

49 Ontario Street and 72-94 Berkeley Street – Zoning By-law Amendment Application – Decision Report – Approval

Date: March 22, 2023
To: Toronto and East York Community Council
From: Director, Community Planning, Toronto and East York District
Wards: Ward 13 - Toronto Centre

Planning Application Number: 19 244188 STE 13 OZ

SUMMARY

This report recommends approval of the application to amend the Zoning By-law to permit three buildings of 11, 39 and 44 storeys containing 1,099 square metres of retail, 15,206 square metres of office and 1,094 dwelling units, retention of existing heritage rowhouses, an east-west mid-block connection and a 581 square metre public park at 49 Ontario Street and 72-94 Berkeley Street.

RECOMMENDATIONS

The City Planning Division recommends that:

1. City Council amend City of Toronto Zoning By-law 569-2013 for the lands at 49 Ontario Street and 72-94 Berkeley Street substantially in accordance with the draft Zoning By-law Amendment attached as Attachment No. 6 to this report.
2. City Council authorizes the City Solicitor to make such stylistic and technical changes to the draft Zoning By-law Amendment as may be required.
3. City Council approve that, in accordance with Section 42 of the Planning Act, prior to the first above grade building permit, the Owner shall convey to the City, an on-site parkland dedication, having a minimum size of 581 square metres and in a location as depicted in Attachment No. 7 to this report, to the satisfaction of the General Manager, Parks, Forestry and Recreation and the City Solicitor.
4. City Council approve the acceptance of on-site parkland dedication, subject to the owner transferring the parkland to the City free and clear, above and below grade, of all easements, encumbrances, and encroachments, in an acceptable environmental condition; the owner may propose the exception of encumbrances of tiebacks, where such an encumbrance is deemed acceptable by the General Manager, Parks, Forestry and Recreation, in consultation with the City Solicitor; and such an encumbrance will be

subject to the payment of compensation to the City, in an amount as determined by the General Manager, Parks, Forestry and Recreation and the Executive Director, Corporate Real Estate Management.

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

6. Before introducing the necessary Bills to City Council for enactment, City Council require the owner to:

a) Enter into a Heritage Easement Agreement with the City for the properties at 72-78 Berkeley Street substantially in accordance with the plans and drawings dated October 31, 2022, prepared by architectsAlliance and on file with the Senior Manager, Heritage Planning, the Heritage Impact Assessment prepared by ERA Architects Inc., dated October 31, 2019, revised February 21, 2023, subject to and in accordance with the Conservation Plan required in Recommendation 6.b., to the satisfaction of the Senior Manager, Heritage Planning, including execution of such agreement to the satisfaction of the City Solicitor.

b) Provide a detailed Conservation Plan, prepared by a qualified heritage consultant that is substantially in accordance with the conservation strategy set out in the Heritage Impact Assessment for the properties at 72-78 Berkeley Street prepared by ERA Architects Inc., dated October 31, 2019, revised February 21, 2023, to the satisfaction of the Senior Manager, Heritage Planning.

c) Provide a revised Functional Servicing and Stormwater Management Report to demonstrate that the existing municipal infrastructure is adequate to service the proposed development and to determine whether any upgrades may be required to the existing infrastructure to support the proposed development, to the satisfaction of the Chief Engineer and Executive Director, Engineering and Construction Services.

d) Enter into a financially secured agreement to secure the design and construction of any improvements to the municipal infrastructure identified in the accepted Functional Servicing and Stormwater Management Report, to the satisfaction of 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) Provide the City with withdrawal letters for appeals of OPA 525 (respecting Appeal 10) and OPA 352 (respecting Appeal 131.18) to be held in escrow until the Zoning By-law Amendment is in full force and 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.

THE SITE

Description: The site is located on the north side of Adelaide Street East and extends from Ontario Street to Berkeley Street. The site has an irregular shape, with an area of approximately 6,953 square metres, and frontages of approximately 88.2 metres on Adelaide Street East, 84.0 metres on Berkeley Street and 32.5 metres on Ontario Street.

Existing Uses: A seven-storey, 8,092 square metre office building, four heritage rowhouses, a two-storey commercial building and associated surface parking.

THE APPLICATION

Description: Three mixed-use buildings containing 1,099 square metres of retail space on the ground floor along Adelaide Street East, 15,206 square metres of office space and 1,094 dwelling units, retention of the heritage rowhouses at 72-78 Berkeley Street, an east-west midblock connection and a 581 square metre public park along Berkeley Street.

Heritage: The properties at 72-78 Berkeley Street are designated under Part IV, Section 29 of the Ontario Heritage Act. The properties contain a row of four two-and-a-half-storey attached Bay-and-Gable type houseform buildings that were completed together in 1883. The original portions of the heritage rowhouses are proposed to be retained in-situ with no vertical addition. The rear (west) additions to the rowhouses are not heritage attributes and will be removed to accommodate the new construction. The rowhouses are proposed to be restored to their original appearance based on historic documentation and physical evidence.

Height: 11 storeys (43.2 metres, including mechanical penthouse) along Berkeley Street, 39 storeys (139.9 metres, including mechanical penthouse) at the southeast portion of the site along Adelaide Street East and 44 storeys (152.4 metres, including mechanical penthouse) at the southwest portion of the site along Adelaide Street East.

Density: 11.6 times the area of the lot.

Dwelling Units: The 1,094 dwelling units consist of 74 studio units (6.8%), 624 one-bedroom units (57.0%), 281 two-bedroom units (25.7%), 115 three-bedroom units (10.5%) and a portion of the studio and one-bedroom units that are located and

designed so that they can be converted to provide additional two- and three-bedroom units.

Parking, Loading and Access: 1,242 bicycle parking spaces (1,019 long-term and 223 short-term spaces), 241 vehicle parking spaces (164 spaces for residents, 73 spaces for shared residential visitors and office use, and four care-share spaces), and one Type G, one Type B and three Type C loading spaces. Vehicle access is proposed from Ontario Street and Berkeley Street via the proposed midblock connection through the site.

Additional Information: See Attachments 1, 2, and 7 to 11 of this report for the Application Data Sheet, project in context, a site plan and elevations of the proposal, respectively. Detailed project information, including all plans and reports submitted as part of the application can be found on the City's Application Information Centre at: <http://aic.to/49OntarioSt>

Reasons for Application: While the proposed land uses are permitted under existing zoning provisions, an amendment to Zoning By-law 569-2013 is required to vary performance standards including gross floor area, building height and setbacks, amenity space and vehicle parking, to establish appropriate standards to regulate the built form on the site.

Site Plan Control: A Site Plan Control application was submitted on April 30, 2021.

Agency Circulation: The application together with the reports and studies submitted in support of the application have been circulated to all appropriate agencies and City Divisions. Responses and comments received have been used to assist in evaluating the application and to formulate appropriate Zoning By-law standards.

POLICY CONSIDERATIONS

Provincial Land-Use Policies: All decisions of Council in respect of the exercise of any authority that affects a planning matter shall be consistent with the Provincial Policy Statement, and shall conform to provincial plans.

Toronto Official Plan: The site is located on lands within the Downtown and Central Waterfront area and is designated Regeneration Areas.

See Attachment 3 of this report for the Official Plan Land Use Map.

Downtown Plan: The majority of the site is designated Mixed Use Areas 2 - Intermediate with the exception of the eastern portion of the site along the Berkeley Street frontage, which is designated Mixed Use Areas 4 - Local. Development in Mixed Use Areas 2 will include building typologies that respond to their site context, including midrise and some tall buildings, and development in Mixed Use Areas 4 will be of a low-rise scale, generally four storeys or less in height, which will be compatible with the existing physical character of the neighbourhood as well as the planned context.

Non-residential uses will be protected and promoted in the King-Parliament Secondary Plan Area, especially uses related to the culture sector.

See Attachment 4 of this report for the Downtown Plan Land Use Map.

King-Parliament Secondary Plan: The site is within Regeneration Area 'A' (Jarvis-Parliament), which is intended to accommodate significant growth, having a mix of compatible land uses including commercial, industrial, institutional, residential, live/work and entertainment uses within new and existing buildings.

Berkeley Street is identified as a Special Street with a small-scale and fine-grained character that is to be maintained and enhanced.

Official Plan Amendment 525 - King-Parliament Secondary Plan Review: On May 22, 2018, City Council directed staff to undertake a review of the King-Parliament Secondary Plan and the area north of Queen Street East between Jarvis Street and River Street. The review focused on the three themes of built form, public realm and heritage. On October 29, 2019, City Council directed staff to apply the policies of the proposed King-Parliament Plan on current development applications.

On May 5, 2021, City Council approved the updated King-Parliament Secondary Plan and supplementary Zoning By-laws. While the Secondary Plan and the supplementary Zoning By-laws are under appeal to the Ontario Land Tribunal and are not yet in-force for the site, including an appeal by the owner of the subject site, staff considered the updated Plan for additional guidance with respect to the planned context.

The site is located in the Old Town Policy Area, which is intended to accommodate context-specific growth that is responsive to the form and scale of surrounding buildings, and will support a balance of residential, commercial and institutional uses.

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

Zoning: The site is zoned Reinvestment Area (RA) in the former City of Toronto Zoning By-law 438-86, as amended. This zoning category permits a range of uses, some of which are constrained by various exceptions. Heights permitted on the site range from 12 to 26 metres.

The site is zoned Commercial Residential Employment (CRE) in the City of Toronto Zoning By-law 569-2013, as amended. The same height restrictions and exceptions in By-law 438-86 have been carried forward into By-law 569-2013. Zoning By-law 569-2013 can be found here: <https://www.toronto.ca/city-government/planning-development/zoning-by-law-preliminary-zoning-reviews/zoning-by-law-569-2013-2/>

As part of the King-Parliament Secondary Plan Review, the site was rezoned to Commercial Residential (CR SS1 (x339)) under Zoning By-law 569-2013. This zone permits a wide range of residential, commercial and institutional uses, and a height of 12 metres up to a depth of 12 metres from the Berkeley Street frontage and 90.0 metres

for the remaining portion of the property. This Zoning By-law is under appeal to the Ontario Land Tribunal and is not yet in-force for the site. Amending By-law 393-2021 can be found here: <https://www.toronto.ca/legdocs/bylaws/2021/law0393.pdf>

See Attachment 5 of this report for the existing Zoning By-law Map.

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

- Tall Building Design Guidelines;
- King-Parliament Urban Design Guidelines;
- Growing Up: Planning for Children in New Vertical Communities;
- Pet Friendly Design Guidelines;
- Retail Design Manual;
- Best Practices for Bird-friendly Glass;
- Best Practices for Effective Lighting; and
- Toronto Accessibility Design Guidelines.

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

Toronto Green Standard: The Toronto Green Standard is a four-tier 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. The Toronto Green Standard can be found here: <https://www.toronto.ca/city-government/planning-development/official-plan-guidelines/toronto-green-standard/>

COMMUNITY CONSULTATION

A Virtual Community Consultation Meeting was hosted by City staff on December 14, 2020. Approximately 40 people participated, as well as the former Ward Councillor and the applicant. Issues raised at the meeting and through written comments and calls include:

- Overall height of the proposal is too tall for the area and will result in negative shadow impacts;
- Inadequate separation distances between buildings;
- Need for more open space and parkland;
- Improve existing uncomfortable pedestrian conditions on Adelaide Street East through the proposal;
- Desire for increased setbacks and canopies for pedestrians on Ontario Street and Adelaide Street East;
- Importance of the midblock connection and concerns about the proposed multi-use design;
- Viability of retail spaces on Adelaide Street East and appropriateness of the townhouse units on Ontario Street; and
- Need for visitor parking spaces.

The issues raised through community consultation have been considered through the review of the application.

COMMENTS

Provincial Framework

Staff's review of this application has had regard for the relevant matters of provincial interest set out in the Planning Act. Staff have reviewed the current proposal for consistency with the Provincial Policy Statement, and conformity with the Growth Plan. Staff find that the proposal is consistent with the Provincial Policy Statement and to conform with the Growth Plan.

Land Use

The proposed residential, office and retail uses align with the Regeneration Areas designation, the Mixed Use Areas 2 and 4 designations in the Downtown Plan, and the Regeneration Area 'A' policies of the King-Parliament Secondary Plan. The proposal provides an appropriate mix of uses on the site, the uses are compatible with the adjacent existing uses, and conform to the development criteria in the Official Plan as well as the policies of the Official Plan as a whole.

The proposed gross floor area of 15,206 square metres of office uses will replace the existing 8,092 square metres of office space on the site and expand it by 7,114 square metres, in addition to providing 1,099 square metres of retail space. The proposal meets the applicable policy objectives to maintain and expand office and other non-residential uses Downtown and in the King-Parliament Secondary Plan Area.

Public Realm

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

Streetscape

The setback to the proposed ground level dwelling units along the Ontario Street frontage is three metres, which is acceptable. This setback results in a minimum sidewalk zone of approximately 9.2 metres measured from the sidewalk curb to the building face. The building will cantilever above this space by approximately three metres above a height of 7.5 metres. This allows sufficient space for continuous tree planting along the sidewalk as well as a mix of other planting in front of the ground floor to provide an appropriate interface and transition between the public sidewalk and the dwelling units proposed along this street.

Along Adelaide Street East, a setback of approximately 3.5 metres is proposed from the property line for the majority of building face with deeper setbacks provided at building entrances, which results in a sidewalk zone of 6.1 metres. The building will cantilever above this space by approximately two metres above a height of 10.8 metres. This allows sufficient space for continuous tree planting along the sidewalk along with seating and bike parking. Additionally, the sidewalk zone will be further widened by

approximately one metre through relocating the curb along the street to the south and narrowing existing vehicle travel lanes, and a raised cycle track will be constructed south of the curb, in accordance with the planned relocation of the Adelaide cycle track to the north side of the street, which will further improve the public realm along this street.

Along Berkeley Street where the existing residential rowhouses are proposed to be retained and a similar townhouse form is proposed to the north of the heritage buildings, the sidewalk zone of 6.5 metres will be maintained and extended, which will allow sufficient space for continuous tree planting along the sidewalk as well as a mix of other planting in front of the residences to enhance the character of this low-scale street.

The streetscape treatments, curb realignment, landscape details and opportunities for additional tree planting and soft landscape will be further evaluated and secured through the Site Plan Approval process.

Midblock Connection

A midblock connection ranging in width from approximately eight to 17 metres is proposed north of the towers along Adelaide Street East, connecting Ontario Street to Berkeley Street. This connection aligns with an existing midblock connection on the east side of Berkeley Street that extends east to Parliament Street and is consistent with the location of a potential midblock connection identified in the updated King-Parliament Secondary Plan.

The connection will accommodate a range of functions and be designed as a flexible space that should prioritize the safety and mobility of pedestrians and cyclists while still accommodating parking and servicing functions. The area will include trees and a range of planting, lighting, seating, walkways and a driveway. The intent is to create a sense of continuity between pedestrian and vehicle areas, allow the space to serve multiple functions, improve the pedestrian experience, and visually expand and connect the public realm. The function and design of the midblock connection will be further refined and secured through the Site Plan Approval process.

Parkland

In the context of a rapidly growing city, the importance of public parkland being available to enhance and expand the amount of park spaces provided to residents and visitors alike becomes ever more relevant. The Official Plan contains policies to ensure that Toronto's system of parks and open spaces are maintained, enhanced and expanded.

The City of Toronto Parkland Strategy ("PLS") 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 PLS assesses parkland provision, using the baseline of residential population against the area of parkland available across the city. According to the 2022 draft update to the PLS methodology, the development site is currently in an area with 4-12 square metres of parkland per person, which is below the city-wide average provision of 28 square metres of parkland per person (2022).

At the alternative rate of 1 hectare per 600 units as specified in Section 42 of the Planning Act, the parkland dedication requirement would be 18,233 square metres or 329% of the site area. However, for sites that are less than five hectares in size, a cap of 10% of the development site is applied to the residential use while the non-residential use is subject to a 2% parkland dedication. In total, the parkland dedication requirement is 583 square metres. The applicant will satisfy the parkland dedication requirement through a combination of an on-site dedication that complies with the Official Plan and a cash-in-lieu payment.

The proposal includes a rectangular 581 square metre on-site parkland dedication at the northeast corner of the site along Berkeley Street. The proposed parkland conveyance will be free and clear, above and below grade, of all physical obstructions and easements, encumbrances and encroachments. A three metre setback from the park to the residential building on its west side is proposed. The applicant will satisfy the remainder of the parkland dedication requirement through cash-in-lieu.

Locating a park along Berkeley Street within the Mixed Use Areas 4 designation meets the intent of the Downtown Plan, the identification of the street as a Special Street in the King-Parliament Secondary Plan and the direction in the King-Parliament Design Guidelines to maintain the scale and character of the street.

Terms and conditions for the on-site parkland dedication, including details related to conveyance timing, environmental assessment and park construction, will be secured as part of the Site Plan Control process. The Conditions of Parkland Conveyance section of the memo from Parks Development dated February 3, 2023 will be used as the basis for these terms and conditions.

Heritage Impact and Conservation Strategy

The proposal will retain the designated rowhouses at 72-78 Berkeley Street and sensitively integrate them into the overall development. The proposal includes in-situ retention of the original portions of the rowhouses and restoration of the buildings to their original appearance. The tallest and highest intensity portions of the proposed development are generally located at the southwestern portion of the site toward Adelaide Street East, away from the heritage row. Immediately north of the conserved heritage buildings, new two-storey townhouses are proposed along Berkeley Street that complement the heritage buildings and maintain the low-scale character of the street where the Mixed Use Areas 4 designation applies. The five-storey base building component of the tower to the west behind the heritage row is set back approximately 12 metres from the Berkeley Street frontage and will be entirely behind the original portion of the rowhouses.

The site is adjacent to the St. Lawrence Neighbourhood Heritage Conservation District to the south. It is adjacent to four designated heritage properties at 411 Richmond Street East, 25 Ontario Street, 70 Berkeley Street and 93-95 Berkeley Street, and is adjacent to listed heritage properties at 55-79 Berkeley Street. The proposed site layout, setbacks and massing mitigate any visual impacts on the scale and form of the adjacent heritage properties.

The proposed conservation strategy for the on-site and adjacent heritage properties is consistent with provincial policy, conforms with the Official Plan and complies with the Standards and Guidelines for the Conservation of Historic Places in Canada.

Built Form

City Planning staff find that the proposal conforms with the applicable Official Plan policies with respect to built form and meets the intent of the King-Parliament Urban Design Guidelines and Tall Building Design Guidelines, and is compatible with the existing and planned context of the site and surrounding area.

As outlined above, the ground floor and base building components along Ontario Street and Adelaide Street East have been massed to provide additional pedestrian space and allow for the mature growth of trees along the street frontages and other streetscape improvements. The proposed five-storey base building component with a height of approximately 26 metres will contain retail space on the ground floor and office space above. This height is consistent with the streetwall height of the existing base building to the north of the site at 53-55 Ontario Street, is compatible with the larger context and is appropriate for office uses, which tend to have higher floor-to-ceiling heights than residential uses.

The northern half of the tower proposed at the southwestern corner of the site will be set back from the Ontario Street frontage by approximately 18 metres above the fifth floor and the setback is reduced to 5.5 metres above the fifth floor of the southern half of the tower along the shared property line of the abutting 474 Adelaide Street East property. This generous setback from the west side of the site to the tower will limit the visual impact of the building from Ontario Street and is differentiated from the limited setbacks to the existing tower to the north at 53-55 Ontario Street and the approved tower at 75 Ontario Street. The reduced setback closer to Adelaide Street East is acceptable because the abutting 474 Adelaide Street East property is approximately 12.8 metres wide and would not have sufficient space to accommodate building services or basic built form standards for a tall building.

The proposed setbacks from Adelaide Street East to the towers are acceptable. The setback from the Adelaide Street East frontage to the tower at the southwestern corner of the site is approximately nine metres, which results in a stepback of approximately 7.4 metres from the base building to the tower above the fifth floor. The setback of the tower proposed at the southeastern corner of the site is approximately 1.9 metres, with a stepback of approximately 0.4 metres from the base building between levels six and 12 and then increasing to 1.9 metres starting at level 13. The proposed stepbacks are acceptable in this case when considering the two towers together, with the substantial stepback to the western tower that is offset with the smaller stepback to the eastern tower. Additionally, the tower at the southeastern corner of the site is proposed to be set back approximately 16.2 metres from the Berkeley Street frontage, which is well behind the new and retained heritage townhomes along the street, maintaining the predominant low-scale built form along Berkeley Street while allowing for significant intensification of the site.

The proposed separation distance between the towers is acceptable. The Tall Building Guidelines identify a minimum 25-metre separation distance between towers. The separation distance is proposed to shift from approximately 24.4 metres between levels seven and 13 to 26.4 metres starting at level 14, resulting in an average separation of 25.9 metres between the towers. A setback of 12.5 metres is proposed from the north property line to the southwest tower, which will provide appropriate space from the existing tower to the north at 53-55 Ontario Street. The separation distances meet the intent of City standards to provide adequate space between buildings, and access to light and sky-view.

The tower floorplates are proposed to be approximately 800 square metres, with heights of 44 storeys for the southwest tower and 39 storeys for the southeast tower. The Tall Building Guidelines state that the tower floorplate should be limited to 750 square metres per floor, and the Downtown Plan similarly states that towers should generally have floorplates of 750 square metres, and notes that increases may be appropriate where the impacts on wind and shadow are addressed. The proposed towers and base building have been massed to satisfy the intent of City standards and respond to the existing and planned context of the area where similar tower floorplates and heights have been approved. The tower floorplates and building heights are also acceptable in conjunction with the overall proposal, including retention of the heritage rowhouses, adequate separation distances, the enhanced and expanded public realm and park space on the site, and the limited impacts on surrounding sites, as outlined further in the sections below.

The proposed height of 11 storeys along Berkeley Street in combination with the deep setback of almost 19 metres from the front property line with the inclusion of the proposed park, locates the entire building in the Mixed Use Areas 2 designated portion of the site and away from the Berkeley Street frontage. The building will match the massing and height of the existing base component of the building to the west at 53-55 Ontario Street, with no setback from the west property line up to the seventh level, above which an approximate 6.5 metre stepback is proposed where units will face west. A minimal setback from the north property line is proposed for the eastern portion of the building located toward the park to create a streetwall condition along Berkeley Street in conjunction with the potential redevelopment of the site to the north, with the building then stepped back by approximately 7.5 metres from the north property line toward the rear of the property where units will face north. The 11-storey building is appropriately located and massed on the site to provide a variety of building types and heights across the site and larger block, create comfortable conditions with adjacent properties and frame the proposed park with good proportion.

Staff will continue to work with the applicant during the Site Plan Approval process on the building materiality and articulation to ensure the proposal is contextually appropriate and mitigates any visual impacts on the conserved heritage properties and the public realm, among other matters.

Shadow Impact

The proposal conforms with the policy direction of the Official Plan by ensuring that the development will limit shadow impacts on the public realm, particularly during the spring

and fall equinoxes. The building locations, massing and heights have been designed to minimize shadow impacts on the public realm and adjacent sites. The shadow study submitted in support of the application indicates that the incremental shadows that would be cast on the areas surrounding the site would be largely within those that already exist or are permitted by current zoning permissions for the property. The shadow impact resulting from the proposal is acceptable.

Pedestrian Level Wind

The Pedestrian Level Wind Study submitted in support of the application concludes that all wind impacts created by the proposal will be minimal and of a tolerable level for the anticipated uses of the spaces, including for sitting, standing, strolling and walking outdoors, with the exception of one of the building entrances at the southeast portion of the site along Adelaide Street East where higher-than-desired wind speeds may occur in the winter. The wind safety criteria is expected to be met at all areas both on-site and surrounding the proposed development with the exception of one location at the northwest corner of the rooftop amenity terrace along Ontario Street in the winter. The wind study recommends including wind mitigation measures for these two locations, such as permanent planters, wind screens, trellises or canopies, to improve pedestrian comfort and safety. Staff are satisfied with the assessment, conclusions and recommendations of the study. The proposed architectural mitigation measures will be confirmed through an updated wind study and secured through the Site Plan Approval process.

Archaeological Assessment

A Stage 1 Archaeological Assessment submitted as part of the application indicates that the northern portion of the property exhibits potential for the presence of deposits or features associated with the first occupations of the property. Given the archaeological potential of a portion of the property, a Stage 2 Archaeological Assessment for further review and assessment will be required prior to any ground disturbance through the Site Plan Approval process.

Traffic Impact, Access, Parking

A Transportation Impact Study was submitted to assess the traffic impact, access, parking and loading arrangements for the development. The study concludes that the site impacts on the area's transportation network are anticipated to be minimal under future conditions and recommends securing transportation demand measures to encourage active transportation and transit use. Vehicle access for loading and parking will be from Ontario Street and Berkeley Street via the proposed midblock connection through the site. Transportation Services staff accept the conclusions of the submitted report. Staff also accept the proposed parking supply of 1,242 bike parking spaces, consisting of 1,019 long-term and 223 short-term spaces, and 241 vehicle parking spaces, consisting of 164 spaces for residents, 73 spaces for shared residential visitors and office use, and four care-share spaces. Solid Waste Management Services staff accept the proposed loading facilities, consisting of one Type G, one Type B and three Type C loading spaces, which complies with the applicable Zoning By-law standards.

Servicing

Engineering and Construction Services staff have reviewed the submitted materials and have identified several minor outstanding items for review, and require the Functional Servicing and Stormwater Management Report to be revised and submitted to the City for review and acceptance to the satisfaction of the Chief Engineer and Executive Director, Engineering and Construction Services, prior to the enactment of bills. Other issues identified by Engineering and Construction Services staff will be resolved as part of the Site Plan Approval process.

Unit Mix

The proposal complies with the applicable policies of the Downtown Plan and Growing Up Guidelines, which require the provision of 10% of all units as three-bedroom units, 15% as two-bedroom units and an additional 15% of units as a combination of two- and three-bedroom units or units that can be converted to larger units. The proposed development meets these requirements with the provision of 1,094 residential units, of which a minimum of 281 units (25.7%) will have two bedrooms, 115 units (10.5%) will have three bedrooms and a portion of the remaining units will be located and designed so that they can be converted to provide 15% more units as two- and three-bedroom units.

Toronto Green Standard

The applicant is required to meet Tier 1 of the TGS. The site specific zoning by-law and future site plan agreement will secure performance measures for various development features, including the following:

- Transportation Demand Management plan measures and reduced parking provisions;
- 50 vehicle parking spaces provided with electric vehicle supply equipment, with the remainder of spaces equipped with roughed-in conduits;
- 1,242 bicycle parking spaces and associated shower and change facilities;
- Provision of widened pedestrian clearways;
- Planting of 17 street trees and additional trees and soft landscaping areas throughout the site, with additional planting opportunities to be explored;
- On-site retention of stormwater consistent with City standards; and
- Green Roof required under the Green Roof By-law.

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.

CONTACT

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SIGNATURE

Alex Teixeira MCIP, RPP
Acting Director, Community Planning
Toronto and East York District

ATTACHMENTS

City of Toronto Data/Drawings

- Attachment 1: Application Data Sheet
- Attachment 2: Location Map
- Attachment 3: Official Plan Land Use Map
- Attachment 4: Downtown Plan Land Use Map
- Attachment 5: Existing Zoning By-law Map
- Attachment 6: Draft Zoning By-law Amendment

Applicant Submitted Drawings

- Attachment 7: Site Plan
- Attachments 8-11: Elevations

Attachment 1: Application Data Sheet

Municipal Address: 49 Ontario Street and 72-94 Berkeley Street Date Received: November 1, 2019

Application Number: 19 244188 STE 13 OZ

Application Type: Rezoning

Project Description: Zoning By-law Amendment application to permit three buildings of 11, 39 and 44 storeys containing 1,099 square metres of retail, 15,206 square metres of office, and 64,373 square metres of residential with 1,094 dwelling units, conservation of the existing rowhouses at 72-78 Berkeley Street, and a 581 square metre public park along Berkeley Street.

Applicant	Agent	Architect	Owner
Tony Medeiros, Dream		architectsAlliance	MPCT 49 Ontario Street Toronto Inc.

EXISTING PLANNING CONTROLS

Official Plan Designation:	Regeneration Areas	Site Specific Provision:	N/A
Zoning:	CRE x 58	Heritage Designation:	Y
Height Limit (m):	26	Site Plan Control Area:	Y

PROJECT INFORMATION

Site Area (sq m): 6,953 Frontage (m): 88 Depth (m): 84

Building Data	Existing	Retained	Proposed	Total
Ground Floor Area (sq m):			3,635	3,635
Residential GFA (sq m):			64,373	64,373
Non-Residential GFA (sq m):	8,092		16,305	16,305
Total GFA (sq m):	8,092		80,678	80,678
Height - Storeys:	7		36	36
Height - Metres:			152	152

Lot Coverage Ratio (%): 52.3 Floor Space Index: 11.6

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

Residential GFA: 64,373
 Retail GFA: 1,099
 Office GFA: 15,206

Residential Units by Tenure	Existing	Retained	Proposed	Total
Rental:			1,094	1,094
Freehold:				
Condominium:				
Other:				
Total Units:			1,094	1,094

Total Residential Units by Size

	Rooms	Bachelor	1 Bedroom	2 Bedroom	3+ Bedroom
Retained:					
Proposed:		74	624	281	115
Total Units:		74	624	281	115

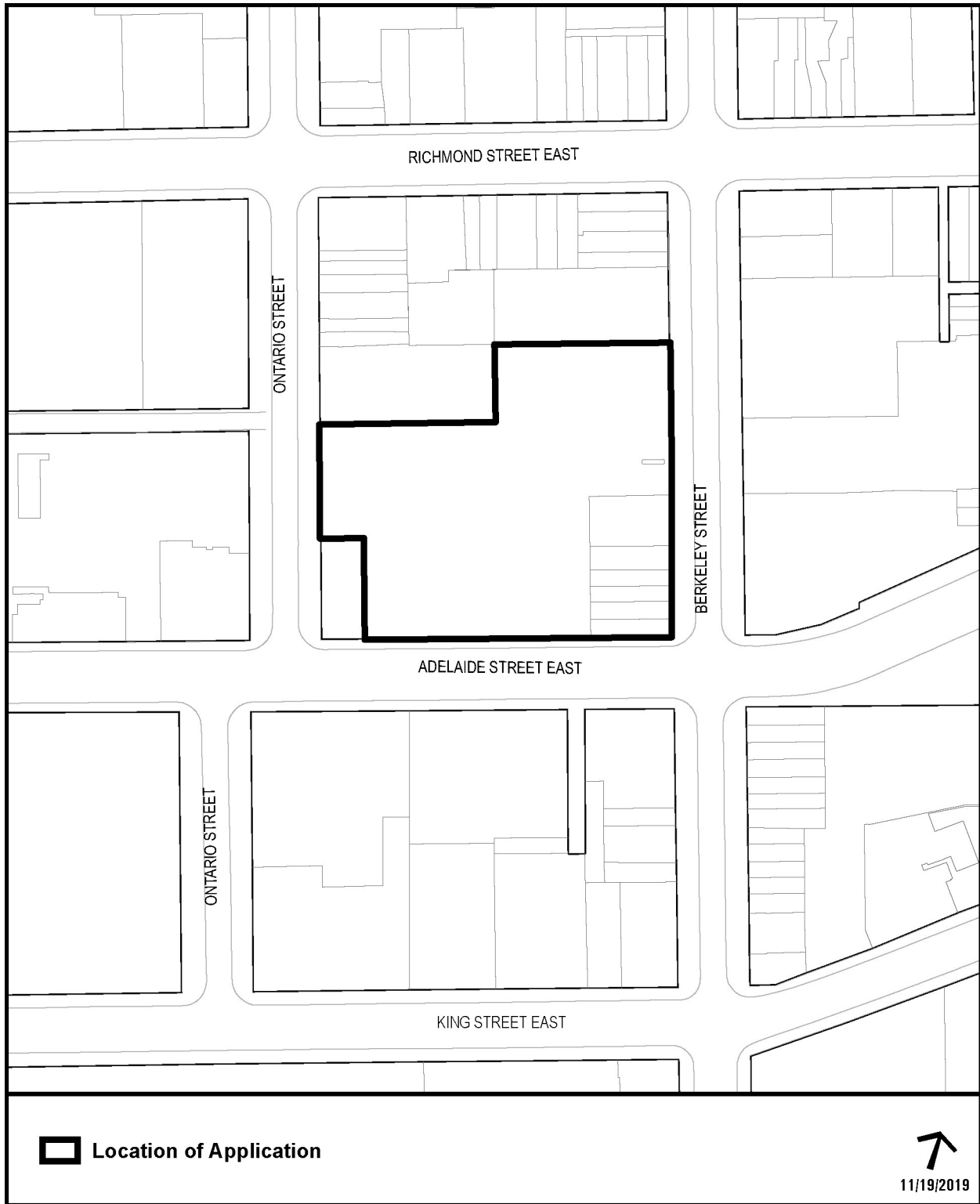
Parking and Loading

Parking Spaces: 253 Bicycle Parking Spaces: 1,095 Loading Docks: 4

CONTACT:

Paul Johnson, Senior Planner
 416-397-0259
 Paul.M.Johnson@toronto.ca

Attachment 2: Location Map



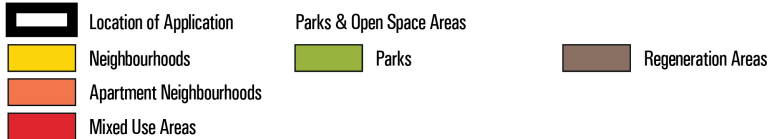
Attachment 3: Official Plan Land Use Map



49 Ontario Street and 72-94 Berkeley Street

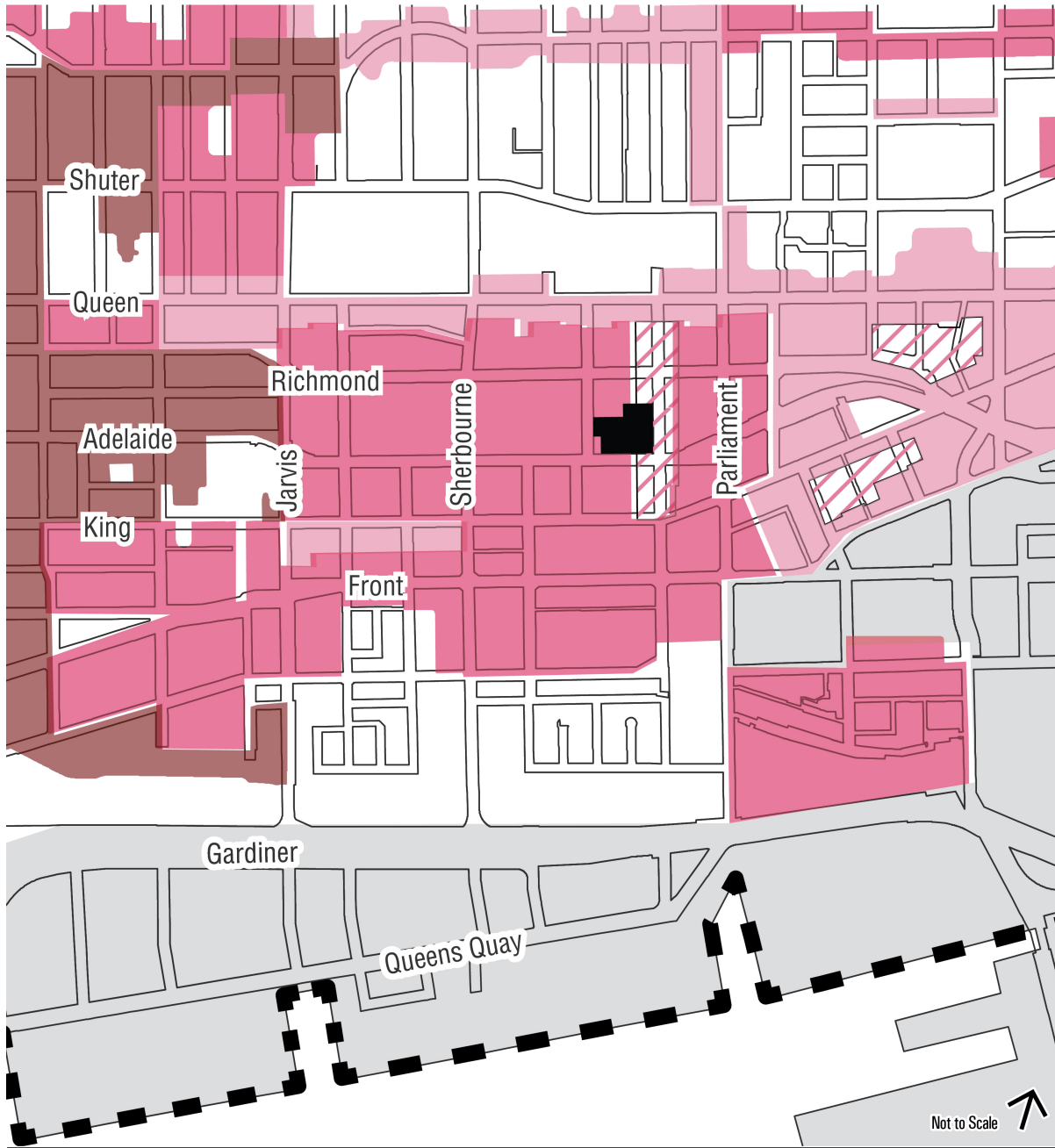
Official Plan Land Use Map #18

File # 19 244188 STE 13 0Z



↑
Not to Scale
11/19/2019

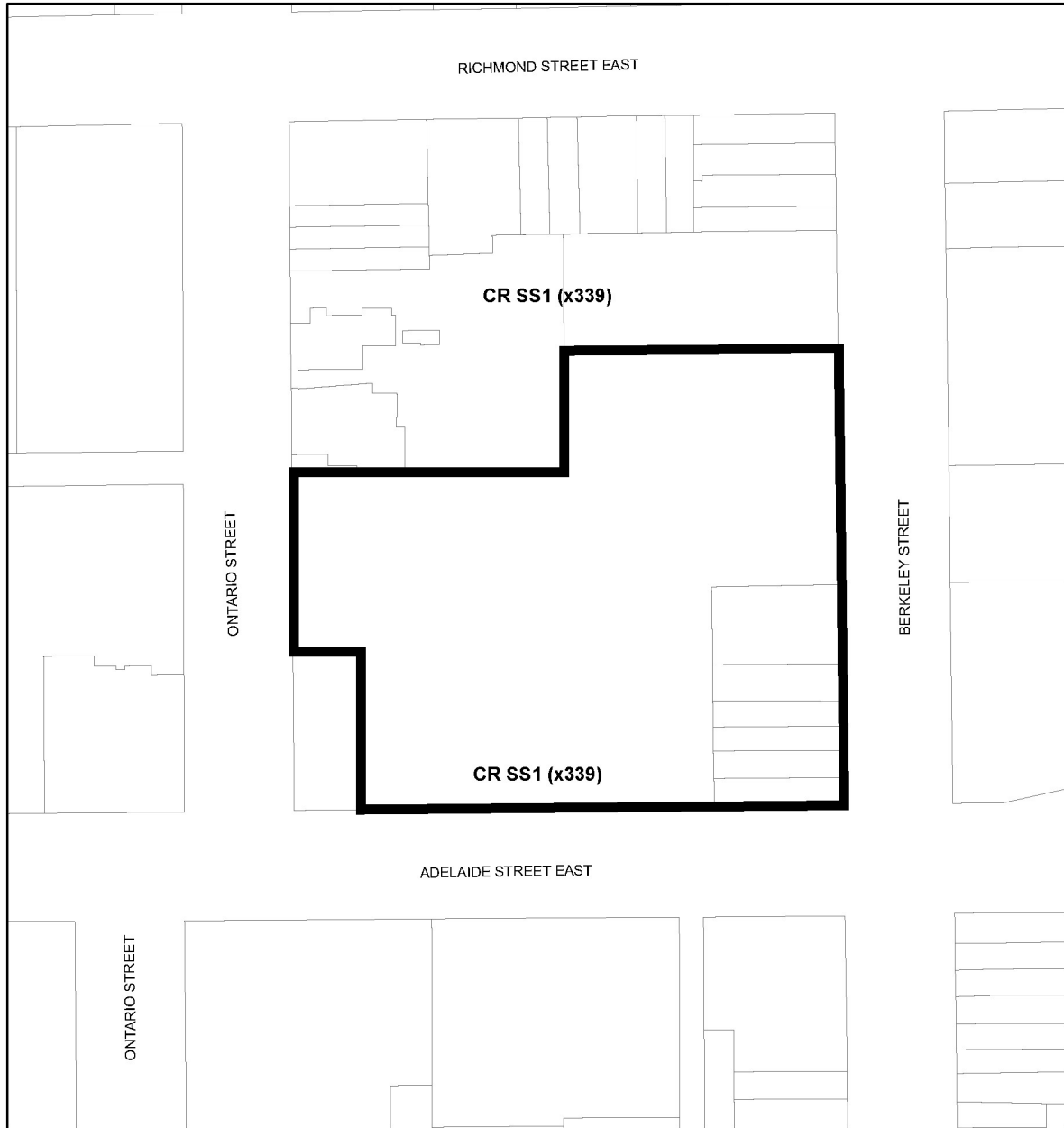
Attachment 4: Downtown Plan Land Use Map



Downtown Plan
MAP 41-3 Mixed Use Areas

- SITE
- Downtown Plan Boundary
- Mixed Use Areas 1 - Growth
- Mixed Use Areas 2 - Intermediate
- Mixed Use Areas 3 - Main Street
- Mixed Use Areas 4 - Local


Attachment 5: Existing Zoning By-law Map



Zoning By-law 569-2013

49 Ontario Street and 72-94 Berkeley Street

File # 19 244188 STE 13 OZ

 Location of Application

CR Commercial Residential

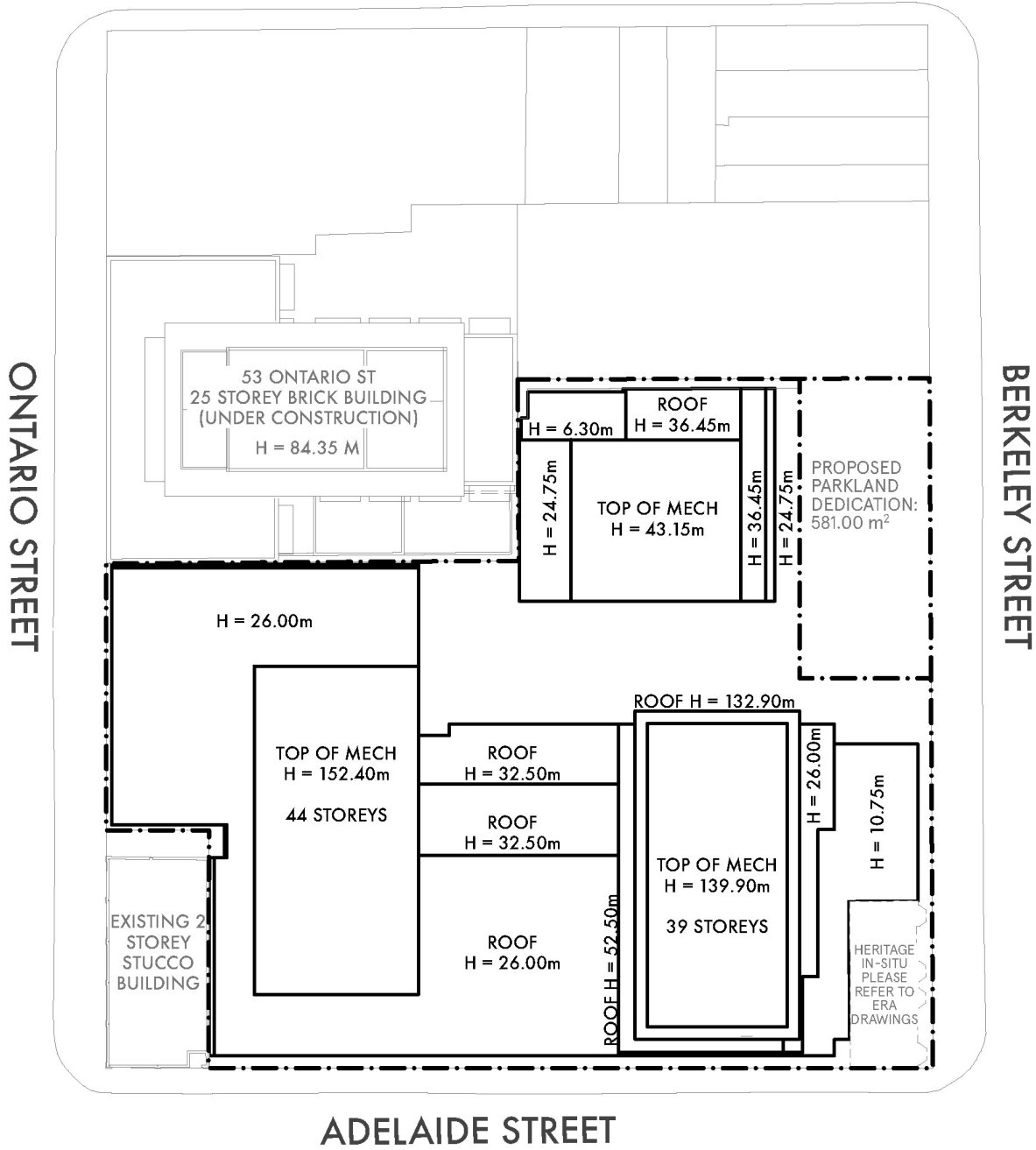


Not to Scale
Extracted: 02/17/2023

Attachment 6: Draft Zoning By-law Amendment

To be available prior to the April 12, 2023 Toronto and East York Community Council Meeting

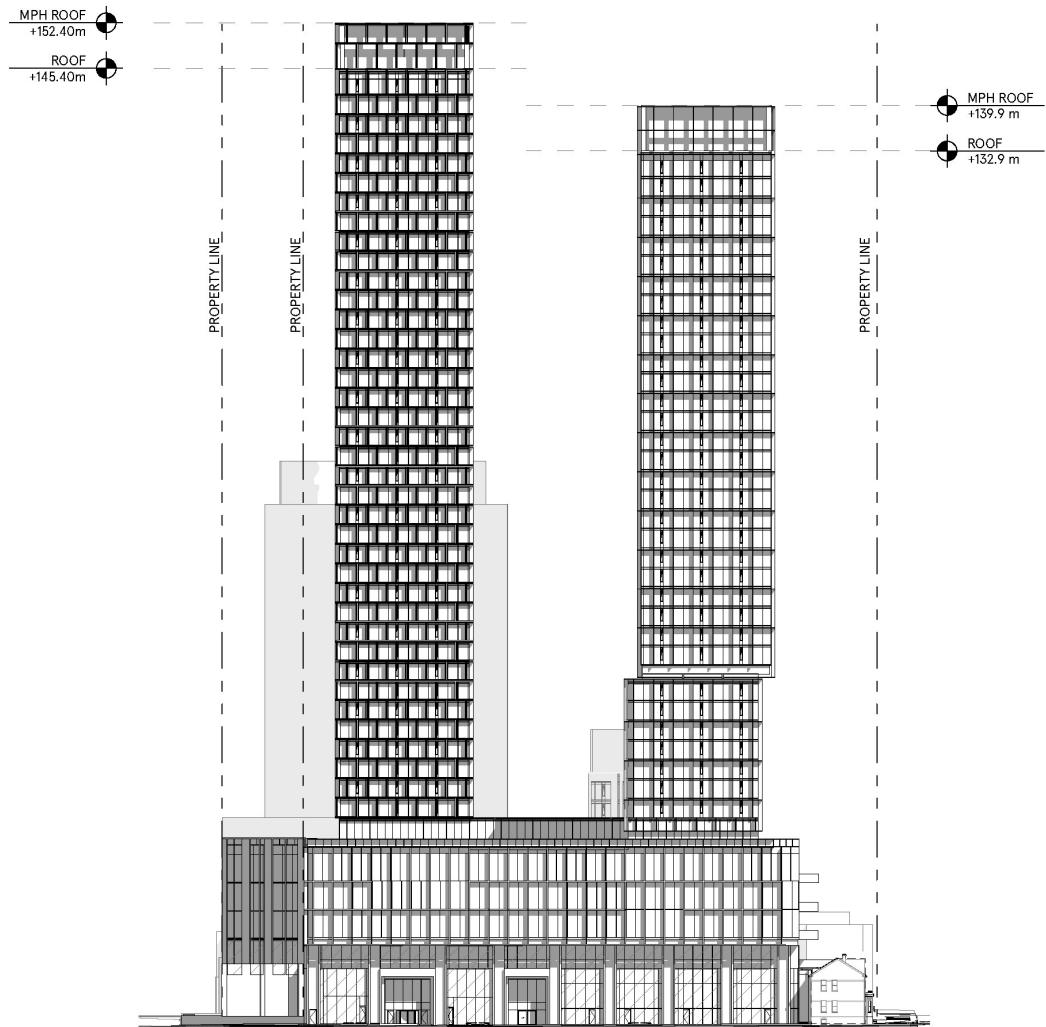
Attachment 7: Site Plan



Site Plan

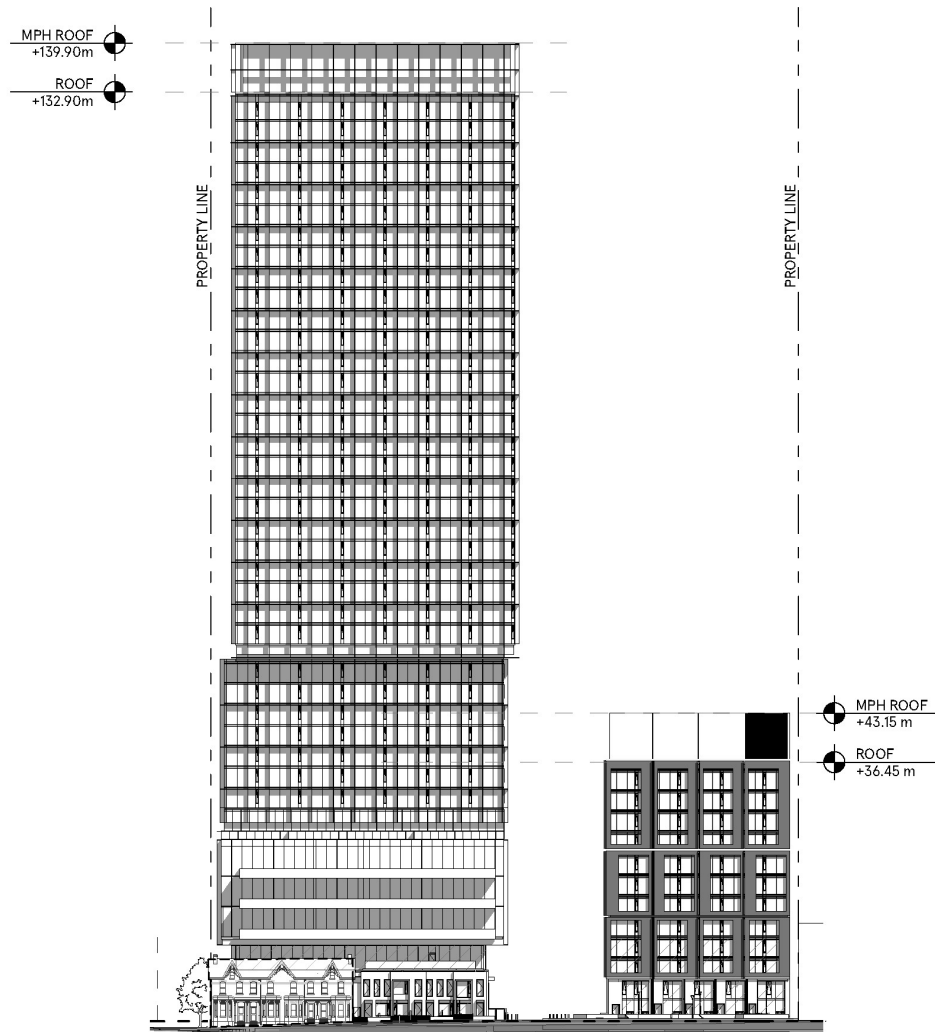


Attachment 8: South Elevation



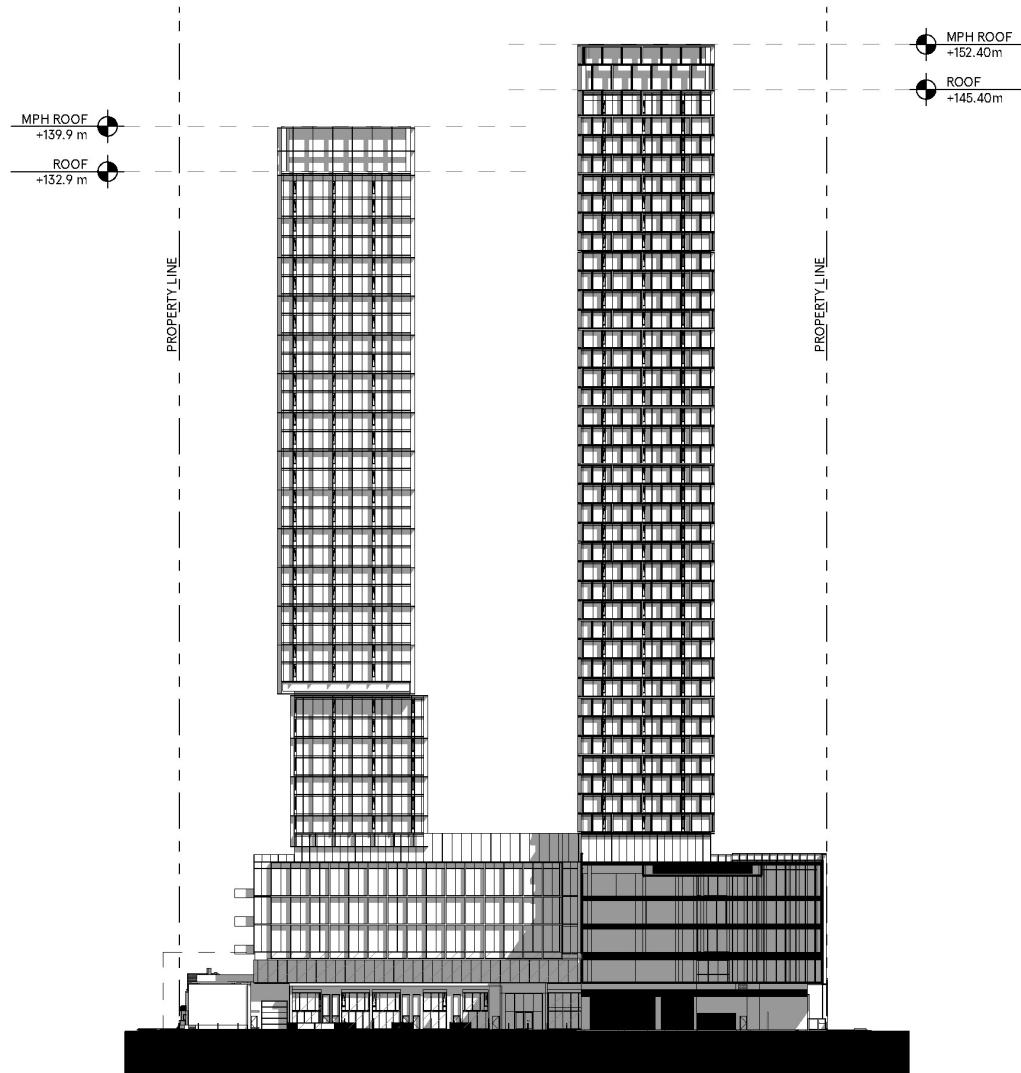
South Elevation

Attachment 9: East Elevation



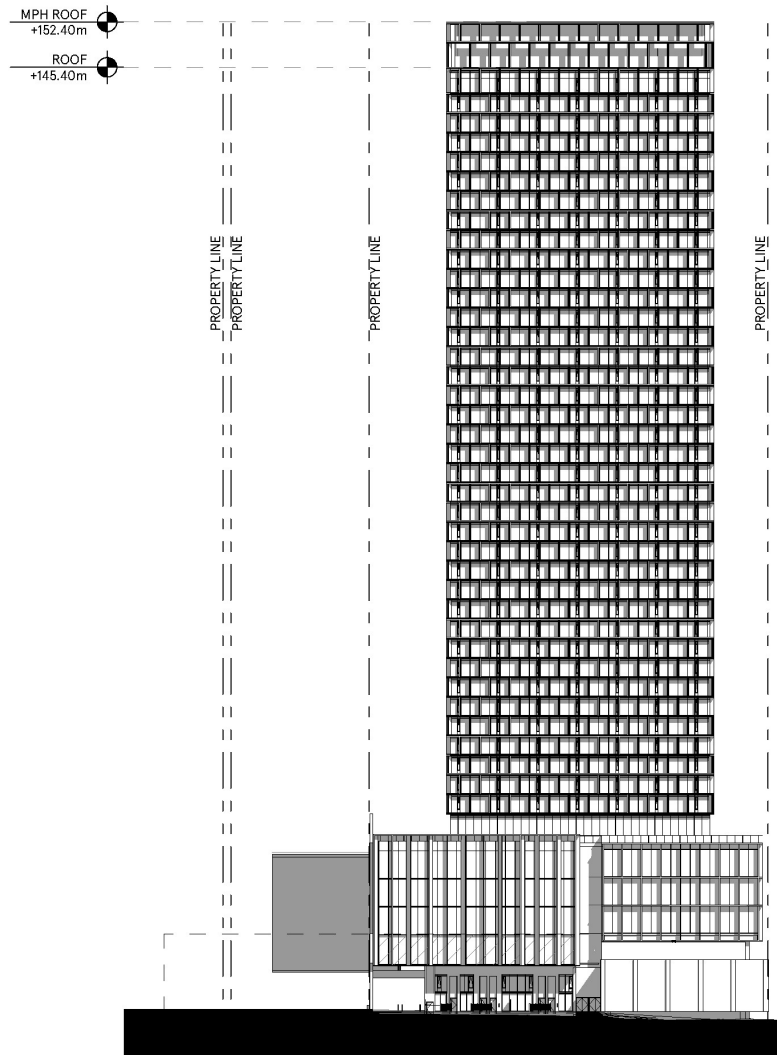
East Elevation

Attachment 10: North Elevation



North Elevation

Attachment 11: West Elevation



West Elevation