

25 and 35 Liberty Street, 58 Atlantic Avenue, and 51, 61, and 65 Jefferson Avenue – Zoning Amendment and Rental Housing Demolition Applications – Revised Final Report

Date: June 13, 2022

To: Toronto and East York Community Council

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

Ward: 10 - Spadina-Fort York

Planning Application Numbers: 15 236743 STE 14 OZ and 15 130397 STE 14 RH

SUMMARY

This report reviews and recommends approval of the Zoning By-law Amendment and Rental Housing Demolition applications.

This application is a further modification of a proposal adopted by City Council at its meeting of October 2, 2019, Agenda Item TE8.10, Revised Final Report for Zoning By-law Amendment and Rental Housing Demolition applications. That proposal was to permit a 10-storey (49 metre, including mechanical penthouse) commercial office building with 22,712 square metres of commercial office space, on-site replacement of 42 existing live-work rental dwelling units, and retention of the three-storey heritage building on the northeast corner of the site.

The revised application now proposes an 11-storey (49.9 metres including mechanical penthouse) commercial office building with 24,290 square metres of non-residential uses, 20 on-site replacement live-work units, 30 off-site replacement rental dwelling units and the retention of the three-storey heritage building at 58 Atlantic Avenue. Two levels of underground parking are proposed with 96 vehicle parking spaces and a total of 148 bicycle parking spaces.

RECOMMENDATIONS

The City Planning Division recommends that:

1. City Council rescind its previous decisions on Item 2018 TE32.3 and Item 2019.TE8.10.

2. City Council amend Zoning By-law 438-86, for the lands at 25 and 35 Liberty Street, 58 Atlantic Avenue and 51, 61, and 65 Jefferson Avenue, substantially in accordance with the draft Zoning By-law Amendment attached as Attachment #5 to the report (June 13, 2022) from the Director, Community Planning, Toronto and East York District.

3. City Council authorizes the City Solicitor to submit the necessary bills to implement the foregoing recommendations 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 111 Agreement and Section 37 Agreement, and any other necessary agreements, including agreements securing off-site replacement rental dwelling unit requirements, are executed and registered.

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

5. Prior to introducing the necessary Bills to City Council for enactment of the Zoning By-law Amendment, City Council require the owner to:

a) Enter into a Heritage Easement Agreement with the City for the property at 58 Atlantic Avenue to the satisfaction of the Senior Manager, Heritage Planning, City Planning and the City Solicitor, and in accordance with the recommendations of April 6, 2018 Staff Report (2018.TE32.4) to the Toronto Preservation Board from the Senior Manager, Heritage Planning including registration of such agreement to the satisfaction of the City Solicitor.

6. City Council approve the modified Rental Housing Demolition Application File No. 15 130397 STE 14 RH in accordance with Chapter 667 of the Toronto Municipal Code and pursuant to Section 111 of the City of Toronto Act, 2006 which allows for the demolition of forty-two (42) existing live-work rental dwelling units located at 25 and 35 Liberty Street, 58 Atlantic Avenue, and 51, 61 and 65 Jefferson Avenue, subject to the following conditions:

a) Not less than twenty (20) replacement live-work rental dwelling units shall be provided and maintained on the subject site for a period of at least 20 years beginning from the date that each replacement live-work rental dwelling unit is first occupied and, during which time, no application may be submitted to the City for condominium registration, or for any other conversion to a non-rental housing purpose, or for demolition without providing for replacement during the, at minimum, 20 year period; the twenty (20) replacement live-work rental dwelling units shall be comprised of five (5) studio units, fourteen (14) one-bedroom units, and one (1) two-bedroom unit, as generally illustrated in the plans submitted to the City Planning Division dated May 13, 2022. Any revision to these plans, including the number of units and unit mix, shall be to the satisfaction of the Chief Planner and Executive Director, City Planning;

b) Not less than thirty (30) off-site replacement rental dwelling units shall be provided and maintained at 11 and 25 Ordnance Street for a period of at least 20 years beginning from the date that each replacement rental dwelling unit is first

occupied and, during which time, no application may be submitted to the City for condominium registration, or for any other conversion to a non-rental housing purpose, or for demolition without providing for replacement during the, at minimum, 20 year period; the thirty (30) replacement rental dwelling units shall be comprised of twenty-nine (29) one-bedroom units and one (1) two-bedroom unit as generally illustrated in the plans submitted to the City Planning Division dated June 13, 2022. Any revision to these plans shall be to the satisfaction of the Chief Planner and Executive Director, City Planning;

c) The owner shall, as part of the fifty (50) replacement rental dwelling units required in Recommendations 6.a) and 6.b) above, provide on-site at 25 and 35 Liberty Street, 58 Atlantic Avenue, and 51, 61 & 65 Jefferson Avenue, at least one (1) studio and three (3) one-bedroom replacement live-work rental dwelling units at affordable rent, as currently defined in the City's Official Plan, and three (3) studio, eleven (11) one-bedroom, and one (1) two-bedroom replacement live-work rental dwelling units at mid-range rents, as currently defined in the City's Official Plan, all for a period of at least 10 years beginning from the date of first occupancy of each unit. The rents of the remaining one (1) replacement live-work rental dwelling unit on-site at 25 and 35 Liberty Street, 58 Atlantic Avenue, and 51, 61 & 65 Jefferson Avenue and thirty (30) off-site replacement rental dwelling units at 11 and 25 Ordnance shall be unrestricted subject to recommendation 6.d. below;

d) The owner shall provide an acceptable tenant relocation and assistance plan for all Eligible Tenants of the forty-two (42) existing live-work rental dwelling units proposed to be demolished at 25 and 35 Liberty Street, 58 Atlantic Avenue, and 51, 61 and 65 Jefferson Avenue, addressing the right to return to occupy one of the replacement live-work rental dwelling units on the subject site at similar rents and other assistance to mitigate hardship. The tenant relocation and assistance plan shall be developed in consultation with, and to the satisfaction of, the Chief Planner and Executive Director, City Planning;

e) The owner shall provide the right to return to occupy one of the replacement live-work rental dwelling units on the subject site at similar rents to all Other Eligible Tenants, all to the satisfaction of the Chief Planner and Executive Director, City Planning;

f) The owner shall provide tenants of all twenty (20) replacement rental dwelling units located on-site with access to, and use of, all residential indoor and outdoor amenities in the proposed building at no extra charge. Access to, and use of, these amenities shall be provided without the need to pre-book or pay a fee, unless specifically required as a customary practice for private bookings, all to the satisfaction of the Chief Planner and Executive Director, City Planning Division;

g) Tenants of all thirty (30) off-site replacement rental dwelling units located at 11 and 25 Ordnance Street shall have access to, and use of, all residential indoor and outdoor amenities in the 39-storey mixed-use building at no extra charge. Access to, and use of, these amenities shall be on the same terms and

conditions as any other resident of the building without the need to pre-book or pay a fee, unless specifically required as a customary practice for private bookings;

h) Central air conditioning and ensuite laundry shall be provided in each replacement rental dwelling unit within the mixed-use building at 11 and 25 Ordinance Street at no additional cost to tenants;

i) Tenants of the thirty (30) replacement rental dwelling units at 11 and 25 Ordinance Street shall have with access to all bicycle and visitor parking on the same terms and conditions as any other resident of the proposed mixed-use building;

j) The owner shall provide central air conditioning and ensuite laundry in each on-site replacement live-work rental dwelling unit within the proposed commercial office building on-site at no additional cost to tenants;

k) The owner shall provide and make available for rent at least nine (9) vehicle parking spaces to tenants of the replacement rental dwelling units on-site. Such parking spaces shall be made available firstly to returning tenants who previously rented a vehicle parking space, secondly to returning tenants who did not previously rent a vehicle parking space, and thirdly to new tenants of the on-site replacement live-work rental dwelling units;

l) The owner shall provide tenants of the twenty (20) replacement live-work rental dwelling units on-site with access to all resident bicycle and visitor parking spaces in the proposed commercial office building at no additional cost to tenants;

m) The owner shall provide at least ten (10) storage lockers to tenants of the replacement live-work rental dwelling units within the proposed commercial office building; and

n) The owner of 25 and 35 Liberty Street, 58 Atlantic Avenue, and 51, 61 and 65 Jefferson Avenue shall enter into and register on title, one or more agreement(s), to secure the conditions outlined in Recommendations 6.a) through 6.m) above, including an agreement pursuant to Section 111 of the City of Toronto Act, 2006 on the development lands, and the off-site replacement rental dwelling units contemplated in Recommendations 6 .b) and 6. g) h) and i) shall be secured by one or more agreement(s) registered on title to the 10 and 25 Ordinance Street lands, all to the satisfaction of the City Solicitor and the Chief Planner and Executive Director, City Planning.

7. City Council authorize the Chief Planner and Executive Director, City Planning, to issue Preliminary Approval of the Rental Housing Demolition Permit under Chapter 667 of the Toronto Municipal Code for the demolition of the forty-two (42) existing live-work rental dwelling units located at 25 and 35 Liberty Street, 58 Atlantic Avenue, and 51, 61 and 65 Jefferson Avenue after all the following have occurred:

- a) All conditions in Recommendation 6 above have been fully satisfied and/or secured;
- b) The Zoning By-law Amendment has come into full force and effect;
- c) The issuance of the Notice of Approval Conditions for Site Plan Approval by the Chief Planner and Executive Director, City Planning or their designate, pursuant to Section 114 of the City of Toronto Act, 2006;
- d) The issuance of excavation and shoring permits (conditional or full permit) for the approved development on the site;
- e) The owner has confirmed, in writing, that all existing live-work rental dwelling units proposed to be demolished are vacant;
- f) The execution and registration of an agreement pursuant to Section 111 of the City of Toronto Act, 2006; and
- g) The execution and registration of agreements pursuant to Section 37 of the Planning Act securing Recommendations 6.a) through 6.n) above and Recommendations 10. d) iv. and v. below, including an agreement securing the off-site replacement rental dwelling unit requirements at 11 and 25 Ordnance Street, and any other requirements of the Zoning-Bylaw Amendment.

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

9. City Council authorize the Chief Building Official and Executive Director, Toronto Building to issue a Residential Demolition Permit under Section 33 of the Planning Act and Chapter 363 of the Toronto Municipal Code for 25 and 35 Liberty Street, 58 Atlantic Avenue, and 51, 61 and 65 Jefferson Avenue after the Chief Planner and Executive Director, City Planning has given Preliminary Approval referred to in Recommendation 7 above, which may be included in the Rental Housing Demolition Permit under Chapter 667 pursuant to section 6.2 of Chapter 363, on condition that:

- a) The owner removes all debris and rubble from the site immediately after demolition;
- b) The owner erects solid construction hoarding to the satisfaction of the Chief Building Official and Executive Director, Toronto Building;
- c) The owner erects the proposed building and on-site replacement live-work rental dwelling units no later than five (5) years from the date that the demolition of the buildings commences, subject to the timeframe being extended to the discretion of the Chief Planner and Executive Director, City Planning; and

d) Should the owner fail to complete the proposed building and on-site replacement live-work rental dwelling units within the time specified in Recommendation 9.c) above, the City Clerk shall be entitled to enter on the collector's roll, as with municipal property taxes, an amount equal to the sum of twenty thousand dollars (\$20,000.00) per dwelling unit for which a demolition permit is issued, and that such amount shall, until payment, be a lien or charge upon the land for which the demolition permit is issued.

10. City Council require the owner to enter into an Agreement, pursuant to Section 37 of the Planning Act, satisfactory to the Chief Planner and Executive Director, City Planning and the City Solicitor, together with satisfactory provisions in the Zoning By-law Amendment, to secure the following, at the owner's expense, in connection with 25 and 35 Liberty Street, 58 Atlantic Avenue and 51, 61 and 65 Jefferson Avenue, with such agreement to be registered to the satisfaction of the City Solicitor:

a) prior to the issuance of an above-grade building permit, the owner shall make a cash contribution payable to the Treasurer, City of Toronto in the amount of \$2,750,000.00 dollars, for the provision of affordable rental housing within Ward 10 within the vicinity of the site, to the satisfaction of the Chief Planner and Executive Director, City Planning, in consultation with the Ward Councillor.

b) The cash contribution referred to in Recommendation 10.a) above shall be indexed upwardly in accordance with the Statistics Canada Construction Price Index for Toronto, calculated from the date of the execution of the Section 37 Agreement to the date the payment is made.

c) In the event the cash contributions referred to in Recommendation 10.a) above has not been used for the intended purpose within three (3) years of the Zoning By-law Amendment 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;

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

i. Prior to final Site Plan Approval relating to the proposed Zoning By-law Amendment for the property located 25 and 35 Liberty Street, 58 Atlantic Avenue, and 51, 61, and 65 Jefferson Avenue, the owner shall:

A) provide final site plan drawings substantially in accordance with the approved Conservation Plan dated May 5, 2022 by ERA Architects Inc., to the satisfaction of the Senior Manager, Heritage Planning;

B) have obtained final approval for the necessary Zoning By-law Amendment required for the development lands and such amendment shall have come into full force and effect;

C) provide a Heritage Lighting Plan that describes how the exterior of the heritage property will be sensitively illuminated to enhance its heritage character, to the satisfaction of the Senior Manager, Heritage Planning and thereafter shall implement such Plan to the satisfaction of the Senior Manager, Heritage Planning;

D) provide an Interpretation Plan for the heritage property, to the satisfaction of the Senior Manager, Heritage Planning and thereafter shall implement such Plan to the satisfaction of the Senior Manager, Heritage Planning; and

E) submit a Signage Plan to the satisfaction of the Senior Manager, Heritage Planning;

ii. Prior to the issuance of any permit for all or any part of the property at 58 Atlantic Avenue, including a heritage permit or a building permit but excluding permits for repairs and maintenance and usual and minor works for the existing heritage building as are acceptable to the Senior Manager, Heritage Planning, the owner shall:

A) have obtained final approval for the necessary Zoning By-law Amendment required for the alterations to the property at 58 Atlantic Avenue, such Amendment to have come into full force and effect in a form and with content acceptable to City Council, as determined by the Chief Planner and Executive Director, City Planning, in consultation with the Senior Manager, Heritage Planning;

B) provide building permit drawings, including notes and specifications for the conservation and protective measures keyed to the approved Conservation Plan dated May 5, 2022 by ERA Architects Inc., including a description of materials and finishes, to be prepared by the project architect and a qualified heritage consultant, to the satisfaction of the Senior Manager, Heritage Planning;

C) provide a Letter of Credit, including provision for upwards indexing, in a form and amount and from a bank satisfactory to the Senior Manager, Heritage Planning, to secure all work included in the approved Conservation Plan, Lighting Plan, and Interpretation Plan; and

D) prior to release of the required Letter of Credit, the owner shall retain a qualified heritage consultant, confirming that the required conservation work and the required interpretive work has been completed in accordance with the approved Conservation Plan, approved Lighting Plan, approved Interpretation Plan and approved Signage Plan, and that an appropriate standard of conservation has been achieved, all to the satisfaction of the Senior Manager, Heritage Planning and shall provide replacement Heritage Easement Agreement photographs to the satisfaction of the Senior Manager, Heritage Planning;

iii. Provisions incorporating the requirements set out in Recommendations 6. a) through 6. m) above;

iv. Prior to execution of an agreement pursuant to Section 111 of the City of Toronto Act, 2006 relating to the development lands, the owner shall:

A) engage a professional building measurement company or architect to re-measure and provide as-built floor plans for the thirteen (13) existing live-work rental dwelling units occupied or formerly occupied by Eligible Tenants to confirm the existing unit sizes, ceiling heights and unit types (number of bedrooms and dens), in accordance with the Ontario Building Code and Tarion Bulletin 22 and to the satisfaction of the Chief Planner and Executive Director, City Planning; and

B) reconfigure the Replacement Live-Work Rental Dwelling Unit Floor Plans for the 20 proposed on-site replacement live-work rental dwelling units to ensure that each Eligible Tenant's existing live-work rental dwelling unit is replaced with a replacement live-work rental dwelling unit of the same unit type, including dens, and within at least five (5%) per cent of the existing gross floor area of the unit, all to the satisfaction of the Chief Planner and Executive Director, City Planning;

v. Prior to issuance of the Notice of Approval Conditions for Site Plan Approval by the Chief Planner and Executive Director, City Planning or their designate, pursuant to Section 114 of the City of Toronto Act, 2006 for the property located 25 and 35 Liberty Street, 58 Atlantic Avenue, and 51, 61, and 65 Jefferson Avenue, the owner shall consult with Eligible Tenants on the floor layouts of the on-site replacement live-work rental dwelling units and the programming of on-site residential amenity spaces;

vi. Prior to the earlier of Site Plan Approval and issuance of the first building permit, including a permit for shoring and excavation, the owner shall submit the following materials for review and acceptance to the satisfaction of the Chief Engineer and Executive Director, Engineering and Construction Services:

- A) updated revised Functional Servicing and Stormwater Management Report;
- B) updated Geotechnical Report;
- C) updated Hydrogeological Report;
- D) Servicing Report Groundwater Summary Form; and
- E) Hydrogeological Review Summary Form.

vii. Prior to the earlier of Site Plan Approval and the first building permit, including a permit for shoring and excavation, the owner shall make arrangements satisfactory to the Chief Engineer and Executive Director, Engineering and Construction Services, including entering into a financially secured agreement for the construction of any improvements to the municipal

infrastructure, should it be determined that upgrades are required to support the development, according to an accepted Functional Servicing and Stormwater Management Report.

viii. Prior to the earlier of Site Plan Approval and issuance of the first building permit, including a permit for shoring and excavation, the owner shall submit a revised Transportation Impact Assessment Update for review and acceptance to the satisfaction of the General Manager, Transportation Service. The updated information must include, but not limited to, the following items:

- A) a Transportation Demand Management (TDM) plan; and
- B) a Vision Zero Implementation Plan;

ix. Prior to the earlier of Site Plan Approval and issuance of the first building permit, including a permit for shoring and excavation, the owner shall provide financial contributions (overall amount to be determined) in connection with the implementation of the Transportation Demand Management (TDM) plan and Vision Zero improvements, as determined to be required to support this development, to the satisfaction of the General Manager, Transportation Services;

x. Prior to the earlier of Site Plan Approval and issuance of the first building permit for shoring and excavation, the owner shall submit plans and drawings with the design and construction of public realm improvements on Liberty Street, Jefferson Avenue and Atlantic Avenue, to the satisfaction of the Chief Planner and Executive Director, City Planning and the General Manager, Transportation Services;

xi. Prior to the earlier of Site Plan Approval and issuance of the first building permit, including a permit for shoring and excavation, the owner shall submit a Construction Management Plan for the development lands, to the satisfaction of the Chief Planner and Executive Director, City Planning, the General Manager, Transportation Services, and the Chief Building Official and Executive Director, Toronto Building, in consultation with the Ward Councillor, prior to the issuance of any permit, including a heritage permit or a building permit, and including conditional permits, but excluding permits for repairs and maintenance and usual and minor works for the existing heritage building as are acceptable to the Senior Manager, Heritage Planning, and thereafter shall implement the plan during the course of construction;

xii. Prior to the earlier of Site Plan Approval and issuance of the first building permit, including a permit for shoring and excavation, the owner shall submit plans and drawings detailing any wind mitigation measures as determined through a wind tunnel analysis undertaken, to the satisfaction of the Chief Planner and Executive Director, City Planning;

xiii. The owner will construct and maintain the development of the site in accordance with Tier 1, Toronto Green Standard, and the owner will be encouraged to achieve Tier 2, Toronto Green Standard, or higher, where

appropriate, consistent with the performance standards of Toronto Green Standards applicable at the time of the site plan application for each building on the site.

11. City Council authorize the City entering into such agreements, including an amendment to the Section 37 Agreement for 11 and 25 Ordnance Street, to secure the off-site replacement of the rental units to be demolished on the development lands at 25 and 35 Liberty Street, 58 Atlantic Avenue, and 51, 61, and 65 Jefferson Avenue, and the conditions as set out in Recommendations 6. b) and 6. g) to i) above, all to the satisfaction of the Chief Planner and Executive Director, City Planning and City Solicitor as required in Recommendation 6. n) above, with such agreement to be registered to the satisfaction of the City Solicitor prior to the issuance of any permit for all or any part of the development lands, including a heritage permit or a building permit, but excluding permits for such repairs and maintenance and usual and minor works for the existing heritage buildings as are acceptable to the Senior Manager, Heritage Planning.

12. City Council authorize the appropriate City officials to take such actions as are necessary to implement City Council's decision, including execution of the Section 111 Agreement, Section 37 Agreement, and any other necessary agreement(s).

13. 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 by-law for the lands at 25 and 35 Liberty Street, 58 Atlantic Avenue, and 51, 61, and 65 Jefferson Avenue before the second anniversary of the first day on which any part of the site specific by-law comes into effect.

FINANCIAL IMPACT

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

DECISION HISTORY

Subject Lands

A Preliminary Report on the previous version of the application was adopted by Toronto and East York Community Council on January 16, 2016 authorizing staff to hold a Community Consultation Meeting with an expanded notification area. The Toronto and East York Community Council Decision is available here:

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2016.TE13.33>

At its meeting on May 22, 23, and 24, 2018, City Council adopted staff's recommendations with amendments for the Final Report on the Zoning By-law and Rental Housing Demolition applications to permit the development of a ten-storey commercial office building on the subject lands. A recommendation to withhold the

necessary Bills for enactment of the site-specific Zoning By-law Amendment, until a number of items were satisfied, was also adopted. The City Council decision, associated staff report and Zoning By-law Amendment is available here:
<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2018.TE32.3>

Additionally, at its meeting on May 22, 23 and 24, 2018, City Council adopted staff's recommendation for the approval of the alterations, designation under Part IV of the Ontario Heritage Act and giving authority to enter into a Heritage Easement Agreement for the property at 58 Atlantic Avenue. By-law 1147-2019 was enacted and passed by City Council on July 18, 2018 designating the property at 58 Atlantic Avenue under Part IV of the Ontario Heritage Act. The City Council decision and associated staff report related to the Heritage Designation is available here:
<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2018.TE32.4>

At its meeting on October 2, 2019, City Council adopted staff's recommendation with amendments for the Revised Final Report on the Zoning By-law and Rental Housing Demolition applications to permit the development of a ten-storey commercial office building with on-site rental housing replacement live-work units. A recommendation to withhold the necessary Bills for enactment of the site-specific Zoning By-law Amendment, until a number of items were satisfied, was also adopted. The City Council decision, associated staff report and Zoning By-law Amendment is available here:
<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2019.TE8.10>

Liberty Village Public Realm and Community Services and Facilities Study

On July 16, 2020, Toronto and East York Community Council adopted motion TE 16.58 with amendments, requesting the Director of Community Planning, Toronto and East York District, in consultation with CreateTO, Parks, Forestry, and Recreation, Real Estate Services, Transportation Services and other necessary civic officials, to undertake a study of public space and other City-owned properties in Liberty Village.

The study will assess and identify the need and opportunity to leverage City assets to improve and expand the range of open space and community services and facilities to better serve the area. The motion can be found here:
<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2020.TE16.58>

On July 14, 2021, City Council received a status update report on the study including a Terms of Reference, Community Engagement Strategy and an estimated study timeline. The decision history can be found here:
<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2021.TE26.29>; and

On February 16, 2022, Toronto and East York Community Council received an update report on the study including preliminary findings, community consultation feedback to-date and short term implementation opportunities for public realm improvements. The decision history can be found here:
<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2022.TE31.50>

SITE AND SURROUNDING AREA

Description: The site is bordered by Liberty Street, Atlantic Avenue and Jefferson Avenue and a three-metre wide public laneway connecting Jefferson Avenue and Atlantic Avenue.

It is rectangular in shape and approximately 3,350 square metres in size. The site has 63.91 metres of frontage on Liberty Street and 52.41 metres of frontage on both Atlantic Avenue and Jefferson Avenue.

The site is currently occupied by a complex of five buildings ranging in height from one to three storeys with a surface parking lot accessed from Atlantic Avenue and boulevard parking on Liberty Street and Jefferson Avenue. The building on the northeast corner of the site at 58 Atlantic Avenue is a three-storey heritage building.

In 1999, Ontario Land Tribunal (OLT) (File No. PL980913) allowed the legalization of the existing live-work units on site. Over the years, many of these units remained as live-work rental dwelling units, while others were used strictly for commercial purposes. At the time of the application submission in 2015, it was determined that 42 of the existing 53 units on the subject site were used for residential rental purposes as live-work rental dwelling units. The remaining 11 units were considered commercial. According to the Housing Issues Report submitted by the applicant, the 42 existing live-work rental dwelling units had the following unit mix and rent classifications at the time of application:

	Affordable	Mid-Range	High End	Total
Studio	0	6	16	22
One-bedroom	1	6	12	19
Two-bedroom	0	1	0	1
Three-bedroom	0	0	0	0
Total	1	13	28	42

At the time of this report, 12 of the existing live-work rental dwelling units are occupied. Many of the existing tenants use their rental unit for both work and living purposes.

Official Plan Designation: The site is designated Core Employment Areas and is located within Policy 3 Area of the Garrison Common North Secondary Plan. An area specific appeal to OPA 231 Policy Area 3 Specific Policy in the Garrison Common North Secondary Plan remains under appeal. The subject lands are within the Area 3 boundaries and as such OPA 231 is not in force for the site. See Attachment No. 3 for the Official Plan Land Use Map.

Zoning: The property is zoned IC (Industrial Commercial) D3 N1.5 under Zoning By-law 438-86 with a height limit of 28 metres and a maximum density of 3 times the area of the lot for industrial uses, 1.5 times the area of the lot for uses that are more commercial in nature.

While restaurant, retail and service shop uses are generally permitted in an IC zone, exception 298, which applies to the site, prohibits them in the Liberty Village Area except on the King Street and Dufferin Street frontages as well as at 105 to 141 Jefferson Street and 110 to 134 Atlantic Avenue.

The site is not subject to the new harmonized City-wide Zoning By-law 569-2013. See Attachment No. 4 to this report for the Existing Zoning By-law Map.

Surrounding Land Uses:

North: is 60-80 Atlantic Avenue, a heritage designated three-storey office building on the south end and a 5-storey office building on the north side of the property. Further north along Atlantic Avenue are low-rise office and commercial buildings, including the heritage designated property at 99 Atlantic Avenue, with an eight-storey office building at the northeast corner of Atlantic Avenue and Liberty Street and a Privately Owned Publicly-Accessible Open Space (POPS) at the northwest corner of Liberty Street and Hanna Avenue.

South: is a public laneway. Streets south of the laneway to the GO rail corridor are lined with one to three storey office and industrial buildings.

East: is a Toronto Parking Authority surface parking lot at 34 Hanna Avenue. To the east of the parking lot is a complex known as the Liberty Market Building, which has a mix of commercial, office, retail and restaurant uses. Beyond that, the area is known as King-Liberty, a residential neighbourhood comprised of townhouses and condominium towers.

West: On the southwest corner of Jefferson Avenue and Liberty Street is a one-storey radio station complex. On the northwest corner is the Allan A. Lamport Stadium Park. The Liberty Village employment area continues west to Dufferin Street.

THE APPLICATION

Description: In May 2018, City Council adopted staff's recommendations to approve the rezoning and rental housing applications for a 10-storey office building with the demolition of the 42 existing live-work rental units and the provision of 51 replacement rental dwelling units within two new rental apartment buildings under construction at 11 and 25 Ordnance Street. Following the May 2018 City Council decision, the applicant advised City staff that they could not meet the conditions related to off-site replacement of existing live-work rental units.

In October 2019, City Council adopted staff's revised recommendations to approve a modified proposal to incorporate 42 rental live-work units within the development, with the overall building height being maintained and some modifications to the interior and exterior of the building to accommodate the live-work units.

In early 2020, the property was sold, and City Planning staff were contacted by the new property owner who sought to further modify the proposed development to provide additional office space, which would be more aligned with the Official Plan's Core Employment Areas Designation. To allow for the additional office space while maintaining the overall height and built form approved by City Council in 2019, the owner proposed to remove a portion of the 42 on-site live-work replacement rentals and replace those units with office uses, while providing for the removed units off-site within 11 and 25 Ordnance Street, where the units were originally contemplated to be located in the May 2018 City Council approvals.

A revised application including additional fees were received by the City in April 2022, which proposes an 11-storey (49.9 metres, inclusive of the mechanical penthouse) commercial office building with 20 on-site live-work rental housing replacement units and 30 off-site replacement rental dwelling units.

Heritage: By-law 1147-2019 designates the property at 58 Atlantic Avenue (also known as 25 Liberty Street) under Part IV of the Ontario Heritage Act. The three storey heritage building on the northeast corner of the site is proposed to be retained.

Density: 7.9 times the area of the lot.

Amenity Space: 20 live-work rental replacement units are proposed on-site. A total of 89 square metres of amenity space (4.45 square metres per unit) is proposed, consisting of 48 square metres of indoor amenity space (2.4 square metres per unit) and 41 square metres of outdoor amenity space (2.05 square metres per unit).

The proposal indicates that there will be an outdoor amenity space for the office component of the building on the fourth floor as well as terraces on the fifth floor.

Retail: The proposal includes 1,317 square metres of retail space located on the ground floor of the building along Atlantic Avenue, Liberty Street and Jefferson Avenue.

Access, Parking, and Loading: At the rear, the existing 3.05 metre public lane between Atlantic Avenue and Jefferson Avenue requires a conveyance to the City of a 1.48 metre road widening in order to satisfy the requirement of an ultimate 6.0 metre wide lane right-of-way. The public lane allows for a midblock connection between Atlantic Avenue and Jefferson Avenue and will provide access to three loading spaces and a two-level underground parking garage containing 96 vehicular parking spaces, 148 bicycle parking spaces and associated shower/change facilities on the P1 Level.

Additional Information

See Attachment No. 1 to this report for the location map, Attachment No. 2 for the project data, Attachment No. 6 for the site plan, Attachments No. 7-8 for a three

dimensional representation of the current proposal in context, and Attachments No. 9-12 for the elevations.

The current proposal incorporates numerous revisions from the previous Revised Final Report approved at City Council in 2019, as summarized below:

- Increase of 1,619 square metres of non-residential gross floor area;
- Revisions to the rental replacement and tenant relocation package from 42 on-site live-work rental replacement units to 20 units on-site and 30 units off-site at 11-25 Ordnance Street;
- Removal of some retail space along Jefferson Avenue to allow for 2-level live-work replacement units along Jefferson Avenue; and
- Reoriented loading spaces from the public laneway;

The following chart compares details of the original 2015 application, 2018 Council approvals, 2019 revised Council approvals and current proposal:

Statistic	Initial 2015 Submission	Council Approved 2018 Version	Council Approved 2019 Version	Current Submission
Total Gross Floor Area	26,301 m ²	25,669 m ²	26,472 m ²	26,399 m ²
Non-Residential Gross Floor Area	26,301 m ²	25,669 m ²	22,671 m ²	24,290 m ²
Overall Building Height	12 storeys (59 metres)	10 storeys (49.65 metres)	10 storeys (49 metres)	11 storeys (49.9 metres)
Underground Garage Levels	4	2	2	2
Loading Spaces	4	4	3	3
Bike Parking Spaces	105	111	141	148
Vehicular Parking Spaces	283	108	107	96

Statistic	Initial 2015 Submission	Council Approved 2018 Version	Council Approved 2019 Version	Current Submission
Replacement Live-Work Rental Units	0	51 off-site	42 on-site	50 total: 20 on-site 30 off-site
Amenity Space	0	0	Total: 168m ² Indoor: 3.6m ² /unit Outdoor: 0.36m ² /unit	On-site Total: 89m ² Indoor: 2.4m ² /unit Outdoor: 2.05m ² /unit Off-site: Full access to building amenity spaces

Reasons for Application

The proposal requires an amendment to the Zoning By-law for an increase in density, and height, as well as site-specific provisions for setbacks, loading, parking and bicycle parking to implement the development.

The Rental Housing Demolition application under Chapter 667 of the Toronto Municipal Code pursuant to Section 111 of the City of Toronto Act, 2006 is required to demolish the 42 existing live-work rental dwelling units.

Site Plan Control

The proposal is subject to Site Plan Control. As of the date of this report, a Site Plan Control application has not yet been submitted.

Provincial Land Use Policies

The application has been reviewed to determine its consistency with the Provincial Policy Statement (2020) (PPS), conformity with A Place to Grow: Growth Plan for the Greater Golden Horseshoe (2020) (Growth Plan), and conformity to the City's Official Plan. The PPS provides policy direction province-wide on land use planning and development to promote strong communities, a strong economy, and a clean and healthy environment. The Growth Plan builds upon the policy foundation provided by the PPS and provides more specific land use planning policies to address issues facing the Greater Golden Horseshoe region.

Agency Circulation

The application together with the reports/studies submitted in support of the application 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.

COMMUNITY CONSULTATION

A community consultation meeting was held on February 11, 2016. Approximately 50 people were in attendance. At the meeting City staff and the applicant's team gave presentations on the site and surrounding area, the existing planning framework, and the proposed development. Following the presentations, City staff led a question and answer format meeting. Comments and questions provided by the meeting attendees included:

- Mixed opinions on the scale and design of the building;
- Concerns about live-work units being removed from Liberty Village and being replaced by office uses;
- Concerns about the approach to heritage preservation. Specifically it was suggested that more than the 58 Atlantic Avenue (25 Liberty Street) building should be retained;
- Concerns about traffic congestion;
- A number of questions regarding tenant relocation and assistance and the City's rental housing replacement policies; and
- Concerns about commercial space remaining vacant.

Tenant Consultation

City Planning staff held meetings with tenants in April 2015, November 2017, and June 2019 to review the City's housing policies, the impact of the proposed demolition on existing tenants and the proposed tenant relocation and assistance plan.

A fourth tenant consultation meeting was held on May 19, 2022 to discuss the revised rental replacement proposal and tenant relocation and assistance plan. The meeting was held virtually and attended by ten tenants, City Staff, the applicant and a representative of the Ward Councillor's office. During the meeting, tenants asked questions and expressed concerns about:

- The accuracy of the measurements used for determining the size of their existing live-work rental dwelling units;
- The proposed replacement rental unit sizes, layouts and ceiling heights and the need for appropriately sized replacement units ;
- The loss of live-work units in Liberty Village and tenants' ability to continue their work as artists in the replacement rental units;
- Challenges with finding interim housing given the current cost and availability of live-work rental housing;
- The timing of the proposed demolition and the estimated length of time over which the proposed development would be constructed;
- Parking availability and costs for returning tenants;
- Compensation for moving costs;
- Programming and costs for accessing amenity spaces; and
- How rent increases would be calculated for returning tenants.

Statutory Public Meeting Comments

In making their decision with regard to this application, Council members will have had an 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

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

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

Rental Housing Demolition and Replacement

The Rental Housing Demolition Application initially approved by City Council on May 22, 23 and 24, 2018 proposed to replace the existing 42 live-work rental dwelling units in two new rental towers at 11 and 25 Ordnance Street. At that time, off-site replacement of the existing live-work rental dwelling units was required to address the land use designation of the 58 Atlantic (25 Liberty Street) site as a Core Employment Area, and the development proposed for the site was entirely office use.

Following the approval in 2018, the former owner of the site advised they were not able to fulfill the obligations related to the off-site replacement rental dwelling units. The Rental Housing Demolition Application was subsequently modified and the revised proposal was approved by City Council on October 2, 2019. The modification proposed to provide 42 replacement live-work rental dwelling units within the proposed building on-site.

Since City Council's approval of the modified proposal in 2019, the site was sold to a new owner. The new owner is now proposing to replace the existing 42 live-work rental dwelling units with a total of 50 replacement rental units. Of the 50 replacement rental units, 20 are proposed to be located on-site and 30 are proposed to be located off-site at 11 and 25 Ordnance Street. The revised proposal would minimize the amount of replacement residential gross floor area on-site in order to support the Core Employment Area land use designation, but would also ensure that tenants, who have a deep connection to the Liberty Village community, are able to return to replacement live-work dwelling units on-site.

In accordance with Policy 3.2.1.6 of the Official Plan, the existing dwelling units will be replaced by their respective or larger bedroom types, at similar unit sizes, and at similar rents to those in effect at the time of application. Similar to the proposal approved by Council in 2018, the current proposal would replace studio units as one-bedroom units. In total, 17 of the 22 existing studio units would be replaced with one-bedroom units, and the other 5 studios will be replaced with studios. The remaining 25 existing units would be replaced by their respective bedroom types. An additional 7 one-bedroom

units and 1 two-bedroom replacement unit will be secured, to increase the total number of rental units from 42 to 50. The on-site replacement live-work rental dwellings units would be located on floors 2-3 of the retained heritage building and on floors 1-4 of the proposed new building. The off-site replacement rental dwellings units would be located on floors 8-12 of Tower A and floors 6-8 of Tower B at 11 and 25 Ordnance Street.

All 50 replacement rental dwelling units located off-site and on-site will include ensuite laundry, central air conditioning and new appliances. Tenants of the on-site replacement live-work rental dwelling units will have access to residential indoor and outdoor amenity space within the proposed building at no additional charge, all resident and visitor bicycle parking, storage lockers and at least 9 vehicle parking spaces located on-site. Tenants of the off-site replacement rental dwelling units will have access to all residential indoor and outdoor amenity space, resident and visitor bicycle parking spaces, and vehicle parking spaces located at 11 and 25 Ordnance Street on the same terms and conditions as any other resident of the buildings.

The following table provides a comparison of the existing conditions, first and second replacement rental proposals and revised replacement rental proposal.

	Existing Conditions	2018 Council Approval Replacement Proposal	2019 Council Approval Replacement Proposal	Current Replacement Proposal
Number of Rental Units	42	51	42	50
Total Gross Floor Area of Rental Units	2,885.6	2,884.3	2,885.6	3,122.5
Location of Replacement Rental Units	n/a	Off-site at 11 and 25 Ordnance Street	On-site	On-site: 20 units; and Off-site: 30 units at 11 and 25 Ordnance Street
Unit Mix				
<ul style="list-style-type: none"> • Studio • One-bedroom • Two-bedroom 	22 19 1	0 35 16	22 19 1	5 43 2
Average Unit Size	68.7m ²	56.6m ²	68.7m ²	62.4m ² (80.1m ² on-site and 50.7m ² off-site)

The 20 on-site replacement live-work rental dwelling units were designed to more closely reflect the unit sizes of the tenants with a right to return to a replacement rental unit, many of whom both live and work as artists in the existing buildings. As part of the first two approvals, loft spaces in existing live-work rental dwelling units that did not comply with the Building Code Act were deducted from the size of the existing live-work rental dwelling unit in order to best capture habitable living space. In response to feedback received from tenants at the tenant meeting in May 2022, the applicant has agreed to retain a professional building measurement company or architect to re-measure and provide as-built floor plans for tenants' existing live-work rental dwelling units to confirm the existing unit sizes, ceiling heights and unit types (number of bedrooms and dens), in accordance with the Ontario Building Code and Tarion Bulletin 22. The applicant has also agreed to consult with tenants on the floor layouts of the on-site replacement live-work dwelling units and programming of amenity spaces on-site. Following this exercise, the applicant has agreed to reconfigure the on-site replacement live-work rental dwelling units to ensure that each existing live-work rental dwelling unit for each Eligible Tenant is replaced with a replacement live-work rental dwelling unit of the same unit type, including dens, and within at least 5% of the existing gross floor area of the unit. As a result, the unit mix and sizes of the on-site replacement live-work rental dwelling units may be further adjusted to better reflect existing conditions. This additional commitment will ensure the overall design and unit layout of the revised replacement rental proposal more closely reflects that of the existing live-work rental dwelling units, supporting the ability for the existing live-work uses to continue on the subject site.

At the time of this report, the 30 off-site replacement rental dwelling units at 11 and 25 Ordnance Street have already been constructed in a purpose-built rental building and are ready for occupancy. In this instance, staff are satisfied that the revised replacement rental proposal continues to support the intent of Official Plan Policy 3.2.1.6, given the initial Council approval supported replacement of the existing rental dwelling units at 11 and 25 Ordnance. When the application was initially approved by Council in 2018, the towers at 11 and 25 Ordnance Street were under construction but had not yet been built and occupied as rental housing. The revised rental replacement proposal and timeline would allow the replacement rental dwelling units to be occupied prior to the existing rental dwelling units being demolished.

The applicant has agreed to provide, secure and maintain the rental tenure of the 50 on-site and off-site replacement rental dwelling units for at least 20 years. The secured rental tenure period would begin from the date that each replacement rental dwelling unit is first occupied and until the owner obtains any necessary approvals removing the requirement for the replacement rental dwelling units to be maintained as rental units, but no earlier than 20 years from first occupancy.

The applicant has also confirmed that tenants would maintain the right to return to an on-site replacement rental unit of a similar unit type at similar rent, and that rents for on-site replacement rental units without returning tenants would not exceed the applicable affordable or mid-range rent thresholds for a period of at least 10 years. As well, in response to feedback from the tenant meeting, the applicant has confirmed that returning tenants would not be subject to a one-time 4% rent increase, as was proposed under the previous Council approvals. The 20 on-site replacement live-work rental

dwelling units would include 1 studio and 3 one-bedroom units secured at affordable rent and 3 studio units, 11 one-bedroom units and 1 two-bedroom unit secured at mid-range rent for at least 10 years, beginning from the date that each replacement live-work rental dwelling unit is first occupied. The 30 off-site replacement rental dwelling units at 11 and 25 Ordnance Street would replace 28 existing rental dwelling units with high-end rents and would have no rent restrictions. The owner has agreed to secure all of the provisions related to the rental tenure and rent restrictions associated with the replacement rental dwelling units through Section 37 and Section 111 Agreements with the City, all of which shall be to the satisfaction of the Chief Planner and Executive Director, City Planning Division.

City Planning has reviewed this revised replacement rental proposal and determined that the conditions of approval outlined in Official Plan Policy 3.2.1.6 continue to be satisfied.

Tenant Relocation and Assistance Plan

As a condition of approval for the modified Rental Housing Demolition Application approved by City Council on October 2019, the applicant agreed to provide and secure a Tenant Relocation and Assistance Plan that was in line with the City's standard practice at that time. As part of the revised proposal, in response to comments from Planning Staff and as a result of further discussion with eligible tenants, the applicant has proposed to extend and build upon the original Tenant Relocation and Assistance Plan.

The applicant has agreed to implement a Tenant Relocation and Assistance Plan for all Eligible Tenants who resided in the existing live-work rental dwelling units on the site as of October 2, 2019, being the date that the modified Rental Housing Demolition Application was previously approved by City Council. As of the date of this report, there are 13 Eligible Tenants. The plan would assist tenants in finding and securing alternative accommodation while the proposed development and replacement rental dwelling units are being constructed. The proposed plan includes additional financial compensation for tenants beyond what was previously approved in 2019 to reflect a longer proposed construction timeline. Additionally, the applicant has agreed to make a rental leasing agent available to Eligible Tenants to provide them with a list of rental vacancies in the neighbourhood, co-ordinate referrals and references from the current landlord, and provide similar assistance commensurate with the tenant's needs. Eligible Tenants who have already moved out of the existing live-work dwelling unit would not be eligible for the move-out moving allowance but would be eligible for the remainder of the Tenant Relocation and Assistance Plan.

This revised Tenant Relocation and Assistance Plan will allow Eligible Tenants to return to a replacement rental dwelling unit at a similar rent that more closely reflects their existing living conditions within the Liberty Village Community instead of a more typical residential rental dwelling unit located off-site. Eligible tenants will also have the choice to move to an off-site replacement rental dwelling unit at 11 and 25 Ordnance Street, provided their rent is adjusted to market rents.

In addition to the Eligible Tenants, there are 3 Other Eligible Tenants as of the date of this report who moved out prior to the date the original Rental Housing Demolition Application was submitted and who would maintain the right to return to a replacement rental unit at similar rent. Tenants who return to replacement rental units would be protected by the provincial rent increase Guideline, irrespective of whether such Guideline applied to the proposed development under the Residential Tenancies Act 2006 (RTA), until their tenancies end.

The Tenant Relocation and Assistance Plan is consistent with the City's current practices, will support tenants in accessing suitable housing until the replacement rental units are complete, and will be secured through one or more agreements with the City and to the satisfaction of the Chief Planner and Executive Director, City Planning Division.

Heritage Impact & Conservation Strategy

A report from the Chief Planner and Executive Director, dated April 6, 2018, recommending approval of the alterations, designation under Part IV of the Ontario Heritage Act and giving authority to enter into a Heritage Easement Agreement for the property at 58 Atlantic Avenue (also known as 25 Liberty Street), was adopted by City Council on May 22, 2018. By-law 1147-2019 was enacted and passed by City Council on July 18, 2018 designating the property at 58 Atlantic Avenue under Part IV of the Ontario Heritage Act.

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2018.TE32.4>

The building located at 58 Atlantic Avenue, known formerly as the Ontario Wind Engine and Pump Company Building (1901) retains its integrity as one of the earliest surviving well-crafted early 20th century industrial buildings in the former King-Dufferin industrial district where it reflects the historical development of the area as a manufacturing hub at the west end of Toronto. The building contributes to the character of Liberty Village where it is part of an important surviving collection of former industrial buildings that are included on the City of Toronto's Heritage Register for their cultural heritage value. The Heritage report notes that while the context of heritage property on this block will be altered with the introduction of a new office complex, the heritage building itself will be conserved as a whole building with minimal alterations, and will continue to be read as an independent volume. City Planning staff consider the revised proposal, including the new office building, supportable as it continues to retain the property's heritage attributes. The new building mitigates impacts on the scale, form and massing of the heritage building by incorporating stepbacks and a transparent glazed connection. The proposal conserves the heritage attributes and character of the heritage property as well as that of the adjacent heritage properties in accordance with applicable Official Plan policies and the provincial policy framework.

The revised proposal does not provide any additional impacts to the heritage property at 58 Atlantic Avenue and does not require further consideration by City Council.

Built Form

City Planning staff finds that the revised proposal conforms with the applicable Official Plan policies with respect to built form and massing.

The overall built form has generally not changed since the previous approval at City Council in October 2019 and overall is in keeping with the setbacks and height limits in the previously approved Zoning By-law Amendment. Minor modifications have primarily been made to the interior of the new building to allow for an increase of non-residential office gross floor area by reducing the number of on-site replacement units from 42 live-work units to 20 proposed units and converting a mezzanine level to a full office floor. The number of floors have increased from 10 to 11-storeys, while maintaining the overall height of the building approved by City Council in 2019. The revised proposal has maintained a density of 7.9, as no net new gross floor area has actually been added.

This application has been reviewed against the Official Plan Built Form policies, primarily contained within Chapter 3 of the Plan. These policies seek to ensure appropriate form and scale of new development within their surrounding contexts, including transition to areas of lower scale, appropriate relationship to adjacent streets, and the limiting of light, view and privacy impacts on the surrounding properties, streets and open spaces. The revised proposal conforms with these policies.

Shadow Impact

The proposed development casts some incremental shadow on Liberty Street, Atlantic Avenue and Jefferson Avenue in the vicinity of the site. Adjustments to building height, setbacks, massing and scale, achieved through review of this application, result in limiting the additional shadow impacts on adjacent streets and properties in accordance with the Built Form Policies of the Official Plan. The proposed shadows are acceptable.

Wind Impact

The applicant has submitted a Pedestrian Wind Comfort analysis from Rowan Williams Davies & Irwin Inc., revised as of February 15, 2017, to detail the potential wind impacts resulting from the massing of the proposed building. The report concludes that the proposed development has several positive design features for wind control, resulting in suitable wind conditions at most sidewalk and building entrance locations. An exception was noted at the entrance off Jefferson Avenue near the corner with Liberty Street. The report recommends that wind tunnel tests be conducted at an appropriate design stage to confirm and quantify these wind conditions and, if necessary develop wind control solutions.

To address wind conditions created by the new development, City Planning will require an updated wind study and satisfactory wind tunnel analysis be completed prior to the issuance of Site Plan Approval. The City will secure the wind tunnel analysis and any mitigation measures through the Section 37 Agreement and the Site Plan Control application.

Amenity Space

Amenity space for the 20 live-work replacement units is proposed on the second floor, at a rate that meets the minimum requirement of 2 square metres each of indoor and

outdoor amenity space per unit contained in former City of Toronto Zoning By-law 438-86. A total of 89 square metres of indoor amenity space (2.4 square metres per unit) is proposed along with 41 square metres of outdoor amenity space (2.05 square metres per unit).

The proposal indicates outdoor amenity spaces contained on the 4th and 5th floor of the office building. Detailed design of the amenity space, including provisions for accommodating art uses will be reviewed and secured through the Site Plan Control review process.

The 30 off-site rental replacement units at 11 and 25 Ordnance will have access to the building's amenity space.

Public Realm and Streetscape Improvements

Owing to its primarily industrial past, the streets and sidewalks within Liberty Village often offer poor pedestrian environments, limited tree planting and street furniture and, in the case of the site, boulevard parking along Liberty Street and Jefferson Avenue. The proposed development will result in significant improvements to the public realm with the proposed removal of boulevard parking and the introduction of streetscaping along all three frontages which is a positive contribution to the immediate surrounding area.

The City is undertaking a study in Liberty Village related to public realm and community Services resulting from significant increases in commercial and residential growth in Liberty Village. The purpose of the study is to help formulate a Public Realm and Community Services Plan that will include principles and an implementation strategy that can be achieved for future public realm improvements and help address the community services needs for the Liberty Village study area as well as provide direction for future development applications.

A status report on the study with a Draft Public Realm Strategy is targeted to be brought forward to the June 29th 2022 Toronto and East York Community Council with a final staff report targeted for Q2 2023.

It is expected that the Draft Liberty Village Public Realm Strategy and this development proposal can mutually benefit from each other's review and provide input into a positive outcome for both in relation to public realm improvements, such as streetscaping, removal of boulevard parking, and creating opportunities for midblock connections and open spaces.

This report's Recommendations identify that the design and construction of public realm improvements on Liberty Street, Jefferson Avenue and Atlantic Avenue will be secured in the Section 37 Agreement as a matter of convenience.

Further detailed design of the public realm will be addressed during the Site Plan Control review process. City staff are satisfied that the proposal is consistent with the applicable public realm policies of the Official Plan.

Parkland

The Official Plan contains policies to ensure that Toronto's systems 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 m² of parkland per person, which is below the city-wide average provision of 28 m² of parkland per person (2016)

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

The value of the cash-in-lieu of parkland dedication will be appraised through Real Estate Services. Payment will be required prior to the issuance of the first above grade building permit.

Tree Preservation

The applicant submitted an Arborist Report in support of the application indicating that there are trees on private and City property which meet the criteria under the City's tree protection by-laws. 6 trees are proposed to be removed and 5 trees are proposed to be protected. An updated Arborist Report and Tree Protection Plan, including appropriate replacement plantings, will be required to be submitted with the Site Plan Control application.

Road Widening

To satisfy the Official Plan requirement of a 6 metre lane right-of-way on the south side of the property, a 1.48 metre lane widening is required along the rear of the property between Atlantic Avenue and Jefferson Avenue. The widening will be conveyed to the City through the Site Plan Control process.

Cycling, Access, Parking and Loading

A total of 148 bicycle parking spaces are proposed, including 58 short term bicycle parking spaces and 90 long term bicycle parking spaces with 2 shower/change facilities all provided for on the P1 level. The proposed long term spaces exceed the required spaces by 24 spaces and the short term bicycle parking spaces meet the Zoning By-law requirements.

Vehicular access for parking will be from the widened public lane on the south side of the site. The two levels of underground parking garage propose a total of 96 vehicular

parking spaces for office-commercial users and the live-work replacement rental dwelling units. Access to the loading area containing 3 loading space (1 Shared Type "G/B"; 1 Shared Type "B/C"; and 1 Type "C") will also be from the public lane.

Transportation Services staff have reviewed the Urban Transportation Considerations Report and accepted its conclusions. Additional comments related to site access arrangements, site circulation and layout, design of the proposed site entrance driveway, layout and location of the proposed bicycle parking, shower/change facilities, vehicular parking supply including ingress/egress, and requirements for electric vehicle infrastructure will be provided through the Site Plan Control process.

Servicing and Stormwater Management

The Engineering and Construction Services Division has requested revisions to the submitted Functional Servicing, Geotechnical and Stormwater Management Reports. The Recommendations section of this report requires that these reports be amended, to the satisfaction of the Chief Engineer and Executive Director, Engineering and Construction Services Division, prior to the issuance of any building permits.

Toronto Green Standard

City 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.

Conclusion

The proposal has been reviewed against the policies of the PPS (2020), the Growth Plan (2020), and the Official Plan. Staff are of the opinion that the proposal is consistent with the PPS (2020) and conforms with the Growth Plan (2020).

The development of an 11-storey commercial office building will introduce a substantial amount of new employment space into an area the City has targeted for employment growth. The proposal has been designed and scaled to appropriately limit its impacts on the surrounding area. The proposed development fits within the existing context and appropriately incorporates the retention of the existing heritage building.

The existing 42 live-work units are permitted under current in-force Official Plan policy, as only a portion of the existing live-work units are proposed to be replaced on-site and no new additional residential units are being added to the employment area in Liberty Village. The proposal has been reviewed against the policies of the PPS (2020), the

Growth Plan (2020), the in-force policies of the Official Plan, and the Garrison Common North Secondary Plan. Staff are of the opinion that the proposal is consistent with the PPS (2020) and conforms with the Growth Plan (2020). Furthermore, the proposal is in keeping with the intent of the Official Plan, and Garrison Common North Secondary Plan.

Planning Staff have reviewed the Rental Housing Demolition application and have determined that the applicant's demolition and replacement proposal for 25 and 35 Liberty Street, 58 Atlantic Avenue, and 51, 61 and 65 Jefferson Avenue satisfies the City's replacement rental policies. Staff recommend that Council approve the Zoning By-law Amendment and Rental Housing and Demolition applications.

CONTACT

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SIGNATURE

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

ATTACHMENTS

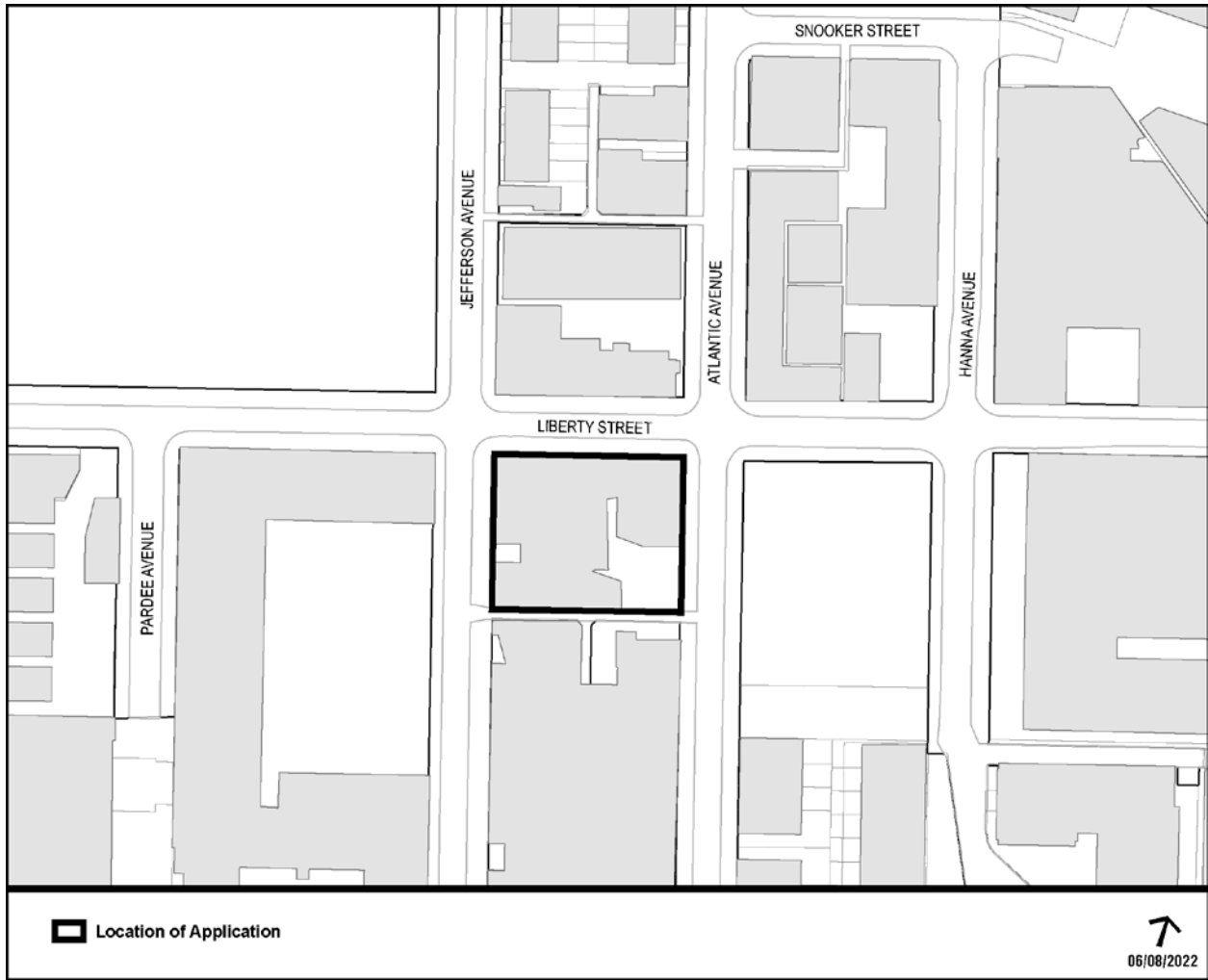
City of Toronto Data/Drawings

Attachment 1: Location Map
Attachment 2: Application Data Sheet
Attachment 3: Official Plan Land Use Map
Attachment 4: Existing Zoning By-law Map
Attachment 5: Draft Zoning By-law Amendment

Applicant Submitted Drawings

Attachment 6: Site Plan
Attachment 7: 3D Model of Proposal in Context - Northwest
Attachment 8: 3D Model of Proposal in Context - Southeast
Attachment 9: East Elevation
Attachment 10: South Elevation
Attachment 11: West Elevation
Attachment 12: North Elevation

Attachment 1: Location Map



APPLICATION DATA SHEET

Municipal Address: 25-35 LIBERTY ST, **Date Received:** October 13, 2015
 58 ATLANTIC AVE, &
 51-65 JEFFERSON
 AVE

Application Number: 15 236743 STE 14 OZ

Application Type: OPA / Rezoning, Rezoning

Project Description: Proposal for a rezoning application for an 11- storey office building with 2 levels of below ground parking. There is a Rental House Demolition and Control Application (File No. 15 130397 STE 14 RH) being reviewed concurrently.

Applicant	Agent	Architect	Owner
DAVID HUYNH C/O BOUSFIELDS INC	DAVID HUYNH C/O BOUSFIELDS INC	B+ H ARCHITECTS CORP.	2-8 ST THOMAS STREET GENERAL PARTNER INC

EXISTING PLANNING CONTROLS

Official Plan Designation: CORE Employment Areas	Site Specific Provision: Garrison Common North Secondary Plan
Zoning: IC D3 N1.5	Heritage Designation: YES
Height Limit (m): 28	Site Plan Control Area: YES

PROJECT INFORMATION

Site Area (sq m): 3,349 Frontage (m): 64 Depth (m): 52

Building Data	Existing	Retained	Proposed	Total
Ground Floor Area (sq m):	2,570		2,157	2,157
Residential GFA (sq m):	3,800	800	2,109	2,109
Non-Residential GFA (sq m):	2,630		24,290	24,290
Total GFA (sq m):	6,430		26,399	26,399
Height - Storeys:	3	3	11	11
Height - Metres:	13	13	44	44

Lot Coverage Ratio (%): 76.71 Floor Space Index: 7.9

Floor Area Breakdown	Above Grade (sq m)	Below Grade (sq m)
Residential GFA:	2,109	
Retail GFA:	1,317	
Office GFA:	22,972	
Industrial GFA:		
Institutional/Other GFA:		

Residential Live-Word Units by Tenure	Existing	Retained	Proposed	Total
Rental:	42		20	20
Freehold:				
Condominium:				
Other:				
Total Units:	42		20	20

Total Live-Work Residential Units by Size

	Rooms	Bachelor	1 Bedroom	2 Bedroom	3+ Bedroom
Retained:					
Proposed:		5	14	1	
Total Units:		5	14	1	

Parking and Loading

Parking Spaces: 96 Bicycle Parking Spaces: 148 Loading Docks: 3

CONTACT:

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(416) 392-0877
Aviva.Pelt@toronto.ca

Attachment 3: Official Plan Land Use Map



Official Plan Land Use Map #18

25 & 35 Liberty Street, 58 Atlantic Avenue,
and 51, 61 & 65 Jefferson Avenue
File # 15 236743 STE 14 0Z

- Location of Application
- Mixed Use Areas
- Parks
- General Employment Areas
- Core Employment Areas

↑
Not to Scale
06/02/2022

Attachment 4: Existing Zoning By-law Map



Zoning By-law 569-2013

**25 & 35 Liberty Street, 58 Atlantic Avenue,
and 57, 61 & 65 Jefferson Avenue**
File # 15 236743 STE 14 0Z

-  Location of Application
- OR** Open Space Recreation

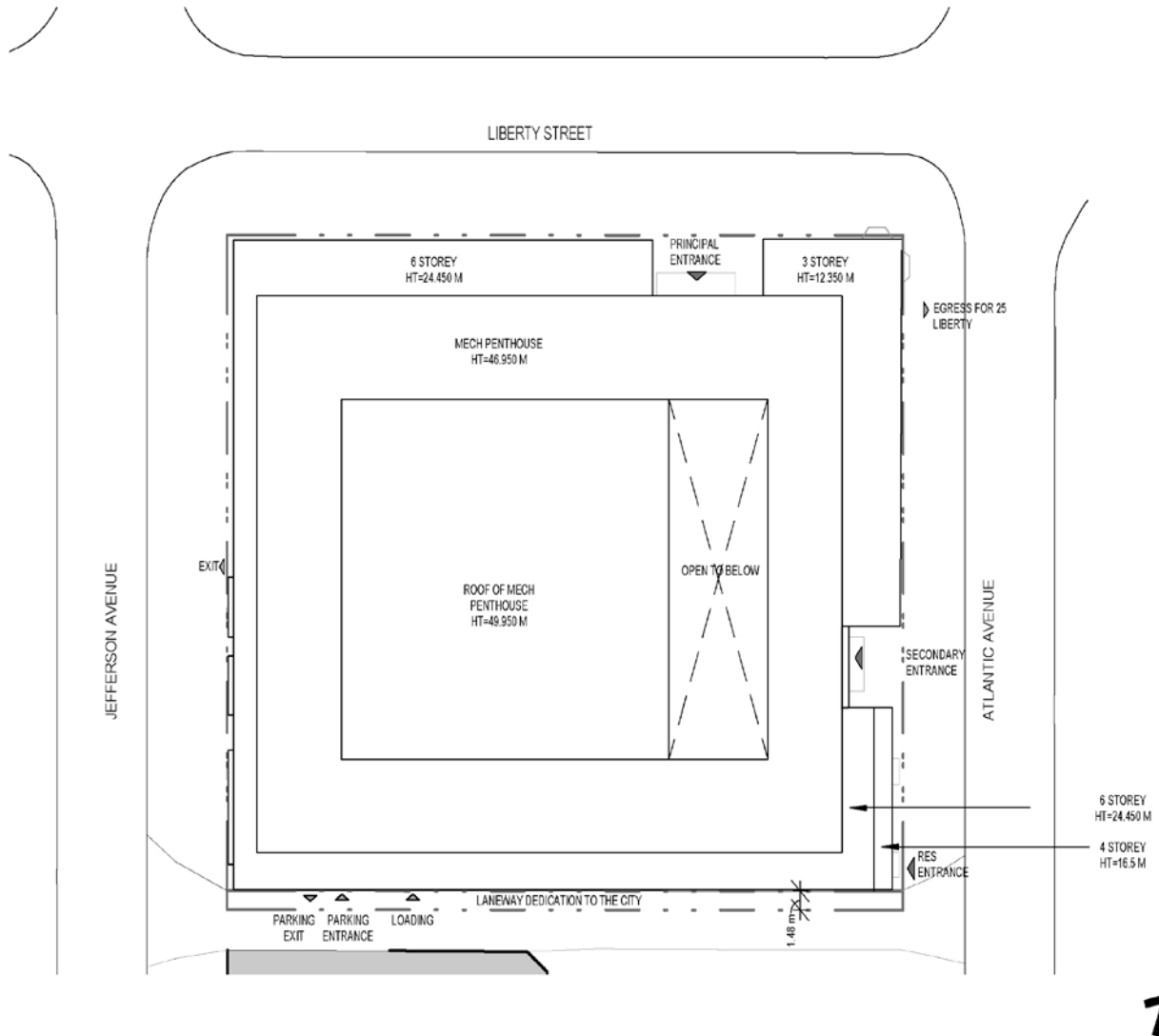
See Former City of Toronto By-law No. 438-86
IC Industrial District


Not to Scale
Extracted: 06/02/2022

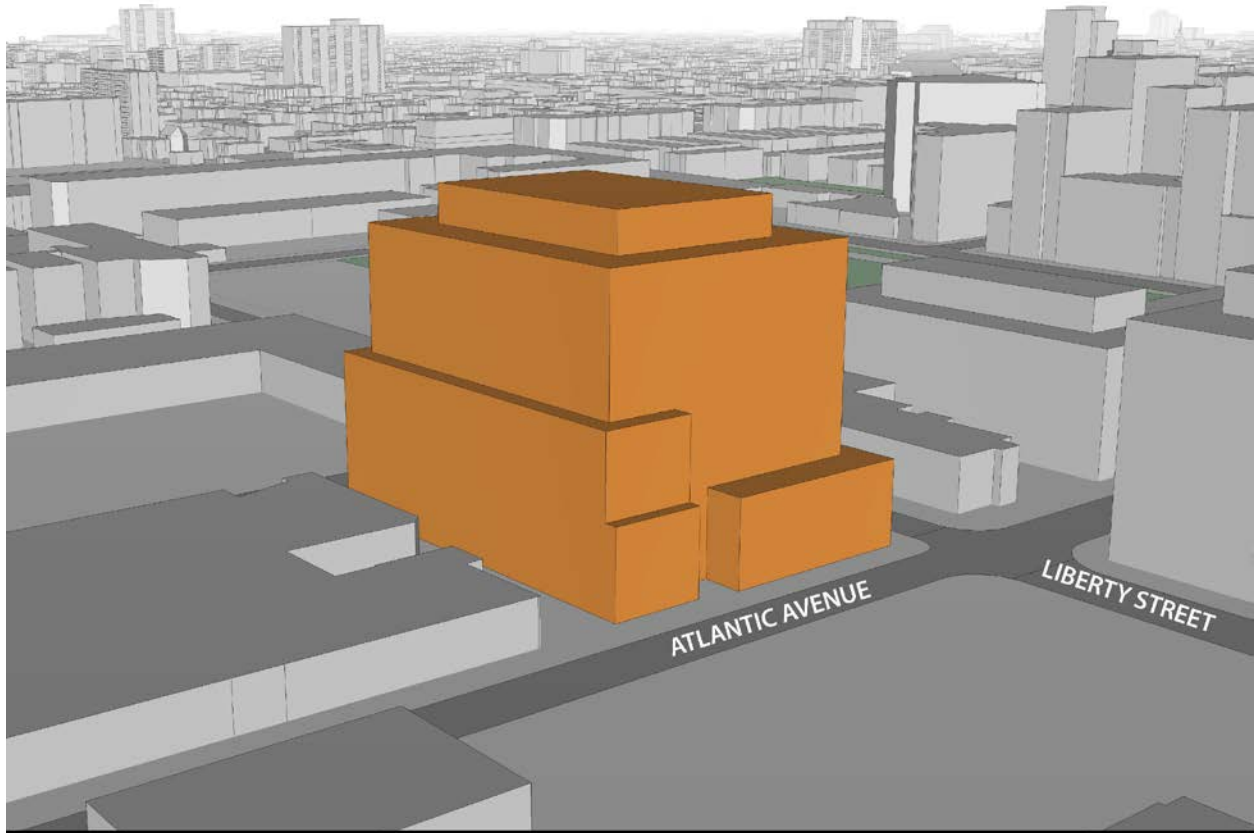
Attachment 5: Draft 438-86 Zoning By-law Amendment

The draft By-law will be made available on or before the June 29, 2022 Toronto and East York Community Council Meeting.

Attachment 6: Site Plan



Attachment 7: 3D Model of Proposal in Context - Northwest

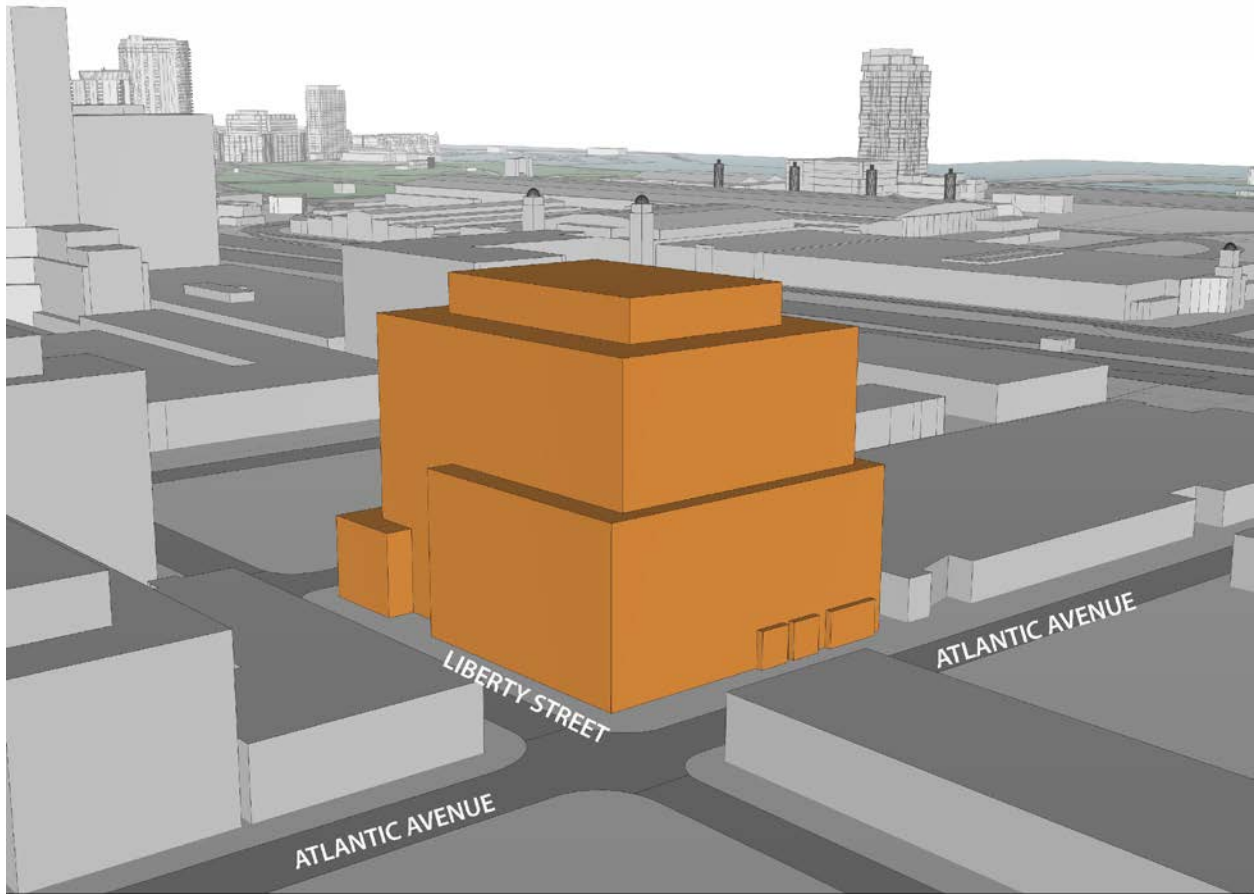


View of Applicant's Proposal Looking Northwest



06/02/2022

Attachment 8: 3D Model of Proposal in Context – Southeast

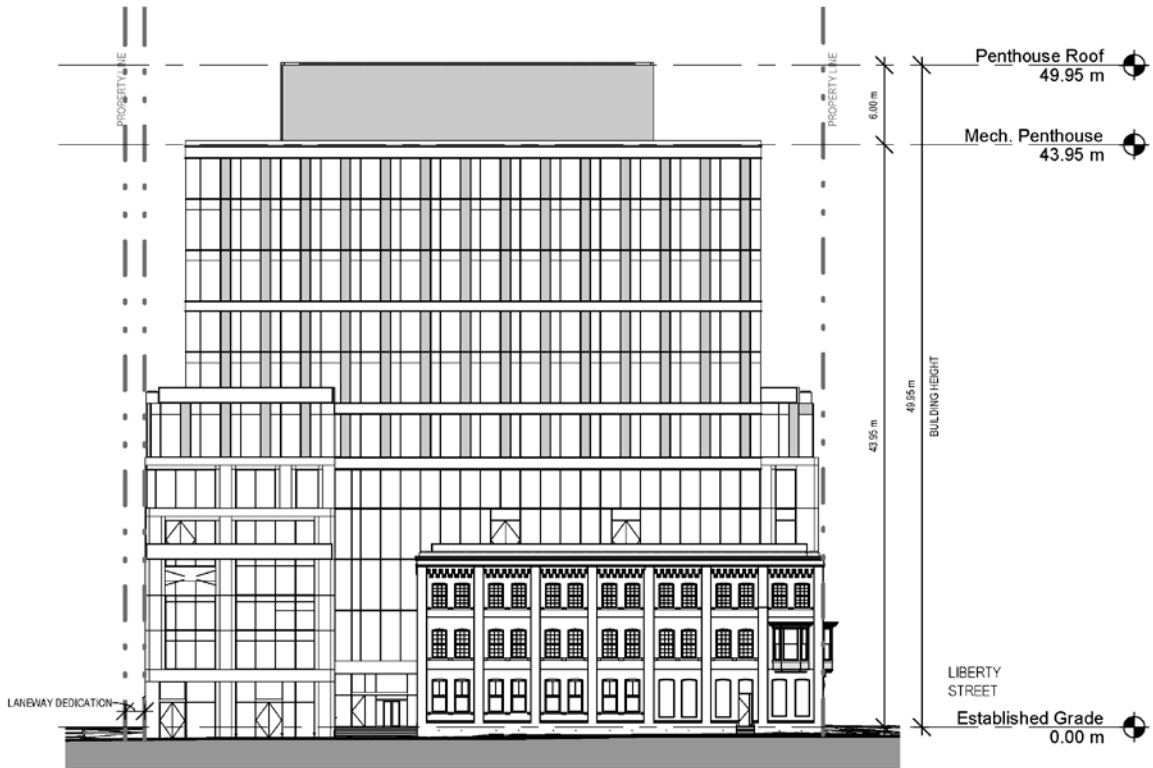


View of Applicant's Proposal Looking Southeast



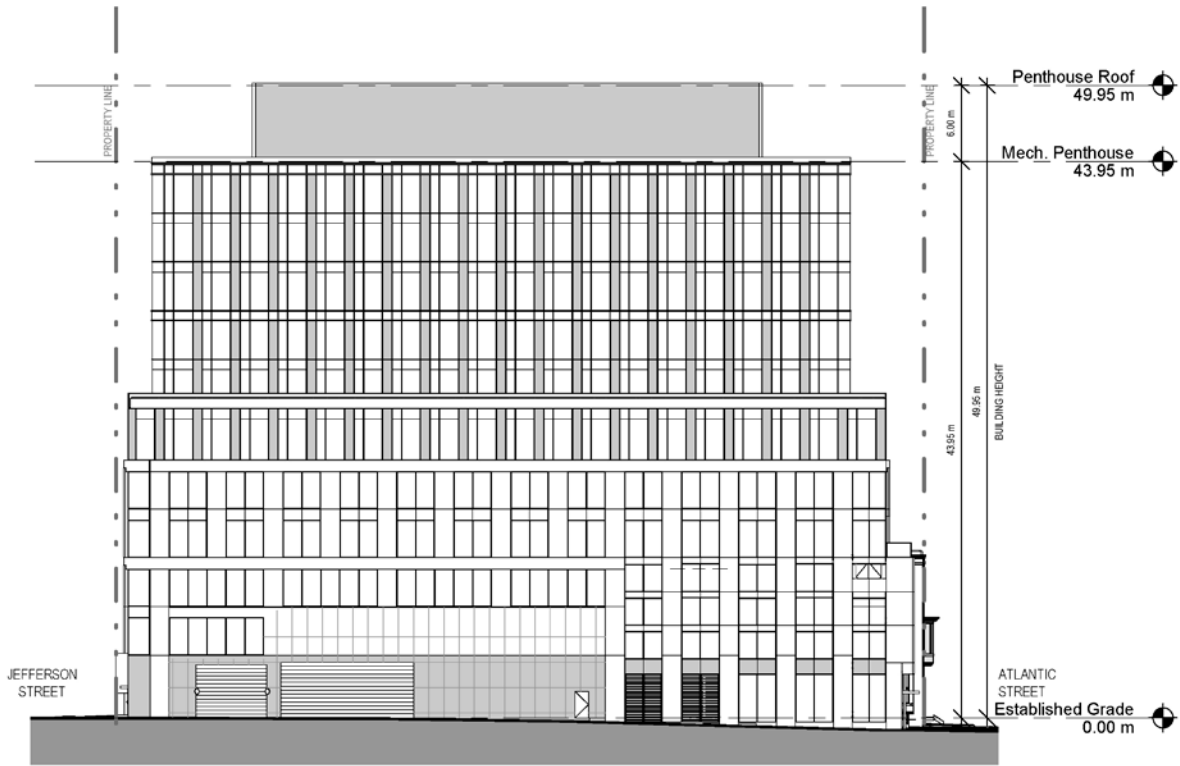
06/02/2022

Attachment 9: East Elevation



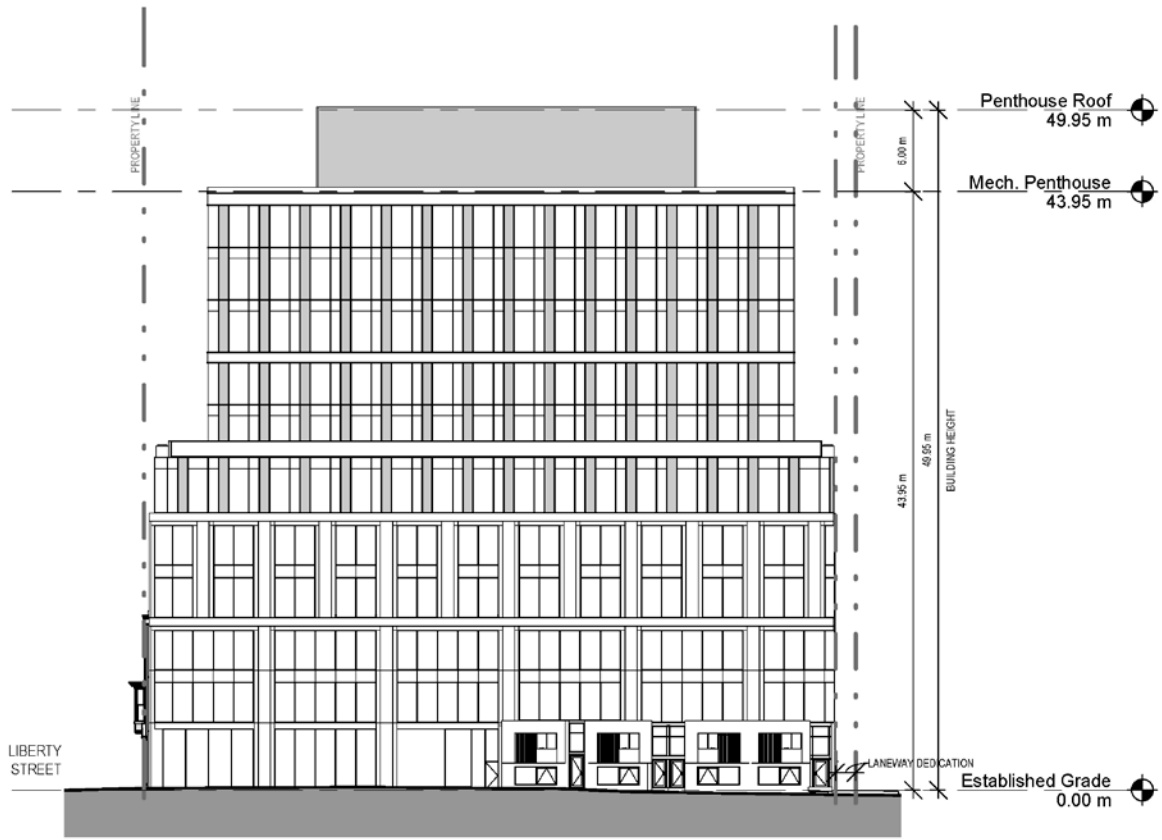
East Elevation

Attachment 10: South Elevation



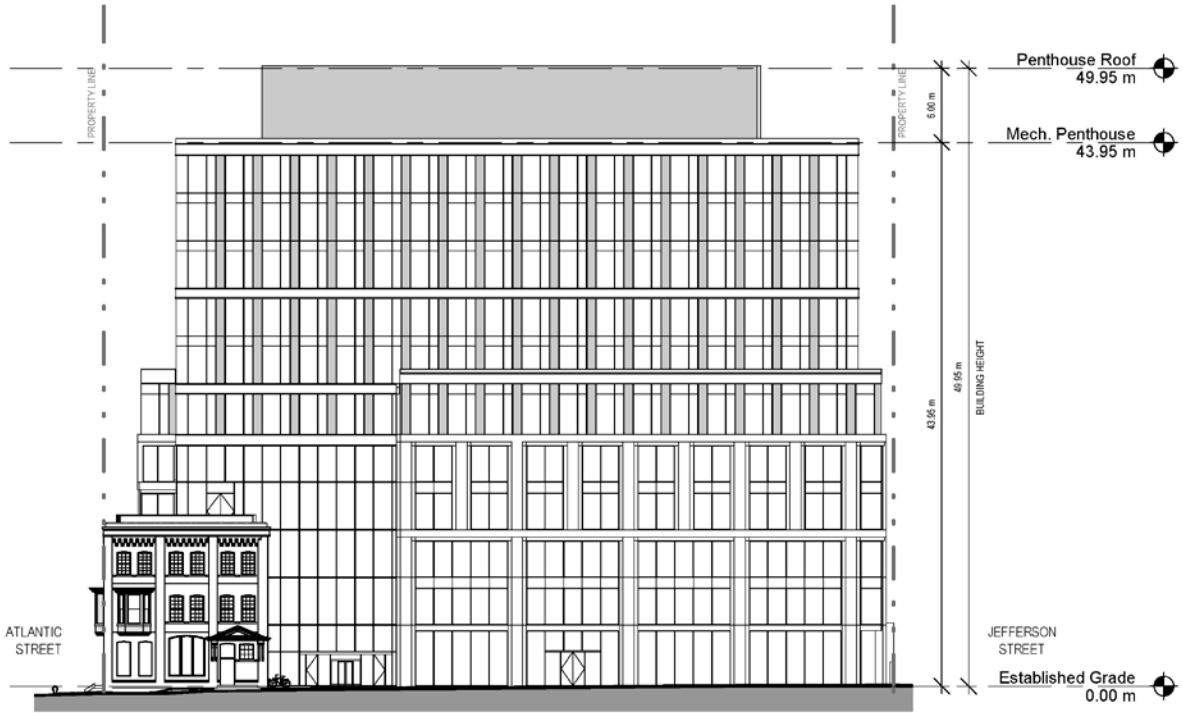
South Elevation

Attachment 11: West Elevation



West Elevation

Attachment 12: North Elevation



North Elevation