

191-201 Sherbourne Street – Official Plan and Zoning By-law 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: 13 - Toronto Centre

Planning Application Number: 20 224753 STE 13 OZ

SUMMARY

This report reviews and recommends approval of the application to amend the Official Plan and Zoning By-law to permit two 43-storey (138.90 and 140.52 metres, including mechanical penthouse) residential infill buildings at 191-201 Sherbourne Street. The two new buildings will contain 831 dwelling units and a minimum of 500 square metres of ground floor non-residential space. The proposal includes a new 1,208-square-metre public park along the Seaton Street frontage.

The existing rental buildings at 191 and 201 Sherbourne will be retained and secured as rental housing. Improvements to the buildings will be secured without pass-through costs to existing tenants as part of the overall redevelopment.

The Official Plan Amendment is required to redesignate a portion of the site from Neighbourhoods to Apartment Neighbourhoods and Parks and to amend Site and Area Specific Policy (SASP) 461 to bring the entire site into the SASP boundary, vary performance standards in the SASP relating to separation distances between buildings, setbacks to Neighbourhoods, and tall building typology, and permit two tall buildings.

RECOMMENDATIONS

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

1. City Council amend the Official Plan for the lands at 191-201 Sherbourne Street substantially in accordance with the draft Official Plan Amendment provided as Attachment 5 to this report.
2. City Council amend City of Toronto Zoning By-law 569-2013 for the lands at 191-201 Sherbourne Street substantially in accordance with the draft Zoning By-law Amendment provided 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 and Zoning By-law Amendments as may be required.

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

a. submit a Functional Servicing Report, Stormwater Management Report, and Servicing Report Groundwater Summary for review and acceptance to the satisfaction of the Chief Engineer and Executive Director, Engineering and Construction Services. The report will determine whether the municipal water, sanitary and storm sewer systems can support the proposed development and whether upgrades or improvements of the existing municipal infrastructure are required; and

b. make satisfactory arrangements with Engineering & Construction Services for work on the City's right-of-way should it be determined that municipal infrastructure upgrades and road improvements are required to support the development, according to the Functional Servicing Report, to be resubmitted for review and acceptance by the Executive Director, Engineering & Construction Services. Provide financial security in an amount to be determined, submit engineering and inspection fees in an amount to be determined, and provide insurance, as required.

5. City Council approve that, in accordance with Section 42 of the Planning Act, prior to the earlier of 12 months following the issuance of the first above grade building permit or residential occupancy, the owner shall convey to the City, an on-site parkland dedication, having a minimum size of 930 square metres, which reflects the required parkland dedication for the development plus a 128.9 square metre off-site dedication from the site at 412-418 Church Street and 79-81 Granby Street (Application 21 125701 STE 13 OZ) to the satisfaction of the General Manager, Parks, Forestry and Recreation and the City Solicitor.

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 allow the owner of 191-201 Sherbourne Street to convey 278 square metres of additional open space as part of the development free and clear, above and below grade, of all easements, encumbrances, and encroachments, in an acceptable environmental condition, prior to the earlier of 12 months following the issuance of the first above grade building permit or residential occupancy, to the satisfaction of the Chief Planner and Executive Director, City Planning and the General Manager, Parks, Forestry and Recreation, as an in-kind contribution pursuant to Subsection 37(6) of the Planning Act, in accordance with the following terms:

a. City Council attribute a value to the in-kind contribution set out in Part 7 above equal to 99% of the 4% of the value of the lands at 191-201 Sherbourne Street (net of any exclusions or exemptions authorized under the Community Benefits Charge By-law), as determined the day before the day the building permit is issued in respect of the development and direct staff to advise the owner of such valuation;

b. City Council authorize the Chief Planner and Executive Director, City Planning to enter into an agreement pursuant to Subsection 37(7.1) of the Planning Act (the "In-kind Contribution Agreement") to address the provision of the in-kind contribution identified in Part 7 above to the satisfaction of the Chief Planner and Executive Director, City Planning and the City Solicitor, with such agreement to be registered on title to the lands at 191-201 Sherbourne Street, which agreement shall be evidence of arrangements for the provision of the in-kind contribution that are satisfactory to City Council; and

c. 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 evaluated during the purchase price negotiations, to the satisfaction of the General Manager, Parks, Forestry and Recreation and the Executive Director, Corporate Real Estate Management.

8. City Council approve a Section 118 restriction on the entirety of the property to be registered prior to the issuance of the first above-grade building permit and removed at the time that the parkland is conveyed to the City.

9. 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.

10. City Council recommend that the Chief Planner and Executive Director, City Planning secure through either an in-kind agreement pursuant to s.37 of the Planning Act, or the Site Plan Control process pursuant to Section 114 of the City of Toronto Act, 2006, the owner's obligation to:

a. continue to provide and maintain the existing 596 rental dwelling units at 191 and 201 Sherbourne Street as rental housing for a period of at least 20 years commencing from the date the Zoning By-law Amendment comes into force and effect, with no application for demolition or conversion from residential rental use during the 20-year period, all to the satisfaction of the City Solicitor and the Chief Planner and Executive Director, City Planning Division;

b. undertake improvements to the existing rental buildings, at their sole expense and at no cost to tenants, at site address 191 and 201 Sherbourne Street, as follows: in-suite upgrades and renovations including the creation of open concept kitchens with new finishes and appliances, upgraded lighting, new HVAC units, repairs and/or replacement to the existing flooring, upgraded doors, and refinished bathrooms; concrete repairs above roof; electrical (building systems); mechanical (building systems); entrance roof canopy; windows, air conditioners, and interior finishes; balcony structure repairs; landscape restoration; and new cladding; and

c. access to new outdoor and indoor amenities in the proposed new buildings for tenants of the existing rental apartment buildings.

11. 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 191-201 Sherbourne Street from Permit Parking.

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

The Official Plan and Zoning By-law Amendment applications were originally submitted for two residential infill buildings at 7 and 15 storeys in height (21.6 and 44.4 metres, excluding mechanical penthouse) on December 10, 2020 by the previous owners of the site. A Preliminary Report was considered by Toronto and East York Community Council on April 21, 2021 on this original application. The decision of the Toronto and East York Community Council can be found here:

<https://secure.toronto.ca/council/agenda-item.do?item=2021.TE24.35>.

On July 10, 2023, the City received a revised Official Plan and Zoning By-law Amendment application, which is the subject of this report.

THE SITE

Description

The site is located on the northeast corner of Sherbourne Street and Shuter Street. The "L-shaped" parcel has an area of approximately 13,822 square metres with frontages of approximately 189 metres on Sherbourne Street, 1,089 metres on Shuter Street, and 60

metres on Seaton Street. The rear of the site abuts Windeyer Lane, with a frontage of approximately 187 metres.

Existing Use

There are currently two rental apartment buildings on site, including a 23-storey building (201 Sherbourne Street) and a 17-storey building (191 Sherbourne Street). The existing buildings are comprised of 596 residential rental dwelling units which will be retained as part of the proposed redevelopment. The rental units are either affordable or mid-range rents. Existing tenants currently have access to indoor and outdoor amenities including landscaped outdoor space, two small gyms, a common laundry room, and a party room. There are 509 vehicular parking spaces and 67 bicycle parking spaces.

THE APPLICATION

Description

Two 43-storey (138.90 and 140.52 metres, including mechanical penthouse) residential infill buildings containing 831 new dwelling units and 500 square metres of non-residential space.

Density

The proposal has a density of 6.92 times the area of the site (excluding the existing buildings) and 7.76 times the area of the site (including the existing buildings).

Dwelling Units

The proposal has 831 new dwelling units including 88 studio (11%), 415 one-bedroom (50%), 204 two-bedroom (24%), and 124 three-bedroom units (15%).

Non-Residential Component

The proposal includes 500 square metres of non-residential space in the South Tower.

Amenity Space

The proposal includes a minimum of 2,021 square metres of indoor amenity space (2.1 square metres per unit) and 1,994 square metres of outdoor amenity space (2.4 square metres per unit) for a combined amount of 4.5 square metres per dwelling unit. An "outdoor amenity bridge" is proposed on top of the existing building at 191 Sherbourne Street, which connects to and is accessed from the new buildings.

Park

A new 1,208-square-metre unencumbered park is proposed with frontage on Seaton Street.

Access, Bicycle Parking, Vehicle Parking and Loading

The proposal includes a reduction from the existing 507 vehicle parking spaces, resulting in a total of 289 vehicle parking spaces (273 residential and 16 visitor), a total of 962 bike parking spaces (163 short-term and 799 long-term), and one Type 'G' and three Type 'C' loading spaces. The underground vehicle parking and three of the loading spaces which are located below the North Tower are proposed to be accessed by a ramp located at Windeyer Lane. The remaining Type 'C' loading space located within the South Tower is proposed to be accessed from Windeyer Lane. Two at-grade pick-up and drop-off areas are proposed to serve all four buildings on site.

The north-south and east-west portions of Windeyer Lane abutting the rear of the site is proposed to be widened by 0.4 to 2.0 metres and 0.8 to 1.0 metres respectively to provide for a minimum of 5-metre lane widths, and a 0.86-metre wide strip of land to be conveyed to the City along the full extent of the Sherbourne Street frontage to provide for a 20-metre right of way.

Additional Information

The attachments of this report include the Application Data Sheet, Location Map, a site plan, and elevations 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 at: <https://www.toronto.ca/191SherbourneSt>.

Reasons for Application

The Official Plan Amendment is required to redesignate a portion of the site from Neighbourhoods to Apartment Neighbourhoods and Parks and to amend Site and Area Specific Policy (SASP) 461 to bring the entire site into the SASP boundary, vary performance standards in the SASP relating to separation distances between buildings, setbacks to Neighbourhoods, and tall building typology, and permit two tall buildings. Currently, the southeast portion of the site along Shuter Street and Seaton Street is outside of the SASP boundary.

The Zoning By-law Amendment application proposes to amend Zoning By-law 569-2013 to vary performance standards, to permit two 43-storey (138.90 and 140.52 metres, including mechanical penthouse) residential infill buildings, including building height, density, and setbacks.

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 (2020), and shall conform to provincial plans, A Place to Grow: Growth Plan for the Greater Golden Horseshoe (2020), the Greenbelt Plan, and others.

Official Plan

The Official Plan Urban Structure Map 2 identifies the site as part of the Downtown and Central Waterfront, which is identified as a Growth Centre in Provincial policy and the Official Plan. The land use designation for the portion of the site fronting onto Sherbourne Street is Apartment Neighbourhoods, 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 southeast portion of the site along Shuter Street and Seaton Street is designated Neighbourhoods, which are considered physically stable areas made up of residential uses in lower scale buildings.

See Attachment 3 of this report for the Land Use Map. The Official Plan should be read as a whole to understand its comprehensive and integrative intent as a policy framework for priority setting and decision making.

As the proposal includes the intensification of a site with six or more residential rental units, Official Plan Policy 3.2.1.5 applies. The policy requires that significant new development on sites containing six or more rental units, where existing rental units will be kept in the new development, will secure the existing rental housing units which have affordable rents and mid-range rents. The new development should secure needed improvements and renovations to the existing rental housing to extend the life of the buildings that are to remain and to improve amenities without pass-through costs to tenants.

The Official Plan can be found here: <https://www.toronto.ca/city-government/planning-development/official-plan-guidelines/official-plan/>.

Secondary Plan

The site is located within the Downtown Secondary Plan area. The Downtown Plan reinforces that policies applicable to lands designated Apartment Neighbourhoods and Neighbourhoods apply to this site.

The Downtown Secondary Plan can be found here: <https://www.toronto.ca/wp-content/uploads/2022/06/962d-cityplanning-official-plan-41-secondary-plan-downtown-plan.pdf>.

Site and Area Specific Policy (SASP) 517 - Downtown Tall Buildings

SASP 517 applies to the site and provides development criteria for tall building development proposals within the downtown. In addition to considerations for tall buildings, SASP 517 identifies that the proposal shall have regard for a comfortable pedestrian realm; consideration for development proposals on other sites within the block; access to sunlight; views between towers; and wind conditions on and around the subject site.

Site and Area Specific Policy 461 - Garden District

SASP 461 currently applies to the portion of the site fronting onto Sherbourne Street. This portion of the site is located within the Sherbourne Corridor Character Area, which is characterized by primarily residential uses designated Apartment Neighbourhoods in the Official Plan. The Sherbourne Corridor Character Area is not intended to change and only infill development, as permitted by the Apartment Neighbourhood policies of the Official Plan is permitted.

Zoning

The site is zoned R (d1.0) (x984) under Zoning By-law 569-2013. The maximum height permitted is 13 metres and the maximum permitted density is 1.0 times the area of the site. 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;
- Downtown Tall Building Design Guidelines;
- Growing Up Guidelines for Children in Vertical Communities;
- Toronto Accessibility Design Guidelines; and
- Pet Friendly Design Guidelines for High Density Communities.

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

Toronto Green Standard

The 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.

Airport Zoning Regulation - Helicopter Flight Path - By-law 1432-2017

The site is subject to the Airport Zoning Regulation for St. Michael's Hospital. Development on this site is required to be below and outside the Obstacle Limitation Surface identified in By-law 1432-2017 and the Minister's Zoning Order O. Reg 10/24, to preserve a flight path for air ambulance and medical transport helicopters accessing these hospitals.

COMMUNITY CONSULTATION

A virtual Community Consultation Meeting for the original proposal was hosted by City staff on May 20, 2021, where approximately 90 people participated. A second virtual Community Consultation Meeting for the revised proposal was hosted by City staff on

September 5, 2023. Approximately 75 people participated, as well as the representative on behalf of the Ward Councillor and the applicant. At the meeting, City staff and the applicant's consultants gave presentations on the site and surrounding area, the existing planning framework, and the proposed development. Following the presentations, City staff led a question and answer format meeting. Issues raised at the meetings and through written comments and phone calls include:

- the height of the proposal is too tall for the context and negatively impacts the adjacent Cabbagetown South Heritage Conservation District;
- shadow impacts from the proposed development on the surrounding area;
- unsafe wind conditions at grade;
- impacts to privacy, skyview, and access to daylight for residents of the existing buildings on site and Neighbourhoods to the east;
- traffic impacts on Seaton Street and Windeyer Lane;
- concerns related to fencing and security of open space on site;
- concerns about reduction of existing vehicular parking;
- construction vibration, dust, traffic, and noise;
- cumulative construction impacts from ongoing renovations of existing buildings and future development of new buildings;
- loss of existing mature trees and green space;
- capacity of nearby infrastructure and services to accommodate new development;
- support for increased density on site;
- support for and opposition to architectural design;
- support for wider community/neighbourhood benefits;
- desire for affordable housing on site;
- access to new amenity space for tenants of the existing buildings; and
- concerns about increased costs for tenants of the existing 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 been given an opportunity to view the oral submissions made at the statutory public meeting held by the Toronto and East York Community Council for this application, as these submissions are broadcast live over the internet and recorded for review.

COMMENTS

Revisions to the Application

Through the development review process, the applicant has revised their proposal in response to comments received from staff, agencies, and the public. A summary of the notable refinements to the development proposal include:

- reduction in height for the North and South Towers from 47 and 49 storeys to 43 storeys;

- public realm improvements along the Sherbourne Street and Shuter Street frontages; and
- provision of new 1,208 square metre public park.

Provincial Policy Statement and Provincial Plans

Staff's review of this application has had regard for the relevant matters of provincial interest set out in the Planning Act. Staff has reviewed the current proposal for consistency with the Provincial Policy Statement (2020) and conformity with the Growth Plan (2020). In the opinion of Staff, the proposal is consistent with the PPS and conforms with the Growth Plan.

Land Use

The proposed residential use and redesignation of the Neighbourhoods designated portion of the site to Apartment Neighbourhoods and Parks are acceptable and conform to the policies of the Official Plan and the Downtown Secondary Plan. A majority of the Neighbourhoods portion of the site is proposed to be redesignated to Parks to support the creation of a new public park, and the remaining portion of the site between the new public park and existing Apartment Neighbourhoods is proposed to be redesignated to Apartment Neighbourhoods to complete the block. The proposed development meets the criteria for new development in Apartment Neighbourhoods by transitioning towards the adjacent area designated Neighbourhoods through a low-scale podium, improving residential amenities, and providing a new public park.

Unit Mix

The application proposes 831 new dwelling units including 88 studio (11%), 415 one-bedroom (50%), 204 two-bedroom (24%), and 124 three-bedroom units (15%). An additional 15% of units will be convertible to 2 or 3 bedroom units. The amount of 2-bedroom and 3-bedroom units meet the requirements in the Downtown Secondary Plan.

Rental Intensification

In accordance with Policy 3.2.1.5 of the Official Plan, the applicant has agreed to secure the tenure of the existing apartment buildings and complete improvements on the existing buildings without pass-through cost to the tenants. As part of the Site Plan Control process, staff will work with the applicant to secure the rental tenure of the existing apartment buildings and the rental housing improvements through one or more agreements with the City, and to the satisfaction of the Chief Planner.

The owner shall enter into an agreement with the City that would include provisions preventing the owner from applying to the Landlord and Tenant Board, or any successor tribunal with jurisdiction to hear applications made under the legislation governing residential tenancies in Ontario, for an above-guideline increase in rent to recover the expenses incurred in completing these improvements. The owner shall also be required to deliver written notices to all existing rental dwelling units, informing tenants that the owner commits to not apply to the Landlord and Tenant Board for an above-guideline increase in rent to recover any expenses incurred in completing the rental housing improvements.

Staff will also work with the applicant through the site plan approval process to develop a Construction Mitigation and Tenant Communication Plan, including an interim parking plan, to mitigate the impacts of construction of the development on tenants of the existing rental building.

The owner provided receipts and an itemized list of costs for all improvements that have been undertaken or are being undertaken to the existing buildings. The completed and underway improvements include:

- in-suite upgrades and renovations including the creation of open concept kitchens with new finishes and appliances, upgraded lighting, new HVAC units, repairs and/or replacement to the existing flooring, upgraded doors, and refinished bathrooms;
- concrete repairs above roof;
- electrical (building systems);
- mechanical (building systems);
- entrance roof canopy;
- windows, air conditioners, and interior finishes;
- balcony structure repairs;
- landscape restoration; and
- new cladding.

Tenants of the existing buildings will be provided with access to the new indoor and outdoor amenities as proposed as part of this application at no additional cost.

Public Realm and Streetscape

City staff are satisfied that the proposal conforms with the applicable public realm policies of the Official Plan. The 12.8-metre setback from the curb of Sherbourne Street to the North Tower building face at grade provides an opportunity for additional landscaping and streetscape improvements. The 4.6 to 10.8-metre south setback from the curb of Shuter Street to the South Tower building face provides opportunity for additional streetscape improvements along the Shuter Street frontage. The proposed non-residential space on the ground floor of the South Tower provides an opportunity for animation along the Shuter Street frontage and along a portion of the new park.

There are 60 existing by-law regulated private trees and 4 existing by-law regulated City street trees on and within 6 metres of the subject site. Of these existing trees, 16 private trees and 4 street trees are proposed to be retained and 44 private trees are proposed to be removed, requiring 132 replacement trees to be provided. The applicant is proposing to replace 32 trees and Urban Forestry is seeking an additional 24 replacement trees (to be confirmed during the Site Plan Control process). The remainder of the required replacement trees would be secured as a cash-in-lieu payment which would fund tree planting by the Urban Forestry Renewals program throughout the City. Additionally, 17 new City-owned street trees are proposed within the Sherbourne Street and Shuter Street right of ways.

Amenity Space

City staff are satisfied with the provision of a minimum of 2,021 square metres of indoor amenity space (2.1 square metres per unit) and 1,994 square metres of outdoor amenity space (2.4 square metres per unit) for a combined amount of 4.5 square metres per dwelling unit, and proposed "outdoor amenity bridge." All amenity spaces are proposed to be available for use of existing and new tenants.

Built Form

The Official Plan Amendment is to bring the entire site into the SASP 461 boundary and vary performance standards in the SASP relating to separation distances between buildings, setbacks to Neighbourhoods, and tall building typology in the Sherbourne Corridor Character Area is appropriate.

The site is within walking distance to existing higher-order public transit services on Line 1 of the TTC subway system and the future Ontario Line via Moss Park Station. The proposed tall residential infill buildings are appropriate for this site and is generally consistent with the Apartment Neighbourhood policies of the Official Plan.

The Draft Zoning By-law Amendment has been reviewed and approved by St. Michael's Hospital, and the applicant has demonstrated that the proposed buildings will not interrupt the use of the flight path for air ambulance and medical transport helicopters accessing the hospital to the satisfaction of the hospital.

North Tower

The proposed 'North Tower' (situated between the existing buildings at 191 Sherbourne Street and 201 Sherbourne Street) has been massed to respond to the existing context of the site. The North Tower does not follow the Tower-Base Typology.

The North Tower setbacks and separation distances are as follows:

- 9.9 metres from the existing west property line for the ground floor;
- 4.5 to 6.0 metres from the existing west property line above the ground floor;
- 14.4 to 15.9 metres from the centreline of the north-south portion of Windeyer Lane;
- 18.9 metres from the south façade of 201 Sherbourne Street; and
- 17.4 metres from the north façade of 191 Sherbourne Street.

The separation distance between the North Tower and the buildings at 191 and 201 Sherbourne Street are less than the 25 metres recommended in the Tall Building Guidelines. The facing conditions between the North Tower and the existing buildings (17 and 23 storeys) impact a limited number of units in the existing buildings where there are adjacent windows. Staff have weighed the combined benefits to the community and neighbourhood including a new on-site 1,208-square-metre public park, public realm improvements along the Sherbourne Street and Shuter Street frontages, and improved landscaping and amenities on site for existing and future residents against the constraints of the site and reduced tower separation distances, and find the proposed massing of the North Tower to be acceptable in this instance. Further mitigation for privacy impacts between the North Tower and the existing buildings 201

Sherbourne Street and 191 Sherbourne Street will be explored at the Site Plan Control stage.

The proposed tower floor plate of the North Tower at 706 to 794 square metres is appropriate.

South Tower

The proposed 'South Tower' (located at the southeast corner of the site) has been massed to respond to the existing context. The 1-storey base building is setback as follows:

- 3.0 metres from the on-site parkland dedication;
- 5.5 metres from the centreline of the east-west portion of Windeyer Lane;
- 1.6 to 8.2 metres from the south property line; and
- 20.0 metres from the east façade of 191 Sherbourne Street.

The tower portion of the South Tower is setback as follows:

- 7.7 to 9.2 metres from the on-site parkland dedication;
- 17.8 to 19.3 metres from the centreline of the east-west portion of Windeyer Lane;
- 0.2 to approximately 8.0 metres from the south property line; and
- 20.0 metres from the east façade of 191 Sherbourne Street.

The proposed tower floor plate of 678 to 770 square metres is appropriate. The South Tower meets the intent of the Tall Building Design Guidelines and Downtown Tall Building Design Guidelines with respect to built form and massing.

Airport Zoning Regulation - Helicopter Flight Path

The proposal is below the Obstacle Limitation Surface for St. Micheal's Hospital as identified in By-law 1432-2017 and more restrictive Minister's Zoning Order (MZO) O.Reg 10/24. The proposal and implementing By-law has been reviewed by the hospital's representatives and determined to be in conformity with MZO O.Reg 10/24 which ensure there are no intrusions into the helicopter flight paths.

Sun and Shadow

SASP 461 states that no net new shadows are permitted on the Allan Gardens' Conservatory buildings or any significant permanent structure. The shadow studies submitted in support of the application show the extent of the shadow from the proposed building during the spring and fall equinoxes (March 21 and September 21), the summer solstice (June 21), and the shadow impact on the Conservatory buildings and permanent structures during the winter solstice (December 21). The proposed building would cast shadows on a portion of the Conservatory building rooftops on December 21, for a total duration of approximately 20 minutes, from approximately 9:10AM to 9:30AM.

Wind

A Pedestrian Level Wind Study for the proposed building indicates that most areas at grade will be generally suitable for the intended uses throughout the year. Mitigation for

uncomfortable wind conditions at two locations at grade will be secured through the Site Plan Control application.

Access, Parking, Loading

A Transportation Impact Study was submitted to assess the traffic impact, access, parking, and loading arrangements for this development. The application provides a minimum of 289 vehicle parking spaces (273 residential and 16 visitor parking spaces) including 13 accessible parking spaces. One Type 'G' and three Type 'C' loading spaces and two at-grade pick-up and drop-off areas are proposed to serve all four new and existing buildings on site.

Staff recommend the development be reviewed for exclusion from on-street permit parking. A separate report will be submitted, and a Public Notice will be placed on the City's website to allow deputations at a future Toronto and East York Community Council meeting.

All parking, most of the loading, and related logistic movements are located within the underground parking levels. Mitigation to screen the underground parking ramp from the view of adjacent properties will be explored during the Site Plan Control process. The remaining Type 'C' loading space is enclosed within the base building of the South Tower and screened from the view of adjacent properties.

Road Widening

The north-south and east-west portions of Windeyer Lane abutting the rear of the site is proposed to be widened by 0.4 to 2.0 metres and 0.8 to 1.0 metres respectively to provide for a minimum of 5-metre lane widths, and a 0.86-metre wide strip of land to be conveyed to the City along the full extent of the Sherbourne Street frontage to provide for a 20-metre right of way.

Parkland

In accordance with Section 42 of the Planning Act, the applicable alternative rate for on-site parkland dedication is 1 hectare per 600 net residential units to a cap of 10 percent of the development site as the site is less than five hectares, with the non-residential uses subject to a two percent parkland dedication. The total parkland dedication requirement is 801.1 square metres.

There is a 1,208 square metre parkland dedication being proposed on-site. This will include the statutory parkland dedication from the development as well as an off-site contribution from the proposed development at 412-418 Church Street and 79-81 Granby Street of 128.9 square metres. The owner of the site has agreed to convey an additional 278 square metres as an in-kind CBC benefit. The park is to be located with frontage on Seaton Street and comply with Policy 3.2.3.8 of the Official Plan. In accordance with Section 42 of the Planning Act, the owner shall convey the on-site parkland park to the City prior to the first above grade building permit or residential occupancy.

This report seeks direction from City Council on authorizing a credit of the Parks and Recreation component of the Development Charges in exchange for Above Base Park Improvement to be provided by the owner upon agreement with the City. The development charge credit shall be in an amount that is the lesser of the cost to the owner of installing 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. The owner will be required to enter into an agreement with the City to provide for the design and construction of the improvements and will be required to provide financial security to ensure completion of the works.

Servicing

Engineering and Construction Services staff have reviewed the submitted materials and have identified several outstanding items for review. These matters will be addressed prior to submitting bills to City Council for approval.

Toronto Green Standard

The applicant is required to meet Tier 1 of the TGS. 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.

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, foundational to creating complete communities and include matters such as recreation, libraries, childcare, schools, public health, and human and cultural services. Providing for a full range of community services and facilities in areas that are inadequately serviced or experiencing growth is a shared responsibility.

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SIGNATURE

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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
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Applicant Submitted Drawings

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- Attachment 8: Elevations
- Attachment 9: 3D Massing Model

Attachment 1: Application Data Sheet

Municipal Address: 191-201 Sherbourne Street **Date Received:** December 2, 2020

Application Number: 20 224753 STE 13 OZ

Application Type: OPA & Rezoning

Project Description: Official Plan and Zoning By-law Amendment to permit two 43-storey residential infill buildings, containing 831 new residential dwelling units and 500 square metres of non-residential space.

Applicant	Agent	Architect	Owner
Fitzrovia	Greg Gilbert	Partisans	Ontari Holdings Ltd.

EXISTING PLANNING CONTROLS

Official Plan Designation:	Apartment Neighbourhood	Site Specific Provision:	SASP 461
Zoning:	R (d1.0) (x984)	Heritage Designation:	N
Height Limit (m):	13	Site Plan Control Area:	Y

PROJECT INFORMATION

Site Area (sq m): 13,822 Frontage (m): 189 Depth (m): 106

Building Data	Existing	Retained	Proposed	Total
Ground Floor Area (sq m):			3,440	3,440
Residential GFA (sq m):	39,855	39,855	55,842	95,697
Non-Residential GFA (sq m):			609	609
Total GFA (sq m):	39,855	39,855	56,451	96,306
Height - Storeys:	23	23	43	43
Height - Metres:	62	62	140	140

Lot Coverage Ratio (%): 24.89 Floor Space Index: 7.76

Floor Area Breakdown	Above Grade (sq m)	Below Grade (sq m)
Residential GFA:	95,697	
Retail GFA:	609	
Office GFA:		

Industrial GFA:

Institutional/Other GFA:

Residential Units by Tenure	Existing	Retained	Proposed	Total
Rental:	596	596	831	1,427
Freehold:				
Condominium:				
Other:				
Total Units:	596	596	831	1,427

Total Residential Units by Size

	Rooms	Bachelor	1 Bedroom	2 Bedroom	3+ Bedroom
Retained:			473	123	
Proposed:		88	415	204	124
Total Units:		88	888	327	124

Parking and Loading

Parking Spaces:	289	Bicycle Parking Spaces:	962	Loading Docks:	1
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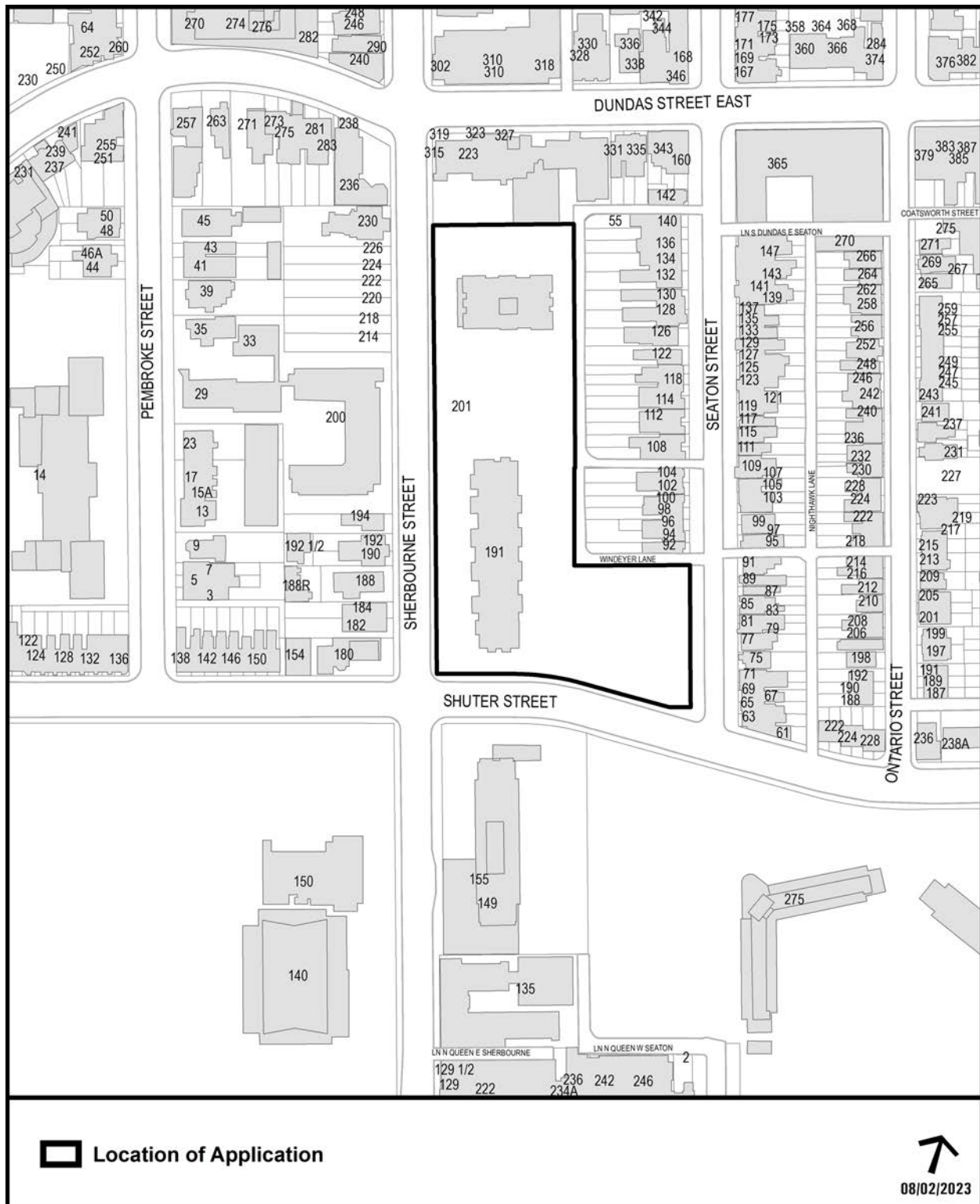
CONTACT:

Christy Chow, Planner

416-392-8479

Christy.Chow@toronto.ca

Attachment 2: Location Map



Attachment 3: Official Plan Land Use Map



Official Plan Land Use Map #18

191 - 201 Sherbourne Street

File # 20 224753 STE 13 0Z



Location of Application



Neighbourhoods



Apartment Neighbourhoods



Mixed Use Areas

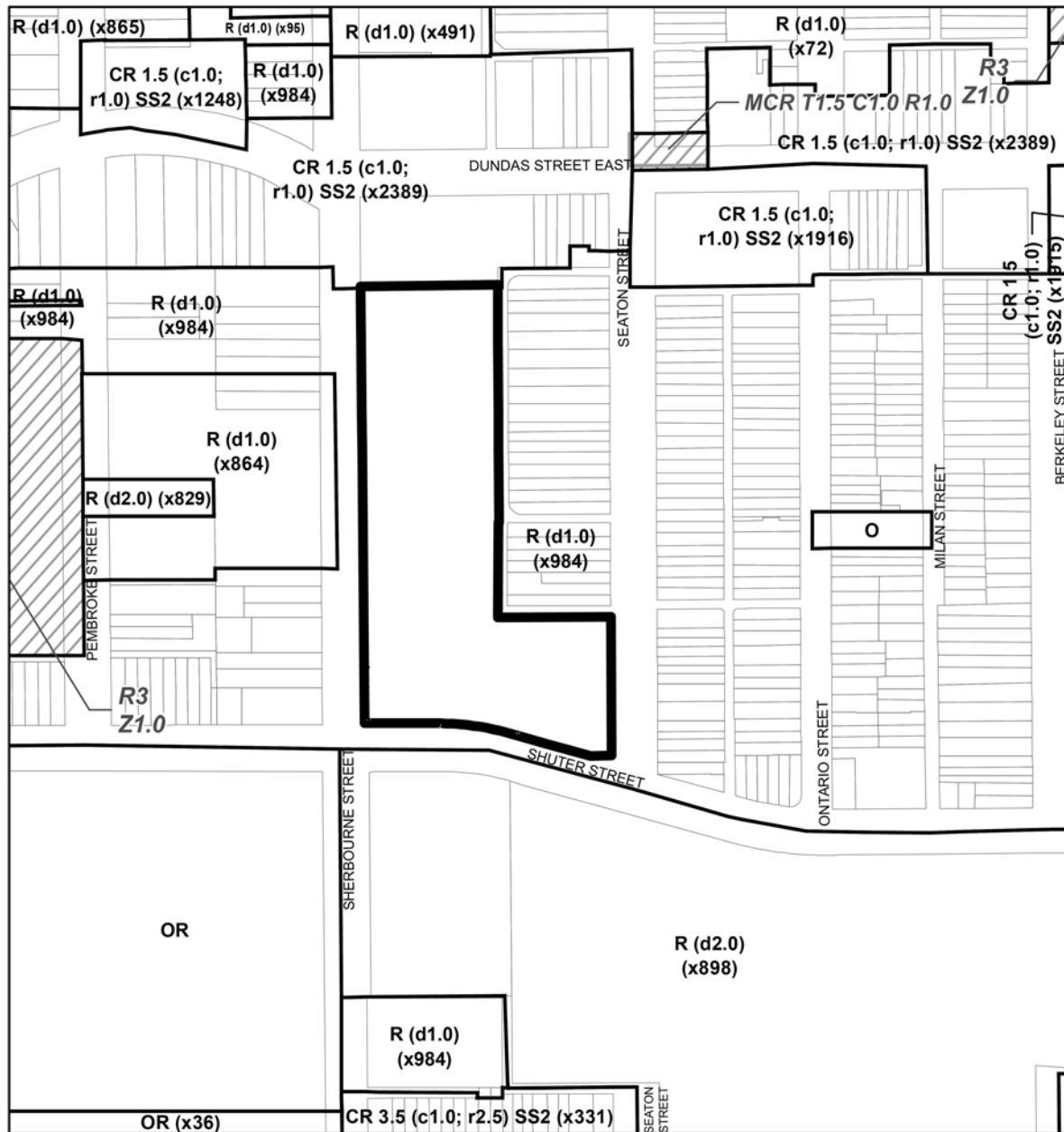


Parks



Not to Scale
Extracted: 06/04/2024

Attachment 4: Existing Zoning By-law Map



Zoning By-law 569-2013

191-201 Sherbourne Street

File # 20 224753 STE 13 0Z



Location of Application



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

R Residential
CR Commercial Residential

O Open Space
OR Open Space Recreation

O Open Space
OR Open Space Recreation

R3 Residential District

MCR Mixed-Use District



Not to Scale
Extracted: 06/04/2024

Attachment 5: Draft Official Plan Amendment

Authority: Toronto and East York Community Council Item, TE.XX adopted by City of Toronto Council on XXXX

Enacted by Council: ~, 20~

CITY OF TORONTO BY-LAW XXX-2024

To adopt Amendment 749 to the Official Plan of the City of Toronto respecting the lands known municipally in the year 2023 as 191 and 201 Sherbourne 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 enacts:

1. The attached Amendment 749 to the Official Plan is adopted pursuant to the Planning Act, as amended.

Enacted and passed on XXX XX, 2024

Frances Nunziata, John D. Elvidge,
Speaker City Clerk

(Seal of the City)

AMENDMENT NO 749 TO THE OFFICIAL PLAN
LANDS MUNICIPALLY KNOWN IN THE YEAR 2023 AS
191 AND 201 SHERBOURNE STREET

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

Map 18, Land Use Plan is amended by re-designating a portion of the lands municipally known as 191 and 201 Sherbourne Street from Neighbourhoods to Apartment Neighbourhoods and Parks, as shown on the attached Schedule A.

Chapter 7, Site and Area Specific Policy 461, is amended by adding Site Specific Policy 7.4 for the lands known municipally in 2023 as 191 and 201 Sherbourne Street as follows:

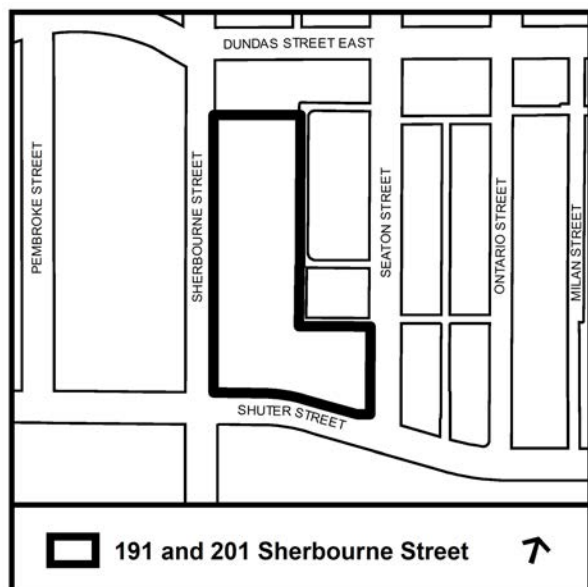
7.4 191 and 201 Sherbourne Street (4 on Map 7)

Two tall buildings are permitted with maximum heights of 138.90 and 140.52 metres respectively, inclusive of mechanical penthouse;

Tall buildings may be developed without a tower-base typology;

Minimum separation distance will be secured through the implementing Zoning By-law;

Minimum setback from areas designated Neighbourhoods in the Official Plan will be secured through the implementing Zoning By-law.



Chapter 7, Site and Area Specific Policy 461, Map 7 – Site Specific Policy Areas is amended by adding the lands known municipally in 2023 as 191 and 201 Sherbourne Street as Site Specific Policy 4, as shown on the attached Schedule B.

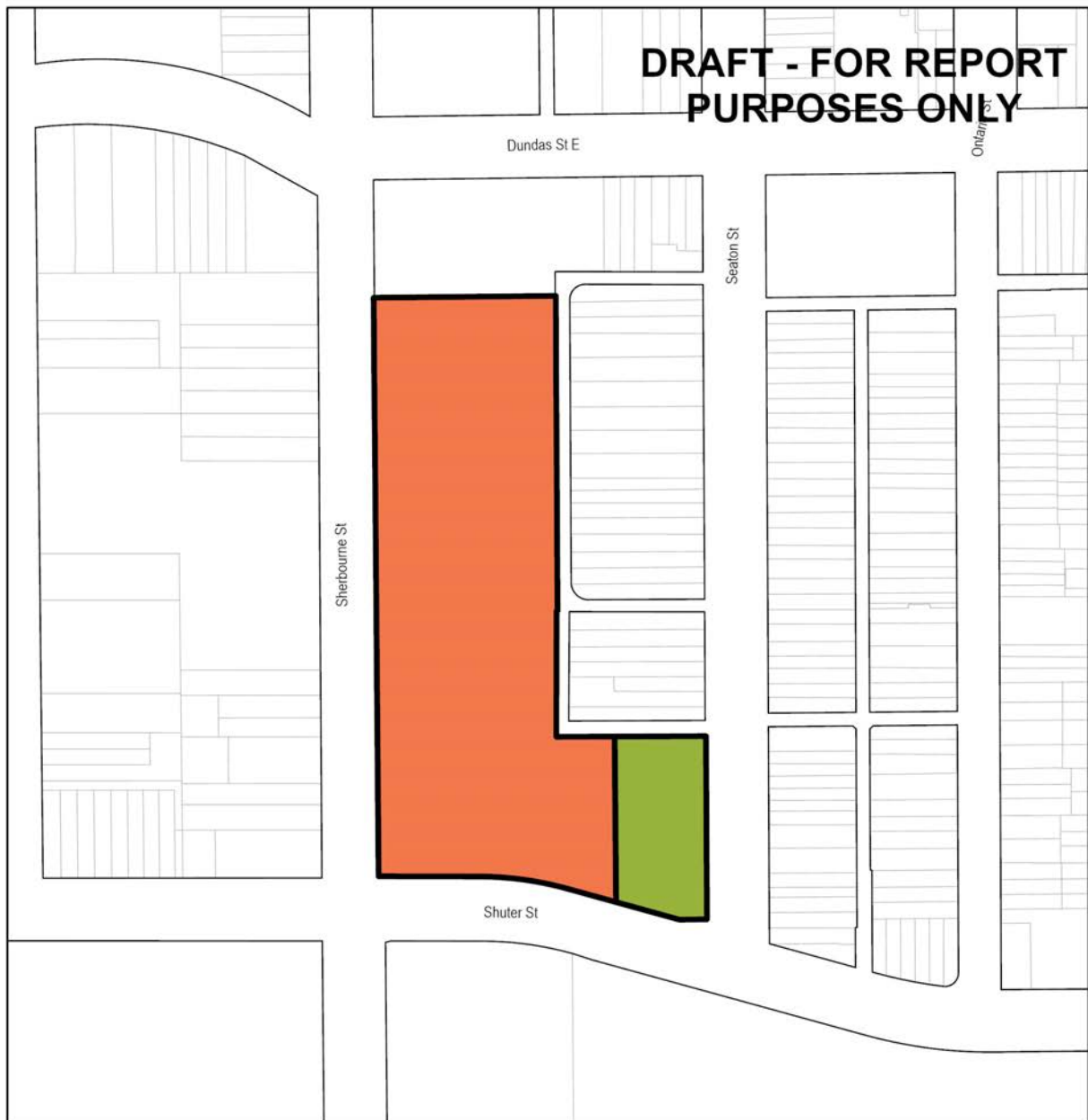
Chapter 7, Site and Area Specific Policy 461, Map 1 – Garden District Area Specific Policy Character Areas, is amended by modifying the Study Area Boundary to include the lands shown in grey, as shown on the attached Schedule C.

Chapter 7, Site and Area Specific Policy 461, Map 5 – Sherbourne Corridor Character Area, is amended by modifying the Study Area Boundary to include the lands shown in grey, as shown on the attached Schedule C.

Chapter 7, Site and Area Specific Policy 461, Map 6 – Garden District Public Realm Plan, is amended by modifying the Study Area Boundary to include the lands shown in grey, as shown on the attached Schedule C.

Map 29 – Site and Area Specific Policies, is amended by modifying the boundaries of SASP 461 to include the lands shown in grey as shown on the attached Schedule C.

Schedule A



Official Plan Amendment 749

Proposed changes to redesignate lands from Neighbourhoods to Apartment Neighbourhoods and Parks

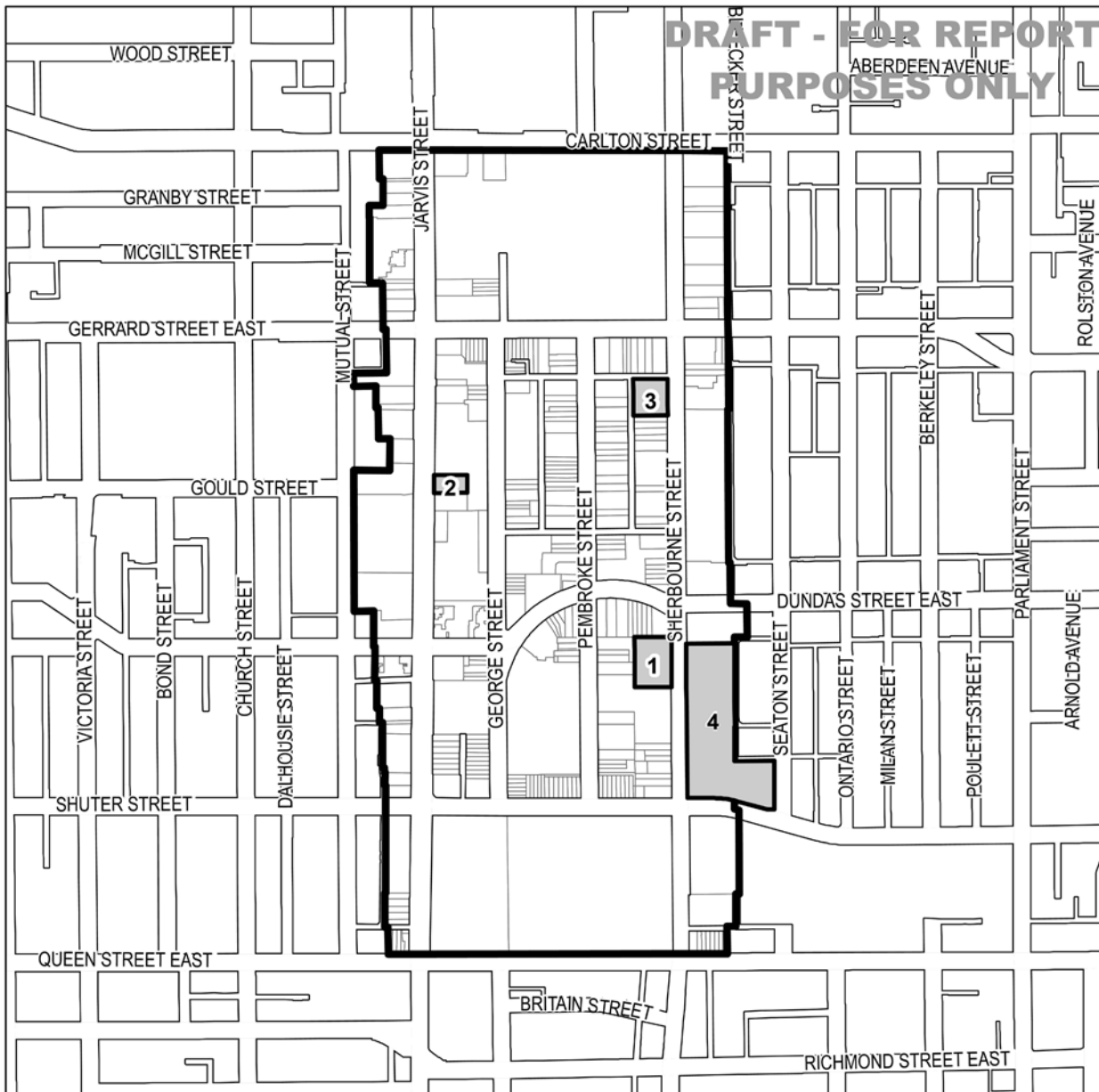
File # 20 224753 STE 13 0Z

-  Subject Site
-  Apartment Neighbourhoods
-  Parks



Not to Scale
06/17/2024

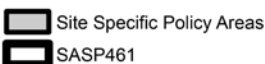
Schedule B



The shaded areas on the map are subject to the specific policies set out in the Garden District Site and Area Specific Policy, Section 7

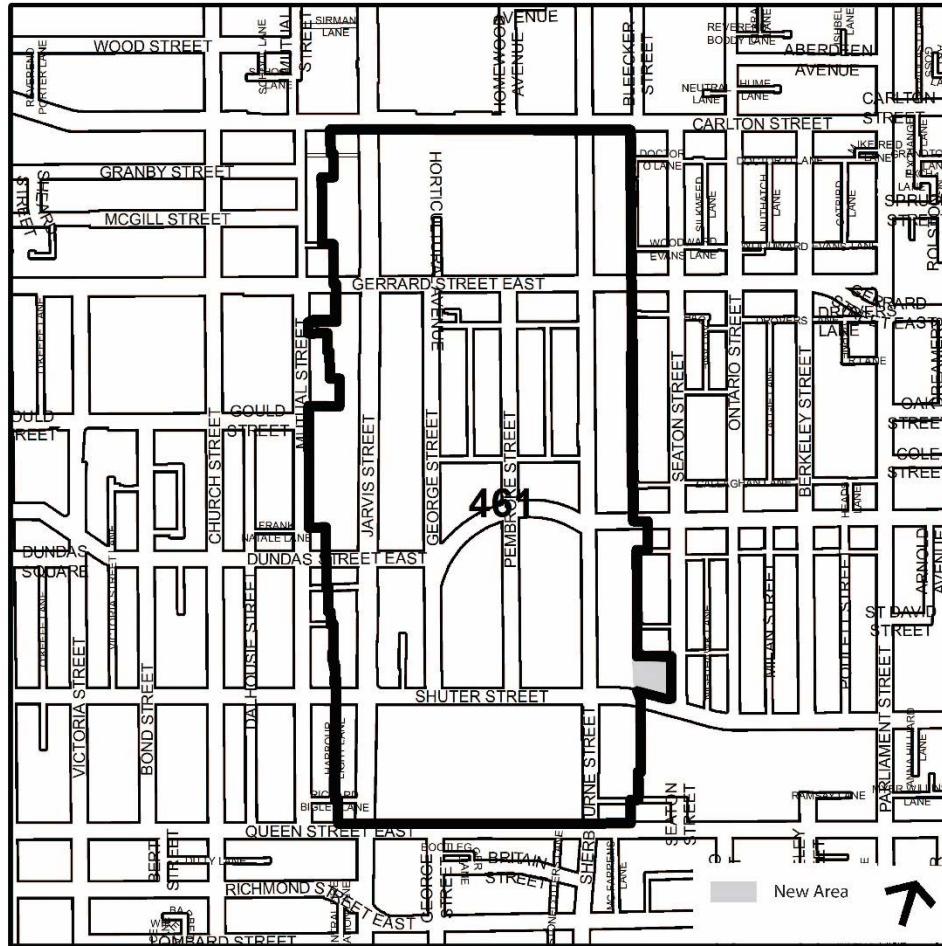
Site Specific Policy Areas 191 and 201 Sherbourne Street

File # 20 224753 STE 13 OZ



06/12/2024

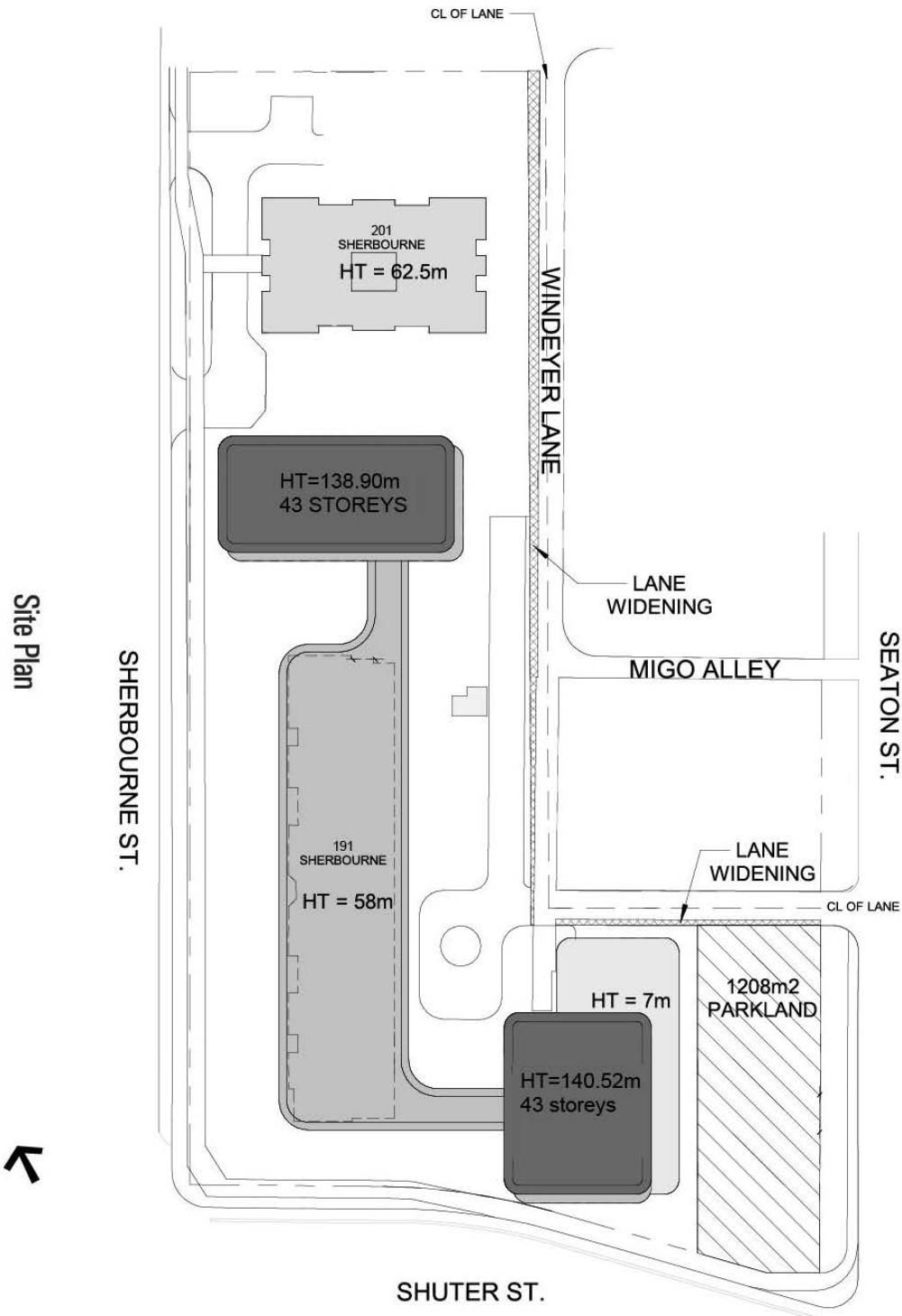
Schedule C



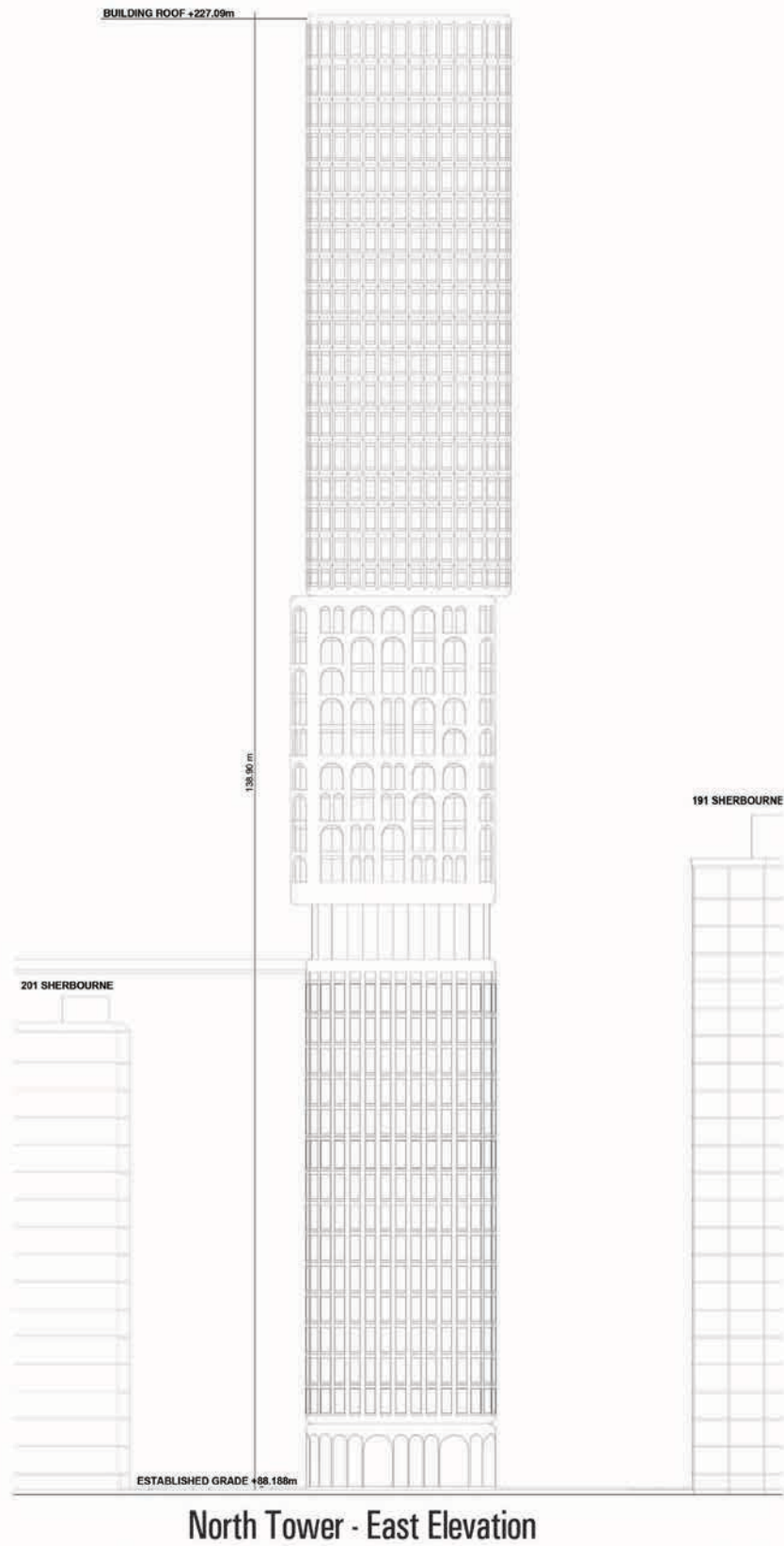
Attachment 6: Draft Zoning By-law Amendment

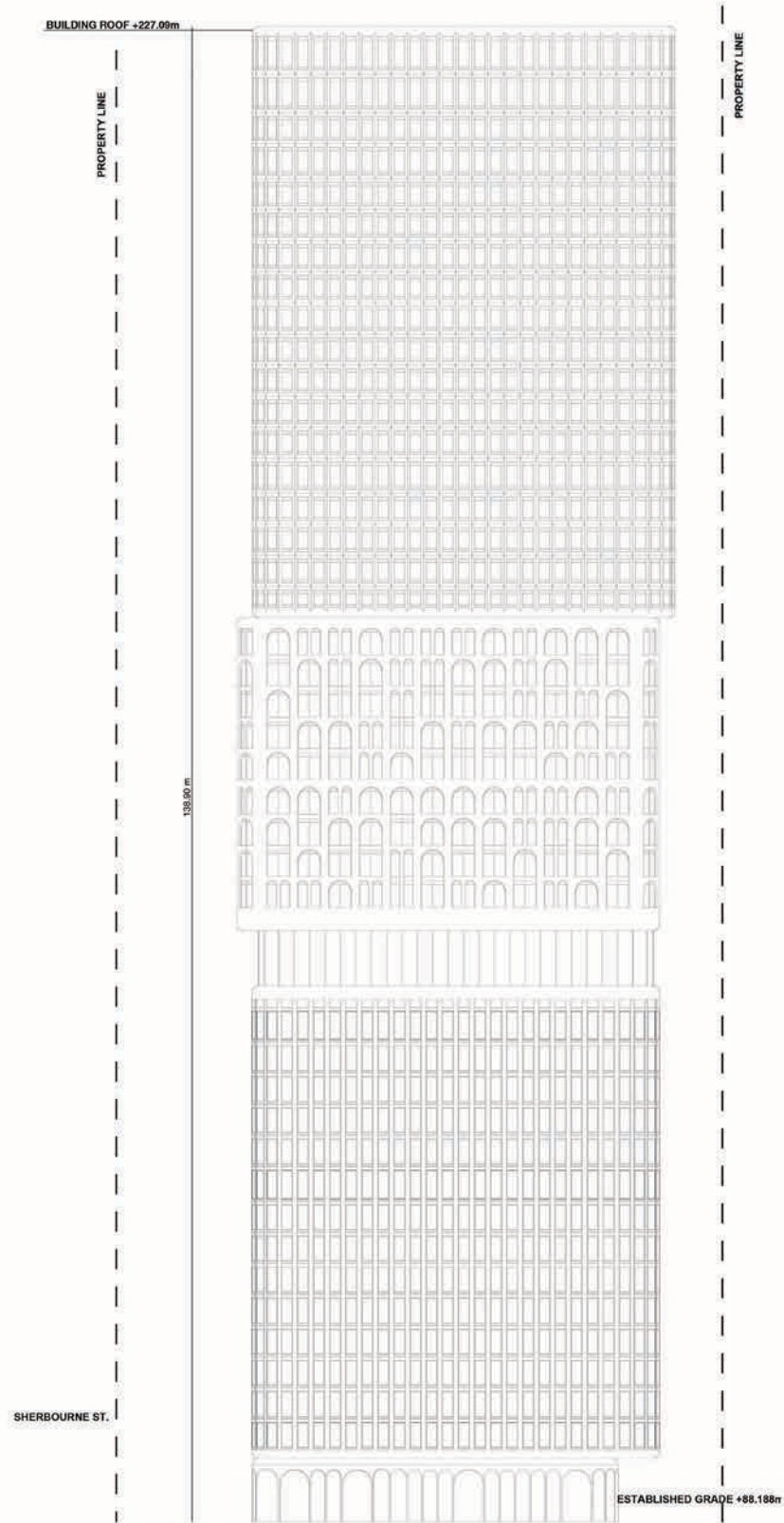
To be provided in advance of the July 10, 2024 Toronto and East York Community Council Meeting.

Attachment 7: Site Plan

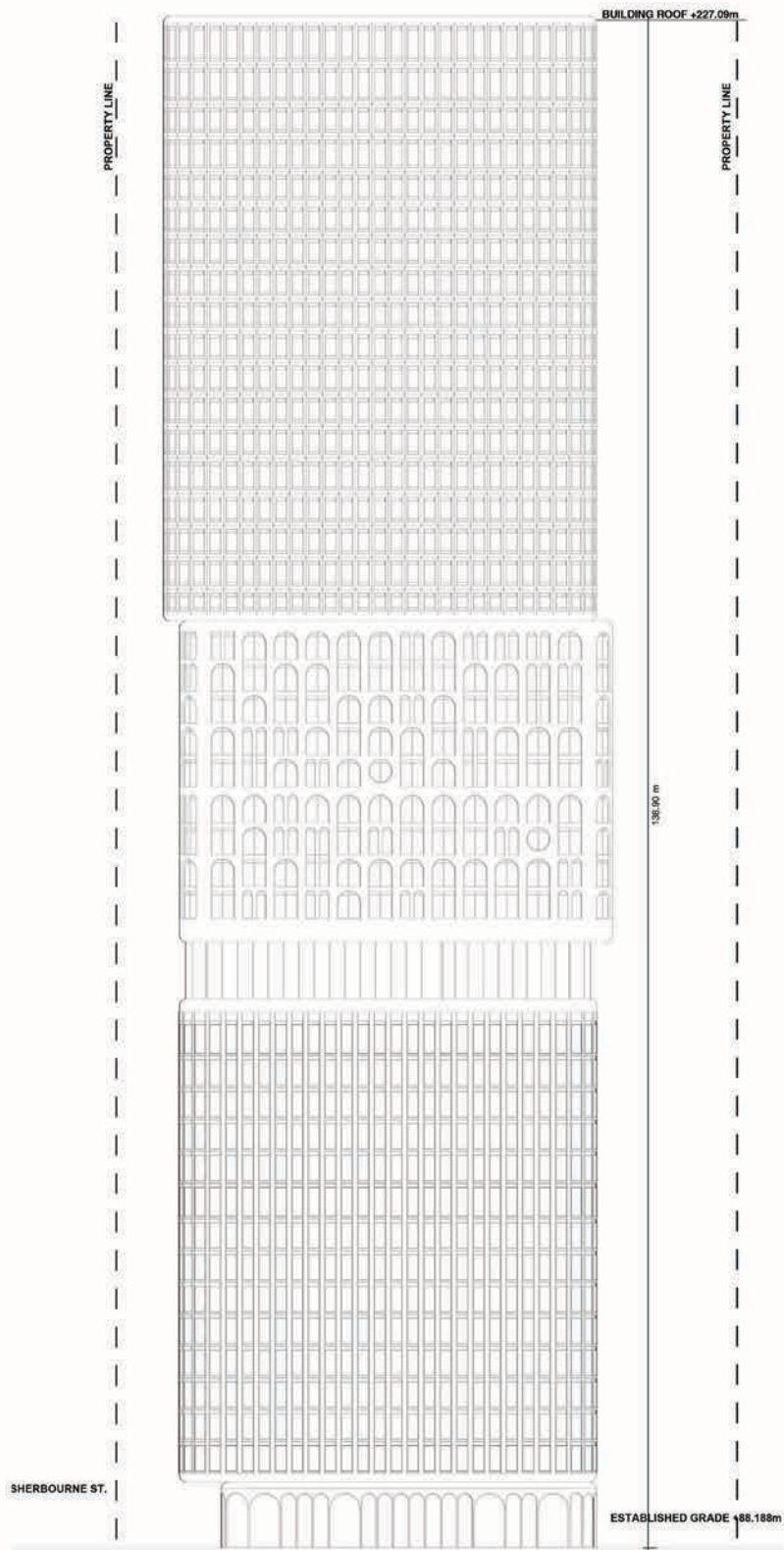


Attachment 8: Elevations

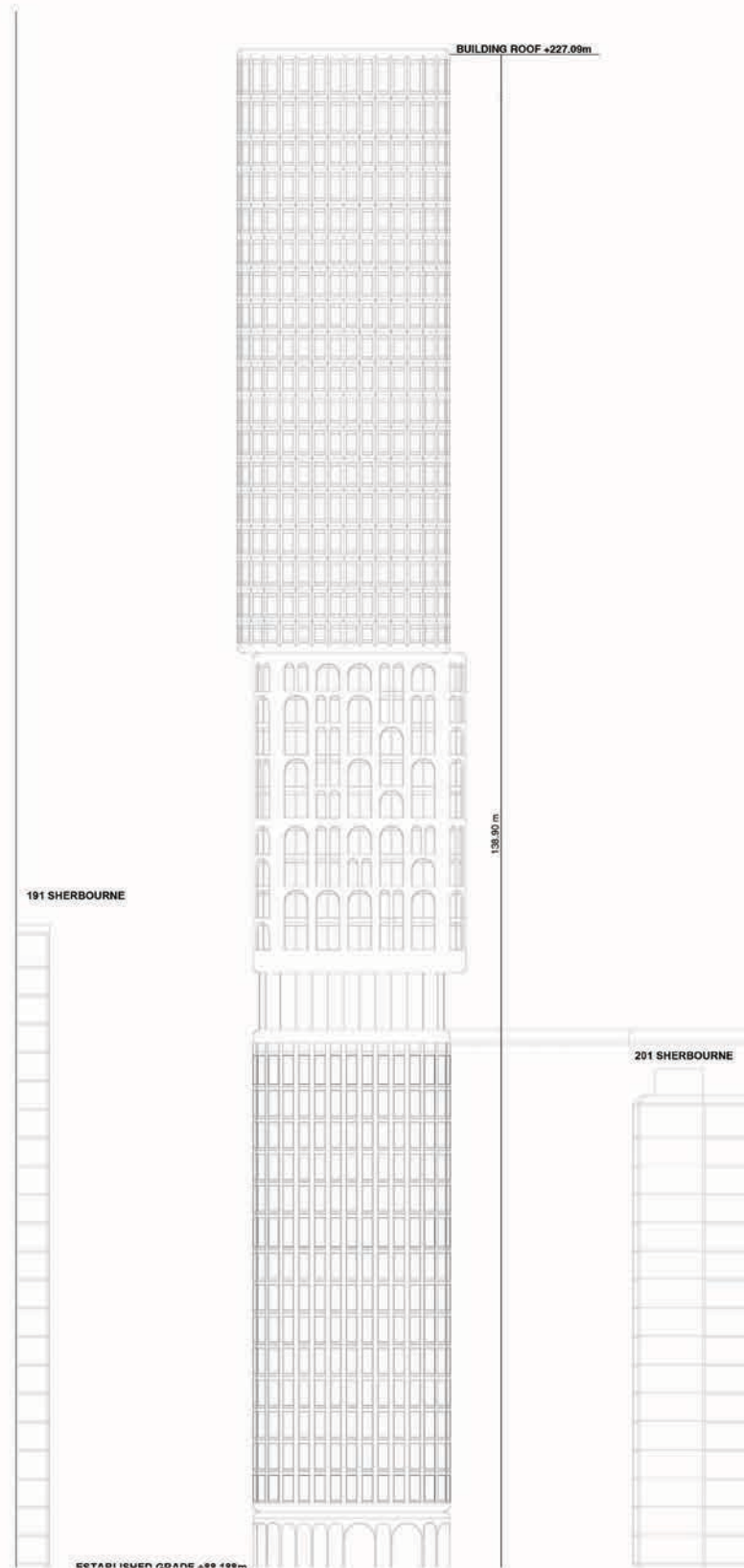




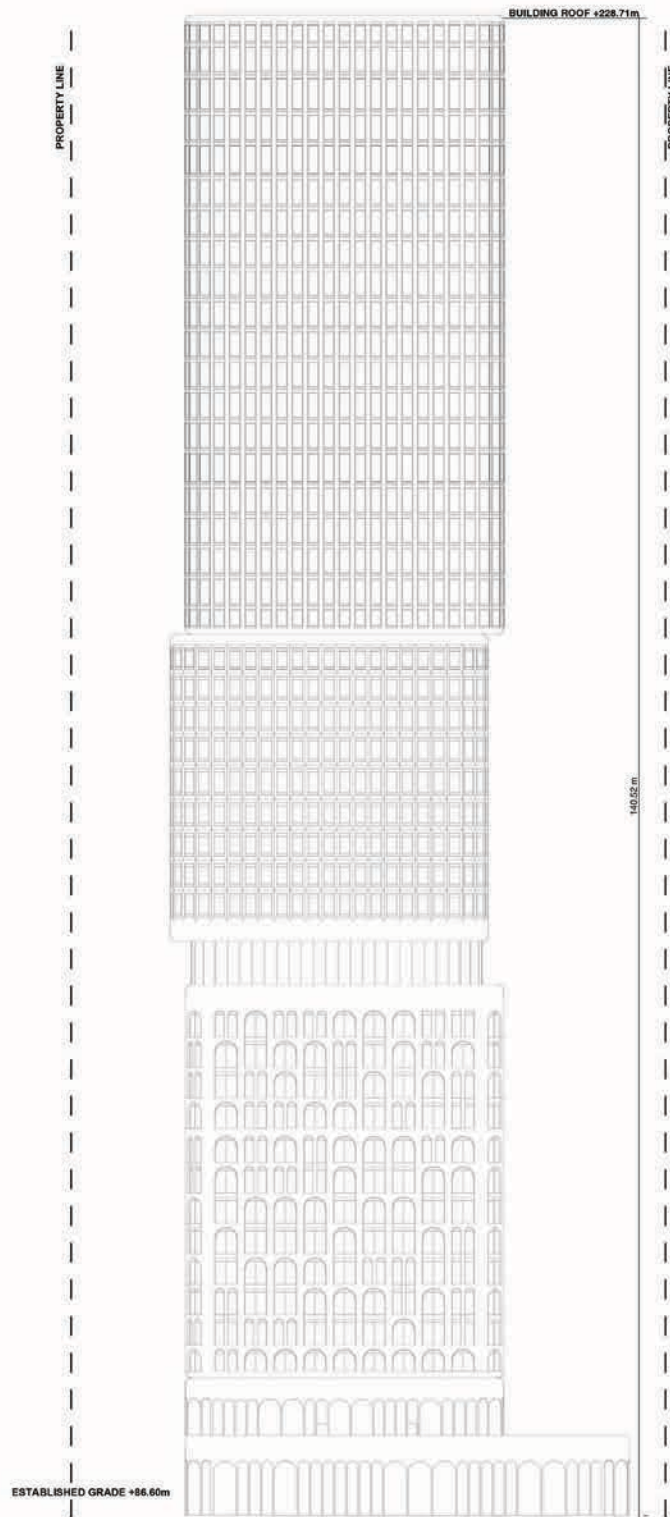
North Tower - North Elevation



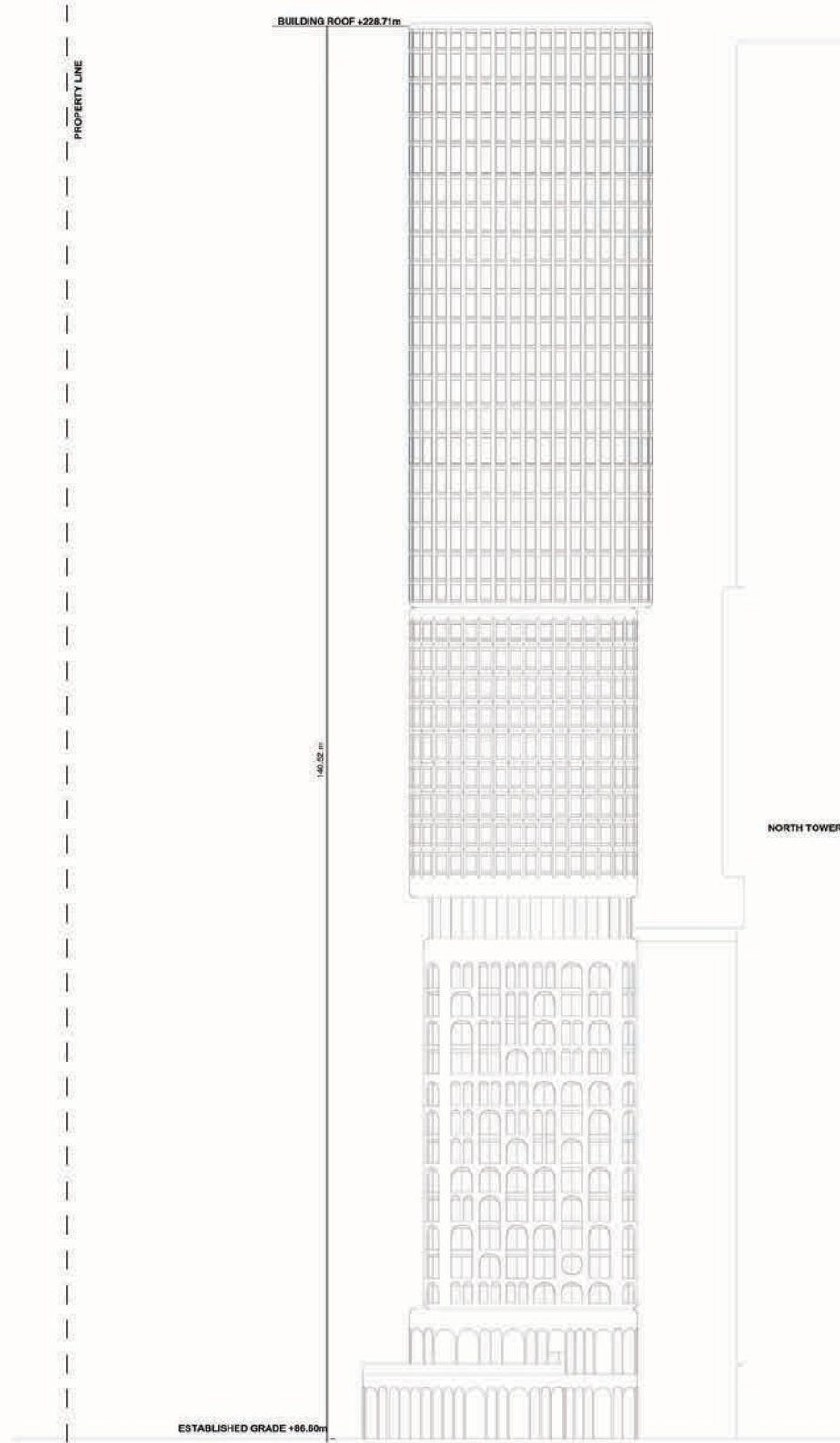
North Tower - South Elevation



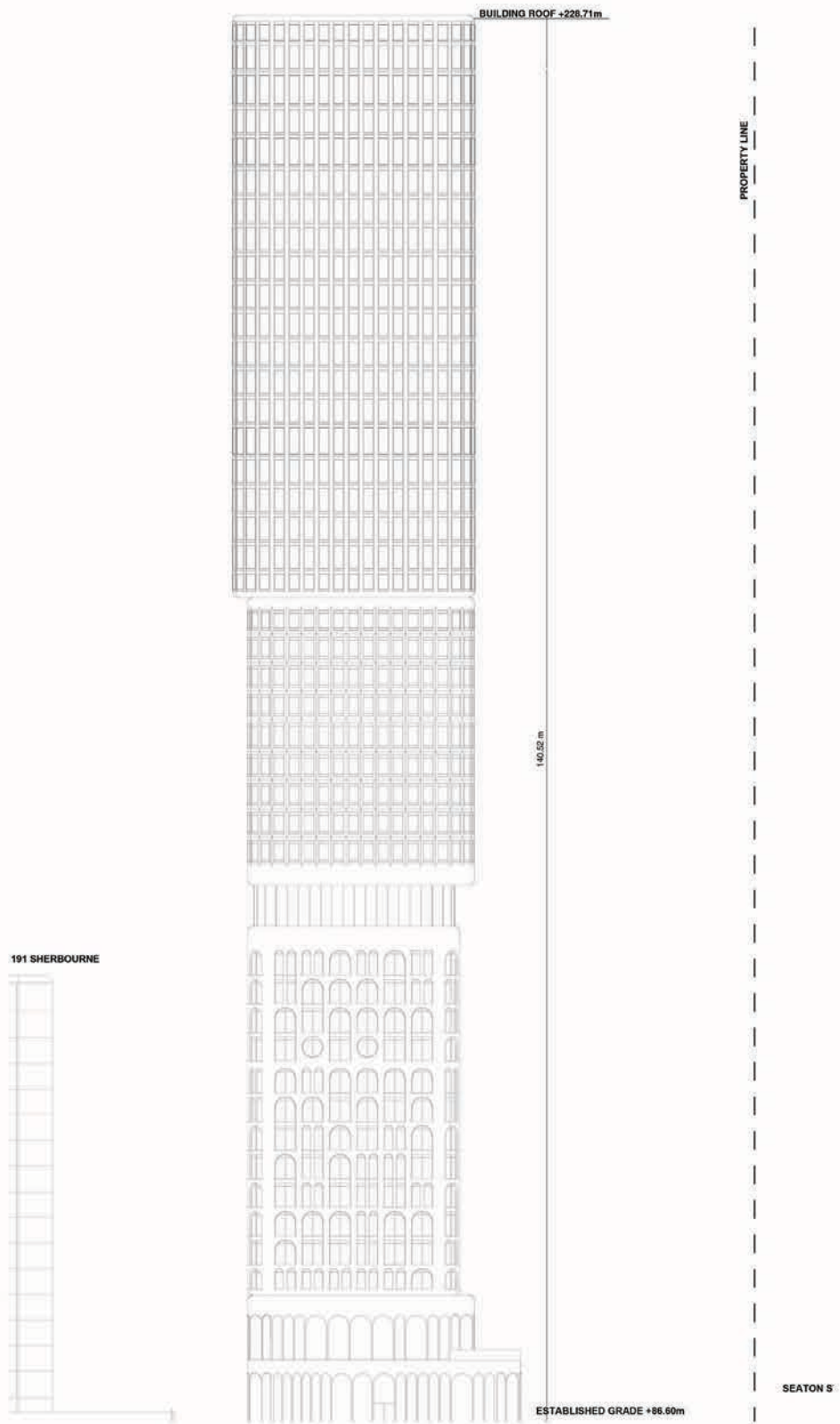
North Tower - West Elevation



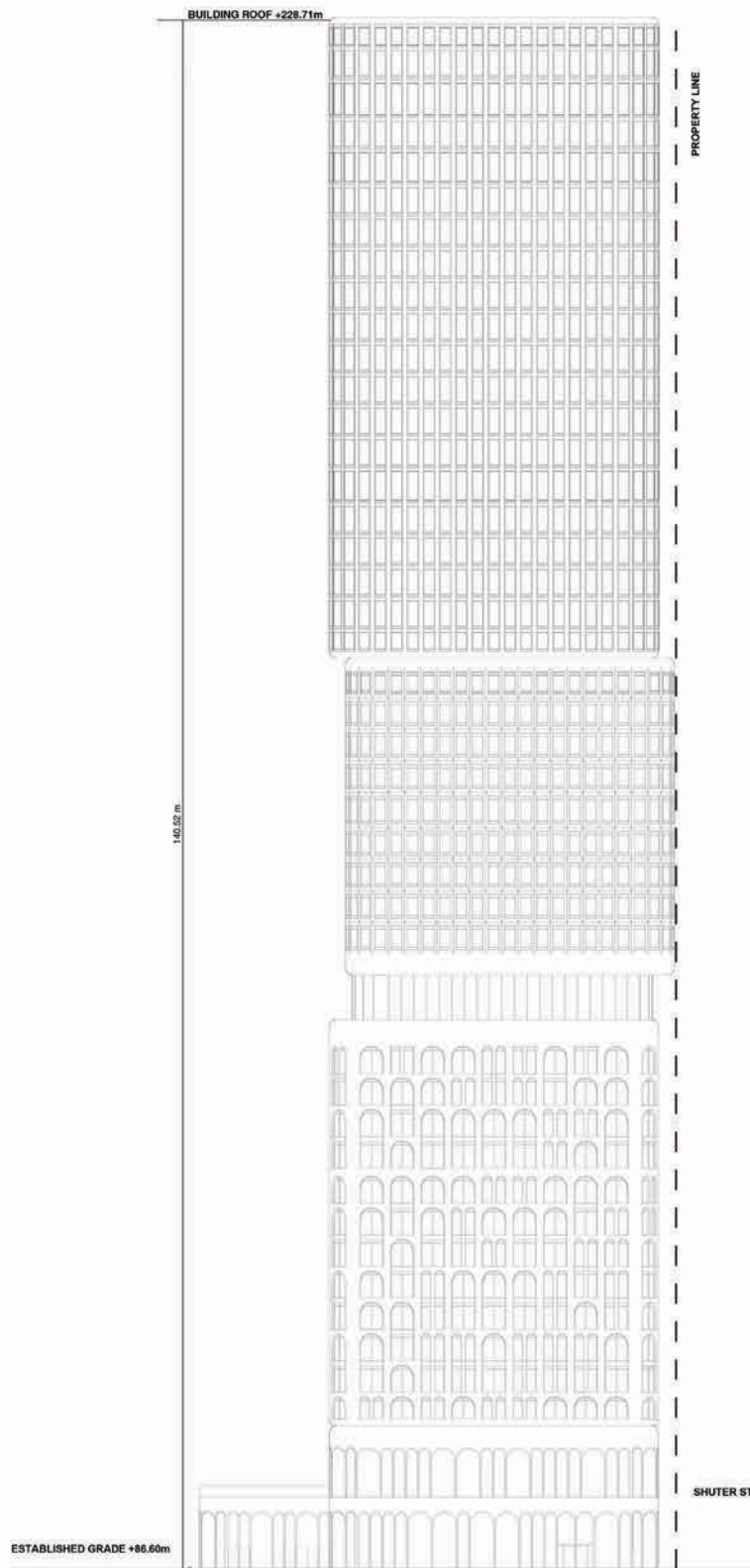
South Tower - East Elevation



South Tower - North Elevation

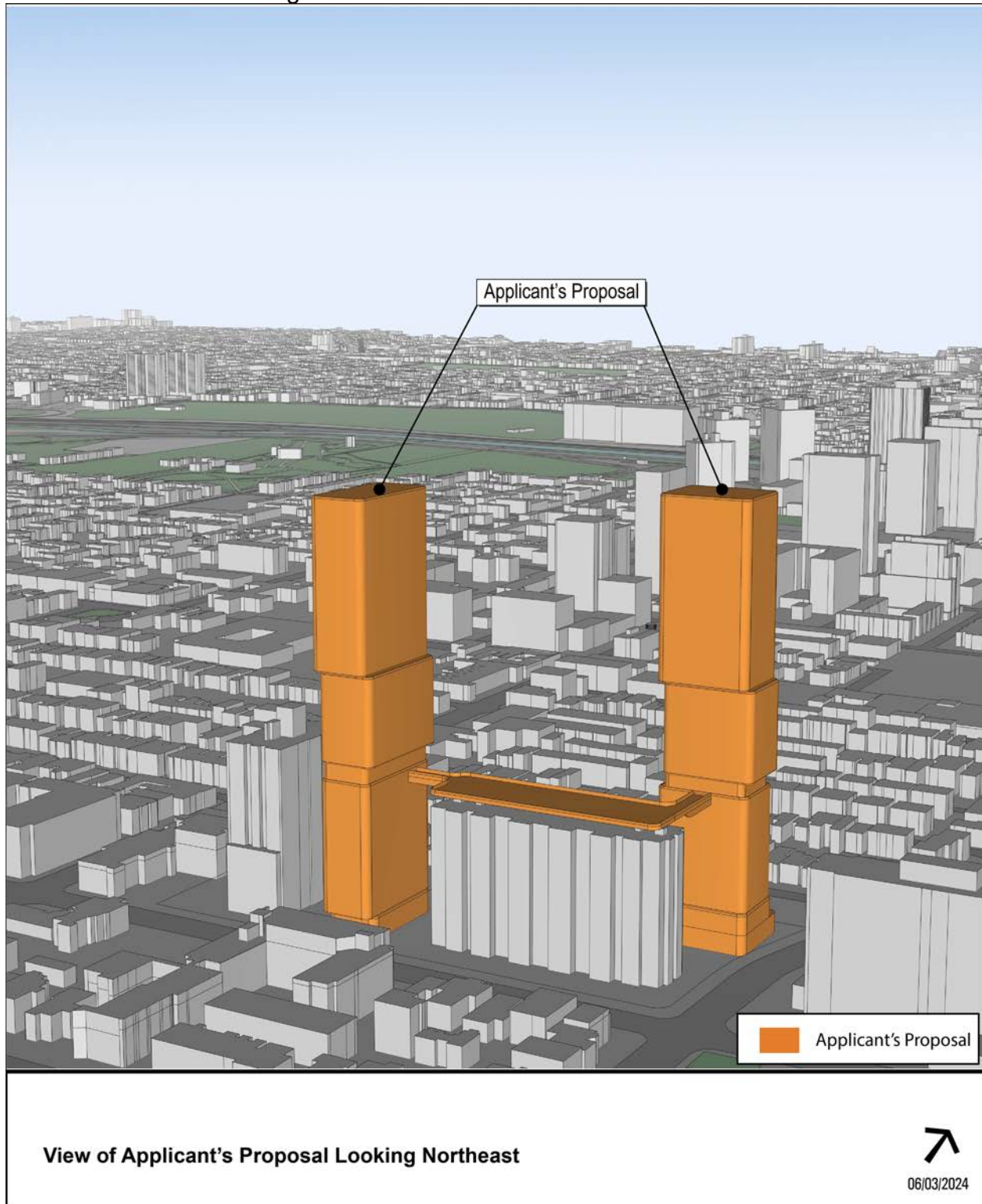


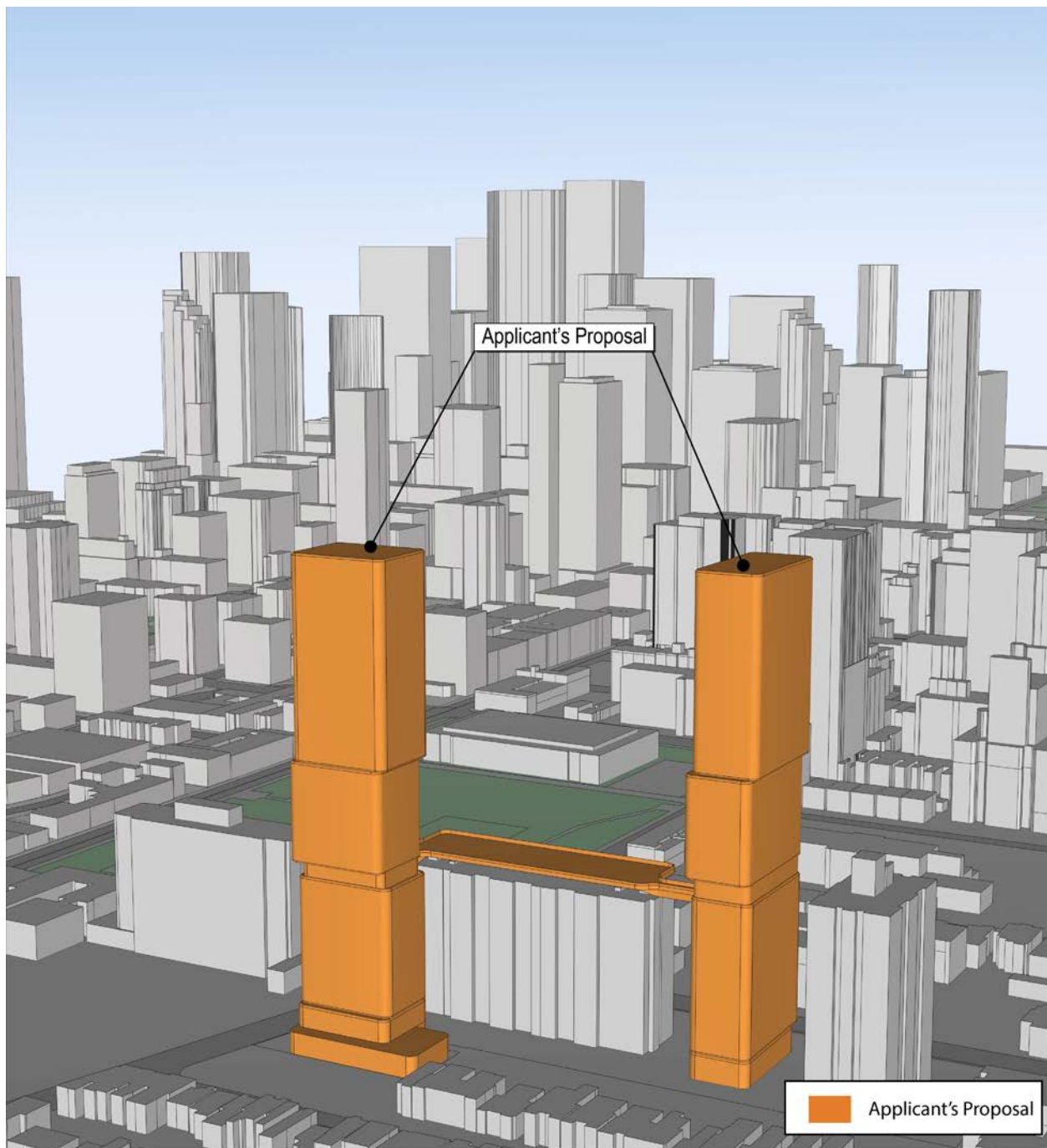
South Tower - South Elevation



South Tower - West Elevation

Attachment 9: 3D Massing Model





View of Applicant's Proposal Looking Southwest



06/03/2024