TORONTO

REPORT FOR ACTION

25 St Mary Street – Official Plan Amendment, Zoning Amendment, and Rental Housing Demolition Applications – Decision Report – Approval

Date: April 6, 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: 21 166606 STE 13 OZ, 21 166617 STE 13 RH

SUMMARY

This report reviews and recommends approval of the Official Plan Amendment, Zoning By-law Amendment, and the Rental Housing Demolition applications. The applicant proposes to demolish the existing 24-storey residential rental apartment building at 25 St. Mary Street containing 259 rental dwelling units, and redevelop the site with a new mixed-use development consisting of two towers with heights of 59 and 54 storeys. The proposal includes a minimum of 259 replacement rental dwelling units, 1,024 new residential units, 310 square metres of ground floor retail space, a 730 square metre child care facility, and a 500 square metre on-site parkland dedication.

The proposed mixed use development will replace all existing 259 rental units that are proposed to be demolished. In addition, the applicant is proposing approximately 50 additional affordable replacement rental dwelling units. The proposal also includes a Tenant Relocation and Assistance Plan that addresses the right for existing tenants to return to a replacement rental dwelling unit at similar rent and financial compensation to mitigate hardship.

RECOMMENDATIONS

The City Planning Division recommends that:

1. City Council amend the Official Plan for the lands at 25 St. Mary Street substantially in accordance with the draft Official Plan Amendment attached as Attachment No. 5 to this report.

- 2. City Council amend City of Toronto Zoning By-law 569-2013 for the lands at 25 St. Mary Street substantially in accordance with the draft Zoning By-law Amendment attached as Attachment No. 6 to this report.
- 3. City Council authorizes the City Solicitor to make such stylistic and technical changes to the draft Official Plan Amendment and draft Zoning By-law Amendment as may be required.
- 4. City Council allow the owner of 25 St. Mary Street (the "Site") to construct, finish, furnish, equip and convey to the City a non-profit licensed child care facility (the "Child Care Facility") to the satisfaction of the Chief Planner and Executive Director, City Planning and the General Manager of Children's Services as part of the development, as an in-kind contribution pursuant to subsection 37(6) of the Planning Act, in accordance with the following terms:
 - a) The Child Care Facility will accommodate a minimum of 62 children, including infants, toddlers and preschoolers;
 - b) The Child Care Facility will comprise approximately 730 square metre indoor area located on the first and second floors of the proposed development and approximately 221 square metre outdoor area, located on the second floor of the proposed development; and
 - c) The Child Care Facility will be provided in accordance with the terms to be set out in the In-Kind Contribution Agreement identified in Recommendation 7 to the satisfaction of the Chief Planner and Executive Director, City Planning.
- 5. City Council attribute a value to the in-kind contribution set out in Recommendation 4 equal to 100 percent of 4 percent of the value of the land (net of any exclusions or exemptions authorized under the Community Benefits Charge By-law), as determined the day before the day the building permit is issued in respect of the development.
- 6. The owner shall provide a letter of credit in an amount sufficient to guarantee 120 percent of the estimated cost of the design, construction and handover of the Child Care Centre complying with the specifications and requirements of the In-kind Contribution Agreement, to the satisfaction of the General Manager, Children's Services and the Chief Financial Officer and Treasurer, and will be provided to the City prior to the issuance of the first above grade building permit for the development, to secure the Child Care Centre.
- 7. City Council authorize the Chief Planner and Executive Director, City Planning to enter into an agreement pursuant to subsection 37(7.1) of the Planning Act (the "In-kind Contribution Agreement") to address the provision of the in-kind contribution identified in Recommendation 4 to the satisfaction of the Chief Planner and Executive Director, City Planning, General Manager of Children's Services and the City Solicitor, with such agreement to be registered on title to the Site, which agreement shall be evidence of Decision Report Approval 25 St. Mary Street

arrangements for the provision of the in-kind contribution that are satisfactory to City Council.

- 8. 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 an appoximate size of 500 square metres, to the satisfaction of the General Manager, Parks, Forestry and Recreation and the City Solicitor.
- 9. 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.
- 10. 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 & Recreation (PFR). 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, PFR, and the Parks and Recreation component of development charges payable for the development in accordance with the City's Development Charges By-law, as may be amended from time to time.
- 11. City Council approve the Rental Housing Demolition Application File No. 21 166617 STE 13 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 259 existing rental dwelling units located at 25 St. Mary Street, subject to the following conditions:
 - a) The owner shall provide and maintain at least 259 replacement rental dwelling units on the subject site, in the West Building, 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 replacement rental dwelling units shall collectively have a total gross floor area of at least 18,857 square metres and be comprised of at least 47 studio units, 118 one-bedroom units and 94 two-bedroom units as generally illustrated in the plans submitted to the City Planning Division dated

February 10, 2023. Any revisions to these plans shall be to the satisfaction of the Chief Planner and Executive Director, City Planning Division;

- b) The 152 existing rental units occupied by Eligible Tenants, as of the date of this report, shall be replaced with replacement rental dwelling units having at least the same average size by unit type. The 107 existing rental units which are vacant or are not occupied by an Eligible Tenant, as of the date of this report, shall be replaced with replacement rental dwelling units having at least the same average unit size, by unit type, of market units in the West Building, provided that additional replacement rental dwelling units are provided and maintained in the West Building, with such units having at least the same average unit size, by unit type, of market units in the West Building to ensure that 100 per cent of the gross floor area of the existing rental units is replaced;
- c) The number of existing units required to be replaced with replacement rental dwelling units having at least the same average size by unit type, may be reduced based on changes to the number of Eligible Tenants, at the discretion of, and to the satisfaction of the Chief Planner and Executive Director, City Planning;
- d) Final floor plans for the replacement rental dwelling units shall be provided prior to execution of the Section 111 agreement, which will secure the replacement rental dwelling units;
- e) The owner shall, as part of the replacement rental dwelling units required in Recommendation 11a above, provide at least sixteen (16) studio units, eight (8) one-bedroom units, and one (1) two-bedroom unit at affordable rents and no more than thirty-one (31) studio units, one-hundred and ten (110) one-bedroom units and ninety-three (93) two-bedroom units at mid-range rents, as defined in the City's Official Plan, all for a period of at least ten (10) years beginning from the date of first occupancy of each unit;
- f) Any replacement rental dwelling units provided in addition to the minimum 259 replacement rental dwelling units, in accordance with recommendations 11a and 11b, shall be secured at affordable rents, as defined in the City's Official Plan, for a period of at least ten (10) years beginning from the date of first occupancy of each unit.
- g) The owner shall provide an acceptable Tenant Relocation and Assistance Plan to all Eligible Tenants of the 259 existing rental units proposed to be demolished, addressing the right to return to occupy one of the replacement rental dwelling units 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;

- h) The owner shall provide tenants of all replacement rental dwelling units use of indoor and outdoor amenities in the proposed development, at no extra charge, with the same access and on the same terms and conditions as any other resident of the West Building, without the need to pre-book or pay a fee unless specifically required as a customary practice for private bookings;
- i) The 152 replacement rental dwelling units required for Eligible Tenants in recommendation 11b above shall have a private outdoor balcony and/or patio. Private outdoor balconies and/or patios will be provided for all other replacement rental dwelling units at a similar ratio as provided to the market units in the West Building, to the satisfaction of the Chief Planner and Executive Director, City Planning;
- j) The owner shall provide ensuite laundry in each replacement rental dwelling unit within the proposed development at no additional cost to tenants;
- k) The owner shall provide central air conditioning in each replacement rental dwelling unit at no additional cost to tenants;
- I) The owner shall provide and make available for rent a minimum of 24 storage lockers to tenants of the replacement rental dwelling units. The terms and conditions for renting storage lockers to tenants of the replacement rental dwelling units shall be to the satisfaction of the Chief Planner and Executive Director, City Planning;
- m) The owner shall provide tenants of all replacement rental dwelling units with access to bicycle and visitor parking on the same terms and conditions as any other resident of the proposed development, unless otherwise required by the Tenant Relocation and Assistance Plan;
- n) The replacement rental dwelling units required in recommendation 11a above shall be made ready and available for occupancy no later than the date by which 70% of the new dwelling units in the proposed development, exclusive of the replacement rental dwelling units, are made available and ready for occupancy, subject to any revisions to the satisfaction of the Chief Planner and Executive Director, City Planning; and
- o) The owner shall enter into, and register on title to the lands at 25 St. Mary Street, one or more agreement(s), to secure the conditions outlined in Recommendations 11a through 11n above, including an agreement pursuant to Section 111 of the City of Toronto Act, 2006, all to the satisfaction of the City Solicitor and the Chief Planner and Executive Director, City Planning Division.
- 12. City Council authorize the Chief Planner and Executive Director, City Planning Division, to issue Preliminary Approval of the Rental Housing Demolition Permit under

Chapter 667 of the Toronto Municipal Code for the demolition of the 259 existing rental dwelling units located at 25 St. Mary Street after all the following have occurred:

- a) All conditions in Recommendation 11 above have been fully satisfied 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 Division or their designate, pursuant to Section 114 of the City of Toronto Act, 2006 or as otherwise authorized by the Chief Planner and Executive Director, City Planning;
- d) The issuance of excavation and shoring permits (conditional or full permit) for the approved development on the site; and
- e) The owner has confirmed, in writing, that all existing rental dwelling units proposed to be demolished are vacant.
- 13. 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 Division has given Preliminary Approval referred to in Recommendation 12 above.
- 14. 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 St. Mary Street after the Chief Planner and Executive Director, City Planning Division has given Preliminary Approval referred to in Recommendation 12 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 development, containing the replacement rental dwelling units, on site no later than four years from the date on which the demolition of the existing rental dwelling units 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 development within the time specified in Recommendation 14.c. above, the City Clerk shall be entitled to Decision Report Approval 25 St. Mary Street Page 6 of 40

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.

- 15. 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 and other related agreements.
- 16. City Council authorize that the following matters related to site servicing be addressed prior to the introduction of the final bills to Council:
 - a) Submit to the Chief Engineer and Executive Director of Engineering and Construction Services for review and acceptance, a Functional Servicing Report to determine the storm water runoff, sanitary flow and water supply demand resulting from this development and whether there is adequate capacity in the existing municipal infrastructure to accommodate the proposed development;
 - b) Make satisfactory arrangements with Engineering and Construction Services and enter into the appropriate agreement with the City for the design and construction of any improvements to the municipal infrastructure, should it be determined that upgrades are required to the infrastructure to support this development, according to the accepted Functional Servicing Report accepted by the Chief Engineer and Executive Director of Engineering and Construction Services.

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 rectangular and has an approximate area of 5,213 square metres, with a frontage of 94 metres along St. Mary Street, 62 metres along St. Nicholas Street, and 75 metres along Inkerman Street.

Existing Use: The site is currently occupied by a 259-unit, 24-storey residential apartment building, which is proposed to be demolished. The proposal includes the replacement of the demolished rental units within the new development.

THE APPLICATION

Description: The proposed development consists of two residential towers that are 59 and 54 storeys respectively. The development replaces the 259 existing rental units currently within the 24-storey apartment building. The proposal also includes a 500 square metre on-site parkland dedication, 310 square metres of ground floor retail space, and a 730 square metre child care facility.

Existing Rental Dwelling Units: The existing 24-storey building at 25 St. Mary Street which is proposed to be demolished, contains a total of 259 rental dwelling units. The existing rental dwelling units had the following unit mix and rent levels at the time of application:

Unit Type	Average Size (sq. m.)	Affordable Rent	Mid-Range Rent	Total
Studio	40.6	16	31	47
One-Bedroom	67.5	8	110	118
Two-Bedroom	91.8	1	93	94
Total	71.5	25	234	259

At the time of this report, 152 units were occupied by eligible tenants and 107 units were either vacant or occupied by tenants who moved into the building after the rental demolition application was made. Forty current tenants rent a parking spot, and all such tenants pay a separate charge to rent parking. Twenty-four tenants have access to a storage locker, and none of these tenants pay additional or separate rent for their storage lockers.

Density: 15.42 times the area of the lot.

Commercial Use: The application proposes 310 square metres of retail space on the ground floor of the east tower, with frontage onto St. Mary Street and St. Nicholas Street.

Child care Use: The application proposes a 730 square metre child care facility that will be conveyed to the City as an in-kind Community Benefit.

Dwelling Units: The application is comprised of at least 259 replacement rental dwelling units, and 1,024 new residential dwelling units. The tenure of all the new dwelling units has not been determined at this time. The proposed unit breakdown for Decision Report - Approval - 25 St. Mary Street

Page 8 of 40

the 1,024 new dwelling units consists of 134 studio units (13.1%), 629 1-bedroom units (61.4%), 157 2-bedroom units (15.3%), and 104 3-bedroom units (10.2%).

Rental Housing Demolition Application:

The application proposes full replacement of the 259 existing rental dwelling with units of similar size and at similar rents to those in effect at the time of the application. Existing tenants at the time of application (June 7, 2021) would be provided the right to return to a replacement rental dwelling unit and financial compensation including rent gap payments and additional assistance to mitigate hardship.

Parking and Loading: The application proposes one type-G Loading space in the west tower and one type-C loading space in the east tower to service the retail uses. The single level of underground parking is accessed from St. Mary Street at the west side of the site and contains 22 parking spaces, of which two are for car-share purposes.

Additional Information: See attachments 1, 2, 7, 8, and 9 of this report for the location map, application data sheet, 3d model in context, a site plan and elevation plans. Additional project materials including reports and studies submitted by the applicant can be accessed from: toronto.ca/25stmaryst

Reason for the Application: The Official Plan Amendment application is required to change the designation within the City's Official Plan from Apartment Neighbourhoods to Mixed Use Areas. The amendment also applies a Mixed Use Area 1 designation to the site within the Downtown Secondary Plan.

The Zoning By-law Amendment application is required to implement the specific regulations associated with the development, including the change from a residential to a commercial-residential zone, as well as amendments to permit the form and massing of the development, including height, setbacks, and density.

This application involves the demolition of rental housing. Since the development site contains six or more residential units, of which at least one unit is rental housing, an application is required under Chapter 667 of the City's Municipal Code, the Rental Housing Demolition and Conversion By-law. The By-law requires an applicant obtain a permit from the City allowing the demolition of the existing rental housing units. The City may impose conditions that must be satisfied before a demolition permit is issued.

On June 7, 2021, a Rental Housing Demolition application under Chapter 667 of the Toronto Municipal Code was submitted for 25 St. Mary Street to demolish two hundred and fifty nine (259) existing rental dwelling units.

Site Plan Control: A Site Plan Control application was submitted on June 8, 2021 and is currently under review by City staff.

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 currently designated Apartment Neighbourhoods. The application proposes to change the designation to Mixed Use Areas. See attachment 3 of this report for the Official Plan land use map.

Apartment Neighbourhoods are distinguished from low-rise Neighbourhoods because a greater scale of buildings is permitted and different scale-related criteria are needed to guide development. While built up Apartment Neighbourhoods are stable areas of the City where significant growth is not anticipated on a city-wide basis, opportunities exist for the redevelopment of underutilized sites.

Mixed Use Areas are made up of a broad range of commercial, residential and institutional uses, in single use or mixed use buildings, as well as parks and open spaces and utilities.

Official Plan Policy 3.2.1.6 requires that new development that would result in the loss of six or more rental dwelling units replace at least the same number, size, and type of rental units as currently exist on the site and maintain rents similar to those in effect at the time of application The policy also requires an acceptable tenant relocation and assistance plan, addressing the right for tenants to return to the replacement rental dwelling units at similar rents and other assistance to mitigate hardship.

Downtown Secondary Plan: The application proposes to designate the site as Mixed Use Area 1, where previously it did not have a designation within the Downtown Plan. A draft Official Plan Amendment is included within this report as Attachment 5.

The Downtown Secondary Plan requires that developments containing more than 80 new residential units will include:

- a minimum of 15 per cent of the total number of units as 2-bedroom units;
- a minimum of 10 per cent of the total number of units as 3-bedroom units; and
- an additional 15 per cent of the total number of units will be a combination of 2-bedroom and 3-bedroom units, or units that can be converted to 2 and 3 bedroom units through the use of accessible or adaptable design measures.

Site and Area Specific Plan (SASP 382): The site is located within the North Downtown Yonge SASP, and is subject to the Bay Street Character Area policies. The Bay Street Character Area policies state that growth is anticipated within the Mixed Use Areas, while providing direction related to development within the Apartment Neighbourhoods designation, including matters regarding reinforcing the physical character, scale and setbacks of the area, as well as providing for separation distances for development adjacent to the St. Nicholas Character Area.

Zoning

The site is zoned Residential R (d2.0) (x501) under the City's harmonized Zoning By-law 569-2013. This zoning designation permits a variety of residential uses, a height of 18.0 metres, a maximum floor space index of 2.0 times the area of the lot, and specifies the required setbacks. The site is also zoned R3 Z2.0 under the former City of Toronto Zoning By-law 438-86, which includes similar provisions to Zoning By-law 569-2013.

Site specific By-law 21875 also applies to the site. This site-specific by-law permits the existing 24-storey building on site.

The City's Zoning By-law 569-2013 can be found here: https://www.toronto.ca/city-government/planning-development/zoning-by-lawpreliminary-zoning-reviews/zoning-by-law-569-2013-2/

Design Guidelines

The following design guidelines have been used in the evaluation of this application:

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

The City's Design Guidelines can be found here:

https://www.toronto.ca/citygovernment/planning-development/official-planguidelines/design-quidelines/

COMMUNITY CONSULTATION

The application was deemed complete as of June 8, 2021, and a sign was erected on the property shortly after. Additionally, a notice was provided to tenants advising them of the submission of the rental housing demolition application. On October 14, 2021, a preliminary report was received by Toronto and East York Community Council.

A virtual Community Consultation Meeting was hosted by City Planning on May 3, 2022. Approximately 60 people attended, as well as the Ward Councillor. Issues raised at the meeting and through written comments and phone calls include:

- Concerns regarding the height of the proposal being too tall for the area;
- Concerns related to the coordination of construction activities with adjacent development projects;
- Concerns with the loss of mature trees on the site;
- Traffic impacts resulting from the proposed development;
- Concerns that the application should be even taller or more intense to make more efficient use of the site; and
- Concerns that the amount of parking provided was excessive.

City staff hosted a working group with external stakeholders and members of the community on January 26, 2023. Topics discussed at the meeting included the proposed uses, built form, traffic management, and construction management. Future working group sessions will be held prior to approval of the Site Plan Control application.

On February 21, 2023 the Rental Housing Tenants meeting was held with City staff, the applicant's team, and tenants of 25 St. Mary Street. A follow-up information session for tenants was hosted in the lobby of 25 St. Mary Street on February 28, 2023.

In addition to these meetings, the applicant held an information session with tenants in December 2021 in the lobby of 25 St. Mary Street. The applicant also held an in-person site walk with the Bay Cloverhill Community Association and other members of the community on August 18, 2022.

Further, the applicant created a website with project information, a dedicated email address for the project, and has sent out multiple newsletters to tenants regarding the status of the proposal, including project milestones and changes associated with the project.

COMMENTS

Provincial Policy Statement and Provincial Plans

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

Land Use

The Official Plan Amendment to permit the change of land use designation on the site to Mixed Use Areas is acceptable and allows for an intensity of development and mix of uses that is appropriate for the site.

The proposed designation of Mixed Use Area 1 in the Downtown Secondary Plan is acceptable. The geographic location, form and intensity of the development is consistent with the policies of Mixed Use Area 1.

The mix of uses, consisting of residential dwelling units, child care facility, and ground level retail is appropriate for the subject site, and the proposed land use designations on the site. The built form and scale of development is appropriate for the site within the existing and planned context of the area.

Unit Mix

The proposal meets the Downtown Secondary Plan requirements for the minimum number of family-sized dwelling units. Of the 1,024 proposed new units (not including the replacement rental dwelling units), 157 are two-bedroom units (15.3%) and 104 are three-bedroom units (10.2%). An additional 148 two-bedroom or three-bedroom units can be created by combining proposed 1-bedroom and studio units via the use of knockout walls.

Shadow Impact

In support of the application, the applicant provided a shadow study prepared by Urban Strategies, dated June 7, 2021, and revised on November 21, 2022. The proposal adequately limits shadow impacts on the surrounding area, including George Hislop linear park located on the east side of Yonge Street. The shadow impact resulting from the proposal is acceptable.

Wind Impact

In support of the application, the applicant provided a Pedestrian Level Wind Study prepared by Gradient Wind, dated June 7, 2021, and revised on November 21, 2022. The study indicates that all pedestrian areas at grade, as well as amenity areas on the site will be suitable for their intended uses throughout the year. Staff were concerned with potential wind impacts on the existing University of Toronto child care facility at 35 Charles Street West. The study reviewed wind impacts on this child care facility and concluded that this space would be comfrortable for the intended use throughout the year. City Planning staff have reviewed the Pedestrian Level Wind Study and supplementary materials and are satisfied with the assessment, conclusions, and recommendations contained in the study.

Built Form

The proposed development has been sited and massed to provide adequate separation distance to the lower scale uses within the St. Nicholas Character Area to the south, and frame St. Mary Street and St. Nicholas Street with good proportion.

The proposal consists of two residential towers with a height of 59-storeys for the west tower and 54-storeys for the east tower. The two towers are attached at the third and fourth floor along St. Mary Street. Access to the courtyard between the base buildings of the two towers is provided below.

The west tower is situated on a nine storey base building, and contains the 259 required replacement rental dwelling units, any additional affordable replacement rental dwelling units, and new market units. The eight storey base building is set back from Inkerman Street to allow for an open space and provide an acceptable transition to the lower scale area on the south side of Inkerman Street. The base building would contain the child care facility on the first and second floors, as well as the loading and solid waste management areas for the development.

The west tower would be setback 12.5 metres from the west lot line, 3.0 metres from the north lot line along St. Mary Street and 25 metres from the east tower, which is consistent with the minimum tower setbacks identified in the Tall Building Design Guidelines. The tower floor plate would be 779 square metres, which although in excess of the 750 square metres specified in the Tall Building Design Guidelines, is appropriate in this context and given that all the tower setback and separation requirements have been met.

The east tower would be situated on a four-storey base building that provides appropriate massing along St. Nicholas Street and to the adjacent on-site parkland dedication. The proposal includes a three metre stepback from the base building to the towers along all sides of the proposal, which is consistent with the Tall Building Guidelines. The ground floor along St. Nicholas Street and a portion of St. Mary Street consists of over 300 square metres of retail uses.

The east tower would be setback 12.6 metres from the centreline of St. Nicholas Street, 3.0 metres from the north lot line along St. Mary Street and 25 metres from the east tower, which is consistent with the minimum tower setbacks identified in the Tall Building Design Guidelines. The tower floor plate would be 773 square metres, which although in excess of the 750 square metres specified in the Tall Building Design Guidelines, is appropriate in this context and given that all the tower setback and separation requirements have been met. The tower provides a 20 metre separation distance to the St. Nicholas Street Character Area to the south, which is consistent with the North Downtown Yonge SASP policies.

The height of the west tower is 190.2 metres plus a 9.3 metre mechanical penthouse, and the height of the east tower is 180.2 metres plus 9.3 metre mechanical penthouse. The proposed heights are acceptable in the existing and planned context that includes a 210 metre tower at 1075 Bay St immediately to the west and the 175 metre tower development at 10 St. Mary Street located across the street to the east.

Transition to the lower rise St. Nicholas Character Area to the south is achieved through site organization, built form, and separation distances. The site organization results in the towers and base buildings being sited closer to St. Mary Street and away from the St. Nicholas Character Area. The west tower is set back from Inkerman Street to allow for an open space, while the east tower is set back along Inkerman Street to allow for an on-site parkland dedication. The tall buildings are set back 20 metres from the St. Nicholas Character Area.

Traffic Impact, Access, Parking

The application proposes a single level of underground parking which consists of 21 visitor parking spaces equipped with EV charging ports. The applicant has agreed to provide one parking stall for the use of the child care facility staff. Two car share spaces are also provided. The parking garage and loading area would be accessed from a driveway with access to St. Mary Street on the west side of the site. Loading and solid waste management areas would be enclosed within the ground floor of the west tower.

The original plans submitted included 367 parking spaces. The applicant revised their submission to eliminate residential parking form their proposal.

In accordance with City-wide parking by-law which was adopted by Council on December 15, 2021, there are no minimum residential parking requirements applicable to this site.

The proposal includes a pick-up and drop-off area for the child care facility located off Inkerman Street with direct access to the ground floor of the facility. This pick-up and drop-off area is large enough to contain two cars.

The application consists of 1,424 bicycle parking spaces including 138 short-term and 1,286 long-term spaces. Bicycle parking is provided in the underground parking level, and is accessed from a dedicated ramp adjacent to the vehicle access ramp.

Road Widening

In order to satisfy the Official Plan requirement, a road widening ranging from 2.1 metres to 4.6 metres will be secured along Inkerman Street. This road widening will enable the pick-up and drop-off area in-front of the child care facility, as well as the inclusion of a new sidewalk along the north side of Inkerman Street.

A widening of 0.82 metres along St. Nicholas Street abutting the parkland dedication will also be secured.

Public Realm

The application proposes a minimum_six metre curb to building face setback along the St. Mary Street and St. Nicholas Street frontages. A 2.1 metre pedestrian clearway is provided along all frontages of the site.

Along St. Mary Street, the ground floor of the base buildings are setback three metres from the property line with a clearance of 6.5 metres high below the second storey of the base building which cantilevers towards the property line. Opportunities for enhanced landscaping at the corner of St. Mary Street and St. Nicholas Street will be explored during the Site Plan Application process.

The landscaped open space between the east and west towers would allow for a midblock pedestrian connection and improve site circulation. The applicant is also proposing to landscape the existing City-owned lane between 25 St. Mary Street and 1075 Bay Street.

As previously noted, a road widening along Inkerman Street will allow for the construction of a new sidewalk along the north side of the street and facilitate safe pedestrian movement along the street.

Tree Preservation

The application proposes to remove all of the trees on the City's right-of-way, and private property. The removals on the City's right-of-way are required to facilitate the expanded public realm and sidewalks along the perimeter of the site. The private trees are to be removed to accommodate the new development and construction activities.

As compensation, 25 new trees are proposed to be planted, of which 12 will be in the City's right-of-way including seven trees along St. Mary Street and five trees along St. Nicholas Street. The remaining 13 trees are proposed to be planted on the site.

Servicing

Engineering and Construction Services staff have reviewed the submitted materials and have identified several 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.

Rental Housing Demolition and Replacement Proposal

In accordance with Official Plan Policy 3.2.1.6, all 259 existing rental dwelling units will be replaced in the proposed development with units of the same type and same total gross floor area. The applicant has agreed to provide and maintain at least 259 replacement rental dwelling units in the proposed West Building equal to 18,857 square metres of residential gross floor area as rental tenure within the proposed development for at least twenty (20) years, beginning on the date that each replacement rental dwelling unit is first occupied. The applicant has also agreed to secure the rents for the replacement rental dwelling units at affordable rents and mid-range rents for at least ten (10) years, in accordance with Official Plan Policy 3.2.1.6.

The replacement rental dwelling units will include:

- At least sixteen studio units at affordable rents and up to thirty-one at mid-range rents:
- At least eight one-bedroom units at affordable rents and up to one-hundred-and-ten at mid-range rents; and
- At least one two-bedroom unit at affordable rents and up to ninety-three at midrange rents

Final floor plans for the replacement rental dwelling units will be determined prior to the execution of the Section 111 agreement and be to the satisfaction of the Chief Planner.

All replacement rental dwelling units will be provided with ensuite laundry facilities, central air conditioning, and at least 259 replacement rental dwelling units will have access to a private balcony and/or patio. Tenants of the replacement rental dwelling units will have access to bicycle parking and all indoor and outdoor amenities, at no extra charge, on the same terms and conditions as any other resident of the West Building.

Currently 40 tenants rent a parking spot in the existing building. All 40 of these tenants pay a separate charge to rent their parking spot. As no vehicle parking is proposed in the new building, the existing parking provided on site will not be replaced, and

returning tenants will not be able to rent a parking spot in the new mixed-use building. The provision of no resident parking is consistent with the City's zoning by-law.

Currently 24 tenants have access to a storage locker. All 24 of these tenants do not pay any additional rent for these storage lockers. Replacing storage lockers for these tenants has been included as a staff recommendation. Additional storage lockers may be provided for the replacement rental dwelling units, pending final floor plan layouts. Any such additional storage lockers could be rented to tenants of the replacement rental dwelling units at market rates.

Creating net new Affordable Replacement Rental Dwelling Units

The applicant has proposed to deliver net new affordable replacement rental dwelling units. This will be accomplished by replacing all of the existing rental gross floor area, but allowing for reductions to the average unit size of replacement rental dwelling units when compared to the existing rental units being demolished based on the following principles:

- Existing rental units occupied by Eligible Tenants (152 as of the date of this report)
 will be replaced with replacement rental dwelling units having at least the same
 average unit size, by unit type.
- Existing rental units that are vacant or not occupied by Eligible Tenants (107 as of the date of this report) will be replaced with replacement rental dwelling units which may be smaller in size than the existing rental dwelling units, but shall have at least the same average size, by unit type, as the market units in the West Building.
- Net new rental units, secured at affordable rent, will be provided to ensure the total gross floor area of the existing rental units is replaced. These units shall have at least the same average size, by unit type, as the market units in the West Building.

The Housing Issues Report Addendum, submitted by the applicant in November 2022, estimated that approximately 40 net new affordable units could be created under this approach. More recently, the applicant has communicated to Planning Staff that they expect to provide at least 50 net new replacement rental dwelling units under this approach. Floor plans outlining the unit mix, unit sizes, location and layouts of any additional affordable replacement rental dwelling units will be developed to the satisfaction of the Chief Planner. These net new replacement rental dwelling units, secured at affordable rent, would support Official Plan policies which encourage the creation of new affordable rental housing units.

The application for the proposed development was submitted on June 7, 2021, prior to OPA 558 coming into force. OPA 558 established new affordable rental housing and new Mid-range rents definitions, but only applies to projects submitted after December 14, 2021. Accordingly, the Official Plan affordable rental housing and affordable rents definition in place at the time of application applies to this project, and the affordable Decision Report - Approval - 25 St. Mary Street

Page 18 of 40

units will be secured at or below one times the average City of Toronto rent, by unit type (number of bedrooms), as reported annually by the Canada Mortgage and Housing Corporation.

The average unit size of market units, by unit type, as currently proposed is noted below. These average unit sizes, subject to change through the detailed design process, would be used to establish the minimum average unit size of the replacement rental dwelling units for the 103 units existing units with non-eligible tenants, plus any net new replacement rental dwelling units.

Studio units: 31.9 square metres

One-bedroom units: 47.2 square metres

Two-bedroom units: 61.0 square metres

• Three-bedroom units: 77.1 square metres

With respect to the overall rental replacement approach, Policy 3.2.1.6 requires that at least the same number, size and type of rental housing units are replaced and maintained with rents similar to those in effect at the time the redevelopment application is made. The policy is achieved as at least the same number and type of units will be replaced, along with all existing rental gross floor area. In addition, eligible tenants will be able to return to a replacement rental dwelling unit of similar size to their existing unit.

Staff support the proposed approach to replace the demolished rental housing and to provide new affordable rental housing dwelling units as net new replacement rental dwelling units. The overall approach to replacement rental housing 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.

Tenant Relocation and Assistance Plan

The applicant has agreed to provide tenant relocation and assistance to all eligible tenants, all to the satisfaction of the Chief Planner and secured through legal agreements with the City. The Tenant Relocation and Assistance Plan would assist tenants in finding and securing alternative accommodations during the demolition and construction period.

In accordance with the Tenant Relocation and Assistance Plan shared with tenants at the tenant meeting on February 21, 2023, all eligible tenants would receive:

- At least 6 months' notice of the date they must vacate their rental unit;
- Compensation equal to 3 months' rent pursuant to the Residential Tenancies Act;
- The right to return to a replacement rental dwelling unit of the same unit type in the new building at similar rents;

- Monthly rent-gap payments equivalent to the difference between the monthly rent paid by each eligible tenant and the Market Area Rent, which has been defined as Private Apartment Average Rents, by unit type, for Zone 1 Toronto (Central) as reported annually by the Canada Mortgage and Housing Corporation. The rent-gap payment will be equal to the total accrued monthly rent-gap over at least the estimated thirty six (36) month construction period, with additional payments in increments equal to six (6) months' rent-gap payments, or another timeline approved by the Chief Planner and Executive Director, City Planning, if construction is delayed or takes longer than anticipated;
- A rental leasing agent available upon request;
- A move-out moving allowance and a move-back moving allowance (if eligible tenants exercise their right to return to a replacement rental dwelling unit); and
- Special needs compensation for applicable tenants, as determined by the Chief Planner and Executive Director, City Planning.

Because no parking is proposed in the new building, eligible tenants who rent a parking spot in the existing building will not be able to rent a parking spot in the new building. In order to help mitigate the hardship this will cause, Eligible Tenants who previously rented a vehicle parking space in the existing building and who return to a replacement rental dwelling unit in the new building will be provided an amount equal to two thousand dollars (\$2,000) per unit as well as at least one (1) bicycle parking space at no charge for the length of their tenancy in the replacement rental dwelling unit.

The Tenant Relocation and Assistance Plan is consistent with the City's current practices and Staff are satisfied it would appropriately lessen hardship experienced by tenants. The tenant assistance matters 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.

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 to 12 square metres of parkland per person, which is below the City-wide average provision of 28 square metres of parkland per person.

In accordance with Section 42 of the Planning Act, the parkland dedication for this site is 500 square metres.

The applicant has agreed to provide a 500 square metre on-site public park that is unencumbered, rectangular in shape, situated in the southeast corner of the site with frontage along both Inkerman Street and St. Nicholas Street, and setback a minimum of five metres from any building face. The location and configuration of the proposed park meets the criteria for new parkland as outlined in the Official Plan and is acceptable to Parks Development staff. The provision of on-site parkland dedication is also consistent with the North Downtown Yonge SASP policies.

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 10, 2023 will be used as the basis for these terms and conditions.

Site Circulation

The existing site is currently fenced off from the public, and does not allow for travel through the site in an east-west or north-south manner. The proposed development creates an open courtyard that links St. Mary Street with Inkerman Street along the middle of the site, and is incorporated with the parkland dedication. This open space will consist of new tree planting and hardscaping that will allow for pedestrian connectivity and circulation throughout the site. The proposed site circulation is consistent with the policies of the North Downtown Yonge SASP.

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.

The applicant is required to meet Tier 1 of the TGS. The applicant is working with City staff to achieve Tier 2 to advance the City's objectives for resilience and to achieve net-zero emissions by 2050 or sooner. Further TGS performance measures will be secured through the Site Plan Control Application.

The applicant has submitted a carbon analysis report for review by City staff. Findings from the review of that report will be incorporated into the review of the Site Plan Control application. TGS version 3 does not include policy language regarding embodied carbon.

Community Services and Facilities

The Official Plan establishes and recognizes that the provision of and investment in community services and facilities supports healthy, safe, liveable, and accessible communities. Community services and facilities are foundational to creating complete communities and include matters such as recreation, libraries, childcare, schools, public health, and human and cultural services. Providing for a full range of community services and facilities in areas that are inadequately serviced or experiencing growth is a shared responsibility.

The application proposes a 730 square metre child care facility with a 200 square metre outdoor play area. The child care facility is accessed from the Inkerman Street frontage where a new sidewalk and layby facility will be installed. The facility is proposed to be conveyed to the City as a community benefit as an in-kind contribution pursuant to subsection 37(6) of the Planning Act. While acknowledging the potential for fluctuations in land value and construction costs between the date of approval and the start of construction of the proposed development, staff are satisfied that the value of the proposed benefit will be comparable to the estimated Community Benefits Charge that would otherwise be charged to the applicant. As such, the proposed benefit is valued as 100 percent of 4 percent of the value of the land (net of any exclusions or exemptions authorized under the Community Benefits Charge By-law), as determined the day before the day the building permit is issued in respect of the development.

CONTACT

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Graham Haines, Senior Planner, Strategic Initiatives Policy & Analysis

Tel. No.: 416-392-8124

E-mail: Graham.Haines@toronto.ca

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

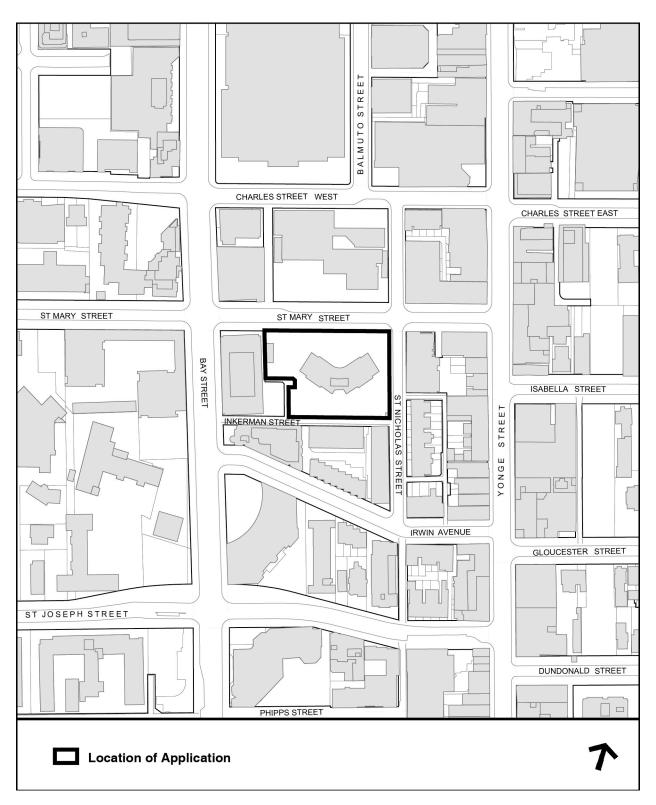
Attachment 3: Official Plan Land Use Map
Attachment 4: Existing Zoning By-law Map
Attachment 5: Draft Official Plan Amendment
Attachment 6: Draft Zoning By-law Amendment
Attachment 7: 3D Model of the proposal in context

Applicant Submitted Drawings

Attachment 8: Site Plan

Attachment 9: Elevation Plans

Attachment 1: Location Map



Attachment 2: Application Data Sheet

APPLICATION DATA SHEET

Municipal Address: 25 St. Mary St Date Received: June 7, 2021

Application Number: 21 166606 STE 13 OZ

Application Type: OPA & Rezoning

Project Description: Two mixed-use towers having heights of 54 and 59-storeys.

Applicant Agent Architect Owner

Urban Strategies Inc Urban Strategies gh3 Microbjo Properties

197 Spadina Ave, Inc 55 Ossington Ave, Inc

Suite 600, Toronto, 197 Spadina Ave, Suite 100, Toronto, 30 Soudan Ave,

ON Suite 600, Toronto, ON M6J 2Y9 Suite 200,

ON

EXISTING PLANNING CONTROLS

Official Plan Designation: Apartment Site Specific Provision: SASP 382

Neighbourhood

Zoning: R(d2.0)(x501) Heritage Designation: N

Height Limit (m): 18 Site Plan Control Area: Y

PROJECT INFORMATION

Site Area (sq m): 5,212 Frontage (m): 93 Depth (m): 62

Building Data	Existing	Retained	Proposed	Total
Ground Floor Area (sq m):	896		1,941	1,941
Residential GFA (sq m):	20,848		76,612	76,612
Non-Residential GFA (sq m):	0		1,040	1,040
Total GFA (sq m):	20,848		77,652	77,652
Height - Storeys:	24		54 and 59	54 and 59
Height - Metres:	68		186	186

Lot Coverage Ratio (%): Floor Space Index: 15.42

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

Residential GFA: 77,652 Retail GFA: 310

Office GFA:

Industrial GFA:

Institutional/Other GFA: 730

Residential Units by Tenure	Existing	Retained	Proposed	Total
Rental:	259		259	273
Freehold:			4.004	4 004
Condominium: Other:			1,024	1,024
Total Units:	259		1,283	1,283

Total Residential Units by Size

	Rooms	Bachelor	1 Bedroom	2 Bedroom	3+ Bedroom
Retained:					
Proposed:		134	629	157	104
Total Units:		134	629	157	104

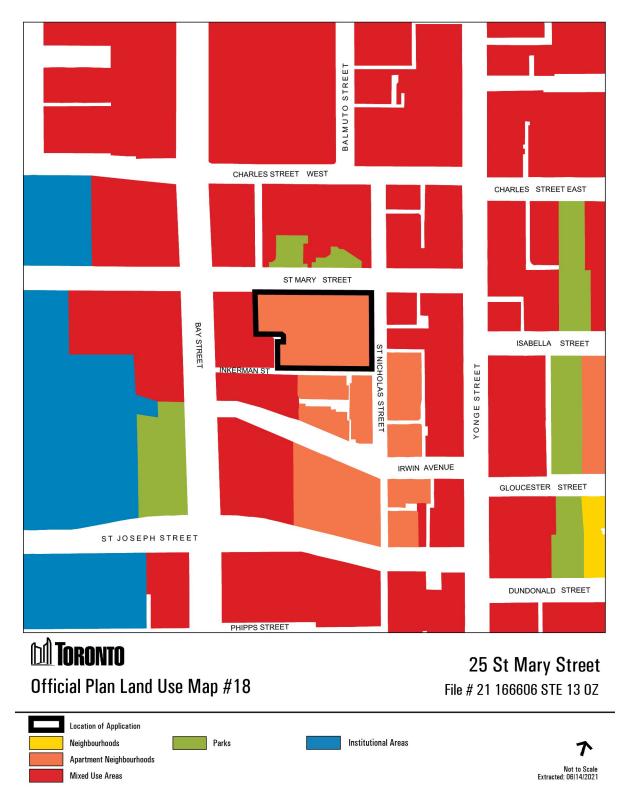
Parking and Loading

Parking Spaces: 22 Bicycle Parking Spaces: 1,42 Loading Docks: 2

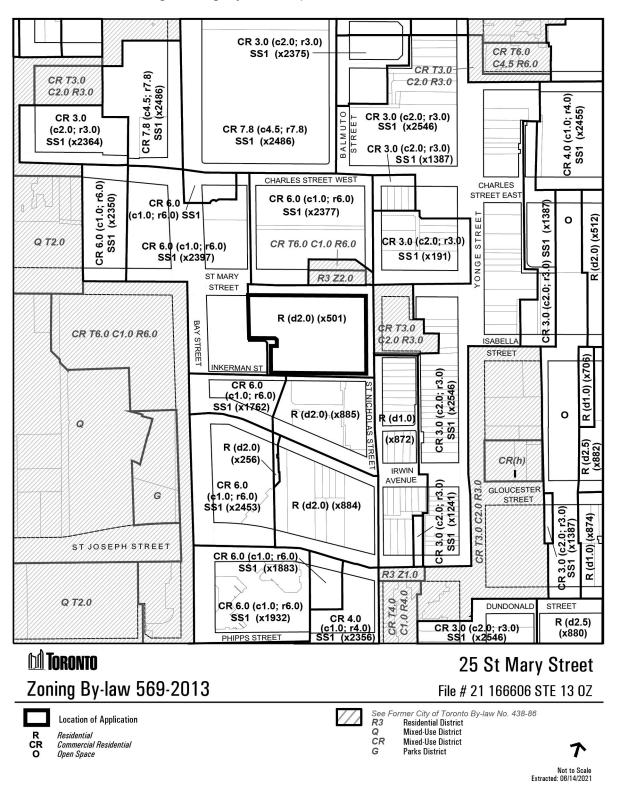
CONTACT:

Jeremy Humphrey, Planner (416) 392-1729 Jeremy.Humphrey@toronto.ca

Attachment 3: Official Plan Land Use Map



Attachment 4: Existing Zoning By-law Map



Attachment 5: Draft Official Plan Amendment

Authority: Toronto and East York Community Council Item ~ as adopted by City of Toronto Council on ~, 20

Enacted by Council: ~, 20

CITY OF TORONTO Bill XXX BY-LAW XXX

To adopt amendment No. YYY to the Official Plan for the City of Toronto respecting the lands known municipally in the year 2022, as 25 St Mary St

Whereas authority is given to Council under the Planning Act, R.S.O. 1990, c.P. 13, as amended, to pass this By-law;

Whereas Council of the City of Toronto has provided adequate information to the public and has held at least one public meeting in accordance with the Planning Act;

The Council of the City of Toronto enacts:

1. The attached Amendment No. ~~~ to the Official Plan is hereby adopted pursuant to the Planning Act, as amended.

Enacted and Passed this ~ day of ~, A.D. 20~.

Jennifer McKelvie Deputy Mayor JOHN D. ELVIDGE City Clerk

(Corporate Seal)

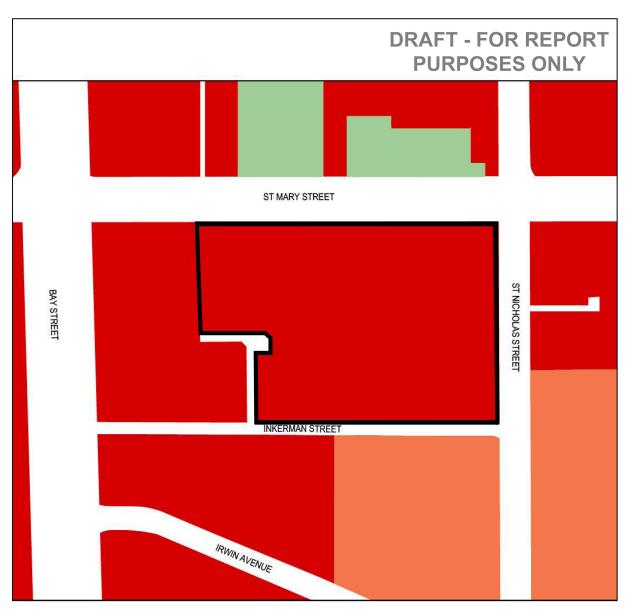
City of Toronto By-law No. ~~-20~

AMENDMENT NO. YYY TO THE OFFICIAL PLAN
LANDS MUNICIPALLY KNOWN IN THE YEAR 2022 AS 25 ST. MARY STREET

The Official Plan of the City of Toronto is amended as follows:

The following text and maps constitute Amendment XX to the City of Toronto Official Plan. The Official Plan of the City of Toronto is amended as follows:

- 1. Map 18, Land Use Plan is hereby amended by redesignating the lands known as 25 St. Mary Street from Apartment Neighbourhoods to Mixed Use Areas in accordance with Schedule A attached hereto.
- 2. Map 41-3 Mixed Use Areas, Secondary Plan 41, Downtown Plan, Chapter 6, Secondary Plan, is hereby amended by designating portion of the lands known as 25 St. Mary Street as Mixed Use Areas 1 Growth in accordance with Schedule 'B' attached hereto.
- 3. Map 41-3-A Mixed Use Areas 1 Growth, Secondary Plan 41, Downtown Plan, Chapter 6, Secondary Plan, is hereby amended by designating a portion of the lands known as 25 St Mary Street as Mixed Use Areas 1 Growth in accordance with Schedule 'C' attached hereto.



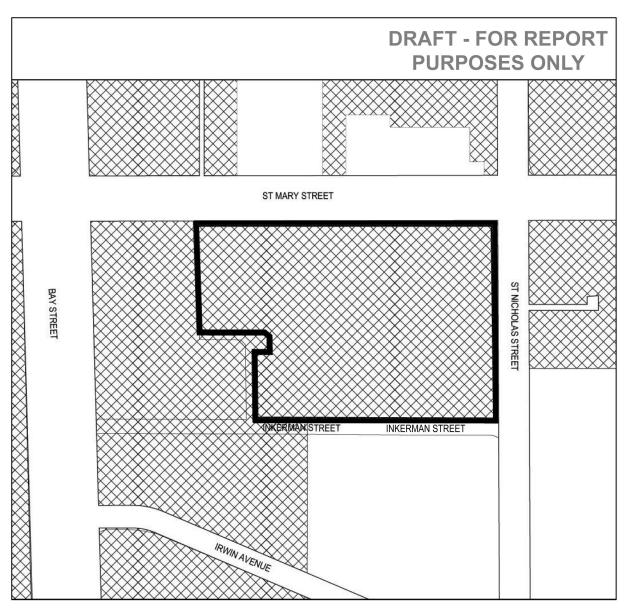
TORONTOOfficial Plan Amendment # Schedule A

25 St Mary Street File # 21 16606 STE 13 0Z

Proposed revisions to Land Use Map 18 to redesignate lands from Apartment Neighbourhoods to Mixed Use Areas and Parks

Subject Site
Mixed Use Areas
Other Open Space Areas
Apartment Neighbourhoods

Not to Scale 21/03/2023



Interpretation of the Control

Official Plan Amendment # Schedule B

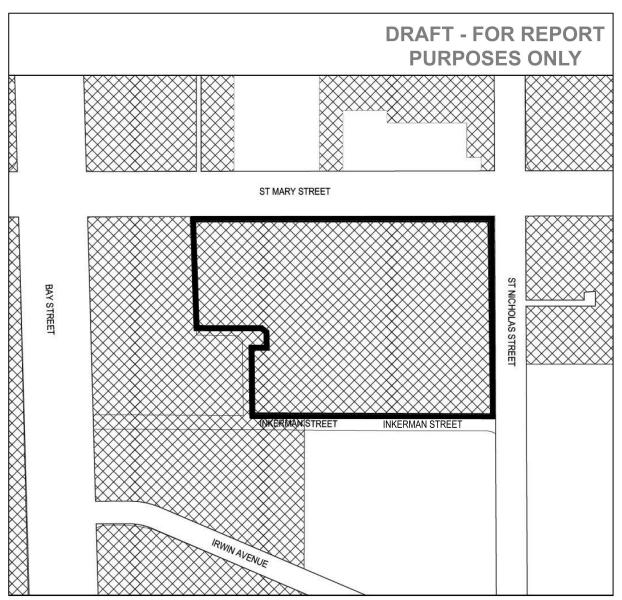
Proposed revisions to Map $41 \cdot 3$ of the Downtown Plan to redesignate lands to Mixed Use Areas 1 – Growth

Subject Site

Mixed Use Areas 1 – Growth



25 St Mary Street File # 21 16606 STE 13 0Z



Interpretation Interpretation

Official Plan Amendment # Schedule C

Proposed revisions to Map 41-3-A of the Downtown Plan to redesignate lands to Mixed Use Areas 1 – Growth

Subject Site

Mixed Use Areas 1 – Growth

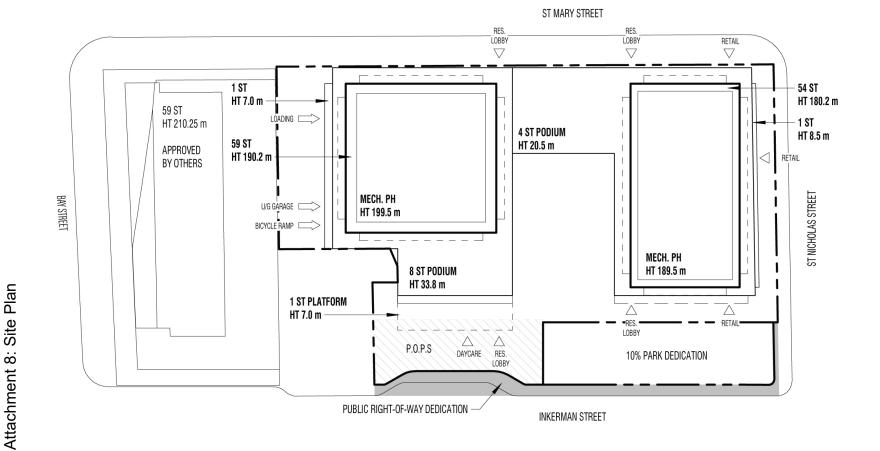


25 St Mary Street File # 21 16606 STE 13 0Z

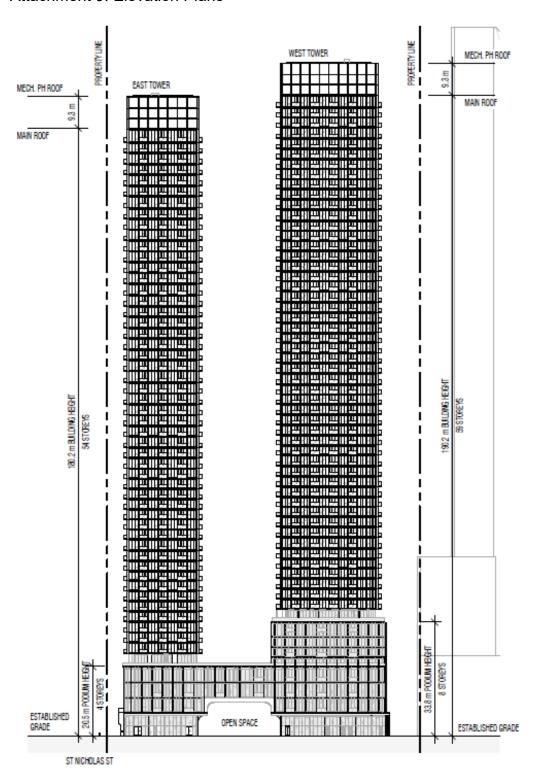
Attachment 6: I	Draft Zoning	Bv-law	Amend	ment
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The draft By-law will be made available on or before the April 12, 2023, Toronto and East York Community Council Meeting.

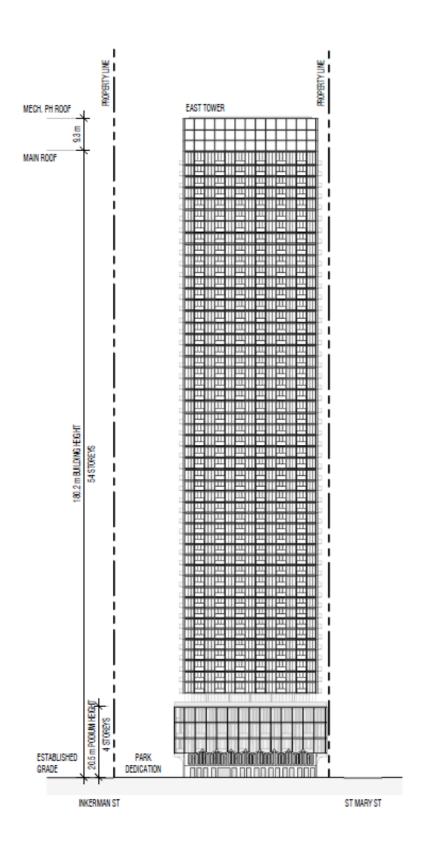
The 3D Model of the proposal in context will be made available on or before the April 12, 2023, Toronto and East York Community Council Meeting.



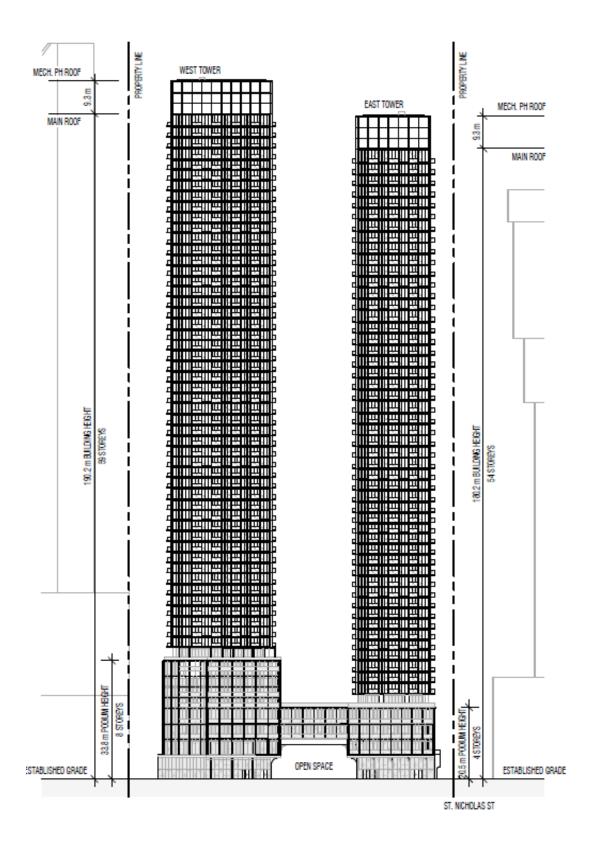
Attachment 9: Elevation Plans



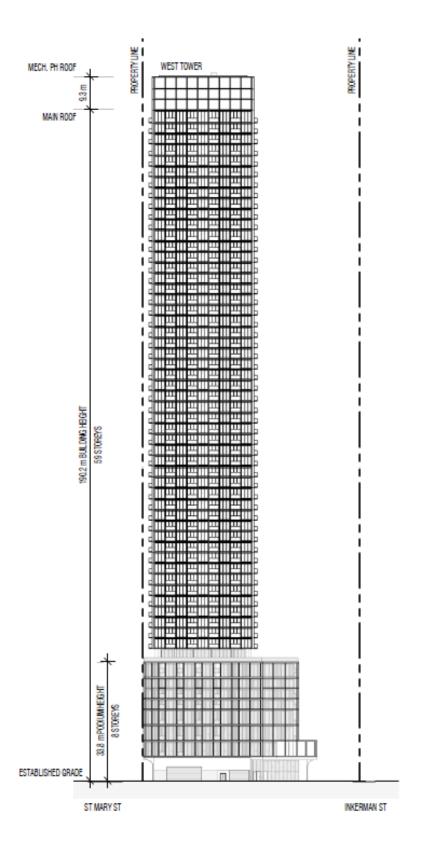
25 ST MARY STREET NORTH ELEVATION



25 ST MARY STREET EAST ELEVATION



25 ST MARY STREET SOUTH ELEVATION



25 ST MARY STREET WEST ELEVATION