

191-199 College Street and 74-76 Henry Street – Official Plan and Zoning By-law Amendment Application – Decision Report - Approval

Date: April 19, 2024

To: Toronto and East York Community Council

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

Ward: 11 - University-Rosedale

Planning Application Number: 22 150580 STE 11 OZ

SUMMARY

This report reviews and recommends approval of the application to amend the Official Plan and Zoning By-law to permit a new 31-storey (96-metre including mechanical penthouse) mixed-use building at 191-199 College Street and partially retain the 3-storey semi-detached dwellings at 74 and 76 Henry Street which will contain 12 replacement dwelling rooms. The proposal currently consists of 490 dwelling units and 1,356 square metres of non-residential gross floor area.

This application is part of the Open Door Affordable Rental Housing Program and currently proposes to provide 408 affordable dwelling units (all studio units) or the equivalent of that floor area which amounts to 10,500 square metres.

The properties at 191-199 College Street and 74-76 Henry Street are designated under Part IV, Section 29 of the Ontario Heritage Act. The principal elevations of 191-199 College Street, and 74-76 Henry Street will be retained and integrated within the new development.

The Official Plan Amendment redesignates the southern portion of the site from Neighbourhoods to Mixed Use Areas, revises the boundary of Site and Area Policy (SASP) 533 to include 74 and 76 Henry Street, permits the proposed height within Character Area F in SASP 533, provides a minimum residential gross floor area of 10,500 square metres for affordable rental dwelling units for a period of 40 years, and establishes site specific policies for rental dwelling room replacement for a period of 20 years.

RECOMMENDATIONS

The Director, Community Planning, Toronto and East York District recommends that:

1. City Council amend the Official Plan, for the lands at 191-199 College Street and 74-76 Henry Street substantially in accordance with the draft Official Plan Amendment included as Attachment 5 to this report.
2. City Council amend Zoning By-law 569-2013 for the lands at 191-199 College Street and 74-76 Henry Street substantially in accordance with the draft Zoning By-law Amendment included as Attachment 6 to this report.
3. City Council authorize the City Solicitor to make such stylistic and technical changes to the draft Official Plan Amendment and Zoning By-law Amendment as may be required.
4. City Council direct that the owner shall provide and maintain 12 replacement rental dwelling rooms on the site for a period of at least 20 years beginning from the date that each replacement rental dwelling room 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. The replacement rental dwelling rooms shall collectively have a total gross floor area of at least 400 square metres as generally illustrated in the plans submitted to the City Planning Division dated January 10, 2024. Any revision to these plans shall be to the satisfaction of the Chief Planner and Executive Director, City Planning Division.
5. City Council direct that the owner shall, as part of the 12 replacement rental dwelling rooms required in Recommendation 4 above, provide at least 4 dwelling rooms at affordable tier-one dwelling room rents, 3 dwelling rooms at mid-affordable tier-two dwelling room rents, and 5 dwelling rooms at mid-range tier-one dwelling room rents, as currently defined in the City's Official Plan, all for a period of at least 15 years beginning from the date of first occupancy of each unit.
6. City Council direct that the owner shall provide an acceptable Tenant Relocation and Assistance Plan for all Eligible Tenants of the 13 existing rental dwelling rooms proposed to be demolished at 76 Henry Street, addressing the right to return to occupy one of the replacement rental dwelling rooms or rental studio unit at similar rents, the provision of rent gap assistance, and other assistance to lessen 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.
7. City Council direct that the owner shall provide an acceptable Tenant Relocation and Assistance Plan for tenants of the existing 1 rental dwelling unit at 193 College Street, addressing financial compensation and other assistance to lessen hardship. The Tenant Relocation and Assistance Plan shall be to the satisfaction of the Chief Planner and Executive Director, City Planning.

8. City Council direct that the owner shall provide a minimum residential gross floor area of 10,500 square metres towards affordable dwelling units at 100 percent average market rent for the same unit type in the City of Toronto as reported by Canada Mortgage and Housing Corporation in its most recent annual Rental Market Report, for a minimum of 40 years, currently proposed as 408 affordable dwelling units.

9. City Council authorize the affordable rental units as described in Table 1 in the Financial Impact section of this report, to be eligible for waivers of fees for planning application, building permit, parkland dedication and development charges exemptions, unless already paid or exempted by provincial legislation.

10. City Council authorize an exemption from taxation for municipal and school purposes under the terms of the Open Door Affordable Rental Housing Program for the affordable rental units and for the periods of time described in Table 1 in the Financial Impact section this report.

11. City Council authorize the Controller to cancel or refund any taxes paid after the effective date of the exemption from taxation for municipal and school purposes as set out in the applicable municipal housing facility agreement (the City's Contribution Agreement).

12. City Council authorize the Executive Director, Housing Secretariat, to negotiate and execute, on behalf of the City, a municipal housing facility agreement (the City's Contribution Agreement), or amendments to existing Contribution Agreements, where applicable, with the appropriate legal entities for the development listed in Table 1 in the Financial Impact section of this report, or related entities, to secure the financial assistance and to set out the terms of the development and operation of the new affordable rental housing, on terms and conditions satisfactory to the Executive Director, Housing Secretariat, in consultation with the Chief Financial Officer and Treasurer, and in a form approved by the City Solicitor.

13. City Council authorize the Executive Director, Housing Secretariat, on behalf of the City, to execute any security or financing documents, or any other documents required to facilitate the development, including any documents required by the developers of the development described in Table 1 in the Financial Impact section of this report, or their related corporations, to complete pre-development activities, construction and secure conventional financing, where required, including any postponement, confirmation of status, discharge or consent documents where and when required during the term of the municipal housing facility agreement, as required by normal business practices, and provided that such documents do not give rise to financial obligations on the part of the City that have not been previously approved by City Council.

14. City Council direct the City Solicitor to withhold the necessary Bills for enactment, until the owner has, at its sole cost and expense:

- a. Entered into a Dwelling Room Replacement and Tenant Relocation Agreement with the owner, pursuant to Policies 3.2.1.11 and 3.2.1.12 of the City's Official Plan, to secure the owner's obligation to replace the existing dwelling room gross floor area and provide tenant relocation and assistance to

lessen hardship for existing tenants of the 13 existing rental dwelling rooms described in Recommendation 6, and of the 1 existing rental dwelling unit described in Recommendation 7, to the satisfaction of the Chief Planner and Executive Director, City Planning and the City Solicitor;

b. Registered on title to the site, a Section 118 Restriction under the Land Titles Act, to the satisfaction of the City Solicitor, agreeing not to transfer or charge those parts of the lands, comprising the 12 replacement rental dwelling rooms, without the written consent of the Chief Planner and Executive Director, City Planning or designate, to assist with securing the Dwelling Room Replacement and Tenant Relocation Agreement against future owners and encumbrances of the lands until such time as the City Solicitor determines that its registration on title is no longer required to secure the provisions of the Dwelling Room Replacement and Tenant Relocation Agreement;

c. Entered into one or more agreement(s) with the City, to secure the Affordable Rental Housing Units on the terms set out in Attachment 7 to this report, to the satisfaction of the Chief Planner and Executive Director and the City Solicitor and registered on title to the site, a Section 118 Restriction under the Land Titles Act, to the satisfaction of the City Solicitor, agreeing not to transfer or charge those parts of the lands, comprising the minimum residential gross floor area of 10,500 square metres towards the affordable dwelling units, without the written consent of the Chief Planner and Executive Director or designate, to assist with securing the Affordable Rental Housing Units against future owners and encumbrances of the lands until such time as the City Solicitor determines that its registration on title is no longer required;

d. Entered into a Municipal Housing Project Facilities Agreement (the "Contribution Agreement") with the Housing Secretariat to ensure the financial assistance being provided and set out the terms of the operation of the Affordable Housing Units, on terms and conditions acceptable to the Executive Director, Housing Secretariat, in a form satisfactory to the City Solicitor;

e. Prepared and submitted a revised Functional Servicing & Stormwater Management Report for review and acceptance to demonstrate that the storm sewer system and any required improvements to it, has adequate capacity to accommodate the development of the lands to the satisfaction of the Chief Engineer and Executive Director, Engineering & Construction Services;

f. Where improvements to the storm sewer system are recommended in the Functional Servicing & Stormwater Management Report as accepted by the Chief Engineer and Executive Director, Engineering & Construction Services, the owner has entered into a financially secured agreement with the City to secure the construction of the required improvements;

g. Entered into a Heritage Easement Agreement with the City for the properties at 191-199 College Street and 74-76 Henry Street, substantially in accordance with the plans and drawings dated August 11, 2023, prepared by Icon and ERA Architects, and the Heritage Impact Assessment (HIA), dated August 15, 2023,

prepared by ERA Architects Inc., all on file with the Senior Manager, Heritage Planning, subject to and in accordance with the Conservation Plan, to the satisfaction of the Senior Manager, Heritage Planning including execution of such agreement to the satisfaction of the City Solicitor; and,

h. Provided a detailed Conservation Plan, prepared by a qualified heritage consultant that is substantially in accordance with the conservation strategy set out in the Heritage Impact Assessment dated August 15, 2023, prepared by ERA Architects Inc. for the properties at 191-199 College Street and 74-76 Henry Street, subject to modifications to the design proposed in the Heritage Impact Assessment of the barrier-free entrances for the properties at 191-199 College Street to enhance the conservation response to the heritage attributes, to the satisfaction of the Senior Manager, Heritage Planning.

15. City Council request the General Manager, Transportation Services, to review and report back on the feasibility of amending Schedule B of the City of Toronto Municipal Code Chapter 925, Permit Parking, to exclude the development located at 191-199 College Street and 74-76 Henry Street from Permit Parking.

FINANCIAL IMPACT

Affordable Housing

This report recommends City Council approval of financial incentives under the Open Door Affordable Housing Program of approximately \$17,514,673 (before property tax exemption) for the proposed 408 affordable rental dwelling units to be created at 191-199 College Street. The anticipated affordability period is 40 years.

The total value of City incentives recommended in this report is \$27,679,950 reflecting an average City contribution of \$67,843 per affordable rental home. These incentives are not a direct payment from the City but rather foregone revenues in the form of waivers or exemptions to planning fees, building permit fees, development charge, parkland dedication and property tax.

The estimated value of incentives is based on current rates. The value of City incentives provided may fluctuate depending on the timing of development applications, and may vary if some projects are otherwise determined to be eligible for parkland dedication and development charge exemptions for non-profit housing developments under the recent changes to the Development Charges Act, 1997 and the Planning Act through Bill 23, which will be assessed during the development review process.

Details of incentive values per project are provided in Table 1 below.

Table 1: Breakdown of Value of Open Door Incentives

Affordable Rental Units	Estimated Affordability Period	Estimated Development Charges (1)	Estimated Building Permit Fee and Charges (2)	Estimated Total Value of Incentives before Property Taxes (3)	Estimated Net Present Value of Property Taxes
408	40 years	\$11,007,024	\$6,507,649	\$17,514,673	\$10,165,277

Notes:

(1) Calculated using August 2023 DC rates POST Bill 23

(2) Includes estimated 2024 building permit fees of \$387,649, 2024 and parkland dedication fees of \$6,120,000.

(3) Calculated using 2024 property tax rates. 2024 Education Tax Rate is subject to Council approval at the May 19, 2024 City Council meeting.

The Chief Financial Officer and Treasurer has reviewed this report and agrees with the financial impact information.

DECISION HISTORY

On April 24, 2018, City Council listed several properties on College Street (including the subject properties at 191, 193, 195, and 199 College Street) on the Heritage Register. <https://secure.toronto.ca/council/agenda-item.do?item=2018.TE31.1>

On March 29, 2023, City Council stated its intention to designate the property at 191-199 College Street and 74-76 Henry Street under Part IV, Section 29 of the Ontario Heritage Act. The City Council Decision is available here: <https://secure.toronto.ca/council/agenda-item.do?item=2023.PH2.13>

On March 18, 2024, Toronto Preservation Board adopted alterations to the designated heritage properties at 191-199 College Street and 74-76 Henry Street under Part IV, Section 33 of the Ontario Heritage Act and authority to enter into a heritage easement. On April 3, 2024, Toronto and East York Community Council considered the item and deferred it to May 7, 2024. The City Council decision is available here: <https://secure.toronto.ca/council/agenda-item.do?item=2024.TE12.19>

THE SITE

Description: The site is located at the southwest corner of College Street and Henry Street. The site is comprised of 191, 193, 195, and 199 College Street and 74 and 76 Henry Street. It is generally square in shape with a total area of 1,617 square metres,

and frontages of 37 metres on College Street and 44 metres on Henry Street. There is a public laneway to the western boundary of the site.

Existing Use:

191-199 College Street contains three pairs of semi-detached house form buildings, consisting primarily of commercial uses, and one three-bedroom residential rental unit.

74-76 Henry Street is a pair of semi-detached house form buildings containing one owner-occupied residential unit in 74 Henry Street and 13 occupied dwelling rooms in 76 Henry Street.

Existing Rental Dwellings:

According to the plans provided by the applicant, and a site visit conducted by City Planning staff on February 17, 2023, the 13 dwelling rooms located in the rooming house at 76 Henry Street are comprised of the following rent classifications:

Table 2: Breakdown of Existing Dwelling Room Rent Classifications

Unit Type	Dwelling Room: Affordable Tier One	Dwelling Room: Affordable Tier Two	Dwelling Room: Mid-Range Tier One	Total
Total Dwelling Rooms	4	3	6	13

The site also contains one three-bedroom rental unit rented at mid-range (moderate) at 193 College Street, which is proposed to be demolished.

At the time of this report, all existing rental housing proposed for demolition is occupied.

THE APPLICATION

Description: A 31-storey mixed-use building (96 metres, inclusive of the mechanical penthouse). The principal elevations of 191-199 College Street, and 74 and 76 Henry Street will be retained and integrated into the development.

Density: 14.04 times the area of the lot.

Dwelling Units: 191-199 College Street contains 490 dwelling units including 408 studio (83%), 12 one-bedroom (2%), 66 two-bedroom (14%) and 4 three-bedroom units (1%). The 408 studio units are proposed to be affordable rental units. 75-76 Henry Street contains 12 dwelling rooms, with shared common areas.

Dwelling Room Replacement: The 12 replacement rental dwelling rooms represent a full replacement of the rental gross floor area of the existing dwelling rooms. Rents for the replacement dwelling rooms will be set at the same affordability level as the existing

dwelling rooms, comprising of 4 affordable tier-one rooms, 3 affordable tier-two rooms, and 5 mid-range tier-one rooms, as defined in Chapter 3 of the Official Plan.

As there are less than 6 residential units located on the subject site and less than 6 rental units are proposed for demolition, Chapter 667 of the City of Toronto Municipal Code does not apply to this application and replacement of the existing rental unit is not required.

Tenant Relocation and Assistance Plan: A Tenant Relocation and Assistance Plan will be provided to all eligible tenants residing in the existing rental housing. In accordance with the Tenant Relocation and Assistance Plan shared with tenants at the tenant meeting on April 3, 2024, all tenants living in the existing rental unit and dwelling rooms will receive the following:

- at least six months' notice of the date that they must vacate their rental unit or dwelling room;
- financial compensation as required under the Residential Tenancies Act, 2006;
- additional financial compensation in the form of rent gap assistance, where the rent gap would be calculated using the City's approved approach. The rent gap assistance would assist tenants in transitioning to market rents and be paid out to each eligible tenant in a lump sum on the date they provide vacant possession of their existing rental unit or dwelling room;
- move-out and move-back moving allowances;
- a rental leasing agent available upon request to assist tenants with finding interim accommodation; and
- additional compensation and assistance for special needs tenants, with the final determination by the Chief Planner and Executive Director, City Planning.

For tenants living in the existing dwelling rooms at 76 Henry Street, tenants have the right to return to a replacement dwelling room or, a studio unit if no dwelling rooms are available, at similar rent.

Amenity Space: A total of 740 square metres of amenity space is proposed, of which a minimum of 550 square metres of indoor amenity space (1.12 square metres per unit) and 190 square metres of outdoor amenity space (0.38 square metres per unit) shall be provided.

Access, Bike Parking, Vehicle Parking, Loading: The main pedestrian entrance into the building is proposed from Henry Street, with a secondary entrance from the public laneway. A total of 494 bicycle parking spaces are provided, comprised of 50 short-term bicycle parking spaces located on the ground floor and 444 long-term spaces located below grade. A separate elevator is proposed to access the bicycle parking spaces. A total of 6 visitor parking spaces are proposed at the rear of the site, accessed off the public laneway to the west of the site. Two loading spaces are proposed, one type "G" and one type "C", internalized within the building, and accessed off the public laneway.

This report recommends that staff review excluding the development from on-street permit parking. A Public Notice will be placed on the City's website requesting those objecting to the exclusion of 191-199 College Street and 74-76 Henry Street from permit

parking in Permit Parking Area 6D forward their objections in writing to the City Clerk, so they may be scheduled as deputations at the June 11, 2024 Toronto and East York Community Council meeting.

Additional Information

See Attachment 1 of this report for the location map, Attachment 2 for the application data sheet, Attachment 8 for the ground floor plan, 9 and 10 for elevations, and 11 and 12 for three-dimensional representations of the project in context. 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: www.toronto.ca/191CollegeSt

Reasons for Application

The Official Plan Amendment is required to redesignate the southern portion of the site from Neighbourhoods to Mixed Use Areas, revise the boundary of Site and Area Policy (SASP) 533 to include 74 and 76 Henry Street, permit the proposed height within Character Area F in SASP 533, provide a minimum residential gross floor area of 10,500 square metres for affordable rental dwelling units for a period of 40 years, and to establish site specific policies for rental dwelling room replacement for a period of 20 years.

The Zoning By-law Amendment application proposes to amend Zoning By-law 569-2013 to vary performance standards including: height; massing; and density.

POLICY AND REGULATION 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 (2020), and shall conform to provincial plans.

Official Plan

191-199 College Street is designated as Mixed Use Areas and 74-76 Henry Street is designated as Neighbourhoods. See Attachment 3 of this report for the Official Plan Land Use Map.

Official Plan Policy 3.2.1.11 requires new development that would result in the loss of six or more rental dwelling rooms, to replace at least the same amount of residential gross floor area as dwelling rooms or rental studio units at similar rents to those in effect at the time of application. The policy also requires the provision of an acceptable tenant relocation and assistance plan, addressing the right of existing tenants to return to the replacement housing at similar rents and other assistance to lessen hardship.

Downtown Plan

The site is designated Mixed Use Areas 2 - Intermediate. Development in Mixed Use Areas 2 will include building typologies that respond to their site context, including midrise and some tall buildings.

Site and Area Specific Policy (SASP) 533

The northern portion of the site is within SASP 533 and is located within Character Area F. Character Area F is primarily comprised of low-rise commercial and institutional buildings. The policies in the SASP direct that new buildings in Character Area F will have a maximum height of 30 metres, excluding the mechanical penthouse. Buildings taller than 30 metres may be considered up to a maximum height of 60 metres, including all mechanical elements, provided the setbacks and stepbacks exceed the minimum setbacks and stepbacks required for this Character Area to provide appropriate transition to adjacent lots.

Zoning

The northern portion of the subject site is zoned Commercial Residential (CR 2.5 (c1.0; r2.5) SS2 x2359) by Zoning By-law 569-2013. The 'CR' zone permits a broad range of residential and commercial uses. The maximum permitted building height is 14 metres, while the maximum permitted density is 2.5 times the site area.

The southern portion of the subject site is zoned Residential (R (f4.5; d1.0)(x835)) by Zoning By-law 569-2013.

See Attachment 4 of this report for the existing Zoning By-law Map.

Design Guidelines

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

- Tall Building Design Guidelines;
- College Street Urban Design Guidelines; and,
- Growing Up Guidelines for Children in Vertical Communities.

The City's Design Guidelines can be found here:

<https://www.toronto.ca/citygovernment/planningdevelopment/officialplanguidelines/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 Toronto Green Standard. The TGS can be found here:

<https://www.toronto.ca/citygovernment/planningdevelopment/official-plan-guidelines/toronto-green-standard>

Site Plan Control

A Site Plan Control application has been submitted and is under review.

COMMUNITY CONSULTATION

A Virtual Community Consultation Meeting was hosted by City staff on March 9, 2023. Approximately 20 people attended, along with the Ward Councillor. Following a presentation by City Staff and the applicant, the following comments and issues were raised:

- support for affordable housing in this area;
- concerns related to the tools to secure the affordable units;
- concerns related to the unit mix, specifically the lack of two- and three-bedroom units;
- concerns about the proposed vehicular and loading access and safety of pedestrians and cyclists;
- concerns about the wind and noise impact of the proposed building to the buildings north of College Street.

Tenant Consultation

On April 3, 2024, City staff held a consultation meeting with impacted tenants to provide an overview of the City's housing policies, the impact of the rental demolition proposal on tenants, and the proposed tenant relocation assistance plan as outlined above. The meeting was held in person and was attended by 4 tenants, City Planning staff, and the applicant.

Tenants asked questions related to project timelines, eligibility for tenant assistance, and information about the dwelling room replacement floor plans.

The issues raised through the Community Consultation have been considered through the review of the application.

Statutory Public Meeting Comments

In making their decision with regard to this application, Council members have been given the opportunity to view the oral submissions made at the statutory public meeting held by the Toronto and East York Community Council for this application. The Community Council meeting is broadcasted live over the internet and recorded for review.

COMMENTS

Provincial Land-Use Policies

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 to be consistent with the PPS and to conform with the Growth Plan.

Land Use

The proposed residential and non-residential uses conform with the land use designation for this site. The proposal will create affordable rental housing units, currently proposed as 408 studio units, for a 40-year affordability period, as well as dwelling room replacement.

Affordable Housing

Affordable housing is a significant priority for the City. The owner has agreed to design, construct, finish, provide and maintain on the site a minimum residential gross floor area of 10,500 square metres towards affordable dwelling units, currently proposed as 408 studio units (the "Affordable Rental Housing Units") as part of the development, on the terms set out in Attachment 7 to this report.

The affordable rental units would have full access to all residential amenities of the building. The units will be operated and maintained by the private owner. Prior to the enactment of the bills, the City will enter into one or more agreements with the owner, including a Municipal Housing Project Facilities Agreement (the "Contribution Agreement"), to secure the affordable rents and financial assistance being provided by the City, and set out the terms of the operation for the affordable units.

Dwelling Room Replacement

Staff are satisfied with the proposed dwelling room replacement strategy. The applicant proposes 12 replacement dwelling rooms amounting to a total residential gross floor area of 440 square metres, exceeding the existing residential gross floor area (400 square metres). The applicant has agreed to provide and maintain 12 replacement dwelling rooms within 74-76 Henry Street for a rental tenure period of at least 20 years, beginning on the date the replacement dwelling rooms are first occupied. The residential unit located in 74 Henry Street will be demolished to accommodate the larger rooming house.

The applicant has proposed dwelling rooms that represent improved living conditions for the tenants. While the number of total dwelling rooms is reduced from 13 to 12, the rooming house is proposed to contain washroom facilities on each floor and a large common area including a kitchen, dining, and living room on the first floor.

The applicant has confirmed that tenants living in an existing dwelling room would reserve the right to return to a replacement dwelling room at similar rent, and that rents for replacement dwelling rooms without returning tenants would not exceed the applicable dwelling room affordable or mid-range rent thresholds for a period of at least 15 years. If all 13 eligible tenants elect to return to a replacement dwelling room, the applicant has agreed to allow one tenant to return to a new studio rental unit in the proposed new building at a similar rent.

Tenants who return to replacement dwelling rooms would be protected by the provincial rent increase Guideline until their tenancies end, irrespective of whether the Guideline applied to the proposed development under the Residential Tenancies Act, 2006 (RTA).

Tenant Relocation and Assistance Plan

The Tenant Relocation and Assistance Plan is consistent with the City's current practices. Staff are satisfied with the proposed approach to replacing demolished dwelling rooms, and with the proposed Tenant Relocation and Assistance Plan. The replacement housing and 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.

Unit Mix

The applicant currently proposes to provide the 408 studio units as affordable rental housing units for a 40-year affordability period, subject to the eligibility for the Open Door Incentive Program.

The Downtown Plan requires a minimum of 15% two-bedroom and 10% three-bedroom units and an additional 15% of the total number of units to 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.

The policy provides an exemption for proposals that include new social housing or other public funded housing. The applicant has provided tower floor plan layouts, to illustrate how the units that can be converted in the future to 2- and 3-bedroom units.

Built Form

City Planning staff are satisfied that the proposed built form and massing conform to the policies of the Official Plan and Downtown Plan, and meet the intent of the Tall Building Design Guidelines.

Massing - Base Building

The base building has been massed to respond to the surrounding planned context and is appropriate for the site. The proposed base building has a height of 7-storeys (23.5 metres). The retained heritage facades at 191-199 College Street and 74-76 Henry Street provide a low-scale streetwall along College Street and a portion of Henry Street. The base building is setback a minimum of 1.7 metres from the north (front) property line, 0.8 to 1.2 metres from the west property line, and 0 to 3.5 metres from the east

property line. A 11.5 to 12.7-metre setback is proposed from the south property line to the proposed building, with a portion of the building cantilevering above 74 Henry Street on floors 4 to 7.

Above the existing heritage buildings, a further stepback of 2.0 metres from the north is provided on levels 3 and 4, behind the ridge line of the existing heritage buildings along College Street, resulting in a setback of 9 metres to the north property line. On floors 5 to 7, a setback of 5.8 metres is proposed from the north, cantilevering above the floors below.

Massing - Tower Component

The tower meets the intent of the Tall Building Design Guidelines, providing a 12.7-metre setback to the south property line and a 12.5 metre setback to the centre line of the public lane to the west. The tower is setback 5.8 metres from College Street, and 2.3 metres from Henry Street. The proposed tower floor plate is approximately 630 square metres and is acceptable. The Tall Building Guidelines state that the tower floor plate should be limited to 750 square metres or less per floor.

The proposed height of 96 metres (inclusive of the mechanical penthouse) is acceptable. The proposed building meets and exceeds the stepback requirements of SASP 533, which requires a minimum stepback of 5.5 metres from the east and west property lines with the exception of property lines adjacent to a public road. The proposal includes a west stepback of 12.5 metres to the centre line of the adjacent public lane, and abuts a public street to the east (Henry Street). The proposed height fits with the surrounding context, including the existing 30-storey (100 metre including mechanical penthouse) mixed-use building to the immediate west of the site.

Heritage Conservation

The properties at 191-199 College Street and 74-76 Henry Street are designated under Part IV, Section 29 of the Ontario Heritage Act (By-law 435-2023). A Heritage Impact Assessment was submitted and reviewed by city staff. The principal elevations (north and east) of 191-199 College Street, and the principle elevations (north, east, and west) of 74 and 76 Henry Street will be retained and integrated within the new development. Portions of the return walls, including the full east façade of 191 College Street would also be retained, while rear wings of each building will be removed.

The massing above the College Street building would be stepped back 2.0 metres behind the retained roof ridge line at floors three and four. Starting at the fifth-storey, the tower portion of the building will cantilever above, behind the retained heritage building fabric on College Street. Substantial portions of the heritage buildings at 74-76 Henry Street would be retained in-situ with no massing above them and only their rear portions being removed.

The proposed conservation strategy will conserve the heritage buildings at the site, while adding new construction that provides much needed affordable housing. A Heritage Planning report dealing with the required approvals under the Ontario Heritage Act is now scheduled to be considered concurrently with this report by City Council.

Public Realm

Staff are satisfied that the proposal conforms with the applicable public realm policies of the Official Plan. The width of the public right-of-way along College Street and Henry Street provides opportunities for public realm improvements such as new street trees and landscape features, street furniture and bike rings. The proposal includes a 2.5-metre pedestrian clearway along the College Street frontage. A minimum distance of 5.9 metres between the building face to the curb is proposed, with a 2.1-metre pedestrian clearway along the Henry Street frontage.

Shadow Impacts

The shadow impact resulting from the proposal is acceptable. The proposal adequately limits shadow impacts on shadow-sensitive areas, including local parks, particularly during the spring and fall equinoxes.

The applicant-submitted shadow studies show the extent of the shadow from the proposed building on the spring and fall equinox (March 21 and September 21). The Study demonstrates that no new net shadow is proposed on Sun Protected Parks & Open Spaces.

Wind Impacts

A Pedestrian Level Wind Study reflecting the proposed building indicates that all areas at grade will be suitable for their intended uses throughout the year and no pedestrian areas surrounding the subject site at grade level will experience conditions that could be considered dangerous.

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

Parkland

In accordance with Chapter 415, Article III of the Toronto Municipal Code, the owner 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.

Servicing

Engineering and Construction Services staff have reviewed the submitted materials and have identified several outstanding items for review. Staff are recommending withholding the necessary Bills for enactment pending the revision, review and acceptance of the Functional Servicing and Stormwater Management Report to the satisfaction of the Chief Engineer and Executive Director, Engineering and Construction Services.

Toronto Green Standard

The applicant is required to meet Tier 1 of the TGS. The site specific Zoning By-law, and future site plan agreement, will secure performance measures for various development features, including, but not limited to, the following:

- Tower component is proposed to be constructed with Cross Laminated Timber;
- A total of 494 bicycle parking spaces;
- 2 EV parking spaces; and
- Three street trees on College Street and five street trees on Henry Street.

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.

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SIGNATURE

Oren Tamir
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: Affordable Housing Terms and Conditions

Applicant Submitted Drawings

Attachment 8: Ground Floor Plan
Attachment 9: North Elevation
Attachment 10: East Elevation
Attachment 11: 3D Model in Context - Southeast
Attachment 12: 3D Model in Context - Northwest

Attachment 1: Application Data Sheet

Municipal Address: 191, 193, 195, 197 and 199 College St. and 74 and 76 Henry St. Date Received: May 24, 2022

Application Number: 22 150580 STE 11 OZ

Application Type: OPA & Rezoning

Project Description: A 31-storey mixed-use building, containing 490 new rental dwelling units (including 408 new affordable units) and 1,356 square metres of non-residential gross floor area. The proposal includes heritage conservation on the site. 74 and 76 Henry Street will contain 12 replacement dwelling rooms.

Applicant

BRUCE
HALL

Owner

11268767 CANADA
CORP.

EXISTING PLANNING CONTROLS

Official Plan Designation: Mixed Use Areas Site Specific Provision: SASP 533

Zoning: CR 2.5 (c1.0; r2.5) SS2 (x2359) Heritage Designation: Y

Height Limit (m): 14 Site Plan Control Area: Y

PROJECT INFORMATION

Site Area (sq m): 1,617 Frontage (m): 37 Depth (m): 43

Building Data	Existing	Retained	Proposed	Total
Ground Floor Area (sq m):	775	94	755	848
Residential GFA (sq m):	480	281	21,072	21,353
Non-Residential GFA (sq m):	600		1,356	1,356
Total GFA (sq m):	1,080	281	22,428	22,709
Height - Storeys:	3	3	31	31
Height - Metres:	12	12	90	90

Lot Coverage Ratio (%): 52.47 Floor Space Index: 14.04

Floor Area Breakdown	Above Grade (sq m)	Below Grade (sq m)
Residential GFA:	21,127	226
Retail GFA:	1,356	
Office GFA:		
Industrial GFA:		
Institutional/Other GFA:		

Residential Units by Tenure	Existing	Retained	Proposed	Total
Rental:			502	502
Freehold:	2			
Condominium:				
Other:				
Total Units:	2		502	502

Total Residential Units by Size

	Rooms	Bachelor	1 Bedroom	2 Bedroom	3+ Bedroom
Retained:					
Proposed:	12	408	12	66	4
Total Units:	12	408	12	66	4

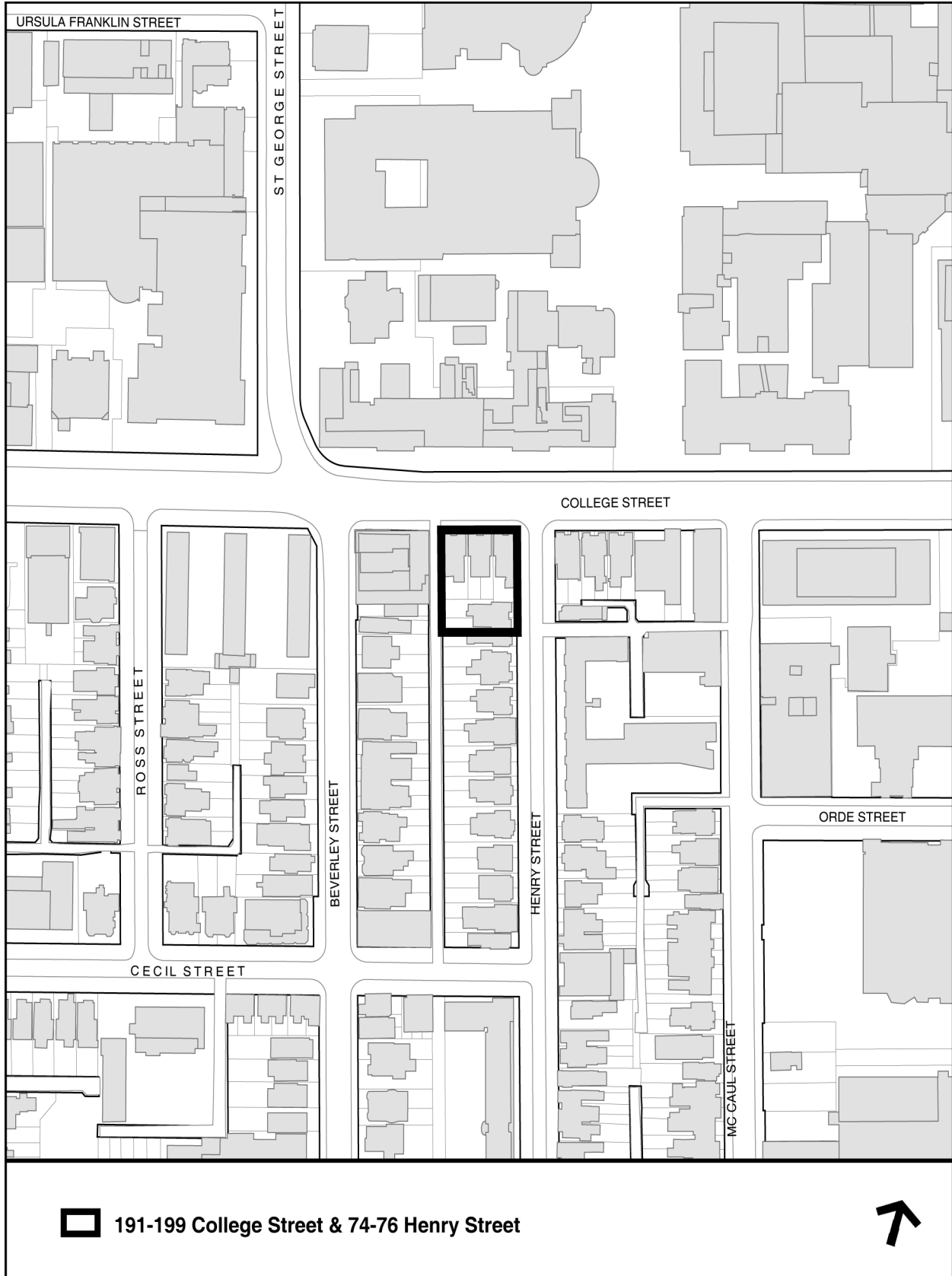
Parking and Loading

Parking Spaces:	6	Bicycle Parking Spaces:	494	Loading Docks:	2
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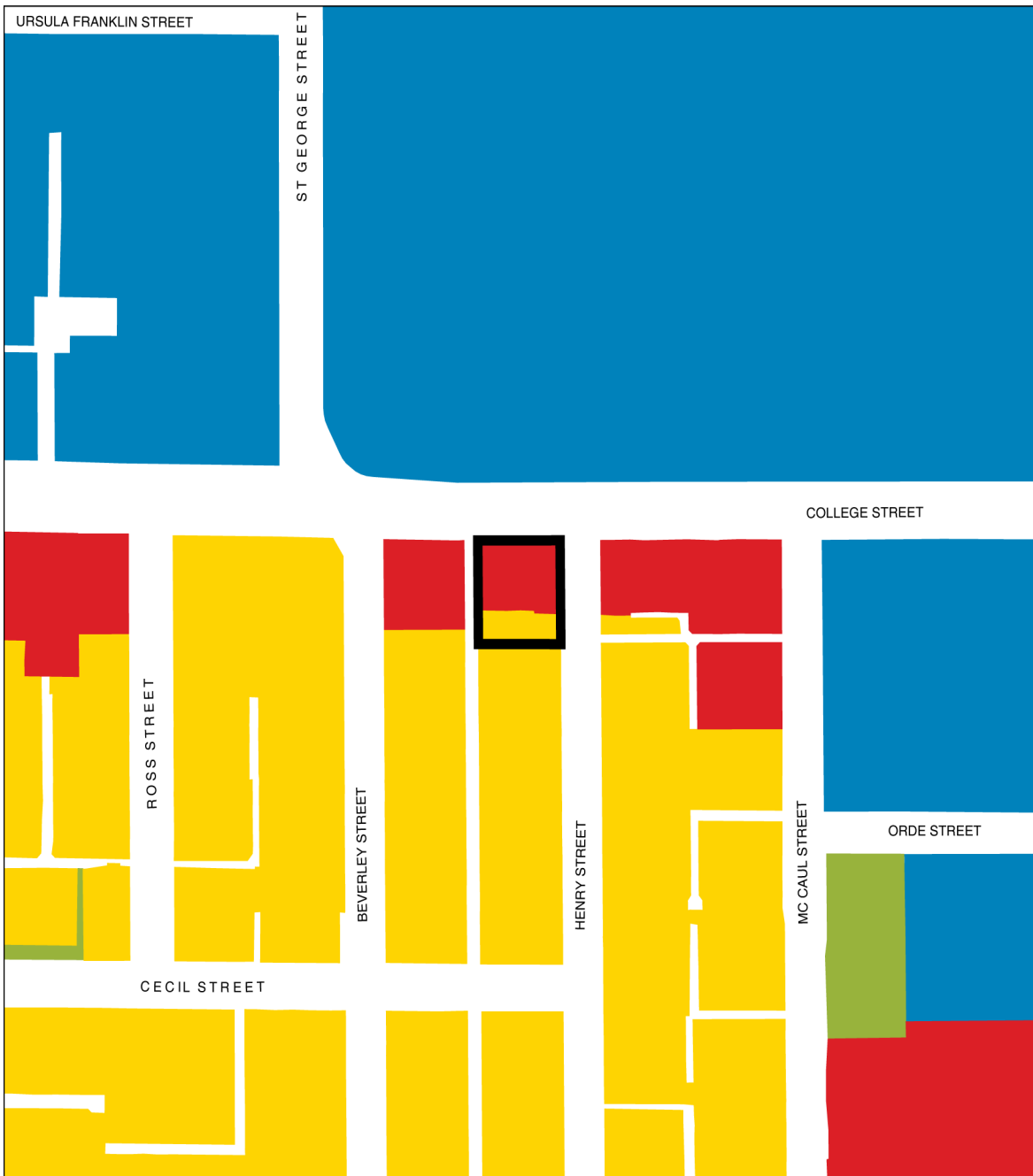
CONTACT:

Patricia Cho, Planner
416-338-6697
Patricia.Cho2@toronto.ca

Attachment 2: Location Map








Attachment 3: Official Plan Land Use Map




Official Plan Land Use Map #18

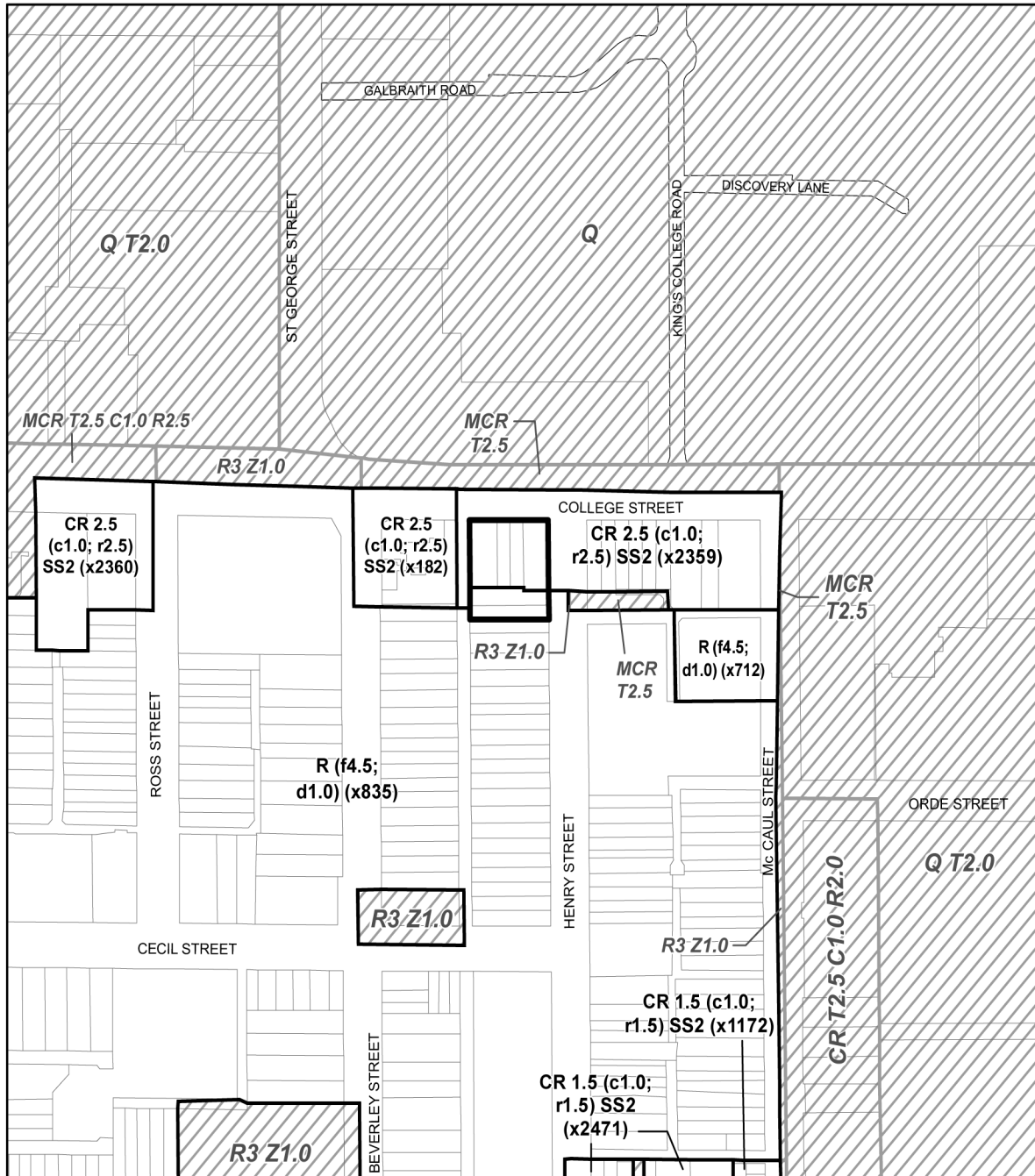
191-199 College St & 74-76 Henry Street

File # 22 150580 STE 11 OZ

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


 Not to Scale
 Extracted: 05/31/2022

Attachment 4: Existing Zoning By-law Map



191-199 College Street & 74-76 Henry Street

Zoning By-law 569-2013

File # 22 150580 STE 11 OZ

Location of Application

R Residential CR Commercial Residential

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

R3 Residential District
 CR Mixed-Use District
 MCR Mixed-Use District
 Q Mixed-Use District



Not to Scale
 Extracted: 03/22/2024

Attachment 5: Draft Official Plan Amendment

City of Toronto
By-law No. XXX-2024

To adopt Amendment No. 731 to the Official Plan for the City of Toronto with respect to the lands municipally known in the year 2023 as 191, 193, 195, 197, and 199 College Street and 74 and 76 Henry 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;

The Council of the City of Toronto hereby enacts as follows:

The attached Amendment No. 731 to the City of Toronto Official Plan is hereby adopted pursuant to the Planning Act, as amended.

Enacted and passed on [Date].

FRANCES NUNZIATA,
Speaker

ULLI S. WATKISS
City Clerk

(Seal of the City)

AMENDMENT NO. 731 TO THE TO THE OFFICIAL PLAN

LANDS MUNICIPALLY KNOWN IN THE YEAR 2023 AS 191, 193, 195, 197, and 199 COLLEGE STREET AND 74 and 76 HENRY STREET

The following text and map constitute Amendment No. 731 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 amended by re-designating the lands known municipally in the year 2023 as 74 and 76 Henry Street from Neighbourhoods to Mixed Use Areas, as shown on the attached Schedule A.

2. Chapter 7, Site and Area Specific Policies, is further amended by amending SASP 533 as follows:

(A) Adding 74 and 76 Henry Street within the area boundary as shown in Schedule B.

(B) Character Areas Map, Character Area F, is amended to identify “Area A”, “Area B”, and “Area C”, as shown in Schedule C.

(C) Section 2.b). i).F. is amended by adding the following:

VIII. On lands municipally known as 191, 193, 195, 197 and 199 College Street, and 74 and 76 Henry Street, the following site-specific policies will apply:

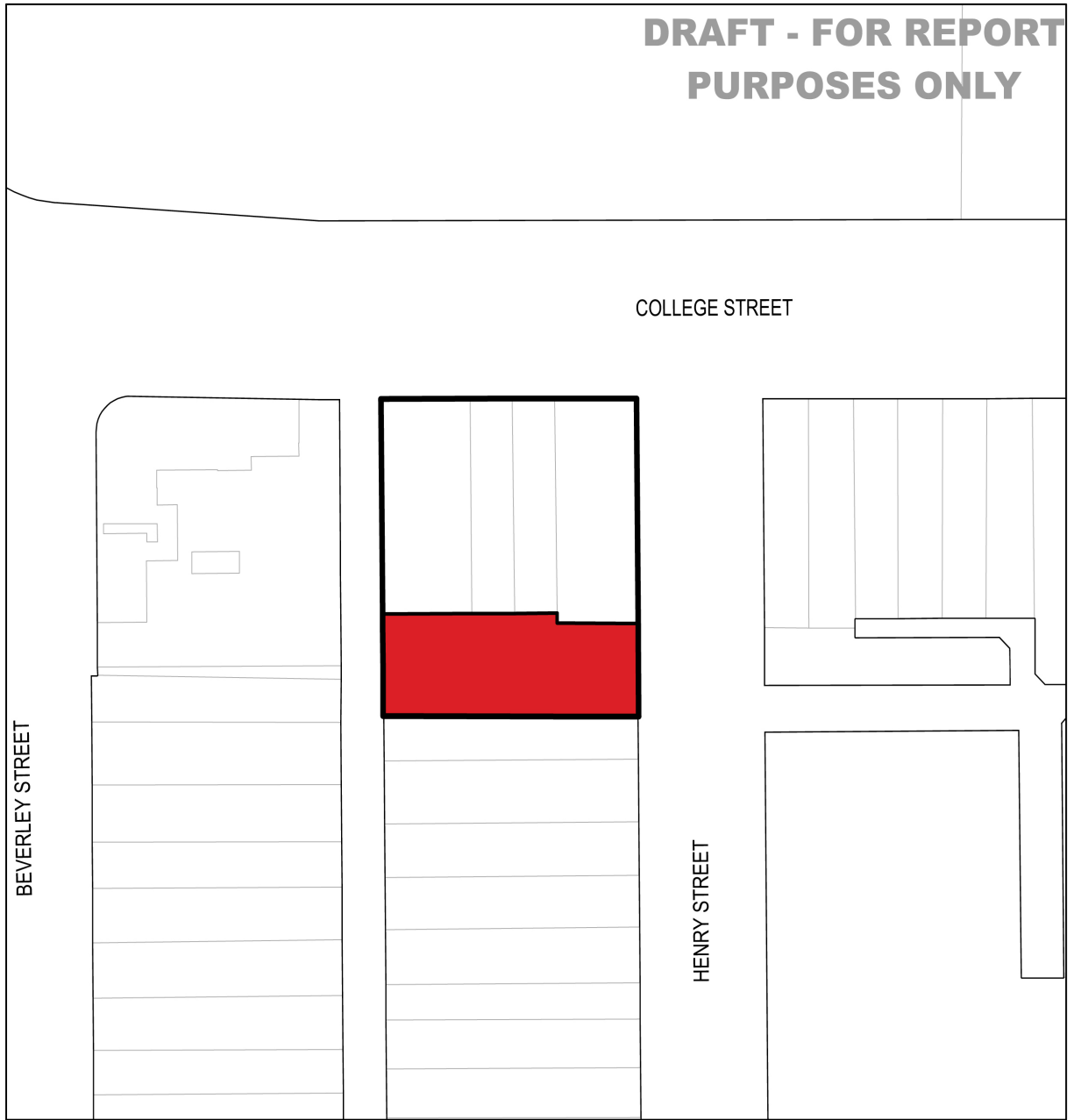
The maximum permitted building height shall be 96 metres (31 storeys) for Area A, 0 metres (0 storeys) for Area B, and 13 metres (3 storeys) for Area C, in accordance with height measurement requirements specified in the implementing Zoning By-law Amendment. The City’s Zoning By-law shall implement additional building height and setback requirements.

A minimum residential gross floor area totaling 10,500 square metres for affordable dwelling units shall be provided for a period of 40 years, as implemented through and in accordance with the Municipal Housing Project Facility Agreement (the “Contribution Agreement”) entered into with the City and subject to the provision of affordable housing incentives by the City;

Existing dwelling rooms in 76 Henry Street will be replaced as new rental dwelling rooms, provided 400 square metres of residential gross floor area is replaced and maintained at the dwelling room rents in effect at the time the development application was submitted for at least 20 years. Eligible tenants reserve the right to return to replacement dwelling rooms at similar rents.

3. Chapter 7, Map 29, Site and Area Specific Policies, is amended by adding the lands known municipally in 2023 at 191, 193, 195, 197, and 199 College Street and 74 and 76 Henry Street, as shown on the map shown as Schedule B.

Schedule A: Land Use Map



**DRAFT - FOR REPORT
PURPOSES ONLY**

COLLEGE STREET

BEVERLEY STREET

HENRY STREET





Official Plan Amendment #731

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

**191, 193, 195, 197 and 199 College Street, and
74 and 76 Henry Street**

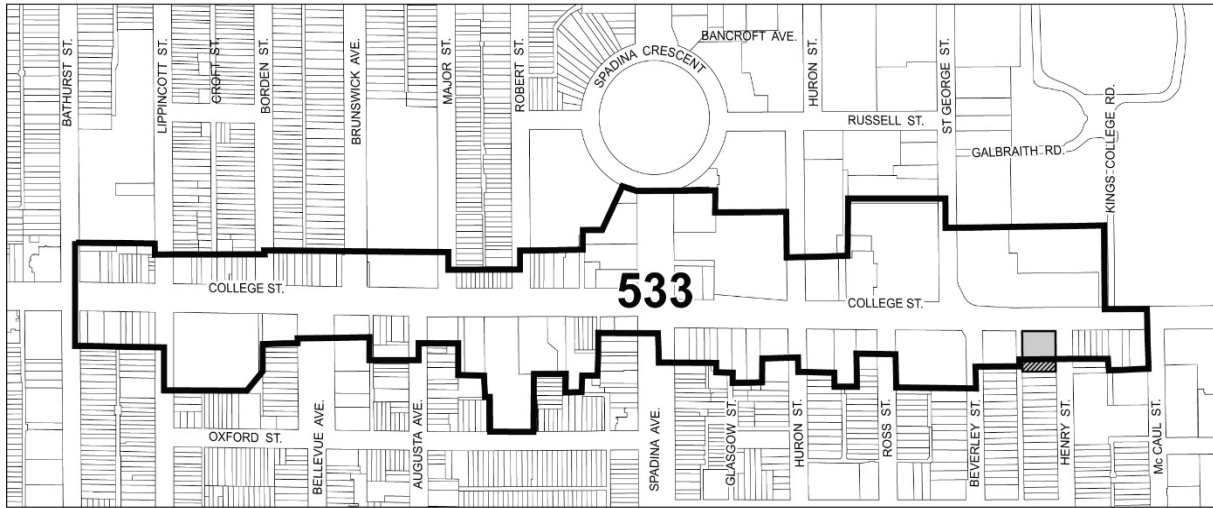
File # 22 150580 STE 11 0Z

-  Subject Site
-  Mixed Use Areas



04/15/2024




Schedule B: SASP 533 Boundary



TORONTO
 College Street Study - SASP Boundary

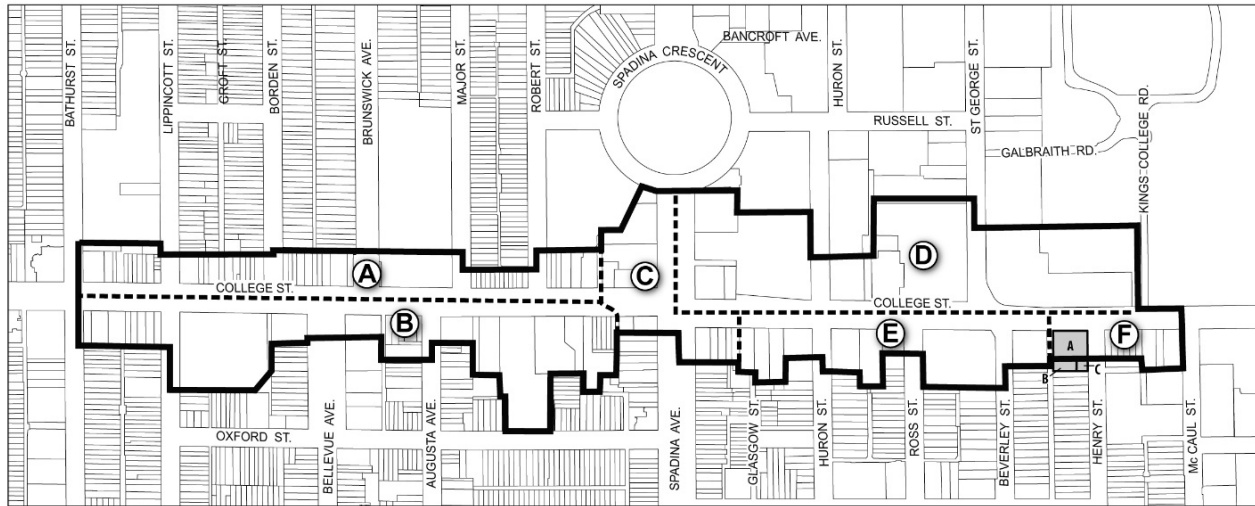
191, 193, 195, 197 and 199 College Street, and
 74 and 76 Henry Street

File # 22 150580 STE 11 0Z

-  Subject Site
-  SASP 533 Boundary
-  Area added to SASP 533 (74 & 76 Henry Street)


 Not to Scale
 04/09/2024




Schedule C: Character Areas



College Street Study - Character Areas

191, 193, 195, 197 and 199 College Street, and
74 and 76 Henry Street

File # 22 150580 STE 11 02

-  Subject Site
-  SASP 533 Boundary
-  SASP 533 Character Areas

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Not to Scale
04/09/2024

Attachment 6: Draft Zoning By-law Amendment

The draft by-law amendment will be made available on or before the May 7, 2024, Toronto and East York Community Council meeting.

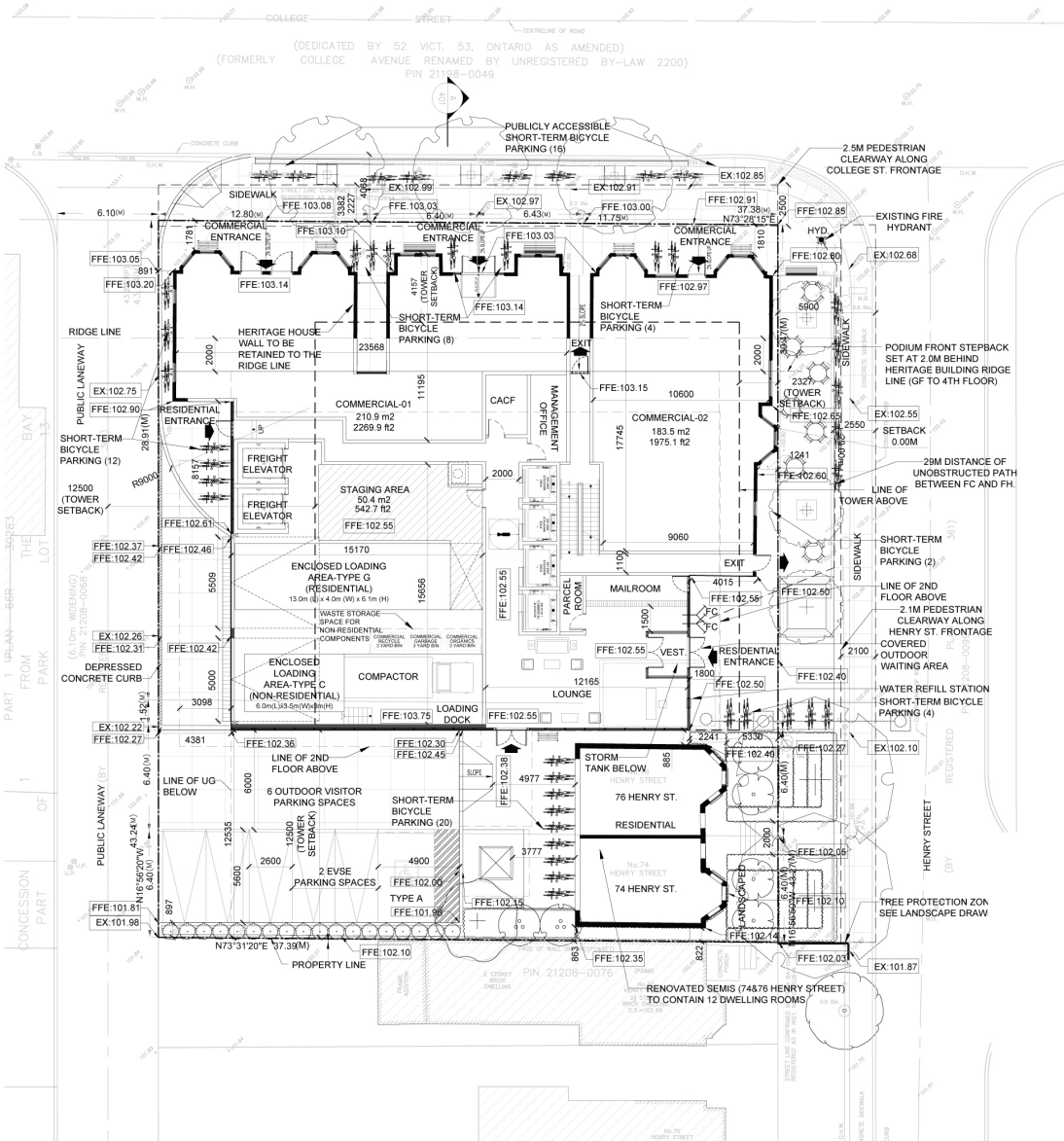
Attachment 7: Affordable Housing Terms and Conditions

- a. The Affordable Rental Housing Units shall be provided in a contiguous group or contiguous with other rental dwelling units in the development;
- b. The general size, location and layout of the Affordable Rental Housing Units shall be indicated in the approved drawings under the Site Plan application for the Site, subject to minor modifications at the detailed design stage, and secured in the Contribution Agreement, to the satisfaction of the Chief Planner and Executive Director, City Planning;
- c. Tenants of the Affordable Rental Housing Units shall be provided with access to, and use of all indoor and outdoor amenities in the development at no extra charge; access to, and use of, these amenities shall be on the same terms and conditions as any other resident of the building without the need to pre-book or pay a fee, unless specifically required as a customary practice for private bookings;
- d. Tenants of the Affordable Rental Housing Units will be provided with access to permanent and visitor bicycle parking / bicycle lockers in accordance with the Zoning By-law on the same basis as other units within the development;
- e. The initial rents charged to the first tenants of any Affordable Rental Housing Units shall not exceed 100 percent of the average market rent for the same unit type in the City of Toronto as reported by Canada Mortgage and Housing Corporation in its most recent annual Rental Market Report, for a minimum of 40 years, beginning with the date each such unit is first occupied (the "Affordability Period");
- f. If an Affordable Housing Unit becomes vacant and is re-rented to a new tenant during the Affordability Period, the initial rent charged to the new tenant shall not exceed 100 percent of the average market rent for the same unit type in the City of Toronto, as reported by the Canada Mortgage and Housing Corporation in its most recent annual Rental Market Report;
- g. At any point during the Affordability Period, the rent charged to any first tenants or new tenants occupying an Affordable Housing Unit shall not be increased to an amount that exceeds 100 percent of the average market rent for the same unit type in the City of Toronto, as reported by Canada Mortgage and Housing Corporation in its most recent annual Rental Market Report;
- h. The Owner shall provide and maintain the Affordable Rental Housing Units as rental dwelling units at the rents identified in Part e above for the duration of the Affordability Period; the Affordable Rental Housing Units shall not be registered as a condominium or any other form of ownership, such as life lease or co-ownership, which provide a right to exclusive possession of a dwelling unit, and no application for conversion for non-rental housing purposes, or application to demolish any Affordable Rental Housing Units shall be made for the duration of the Affordability Period; upon the expiration of the Affordability Period, the owner shall continue to provide and maintain the Affordable Rental Housing Units as rental dwelling units, unless and until such time as the owner has applied for and obtained approvals necessary to do otherwise;

i. The Owner will use the City's Centralized Affordable Rental Housing Access System to advertise and select tenants for the Affordable Rental Housing Units, and/or implement an alternative or additional selection process as agreed to by the Executive Director, Housing Secretariat; and at least 6 months in advance of any Affordable Rental Housing Unit being made available for rent, the owner shall develop and implement an Access Plan which will outline how the Affordable Rental Housing Units will be rented to eligible households in consultation with, and to the satisfaction of, the Executive Director, Housing Secretariat; and

j. The Owner shall register on title to the Site, a Section 118 Restriction under the Land Titles Act, to the satisfaction of the City Solicitor, agreeing not to transfer or charge those parts of the lands, comprising the minimum residential gross floor area of 10,500 square metres towards affordable rental units, without the written consent of the Chief Planner and Executive Director, City Planning or designate, to assist with securing the Affordable Rental Housing Units, until such time as the City Solicitor determines that its registration on title is no longer required to secure the Affordable Rental Housing Units.

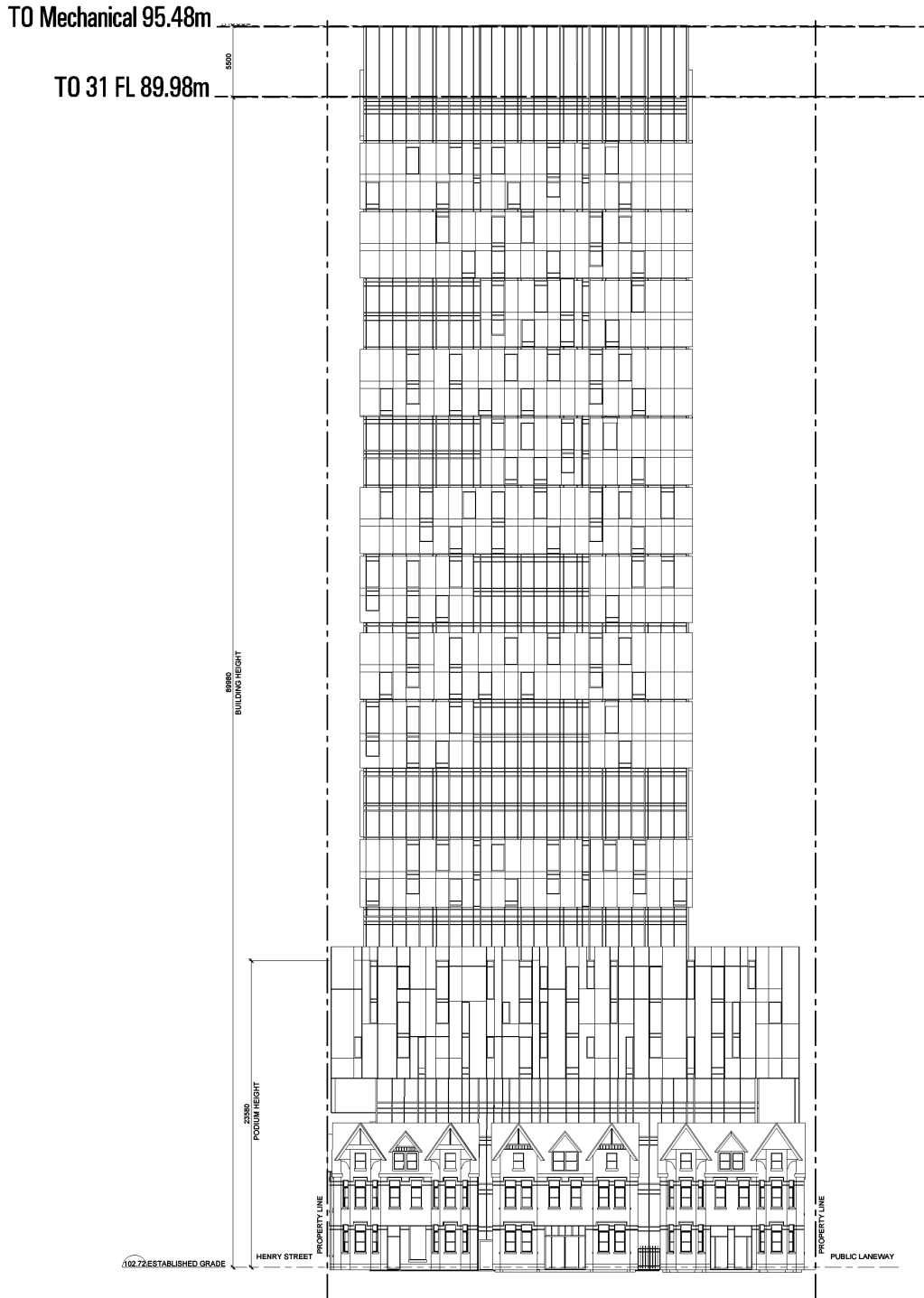
Attachment 8: Ground Floor Plan



Ground Floor Plan

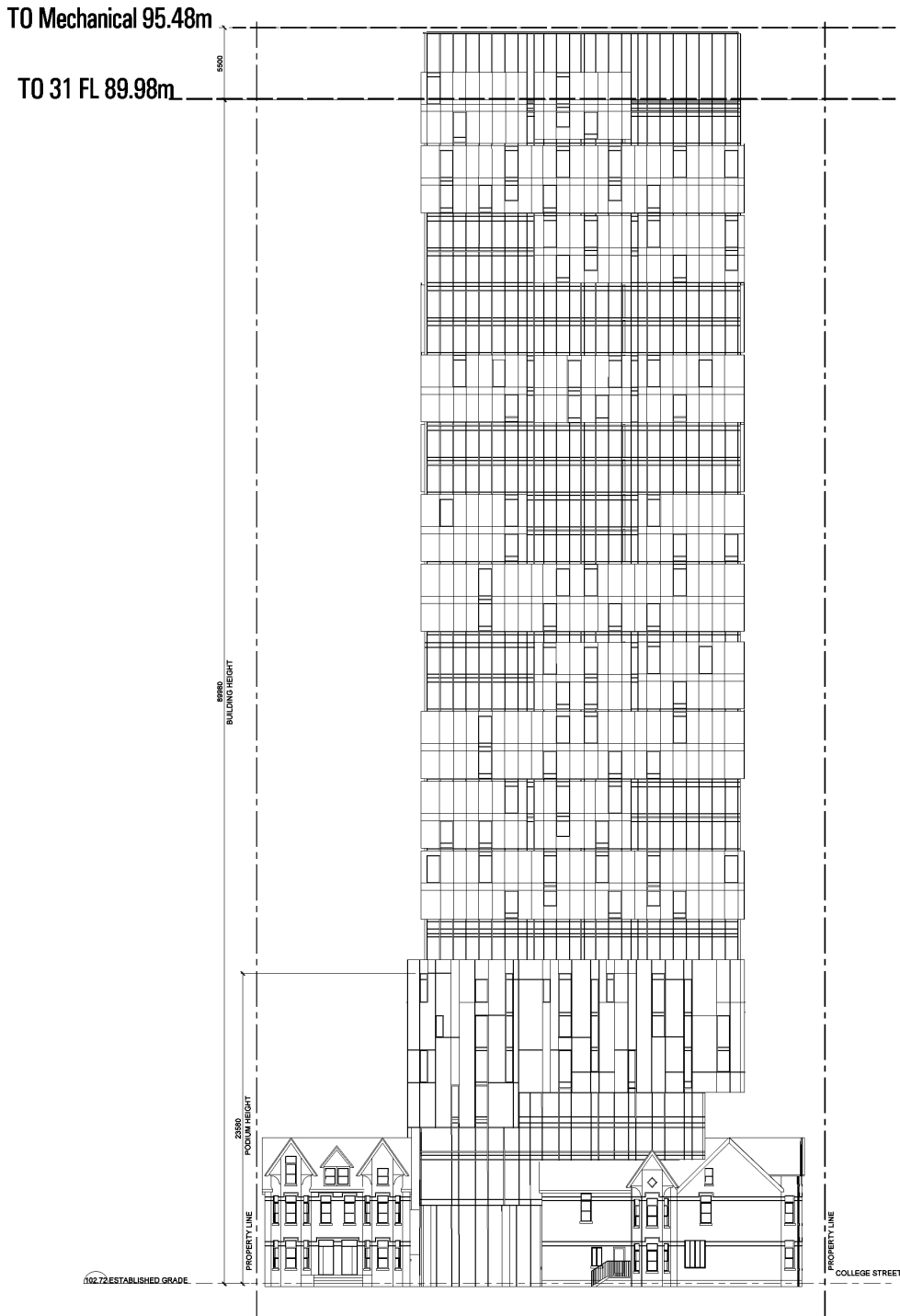


Attachment 9: North Elevation



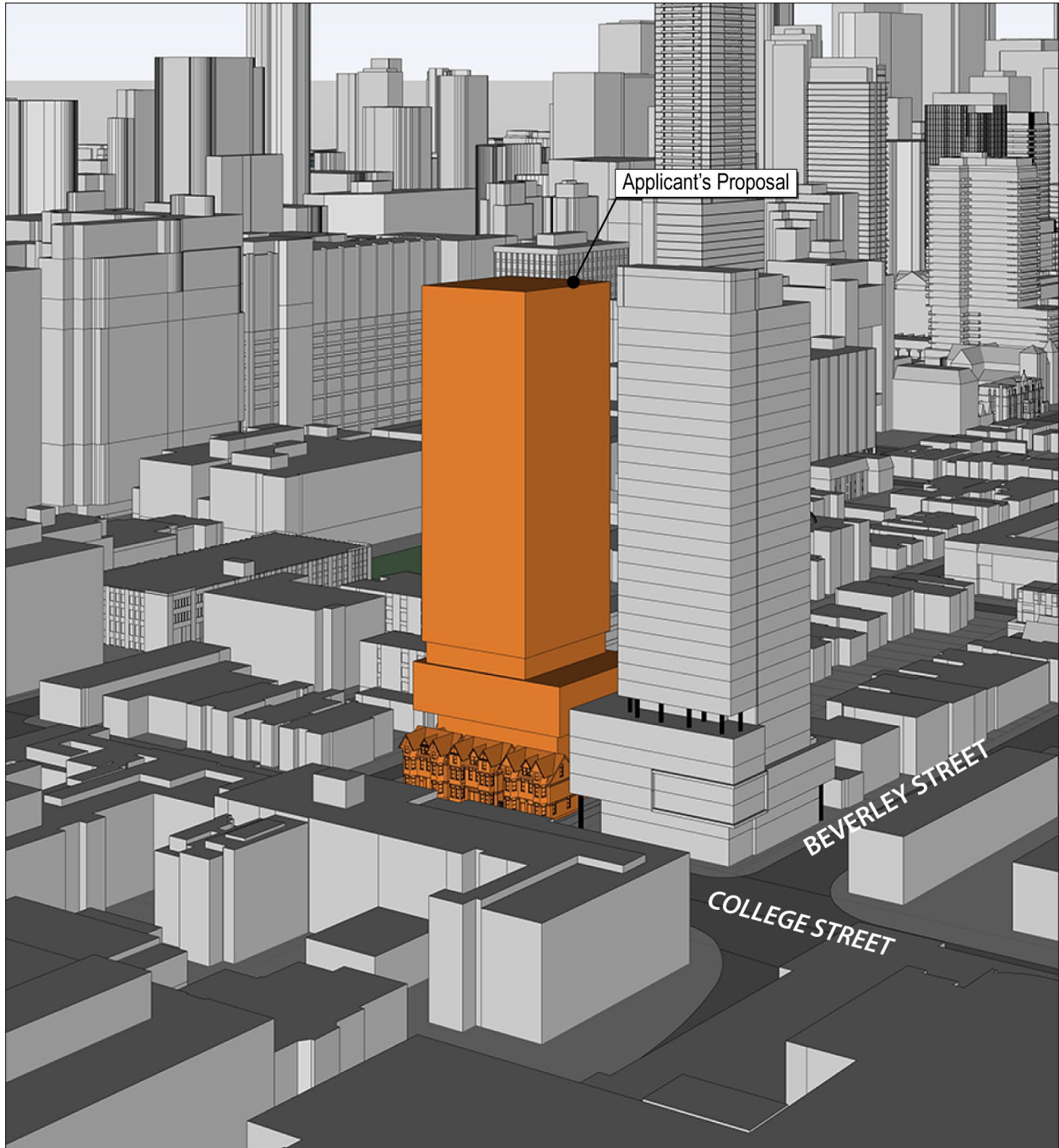
North Elevation

Attachment 10: East Elevation



East Elevation

Attachment 11: 3D Model in Context - Looking Southeast

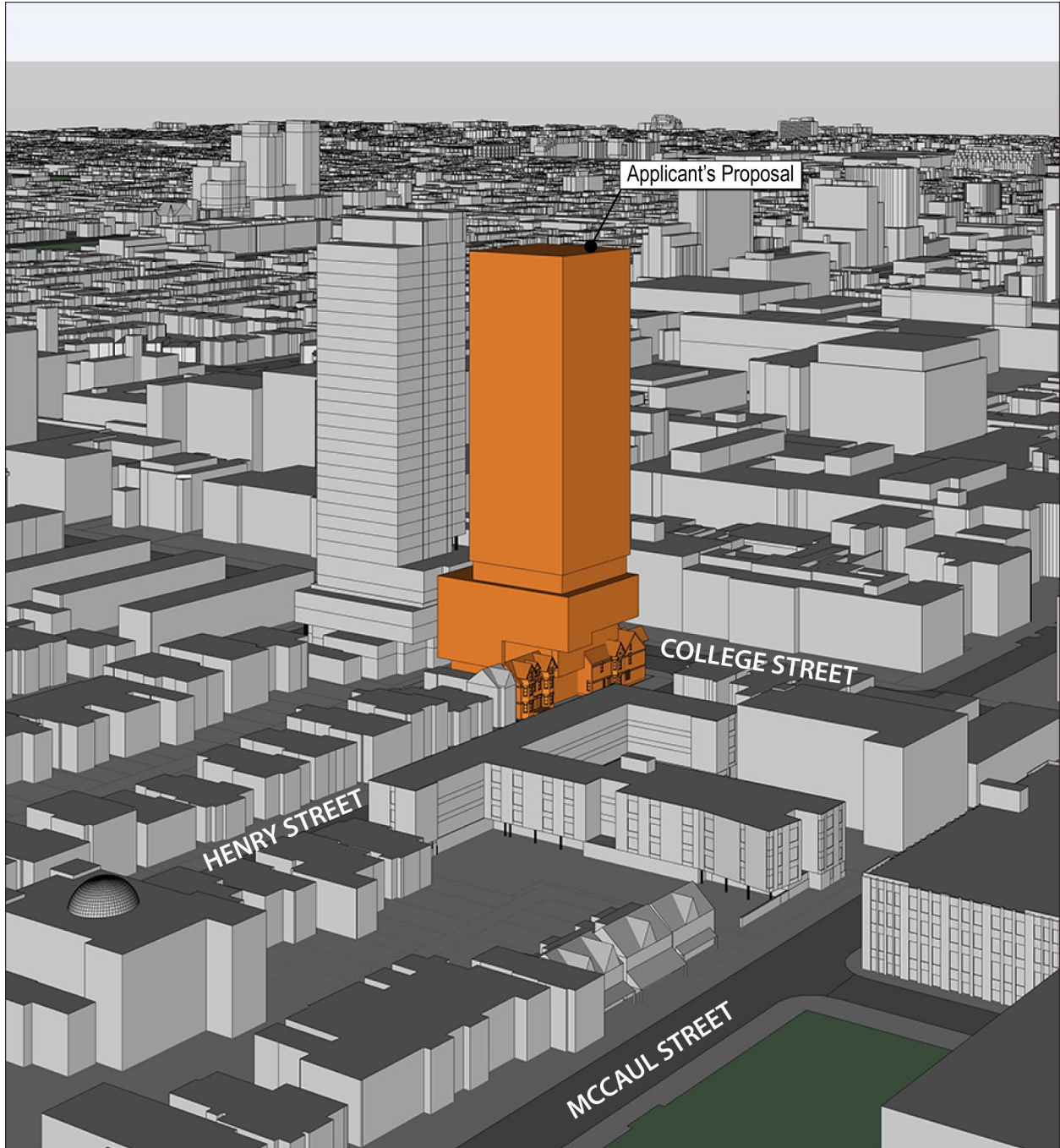


View of Applicant's Proposal Looking Southeast



03/27/2024

Attachment 12: 3D Model in Context - Looking Northwest



View of Applicant's Proposal Looking Northwest



03/27/2024