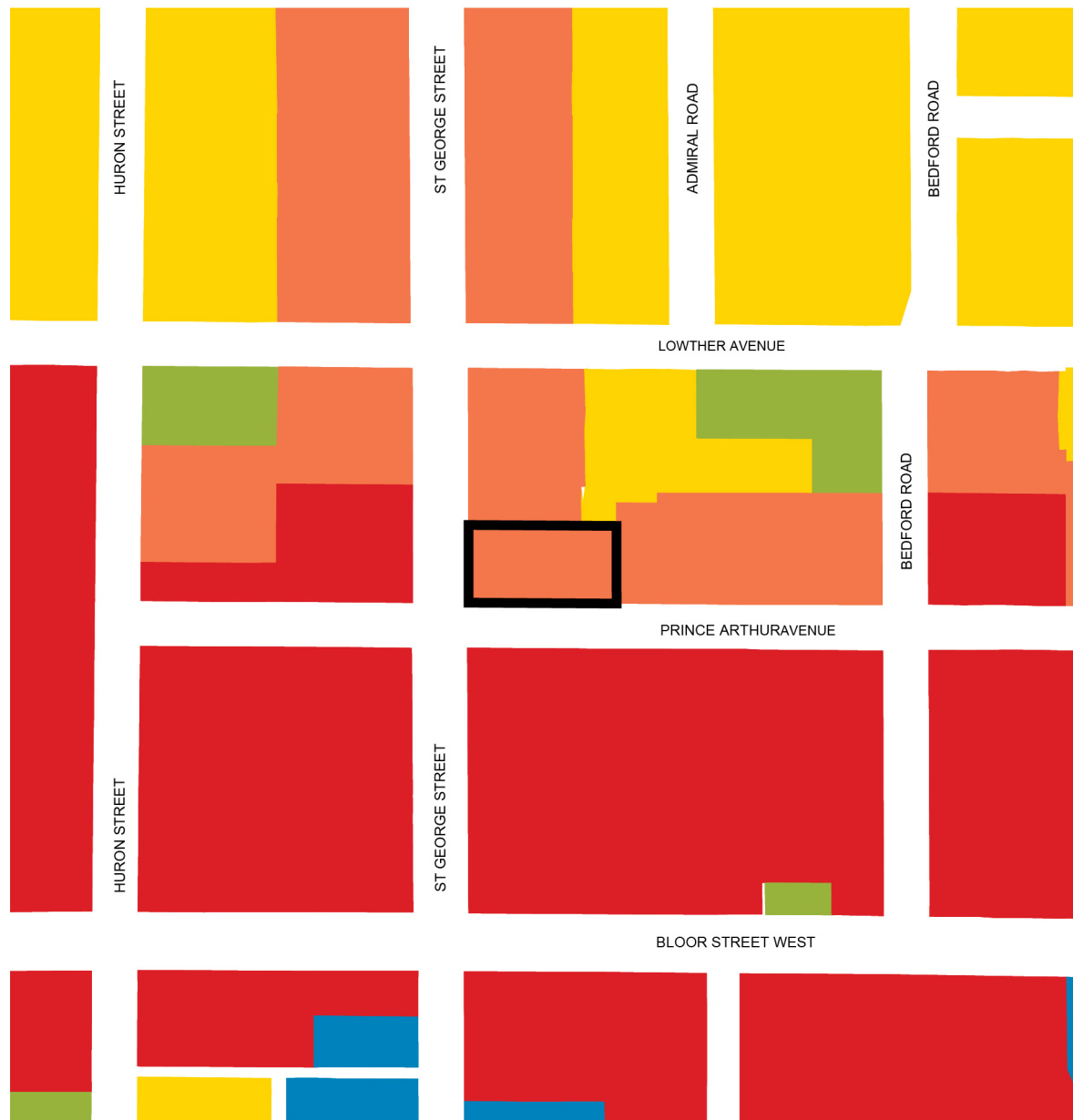
Attachment 2: 3D Model of Proposal in Context





Site Plan

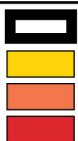
Attachment 4: Official Plan Map



Official Plan Land Use Map #17

145 St George Street

File # 21 155923 STE 11 0Z



Location of Application

Neighbourhoods

Apartment Neighbourhoods

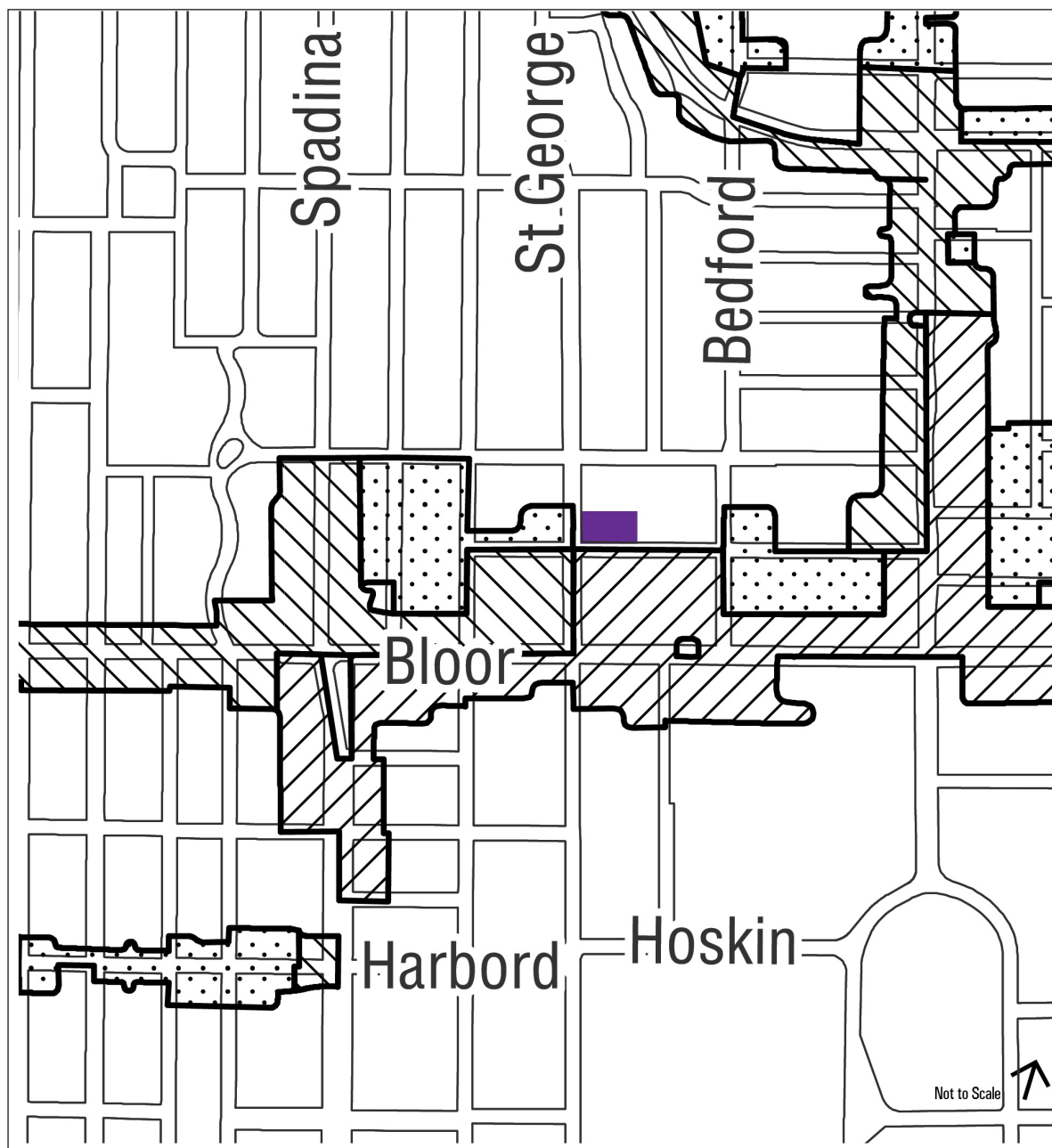
Mixed Use Areas

Parks

Institutional Areas



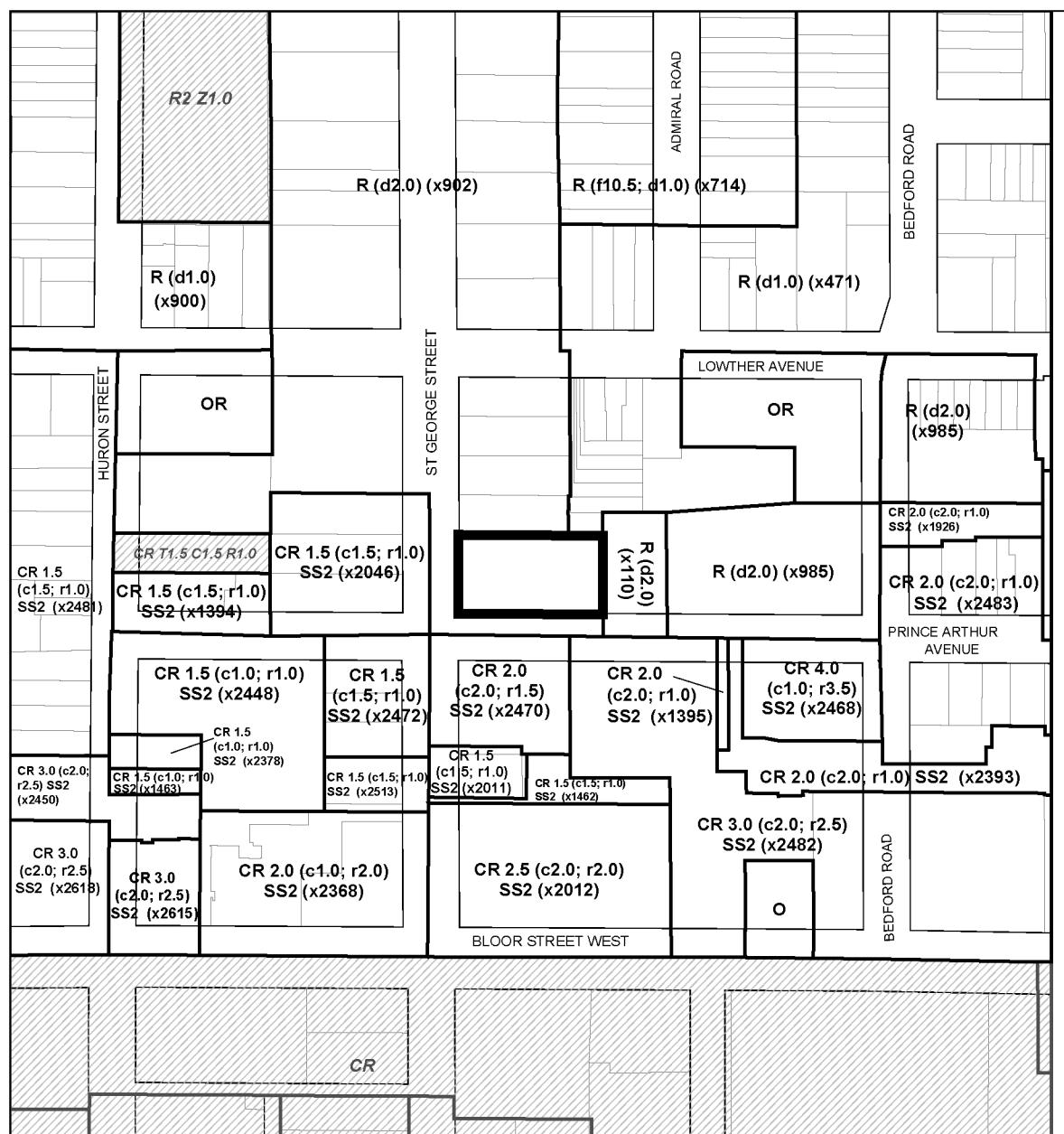
Not to Scale
Extracted: 05/25/2021



Downtown Plan
MAP 41-3 Mixed Use Areas

- Site - 145 St. George Street
- Mixed Use Areas 1 - Growth
- Mixed Use Areas 2 - Intermediate
- Mixed Use Areas 3 - Main Street
- Mixed Use Areas 4 - Local

Attachment 6: Zoning By-law Map



Zoning By-law 569-2013

145 St. George Street

File # 21 155923 STE 11 0Z



Location of Application

R
CR
O
OR

Residential
Commercial Residential
Open Space
Open Space Recreation



See Former City of Toronto By-law No. 438-86

R2
CR
Residential District
Mixed-Use District



Not to Scale
Extracted: 05/25/2021

Attachment 7: Application Data Sheet

Municipal Address: 145 St. George Street **Date Received:** May 18, 2021

Application Number: 21 155923 STE 11 OZ

Application Type: Rezoning

Project Description: Proposal for a 29-storey residential apartment building containing 341 dwelling units (including 130 replacement rental dwelling units) and below-grade parking.

Applicant

Goldberg Group c/o
Michael Goldberg

Architect

Architects Alliance

Owner

NSCL
INVESTMENTS
LIMITED

EXISTING PLANNING CONTROLS

Official Plan Designation: *Apartment Neighbourhoods*
Zoning: R (d2.0) (x902)

Height Limit (m): 14

Site Plan Control Area: Y

PROJECT INFORMATION

Site Area (sq m): 2276 sm **Frontage (m):** 34.74 **Depth (m):** 65.5

Building Data	Existing	Retained	Proposed	Total
Ground Floor Area (sq m):			945.9	400
Residential GFA (sq m):			23,076.4	23,076.4
Non-Residential GFA (sq m):			0	0
Total GFA (sq m):			23,076.4	23,076.4
Height - Storeys:			29	29
Height - Metres:			92.15	92.15

Lot Coverage Ratio (%): 53%

Floor Space Index: 10.1

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

Residential GFA: 23,076.4

Retail GFA:

Office GFA:

Industrial GFA:

**Institutional/Other
GFA:**

Residential Units by Tenure	Existing	Retained	Proposed	Total
Rental:	130		130	130
Freehold:				
Condominium:			211	211
Other				
Total Units:			341	341

Total Residential Units by Size

	Rooms	Bachelor	1 Bedroom	2 Bedroom	3+ Bedroom
Retained:					
Proposed:	72		196	50	23
Total Units:	72		196	50	23

Parking and Loading

Parking Spaces: 94 **Bicycle Parking Spaces:** 345 **Loading Docks:** 1