



February 7, 2019

Derek Waltho, Senior Planner  
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Community Planning – Toronto & East York District  
18th Floor E, 100 Queen Street West  
Toronto, ON M5H 2N2

Dear: Mr. Waltho

***Re: Housing Issues Letter, 193-201 Church Street***

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## **1.0 INTRODUCTION**

As you are aware, we are the planning consultants to Church Street Limited Partnership (“the applicant”), the owners of the lands municipally known as 193-201 Church Street in the City of Toronto (“the subject site”). On behalf of our client, we are pleased to submit this housing issues report letter, which addresses the housing policies set out in the Toronto Official Plan, as they apply to the proposed redevelopment of the subject site.

## **2.0 SITE AND SURROUNDINGS**

### ***Site***

The subject site is located on the east side of Church Street, between Shuter Street and Dundas Street East. It is approximately 1,284.8 square metres in size and is rectangular in shape. The subject site is comprised multiple parcels of land and is currently occupied by:

- **193 Church Street**: is a 3-storey brick building. It is currently occupied by a café at the ground level (Café de Melbourne), an owner-occupied residential suite on the upper storeys, and a commercial tenant at the basement (James Hair Salon);
- **195 Church Street**: is a 3-storey brick building comprised of office space at the ground level, a gym in the basement (Body by Chosen) and 2 two-storey rental units on the upper levels;
- **197 Church Street**: is a 3-storey brick building comprised of commercial tenants on all storeys. The primary tenant is Wilson Christen LLP;

- 199 Church Street: is a 2-storey stucco building currently occupied by convenience/ grocery store (D'Fresh Food Supermarket) at the ground level and a clinic in the basement. The second floor is currently vacant.
- 201 Church Street: is a 2-storey stucco building which is fully occupied by a retail store (Geo. Heintz and Co. Limited).

### ***Surroundings***

Directly south of the site, is a 3-storey commercial building at 191 Church Street and a 29-storey mixed-use building currently under construction comprising the addresses 185-187 Church Street and 60 Shuter Street (Fleur Condos). Directly east of the site, on the opposite side of Dalhousie Street, is the 17-storey Margaret Lawrence Co-op building (81 Dalhousie Street), and a the 12-storey Boot condominium building (75 Dalhousie Street). Directly west of the site, on the west side of Church Street is a 3-storey building (200 Church Street) associated with the St. Michael's Catholic Cathedral which is located to the immediate southwest at 60 Bond Street. Directly north of the site, is a 4-storey commercial building at 203-205 Church Street. Continuing north on the block there is a 2-storey building at 209 Church Street, a 3-storey building at 211-213 Church Street, a vacant property at 215-221 Church Street, a 3-storey building at 223 Church Street, and 2-storey buildings at 225 Church Street, 227 Church Street, and 229 Church Street. At 215-229 Church Street there is an approved 52-storey mixed-use building.

A more detailed description of the surroundings is included in the Section 2.0 of the Planning and Urban Design Rationale prepared by Bousfields Inc. (dated February 2019), submitted concurrently with this letter.

## **3.0 DESCRIPTION OF PROPOSAL**

### **3.1 Description**

The proposal contemplates the redevelopment of the subject site with a 37-storey residential building with retained heritage elements at grade. The proposed tower will have a total metric height of 114.25 metres to the top of the residential floors and 121.25 metres to the top of the mechanical penthouse.

The total proposed gross floor area is 31,200 square metres, resulting in a density of 24.28 times the gross area of the lot. The proposal will include a total of 478 residential units in a mix of unit types including 79 bachelor units (17%), 266 one-bedroom units (55.7%), 82 two-bedroom units (17.2%) and 51 three-bedroom units (10.7%).

The proposed development is to be serviced via Dalhousie Street located to the rear of the site along the easterly property line. An internalized loading/servicing area and a parking ramp leading to four levels of below grade parking will be accessed from Dalhousie Street. All parking and loading/servicing functions will be screened from the public street frontage and public view.

A more detailed description of the proposal is included in the Section 3.0 of the Planning and Urban Design Rationale prepared by Bousfields Inc. (dated February 2019), submitted concurrently with this letter.

### **3.2 Existing Rental Units**

The existing properties on the subject site contain several units used for commercial purposes and a total of three residential rental units. There are two residential rental units located in 195 Church Street. The third unit at 193 Church Street is owner occupied. As such, Chapter 667-4 of the Toronto Municipal Code (Residential and Rental Property Demolition and Conversion Control) does not apply to this application.

### **3.3 Relevant Planning Process and Applications**

The proposal requires an amendment to the Former City of Toronto Zoning By-law 438-86, as amended, and the City-wide Zoning By-law 569-2013, as amended, in order to increase the permitted height and gross floor area and to revise other development standards as necessary to accommodate the building design. A Rental Housing Demolition and Conversion Screening Form is being submitted concurrently. A Site Plan application will be subsequently submitted as part of the overall approvals process.

### **4.0 RELEVANT PLANNING PROCESS**

The proposal requires an amendment to the former City of Toronto Zoning By-law 438-86, as amended, and the City-wide Zoning By-law 569-2013, as amended, in order to increase the permitted height and gross floor area and to revise other development standards as necessary to accommodate the building design. An application for the amendments being submitted concurrently with the Rental Housing Demolition and Conversion Screening Form. A Site Plan application will be subsequently submitted as part of the overall approval process.

### **5.0 POLICY AND REGULATORY CONTEXT**

The redevelopment of the Site should be consistent with the Provincial Policy Statement (“PPS”) and conform to the Growth Plan for the Greater Golden Horseshoe

(“the Growth Plan”) and the City of Toronto Official Plan (“The Official Plan”). This letter outlines the applicable housing policy that applies to the proposal. Further policy detail is included in the Planning and Urban Design Rationale (being submitted concurrently with this letter).

## **5.1 Provincial Policies**

The 2014 PPS provides overall policy direction on matters of provincial interest related to land use planning and development. The PPS is intended to promote efficient development and land use patterns in order to support strong communities; to protect the environment and public health and safety; and to promote a strong economy.

With respect to housing, Policy 1.4.3 of the PPS requires provision to be made for an appropriate range of housing types and densities to meet projected requirements of current and future residents by, among other matters, facilitating all forms of residential intensification and redevelopment and promoting densities for new housing which efficiently use land, resources, infrastructure and public service facilities and support the use of alternative transportation modes and public transit.

The Growth Plan was updated in May 2017 and took effect on July 1, 2017, replacing the former Growth Plan (2006). All decisions made on or after this date in respect of the exercise of any authority that affects a planning matter will conform with the Growth Plan (2017) subject to any legislative or regulatory provisions providing otherwise.

The subject site would to be part of a “strategic growth area” pursuant to the Growth Plan (i.e. a focus for accommodating intensification and higher-density mixed uses in a more compact built form), given that the site is located within both the Downtown Toronto “urban growth centre” and a “major transit station area”.

The Growth Plan (2017) includes a new Section 2.2.6 that deals with housing. Policy 2.2.6(1) requires municipalities to develop a housing strategy that, among other matters, supports the achievement of the minimum intensification and density targets in the Growth Plan and identifies a diverse range and mix of housing options and densities to meet projected needs of current and future residents. Notwithstanding Policy 1.4.1 of the PPS, Policy 2.2.6(2) states that, in preparing a housing strategy, municipalities will support the achievement of complete communities by: planning to accommodate forecasted growth; planning to achieve the minimum intensification and density targets; considering the range and mix of housing options and densities of the existing housing stock; and planning to diversify the overall housing stock across the municipality.

## 5.2 Toronto Official Plan

With respect to the City of Toronto Official Plan, the subject site is designated *Mixed Use Areas* on Land Use Map 18 and is located within the *Downtown* as shown on Map 2 (Urban Structure).

This Housing Issues Report will analyze the redevelopment in the context of the Housing policies contained in Section 3.2.1 of the Official Plan.

- Policy 3.2.1(1) provides that a full range of housing in terms of form, tenure and affordability will be provided to meet the current and future needs of residents.
- Policy 3.2.1(2) indicates that the existing housing stock will be maintained and replenished, and that new housing supply will be encouraged through intensification and infill that is consistent with the Official Plan.
- Policy 3.2.1(3) provides that investment in new rental housing, particularly affordable rental housing will be encouraged by a coordinated effort from all levels of government through implementation of a range of strategies.
- For significant new development on sites containing six or more rental units, Policy 3.2.1(5) provides that any existing rental units with affordable rents and mid-range rents which will be kept in the new development will be secured as rental housing. For all existing rental units that will be kept, any needed improvements or renovations required for existing housing, including any improvements related to a Section 37 agreement, will be secured without pass-through of such costs in the rents to the tenants.
- Policy 3.2.1(6) provides conditions of approval for new development that would remove all or part of a private building or related group of buildings and would result in the loss of six or more rental housing units (our emphasis).

As discussed in detail in Section 6.0 below, it is our opinion that the proposal conforms to the applicable Official Plan housing policies.

### **5.3 Zoning**

The in-force Zoning By-law applying to the site is By-law 438-86, as amended, of the former City of Toronto. The new City-wide Zoning By-law 569-2013 was enacted by City Council on May 9, 2013, however, it is subject to numerous appeals to the OMB/LPAT and is therefore not yet fully in force.

Zoning By-law 438-86, as amended, zones the subject site CR T3.0 C2.0 R3.0 with a maximum height of 18.0 metres.

The City-wide Zoning By-law No. 569-2013, which is adopted by Council and has been partially brought into full effect by the OMB, includes the subject site as follows:

- 193-201 Church Street: C3.0 (c2.0; r3.0) SS1(x2166) with a maximum height limit of 18.0 metres.

Greater detail on the applicable zoning provisions are included in the Planning Rationale.

## **6.0 ANALYSIS AND OPINION**

### **6.1 General Analysis**

The proposed redevelopment of the subject site is in keeping with Section 3.2.1 of the Official Plan. As per Policy 3.2.1(1), the proposal contributes to a full range of housing in terms of both form and tenure. In keeping with Policy 3.2.1(2), the proposal ensures that new housing supply will be provided through the intensification of the subject site. The proposal also achieves an appropriate mix of units through the provision of a minimum of 10% of the units as 3-bedroom units (51 units) and 15% of the units as 2-bedroom units (82 units). Policy 11.1 of the Council-adopted Downtown Plan requires that development containing more than 80 residential units include: a minimum of 15 percent of the total number of units as 2-bedroom; a minimum of 10 percent of the total number of units as 3-bedroom units. As such, the proposed unit mix is in keeping with Policy 11.1 of the Council-adopted Downtown Plan.

### **6.2 Analysis of Policies 3.2.1(5) and 3.2.1(6)**

A summary of the uses of the properties included in the application are as follows:

- The property at 193 Church Street contains a café at the ground level and a commercial tenant at the basement. There is an owner-occupied residential unit on the upper storeys.

- The property at 195 Church Street contains an office space at the ground level, a gym in the basement and 2 two-storey rental units on the upper levels.
- The property at 197 Church Street contains commercial tenants on all floors.
- The property at 199 Church Street contains a convenience store at the ground level and a clinic in the basement. The second floor is currently vacant.
- The property at 201 Church Street contains a retail violin shop which occupies the whole building.

As the proposal does not result in a loss of six or more rental units, Policy 3.2.1(6) does not apply.

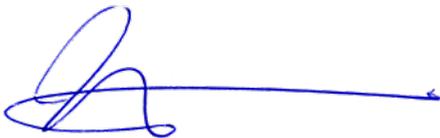
Chapter 667 of the Municipal Code, which was enacted pursuant to Section 111 of the *City of Toronto Act*, prohibits the demolition or conversion of a property containing a residential rental unit unless a permit has been issued. Accordingly, a permit to demolish the two (2) residential rental units is being applied for through a Rental Demolition and Conversion Screening Form.

## **7.0 CONCLUSION**

It is our opinion that the proposal for the subject site appropriately addresses the policies in Section 3.2.1 in the Toronto Official Plan with regards to the protection of rental housing. As stated above, as there are currently fewer than six rental housing units, the Official Plan policy on the conversion and replacement of rental properties would not apply to this application.

We trust that the foregoing is of assistance in your review, however if you have any questions, please do not hesitate to contact the undersigned or Tyler Hughes of this office.

Yours very truly,  
**Bousfields Inc.**



Michael Bissett, MCIP, RPP