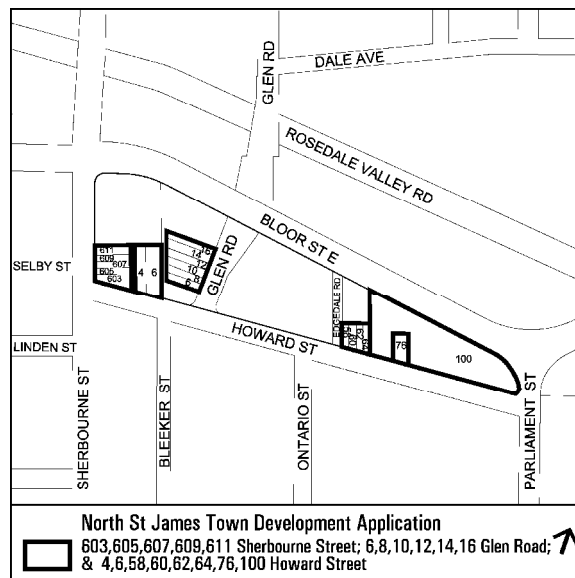


6, 8, 10, 12, 14 and 16 Glen Road; 4, 6, 58, 60, 62, 64, 76 and 100 Howard Street; and 603, 605, 607, 609 and 611 Sherbourne Street – Official Plan and Zoning Amendments and Rental Housing Demolition – Final Report

Date:	November 4, 2013
To:	Toronto and East York Community Council
From:	Director, Community Planning, Toronto and East York District
Wards:	Ward 28 – Toronto Centre-Rosedale
Reference Number:	10 247063 STE 28 OZ and 11 194035 STE 28 RH

SUMMARY

The application to amend the Official Plan and Zoning By-law proposes a development consisting of: four residential towers with heights of 12, 37, 45 and 45 storeys; 3-storey townhouses; a low-rise mixed use base building; and retail uses at grade along Howard Street for the properties at 6, 8, 10, 12, 14 and 16 Glen Road; 4, 6, 58, 60, 62, 64, 76 and 100 Howard Street; and 603, 605, 607, 609, and 611 Sherbourne Street. The proposal also includes: the retention of several heritage buildings (6-16 Glen Road, 603 Sherbourne Street and 605-607 Sherbourne Street); the relocation and conservation of 76 Howard Street; the conveyance of a public park; and the demolition and replacement of 8 rental dwelling units with tenant relocation assistance.



This report reviews and recommends approval of the application to amend the Official Plan and Zoning By-law, subject to conditions. It also recommends approval of the related application for Rental Housing Demolition.

RECOMMENDATIONS

The City Planning Division recommends that:

1. City Council amend the Official Plan for the lands at 6, 8, 10, 12, 14 and 16 Glen Road; 4, 6, 58, 60, 62, 64, 76 and 100 Howard Street; and 603, 605, 607, 609, and 611 Sherbourne Street substantially in accordance with the draft Official Plan Amendment attached as Attachment No. 8 to the report (November 4, 2013) from the Director, Community Planning, Toronto and East York District.
2. City Council amend former City of Toronto Zoning By-law 438-86, as amended for the lands at 6, 8, 10, 12, 14 and 16 Glen Road; 4, 6, 58, 60, 62, 64, 76 and 100 Howard Street; and 603, 605, 607, 609, and 611 Sherbourne Street substantially in accordance with the draft Zoning By-law Amendment attached as Attachment No. 9 to the report (November 4, 2013), from the Director, Community Planning, Toronto and East York District.
3. City Council authorize the City Solicitor to make such stylistic and technical changes to the draft Official Plan Amendment and draft Zoning By-law Amendment as may be required.
4. City Council approve the Section 37 for facilities, services and matters as set out in Schedule 1 to Attachment 9 to the report (November 4, 2013) from the Director, Community Planning, Toronto and East York District, and, before introducing the necessary Bills to City Council for enactment, City Council require the owner to enter into an Agreement pursuant to Section 37 of the Planning Act to the satisfaction of City Solicitor and the Chief Planner and Executive Director of Planning for facilities, services and matters recommended to be secured in the Section 37 Agreement as set out in Schedule 1 to Attachment 9.
5. Before introducing the necessary Bills to City Council for enactment, City Council require that the owner provide a cash-in-lieu payment for the tree replacement requirement applicable to the significant private tree (tree 7818) being 24 new trees of 70mm calliper to be planted to the satisfaction of the General Manager Parks, Forestry and Recreation.
6. Before introducing the necessary Bills to City Council for enactment and in connection with Blocks 1 and 3, City Council require the owner shall:
 - a. prepare and submit to the satisfaction of the Executive Director, Engineering and Construction Services, a detailed sanitary analysis for Blocks 1 and Block 3 based on current conditions and make satisfactory arrangements with the City with respect to financial contributions or sewer upgrades that may be required by the City based on the increased flow contribution by the development; and

- b. pay for all watermain upgrades that may be required to the satisfaction of Toronto Water in order to resolve static pressure in the area affecting Block 1 and Block 3 which is below required levels pursuant to the Fire Code as outlined in the hydrant flow test submitted by Corix Water Services, dated May 28, 2013;
7. Before introducing the necessary Bills to City Council for enactment, City Council require that:
- a. the required variances for the replacement rental building if proposed to be located off the subject lands on the north side of Howard Street between Glen Road and Edgedale Road immediately east of premises municipally known as 1 Glen Road, are final and binding; and
 - b. the owner file an application for Site Plan Control with Community Planning for the replacement rental building proposed on Howard Street;
8. City Council approve the application to demolish the 8 existing residential rental units located at 4 and 76 Howard Street, 603 Sherbourne Street and 16 Glen Road pursuant to Municipal Code Chapters 667 and 363, subject to the following conditions under Chapter 667 which provide for the replacement of rental housing as outlined in this report:
- a. the owner shall provide and maintain eight (8) residential rental dwelling units either on the subject lands or in a new building, to be located on the north side of Howard Street between Glen Road and Edgedale Road, immediately east of premises municipally known as 1 Glen Road, as rental housing for a period of at least 20 years, comprising 7 one-bedroom units and 1 three-bedroom unit, all of which shall have affordable rents;
 - b. the owner shall provide tenant relocation assistance including the right to return to a replacement rental unit for the eligible tenants to the satisfaction of the Chief Planner and Executive Director, City Planning Division;
 - c. the owner constructs the replacement rental units to the satisfaction of the Chief Planner and Executive Director, City Planning Division, either on the subject lands, or in a new rental apartment building located on Howard Street (as referred to a.) substantially in accordance with the rental housing proposal dated October 28, 2013, with any revisions to be to the satisfaction of the Chief Planner and Executive Director, City Planning Division;
 - d. if the replacement rental units are being provided on the Howard Street location, the owner applies for and obtains all necessary planning approvals that provide for the construction of the new replacement rental building, as provided for in c.;
 - e. the owner shall obtain the necessary building permits for the new replacement rental building on the Howard Street location, or if the rental units are to be replaced on the subject lands, building permits for the building in which the replacement rental units are to be provided;

- f. the owner shall enter into and register one or more Section 111 Agreement(s) on title to the lands subject to the zoning by-law and on the lands comprising the new location on Howard Street, to secure the conditions outlined in Recommendation 8.a-e. above and as described in the draft zoning by-law amendment (Attachment 9) to the satisfaction of the City Solicitor and the Chief Planner and Executive Director, City Planning Division;
 - g. the owner shall enter into and register on title to the subject lands and, as applicable, to the lands comprising the new location on Howard Street, a Section 118 Restriction under the Land Titles Act, to the satisfaction of the City Solicitor, agreeing not to transfer or charge any part of the lands against which the restriction is registered, without the written consent of the Chief Planner and Executive Director, City Planning Division or his or her designate, to assist with securing the Section 111 Agreement against future owners and encumbrances of the lands until such time as the City Solicitor determines that its registration on title to any part of the lands is no longer required to secure the provisions of the Section 111 Agreement; and
 - h. for the demolition of 4 Howard Street, the owner shall obtain the necessary building permits for the development on Block 1 as provided for in the zoning by-law amendment.
9. City Council authorize the Chief Planner and Executive Director, City Planning Division to issue preliminary approval for a Section 111 permit for demolition of the rental units for each of the 3 existing rental buildings at 4 and 76 Howard Street and 603 Sherbourne Street under Municipal Code Chapter 667 following satisfaction of the matters set out in Recommendation 9a. through 9d. below for 76 Howard Street and 603 Sherbourne Street and the matters set out in Recommendation 9a. through 9e. below for 4 Howard Street:
- a. satisfaction of the conditions in Recommendation 8;
 - b. the Official Plan amendment and the Zoning By-law amendment for the subject lands has come into full force and effect;
 - c. if the replacement rental units are to be located on Howard Street (as referred to in 8a.), the owner has obtained any necessary variances and issuance of the Notice Of Approval Conditions for site plan approval for the building by the Chief Planner and Executive Director, City Planning Division or his or her designate, pursuant to Section 114 of the City of Toronto Act, 2006;
 - d. the owner has obtained the first building permit for the foundation of the new replacement rental building on the Howard Street lands (as referred to in 8a.), or if the rental units are to be replaced within the subject lands, the first building permit for shoring and excavation of the building which will contain the replacement rental units; and
 - e. for 4 Howard Street, the issuance of the Notice Of Approval Conditions for site plan approval of Block 1 by the Chief Planner and Executive Director, City Planning

Division or his or her designate, pursuant to Section 114 of the City of Toronto Act, 2006.

10. City Council authorize the Chief Planner and Executive Director, City Planning Division to issue preliminary approval for a Section 111 permit for interior demolition of the rental units at 16 Glen Road no earlier than the issuance of the heritage permits required by the approved Conservation Plan.
11. City Council authorize the Chief Building Official to issue a Section 111 permit for each of the 4 rental buildings under Municipal Code Chapter 667 after the Chief Planner and Executive Director, City Planning Division has given the preliminary approval for each of the 4 rental buildings as appropriate, and as referred to in Recommendations 9 and 10, as appropriate.
12. City Council authorize the Chief Building Official to issue a permit under Section 33 of the Planning Act for 4 Howard Street no earlier than issuance of the first building permit for excavation and shoring of the development on Block 1, and after the Chief Planner and Executive Director, City Planning Division has given the preliminary approval referred to in Recommendation 11, which permit may be included in the demolition permit for Chapter 667 under 363-11.1, of the Municipal Code, on condition that:
 - a. the owner erect a residential building on site no later than three (3) years from the day demolition of the buildings is commenced; and
 - b. should the owner fail to complete the new building within the time specified in condition (a), the City Clerk shall be entitled to enter on the collector's roll, to be collected in a like manner as municipal taxes, the sum of twenty thousand dollars (\$20,000.00) for each dwelling unit for which a demolition permit is issued, and that each sum shall, until payment, be a lien or charge upon the land for which the demolition permit is issued.
13. City Council authorize and direct that the value of above-base improvements to the proposed public park, to be undertaken by the owner and secured through the proposed Section 37 conditions at the owner's cost, to the satisfaction of the General Manager of Parks, Forestry and Recreation, be applied as a credit toward the Parks and Recreation component of the City's development charges, such credit not to exceed the lesser of:
 - a. the final cost of the above-base condition as confirmed by the Parks, Forestry and Recreation staff and in an amount not exceeding \$600,000; or
 - b. the Parks and Recreation component of the Development Charges paid with respect to Block 3 of this development.
14. City Council consider this report in conjunction with the Heritage Report dated September 11, 2013 from the Acting Director of Urban Design to the Toronto Preservation Board and Toronto and East York Community Council, Item No. PB 26.3 on the Agenda for November 5, 2013 meeting of the Toronto Preservation Board.

15. City Council authorize the appropriate City officials to take such actions as are necessary to implement the foregoing, including execution of the Section 37 and Section 111 Agreements.

Financial Impact

The recommendations in this report have no financial impact.

DECISION HISTORY

The Preliminary Staff Report for this application was considered at Toronto and East York Community Council, at its meeting on January 18, 2011. The report identified a number of significant issues with the application as proposed. The decision and report can be found here: <http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2011.TE3.25>

Heritage properties in the North St. James Town area have been under scrutiny since 2004 due to potential demolition. The property at 6 Howard Street was designated under Part IV of the *Ontario Heritage Act* by City Council, at its meeting of November 30, December 1 and 2, 2004. The report recommending the designation can be found at: <http://www.toronto.ca/legdocs/2004/agendas/council/cc041130/ts9rpt/cl014.pdf>. In March 2006, an emergency order necessitated demolition by the City of 6 Howard Street due to the unsafe condition of the building.

Due to the continuing deterioration of the houses on Glen Road, City Council designated the properties at 6-16 Glen Road on November 19 and 20, 2007, under Part IV of the *Ontario Heritage Act*. The heritage designation was appealed by the owners and a Conservation Review Board hearing on the appeal was scheduled. In 2010, the owner withdrew their appeal with the understanding that the language in the "Reasons for Designation" was to be revised to specifically exclude the additions on the rear side of the heritage properties. The Council decision to amend the Reasons for Designation can be found under TE 36.30 at: <http://www.toronto.ca/legdocs/mmis/2010/te/decisions/2010-08-17-te36-dd.htm>.

Following research and evaluation, staff determined that additional properties in the North St. James Town area met the criteria for designation under the Ontario Heritage Act. At its meeting of August 25 and 26, 2010, Council adopted a motion to designate these properties, many of which were already listed on the City's Inventory of Heritage Properties. The list of properties that were designated can be found under decision TE 36.31 at: <http://www.toronto.ca/legdocs/mmis/2010/te/decisions/2010-08-17-te36-dd.htm>

At its meeting of November 30, December 1 and 2, 2004, Council also requested staff to undertake a review and prepare a planning framework report for the area called North St. James Town. The purpose of the study was to review the existing planning controls in place for the area to determine whether they would permit desirable development and to identify area public realm objectives. Staff provided an update to Council in 2006: <http://www.toronto.ca/legdocs/2006/agendas/committees/te/te060913/it051.pdf>.

The North St. James Town Planning Framework objectives were adopted by Council at its meeting of August 25 and 26, 2010. They establish directions to assist with the evaluation of future development applications and work program initiatives, such as the St. James Town Community Improvement Plan. The planning framework and principles for North St. James

Town set out a structure for future redevelopment. North St. James Town area residents and property owners were invited to the consultation meetings. The planning framework can be found at: <http://www.toronto.ca/planning/stjamestown-framework.htm>.

North St. James Town is part of the St. James Town Community Improvement Plan (CIP) project area, approved by City Council in 2003. A new CIP, which will replace and expand an earlier CIP, is now being developed. The intent is that the new CIP will encourage open space improvements for the area. The CIP project area now includes both the North St. James Town and the St. James Town neighbourhoods. This is to acknowledge that North St. James Town is physically integrated with St. James Town and to take a comprehensive approach to community improvement in the two areas. The CIP can play an important role in implementing public realm objectives for the area. Background information on the CIP can be found at: <http://www.toronto.ca/legdocs/2003/agendas/committees/to/to030401/it023.pdf>

City Council, at its meeting of July 11-13, 2012, adopted the Downtown Tall Buildings Vision and Performance Standards Design Guidelines, attached to the January 27, 2012 report from the Director of Community Planning, together with a number of amendments. One of the amendments was in the Downtown Tall Buildings Project Further Supplementary Report, which created a height exemption for the subject site in the Downtown Tall Buildings Guidelines. The report notes that this area will be subject to heights established through an Official Plan amendment and re-zoning application (which is the subject of this report). The further supplementary report can be found here: <http://www.toronto.ca/legdocs/mmis/2012/cc/bgrd/backgroundfile-49047.pdf>

ISSUE BACKGROUND

Proposal

An application includes three distinct development blocks (see Attachment 1 – Master Plan and Attachment 11– Application Data Sheet). Block 1 is located at Sherbourne Street and Howard Street. Block 2 is midblock on Glen Road, south of Bloor Street, and extends to Red Rocket Lane. Block 3 is located at the eastern end of the neighbourhood, fronting onto Bloor Street East, Parliament Street and Howard Street.

The original application for four towers with heights of 50, 56, 46 and 53 storeys and a 5 storey infill apartment building was submitted in late August 2010. The original proposal for Block 3 had a three-storey servicing building for garbage storage and amenity space located south of the homes on Edgedale Road. The towers were connected at grade with an enclosed 4-storey "winter garden" and solid podium across the site. The original application proposed to demolish 605-607 Sherbourne Street, 76 Howard and 4 Howard.

A revised proposal was presented to the community in November 2011 with minor changes. Following more working group meetings more substantive changes were made and a resubmission was made in January 2013. The revised proposal is described below and has had an extensive review and consultation process.

On Block 1, the proposal includes a 45-storey residential condominium tower set back from the existing heritage buildings at 603 Sherbourne Street, which is to be restored, and 605 and 607 Sherbourne Street, which will remain and be rehabilitated for adaptive re-use as retail space.

Staff report for action – Final Report – 6, 8, 10, 12, 14 and 16 Glen Rd; 4, 6, 58, 60, 62, 64, 76 and 100 Howard Street; and 603, 605, 607, 609 and 611 Sherbourne Street

There is a 2-storey podium that includes retail along Sherbourne Street. A 3-storey mixed-use building, to be located along Howard Street, will be linked to the tower at the third storey. It proposes retail along Howard Street and amenity space on level 3. The southern half of Red Rocket Lane is proposed to be widened to allow for two-way traffic to improve vehicular access to Block 1. The proposed combined GFA for Block 1 is 35,570 square metres, including 407 residential units and six levels of below-grade parking containing 304 stalls. The demolition of 4 Howard Street, a listed heritage building, with 3 vacant one-bedroom rental units is proposed as part of this application.

The proposal for Block 2 includes the retention and conservation of six semi-detached heritage houses on Glen Road. The rear portions of these will be demolished, with the remainder of the structures to be restored for residential use (see Attachment 5B- Block 2 Elevation). In addition, infill is proposed with seven 3-storey residential townhouse units to be located along Red Rocket Lane, behind the Glen Road houses. They have a GFA of 1,210 sq m. When combined with the existing semi-detached buildings, Block 2 will have total GFA of 2,069 sq m. The required parking spaces required for the infill townhouses and semi-detached houses on Block 2 are proposed to be located in the parking garage of Block 1.

The Block 3 proposal includes three residential condominium buildings. Building 3-A, at the western side of the block, set back 20 metres from the existing 2-storey semi-detached houses on Edgedale Road. It is 12 storeys and contains 134 residential units with a total GFA of 12,125 square metres. Building 3-B, a 37-storey tower, is located 20 metres east of Building 3-A, and contains 312 residential units with a total GFA of 24,696 square metres. Buildings 3-A and 3-B are connected with a 2-storey podium along Howard Street and an 8 storey podium that runs along the north side of the site adjacent to Bloor Street East. The third tower, Building 3-C, is situated at the eastern edge of the site, at the Parliament Street, Howard Street and Bloor Street East intersection. This tower is 45-storeys tall, and contains 375 residential units with a total GFA of 27,660 square meters. There is a 25 metre separation between towers 3-B and 3-C with a publicly accessible open space between the towers and an enclosed glass bridge allowing for pedestrian access between the towers. All three buildings are connected underground with four levels of underground parking, containing a total of 512 parking stalls. The listed heritage building at 76 Howard Street currently located on Block 3 is proposed to be re-located further west on Howard to a vacant site. Block 3 will also be the site of a 713 sq m open space which will be dedicated to the City as a public park (See Attachment 3).

The proposals for all three blocks involve the demolition of residential rental units located in house form buildings. There are 8 rental units, together with a number of dwelling rooms, in 4 of the existing residential buildings: 4 Howard Street and 603 Sherbourne Street (Block 1), 16 Glen Road (Block 2), and 76 Howard Street (Block 3). Of the 12 existing residential buildings on the subject lands, only one (the rental property at 4 Howard Street) is proposed for complete demolition. The three other rental properties at 603 Sherbourne Street, 16 Glen Road and 76 Howard Street will be restored, though their future use will not be for replacement rental. The 8 rental dwelling units will all be replaced as affordable rental units, either on the subject lands in one of the residential towers, or alternatively, on a nearby site on Howard Street, between Glen Road and Edgedale Road, immediately east of 1 Glen Road. Tenant relocation assistance will be provided.

Table 1: Heritage and Rental Housing Summary

	Heritage	Rental	Proposal
Block 1			
603 Sherbourne Street	Designated	2 one-bedroom units	To be retained and conserved on site.
605 Sherbourne Street	Listed		Temporarily moved off site for construction of tower & then rehabilitated. To be designated.
607 Sherbourne Street	Listed		Temporarily off site for construction of tower & then rehabilitated. To be designated.
4 Howard Street	Listed	3 one-bedroom units	To be demolished
Block 2			
6-16 Glen Road	Designated	16 Glen Road 1 three-bedroom	All buildings being retained and conserved.
Block 3			
76 Howard Street	Listed	2 one-bedroom units	To be designated and relocated.

Site and Surrounding Area

The site is located within the North St. James Town neighbourhood, bound by Bloor Street East to the north, Howard Street to the south, Sherbourne Street to the west and Parliament Street to the east. The development site consists of several properties throughout the neighbourhood, and is identified as three separate development blocks.

Block 1 is located at the northeast corner of Howard Street and Sherbourne Streets. This block contains a vacant, designated heritage building on the corner of Sherbourne Street and Howard Street (603 Sherbourne Street), as well as three vacant lots and three currently listed heritage buildings (4 Howard Street, 605-607 Sherbourne Street).

Block 2 fronts onto Glen Road, just north of Howard Street, and is bound on the west by Red Rocket Lane, a one-way southbound city lane. This block contains six semi-detached houses, which are all vacant, designated heritage buildings (6-16 Glen Road).

Block 3 is bound by Edgedale Road to the west, Parliament Street to the east, Bloor Street East to the north and Howard Street to the south. This block consists mostly of vacant lots, with the exception of 76 Howard Street, which is listed on the City of Toronto's Inventory of Heritage Properties. There are mature trees on this block, and the area is used as passive open space. There are also two billboard signs currently on these lands.

In total, there are 12 existing residential buildings located on the subject lands, of which 4 are deemed to contain rental dwelling units. All of the 12 house form buildings have been converted many years ago to residential rental and rental dwelling room uses.

Outside the above described development blocks, the remaining land uses within the North St. James Town neighbourhood are predominately residential with some commercial and

institutional uses. North St. James Town is primarily low rise in character, with the exception of the commercial building on the corner of Sherbourne Street and Bloor Street East and a 5-storey apartment building at 451 Bloor Street East. It is a mixture of single detached houses, semi-detached and row houses with two 4-storey residential walk-up rental buildings. In addition, there are two churches, a municipal fire station and a daycare in the neighbourhood. There are also small commercial uses on Howard Street, an office use at Bloor Street East and Edgedale Road as well as open space in front of St. Simon's the Apostle church (formerly leased by the City of Toronto as a city park) which fronts onto Howard Street. The Sherbourne subway station has two entrances/exits on this block, one on Sherbourne Street and one on Glen Road.

There are a number of vacant and boarded up residential properties on Sherbourne Street, Howard Street and Glen Road that are of heritage value. Attachment 7 shows the heritage listed and designated buildings in North St. James Town.

The surrounding land uses of the St. James Town Neighbourhood are as follows:

North: The Rosedale Valley Ravine and the Rosedale neighbourhood. A pedestrian bridge at Glen Road across the ravine connects Rosedale with the North St. James Town area.

South: St. James Town neighbourhood, consisting of 18 buildings containing roughly 7,000 residential units, and occupying about 32 acres of land. Building heights range from 14 to 32 storeys. Rezoning application for a 43-storey rental building at 545-565 Sherbourne Street was recently approved by Council.

East: St. James Cemetery, which backs onto the Rosedale Valley Ravine to the north and east.

West: The neighbourhood to the west of Sherbourne Street is comprised mostly of low-rise buildings with some high-rise residential towers.

Provincial Policy Statement and Provincial Plans

The Provincial Policy Statement (PPS) provides policy direction on matters of provincial interest related to land use planning and development. The PPS sets the policy foundation for regulating the development and use of land. The key objectives include: building strong communities; wise use and management of resources; and, protecting public health and safety. The PPS requires planning authorities to provide for the projected housing needs of current and future residents, establishing targets for the provision of housing affordable to low and moderate-income households and permitting and facilitating all forms of housing. City Council's planning decisions are required to be consistent with the PPS.

The Growth Plan for the Greater Golden Horseshoe provides a framework for managing growth in the Greater Golden Horseshoe including: directions for where and how to grow; the provision of infrastructure to support growth; and protecting natural systems and cultivating a culture of conservation. Section 3.1 of the Growth Plan states that "in the case of housing, there is an underlying societal need for affordable housing in many municipalities that is heightened by growth pressures."

City Council's planning decisions are required by the Planning Act, to conform, or not conflict, with the Growth Plan for the Greater Golden Horseshoe.

Official Plan

The subject property is located within the *Downtown and Central Waterfront* area on Map 2 – Urban Structure, in the Official Plan.

In the City of Toronto's Official Plan, the lands including 603-611 Sherbourne Street and 4 Howard Street are designated *Mixed Use Areas*. The *Mixed Use Areas* designation reflects the mixed retail, office, institutional and residential development along Sherbourne Street and Bloor Street East. *Mixed Use Areas* are made up of a broad array of residential uses, offices, retail and services as well as institutional, entertainment, recreational and cultural activities in addition to parks and open spaces. *Mixed Use Areas* are intended to be areas for new retail, office, and service employment and new housing.

The balance of the subject lands are designated *Neighbourhoods*. This designation is intended to be stable and the Official Plan does not anticipate major changes in *Neighbourhoods*. To reinforce this, the policies address how new development will respect and reinforce the existing physical character of the neighbourhood including conservation of heritage buildings, structures and landscapes.

The Healthy Neighbourhoods Section of the Official Plan (Section 2.3.1) states that developments in *Mixed Use Areas* that are adjacent or close to *Neighbourhoods* will, among other matters, be compatible with those *Neighbourhoods*, provide a gradual transition of scale and density, maintain adequate light and privacy for residents in those *Neighbourhoods*. The Built Form policies also guide new development with respect to the organization and fit with the existing and planned context.

Policy 3 of Section 5.3.1 of the Official Plan discourages amendments to the Official Plan that are not consistent with its general intent. Any development permitted under an amendment to this Plan is to be compatible with its physical context and will not affect nearby *Neighbourhoods* or *Apartment Neighbourhoods* in a manner contrary to the neighbourhood protection policies of this Plan. When considering a site specific amendment to this Plan, at the earliest point in the process, the planning review will examine whether the application should be considered within the immediate planning context or whether a broader review and possible area specific policy or general policy change are appropriate.

The Official Plan policies regarding heritage resources set out directions for conserving our heritage through listing properties, designating them and entering into conservation agreements. Once a property is listed on the City's *Inventory of Heritage Properties* it is to be conserved and any development proposal on a heritage property requires a Heritage Impact Statement. Development adjacent to properties on the City's *Inventory of Heritage Properties* will respect the scale, character and form of heritage buildings and landscapes.

Section 3.2.1 of the Plan includes housing policies that encourage the provision of a full range of housing, in terms of form, tenure and affordability, and the protection of rental housing units. Policy 3.2.1.6 requires that new development that would result in the loss of 6 or more rental housing units not be approved unless replacement rental housing units are provided at similar rents, and tenants are provided assistance with relocation.

Section 3.2.2 of the Official Plan addresses the provision of community services and facilities in areas experiencing major or incremental growth. Strategies for providing new infrastructure or improving existing facilities will be developed for areas that are inadequately served or experiencing major growth.

The application was also reviewed within the context of the Bloor-Yorkville/North Midtown (BYNM) Site and Area Specific Policy 211 and Urban Design Guidelines, which recommend height transitions from the peak, at Yonge Street and Bloor Street, to height ridges which extend east from the Yonge-Bloor intersection. While not within the guidelines boundary, the North St. James Town area is immediately adjacent to the area subject to the guidelines and many of the guidelines on heights, transitions and protection of the Rosedale Valley Ravine from shadow impacts are relevant for the review of this application.

Zoning

On May 9, 2013 Toronto City Council enacted City-wide Zoning By-law 569-2013. Lands that were subject to a rezoning application under the former general zoning by-law were not included in By-law 569-2013 in order to avoid interfering with the approval process as contemplated when the application was made. Once building permits have been issued and the development application is complete it is intended to bring the lands into By-law 569-2013 as part of a regularized work program for such sites. This process will be completed in collaboration with the owner of the lands.

The subject lands, with the exception of 603-611 Sherbourne Street, are zoned R4 Z1.0 under the former City of Toronto Zoning By-law 438-86 with a height limit of 12 metres. The properties at 603-611 Sherbourne Street are zoned R4 Z2.0 with a height limit of 12 metres. The R4 zone permits a wide variety of residential forms ranging from detached houses to apartment buildings. No site-specific by-laws apply to the subject sites.

Rental Housing Demolition and Conversion By-law

Section 111 of the City of Toronto Act, 2006 authorizes Council to regulate the demolition and conversion of residential rental properties in the City. By-law No. 885-2007 (also known as the Rental Housing Demolition and Conversion By-law), which established Chapter 667 of the Municipal Code, was enacted by City Council on July 19, 2007. The by-law prohibits demolition or conversion of a residential rental property or a related group of buildings involving six or more dwelling units with any rental housing units, unless approval has been granted for a Section 111 permit. Related planning applications, such as a rezoning involving demolition and redevelopment, should be conditional upon the applicant receiving a Section 111 permit for the demolition.

The by-law assists with implementing the City's Official Plan policies and standard practices protecting rental housing. As such, City Council typically imposes conditions of approval by requiring the replacement of the rental housing and provision of assistance to any tenants affected by the proposed demolition. City Council's decisions on the refusal or approval of a Section 111 permit are not subject to appeal to the Ontario Municipal Board. If the demolition of rental housing is approved under Municipal Code 667, approval to issue a demolition permit for residential buildings under Municipal Code 363 and Section 33 of the Planning Act is also required. The by-law provides for the co-ordination of these authorities, and authorizes the Chief

Building Official to issue one combined demolition permit. Typically, City Council receives a joint report on the related planning applications as well as the application under Municipal Code 667 so that the decisions on demolition and redevelopment may be made at the same meeting.

City-Wide Tall Building Design Guidelines

In May 2013, Toronto City Council adopted the updated city-wide Tall Building Design Guidelines and directed City Planning staff to use these Guidelines in the evaluation of all new and current tall building development applications. The guidelines establish a unified set of performance measures for the evaluation of tall building proposals to ensure that they fit within their context and minimize their local impacts. The city-wide Guidelines are available at <http://www.toronto.ca/planning/tallbuildingdesign.htm>

This project is located within an area that is also subject to the Downtown Tall Buildings: Vision and Supplementary Design Guidelines (adopted by City Council in July 2012 and consolidated with the city-wide Tall Building Design Guidelines May 2013). This document identifies where tall buildings belong Downtown, and establishes a framework to regulate their height, form and contextual relationship to their surroundings. The Downtown Vision and Supplementary Design Guidelines should be used together with the city-wide Tall Building Design Guidelines to evaluate new and current Downtown tall building proposals. The Downtown Tall Buildings Guidelines are available at <http://www.toronto.ca/planning/tallbuildingstudy.htm#guidelines>

Section 1.6 of the Downtown Tall Buildings Guidelines establishes a site specific height exemption for this development application. It notes that the segments of Bloor Street East and Sherbourne Street that are part of this application are excluded from Map 1 – High Streets Map. These segments will be subject to heights established through the site specific Official Plan amendment and re-zoning application.

North St. James Town Planning Framework

The purpose of the North St. James Town Planning Framework study was to assess whether the existing planning controls are appropriate and permit desirable development in the North St. James Town neighbourhood. The study identified public objectives for the area and will be used to help to determine appropriate and desirable land uses and forms of development. Through the planning framework study process three key precincts were identified which help frame the neighbourhood structure: the West, Central and East Precincts.

The West Precinct includes the current *Mixed Use Areas*. Future development in this area should respect the scale, character and form of the area's heritage buildings. It is an area which would benefit from additional retail to serve area residents.

The Central Precinct is appropriately designated *Neighbourhoods*. Future development in this area should be sensitive infill in accordance with the Official Plan policies for *Neighbourhoods*. There are opportunities in the Central Precinct for new or enhanced open spaces. Small local commercial and community arts and cultural facilities could be contemplated in this precinct.

The framework study discussed the potential for more intense redevelopment and parkland acquisition in the East Precinct. Depending on the scale of any proposed redevelopment, a rezoning and/or Official Plan redesignation may be required.

The following broad public objectives for North St. James Town were identified through the planning framework process: protection of heritage resources; increased parks and open space; enhancement of the public realm, and high quality urban design. The framework objectives are to be used in conjunction with existing Official Plan policies and guidelines in the evaluation of development applications and work program initiatives. The planning framework can be found at: <http://www.toronto.ca/planning/stjamestown-framework.htm>

Site Plan Control

The proposed development is subject to site plan control. Applications for site plan control have not been submitted.

Reasons for Application

The original submission proposed amendments to the City of Toronto Official Plan for the redesignation of Blocks 2 and 3 from *Neighbourhoods to Mixed Use Areas*. As a result of revisions to the application, Block 2 will remain *Neighbourhood* and no Official Plan Amendment is required. Block 3 still requires redesignation, however, based on a review of the revised application and Official Plan policies, the designations of *Apartment Neighbourhoods*, *Parks* and a site and area specific Official Plan policy are recommended.

The proposed development requires amendments to Zoning By-law No. 438-86 for changes to the permitted height, density, setbacks and parking requirements, amongst other Zoning By-law standards. A Holding symbol will be placed on the new zoning for Block 2. It can be removed in the future by Council, subject to certain conditions as outlined further in this report.

The proposed demolition of residential rental units requires an application for a Section 111 permit under Municipal Code Chapter 667. Approval will also involve approval of the demolition of 4 Howard Street under Section 33 of the Planning Act.

Community Consultation

There has been extensive community consultation and community feedback since the application was submitted by the applicant. There were two community-wide meetings held on April 5, 2011 and November 7, 2011, with about 150 people in attendance at each meeting. There were also eight working group meetings to consider this application, receive feedback and provide more detailed information to the working group about specific issues, held from April 2011 to June 2012. Working group members include: residents of North St. James Town and St. James Town; representatives from the local churches adjacent to the development sites; members of local community interest groups such as Community Matters; and members of surrounding neighbourhood associations such as South Rosedale Resident Association (SRRA) and the Bloor East Neighbourhood Association.

To ensure that information was easily available to the public, a central website was created with information on this project and other development activity in the area. The website includes links to the preliminary report, plans and supporting studies submitted by the applicant, as part of the application and links to the community meeting minutes, as well as, the minutes of the City's Design Review Panel. A link is found below: www.toronto.ca/planning/stjamestown.htm

Staff received numerous letters, emails and phone calls about the project. Several residents came to City Hall to view hard copies of the plans submitted. There were a few petitions against the proposal. Approximately 260 emails were received from the template on the SRRA website regarding objections to the original proposal. The e-mails received noted concerns about the height and density of the proposal but also disappointment with the consultation process. While the SRRA template email noted "support of redevelopment of North St. James Town in a way that enhances this long-neglected area", it was felt the original proposal and the first revision presented at the November 7, 2011 community consultation meeting did not achieve this.

City staff received a petition by Community Matters against the original proposal. The petition was signed by 259 residents in the area and raised the following concerns regarding the proposal:

- Loss of open space and the negative effect on wildlife and birds;
- The development would create wind tunnels and more heat in the summer due to all the glass and concrete of the buildings. The shadows created by the buildings would also provide little or no sun to the ravine and Rosedale area; and
- Density concerns and impact on transit capacity and services in the area.

Community Matters also presented City staff with a questionnaire filled out by St. James Town residents on their concerns about the proposal. There were over 100 surveys submitted. The concerns identified helped inform the working group process.

The community has raised a number of concerns and comments throughout the course of the study process related to parks and open space, heritage preservation, transit capacity, transportation, urban design, safety and others. From the first version of the application, several issues were able to be addressed through the revised designs, while others could not be addressed. Below is a summary of comments as they evolved:

Comments on the original submission:

- Concern about the increased massing and heights in the area;
- The residents of the co-op building on the north side of the Rosedale Valley Ravine will be impacted by shadows;
- The winter gardens design was perceived to cut off the new development from the rest of the St. James Town neighbourhood;
- The blank wall of amenity and servicing building on Block 3 was a concern to the streetscape of Howard Street. The uses should be consolidated into the underground garage;
- Can the tower shapes and locations on Block 3 be modified to preserve views and sunlight penetration for Howard St residents;
- The lack of green space as part of the proposal;
- Residents want to see a larger mix of unit types (more family-size units);
- Not enough attention to heritage, more buildings should be preserved not just 603 Sherbourne Street and the Glen Road houses. Residents want to see 605 and 607 incorporated in Block 1 and 76 Howard Street preserved;
- Streetscape improvements are needed along Bloor Street East;
- The 5-storey apartment infill building seems like too much development on a public lane. A surface parking lot is unacceptable; and
- Confusion about how Block 3 was to be accessed and concerns about traffic flow.

Revised submission:

- Residents and working group members provided positive feedback the expanded comprehensive approach to heritage;
- Concerns about the infill townhouses – who would want to live here, this space should also be considered for public open space;
- Height and density are still a concern for some;
- While there are more 3 bedroom units, the proposal shows a loss of 2 bedroom units and more bachelor units;
- The open space between towers on Block 3 should be open to the public;
- Would the new retail spaces be large enough to service this community or will it be another chain coffee shop;
- Concerns about traffic issues along Howard Street as tower 3-C has no direct vehicular access;
- Concerns about the reflectivity of the glass tower and materials of the buildings;
- Working group members were not convinced that the patio space behind the retained 603-607 Sherbourne Street houses would be successful;
- More benches in appropriate locations to encourage use of the open spaces; and
- Safety concerns with the Glen Road TTC entrance and bridge.

The community has provided some very detailed feedback. Many of the outstanding issues can be addressed through the Site Plan review process.

The proposal was presented at the Design Review Panel on April 19, 2011, March 19, 2012 and May 14, 2012. Further Panel Members "were appreciative of the complexity of this project, and felt that the refinement showed some improvement to the public realm, building materials and building setbacks." In their final review the Panel voted to support the design.

Agency Circulation

The application was circulated to all appropriate agencies and City divisions. Responses received have been used to assist in evaluating the application and to formulate appropriate by-law standards.

COMMENTS

Overall, North St. James Town has been under discussion for close to 10 years due to threats to demolition of heritage buildings, need for community improvement and development pressure on vacant private land. Factors contributing to development interest include the proximity to the subway and the general tall building context downtown of which this area represents a boundary. The 2010 North St. James Town Planning Framework set the stage for renewal and this development application, the revisions and the community process represent the conclusion and implementation of this 10 year process. The review below assesses the proposal against a range of planning objectives as a comprehensive redevelopment.

Provincial Policy Statement and Provincial Plans

The proposed development is generally consistent with the Provincial Policy Statement (PPS). The proposal is located within an area of the city that is designated for growth and represents efficient use of land and existing transportation and servicing infrastructure.

The site will continue to contribute to a full range of housing as set out in the PPS a result of the 8 proposed replacement rental units with affordable rents, as well as the retention of 6 semi-detached houses, new market condominium units with a minimum 7% 3 bedroom units, and 7 new townhouse units.

The PPS also speaks to conservation of heritage resources. Section 2.6.1 of the Provincial Policy Statement states that, "Significant built heritage resources *and* significant cultural heritage landscapes *shall be* conserved." Properties included on the City's Inventory of Heritage Properties are considered to be significant in this context. There are several heritage properties which are being retained and conserved as part of this development application. In addition, the heritage listed properties at 605 and 607 Sherbourne Street and 76 Howard Street are recommended to be designated in a report to the Toronto Preservation Board on November 5, 2013.

The Provincial Policy Statement states, in Section 4.5, that the Official Plan is the most important vehicle for implementing the Provincial Policy Statement. Furthermore, Section 4.5 directs municipalities to provide clear direction for the development of the municipality as well as areas suitable for growth. The subject site is located within the *Downtown and Central Waterfront Area* of the Official Plan's Urban Structure Map. This area is intended for intensification where deemed appropriate through the relevant land use designations.

The proposal conforms and does not conflict with the Growth Plan for the Greater Golden Horseshoe. The Growth Plan requires that a significant portion of new population and employment growth be directed to the built-up areas of the Greater Golden Horseshoe within intensification areas. The proposal achieves several of the policies set out in Section 2.2.1 of the Growth Plan, including: accommodating a compatible mix of land uses to support vibrant neighbourhoods; high quality open spaces and urban design standards; support of transit, cycling and walking; and achieving an appropriate transition of built form to adjacent areas. Municipal official plans are viewed as the key vehicle through which the policy objectives of the Growth Plan are to be implemented.

Land Use

The role of the Official Plan is to direct development to suitable areas. Intensification and redevelopment are to be provided in areas that take into account the existing building stock or area, and availability of infrastructure and public service facilities that meet projected needs.

Block 1 is designated *Mixed Use* and Blocks 2 and 3 are designated *Neighbourhoods* in the Official Plan. The proposed redevelopment of Block 3 requires a redesignation from *Neighbourhoods* and new designations of *Apartment Neighbourhoods* and *Parks* appropriately reflect the new land uses and built form proposed.

Mixed Use Areas and *Neighbourhoods* are intended to achieve a multitude of planning objectives by combining a broad array of residential, office, retail and service uses. The Official Plan

provides development criteria in *Mixed Use Areas* which include: providing a transition between areas of different development intensity and scale; locating and massing new buildings so as to adequately limit shadow impacts on adjacent *Neighbourhoods*; and providing an attractive, comfortable and safe pedestrian environment.

The development criteria contained within Section 4.5.2 of the Official Plan seek to ensure that, among other matters, development in *Mixed Use Areas* creates a balance of high quality commercial, residential, institutional uses that reduce automobile dependency while meeting the needs of the local community.

Although *Mixed Use Areas* will absorb most of the anticipated increase in retail, office and service uses in the City, not all *Mixed Use Areas* will experience the same scale or intensity of development. The highest buildings and greatest intensity will occur in the Downtown, with decreased intensity and scale in the Centres and along Avenues.

In addition to land use designations and development criteria, the Official Plan policies address significant intensification, redesignation and compatibility with adjacent *Apartment Neighbourhoods* and *Neighbourhoods*. In Chapter 2 of the Official Plan, Policy 2.3.1.3 sets out considerations for intensification, including determination, at the earliest point in the process, whether or not a Secondary Plan, area specific zoning by-law or area specific policy will be created in consultation with the local community following an *Avenue Study*, or area based study. As a Planning Framework for the North St. James Town neighbourhood had recently been completed it was determined that a Secondary Plan was not required.

Block 3 requires a redesignation from *Neighbourhoods* to allow for the proposed development. The new designations of *Apartment Neighbourhoods* and *Parks* reflect the new land uses and built form proposed. This redesignation is appropriate because the proposal meets the redevelopment criteria and other Official Plan objectives. Block 3 is an irregular shaped lot that is mostly vacant, except 76 Howard Street. It has three street frontages and is at the intersection of two busy major streets, Bloor Street East and Parliament Street. To the south is the high-density neighbourhood of apartment buildings, St. James Town. Further, the site is a redevelopment opportunity given these site conditions and its context in the *Downtown*; its proximity to Sherbourne and Castle Frank TTC station and access to public transit; and access to the network of major roads and expressways.

The North St. James Town Planning Framework identified this area as a potential site for parkland acquisition and/or redevelopment. The Framework suggested that higher buildings could be appropriate at the east end of this block and lower ones closer to the low rise heritage buildings on Edgedale Road. New public open space could also be located at the western end of this block, with opportunities for new mid-block pedestrian connections and/or a new public street.

The Framework noted that any redevelopment of the lands which are Block 3, that proposes redesignation or significant intensification must address Official Plan policies that require that the intensification of land adjacent to *Neighbourhoods* be controlled to mitigate negative impact and be compatible with its physical context. As discussed in more detail later in this report, the proposed built form and massing development of Block 3 addresses these issues.

As part of the evaluation for the tall buildings proposed Section 3.1.3.1b) and c) of the Official Plan identifies that tall buildings will demonstrate how the proposed building and site design will contribute to and reinforce the overall City structure and existing and planned context. The proposal is compatible with the height structure set out the in the Bloor Yorkville/North Midtown policies and design guidelines with respect to the height peaks and ridges. The site is within the Downtown and generally follows the pattern of heights which decrease from the height peak of Yonge Street and Bloor Street, where an 80 storey tower is approved. The tower on Block 1 conforms to the height of the Sherbourne High Street at 45 storeys.

One of the community concerns raised through the working group process was having more commercial and retail space to serve the new neighbourhood and provide services to the surrounding residential neighbourhoods. The original proposal had 898 sq m of non-residential gfa on Block 1; the current proposal has 1,080 sq m located in the base and heritage buildings. This reinforces the existing walkable neighbourhood retail and service uses along Sherbourne Street and Howard Street brings new local shopping and services.

As result of community feedback, 865 sq m of commercial/retail space was added to Block 3. This space will front onto Howard Street and will also be an opportunity to animate the publicly accessible courtyard between Tower 3B and 3C. Ground floor uses that enhance the safety, amenity and animation of adjacent streets (4.2.1.2 (g)) is one of the criteria for development in *Apartment Neighbourhoods*. The introduction of some commercial/retail space at the east end of Howard Street also provides an opportunity to create a more animated street frontage at both ends of Howard Street and to create a more cohesive street on the north and south sides of Howard Street.

Block 2 is to remain *Neighbourhoods*, although some infill is proposed which requires site specific rezoning. Infill development in *Neighbourhoods* 4.1.9 on properties that vary from the local pattern in terms of lot size and configuration will have heights, massing and scale appropriate for the site and compatible with the adjacent and nearby residential properties. The proposed 3-storey infill townhouses on a public lane allow for a built form transition from the *Mixed Use* designation on Block 1.

Holding Symbol

The proposed Zoning By-law for Block 2 includes a holding provision. Under Section 36 of the Planning Act, Council can pass a “holding” zoning by-law that places an “H” symbol over the zoning. The by-law must state what uses are permitted while the holding symbol is in place and set out the conditions that must be met before the “H” symbol is removed and the lands can be developed. Once the conditions for removal of the “H” are met, the property owner may apply to Council to lift the “H” symbol. Under the Planning Act, there is no requirement for public meetings prior to lifting of the “H” and no right of appeal to the Ontario Municipal Board, except by the owner.

The Official Plan, Section 5.1.2 includes policies with respect to Holding By-laws. The use of the holding symbol is an important strategy to ensure that necessary infrastructure can be accommodated for the infill townhouse units. For Block 2, the “H” may be lifted once certain conditions related to servicing of the site are fulfilled. The conditions include:

- further detailed engineering drawings satisfactory to Engineering and Construction Services for Block 2;
- that the proposal for services has no heritage impact;
- approval of land divisions for the row houses;
- any applicable amendments to heritage designation by-laws and Heritage Easement Agreements; and
- issuance of Notice of Conditions of Site Plan Approval for the row houses.

Heritage

The heritage strategy for this development is critical to the evaluation of how this proposal addresses the PPS, Official Plan and Tall Buildings Guidelines objectives.

The Official Plan policies regarding heritage resources set out directions for conserving our heritage through listing properties, designating them and entering into conservation agreements. Once a property is listed on the City's *Inventory of Heritage Properties* it is to be conserved and any development proposal on a heritage property requires a Heritage Impact Statement. Development adjacent to properties on the City's *Inventory of Heritage Properties* will respect the scale, character and form of heritage buildings and landscapes.

The current proposal will retain the heritage properties located at 603, 605-607 Sherbourne Street, 6-16 Glen Road and 76 Howard. The original application proposed to demolish 605-607 Sherbourne Street, 76 Howard and 4 Howard. Now only 4 Howard is being demolished. The Heritage Preservation Services report to the November 5, 2013 Toronto Preservation Board sets out recommendations to address additional designations, requirements for implementation through Heritage Easement Agreements and securing these items through the Section 37 provisions.

The development of Block 1 has been revised over time and the current proposal is significantly improved in its response to the heritage properties on the block. The tower is now substantially set back from Sherbourne Street and avoids any cantilevering over the heritage structures. The base building respects the scale and materiality of the heritage buildings and together they form a more consistent street wall on Sherbourne Street and Howard Street. Staff will continue to work with the applicant through the site plan approval process to further develop and refine the base building design.

The applicant had originally contemplated the temporary relocation of the Anson Jones House at 603 Sherbourne Street to facilitate construction of underground parking. The current proposal reduces the size of the underground parking to eliminate excavation under the heritage property allowing it to be retained in its original location. This is significant, given the prominent corner location of this heritage property. Along with the heritage property at 601 Sherbourne Street, the two houses survive as bookend gateway buildings into the North St. James Town neighbourhood from Howard Street, reinforcing the historical scale and character of this area.

The William Whitehead House at 76 Howard Street is proposed to be relocated to the property on Howard Street directly west of the designated properties at 32-34 Howard Street. Moving the house to its new location not only re-establishes an appropriate context for the house, but also serves to fill in another of the "missing teeth" on the north side of Howard Street. Members of the community, through the working group and through correspondence, were very concerned

about the loss of 76 Howard and wished to see preservation of the Sherbourne Street streetscape. The applicant has indicated that a proposal is forthcoming for an infill building, as part of the rental replacement strategy, to the west of the relocated 76 Howard Street that will further consolidate the built form on the north side of Howard Street. See Attachment 7

The proposed 12 storey building to the east is sufficiently set back and at an appropriate height to mitigate impacts on the adjacent Edgedale Road heritage properties. The development also proposes to introduce parkland on the vacant lot at the south end of Edgedale Road fronting onto Howard Street that will reinforce the scale and character of Edgedale Road. The impact of the proposed development was also reviewed for other adjacent heritage properties. This is reviewed in detail in the report to Toronto Preservation Board.

Tenure

Most of the residential units proposed will be condominium units, although there will be 8 purpose-built residential rental units either on the nearby Howard Street site associated with this development, or located in one of the new residential towers proposed on the subject lands. The existing semi-detached Glen Road houses are proposed to be freehold and the infill townhouses might be a standard condominium or a common elements condominium.

Table 2: Proposal Comparison by Unit Type

Submission	October 2010 Submission		October 2013 Submission	
	#	%	#	%
Bachelor	188	10%	158	13%
1 Bedroom	1,151	63%	721	58%
2 Bedroom	430	23%	273	22%
3+Bedroom	71	4%	89	7%
Total Units	1,840		1,241	

Table 3: Proposal Comparison of Unit Type by Block

*This unit mix summary does not include the 8 off-site replacement rental units.

	Block 1		Block 2		Block 3	
	Oct 2010	Oct 2013	Oct 2010	Oct 2013	Oct 2010	Oct 2013
Bachelor	0	29	0	0	188	129
1 Bedroom	206	210	32	0	913	511
2 Bedroom	178	142	15	0	237	131
3+Bedroom	6	26	0	13	65	50
Total Units	390	407	47	13	1403	821

Rental Housing Demolition

The subject lands on Blocks 1, 2 and 3 comprise a number of residential properties which have contained a combination of rental dwelling units and rental dwelling rooms over the years, most of which are vacant today. Though these residential buildings are house-form buildings which were renovated over the years into varying combinations of rental units and rental rooms, the lands previously also contained a walk-up rental apartment building with 19 bachelor and two-bedroom apartments at 6 Howard Street. City Council refused a demolition application for 6

Howard Street in 2004 which was unaccompanied by any proposal for redevelopment. The 2004 staff report recommending refusal of the application noted the vacant and neglected status of the rental building. This status persisted and in 2006, with the collapse of the roof due to continued neglect, an order to demolish the building was issued due to safety concerns. The current redevelopment application for the subject lands does not propose to replace the 19 rental apartments that were demolished at 6 Howard Street in 2006.

There are 12 existing residential properties on the subject lands, of which only 4 were deemed to currently contain rental dwelling units. These 4 rental buildings comprise 8 dwelling units and a number of dwelling rooms. The balance of the buildings was deemed to have converted to rooming houses many years ago.

Of the 12 existing residential properties on the subject lands, only one (the rental property at 4 Howard Street) is proposed for complete demolition. The three other rental properties at 603 Sherbourne Street, 16 Glen Road and 76 Howard Street will be restored, though their future use will not be for replacement rental. Two other Sherbourne Street buildings will be partially retained and rehabilitated, and 5 other Glen Road houses will be restored.

Initially the applicant had assessed the existence of only 5 rental dwelling units, and thus had not proposed replacement rental housing. The applicant has agreed to replace 8 rental dwelling units. City policies do not require the replacement of rental dwelling rooms. Under Section 111 of the City of Toronto Act, the City's by-law on rental demolition does not apply to rental buildings such as 6 Howard Street that were previously subject to an order for demolition under other authorities.

This leaves only the 4 existing rental buildings subject to the Section 111 by-law. They have a combined rental unit mix of one (1) three-bedroom unit and seven (7) one bedroom units, all of which were deemed to have had affordable rent. One building was occupied at the time of the application in 2010. Currently, this building has one eligible tenant in a rental dwelling unit and three tenants in dwelling rooms. This rental building is subject to the Residential Tenancies Act, which has provisions for tenants when they are asked to vacate for demolition of their units.

Replacement Rental Housing

The applicant has agreed to replace the 8 rental units with similar rents, the same unit mix and units on average of the same size. The owner intends that they will be located in a new, purpose-built rental apartment building on the lands on Howard Street, between Glen Road and Edgedale Road, immediately west of 32-34 Howard Street. The owner has advised that they are proceeding to apply for the necessary variances for the proposed apartment building, and that the Site Plan application for this site will be submitted shortly. This report recommends that, prior to introduction of bills to Council, approval by the Committee of Adjustment of the required variances should be final and binding and an application for the Site Plan should be submitted to Planning. The demolition permissions recommended will secure their replacement either in this proposed new building or in another building on the subject lands if the proposed rental building on Howard Street does not proceed. The rental units will be secured as rental housing for at least twenty years with no applications permitted for condominium registration or any other non-rental housing use during this period.

The replacement proposal, including tenant assistance provisions, meets the City's Official Plan policy and is consistent with the City's standard practices. The Zoning By-law Amendment will secure these matters in a Section 37 Agreement. The recommended approval of the Section 111 permit for demolition of the rental housing units will require their timely replacement and tenant relocation assistance, to be secured with a Section 111 Agreement, supported by a Section 118 restriction on the title of the property.

Staff worked with the applicant to develop the plans for the replacement rental building with acceptable rental unit layouts and sizes and is satisfied with the revised plans for the replacement units. The total floor area for the rental apartments is 98% of the floor area of the existing rental units, which were on average, generously-sized, with some individual replacement units larger and some smaller. There is a generously-sized barrier free unit on the ground floor, and a large three-bedroom apartment. The Section 37 and Section 111 Agreements will specify minimum unit sizes, which will range from 53 to 80 square metres for the one-bedroom apartments, and 130 square metres for the three-bedroom unit. Six parking spaces will be provided, and there will be storage lockers for all 8 of the rental units and bicycle parking.

Because this rental building is small and the replacement rental units are not part of a larger residential building, no indoor or outdoor amenity space is being provided. There are no balconies or patios provided except for one balcony for the three-bedroom unit. The existing units in the house-form buildings had no amenity spaces, but some had private outdoor recreation space in the form of private yards. Given the good sizes of the replacement units, staff has concluded that the rental housing represents an acceptable replacement proposal given this comprehensive proposal.

The recommendations of this report will ensure that priority is given to commencing the construction of the replacement rental units early in the redevelopment process. Prior to the Bills being brought to Council for approval, the owner will have obtained the necessary variances to permit the replacement building on Howard Street, and will have entered into the appropriate agreements with the City to secure the rental housing matters.

The recommendations also authorize the Chief Planner under Chapter 667 to issue the necessary Section 111 documents to the owner and the Chief Building Official that are required before the Section 111 permit for demolition of the 8 rental units can be issued. Prior to doing so for all the rental buildings except 16 Glen Road, the Chief Planner will ensure that: the zoning by-law is in force and effect; that the recommendations securing the conditions of the Section 111 permit have been satisfied or secured; that the Notice of Approval Conditions (NOAC) for site plan for the replacement building is issued; and the first building permit has been issued for the building that contains the replacement rental units. The zoning by-law also provides that no above-grade building permits in Block 1 or Block 3 may be issued until the owner has obtained at least the above-grade building permits for the new replacement rental building.

It is anticipated that the rental units will be ready and available for occupancy, if they are located on Howard Street, well before occupancy of the first residential units in Blocks 1 or 3. It is hoped that restoration of the existing houses on Block 2 can begin as soon as possible, including 16 Glen Road. For that reason, the recommendations provide for issuance of the Section 111 permit for that rental building as soon as the necessary heritage approvals have been received.

Tenant Relocation and Assistance Plan

The proposal meets the City's practices, and goes beyond the minimum requirements of the Residential Tenancies Act by increasing the 4 months notice period for tenants to vacate to 6 months, and by providing additional financial assistance beyond the required payment for rental dwelling units equal to 3 months rent. This will include: a moving allowance, extra compensation and assistance for tenants deemed to have special needs; the right to return to a replacement unit; and some provisions for the rooming tenants in the remaining occupied residential building.

Rent Provisions

All 8 rental units will have affordable rents, on the City's standard terms. Rents for tenants moving in during the first 10 years shall be no higher than the CMHC average market rent. For returning tenants, the initial rents shall be based on rents lower than the CMHC rent. Annual increases are limited to the provincial rent guideline increase, and above-guideline increases if applicable, during this first 10 year affordability period. For any tenant who remains after the 10th year, these protections will continue until the earlier of when they move out of their apartment or the 20th year of the new building's occupancy, followed by a 3 year phase in to unrestricted market rent.

Commencing in the 11th year, any new tenants may be charged market rents, unrestricted by the owner's agreement with the City.

Agreements

The applicant's proposal and the City's standard practices for: the provision of tenant relocation assistance; the length of rental tenure of the replacement rental units; and restrictions on rent increases will be secured through the zoning by-law and Section 37 provisions, as well as with a Section 111 agreement. A Section 118 restriction on title will also be registered to assist with the enforcement of the Section 111 Agreement. Staff support these rental housing provisions of the applicant's proposal, which maintain the intent of the Official Plan and the City's by-law on demolition and conversion of rental housing, and are consistent with established City practices for similar applications.

Density, Height, Massing

The proposal's density, height and massing have changed significantly since the original submission. There have been a number of changes to the proposal as a result of comments from staff, the community feedback and Design Review Panel. This has resulted in a better form of development than the original proposal, heritage elements being preserved and better transition to the adjacent neighbourhood. There has been an overall reduction in density, which has helped to create more permeability, better transitions and enhanced livability.

A comparison between the original proposal and the one being recommended in this report is summarized in the table below:

Table 4: Proposal Comparison of Height and Density by Block

	Block 1 (storeys)	Block 2 (storeys)	Block 3			Total No. of storeys	Total No. of Units	Density
			A	B	C			
Original Submission	50	5	56	46	53	210	1,840	11.0
Resubmission	45	3	12	37	45	142	1,241	8.5
Difference of:						-68	-599	-2.5

Block 1

The tower on Block 1 is 45 storeys which is the upper limit of the heights for Sherbourne Street in the Downtown Tall Buildings Guidelines. The 139 m tower (not including mechanical penthouse) is slightly higher than the maximum height of 137 m because of the higher first floor height of 6.5 m; the increase in the first floor height is appropriate for creating visual interest and animation at grade. The minimum recommended first floor height in the Tall Buildings Guidelines is 4.5 m.

The Downtown Tall Buildings, Tall Buildings and Official Plan policies all look to how the location and design of tall buildings respect and complement the scale and character of heritage properties. The massing and relationship to the Sherbourne Street heritage buildings was improved by shifting the tower to the west to provide 'breathing room' for the heritage buildings. This 20 m setback from Sherbourne Street greatly improves the context for the heritage buildings.

The tower is set back 11.5 m from the north property line to the tower and 9.9 m to the outer face of the balcony, whereas 12.5 m is recommended in the Downtown Tall Building Guidelines. Staff are satisfied with the 10 m separation on Block 1 to the site to the north because the site is very narrow and has limited redevelopment potential on its own.

The performance standards in the Supplementary Downtown Tall Buildings Guidelines include a 20 m setback from the tower portion of the tall building from adjacent lower scale neighbourhoods, excluding balconies. The purpose of this setback is to achieve transition and protect privacy, reduce overlook and improve sky views. To achieve the increased setback from Sherbourne Street, the tower was shifted east and now provides a 17 m separation from the tower to the property line of the adjacent properties on Howard Street, in the lower scale

neighbourhood. This is a comprehensive redevelopment with many objectives to satisfy. Currently these properties on Howard Street have retail at grade. Because of the improvements to the heritage context for Sherbourne Street properties and the mixed use character on Howard Street, staff accept a 17 m setback. The setback of the tower to the property line of the proposed infill rowhouses on Block 2 varies from 17 m to 15.7 m, due to shifts in the location of the balconies. This neighbourhood scale infill on Block 2 is part of the overall development proposal and a reduced setback was viewed as acceptable for the new laneway infill.

The scale of the base building is to relate to adjacent lower scale areas. The original height of the podium on Sherbourne Street was 7 storeys, which as was not a compatible relationship with the heritage building at 603 Sherbourne Street or the church to the north. This was an issue discussed through the working group process and subsequently this base building was revised to 2-storeys to relate to the scale of Sherbourne Street.

The tower floor plate and treatment of balconies are Tall Buildings performance standards used to improve access to sky view and reduce shadow impact. The tower floor plate is 758 sq m which is in keeping with the intent of the Tall Building Guidelines maximum 750 sq m floor plate. As well the balconies are not continuous, are limited to a depth of 1.5 m and are inset to provide more variation in tower façades and less perception of bulk and massing.

Block 2

The original proposal by the applicant was to redesignate Block 2 from *Neighbourhoods* to *Mixed Use Areas* for a 5 storey apartment building on Block 2, as the building did not meet the 4 storey height for *Neighbourhoods*. The proposal: did not reflect the criteria for new development in *Mixed Use Areas*; did not provide any mix of uses; did not represent appropriate development within a *Neighbourhood*; and did not relate well to the adjacent designated Glen Road houses. Fifteen surface parking spaces were shown at grade, limiting the rear yard amenity and negative impacts on the amenity space for the Glen Road houses;

The objectives of the Official Plan are better met by maintaining the *Neighbourhoods* designation on Block 2. Revisions to this proposal were submitted. The reduction in height of the infill building from 5 storeys to 3 storeys on Block 2 reflects the *Neighbourhood* scale and form. Accordingly, the proposal is evaluated by the criteria for infill development criteria in Section 4.1.9 of the Official Plan. The revised proposal also better addresses the standards of the Infill Townhouse Guidelines by providing a 14.5 m separation between the rear walls so that both the semi-detached dwellings and rowhouses can have rear yards setbacks of approximately 7 m. The required parking for these row houses is now to be provided in the garage for Block 1.

Infill development in *Neighbourhoods* is to front on to existing or newly created public streets wherever possible and locate and screen service areas and garbage wherever possible, as set out in the Section 4.1.9. These townhouses do not front on to a public street, which presents challenges and further review of servicing issues are discussed in the Servicing section of the report, but they do provide some active uses and animation on Red Rocket Lane. Space for garbage storage is provided for in front of the townhouses; the screening and enclosure of the garbage storage will be reviewed in more detail and secured through the site plan process.

Block 3

The original heights and placement of the towers proposed for Block 3 did not provide for an appropriate transition to adjacent *Neighbourhoods*. The relationship between the proposed towers on Block 3 and the designated heritage buildings on Edgedale Road was an important planning issue to be resolved.

The development criteria for *Apartment Neighbourhoods*, as set out in Section 4.2.1.2, addresses how new buildings will be located and massed to provide a transition between areas of different development intensity and scale through setbacks and stepping down of heights. The 56-storey tower was revised to a 12 storey building, which provides a more appropriate transition between the existing heritage neighbourhood. The 12-storey building is set back a total of 20 metres from the *Neighbourhood*. At grade, the setback is 15.4 m to the podium and a further 5 m stepback is on the third storey of the podium to the tower.

Transition and appropriate neighbourhood relationships between Block 3 and the adjacent neighbourhood were also improved by the provision of a public park on Howard Street, where previously the applicant had proposed a 3-storey building for garbage storage, garage entrance, amenity space and rooftop amenity for new residents.

The taller towers on Block 3 are proposed to be 37 storeys (109 m) and 45 storeys (131 m) and are positioned at the east end of the site, away from the lower scale neighbourhood. The Tall Building Guidelines recommend staggering tower heights where multiple towers are proposed. Staff are satisfied that a 45-storey tower is appropriate as the easternmost tower as this site is at the end of a view terminus coming west along Bloor Street. Design Review Panel reviewed the project on three occasions and unanimously voted in support of the proposal at its last review. The majority of the panel members supported the proposed heights on Block 3, including the height of Building 3C.

Staff finds that the 37 storey tower is an appropriate transition to the 12 storey building to the west. The 37 storey tower would still provide sufficient difference in height to the easternmost tower for it to be read as a "signature structure on the skyline" according to the panel.

The location of towers and the separation distances between towers is important for sky view from adjacent streets, parks and neighbouring properties. Tower separation also helps provide for privacy for residential units and access to natural light within the building. The Tall Buildings Guidelines set out a standard of a minimum separation of 25 m between taller towers, excluding balconies. The separation between Buildings 3B and 3C is 25 m (with some variation due to balconies). A 20 m separation is provided between the lower 12 storey building (3A) and the 37 storey building (3B). Staff are satisfied with the separation because it is between a point tower and a much lower building.

There have been considerable changes to the massing and at-grade permeability of Block 3 through revisions to the proposal, which responded to community and staff concerns about the provision of open space and connections through the site to better relate to neighbourhood streets. There are midblock connections at the west end of the site and connecting to the at-grade open space. The 8 storey podium on Bloor Street steps down to 2/3 storeys on Howard Street and respects the scale of the adjacent street and open spaces.

The Tall Buildings Guidelines sets standards of floor plates less than 750 m² to reduce bulk and improve sky views and shadow. The proposed tower floor plates for the buildings on Block 3 are now 654 m² (3A), 687 m² (3B) and 618 m² (3C).

The unique elliptical shape and articulation of the façade of Building C provides visual interest and responds to the design opportunities of the eastern end of the site. As well, because of the curvilinear shape of Building 3C, the wrap-around balconies do not significantly increase the bulk of this building's smaller floor plate.

Other Considerations for Blocks 1 and 3

The Official Plan suggests locating main building entrances for residents and pedestrian in a clearly visible place and directly accessible from the public sidewalk to create active and safe street frontages and building entrances (3.1.2.1 b) and 4.2.3 f). On Block 3, Building 3C has its main residential entrance adjacent to Howard Street. Because of the retail frontage on Howard Street, the entrances to Buildings 3B and 3A do not face a public street. On Block 1, Building 1A's principal residential entrance is from Howard Street.

The Official Plan and Tall Buildings Guideline policies set out that the location of "back of house" activities, such as loading, servicing, utilities and vehicle parking, is to be underground or within building mass, away from the public realm and public view. Block 1 provides access to parking and servicing off the laneway, so that the servicing is not seen from Sherbourne and Howard. The Block 3 revised proposal integrated the servicing into the building, as opposed to the three storey stand-alone building which would have had negative impact on the public realm and the adjacent properties.

As well, the Built Form policies of Section 3.1.2 in the Official Plan requires proposed developments to be located, massed and organized in a manner that preserves views and vistas from ravine valleys. The removal of the glass wall for the enclosed "winter gardens" in the original application and the introduction of mid-block connections in Block 3 provide a visual link to Bloor Street. The three development sites are located across a long block (Sherbourne Street to Parliament Street) and views from the ravine are considered for this entire block. Only a third of the larger block is occupied with point towers. Heritage designations and small scale infill related to this proposal will ensure that the middle of the block will remain low scale and concentrate higher rise towers at the major intersections.

Downtown Tall Buildings Guidelines

Section 1.6 of the Downtown Tall Buildings Guidelines establishes a site specific height exemption for this development application. It notes that the segments of Bloor Street East and Sherbourne Street that are part of this application are excluded from Map 1 – High Streets Map and that the heights for these areas will be established through a site specific Official Plan amendment and re-zoning application, which has been under review since late August 2010.

The exemption came as a result of the last working group meeting on June 25, 2012, when a revised proposal was presented which showed a significant decrease in height and density. As City Planning staff assessed that materially not much would further be changed with respect to height, a supplementary report accompanied the Downtown Tall Buildings Vision and Guidelines report to exclude the proposal from the height map, but that the review would continue to apply the performance standards.

The application was filed in late August 2010 and the Guidelines were being developed concurrently with the application review process, staff did not think that site's inclusion in the guideline maps would serve as a guide to resolve the height. Removal of the lands from the height map of the Guidelines was in recognition that issues surrounding the application were progressing and would be ultimately resolved through the application process. The July 2012 supplementary report noted that the proposed towers, as revised, generally satisfied the intent of the performance standards of the Guidelines, as discussed above.

Sun, Shadow, Wind

Staff has reviewed the applicant's shadow studies and wind studies. The studies were revised to reflect the revised proposal. The shadow studies analyze conditions for March 21st and September 21st.

Staff also reviewed the applicant's studies for comparison and accuracy. Staff acknowledge that there will be some shadow impacts on the ravine; further discussion and analysis of the impacts on the ravine are discussed in the Environment section of this report. Staff also note that there are no shadows on the neighbourhoods to the north. Shadows on the existing block and on the Glen Road properties are not impacted by the Block 3 towers. There is some impact on these areas after 3pm as caused by the Block 1 tower. These shadow impacts are acceptable, as the 45 storey height permissions would have anticipated these impacts during the spring and fall equinoxes. In review of the reach of the shadows and the duration for which they fall, staff find the shadow studies acceptable.

The wind consultants for the study, Theakston Environmental, summarized that "The proposed developments stepped facades, podium and other design features will contribute to anticipated pedestrian comfort conditions that are suitable to the context". Further, the consultants wind studies did not indicate any "severe" wind conditions resulting from this application.

In their study, the wind consultants made some recommendations to be addressed at site plan stage for Block 1 and Block 3. The wind study concluded that pedestrian comfort conditions will be acceptable. Minor variations of the aforementioned landscape plan, designed in consultation with the architects, and applied to the outdoor amenity space, might extend its seasonal functionality into the shoulder seasons.

Wind impacts on outdoor amenity spaces were also studied. The applicant's consultant recommends a mitigation plan for the amenity space for activities requiring longer exposure times than those predicted. Mitigation could include screen walls, dense planting and other wind barriers.

The wind study evaluated the future park space and concluded that conditions for the park will be seasonally appropriate to the area's intended purpose, during the spring, summer and fall seasons.

Transportation/Traffic Impact, Access, Parking

Transportation Services and Transportation Planning reviewed the Urban Transportation Considerations Report, dated July 2010, and revisions, dated January 2013, together with the plans to review the proposal for site circulation and access, parking and traffic and transportation impacts.

Driveway Access and Site Circulation

Access to Block 1 and Block 2 is proposed off of a public lane, Red Rocket Lane, which is proposed to be widened to a minimum of 6.0 metres, which is generally acceptable to Transportation Services. Access to Block 3 is proposed via two driveways access points; a main driveway off of Bloor Street East, and another driveway off of Howard Street. Both access points will be connected by an internal driveway. The applicant has proposed the installation of a traffic control signal at the intersection of the site driveway with Bloor Street East.

Additional comments related to site access arrangement, site circulation and layout, and the design of the proposed site entrance driveways will be provided through the site plan review process.

Parking

The parking requirement for the proposed development is governed by the Zoning Bylaw No.438-86, as amended, applicable to 'Downtown Area.' A total of 304 parking spaces will be provided for Blocks 1 and 2 and 512 parking spaces for Block 3. The parking supply for Block 2 will not be provided onsite, and instead, will be provided in the Block 1 underground parking garage, which is located across the public lane. The proposed parking supply is generally acceptable as it complies with the Zoning By-law requirements.

Traffic Impact Assessment

The traffic impacts of this project were assessed in the applicant's transportation study, including the proposal to implement a traffic control signal at the intersection of the site's driveway with Bloor Street East. There was also a review and analysis of alternative access options. According to the consultant, the implementation of a traffic control signal at this location will serve to support the following traffic operations and urban design objectives:

- Create shorter blocks along this section of Bloor Street (between Sherbourne Street and Parliament Street);
- Provide a mid-block crossing location for pedestrians and cyclists;
- Provide for better travel routing options for site traffic, allowing traffic generated by buildings on Block 3 to avoid using Howard Street and by-pass the northbound left turn at the Bloor Street/Sherbourne Street intersection;

- Reduce speeds on Bloor Street by creating friction with a more urban geometry; and
- Provide urban signal spacing along this section of Bloor Street.

Transportation Services completed the review of the submitted documentation including the above-noted justification and warrant analysis and have concluded that while they generally accept the provision of site accesses off Bloor Street East and Howard Street for Block 3, they cannot support a proposed Traffic Control Signal at the intersection of proposed site driveway and Bloor Street East. However, they will support the implementation of unsignalized right-turns access at this intersection.

There was community concern about using Howard Street for pick up and drop off and the use of Howard Street for school buses, particularly for Buildings 3B and 3C, at the east end of the site, which is further from the site driveway. The applicant's transportation consultant concluded that pick-up/drop-off and informal stopping activity for Buildings 3-B and 3-C can be accommodated on Howard Street within the existing pavement width of 7.3m with parking on the south side, except when the school buses are stopped for short periods of time and all Howard Street traffic must stop. Transportation Services accepts this conclusion.

There were community concerns about transit capacity and traffic issues as a result of the proposed development. At the working group, the issue was raised of not being able to currently get on the trains at Sherbourne station. The group was concerned that the proposal's added population would exacerbate this problem. The BA Group study estimated number of additional transit riders on the Bloor-Danforth subway line is 1-2 persons per subway car in the westbound direction and 0-1 persons per subway car in the eastbound direction in the peak hour. The study estimates that the site will generate approximately 210 and 250 new vehicle trips in the morning and afternoon peak hours, respectively.

Concerns about accessibility at Sherbourne station, including the needs of St. James Town residents with a higher population with limited mobility, were also discussed during the community consultation. An elevator is planned for Sherbourne station as part of the TTC's station accessibility program. This elevator would be located at the Sherbourne entrance and is planned to be operational by 2018. There are no plans to make the Glen Road entrance/exit to Sherbourne station accessible, although the working group identified this as an issue, given the grade change from Bloor Street to the Glen Road entrance/exit. Safety improvements, including lighting and signage around the Glen Road TTC entrance, will be considered as part of the streetscaping of Glen Road and the TTC is supportive of potential public realm enhancements. As well, the pedestrian connection and access to Castle Frank station will be improved by the reconfiguration of the Bloor-Parliament intersection.

Streetscape/Cycling

The revised proposal meets many of the public realm and streetscape objectives in the Official Plan and Tall Buildings Guidelines and provides improvements to the public realm for pedestrians. The Official Plan requires new development to provide amenity for adjacent streets and open spaces through improvements to boulevards and coordinated landscape improvements in setbacks. The new sidewalk widths adjacent to the towers sites (Block 1 and 3) generally achieve a minimum of 6 m, as recommended in the Tall Buildings Guidelines. There are exceptions where it cannot be achieved because of heritage buildings. Along Bloor Street the

pedestrian realm is approximately 8m, including the sidewalk and building setback. On Howard Street (Block 3) there is an approximate 6m setback added to the new 6 m public sidewalk. This provides a generous pedestrian sidewalk and landscaped area for street tree planting and post and ring bicycle parking.

Safety and streetscape improvements to Glen Road and the TTC entrance were issues raised throughout the application review and consultation process and through other studies and initiatives. Since 6-16 Glen Road have been neglected and boarded up for many years, there has been a void in the streetscape which has made this area feel unsafe to area residents and people using this entrance to Sherbourne station. Streetscaping improvements to enhance Glen Road and improve safety through lighting and other design treatments is an important priority related to this redevelopment and is identified within the priorities for Section 37 funds.

Other improvements for pedestrians being achieved through this redevelopment is an enhanced pedestrian area at Bloor and Parliament through the removal of the right-turn channel at this intersection. In addition, a sidewalk of 1.7 -1.9 m will be provided within the property limits adjacent to the west limit of the widened Red Rocket Lane. This sidewalk will provide access to the residential units facing the lane and the circulation area for Block 1.

The applicant has revised the plans to demonstrate that the Toronto Green Standard for bicycle parking can be satisfied.

Servicing

The Functional Servicing Reports provided by the applicant are generally acceptable in principle; however some analysis is missing and is required prior to the introduction of bills. Engineering and Construction Services require a more detailed sanitary analysis for Blocks 1 and Block 3 based on current conditions. If necessary, the applicant will then need to make satisfactory arrangements with the City with respect to financial contributions or sewer upgrades that may be required by the City due to increased flow contribution by the development. The analysis is underway and is expected to be completed shortly. As well, the static water pressure for the hydrants needs to be resolved. If upgrades are required, the owner agrees to pay for all the upgrades required to the satisfaction of Toronto Water before the enactment of Bills.

The applicant's original proposal for servicing of Block 2 involved making a sanitary connection to a storm sewer in Red Rocket Lane, which contravenes the Ministry of Environment (MOE) Guidelines and the City of Toronto Sewer Use By-law. They then proposed two options for servicing of the infill development on Block 2. However, there was concern that the water, stormwater and sanitary servicing may not be able to be provided from Red Rocket Lane in accordance with applicable standards, including those of Toronto Water and the MOE.

The applicant is investigating the option of providing the servicing for Block 2 from Glen Road. As the ability to provide municipal water and sanitary for the proposed townhouses in Block 2 may be constrained, an acceptable functional plan and profile drawing must be finalized prior to approval of the rezoning. A holding provision is needed to secure these requirements. The conditions for lifting the holding provision are explained in the Holding Provisions subsection of the Land Use discussion earlier in the report and are set out in the draft by-law in Attachment 9. The servicing issues will need to be resolved prior to any future land division for the rowhouses.

Engineering and Construction Services have reviewed the solid waste collection proposals for the three blocks. Some details for the three blocks are to be resolved at site plan, but generally meet the requirements for City of Toronto requirements for garbage, recycling and organics collection services.

Open Space/Parkland

The Official Plan contains policies to ensure that Toronto's system of parks and open spaces are maintained, enhanced and expanded. Map 8B of the Toronto Official Plan shows local parkland provisions across the City. The lands which are the subject of this application are in an area with 0 to 0.42 hectares of local parkland per 1,000 people. The site is in the lowest quintile of current provision of parkland. The site is in a parkland priority area, as per the City Wide Parkland Dedication By-law 1020-2010.

The proposal consists of three separate development blocks containing 1,241 residential units within a total combined site area of 1.1872 hectares (11,872m²). The applicant is proposing a combination of an on-site park dedication of 0.0713 hectares (713m²) on Block 3 and cash-in-lieu payment for Blocks 1 and 2. This parkland payment is required under Section 42 of the *Planning Act*, and is required as a condition of the building permit application process.

The proposed development is planned to be constructed in three separate blocks with the park block being conveyed to the City in Block 3. As such, for Blocks 1 and 2, the Owner shall be required to provide a cash-in-lieu payment equal to 10% of the market value for each block prior to the issuance of the first above grade building permit.

The location of the proposed park was analyzed by City staff and discussed with the working group. This location was selected at the preferred option as it provided transition from the neighbourhood at the centre of the North St. James Town neighbourhood to the larger scale development at the east end of the block. This park location also provided transition and was a better fit in terms impacts, privacy and overlook to the Edgedale homes than the servicing building. The design of the park will include a fence and buffer at the northern edge to provide privacy for the homes on Edgedale. Further design details for the park and budget for the park will be provided to the City prior to the issuance of the first above grade building permit for Block 3. Parks also recommends that a Development Charge credit can be applied toward the above base park improvements. The maximum value is estimated at \$600,000.

The public park fronts on to Howard Street and will be accessible from Bloor Street from a public walkway at the west end of Block 3. The open space in this location also complements the open space in front of the Howard Street side of St. Simon's church. This open space was a formerly leased to the City.

In addition to the public park, the at-grade open space on Block 3 will be publicly accessible. This was another important issue raised during the working group process. The open space will have a relationship with the at-grade retail which can provide animation. It will be accessible from both Bloor Street and Howard Street.

Trees

The applicant filed arborist reports and subsequent revisions to address the existing trees on site. The proposal requires the removal of trees on site, as the majority of trees are in conflict with the proposed development. The applicant has applied to remove 72 protected private trees and 15 street trees.

Proposed tree planting as part of the development includes 85 street trees in hard surface conditions, 14 street trees in soft surfaces, 20 trees in the new park, 17 potential street trees on the south side of Howard St, and an unknown but small number of trees on private property. Species are to be determined at Site Plan.

For healthy City and private trees to be removed there is an application and process to be completed prior to zoning approval. The applicant filed an application on August 8, 2013 for permits to remove trees in conjunction with the proposed development. On Block 3, an application was made to remove two private trees in good condition. During the development consultations, Urban Forestry requested that one of the trees, a 94cm DBH American Beech (tree 7818) be retained as it is a significant tree in line with the provisions of the Official Plan Policy. 3.1.2.1 (d) which encourages preserving mature trees wherever possible. Due to site constraints, it is not possible to save the trees.

Should City Council approve this project it will also be approving the request for tree removal. In accordance with *Section 813-20 of City of Toronto Municipal Code Chapter 813, Trees, Article III*, approval must be conditional upon the provision of satisfactory replacement planting. The proposed replacement planting would require 24 replacement trees or cash in lieu.

Environment

A portion of the proposed development site (Block 3) is across the street from the Rosedale Valley Ravine. The Rosedale Valley Ravine is part of the City's natural heritage system, and has been identified as meeting the Official Plan ESA criteria. Information from studies carried out in the Rosedale Valley indicates that portions of the area fulfill two ESA criteria: Criterion A (significant flora, vegetation communities and fauna) and Criterion D (notable area for migrant songbirds).

A natural heritage impact study was submitted to assess the development's impacts on the natural heritage system and identify measures to mitigate negative impact on and/or improve the natural heritage system.

Shadow was identified as a potential impact. A Shadow Impact Study was prepared to assess potential adverse shadow impacts associated with the proposed development at 6 Glen Road on a portion of the Rosedale Ravine. The Urban Forestry Ravine and Natural Feature Protection section requested the applicant submit a Cross Sectional Shadow Study to show the extent of shading related to topography and tree height across a sampling of locations, months and times of day.

The study and consultant opinion letter do not anticipate any impacts from the proposed development shadow on vegetation or migratory species. Urban Forestry has reviewed the Shadow Impact Study and opinion letter and found that the shadows on March 21 and September 21 are cast for only a matter of minutes during the main growth period of the day. This is most important at the time of the spring equinox, as this is the beginning of the growth phase of the vegetation. As well, as the sun approaches the summer solstice (June 21), the building shadows will shorten to the point where they do not fall on the valley vegetation at all during the daily growth period.

Urban Forestry concluded that, from the perspective of impact on trees, the shadows expected from the proposed development are not expected to cause any discernable impact to the valley vegetation.

Toronto Green Standard

On October 27, 2009 City Council adopted the two-tiered Toronto Green Standard (TGS). The TGS is a set of performance measures for green development. Tier 1 is required for new development. Tier 2 is a voluntary, higher level of performance with financial incentives. Achieving the Toronto Green Standard will improve air and water quality, reduce green house gas emissions and enhance the natural environment.

The applicant is required to meet Tier 1 of the TGS. How the heritage buildings address TGS will be reviewed at site plan and consistent with the conservation plans.

The review of the rezoning has addressed the performance measures for the following Tier 1 development features: Automobile Infrastructure; Cycling Infrastructure; and Storage and Collection of Recycling and Organic Waste.

Other applicable TGS performance measures will be secured through the Site Plan Approval process. Key TGS performance measures that will be secured through the site plan approval process include bird friendly design standards, ensuring adequate soil volumes to support survival of trees and more detailed review of pedestrian and cycling infrastructure.

Particular attention is needed for the bird-friendly strategies in advance of site plan application, given the adjacency of the Rosedale Valley Ravine and the migratory wood thrush. The bridge linking Buildings 3B and 3C along Bloor Street East is of concern. It presents a hazardous fly-through condition, especially given that it appears to be less than 5m in depth which creates a clear line of sight through the bridge. If the site is adjacent to a natural area such as a ravine or woodlot or other natural feature, the glass must be treated with a density pattern for the first 12m of the building or to the height of the top of the surrounding tree canopy at maturity. This will be reviewed in more detail and can be secured through site plan control.

Community Services and Facilities

A Community Services and Facilities Report (CS&F) was submitted as part of the application for Official Plan Amendment and rezoning. The report provided a demographic analysis of the study area, an inventory of existing community services and identified any priorities that should be considered in connection with the current proposal.

The CS&F report, as directed by City staff, established the study area bounded by Jarvis Street, Bloor Street East, Parliament Street and Wellesley Street. In general, the population of the study area was stable between 2006-2011.

The report noted that the site and the larger St. James Town neighbourhood are well served by a variety of community services and facilities. The Wellesley Community Centre, opened in 2005, is south of this site and incorporated facilities which had been identified as needed in the neighbourhood. The fully-accessible, approximately 5,000 square metre facility includes a recreation centre, library and a children's early learning centre. Staff note that the Wellesley Community Centre has a waiting list for all of the existing programs and that there is a need for more program space to facilitate the existing demands for all programs.

An indoor pool was originally planned for the Community Centre site, but there were insufficient funds at the time for the construction. However, the community centre was designed so a pool could be added to the facility on the open green space allotted on Bleecker Street. The construction of the pool continues to be priority for many of the residents of St. James Town. The applicant has agreed to provide a Section 37 financial contribution to be used for the construction of the future pool which is discussed below. There have been several other development projects in Council Wards 27 and 28 that have made Section 37 contributions towards the pool. The design of the pool is included in the Parks, Forestry and Recreation 2014 budget. Additional meeting room space is expected to be explored as part of the pool design.

City staff and other studies in the St. James Town area have identified the need for additional open and green space. Although the applicant's CS&F study originally relied on the provision of open space in adjacent park planning areas north of Bloor Street East, the proposal for Block 3 now includes land to be dedicated to the City for a park.

City Planning staff are undertaking a larger study of community services and facilities (and other infrastructure) in the Downtown to address pressures on services and strategies to address this.

Section 37

Section 37 of the Planning Act allows the City to enter into an agreement with an applicant to grant a height and/or density increase for a particular project that is greater than what the zoning by-law would otherwise permit in return for community benefits. Details of a Section 37 Agreement between the applicant and the City are established in consultation with the Ward Councillor if the project is considered to be good planning and recommended for approval.

The community benefits recommended to be secured in the Section 37 agreement provides a total contribution of \$8,250,000, with a cash contribution of \$7,750,000 which will be allocated for:

1. Glen Road including streetscaping, lighting and safety improvements around the TTC Glen Road entrance/exit;
2. public realm and park improvements, including those part of the future Community Improvement Plan for the St. James Town neighbourhood; and
3. Capital construction cost for the indoor pool to be located at the Wellesley Community Centre.

The remaining \$500,000 will be considered a credit towards the heritage relocation and restoration of 76 Howard Street.

A provision is being recommended for inclusion in the Zoning By-law Amendment (Attachment 9) to provide generic authority for reallocation of cash contributions without the need for a zoning amendment if the money has not been spent within 5 years from the date the by-law is in force. Alternate allocation would be at the discretion of the Chief Planner and Executive Director, City Planning Division in consultation with the Ward Councillor and would be for purposes identified in the Official Plan and would benefit the nearby community.

The replacement of 8 affordable rental dwelling units and the provision of tenant relocation assistance also form part of the Section 37 benefits, as well as being a requirement of the Official Plan. In addition, there were several matters recommended to be secured in the Section 37 agreement as a legal convenience to support development as described in Attachment 10: Draft Section 37 Provisions – Schedule 1.

Conclusion

As discussed, the North St. James Town neighbourhood has been under discussion for close to 10 years due to threats to demolition of heritage buildings, the need for community improvement and development pressure on vacant private land. The 2010 North St. James Town Planning Framework set the stage for renewal and this proposal helps to achieve the principles of the Framework.

The current proposal includes several improvements that address Official Plan objectives and community concerns. There will be replacement of 8 rental units secured as part of the redevelopment. The resulting built form provides more appropriate relationships to surrounding neighbourhoods and the public realm. The overall height was reduced by 68 floors from the original submission. The proposal includes a new public park and new publicly accessible open space.

The conservation strategies to integrate the heritage properties into the proposed development address important planning objectives and enhance the heritage context of the neighbourhood and local streets. The revised proposal retains three additional heritage buildings, in addition to those originally proposed to be conserved. The relocation and restoration of 76 Howard Street is a result of the community's interest its conservation.

The revised proposal addressed an important community issue by providing additional retail to serve the neighbourhood. North St. James Town is an area in need of restoration and reinvestment. Through the extensive consultation and review process, the revised proposal meets Official Plan criteria for redevelopment.

CONTACT

Allison Meistrich, Senior Planner
Community Planning
Tel. No. (416) 392-7363
Fax No. (416) 392-1330
E-mail: ameistr@toronto.ca

Noreen Dunphy, Senior Planner
Community Policy
Tel. No. (416) 392-1225
Fax No. (416) 397-4080
Email: ndunphy@toronto.ca

SIGNATURE

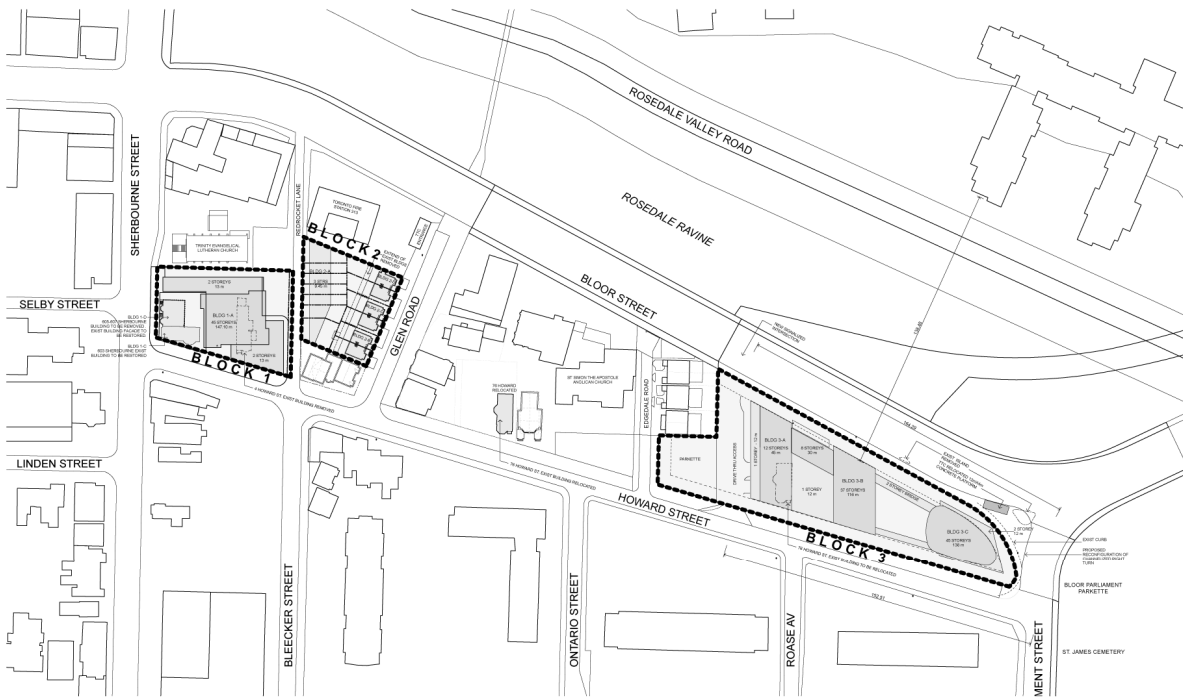
Gregg Lintern, Director, MCIP, RPP
Community Planning
Toronto and East York District

(P:\2013\Cluster B\pln\TEYCC\16561837085.doc) - vc

ATTACHMENTS

- Attachment 1: Master Plan
- Attachment 2: Block 1 & 2 Site Plan
- Attachment 3: Block 3 Site Plan
- Attachment 4A: Block 1 West Elevation
- Attachment 4B: Block 1 East Elevation
- Attachment 4C: Block 1 South Elevation
- Attachment 4D: Block 1 North Elevation
- Attachment 5A: Block 1 & 2 Elevations
- Attachment 5B: Block 2 Elevation – Glen Road
- Attachment 6A: Block 3 North Elevation
- Attachment 6B: Block 3 East Elevation
- Attachment 6C: Block 3 South Elevation
- Attachment 6D: Block 3 West Elevation
- Attachment 7: Heritage Context Plan
- Attachment 8: Draft Official Plan Amendment
- Attachment 9: Draft Site Specific Zoning By-law 438-86
- Attachment 10: Draft Section 37 Provisions- Schedule 1
- Attachment 11: Application Data Sheet

Attachment 1: Master Plan



Master Plan

Applicant's Submitted Drawing

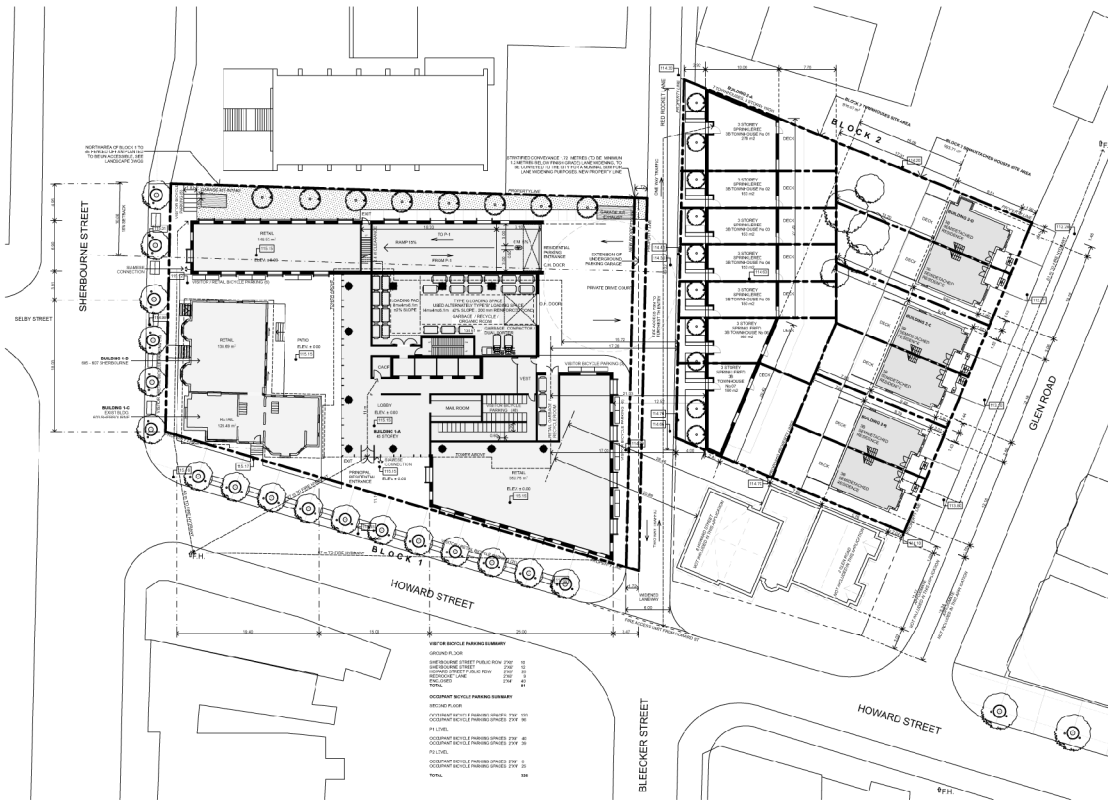
Not to Scale
10/28/2013



North St. James Town
6-16 Glen Road and 603 - 611 Sherbourne Street
4 & 6, 58, 60, 62, 64, 76 & 100 Howard Street

File # 10_247063 02

Attachment 2: Block 1 & 2 Site Plan



Blocks 1 and 2 Site Plan / Ground Plan

Applicant's Submitted Drawing

Not to Scale
10/28/2013

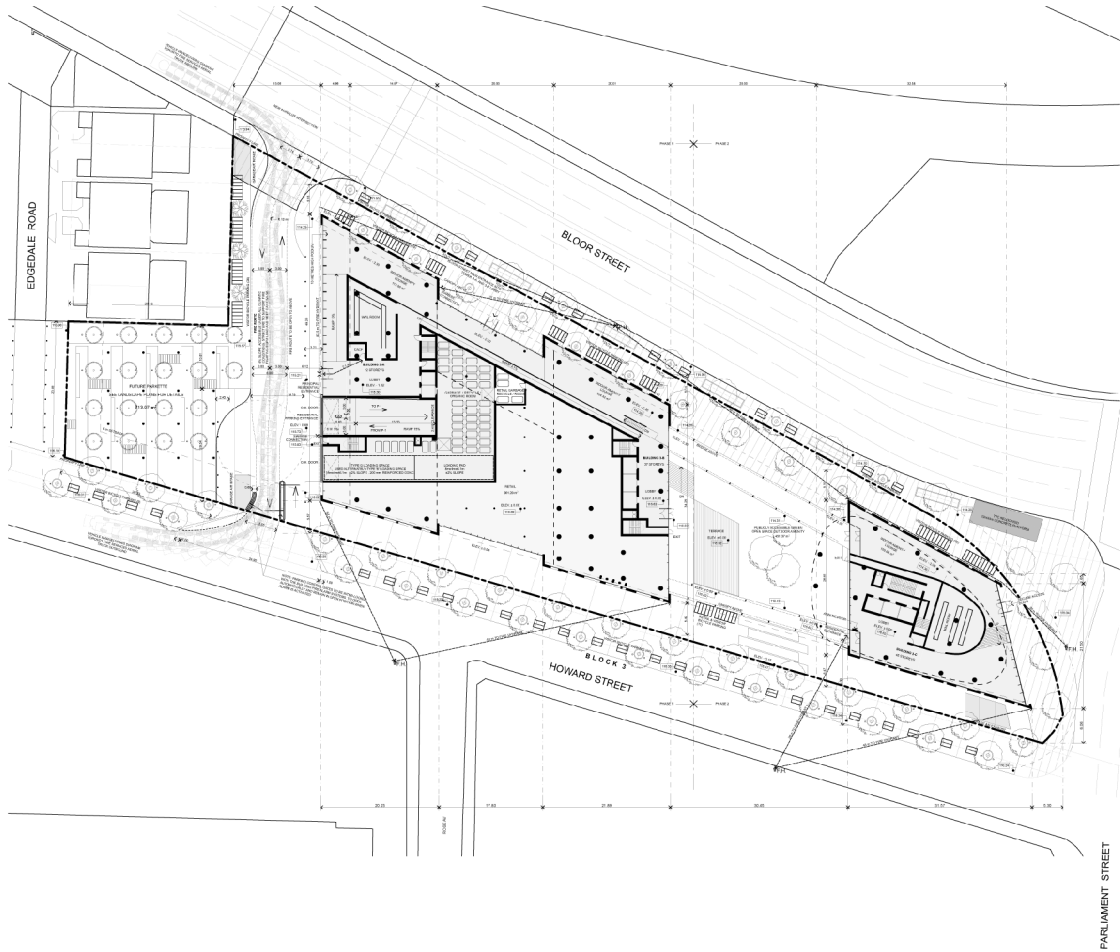


North St. James Town
6 -16 Glen and 4 & 6 Howard Street

File # 10_247063 OZ

Attachment 3: Block 3 Site Plan

Staff report for action – Final Report – 6, 8, 10, 12, 14 and 16 Glen Rd; 4, 6, 58, 60, 62, 64, 76 and 100 Howard Street; and 603, 605, 607, 609 and 611 Sherbourne Street



Block 3 Site Plan

Applicant's Submitted Drawing

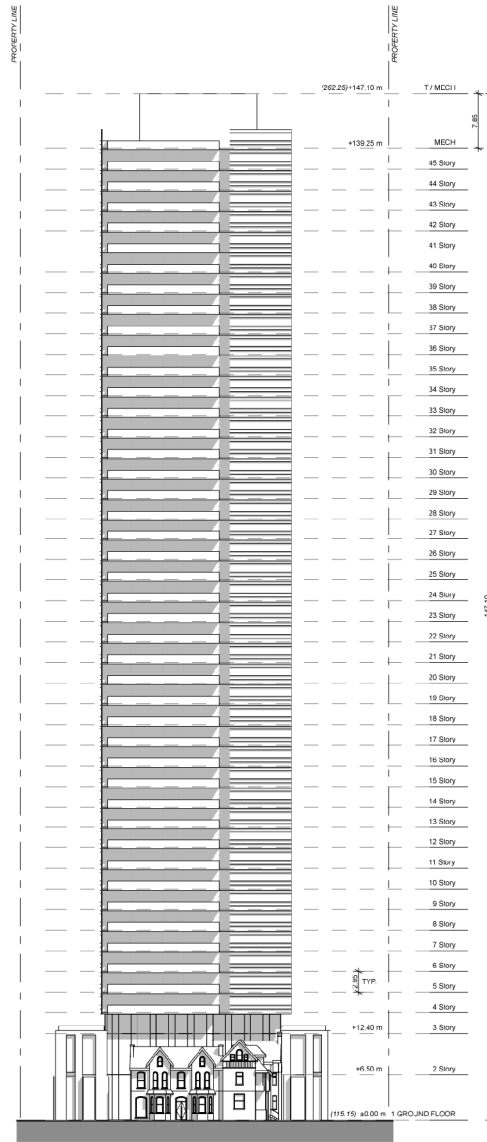
Not to Scale
10/28/2013



North St. James Town
58, 60, 62, 64 76 & 100 Howard Street

File # 10_247063 OZ

Attachment 4A: Block 1 West Elevation



WEST ELEVATION

Block 1 West Elevation

Applicant's Submitted Drawing

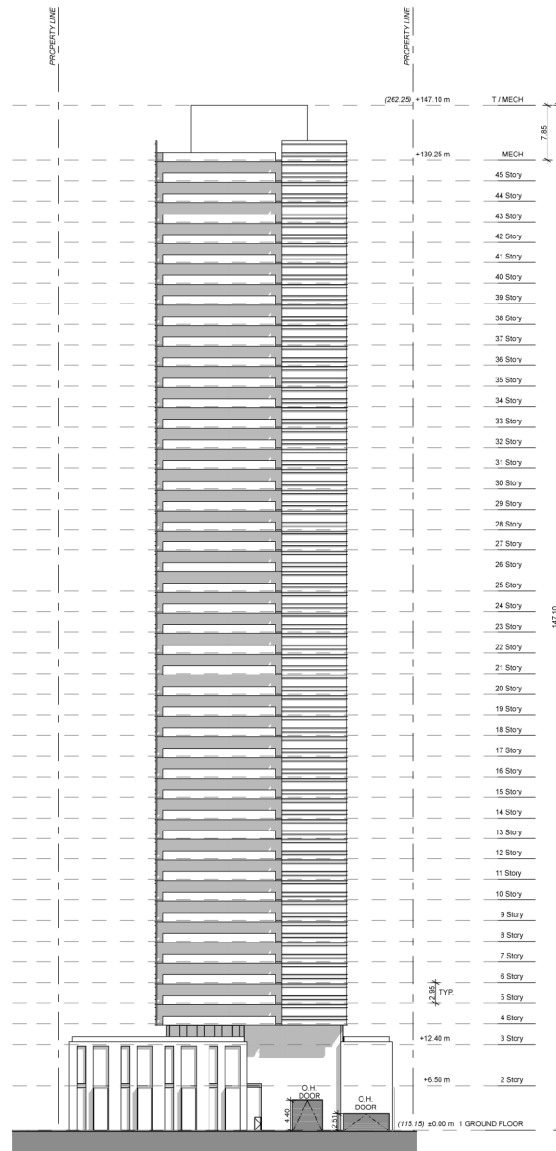
Not to Scale
10/28/2013



North St. James Town
4 and 6 Howard Street

File # 10_247063 OZ

Attachment 4B: Block 1 East Elevation



EAST ELEVATION

Block 1 East Elevation

Applicant's Submitted Drawing

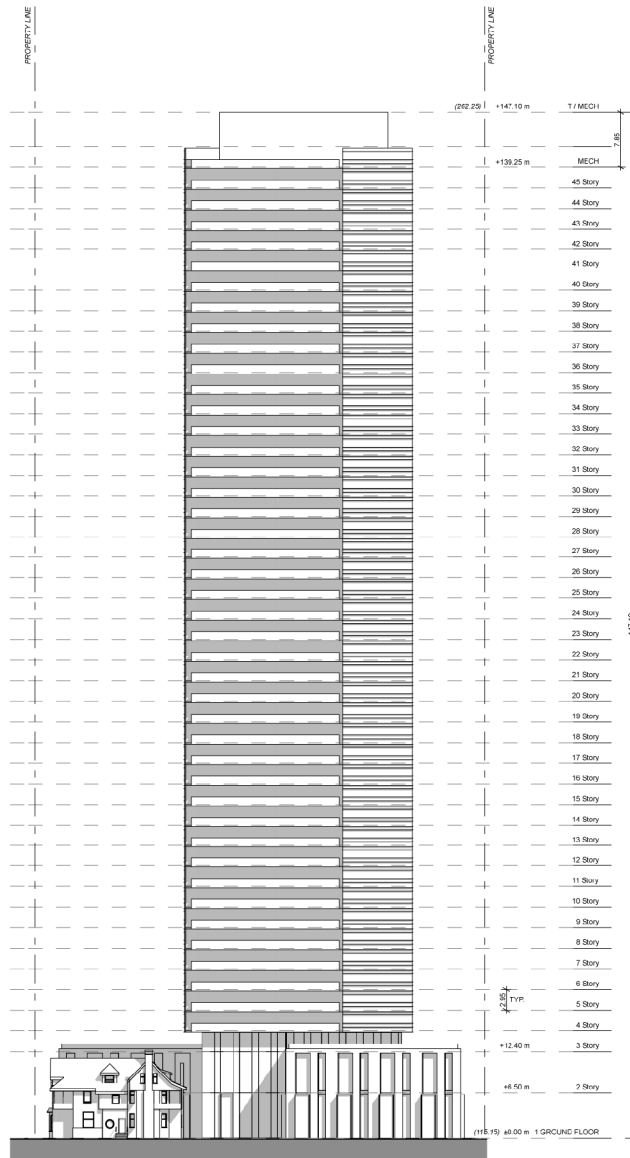
Not to Scale
10/28/2013



North St. James Town
4 and 6 Howard Street

File # 10_247063 0Z

Attachment 4C: Block 1 South Elevation



SOUTH ELEVATION

Block 1 South Elevation

Applicant's Submitted Drawing

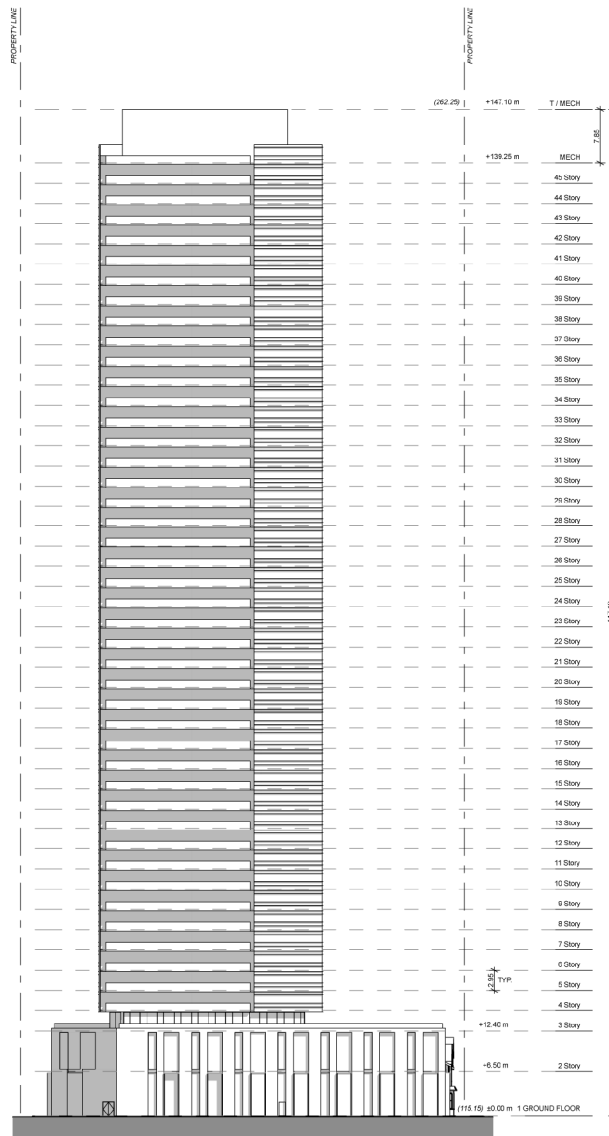
Not to Scale
10/28/2013



North St. James Town
4 and 6 Howard Street

File # 10_247063 0Z

Attachment 4D: Block 1 North Elevation



NORTH ELEVATION

Block 1 North Elevation

Applicant's Submitted Drawing

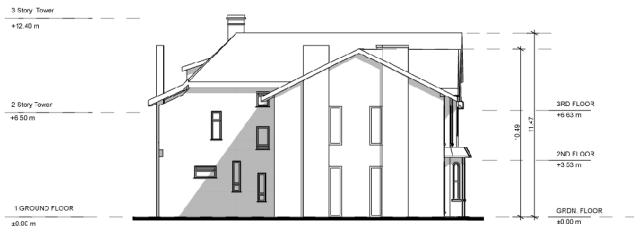
Not to Scale
10/28/2013



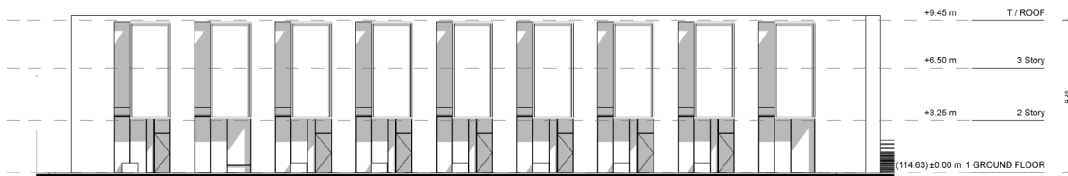
North St. James Town
4 and 6 Howard Street

File # 10_247063 OZ

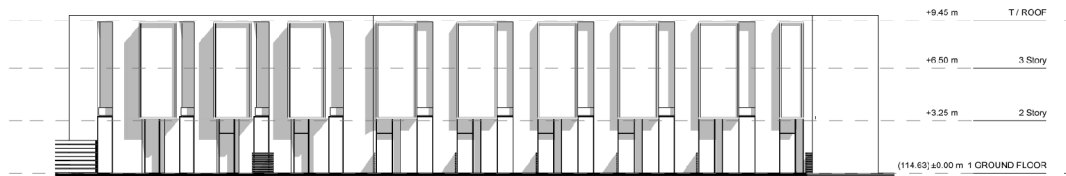
Attachment 5A: Block 1 & 2 Elevations



BLOCK 1 - 607 SHERBOURNE STREET NORTH ELEVATION



BLOCK 2 - BUILDING 2-A - WEST ELEVATION



BLOCK 2 - BUILDING 2-A - EAST ELEVATION

Blocks 1 & 2 Elevations

Applicant's Submitted Drawing

Not to Scale 

10/28/2013

North St. James Town
607 Sherbourne Street and Building 2A

File # 10_247063 02

Attachment 5B: Block 2 Elevations – Glen Road



Block2 Elevation

Applicant's Submitted Drawing

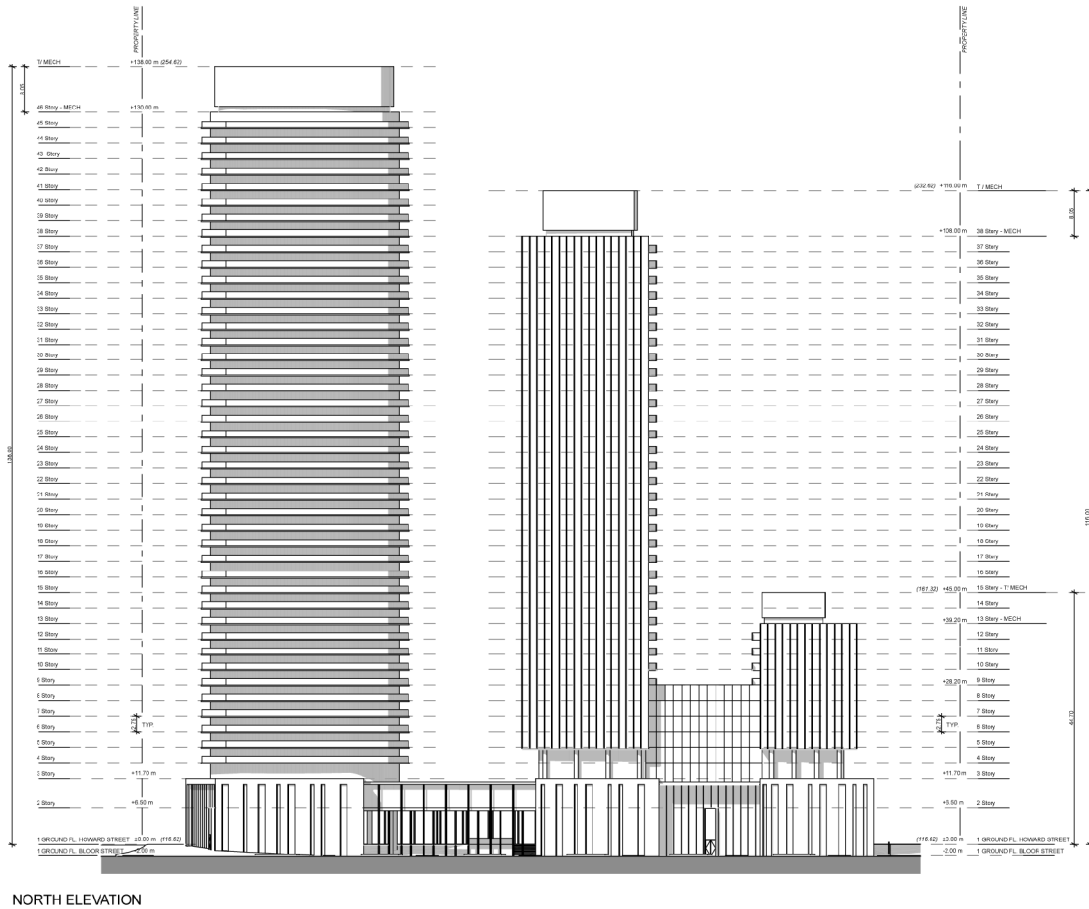
Not to Scale
10/28/2013



North St. James Town
6-16 Glen Road

File # 10_247063 0Z

Attachment 6A: Block 3 North Elevation



Block 3 North Elevation

Applicant's Submitted Drawing

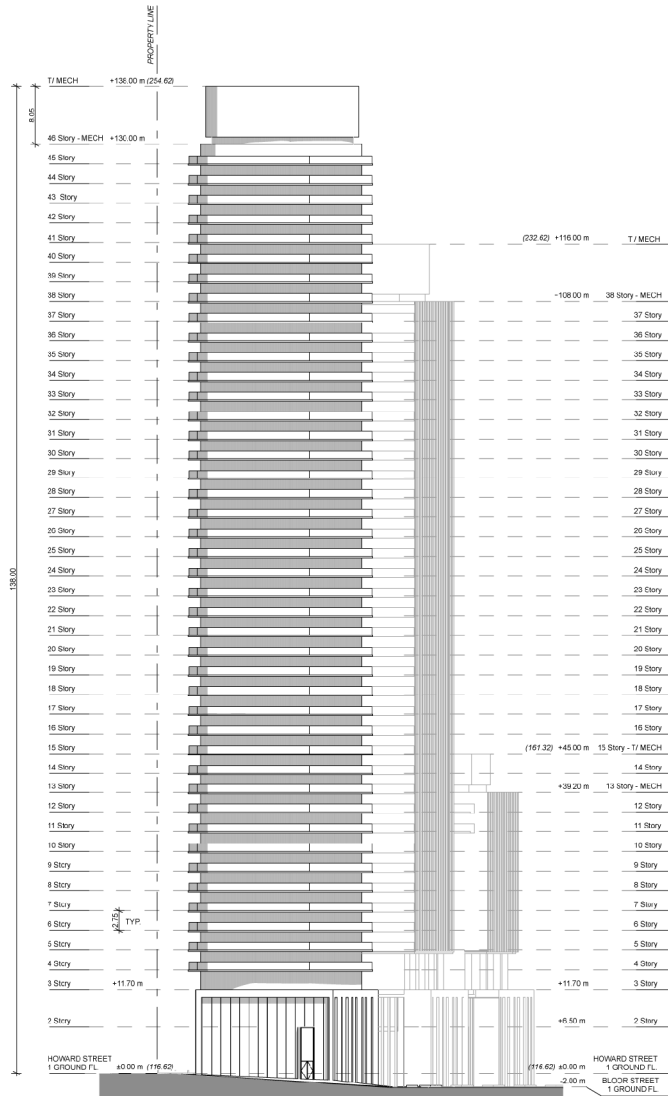
Not to Scale
10/28/2013



North St. James Town
58, 60, 62, 64, 76 & 100 Howard Street

File # 10_247063 0Z

Attachment 6B: Block 3 East Elevation



Block 3 East Elevation

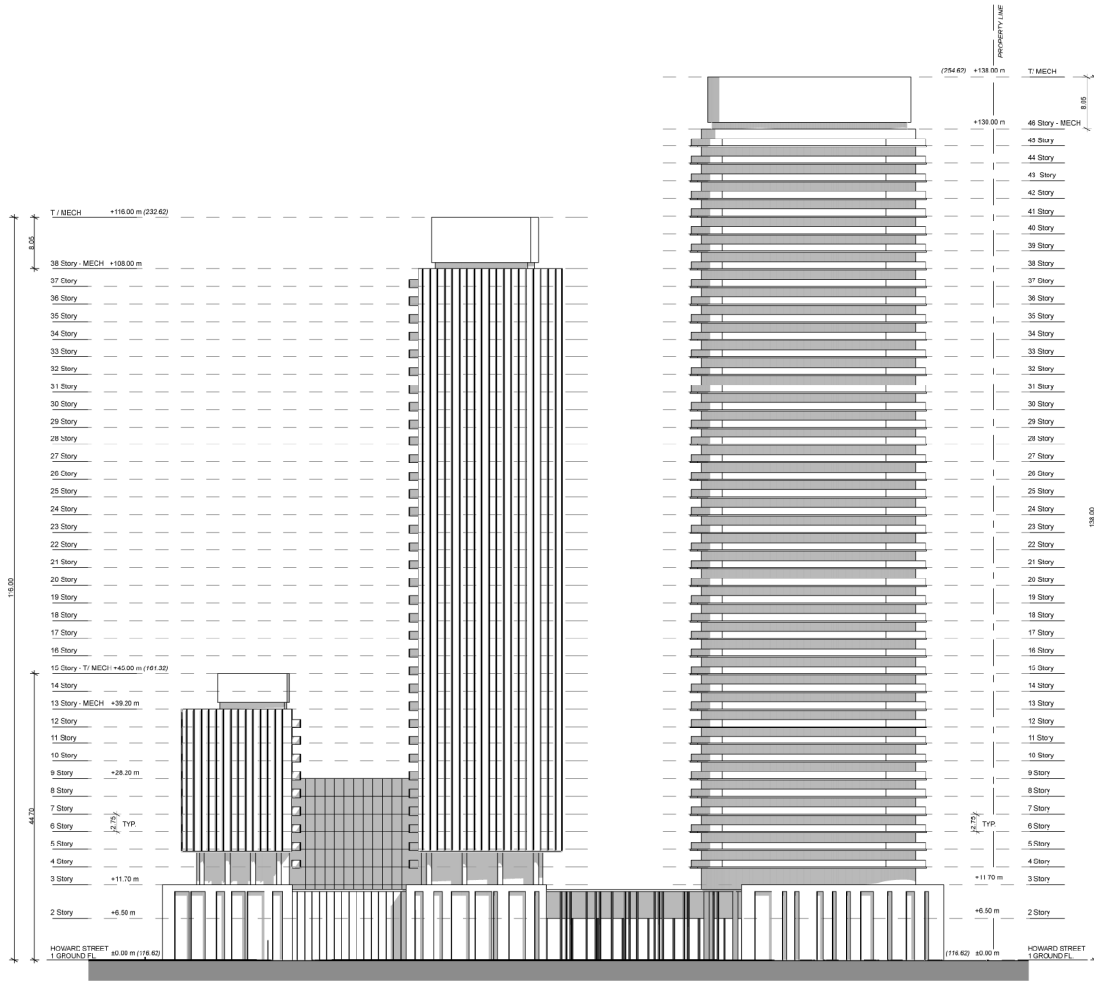
Applicant's Submitted Drawing

Not to Scale 10/28/2013

North St. James Town
58, 60, 62, 64, 76 & 100 Howard Street

File # 10_247063 OZ

Attachment 6C: Block 3 South Elevation



SOUTH ELEVATION

Block 3 South Elevation

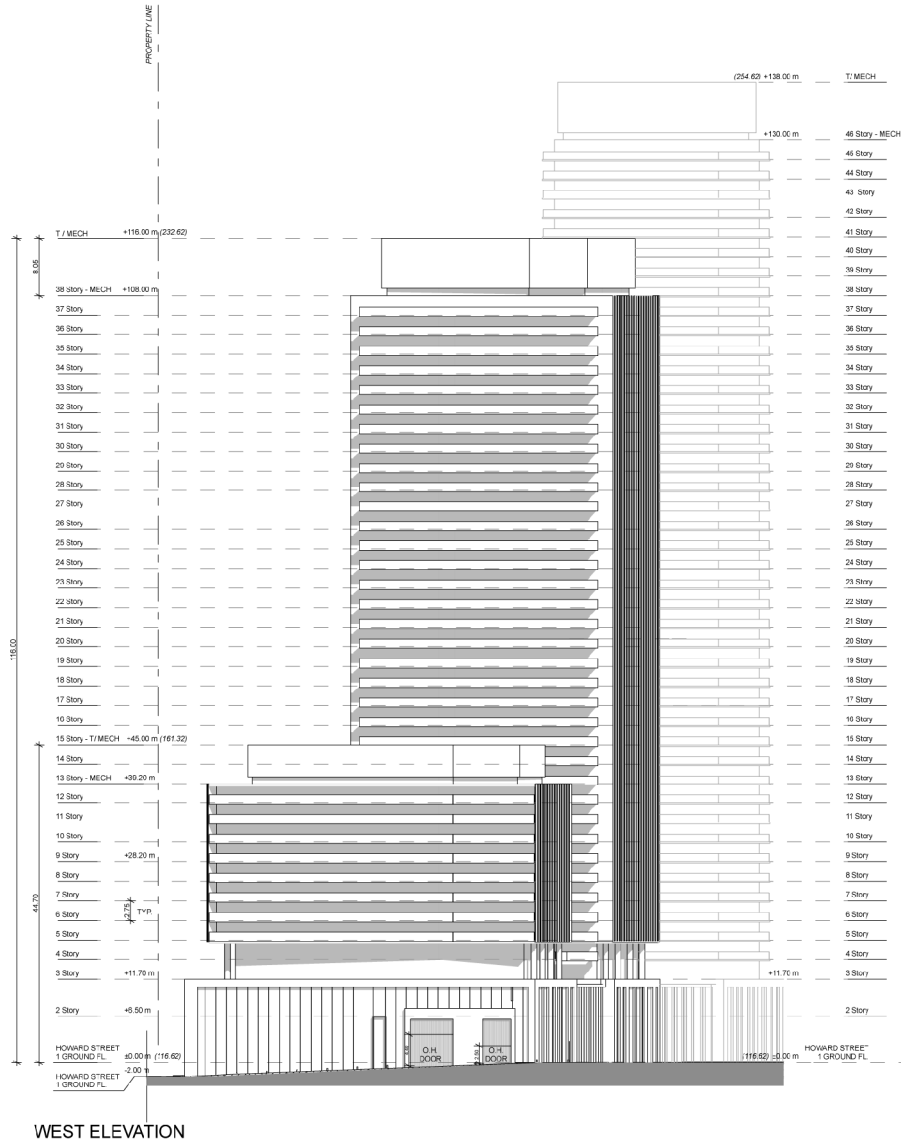
Applicant's Submitted Drawing

Not to Scale 
10/28/2013

North St. James Town
58, 60, 62, 64, 76 & 100 Howard Street

File # 10_247063 OZ

Attachment 6D: Block 3 West Elevation



Block 3 West Elevation

Applicant's Submitted Drawing

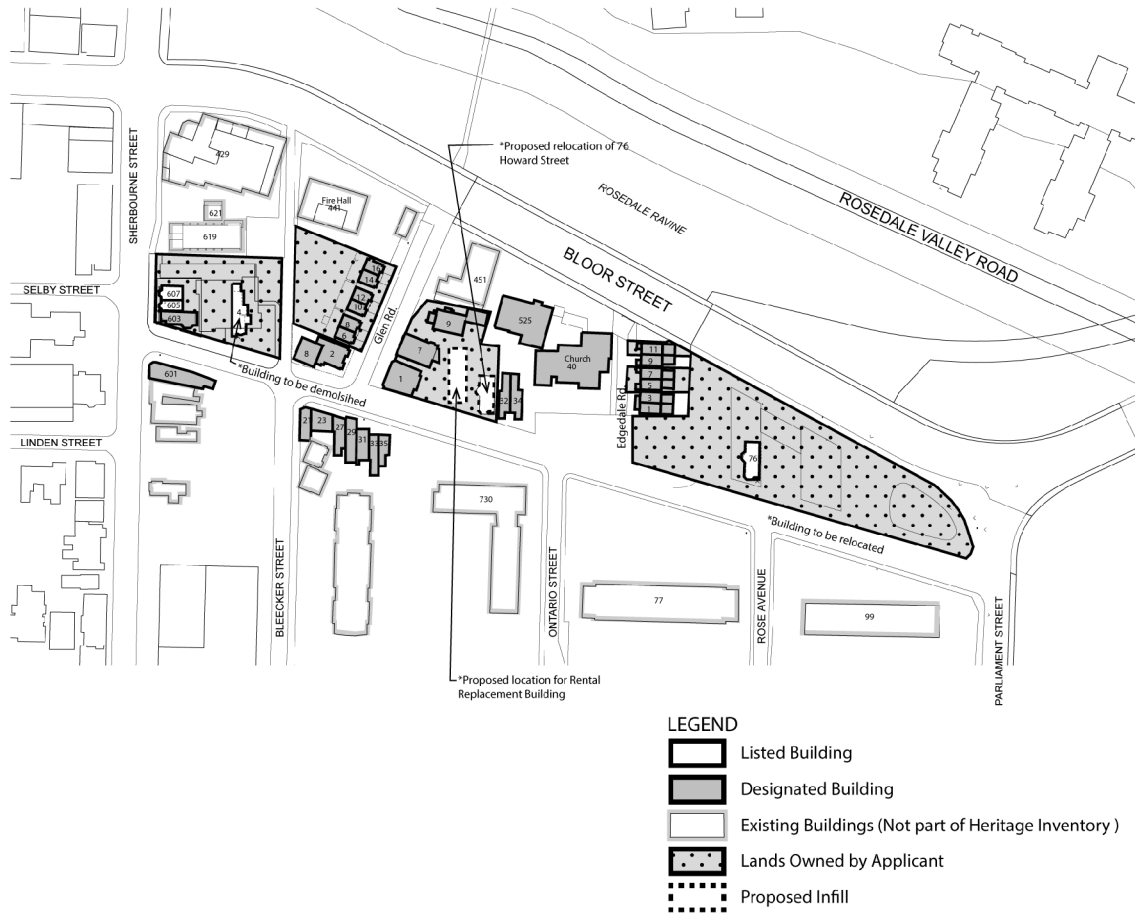
Not to Scale
10/28/2013



North St. James Town
58, 60, 62, 64, 76 & 100 Howard Street

File # 10_247063 OZ

Attachment 7: Heritage Context Plan



Heritage Context Plan (as of September 2013)

Applicant's Submitted Drawing

Not to Scale
10/31/2013



North St. James Town
6-16 Glen Road and 603 - 611 Sherbourne Street
4 & 6, 58, 60, 62, 64, 76 & 100 Howard Street

File # 10_247063 0Z

Attachment 8: Draft Official Plan Amendment

Authority: Toronto and East York Community Council Item ~ as adopted by City of Toronto Council on ~, 2013

Enacted by Council: ~, 2013

CITY OF TORONTO

Bill No. ~

BY-LAW No. ~-2013

**To adopt an amendment to the Official Plan
for the City of Toronto
respecting the lands municipally known
in the year 2013 as 58, 60, 62, 64, 76 and 100 Howard 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 HEREBY ENACTS as follows:

- 1 The attached text and maps are adopted as an amendment to the Official Plan pursuant to the *Planning Act*, as amended.
- 2 This is Amendment No. 229.

ENACTED AND PASSED this ____ day of _____, A.D. 2013.

ENACTED AND PASSED this ~ day of ~, A.D. 2013.

ROB FORD,
Mayor

ULLI S. WATKISS,
City Clerk

(Corporate Seal)

AMENDMENT NO. 229 TO THE OFFICIAL PLAN

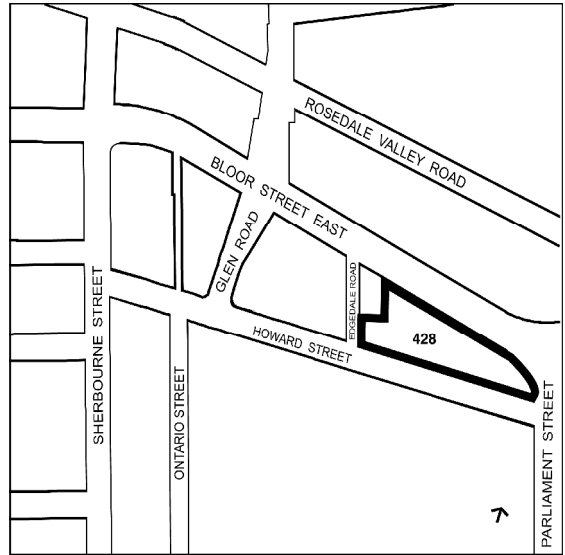
**LANDS MUNICIPALLY KNOWN IN THE YEAR 2013 AS
58, 60, 62, 64, 76 and 100 Howard Street**

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

- 1 Land Use Plan Maps 17 and 18 are amended to redesignate the lands municipally known in the year 2013 as 58, 60, 62, 64, 76 and 100 Howard Street from *Neighbourhoods* to *Apartment Neighbourhoods* and *Parks*, as shown on attached Schedule 1.
- 2 Chapter 7, Site and Area Specific Policies, is amended by adding Site and Area Specific Policy No. 428 for the lands municipally known in the year 2013, as 58, 60, 62, 64, 76 and 100 Howard Street:

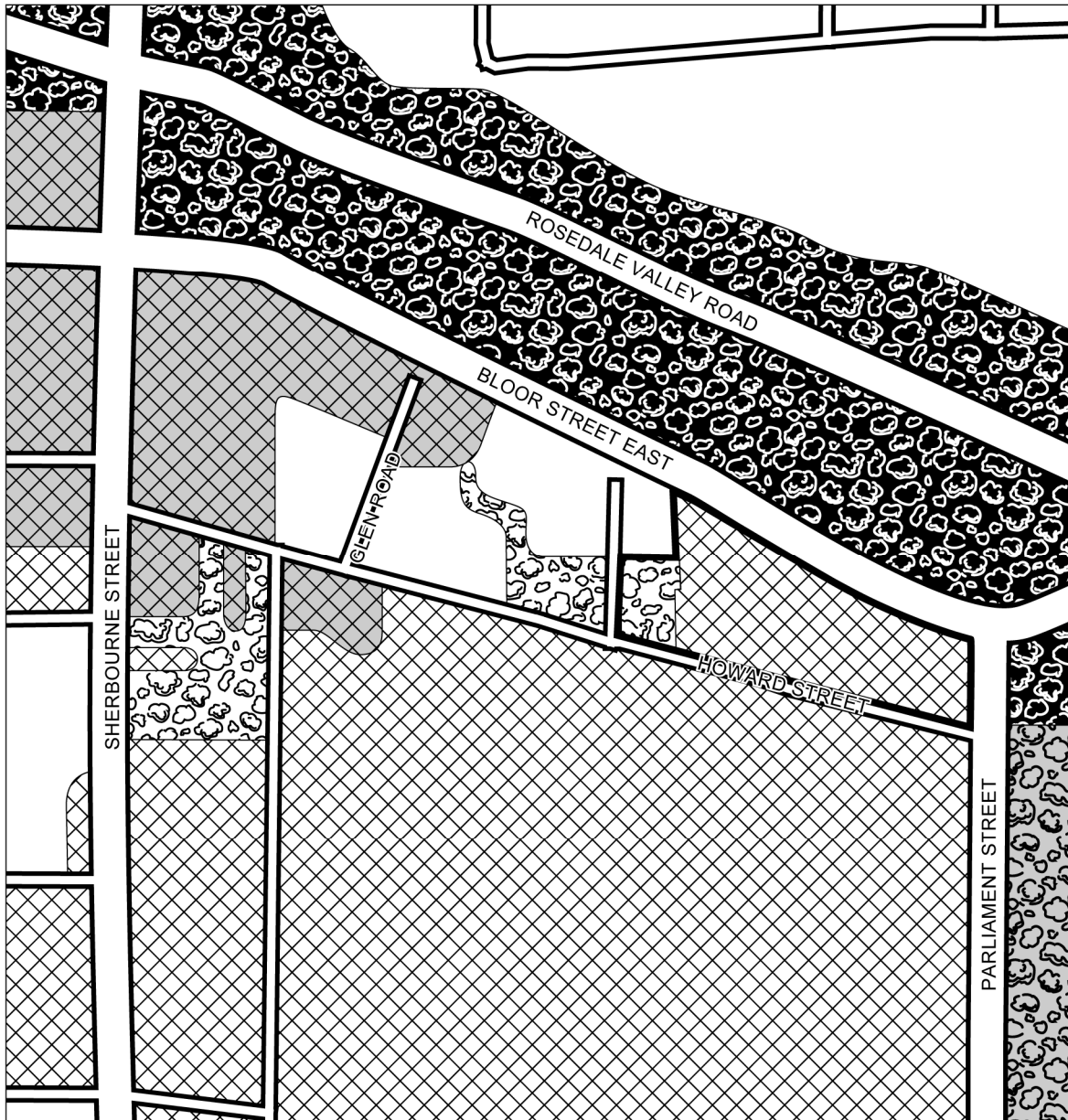
"428. **58, 60, 62, 64, 76 and 100 Howard Street**

- i) Development of the subject lands with three buildings having heights, including mechanical penthouses, of 12 storeys (45.5 m), 37 storeys (116.5 m) and 45 storeys (138.5 m) with a total residential gross floor area of 63,425 m² is permitted together with not more than 865 m² of commercial/retail space;
- ii) A new public park secured pursuant to the City's parkland dedication requirements will be provided with frontage on a public street and at grade publicly accessible open space to provide neighbourhood green space. Publicly accessible walkway linkages between Howard Street and Bloor Street are contemplated where feasible to provide direct, accessible pedestrian connections to these spaces from public streets;
- iii) The conservation of the existing heritage building located at 76 Howard Street, which may include relocation, will be prioritized in any redevelopment proposal; and
- iv) Buildings on the subject lands will provide appropriate transition in built form from the adjacent lands designated *Neighbourhoods* to the west.



Site and Area Specific Policy 428 - 58, 60, 62, 64, 76 and 100 Howard Street"

Schedule 1



TORONTO City Planning






Official Plan Amendment # 229

Revisions to Land Use Maps 17 and 18 to Redesignate lands from Neighbourhoods to Apartment Neighbourhoods & Parks

North St. James Town

58, 60, 62, 64, 76 & 100 Howard Street

File # 10_247063 02

- | | | | |
|---|--------------------------|---|------------------------|
|  | Site Location |  | Natural Areas |
|  | Neighbourhoods |  | Parks |
|  | Apartment Neighbourhoods |  | Other Open Space Areas |
|  | Mixed Use Areas | | |



Not to Scale
10/28/2013

Attachment 9: Draft Site Specific Zoning By-law 438-86

CITY OF TORONTO

BY-LAW No. ____-2013

**To amend the General Zoning By-law No. 438-86 of the former City of Toronto
with respect to lands municipally known in the year 2013 as
6, 8, 10, 12, 14 & 16 Glen Road,
4, 6, 58, 60, 62, 64, 76 & 100 Howard Street
and 603, 605, 607, 609 & 611 Sherbourne Street**

WHEREAS Council of the City of Toronto has the authority pursuant to Section 34 of 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*;

WHEREAS the Official Plan for the City of Toronto contains such provisions relating to the authorization of increases in height and density of development;

WHEREAS pursuant to Section 37 of the *Planning Act*, a by-law under Section 34 of the *Planning Act*, may authorize increases in the height or density of development beyond those otherwise permitted by the by-law and that will be permitted in return for the provision of such facilities, services or matter as are set out in the by-law;

WHEREAS subsection 37(3) of the *Planning Act* provides that where an owner of land elects to provide facilities, services and matters in return for an increase in the height or density of development, a municipality may require the owner to enter into one or more agreements with the municipality dealing with the facilities, services and matters;

WHEREAS the owner of the aforesaid lands has elected to provide the facilities, services and matters hereinafter set out; and

WHEREAS the increase in height and density permitted beyond that otherwise permitted on the aforesaid lands by By-law No. 438-86, as amended, is permitted in return for the provision of the facilities, services and matters set out in this By-law which is secured by one or more agreements between the owner of the land and the City of Toronto,

The Council of the City of Toronto HEREBY ENACTS as follows:

1. Upon execution and registration of the agreement(s) to be entered into with the City of Toronto pursuant to Section 37 of the *Planning Act*, in accordance with the provisions of Section 5 and Schedule 1 herein, District Map 51H-322, Appendix A of former City of Toronto By-law No. 438-86, as amended, is further amended by redesignating the lands outlined by heavy lines on Map 1 attached hereto and comprising *Block 1* to " CR T4.0 C1.0 R4.0 ", comprising *Block 2* to " R4 Z1.0 (h) " and comprising *Block 3* to " CR T4.0 C1.0 R4.0 " and "G" as shown on said Map 1 attached to and forming part of this By-law.

Block 1

2. None of the provisions of Section 2(1) with respect to definition of *bicycle parking space-visitor*, *grade* and Sections 4(2)(a), 4(8)(b), 4(12), 8(3) Part I 1-3(a), 8(3) Part II 1(a)(ii), 8(3) Part VIII 1 and 8(3) Part XI 1 and 2 of former City of Toronto By-law No. 438-86, being “A By-law to regulate the use of land and the erection, use, bulk, height, spacing of and other matters relating to buildings and structures and to prohibit certain uses of lands and the erection and use of certain buildings and structures in various areas of the City of Toronto”, as amended, shall apply to prevent the erection, maintenance and use of a *mixed-use building* and uses accessory thereto, together with the *Anson Jones House* on *Block 1*, and the provision of required parking for use by residents of *Block 2*, provided:
- (a) the lands on which the *mixed-use building* and the *Anson Jones House* are located consists of at least those lands identified as *Block 1* and delineated by heavy lines on Map 2a attached to and forming part of this By-law;
 - (b) the total *residential gross floor area* of the *mixed-use building* on *Block 1* shall not exceed 34,500 m²;
 - (c) the total *non-residential gross floor area* of the *mixed-use building* on *Block 1* shall not exceed 1,080 m²;
 - (d) no part of any building or structure erected or used above *grade* within *Block 1* shall be located other than wholly within the areas delineated by heavy lines shown on Map 2a, attached to and forming part of this By-law, except for the following:
 - (i) cornices, lighting fixtures, awnings, ornamental elements, trellises, eaves, window sills, guardrails, balustrades, railings, wheel chair ramps, vents, underground garage ramps and their associated structures, fences, screens, landscape and public art features; and

stairs are permitted to project beyond the heavy lines delineating the heritage buildings as shown on Map 2a;
 - (e) no part of any building or structure within *Block 1* shall exceed the *height* limits shown in metres and specified by the numbers following the letter "H" on Map 2a, except for the following:
 - (i) stairs, landscape features, trellises, guard-rails, retaining walls, wheel chair ramps, terrace and balcony railings and dividers, lightning rods, elements of a green roof, window washing equipment, solar panels, solar hot water heaters, exhaust flues, emergency generator, garbage chute overrun, parapets, cornices, balustrades, mullions, light fixtures, ornamental elements, public art

features and underground garage ramps and their associated structures;

- (f) a maximum of 45 *storeys* shall be permitted within the 140 m height area shown on Map 2a;
- (g) in addition to the *parking spaces* required by Section 4(5)(b) of former City of Toronto By-law No. 438-86, as amended, and notwithstanding Section 8(1)(a) and 12(2)(132) of said By-law No. 438-86, as amended, the parking required for *Block 2* as set out Section 3(f) of this By-law shall be provided on *Block 1* for the use of residents of *Block 2*;
- (h) notwithstanding 4(5)(b) of former City of Toronto By-law No. 438-86, as amended, no *parking spaces* shall be required for the non-residential uses on *Block 1*;
- (i) a minimum of 1.5 m² of outdoor *residential amenity space* shall be provided per *dwelling unit* on *Block 1*;
- (j) a minimum of 2.0 m² of indoor *residential amenity space* shall be provided per *dwelling unit* on *Block 1* in a multi-purpose room(s) with at least one room containing a kitchen and a washroom, and notwithstanding the definition of *residential gross floor area* in former City of Toronto By-law No. 438-86, all indoor *residential amenity space* on *Block 1* shall be excluded from the gfa calculation;
- (k) one *loading space – type “G”* shall be provided on *Block 1*;
- (l) “*grade*” in reference to *Block 1* means an elevation of 115.0 metres above sea level based on Geodetic Survey of Canada 1929 mean sea level vertical datum (pre-1978 southern Ontario Adjustment);
- (m) notwithstanding the definition of *grade* and the H 0m area on Map 2a, underground garages may be permitted provided they are located entirely below finished grade;
- (n) balconies shall only be located in the areas identified on Map 2a and shall have a maximum depth of 1.5 m; and
- (o) the area of the mechanical penthouse on the roof of the *mixed-use building* within *Block 1* shall not exceed 60% of the roof area below within the 140 m height area shown on Map 2a.

Block 2

3. None of the provisions of Section 2(1) with respect to definition of *grade*, *lot* and Sections 4(2)(a), 4(5), 4(11), 6(3) Part I 1., 6(3) Part II 2, 3 and 4. and 6(3) Part VII 1. of former City of Toronto By-law No. 438-86, being “A By-law to regulate the use of land and the erection, use, bulk, height, spacing of and other matters relating to buildings and structures and to prohibit certain uses of lands and the erection and use of certain buildings and structures in various areas of the City of Toronto”, as amended, shall apply to prevent the erection, maintenance and use of seven *row house dwelling units* and six *semi-detached houses* on *Block 2* in the location shown on Map 2a provided:
- (a) notwithstanding the definitions of *row house dwelling units* and *semi-detached houses*, the lands on which the *row house dwelling units* and the *semi-detached houses* are located consists of at least those lands identified as *Block 2* and delineated by heavy lines on Map 2a;
 - (b) the total *residential gross floor area* of the *row houses* on *Block 2* shall not exceed 1,210 m² and the total *residential gross floor area* of the six *semi-detached houses* shall not exceed 870 m²;
 - (c) no part of any building or structure erected or used above *grade* within *Block 2* shall be located other than wholly within the areas delineated by heavy lines shown on Map 2a, except for the following:
 - (i) cornices, lighting fixtures, awnings, ornamental elements, trellises, eaves, window sills, stairs, decks, porches, guardrails, balustrades, railings, wheel chair ramps, vents, fences, screens, landscape and public art features;
 - (d) a minimum 7.5 m rear yard setback shall be provided for the *semi-detached houses* shown on Map 2a;
 - (e) no part of any building or structure within *Block 2* shall exceed the *height limits* shown in metres and specified by the numbers following the letter "H" on Map 2a;
 - (f) a minimum of one *parking space* per *dwelling unit* on *Block 2* is required and shall be provided within *Block 1*, with temporary parking permitted off-site within 300 m of *Block 2* during construction of the *mixed-use building* on *Block 1*, or on *Block 2* for the *semi-detached* dwellings;
 - (g) “*grade*” in reference to *Block 2* means an elevation of 114.5 metres above sea level based on Geodetic Survey of Canada 1929 mean sea level vertical datum (pre-1978 southern Ontario Adjustment); and
 - (h) Section 6(3) Part IX (1) shall not apply to the six permitted *semi-detached houses* as shown on Map 2a;

Block 3

4. None of the provisions of Section 2(1) with respect to definition of *bicycle parking space – visitor, grade* and Sections 4(2)(a), 4(8)(b), 4(12), 8(3) Part I 1-3(a) and 8(3) Part XI 1 of former City of Toronto By-law No. 438-86, being “A By-law to regulate the use of land and the erection, use, bulk, height, spacing of and other matters relating to buildings and structures and to prohibit certain uses of lands and the erection and use of certain buildings and structures in various areas of the City of Toronto”, as amended, shall apply to prevent the erection and use of a *mixed-use building* including three towers and uses accessory thereto on *Block 3* provided:
- (a) the lands on which the *mixed-use building* is located consists of at least those lands identified as *Block 3* and delineated by heavy lines on Map 1;
 - (b) the total *residential gross floor area* of the *mixed-use building* on *Block 3* shall not exceed 63,425 m²;
 - (c) the total *non-residential gross floor area* of the *mixed-use building* on *Block 3* shall not exceed 865 m²;
 - (d) no part of any building or structure erected or used above *grade* within *Block 3* shall be located other than wholly within the areas delineated by heavy lines shown on Map 2b, except for the following:
 - (i) cornices, lighting fixtures, awnings, ornamental elements, trellises, eaves, window sills, guardrails, balustrades, railings, wheel chair ramps, vents, underground garage ramps and their associated structures, fences, screens, landscape and public art features;
 - (e) no part of any building or structure within *Block 3* shall exceed the *height* limits shown in metres and specified by the numbers following the letter "H" on Map 2b, except for the following:
 - (i) stairs, landscape features, trellises, guard-rails, retaining walls, wheel chair ramps, terrace and balcony railings and dividers, lightning rods, elements of a green roof, window washing equipment, solar panels, solar hot water heaters, exhaust flues, emergency generator, garbage chute overrun, parapets, cornices, balustrades, mullions, light fixtures, ornamental elements, public art features and underground garage ramps and their associated structures;
 - (f) a maximum of 12 *storeys* shall be permitted within the 40 m height area; a maximum of 37 *storeys* shall be permitted in the 108.5 m height area; and a

maximum of 45 *storeys* shall be permitted in the 130.5 height area shown on Map 2b;

- (g) the area of the mechanical penthouse on the roof of the *mixed-use building* within *Block 3* shall not exceed 80% of the roof area below within the height areas shown on Map 2b;
 - (h) a minimum of the greater of 449 m² and 0.5 m² per *dwelling unit* of publicly accessible outdoor amenity space shall be provided at grade on *Block 3* for the combined use of the residents of *Block 3* and members of the public in the location shown Map 2b;
 - (i) a minimum of 300 m² of outdoor *residential amenity space* shall be provided above-grade on *Block 3* for the exclusive use of the residents of *Block 3*;
 - (j) a minimum of 2.0 m² of indoor *residential amenity space* shall be provided per *dwelling unit* on *Block 3* in multi-purpose room(s) with at least one room containing a kitchen and a washroom, and notwithstanding the definition of *residential gross floor area* in former City of Toronto By-law No. 438-86, all indoor *residential amenity space* on *Block 3* shall be excluded from the gross floor area calculation;
 - (k) one *loading space – type “G”* shall be provided on *Block 3*;
 - (l) “*grade*” in reference to *Block 3* means an elevation of 116.3 metres above sea level based on Geodetic Survey of Canada 1929 mean sea level vertical datum (pre-1978 southern Ontario Adjustment; and
 - (m) notwithstanding the definition of *grade* and the H 0m area on Map 2b, underground garages may be permitted provided they are located entirely below finished grade.
5. Pursuant to Section 37 of the *Planning Act* and subject to compliance with this By-law, the increase in height and density of development on the *lot* contemplated herein is permitted in return for the provision by the *owner*, at the *owner's* expense, of the facilities, services and matters set out in Schedule 1 hereof which are secured by one or more agreements pursuant to Section 37(3) of the *Planning Act* that are in a form and registered on title to the *lot*, to the satisfaction of the City Solicitor
6. Where Schedule 1 of this By-law requires the *owner* to provide certain facilities, services or matters prior to the issuance of a building permit, the issuance of such permit shall be dependent on satisfaction of the same.

7. The *owner* shall not use, or permit the use of, a building or structure erected with an increase in height and density pursuant to this By-law unless all provisions of Schedule 1 are satisfied.

8. HOLDING PROVISIONS

- (a) While the "(h)" holding symbol is in place, no person shall, within any part of *Block 2* zoned R4 Z1.0(h) as shown on Map 1 attached hereto, erect or alter any building or structure, with the exception of the conservation of the existing heritage buildings erected prior to passage of this By-law as shown on Map 2a, in accordance with heritage permits issued pursuant to the *Ontario Heritage Act*, as amended, or use the lands for other than residential purposes with six existing (6) *semi-detached houses*. Upon removal of the "(h)" holding symbol, pursuant to Section 36 of the *Planning Act*, permitted uses within *Block 2* shall be as set out in the respective R4 Z1.0 zone pursuant to former City of Toronto By-law No. 438-86, as amended, and this By-law.
- (b) Blocks zoned with the "(h)" symbol shall not be used for any purpose permitted by the By-law, other than as provided in Section 8a. until the "(h)" symbol has been removed from the subject lands. An amending by-law to remove the "(h)" symbol shall be enacted by Council when the following conditions have been fulfilled to the satisfaction of Council:
 - (c) provision of detailed engineering plans and drawings satisfactory to the Executive Director, Engineering and Construction Services and the Manager, Heritage Preservation Services demonstrating that the proposed *row houses* within *Block 2* can be constructed and serviced in accordance with all applicable laws and requirements, including requirements of Toronto Water, City servicing standards and the Building Code Act and that the structural integrity of the existing heritage buildings within *Block 2* and shown on Map 2a hereof will not be adversely impacted by the servicing approach proposed;
 - (d) approval of land divisions to sever *Block 2* to provide for the *row houses* independent of the existing *semi-detached houses*, has been obtained in accordance with the provisions of the *Planning Act*, as amended or the *Condominium Act*, as amended to the satisfaction of the Chief Planner and Executive Director, Community Planning and the City Solicitor;
 - (e) arrangements have been made to the satisfaction of the General Manager, Heritage Preservation Services in connection with applicable amendment to designation by-laws and applicable Heritage Easement Agreements associated with the existing heritage buildings as shown on Map 2a hereof; and

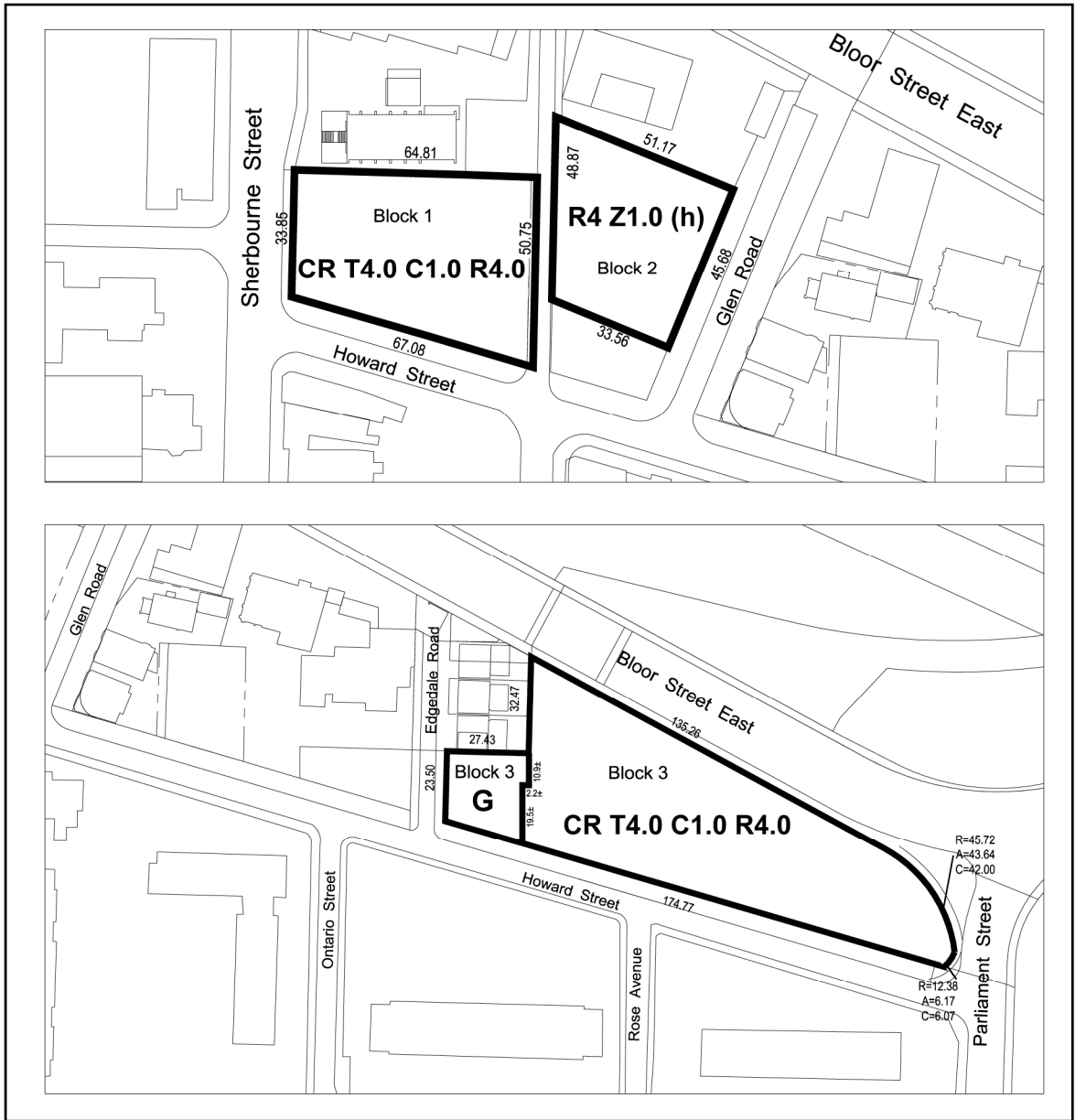
- (f) Notice of Conditions of Site Plan Approval has been issued for the *row houses* within *Block 2* to satisfaction of the Chief Planner and Executive Director, Community Planning.
9. For the purposes of this By-law, each word or expression which is italicized in this By-law shall have the same meaning as each such word or expression as defined in former City of Toronto By-law No. 438-86, as amended with the exception that the following expressions also shown in italics shall have the meanings stated below:
- (p) “*Anson Jones House*” means the heritage building existing on the lands municipally known in 2012 as 603 Sherbourne Avenue;
- (q) “*bicycle parking space – visitor*” means an area that is equipped with a bicycle rack for the purpose of parking and securing bicycles, and:
- (i) where the bicycles are to be parked on a horizontal surface, has horizontal dimensions of at least 0.6 metres by 1.8 metres and a vertical dimension of at least 1.9 metres; and
- (ii) where the bicycles are to be parked in a vertical position, has horizontal dimensions of at least 0.6 metres by 1.2 metres and a vertical dimension of at least 1.9 metres;
- (r) “*Block 1*” means those lands outlined by heavy lines and identified as Block 1 on Map 2a attached to and forming part of this By-law;
- (s) “*Block 2*” means those lands outlined by heavy lines and identified as Block 2 on Map 2a attached to and forming part of this By-law;
- (t) “*Block 3*” means those lands outlined by heavy lines and identified as Block 3 on Map 2b1 attached to and forming part of this By-law;
- (u) “*lot*” means those lands comprising *Block 1*, *Block 2* and *Block 3* shown on Maps 2a and 2b attached to and forming part of this By-law;
- (v) “*owner*” shall mean the collective registered owners of *Block 1*, *Block 2* and *Block 3* as shown by the records at the Land Registry Office, City of Toronto.
10. Despite any existing or future severance, partition or division of the *Block 1*, *Block 2* or *Block 3*, the provisions of this By-law shall continue to apply to the whole of the *Block 1*, *Block 2* and *Block 3*, as applicable, as if no severance, partition or division occurred.

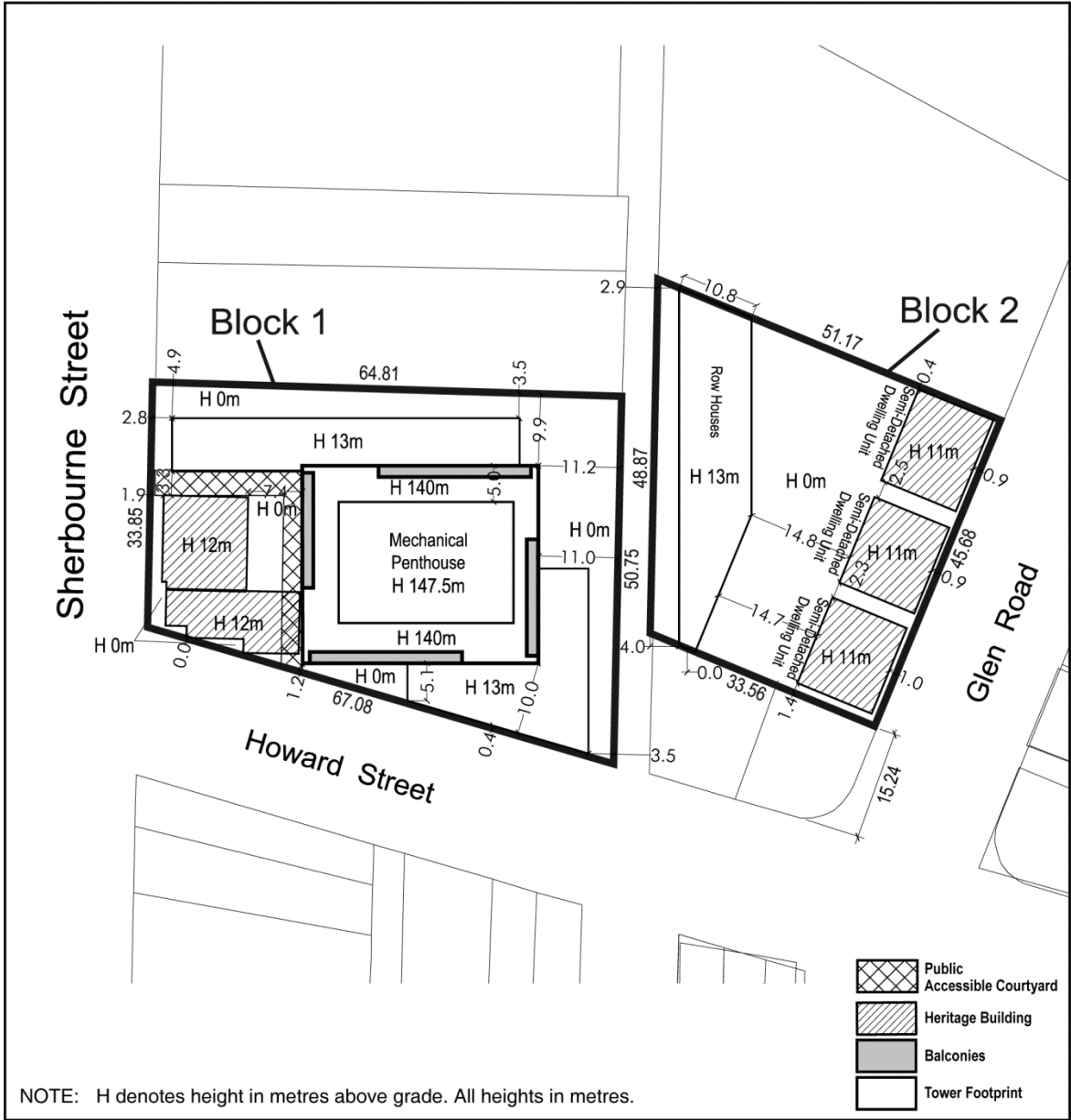
11. Within the lands shown on Map "1" attached to this By-law, no person shall use any land or erect or use any building or structure unless the following municipal services are provided to the lot line and the following provisions are complied with:
- (a) all new public roads have been constructed to a minimum of base curb and base asphalt and are connected to an existing public highway; and
 - (b) all water mains and sanitary sewers, and appropriate appurtenances, have been installed and are operational.

ENACTED AND PASSED this _____ day of _____, A.D. 2013.

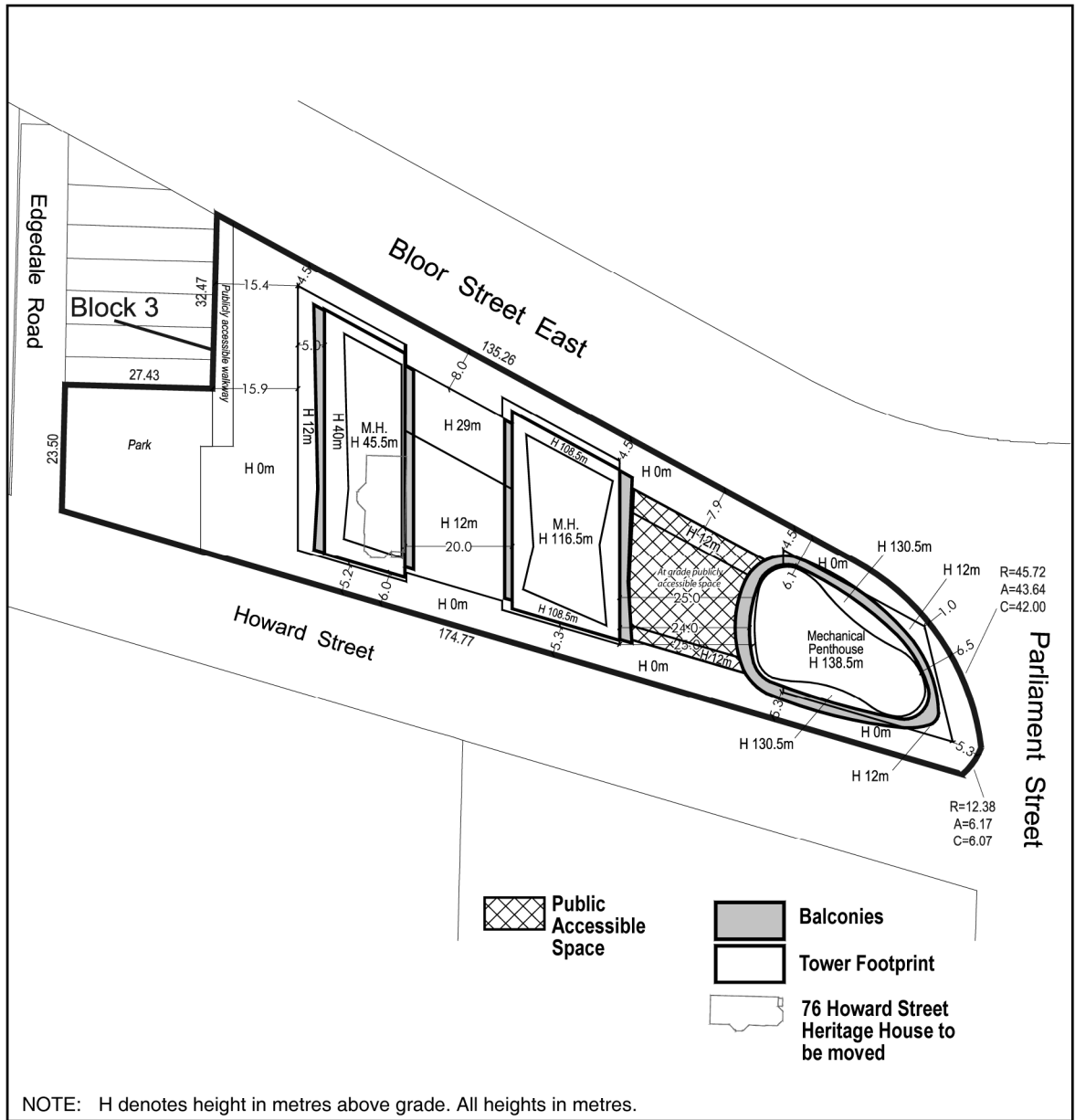
ROB FORD,
Mayor City Clerk
(Corporate Seal)

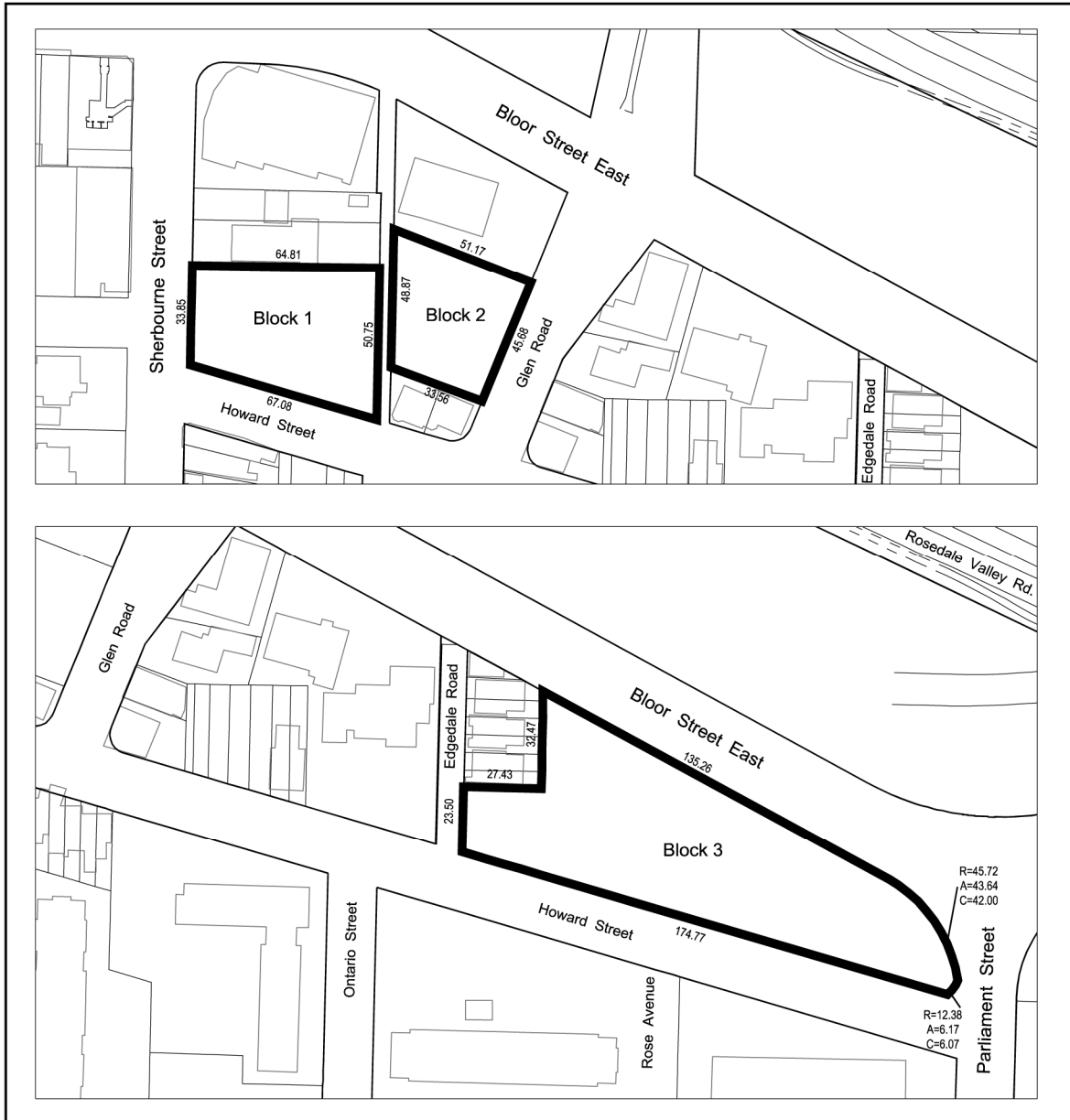
ULLI S. WATKISS,

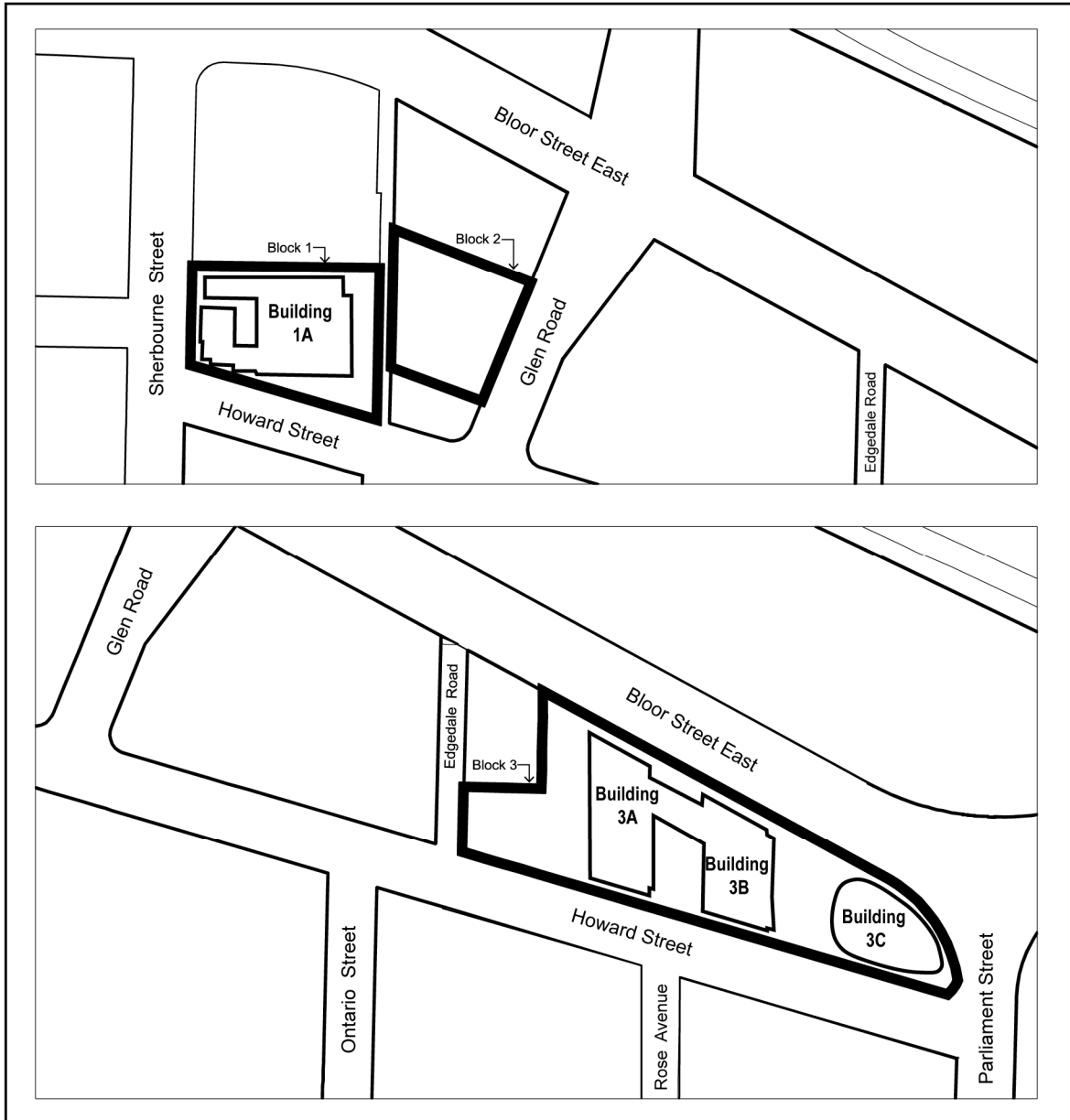




↑
 Not to Scale
 10/31/2013







TORONTO City Planning
Map 4

North St. James Town
 6-16 Glen Road and 603 - 611 Sherbourne Street
 4, 6, 58, 60, 62, 64, 76 and 100 Howard Street
 File # 10 247063 STE 28 OZ



Not to Scale
 10/31/2013

Staff report for action – Final Report – 6, 8, 10, 12, 14 and 16 Glen Rd; 4, 6, 58, 60, 62, 64, 76 and 100 Howard Street; and 603, 605, 607, 609 and 611 Sherbourne Street

SCHEDULE 1

Section 37 Provisions

The facilities, services and matters set out below are required to be provided to the City at the *owner's* expense in return for the increase in height and density of the proposed development on *Block 1, Block 2 and Block 3* and secured in an agreement or agreements under Section 37(3) of the *Planning Act* whereby the *owner* agrees as follows:

Cash Contributions

- (1) The *owner* shall make a cash contribution to the City of Toronto in the amount of seven million seven hundred and fifty thousand dollars (\$7,750,000.00 CAN) payable by certified cheque to the Treasurer, City of Toronto as follows:
 - i) **prior to issuance of the first above grade building permit for the first of Buildings 1-A, 3-A, 3-B or 3-C as shown on Map 4 attached hereto and forming part of this By-law**, the *owner* shall pay 50% of the total cash contribution being the amount of three million eight hundred and seventy five thousand dollars (\$3,875,000.00 CAN);
 - ii) **prior to issuance of the first above grade permit for the second of Buildings 1-A, 3-A, 3-B or 3-C as shown on Map 4**, the *owner* shall pay 25% of the total cash contribution being the amount of one million nine hundred and thirty seven thousand five hundred dollars (\$1,937,500.00 CAN); and
 - iii) **prior to issuance of the first above grade permit for the third of Buildings 1-A, 3-A, 3-B or 3-C as shown on Map 4**, the *owner* shall pay 25% of the total cash contribution being the amount of one million nine hundred and thirty seven thousand five hundred dollars (\$1,937,500.00 CAN);

such amounts to be indexed upwardly in accordance with the Statistics Canada Non-Residential Construction Price Index for Toronto, calculated from the date of the Section 37 Agreement to the date of payment and to be allocated at the discretion of the City as follows;

- a. improvements to Glen Road including streetscaping, lighting and safety improvements around the Glen Road TTC entrance/exit;
- b. public realm and park improvements including those part of the future Community Improvement Plan for the St. James Town neighbourhood; and
- c. capital construction cost for the proposed indoor pool proposed for to be constructed at the Wellesley Community Centre;

Heritage

- (2) Prior to enactment of the By-law permitting increased height and density of development proposed on *Block 1*, *Block 2* and *Block 3*, the *owner* shall;
 - i) provide a detailed Conservation Plan prepared by a qualified heritage consultant for each of the heritage properties at 603 Sherbourne Street (Anson Jones House)(*Block 1*), 605-607 Sherbourne Street (*Block 1*), 6-16 Glen Road (*Block 2*) and 76 Howard Street (William Whitehead House) (*Block 3*) detailing all conservation work required in accordance with the Heritage Impact Assessments prepared by ERA Architects Inc. for each of the referenced properties on file with the Manager, Heritage Preservation Services with final revisions dates as follows: 603 Sherbourne Street (December 20, 2012); 605-607 Sherbourne Street (June 10, 2013); 6-16 Glen Road (June 8, 2011); and 76 Howard Street (June 21, 2013); and
 - ii) execute Heritage Easement Agreements with the City for each of the properties at 603, 605-607 Sherbourne Street, 6-16 Glen Road and 76 Howard Street to the satisfaction of the Manager Heritage Preservation Services which shall be registered on title to the satisfaction of the City Solicitor;

- (3) **Prior to issuance of the first building permit, including shoring, excavation or foundation permits, applicable to either *Block 1* or *Block 3*:**
 - i) the *owner* shall make a cash contribution to a maximum amount of five hundred thousand dollars (\$500,000.00 CAN) which shall be applied directly by the *owner* toward the cost of relocation of the existing heritage building currently located within *Block 3* at 76 Howard Street (William Whitehead House) as shown on Map 2a to a new off site location on the north side of Howard Street between Glen Road and Edgedale Road immediately west of the premises municipally known as 32 Howard Street as shown in Appendix 5 of the Heritage Impact Statement prepared by ERA Architects Inc., dated June 21, 2013, which relocation shall be completed to the satisfaction of the Manager, Heritage Preservation Services, prior to issuance of such building permit specified. The *owner* shall submit working drawings, a schedule and cost estimates for approval prior to the relocation and shall submit invoices which confirm payment once the building has been secured in its new location all to the satisfaction of the Manager, Heritage Preservation Services. In the event that the relocation cost is less than \$500,000.00 the *owner* shall pay the difference directly to the City and such amount may be allocated at the discretion of the City in accordance with Section 1 and 17 of this Schedule;

- ii) upon completion of the relocation of the heritage building from 76 Howard Street as referenced in Section (3)(i) above , the owner shall initiate Council's repeal of the designation by-law applicable to 76 Howard Street and the enactment of the designation by-law for the property at the new location and the necessary heritage easement agreement shall have been executed by the owner and registered on title in connection with the conservation and long term protection of the building in the new location, all to the satisfaction of the Manager, Heritage Preservation Services; and
 - iii) the *owner* shall have completed the conservation of the heritage buildings located at 6-16 Glen Road to the satisfaction of the Manager, Heritage Preservation Services in accordance with Section 5 ii) of this Schedule; and
- (4) Prior to issuance of any permit pursuant to the *Ontario Heritage Act* for the respective heritage properties referred to in Section 2 of this Schedule, the *owner* shall:
- i) submit full final building permit plans and drawings, including notes and specifications for the rehabilitation, restoration and protective measures to be taken, keyed to the applicable approved Conservation Plan referred to in Section 2 of this Schedule, including a description of materials and finishes, to be prepared by the project architect and heritage consultant to the satisfaction of the Manager Heritage Preservation Services;
 - ii) provide a Letter of Credit in a form and amount satisfactory to the Manager, Heritage Preservation Services to secure the conservation work as contemplated in the applicable approved Conservation Plans referred to in Section 2 of this Schedule; and
 - iii) provide full documentation of this existing heritage property at 4 Howard Street (*Block 1*) which is proposed to be demolished, including two (2) printed sets of archival quality 8"x10" colour photographs with borders in a glossy or semi-gloss finish and one (1) digital set on a DC in tiff format and 600 dpi resolution keyed to a location map, elevations and measured drawings, and copies of all existing interior floor plans and original drawings as may be available to the satisfaction of the Manager, Heritage Preservation Services;
- (5) The *owner* shall provide and maintain, at its own expense and to the satisfaction of the Manager, Heritage Preservation Services, the conservation of each of the existing heritage buildings at 603 and 605-607 Sherbourne Street (*Block 1*), 6-16 Glen Road (*Block 2*) and 76 Howard Street (*Block 3*) in accordance with the applicable Heritage Easement Agreements and approved Conservation Plans referred to in Section 2 of this Schedule and completed as follows;

- i) 603 and 605-607 Sherbourne Street: prior to registration of the first plan of condominium on *Block 1*;
- ii) 6-16 Glen Road; prior to issuance of the first building permits, including excavation, shoring or foundation permits, applicable to *Block 1 or Block 3*; and
- iii) 76 Howard Street; the earlier of within one year of the relocation of the building and the registration of the first plan of condominium on *Block 3*;

Completion shall be evidenced by certificates of substantial completion prepared and signed by a qualified heritage consultant to the satisfaction of the Manager, Heritage Preservation Services confirming that the conservation work for a respective heritage property has been completed in accordance with the approved Conservation Plan and that the work has maintained an appropriate standard of conservation;

- (6) Prior to release of a Letter of Credit for a respective heritage property identified in Section 2 of this Schedule, the owner shall:
 - i) provide replacement Heritage Easement Agreement photographs for the heritage property to the satisfaction of the Manager, Heritage Preservation Services; and
 - ii) provide a certificate of substantial completion for the respective heritage property satisfactory to the Manager, Heritage Preservation Services in accordance with Section 5 of this Schedule;

Rental Housing Replacement

- (7) Prior to enactment of this By-law permitting the increase height and density of development proposed on *Block 1, Block 2 and Block 3*, where the replacement rental units are to be provided at new off site location on the north side of Howard Street between Glen Road and Edgedale Road immediately east of the premises municipally known as 1 Glen Road, the *owner* shall, to the satisfaction of the Chief Planner and Executive Director, Community Planning, have:
 - i) obtained the required variances pursuant to the *Planning Act* for the rental replacement building proposed at the Howard Street location which are final and binding; and
 - ii) filed a complete application for Site Plan Approval with Community Planning related to the rental replacement building proposed.
- (8) **Prior to issuance of the first above grade building permit applicable to *Block 1 or Block 3***, the *owner* shall have obtained the necessary building permits for the

new replacement rental building at the off site location on Howard Street referenced in Section 7 of this Schedule, or, if the replacement rental *dwelling units* are to be replaced on the subject lands, the first above-grade building permit issued must provide for the replacement rental dwelling units;

- (9) The *owner* shall provide and maintain either on the subject lands or on the off site location on Howard Street referenced in Section 7 of this Schedule, , not less than eight (8) new replacement rental *dwelling units*, comprising seven (7) one-bedroom *dwelling units* and one (1) three-bedroom *dwelling unit*, all of which shall be provided as affordable rental units, to the satisfaction of the City's Chief Planner and Executive Director, City Planning Division, subject to the following:
- i) the 8 replacement rental *dwelling units* shall be maintained as rental units for at least 20 years, beginning with the date that each unit is occupied and until the *owner* obtains approval for a zoning by-law amendment removing the requirement for the replacement rental units to be maintained as rental units; no application may be submitted for condominium approval or for any other conversion to non-rental housing purposes, or for demolition without providing for replacement during the 20 year period;
 - ii) the replacement rental *dwelling units* shall be ready and available for occupancy no later than the date that the first new dwelling unit is ready and available for occupancy on *Block 1* or *Block 3* if the replacement rental *dwelling units* are to be provided on the Howard Street lands, or if they are to be provided on the subject lands, the earlier of the date that 70% of the *dwelling units* in the mixed-use building on *Block 1* or 70% of the *dwelling units* in the first of the towers to be constructed on *Block 3* are ready and available for occupancy;
 - iii) the replacement rental *dwelling units* shall be of the same unit type as the rental *dwelling units* existing on the *lot* at the date of enactment of this by-law, subject to the following:
 - a. the seven (7) one-bedroom *dwelling units* shall be at least 53 m² in size, of which four (4) *dwelling units* shall be at least 60 m² in size, and another one (1) *dwelling unit* shall be at least 80 m² in size;
 - b. one (1) three-bedroom *dwelling unit* shall be at least 130 m² in size, and shall have private outdoor recreation space in the form of a balcony, terrace or patio;
 - c. the combined floor area of the 8 rental units shall not be less than 590 m²; and

- d. storage lockers shall be provided for each replacement rental *dwelling unit*;
 - iv) the *owner* shall provide and maintain affordable rents charged to the tenants who rent each of the replacement rental *dwelling units* during the first 10 years of its occupancy, such that the initial rent shall not exceed an amount based on the most recent Fall Update Canada Mortgage and Housing Corporation Rental Market Report average rent for the *City* by unit type, and over the course of the 10 year period, annual increases shall not exceed the Provincial Rent Guideline and, if applicable, permitted above-Guideline increases. Upon turn-over during the 10 year period, the rent charged to any new tenant shall not exceed an amount based on the initial rent, increased annually by the Provincial Rent Guideline, and any above-Guideline increase, if applicable;
 - v) rents charged to tenants occupying an affordable replacement rental *dwelling unit* at the end of the 10 year period set out in (iv) above shall be subject only to annual increases which do not exceed the Provincial rent guideline and, if applicable, permitted above guideline increases, so long as they continue to occupy their *dwelling unit* or until the *expiry* of the 20 year rental tenure period set forth in (i) with a subsequent phase-in period of at least three years for rent increases; and
 - vi) rents charged to tenants newly occupying a replacement rental *dwelling unit* after the completion of the 10 year period set out in (iv) above will not be subject to restrictions by the *City* under the terms of the Section 37 Agreement that *is required* by this by-law;
- (10) The *owner* shall provide tenant relocation assistance to the tenants of the existing units affected by the demolition, to the satisfaction of the Chief Planner and Executive Director, Community Planning, which shall include at least: an extended notice period before having to vacate for demolition, financial assistance with relocation beyond the amounts required by provincial legislation, and for any eligible tenant in a rental *dwelling unit*, the right to return to a replacement rental *dwelling unit*;

Three Bedroom Units

- (11) The *owner* shall provide and maintain not less than 7% of the *dwelling units* on *Block 1, Block 2 and Block 3* combined, as three bedroom *dwelling units* in compliance with the provisions of the Building Code Act with a further 3% of the *dwelling units* designed as being capable of conversion to three bedroom *dwelling units* without material structural alteration and inclusion of provisions(s) in appropriate condominium documents to enable such conversions in the future.

Public Park and Public Open Space Requirements

- (12) The *owner* shall provide and maintain the following:
- i) prior to registration of a plan of condominium on *Block 1*, the *owner* shall complete construction of an outdoor courtyard having a minimum size of approximately 122 m² substantially in the location shown on Map 2 a with details of location, design and construction to be determined in the context of site plan approval for *Block 1* and the *owner* shall convey a public access easement to the City, together with support rights as applicable, in a form satisfactory to the City Solicitor; and;
 - ii) prior to registration of a plan of condominium on *Block 3*, the *owner* shall complete construction of a pedestrian walkway having a minimum width of 1.5 metres as a midblock connection between Bloor Street and the proposed park block on Howard Street as well as an at-grade open space having a minimum size of approximately 450 m² in the locations substantially as shown on Map 2b with details of location, design and construction to be determined in the context of site plan approval for *Block 3* and the *owner* shall convey public access easements to the City, together with support rights as applicable, in a form satisfactory to the City Solicitor;
- (13) **Prior to issuance of an above grade building permit on *Block 3*** the *owner* shall:
- i) submit a Letter of Credit in the City standard form and in an amount satisfactory to the General Manager Parks, Forestry and Recreation in the amount of 120% of the value of the base and above-base park improvements contemplated in Section 14 of this Schedule;
 - ii) either register a Section 118 Restriction on title to the proposed park lands to secure the parkland conveyance contemplated in Section 14 of this Schedule or shall enter into an Escrow Agreement and convey the lands to the City in escrow, all to the satisfaction of the City Solicitor; and
 - iii) shall pay the cash in lieu payment for the market value of 6m² shortfall of the parkland dedication requirements for *Block 3*;
- (14) In support of the development and prior to registration of a plan of condominium on *Block 3*, the *owner* shall construct and convey a public park having a minimum size of 713 m² substantially in the location shown on Map 2b in accordance with the following and on terms and conditions as are set out in the Section 37 Agreement:

- i) the *owner* shall construct the public park at its expense to the satisfaction of the General Manager, Parks Forestry and Recreation in accordance with approved plans and specifications;
 - ii) the *owner* shall complete base park and above-base park improvements to the satisfaction of the General Manager of Parks, Forestry and Recreation and shall provide stamped certification from a qualified landscape architect verifying all work has been completed in accordance with the approved plans and specifications; and
 - iii) convey the public park to the City in accordance with the provisions of Section 15 of this Schedule and to the satisfaction of the City Solicitor;
- (15) All conveyances to the City, including easements, as referred to in Sections (12) and (14) of this Schedule shall be for nominal consideration, at the owner's expense and at no cost to the City on terms and conditions as set out in the Section 37 Agreement, including provision for deposit of reference plans, environmental obligations as well as insurance and indemnification associated with public access easements, and such conveyances shall be free and clear of encumbrances to the satisfaction of the City Solicitor as well as the General Manager, Parks Forestry and Recreation (park conveyance) and Chief Planner and Executive Director, City Planning Division (walkway and open spaces);

Toronto Green Standards

- (16) In support of the development the *owner* shall construct and maintain the development on *Block 1, Block 2* and *Block 3*, with the exception of the conservation of existing heritage buildings, in accordance with Tier 1 Performance Measures of the Toronto Green Standards as adopted by Toronto City Council at its meeting held on October 26 and 27, 2009 through the adoption of Item PG32.3 of the Planning and Growth Committee; and

Provision for Future Allocation of Cash Contributions

- (17) In the event the cash contributions referred to in Section (1) of this Schedule *have* not been used for the intended purpose within five (5) years of this By-law coming into full force and effect, the cash contribution may be redirected for another purpose, at the discretion of the Chief Planner and Executive Director of City Planning, in consultation with the local Councillor, provided that the purpose(s) is/are identified in the Toronto Official Plan and will benefit the community in the vicinity of the *lot*.

Attachment 10: Draft Section 37 Provisions - SCHEDULE 1

The facilities, services and matters set out below are required to be provided to the City at the *owner's* expense in return for the increase in height and density of the proposed development on *Block 1, Block 2 and Block 3* and secured in an agreement or agreements under Section 37(3) of the *Planning Act* whereby the *owner* agrees as follows:

Cash Contributions

- (1) The *owner* shall make a cash contribution to the City of Toronto in the amount of seven million seven hundred and fifty thousand dollars (\$7,750,000.00 CAN) payable by certified cheque to the Treasurer, City of Toronto as follows:
 - i) **prior to issuance of the first above grade building permit for the first of Buildings 1-A, 3-A, 3-B or 3-C as shown on Map 4 attached hereto and forming part of this By-law**, the *owner* shall pay 50% of the total cash contribution being the amount of three million eight hundred and seventy five thousand dollars (\$3,875,000.00 CAN);
 - ii) **prior to issuance of the first above grade permit for the second of Buildings 1-A, 3-A, 3-B or 3-C as shown on Map 4**, the *owner* shall pay 25% of the total cash contribution being the amount of one million nine hundred and thirty seven thousand five hundred dollars (\$1,937,500.00 CAN); and
 - iii) **prior to issuance of the first above grade permit for the third of Buildings 1-A, 3-A, 3-B or 3-C as shown on Map 4**, the *owner* shall pay 25% of the total cash contribution being the amount of one million nine hundred and thirty seven thousand five hundred dollars (\$1,937,500.00 CAN);

such amounts to be indexed upwardly in accordance with the Statistics Canada Non-Residential Construction Price Index for Toronto, calculated from the date of the Section 37 Agreement to the date of payment and to be allocated at the discretion of the City as follows;

- a. improvements to Glen Road including streetscaping, lighting and safety improvements around the Glen Road TTC entrance/exit;
- b. public realm and park improvements including those part of the future Community Improvement Plan for the St. James Town neighbourhood; and
- c. capital construction cost for the proposed indoor pool proposed for to be constructed at the Wellesley Community Centre;

Heritage

- (2) Prior to enactment of the By-law permitting increased height and density of development proposed on *Block 1*, *Block 2* and *Block 3*, the *owner* shall;
- i) provide a detailed Conservation Plan prepared by a qualified heritage consultant for each of the heritage properties at 603 Sherbourne Street (Anson Jones House)(*Block 1*), 605-607 Sherbourne Street (*Block 1*), 6-16 Glen Road (*Block 2*) and 76 Howard Street (William Whitehead House) (*Block 3*) detailing all conservation work required in accordance with the Heritage Impact Assessments prepared by ERA Architects Inc. for each of the referenced properties on file with the Manager, Heritage Preservation Services with final revisions dates as follows: 603 Sherbourne Street (December 20, 2012); 605-607 Sherbourne Street (June 10, 2013); 6-16 Glen Road (June 8, 2011); and 76 Howard Street (June 21, 2013); and
 - ii) execute Heritage Easement Agreements with the City for each of the properties at 603, 605-607 Sherbourne Street, 6-16 Glen Road and 76 Howard Street to the satisfaction of the Manager Heritage Preservation Services which shall be registered on title to the satisfaction of the City Solicitor;
- (3) **Prior to issuance of the first building permit, including shoring, excavation or foundation permits, applicable to either *Block 1* or *Block 3*:**
- i) the *owner* shall make a cash contribution to a maximum amount of five hundred thousand dollars (\$500,000.00 CAN) which shall be applied directly by the *owner* toward the cost of relocation of the existing heritage building currently located within *Block 3* at 76 Howard Street (William Whitehead House) as shown on Map 2a to a new off site location on the north side of Howard Street between Glen Road and Edgedale Road immediately west of the premises municipally known as 32 Howard Street as shown in Appendix 5 of the Heritage Impact Statement prepared by ERA Architects Inc., dated June 21, 2013, which relocation shall be completed to the satisfaction of the Manager, Heritage Preservation Services, prior to issuance of such building permit specified. The *owner* shall submit working drawings, a schedule and cost estimates for approval prior to the relocation and shall submit invoices which confirm payment once the building has been secured in its new location all to the satisfaction of the Manager, Heritage Preservation Services. In the event that the relocation cost is less than \$500,000.00 the *owner* shall pay the difference directly to the City and such amount may be allocated at the discretion of the City in accordance with Section 1 and 17 of this Schedule;
 - ii) upon completion of the relocation of the heritage building from 76 Howard Street as referenced in Section (3)(i) above , the owner shall initiate Council's repeal of the designation by-law applicable to 76 Howard Street

- and the enactment of the designation by-law for the property at the new location and the necessary heritage easement agreement shall have been executed by the owner and registered on title in connection with the conservation and long term protection of the building in the new location, all to the satisfaction of the Manager, Heritage Preservation Services; and
- iii) the *owner* shall have completed the conservation of the heritage buildings located at 6-16 Glen Road to the satisfaction of the Manager, Heritage Preservation Services in accordance with Section 5 ii) of this Schedule; and
- (4) Prior to issuance of any permit pursuant to the *Ontario Heritage Act* for the respective heritage properties referred to in Section 2 of this Schedule, the *owner* shall:
- i) submit full final building permit plans and drawings, including notes and specifications for the rehabilitation, restoration and protective measures to be taken, keyed to the applicable approved Conservation Plan referred to in Section 2 of this Schedule, including a description of materials and finishes, to be prepared by the project architect and heritage consultant to the satisfaction of the Manager Heritage Preservation Services;
- ii) provide a Letter of Credit in a form and amount satisfactory to the Manager, Heritage Preservation Services to secure the conservation work as contemplated in the applicable approved Conservation Plans referred to in Section 2 of this Schedule; and
- iii) provide full documentation of this existing heritage property at 4 Howard Street (*Block 1*) which is proposed to be demolished, including two (2) printed sets of archival quality 8"x10" colour photographs with borders in a glossy or semi-gloss finish and one (1) digital set on a DC in tiff format and 600 dpi resolution keyed to a location map, elevations and measured drawings, and copies of all existing interior floor plans and original drawings as may be available to the satisfaction of the Manager, Heritage Preservation Services;
- (5) The *owner* shall provide and maintain, at its own expense and to the satisfaction of the Manager, Heritage Preservation Services, the conservation of each of the existing heritage buildings at 603 and 605-607 Sherbourne Street (*Block 1*), 6-16 Glen Road (*Block 2*) and 76 Howard Street (*Block 3*) in accordance with the applicable Heritage Easement Agreements and approved Conservation Plans referred to in Section 2 of this Schedule and completed as follows;
- i) 603 and 605-607 Sherbourne Street: prior to registration of the first plan of condominium on *Block 1*;

- ii) 6-16 Glen Road; prior to issuance of the first building permits, including excavation, shoring or foundation permits, applicable to *Block 1 or Block 3*; and
- iii) 76 Howard Street; the earlier of within one year of the relocation of the building and the registration of the first plan of condominium on *Block 3*;

Completion shall be evidenced by certificates of substantial completion prepared and signed by a qualified heritage consultant to the satisfaction of the Manager, Heritage Preservation Services confirming that the conservation work for a respective heritage property has been completed in accordance with the approved Conservation Plan and that the work has maintained an appropriate standard of conservation;

- (6) Prior to release of a Letter of Credit for a respective heritage property identified in Section 2 of this Schedule, the owner shall:
 - i) provide replacement Heritage Easement Agreement photographs for the heritage property to the satisfaction of the Manager, Heritage Preservation Services; and
 - ii) provide a certificate of substantial completion for the respective heritage property satisfactory to the Manager, Heritage Preservation Services in accordance with Section 5 of this Schedule;

Rental Housing Replacement

- (7) Prior to enactment of this By-law permitting the increase height and density of development proposed on *Block 1, Block 2 and Block 3*, where the replacement rental units are to be provided at new off site location on the north side of Howard Street between Glen Road and Edgedale Road immediately east of the premises municipally known as 1 Glen Road, the *owner* shall, to the satisfaction of the Chief Planner and Executive Director, Community Planning, have:
 - i) obtained the required variances pursuant to the *Planning Act* for the rental replacement building proposed at the Howard Street location which are final and binding; and
 - ii) filed a complete application for Site Plan Approval with Community Planning related to the rental replacement building proposed.
- (8) **Prior to issuance of the first above grade building permit applicable to *Block 1 or Block 3***, the *owner* shall have obtained the necessary building permits for the new replacement rental building at the off site location on Howard Street referenced in Section 7 of this Schedule, or, if the replacement rental *dwelling*

units are to be replaced on the subject lands, the first above-grade building permit issued must provide for the replacement rental dwelling units;

- (9) The *owner* shall provide and maintain either on the subject lands or on the off site location on Howard Street referenced in Section 7 of this Schedule, , not less than eight (8) new replacement rental *dwelling units*, comprising seven (7) one-bedroom *dwelling units* and one (1) three-bedroom *dwelling unit*, all of which shall be provided as affordable rental units, to the satisfaction of the City's Chief Planner and Executive Director, City Planning Division, subject to the following:
- i) the 8 replacement rental *dwelling units* shall be maintained as rental units for at least 20 years, beginning with the date that each unit is occupied and until the *owner* obtains approval for a zoning by-law amendment removing the requirement for the replacement rental units to be maintained as rental units; no application may be submitted for condominium approval or for any other conversion to non-rental housing purposes, or for demolition without providing for replacement during the 20 year period;
 - ii) the replacement rental *dwelling units* shall be ready and available for occupancy no later than the date that the first new dwelling unit is ready and available for occupancy on *Block 1* or *Block 3* if the replacement rental *dwelling units* are to be provided on the Howard Street lands, or if they are to be provided on the subject lands, the earlier of the date that 70% of the *dwelling units* in the mixed-use building on *Block 1* or 70% of the *dwelling units* in the first of the towers to be constructed on *Block 3* are ready and available for occupancy;
 - iii) the replacement rental *dwelling units* shall be of the same unit type as the rental *dwelling units* existing on the *lot* at the date of enactment of this by-law, subject to the following:
 - a. the seven (7) one-bedroom *dwelling units* shall be at least 53 m² in size, of which four (4) *dwelling units* shall be at least 60 m² in size, and another one (1) *dwelling unit* shall be at least 80 m² in size;
 - b. one (1) three-bedroom *dwelling unit* shall be at least 130 m² in size, and shall have private outdoor recreation space in the form of a balcony, terrace or patio;
 - c. the combined floor area of the 8 rental units shall not be less than 590 m²; and
 - d. storage lockers shall be provided for each replacement rental *dwelling unit*;

- iv) the *owner* shall provide and maintain affordable rents charged to the tenants who rent each of the replacement rental *dwelling units* during the first 10 years of its occupancy, such that the initial rent shall not exceed an amount based on the most recent Fall Update Canada Mortgage and Housing Corporation Rental Market Report average rent for the *City* by unit type, and over the course of the 10 year period, annual increases shall not exceed the Provincial Rent Guideline and, if applicable, permitted above-Guideline increases. Upon turn-over during the 10 year period, the rent charged to any new tenant shall not exceed an amount based on the initial rent, increased annually by the Provincial Rent Guideline, and any above-Guideline increase, if applicable;
 - v) rents charged to tenants occupying an affordable replacement rental *dwelling unit* at the end of the 10 year period set out in (iv) above shall be subject only to annual increases which do not exceed the Provincial rent guideline and, if applicable, permitted above guideline increases, so long as they continue to occupy their *dwelling unit* or until the *expiry* of the 20 year rental tenure period set forth in (i) with a subsequent phase-in period of at least three years for rent increases; and
 - vi) rents charged to tenants newly occupying a replacement rental *dwelling unit* after the completion of the 10 year period set out in (iv) above will not be subject to restrictions by the *City* under the terms of the Section 37 Agreement that *is required* by this by-law;
- (10) The *owner* shall provide tenant relocation assistance to the tenants of the existing units affected by the demolition, to the satisfaction of the Chief Planner and Executive Director, Community Planning, which shall include at least: an extended notice period before having to vacate for demolition, financial assistance with relocation beyond the amounts required by provincial legislation, and for any eligible tenant in a rental *dwelling unit*, the right to return to a replacement rental *dwelling unit*;

Three Bedroom Units

- (11) The *owner* shall provide and maintain not less than 7% of the *dwelling units* on *Block 1, Block 2* and *Block 3* combined, as three bedroom *dwelling units* in compliance with the provisions of the Building Code Act with a further 3% of the *dwelling units* designed as being capable of conversion to three bedroom *dwelling units* without material structural alteration and inclusion of provisions(s) in appropriate condominium documents to enable such conversions in the future.

Public Park and Public Open Space Requirements

- (12) The *owner* shall provide and maintain the following:
- i) prior to registration of a plan of condominium on *Block 1*, the *owner* shall complete construction of an outdoor courtyard having a minimum size of approximately 122 m² substantially in the location shown on Map 2 a with details of location, design and construction to be determined in the context of site plan approval for *Block 1* and the *owner* shall convey a public access easement to the City, together with support rights as applicable, in a form satisfactory to the City Solicitor; and;
 - ii) prior to registration of a plan of condominium on *Block 3*, the *owner* shall complete construction of a pedestrian walkway having a minimum width of 1.5 metres as a midblock connection between Bloor Street and the proposed park block on Howard Street as well as an at-grade open space having a minimum size of approximately 450 m² in the locations substantially as shown on Map 2b with details of location, design and construction to be determined in the context of site plan approval for *Block 3* and the *owner* shall convey public access easements to the City, together with support rights as applicable, in a form satisfactory to the City Solicitor;
- (13) **Prior to issuance of an above grade building permit on *Block 3*** the *owner* shall:
- i) submit a Letter of Credit in the City standard form and in an amount satisfactory to the General Manager Parks, Forestry and Recreation in the amount of 120% of the value of the base and above-base park improvements contemplated in Section 14 of this Schedule;
 - ii) either register a Section 118 Restriction on title to the proposed park lands to secure the parkland conveyance contemplated in Section 14 of this Schedule or shall enter into an Escrow Agreement and convey the lands to the City in escrow, all to the satisfaction of the City Solicitor; and
 - iii) shall pay the cash in lieu payment for the market value of 6m² shortfall of the parkland dedication requirements for *Block 3*;
- (14) In support of the development and prior to registration of a plan of condominium on *Block 3*, the *owner* shall construct and convey a public park having a minimum size of 713 m² substantially in the location shown on Map 2b in accordance with the following and on terms and conditions as are set out in the Section 37 Agreement:

- i) the *owner* shall construct the public park at its expense to the satisfaction of the General Manager, Parks Forestry and Recreation in accordance with approved plans and specifications;
 - ii) the *owner* shall complete base park and above-base park improvements to the satisfaction of the General Manager of Parks, Forestry and Recreation and shall provide stamped certification from a qualified landscape architect verifying all work has been completed in accordance with the approved plans and specifications; and
 - iii) convey the public park to the City in accordance with the provisions of Section 15 of this Schedule and to the satisfaction of the City Solicitor;
- (15) All conveyances to the City, including easements, as referred to in Sections (12) and (14) of this Schedule shall be for nominal consideration, at the owner's expense and at no cost to the City on terms and conditions as set out in the Section 37 Agreement, including provision for deposit of reference plans, environmental obligations as well as insurance and indemnification associated with public access easements, and such conveyances shall be free and clear of encumbrances to the satisfaction of the City Solicitor as well as the General Manager, Parks Forestry and Recreation (park conveyance) and Chief Planner and Executive Director, City Planning Division (walkway and open spaces);

Toronto Green Standards

- (16) In support of the development the *owner* shall construct and maintain the development on *Block 1, Block 2 and Block 3*, with the exception of the conservation of existing heritage buildings, in accordance with Tier 1 Performance Measures of the Toronto Green Standards as adopted by Toronto City Council at its meeting held on October 26 and 27, 2009 through the adoption of Item PG32.3 of the Planning and Growth Committee; and

Provision for Future Allocation of Cash Contributions

- (17) In the event the cash contributions referred to in Section (1) of this Schedule have not been used for the intended purpose within five (5) years of this By-law coming into full force and effect, the cash contribution may be redirected for another purpose, at the discretion of the Chief Planner and Executive Director of City Planning, in consultation with the local Councillor, provided that the purpose(s) is/are identified in the Toronto Official Plan and will benefit the community in the vicinity of the *lot*.

Attachment 11 : Application Data Sheet

Application Type: Official Plan Amendment & Rezoning Application Number: 10 247063 STE 28 OZ
 Details: OPA & Rezoning, Standard Application Date: August 25, 2010
 Municipal Address: 6, 8, 10, 12, 14 and 16 Glen Rd, 4, 6, 58, 60, 62, 64, 76 and 100 Howard St, and 603, 605, 607, 609 and 611 Sherbourne St.
 Location Description: PLAN 360 PT LOT 7 PT LOT 8 **GRID S2801

Project Description: The application to amend the Official Plan and Zoning By-law proposes a development consisting of four residential towers with heights of 12, 37, 45 and 45 storeys, 3 storey townhouses, a low-rise mixed use base building, and retail uses at grade. The proposal also includes the retention heritage buildings (6-16 Glen Road and 603-607 Sherbourne Street) and the relocation and restoration of 76 Howard Street. Refer to related application 11-194035 for Rental Housing Demolition for 8 rental dwelling units and off-site replacement of 8 rental dwelling units.

Applicant:	Agent:	Architect:	Owner:
Aird and Berlis 181 Bay Street Suite 1800 Toronto, ON M5J 2T9	Lanterra Developments Ltd 3625 Dufferin St Suite 230 Toronto, ON M3K 1N4	architects Alliance 205-317 Adelaide Street W Toronto, ON M5V 1P9	Bloor Parliament Investments Ltd 3625 Dufferin St Suite 230 Toronto, ON M3K 1N4

PLANNING CONTROLS

Official Plan Designation:	Neighbourhoods, Mixed Use Areas	Site Specific Provision:	
Zoning:	R4 Z1.0	Historical Status:	Y
Height Limit (m):	12	Site Plan Control Area:	Y

PROJECT INFORMATION

Site Area (sq. m):	11,821	Height:	Storeys:	45
Frontage (m):	0		Metres:	138
Depth (m):	0			
Total Ground Floor Area (sq. m):	5,891.44			Total
Total Residential GFA (sq. m):	100,376.86		Parking Spaces:	816
Total Non-Residential GFA (sq. m):	1,946.57		Loading Docks:	2
Total GFA (sq. m):	102,323.43			
Lot Coverage Ratio (%):	49.8			
Floor Space Index:	8.7			

DWELLING UNITS

FLOOR AREA BREAKDOWN (upon project completion)

Existing Units:	8 rental (off-site replacement)		
		Above Grade	Below Grade
Tenure Type: Condo	Residential GFA (sq. m):	100,376.86	0
Bachelor:	Retail GFA (sq. m):	1,946.57	0
1 Bedroom:	Office GFA (sq. m):	0	0
2 Bedroom:	Industrial GFA (sq. m):	0	0
3 + Bedroom:	Institutional/Other GFA (sq. m):	0	0
Total Units:			
	1,241		

CONTACT: Allison Meistrich, Senior Planner ameistric@toronto.ca (416) 392-7363