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REPORT FOR ACTION

29-39 Pleasant Boulevard – Zoning Amendment Application – Decision Report – Approval

Date: June 21, 2024 To: Toronto and East York Community Council From: Director, Community Planning, Toronto and East York District Ward: 12 - Toronto-St. Paul's

Planning Application Number: 24 119348 STE 12 OZ

SUMMARY

This report reviews and recommends approval of the application to amend the Zoning By-law to permit a 162.3-metre (50-storeys excluding mechanical penthouse) residential building.

The site was the subject of a previous City Council approval on November 9, 2021, for a Zoning By-law Amendment application to permit a 112-metre (35-storey, excluding mechanical penthouse) residential building. The current proposal maintains the same base building form, tower setbacks, public realm and open space as the previous approval, and proposes an additional 50.3 metres (15 storeys) in tower height.

The proposal retains a number of elements secured through the previous approval including a public park and a Privately Owned Publicly-Accessible Space (POPS). The existing Section 37 Agreement will be amended to secure a \$1,500,000.00 cash contribution as an additional community benefit.

RECOMMENDATIONS

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

1. City Council amended Zoning By-law 569-2013, for the lands at 29-39 Pleasant Boulevard substantially in accordance with the draft Zoning By-law Amendment included as Attachment No. 5 to this report.

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

3. Before introducing the necessary Bills to City Council for enactment, City Council require the owner of the lands at 29-39 Pleasant Boulevard to enter into, and register on title, an Amending Section 37 Agreement which would amend the March 8, 2022 Section 37 Agreement registered on title for 29, 31, 33, and 39 Pleasant Boulevard as

Instrument AT6011030 to the satisfaction of the City Solicitor and the Chief Planner and Executive Director, City Planning. The additional community benefits to be provided by and at the owner's expense, and secured through the Zoning By-law Amendment and the required Amending Section 37 Agreement, are as follows:

a. An additional indexed cash contribution of \$1,500,000 to be secured in the Amending Section 37 Agreement. The total amount is indexed upwardly in accordance with the Statistics Canada Non-Residential Construction Price Index for Toronto, calculated from the date the amending Section 37 Agreement is registered to the date of payment and is detailed as follows:

i. Prior to the issuance of the first above-grade building permit the owner shall provide an indexed cash contribution to the City in the amount of \$1,500,000 to be allocated to new or existing affordable housing, new or existing cultural and/or community space, local area park and streetscape improvements, and/or ravine improvements in the vicinity of the application site; and

ii. In the event that the cash contribution referred to in Recommendation 3(a) above has not been used for the intended purpose within 3 years of this By-law coming into force and effect, the cash contribution may be redirected for another purpose, at the discretion of the Chief Planner and Executive Director, City Planning, in consultation with the local Councillor, provided that the purposes are identified in the Toronto Official Plan and will benefit the community in the vicinity of the lands.

b. All the community benefits and matters of convenience previously approved by City Council, and secured in the Section 37 Agreement registered on title on 29, 31, 33, and 39 Pleasant Boulevard as Instrument AT6011030, including a financial contribution in the amount of \$3,643,000.00 payable to the City prior to the issuance of the first above-grade building permit, which is indexed, and to be directed to capital improvements for new or existing cultural and/or community space within the vicinity of the application site, affordable housing, local area park improvements, and/or streetscape improvements, remain unchanged and the owner's obligations.

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

a. Prepare and submit a revised Functional Servicing and Stormwater Management Report and Functional Servicing Report Groundwater Summary Form to Chief Engineer and Executive Director, Engineering and Construction Services, for review and acceptance;

b. Prepare and submit a revised Hydrogeological Summary Form and a Hydrogeological Report to the Chief Engineer and Executive Director, Engineering and Construction Services, for review and acceptance; and c. Enter into a Municipal Infrastructure Agreement to financially secure the construction of any improvements to the municipal infrastructure in connection with the Functional Servicing Report as accepted by the Chief Engineer and Executive Director, Engineering and Construction Services, should it be determined that improvements to such infrastructure are required.

5. City Council approve that, in accordance with Section 42 of the Planning Act, prior to the first above-grade building permit, the owner shall convey to the City, an on-site parkland dedication, having a minimum size of 149 square metres on the west side of the development site, fronting onto Pleasant Boulevard to the satisfaction of the General Manager, Parks, Forestry and Recreation and the City Solicitor. The remaining Section 42 parkland dedication requirement not fulfilled through the required on-site parkland conveyance shall be satisfied through a cash-in-lieu of parkland payment, to the satisfaction of the General Manager, Parks, Forestry and Recreation at the time of issuance of the first above-grade building permit and provided to the City.

6. City Council approve the acceptance of on-site parkland dedication, subject to the Owner transferring the parkland to the City free and clear, above and below grade, of all easements, encumbrances, and encroachments, in an acceptable environmental condition; the owner may propose the exception of encumbrances of tiebacks, where such an encumbrance is deemed acceptable by the General Manager, Parks, Forestry and Recreation, in consultation with the City Solicitor; and such an encumbrance will be subject to the payment of compensation to the City, in an amount as determined by the General Manager, Parks, Forestry and Recreation and the Executive Director, Corporate Real Estate Management.

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

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

City Council previously approved an application to amend the Zoning By-law for the site on November 9, 2021. The purpose of the application was to permit a 102.5-metre (32storeys, excluding mechanical penthouse) residential building, including a 23-metre (6storey) base building. City Council approved the application with revisions to reduce the height of the base building and increase the height of the tower. The approved sitespecific Zoning By-law 166-2022 permits a 112-metre (35 storeys, excluding mechanical penthouse), residential building, including an 11-metre (2-storey) base building. The staff report for the previous application can be found at: Item - 2021.TE28.4 29-39 Pleasant Boulevard – Zoning Amendment Application – Final Report (toronto.ca)

The Section 37 provisions secured through site-specific Zoning By-Law 166-2022 included the following:

- An indexed financial contribution of \$3,643,000.00 for affordable housing, cultural and/or community space, and/or local area park or streetscape improvements;
- On-site parkland dedication of 149 square metres, free of encumbrances;
- Provision of a privately-owned publicly accessible open space (POPS) of no less than 140 square metres, as well as a 1.7-metre wide publicly accessible pedestrian walkway on the east side of the site; and
- Payment for and construction of identified improvements to municipal infrastructure.

THE SITE

Description

The site is located on the south side of Pleasant Boulevard, east of Yonge Street and south of St. Clair Avenue East. The site is rectangular in shape with a total lot area of 1,490 square metres and a 44-metre frontage along Pleasant Boulevard.

Existing Use

A portion of the site is currently vacant (29 and 31 Pleasant Boulevard), the remainder of the site is occupied by a 2-storey mixed-use building (33 Pleasant Boulevard), and a 4-storey commercial building (39 Pleasant Boulevard).

An L-shaped public lane runs along the west (side) and south (rear) lot lines and currently services only the properties that make up the subject site. The north-south portion of the lane to the west of the site has a width of 3.66 metres and the east-west portion of the lane to the south of the site has a width ranging from 3.64 to 4.25 metres.

Description

A 162.3-metre (50 storeys, excluding mechanical penthouse), residential building.

The application retains the same base building form, tower setbacks, public realm and open space to the previous approval and proposes an additional 50.3 metres (15 storeys) in height. Access, parking and loading, servicing, parkland, POPS, and pedestrian walkway remain generally consistent with the previous approval with minor changes.

A table comparing the previous approval and the subject application is below:

	Previous Approval	Current Proposal	
Building Height	112 m (35-storeys excluding mechanical penthouse)	162.3 m (50-storeys excluding mechanical penthouse)	
Base Building	2 - 6 storeys	2 - 6 storeys	
Gross Floor Area	20, 150 sq m	27,925.80 sq m	
Floor Space Index	13.52	18.74	
Total Open Space	289 sq m	291 sq m	
Park	149 sq m (10% of the site)	151 sq m (10.1% of the site)	
POPS	140 sq m (9.4% of the site)	140 sq m (9.4% of the site)	
Total Dwelling Units	281	409	
Studio Units	0	12% (49)	
One-Bedroom Units	63.3% (178)	53% (217)	
Two-Bedroom Units	25.2% (71)	25% (103)	
Three-Bedroom Units	12.8% (32)	10% (40)	
Total Amenity Space	3.38 sq m per unit (951 sq m)	3.5 sq m per unit (1431 sq m)	
Indoor Amenity	2.0 sq m per unit (562 sq m)	2.0 sq m per unit (818 sq m)	

 Table 1: Comparison between previous approval and the current proposal

	Previous Approval	Current Proposal
Outdoor Amenity	1.38 sq m per unit (389 sq m)	1.5 sq m per unit (613.5 sq m)
Total Vehicular Parking Spaces	71	46
Resident Parking Spaces	62	39
Visitor Parking Spaces	8 and 1 car share space	6 and 1 car share space
Total Bicycle Parking Spaces	338	451
Long-term Bicycle Parking Spaces	304	369
Short-term Bicycle Parking Spaces	34	82

Additional Information

See Attachments No. 1, 2, 3, 7 and 8 of this report for: the Location Map; Application Data Sheet; Site Plan; elevations; and three-dimensional representation of the proposal. Detailed project information including all plans and reports submitted as part of the application can be found on the City's Application Information Centre.

Reasons for Application

The Zoning By-law Amendment application proposes to amend site-specific exception R 944 to permit additional height and density and include additional community benefits.

POLICY & 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 (PPS) and shall conform to provincial plans.

Official Plan Designation

Apartment Neighbourhoods. See Attachment 4 of this report for the Official Plan Land Use Map.

Secondary Plan

The site is within the Yonge-St. Clair Secondary Plan. The site is outside the Mixed Use Areas.

Zoning

The site is zoned R (d2.0) (x944) under Zoning By-law 569-2013. See Attachment 5 and 6 of this report for the existing zoning diagram and Zoning By-law Map.

Design Guidelines

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

- Tall Building Design Guidelines
- Growing Up Guidelines for Children in Vertical Communities
- Pet Friendly Design Guidelines for High Density Communities

Toronto Green Standard

The TGS is a set of performance measures for green development. Applications for Zoning By-law Amendments, Draft Plans of Subdivision and Site Plan Control are required to meet and demonstrate compliance with Tier 1 of the Toronto Green Standard.

COMMUNITY CONSULTATION

A Virtual Community Consultation Meeting was hosted by City staff on February 20, 2024. Approximately 32 people participated, and a representative from the office of the Ward Councillor attended. Following a presentation by City staff and the Applicant, the following comments were raised by the community:

- Support for additional height and density in proximity to transit;
- The size, design and programming of the outdoor amenity space;
- The size and type of dwelling units, provision of affordable housing and the tenure of the building;
- The appropriateness of an increase in height from the previous approval;
- The impact and mitigation of shadows and wind;
- Traffic flow and service access, including loading spaces and pick up / drop off areas;
- Status of previous and related applications;
- The design of the building and how it relates to neighbouring buildings; and
- The cumulative impact of tall buildings.

The issues raised through 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 an opportunity to consider 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 Policy Statement and Provincial Plans

Staff's review of this application has had regard for the relevant matters of provincial interest set out in the Planning Act. Staff have reviewed the current proposal for consistency with the PPS, and conformity with A Place to Grow: Growth Plan for the Greater Golden Horseshoe (Growth Plan). The proposal is consistent with the PPS and conforms with the Growth Plan.

Built Form

City Planning staff finds that the proposal for an additional 50.3 metres (15-storeys) in height conforms with the applicable Official Plan policies with respect to built form and massing. Furthermore, the proposed building meets the intent of the Tall Building Design Guidelines, Yonge-St. Clair Secondary Plan and Yonge-St. Clair Planning Framework. The base building and the floorplate and setbacks of the tower component remain consistent with the previous approval.

Height

The Official Plan identifies Apartment Neighbourhoods as residential areas with taller buildings and higher density than Neighbourhoods. New buildings in Apartment Neighbourhoods are to provide a transition between areas of different development intensity and scale through means such as providing setbacks from, and/or a stepping down of heights towards, lower-scale areas. The Yonge-St. Clair Secondary Plan directs that the Mixed Use Area around the Yonge-St. Clair intersection will be a node of higher density and scale.

The site is approximately 50 metres from the eastern boundary of the Yonge-St. Clair Planning Framework area. The Yonge-St. Clair Planning Framework requires appropriate transition of tall building heights from a 'Height Peak' around the Yonge-St. Clair intersection downward to lower-scaled areas. The Framework outlines an Urban Structure centred around higher order transit that allows for growth, while seeing sensitive transition between areas of differing intensities, scales and heights. The Framework states that tall buildings will be located on sites that are large enough to accommodate considerable expanded and improved public realm.

The site is within the Apartment Neighbourhood to the southeast of the 'Height Peak' and is directly across from the south entrance to the St Clair subway station, within a

Council adopted Protected Major Transit Station Area (PMTSA). The surrounding existing and planned context includes multiple tall buildings in the Apartment Neighbourhood and along Yonge Street and St Clair Avenue.

Recent approvals located near the site include a 155-metre (50 storeys) building at 1406-1428 Yonge Street and a 159.9-metre (50 storeys) building at 1365 Yonge Street. The location of tall buildings has expanded beyond the 'Height Peak' to include lands in proximity to higher order transit.

While the site is outside the Yonge-St. Clair Planning Framework, the current proposal continues to achieve the public realm and street character objectives of the Planning Framework secured in the original approval, including: wide pedestrian clearway on Pleasant Boulevard, a new park and POPS on the west side and rear of the property, and a publicly-accessible pedestrian walkway along the east property line, connecting to the park at the rear.

Given the existing and planned context, and the site's location directly across from the St Clair subway station, a tower height of 162.3 metres (50 storeys) and a base building height range of 12.5 to 27 metres (2-6 storeys) is acceptable and appropriate. The potential impacts of a tall building have been mitigated through the base building design and appropriate tower setbacks and separation distances to adjacent sites.

Public Realm

The proposal continues to provide the following elements which contribute to an improved public realm:

- A 2.1-metre pedestrian clearway along the Pleasant Boulevard frontage;
- A new 151 square metre public park located along the south and west property lines;
- A new POPS, approximately 140 square metres, and located on the west side of the site; and
- A 1.7 metre wide pedestrian walkway, located along the east property line, providing access from Pleasant Boulevard to the park.

City staff are satisfied that the proposal continues to conform with the applicable public realm policies of the Official Plan and Yonge-St. Clair Secondary Plan.

Shadow Impact

City Planning staff find the shadows that would be generated by the current proposal are acceptable. The proposal adequately limits shadow impacts on shadow sensitive areas, such as nearby Neighbourhoods and parks, particularly during the spring and fall equinoxes.

The applicant-submitted shadow studies show the extent of the shadow resulting from the additional height proposed on the spring and fall equinox (March 21 and September

21) and the summer solstice (June 21). The shadow impact on David A. Balfour Park and future Delisle Park is adequately limited during the spring and fall equinox, with no impact during the summer solstice.

Wind Impact

The Pedestrian Level Wind Study concludes that most ground-level areas within and surrounding the development site, including sidewalks, walkways and main entrances, as well as the outdoor amenity areas, would experience wind conditions acceptable for the intended uses on a seasonal basis.

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

Unit Mix

Planning staff are satisfied with the proposed unit mix. The proposed development will meet or exceed the requirements in the Growing Up Guidelines and will be secured in the revised site-specific zoning by-law. The residential units will consist of a minimum of 15% two-bedroom, and 10% three-bedroom units.

Amenity Space

Amenity space for building residents is proposed on the second and third floors of the proposed development. The provision of 3.5 square metres of amenity space per unit is acceptable given the characteristics and constraints of this site and provision of the park and POPS. The overall provision of amenity space has increased from the previous approval.

Parkland

The application retains the previously secured on-site park in a location and configuration that is acceptable to Parks, Forestry and Recreation. Parkland dedication requirements related to the increased density above what was previously secured will be required as cash-in-lieu.

Traffic Impact, Access, Parking

A Transportation Impact Study was submitted to assess the traffic impact, access, parking and loading arrangements for this development. Vehicular access for loading and parking will be from Pleasant Boulevard. A total of 46 parking spaces are proposed for residents, 6 parking spaces are proposed for visitors, and 1 space proposed for carshare.

Transportation Services staff have reviewed the Transportation Impact Study and accepted its conclusions.

Servicing

Engineering and Construction Services staff have reviewed the submitted materials and have identified several outstanding items for review before introducing the necessary Bills to City Council for enactment. The owner will be required to enter into a Municipal Infrastructure Agreement to financially secure the construction of any improvements to the municipal infrastructure in connection with the accepted Functional Servicing Report by the Chief Engineer and Executive Director, Engineering and Construction Services, should it be determined that improvements to such infrastructure are required.

Tree Preservation

The application is subject to the provisions of the City of Toronto Municipal Code, Chapter 813 Articles II (Street Trees by-law) and III (Private Tree by-law). The application proposes to remove 5 trees, all of which are protected under the provisions of the Private Tree By-law and require compensation. The proposal indicates that 4 street trees will be planted in an appropriate growing environment.

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. The applicant is encouraged to achieve Tier 2 or higher to advance the objectives of the City for resilience and to achieve net-zero emissions by 2040 or sooner.

Section 37 Agreement

An amendment to the existing Section 37 Agreement, dated March 8, 2022, and registered on title for the property, is required. The Amending Section 37 Agreement will include the previously secured financial contribution of \$3,643,000, on-site parkland, POPS and walkway, and an additional cash contribution of \$1,500,000.00. The additional cash contribution will be directed to new or existing affordable housing, new or existing cultural and/or community space, local area park or streetscape improvements, and/or ravine improvements in the vicinity of the site.

CONTACT

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SIGNATURE

Oren Tamir Director, Community Planning Toronto and East York District

ATTACHMENTS

Attachment 1: Location Map Attachment 2: Application Data Sheet Attachment 3: Official Plan Land Use Map Attachment 4: Existing Zoning By-law Map Attachment 5: Draft Zoning By-law Amendment Attachment 6: Site Plan Attachment 7: Elevations Attachment 8: 3D Model of Proposal in Context

Attachment 1: Location Map



Attachment 2: Application Data Sheet

Municipal Address:	29-39 Pleasant Boulevard	Date Rece	ived: Febru	ıary 27, 2024		
Application Number:	24 119348 STE 12 O	Z				
Application Type:	Zoning By-law Amen	Zoning By-law Amendment				
Project Description:	A 50-storey (162.3 metres excluding mechanical penthouse) residential building containing 409 units.					
Applicant	Agent Architect Owner					
Bousfields Inc.	Courtney Heron- Monk	Turner Fleischer Architects I	Nigel Te nc.	erpstra		
EXISTING PLANNING	CONTROLS					
Official Plan Designatio	on: Apartment Neighbourhoods R (d2.0) (x944)					
Zoning:	By-law 166-2022	Heritage De	signation: N	1		
Height Limit (m):	112	Site Plan Co	ontrol Area: Y	/		
PROJECT INFORMATION						
Site Area (sq m): 1,490.4 Frontage (m): 46.32 Depth (m): 33.93						
Building Data Ground Floor Area (sq Residential GFA (sq m	,	Retained	Proposed 967 27,926	Total 967 27,926		
Non-Residential GFA (sq m):					
Total GFA (sq m):	A	0	27,926	27,926		
Height - Storeys: Height - Metres:	4	0	50 162.3	50 162.3		
Lot Coverage Ratio	64	Floor Spor				
(%):	64	Floor Spac	e Index: 18.7	4		
Floor Area Breakdown Residential GFA: Retail GFA: Office GFA:	Above Grade (sq ı 27,926	m) Below 0 4,211.2	Grade (sq m)			

Industrial GFA:

Institutional/Other GFA:

Residential Un by Tenure	its	Existing	Retained	Proposed	Total	
Rental:						
Freehold:						
Condominium: Other:				409	409	
Total Units:				409	409	
Total Residential Units by Size						
	Rooms	Bachelor	1 Bedroom	2 Bedroom	3+ Bedroom	
Retained:						
Proposed:		49	217	103	40	
Total Units:		49	217	103	40	
Parking and Loading						
Parking Spaces:	45	Bicycle Parl	Bicycle Parking Spaces: 451 Loading: 1 Type G 1 Type C			
CONTACT:						
Dylan Dewsbury, Senior Planner 416-392-6072						

Dylan.Dewsbury@toronto.ca



Attachment 3: Official Plan Land Use Map

 Neighbourhoods
 Natural Areas

 Apartment Neighbourhoods
 Parks

 Mixed Use Areas
 Other Open Space Areas

Attachment 4: Existing Zoning By-law Map





Location of Application Residential

Commercial Residential Open Space Natural

OR **Open Space Recreation**

OC. Ópen Śpace Cemetery

File # 24 119348 STE 12 OZ

See Former City of Toronto By-law No. 438-86 R1 **Residential District** R2 **Residential District** CR **Mixed-Use District** MCR Mixed-Use District



Attachment 5: Draft Official Plan Amendment

Draft Zoning By-law Amendment will be available on or before July 10, 2024.



Attachment 7: Elevations





Attachment 8: 3D Model of Proposal in Context

