


Item - 2023.TE6.9

Tracking Status

- This item was considered by Toronto and East York Community Council on June 22, 2023 and was adopted with amendments. It will be considered by City Council on July 19, 2023.
-  [View Speaker Requests](#)

Toronto and East York Community Council consideration on June 22, 2023

TE6.9 - 145 St. George Street - Zoning By-law Amendment and Rental Housing Demolition Applications - Decision Report - Approval

Status: Amended

Ward: 11 - University - Rosedale

Caution: Motions are shown below. Any motions should not be considered final until the meeting is complete, and the City Clerk has confirmed the decisions for this meeting.

Public Notice Given

Statutory - Planning Act, RSO 1990

Recommendations

The City Planning Division recommends that:

1. City Council amend City of Toronto Zoning By-law 569-2013 for the lands 145 St. George Street substantially in accordance with the draft Zoning By-law Amendment included as Attachment No. 6 to this report.
2. City Council amend City of Toronto Zoning By-law 438-86 for the lands at 145 St. George Street substantially in accordance with the draft Zoning By-law Amendment included as Attachment 7 to this report.
3. City Council authorizes the City Solicitor to make such stylistic and technical changes to the draft Zoning By-law Amendment as may be required.
4. City Council approve the Rental Housing Demolition Application File No. 21 155940 STE 11 RH in accordance with Chapter 667 of the Toronto Municipal Code and pursuant to Section 111 of the City of Toronto Act, 2006 which allows for the demolition of 130 existing rental dwelling units located at 145 St. George Street, subject to the following conditions:
 - a. The owner shall provide and maintain 130 replacement rental dwelling units and 12 additional replacement rental dwelling units on the subject site for a period of at least 20 years beginning from the date that each replacement rental dwelling unit is first occupied and, during which time, no application may be submitted to the City for condominium registration, or for any other conversion to a non-rental housing purpose, or for demolition without providing for replacement. The 142 replacement rental dwelling units shall collectively have a total gross floor area of at least 6,928 square metres and be comprised of 72 studio units, 52 one-bedroom units, 16 two-bedroom units, and 2 three-bedroom units, as generally illustrated in the plans submitted to the City Planning Division dated April 20, 2023. Any revisions to these plans, including changes to the final unit mix, shall be to the satisfaction of the Chief Planner and Executive Director, City Planning Division;

- b. The owner shall replace the existing rental units with replacement rental units of a similar size as follows:
- i. all existing rental units occupied by Eligible Tenants, as of the date of this report, shall be replaced with replacement rental dwelling units having at least the same average unit size by unit type, as the demolished rental dwelling units;
 - ii. all other replacement rental dwelling units shall be at least the same average unit size by unit type as the market units in the proposed development;
- c. The owner shall, as part of the 130 replacement rental dwelling units required in Recommendation 4.a. above, provide at least 35 studio units, 10 one-bedroom units, and 4 two-bedroom units at affordable rents and no more than 37 studio units, 35 one-bedroom units and 9 two-bedroom units at mid-range rents, as defined in the City's Official Plan, all for a period of at least 10 years beginning from the date of first occupancy of each unit;
- d. The owner shall as part of the 12 additional replacement rental dwelling units required in Recommendation 4.a. above, provide 7 one-bedroom units, 3 two-bedroom units and 2 three-bedroom units at affordable rents, as defined in the City's Official Plan, all for a period of at least 10 years beginning from the date of first occupancy of each unit. Any revisions to the number of units by unit type shall be to the satisfaction of the Chief Planner;
- e. The owner shall provide an acceptable Tenant Relocation and Assistance Plan to all Eligible Tenants of the 130 existing rental units proposed to be demolished, addressing the right to return to occupy one of the replacement rental dwelling units at similar rents and other assistance to mitigate hardship. The Tenant Relocation and Assistance Plan shall be developed in consultation with, and to the satisfaction of, the Chief Planner and Executive Director, City Planning;
- f. The owner shall provide tenant relocation and assistance to all Post Application Tenants, all to the satisfaction of the Chief Planner and Executive Director, City Planning Division;
- g. The owner shall provide tenants of all 142 replacement rental dwelling units with access to, and use of all indoor and outdoor amenities in the proposed development, at no extra charge, with the same access and on the same terms and conditions as any other resident of the proposed development, without the need to pre-book or pay a fee unless specifically required as a customary practice for private bookings;
- h. The owner shall provide at least 114 replacement rental dwelling units with an outdoor balcony and/or patio for private and exclusive access by the tenants of such units, which number may be reduced through the site plan approval process to the satisfaction of the Chief Planner and Executive Director, City Planning Division.
- i. The owner shall provide ensuite laundry in each replacement rental dwelling unit at no additional cost to tenants;
- j. The owner shall provide central air conditioning in each replacement rental dwelling unit at no additional cost to tenants;
- k. The owner shall provide and make available for rent a minimum of 28 storage lockers to tenants of the replacement rental dwelling units. The terms and conditions for renting storage lockers to tenants of the replacement rental dwelling units shall be to the satisfaction of the Chief Planner and Executive Director, City Planning;
- l. The owner shall provide tenants of all replacement rental dwelling units with access to bicycle and visitor parking on the same terms and conditions as any other resident of the proposed development, unless otherwise required by the Tenant Relocation and Assistance Plan;

m. The replacement rental dwelling units required in recommendation 4.a. above shall be made ready and available for occupancy no later than the date by which 70% of the new dwelling units in the proposed development, exclusive of the replacement rental dwelling units, are made available and ready for occupancy, subject to any revisions to the satisfaction of the Chief Planner and Executive Director, City Planning;

n. The owner shall enter into, and register on title to the lands at 145 St. George Street, one or more agreement(s), to secure the conditions outlined in Recommendations 4.a. through 4.m. above, including an agreement pursuant to Section 111 of the City of Toronto Act, 2006, all to the satisfaction of the City Solicitor and the Chief Planner and Executive Director, City Planning Division.

5. City Council authorize the Chief Planner and Executive Director, City Planning Division, to issue Preliminary Approval of the Rental Housing Demolition Permit under Chapter 667 of the Toronto Municipal Code for the demolition of the 130 existing rental dwelling units located at 145 St. George Street after all the following have occurred:

a. All conditions in Recommendation 4 above have been fully satisfied or secured;

b. The Zoning By-law Amendments have come into full force and effect;

c. The issuance of the Notice of Approval Conditions for site plan approval by the Chief Planner and Executive Director, City Planning Division or their designate, pursuant to Section 114 of the City of Toronto Act, 2006 or as otherwise authorized by the Chief Planner and Executive Director, City Planning;

d. The issuance of excavation and shoring permits (conditional or full permit) for the approved development on the site;

e. The owner has confirmed, in writing, that all existing rental dwelling units proposed to be demolished are vacant.

6. City Council authorize the Chief Building Official and Executive Director, Toronto Building to issue a Rental Housing Demolition Permit under Chapter 667 of the Toronto Municipal Code after the Chief Planner and Executive Director, City Planning Division has given Preliminary Approval referred to in Recommendation 5 above.

7. City Council authorize the Chief Building Official and Executive Director, Toronto Building to issue a Residential Demolition Permit under Section 33 of the Planning Act and Chapter 363 of the Toronto Municipal Code for 145 St. George Street after the Chief Planner and Executive Director, City Planning Division has given Preliminary Approval referred to in Recommendation 5 above, which may be included in the Rental Housing Demolition Permit under Chapter 667 pursuant to section 6.2 of Chapter 363, on condition that:

a. The owner removes all debris and rubble from the site immediately after demolition;

b. The owner erects solid construction hoarding to the satisfaction of the Chief Building Official and Executive Director, Toronto Building;

c. The owner erects the proposed mixed-use building on the site no later than four years from the date on which the demolition of the existing rental dwelling units commences, subject to the timeframe being extended to the discretion of the Chief Planner and Executive Director, City Planning; and

d. Should the owner fail to complete the proposed mixed-use building within the time specified in Recommendation 7.c. above, the City Clerk shall be entitled to enter on the collector's roll, as with municipal property taxes, an amount equal to the sum of twenty thousand dollars (\$20,000.00) per dwelling unit for which a demolition permit is issued, and that such amount shall, until payment, be a lien or charge upon the land for which the Residential Demolition Permit is issued.

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

9. City Council request that the owner make reasonable commercial efforts to convey off-site parkland to the City equal to the value of the on-site parkland dedication, in fulfilment of the parkland dedication requirements pursuant to Section 42 of the Planning Act, with the off-site parkland dedication to be acceptable to the General Manager, Parks, Forestry and Recreation and free and clear of any above or below grade encumbrances, with the exception of any encumbrances as may be otherwise approved by the General Manager, Parks, Forestry and Recreation, to be conveyed prior to the issuance of the first above grade building permit; and

a. in the event that the off-site parkland dedication is less than the value of the on-site parkland dedication, then the owner will pay cash-in-lieu of parkland to make up for the shortfall in parkland dedication, prior to the issuance of the first above grade building permit;

b. in the event that the owner is unable to provide an acceptable off-site parkland dedication to the City, the owner will be required to satisfy the parkland dedication requirement through the payment of cash-in-lieu;

and the value of the cash-in-lieu of parkland dedication will be appraised through Real Estate Services and payment will be required prior to the issuance of the first above grade building permit.

10. Before introducing the necessary Bills to City Council for enactment, the applicant shall:

a. submit a Functional Servicing, Stormwater Management Report, Hydrogeological Report, and the Hydrogeological Review Summary Form for review and acceptance to the satisfaction of the Chief Engineer and Executive Director, Engineering and Construction Services; and

b. enter into a Municipal Infrastructure Agreement to financially secure the construction of any improvements to the municipal infrastructure, should it be determined that upgrades and road improvements are required to support the development according to the transportation report, accepted by the General Manager, Transportation Services and the Functional Servicing Report, accepted by the Chief Engineer and Executive Director, Engineering and Construction Services.

Origin

(June 6, 2023) Report from the Acting Director, Community Planning, Toronto and East York District

Summary

This report reviews and recommends approval of the applications to amend the Zoning By-law and permit the demolition of an existing 12-storey residential rental apartment building containing 130 rental units at 145 St. George Street. The proposed redevelopment of the site includes a 96-metre (30-storey including the mechanical penthouse) mixed-use building, containing 398 dwelling units (including 142 replacement rental dwelling units) and 200 square metres of non-residential gross floor area.

The proposal also includes a Tenant Relocation and Assistance Plan that addresses the right for existing tenants to return to a replacement rental dwelling unit at similar rent and financial compensation to mitigate hardship.

Financial Impact

The City Planning Division confirms that there are no financial implications resulting from the recommendations included in this report in the current budget year or in future years.

Background Information

(June 6, 2023) Report and Attachments 1-5 and 8-14 from the Acting Director, Community Planning, Toronto and East York District on 145 St. George Street - Zoning By-law Amendment and Rental Housing Demolition Applications - Decision Report - Approval

<https://www.toronto.ca/legdocs/mmis/2023/te/bgrd/backgroundfile-237222.pdf>

Attachment 6 - Draft Zoning By-law Amendment (569)

<https://www.toronto.ca/legdocs/mmis/2023/te/bgrd/backgroundfile-237620.pdf>

Attachment 7 - Draft Zoning By-law Amendment (438)

<https://www.toronto.ca/legdocs/mmis/2023/te/bgrd/backgroundfile-237600.pdf>

Notice of Public Meeting

<https://www.toronto.ca/legdocs/mmis/2023/te/bgrd/backgroundfile-237223.pdf>

Communications

(May 24, 2023) E-mail from Marcia Cuthbert (TE.Main)

(June 2, 2023) Letter from Gabrielle Vachon (TE.Main)

(June 2, 2023) E-mail from Winston Ji (TE.Main)

(June 12, 2023) E-mail from Marten van Kerkwijk (TE.Supp)

(June 13, 2023) Submission from Dan Kwak (TE.Supp)

<https://www.toronto.ca/legdocs/mmis/2023/te/comm/communicationfile-170434.pdf>

(June 12, 2023) E-mail from Patrick L (TE.Supp)

(June 19, 2023) E-mail from Laraine Herzog (TE.Supp)

(June 20, 2023) E-mail from John Budinsky (TE.Supp)

(June 20, 2023) E-mail from Ian Wales (TE.Supp)

(June 20, 2023) E-mail from Cindy Willems (TE.Supp)

(June 20, 2023) E-mail from George Howarth (TE.Supp)

(June 20, 2023) E-mail from Carmen Victor (TE.Supp)

(June 21, 2023) E-mail from Daniel Roberts (TE.Supp)

(June 21, 2023) E-mail from Mona Chapman (TE.Supp)

(June 21, 2023) E-mail from Elizabeth Carman (TE.Supp)

(June 20, 2023) E-mail from Audry Arcos (TE.Supp)

(June 21, 2023) E-mail from Michael Whitehead (TE.Supp)

(June 21, 2023) E-mail from Steven Drawbell (TE.New)

(June 21, 2023) E-mail from Drew Grainge (TE.New)

(June 21, 2023) E-mail from Diana Greenhorn (TE.Supp)

(June 21, 2023) Letter from Lindsay Blackwell (TE.Supp)

(June 21, 2023) Letter from Stephen Job, Vice President, Tenblock (TE.New)

<https://www.toronto.ca/legdocs/mmis/2023/te/comm/communicationfile-170873.pdf>

Speakers

Al McPherson

Rebecca Gimmi

Jeffrey Wales

Dan Kwak

David Steinman

Megan Kee

Bob Murphy

Patricia Johnson

Michael Whitehead

Patrick L

Charlotte Mickie

Walied Khogali, Coalition for Equitable, Inclusive City Development

Merissa Dickson

Karin Joeveer

Susan De Rosa

Felicity Pickup

Jocelyn Deeks

Daniel Roberts

Dale Ritch

Motions

1 - Motion to Amend Item (Additional) moved by Councillor Dianne Saxe (Carried)

That Toronto and East York Community Council adopt the following new recommendations:

1. City Council request the Chief Planner and Executive Director, City Planning to consult with the 145 St. George tenants' committee, as well as the applicant, in developing the site plan for 145 St. George Street.

2. City Council request the Chief Planner and Executive Director, City Planning to secure the following as part of the site plan agreement to the satisfaction of the Chief Planner and Executive Director, City Planning:


- a. an outdoor, publicly accessible source of drinking water;
- b. BikeShare station within the abutting right-of-way;
- c. an outdoor seating area, to be accessible to the public within or adjacent to the public right-of-way, in consultation with Transportation Services;
- d. construction/ demolition waste diversion from landfill of at least 75 percent; and
- e. a low-carbon energy strategy that includes at least the following sustainability measures:
 - i. a highly energy-efficient building with a high quality building envelope and low carbon building heating and cooling;
 - ii. reasonable efforts to achieve a carbon payback period of 10 years or less, measured on a per unit basis;
 - iii. ample electrical outlets for bicycle charging in the interior bicycle parking area;
 - iv. fixtures and appliances that are efficient in their use of water and energy;
 - vi. electric-only appliances or fireplaces in suites; and
 - vii. motion sensor-controlled LED lighting in common areas.

3. City Council request the General Manager, Transportation Services to review and report back on the feasibility of amending Schedule B of the City of Toronto Municipal Code, Chapter 925, Permit Parking, to exclude the development located at 145 St. George Street from Permit Parking.

4. City Council direct the Chief Planner and Executive Director, City Planning, in consultation with the local Ward Councillor and the City Solicitor, to continue to work with the applicant to explore an in-kind community benefit pursuant to 37(6) of the Planning Act and to report back to City Council no later than the end of December 2023 for further instruction on any offer of in-kind community benefits made by the applicant; if no in-kind community benefit is approve by City Council before the applicant applies for its first above ground building permit, the applicant will pay the default community benefit contribution prescribed by Section 37 of the Planning Act.

Source: Toronto City Clerk at www.toronto.ca/council

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