

**122 - 128 Peter Street and 357 Richmond Street West -
Zoning Amendment Application - Preliminary Report**

Date:	March 11, 2016
To:	Toronto and East York Community Council
From:	Director, Community Planning, Toronto and East York District
Wards:	Ward 20 – Trinity-Spadina
Reference Number:	15-255425 STE 20 OZ

SUMMARY

This application proposes to amend the Zoning By-law to permit a 46-storey mixed use building with retail at grade and residential above including 435 residential units and 4 levels of underground parking at 122-128 Peter Street and 357 Richmond Street West, including the demolition of properties on the City's Heritage Register at 357 Richmond Street West and 122-124 Peter Street.

This report provides preliminary information on the above-noted application and seeks Community Council's directions on further processing of the application and on the community consultation process.

Staff do not support the application in its current form and encourage the applicant to resolve issues. Staff have indicated to the applicant that the height and massing of the proposal is not appropriate in the context of the current King-Spadina Secondary Plan policy framework, the Secondary Plan Review, and the goals of conserving heritage properties, heritage fabric and scale. The site is located within the current King Spadina East Precinct Built Form Study area and Heritage Conservation District Study area.



A community consultation meeting will be scheduled for mid 2016. Staff anticipates submitting a final report on the application to Community Council in the first quarter of 2017, provided the applicant provides all required information in a timely manner and issues identified in this report are satisfactorily addressed.

RECOMMENDATIONS

The City Planning Division recommends that:

1. Staff be directed to schedule a community consultation meeting for the lands at 122 - 128 Peter Street and 357 Richmond Street West together with the Ward Councillor.
2. Notice for the community consultation meeting be given to landowners and residents within 120 metres of the site.
3. Notice for the public meeting under the Planning Act be given according to the regulations of the Planning Act.

Financial Impact

The recommendations in this report have no financial impact.

DECISION HISTORY

A complete application for a zoning by-law amendment was filed on December 23, 2015.

Pre-Application Consultation

A pre-application consultation meeting was held with the applicant to discuss complete application submission requirements in 2015.

A pre-application community consultation meeting was held by the Councillor with planning staff in attendance on October 5 2015. At that meeting participants identified a number of issues to be resolved with the proposal including the height and density proposed, and lack of heritage conservation.

ISSUE BACKGROUND

Proposal

The proposal is to demolish all buildings on the site to construct a 46-storey (144.7 metres including mechanical) mixed-use building containing commercial uses on the ground floor. The total combined gross floor area is 27,397 square metres. A 5-storey podium forms the base for a 41-storey tower on top. The building will include 435 residential condominium units and a development density or floor space index (FSI) of approximately 21 times the lot area. The unit mix consists of 42 studio units, 294 one-bedroom units, 89 two-bedroom units and 10 three-bedroom units. Four levels of

underground parking and 92 vehicular parking spaces are proposed. A total of 174 square metres of retail space on the ground floor is proposed.

The base building height is generally 21 metres. The tower floorplate is generally 620 square metres. The ground floor is set back 1.5 metres from Richmond Street and approximately 3.7 metres from Peter Street however columns are proposed within this setback. The proposed tower separation distance to the lot line is generally 0 – 7.5 meters to the west and 10 metres to the south, which is less than the separation distance of 12.5 metres from adjacent property lines required for tall buildings under the City's Tall Building Guidelines. The proposed indoor and outdoor amenity space is 753 and 408 square metres respectively, compared to the 870 square metres required for each in the zoning by-law.

Vehicular access is proposed through the heritage properties at 122-124 Peter Street. Proposed sidewalk widths are 4.5 metres from curb to building front on Richmond Street and 6.7 metres on Peter Street.

Site and Surrounding Area

The site is located on the south side of Richmond Street West and east side of Peter Street at 122-128 Peter Street and 357 Richmond Street West. The site has a frontage of approximately 38 metres on Richmond Street and 31 metres on Peter Street, and an overall area of approximately 1,300 square metres.

The site is generally used for non-residential uses and surface parking at the rear but includes house-form buildings which were originally constructed for residential use. The two semi-detached houses at 122 and 124 Peter Street are listed on the City's Heritage Register. 126 Peter Street is a 3 storey house with a commercial addition on the front and 128 Peter Street is a one storey commercial building. The property at 357 Richmond Street West is a semi-detached house connected to 359 Richmond Street and both are listed on the City's Heritage Register. The site currently contains approximately 1,235 square metres of non-residential gross floor area and 188 square metres of residential gross floor area.

The site is surrounded by the following uses:

North: To the north across the street on Richmond Street is a recently constructed 17-storey office building with a base building comprised of mid-rise (four and five storey) historic brick and beam buildings. Further to the north is a public lane and the Queen Street West Heritage Conservation District.

South: 118 and 120 Peter Street are 3 storey houses which are contributing properties under the Heritage Conservation District Study and a surface parking lot is located at 114 Peter Street. The properties at 102-118 Peter Street and 350-357 Richmond Street have been

assembled and are part of a pre-application proposal. The property at the corner of Peter and Adelaide Street at 342 Peter Street is a house that is listed on the City's Heritage Register and the 7-storey Templar Hotel is next door on Adelaide Street. The 2 three-storey commercial buildings at 350-352 Adelaide Street West are contributing properties under the Heritage Conservation District Study. A private laneway extends from Spadina Avenue to the interior of the block and terminates just south of the site.

- West: A private laneway between Adelaide and Richmond Streets is located to the west of the site beside 359 Richmond Street West and the remainder of the block to the west of the site is comprised largely of low to mid-rise commercial properties which are on the City's Heritage Register or contributing under the Heritage Conservation District Study. 401 Richmond is an assembly of mid-rise commercial-warehouse buildings which are designated under Part IV of the Heritage Act and are on the City's Heritage Register and a location and destination for cultural uses.
- East: To the east of the site is a 36-storey condominium currently under construction at south-east corner of Peter and Richmond Street and three-storey building owned by the City of Toronto building at the north-east corner.

Provincial Policy Statement and Provincial Plans

The Provincial Policy Statement (PPS) 2014 provides policy direction on matters of provincial interest related to land use planning and development. These policies support the goal of enhancing the quality of life for all Ontarians. Key policy objectives include: building strong healthy communities; wise use and management of resources; and protecting public health and safety. The PPS recognizes that local context and character is important. Policies are outcome-oriented, and some policies provide flexibility in their implementation provided that provincial interests are upheld. 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. City Council's planning decisions are required to conform, or not conflict, with the Growth Plan for the Greater Golden Horseshoe.

Staff will review the proposed development for consistency with the PPS and for conformity with the Growth Plan for the Greater Golden Horseshoe.

Official Plan

The site is designated Regeneration Area in the City of Toronto Official Plan which permits the proposed residential and commercial uses. Chapter 6.16 of the Official Plan contains the King-Spadina Secondary Plan. The King-Spadina Secondary Plan emphasizes the reinforcement of the characteristics and qualities of the area through special attention to built form and the public realm. In particular the policies of Section 3 – Built Form specify that new buildings will achieve a compatible relationship with their built form context through consideration of such matters as building height, massing, scale, setbacks, stepbacks, roof line and profile and architectural character and expression and through consistency with the Official Plan's heritage policies.

In October of 2013 Council adopted Official Plan Amendment (OPA) 199, amendments to the Official Plan resulting from a City-initiated comprehensive review of heritage policies. The OPA was approved by the Minister of Municipal Affairs and Housing without modifications in November of 2013. On May 15, 2015 the OMB issued an order approving OPA 199 as modified.

King-Spadina Secondary Plan

The subject site is situated within the King-Spadina Secondary Plan (Chapter 6.16 of the Official Plan) The King-Spadina Secondary Plan emphasizes reinforcement of the characteristics and qualities of the area through special attention to built form and the public realm. The policies of Section 3 - Built Form and in particular the policies of Section 3.6 – General Built Form Principles specify that:

- buildings are to be located along the front property line to define edges along streets and lower levels are to provide public uses accessed from the street;
- servicing and parking are encouraged to be accessed from lanes rather than streets to minimize pedestrian/vehicular conflicts;
- new buildings will be sited for adequate light, view and privacy and compatibility with the built form context;
- new buildings will achieve a compatible relationship with their built form context through consideration of such matters of building height, massing, scale, setbacks, stepbacks, roof line and profile and architectural character and expression;
- appropriate proportional relationships to streets and open spaces will be provided; and wind and shadow impacts will be minimized on streets and open spaces;
- streetscape and open space improvements will be coordinated in new development; and

- high quality open spaces will be provided.

A primary objective of this plan is to that new development respect and complement the historic fabric of the area. The particular scale, massing and street relationships of the existing heritage buildings on the block are important features to consider when assessing new development in this part of the King-Spadina East Precinct. Moreover, applicable plan area guidelines articulate that new development should maintain the relationships of buildings to one another along the street and the design of buildings at the street level.

Zoning

The site is zoned Reinvestment Area (RA) by Zoning By-law 438-86, as amended (see Attachment 5 - Zoning Map, By-law No. 438-86). The RA Zone permits a range of residential uses, as well as commercial, institutional and limited industrial uses. As part of the RA zoning controls, density standards were replaced by built form objectives expressed through height limits and setbacks.

The Zoning By-law permits a maximum building height of 30 metres for this site. An additional 5 metres is permitted for rooftop mechanical elements. A 3-metre stepback above 20 metres on all street frontages is also required.

King-Spadina Secondary Plan Review and King-Spadina East Precinct Built Form Study

The subject site falls within the East Precinct as identified within the King-Spadina East Precinct Built Form Study. At its meetings on August 25, 2014 and July 7,8,9 2015 City Council endorsed the following directions for the King-Spadina East Precinct to be used in reviewing current and future development applications:

- A downward gradation of tower heights from east to west from University Avenue towards Spadina Avenue;
- Limiting heights approaching Queen Street West to prevent shadowing on the north sidewalk after 12:00 (noon) in the spring and fall equinoxes;
- Employing the city-wide Tall Buildings Guidelines to evaluate towers, particularly with regard to tower spacing and tower floor plates;
- Evaluating new development applications in the context of a block plan for the block on which they sit;
- Seeking the inclusion of family-sized units in all new residential development;

- Requiring the inclusion of employment uses in new residential development that replaces existing office uses, resulting in a net gain in employment, consistent with OPA 231;
- Protecting sunlight on Spadina Ave to prevent shadowing that would detract from the pedestrian oriented nature of the street as it exists today, and support the retail function of the Spadina corridor.
- Limiting new shadows on park lands that extend beyond those permitted by the current Zoning By-law.
- Protecting the network of mid-block connections and laneways as a defining feature of the public realm, and expanding these connections to further the pedestrian network.
- Providing appropriate separation distances between side and rear windows in the lower levels of an existing or proposed building to allow for light and privacy.
- Retaining and providing affordable floorspace for cultural employment wherever possible to ensure that the replacement of the physical space for these uses is provided for in new development or in proximity to new development.

On July 7, 8, 9 2015 City Council also adopted the following directions for the King-Spadina East Precinct:

- Request staff to expand the boundary of the King-Spadina East Precinct Built Form Study to include the Spadina Precinct.
- Develop policies that address the need to protect and enhance the cultural industries in King-Spadina including the retention and provision of affordable and sustainable floor space in the Secondary Plan area.

A final staff report on the Built Form Study is expected in the second quarter of 2016.

King-Spadina Heritage Conservation District Study

The King-Spadina area is identified as a potential Heritage Conservation District (HCD) in Map 39 – Site and Area Specific Policy 305 in the Official Plan. On August 16, 2012, City Council authorized the King-Spadina HCD Study, encompassing an area generally bounded by Queen Street West to the north, Bathurst Street to the west, Wellington Street and King Street West to the south, and University Avenue to the east. The subject site is within the boundary of the study area. The study process will result in the preparation of an HCD plan(s) and an HCD by-law to protect the historical and cultural significance of

the study area. Details on the King-Spadina HCD study are available here:
http://www.toronto.ca/heritage-preservation/heritage_districts.htm

Site Plan Control

The proposed development is subject to site plan approval. A site plan application has not been submitted in conjunction with the zoning amendment application.

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 they fit within their context and minimize their local impacts. The city-wide Guidelines are available at <http://www.toronto.ca/planning/tallbuildingdesign.htm>

TOcore

On December 9, 2015, City Council adopted a staff report entitled 'TOcore: Planning Toronto's Downtown – Phase 1 – Summary Report and Phase 2 Directions'. The report outlined the deliverables of TOcore which will be a renewed planning framework through a Downtown Secondary Plan and a series of infrastructure strategies. The work for TOcore began on May 13, 2014 when Toronto and East York Community Council adopted a staff report regarding 'TOcore: Planning Toronto's Downtown', along with a related background document entitled 'Trends and Issues in the Intensification of Downtown'.

TOcore is looking at how Toronto's Downtown should grow, with both a renewed planning framework and the necessary physical and social infrastructure to remain a great place to live, work, learn, play and invest. TOcore is in its second phase, which involves drafting policies, plans and strategies. A report back to Toronto and East York Community Council is targeted by the end of 2016 on the results of the second phase and the next steps on implementation. The issues considered under TOcore will inform the review of this application. The TOcore website is www.toronto.ca/tocore.

Reasons for the Application

The applicant has submitted a Zoning By-law Amendment application to permit a building which exceeds the permitted maximum building height of 30 metres by approximately 115 metres, resulting in a proposed tower height of 145 metres including mechanical. There are deficiencies with the proposed outdoor amenity space, setbacks, and the number of vehicular parking spaces, among other standards.

COMMENTS

Application Submission

The following reports/studies were submitted with the application:

- Planning Rationale Report;
- Shadow Study;
- Boundary Plan of Survey;
- Architectural Plans;
- Landscape Plan;
- Concept Site Plan;
- Underground Garage Plans;
- Heritage Impact Assessment;
- Functional Servicing Report;
- Transportation Impact Study;
- Stormwater Management Report;
- Tree Declaration Report;
- Building Mass Model;
- Sun/Shadow Study;
- Preliminary Pedestrian Level Wind Assessment;
- Archaeological Assessment;
- Environmental Assessment;
- Geotechnical Study;
- Arborist Report;
- Community Services and Facilities Study; and
- Green Standards Checklist.

A Notification of Complete Application was issued on December 23, 2015.

Issues to be Resolved

This development application at the proposed height and density is not supportable and the conservation of heritage properties is required. Planning staff will work with the applicant to resolve the outstanding issues to try to reduce the scale of development and achieve an acceptable form. Issues to be addressed include:

1. Conformity with the existing Urban Structure and Built Form policies of the King-Spadina Secondary Plan, including the requirement that development result in a built form and massing which is complementary to the historic physical fabric of the area.
2. The preservation of built heritage resources;
3. Height and massing relationships with the immediate area and resulting shadow impacts on the public realm associated with adjacent and nearby streets and properties in the vicinity;
4. Contributions to improvements to the public realm and provision of open space as part of a coordinated public realm plan for the block;

5. Traffic, parking, site servicing, and impacts on the pedestrian realm that may result from the intensity and scale of the proposed development, including the need to relocate the parking entrance away from heritage resources and exploration of the possibility of a combined access to loading and parking shared with the proposed development at Richmond and Peter Street;
6. Inclusion of employment uses as key components of the proposal and compliance with Official Plan Amendment No. 231 to the Official Plan of the City of Toronto with respect to the Economic Health Policies and the Policies, Designations and Mapping for Employment Areas;
7. The overall height and massing of the proposal cannot be assessed until a Heritage Impact Assessment is re-submitted which addresses the policies in the Official Plan on heritage adjacency and the conservation of heritage properties on the site;
8. In the event that a tall building may be appropriate for the site, compliance with the Design Criteria for Review of Tall Building Proposals will be required;
9. Shadowing of the north sidewalk of Queen Street West;
10. An appropriate residential unit mix in order to provide for a broad range of housing types and to encourage families to locate downtown, including at a minimum 10% of 3 bedroom units that are large enough to accommodate a family, as well as a good proportion of two bedroom units;
11. Improved provision of outdoor amenity space.

The TGS Checklist has been submitted by the applicant and is currently under review by City staff for compliance with the Tier 1 performance measures.

Section 37 Benefits

Should the project proceed to approval, community benefits will be secured under Section 37 of the Planning Act and be assessed in accordance with Sections 5.1 and 7.2 of the King-Spadina Secondary Plan.

Additional issues may be identified through the review of the application, agency comments and the community consultation process.

CONTACT

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SIGNATURE

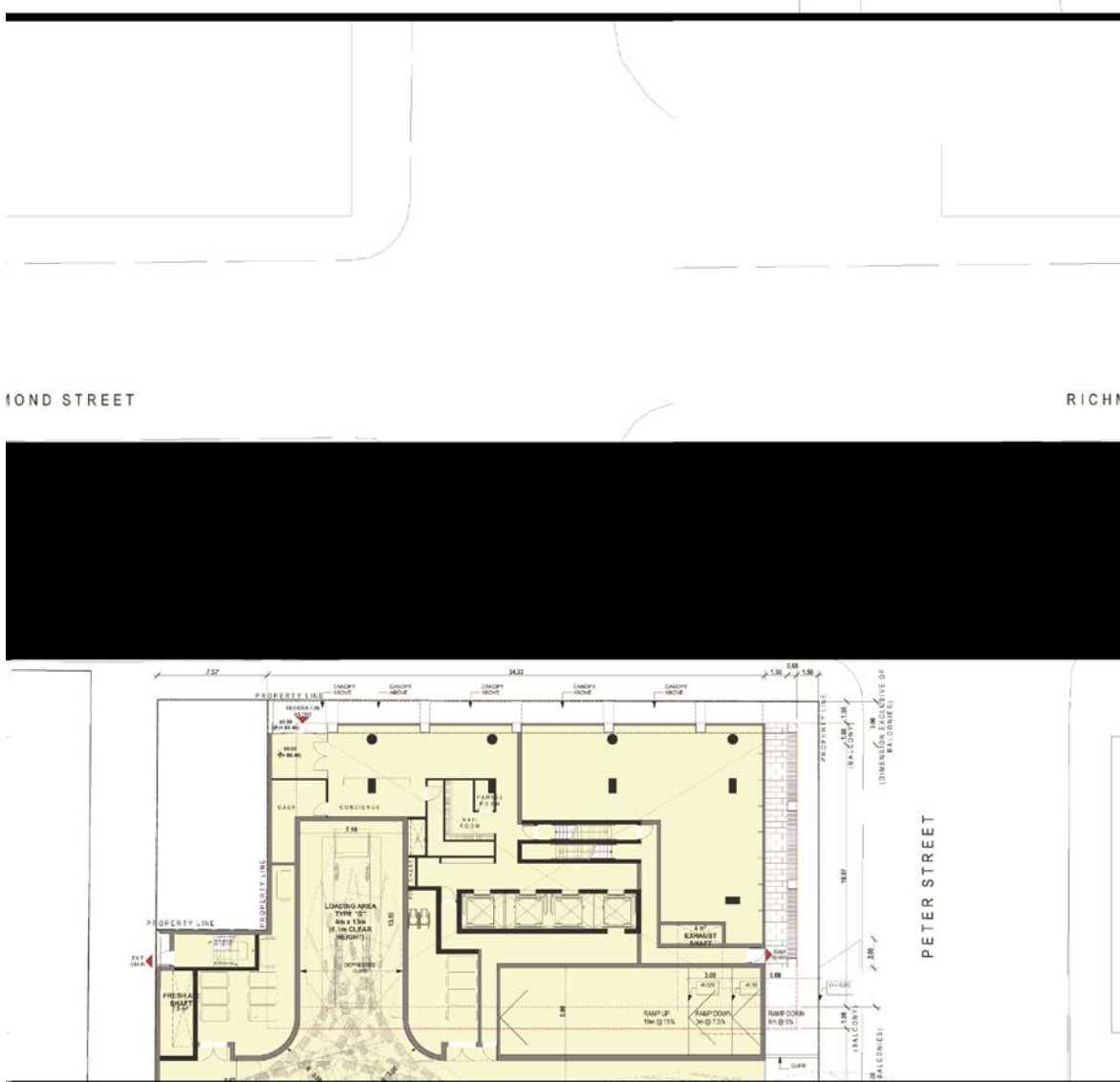
Gregg Lintern, MCIP, RPP
Director, Community Planning
Toronto and East York District

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ATTACHMENTS

Attachment 1: Site Plan
Attachment 2: Elevations [as provided by applicant]
Attachment 3: Zoning
Attachment 4: Application Data Sheet

Attachment 1: Site Plan



Site Plan

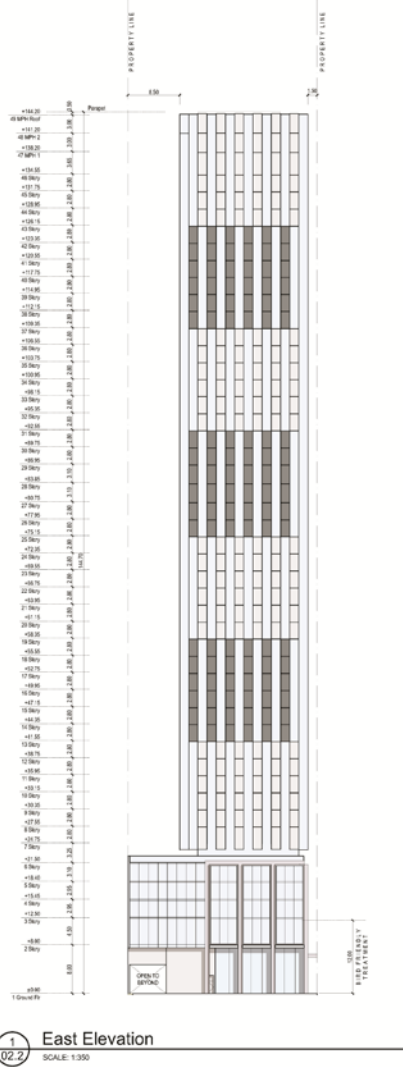
122-128 Peter Street + 357 Richmond Street West

Applicant's Submitted Drawing

Not to Scale 
02/25/2016

File # 15 255425 STE 20 02

Attachment 2: Elevations



East Elevation

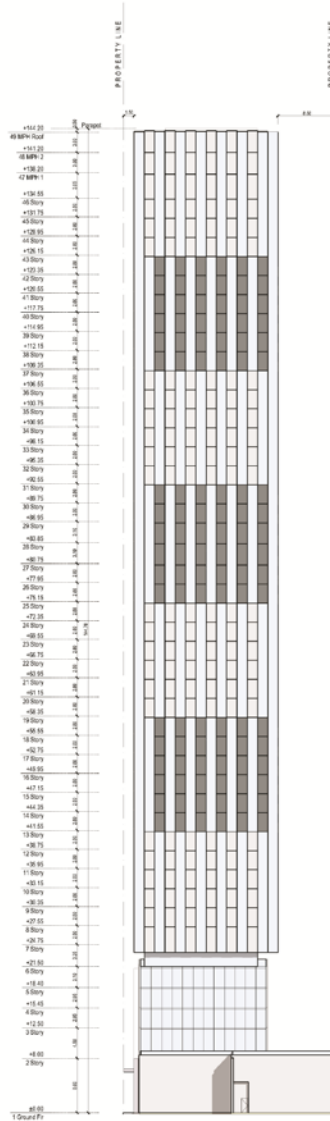
Elevations

122-128 Peter Street + 357 Richmond Street West

Applicant's Submitted Drawing

Not to Scale
02/25/2016

File # 15 255425 STE 20 0Z



2 West Elevation
02.2 SCALE: 1/320

West Elevation

Elevations

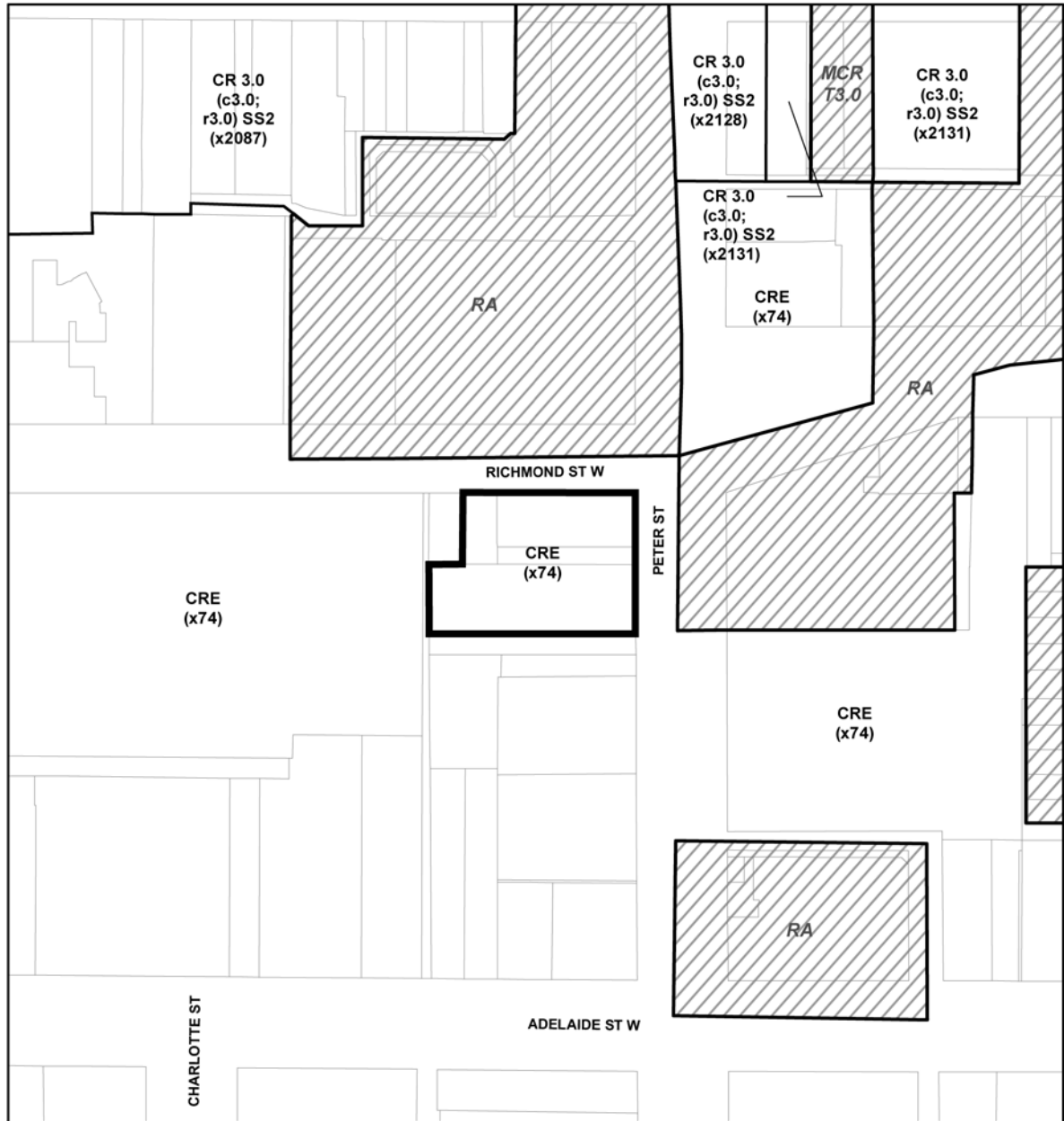
122-128 Peter Street + 357 Richmond Street West

Applicant's Submitted Drawing

Not to Scale
02/25/2016

File # 15 255425 STE 20 0Z

Attachment 3: Zoning



122-128 Peter Street + 357 Richmond Street West

Zoning By-law 569-2013

File # 15 255425 STE 20 0Z

Location of Application

See Former City of Toronto Bylaw No. 438-86

CR Commercial Residential
 CRE Commercial Residential Employment

RA Mixed-Use District



Not to Scale
 Extracted: 02/25/2016

Attachment 4: Application Data Sheet

Application Type	Rezoning	Application Number:	15 255425 STE 20 OZ
Details	Rezoning, Standard	Application Date:	November 23, 2015
Municipal Address:	122 PETER ST		
Location Description:	PLAN 1B PT LOT 6 **GRID S2013		
Project Description:	Proposed forty-six (46) storey (144.7 metres including mechanical) mixed-use building containing commercial uses on the ground floor. The total combined gross floor area is 27,397 m ² . There will be a five (5) storey podium with a forty-one (41) storey tower on top. The building will include 435 residential condominium units and a development density or floor space index (FSI) of approximately 21 times the lot area.		

Applicant:	Agent:	Architect:	Owner:
Hunter & Associates Ltd		Architects Alliance	Fortress Carlyle Peter St Inc

PLANNING CONTROLS

Official Plan Designation:	Regeneration Areas	Site Specific Provision:	King-Spadina Secondary Plan
Zoning:	CRE (x74)	Historical Status:	Yes
Height Limit (m):	30	Site Plan Control Area:	Yes

PROJECT INFORMATION

Site Area (sq. m):	1303	Height:	Storeys:	46
Frontage (m):	38.03		Metres:	138
Depth (m):	31.07			
Total Ground Floor Area (sq. m):	1130			Total
Total Residential GFA (sq. m):	27223		Parking Spaces:	92
Total Non-Residential GFA (sq. m):	174		Loading Docks	1
Total GFA (sq. m):	27397			
Lot Coverage Ratio (%):	87			
Floor Space Index:	21			

DWELLING UNITS

FLOOR AREA BREAKDOWN (upon project completion)

Tenure Type:	Condo		Above Grade	Below Grade
Rooms:	0	Residential GFA (sq. m):	27223	0
Bachelor:	42	Retail GFA (sq. m):	174	0
1 Bedroom:	294	Office GFA (sq. m):	0	0
2 Bedroom:	89	Industrial GFA (sq. m):	0	0
3 + Bedroom:	10	Institutional/Other GFA (sq. m):	0	0
Total Units:	435			

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