

## **145 Wellington Street West, 53 and 55 Simcoe Street – Zoning Amendment Application – Final Report**

Date: June 16, 2022

To: Toronto and East York Community Council or City Council

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

Ward: 10 - Spadina-Fort York

**Planning Application Number: 19 210278 STE 10 OZ**

### **SUMMARY**

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This report reviews and recommends approval of the application to amend the Zoning By-law to permit a 60-storey mixed-use development including office, retail and residential uses, located at 145 Wellington Street West and 53 to 55 Simcoe Street. The application proposes to demolish the existing building on the site and develop a 60-storey building with 13-storeys of office space and 512 dwelling units. A total of 546 bicycle parking spaces, four loading spaces, and 39 vehicular parking spaces are proposed on the ground level and within a three-level underground garage.

### **RECOMMENDATIONS**

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The City Planning Division recommends that:

1. City Council amend City of Toronto Zoning By-law 569-2013 for the lands at 145 Wellington Street West and 55 to 59 Simcoe Street substantially in accordance with the draft Zoning By-law Amendment attached as Attachment No. 6 to the report (June 16, 2022) 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 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 37 Agreement is executed and registered.
4. City Council authorize the City Solicitor to include such Holding provisions in the Zoning By-law as may be necessary to prevent development of the lands until such time as conditions relating to transportation or servicing improvements are satisfied, including:

a) submission of an updated Functional Servicing and Stormwater Management Report, Servicing Report Groundwater Summary, Hydrogeological Investigation Report and Hydrological Review Summary Form to the satisfaction and acceptance of the Chief Engineer and Executive Director, Engineering and Construction Services.

b) submission of an updated Transportation Report and functional drawings addressing any additional needs or impacts arising from an increase in unit count and floor area, in relation to City standards for parking, loading, vehicle manoeuvring, and solid waste collection.

c) satisfactory arrangements must be made with the Executive Director of Development Engineering and Construction Services, including any necessary agreements with the City for the design and construction of improvements to the municipal infrastructure.

5. City Council require the owner to enter into an Agreement pursuant to Section 37 of the Planning Act, securing the following community benefits:

a) Prior to the issuance of the first above-grade building permit, the owner shall make a cash contribution in the amount of four million, four hundred thousand dollars (\$4,400,000.00) to be directed towards the provision of Community Services and Facilities within or serving Ward 10, which may include such facilities identified through the Downtown West Services and Facilities Review, and/or towards public realm improvements in the vicinity of the development, to the satisfaction of the Chief Planner and Executive Director, City Planning, in consultation with the Ward Councillor;

b) Prior to the issuance of the first above-grade building permit, the owner shall make a cash contribution of one million, one hundred thousand dollars (\$1,100,000.00) dollars to be allocated towards the provision of new affordable housing and/or the Toronto Community Housing Corporation revolving capital fund for repairs to Toronto Community Housing Corporation housing in Ward 10, to the satisfaction of the Chief Planner and Executive Director, City Planning, in consultation with the Ward Councillor

c) the amounts above will be indexed upwardly in accordance with Statistics Canada Non-Residential Building Construction Price Index for the Toronto Census Metropolitan Area, reported by Statistics Canada in the Building Construction Price Indexes Table: 18-10-0135-01, or its successor, calculated from the date of the execution of the Section 37 Agreement to the date the payment is made; and

d) in the event the cash contributions referred to in Recommendations 4 a) and 4 b) above has not been used for the intended purpose within three (3) years of the amending zoning by-law coming force and effect, the cash contributions 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.

6. City Council direct that the following matters also be secured in the Section 37 Agreement as a legal convenience in support of the development:

a) Prior to the commencement of any excavation or shoring work, the owner shall submit a Construction Management Plan to the satisfaction of the General Manager, 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 access 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 General Manager, Transportation Services, in consultation with the Ward Councillor.

b) The owner shall prepare all documents and convey a Pedestrian Clearway Easement to the City to secure a minimum 3.0 metre wide pedestrian clearway along Wellington Street West, together with rights of support, such lands to be free and clear of all other physical obstructions and encumbrances, and subject to a right-of-way for access and construction purposes in favour of the Grantor until such time as the said lands have been laid out and dedicated for public pedestrian clearway purposes, all to the satisfaction of the Chief Engineer and Executive Director, Engineering and Construction Services and the City Solicitor, with the specific location, configuration and design to be determined in the context of a site plan approval pursuant to Section 114 of the City of Toronto Act, 2006, as amended, and secured in a Site Plan Agreement with the City;

c) The owner shall prepare all documents and convey a Pedestrian Clearway Easement to the City to secure a minimum 3.0 metre wide pedestrian clearway along Simcoe Street, together with rights of support, such lands to be free and clear of all other physical obstructions and encumbrances, and subject to a right-of-way for access and construction purposes in favour of the Grantor until such time as the said lands have been laid out and dedicated for public pedestrian clearway purposes, all to the satisfaction of the Chief Engineer and Executive Director, Engineering and Construction Services and the City Solicitor, with the specific location, configuration and design to be determined in the context of a site plan approval pursuant to Section 114 of the City of Toronto Act, 2006, as amended, and secured in a Site Plan Agreement with the City;

d) Prior to the earlier of Site Plan Approval or the first building permit for shoring and excavation, the owner shall pay for and construct any improvements to the municipal infrastructure in connection with the Functional Servicing and Stormwater Management Report, to be resubmitted for review and acceptance

by the Chief Engineer and Executive Director, Engineering and Construction Services, should it be determined that improvements to such infrastructure are required to support this development.

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

7. 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 145 Wellington Street West, 53 and 55 Simcoe Street before the second anniversary of the first day on which any part of the site specific by-law comes into effect.

## **FINANCIAL IMPACT**

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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**

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A Preliminary Report on the application was adopted by Toronto and East York Community Council on November 14, 2019 authorizing staff to conduct a community consultation meeting with an expanded notification area. The Toronto and East York Community Council Decision is available at:

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2019.TE11.25>

## **SITE AND SURROUNDING AREA**

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**Description:** The site is located in the Financial District, at the southeast corner of Wellington Street West and Simcoe Street. The property is rectangular in shape and has an area of approximately 1,482 square metres, with frontage of approximately 48.7 metres along Wellington Street West and frontages of 30.5 metres along Simcoe Street and an unnamed public lane along the property's eastern boundary. The site is currently occupied by a 13-storey office building with at-grade retail uses.

**Official Plan Designation:** Mixed Use Areas in the Official Plan Land Use Map, and Mixed Use Areas 1 – Growth in the Downtown Plan. See Attachments No. 3 and 4 for the Official Plan and Downtown Plan Land Use maps.

**Zoning:** Zoned Commercial Residential 'CR' 12.0 (C8.0; R11.7) SS1 (x2333) under Zoning By-law 569-2013 with a height limit of 76.0 metres and a maximum floor space

index of 12.0 times the lot area, including a maximum FSI of 8.0 for commercial uses and 11.7 for residential uses. See Attachment No. 5 to this report for the Existing Zoning By-law Map.

**Heritage Designation:** The site is located within the Union Station Heritage Conservation District under Part V of the Ontario Heritage Act, and is identified as a non-contributing property.

### **Surrounding Land Uses:**

**North:** A 14-storey office building directly across Wellington Street West, and Roy Thompson Hall and David Pecaut Square to the northwest of the Wellington Street and Simcoe Street intersection.

**South:** A 46-storey commercial office building under construction at 156-160 Front Street.

**East:** A 12-storey office building separated from the site by an unnamed public lane.

**West:** A 42-storey office building on the west side of Simcoe Street.

## **THE APPLICATION**

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**Description:** A 60-storey (213.1 metres including the mechanical penthouse) mixed-use building with a 13-storey base, containing 51,615 square metres of gross floor area.

**Density:** 34.82 times the area of the lot.

**Dwelling Units and Amenity Space:** 512 residential dwelling units are proposed within the tower, comprising 113 studio units (22.1%), 111 one-bedroom units (21.7%), 236 two-bedroom units (46.1%) and 52 three-bedroom units (10.2%). A total of 2,182 square metres of amenity space (4.2 square metres per unit) is proposed, consisting of 1,509 square metres of indoor amenity space (2.9 square metres per unit) and 673 square metres of outdoor amenity space (1.3 square metres per unit).

**Non-residential Uses:** The proposal includes 128 square metres of retail space located along the Wellington Street West frontage, and 14,411 square metres of office space located within the base building.

**Access, Parking, and Loading:** Pedestrian access to retail uses, the office lobby and residential lobby would be from Wellington Street West. Access to a bicycle parking lobby containing a dedicated bicycle elevator would be from Simcoe Street. Vehicular access to the parking and loading areas would be taken from the adjacent public lane to the east of the site, with one Type B, two Type C and one Type G loading space located at grade and 39 vehicular parking spaces located in a three-level underground garage.

**Additional Information:**

See Attachment No. 1 to this report for the project data, Attachment No. 2 for the location map, Attachment No. 6 for the site plan, Attachment No. 7 for the ground floor plan, Attachment No. 8 for elevations and Attachments No. 9-10 for a three dimensional representation of the current proposal in context.

The current proposal incorporates numerous revisions from the original application as summarized below:

- Reduced building height from 65 storeys (234.4 metres, inclusive of the mechanical penthouse) to 60 storeys (213.1 metres, inclusive of the mechanical penthouse);
- Increased density from 34.2 to 34.9 times the area of the lot;
- Increased tower floorplate from 749 square metres to 819 square metres;
- Reduced shadowing of David Pecaut Square;
- Increased unit count from 476 units to 512 units;
- Increased bicycle parking from 546 spaces to 615 spaces;
- Reduced vehicular parking from 66 spaces to 39 spaces;
- Expanded ground floor building setback from 3.7 metres to 5.44 metres along Simcoe Street, and from 0 metres to 1.64 metres along Wellington Street West; and
- Preserves existing curb location along Wellington Street West to facilitate future revisions to the right-of-way design by the City.

**Reasons for Application**

The proposal requires an amendment to Zoning By-laws 569-2013 for an increase in density and height, as well as site-specific provisions for setbacks, loading, bicycle parking and vehicular parking to permit the development.

**Site Plan Control**

The proposal is subject to Site Plan Control. A Site Plan Control application was submitted on September 8, 2021 and is under review.

**Provincial Land Use Policies**

The application has been reviewed to determine its consistency with the Provincial Policy Statement, conformity with A Place to Grow: Growth Plan for the Greater Golden Horseshoe, and conformity to the City's Official Plan. The Provincial Policy Statement (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.

**Downtown Plan**

The Downtown Plan was approved as Official Plan Amendment 406, and applies to all applications deemed complete after June 5, 2019. The Plan provides a comprehensive and integrated policy framework to shape growth in Toronto's fast-growing Downtown

over the next 25 years, and a blueprint to align growth management with the provision of infrastructure, sustain liveability, achieve complete communities, and ensure there is space for the economy to grow.

The Downtown Plan locates the site within the expanded Financial District, and designates the site as Mixed Use Areas 1 - Growth. Downtown Plan policies include:

- Encouraging a net gain of office uses and ensuring no net loss of office and overall non-residential gross floor area in the expanded Financial District;
- In Mixed Use Areas 1, development will include a diverse range of building typologies, including tall buildings, with height, scale and massing dependent on the site characteristics, supporting a suitable level of intensification;
- Sites within 500 metres of existing and planned rapid transit stations will prioritize development of a diverse mix of uses of sufficient intensity to optimize support for existing and planned transit;
- On Priority Cycling Routes, including Simcoe Street, provide additional links to the cycling network and additional bike parking spaces where appropriate;
- Adequately limit shadows on Sun Protected Parks and Open Spaces, including David Pecaut Square, and limit wind impacts on the public realm, including streets and sidewalks, parks and open spaces and POPS; and
- Within the King-Spadina Cultural Precinct, encourage buildings that support the spatial requirements of creative industries and the culture sector and allow for flexible use of the spaces, and the participation of the arts and design community in local public realm improvements.

The Downtown Plan can be found at:

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

### **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**

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A community consultation meeting was held on January 23, 2020. 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:

- Concerns about delivery and pick-up/drop-off activities blocking Simcoe Street and/or Wellington Street and the need to accommodate such activities on-site;
- Comments and suggestions about the existing and proposed configuration of Simcoe Street and Wellington Street West, including permitted directions and turning movements for vehicles, and improving the intersection for pedestrians, cyclists and drivers;

- Support for the visual openness of the building at street level;
- Concerns about items being thrown or falling from balconies;
- Questions about the sharing of amenity spaces between office users and residents
- Questions about the development timeline

The issues raised through community consultation have been considered through the review of the application. Comments with respect to the proposed height, massing, family-sized units, sun shadow impacts, and traffic are addressed in the Comments section below. The detailed building design, including proposed materials, and the construction management plan will be addressed during the Site Plan Control review process.

### **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**

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### **Provincial Land-Use Policies: 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 (2020) and conforms with the Growth Plan (2020).

### **Land Use**

This application has been reviewed against the Official Plan Regeneration Areas policies, Downtown Plan policies, and Official Plan Amendment 231 employment policies, as well as the policies of the Toronto Official Plan as a whole. The applicable policy framework generally encourages the development of a diverse mix of uses within this area, including the addition of new residential uses and the retention of non-residential uses, especially in proximity to higher order transit service.

The proposed development is located within 500 metres of Union Station, St. Andrew Subway Station and Osgoode Subway Station. The proposal includes the demolition of the existing 13-storey office building containing 422 square metres of at-grade retail space and 14,119 square metres of office space. The proposed new mixed-use building would include a reduced 128 square metres of at-grade retail space in order to accommodate the building's more extensive lobby, elevator and service space needs. The base building's remaining floors would be dedicated to office uses and contain 14,412 square metres of office gross floor area, representing full replacement of the existing non-residential floor space. The tower component of the building would contain 512 new residential units, representing an appropriate diversification of uses within the Downtown Plan's Mixed Use Area 1 – Growth designation.



City Planning staff advise that the proposal conforms with the applicable Official Plan policies with respect to provision of a diverse mix of uses and the retention and replacement of non-residential floor space, especially for office uses, in proximity to higher order transit.

### **Built Form**

The proposal conforms with the applicable Official Plan policies with respect to built form, massing and a harmonious relationship with its planned context. The built form policies of the Official Plan and Downtown Plan, as well as the Tall Building Design Guidelines, provide direction and performance standards to ensure that tall buildings are appropriately sited and make a positive contribution to the built environment and the public realm. The height, massing and design of tall buildings should define the public realm with good street proportion, provide for comfortable sun and wind conditions within the public realm, and maintain access to light, views and privacy for neighbouring properties.

The proposed overall building height of 60-storeys (213.1 metres including the mechanical penthouse) is appropriate given the site's location within the expanded Financial District, designation as Mixed Use Areas 1 – Growth in the Downtown Plan, and the design of the massing to limit shadow impacts on nearby parks and open spaces.

The proposed base building height of 13-storeys (61.4 metres) which reflects the height and massing of the existing building to be demolished, and maintains the Wellington Street streetwall height of the adjacent office building to the east and of the office tower on the west side of Simcoe Street. In order to provide satisfactory proportions and conditions at street level, the ground floor of the building is setback 5.4 metres along its Simcoe Street frontage, providing a curb-to-building width of approximately 12 metres, and 1.6 metres along its Wellington Street frontage providing a curb-to-building width of approximately 5.5 metres.

The proposed tower element incorporates a 3 metre stepback from Wellington Street West (13 metres to street centreline), 0.2 metre stepback from Simcoe Street (10.2 metres to street centreline), 9.4 metre stepback from its east lot line (12.5 metres to the lane centreline) and a 6 metre stepback from its south lot line, which results in a typical tower floorplate of approximately 819 square metres. While the proposed tower floorplate exceeds the 750 square metre residential floorplate limit set out in the Downtown Plan and the Tall Buildings Design Guidelines, and the south and west setbacks are less than the 12.5 metres recommended therein, the visual, shadow and privacy impacts of the larger floorplate are acceptable in this context. The new non-residential development currently under construction to the south of the site incorporates a private 9.6 metre wide lane along its northern boundary, and its tower element is located a further 45 metres to the south. This provides a large separation distance between these towers but would not be sufficient to accommodate an additional tower between them.

The proposed massing conforms to the policies of the Official Plan and Downtown Plan, and is generally consistent with the Tall Building Design Guidelines which recommend

that buildings be designed to "fit harmoniously" with existing built forms and mitigate the perception of height.

### **Heritage Impact & Conservation**

The site is located within the Union Station Heritage Conservation District (HCD), and is identified as non-contributing in the Union Station HCD Plan. The adjacent property to the south at 156 Front Street West, is identified as contributing within the HCD Plan, and forms part of a commercial office development which is currently under construction. The site is also adjacent to Roy Thomson Hall, which is a designated property under Part IV of the Ontario Heritage Act.

City Planning staff have reviewed the Heritage Impact Assessment, and have identified no concerns regarding heritage conservation.

### **Shadow Impact**

The application has been reviewed against the policies of the Official Plan and Downtown Plan regarding the protection of comfortable sun and wind conditions within the public realm. The Official Plan contains general policies directing that new buildings shall maintain sunlight and comfortable wind conditions for pedestrians on adjacent streets, parks and open spaces as necessary to preserve their utility. The Downtown Plan provides additional direction identifying specific Sun Protected Parks and Open Spaces where net-new shadow is to be limited, including David Pecaut Square.

Shadow studies show that the proposal would cast some net-new shadow on David Pecaut Square from March 21<sup>st</sup> to September 21<sup>st</sup>. On the equinoxes, this shadow would extend north of Pearl Street, decreasing over the summer months such that it would not extend beyond King Street by April 21<sup>st</sup>, and not extend beyond the centre of the oval lawn within David Pecaut Square by the June solstice. Throughout these months, the building's height, distance from, and diagonal relationship to, David Pecaut Square limits the duration of net-new shadow impacts on David Pecaut Square such that it is clear of the Square by 11:18 a.m.

City Planning and Parks, Forestry and Recreation staff have worked extensively with the applicant to refine the height and massing of the proposal to minimize the extent and duration of net-new shadow on David Pecaut Square and other public open spaces. City Planning staff finds that the proposal generally conforms with the applicable Official Plan policies with respect to the limiting of shadow impacts on parks and open spaces.

### **Wind Impact**

Pedestrian Level Wind Studies indicate that the proposal would have a generally neutral to positive effect on pedestrian comfort in the surrounding public realm. The proposal would incorporate mitigation measures in the form of wind screens and canopies on the building's west façade to improve wind conditions at street level on sidewalks and near building entrances. The unmitigated wind conditions on the outdoor amenity terrace on the 14<sup>th</sup> Floor are windier than desirable, however appropriate screening and mitigation measures will be developed and refined through the Site Plan review process.

City Planning staff have reviewed the Pedestrian Level Wind Study and are satisfied with the assessment, conclusions, and recommendations contained within the study.

### **Unit Mix**

A total of 512 residential rental dwelling units are proposed, consisting of 113 studio units (22.1%), 111 one-bedroom units (21.7%), 236 two-bedroom units (46.1%), and 52 three-bedroom units (10.2%), comprising a total of 36,589 square metres of residential gross floor area.

The proposal contains a high proportion of two- and three-bedroom units, which exceeds the minimum unit mix requirements set out in the Downtown Plan and Growing-Up Guidelines. The three-bedroom units have an average area of 95 square metres, with all but 2 of the units being at least 91 square metres in area, and with 3 units meeting the 100 square metre unit size criteria set out in the Growing-Up Guidelines. The two-bedroom units have an average area of 64 square metres, of which 20 units would exceed 78 square metres, however no units would meet the Growing-Up Guidelines' 87 square metre unit size criteria.

The applicant is making efforts to design units that achieve the objectives of the Growing-Up Guidelines to provide flexible units that meet the evolving needs of families. The proposal would include substantial storage areas on the 13<sup>th</sup> Floor mezzanine level for residents, and has agreed to secure in the by-law a minimum quantity of 20 two-bedroom units that exceed 78 square metres in area, and a minimum unit area of 91 square metres for all but two of the three-bedroom units

The proposed unit mix meets the policy direction of the Official Plan to provide a full range of housing. It also meets the unit mix objectives of the Growing Up: Planning for Children in New Vertical Communities Urban Design Guidelines (Growing Up Guidelines) to provide a minimum of 15% two-bedroom units and 10% three-bedroom units within new developments.

### **Amenity Space**

A total of 1,509 square metres of indoor amenity space (2.9 square metres per unit) would be provided across the 13<sup>th</sup>, 14<sup>th</sup> and 15<sup>th</sup> floors of the building, with 673 square metres of outdoor amenity space (1.3 square metres per unit) located on the podium roof at the 14<sup>th</sup> floor. This would result in a total of 2,182 square metres of amenity space (4.2 square metres per unit), for the shared use of residents and office tenants.

The proposed amenity space meets the minimum requirement of 4 square metres of amenity space per dwelling unit, of which at least 2 square metres shall be indoor, contained in Zoning By-law 569-2013. Detailed design of the amenity space, including provisions for households with children (Growing Up Guidelines) and pets (Pet Friendly Design Guidelines) will be reviewed and secured through the Site Plan Control review process.

### **Public Realm**

The proposed building would be set back a minimum of 1.6 metres at street level along its Wellington Street West frontage, aligning with the columns of the existing building, and providing a minimum width of 5.4 metres from the building face to the existing curb

line. Above a height of approximately 7 metres, the building's setback would reduce to 0 metres from the property line on the Wellington Street frontage. Ground floor uses including retail space and the residential lobby will be located along Wellington Street West, allowing for access and views from the public realm, and first floor heights for these street-facing uses will meet the recommendations in the Retail Design Manual for retail spaces.

The application had initially proposed to realign the curb within Wellington Street West to provide expanded pedestrian space within the street, however City Transportation Services staff are now contemplating a revised right-of-way design for a broader length of Wellington Street West, which may include a combination of provisions such as a conversion to two-way traffic, an expansion of the pedestrian public realm space, and/or a two-way bikeway along the south side. Accordingly, the curb line is to remain in its existing alignment at present, to avoid conflicts with the broader City initiative. Four street trees would be planted within soil cells in the Wellington Street West right-of-way, and a minimum pedestrian clearway of 3.0 metres would be provided.

The proposed building would be set back 5.4 metres at street level along its Simcoe Street frontage, with the building face vertically sloping such that the setback gradually decreases to a minimum of 0.2 metres from the lot line above the 13<sup>th</sup> floor. A minimum pedestrian clearway of 3.0 metres would be provided. The existing Bike Share station would be restored, with its configuration adjusted to reflect the new conditions, and the applicant would be required to design and construct a raised cycle track along Simcoe Street in accordance with City of Toronto standards.

An existing privately-owned sculpture, Marlin (1987) by Andrew Posa, is currently located at-grade at the northwest corner of the site. As part of the redevelopment of the site, the owner would be required to either retain the existing sculpture in consultation with the artist or replace it with public art of comparable significance.

City staff are satisfied that the proposal is consistent with the applicable public realm policies of the Official Plan.

### **Parkland**

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 no population, as of 2016. The site is in a parkland acquisition priority area, as per Chapter 415, Article III of the Toronto Municipal Code.

In accordance with Chapter 415, Article III of the Toronto Municipal Code, the applicant is required to satisfy the parkland dedication requirement through cash-in-lieu. The residential component of this proposal is subject to a cap of 10% parkland dedication while the non-residential component is subject to a 2% 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 and Tree Preservation Plan, and these have been reviewed by Urban Forestry staff. The Arborist Report identifies one street tree on Wellington Street that is subject to the Tree By-laws and is proposed for removal, and three private trees on site along Simcoe Street that are not regulated under the Private Tree By-law and are proposed for removal.

The proposal currently includes the planting of four new street trees on Simcoe Street, and four street trees on Wellington Street. As part of the Site Plan review process, the applicant will further investigate opportunities to retain the existing private trees along the property's Simcoe Street frontage.

### **Access, Mobility, Parking and Loading**

Vehicular parking and loading for the development will take access from the public lane along the easterly boundary of the site. Bicycle parking would be accessed through an entrance on the Simcoe Street frontage of the building, with access to a dedicated bicycle elevator and bike storage room. The proposal would incorporate knock-out panels on underground levels to allow for future extension of the PATH system to the site.

A total of 615 bicycle parking spaces are proposed, including 512 long-term and 103 short-term bicycle parking spaces. Bicycle parking would be located at ground level, on the second floor and on the 13<sup>th</sup> floor adjacent to the amenity spaces. A minimum of 34 vehicular parking spaces for residential uses and 5 spaces for visitors would be provided in a 3-level underground parking garage. No parking spaces are proposed for the office and retail use. The applicant is currently investigating the use of either a ramp-accessed garage or an automated parking system, which would have two entry cabins where residents deposit and pick-up their vehicles on the ground floor of the building, with two queuing spaces for waiting vehicles. A design for the automated parking system has not been completed, and any revised submission would be reviewed as part of the Site Plan review process. One Type B, Two Type C and one Type G loading space are proposed on the ground floor of the building, with access from the public lane.

Transportation Services staff reviewed the Urban Transportation Considerations Report and accepted its conclusions. Additional comments related to site access arrangements, site circulation and layout, proposed parking areas including ingress/egress provided thereto, and requirements for electric vehicle infrastructure will be provided through the Site Plan Control review process.

### **Servicing and Stormwater Management**

Engineering and Construction Services staff reviewed materials submitted by the applicant in support of a 428 unit configuration, and identified outstanding issues with the materials, including the need for revisions to the following items:

- Functional Servicing & Stormwater Management Report
- Servicing Report Groundwater Summary
- Hydrogeological Review Summary Form.
- Hydrogeological Investigation Report

As a condition of approval, Engineering and Construction Services staff also recommend that the owner be required to enter into a financially secured agreement for the construction of any improvements to the municipal infrastructure, should it be determined that upgrades and road improvements are required to support the development, according to a revised Functional Servicing Report, accepted by the Chief Engineer and Executive Director, Engineering and Construction Services.

Following Engineering and Construction Services' staff review of the submitted materials, the applicant revised the proposal to increase the unit count from 428 units to 512 units, with associated changes to the unit mix. Supporting materials necessary to review the servicing needs and engineering impacts of the increased unit count have not been submitted at this time. As a result, Staff recommend that a Holding symbol be included in the by-law requiring the provision of revised studies and supporting materials demonstrating the availability of servicing capacity and feasibility of the proposal to the satisfaction of the Chief Engineer and Executive Director, Engineering and Construction Services.

### **Holding Provision**

Under the *Planning Act*, Council can pass a “holding” zoning by-law that places an “H” symbol over the zoning and spells out the conditions that must be met before the “H” symbol is removed and the lands can be developed.

To remove the "H", the Draft Zoning By-law stipulates that the owner must submit an updated Functional Servicing & Stormwater Management Report, Servicing Report Groundwater Summary, Hydrogeological Investigation Report and Hydrological Review Summary Form to the satisfaction and acceptance of the Chief Engineer and Executive Director, Engineering and Construction Services.

In addition, the owner must submit an updated Transportation Report and functional drawings addressing any additional needs or impacts arising from an increase in unit count and floor area, in relation to City standards for parking, loading, vehicle manoeuvring, and solid waste collection.

Satisfactory arrangements must also be made with the Executive Director of Development Engineering and Construction Services, including any necessary agreements with the City for the design and construction of improvements to the municipal infrastructure (if necessary).

### **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:

- A cash contribution of one million, one hundred thousand dollars (\$1,100,000.00) towards the provision of new affordable housing and/or the Toronto Community Housing Corporation revolving capital fund for repairs to Toronto Community Housing Corporation housing in Ward 10; and
- A cash contribution in the amount of four million, four hundred thousand (\$4,400,000.00) to be directed towards the provision of Community Services and Facilities within or serving Ward 10, which may include such facilities identified through the Downtown West Services and Facilities Review, and/or towards public realm improvements in the vicinity of the development, which may include to David Pecaut Square.

Other matters of convenience as described in the recommendations of this report will also be secured in the s 37 agreement.

### **Archaeological Assessment**

A Stage 1 Archaeological Resource Assessment was submitted with the application and identifies the site as having no or low archaeological potential due to past disturbance. City staff have reviewed the report and concur with the conclusions that there are no further archaeological concerns regarding the subject property.

### **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.

### **Conclusion**

The proposal has been reviewed against the policies of the PPS (2020), the Growth Plan (2020), the Greenbelt Plan (2017) and the Toronto Official Plan. Staff are of the opinion that the proposal is consistent with the PPS (2020) and does not conflict with the Growth Plan (2020). Furthermore, the proposal is in keeping with the intent of the

Official Plan, particularly as it relates to the provision of an appropriate mix of residential and non-residential uses, and a built form which provides appropriate relationship to the surrounding public realm. Staff recommend that Council support approval of the application.

## **CONTACT**

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John Duncan, Senior Planner  
Tel. No. (416) 392-1530  
E-mail: John.Duncan@toronto.ca

## **SIGNATURE**

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

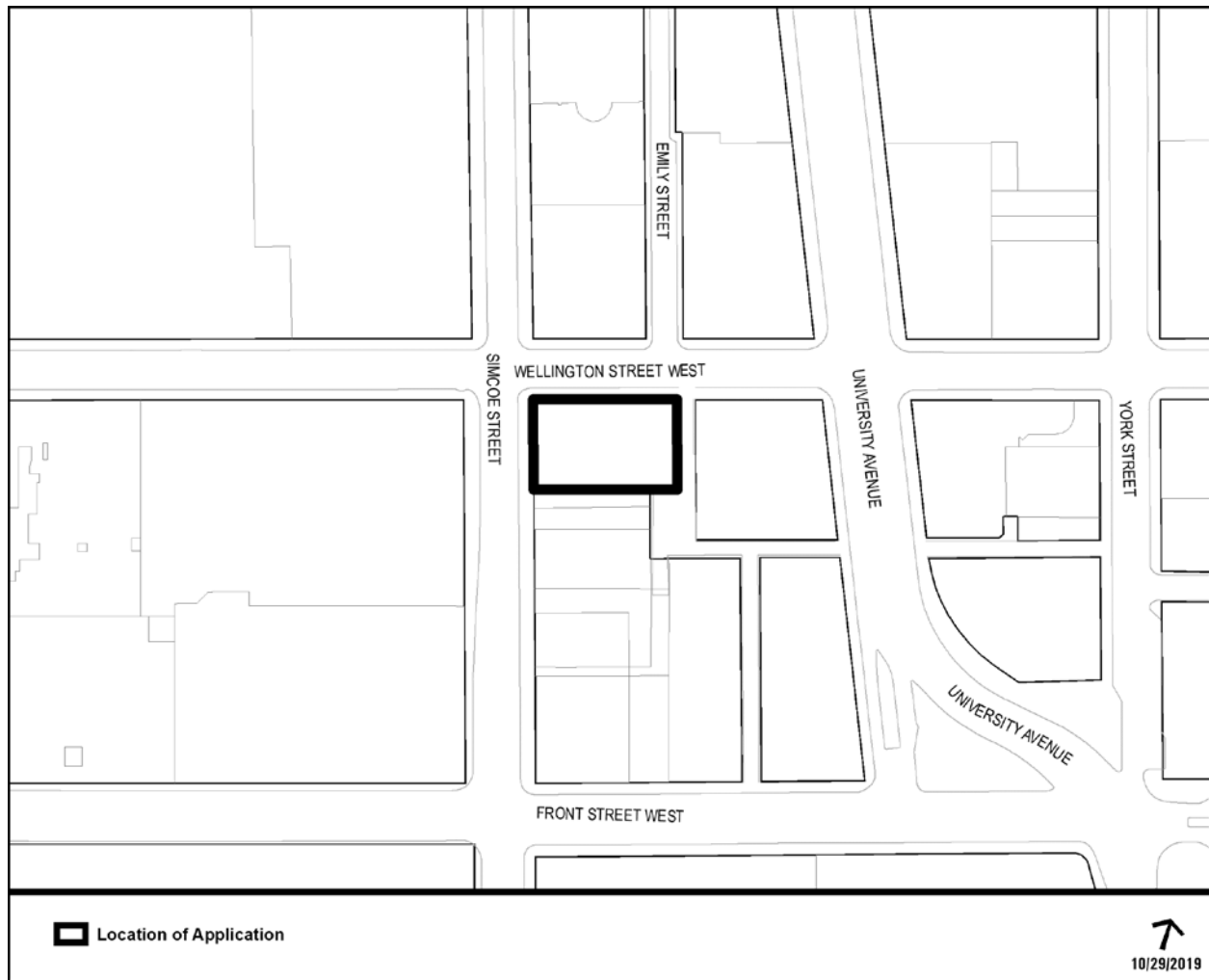
## **ATTACHMENTS**

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Attachment 1: Location Map  
Attachment 2: Application Data Sheet  
Attachment 3: Official Plan Land Use Map  
Attachment 4: Downtown Plan Mixed Use Areas Map  
Attachment 5: Existing Zoning By-law Map  
Attachment 6: Site Plan  
Attachment 7: Ground Floor Plan  
Attachment 8: Elevations  
Attachment 9: 3D Model of Proposal in Context – View from Northwest  
Attachment 10: 3D Model of Proposal in Context – View from Southeast  
Attachment 11: Draft Zoning By-law Amendment



## Attachment 1: Location Map



## Attachment 2: Application Data Sheet

**Municipal Address:** 145 WELLINGTON ST W      **Date Received:** August 22, 2019

**Application Number:** 19 210278 STE 10 OZ

**Application Type:** OPA / Rezoning, Rezoning

**Project Description:** Proposed Zoning By-law amendment to facilitate a new mixed-use building comprised of a 13-storey office podium, and a 47-storey residential tower above. Proposal includes 14,540 m<sup>2</sup> non-residential floor area and 512 new residential units..

<b>Applicant</b>	<b>Agent</b>	<b>Architect</b>	<b>Owner</b>
BOUSFIELDS INC,		Turner Fleischer Architects Inc.	145 WELLINGTON PORTFOLIO INC

### EXISTING PLANNING CONTROLS

Official Plan Designation:	Mixed Use Areas	Site Specific Provision:	
Zoning:	CR 12.0 (c8.0; r11.7) SS1 (x2333)	Heritage Designation:	Part V
Height Limit (m):	76	Site Plan Control Area:	Y

### PROJECT INFORMATION

Site Area (sq m): 1,482      Frontage (m): 49      Depth (m): 31

<b>Building Data</b>	<b>Existing</b>	<b>Retained</b>	<b>Proposed</b>	<b>Total</b>
Ground Floor Area (sq m):			884	884
Residential GFA (sq m):			37,074	37,074
Non-Residential GFA (sq m):	14,540		14,540	14,540
<b>Total GFA (sq m):</b>	<b>14,540</b>		<b>51,615</b>	<b>51,615</b>
Height - Storeys:	13		60	60
Height - Metres:			213.1	213.1

Lot Coverage Ratio (%): 62.69      Floor Space Index: 34.8

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

Residential GFA: 32,352

Retail GFA: 145

Office GFA: 14,397

Industrial GFA:

Institutional/Other GFA:

**Residential Units  
by Tenure****Existing****Retained****Proposed****Total**

Rental:

Freehold:

Condominium:

512

512

Other:

Total Units:

512

512

**Total Residential Units by Size****Rooms****Bachelor****1 Bedroom****2 Bedroom****3+ Bedroom**

Retained:

Proposed:

113

111

236

52

**Total Units:****113****111****236****52****Parking and Loading**

Parking Spaces: 39

Bicycle Parking Spaces: 615

Loading Spaces: 4

**CONTACT:**

John Duncan, Planner

(416) 392-1530

John.Duncan@toronto.ca

### Attachment 3: Official Plan Land Use Map



**Toronto**  
Official Plan Land Use Map #18

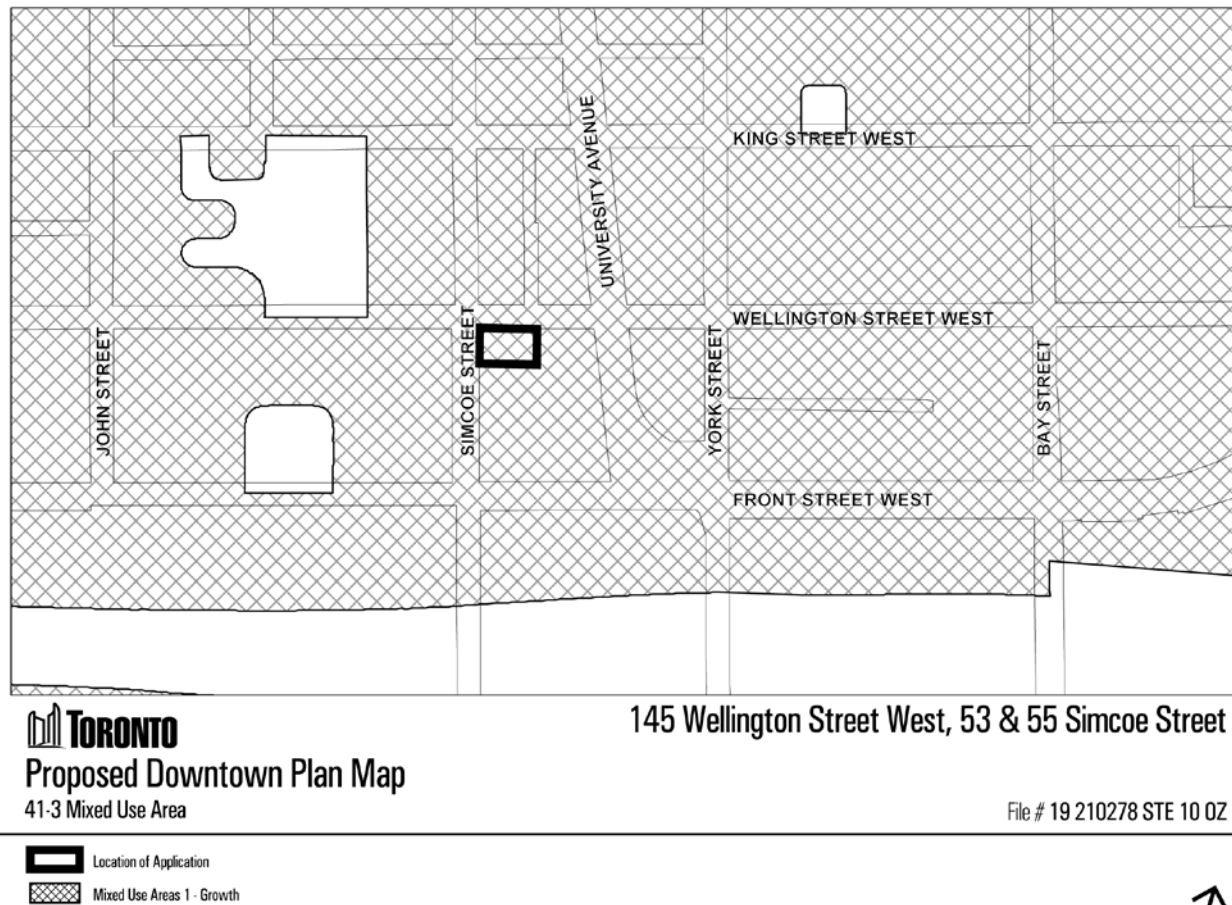
145 Wellington Street West, 53 & 55 Simcoe Street

File # 19 210278 STE 10 02



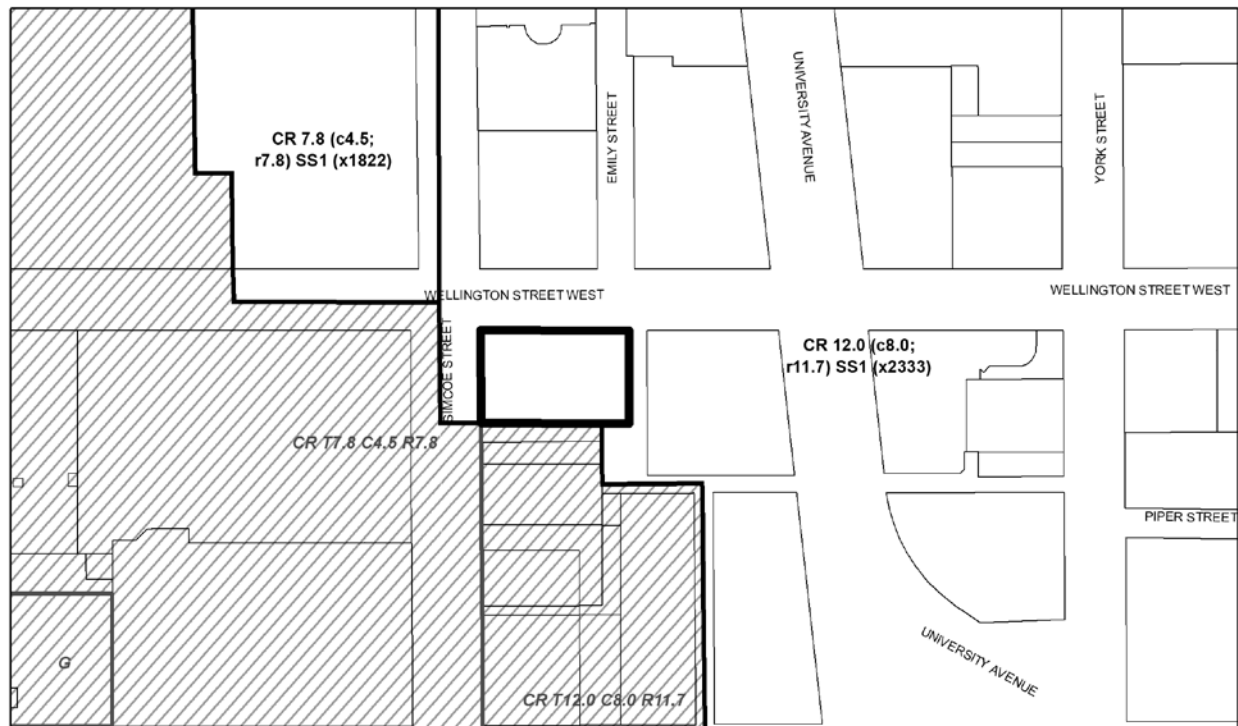
↑  
Not to Scale  
10/29/2019

## Attachment 4: Downtown Plan Mixed Use Areas Map



↑  
Not to Scale  
10/29/2019

## Attachment 5: Existing Zoning By-law Map



Zoning By-law 569-2013

145 Wellington Street West, 53 & 55 Simcoe Street

File # 19 210278 STE 10 0Z



Location of Application

CR Commercial Residential



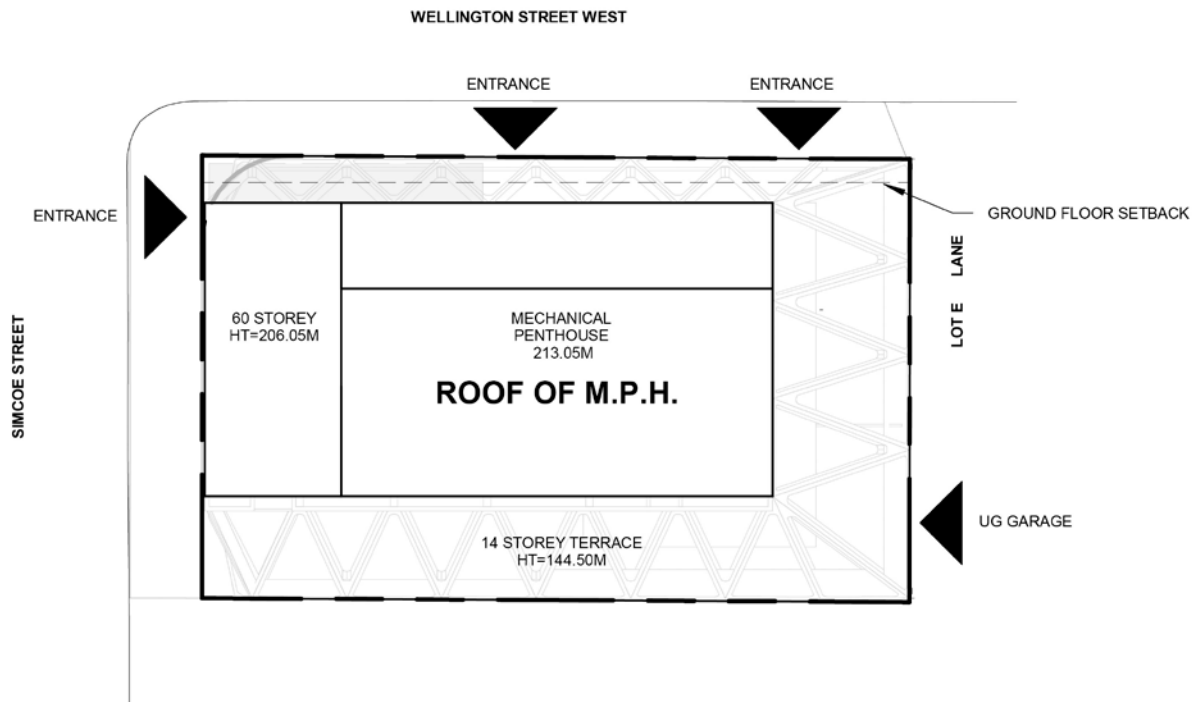
See Former City of Toronto By-law No. 438-86

CR Mixed-Use District  
G Parks District



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Extracted: 10/28/2019

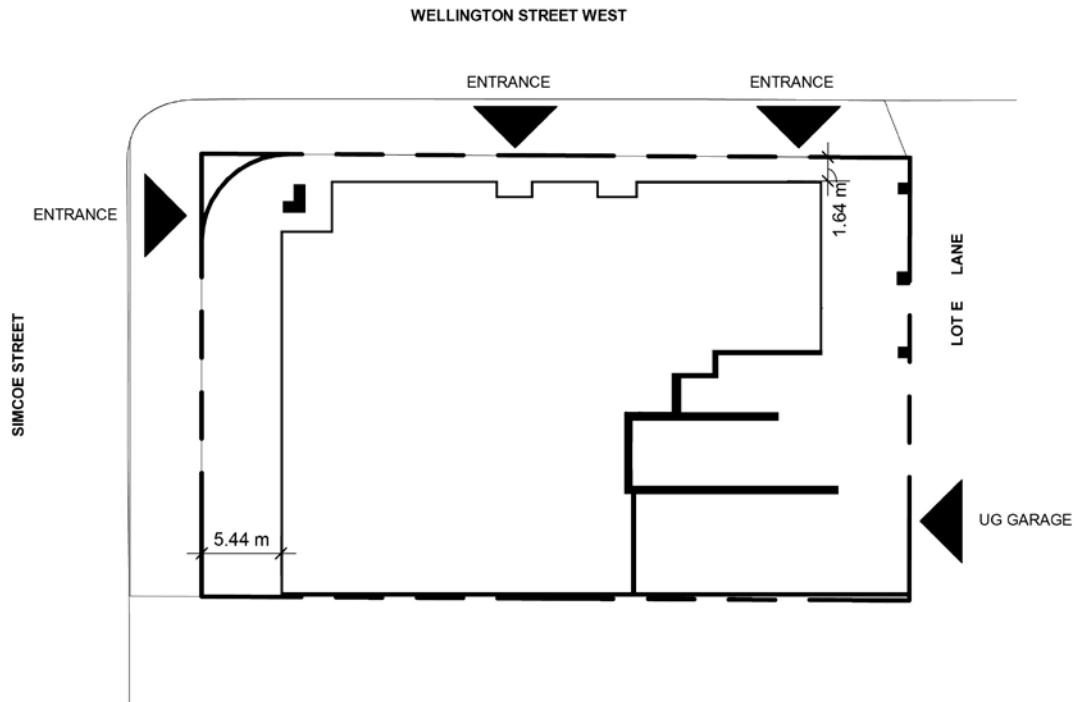
## Attachment 6: Site Plan



Site Plan



## Attachment 7: Ground Floor Plan

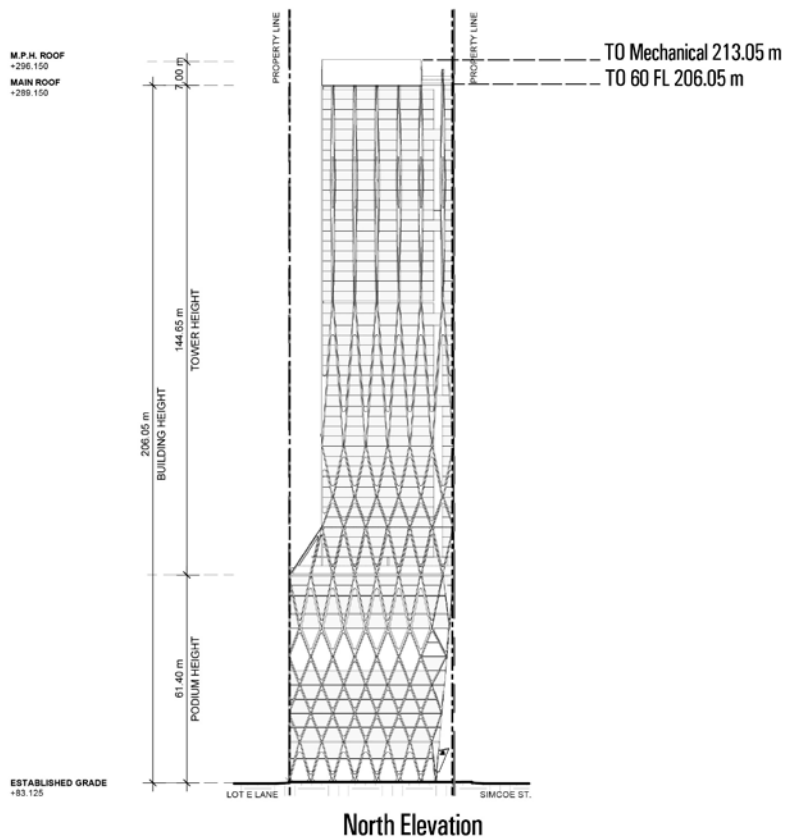
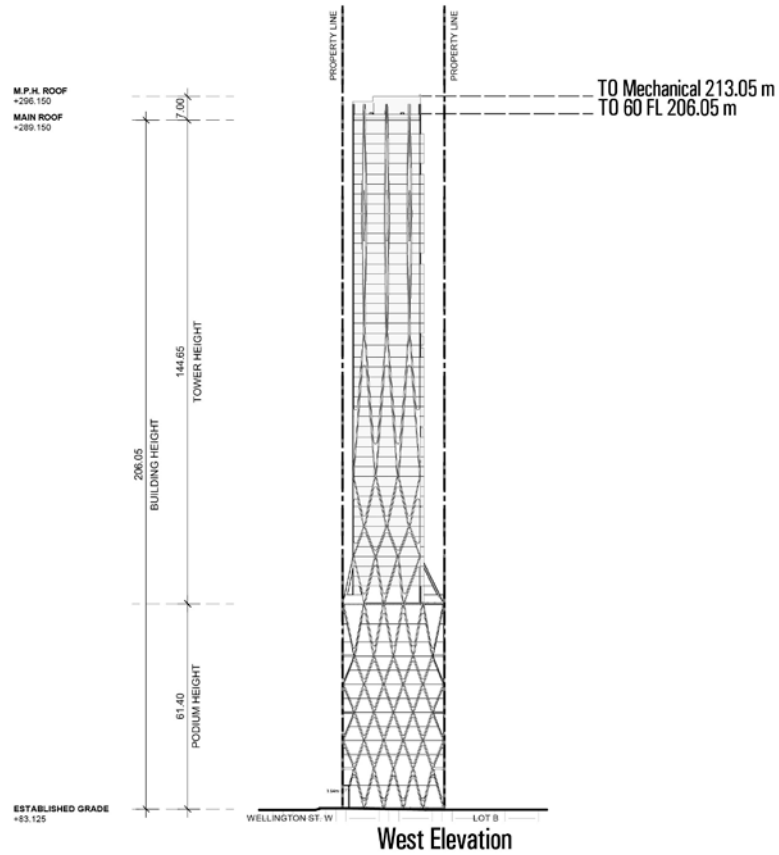


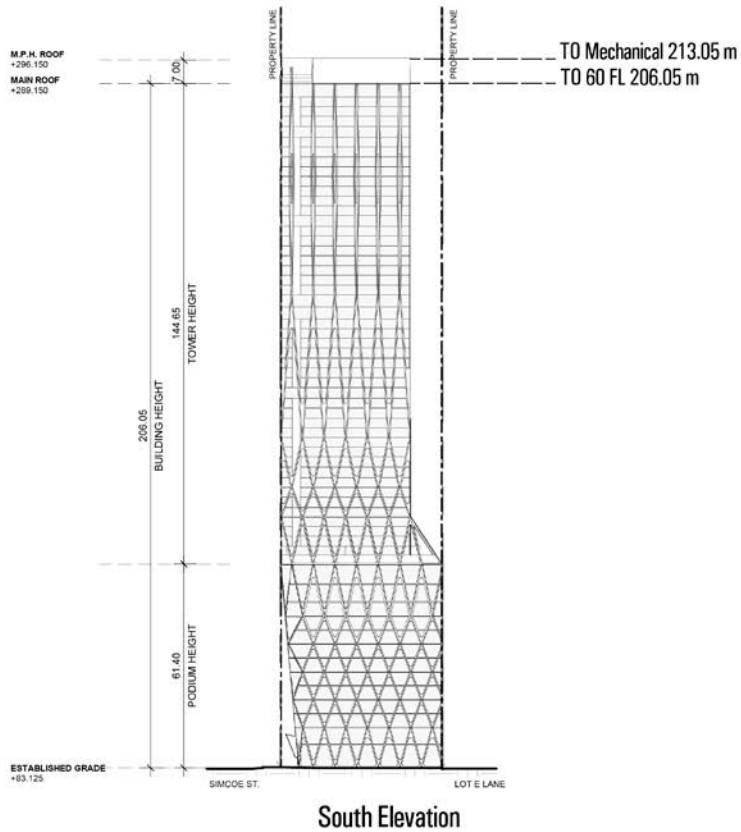
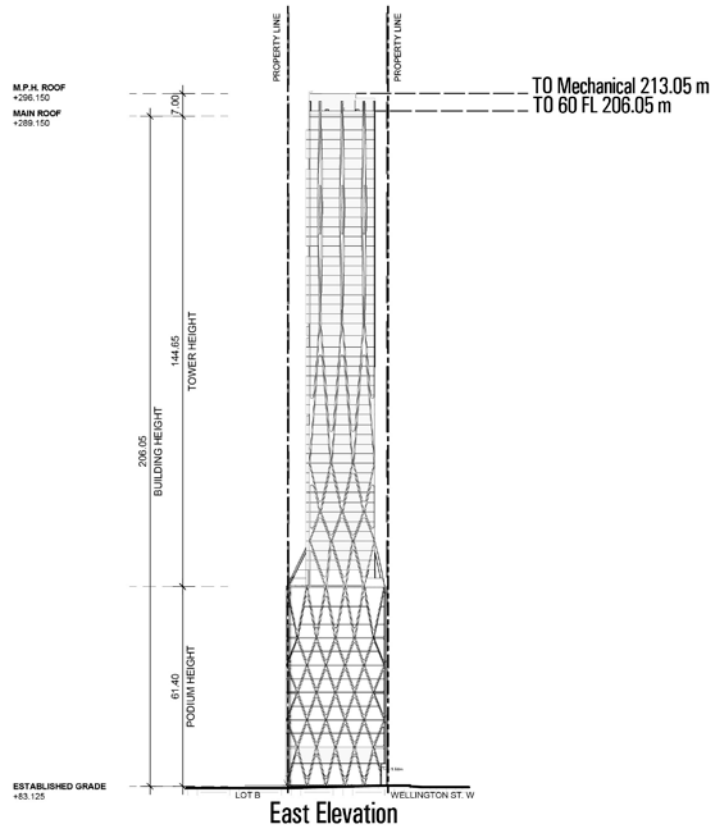
Ground Floor Plan



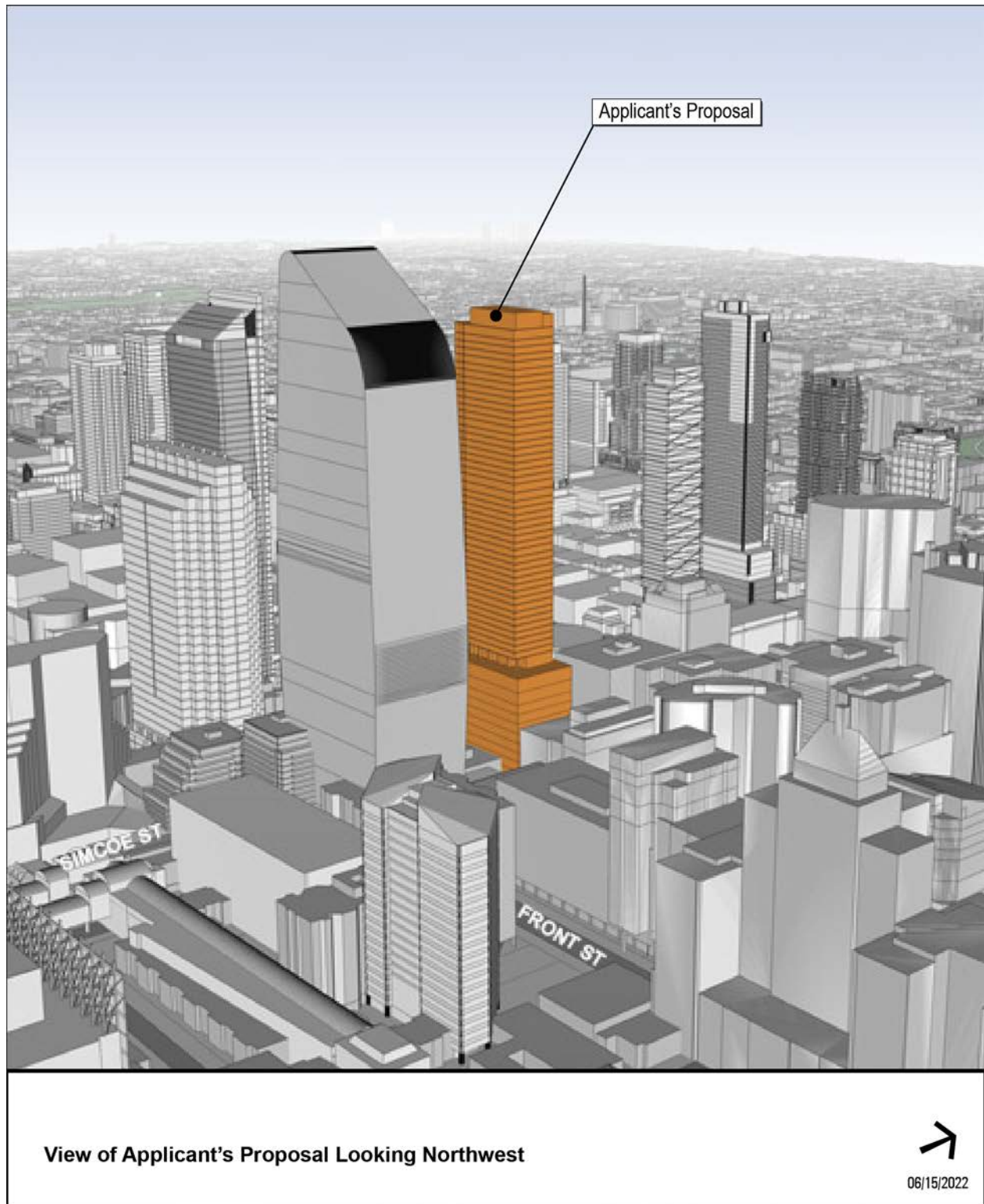


## Attachment 8: Elevations

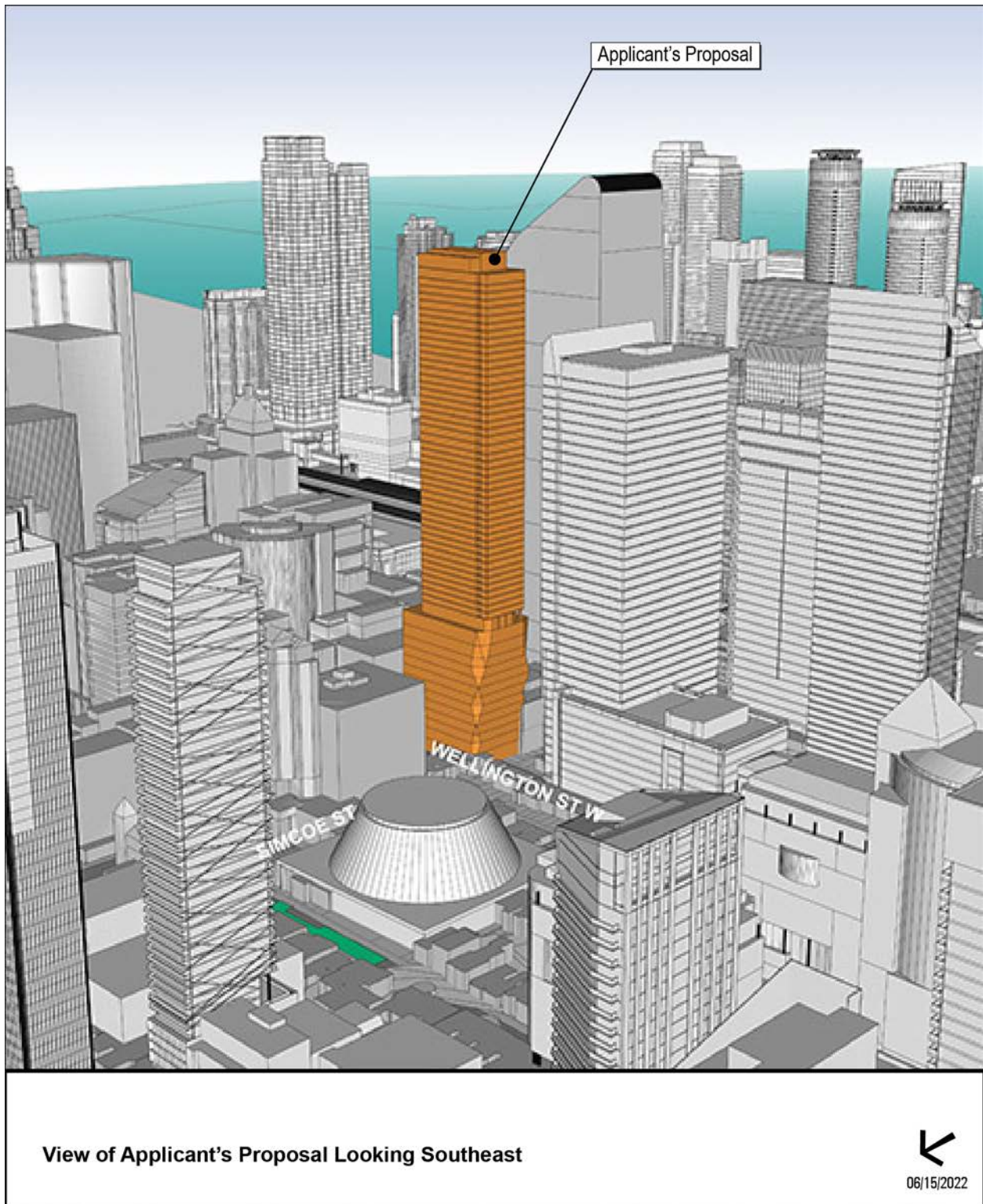




Attachment 9: 3D Model of Proposal in Context - View Looking Northwest



Attachment 10: 3D Model of Proposal in Context – View Looking Southeast



## Attachment 11: Draft 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.