

64-66 Wellesley Street East, 552-560 Church Street and 564-570 Church Street – Official Plan and Zoning By-law Amendment and Rental Housing Demolition Applications – Decision Report – Approval

Date: June 6, 2023

To: Toronto and East York Community Council or City Council

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

Ward: 13 - Toronto Centre

Planning Application Number: 21 235897 STE 13 OZ and 21 235906 STE 13 RH

SUMMARY

This report reviews and recommends approval of applications to amend the Official Plan and Zoning By-law and permit the demolition of 65 rental units at 64-66 Wellesley Street East, 552-560 Church Street, and 564-570 Church Street. The proposed redevelopment of the site includes a 104.5-metre (31-storeys excluding the mechanical penthouse) mixed-use building, containing 405 dwelling units (including 65 replacement rental units) and 770 square metres of non-residential gross floor area at grade.

The proposal includes a Tenant Relocation and Assistance Plan that addresses the right of existing tenants to return to replacement rental units at similar rents and financial compensation to mitigate hardship.

The site contains a Part IV designated heritage property at 64 Wellesley Street East. The development proposal involves the in-situ retention of a substantial portion of the significant heritage building including the front (south) and west elevations, and portions of the east elevation.

The applicant is proposing to acquire a 2.21-metre public lane, known as Dapper Lane, that currently bisects the site in a north-south direction in order to build upon these lands, providing for a more regularized massing of the proposed building. Approval of the permanent closure of the lane will be considered by Council through a separate process at a future date in accordance with the relevant policies and legislation. The applicant is aware that permanent closure of the lane will be subject to an independent Council decision.

RECOMMENDATIONS

The City Planning Division recommends that:

1. City Council amend the Official Plan for the lands at 64-66 Wellesley Street East, 552-560 Church Street, and 564-570 Church Street substantially in accordance with the Draft Official Plan Amendment, included as Attachment No. 7 to this report.

2. City Council amend City of Toronto Zoning By-law 569-2013 for the lands at 64-66 Wellesley Street East, 552-560 Church Street, and 564-570 Church Street substantially in accordance with the draft Zoning By-law Amendment included as Attachment No. 8 to this report.

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

4. City Council approve the Rental Housing Demolition Application File No. 21 235906 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 to permit the demolition of 65 existing rental dwelling units at 64-66 Wellesley Street East, subject to the following conditions:

a. The owner shall provide and maintain 65 replacement rental dwelling units on the subject site for a period of at least 20 years beginning from the date that each replacement rental dwelling unit is first occupied. During this period, no application may be submitted to the City for condominium registration, conversion to a non-residential rental purpose, or demolition without replacement of the rental units proposed to be demolished. The replacement rental dwelling units shall collectively contain a total gross floor area of at least 3,133 square metres and be comprised of 50 studio units, 11 one-bedroom units, and 4 two-bedroom units, as generally illustrated in the plans prepared by Graziani+Corazza Architects and dated May 30, 2023, with any revisions to these plans being to the satisfaction of the Chief Planner and Executive Director, City Planning Division;

b. As part of the 65 replacement rental dwelling units required in Recommendation 4.a above, the owner shall provide and maintain at least 4 two-bedroom units, 11 one-bedroom units, and 36 studio units at affordable rents, defined as gross monthly rent inclusive of utilities that is no greater than one times the average City of Toronto rent by unit type, as reported annually by the Canada Mortgage and Housing Corporation, and at least 14 studio units at mid-range rents, defined as gross monthly rent inclusive of utilities that exceeds affordable rent but is no greater than one 1.5 times the

average City of Toronto rent by unit type, as reported annually by the Canada Mortgage and Housing Corporation, all for a period of at least 10 years beginning from the date of first occupancy of each unit;

c. The owner shall provide an acceptable Tenant Relocation and Assistance Plan to all Eligible Tenants of the 65 existing rental units proposed to be demolished, addressing the right to return to occupy one of the replacement rental dwelling units at similar rents, the provision of alternative accommodation at similar rents in the form of rent gap payments, 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 Division;

d. The owner shall provide tenants of all 65 replacement rental dwelling units with access to, and use of, all indoor and outdoor amenities in the proposed development, at no extra charge, and on the same terms and conditions as any other resident of the development, without separate entrances or the need to pre-book or pay a fee unless specifically required as a customary practice for private bookings;

e. The owner shall provide ensuite laundry in each replacement rental dwelling unit at no additional cost to tenants;

f. The owner shall provide central air conditioning in each replacement rental dwelling unit at no additional cost to tenants;

g. The owner shall provide and make available vehicular parking spaces to tenants of the replacement rental dwelling units on the same terms and conditions as any other resident of the development;

h. The owner shall provide tenants of all replacement rental dwelling units with access to bicycle and vehicle parking on the same terms and conditions as any other resident of the proposed development;

i. The replacement rental dwelling units required in Recommendation 4. 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 units, are made available and ready for occupancy, subject to any revisions to the satisfaction of the Chief Planner and Executive Director, City Planning;

j. The owner shall enter into, and register on title to the lands at 64-66 Wellesley Street East, 552-560 Church Street, and 564-570 Church Street, an agreement pursuant to Section 111 of the City of Toronto Act, 2006 to secure the conditions outlined in Recommendations 4.a. through 4.i. above, all to the satisfaction of the City Solicitor and the Chief Planner and Executive Director, City Planning Division.

5. 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 pursuant to Section 111 of the City of Toronto Act, 2006 for the demolition of the 65 rental dwelling units located at 64-66 Wellesley Street East after all the following have occurred:

- a. All conditions in Recommendation 4 above have been fully satisfied or secured;
- b. The Official Plan Amendment and Zoning By-law Amendment have 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.

6. 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 5 above.

7. 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 64-66 Wellesley Street East after the Chief Planner and Executive Director, City Planning Division has given Preliminary Approval referred to in Recommendation 4 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 mixed-use building on the site no later than three 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 mixed-use building containing the 65 replacement rental units within the time specified in Recommendation 6.c. above, the City Clerk shall be entitled to enter on the collector's roll, as with municipal property taxes, an amount equal to the sum of twenty thousand dollars (\$20,000.00) per dwelling unit for which a demolition permit is issued, and that such amount shall, until payment, be a lien or charge upon the land for which the Residential Demolition Permit is issued.

8. 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.

9. City Council direct that prior to the introduction of the Bills for the Official Plan Amendment and Zoning By-Law Amendments to City Council for enactment, the owner shall have entered into an agreement to purchase the public lane known as Dapper Lane (the "Lane") from the City, conditional upon City Council approving the permanent closure of the Lane, and subject to the necessary approvals being granted by the appropriate City authorities to declare the Lane surplus and authorize the sale of the Lane to the owner, all to the satisfaction of the City Solicitor and the Director, Real Estate Services.

10. City Council direct the City Solicitor to withhold submitting the necessary Bills to City Council for enactment on the Official Plan Amendment and Zoning By-law Amendment until the following matters have been satisfied:

a. The owner has entered into and registered on title to the lands at 64-66 Wellesley Street East, 552-560 Church Street, and 564-570 Church Street, 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;

b. the owner has entered into and registered on title to the lands municipally known as 64 Wellesley Street East, a heritage easement agreement pursuant to Section 37 of the Ontario Heritage Act to the satisfaction of the Senior Manager, Heritage Planning and the City Solicitor; and

c. the owner has, at their sole cost and expense:

i. submitted a revised Functional Servicing Report, Stormwater Management Report, and Hydrogeological Review, including the Foundation Drainage Report or addendums ("Engineering Reports"), to the satisfaction of the Chief Engineer and Executive Director, Engineering and Construction Services, in consultation with the General Manager, Toronto Water;

ii. secured the design and provision of financial securities for any upgrades or required improvements to the existing municipal infrastructure identified in the accepted Engineering Reports, to

support the development, all to the satisfaction of the Chief Engineer and Executive Director, Engineering and Construction Services and the General Manager, Toronto Water, should it be determined that improvements or upgrades are required to support the development, according to the accepted Engineering Reports, accepted by the Chief Engineer and Executive Director, Engineering and Construction Services and the General Manager, Toronto Water; and

iii. ensured the implementation of the accepted Engineering Reports does not require changes to the proposed amending By-laws or any such required changes have been made to the proposed amending By-laws, to the satisfaction of the Chief Planner and Executive Director, City Planning and the City Solicitor, including the use of a Holding ("H") By-law symbol regarding any new or upgrades to existing municipal servicing infrastructure as may be required identified in the accepted Engineering Report.

FINANCIAL IMPACT

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

DECISION HISTORY

On December 5, 2017 City Council refused an application to amend the Official Plan and Zoning By-law for the properties at 66 Wellesley Street East and 552-570 Church Street and the abutting public lane. This application proposed a 43-storey (162 metres including mechanical penthouse) mixed use building containing 430 dwelling units. Staff recommended the application be refused, in part, due to non-conformity with the angular plane requirements for the Church Street Village Character Area in Site and Area Specific Policy 382 and the new net shadow impacts on Barbara Hall Park. The City Council decision can be found here: <http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2017.TE28.11>

On November 30, 2017, the applicant appealed Council's decision to the Local Planning Appeal Tribunal (LPAT).

On February 16, 2018, the applicant submitted a revised proposal which involved the expansion of the site to include the property at 64 Wellesley Street East. On May 22, 2018, City Council directed the City Solicitor to continue to oppose the applicant's appeal respecting revised application at the LPAT. The City Council decision can be found here: <http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2018.TE32.19>

The LPAT issued a decision on June 8, 2021 that dismissed the applicant's appeals and declined to amend the Official Plan and Zoning By-laws. The LPAT decision

can be found here: <https://www.omb.gov.on.ca/e-decisions/pl171453-Jun-08-2021.pdf>

On November 9, 2021, a new Official Plan and Zoning By-law Amendment application (21 235897 STE 13 OZ) and a new Rental Housing Demolition application (21 235906 STE 13 RH) were submitted by the applicant to permit a 28-storey and a 7-storey mixed use building at 64-66 Wellesley Street East and 552-570 Church Street.

A Preliminary Report on the new application for an Official Plan Amendment and Zoning By-law Amendment (21 235897 STE 13 OZ) was adopted by Toronto and East York Community Council on February 16, 2022. The Toronto and East York Community Council decision is available here: <https://secure.toronto.ca/council/agenda-item.do?item=2022.TE31.47>

THE SITE

Description: The site is located at the north west corner of Church Street and Wellesley Street East. It is generally flat and rectangular in shape with an area of 3,027 square metres and frontages of approximately 50.5 metres on Church Street and 57.9 metres on Wellesley Street East.

Existing Uses: the site includes a 2.21-metre wide public lane, known as Dapper Lane, which bisects the site in a north-south direction. The lane runs along the east limit of the 66 Wellesley Street East property and terminates at the limit of the 570 Church Street property. In addition to the lane, the site includes the following properties:

- **64 Wellesley Street East:** A five-storey heritage-designated rental apartment building comprised of 59 rental dwelling units, including 50 studio units and nine one-bedroom units. As of the date of application, 21 of the 59 rental units were occupied by tenants.
- **66 Wellesley Street East:** A four-storey commercial building that has been vacant since before the date of application.
- **66A Wellesley Street East:** A single-storey commercial unit that is currently occupied by a barber shop/hairstyling studio.
- **66B Wellesley Street East and 552-554 Church Street:** A four-storey mixed-use building with commercial retail and office units between the first and second floors and six rental dwelling units between the second and fourth floors. The building has been vacant since the date of application.
- **556-558 and 562-568 Church Street:** Two two-storey commercial buildings that contain a mix of occupied and vacant commercial office and retail units.

- **570 Church Street:** A slender parcel of undeveloped land with bollards preventing vehicular parking.

A 2.21 metre wide public lane, known as Dapper Lane, bisects the site in a north-south direction. The lane runs along the east limit of the 66 Wellesley Street East property and terminates at the limit of the 570 Church Street property.

Existing Rental Dwelling Units

The unit mix and rent classifications of the existing 65 rental dwelling units as of the date of application are as follows:

Table 1: Existing Rental Dwelling Units by Bedroom Type and Rent Classification

Unit Type	Rent Classification			Total
	Affordable	Mid-range	Exceeds Mid-Range	
Studio	37	14	0	51
One-bedroom	13	0	0	13
Two-bedroom	1	0	0	1
Total	51	14	0	65

Heritage

The site contains a significant 5-storey heritage building on the property at 64 Wellesley Street East that is designated under Part IV of the Ontario Heritage Act.

THE APPLICATION

Description: Demolition of all existing residential, commercial, and mixed-used buildings on the site except partial retention of the designated heritage building at 64 Wellesley Street East, to permit the redevelopment of the site with a 104.5-metre (31 storeys, excluding the mechanical penthouse) mixed-use building containing 405 dwelling units, including 65 replacement rental units, and 770 square metres of non-residential gross floor area.

Density: 9.12 times the area of the lot.

Non-Residential: 770 square metres of non-residential gross floor area is proposed at grade, intended to have a commercial use.

Net New Dwelling Units: : 340 dwelling units, including 35 (10.3%) three-bedroom units, 75 (22.1%) two-bedroom units, 216 (63.5%) one-bedroom units, and 14 (4.1%) studio units. An additional 20 two-bedroom units and one three-bedroom unit could be created by combining proposed one-bedroom and studio units via the use of knockout walls.

Rental Replacement Units: 65 replacement rental units, including four two-bedroom units, 11 one-bedroom units, and 50 studio units.

Tenant Relocation and Assistance Plan: The proposal includes the City's standard Tenant Relocation and Assistance Plan for all existing tenants who resided in the existing rental units proposed to be demolished at the time of application (the "Eligible Tenants"). The plan would assist tenants in finding and securing alternative accommodation while the proposed development and replacement rental units are being constructed. The plan would consist of the following for each Eligible Tenant:

- At least six months' notice before having to vacate their existing dwelling unit;
- Financial compensation equal to three months' rent, as required under the Residential Tenancies Act, 2006 (RTA);
- Financial compensation, above and beyond that required under the RTA, in the form of a rent gap payment, where the rent gap would be calculated as the difference between the rent paid by a tenant on the date their tenancy is terminated and the most recent average rent for vacant private rental apartments by unit type in Canada Mortgage and Housing Corporation's (CMHC) Rental Market Survey (RMS) Zone 1 – Toronto (Central), which encompasses the development site, over a 36-month period. In the event the proposed development took longer than 36 months to complete, the owner would provide each tenant additional monthly rent gap payments until the replacement rental units were ready for occupancy;
- Two moving allowances to cover expenses for moving off-site into alternative interim accommodation and then moving back into a replacement rental unit;
- Special needs compensation for applicable tenants; and
- Upon request, a rental leasing agent shall be made available to provide them with a list of rental vacancies in the neighbourhood, co-ordinate referrals and references from the current landlord, and provide similar assistance commensurate with the tenant's needs.

Tenants who moved into one of the existing rental units after the applications were submitted to the City and signed addendums to their lease agreements acknowledging that they were aware an application had been submitted to the redevelop the lands and that they would not be eligible for the Tenant Relocation and Assistance Plan (the "Post-Application Tenants") would receive the same amount of notice before having to move as Eligible Tenants, as well as financial compensation equal to three months' rent or an alternative unit acceptable to the tenant, as required under the RTA.

Amenity Space: The proposal includes 4 square metres per unit of combined indoor and outdoor amenity space (1,360 square metres).

Parking, Loading and Access: The proposal contains a total of 38 vehicular parking spaces including 31 residential spaces, 6 visitor spaces, and 1 car share space, one Type G loading space and 1 Type B Loading Space, and 416 bicycle parking spaces (365 long-term, and 51 short-term spaces).

Public Lane

The applicant is proposing to incorporate the public lane, known as Dapper Lane, into the development site to permit construction of the proposed building over these lands. The applicant had previously submitted a proposal on November 21, 2021 that did not contemplate purchase of the lane with separate 28 storey and 7 storey buildings.

To incorporate the public lane into the proposed development site, the applicant will need to acquire these City-owned lands. Sale of City-owned lands is subject to a disposition process that is independent of the Official Plan and Zoning Amendment Process and involves a separate Council decision. Approval of the permanent closure of the lane will be considered by Council through this separate process at a future date in accordance with the relevant processes, policies and legislation.

Additional Information: See Attachment 1 to this report for the location map, Attachment 2 for the application data sheet, Attachment 9 for the site plan, Attachments 10-11 for three-dimensional representations of the proposal in context, and Attachments 12-15 for elevations. 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://app.toronto.ca/AIC/index.do?folderRsn=ed4gtXCDHP1n9L8SXFmD9A%3D%3D>

Reason for the Applications:

The proposal requires an amendment to Site and Area Specific Policy 382 to permit a tall building that penetrates into the 44 degree angular plane starting from a height of 16 metres from Church Street, and casts new net shadow on Barbara Hall Park. The application also seeks to permit retail units with greater average widths than currently at grade along Church Street in the North Downtown Yonge Area.

The proposal requires amendment to the Zoning By-law to vary performance standards including maximum building height, permitted uses, maximum gross floor area, minimum vehicular parking, and bicycle parking location, among other standards.

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 a rental unit, 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 approval from the City to permit the demolition of the existing rental units. The City may impose conditions on the approval that must be satisfied before a demolition permit is issued.

An application is also required under Chapter 363 of the Toronto Municipal Code, the Building Construction and Demolition By-law, which requires Council approval of any demolition of a residential property that contains six or more dwelling units (irrespective of whether any are rental) before the Chief Building Official can issue a demolition permit under the Building Code Act, 1992.

On November 16, 2021, a Rental Housing Demolition application under Chapter 667 of the Toronto Municipal Code was submitted to demolish 65 existing rental dwelling units.

Heritage Conservation

The application involves the partial retention of the significant heritage building at 64 Wellesley Street East. The front (south) elevation and west elevation and portions of the east elevation are proposed to be retained in situ. The wing to the north does not contain any identified heritage attributes. The west elevation of the north wing is to be reconstructed with heritage-appropriate materials that are subtly differentiated, to convey the building's original form.

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.

Official Plan: The western portion of the site is designated as Apartment Neighbourhoods (64 Wellesley Street East) which are areas made up of apartment buildings and can include small-scale retail, service and office uses that serve the needs of area residents. Development in Apartment Neighbourhoods may also include the redevelopment of underutilized sites. The remainder of the site is designated Mixed Use Areas. See Attachment 3 of this report for the Official Plan Land Use Map.

Downtown Plan: Map 41-3-C designates the Mixed Use Areas portion of the site as Mixed Use Areas 3 - Main Street. Policy 6.28 provides that development within Mixed Use Areas 3 will be in the form of mid-rise buildings, with some low-rise and tall buildings permitted based on compatibility.

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

OPA 183: City Council adopted the North Downtown Yonge Area Specific Policy 382, known as Official Plan Amendment (OPA) 183 at its meeting on November 13, 2013. Parts of OPA 183 were approved by the Ontario Municipal Board (OMB) in a Phase I hearing and are in full force and effect, including many area-wide policies, and policies pertaining to the Wellesley Wood Character Area and Church and Wellesley Village Character Area. Other parts of OPA 183, including the policies related to the Historic Yonge Street Heritage Conservation District and the Yonge Street Character Area, remain under appeal and will be addressed through a

Phase II hearing. The site is located within the Church Street Village Character Area and the Wellesley Wood Character Area, as illustrated on Attachment 5.

OPA 183 includes the following relevant performance standards:

- 5.6.1 The only development/redevelopment permitted within Apartment Neighbourhoods designated areas of the Wellesley Wood Character Area is sensitive low-rise infill that respects and reinforces the general physical character, pattern, scale, massing, setbacks, and heritage value of the area;
- 5.7.2 Development/redevelopment located within the Church Street Village Character Area between Wood Street and Charles Street East must ensure that no part of any building is located above the angular plane drawn from the Church Street lot line, commencing at a height of 16 metres above the street level, and then angling upwards at an angle of 44 degrees away from Church Street over the site.
- 5.7.3 Development/redevelopment will cast no new net shadow on the parkland forming part of 519 Church Street community hub for a period of 6 hours generally between the hours of 10:00 AM and 4:00 PM on March 21st and September 21st.
- 5.7.4 Development/redevelopment must require store frontage widths at grade along Church Street to be consistent with the average width of at grade retail that is currently found within two blocks to the north and south of a given site along either side of Church Street in the North Downtown Yonge Area.

Zoning: The site is split zoned under the City of Toronto Zoning By-law 569-2013. The majority of the site (66 Wellesley Street East and 552-570 Church Street) is zoned CR 3.0 (c1.7; r3.0) SS1 (x2545) with a maximum height of 18.0 metres and a maximum permitted density of 3.0 times the area of the lot. A broad range of uses are permitted in the CR zone, including residential, office and retail uses. The portion of the site at 64 Wellesley Street East is zoned Residential R (d2.5) (x878) under the City's Harmonized Zoning By-law 569-2013. This zoning designation permits a variety of residential uses, with a maximum height of 30.0 metres and a maximum floor space index of 2.5 times the area of the lot. Site specific provisions under the Former City of Toronto Zoning By-law 438-86 also apply, including front and side yard setbacks from Church Street and angular plane setbacks.

Design Guidelines

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

- Tall Building Design Guidelines;
- Downtown Tall Buildings: Vision and Supplementary Design Guidelines;

- Growing Up Guidelines Planning for Children in New Vertical Communities; and,
- Pet Friendly Design Guidelines for High Density Communities

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

Toronto Green Standard

The Toronto Green Standard (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 TGS. The TGS can be found here:

<https://www.toronto.ca/city-government/planning-development/official-plan-guidelines/toronto-green-standard/>

COMMUNITY CONSULTATION

Community Consultation

A virtual community consultation meeting was hosted by City Planning staff on May 10, 2022. Approximately 50 people participated as well as the interim Ward Councillor. Following a presentation by City Planning staff and the applicant, the following comments and issues were raised:

- Ensuring that the materiality of the proposed building is compatible with its context;
- Additional historical research not captured in the submitted Heritage Impact Assessment;
- Appropriateness of the heritage conservation strategy;
- Concern about traffic impacts;
- Impacts on City-owned trees and appropriateness of new tree planting;
- Ability of the public to access the proposed non-residential space;
- Concern about accessibility;
- Consideration for potential impact of buried historical waterways; and
- Construction impacts, including dust and noise and limiting access to bicycle lanes and sidewalks.

Tenant Consultation

On May 23, 2023, a tenant consultation meeting was held to review the City's housing policies, the impact of the proposed demolition on existing tenants, and the Tenant Relocation and Assistance Plan. The meeting was held virtually and attended by the local Councillor, 25 individual tenants, the applicant's architect, representatives of the owner, and City Planning staff.

During the meeting, tenants asked questions and expressed concerns about:

- The timing of the proposed demolition and development, when tenants would have to vacate their existing rental units, and the estimated length of time over which the proposed development would be constructed;
- Repercussions for the owner if construction takes longer than anticipated;
- Access to amenities, including parking, within the proposed development;
- The proposed replacement rental unit sizes, and the process for selecting and returning to a replacement rental unit;
- How and the length of time over which rents would be secured for the replacement rental units;
- How tenants would find alternative interim accommodation in the neighbourhood that is comparable in size and price to their existing rental units;
- How the financial compensation provided under the Tenant Relocation and Assistance Plan would be calculated and administered to tenants.

Statutory Public Meeting Comments

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

COMMENTS

Provincial Land-Use Policies

Staff's review of these applications has had regard for the relevant matters of provincial interest set out in the Planning Act. Staff has reviewed the proposal for consistency with the Provincial Policy Statement (PPS), and conformity with the Growth Plan. Staff find the proposal to be consistent with the PPS and in conformity with the Growth Plan.

Rental Housing Demolition and Replacement

In accordance with Policy 3.2.1.6 of the Official Plan, the applicant is proposing to replace all 65 existing rental dwelling units by their respective or larger bedroom types, at similar unit sizes, and at similar rents to those in effect at the time of application.

All bedrooms in each replacement rental unit are located on an exterior wall, in line with the existing condition. The total Gross Floor Area of the 65 replacement rental units is 3,133 square metres, which exceeds the total Gross Floor Area of the existing rental units (2,958 square metres).

The applicant has confirmed that each Eligible Tenant would reserve the right to return to a replacement rental unit of a similar unit type at similar rent, and that rents for the replacement rental units without returning tenants would not exceed the City's applicable affordable and mid-range rent thresholds for a period of at least 10 years from first occupancy. The applicant has also confirmed that tenants

who elect to return to a replacement rental unit would be subject to annual rent increases capped by the provincial rent increase Guideline, irrespective of whether such Guideline applied to the proposed development under the RTA, until their tenancy ends.

The applications for the proposed development were submitted on November 9, 2021, prior to OPA 558 coming into force. OPA 558 established new affordable and mid-range rental housing and rent definitions, which apply to development applications submitted after December 14, 2021. Accordingly, the replacement rental units will be secured in accordance with the Official Plan affordable and mid-range rent definitions in place at the time of application.

Unit Mix

The applicant is required to provide:

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

The Zoning By-law Amendment will secure the provision of 10% of the new units (excluding rental replacement units) as three-bedroom units, 15% as two-bedroom units, and at least 15% as a combination of two-bedroom and three-bedroom units, or units that can be converted to two- and three-bedroom units through the use of accessible or adaptable design measures.

Built Form

Planning staff are satisfied that the proposed amendments to the Site and Area Specific Policy are appropriate, as the proposed building generally respects and reinforces the physical character, pattern, scale, massing, and heritage value of the existing and planned context.

The proposed building has an overall height of 104.5 metres (31 storeys), excluding the mechanical penthouse. This height provides an appropriate transition from the larger scale buildings to the west of the site along Wellesley Street East and the low-rise scale of Church Street. The highest point of the tower is located to the south west of the site and terraces down to a height of 5 storeys on the Church Street frontage.. The proposed development also generally conforms to the angular plane requirement in the SASP, with the exception of small portions of the sixth storey and encroaching balconies.

The proposed base building is 17 metres (5 storeys), corresponding in height to the existing 5-storey apartment building at 64 Wellesley Street East and to the development to the north of the site fronting Church Street at 572 Church Street. The base building is set back 6 metres from Wellesley Street East to align with the

front elevation of the retained heritage façade at 64 Wellesley Street East. It is set back 1.2 metres from Church Street, aligning with the existing street wall. The proposal includes the in-situ partial retention the west and south elevations of the heritage structure at 64 Wellesley Street East and integrates them into the proposed base building.

The south east corner of the base building integrates a rounded setback from the intersection of Church Street and Wellesley Street East from the second to the fifth storey and is further recessed at the ground level to provide for an expanded public realm at the corner.

The proposal includes retail and/or restaurant uses at grade to promote an animated public realm, including fine-grained retail fronting onto Church Street and a 552-square metre retail or restaurant space fronting onto Wellesley Street East and wrapping around the corner at Church Street. The larger retail unit is acceptable as it provides for additional flexibility at a prominent intersection. The residential entrance is proposed to be located in the location of the existing 5-storey heritage building and accessed through the retained heritage façade.

Above the base building, the tower is set back 8.3 metres from the northern property line and 3.2 metres from the western property line. The proposed setback to the north provides adequate separation to the adjacent approved 12-storey development. The setback to the west is appropriate as the adjacent property is a City-owned park and a designated heritage property, which are unlikely to be redeveloped. The tower element has a floor plate of 800 square metres, which is consistent with approvals of similarly-scaled buildings within the context.

Heritage

Heritage planning staff are satisfied that the proposed development would appropriately conserve the cultural heritage value or interest of the subject site.

Shadow Impacts

The shadow impact resulting from the proposal is acceptable. The proposal adequately limits shadow impacts on Neighbourhoods and the adjacent public realm.

The proposed development would cast limited new net shadow on Barbara Hall Park in addition to existing as-of-right shadow impacts. Barbara Hall Park is protected by a no new net shadow policy between the hours of 10:00AM and 4:00PM in OPA 183.

The proposed building has been designed to ensure that there is no shadowing of the AIDS memorial located in the north east quadrant of the park at any time. New net shadow will largely be limited to shadow impacts on the northwest corner of the park from 1:50PM to 3:30PM and the southeast corner of the park for approximately 10 minutes from 3:50PM to 4:00PM on March 21st and September 21st. Planning staff are satisfied that the shadow impacts have been appropriately minimized.

Wind Impacts

City Planning staff have reviewed the pedestrian level wind study submitted in support of the application and are satisfied with the assessment, conclusions, and recommendations contained within the study. The study indicates that all areas at grade and in proposed amenity areas will be suitable for their intended uses through the year and no pedestrian areas surrounding the subject site at grade level will experience conditions that could be considered dangerous.

Integration of Dapper Lane

The applicant is proposing to incorporate the public lane, known as Dapper Lane, into the development site to permit construction of the proposed building over these lands. Integration of the lane into the development site allows for a more regularized building floor plate and more gradual stepping up of height from Church Street and from the property line to the north of the site. Incorporation of the lane into the proposed development is generally acceptable to Transportation Staff because the lane currently services only the proposed development site.

To incorporate the public lane into the proposed development site, the applicant will need to acquire these City-owned lands. Sale of City-owned lands is subject to a disposition process that is independent of the Official Plan and Zoning Amendment Process involving a separate Council decision. Approval of the permanent closure of the lane will be considered by Council through this separate process at a future date in accordance with the relevant processes, policies and legislation.

The lane currently features murals that were painted as part of World Pride in 2015. These murals are proposed to be commemorated through photographic documentation prior to demolition.

Public Realm

The proposal conforms with the applicable public realm policies of the Official Plan and the Downtown Plan.

The intersection of Church Street and Wellesley Street East has been identified by the community as having prominence with the Church and Wellesley neighbourhood. The public realm has been designed in recognition of the site's importance to the community.

The proposed building maintains the existing streetwall along Church Street, provides a 6-metre setback to the base building on Wellesley Street- East, and pulls back at the corner of Church Street and Wellesley Street East to provide additional space for the public realm.

Four replacement and two new street trees and seating are proposed to be provided along the Wellesley Street East frontage. The building is proposed to be lined with active retail and/or restaurant uses accessed from both Church Street and Wellesley Street East.

Retractable walls are proposed to be installed connecting the 550 square metre retail or restaurant unit at grade to Church Street and Wellesley Street East to allow for flow between the interior non-residential space and the public realm during warmer seasons.

Tree Planting and Preservation

The applicant submitted a Tree Preservation Plan to support the proposed application. The application proposes to remove 4 municipal street trees currently located in the municipal right of way and replace them with 8 new street trees.

Urban Forestry staff is satisfied that the proposed construction will not damage the 6 mature trees located on City property immediately adjacent to the western lot line of the proposed development.

Parkland

In accordance with Chapter 415, Article III of the Toronto Municipal Code, the applicant is required to satisfy the parkland dedication requirement through a cash-in-lieu payment. The value of the cash-in-lieu of parkland dedication will be appraised through Real Estate Services. Payment will be required prior to the issuance of the first above-grade building permit.

Toronto Green Standard

The Toronto Green Standard (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 TGS. Tiers 2, 3 and 4 are voluntary, higher levels of performance with financial incentives. Tier 1 performance measures are secured on site plan drawings and through a Site Plan Agreement or Registered Plan of Subdivision. The applicant is 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.

Traffic Impact, Access, Parking

Transportation Services staff are satisfied with the Transportation Impact Study that was submitted to assess the traffic impact, access, parking and loading arrangements for this development.

The application proposes 38 vehicular parking spaces including 31 residential spaces, 6 visitor spaces, and 1 carshare space located in one level of an underground parking structure. One Type B loading space and 1 Type G loading space are located at grade and internal to the site. Parking and loading spaces are accessed from Church Street.

The proposal includes 416 residential bicycle parking spaces, 51 short-term bicycle parking spaces and 365-long term bicycle parking spaces.

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 the Bill.

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 the building blocks of our neighbourhoods and include matters such as recreation, libraries, childcare, local 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.

CONTACT

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Keir Matthews-Hunter, Planner, Strategic Initiatives, Policy and Analysis
Tel No. 416-392-5092
E-mail: Keir.Matthews-Hunter@toronto.ca

SIGNATURE

Oren Tamir, Acting Director
Community Planning, Toronto and East York District

ATTACHMENTS

City of Toronto Data/Drawings

Attachment 1: Location Map

Attachment 2: Application Data Sheet

Attachment 3: Official Plan Land Use Map

Attachment 4: Downtown Plan Mixed Use Areas Map

Attachment 5: OPA 183 Character Area Map

Attachment 6: Existing Zoning By-law Map

Attachment 7: Draft Official Plan Amendment

Attachment 8: Draft Zoning By-law Amendment

Applicant Submitted Drawings

Attachment 9: Site Plan

Attachment 10: 3D Model of Proposal in Context - Northeast

Attachment 11: 3D Model of Proposal in Context - Southwest

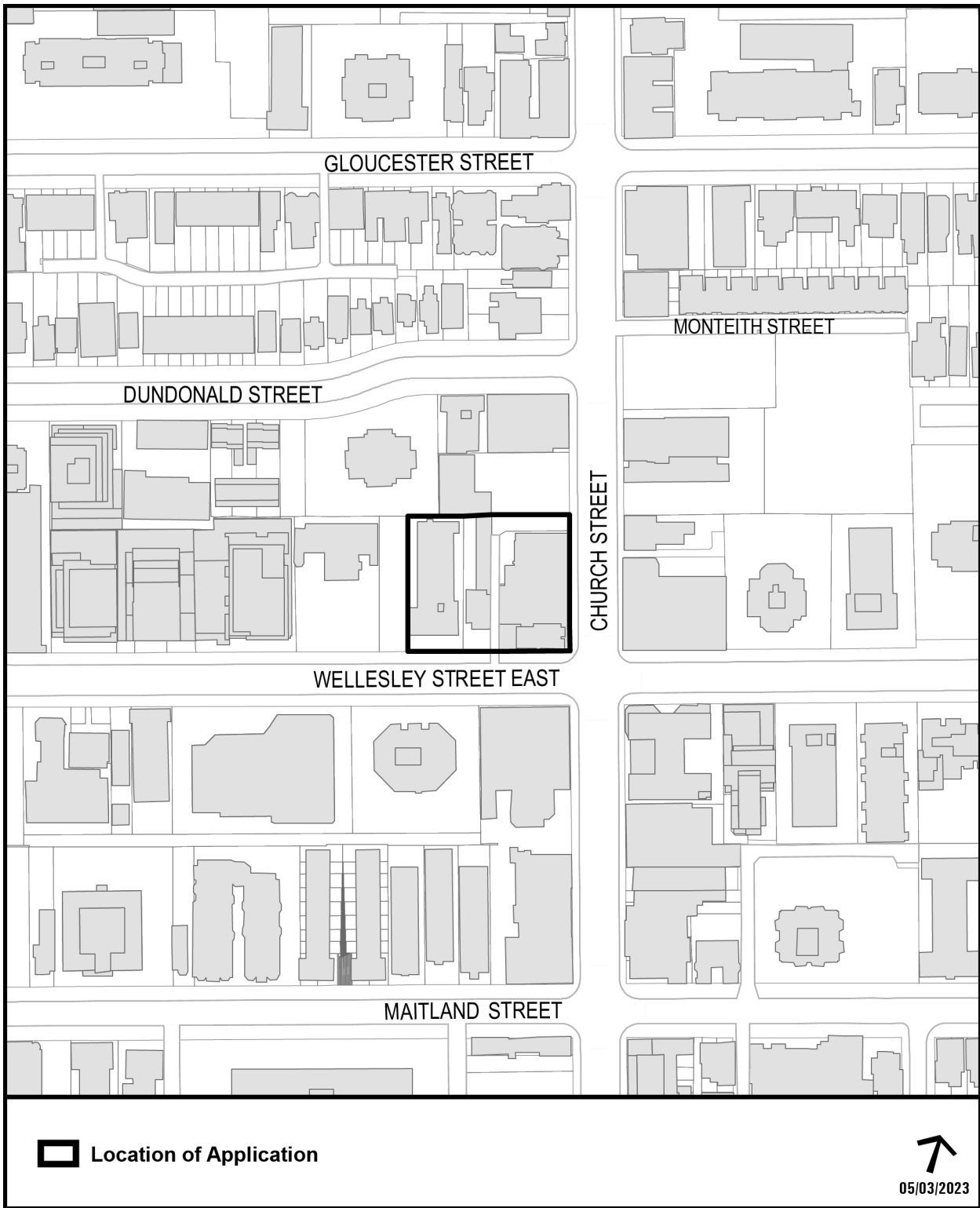
Attachment 12: East Elevation

Attachment 13: South Elevation

Attachment 14: West Elevation

Attachment 15: North Elevation

Attachment 1: Location Map



 Location of Application


05/03/2023

Attachment 2: Application Data Sheet

Municipal Address: 64-66 Wellesley Street East, 552-560 Church Street and 564-570 Church Street

Date Received: November 9, 2021

Application Number: 21 235897 STE 13 OZ

Application Type: Official Plan Amendment and Rezoning

Project Description: A 104.5 metre (31-storey, excluding mechanical penthouse) mixed-use building, containing 420 dwelling units (including 65 replacement rental dwelling units) and 770 square metres of non-residential gross floor area.

Applicant	Agent	Architect	Owner
Bousfields, c/o Peter Smith		Graziani & Corazza Architects Inc.	MONEONE C AND W INC.

EXISTING PLANNING CONTROLS

Official Plan Designation:	Apartment Neighbourhoods and Mixed Use Areas	Site Specific Provision:	N
Zoning:	CR 3.0 (c1.7; r3.0) SS1 (x2545) and R (d2.5) (x878)	Heritage Designation:	Y
Height Limit (m):	30 and 18	Site Plan Control Area:	Y

PROJECT INFORMATION

Site Area (sq m): 3,027	Frontage (m): 57.9 (Wellesley Street East)	Depth (m): 50.5 (Church Street)
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Building Data	Existing	Retained	Proposed	Total
Ground Floor Area (sq m):			793	793
Residential GFA (sq m):			26,849.6	26,849.6
Non-Residential GFA (sq m):			770	770
Total GFA (sq m):			27,619.6	29,619.6
Height - Storeys:			31	31
Height - Metres:			104.5	104.5

Lot Coverage Ratio (%): 50%

Floor Space Index: 9.12

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

Residential GFA: 26,849.6 0

Commercial GFA: 770

Office GFA:

Industrial GFA:

Institutional/Other GFA:

Residential Units by Tenure

	Existing	Retained	Proposed	Total
Rental:			65	65
Freehold:				
Condominium:			340	340
Other:				
Total Units:			405	405

Total Residential Units by Size

	Rooms	Bachelor	1 Bedroom	2 Bedroom	3+ Bedroom
Retained:					
Proposed:		65	226	79	35
Total Units:		65	226	79	35

Parking and Loading

Parking Spaces:	38	Bicycle Parking Spaces:	416	Loading Docks:	1 (Type G) and 1 Type B Space
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CONTACT:

Abraham Plunkett-Latimer, Planner

Tel. No. 416-397-1942

E-mail: Abraham.Plunkett-Latimer@toronto.ca

Attachment 3: Official Plan Land Use Map

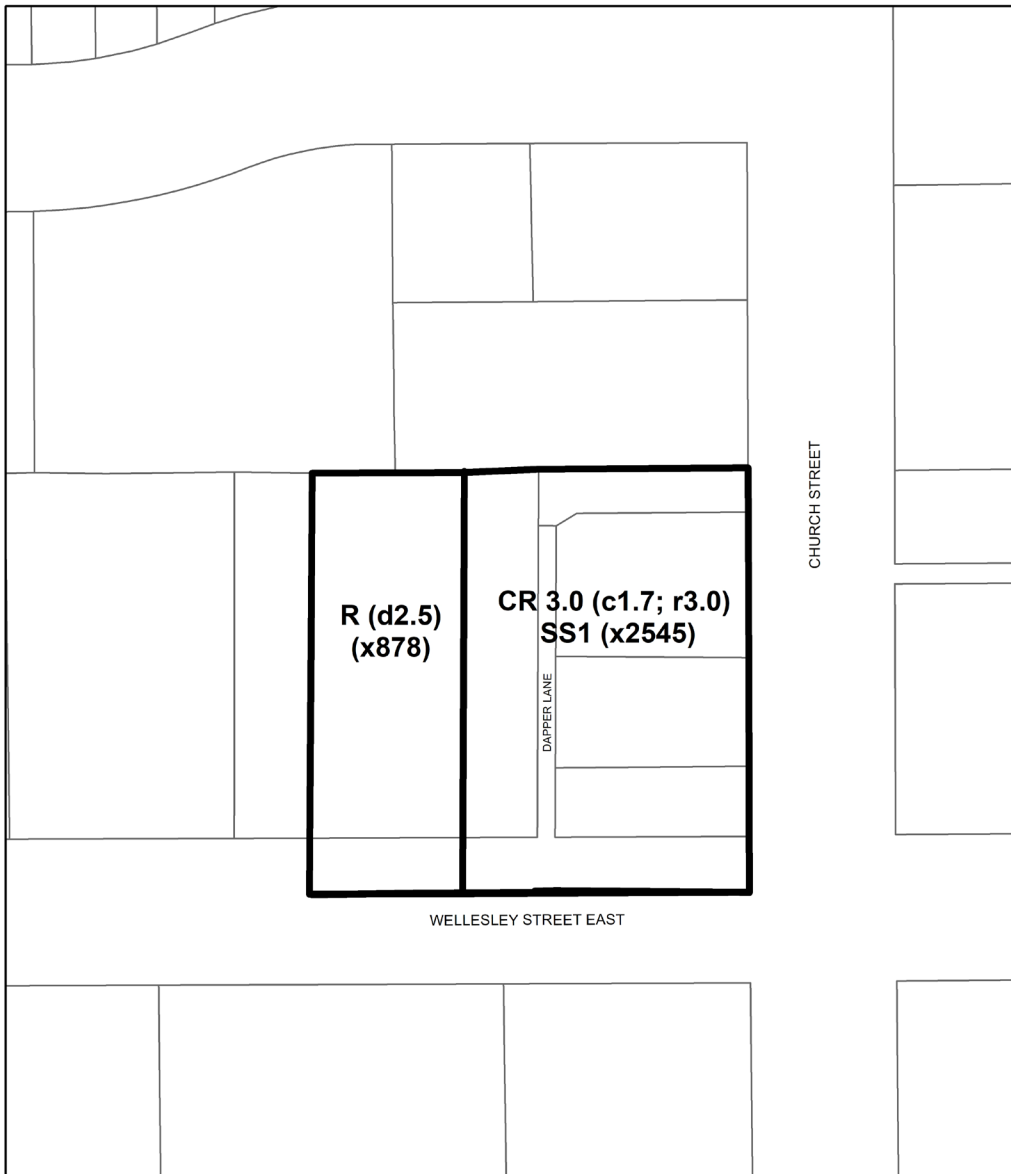


64-66 Wellesley Street East & 552-570 Church Street
Official Plan Land Use Map #18 **File # 21 235897 STE 13 OZ**

- Location of Application
- Neighbourhoods
- Apartment Neighbourhoods
- Mixed Use Areas
- Parks


Not to Scale
 Extracted: 11/15/2021

Attachment 4: Existing Zoning By-law Map

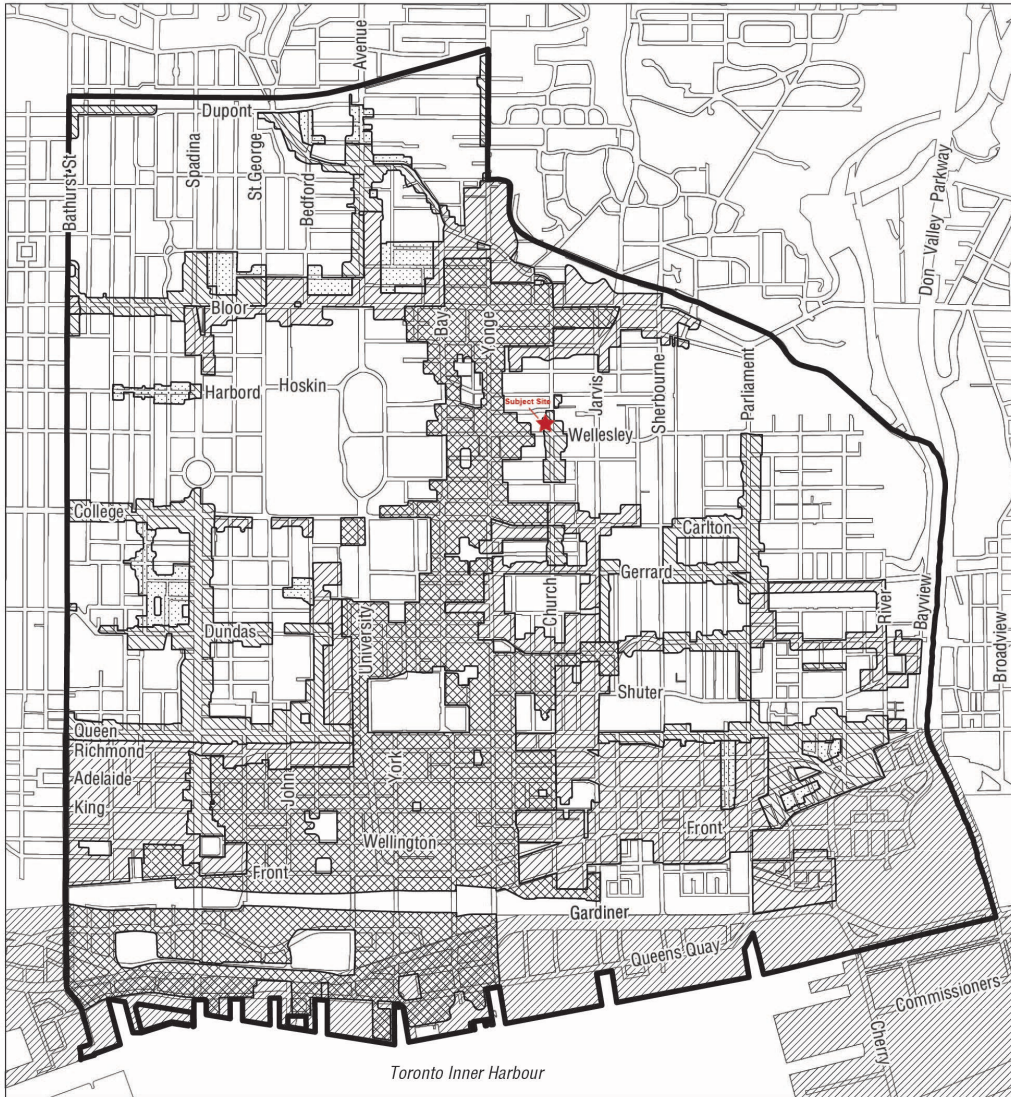


 **TORONTO**
Diagram 2

64-66 Wellesley
552-570 Church Street
File # 21 235897 STE 13 OZ


City of Toronto By-law 569-2013
Not to Scale
06/05/2023

Attachment 5: Downtown Plan Mixed Use Areas Map



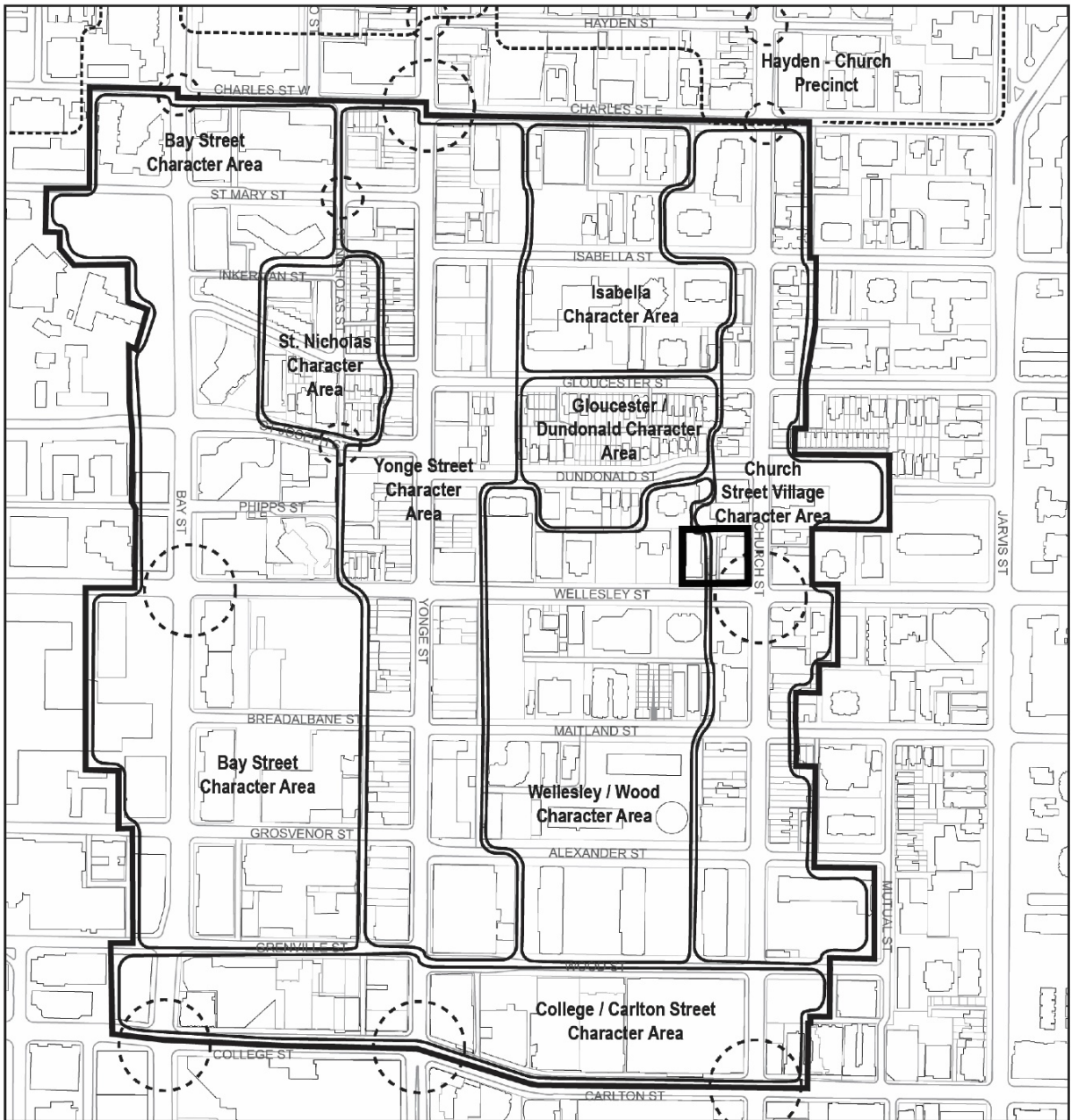
TORONTO
Downtown Plan
 MAP 41.3 Mixed Use Areas

65-66 Wellesley
552-570 Church Street
 File # 21 235897 STE 13 0Z

- Downtown Plan Boundary
- Mixed Use Areas 1 - Growth
- Mixed Use Areas 2 - Intermediate
- Mixed Use Areas 3 - Main Street
- Mixed Use Areas 4 - Local
- Central Waterfront Secondary Plan
- Subject Site

↑
 Not to Scale
 Extracted: 05/31/2023

Attachment 6: OPA 183 Character Area Map



Official Plan Amendment #183
Map 1. Character Areas

64-66 Wellesley Street East
& 552-570 Church Street
File # 21 235897 STE 13 02



Not to Scale
01/20/2022

Authority: Toronto and East York Community Council Item ##, as adopted by City of Toronto Council on ~, 202~

CITY OF TORONTO
BY-LAW No. XXX-2023

To adopt Amendment No. 667 to the Official Plan for the City of Toronto respecting the lands known municipally in the year 2022 as 64 & 66 Wellesley Street East, 552-560 & 564-570 Church Street.

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

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;

1. The attached Amendment 667 to the Official Plan is hereby adopted pursuant to the Planning Act, as amended.

ENACTED AND PASSED this _____ day of _____, A.D. 2023.

Frances Nunziata,
Speaker
Clerk
(Corporate Seal)

JOHN ELVIDGE,
City

AMENDMENT NO. 667 TO THE OFFICIAL PLAN

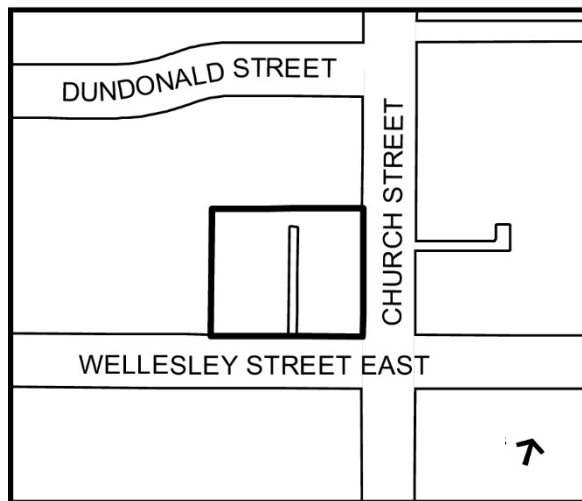
LANDS MUNICIPALLY KNOWN IN THE YEAR 2022 AS 64 & 66 WELLESLEY STREET EAST, 552-560 & 564-570 CHURCH STREET

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

1. Chapter 7, Site and Area Specific Policies, is amended by adding the following new section 7 to Site and Area Specific Policy 382, as follows:

"7. Site Specific Policies

7.1 64-66 Wellesley Street East and 552-560, 564-570 Church Street



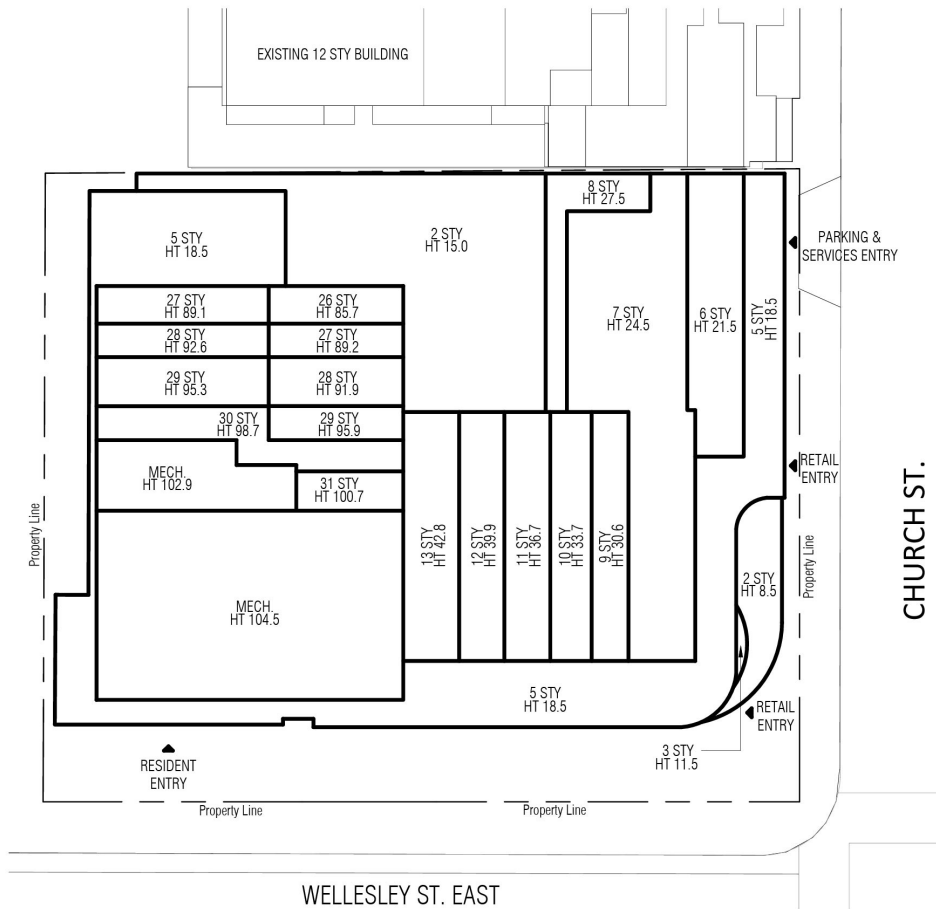
- a) Despite Policies 5.6.1 and 5.7.1, a mixed-use tall building is permitted provided that a low or mid-rise scale will be located along the Church Street frontage.
- b) Despite Policy 5.7.2, development may not be permitted to project into the 44 degree angular plane as measured from the Church Street lot line, commencing at a building height of 16 metres above the street level, and then angling upwards at an angle of 44 degrees away from Church Street over the site, except for balconies, railings and dividers, and portions of the sixth storey;
- c) Despite Policy 5.7.3, development/redevelopment on the lands will cast no net new shadow on the parkland forming part of the 519 Church Street community hub generally between the hours of 10:00 AM and 1:50 PM. on March 21st and September 21st.
- d) No new net shadow shall be permitted to be cast on the AIDS Memorial located within the parkland forming part of the 519 Church Street community hub as of [INSERT adoption date of this Official Plan Amendment] between the hours of 10:00 and 4:00 p.m. on March 21st and on September 21st.

e) Despite Policy 5.7.4, Retail and/or commercial uses with a maximum area of 3500 square metres are permitted to be located within a mixed-use building on the lands, provided that one or more retail frontages are located directly onto Church Street that are consistent with the average width of at grade retail that is currently found within 2 blocks to the north and south of a given site along either side of Church Street in the North Downtown Yonge Area.

Attachment 8: Draft Zoning By-law Amendment

To be available prior to the June 22, 2023 Toronto and East York Community Council Meeting

Attachment 9: Site Plan



Site Plan



Attachment 10: 3D Model of Proposal in Context - Northeast

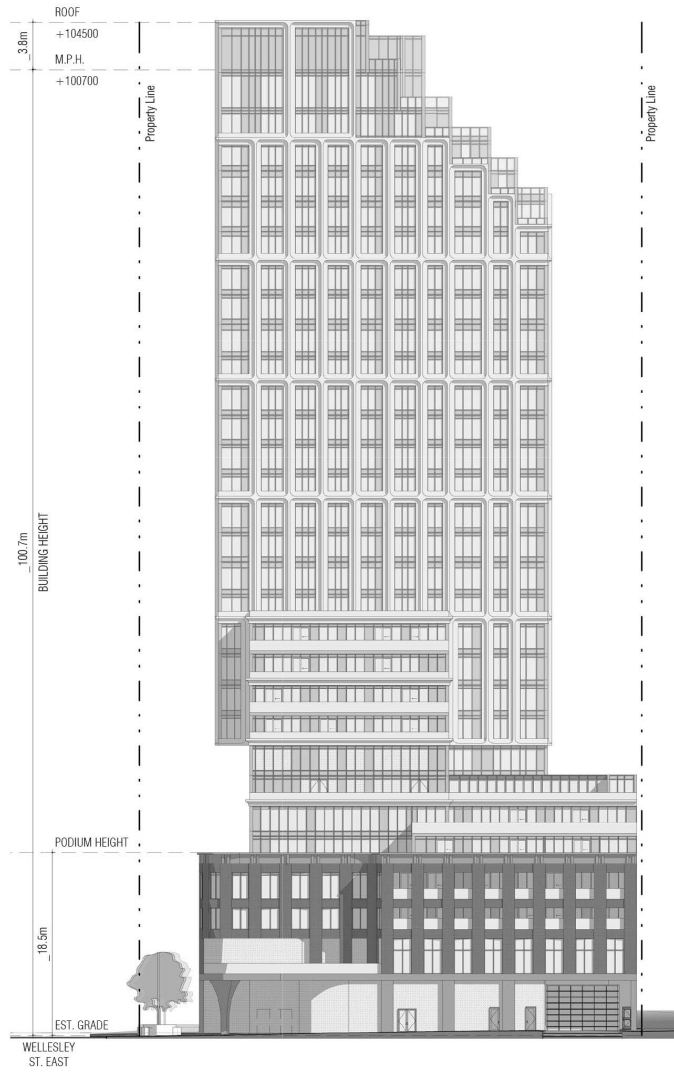
To be available prior to the June 22, 2023 Toronto and East York Community Council Meeting

Attachment 11: 3D Model of Proposal in Context - Southwest

To be available prior to the June 22, 2023 Toronto and East York Community Council Meeting

Attachment 12: East Elevation

TO Mechanical 104.50m
TO X FL 100.70m

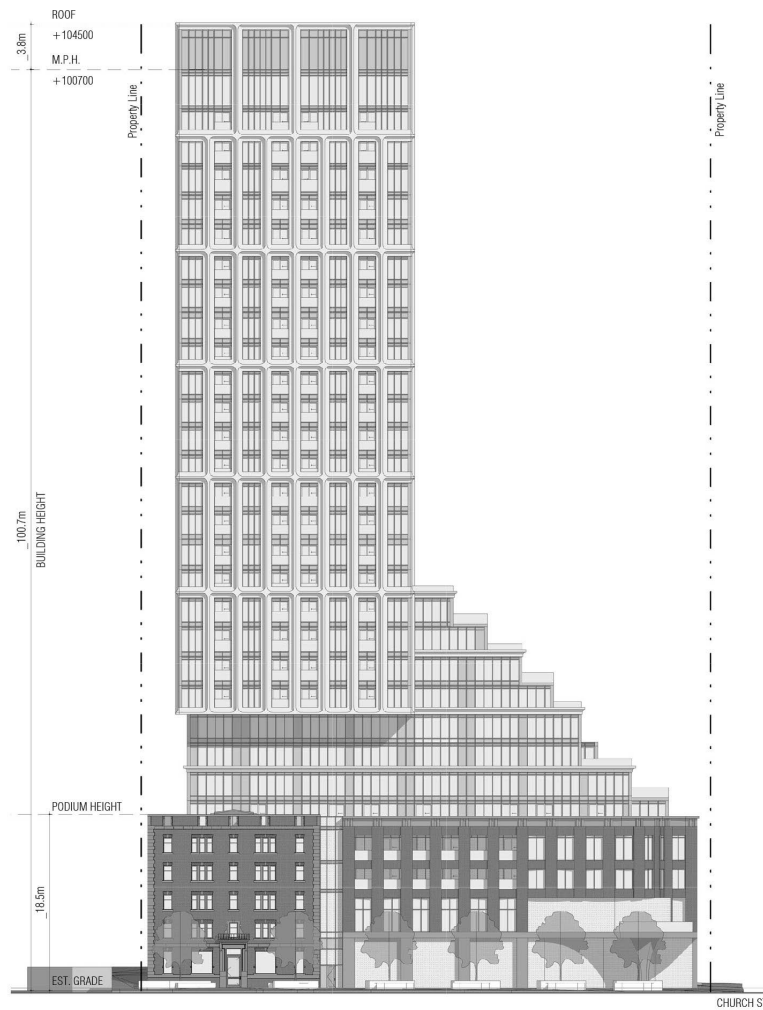


East Elevation

Attachment 13: South Elevation

TO Mechanical 104.50m

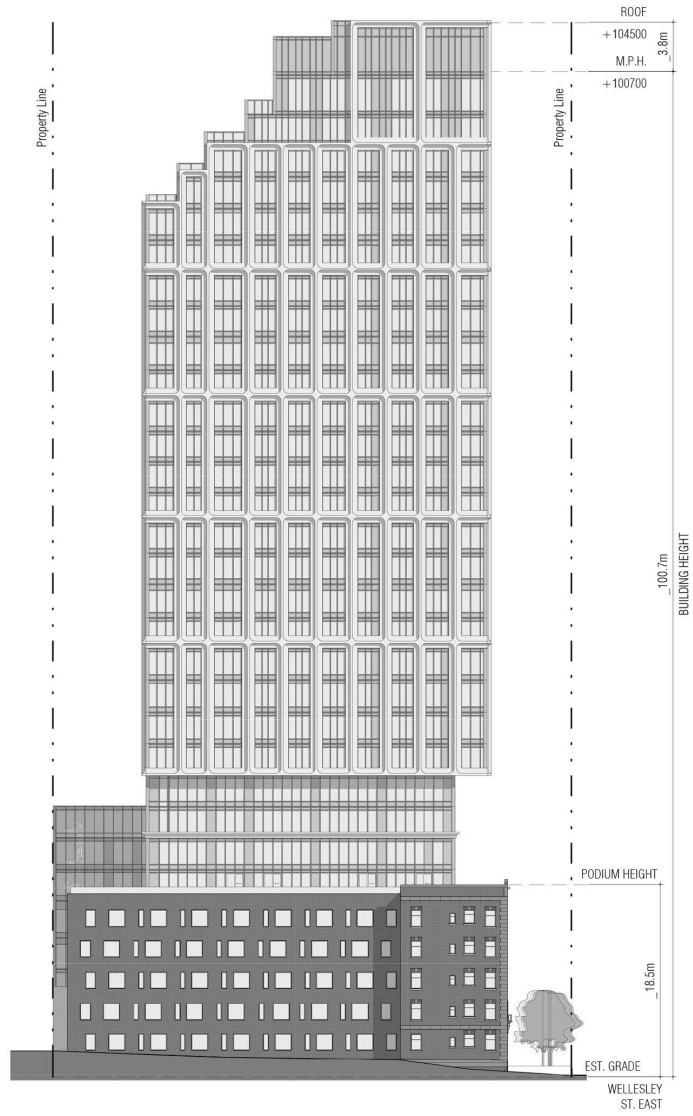
TO X FL 100.70m



South Elevation

Attachment 14: West Elevation

TO Mechanical 104.50m
TO X FL 100.70m

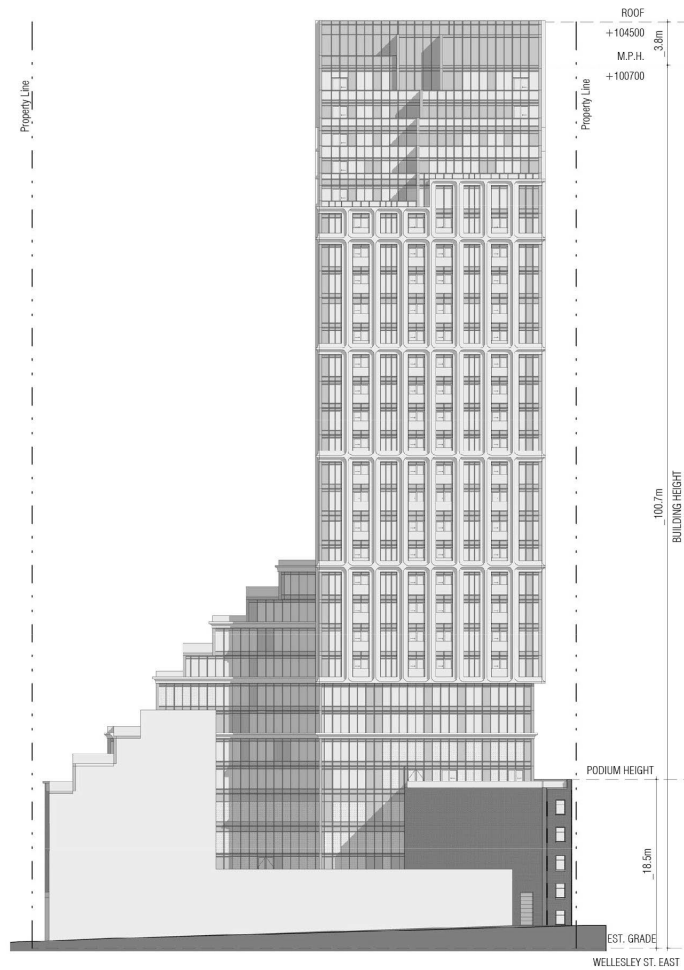


West Elevation

Attachment 15: North Elevation

TO Mechanical 104.50m

TO X FL 100.70m



North Elevation