M TORONTO

REPORT FOR ACTION

200, 207, 208, 211, 218, 228, and 230 Queens Quay West and 8 York Street - Zoning Amendment Application -Final Report

Date:June 13, 2022To:Toronto and East York Community CouncilFrom:Director, Community Planning, Toronto and East York DistrictWards:10 - Spadina

Planning Application Number: 20 153410 STE 10 OZ

SUMMARY

This application proposes to amend the Harbourfront Zoning By-law 289-93, as amended, to permit the redevelopment of the property at 200 Queens Quay West currently occupied with an 8 storey above-grade parking garage and provide for a new mixed-use development including residential, retail and public park uses. The development proposes a 59-storey building and 60,258 square metres of gross floor area of which 298 square metres is proposed as retail space. A total of 997 dwelling units are proposed, of which at least 76 and up to 79 are proposed as affordable rental housing units. A four level below grade garage is proposed with 340 vehicle parking spaces and 1,005 bicycle parking spaces. A 488 square metre public park is proposed on-site at the southeast corner of Lower Simcoe Street and Harbour Street.

The application also proposes to amend parking requirements within the zoning by-law for nearby properties where this parking is situated within the existing garage on the site. This includes removing the requirement for recreational (public) parking for the subject site, 208 and 218 Queens Quay West and 8 York Street (Waterclub condominiums) and at 228 and 230 Queens Quay West (Riveriera condominiums). A reduction in the amount of parking for 207 and 211 Queens Quay West (Queens Quay Terminal Building) is also proposed. Parking for the Queens Quay Terminal building as well as visitor parking for nearby properties including 208, 218 Queens Quay West and 8 York Street and 250 - 270 Queens Quay West, is proposed to continue to be provided within the new below-grade garage on the site.

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), and conforms with the Official Plan and Central Waterfront Secondary Plan.

The proposal presents an appropriate built form that is compatible with the surrounding context. The development includes affordable rental housing, as well as on-site public parkland and public realm enhancements in keeping with the Official Plan and Central Waterfront Secondary Plan. Approval of the development would secure a number of

community benefits including new affordable housing units consistent with the Official Plan.

This report reviews and recommends approval of the proposed Zoning By-law Amendment. The report also recommends the approval of Open Door Affordable Rental Housing Program incentives for at least 76 and up to 79 new affordable rental homes in the development.

RECOMMENDATIONS

The City Planning Division recommends that:

1. City Council amend Harbourfront Zoning By-law 289-93, as amended, for the lands at 200, 208, 218, 228 and 230 Queens Quay West and 8 York Street West and By-law No. 93-81 for the lands at 207 and 211 Queens Quay West substantially in accordance with the draft Zoning By-law Amendment attached as Attachment No. 6 (June 13, 2022) to the report from the Director, Community Planning, Toronto and East York District.

2. City Council authorize the City Solicitor to make such stylistic and technical changes to the draft Zoning By-law Amendment as may be required.

3. City Council authorize the City Solicitor to submit the necessary bill(s) to implement the foregoing recommendation(s) provided the City Solicitor is satisfied that the appropriate legal mechanisms are in place to ensure that no building permit will issue until such time as the Section 37 Agreement is executed and registered.

4. City Council require the owner to enter into an Agreement pursuant to Section 37 of the Planning Act as follows:

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

i. the design, construction, finishing, maintenance and provision of at least 76 affordable rental housing dwelling units on the lands at 200 Queens Quay West (the "Affordable Housing Units") comprised of at least ten (10%) percent of the total residential Gross Floor area of the new mixed use building, all to the satisfaction of the Chief Planner and Executive Director, City Planning in consultation with the Executive Director, Housing Secretariat, in accordance with the following terms:

aa. at least forty (40%) percent of the Affordable Housing Units shall be a two-bedroom or a three-bedroom rental dwelling unit, where at least ten (10%) percent of the Affordable Housing Units shall be a three-bedroom rental dwelling unit;

bb. the minimum unit sizes shall be to the satisfaction of the Chief Planner and Executive Director, City Planning, in consultation with the Executive Director, Housing Secretariat and shall reflect, and in no event be less than the minimum and average sizes of the market units in the new 59-storey mixed use building;

cc. one-bedroom Affordable Housing Units shall have a minimum average unit size of 50 square metres, two-bedroom Affordable Housing Units shall have a minimum average unit size of 64.5 square metres, and threebedroom Affordable Housing Units shall have a minimum average unit size of 83.5 square metres;

dd. the location and layouts of the Affordable Housing Units shall be to the satisfaction of the Chief Planner and Executive Director, City Planning and the Executive Director, Housing Secretariat;

ee. the owner shall provide and maintain the Affordable Housing Units as secured rental dwelling units for a minimum period of 40 years beginning from the date that each such unit is first occupied (the "Affordability Period"). During the Affordability Period, no Affordable Housing Unit shall be registered as a condominium unit or any other form of ownership housing that provides a right to exclusive possession of a dwelling unit, including life lease or co-ownership, and no application shall be made to demolish any Affordable Housing Unit or to convert any Affordable Housing Unit to a non-residential rental purpose. Upon the expiration of the Affordability Period, the owner shall continue to provide and maintain the units as rental dwelling units, unless and until such time as the owner has applied for, and obtained, all approvals necessary to do otherwise;

ff. the initial rent (inclusive of utilities) charged to the first tenants of any Affordable Housing Units shall not exceed 100% of the average rent for the same bedroom type in the City of Toronto, as reported by Canada Mortgage and Housing Corporation in its most recent annual Rental Market Report;

gg. if an Affordable Housing Unit becomes vacant and is re-rented to a new tenant during the Affordability Period, the initial rent (inclusive of utilities) charged to the new tenant shall not exceed 100% of the average rent for the same bedroom type in the City of Toronto, as reported by Canada Mortgage and Housing Corporation in its most recent annual Rental Market Report;

hh. after the first year of occupancy of any Affordable Housing Units, and for the duration of the Affordability Period, the rent (inclusive of utilities) charged to the first tenants or new tenants occupying such unit may be escalated annually by not more than the annual provincial rent guideline, regardless of whether such guideline is applicable to the units under the Residential Tenancies Act or any successor legislation governing residential tenancies in Ontario, until the tenancy ends; ii. notwithstanding the annual rent increases permitted in hh. above, the rent (inclusive of utilities) charged to any first tenants or new tenants occupying an Affordable Housing Unit during the Affordability Period shall not be increased to an amount that exceeds 100% of the average rent for the same unit type in the City of Toronto, as reported by Canada Mortgage and Housing Corporation in its most recent annual Rental Market Report;

jj. The City's Centralized Affordable Housing Access System will be used to advertise and select tenants, provided it is in place, unless otherwise agreed to by the Executive Director, Housing Secretariat. In addition at least six months in advance of any new Affordable Housing Units being made available for rent, the owner shall develop and implement an Access Plan, which will outline how units will be rented to eligible households in consultation with, and to the satisfaction of, the Executive Director, Housing Secretariat;

kk. the new Affordable Housing Units shall be made ready and available for occupancy no later than the date by which seventy percent (70%) of the new dwelling units in the 59-storey mixed use building are available and ready for occupancy, or to the satisfaction of, the Chief Planner and Executive Director, City Planning and the Executive Director, Housing Secretariat;

II. the owner shall provide all tenants of the Affordable Housing Units with access to, and use of, all indoor and outdoor amenities in the development at no extra charge and on the same terms and conditions as any other resident of the mixed use building, without the need to pre-book or pay a fee, unless specifically required as a customary practice for private bookings;

mm. the owner shall provide all tenants of the Affordable Housing Units with ensuite laundry facilities no extra charge;

nn. the owner shall provide all tenants of the Affordable Housing Units with access to permanent and visitor bicycle parking/bicycle lockers on the same terms and conditions as any other resident of the building in which the Affordable Housing Units are located, subject to a maximum charge to the satisfaction of the Chief Planner and Executive Director, City Planning and in accordance with the Zoning By-law; and

oo. prior to the issuance of the first building permit for a residential use on any part of the site, including permits for excavation and shoring, the owner shall enter into a municipal housing facility agreement with the City ("Contribution Agreement"), for the Affordable Housing Units that are approved for Open Door incentives, on terms satisfactory to the Executive Director, Housing Secretariat and in a form satisfactory to the City Solicitor. The owner shall provide such Affordable Housing Units in accordance with such agreement(s). iii. the owner shall make a cash contribution in the amount of \$250,000.00 to be allocated toward the following capital improvements at the discretion of the Chief Planner and Executive Director, City Planning in consultation wih the Ward Councillor;

aa. prior to the issuance of the first above-grade building permit a cash contribution of \$160,000.00 toward parkland improvements for parks in the vicinity of the site; and

bb. at such time as the By-law comes into full force and effect, a cash contribution of \$90,000.00 toward the Bentway Waterfront Reconnect project for improvements under the Gardiner Expressway at Lower Simcoe Street;

which contributions shall be indexed upwardly in accordance with the Statistics Canada Construction Price Index for Toronto, calculated from the date of the registration of the Section 37 Agreement to the date the payment is made; and

iv. in the event the cash contributions referred to in Recommendation 4.a) iii. aa. and bb. have not been used for the intended purpose within three (3) years of the 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 that the purpose is identified in the Toronto Official Plan and will benefit the community in Ward 10.

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

i. the owner shall convey to the City, an on-site parkland dedication contemplated by Section 42 of the Planning Act, having a minimum size of 488 square metres, situated in the west portion of the site, as shown generally on the Site Plan drawing A1.02 prepared by Wallman Architects, revision 3 dated March 18, 2022, to the satisfaction of the General Manager, Parks, Forestry and Recreation, and in accordance with the terms and conditions of parkland conveyance and construction as set out in the draft Zoning By-law Amendment in Attachment 6 to the report dated June 13, 2022 from the Director, Community Planning, Toronto and East York District;

ii. acceptance of the on-site parkland dedication is subject to the owner transferring the parkland to the City free and clear, above and below grade, of all easements, encumbrances, and enroachments, in an acceptable environmental condition; the owner may propose the exception of encumbrances of tiebacks, where such an encumbrance is deemed acceptable by the General Manager, Parks, Forestry and Recreation, in consultation with the City Solicitor; and such an encumbrance will be subject to the payment of compensation to the City, in an amount as determined by the General Manager, Parks, Forestry and Recreation and the Executive Director, Corporate Real Estate Management;

iii. prior to the earlier of the commencement of any excavation or shoring work, and issuance of the first building permit, the owner shall submit a Construction Management Plan to the satisfaction of the Chief Planner and Executive Director, City Planning, the General Manager of Transportation Services and the Chief Building Official and Executive Director, Toronto Building, in consultation with the Ward Councillor and thereafter in support of the development, will implement the Plan during the course of construction. The Construction Management Plan will include, but not be limited to the following construction-related details: noise, dust, size and location of staging areas, location and function of gates, dates of significant concrete pouring, lighting details, vehicular parking and queuing locations, street closures, parking and 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 General Manager, Transportation Services, in consultation with the Ward Councillor;

iv. provisions that require, prior to site plan approval the owner shall make satisfactory arrangements with the Chief Engineer and Executive Director, Engineering and Construction Services to secure, pay for and construct improvements to the sanitary infrastructure in connection with the Functional Servicing and Stormwater Management Report, as accepted by the Chief Engineer and Executive Director, Engineering and Construction Services, should it be determined that upgrades and/or improvements are required to such infrastructure to support the development;

v. provisions that require the owner to provide a minimum of 125 non-exclusive parking spaces within the parking garage for the development to address off-site parking obligations for properties at 208 and 218 Queens Quay West and 8 York Street, 207 and 211 Queens Quay West and 250, 260, and 270 Queens Quay West, on terms set out in the Section 37 agreement and to be secured in the context of Site Plan Approval to the satisfaction of the Director Community Planning, Toronto and East York District; and

vi. the owner shall 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 the Toronto Green Standards, applicable at the time of site plan application for each building on the site.

5. City Council authorize the Executive Director, Housing Secretariat, to negotiate and execute a municipal housing facility agreement (the "Contribution Agreement") with the owner for the development of the Affordable Housing Units at 200 Queens Quay West, to secure the financial assistance being provided and set out the terms of the operation

of the Affordable Housing Units, on terms and conditions acceptable to the Executive Director, Housing Secretariat, in a form satisfactory to the City Solicitor.

6. City Council approve the provision of financial incentives pursuant to the City's Open Door Affordable Housing Program in relation to the Affordable Housing Units as follows:

a) City Council exempt the up to 79 affordable rental dwelling units at 200 Queens Quay West from taxation for municipal and school purposes for the 40year Affordablity Period;

b) City Council authorize the up to 79 new affordable rental dwelling units at 200 Queens Quay West to be eligible for waivers of fees for planning applications, building permits and parkland dedication, and for development charges exemption, unless already paid.

7. City Council authorize the Executive Director, Housing Secretariat, on behalf of the City, to execute any security or financing documents, or any other documents required to facilitate the delivery of the Affordable Housing Units, including any documents required by the owner to complete pre-development activities, construction and secure conventional financing, where required, including any postponement, confirmation of status, discharge or consent documents where and when required during the term of the municipal housing facility agreement, as required by normal business practices, and provided that such documents do not give rise to financial obligations on the part of the City that have not been previously approved by Council.

8. City Council authorize the Controller to cancel or refund any taxes paid after the effective date of the exemption from taxation for municipal and school purposes, as set out in the Contribution Agreement.

9. In the event the owner elects to design and construct Above Base Park Improvements, City Council approve a development charge credit against the Parks and Recreation component of the Development Charges for the design and construction by the owner of the Above Base Park Improvements to the satisfaction of the General Manager, Parks, Forestry and Recreation. The development charge credit shall be in an amount that is the lesser of the cost to the owner of designing and constructing the Above Base Park Improvements, as approved by the General Manager, Parks, Forestry and Recreation, and the Parks and Recreation component of development charges payable for the development in accordance with the City's Development Charges Bylaw, as may be amended from time to time.

10. City Council declare, pursuant to subsection 45(1.4) of the Planning Act, R.S.O. 1990, c. P.13 for the purposes of subsection 45(1.3) of the Planning Act, R.S.O. 1990, c. P.13, that the Owner, may be permitted to apply to amend the site specific zoning bylaw for the lands at 200 Queens Quay West before the second anniversary of the first day on which any part of the site specific by-law comes into effect.

FINANCIAL IMPACT

Affordable Housing

This report recommends City Council approval of financial incentives under the Open Door Affordable Housing Program of approximately \$6,844,593 for the up to 79 and not less than 76 affordable rental dwelling units to be created at 200 Queens Quay West.

Were the City to accept the proposed affordable housing units solely as a Section 37 contribution, the anticipated affordability period would have been only 25 years. However, in exchange for receiving Open Door Program incentives for these affordable rental units, the applicant has agreed to extend the affordable rental period to 40 years. This extended affordability period reflects the value of these incentives.

The proposed incentives through the Open Door Affordable Housing Program includes exemptions from development charges, planning and building permit fees, and property taxes for 40 years. Based on applicable fees, charges, and tax exemption estimates, the average of these incentives is \$86,640 per unit, for a total investment of approximately \$6,844,593 in City incentives as outlined in Table 1 below.

These incentives are not a direct capital payment from the City but rather foregone revenues that the City waives or forgives under the Open Door Affordable Housing Program. Values are based on 2022 tax rates, 2022 AMR rates, November 2021 development charge rates, 2022 building permit fees and 2022 planning fees.

F	Affordable Rental Homes	Estimated Affordablity Period	Estimated Development Charges	Estimated Planning Fees and Charges	Estimated Net Presnt Value of Property taxes	Estimated Total Value of Incentives
7	79	40 years	\$4,193,132	\$552,230	\$2,099,232	\$6,844,593

Table 1: Breakdown of Value of Open Door Incentive
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At current 2022 rates, the value of the annual property tax exemption is estimated at \$90,818. The net present value of this tax relief over the 40-year term that the incentives would be in effect, is estimated at \$2,099,232, as summarized in Table 2 below.

A tax exemption would have no net present impact to the City for the educational portion of taxes remitted to the Province.

Table 2: Value of Property Tax Exemption

Property Tax	Annual	NPV: 40 Years	
City	\$67,841	\$1,568,120	
Education	\$21,988	\$508,524	
City Building	\$989	\$22,858	
Total	\$90,818	\$2,099,232	

The Chief Financial Officer and Treasurer has reviewed this report and agrees with the information as presented in the Financial Impact Section.

DECISION HISTORY

A Preliminary Report on the application was adopted by Toronto and East York Community Council on February 24, 2021. Toronto and East York Community Council's decision may be found here:

http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2021.TE23.43

SITE AND SURROUNDING AREA

The property at 200 Queens Quay West is located on the southeast corner of Lower Simcoe Street and Harbour Street within Parcel YQ4 (York Quay) in Harbourfront under By-law 289-93, as amended. There is currently an 8-storey above-grade garage on the site that contains approximately 1,100 parking spaces. The application also includes nearby properties where parking associated with these properties is currently located in the existing garage at 200 Queens Quay West. While no development is proposed on the nearby sites, amendments to parking requirements are proposed. This includes the properties 208, 218 Queens Quay West and 8 York Street (the Waterclub condominiums) that are also situated on Parcel YQ4, as well as the properties on the west side of Lower Simcoe Street at 228 and 230 Queens Quay West (Riviera condominiums). Recreational (public) parking associated with the Waterclub and Riviera condominiuns is located within the existing garage. In addition the Queens Quay Terminal building at 207 and 211 Queens Quay West is the subject of the application as a portion of the parking for the Terminal building is currently situated in the existing parking garage. See Attachment No. 1 for the Location Map.

The surrounding uses include:

North: Opposite the site on the north side of Harbour Street is a 69-storey residential building at 10 York Street and the Gardiner Expressway. Roundhouse Park is located

to the northwest of the site north of the Gardiner Expressway. There are also a number of mixed-use buildings ranging in height from 35-67 storeys north of the Gardiner Expressway. Further north are major tourist attractions and event venues including the CN Tower, the Rogers Centre, Ripleys Aquarium and the Metro Toronto Convention Centre.

South: Adjacent to the south within the YQ4 Parcel are three residential buildings (Waterclub condominiums) that have heights of 27, 35 and 35 storeys. The Harbourfront Centre, Ontario Square, and the Queens Quay Terminal are located further south on the south side of Queen Quay West, as well as many waterfront parks and attractions along the water's edge. The Martin Goodman Trail extends along the south side of Queens Quay West.

West: Two 24-storey residential buildings are situated opposite the site on the west side of Lower Simcoe Street (the Riviera condominiums). Further east are 12 to 20 storey residential buildings along the north side of Queens Quay West extending to Spadina Avenue. A new park, the Rees Street Park, is proposed west of the site at the northwest corner of Rees Street and Queens Quay West.

East: East of York Street is the future Love Park currently under construction. Further east is a concentration of taller residential and commercial buildings within the South Core and Financial District.

THE APPLICATION

The Proposal

This application proposes the redevelopment of the site at 200 Queens Quay West, currently occupied with an 8 storey above-grade parking garage to permit a new mixeduse development including residential, retail and public park uses. The development proposes a 59-storey building that includes a total of 997 dwelling units, of which at least 76 and up to 79 are proposed as affordable rental housing units. Overall 60,258 square metres of gross floor area is proposed including 298 square metres of retail space. A four level below grade garage is proposed with 340 vehicle parking spaces and 1,005 bicycle parking spaces. A 488 square metre public park is proposed on the site at the southeast corner of Lower Simcoe Street and Harbour Street.

The application also proposes to amend zoning by-law parking provisions for nearby properties where parking is situated within the existing garage on the site. This includes removing the requirement for recreational (public) parking on the subject site and at 208 and 218 Queens Quay West and 8 York Street (Waterclub condominiums) and at 228 and 230 Queens Quay West (Riviera condominiuns). A reduction in the amount of parking for the Queens Quay Terminal building at 207 and 211 Queens Quay West is also proposed. Visitor parking spaces for the properties at 208, 218 Queens Quay West and 8 York Street and the Harbourpoint condominiums at 250-270 Queens Quay West, as well as parking for the Queens Quay Terminal building is proposed to be maintained in the new below-grade garage on the site.

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

See Attachment No. 2 for the Application Data Sheet, Attachment No. 7 for the Site Plan and Attachment Nos. 8 to 11 for the Building Elevations and Attachment 12 for the 3D Models in Context.

Summary of Revisions to Proposal

The application has been revised since the initial submission and the changes to the proposal are summarized in the table below.

200 Queens Quay West - Summary of Initial and Revised Proposals					
	Initial Proposal (June 2020)	Revised Proposal (January 2022)			
Building Height - Storeys (metres)	71 storeys (228) 41 storeys (144)	59 storeys (198 metres)			
Podium Height -Storeys (metres)	12 storeys (44)	3 - 5 storeys (13-24)			
Total Gross Floor Area	96,009 m²	60,258 m²			
Residential Floor Area	95,526 m²	59,961 m²			
Retail Floor Area	483 m²	298 m²			
Density	19.1 times the site area	12 times the site area			
Dwelling Units	1,482 (110 Affordable Rental)	997 (76-79 Affordable Rental)			
Vehicle Parking	439	340			
Bicycle Parking	1,483	1,005			
Publicly Accessible Open Space (POPS)/Public Park	450 m² (POPS)	488 m² (Public Park)			

Application Submission Requirements

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

Survey Plans Architectural Plans, Elevations and Sections Landscape Plans 3D-Modelling Heritage Impact Statement Archaeological Report Arborist Report Tree Preservation Plan Sun/Shadow Study Planning Rationale Report Public Consultation Strategy Pedestrian Level Wind Study Transportation Impact Study Draft Zoning By-law Amendment **Toronto Green Standard Checklist Energy Efficiency Report** Noise Impact Study Vibration Study Servicing Report Storm Water Management Report Geotechnical Study Hydrogeological Report

The information submitted with the application can be found here: <u>https://www.toronto.ca/city-government/planning-development/application-information-centre.</u>

Reasons for Application

The proposal requires an amendment to Harbourfront Zoning By-law 289-93, as amended, to vary performance standards including: an increase in height, density, permitted uses, setbacks, amenity space, and parking and loading standards. An Amendment to By-law 93-81 for the Queens Quay Terminal Building is needed to vary parking standards.

Site Plan Control

The proposal is subject to Site Plan Control. A Site Plan Control Application was submitted on April 13, 2022 (File No 22 133939 STE 10 SA).

Draft Plan of Condominium

A draft plan of condominium application was submitted on November 3, 2021 (File No. 21 233472 STE 10 CD).

Agency Circulation Outcomes

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

POLICY CONSIDERATIONS

Official Plan Designation

The subject site at 200 Queens Quay West is designated Mixed Use Areas on Map 18 of the Official Plan. See Attachment No. 3 - Official Plan Land Use Map 18. Mixed Use Areas are intended to provide a broad range of commercial, residential and institutional uses in single-use or mixed-use buildings. The site is also situated with the Central Waterfront Secondary Plan (CWSP) area and is designated Existing Use Areas in the Secondary Plan. See Attachment No. 4 - Central Waterfront Secondary Plan Land Use Map E.

Zoning

The site is not subject to the former City of Toronto Zoning By-law 438-86 or City wide Zoning By-law 569-2013. The site is subject to Harbourfront Zoning By-law 289-93, as amended, that applies to most of Harbourfront extending from York Street to Bathurst Street. The site is situated within Parcel YQ4 (York Quay Parcel 4) of the Harbourfront Zoning By-law.

Parcel YQ4 Parcel is zoned Commercial Residential (CR) in Harbourfront Zoning Bylaw 289-93, as amended. The CR zone permits a range of residential uses, as well as, retail and service uses. The Zoning By-law permits a maximum building height of 50 to 66 metres on the site.

The Zoning By-law also includes public parking requirements for the site as well as other properties within Harbourfont. This public parking is identified as recreational parking in the By-law and is required over and above parking that is needed to support development. The By-law allows that recreational parking for other parcels within Harbourfront be located within the garage on Parcel YQ4.

Additional information

See Attachment 5 for applicable policy documents and implementation guidelines.

Waterfront Design Review Panel

The initial and revised proposals were considered by the Waterfront Design Review Panel at their meetings of January 27, 2021 and February 13, 2022 respectively.

At the meeting on January 27, 2021 the applicant presented the initial application that proposed two towers of 41 and 71 storeys.

Comments from Panel members included:

- The removal of the above-grade garage was noted as positive and members stressed the importance of creating a strong public realm with great pedestrian access and landcaping;
- Consider the project as an opportunity to enhance the existing north to south public realm connections to Queens Quay West along Lower Simcoe Street and the proposed mid-block connection to improve pedestrian desirability and draw people through the block;
- Members felt that the POPS, access, midblock connections and other public realm enhancements should be considered cohesively;
- Members suggested consulting with the adjacent Waterclub buildings to consolidate access and servicing through a shared laneway;
- Members recommended design changes to the shape of the west tower recommending a wedge shaped footprint to improve facing distances with the existing Waterclub towers on the block; and
- Members encouraged the applicant to increase the standard for energy use with innovative strategies.

At the February 23, 2022 meeting, the Panel considered the current proposal for a single 59-storey building and on-site parkland.

Comments from Panel members included:

- The Panel expressed strong support for the revised massing and building design;
- Members recommended that the applicant consider reducing the lobby area and introducing some small retail units to improve ground level animation along Harbour Street;
- Maximize opportunities for street trees along Harbour Street and Lower Simcoe Street;
- Consider comfort for the balconies on the higher levels due to wind;
- To enhance sustainability members strongly recommended that thermally broken balconies be provided; and
- The Panel suggested sustainability measures to draw heat out of units that are in cooling and recover that heat into the hot water loop providing carbon savings.

The minutes of the Waterfront Design Review Panel meetings are available here: <u>https://www.waterfrontoronto.ca/nbe/portal/waterfront/Home</u>

COMMUNITY CONSULTATION

Two virtual Community Consultation meetings have been held.

A virtual meeting was held on January 12, 2021 to consider the initial submission that included two towers of 41 and 71 storeys. Staff from City Planning, the Ward Councillor and 300 people attended. Comments and main issues raised by participants included:

- The overall density and height of the buildings in relation to the site's context and particularly in relation to the adjacent Waterclub buildings on the block;
- Impacts of the buildings on views to the lake and views from the south to the CN Tower;
- Impacts of the development in relation to the adjacent Waterclub condominiums including separation distances between new towers and existing towers, impacts on views and privacy and liveability, and the proposed use of the existing Waterclub driveway as access to the development;
- Transportation and traffic issues including concerns with existing traffic levels in the neighbourhood, traffic congestion, and insufficient capacity in existing street cars;
- A number of participants expressed concern with the reduction in parking, while others supported the removal of the above-grade garage;
- Concerns with respect to construction management particularly in relation to the adjacent buildings on the block;
- Support for the proposed affordable housing units;
- Shadow impacts on Roundhouse Park;
- Need for more open space, particularly playgrounds for children in the area; and
- Concern with flooding issues in the neighbourhood and the impacts of the proposed development on storm sewer capacity.

A second virtual meeting to consider the revised proposal for a single 59-storey building and on-site public parkland was held on February 12, 2022. Staff from City Planning, Transportation Services, Parks, Forestry and Recreation, the Ward Councillor and 295 people attended.

Comments and main issues raised by participants included:

- The single tower proposal including the reduction in height and density were noted as positive changes;
- The increased separation distances and setbacks from the existing buildings on the block were supported by participants;
- Concerns with the height of the building;
- Concern with the impacts on views to the lake and views from the south to the CN Tower;
- Concern with the reduction in the number of affordable rental units and the reduction in the overall number of units with participants noting the need for more affordable housing and housing overall within the City;
- Transportation and traffic issues including concerns with existing traffic levels in the neighbouhoord and traffic congestion;
- Some participants had concern with the loss of public parking in the area while others commented that public parking should be reduced further;
- Construction management particularly in relation to the existing Waterclub buildings on the block; and
- Participants noted the need to ensure the building had sustainable design.

The applicant and City staff also attended meetings with the Waterfront Business Improvement Association, York Quay Neighbourhood Association, the Harbourpoint condominiums as well as a number of meetings with the Waterclub condominiums located adjacent to the development site.

Through these discussions the Waterclub condominiums recommended changes to the development including reductions to height and density and in particular to address interface issues with the existing Waterclub buildings. The Waterclub condominiums requested that tower separation distances be increased to ensure City Guidelines were achieved for all three Waterclub buildings. As well, Waterclub requested that a separate access for the development be provided rather than using the existing Waterclub accesses to service the development. Changes have been made to the proposal in response to the requests from the Waterclub condominiums. The applicant and the Waterclub condominiums have advised that they will continue to work together through the site plan process on landcaping and other improvements at the interface between the properties and in relation to construction management.

Statutory Public Meeting Comments

In making their decision with regard to this application, Council members have been given the opportunity to view the oral submissions made at the statutory public meeting held by the Toronto and East York Community Council for this application, as these submissions are broadcast live over the internet and recorded for review.

COMMENTS

Planning Act

It is staff's opinion that the proposed development has regard for the relevant matters of provincial interest in the Planning Act, including: the orderly development of safe and healthy communities; the appropriate location of growth and development; the adequate provision and efficient use of communication, transportation, sewage and water services and waste management systems; 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 Policy Statement and Provincial Plans

The proposal has been reviewed and evaluated against the PPS (2020) and the Growth Plan (2020). Staff have determined that the proposal is consistent with the PPS and conforms with the Growth Plan (2020).

Provincial Policy Statement (PPS) (2020)

• Policies 1.1.1, 1.1.2, 1.1.3.1 and 1.1.3.1 of the PPS promote efficient land use patterns in a settlement area identified in the Official Plan for intensification and a varied mix of land uses.

The site is located within the Downtown and Central Waterfront which is an area identified in the Official Plan for intensification for both residents and jobs. The site is also designated Mixed Use Areas in the Official Plan, a designation intended for growth. The proposal includes a mix of residential, retail and park uses consistent with provincial policies and the Official Plan.

 Policy 1.1.3.3 states planning authorities shall identify appropriate locations and promote opportunities for transit-supportive development accommodating a significant supply and range of housing options through intensification and redevelopment. In addition, 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.

The application proposes a mix of residential, retail and park uses and has good access to transit, including the Queens Quay streetcar, and is in close proximity to Union Station. The site is well connected in relation to cycling and pedestrian infrastructure including the Martin Goodman Trail that extends along the south of Queens Quay West and to the cycling infrastructure on both Lower Simcoe Street and Harbour Street, as well as and the waterfront promenade along the water's edge further south.

 Policy 1.5.1(a) of the PPS states that healthy, active communities should be promoted by planning public streets, spaces and facilities to be safe, meet the needs of pedestrians, foster social interaction and facilitate active transportation and community connectivity.

The proposal has been modified since the initial submission with increased building setbacks along Harbour Street and Lower Simcoe Street including the introduction of a new public park at the southeast corner of Lower Simcoe Street and Harbour Street. The application also proposes to separate the cycling path from the pedestrian sidewalk along Harbour Street promoting safety and facilitating active transportation. Enhancements are also proposed along the south side of the site along the interface with the driveway that serves the existing buildings to the south. These public realm and open space improvements will enhance east to west and north to south connections from the central City to the Waterfront, will add to the system of waterfront parks and open spaces, and provide a new gathering space for local residents and visitors.

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

- Policy 1.2.1 of the Growth Plan sets out the Guiding Principles for how land is developed, resources are managed and protected and public dollars are invested. The principles support the achievement of complete communities that are designed to support healthy and active living and meet people's needs for daily living throughout an entire lifetime and promote a range of housing options. They prioritize intensification and higher densities in strategic growth areas to make efficient use of land and infrastructure and support transit viability.
- The Policies of Sections 2.2.1, 2.2.3, 5.2.4 and 5.25 provide direction on managing growth within the Greater Golden Horseshoe, including directing growth to areas such as the Toronto Downtown Urban Growth Centre (UGC), and sets out forecasts and targets for levels of growth in these areas.

The subject site is within the Downtown UGC, a strategic growth area defined in the Growth Plan (2020). The Growth Plan provides that the Downtown UGC, encompassing

an area generally bordered by Bathurst Street, the midtown rail corridor and Rosedale Valley, Don River and Lake Ontario, will be planned to achieve, by 2031, or earlier, a minimum density target of 400 residents and jobs combined per hectare. The application conforms to the policy direction of the Growth Plan with respect to intensification in the Downtown UGC.

 Policy 2.2.1.4 provides that the Growth Plan will support the achievement of complete communities that: feature a diverse mix of land uses including residential and employment uses and convenient access to local stores, services and public service facilities; provide a diverse range and mix of housing options, and provide for more compact built form and a vibrant public realm including public open spaces.

The proposal provides a mix of residential and retail uses as well as new on-site public parkland. The application also includes new affordable rental housing adding to the diversity of housing in this area. As well, residents in the new development will have access to a variety of existing community services and facilities and parks near to the site such as Roundhouse Park, Harbourfront Centre and a variety of waterfront parks and cultural facilities within the area.

• Policy 2.2.2.3(b) instructs municipalities to develop a strategy to achieve minimum intensification targets in delineated built-up areas, and identify an appropriate type and scale of development and transition of built form to adjacent areas.

The proposal has been modified through the application review process such that an appropriate development type and scale and built form transition has been achieved.

• Policy 5.2.5.6 states municipalities are to develop and implement urban design and site design official plan policies and other supporting documents that direct the development of a high quality public realm and compact built form.

As such, the City's Official Plan and design guidelines have direct relevance for assessing Growth Plan conformity. It is City Planning staff's opinion that the application conforms with the Growth Plan. The applicable Official Plan policies and relevant guidelines and their link in assessing Growth Plan conformity are examined in the sections below.

Land Use

This application has been reviewed against the Official Plan and Central Waterfront Secondary Plan policies described in the Policy Consideration Section of the Report included at Attachment 5, as well as the policies of the Toronto Official Plan as a whole.

The proposed residential, retail and park uses are permitted uses within the Mixed Use Areas designation of the Official Plan and Existing Use Areas designation of the Central Waterfront Secondary Plan for the site. The proposal for affordable rental housing on the site also supports the housing policies of the Official Plan. The site is currently occupied with an above grade garage and the policies of the Official Plan and Central Waterfront Secondary Plan discourage above grade parking to support public realm and built form objectives. The proposed land uses conform to the applicable Official Plan and Central Waterfront Secondary Plan policies.

Housing

The Official Plan, as well as provincial policies recognize the importance of providing a full range of housing with new development. The provision of affordable, secure, and diverse housing stock to meet housing needs of a wide range of people throughout their life cycle is important to achieving complete communities.

The application proposes 997 dwelling units of which the applicant has offered to provide at least 76 and up to 79 affordable rental dwelling units through a Section 37 Agreement with the City as a community benefit. The affordable housing units will be equivalent to 10% of the total residential gross floor area. The affordable rental units will be composed of a unit mix and unit sizes which reflect the unit mix and unit sizes of the proposed market rental units.

An affordable rental dwelling unit is a rental dwelling unit that is provided and maintained at affordable rent, as currently defined in the Official Plan as being rent where the total monthly shelter cost, including utilities (heat, hydro and hot water but excluding parking and cable television charges), is at or below the average City of Toronto rent (average market rent or AMR) as reported annually by the Canada Mortgage and Housing Corporation in the Fall Market Report for the City of Toronto, by Unit type.

The applicant has agreed to extend the secured affordability period from 25 to 40 years, provided that the provision of such Affordable Housing Units will be supported in part through the City of Toronto's Open Door Affordable Housing Program and that such units will accordingly be exempt from development charges, and residential property taxes, and be eligible for waivers of planning application fees, building permit fees and parkland dedication fees. Extending the affordable housing contribution that would have been secured through a Section 37 contribution alone, and justifies the fee waivers and development charge and tax exemptions recommended to be provided through the Open Door Program. The owner will also be required to enter into a municipal housing facility agreement (Contribution Agreement) which will include detailed requirements respecting the provision of affordable rental housing.

Density and Height

The Built Form policies of the Official Plan provide that new development should fit within its existing and planned context, and limit its impact on neighbourhood streets, parks, open spaces and properties. The Mixed Use Areas policies of the Official Plan provide that the location and massing for new buildings should achieve transitions between areas of different development intensity and scale.

The site is situated on Parcel YQ4 within Harbourfront. The Harbourfront Design Guidelines set out overall objectives in relation to building height within Harbourfront. The objectives include a stepping down in heights from the higher, denser areas of the central core, south to the water's edge as well as a general stepping down in heights from York Street in the east to Bathurst Street in the west.

There are a number of tall buildings to the north and east of the site. Among these are the 66 storey building (224 metres) at 10 York Street on the north side of Harbour Street opposite the site, the Ice condominiums, 57 and 67 storeys (201 and 234 metres) north of the Gardiner Expressway, and the three towers (37, 62 and 66 storeys) (165, 233, and 224 metres) east of York Street at 1 York Street and 90 Harbour Street. The density of development along the north side of Harbour Street ranges from approximately 19 to 23 times the site areas.

There are currently three tall buildings within the YQ4 Parcel ranging in height from 27 to 35 storeys (92 to 118 metres). The density of the existing development on the block is approximately 9.3 times the site area. West and south of the site and along the water's edge building heights are lower, in keeping with the planning framework for Harbourfront, including the two 24 storey (79 metres) buildings opposite the site on the west side of Lower Simcoe Street (Riviera condominimums) and the Harbourfront Centre (15 metres) and the Queens Quay Terminal building (43 metres) situated on the south side of Queens Quay West. Densities for these lower scale buildings range from 4 to 8.7 times the area of the sites.

In the initial submission two towers of 41 and 71 storeys (144 and 228 metres) were proposed with an overall development density of 19.1 times the area of the site. Through the review of the application City Planning staff and residents expressed concern with the proposed building heights and density in relation to the planning framework and the context of existing development within the area. Planning staff requested that the application be revised to provide for a transition down in height and density from the areas to the north and east, and that further consideration be given to the context of the existing buildings on the block and in the larger area.

In the revised submission a single tower of 59 storeys (198 metres) is proposed. The density of the proposed development has been reduced from 19.1 to 12 times the area of the site. City Planning staff consider the reduced height and density significant positive aspects of the revised proposal. The revised proposal achieves a transition down in height and density from the areas of higher scale and intensity to the north and east as set out in the Official Plan, Growth Plan, and the Harbourfront Design Guidelines. The overall density of the development proposed at 12 times the area of the site, represents an appropriate level of intensification on the site. City Planning staff consider the proposed building height and density consistent with the Official Plan and provincial policies.

Building Massing

Through the review of the application Planning staff requested that the applicant consider a number of design changes to address the built form policies of the Official Plan and Guidelines. Staff recommended changes to the base building height, tower setbacks, step backs and separation distances to ensure the impacts of the tower on nearby properties, particularly the adjacent Waterclub buildings, as well as streets and parks were minimized.

Base Building

In the initial submission a base building height of 12 storeys (43 metres) was proposed. No setback of the towers were proposed above the base building. The Tall Building Design Guidelines recommend that the scale of the base building align with existing buildings within the context, and that towers be setback from the base building to ensure that the base building is the defining element along the street. Through the review of the application Planning staff requested that the base building height be reduced to respond more appropriate to the lower base building heights of existing buildings near the site. These include the Waterclub buildings on the block that have base building heights of 23 metres and the building opposite the site on the north side of Harbour Street that has a base building height of 21.5 metres.

In the revised proposal the base building height ranges from 2 to 5 storeys (13 to 24 metres). The tower is proposed to be setback 3 metres along Harbour Street with larger setbacks proposed along the south (12.5 metres) east (28.5 metres) and west sides (15 metres) of the building. Planning staff are satisfied with the revised base building massing. The base building height is consistent with those of existing buildings within the context, reinforcing the streetwall heights along both Harbour Street and Lower Simcoe Street. The proposed step back of the tower above the base building will help to ensure that the base building is the defining element along Harbour Street and the future park proposed along Lower Simcoe Street.

Tower Setbacks and Separation Distances.

The Tall building Design Guidelines include recommendations with respect to tower placement including separation distances between towers and setbacks of towers from properly lines. Tower setbacks and separation distance are intended to ensure adequate sky view between buildings, privacy for residents and access to natural light. Minimium tower setbacks of 12.5 metres are recommended from rear and side property lines and a minimum separation distance of 25 metres is recommended between towers. If there is more that one tower on a block the Guidelines recommend that tower setbacks and separation distances be co-ordinated.

As noted previously, the site is situated within Parcel YQ4 in Harbourfront and there are currently three tall buildings on the block. In the initial submission the two proposed towers met the recommended separation distance of 25 metres from one another and achieved setbacks of 12.5 metres from property lines. However, due to the siting of the existing buildings on the block separation distances of 25 metres were not achieved between the proposed new tower and existing towers as recommended in the Guidelines for block planning. Separation distances were of particular concern to the residents of the adjacent Waterclub condominiums with impacts on privacy and views noted as significant issues.

In the revised submission the single tower is centrally located within the site atop the podium. The proposed tower is offset from the westerly Waterclub tower and achieves a separation distance of 25 metres from this tower. Separation distances of 32 metres and 40.8 metres are proposed from the central and east Waterclub buildings. Planning staff consider the changes to the proposal including the removal of the westerly tower,

and the increased setbacks significant positive elements of the revised proposal. The placement of the tower carefully considers the existing buildings within the block, exceeding the Guidelines to ensure adequate sky views, privacy and access to natural light consistent with Official Plan policies and Guidelines.

Tower Floor Plates

The Tall Building Guidelines recommend that tower flooplates be limited to 750 square metres or less to diminish the overall scale and impacts of the building mass. Increases in tower separation distances, setbacks and step backs above base buildings are recommended to mitigate the impacts of larger tower floorplates.

In the current proposal a tower floorplate of 1,011 square metres is proposed. As noted previously, the building massing includes increased tower setbacks, and separation distances between towers that meet or exceed Guideline recommendations. While the tower floorplate is proposed to exceed the 750 square metres recommended in the Guidelines the step backs of the tower above the base building, and the increased separation distances between towers will reduce the visual impact of the larger tower flooplate at the pedestrian level consistent with the Official Plan and Guidelines. As well, existing buildings within the immediate context including the Waterclub buildings and the 10 York Street building opposite the site on the north side of Harbour Street have similarly sized floorplates ranging from 985 to 1,035 square metres. Planning staff are satisfied with the revised building massing.

Streetscapes

The Tall Building Design Guidelines recommend that along the primary street frontages of a tall building site that a sidewalk zone at least 6 metres wide be provided to ensure sufficient space for pedestrians, trees, and other amenities such as seating, bicycle parking, public art and spill out areas for retail activity such as patios. To achieve an appropriate sidewalk width, the base of a tall building may need to be set back farther from the property line than the distance prescribed in the Zoning By-law.

Harbour Street

The revised application proposes a ground floor building setback of 5 metres along Harbour Street with an overall sidewalk zone of 9 to 12 metres and greater in some locations. There is currently a combined multi-use cycling and pedestrian path along the south side of Harbour Street. The application proposes to separate the cycling path from the pedestrian sidewalk and introduce landscaping and other amenities within the space. Staff consider the increased building setback a positive element of the proposal. The increased setback provides opportunity to separate the cycling path from the pedestrian sidewalk improving safety, promoting active transportation and enhancing the pedestrian experience along this busy street. Planning staff recommend that the detailed streetscape design including the cycle path be determined and secured through the site plan process.

Lower Simcoe Street

The revised application proposes a public park of 488 square metres at the southeast corner of Lower Simcoe Street and Harbour Street extending south along the Lower Simcoe Street frontage of the site. The building is proposed to be setback 7 metres at

the ground floor from the eastern boundary of the new park. Staff consider the proposed public park at the southeast corner of Lower Simcoe Street and Harbour Street a positive element of the revised proposal. It will add to the system of waterfront parks and open spaces within the area supporting objectives of the Central Waterfront Secondary Plan that identifes Lower Simcoe Street as a key pedestiran link to the waterfront from the central city. The increased setback of the building from the edge of the park also provides opportunity for seating, landscaping and other pedestrian amenities, as well as spill out areas for retail activity such as patios.

Staff recommend that the detailed design for the Lower Simcoe Street streetscape be determined and secured through the site plan process. The park design process will be secured in the Section 37 agreement.

Unit Mix

The Growing Up Guidelines provide direction on the recommended mixture of residential unit types and unit sizes for multi-unit developments. The Growing Up Guidelines includes performance standards, which represent tangible measures to accommodate the growing demand for family-oriented housing in vertical communities. The Guidelines recommend that a building provide a minimum of 25 percent large units, ten percent of the units should be three-bedroom units and 15 percent of the units should be two-bedroom units.

The revised submission proposes a total of 997 dwelling units. Of these 598 (60%) are proposed one-bedroom units, 296 (30%) are two-bedroom units and 103 (10%) are three-bedroom units. City Planning staff are of the opinion that the proposed unit mix supports the objectives of the Growing Up Guidelines and the applicable provincial and Official Plan policies, and recommends that the larger units be secured in the zoning by-law.

Amenity Space

The Built Form and Mixed Use Area policies of the Official Plan provided that new indoor and outdoor amenity spaces are to be provided as part of multi-unit residential developments and are to consider the needs of residents of all ages and abilities over time and throughout the year.

The application proposes a total of 2,800 square metres of amenity space of which 1,396.3 square metres is proposed as indoor amenity space (1.3 square metres per dwelling unit) and 1,445.6 square metres is proposed as outdoor amenity space (1.5 square metres per dwelling unit). Staff consider the amount of both the indoor and outdoor amenity spaces sufficient to provide for a range of amenities include spaces for children and pet friendly facilities. Staff will secure the amenity space in the zoning by-law, and recommend the detailed design of the amenity areas be determined and secured through the site plan approval process.

Shadow Impacts

The tall building policies of the Official Plan provide that the tower portion of a tall building should be designed to limit shadow impacts on the public realm and surrounding properties.

In the initial submission Planning staff identified concerns with the shadow impacts from the two towers,on Olympic Park and Roundhouse Park, particularly the playground situated in the south east area of Roundhouse Park. In the revised proposal the western tower has been removed and the base building in this location is lower than the current zoning by-law height permissions on this portion of the site. As well the single tower of 59-storeys is more centrally located on the site. These design changes have reduced the shadow impacts on the parks to the north.

The applicant has submitted a Shadow Study and this has been reviewed by Planning staff. Overall the study indicates that Roundhouse Park will be mostly in sunlight between 11:18 a.m. to 5:18 p.m. in March, June and September with net new shadows impacting the park during the morning hours. The Study indicates that incremental shadows exclusive to the development will extend through Roundhouse Park to the north side of Bremner Boulevard at 9:18 a.m. during the Spring and Fall equinoxes. The shadow moves off of Roundhouse Park by 11:30 a.m. There are no incremental shadows exclusive to the development, on the playground during the Spring and Fall equinoxes. The Study indicates that during the Summer soltstice shadows exclusive to the development, on the playground during the Spring and Fall equinoxes. The Study indicates that during the Summer soltstice shadows exclusive to the development extend to the south portion of Roundhouse Park including a portion of the playground at 10:18 a.m. with the shadow moving off of the playground by 11:18.a.m. The Shadow Study indicates that there are no incremental shadow impacts on Olympic Park from the development during the Spring and Fall equinoxes and Summer solstice.

Staff consider the shadow impacts from the proposed development to be acceptable.

Wind

A Pedestrian Level Wind Study was submitted for the proposal and has been reviewed by staff. The Study concluded that all grade level areas, including sidewalks, and laneways are predicted to experience conditions comfortable for walking or better through the year. All primary and secondary entrances are predicted to experience wind conditions comfortable for standing or better throughout the year.

The Study found that the level 3 outdoor amenity terrace will be comfortable for a mix of sitting and standing during the summer months with a windier condition near the southwest corner of the terrace. The study recommended wind barriers and canopies to improve the wind condition in this location. Planning staff recommend that wind mitigation measures be implemented for the level 3 amenity terrace and secured through the site plan process.

The Study also analysed wind conditions on the properties to the south (Waterclub condominiums) including the outdoor play space for the child care centre, as well as amenity terraces. The Study found that the outdoor terraces and playspace are predicted to experience conditions comfortable for sitting or more sedentary activities during the summer months. The Study found that portions of the terraces will experience wind conditon for standing only for periods of the year. The study notes that the sitting criterion was marginally exceeded and mitigation was not recommended. Planning staff recommend that the Wind Study be updated at the time of site plan

approval and mitigation measures be determined and secured as necessary through the site plan approval process.

Open Space/Parkland

In the context of a rapidly growing city, it is imperative to enhance and expand the amount of public parkland provided to residents and visitors alike. The Official Plan contains policies to ensure that Toronto's system of parks and open spaces are maintained, enhanced and expanded.

The City of Toronto Parkland Strategy is a 20-year strategic city-wide plan that guides long-term planning for new parks, park expansions and improvements, and improved access to existing parks. The Strategy includes a new methodology to measure and assess parkland provision, using the baseline of residential population against the area of parkland available across the city. According to the Strategy's methodology, the development site is currently in an area with 4 -12 square metres of parkland per person, which is below the city-wide average provision of 28 square metres of parkland per Figure 18 of the Parkland Strategy, which highlights areas where the city will focus and prioritize parks planning and acquisitions. Given the future expected growth both on the development site itself and surrounding sites, a parkland deficit will be generated if no new parks are created. This anticipated parkland deficit must be addressed through the creation of a new park to serve the future population.

At the alternative rate of 0.4 hectares per 300 units specified in Chapter 415, Article III of the Toronto Municipal Code, the parkland dedication requirement is 13,373 square metres or 266% of the site area. However, for sites that are less than 1 hectare in size, a cap of 10% of the development site is applied to the residential use while the non-residential use is subject to a 2% parkland dedication. In total, the parkland dedication requirement is 501 square metres, pending any exemptions for parkland dedication for affordable housing units.

The applicant has agreed to provide a 488 square metre on-site public park, situated at the southeast corner of Harbour Street and Lower Simcoe Street. The proposed dedication will provide for public parkland in a high growth area of the City consistent with the objectives of the Official Plan. The location and configuration of the proposed park meets the criteria for new parkland as outlined in the Official Plan. The park will have over 30 metres of frontage along Lower Simcoe Street, making it highly visible and accessible. It is proposed to be unencumbered (with the exception of de-stressed tie-backs) and this, as well as its configuration provides opportunities for a range of activities and amenities including tree planting. Any tie-back encumbrances will be subject to the payment of compensation to the City, in an amount as determined by the General Manager, Parks, Forestry and Recreation and the Executive Director, Corporate Real Estate Management. Any remaining parkland dedication requirement will be provided as a cash-in-lieu payment.

Conditions of the proposed parkland conveyance are included in the draft zoning by-law amendment in Attachment 6 to this report.

Traffic Impact, Access, Parking

The applicant submitted a Transportation Considerations Report and Addendums, which assess existing traffic levels and future traffic levels anticipated to be generated by the development, as well as proposed site access, loading, and vehicular and bicycle parking for the initial and revised development proposals.

Traffic Impact

The Transportation Consideration Report estimates that the proposed development will generate approximately 165 and 150 two-way vehicular trips during the morning and afternoon peak hours respectively. However, as the site currently contains 1,100 parking spaces, overall the anticipated vehicular trips will be reduced with the proposed development. The study found that overall the proposed development is anticipated to generate approximately 95 fewer inbound trips during the morning peak period and 105 fewer outbound trips during the afternoon peak period.

Given the level of trip generation, the Report concluded that the projected site traffic will have neglible to minor impacts on area intersections and can be acceptably accommodated on the adjacent road networks. Transportation Services staff have reviewed the Report and find the impacts acceptable.

Access

In the initial proposal access for loading and parking for the development was proposed via the existing accesses from Lower Simcoe Street, York Street and Queens Quay West that are situated on the properties to the south at 208, 218 Queens Quay West and 8 York Street (Waterclub condominiums). Through the consultation process, the Waterclub condominiums as well as the York Quay Neighbourhood Association expressed concern with the proposal for shared access due to the level of vehicle activity currently within the driveways and service court and requested that alternative options for access be explored to service the new development. Options explored included a single access point from either Lower Simcoe Street or Harbour Street, as well as accesses from both streets.

The revised proposal includes a single access from Harbour Street to service the development including an on-site internal courtyard for pick-up/drop-off and service delivery vehicles. Access from Lower Simcoe Street was not considered appropriate due to impacts on the future public park proposed along this frontage. While staff support shared access where feasible, the proposed access from Harbour Street has been reviewed by Transportation Services staff and is acceptable.

Through the review of the revised application the Waterclub condominiums expressed concern with a proposed curb cut from the pick-up and drop-off area on the subject site to the existing Waterclub driveway, as this would facilitate vehicle access through the Waterclub site. Waterclub has advised that they support pedestrian and cycling access through this area but vehicular access, would impact the operation of the existing service area for the Waterclub buildings. The applicant has advised that they will reduce the width of the curb cut to accommodate only cycling and pedestrian access,

and will work closely with Waterclub through the site plan process on the design of the interface between the two sites.

Planning staff recommend the final designs for all site accesses including the proposed cycling and pedestrian access between the subject site and the adjacent Waterclub properties be determined and secured through the site plan process.

Vehicle Parking

A four level below grade garage with 340 parking spaces is proposed. These include 150 residential spaces, 60 visitor spaces and 5 car share spaces to serve the new development, as well as 125 spaces to address off-site parking obligations for nearby properties, discussed in more detail below.

The existing public garage contains approximately 1,100 parking spaces. The garage has historically provided public parking for nearby properties and the broader Harbourfront area. The parking study submitted with the application identified a number of off-site parking obligations for nearby properties where parking is situated within the existing garage. These include parking spaces that were required to support developments on other properties constructed many years ago, as well as recreational (public) parking for a number of properties in Harbourfront that was required over and above the parking required in the zoning by-law in support of individual developments.

Existing Off-Site Parking Obligations

The off-site parking obligations include both zoning by-law parking requirements and parking identified in agreements, some of which are private agreements.

Off-site parking requirements identified in the Zoning By-law include:

- 248 non-exclusive parking spaces for the Queen Quay Terminal building at 207 and 211 Queens Quay West to be located within 300 metres of the site;
- 71 non-exclusive residential visitor parking spaces and 3 child care parking spaces for the properties at 208 and 218 Queens Quay West and 8 York Street (Waterclub condominiums);
- 35 non-exclusive visitor parking spaces for the properties at 250, 260 and 270 Queens Quay West (Harbourpoint condominiums);
- 150 recreational parking spaces for Parcel YQ4 that includes the subject site and the properties at 208, 218 Queens Quay West and 8 York Street (Waterclub condominiums) to be located within 300 metres of the properties; and
- 100 recreational parking spaces for Parcel YQ8 at 228 and 230 Queens Quay West (Riviera condominiums), to be located within 300 metres of the properties.

Off-site parking identified in agreements includes:

- up to 90 non-exclusive parking spaces for properties at 208, 218 Queens Quay West and 8 York Street (Waterclub condominiums);
- 2 parking spaces for exclusive use of the child care centre employees at 208, 218 Queens Quay West and 8 York Street (Waterclub condominiums);

- 165 undesignated parking spaces and 9 spaces to serve the residential component of the development at 250 and 260 Queens Quay West (Harbourpoint condominiums phases 1 and 2);
- 100 undesignated parking spaces and 32 spaces for residential parking for the development at 270 Queens Quay West (Harbourpoint condominiums phase 3);
- 12 accessible parking spaces; and
- 30 parking passes for City employees

The parking study submitted with the application includes an analysis of the zoning bylaw requirements for the properties in the vicinity of the site where parking was identified within the existing garage. The analysis found that the current parking supply within the Harbourpoint buildings at 250-270 Queens Quay West meets the requirements of the zoning by-law within the existing buildings, with the exception of 35 non-exclusive residential visitor parking spaces required for these properties. For the Waterclub buildings at 208 and 218 Queens Quay West and 8 York Street the analysis found that the zoning by-law requires 71 non-exclusive residential visitor parking spaces and 3 parking spaces for the child care centre. The application proposes that these properties continue to be provided with parking in the new development at 200 Queens Quay West to address these zoning by-law requirements.

The Queens Quay Terminal is not subject to the Harbourfront Zoning By-law 289-93, as amended, but is subject to site specific Zoning By-law 93-81 for the Terminal Warehouse Area. The site specific By-law requires the provision of 248 parking spaces within 300 metres of the Queens Quay Terminal site, and these parking spaces are located within the existing garage on the subject site at 200 Queens Quay West.

The Parking Study submitted with the application assessed the parking demand at the Queens Quay Terminal building. The Study concluded that parking demand for this facility is below the requirements of the current by-law and that 115 non-exclusive parking spaces located within 300 metres of the site would be adequate to meet the current parking demand for this site. A by-law amendment is proposed to reduce the parking requirement from 248 to 115 parking spaces to be provided within 300 metres of the site, for the Queens Quay Terminal building. These 115 parking spaces are proposed to be provided on a non-exclusive basis within the garage proposed with the new development at 200 Queens Quay West.

There are also parking spaces within the existing garage that are required in the zoning by-law and through agreements, over and above what is required by the zoning by-law to support individual developments. Requirements for this parking were put in place in the early planning of Harbourfront that occurred during the 1970's and 1980's. The framework for waterfront revitalization, at that time, included measures to attract visitors to the waterfront, such as recreational (public) parking which was required in connection with a number of parcels in Harbourfront. This public parking for some properties within Harbourfront is located within the existing garage on the subject site.

This includes 150 recreational parking spaces for Parcel YQ4 and 100 recreational parking spaces for Parcel YQ8. There are also a total of 265 undesignated parking spaces for the properties at 250-270 Queens Quay West identified in agreements that

are also situated within the existing garage. These undesignated spaces are not required by the zoning by-law. The application does not propose that these spaces be replaced in the new development at 200 Queens Quay West. Amendments are proposed to the Harbourfront Zoning By-law 289-93 to remove the recreational (public) parking requirements for Parcels YQ4 (that includes the subject site and the Waterclub buildings) and YQ8 (Riviera condominiums).

The Parking Study also identified two additional parking obligations in underlying agreements. The first is to provide 12 accessible parking spaces in the garage. The application currently proposes 10 accessible parking spaces to meet current zoning by-law standards for accessible parking. The second is a requirement for 30 parking passes for City employees. These parking passes are used by employees who work at the Toronto Island pumping station. The application proposes to maintain the parking pass arrangements.

Proposed Off-site Parking Obligations

The Parking Study submitted with the application assessed the overall number of parking spaces that would be needed to address off-site parking obligations. The Study notes that the Zoning By-law currently provides for the sharing of parking between different land uses recognizing that their peak demands occur at different times of the day. The Study concluded that with the application of the sharing standards as set out in the Zoning By-law, a minimum of 125 parking spaces would be needed to address the off-site obligations. The application proposes to provide parking within the new development to address a number of off-site parking obligations including:

- 115 non-exclusive parking spaces for the Queens Quay Terminal to address zoning by-law requirements;
- up to 90 non-exclusive parking spaces for the Waterclub condominiums at 208 and 218 Queens Quay West and 8 York Street to address both zoning by-law and agreement requirements;
- 2 exclusive parking spaces for the child care centre to address agreement requirements;
- 35 non-exclusive visitor parking spaces for the Harbourpoint condominiums at 250 -270 Queens Quay West to address zoning by-law requirements;
- 30 non-exclusive parking passes for City employees to address agreement requirements; and
- 10 non-exclusive accessible parking spaces to address zoning by-law requirements.

The application proposes that these 125 parking spaces continue to be provided within the new development, the majority of which would be on a non-exclusive basis, with the exception of the 2 child care spaces which would be designated for the use of the child care employees during the hours of the operation of the child care centre. The parking would be located within the public portion of the garage proposed within the new development that also includes an additional 60 visitor spaces for the development. As a result, combined with the visitor parking, there would be a total of 185 non-exclusive parking spaces available to be shared between visitors to the development and to address the off-site parking obligations. Staff find the proposal to address the parking for the development and the off-site parking obligations acceptable. The parking analysis demonstrates sufficient parking to meet both the off-site parking obligations and the parking demands for the new development.

Staff consider the proposal to remove the requirement for recreational (public) parking from the zoning by-law for Parcels YQ4 and YQ8 consistent with objectives of the Official Plan and Central Waterfront Secondary Plan that promote reducing parking where possible to lessen traffic impacts and support alternative modes of transportation. The need for large amounts of public parking has reduced over time as Harbourfront has developed. Harbourfront is now well served and accessible via a range of transportation options including the Queens Quay streetcar, cycling corridors including the Martin Goodman Trail, and the Simcoe Street and Harbour Street cycling lanes, as well as pedestrian facilities such as the water's edge promenade, all in close proximity to the site. In addition, the Parking Study found that adequate amounts of public parking will continue to be available in Harbourfront, not only within the proposed garage on the subject site, but at a number of other locations in the vicinity.

Planning staff recommend that parking requirements to address both the parking proposed to serve development, as well as the off-site obligations be secured in the zoning by-law. Staff also recommend that provisions be included in the Section 37 agreement to acknowledge that parking proposed within the development will address off-site parking obligations for nearby properties as set out above, as a legal convenience to support development.

Bicycle Parking

A total of 1,005 bicycle parking spaces are proposed, including 905 long term and 100 short-term spaces. The proposed number of bicycle parking spaces meets the requirements of the Toronto Green Standard and is acceptable.

Loading

Two loading spaces are proposed to serve the development and pick-up/drop-off and delivery service activity is proposed to be accommodated in a on-site service courtyard. Transportation Services staff has reviewed the loading strategy and find the number and type of loading spaces acceptable.

Servicing

Functional Servicing and Stormwater Management reports were submitted with the initial and revised submissions and were reviewed by Engineering and Construction Services staff. For the most recent submission, staff identifed the need for further testing and monitoring in relation to the sanitary sewer system servicing the site to determine if upgrades to the service may be needed. Engineering staff have advised that the additional testing can be undertaken during site plan review and if upgrades or mitigation are required this can be secured through the site plan approval process. Planning staff recommend that these requirements be secured in the Section 37 agreement.

Construction Management

Through the review of the application a number of comments were received in relation to construction management from residents, the York Quay Neighbourhood Association, as well as the Waterclub condominiums. The existing parking garage occupies most of the site and residents want to ensure that construction activites are carefully managed to minimize impacts on the surrounding streets and in the neighbourhood. This is of particular concern to the Waterclub condominiums given the proximity of the existing Waterclub buildings to the site, and to ensure that impacts on the child care centre including the outdoor playspace, currently located within the Waterclub buildings are mitigated.

Planning staff recommend that the requirement for a Construction Management Plan be secured in the Section 37 agreement including consultation with the Waterclub condominiums and other stakeholders.

Tree Preservation

The application is subject to the provisions of the City of Toronto Municipal Code, Chapter 813, Trees, Articles II (Trees on City Streets) and III (Private Tree Protection), commonly referred to as the 'Street Tree By-law' and the 'Private Tree By-law'. The applicant submitted an Arborist Report a Tree Preservation and Removals Plan and Landscape Plans.

There are no trees on or near the site that are subject to the Street Tree or Private Tree By-laws. The landscape plan submitted with the application proposes street trees along the east portion of the Harbour Street frontage where the boulevard is wide enough to accommodate street trees between the reconfigured cycling track and the roadway. There is insufficent space within the boulevard along Lower Simcoe Street for street tree planting. However, a new park is proposed to extend along the Lower Simcoe Street frontage of the site, and will be unencumbered providing opportunity for trees to be planted within the park adjacent to the boulevard along this edge of the new park. The location of street trees and tree planting within the future park will be determined and secured through the site plan and park design processes respectively.

There are 13 trees on the Waterclub property to the south that are are not subject to the Private Tree By-law due to the size of the trees. The trees are located along the north and west sides of the driveway that serves the Waterclub condominiums and are situated close to the edges of the existing parking garage. The application proposes to remove these trees.

The landscape plan submitted with the application proposes improvements along the interface of the existing driveway to the Waterclub condominiums and the new develoment including a pedestrian walkway, enhanced paving treatment, soft landscaping and new trees. Planning staff as well as the applicant met with the Waterclub condominiums to discuss improvements including landscaping and new trees along the interface of the properties. The Waterclub condominiums have advised that they would like to ensure that replacement trees are of a larger size and have requested to participate in the site plan process to ensure that a mutually agreeable design for

improvements along the interface between the properties is achieved. Planning staff recommend that the landscape design along the interface of the properties be determined and secured through the site plan process including working with the Waterclub condominiums to determine the nature of improvements along the interface between properties.

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 2040 or sooner. Performance measures for the Tier 1 development features will be secured through the Zoning By-law process including automobile infrastructure, cycling infrastructure, and the storage and collection of recycling and organic waste. Other applicable TGS performance measures will be secured through the Site Plan Approval process.

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.

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

- at least 76 and up to 79 affordable rental housing units secured for 40 years;
- a financial contribution of \$160,000.00 towards parkland improvements within the vicinity of the site; and
- a financial contribution of \$90,000.00 toward the Bentway Waterfront Reconnect public realm improvement under the Gardiner Expressway at Lower Simcoe Street.

The following matters in support of the development are to be secured in a Section 37 Agreement as a legal convenience.

- on-site parkland dedication of a minimum of 488 square metres;
- matters related to sanitary sewer testing and upgrades as necessary to service the development;
- provisions in relation to off-site parking obligations to be provided in the public portion of the garage proposed on-site;
- a construction management plan; and

• conformity to the Toronto Green Standard.

Conclusion

The proposal has been reviewed in relation to the policies of the PPS (2020), the Growth Plan (2020), the Official Plan and Central Waterfront Secondary Plan. Staff are of the opinion that the proposal is consistent with the PPS and does not conflict with the Growth Plan.

The proposal is in keeping with the intent of the Official Plan and Central Waterfront Secondary Plan, particularly as it relates to an appropriate level of intensification for the site's location, a built form that is contextually appropriate and proposed public realm enhancements including a new public park that will add to the system of waterfront parks and open spaces. Approval of the development would secure a number of community benefits including new affordable housing units consistent with the Official Plan.

Staff recommend that Council support approval of the application. The report also recommends the approval of Open Door Affordable Rental Housing Program incentives for up to 79 new affordable rental homes in the development.

CONTACT

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SIGNATURE

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

ATTACHMENTS

City of Toronto Data/Drawings

Attachment 1: Location Map Attachment 2: Application Data Sheet Attachment 3: Official Plan Land Use Map Attachment 4: Central Waterfront Secondary Plan Land Use Map Attachment 5: Policy Considerations Attachment 6: Draft Zoning By-law Amendment

Applicant Submitted Drawings

Attachment 7: Site Plan Attachment 8: North Elevation Attachment 9: South Elevation Attachment 10: East Elevation Attachment 11: West Elevation Attachment 12: 3D Models in Context

Attachment 1: Location Map



Attachment 2: Application Data Sheet

Municipal Address: Application Number: Application Type:	200 QUEENS QUAY W 20 153410 STE 10 C Rezoning		ved: Jun	ie 8, 2020			
Project Description: Zoning By-law amendment to facilitate the development of 5 storey mixed-use building with residential and retail uses. A total of 997 dwelling units at least 76 and up to 79 affordable housing units. On-site public parkland of 488 square metres also proposed.							
Applicant 200 QUEENS QUAY INC	Agent Kelly O'Hanlon, Diamondcorp	Architect WALLMAN ARCHITECTS	200	Owner 200 QUEENS QUAY INC			
EXISTING PLANNING CONTROLS							
Official Plan Designatio	n: Mixed Use Areas	Site Specific	Provision:	Central Waterfront Secondary Plan			
Zoning:	289-93	Heritage Designation:		N			
Height Limit (m):	50-66	Site Plan Control Area:		Y			
PROJECT INFORMATION							
Site Area (sq m): 5,03	35 Frontag	e (m): 170	Dept	h (m): 36			
Building Data Ground Floor Area (sq	Existing m):	Retained	Proposed	Total			
Residential GFA (sq m)):		59,961	59,961			
Non-Residential GFA (sq m):		298	298			
Total GFA (sq m):			60,258	60,258			
Height - Storeys: Height - Metres:	8		59 198	59 198			
Lot Coverage Ratio (%):	0	Floor Space	e Index: 12	2			
Floor Area Breakdown	Above Grade (sq m)	Below Grade (sq m)					
--------------------------	--------------------	--------------------					
Residential GFA:	59,961						
Retail GFA:	298						
Office GFA:							
Industrial GFA:							
Institutional/Other GFA:							

Residential Units by Tenure	E>	xisting	Retained	Proposed	Total	
Rental:				79	79	
Freehold:						
Condominium: Other:				918	918	
Total Units:				997	997	
Total Residential Units by Size						
R	looms	Bachelor	1 Bedroom	2 Bedroom	3+ Bedroom	
Retained:						
Proposed:			599	296	102	
Total Units:			599 (60%)	296 (30%)	102 (10%)	
Parking and Loading						
Parking Spaces:	340	Bicycle Parl 1,005	king Spaces:	Loading Docks:	2	

CONTACT:

Susan McAlpine, Senior Planner (416) 392-7622 Susan.Mcalpine@toronto.ca

Attachment 3: Official Plan Land Use Map





Attachment 4: Central Waterfront Secondary Plan Land Use Map

Attachment 5: 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 but not limited to the following:

- adequate provision and efficient use of communication, transportation, sewage and water services and waste management systems;
- orderly development of safe and healthy communities;
- adequate provision of a full range of housing, including affordable housing;
- appropriate location of growth and development;
- promotion of development that is designed to be sustainable, to support public transit and to be oriented to pedestrians; and
- 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 provincewide 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; and
- conserving significant built heritage resources.

The provincial policy-led planning system recognizes and addresses the complex interrelationships 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;
- Recognizing the importance of watershed planning for the protection of the quality and quantity of water and hydrologic features and areas; and
- Conserving and promoting cultural heritage resources to support the social, economic and cultural well-being of all communities.

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).

Staff have reviewed the proposed development for consistency with the PPS (2020) and for conformity with the Growth Plan (2020). The outcome of staff analysis and review are summarized in the Comments section of the Report.

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.

The City of Toronto Official Plan can be found here: <u>https://www.toronto.ca/city-government/planning-development/official-planguidelines/official-plan/.</u>

On September 21, 2020 the Minister of Municipal Affairs and Housing Issued Notices of Decision approving Official Plan Amendments ("OPAs") 479 and 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 Official Plan Amendments can be found at: http://app.toronto.ca/tmmis/viewAgendaltemHistory.do?item=2019.PH11.4

This application has been reviewed against the policies of the City of Toronto Official Plan, including the Central Waterfront Secondary Plan as follows:

Chapter 2 - Shaping the City

The site is within the Downtown and Central Waterfront on Map 2 - Urban Structure of the Official Plan. The Downtown is anticipated to accommodate growth that is not intended to be spread uniformly across the whole of Downtown.

Section 2.2 Structuring Growth in the City: Integrating Land Use and Transportation

This section states that the Plan protects the integrity of the City's transportation network, and steers future growth to areas that are well served by transit, including the Downtown. The integration of transportation and land use planning is critical in achieving the overall aim of increasing accessibility throughout the City.

Policy 2.2.2 states growth will be directed to the Downtown in order to among other matters: a) use municipal land, infrastructure and services efficiently; b) concentrate jobs and people in areas well served by surface transit and rapid transit stations; d) promote mixed use development to increase opportunities for living close to work and to encourage walking and cycling for local trips; and f) facilitate social interaction, public safety and cultural and economic activity.

Section 2.2.1 Downtown: The Heart of Toronto

This section states that the Downtown plays a vital role as the City's economic and cultural hub and is critical to the health and prosperity of the entire region that surrounds it. Toronto's Downtown includes a portion of the Central Waterfront, which offers unique opportunities for substantial employment and residential growth and for upgrades and expansion to the public realm.

The Plan recognizes that many of the activities that make the Downtown successful and vibrant are interdependent and linked through the Downtown's public realm. Well designed connections between the core of the City and the Central Waterfront are important to the vitality of the Downtown as a great place to live and renewed Central Waterfront will create new opportunities for business development and contribute in an important way to the image of the Downtown and the entire City.

Policy 2.2.1.6 states that the Downtown Toronto Urban Growth Centre will be planned to optimize the public investment in higher order transit within the Centre and thus should exceed the minimum combined growth density target of 400 residents and jobs per hectare set out in the Growth Plan.

Policy 2.2.1.8 states that investment in Downtown, on the part of the City, other levels of government and public/private partnerships will be sought to: a) maintain, improve and expand the public realm, including linkages between Downtown streets, parks, publicly accessible spaces, ravines and the water's edge; b) expand active transportation and transit infrastructure; and d) support and enhance Priority Retail Streets and specialty retail and entertainment districts found Downtown as important regional and tourist destinations.

Policy 2.2.1.9 states the quality of Downtown will be improved by among other matters: c) enhancing existing parks and acquiring new parkland; e) supporting the development of complete communities; and developing buildings that are shaped, scaled and designed to enhance liveability and g) providing a diverse range and mix of housing options, including affordable housing, to accommodate the needs of all household sizes and avoid the displacement of vulnerably housed and at-risk groups and h) developing a resilient and low-carbon Downtown.

Policy 2.2.1.13 states that priority will be given to improving walking, cycling and transit access and Policy 2.2.1.15 states that a program of street improvements will be implemented to enhance the pedestrian environment and expand the cycling network with measures undertaken to make walking and cycling in Downtown safe, convenient and comfortable.

Section 2.3.2 Toronto's Green Space System and Waterfront

The Official Plan recognizes the importance of the Green Space System and its many beneficial roles as the core of the City's natural ecosytem providing habitat for flora and fauna, helping to sustain the natural environment, improving human health by offering opportunities for passive and active recreation, and offering unique tourist and entertainment destinations. The Plan states that the Green Space System should be protected, improved and added to whenever feasible and through land use designations, planning policies, public undertakings and private development the goal of strengthening these roles will be supported and advanced.

Policy 2.3.2.1 states that actions will be taken to improve, preserve and enhance the Green Space System by a) improving public access and enjoyment of lands under public ownership; b) maintaining and increasing public access to privately owned lands, where appropriate; c) restoring, creating and protecting a variety of landscapes; and d) establishing co-operative partnerships in the stewardship of lands and water.

Policy 2.3.2.2. states that public agencies and Torontonians will be encouraged to support the protection, enhancement and restoration of links within and between elements of the Green Space System and Policy 2.3.2.3. states that the Green Space System will be expanded by acquiring linkages between existing parks and open spaces, where feasible.

Chapter 3 - Building a Successful City

Section 3.1.1 The Public Realm

The public realm policies provide 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 states that the public realm will: provide the organizing framework and setting for development; foster complete, well-connected walkable communities that meet daily needs of people and support a mix of activities; support active transportation and public transit use; provide a comfortable, attractive and vibrant, safe and accessible setting for civic life and social interaction; contribute to the identity and physical

character of the City and its neighbourhoods; be functional and fit within a larger network; and contribute to the City's climate resilience.

Policy 3.1.1.6 states that City streets are significant public open spaces that connect people and places, and new and existing streets will incorporate a Complete Streets approach and be designed to perform their diverse roles by: balancing the needs and priorities of the various users and uses within the right-of-way; space for trees, landscaping and green infrastructure and space for other street elements such as utilities and services, boulevard cafes and street furniture, and ensuring the safety of users of all ages and abilities.

Policies 3.1.1.13 states that sidewalks and boulevards will be designed to provide safe, attractive, interesting and comfortable spaces for users of all ages and abilities and Policy 3.1.1.16 states that the preservation, long-term growth and increase in the amount of healthy trees will be a priority for all development.

Policy 3.1.1.18 states that new parks and open spaces will be located and designed to: a) connect and extend, wherever possible, to existing parks, natural areas, and other open spaces; b) consider opportunities for future expansion of the park or open space onto adjacent sites with development potential; c) provide a comfortable setting with wind and sunlight conditions that promote use and enjoyment of the space for community events and by users of all ages and abilities; d) provide appropriate spaces for a variety of active and passive recreation, as well as productive recreation such as community gardening; and e) emphasize and improve unique aspects of the community's identity and character, including natural and human-made heritage.

Policies 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 prominent, visible, functional and accessible, designed for users of a variety of ages and abilities, provide a range of amenities and are well integrated into the broader public realm.

Section 3.1.2 The Built Form

The built form policies provide principles on key relationships of the location and organization of development, its massing and appropriate amenity within the existing and planned context to inform the built form and ensure that new buildings will promote and achieve the overall objectives of the Official Plan.

Policy 3.1.2.1 states that development will be located and organized to fit with its existing and planned context and provides guidance on how this is achieved. Development is expected to frame and support adjacent streets, lanes, parks and open spaces to promote civic life and the use of the public realm, provide additional setbacks or open spaces at street intersections, and provide ground floor uses, clear windows and entrances that allow views from and, where possible access to, adjacent streets, parks and open spaces.

Policy 3.1.2.2. states that development will provide accessible open space, where appropriate, and Policy 3.1.2.3 states that development will protect privacy within

adjacent buildings by providing setbacks and separation distances from neighbouring properties and adjacent building walls containing windows.

Policy 3.1.2.4 states that development will 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 area by: using shared service areas; consolidating and minimizing the width of driveways and curb cuts across the public sidewalk; providing underground parking, where appropriate; and limiting new, and removing existing, surface parking and vehicular access between the front face of a building and the public street or sidewalk.

Policy 3.1.2.5 states that development will 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 by: providing streetwall heights and setbacks that fit harmoniously with the existing and/or planned context; and stepping back building mass and reducing building footprints above the streetwall height.

Policy 3.1.2.6 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.

Policy 3.1.2.10 states that development will promote civic life and provide amenity for pedestrians in the public realm by: providing improvements to adjacent boulevards and sidewalks, co-ordinated landscape improvements in setbacks, weather protection, landscaped open space within the development site, safe direct pedestrian routes and tree plantings throughout the site and public art where the developer agrees to provide this.

Policy 3.1.2.11 states that new indoor and outdoor amenity spaces that consider the needs of residents of all ages and abilities should be provided as part of multi-unit residential developments, and Policy 3.1.2.12 states that indoor and outdoor amenity spaces are encouraged with non-residential development.

Section 3.1.3 Built Form - Building Typologies

This section provides policy direction for three scales of building types – Townhouse and Low-Rise Apartments, Mid-Rise, and Tall – for residential, office and mixed-use intensification.

Tall buildings are an intensive form of growth that comes with both opportunities and challenges. Tall buildings play a role in achieving residential and employment growth objectives in the Downtown. Tall buildings should only be considered where they can fit into the existing or planned context, and where the site's size, configuration and context allows for the appropriate design criteria to be met.

Policy 3.1.3.1 encourages a mix of building types on sites that can accommodate more than one building. Where a development includes more than one building, the site will be designed to ensure appropriate site organization and building locations that: provide parcels of appropriate size and shape for the mix of building types; define and support existing and proposed streets, lanes, parks and open spaces at appropriate scales; ensure appropriate spacing of buildings; and ensure appropriate transition in scale between buildings of different scales and types and other lower-scaled uses.

Policy 3.1.3.7 states that tall buildings are generally greater in height than the width of the adjacent right-of-way and Policy 3.1.3.8 states that tall buildings should typically be designed to consist of three parts – a base, a tower and a top – that are carefully integrated into a single whole.

Policy 3.1.3.9 states that 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 states that the tower portion of a tall building should be designed to: reduce the physical and visual impacts of the tower from the public realm; limit shadow impacts on the public realm and surrounding properties; maximize access to sunlight and open views of the sky from the public realm; limit and mitigate pedestrian level wind impacts; and 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 by: stepping back the tower from the base building; generally aligning the tower with, and parallel to, the street; limiting and shaping the size of tower floorplates above base buildings; providing appropriate separation distances from side and rear lot lines as well as other towers; and locating and shaping balconies to limit shadow impacts.

Policy 3.1.3.12 states that the top portion of a tall building should be designed to: integrate roof top mechanical systems into the building design; contribute to the surrounding skyline identity and character; and avoid up-lighting and excessive lighting.

Section 3.2.1 Housing

This section provides direction to encourage the provision of a full range of housing, in terms of form, tenure and affordability. Adequate and affordable housing is a basic requirement for eveyone. The Plan notes that current and future residents must be able to access and maintain adequate, affordable and appropriate housing and that the City's quality of life, economic competitiveness, social cohesions, as well as its balance and diversity depend on it. The Plan recognizes that specific policies are needed when housing whether by its type, tenure or level of affordability is not sufficiently supplied by the market to meet demand or maintain diversity in the housing stock.

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.

Policy 3.2.1.3 states that investment in new rental housing, particularly affordable rental housing, will be encouraged by a co-ordinated effort from all levels of government through implementation of a range of strategies, including effective taxation, regulatory, administrative policies and incentives.

Policy 3.2.1.4 states assistance will be provided to encourage the production of affordable housing either by the City or in combination with senior government programs and initiatives.

Section 3.2.3 Parks and Open Spaces

The City's Green Space System, made up of parks and open spaces, the natural heritage system and a variety of privately managed but publicly accessible spaces, is an integral part of our quality of life and social well-being. As Toronto grows and changes, the parks and open space system will need to expand. But our green infrastructure is no different than our roads and sewers. Maintenance and reinvestment in what we have is as important to city-building and our quality of life as adding new land to the inventory.

Policy 3.2.3.1 states that Toronto's system of parks and open spaces will continue to be a necessary element of city-building as the City grows and changes. Maintaining, enhancing and expanding the system requires the following actions: a) adding new parks and amenities, particularly in growth areas and maintaining, improving and expanding existing parks; b) designing high quality parks protecting access to existing publicly accessible open spaces, as well as expanding the system of open spaces and developing open space linkages; and d) promoting and using private open space and recreation facilities to supplement the City's parks, facilities and amenities.

Policy 3.3.3.2 states that parkland acquisition strategies, including decisions about whether to accept parkland or cash-in-lieu as a condition of development, will take into account a range of factors among other matters, the amount of existing parkland, parkland characteristics and quality, population change, anticipated development, amount of publicly accessible open space, opportunities to link parks and open spaces and land availability and cost and Policy 3.2.3.6 states that the specific combination of land and/or cash-in-lieu of land will be determined by the City as part of the consideration of each specific proposal.

Chapter 4 - Land Use

Policy 4.5 Mixed Use Areas

The subject site is designated Mixed Use Areas on Map 18 of the Official Plan. See Attachment No. 3 - Official Plan Land Use Map 18. 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 sets out the development criteria for Mixed Use Areas to ensure, among other matters, that the location and massing for new buildings achieves transitions between areas of different development intensity and scale, frames the edges of streets and parks with good proportion and maintains sunlight and comfortable wind conditions for pedestrians on adjacent streets, parks and open spaces. Development in Mixed

Uses Areas should also provide attractive, comfortable and safe pedestrian environments and have access to schools, parks, community centres, libraries and child care. Development should also take advantage of nearby transit services, provide good site access and circulation and opportunites for green infrastructure.

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 in the Downtown. At the same meeting, City Council adopted area-specific Zoning By-laws 1106-2016 and 1107-2016 (also under appeal), which provide the detailed performance standards for portions of buildings above 24 metres in height.

Chapter 6 - Secondary Plans

Central Waterfront Secondary Plan

The site is situated with the Central Waterfront Secondary Plan (CWSP) area and is designated Existing Use Areas in the Secondary Plan. Existing Use Areas are governed by the policies of the existing Official Plan and Zoning By-law for the site. See Attachment No. 4 - Central Waterfront Secondary Plan Land Use Map E.

The CWSP sets out policies for waterfront renewal based on four core principles:

- 1. Removing Barriers/Making Connections;
- 2. Building a Network of Spectacular Waterfront Parks and Public Spaces;
- 3. Promoting a Clean and Green Environment; and
- 4. Creating Dynamic and Diverse New Communities.

The CWSP includes a series of initiatives or 'Big Moves' intended, along with implementing policies, to promote waterfront renewal. The Secondary Plan considers the removal of barriers and improved connections as essential to waterfront renewal.

The Plan provides that waterfront streets be remade as places with distinct identities and be enhanced through high quality design and landscaping. Queens Quay is an important connecting link along the waterfront and Lower Simcoe Street is a connecting link between the waterfront and the central city. Both streets are identified as key pedestrian links in the Secondary Plan.

The policies of the Secondary Plan seek to create special places along the waterfront, and develop strategies to attract tourism in order to strengthen Toronto's role as the cultural capital. Sustainability is also a core principle of waterfront renewal. The Secondary Plan promotes mixed use communities, including the provision of affordable housing, to provide opportunities to live and work close together; pedestrian and cycling routes that are safe, attractive, comfortable and generously landscaped; and improvements to water quality through the use of innovative storm water management, servicing and energy technologies. The Central Waterfront Secondary Plan can be found here: <u>https://www.toronto.ca/city-government/planning-development/official-plan-guidelines/official-plan/.</u>

Downtown Secondary Plan

Official Plan Amendment 406 (the "Downtown Plan") was adopted by City Council May 22, 2018 and approved by the Ministry on June 5, 2019. In accordance with Section 1.1.1, OPA 406 does not apply to lands subject to the Central Waterfront Secondary Plan, except for policies 6.1 and 6.2 which are supportive of non-residential uses in the Financial District.

Notwithstanding the above, it is noted that the site is located within the Shoreline Stitch area identified in the Downtown Secondary Plan. The Shoreline Stitch is a series of public realm improvements intended to limit the barrier effect of the existing transportation infrastructure and to stitch communities and their parks and public realm together. Stitching communities and their parks and open sapces together across major transportation corridors increases accessibility to waterfront parks, improves connections to community assets and creates new civic spaces and destinations.

The Downtown Plan can be found here:

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

Chapter 7 - Site and Area Specific Policies

Site and Area Specific Policy 181 - Harbourfront

The site is subject to Site and Area Specific Policy (SASP) 181 of the Official Plan.

SASP 181 recognizes the unique recreational opportunities with the waterfront and encourages a range of park and recreational opportunities. The SASP also states that Harbourfront is exempt from a by-law enacted under Section 42 of the Planning Act requiring the conveyance of land for park or other recreational purposes as a condition of development or redevelopment. The SASP also provides that only parking facilities incorporated in a building or structure are to be developed in Harbourfront.

The outcome of staff analysis and review of relevant Official Plan policies and designations and the Central Waterfront Secondary Plan are summarized in the Comments section of the Report.

Zoning

The site is not subject to the former City of Toronto Zoning By-law 438-86 or City wide Zoning By-law 569-2013. The site is subject to Harbourfront Zoning By-law 289-93, as amended, that applies to most of Harbourfront extending from York Street to Bathurst Street. The site is situated within Parcel YQ4 (York Quay Parcel 4) of the Harbourfront Zoning By-law.

In 1998 site specific Zoning By-law 609-98 amended the zoning permissions for the YQ4 Parcel to permit the development of the three residential buildings at 208 and 218 Queens Quay West and 8 York Street now known as the Waterclub condominiums.

The YQ4 Parcel is zoned Commercial Residential (CR) in Harbourfront Zoning By-law 289-93, as amended. The CR zone permits a range of residential uses, as well as, retail and service uses. The Zoning By-law permits a maximum building height of 50 to 66 metres on the site.

The Zoning By-law also includes public parking requirements for the site as well as other properties within Harbourfont. This public parking is identified as recreational parking in the By-law and is required over and above parking that is needed to support development. The By-law allows that recreational parking for some other parcels within Harbourfront be located within the parking garage on Parcel YQ4.

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 Tall Building Design Guidelines may be found here: https://www.toronto.ca/legdocs/mmis/2013/pg/bgrd/backgroundfile-57177.pdf.

Growing UP: Planning for Children in New Vertical Communities Guidelines

On July 28, 2020, City Council adopted the updated Growing Up: Planning for Children in New Vertical Communities Urban Design Guidelines (the "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 Guidelines may be found here:

https://www.toronto.ca/legdocs/mmis/2017/pg/bgrd/backgroundfile-103920.pdf

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

The purpose of these guidelines are 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 Pet Friendly Guidelines may be found here: <u>https://www.toronto.ca/wp-content/uploads/2019/12/94d3-CityPlanning-Pet-Friendly-Guidelines.pdf</u>

Harbourfront Design Guidelines

The Harbourfront Design Guidelines set out overall objectives for built form and the public realm in Harbourfront. The objectives include a stepping down in building heights from the higher, denser areas of the central core, south to the water's edge as well as a general stepping down in building heights in Harbourfront from the east to the west.

Attachment 6: Draft Zoning By-law Amendment

(To be available at the June 29 and 30, 2022 Toronto and East York Community Council Meeting)

Attachment 7: Site Plan



Attachment 8: North Elevation



North Elevation

Attachment 9: South Elevation



South Elevation

Attachment 10: West Elevation



Attachment 11: East Elevation



East Elevation





