

566-576 Sherbourne Street and 29-37 Linden Street – Official Plan and Zoning By-law Amendment, and Rental Housing Demolition Applications – Decision Report – Approval

Date: September 13, 2024

To: Toronto and East York Community Council

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

Ward: 13 - Toronto Centre

Planning Application Numbers: 23 138754 STE 13 OZ and 23 195991 STE 13 RH

SUMMARY

This report reviews and recommends approval of the application to amend the Official Plan and Zoning By-law to permit a 69-storey residential building (235.2 metres, including the mechanical penthouse) at 566-576 Sherbourne Street and 29-37 Linden Street. The proposal contains 872 dwelling units, including 41 rental dwelling units to replace the existing 19 rental dwelling units and 22 dwelling rooms. The Official Plan Amendment is required to redesignate the site from Neighbourhoods to Mixed Use Areas.

The site contains six properties designated under Part IV of the Ontario Heritage Act including 570 Sherbourne Street, 572 and 574 Sherbourne Street, 576 Sherbourne Street, 37 Linden Street, and 29 Linden Street, and one property, 31 Linden Street, which is listed on the Heritage Register. The proposal includes in-situ retention of the front elevations, portions of the return walls at the north and south ends, and significant portions of the gabled roofs of the properties fronting Sherbourne Street. The front elevation, return walls, and a portion of the mansard roof of the building at 29 Linden Street will be relocated to the east on Linden Street as part of the building design. The building at 31 Linden Street is proposed to be demolished.

This report also reviews and recommends approval of the Rental Housing Demolition application. The proposal includes full replacement of the existing rental housing and a Tenant Relocation and Assistance Plan that addresses the right of existing tenants to return to replacement rental dwelling units at similar rents and financial compensation to mitigate hardship.

RECOMMENDATIONS

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

1. City Council amend the Official Plan, for the lands at 566-576 Sherbourne Street and 29-37 Linden Street substantially in accordance with the draft Official Plan Amendment included as Attachment 5 to this report.
2. City Council amend City of Toronto Zoning By-law 569-2013 for the lands at 566-576 Sherbourne Street and 29-37 Linden 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 and Zoning By-law Amendments as may be required.
4. City Council direct the Chief Planner and Executive Director, City Planning, in consultation with the local Ward Councillor and the City Solicitor, to continue to work with the applicant to explore the feasibility of providing an in-kind community benefit, such as new affordable housing, pursuant to Section 37(6) of the Planning Act in the development and to report back to City Council for further instruction if the applicant offers such an in-kind community benefit.
5. Before introducing the necessary Bills to City Council for enactment, City Council require the owner to:
 - a. submit a Functional Servicing Report and Servicing Report Groundwater Summary form 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;
 - b. make satisfactory arrangements with Engineering and 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 accepted by the Chief Engineer and Executive Director, Engineering and 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; and
 - c. submit a Pedestrian Level Wind Study for review and acceptance to the satisfaction of the Chief Planner and Executive Director, City Planning.
6. 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 566-576 Sherbourne Street and 29-37 Linden Street from Permit Parking.

7. City Council approve the Rental Housing Demolition application (File Number 23 195991 STE 13 RH) in accordance with Chapter 667 of the Toronto Municipal Code pursuant to Section 111 of the City of Toronto Act, 2006 which allows for the demolition of 19 existing rental dwelling units at 566, 568, 570, 572 and 574 Sherbourne Street and 29-37 Linden Street, subject to the following conditions:

a. the owner shall provide and maintain a minimum of 21 replacement rental dwelling units on the subject site for a period of at least 20 years beginning from the date that each replacement rental dwelling unit is first occupied. During such 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 21 replacement rental dwelling units shall be comprised of 10 studio units, 6 one-bedroom units, 3 two-bedroom units, and 2 three-bedroom units and shall collectively have a gross floor area of at least 973 square metres as generally illustrated in the plans submitted to the City Planning Division dated July 5, 2024, with any revision to these plans being to the satisfaction of the Chief Planner and Executive Director, City Planning Division;

b. the owner shall, as part of the 21 replacement rental dwelling units, provide at least 2 two-bedroom units at affordable rents, 1 one-bedroom unit at mid-range (affordable) rent, 10 studio units and 5 one-bedroom units at mid-range (moderate) rents as currently defined in the Official Plan, all for a period of at least 10 years beginning from the date of first occupancy of each unit. The rents of the remaining 3 replacement rental dwelling units shall be unrestricted;

c. the owner shall provide and maintain 632 square metres of dwelling room replacement area from 570 and 572 Sherbourne Street as 20 replacement rental studio units on the site, as generally illustrated in the plans submitted to the City Planning Division dated July 5, 2024, with any revision to these plans being to the satisfaction of the Chief Planner and Executive Director, City Planning Division, for a period of at least 20 years beginning from the date that each replacement rental studio unit is first occupied and, during which time, no application may be submitted to the City for condominium registration, or for any other conversion to a non-rental housing purpose, or for demolition without providing for replacement;

d. the owner shall, as part of the 20 replacement rental studio units, provide at least 10 units at affordable tier-two dwelling room rents and 10 units at mid-range tier-two dwelling room rents as defined in the Official Plan, all for a period of at least 15 years beginning from the date of first occupancy of each unit;

e. the owner shall provide an acceptable Tenant Relocation and Assistance Plan to all Eligible Tenants, addressing the right to return to occupy one of the replacement rental dwelling units 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;

f. the owner shall provide an access plan at least six months prior to the 41 replacement rental dwelling units being ready for occupancy which addresses how the units will be occupied, including the use of the City's Centralized Affordable Rental Housing Access System or, where the system is not yet in place, to tenants who have demonstrated that they are in need of affordable rental housing through a fair and transparent process developed in consultation with, and to the satisfaction of, the Chief Planner and the Executive Director, City Planning and Executive Director, Housing Secretariat;

g. the owner shall provide tenants of all 41 replacement rental dwelling units with access to, and use of, all indoor and outdoor amenities in the proposed building. 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;

h. the owner shall provide ensuite laundry and central air conditioning in each of the 41 replacement rental dwelling units at no extra charge;

i. the owner shall provide and make available for rent at least 1 vehicle parking space to tenants of the 41 replacement rental dwelling units. Such parking space shall be made available firstly to a returning tenant at similar monthly parking charges that such tenant previously paid and secondly to tenants of the replacement rental dwelling units;

j. the owner shall provide tenants of all 41 replacement rental dwelling units with access to bicycle and visitor parking on the same terms and conditions as any other resident of the proposed building;

k. the owner shall provide and make available 1 storage locker at no charge for Eligible Tenants and provide and maintain an additional minimum of 3 storage lockers to rent to tenants of the 41 replacement rental dwelling units on the same terms and conditions as any other resident of the proposed building;

l. the 41 replacement rental dwelling units shall be made ready and available for occupancy no later than the date by which 70% of the new dwelling units in the proposed development, exclusive of the replacement rental dwelling units, are made available and ready for occupancy, subject to any revisions to the satisfaction of the Chief Planner and Executive Director, City Planning; and

m. the owner shall enter into and register on title to the lands at 566-576 Sherbourne Street and 29-37 Linden Street an agreement pursuant to Section 111 of the City of Toronto Act, 2006 to secure the conditions outlined above, all to the satisfaction of the City Solicitor and the Chief Planner and Executive Director, City Planning Division.

8. City Council authorize the Chief Planner and Executive Director, City Planning Division, to issue Preliminary Approval of the Rental Housing Demolition Permit under

Chapter 667 of the Toronto Municipal Code for the demolition of the 19 existing rental dwelling units located at 29, 31, 33, 37 Linden Street and 566, 568, and 574 Sherbourne Street after all the following have occurred:

- a. all conditions in Recommendation 7 above have been fully satisfied or secured;
- b. the Official Plan Amendment has come into full force and effect;
- c. the Zoning By-law Amendment has come into full force and effect;
- d. the issuance of the Notice of Approval Conditions for site plan approval by the Chief Planner and Executive Director, City Planning Division or their designate, pursuant to Section 114 of the City of Toronto Act, 2006, or as otherwise agreed to by the Chief Planner and Executive Director, City Planning Division;
- e. the issuance of excavation and shoring permits (conditional or full permit) for the approved development on the site; and
- f. the owner has confirmed, in writing, that all existing rental dwelling units proposed to be demolished are vacant.

9. City Council authorize the Chief Building Official and Executive Director, Toronto Building Division to issue a Rental Housing Demolition Permit under Chapter 667 of the Toronto Municipal Code after the Chief Planner and Executive Director, City Planning Division has given Preliminary Approval referred to in Recommendation 8 above.

10. City Council authorize the Chief Building Official and Executive Director, Toronto Building Division to issue a Residential Demolition Permit under Section 33 of the Planning Act and Chapter 363 of the Toronto Municipal Code for 566-576 Sherbourne Street and 29-37 Linden Street after the Chief Planner and Executive Director, City Planning Division has given Preliminary Approval referred to in Recommendation 8 above, which may be included in the Rental Housing Demolition Permit under Chapter 667 pursuant to section 6.2 of Chapter 363, on condition that:

- a. the owner removes all debris and rubble from the site immediately after demolition;
- b. the owner erects the proposed building on site no later than 3 years from the date that demolition of the existing rental dwelling units commences, subject to the timeframe being extended at the discretion of the Chief Planner and Executive Director, City Planning Division; and
- c. should the owner fail to complete the proposed building within the time specified in Recommendation 10.b. above, the City Clerk shall be entitled to enter on the collector's roll, as with municipal property taxes, an amount equal to the sum of twenty thousand dollars (\$20,000.00) per dwelling unit for which a demolition permit is issued, and that such amount shall, until payment, be a lien or charge upon the land for which the Residential Demolition Permit is issued.

11. City Council authorize the appropriate City officials to take such actions as are necessary to implement City Council's decision, including execution of the Section 111 Agreement, and any other necessary agreements.

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 properties at 572, 574, 576 Sherbourne Street and 37 Linden Street (formerly 578 Sherbourne Street) were listed on the City's Heritage Register on August 18, 1976. The properties at 570 Sherbourne Street and 29 and 31 Linden Street were listed on the City's Heritage Register on February 7, 2023.

On November 8, 2023, City Council stated its intention to designate the properties at 570 Sherbourne Street, 572 and 574 Sherbourne Street, 576 Sherbourne Street and 37 Linden Street, and 29 Linden Street under Part IV, Section 29 of the Ontario Heritage Act. City Council's decision can be found here:

<https://secure.toronto.ca/council/agenda-item.do?item=2023.PH7.12>

The properties were designated on February 7, 2024.

THE SITE

Description

The site is located on the southwest corner of Sherbourne Street and Linden Street. The site has an area of 2,184 square metres and a frontage of 49 metres on Sherbourne Street and 45 metres on Linden Street.

Existing Use

There are currently ten 2-3 storey residential buildings on the site. The existing buildings contain 25 residential dwelling units, of which 19 are rental dwelling units, and 22 rental dwelling rooms.

Existing Rental Dwelling Units and Dwelling Rooms

The existing uses on site were confirmed by the as-built floor plans dated May 27, 2024, a site visit conducted by City Planning staff on December 20, 2023, and research undertaken on the rental housing history on the site. The existing rental dwelling units

and dwelling rooms are comprised of the following unit types and Official Plan rent classifications in Tables 1 and 2.

Table 1: Existing Rental Dwelling Unit Types and Rent Classifications

Unit Type	Mid-Range (Affordable)	Mid-Range (Moderate)	Unrestricted	Total
Studio	0	10	0	10
One-bedroom	1	5	1	7
Two-bedroom	0	0	1	1
Three-bedroom	0	0	1	1
Total	1	15	3	19

Table 2: Existing Dwelling Room Rent Classifications

Unit Type	Tier-2 Affordable	Tier-2 Mid-range	Total
Dwelling Room	12	10	22

At the time of this report, one rental dwelling unit proposed to be demolished is occupied by an eligible tenant. The remaining rental dwelling units and all the dwelling rooms proposed to be demolished are vacant.

THE APPLICATIONS

Description

A 69-storey residential building (235.2 metres, including the mechanical penthouse). Six of the heritage buildings on the site will be conserved in-situ and one will be relocated on the site and incorporated into the lower levels of the building. The proposal consists of a 5-storey base building set back behind the heritage buildings with the tower above.

Density

The proposal has a density of 24.7 times the area of the lot.

Dwelling Units

The proposal includes 872 dwelling units, including 41 replacement rental dwelling units. The proposal includes 93 studio units (11%), 526 one-bedroom units (60%), 184 two-bedroom units (21%), and 69 three-bedroom units (8%).

Rental Replacement Units

The existing 19 rental dwelling units will be replaced with 21 rental dwelling units. The two additional replacement rental dwelling units will be secured as two-bedroom units with affordable rents. The existing 22 dwelling rooms will be replaced with 20 studio units. The replacement approach results in replacement of over 100% of the existing rental gross floor area.

The 19 existing rental dwelling units will be replaced by the same unit type with the exception of two units: a large studio with mid-range (moderate) rent will be replaced with a one-bedroom unit and a one-bedroom unit with unrestricted rent will be replaced with a three-bedroom unit.

Tenant Relocation and Assistance Plan

A Tenant Relocation and Assistance Plan that addresses tenants' right to return to a replacement unit and assistance to lessen hardship will be provided to eligible tenants.

Eligible tenants will receive the following:

- the right to return to a replacement rental dwelling unit of the same unit type, similar size, and at similar rents;
- at least 6 months' notice before having to vacate their existing rental dwelling unit;
- financial compensation equal to 3 months' rent, as required by the Residential Tenancies Act, 2006 (RTA);
- compensation above and beyond that required under the RTA, in the form of rent gap assistance or alternative interim accommodation acceptable to the tenant. The rent gap would be calculated as the difference between the rent paid by a tenant on the date their tenancy is terminated and the most recent rent for Private Apartment Average Rents by Year of Construction and Bedroom Type by CMHC Rental Market Survey (RMS) Toronto-Former City (Zones 1-4) – 2015+, and be paid out to each tenant in a lump sum on the date they provide vacant possession of their existing rental unit;
- the services of a rental leasing agent upon request to assist tenants with finding interim accommodation;
- two moving allowances to assist with the cost of moving: the first for the move into alternative interim accommodation; the second for the move from the interim accommodation into a replacement rental dwelling unit; and,
- additional compensation and assistance for tenants with special needs, as determined by the Chief Planner and Executive Director, City Planning.

Amenity Space

The proposal includes a total of 2,495 square metres of amenity space (2.8 square metres per dwelling unit), consisting of 2,016 square metres of indoor amenity space (2.3 square metres per dwelling unit) and 479 square metres of outdoor amenity space (0.5 square metres per dwelling unit).

Access, Bicycle Parking, Vehicle Parking and Loading

Vehicular access will be from Linden Street. The proposal includes a total of 44 parking spaces in two underground levels, consisting of 35 parking spaces for residents and 9 parking spaces for visitors. The proposal includes a total of 872 bicycle parking spaces, consisting of 784 bicycle parking spaces for residents and 88 bicycle parking spaces for visitors. One Type G loading space and one Type C loading space are proposed.

Heritage

The site includes six Part IV designated heritage properties at 570 Sherbourne Street, 572 and 574 Sherbourne Street, 576 Sherbourne Street and 37 Linden Street, and 29 Linden Street, and one listed property at 31 Linden Street. The proposal includes in-situ retention of the front facades and portions of the return walls and gabled roofs of the properties fronting Sherbourne Street. The front facade and portions of the return walls and mansard roof of the building at 29 Linden Street will be relocated to the east on Linden Street as part of the building design. The building at 31 Linden Street is proposed to be demolished.

Revisions to the Application

The current proposal incorporates the following revisions from the original application:

- improved heritage conservation, which includes in-situ conservation of five Part IV designated properties on the site and the relocation of one Part IV designated building; whereas conservation of only two properties was originally proposed and demolition rather than relocation was originally proposed for one building;
- increased tower setbacks above the heritage properties;
- the balcony design has been modified so that balconies no longer wrap around the corners of the tower and are located at and above the seventh storey on the north and east sides of the building; whereas they previously started at the fourth storey;
- refinement of the rental replacement strategy to ensure all the existing dwelling units and dwelling room floor area will be replaced;
- reduced number of parking spaces; and
- increased height from 59 to 69 storeys.

Additional Information

See the attachments of this report for the Application Data Sheet, Location Map, a site plan and elevations of the proposal, and three-dimensional representations of the proposal 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: <https://www.toronto.ca/566SherbourneSt>

Reasons for Application

The Official Plan Amendment is required to redesignate the site from Neighbourhoods to Mixed Use Areas to permit a tall building in an area where low-rise buildings up to a maximum of 4-storeys are currently permitted.

The Zoning By-law Amendment is required to vary the performance standards in Zoning By-law 569-2013 to permit the proposed building height and gross floor area, and to establish appropriate standards to regulate the built form on the site.

A Rental Housing Demolition application is required because the development site contains six or more residential units, of which at least one unit is rental housing. Chapter 667 of the City of Toronto Municipal Code requires an applicant to obtain a permit from the City allowing the demolition of the existing rental housing units. The City may impose conditions that must be satisfied before a demolition permit is issued.

Site Plan Control

A Site Plan Control application was submitted on April 27, 2023.

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 and shall conform to provincial plans.

Official Plan

The site is located within the Downtown and Central Waterfront Area on Map 2 of the [Official Plan](#). The Downtown and Central Waterfront is a Growth Centre in Provincial Policy and the Official Plan. The site is designated Neighbourhoods on Map 18 of the Official Plan. The Official Plan states that Neighbourhoods are made up of residential uses in lower scale buildings such as detached houses, semi-detached houses, duplexes, triplexes and townhouses, as well as interspersed walk-up apartments that are no higher than four storeys. See Attachment 3 of this report for the Official Plan Land Use Map.

Downtown Plan

The site is subject to the policies of the [Downtown Plan](#). The Downtown Plan carries forward the Neighbourhoods land use designation.

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.

Zoning

The site is zoned R (d1.0) (x871) 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.

Rental Housing Demolition and Replacement

Official Plan Policy 3.2.1.6 requires new development that would result in the loss of six or more rental dwelling units to replace at least the same number, size, and type of rental units at similar rents for a period of 10 years 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 rental dwelling units at similar rent and other assistance to lessen hardship.

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 bachelor (i.e. studio) units at similar rents for a period of 15 years 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.

Design Guidelines

The following [design guidelines](#) have been used in the evaluation of this application:

- Tall Building Design Guidelines;
- Downtown Tall Buildings: Vision and Supplementary Design Guidelines;
- Toronto Accessibility Design Guidelines;
- Growing Up Guidelines for Children in Vertical Communities; and
- Pet Friendly Design Guidelines for High Density Communities.

Toronto Green Standard

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

COMMUNITY CONSULTATION

A virtual Community Consultation Meeting was hosted by City staff on August 8, 2023. Approximately 50 people participated, as well as the Ward Councillor and representatives on behalf of 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 meeting, through written and verbal comments, include:

- support for more housing at this location;
- affordable housing should be included in the project;
- concerns about removing mature trees and the lack of new trees as part of the proposal;
- concerns about cumulative shadow, wind, noise, and view impacts from the proposal and other nearby developments;
- questions about the shadow on St. James Town West Park;
- questions about the impact on wildlife;
- questions about the availability of local social services;
- concerns about maintaining the character of the area;
- concerns about traffic impacts on Linden Street and local one-way streets;
- questions about accommodations for delivery and ride-share traffic; and
- support for less parking.

The site is located directly adjacent to the Toronto Catholic District School Board's (TCDSB) Monsignor Fraser College - Isabella Campus. The TCDSB has raised concerns including the proposed base building setbacks from the shared property line as well as vehicular and pedestrian safety impacts. City staff have considered the concerns raised by the TCDSB as part of the review of the application.

Tenant Meeting

On June 3, 2024, City staff met in person with one impacted tenant to provide an overview of the City's housing policies, the impact of the rental demolition proposal on the tenant, and the proposed tenant relocation assistance plan.

Statutory Public Meeting Comments

In making their decision, Council members have an opportunity to consider submissions made at the statutory public meeting held by the Toronto and East York Community Council. The Community Council meeting is broadcast 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 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.

Rental Housing and Dwelling Room Demolition and Replacement

The proposal to replace the 19 existing rental dwelling units and 22 existing dwelling rooms with 41 replacement rental dwelling units at similar rents is appropriate and addresses the replacement requirements of Official Plan policies 3.2.1.6 and 3.2.1.11.

Rents for the replacement rental dwelling units will be set at the same affordability level as the existing dwelling units or dwelling rooms for a period of at least 10 years for rental dwelling unit replacement and 15 years for dwelling room replacement. Tenants that occupy one of the replacement rental dwelling units during the affordability period will have rents that only increase by the annual provincial Guideline until their tenancies end, irrespective of whether the Guideline applies to the proposed development under the RTA.

All the replacement rental dwelling units will be provided with ensuite laundry and central air conditioning. Tenants of the replacement rental dwelling units will have access to bicycle and visitor parking and all indoor and outdoor amenities at no extra charge, on the same terms and conditions as any other resident of the proposed building. In addition, 1 parking space and 4 storage lockers will be provided for tenants.

The recommended Tenant Relocation and Assistance Plan, which includes an extended notice period for all tenants and compensation beyond the requirements of the RTA for Eligible Tenants, is consistent with Official Plan policy and the City's current practices. The proposed approach to calculating the rent gap payment is consistent with the current Council-adopted approach.

The replacement rental dwelling units and tenant assistance matters will all be secured through an agreement pursuant to Section 111 of the City of Toronto Act, 2006, to the satisfaction of the Chief Planner and Executive Director, City Planning Division.

Land Use

The proposed redesignation of the site from Neighbourhoods to Mixed Use Areas is appropriate given its location and characteristics. The site is located along Sherbourne Street, a major street which is characterized by a mix of building heights including tall buildings between Bloor Street East to the north and Wellesley Street East to the south. Sherbourne Street is also characterized by a mix of land uses and an urban context that is distinct from the interior of the Upper Jarvis area. The site is located approximately 150 metres from Sherbourne subway station.

The site is also proposed to be designated Mixed Use Areas 2 - Intermediate in the Downtown Plan, which accommodates a range of building typologies and massing that respond to the site context.

Heritage Conservation

The proposal involves in-situ retention of the six heritage properties at 570 Sherbourne Street, 572 and 574 Sherbourne Street, and 576 Sherbourne Street and 37 Linden Street, and the relocation of the building at 29 Linden Street to the current location of 33 Linden Street.

The heritage structures, including building facades, portions of the return walls, and portions of the roofs, will be incorporated into the base building of the proposed development. The conservation approach will maintain the scale, form, and massing of the properties.

Heritage Planning staff have reviewed the Heritage Impact Assessment submitted in support of the application and are satisfied with the proposed conservation approach. A separate report recommending that City Council approve the proposed alterations and removal will be considered at the same meeting as this report.

Built Form

This application has been reviewed against the Official Plan policies and design guidelines described in the Policy Considerations section of this report. City Planning staff find that the proposed built form is appropriate given the existing and the planned context for the site and the surrounding area.

The streetwall expression is defined by the retained heritage structures on Sherbourne Street and Linden Street. New infill elements of the building will be set back behind the historic facades. The building above will be set back approximately 7.5 metres from the Sherbourne Street frontage and 5-6 metres from the Linden Street frontage, behind the gable ridge of the historic buildings.

The stepped massing proposed at the side and rear of the property provides an appropriate base building relationship to the adjacent properties to the west and south with a 5.5 metre stepback above level 2. Starting at level 6, the tower is set back 12.5 metres and 10 metres from the west and south property lines, respectively, which provides adequate separation distances from neighbouring uses and consideration for the development potential of other sites within the block.

The overall building height fits within the emerging context of tall buildings on Sherbourne Street and in the Upper Jarvis area.

Unit Mix

The Downtown Plan requires a minimum of 10% three-bedroom units, 15% two-bedroom units and an additional 15% two- or three-bedroom units or units that can be converted to two- and three-bedroom units through the use of accessible or adaptable design measures. This mix of units will be secured in the site-specific zoning by-law.

Amenity Space

The minimum amount of amenity space proposed is acceptable given the characteristics and constraints of this site. The available area for rooftop outdoor amenity space is limited due to the heritage conservation on the site and building setbacks from Sherbourne Street and Linden Street.

Public Realm

The public realm includes a minimum pedestrian clearway width of 2.1 metres along Sherbourne Street and Linden Street.

Tree Preservation

An Arborist Report and Tree Preservation Plan were submitted in support of the application. Ten existing trees on the site are protected under the Private Tree By-law and are proposed to be removed to accommodate the proposed development. Six City-owned trees located adjacent to the site on Linden Street and Sherbourne Street are also proposed for removal. One City-owned tree located on Linden Street is proposed to be retained. No new large growing shade trees are included as part of the proposal due to insufficient clearance on Sherbourne Street and overhead hydro lines on Linden Street. Urban Forestry staff have reviewed and accepted the proposal.

Shadow Impact

A shadow study was submitted in support of the application which shows the proposal casting new shadows on St. James Town West Park in the afternoon during the spring and fall equinoxes as well as the summer solstice.

City Planning staff find that the incremental shadow impact generated by the proposal is reasonable given the location of the site relative to St. James Town West Park and the shadow impacts comply with the policies of the Official Plan.

Wind Impact

A Pedestrian Level Wind Study was submitted in support of the original application. An updated study is required to assess the wind comfort conditions resulting from the revised proposal and ensure any necessary mitigation features are implemented. The updated Pedestrian Level Wind Study must be submitted to City Planning for review and acceptance prior to introducing the necessary Bills to Council for enactment.

Traffic Impact, Bicycle Parking, Vehicle Parking and Loading

A Transportation Impact Study was submitted in support of the original application. Transportation Services staff have reviewed and accepted the proposal with respect to the proposed vehicular access, vehicle parking, bicycle parking, loading spaces, and the impacts on nearby intersections from the projected site traffic.

Servicing and Stormwater Management

A Functional Servicing and Stormwater Management Report, Servicing Report Groundwater Summary, Hydrogeological Assessment, and Geotechnical Investigation were submitted in support of the application. Engineering and Construction Services staff have reviewed the submitted materials and have identified several outstanding items for review. A revised Functional Servicing and Stormwater Management Report must be submitted to Engineering and Construction Services for review and acceptance prior to introducing the necessary Bills to Council for enactment. Should it be

determined that upgrades are required to the infrastructure to support this development, the owner must make satisfactory arrangements and enter into the appropriate agreement(s) with the City for the design and construction of any improvements to the municipal infrastructure.

Parkland

In accordance with [Section 42 of the Planning Act](#), the Owner is required to satisfy the parkland dedication requirement through cash-in-lieu. As per [Toronto Municipal Code Chapter 415-29](#), the appraisal of the cash-in-lieu will be determined under the direction of the Executive Director, Corporate Real Estate Management. Additionally, the [Toronto Municipal Code Chapter 415-28](#), requires that the payment be made prior to the issuance of the first above-ground building permit for the land to be developed.

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.

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.

CONTACT

Katherine Bailey, Senior Planner, Community Planning, Tel. No. 416-397-1761, E-mail: Katherine.Bailey@toronto.ca

Denise McMullin, Planner, Housing Policy, Tel. No. 416- 395-7133, E-mail: Denise.McMullin2@toronto.ca

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

Applicant Submitted Drawings

- Attachment 7: Site Plan
- Attachment 8: Elevations
- Attachment 9: 3D Massing Model

Attachment 1: Application Data Sheet

Municipal Address: 566-576 Sherbourne Street and 29-37 Linden Street
Date Received: April 27, 2023
Application Number: 23 138754 STE 13 OZ
Application Type: OPA, Rezoning, Rental Housing Demolition
Project Description: 69-storey residential building (235.2 metres, including the mechanical penthouse) containing 872 dwelling units, including 41 replacement rental dwelling units. Three of the heritage buildings on the site will be conserved in-situ and one will be relocated on the site and incorporated into the lower levels of the building.

Applicant	Agent	Architect	Owner
WND Associates Limited	WND Associates Limited	Arcadis	Linden-Sherbourne Limited

EXISTING PLANNING CONTROLS

Official Plan Designation:	Neighbourhoods	Site Specific Provision:	N/A
Zoning:	R (d1.0) (x871)	Heritage Designation:	Y
Height Limit (m):	13	Site Plan Control Area:	Y

PROJECT INFORMATION

Site Area (sq m):	2,184	Frontage (m):	49	Depth (m):	45
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Building Data	Existing	Retained	Proposed	Total
Ground Floor Area (sq m):	796		1,461	1,461
Residential GFA (sq m):	1,906		53,934	53,934
Non-Residential GFA (sq m):				
Total GFA (sq m):	1,906		53,934	53,934
Height - Storeys:	3		69	69
Height - Metres:			235.2	235.2

Lot Coverage Ratio (%):	66.90	Floor Space Index:	24.70
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Floor Area Breakdown	Above Grade (sq m)	Below Grade (sq m)
Residential GFA:	53,630	304
Retail GFA:		
Office GFA:		
Industrial GFA:		
Institutional/Other GFA:		

Residential Units by Tenure	Existing	Retained	Proposed	Total
Rental:	19		41	41
Freehold:				
Condominium:			831	831
Other:				
Total Units:	19		872	872

Total Residential Units by Size

	Rooms	Studio	1 Bedroom	2 Bedroom	3+ Bedroom
Retained:					
Proposed:		93	526	184	69
Total Units:		93	526	184	69

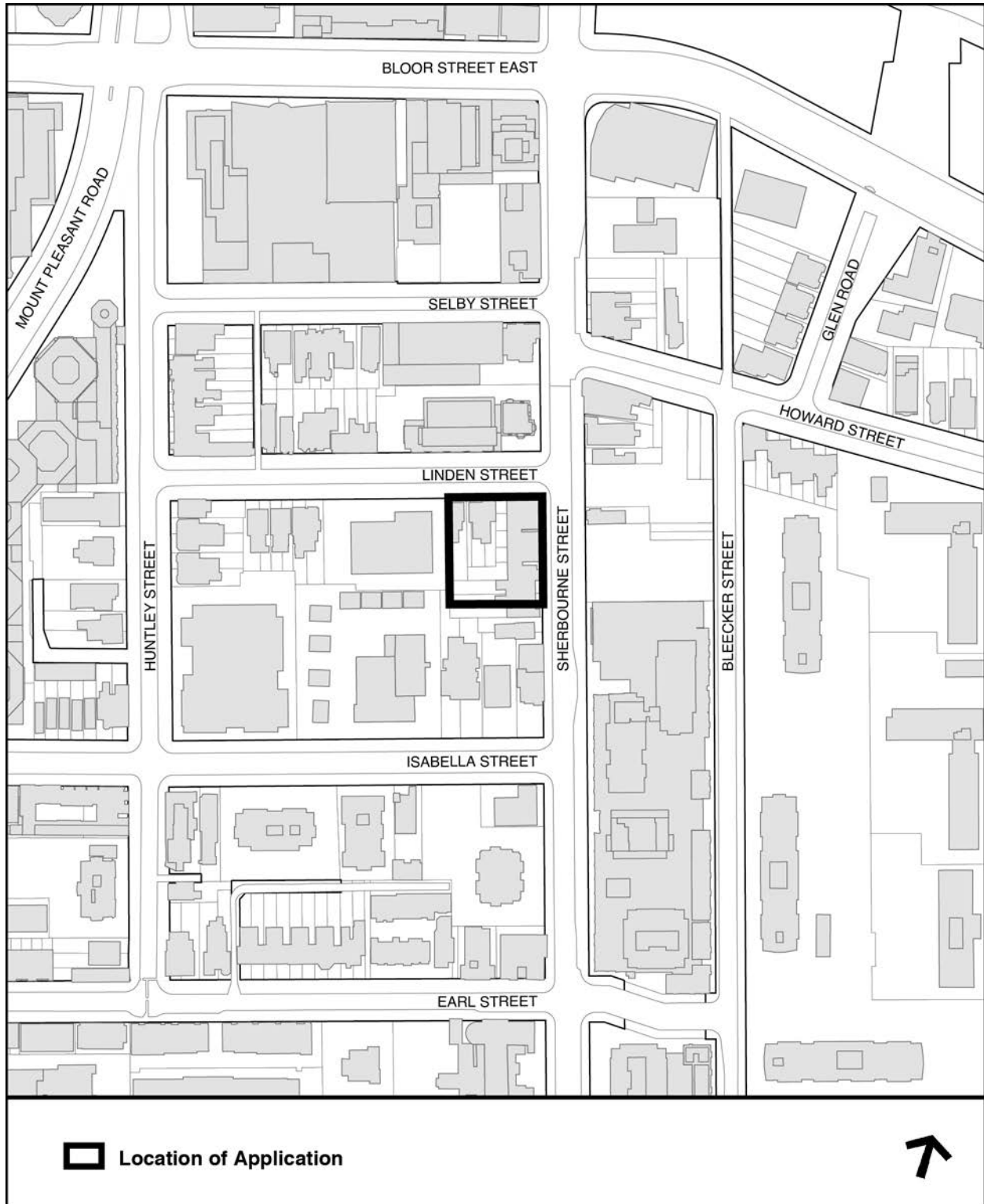
Parking and Loading

Parking Spaces: 44 Bicycle Parking Spaces: 872 Loading Spaces: 2

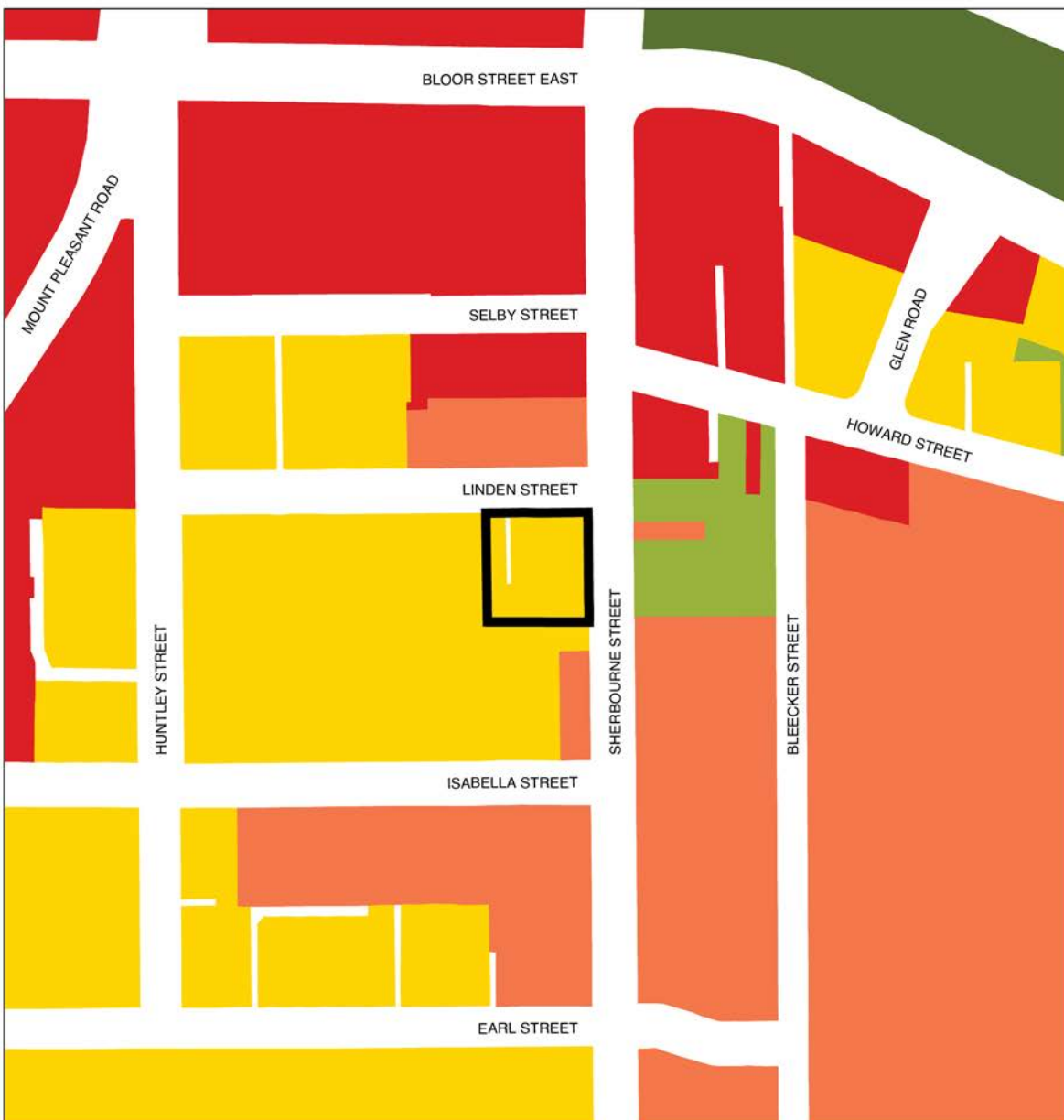
CONTACT:

Katherine Bailey, Senior Planner
416-397-1761
Katherine.Bailey@toronto.ca

Attachment 2: Location Map



Attachment 3: Official Plan Land Use Map



Official Plan Land Use Map 18

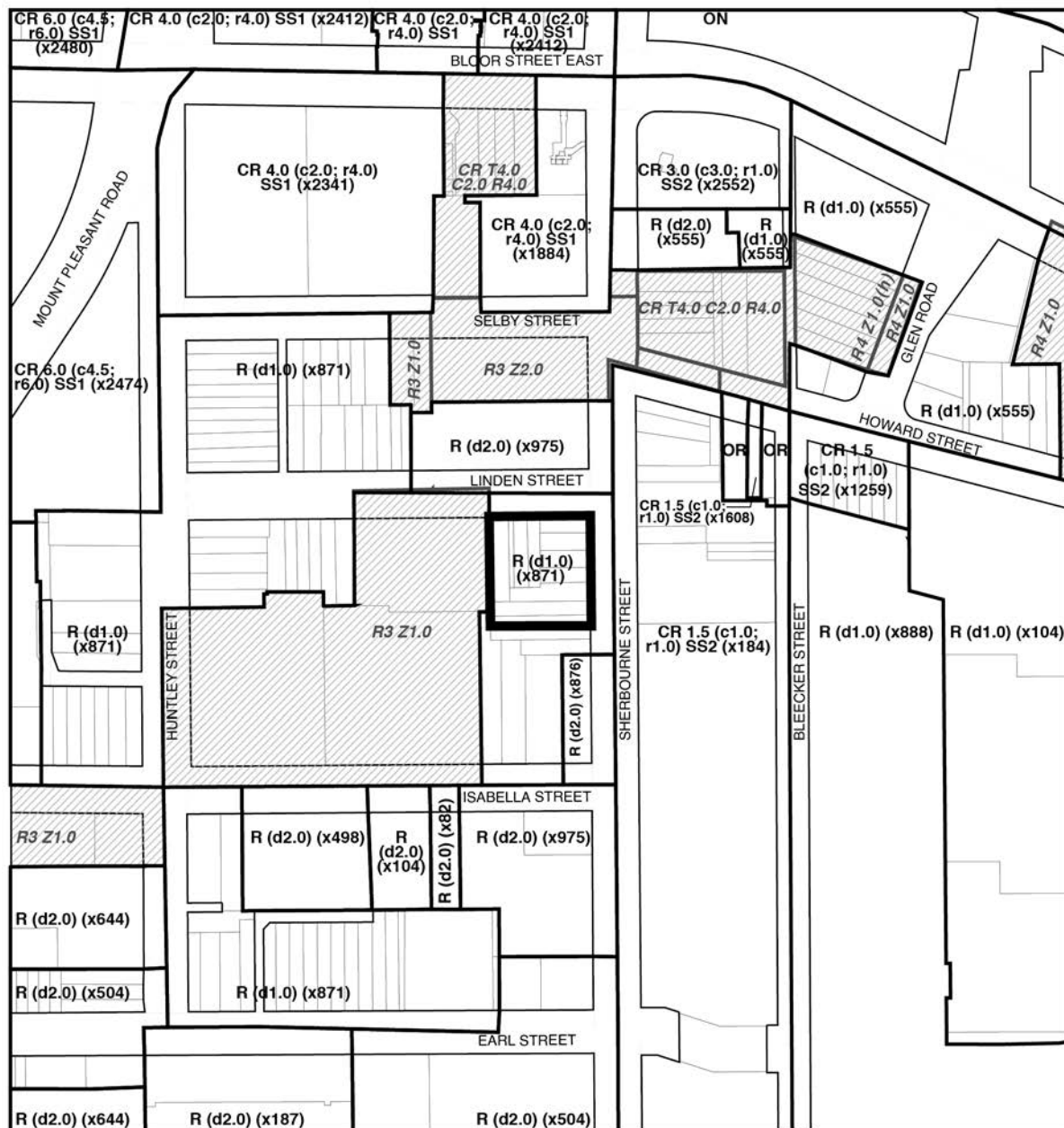
566-576 Sherbourne Street
and 29-37 Linden Street

File # 23 138754 STE 13 02



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Not to Scale
Extracted: 05/02/2023

Attachment 4: Existing Zoning By-law Map



Zoning By-law 569-2013

**566-576 Sherbourne Street
and 29-37 Linden Street**
File # 23 138754 STE 13 02



Location of Application

R
CR
ON
OR

Residential
Commercial Residential
Open Space Natural
Open Space Recreation



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

R3
CR

Residential District
Mixed-Use District



Not to Scale
Extracted: 05/02/2023

Attachment 5: Draft Official Plan Amendment

Authority: Toronto and East York Community Council Item ~ as adopted by City of Toronto Council on ~, 2024

Enacted by Council: ~, 2024

CITY OF TORONTO
Bill XXX
BY-LAW XXX

To adopt Amendment 764 to the Official Plan for the City of Toronto respecting the lands known municipally in the year 2023, as 566-576 Sherbourne Street and 29-37 Linden 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;

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 764 to the Official Plan is hereby adopted pursuant to the *Planning Act*, as amended.

Enacted and Passed this ~ day of ~, 2024.

Frances Nunziata,
Speaker

John D. Elvidge,
City Clerk

(Seal of the City)

City of Toronto By-law No. ---2024

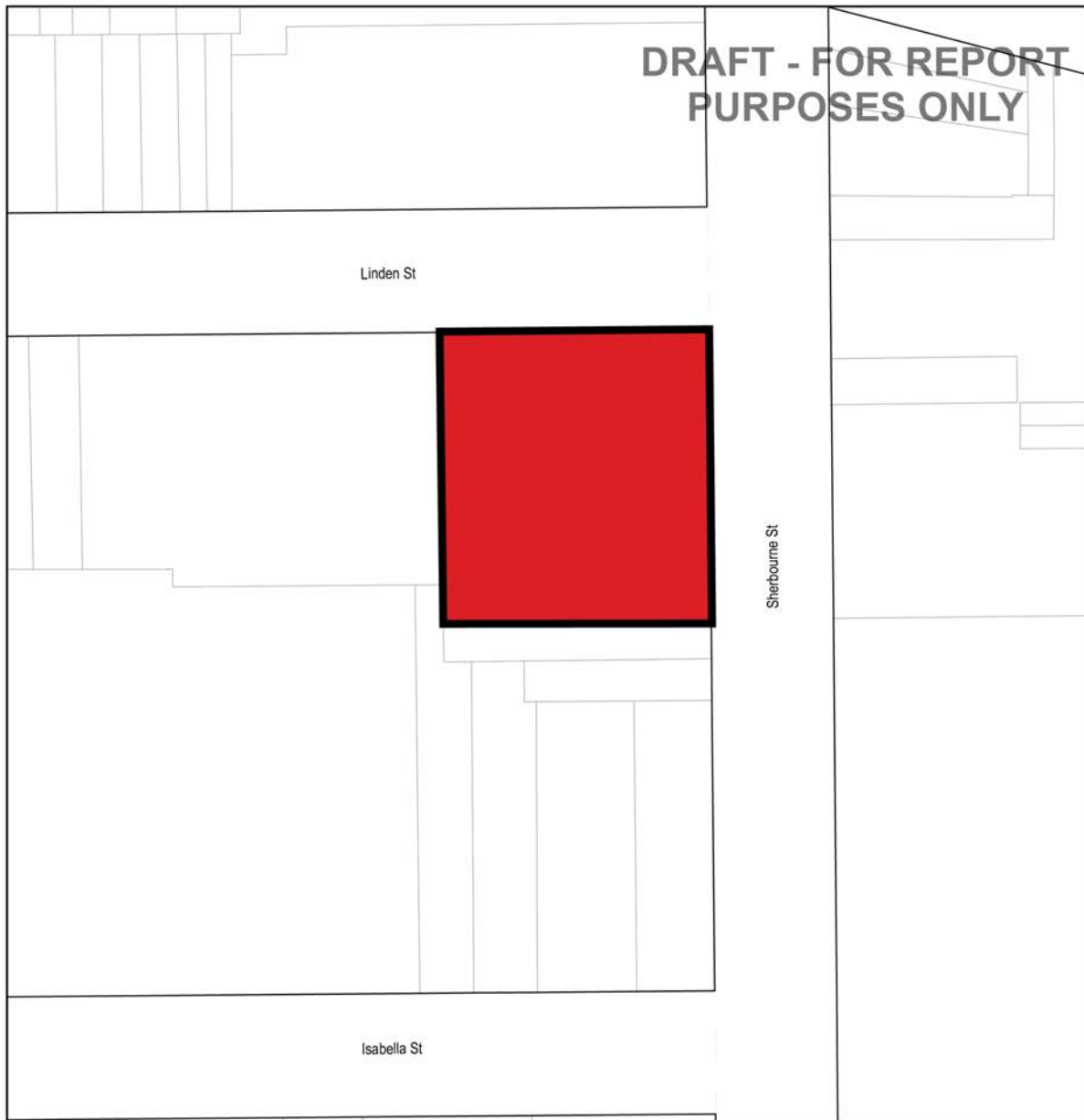
AMENDMENT 764 TO THE OFFICIAL PLAN

LANDS MUNICIPALLY KNOWN IN THE YEAR 2023 AS 566-576 SHERBOURNE STREET AND 29-37 LINDEN STREET

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 as 566-576 Sherbourne Street and 29-37 Linden Street from *Neighbourhoods* to *Mixed Use Areas*, as shown on Appendix 1.
2. Map 41-3, Downtown Plan, Mixed Use Areas, is amended by designating the lands known municipally as 566-576 Sherbourne Street and 29-37 Linden Street as *Mixed Use Areas 2 - Intermediate*, as shown on Appendix 2.
3. Map 41-3-B, Downtown Plan, Mixed Use Areas 2 - Intermediate, is amended by designating the lands known municipally as 566-576 Sherbourne Street and 29-37 Linden Street as *Mixed Use Areas 2 - Intermediate*, as shown on Appendix 3.

Appendix 1



Official Plan Amendment #764

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

**566-576 Sherbourne Street
and 29-37 Linden Street**

File # 23 138754 STE 13 02

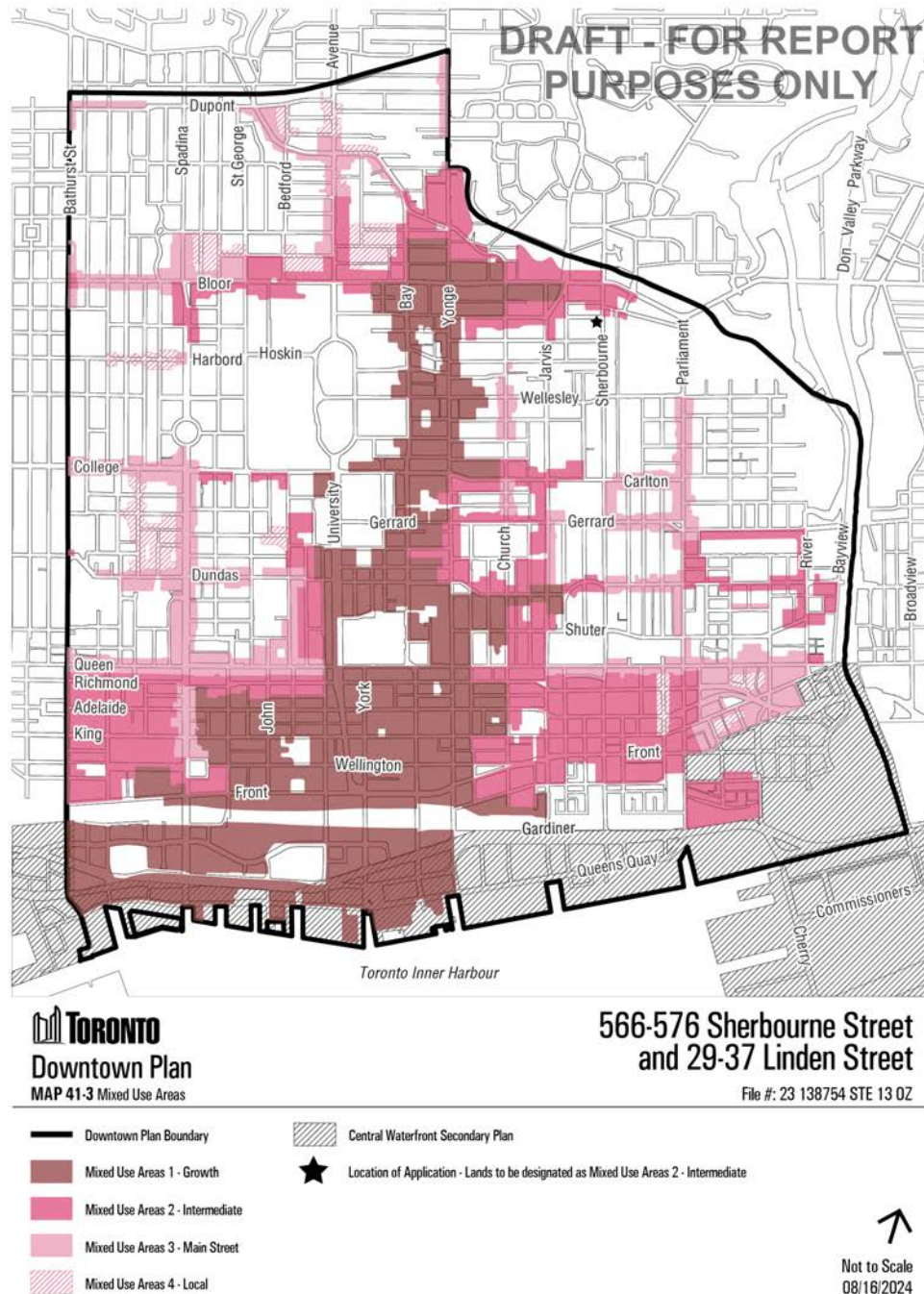


Mixed Use Areas

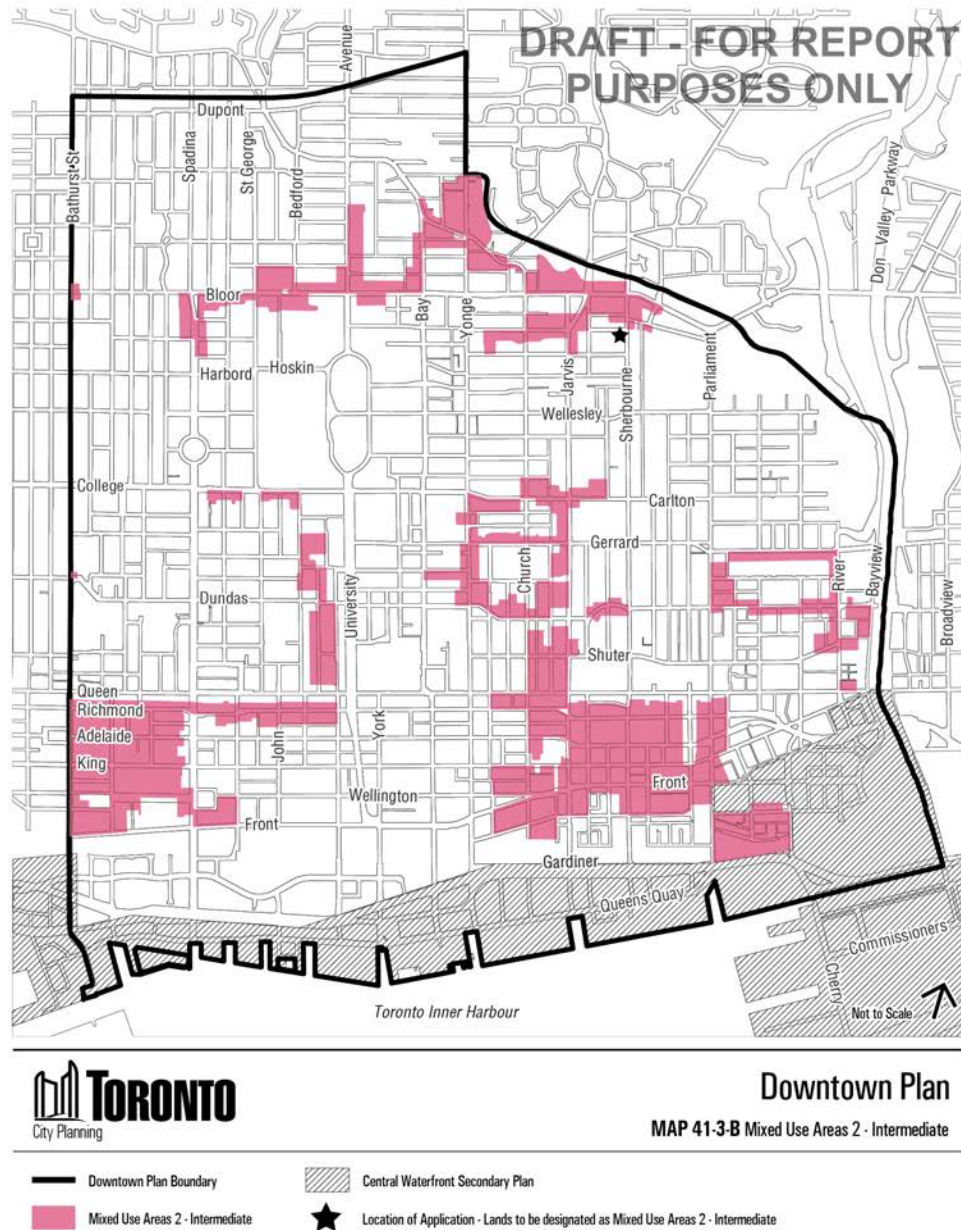


Not to Scale
08/02/2024

Appendix 2



Appendix 3



Attachment 6: Draft Zoning By-law Amendment

The Draft Zoning By-law Amendment will be made available on or before the September 25, 2024 Toronto and East York Community Council meeting.

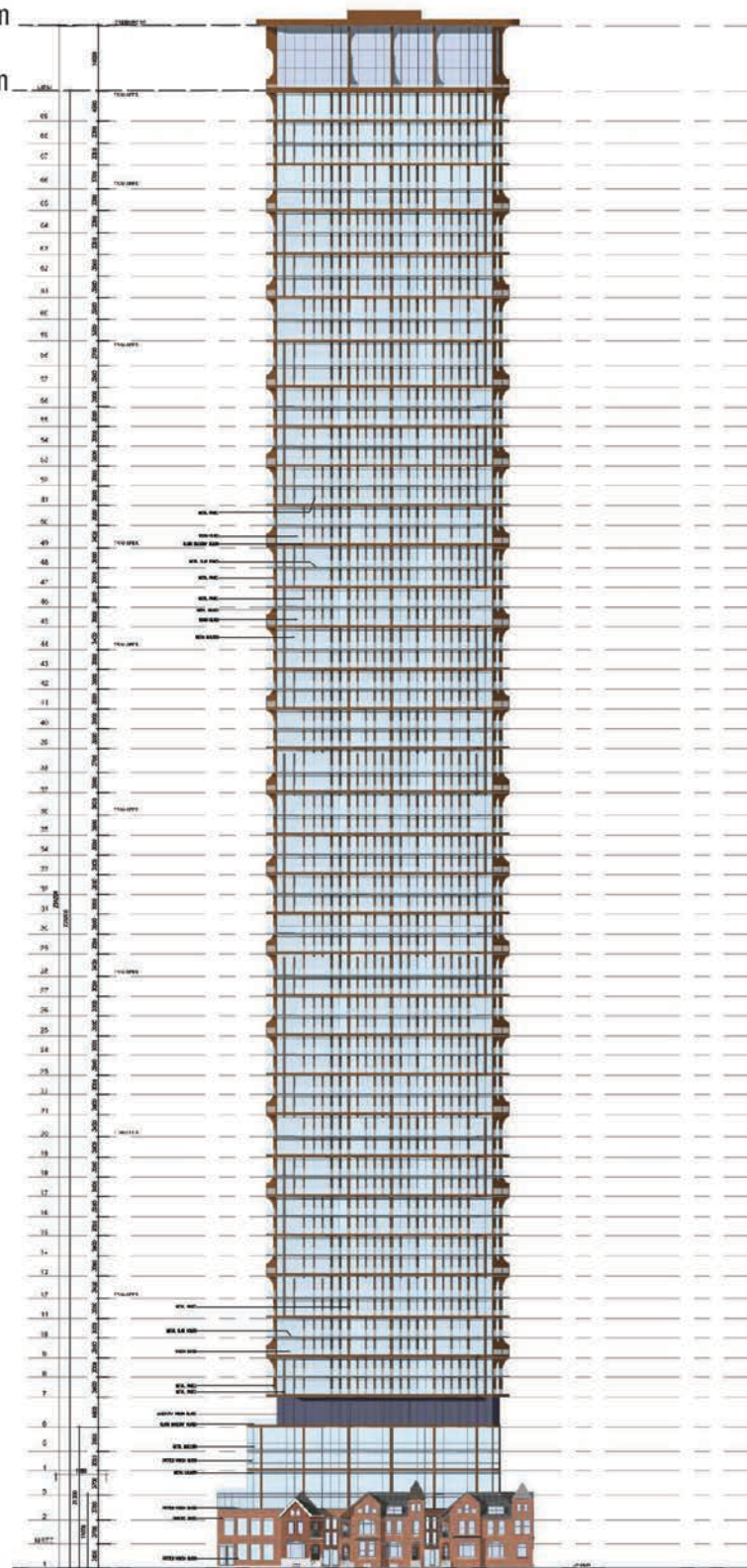
Page 29 of 35



Attachment 8: Elevations

TO Mechanical 235.2m

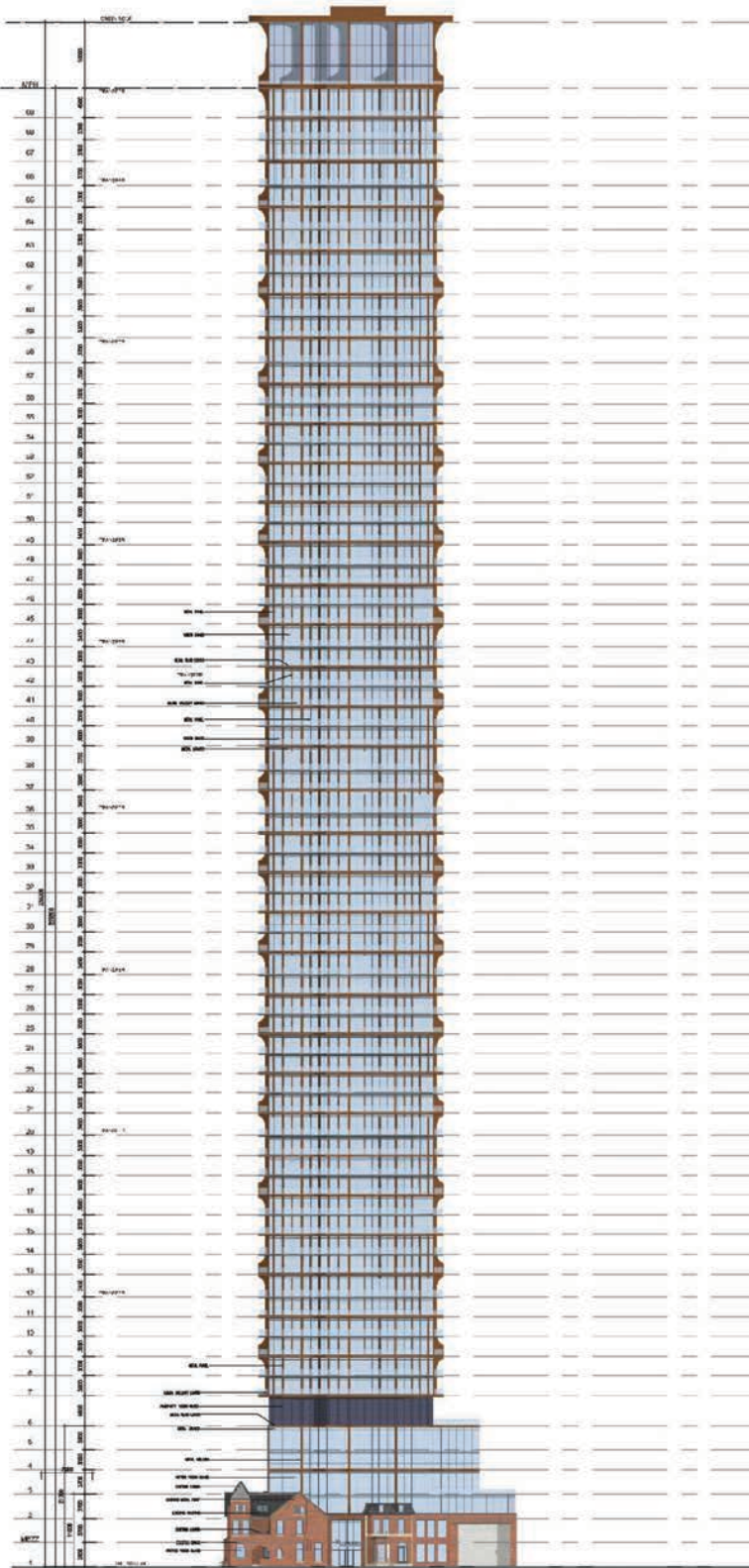
TO 69 FL 225.2m



East Elevation

TO Mechanical 235.2m

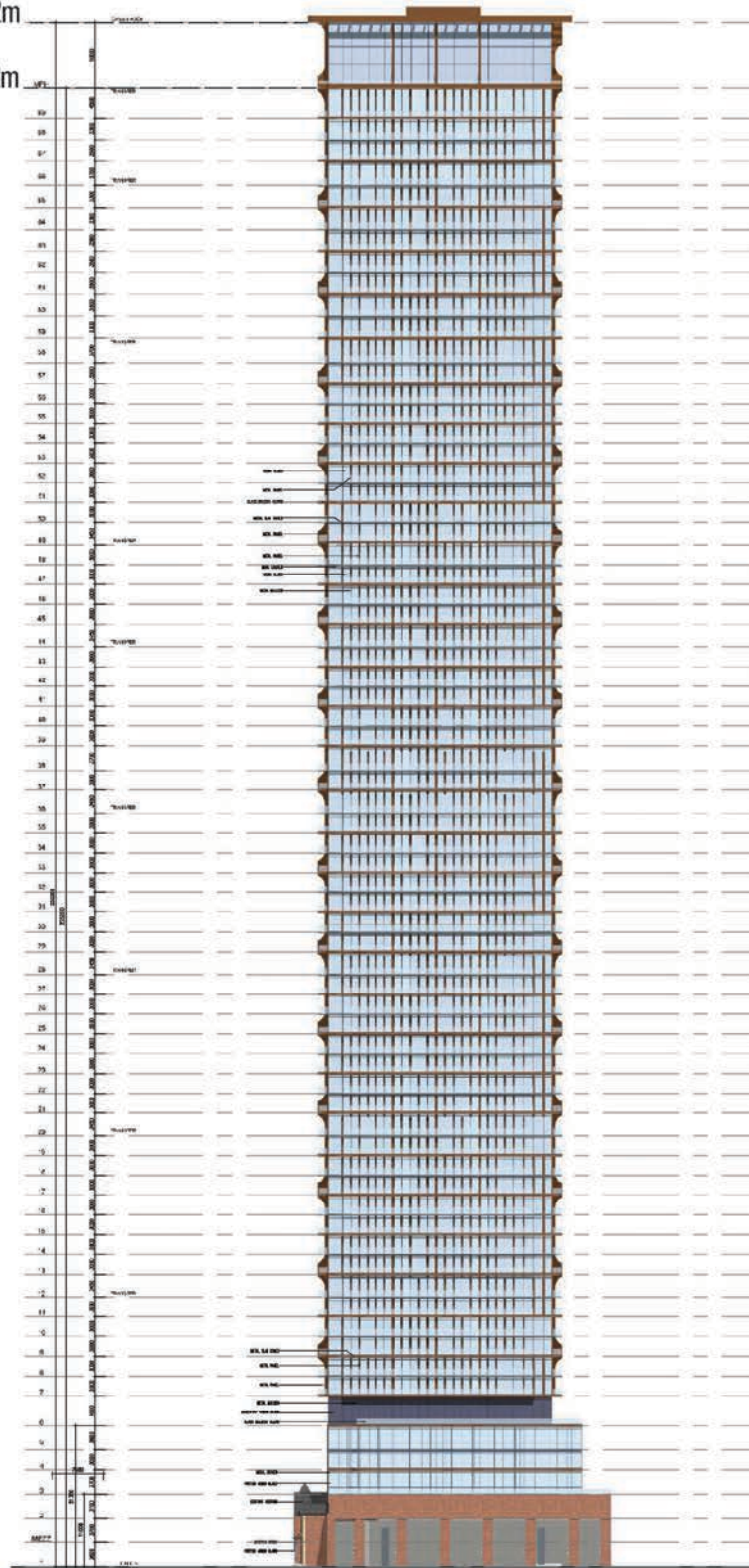
TO 69 FL 225.2m



North Elevation

TO Mechanical 235.2m

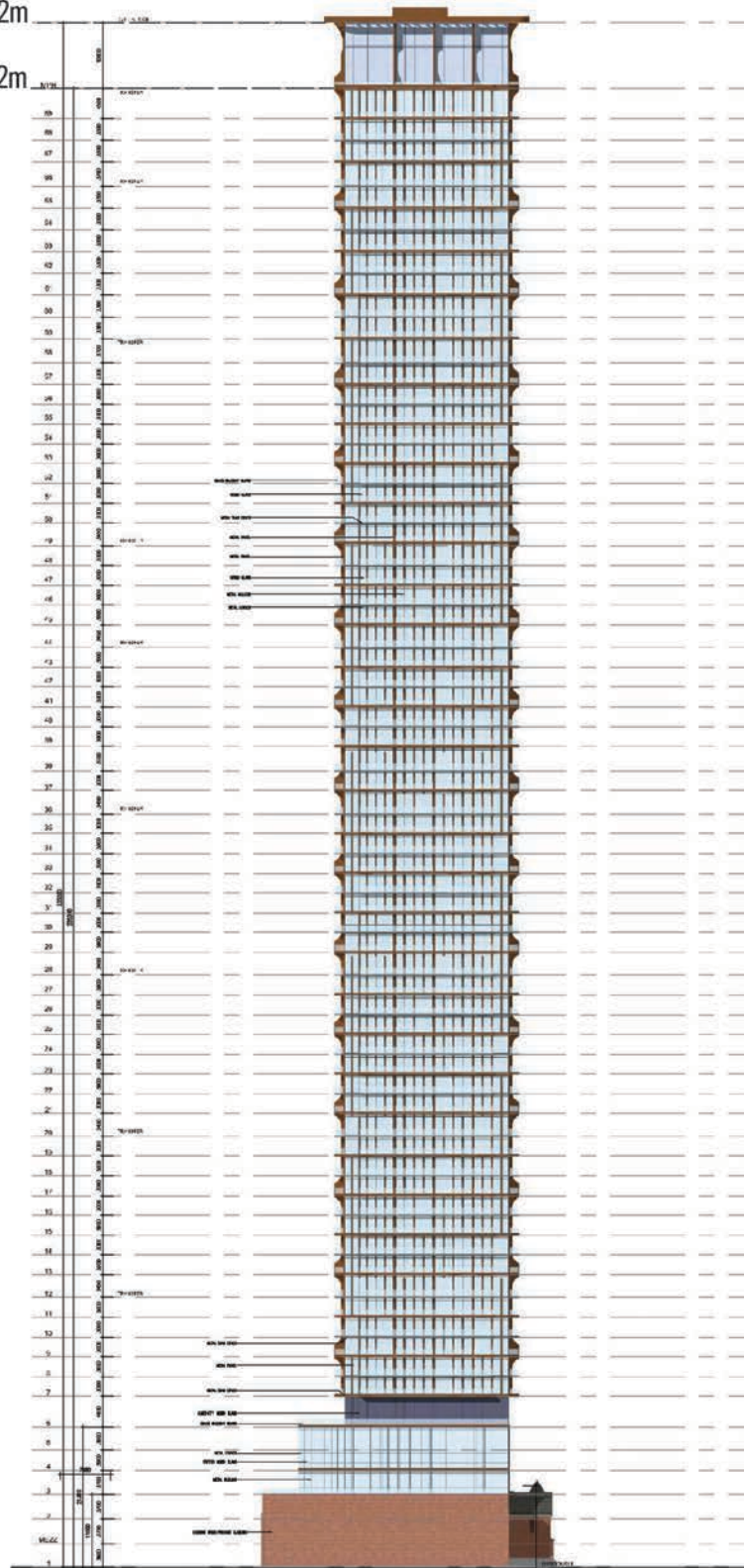
TO 69 FL 225.2m



West Elevation

TO Mechanical 235.2m

TO 69 FL 225.2m



South Elevation

Attachment 9: 3D Massing Model

