

130-134 Parliament Street and 529 Richmond Street East – Zoning By-law Amendment Application – Preliminary Report

Date: February 7, 2021

To: Toronto and East York Community Council

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

Ward: 13 - Toronto Centre

Planning Application Number: 21 235796 STE 13 OZ

Related Applications: 21 235804 STE 13 CD

Current Uses on Site: A 2-storey rowhouse building at 130 Parliament Street, 1-storey automobile service building at 134 Parliament Street, and 3-storey commercial building.

SUMMARY

This report provides information and identifies a preliminary set of issues regarding the application located at 130-134 Parliament Street and 529 Richmond Street East. The application proposes a 44-storey (145.8 metres, including mechanical penthouse) mixed-use building with ground floor retail uses and 327 residential dwelling units.

The application has 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, in consultation with the Ward Councillor. Staff note that the application is not supportable in its current form.

RECOMMENDATIONS

The City Planning Division recommends that:

1. Staff schedule a community consultation meeting for the application located at 130-134 Parliament Street and 529 Richmond Street East together with the Ward Councillor.
2. Notice for the community consultation meeting be given to landowners and residents within 120 metres of the application site, and to additional residents, institutions and owners to be determined in consultation with the Ward Councillor, with any additional mailing costs to be borne by the applicant.

FINANCIAL IMPACT

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 APPLICATION

Complete Application Submission Date: On December 9, 2021, the applicant was sent a Notice of Incomplete application.

Description

This application proposes to amend the Zoning By-law for the property at 130-134 Parliament Street and 529 Richmond Street East to permit a 44-storey (145.8 metres, including mechanical penthouse) mixed-use building with ground floor retail and 327 dwelling units. The proposal consists of 188 square metres of retail use and 19,508 square metres of residential use, for a total of 19,696 square metres in an overall Floor Space Index ("FSI") of 16.0 times the lot area. The residential unit mix provided includes 80 studio units (24%), 164 one-bedroom units (50%), 49 two-bedroom units (15%), and 34 three-bedroom units (10%).

The proposal includes 43 vehicle parking spaces which are dedicated to the residential component of the development. The vehicle parking spaces are provided within a 4-level underground garage and accessed via two vehicle elevators off of the widened public lane to the south of the development. One Type G loading space is provided which is also accessed via the public lane. A total of 333 bicycle parking spaces (299 long-term spaces and 34 short-term spaces) are provided on the floors 1 and P2 to P4.

Detailed project information is found on the City's Application Information Centre at: <https://www.toronto.ca/city-government/planning-development/application-information-centre/>

See Attachment 1 of this report for the location map, Attachment 2 and 3 for three dimensional representations of the project in context, Attachment 4 for the proposed site plan drawing and Attachment 7 for the application data sheet. The Application Data Sheet contains additional details on the proposal including: site area and dimensions; floor area; unit breakdowns; and parking counts.

Reasons for the Application

The Zoning By-law Amendment Application has been submitted in order to amend City-wide Zoning By-law 569-2013 to permit an increase in the overall height and density on the site and to modify various performance standards such as those for setbacks and parking.

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

Provincial Policy Statement and Provincial Plans

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). 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 (2020)") came into effect on August 28, 2020. This new plan replaces the previous 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* of Ontario (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. Comments, submissions or advice affecting a planning matter that are provided by Council shall also conform with the Growth Plan (2020).

Toronto Official Plan Policies

The City of Toronto Official Plan (the "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, heritage preservation, community services, transportation, and environmental stewardship. The Official Plan also provides for the use of Section 37 of the *Planning Act* to pass by-laws for increases in height and/or density not otherwise permitted by the Zoning By-law in return for the provision of community benefits in the form of capital facilities.

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

The site is located on lands shown as *Downtown and Central Waterfront* on Map 2 of the Official Plan. The site is designated as *Regeneration Areas* on Map 18 of the Official Plan. See Attachment 5: Official Plan Map.

Downtown Plan

Official Plan Amendment 406 ("OPA 406" or 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.

Map 41-3-B designates the site as *Mixed Use Areas 2 - Intermediate*. Policy 6.28 provides that development within *Mixed Use Areas 2* will include building typologies that respond to their site context including mid-rise and some tall buildings. Policy 6.26 states that the scale and massing of buildings will be compatible with the existing and planned context of the neighbourhood, including the prevailing heights, massing, scale,

density and building type. Specific policy direction articulated in the King-Parliament Secondary Plan is to be read together with the Downtown Plan.

The Downtown Plan identifies Parliament Street as a Great Street and Priority Retail Street, and Richmond Street East as a Priority Cycling Route. The site is also located within a Cultural Precinct and the Downtown Film Precinct. The in-force Downtown Plan may be found here: <https://www.toronto.ca/legdocs/mmis/2019/cc/bgrd/backgroundfile-135953.pdf>

King-Parliament Secondary Plan

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

The site is designated Regeneration Area 'A' (Jarvis Parliament) on Map 15-1 - Land Use Plan. Regeneration Area 'A' lands are targeted for significant growth, having a mix of compatible land uses including commercial, industrial, institutional, residential, live/work and entertainment uses within new buildings and existing ones, including the numerous historically and architecturally significant buildings in the area.

The King-Parliament Secondary Plan may be found here: <https://www.toronto.ca/wp-content/uploads/2017/11/9063-cp-official-plan-SP-15- KingParliament.pdf>

King-Parliament Secondary Plan Review

On May 22, 2018, City Council directed staff to undertake a review of the King-Parliament Secondary Plan and the area north of Queen Street East between Jarvis Street and River Street. The review focuses on three themes being built form, public realm and heritage. On October 29, 2019, City Council directed staff to apply the policies of the proposed King-Parliament Plan on current development applications.

On May 5, 2021, City Council approved the updated King-Parliament Secondary Plan and supplementary Zoning By-laws. The applicant has appealed both the Secondary Plan and the supplementary Zoning By-law.

The proposed King-Parliament Secondary Plan can be found here: <https://www.toronto.ca/city-government/planning-development/planning-studiesinitiatives/king-parliament-secondary-plan-review/>

Official Plan Amendment 352 - Downtown Tall Building Setback Area

On October 5-7, 2016, City Council adopted Official Plan Amendment (OPA) 352 – Downtown Tall Building Setback Area. 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, which provide the detailed

performance standards for setbacks and separation distances for buildings taller than 24 metres.

OPA 352 and Zoning By-laws 1106-2016 and 1107-2016 were appealed to OLT 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 May 28, 2021, the OLT partially approved modifications to OPA 352 and the Zoning By-laws, however, some properties remain under site-specific appeal.

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>

Zoning By-laws

The site is zoned CRE (x1). This zone permits a wide range of residential, commercial, industrial, recreational and institutional uses. The current zoning permits a height of 23.0 metres. See Attachment 6: Zoning By-law Map.

The By-law includes a number of Restrictive Exceptions that provide additional zoning provisions for the site. These provisions include: base height at lot line and angular plane requirements (Section 12(2) 260); and amount of non-residential floor area and size of retail units (Section 12(2) 270).

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/>

As part of the recent King-Parliament Secondary Plan Review, By-law 393-2021 rezoned the site from CRE (x1) to CR SS1 (x339) and increased the permitted building height to 72.0 metres. By-law 393-2021 is currently under appeal.

On November 26, 2019 City Council adopted the Priority Retail Streets Zoning By-law Amendments 1681-2019 and 1692-2019 which specify standards for retail spaces at grade. By-laws 1681-2019 and 1692-2019 identify this portion of Parliament Street as a Priority Retail Street. The By-laws were subsequently appealed to the OLT on a city-wide basis.

The Council-adopted By-laws can be found here: <http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2019.PH10.1>

Urban Forest/Ravines/Environment

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).

Design Guidelines

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

- King-Parliament Urban Design Guidelines;
- Tall Building Design Guidelines;
- Growing Up: Planning for Children in New Vertical Communities;
- Pet-Friendly Design Guidelines;
- Retail Design Manual;
- 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

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 intended to advance the City's objectives for resilience and to achieve net-zero emissions by 2050 or sooner. Tier 1 performance measures are secured on site plan drawings and through a Site Plan Agreement or Registered Plan of Subdivision.

Applications must use the documentation required for the version of the Toronto Green Standard in effect at the time of the initial application. TGS Version 1.0: no longer in effect. Older applications must be upgraded. TGS Version 2.0: new applications received between January 1, 2010 and April 30, 2018. TGS Version 3.0: new applications submitted on or after May 1, 2018. Visit <https://www.toronto.ca/city-government/planning-development/official-plan-guidelines/toronto-green-standard/tier-1-planning-application-requirements/>.

COMMENTS

ISSUES TO BE RESOLVED

The application has been circulated to City divisions and public agencies for comment. At this stage in the review, the following preliminary issues have been identified:

Provincial Policies and Plans Consistency/Conformity

Staff will evaluate this application to determine its consistency with the PPS and conformity to the Growth Plan, including but not limited to 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

which facilitate compact form; an appropriate range of housing to accommodate a range of incomes and household sizes is provided; and the proposal represents an appropriate type and scale of development and transition of built form to adjacent areas.

Official Plan Conformity

Staff will evaluate this planning application to determine its conformity to the Official Plan, including the Downtown Plan and King-Parliament Secondary Plan.

Built Form, Planned and Built Context

Staff will evaluate the suitability and appropriateness of the proposed height, massing, transition, and other built form issues based on Section 2 (d), (p), (q) and (r) of the Planning Act; the PPS; the Growth Plan; the City's Official Plan policies; the King-Parliament Secondary Plan; the Downtown Plan (OPA 406); OPA 352; and the City's Design Guidelines and identify necessary changes with the aim of arriving at a proposal supportable by staff.

The following preliminary issues have been identified:

- The proposed building height exceeds the existing and planned context and does not achieve an appropriate transition to adjacent sites; and
- The proposed building is not complying with a number of the City's tall building performance standards including tower setbacks and separation distances.

Staff will continue to assess:

- The provision of sufficient office and non-residential GFA;
- The appropriateness of the site organization including location of driveways and servicing;
- The appropriateness of the massing and height of the base building;
- The appropriateness of the proposed tower floorplates and massing, including tower setbacks to Parliament Street, Richmond Street East, and adjacent sites;
- The adequacy of the location and amount of proposed outdoor amenity space;
- The shadow, wind and privacy impacts of the proposed building; and
- The appropriateness of the proposed unit mix and sizes.

Public Realm

Staff will continue to review the proposed built form in relation to the public realm including:

- The appropriateness of the proposed enhancements to the public realm, including sidewalk widths and streetscape design along Parliament Street and Richmond Street East; and
- Pedestrian level wind conditions along Parliament Street and Richmond Street East.

Affordable Housing

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. The Growth Plan (2020) also contains policies to support the development of affordable housing and a range of housing to accommodate the needs of all household sizes and incomes.

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

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). The applicant has submitted an Arborist Report and a Tree Inventory and Preservation Plan. Staff will assess the appropriateness of the applicant's Preservation Plan.

Archaeological Assessment

An archaeological resource assessment identifies and evaluates the presence of archaeological resources also known as archaeological sites. An Archaeological Assessment has been submitted and is under review.

Community Services and Facilities

Community Services and Facilities ("CS&F") are an essential part of vibrant, strong and complete communities. CS&F are the lands, buildings and structures used for the provision of programs and services provided or subsidized by the City or other public agencies, boards and commissions. They include recreation, libraries, childcare, schools, public health, human services, cultural services and employment services, etc. The timely provision of community services and facilities is as important to the livability of the City's neighbourhoods as "hard" services like sewer, water, roads and transit. The City's Official Plan establishes and recognizes that the provision of and investment in community services and facilities supports healthy, safe, liveable, and accessible communities. Providing for a full range of community services and facilities in areas experiencing major or incremental growth, is a responsibility shared by the City, public agencies and the development community.

The applicant has incorporated a CS&F review into the Planning Justification report submitted in support of the application, and staff are reviewing this material for completeness.

Infrastructure/Servicing Capacity

In support of the proposed development, the applicant has submitted the following studies and reports for review by Engineering and Construction Services and Transportation Services staff: Geotechnical Study, Hydrogeological Report, Servicing report, Stormwater Management Report, and Transportation Impact Study.

Staff and commenting agencies are reviewing the application to determine if there is sufficient infrastructure capacity (roads, transit, water, sewage, hydro, community services and facilities, etc.) to accommodate the proposed development.

Site Access, Circulation and Parking

Staff and commenting agencies are reviewing the submitted plans and Transportation Considerations Report to evaluate the proposed site access and circulation, amount and location of loading spaces, and vehicle and bicycle parking supply.

Staff will continue to assess:

- The appropriateness of the proposed site access and circulation;
- The appropriateness of the proposed supply of parking for residents and visitors; and
- The appropriateness of the location and configuration of the proposed loading space.

Toronto Green Standard

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.

Section 37 Community Benefits

The Official Plan provides for the use of Section 37 of the *Planning Act* to pass by-laws for increases in height and/or density not otherwise permitted by the Zoning By-law in return for the provision by the applicant of community benefits in the form of capital facilities. It is standard to secure community benefits in a Section 37 Agreement which is then registered on title.

The proposal at its current height and density would be subject to Section 37 contributions under the *Planning Act*. Further discussion with the Ward Councillor, City staff, residents, and the applicant will be required to determine the extent and nature of the required Section 37 community benefits should the application be approved in some form.

Other Matters

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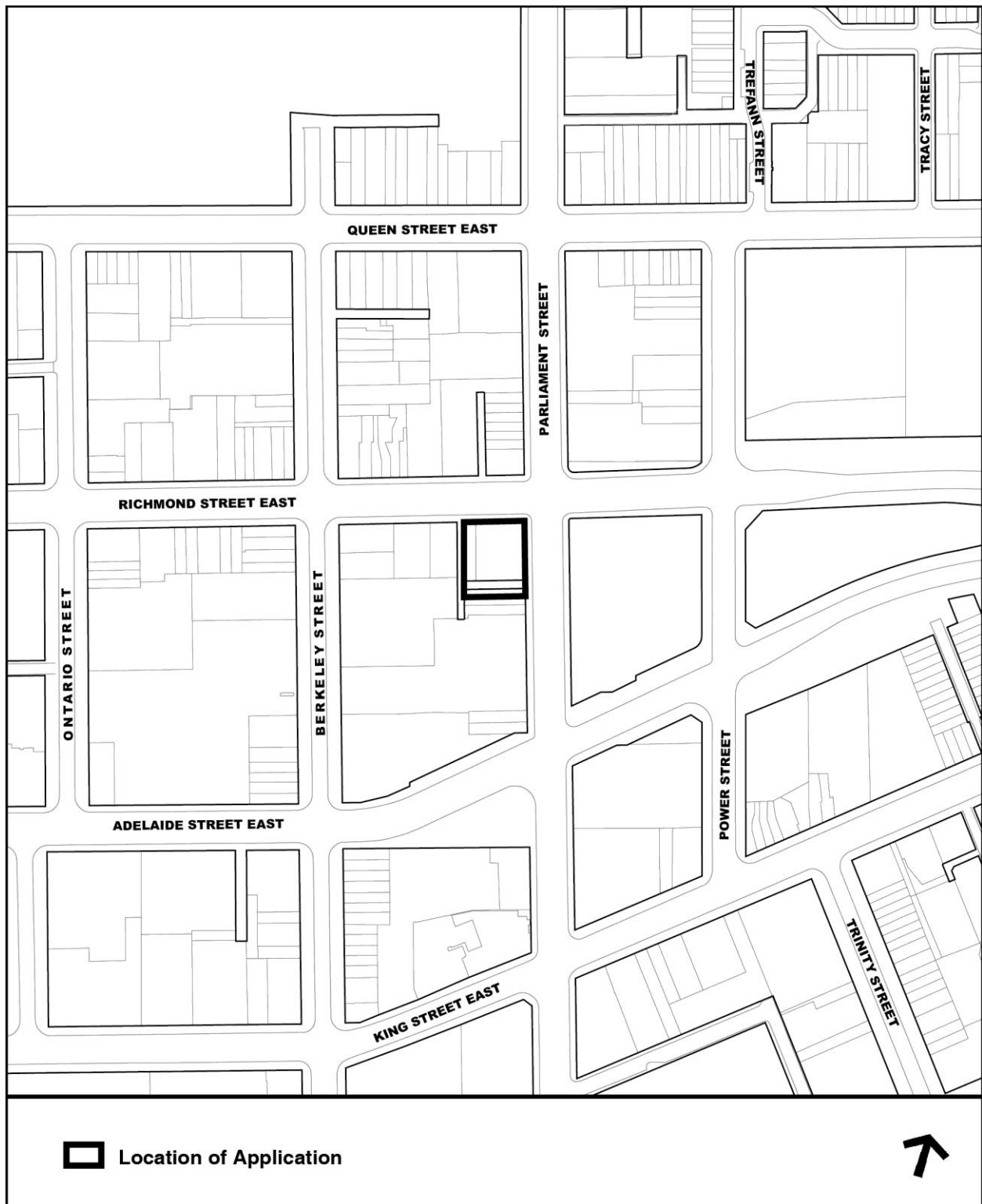
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Lynda H. Macdonald, MCIP, RPP, OALA, FCSLA
Director, Community Planning, Toronto and East York District

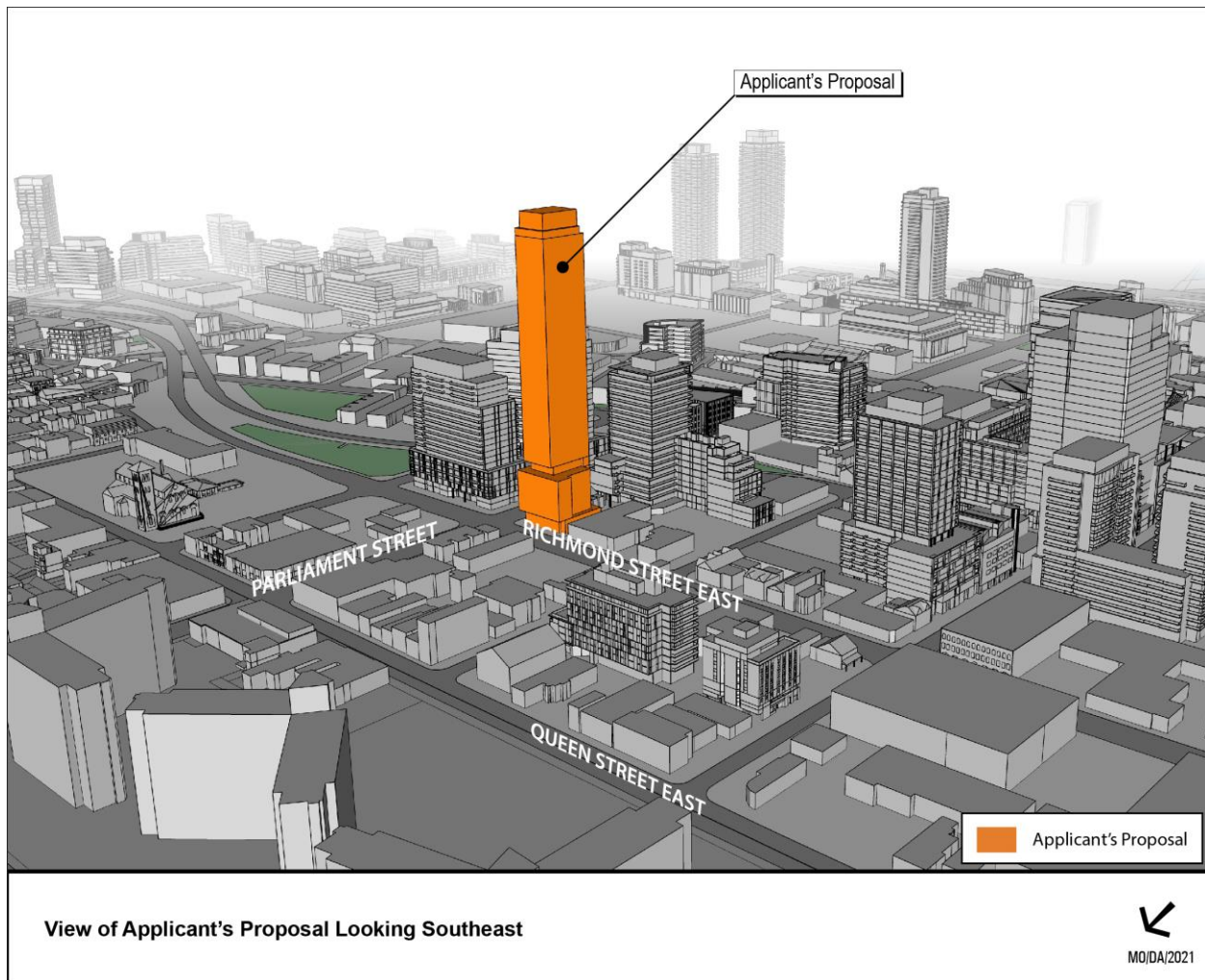
ATTACHMENTS

Attachment 1: Location Map
Attachment 2: 3D Model of Proposal in Context Looking Southeast
Attachment 3: 3D Model of Proposal in Context Looking Northeast
Attachment 4: Site Plan
Attachment 5: Official Plan Map
Attachment 6: Zoning By-law Map
Attachment 7: Application Data Sheet

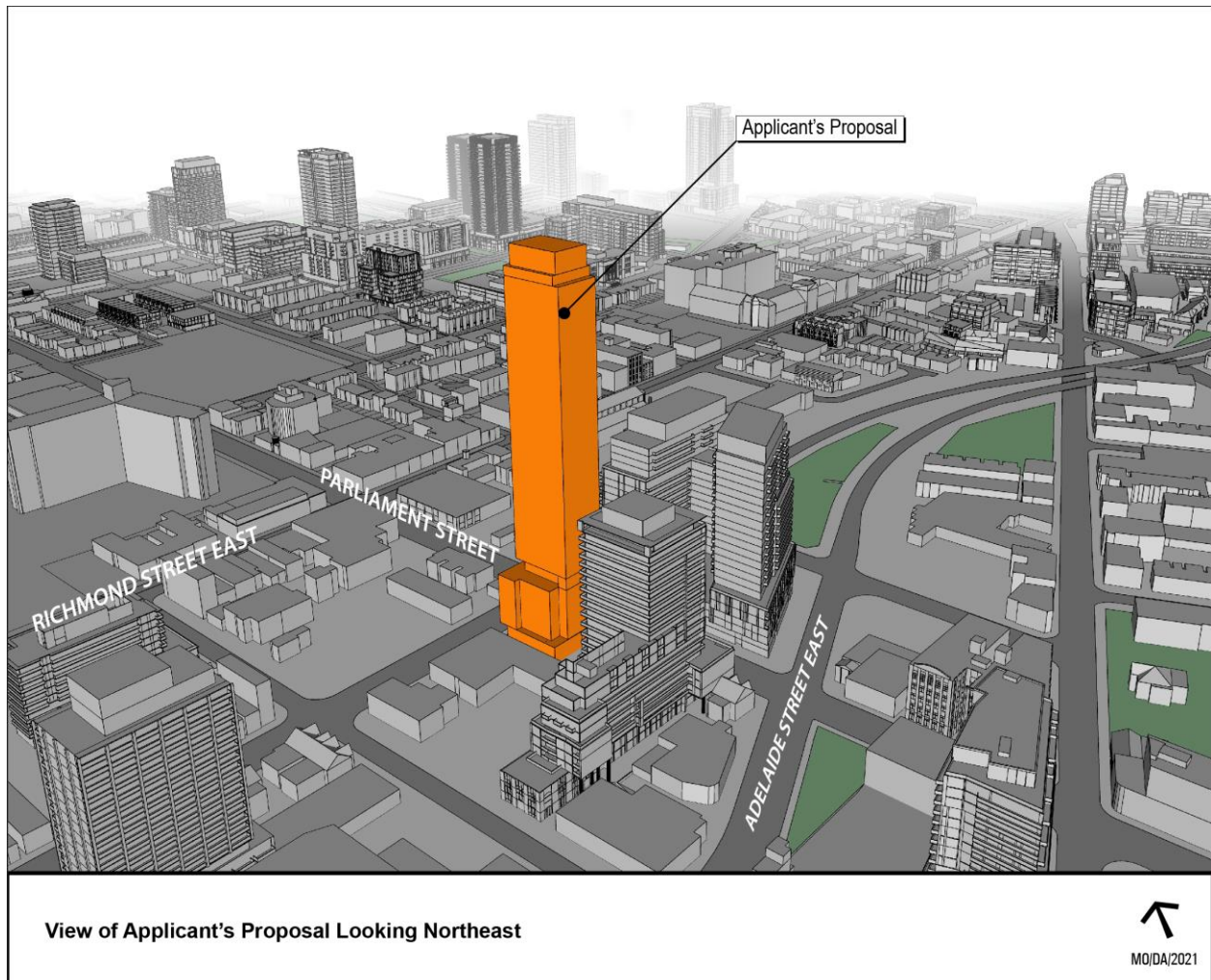
Attachment 1: Location Map



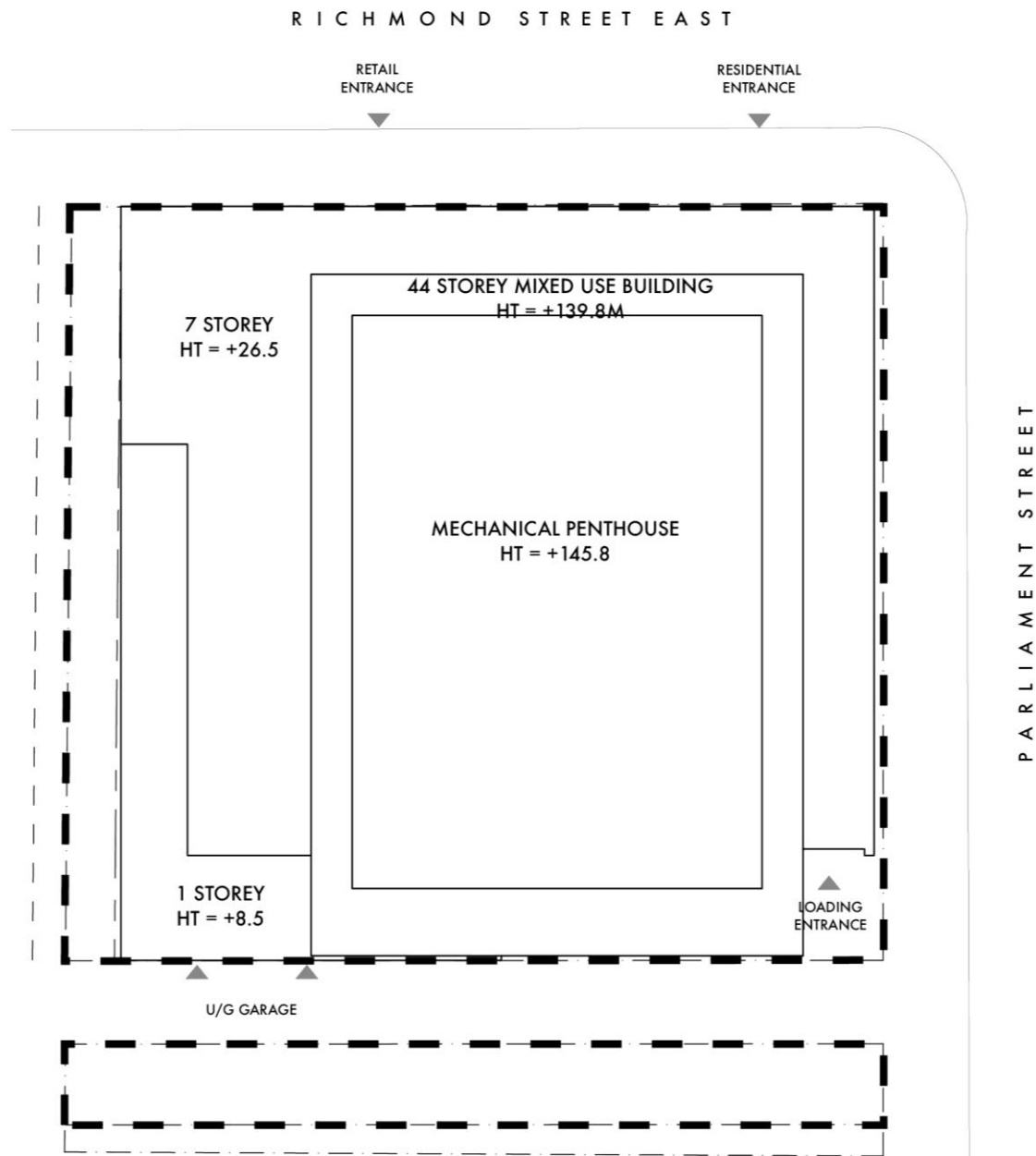
Attachment 2: 3D Model of Proposal in Context Looking Southeast



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



Attachment 4: Site Plan



Site Plan



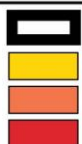
Attachment 5: Official Plan Map



130-134 Parliament St & 529 Richmond Street East

Official Plan Land Use Map #18

File # 21 235796 STE 13 0Z



Location of Application

Neighbourhoods

Apartment Neighbourhoods

Mixed Use Areas

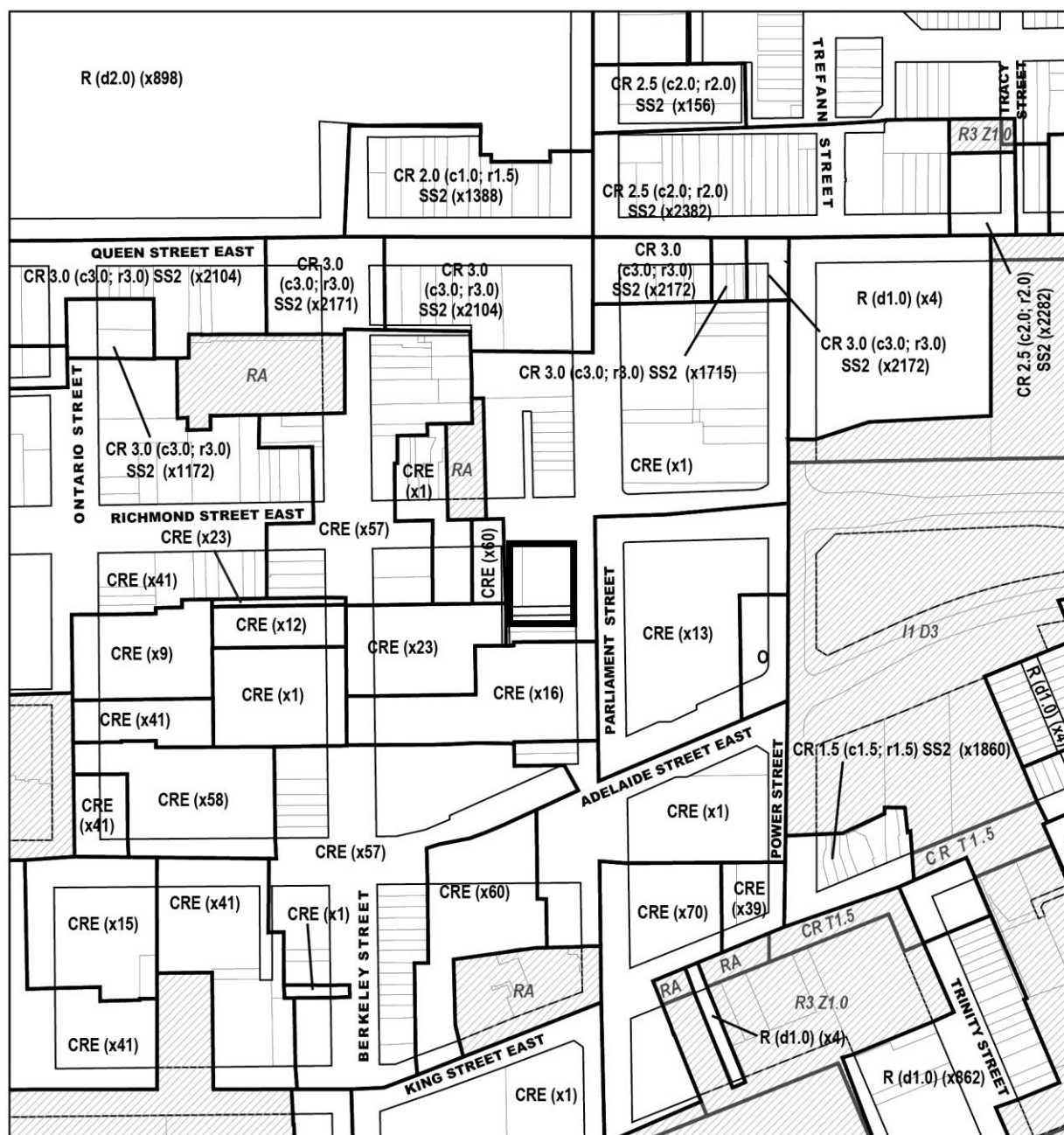
Parks

Regeneration Areas



Not to Scale
Extracted: 11/15/2021

Attachment 6: Zoning By-law Map



130-134 Parliament St & 529 Richmond Street East

Zoning By-law 569-2013

File # 21 235796 STE 13 0Z

	Location of Application
R	Residential
CR	Commercial Residential
CRE	Commercial Residential Employment
O	Open Space
OR	Open Space Recreation

	See Former City of Toronto By-law No. 438-86
R3	Residential District
MCR	Mixed-Use District
I1	Industrial District



Not to Scale
Extracted: 11/15/2021

Attachment 7: Application Data Sheet

Municipal Address: 130-134
PARLIAMENT ST &
529 RICHMOND ST
E

Date Received: November 9, 2021

Application Number: 21 235796 STE 13 OZ

Application Type: Rezoning

Project Description: 44-storey mixed-use building

Applicant	Agent	Architect	Owner
Bousfields Inc.	Bousfields Inc.	Architects Alliance	1812135 ONTARIO INC.

Existing Planning Controls

Official Plan Designation:	Regeneration Areas	Site Specific Provision:	Downtown Plan; King-Parliament Secondary Plan
Zoning:	CRE (x1)	Heritage Designation:	N
Height Limit (m):	23	Site Plan Control Area:	Y

Project Information

Site Area (sq m): 943 Frontage (m): 30 Depth (m): 32

Building Data	Existing	Retained	Proposed	Total
Ground Floor Area (sq m):			611	611
Residential GFA (sq m):			19,508	19,508
Non-Residential GFA (sq m):			188	188
Total GFA (sq m):			19,696	19,696
Height - Storeys:		3	44	44
Height - Metres:			140	140
Lot Coverage Ratio (%):	64.79		Floor Space Index:	20.89

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

Residential GFA: 19,508

Retail GFA: 188

Office GFA:

Industrial GFA:

Institutional/Other GFA:

Residential Units by Tenure	Existing	Retained	Proposed	Total
Rental:				
Freehold:	1			
Condominium:			327	327
Other:				
Total Units:	1		327	327

Total Residential Units by Size

	Rooms	Bachelor	1 Bedroom	2 Bedroom	3+ Bedroom
Retained:					
Proposed:		80	164	49	34
Total Units:		80	164	49	34

Parking and Loading

Parking Spaces: 49 Bicycle Parking Spaces: 333 Loading Docks: 1

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