

**666 Spadina Avenue - Official Plan Amendment and  
Zoning Amendment Application – Final Report**

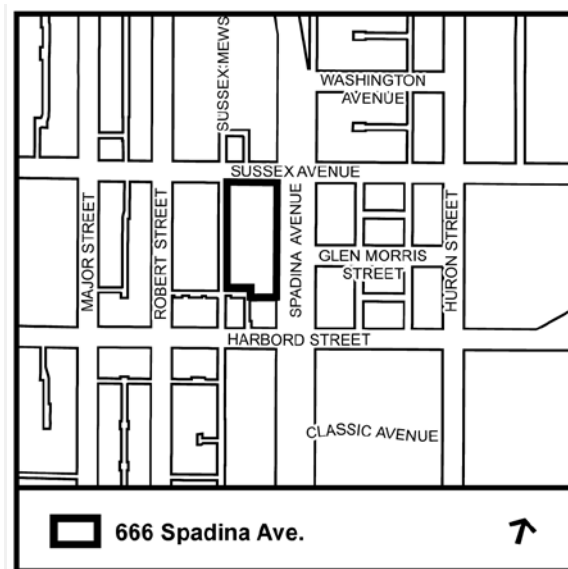
<b>Date:</b>	September 29, 2017
<b>To:</b>	Toronto and East York Community Council
<b>From:</b>	Director, Community Planning, Toronto and East York District
<b>Wards:</b>	Ward 20 – Trinity-Spadina
<b>Reference Number:</b>	16-198194 STE 20 OZ

**SUMMARY**

This application for an Official Plan and Zoning By-law amendment at 666 Spadina proposes to retain the existing 25 storey residential rental building and add a new 11 storey mixed use building with a total of 133 rental apartments to the south of the existing structure and dedicate a new park at the north end of the site. A publicly accessible privately owned open space will also be secured along the west side of the site

The existing 334 unit apartment building, built in 1972 and listed on the City's Heritage Register, is located within the *Neighbourhoods* designation and was legally constructed prior to the approval of the Official Plan in 2006. Infill development on sites with existing apartment buildings in *Neighbourhoods* is permitted subject to meeting criteria related to infill development in *Apartment Neighbourhoods*.

The applicant has made significant modifications to the proposal since the initial submission to address comments from City Staff and residents' concerns. The development is carefully massed providing a transition to *Neighbourhoods* and a base building along Spadina Avenue. The proposed landscape plan will provide a positive contribution to the neighbourhood through the addition of the new on-site park, POPs, and pedestrian circulation throughout the site. This



report reviews and recommends approval of the Official Plan and Zoning By-law Amendments. Section 37 benefits towards affordable housing and public realm improvements are also proposed to be secured in association with the approval.

## **RECOMMENDATIONS**

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### **The City Planning Division recommends that:**

1. City Council amend the Official Plan, for the lands at 666 Spadina Avenue substantially in accordance with the draft Official Plan Amendment attached as Attachment No. 9 to the report from the Director, Community Planning, Toronto and East York District, dated September 29, 2017.
2. City Council amend Zoning By-law 438-86 for the lands at 666 Spadina Avenue substantially in accordance with the draft Zoning By-law Amendment to be available at the October 17, 2017 meeting of the Toronto and East York Community Council.
3. City Council amend City of Toronto Zoning By-law 569-2013 for the lands at 666 Spadina Avenue substantially in accordance with the draft Zoning By-law Amendment to be available at the October 17, 2017 meeting of the Toronto and East York Community Council.
4. City Council repeal City of Toronto Zoning By-law 20-69 for the lands at 666 Spadina Avenue.
5. City Council authorize the City Solicitor to make such stylistic and technical changes to the draft Official Plan Amendment and draft Zoning By-law Amendments as may be required.
6. Before introducing the necessary Bills to City Council for enactment, City Council require the owner to provide the following:
  - a) a revised Hydrogeology Report to the satisfaction of the Chief Engineer and Executive Director, Engineering and Construction Services;
  - b) a revised Functional Servicing and Stormwater Management Report to the satisfaction of the Chief Engineer and Executive Director, Engineering and Construction Services;
  - c) satisfactory arrangements for the construction of any improvements to the municipal infrastructure, should it be determined that upgrades are required to the infrastructure to support this development, in accordance with the Functional Servicing Report accepted by the Chief Engineer and Executive Director, Engineering and Construction Services;
  - d) revised studies and/or plans related to loading facilities, including manoeuvring, pedestrian clearways, and the fire route to the satisfaction of the Chief Engineer and Executive Director, Engineering and Construction Services; and
  - e) the applicant agrees to withdraw appeals to OPA 320 respecting the 666 Spadina Avenue site.

7. City Council approve a development charge credit against the Parks and Recreation component of the Development Charges for the design and construction by the owner of the Above Base Park Improvements to the satisfaction of the General Manager, Parks, Forestry and Recreation (PFR). The development charge credit shall be in an amount that is the lesser of the cost to the owner to design and construct the Above Base Park Improvements, as approved by the General Manager, PFR, and the Parks and Recreation component of development charges payable for the development in accordance with the City's Development Charges By-law, as may be amended from time to time.
8. Before introducing the necessary Bills to City Council for enactment, require the owner to enter into an Agreement pursuant to Section 37 of the Planning Act satisfactory to the City Solicitor and in consultation with the Chief Planner and Executive Director, City Planning. to secure the following facilities, services and matters:
  - a) Prior to the issuance of the first above-grade building permit, the owner shall pay a cash contribution of \$800,000.00 to the City to be allocated as follows:
    - i. \$400,000 towards new affordable housing in Ward 20, at the discretion of the Chief Planner and Executive Director, City Planning, in consultation with the Ward Councillor; and
    - ii. \$400,000 towards local streetscape, and/or public realm, and/or neighbourhood greening improvements in the vicinity which may include those identified as part of the Harbord Village Green Plan at the discretion of the Chief Planner and Executive Director, City Planning, in consultation with the Ward Councillor.
  - b) the payment amounts identified in "a)" above shall be indexed upwardly in accordance with the Non-Residential Construction Price Index for Toronto, calculated from the date of execution of the Section 37 Agreement to the date of payment; and
  - c) in the event the cash contributions referred to in "a)" above have not been used for the intended purpose within three (3) 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, City Planning, in consultation with the Ward Councillor, provided that the purpose is identified in the Toronto Official Plan and will benefit the community in the vicinity of the lands.
9. The following matters are recommended to be secured in the Section 37 Agreement as a legal convenience to support development, at the owner's expense, all to the satisfaction of the Chief Planner and Executive Director, City Planning and the City Solicitor:
  - a) the owner shall provide and maintain a publicly accessible pedestrian clearway across private property between Spadina Avenue and Sussex Mews, generally within the area identified as "Pedestrian Walkway Easement for Public Access" as shown on Attachment 7 and 8 of the Zoning By-law amendment, with the specific location, configuration and design to be determined in the context of a site plan approval pursuant to Section 114 of the City of

Toronto Act, 2006, as amended and, as applicable, Section 41 of the Planning Act, as amended, and secured in a Site Plan Agreement with the City;

- b) the owner shall provide and maintain to the satisfaction of the Chief Planner and Executive Director, City Planning, a privately owned publicly accessible open space (POPS) for an area having a minimum size of 725 square metres as identified as "Privately Owned Publicly Accessible Open Space" at ground level on Attachment 1 of the Zoning By-law amendment, with the specific location, configuration and design to be determined in the context of a site plan approval pursuant to Section 114 of the City of Toronto Act, 2006, as amended and, as applicable, Section 41 of the Planning Act, as amended, and secured in a Site Plan Agreement with the City;
- c) the owner shall provide and maintain the 334 existing rental housing units at 666 Spadina Avenue as rental housing for the period of at least 20 years, from the date of the Zoning By-law coming into full force and effect, with all associated facilities and building amenity improvements to be secured for the rental housing units, at no extra cost to the existing tenants, and with no applications for demolition or conversion from residential rental use, to the satisfaction of the Chief Planner and Executive Director, City Planning Division and the City Solicitor;
- d) the owner shall provide at least 30% 2-bedroom units and 10% 3-bedroom units within the proposed 11 storey building on the site;
- e) Prior to the issuance of the first building permit, the owner will submit a Construction Management Plan and Mitigation Strategy, to the satisfaction of the Chief Planner and Executive Director, City Planning, the General Manager, Transportation Services, and the Chief Building Official and Executive Director, Toronto Building, in consultation with the Ward Councillor and thereafter in support of the development, will implement the plan during the course of construction. The Construction Management Plan will include, but not be limited to, details regarding size and location of construction staging areas, dates and significant concrete pouring activities, mitigation strategies to reduce the impact on adjacent residents including negative effects of safety lighting, construction vehicle parking locations, refuse storage, site security, site supervisor contact information, and any other matters deemed necessary;
- f) Prior to the issuance of the first building permit, the owner will submit a Tenant Communication Plan to the satisfaction of the Chief Planner and Executive Director, City Planning Division;
- g) Any applications required to remove or injure trees (both City and private) to the satisfaction of the General Manager, Parks, Forestry and Recreation;
- h) prior to site plan approval, the owner shall submit a revised Wind Study for the proposed development and an undertaking to implement any necessary mitigation measures, to the satisfaction of the Chief Planner and Executive Director, City Planning Division;

- i) on-site dog amenities will be provided at the owner's expense with proper disposal facilities for the building residents including dog relief stations, to the satisfaction of the Chief Planner and Executive Director, City Planning Division;
  - j) the owner shall construct and maintain the development in accordance with Tier 1 performance measures of the Toronto Green Standard;
  - k) the owner shall be financially responsible for all costs associated with the excavation, improvement, removal and/or relocation of any above or below-grade public or private utility resulting from the development of this property to the satisfaction of the Chief Engineer and Executive Director, Engineering and Construction Services;
  - l) in support of development, the owner shall pay for and construct any improvements to the existing municipal infrastructure determined to be necessary as set out in a Functional Servicing Report accepted by the Chief Engineer and Executive Director Engineering and Construction Services;
  - m) the owner shall construct and maintain the indoor amenity space to be shared by both buildings;
  - n) the owner will provide and maintain new and renovated indoor amenity space to the satisfaction of the Chief Planner and Executive Director, City Planning in order to provide for at least the following: a common room with at least one boardroom table; a fitness and exercise room; and a party room that will include a kitchenette and direct access to a washroom;
  - o) the owner shall make available all indoor and outdoor amenity spaces generally as illustrated on the Ground Floor Plan for the proposed 11 storey building and existing building to tenants of both buildings without the need to pre-book or pay a fee, unless specifically required as customary practices for private bookings;
  - p) prior to the issuance of the first above-grade building permit for the site, no less than 603 square metres of unencumbered parkland shall be satisfactorily conveyed to the City, located on the north-east corner of the site with frontage on both Spadina Avenue and Sussex Avenue, pursuant to section 42 of the Planning Act. These lands shall meet Parks, Forestry and Recreation environmental requirements and base park conditions, as set out in the Memorandum to Community Planning and City Legal provided by Planning, Design and Development Parks, Forestry and Recreation dated September 27, 2016 as well as have no remaining underground parking garage structure beneath the park, to the satisfaction of the General Manager, Parks Forestry and Recreation; and
  - q) the owner shall be required to enter into Limiting Distance Agreements in relation to the new parkland should they be determined to be necessary by the General Manager, Parks, Forestry and Recreation.
10. City Council authorize the appropriate City Officials to take such actions as are necessary to implement the foregoing, including the execution of the Section 37 agreement.

## **Financial Impact**

There is no immediate financial impact of the recommendations in this report.

## **DECISION HISTORY**

By-law 20-69 to allow the existing 25-storey apartment building was approved by the Ontario Municipal Board on August 12, 1969 by Board Order No. 9480-69. The site was developed in the “tower in the park” style with the tower apartment building centred on the site surrounded by landscaped open space. The building occupies approximately 11% of the lot.

At its meeting of November 15, 2016 Toronto and East York Community Council (TEYCC) considered a Preliminary Report on the Zoning By-law Amendment application for 666 Spadina Avenue. TEYCC directed that staff hold a community consultation meeting with landowners and residents within 120 metres of the site, and that notice of the meeting also be sent to additional residents, institutions and owners in consultation with the Ward Councillor.

The Preliminary Report is available on the City's website at:

<http://www.toronto.ca/legdocs/mmis/2016/te/bgrd/backgroundfile-97802.pdf>

At its meeting of March 1, 2 and 3, 2004, Toronto City Council included 666 Spadina Avenue on the City's Heritage Register. The link to the decision may be found at:

<http://www.toronto.ca/legdocs/2004/agendas/council/cc040301/tscl006a.pdf>

The property includes a 25-storey building constructed in 1972.

## **ISSUE BACKGROUND**

### **Proposal**

The applicant proposes an 11-storey rental apartment building to be located south of the existing 25-storey apartment building, and new park at the corner of Spadina Avenue and Sussex Avenue. The existing 25-storey building will be retained as a rental apartment building. The proposed apartment building and the existing building will have a combined floor space index (FSI) of 4.16 and a combined lot coverage of 23% of the site, excluding driveways and open space. The existing building has an FSI of 2.73 times the area of the lot.

The proposed 11-storey mixed-use building includes approximately 10,307 square metres of GFA including approximately 685 square metres of at-grade retail and 9,622 square metres of residential GFA. Resident access to the new building will be located within the north elevation via a proposed 10-11 metre wide pedestrian clearway. The majority of the proposed building is consistent with the zero front lot line setback of the neighbouring building to the south, and is set back 6 metres from Spadina Avenue at the north end of the building, providing a retail spillover area and additional pedestrian circulation area.

On the Spadina Avenue elevation, the building including the mechanical penthouse fits beneath an angular plane measured at a height of 80% of the street width, or 28.8 metres. A stepback is provided above the third storey and the tenth floor. The rear of the mid-rise building steps down in 2-floor increments and is contained within a 45 degree angular plane taken from the opposite side of the rear

lane. The building is set back 5.5 metres from the rear property line at (Sussex Mews), 11 metres from the existing 25 storey building, and 5.5 metres from the south property line.

Improvements to the amenity areas and facilities of the existing 25 storey building will contribute benefits to existing and new tenants. Improvements include approximately 525 square metres of renovated indoor amenity space in the existing building, 335 square metres of amenity space in the new building, and 1,247 square metres of outdoor amenity space to be shared by both buildings. The site will also include approximately 603 square metre public park along the north side of the site that will provide a new community amenity in the neighbourhood. A publicly accessible walkway/clearway is proposed to provide pedestrian connectivity between Spadina Avenue and Sussex Mews.

The existing circular drive will be maintained and reflect the site's original landscape plan. A proposed POPS (privately owned publicly accessible open space) will flank the circular drive on the west side of the property along Sussex Mews.

Access to parking, loading, and servicing is proposed via the existing driveway from Sussex Avenue located to the rear of the existing building. A reconfigured pick-up and drop-off area is also proposed behind the existing apartment building which will include 3 visitor parking spaces. One Type G loading area will be provided within the ground floor of the proposed 11 storey building, which will be accessed from Sussex Avenue.

Currently, one level of the two-level underground parking garage is utilized by the existing 25-storey building. The proposed parking supply for the development includes using both levels of the existing underground parking to accommodate 196 spaces to serve both the new and existing building. The parking garage is accessed from the existing entrance next to the driveway entrance from Sussex Avenue. A total of 174 bicycle parking spaces are proposed on site. The specific siting will be determined at the site plan stage to ensure spaces are in a convenient location and do not interfere with site circulation.

Through the development approval process the applicant submitted three revised proposals (July 28, 2016, June 20, 2017, and September 11, 2017). The initial proposal included an 11-story building, 8 townhouses, and POPS. In consultation with Staff, the applicant made significant revisions to the proposal, including removing the townhouses, increasing building separation, amenity space improvements, and providing an on-site park.

## **Site and Surrounding Area**

The site is located at the southwest corner of Spadina Avenue and Sussex Avenue in the Harbord Village neighbourhood and is municipally known as 666 Spadina Avenue. The site has an area of 7,386 square metres with 131 metre frontage along Spadina Avenue and 58 metres along Sussex Avenue. The existing 25-storey apartment building contains 334 rental units. The applicant has categorized the unit rent levels for all existing apartments (excluding the two superintendent units). Based on the City's Official Plan housing definitions, one unit is considered affordable, 258 units have mid-range rents, and 73 units have high-end rents.

The existing building is a listed heritage building, originally designed by architect Uno Prii and the site is adjacent to the Harbord Village Heritage Conservation District.

The following uses surround the subject site:

- North: Sussex Avenue, a mix of low rise (2-3 storeys) commercial buildings fronting onto Spadina Avenue and the Robert Street Playground on the west side of Sussex Mews. 698-706 Spadina Avenue and 54 Sussex Avenue directly north is subject to a rezoning application number 16-194679 STE 20 OZ for a 23 storey mixed use building;
- South: A mix of low rise (2-3 storeys) houses which have been converted to commercial uses fronting onto Spadina Avenue, beyond which is Harbord Street;
- East: Spadina Avenue and a mix of house-form buildings, some with non-residential uses at grade, fronting onto Spadina Avenue. The University of Toronto St. George Campus is located east of Spadina Ave;
- West: Sussex Mews, which is a public laneway along the west of the site beyond which is a mix of detached, semi-detached, and townhouse dwellings.

### **Provincial Policy Statement and Provincial Plans**

The Provincial Policy Statement (2014) (the "PPS") provides policy direction Province wide on land use planning and development to promote strong communities, a strong economy, and a clean and healthy environment. It includes policies on key issues that affect communities, such as:

- the efficient and wise use and management of land and infrastructure over the long term in order to minimize impacts on air, water and other resources;
- protection of the natural and built environment;
- building strong, sustainable and resilient communities that enhance health and social well-being by ensuring opportunities exist locally for employment;
- residential development promoting a mix of housing; recreation, parks and open space; and transportation choices that increase the use of active transportation and transit; and
- encouraging a sense of place in communities, by promoting well-designed built form and by conserving features that help define local character.

The City of Toronto uses the PPS to guide its Official Plan and to inform decisions on other planning and development matters. The PPS is issued under Section 3 of the *Planning Act* and all decisions of Council affecting land use planning matters "shall be consistent with" the PPS.

The Growth Plan for the Greater Golden Horseshoe (2017) (the "Growth Plan") provides a strategic framework for managing growth in the Greater Golden Horseshoe region including:

- setting minimum density targets within settlement areas and related policies directing municipalities to make more efficient use of land, resources and infrastructure to reduce sprawl, cultivate a culture of conservation and promote compact built form and better-designed



communities with high quality built form and an attractive and vibrant public realm established through site design and urban design standards;

- directing municipalities to engage in an integrated approach to infrastructure planning and investment optimization as part of the land use planning process;
- building complete communities with a diverse range of housing options, public service facilities , recreation and green space that better connect transit to where people live and work;
- retaining viable employment lands and encouraging municipalities to develop employment strategies to attract and retain jobs;
- minimizing the negative impacts of climate change by undertaking stormwater management planning that assesses the impacts of extreme weather events and incorporates green infrastructure; and
- recognizing the importance of watershed planning for the protection of the quality and quantity of water and hydrologic features and areas.

Like other provincial plans, the Growth Plan builds upon the policy foundation provided by the PPS and provides more specific land use planning policies to address issues facing the GGH region. The policies of the Growth Plan take precedence over the policies of the PPS to the extent of any conflict, except where the relevant legislation provides otherwise. All decisions by Council affecting land use planning matters are required by the *Planning Act*, to conform, or not conflict, as the case may be, with the Growth Plan.

## **Official Plan**

The City of Toronto Official Plan contains a number of policies that apply to the proposed development. A link to the Official Plan can be found here:

In the Official Plan, the subject site is part of the *Downtown*. The site is designated *Neighbourhoods*. The application proposes to re-designate the site from *Neighbourhoods* to *Apartment Neighbourhoods*. Section 2.3.1 - Healthy Neighbourhoods states that new development in our *Neighbourhoods* and *Apartment Neighbourhoods* should respect the existing physical character of the area, reinforcing the stability of the neighbourhood.

Chapter Three - Building a Successful City identifies that most of the City's future development will be infill and redevelopment and, as such, will need to fit in, respect and improve the character of the surrounding area and limit its impacts on neighbouring properties and the public realm.

Section 3.1.5 of the Official Plan includes policies on Heritage Conservation. Properties on the Heritage Register are to be conserved and maintained and Heritage Impact Assessments will evaluate the impact of the proposed alteration to the property or adjacent properties on the Heritage Register.

Additionally, under Neighbourhoods Policy 4.1.4, apartment buildings legally constructed prior to the approval of the Official Plan in 2006 are permitted in Neighbourhoods. Further, Policy 4.1.10 in the Official Plan states: "Where development is proposed on a site with an existing apartment building in

Neighbourhoods, the new development must be grade-related and must also meet the criteria regarding infill development in Apartment Neighbourhoods."

#### Section 4.2 – Apartment Neighbourhoods

Official Plan Policy 4.2.3 related to infill development in *Apartment Neighbourhoods* indicates that significant growth is generally not intended within developed *Apartment Neighbourhoods*, however, compatible infill development may be considered on sites already containing an existing apartment building where sufficient underutilized space to accommodate an additional building is available while providing good quality of life for both new and existing residents.

Some of the criteria found in Policy 4.2.3 related to infill buildings include:

- locating and massing new buildings in a manner that provides transition between areas of different development and scale with the use of setbacks and/or stepping down of heights towards lower-scale *Neighbourhoods*;
- locating and massing new buildings so as to adequately limit shadow impacts on properties in adjacent lower-scale *Neighbourhoods*;
- maintaining an appropriate level of residential amenity on site; and,
- maintaining adequate sunlight, privacy and areas of landscaped open space for both new and existing residents.

#### Section 3.2.1 – Housing

The Official Plan also contains policies related to housing. Namely, section 3.2.1 – Housing requires that a full range of housing, in terms of form, tenure and affordability, will be provided and maintained to meet the current and future needs of residents.

Policy 3.2.1.5 provides that significant new development on sites containing 6 or more rental units, where the existing rental units will be kept in the new development, will secure the tenure of buildings where there are affordable or mid-range rents, and may also secure improvements to the existing buildings without pass-through of such costs to the tenants.

#### Section 5.3.1 – The Official Plan Guides City Actions

Section 5.3.1 of the Official Plan states that it is a statutory document and amendments to the Plan that are not consistent with its general intent will be discouraged and that Council will be satisfied that any development permitted under a Plan amendment will be compatible with its physical context and will not affect nearby *Neighbourhoods* in a manner contrary to the neighbourhood protection policies in the Plan.

The Official Plan is to be read as a comprehensive and cohesive whole. This application has been reviewed against all policies of the Official Plan. The City of Toronto Official Plan is available on the City's website at [http://www.toronto.ca/planning/official\\_plan](http://www.toronto.ca/planning/official_plan)

This proposal was reviewed against the policies described above as well as the policies of the Official Plan as a whole.

### **Official Plan Amendment 320**

As part of the City's ongoing Official Plan Five Year Review, City Council adopted Official Plan Amendment No. 320 (OPA 320) on December 10, 2015. OPA 320 strengthens and refines the Healthy Neighbourhoods, *Neighbourhoods* and *Apartment Neighbourhoods* policies to support Council's goals to protect and enhance existing neighbourhoods and to allow limited infill on underutilized apartment sites in *Apartment Neighbourhoods*.

The Minister of Municipal Affairs approved and modified OPA 320 on July 4, 2016. The Ministry received 57 appeals to OPA 320 and it has been appealed in its entirety. As a result, OPA 320 as approved and modified by the Minister is relevant but not determinative in terms of the Official Plan policy framework. The applicant appealed OPA 320 with respect to the *Neighbourhoods* and *Apartment Neighbourhoods* policies in Chapter Four on a site specific basis for the subject site but has agreed to withdraw this appeal. The staff report can be found at:

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2015.PG8.5>

### **Heritage**

The subject property includes a 25-storey building designed in the Modern style as interpreted by notable Toronto architect Uno Prii, and exhibits the slab tower form favoured in many of his commissions. A 'tower-in-a-park' plan is achieved by locating parking below grade, allowing for a generous green space between the building and Spadina Avenue, as well as lawn areas to the north along Sussex Avenue and to the south.

A Heritage Impact Assessment was submitted as required for this project to evaluate the impact of the proposed alterations to 666 Spadina Avenue as well as any adjacent heritage properties. The site is adjacent to a listed building to the east located across the street at 671 Spadina Avenue as well as to the Harbord Village Heritage Conservation District (Phase II) located immediately to the west of the subject property.

The HCD Plan Phase 2, Section 9.12 - Zoning and Application of District Guidelines to Property Adjacent to the District, contains the following policy about the issues pertaining to design adjacency: "These are the mixed commercial residential properties at College Street and Robert Streets, Harbord Street and Robert Street, as well as the north-west corner of Sussex Avenue and Spadina Avenue. The existing zoning on these properties is not creating undue incentive for redevelopment. In the event of redevelopment of any of these sites the existing zoning and height regime must be respected and the District Guidelines for Infill applied to ensure compatible development with the adjacent District."

### **Zoning**

The site is subject to former City of Toronto Zoning By-law 438-86. The site is also included within the new City-wide Zoning By-law 569-2013, which was enacted by City Council on May 9, 2013. This By-law is subject to appeals at the OMB and therefore, is not in-force. 666 Spadina Avenue is also subject to site specific Zoning By-law 20-69 to permit the existing 25-storey tower.

The subject site is zoned R3 Z1.0 under former City of Toronto Zoning By-law 438-86 and R(d1.0)(x852) under City-wide Zoning By-law 569-2013. Both of these zoning categories permit residential uses and also allow for select non-residential uses, such as retail stores, day nurseries, and places of worship, subject to certain conditions. The maximum height permitted by both Zoning By-laws 438-86 and 569-2013 is 12 metres.

## **TOcore**

'TOcore: Planning Downtown' is an initiative to prepare a 25-year plan for Toronto's Downtown along with a series of five infrastructure-related strategies, which will address: parks and public realm, community services and facilities, mobility, energy, and water. This plan, working in tandem with its accompanying strategies, will provide a blueprint to manage the growth and intensification being experienced and anticipated to continue in the Downtown.

The Downtown study area is bounded by Lake Ontario to the south, Bathurst Street to the west, the mid-town rail corridor and Rosedale Valley Road to the north and the Don River to the east. A new Downtown Plan will be developed for the Downtown geography, establishing a renewed vision and local development policies to guide growth and development. The Downtown Plan will provide an integrated planning framework and structure addressing elements of land use, built form, housing, office, institutional, retail, parks and open spaces, community facilities, streets, transit, energy and water. Emphasis is being placed on keeping Downtown an inclusive and affordable place for vulnerable populations.

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'.

On September 7, 2017, Planning and Growth Management Committee considered a staff report titled "TOcore: Proposed Downtown Plan". Attached to the report were the Proposed Downtown Plan Policies. Planning and Growth Management Committee added a recommendation at its meeting, requesting City Planning staff to consider the Proposed Downtown policies during the evaluation of current and future development applications in the Downtown Plan area and continue to refine the policies in consultation with stakeholders and the community.

Additional information is available on the study website at: [www.toronto.ca/tocore](http://www.toronto.ca/tocore).

## **Spadina Avenue Built Form Study**

On February, 14, 2012, the Toronto and East York Community Council adopted City Planning staff to review the policy context for the lands fronting on Spadina Avenue generally from Front Street West to Bloor Street West. In response to Community Council's direction, City Planning staff are undertaking the Spadina Avenue Built Form Study, which will identify ways to refine the planning framework in the area and set a clear vision for future development and the public realm that builds upon the character of Spadina Avenue. The vision will be defined in new planning documents which may include Official Plan Amendments, Zoning By-law changes, design guidelines, and heritage designations.

For more information please see the Preliminary Report (July 9, 2014) on the Spadina Avenue Built Form Study:

<http://www.toronto.ca/legdocs/mmis/2014/te/bgrd/backgroundfile-71665.pdf>

## **Official Plan Amendment 368 – Knox College**

At its meeting of January 31, 2017, City Council adopted Official Plan Amendment 368. Official Plan Amendment 368 deletes and replaces Heritage Policy A.5 which relates to the former Knox College, the new provision requires that identified views from the public realm at the southeast and southwest corners of College Street and Spadina Avenue as identified on Map 7B of the Official Plan "will include the prevention of any further intrusion into the silhouette view against the sky above the spires and the east and west wing ridgeline of Knox College in its entirety. The views from the identified public realm of College Street to and beyond Knox College in its entirety will be conserved". OPA 368 is currently under appeal and therefore is not in force, however it was considered in the review of this application as it is Council-adopted and represents the latest planning thinking, and as such it is relevant but not determinative.

A link to the City Council direction and report from the Chief Planner and Executive Director, City Planning can be found below:

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2017.TE21.1>

## **Avenue and Mid-Rise Guidelines**

The City's Performance Standards for Mid-rise Buildings are typically applied to proposed mid-rise buildings along *Avenues* as indicated by Official Plan Map 2. Despite the fact that this section of Spadina Avenue is located in the *Downtown* and not considered an *Avenue* by the Official Plan, the Performance Standards for Mid-rise Buildings nonetheless provides a useful evaluative framework against which to consider the appropriateness of mid-rise developments.

City Planning prepared a report for Planning and Growth Management Committee summarizing the 5-year monitoring period for the Mid-Rise Building Performance Standards and recommendations for next steps. In June 2016, City Council approved the Mid-Rise Building Performance Standards Addendum (April 20, 2016). The Addendum is to be used by City Staff together with the 2010 approved Mid-Rise Building Performance Standards during the evaluation of development applications where mid-rise buildings are proposed and the Performance Standards are applicable.

The Performance Standards and Addendum may also be used to help inform the preparation or review of area studies and policies involving mid-rise buildings. The Addendum is approved as an interim supplement to the 2010 Performance Standards until such time as Council considers and adopts updated Mid-Rise Building Design Guidelines, which is targeted for the fourth quarter of 2017.

Links to the Council Decision and Addendum are below:

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2016.PG12.7> and Attachment 1: Mid-Rise Building Performance Standards Addendum (April 20, 2016)

<http://www.toronto.ca/legdocs/mmis/2016/pg/bgrd/backgroundfile-92537.pdf>.

## **Tree Preservation**

The applicant has submitted an Arborist Report in support of this application. The Arborist Report proposes the removal of 2 City-owned trees, both of which will require permits for removal. This document was reviewed by Urban Forestry. The owner will be required to obtain the necessary permits and submit a satisfactory replanting plan prior to the removal of any protected trees.

## **Site Plan Control**

The application is subject to site plan control. A Site Plan Control application has not been submitted.

## **Reasons for Application**

An Official Plan Amendment application has been proposed to re-designate the site from *Neighbourhoods* to *Apartment Neighbourhoods*. In addition, a portion of the site will be re-designated from *Neighbourhoods* to *Parks*.

The application has been submitted as the applicant requires amendments to the former City of Toronto Zoning By-law 438-86 and the new City-wide Zoning By-law 569-2013. Both Zoning By-laws 438-86 and 569-2013 permit a maximum height of 12 metres and a density of 1.0 times the area of the lot, while the proposed development contemplates a height of 40.5 metres, including mechanical penthouse, and a density of 4.18 times the area of the lot. In addition, the proposed building does not comply with the site specific standards affected by Zoning By-law 20-69, which among other standards, sets a maximum Gross Floor Area of 2.86 times the area of the lot and requires that 67% of the lot is maintained as landscaped open space.

In addition, the proposed building does not comply with other Zoning By-law standards in effect on the lands, including the proposed quantity of parking and loading spaces.

## **Community Consultation**

A Community Consultation Meeting was held by Planning Staff on November 29, 2016, at the Knox Presbyterian Church. This meeting was attended by approximately 30 people. At the time, a number of concerns were raised with the proposal including insufficient window facing distances between the proposed and existing building, limited on-site landscaping, and issues with respect to density, potential shadow impact, overlook, and traffic issues in the area.

Feedback was also provided to Staff on this application via emails and telephone calls from area residents. Comments and concerns were generally consistent with the feedback provided at the Community Consultation Meeting. As a result of discussions between staff, the applicant and comments received from the community, appropriate revisions were made by the applicant to mitigate these concerns. These include: removal of the at-grade parking spaces and proposed townhouses and replacement of these areas with a new POPS (privately owned publicly accessible open space) and public park; increased separation distances to improve privacy between the two buildings and to optimize day lighting into the proposed building and open space; indoor amenity space enhancements; modifications to the loading arrangement, which will restrict loading and servicing from Sussex Mews; and, general improvements to the proposed landscape and open space program.

## **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

### Provincial Policy Statement and Provincial Plans

Staff have considered the Provincial Policy Statement (PPS) and the Growth Plan (GP) in evaluating the proposed development. Section 1.0 – Building Strong Healthy Communities states (in part) that healthy, liveable and safe communities are sustained by, among other matters, accommodating an appropriate range and mix of residential uses (including affordable housing and housing for older persons), employment, institutional, recreation, park and open space, and other uses to meet long-term needs.

Policy 1.1.3.3 of the PPS refers to appropriate locations for intensification and redevelopment and Policy 1.1.3.4 refers to appropriate development standards to facilitate intensification, redevelopment and compact form, while avoiding or mitigating risks to public health and safety. Policy 4.7 of the PPS refers to the Official Plan as the most important vehicle for implementing the PPS and as such the development standards in the Official Plan have particular relevance. The Official Plan section of this report evaluates the appropriateness of the subject site for intensification. Appropriate development standards are described in the Official Plan, the Avenues and Mid Rise Design Study, and the Mid-Rise Building Performance Standards Addendum.

Guiding Principle 1.2.1 of the GP supports the achievement of *complete communities* and among other principles, supports a range and mix of housing options. Policy 2.2.1 states that the vast majority of growth will be directed to *settlement areas* and within *settlement areas* growth will be focused in *delineated built-up areas*. Policy 2.2.2.4 b) refers to identifying the appropriate type and scale of development and transition of built form to adjacent areas.

Staff have reviewed the proposal and are of the opinion that the location is appropriate for intensification. In this respect the proposed development is consistent with the Provincial Policy Statement (2014) and does not conflict with the Growth Plan for the Greater Golden Horseshoe (2017).

### Land Use

The City's Official Plan designates the subject property as *Neighbourhoods* and includes a site specific By-law 20-69 that predates the 2006 Official Plan and permits the existing 25 storey apartment building. In addition, the site is located along a Transit Priority Segment and Higher Order Transit Corridor and is an appropriate location for intensification.

### Density, Height, Massing

The proposed new building will have a height of 11 storeys (40.5 metres including mechanical penthouse), which is more than the 12 metre as-of-right height and will increase the density from 2.86 times the area of the lot to 4.16 times the area of the lot.

The application proposes to re-designate the site from *Neighbourhoods* to *Apartment Neighbourhoods*. Section 2.3.1 - Healthy Neighbourhoods states that new development in our *Neighbourhoods* and *Apartment Neighbourhoods* should respect the existing physical character of the area, reinforcing the stability of the neighbourhood. Policy 4.1.10 allows for new development on a site with an existing apartment building. The infill criteria for *Apartment Neighbourhoods* state that significant growth is generally not intended within developed *Apartment Neighbourhoods*, however, compatible infill

development may be considered. To this end, *Apartment Neighbourhoods* Policy 4.2.3 provides development criteria that serve as an evaluation framework related to infill development on a site containing an existing apartment building, indicating that the proposed building will:

- a) meet the development criteria for apartments (which includes locating and massing new buildings in a manner that provides transition between areas of different development and scale and limiting shadow impacts on properties in adjacent lower-scale Neighbourhoods;
- b) maintain an appropriate level of residential amenity on the site;
- c) maintain existing sunlight, privacy and areas of landscaped open space for both new and existing residents;
- d) organize development on site to frame streets, parks and open space in good proportion, provide adequate sky views from the public realm, and create safe and comfortable open spaces;
- e) front onto and provide pedestrian entrances from an adjacent public street whenever possible;
- f) provide adequate on-site, below grade, shared vehicular parking for both new and existing development, with any surface parking properly screened;
- g) preserve and/or replace important landscape features and walkways and create such features where they did not previously exist; and
- h) preserve or provide adequate alternative on-site recreational space for residents.

Redesignation to *Apartment Neighbourhoods* would be consistent with the existing 25-storey building and the surrounding mixed use development context along Spadina Avenue. The proposed development is compatible with the *Apartment Neighbourhoods* development criteria in that it is of a height, massing and density that does not adversely impact adjacent *Neighbourhoods* properties. The adjacent *Neighbourhoods* properties are located to the south and to the west of the site. The orientation and massing of the proposed development provides appropriate transitions between the surrounding lower-scale buildings including a number of setbacks, and height transitions keeping within a 45 degree angular plane from Sussex Mews to the west.

Due its mid-rise form, the application has been reviewed against the performance standards contained within the Avenues and Mid-Rise Buildings Study. The applicant has substantially met the performance standards contained within the Study with some minor variation. Where there is variation from the performance standards there is no adverse impact on the surrounding properties.

To protect sunlight, skyview, and privacy conditions for residents of both buildings on the subject site, a number of design features were included such as 11 metre separation distances between the new building and the south end wall of the existing building with no windows, as well as appropriate setbacks and angular planes from Spadina Avenue and Sussex Mews.

The existing zoning has a 12 metre height limit for the site, with a 25 storey height permission for the existing building through By-law 20-69. The proposed building has a height of 40.5 metres including the mechanical penthouse.



City policy generally seeks to implement mid-rise buildings with heights no greater than the width of the adjacent right-of-way. This 1:1 ratio permits a built form that mitigates visual impacts on the public realm and adjacent land uses with respect to shadow and overlook. On Spadina Avenue, which has a right-of-way width of 36 metres, a mid-rise building meeting this ratio could reach 36 metres in height, with building step backs at 80% of the maximum height, at 29 metres or approximately 10 storeys and them up to 11 storeys. The proposed building slightly exceeds the 1:1 ratio but is acceptable given that the mechanical units fit within the angular plane and the massing above 36 metres or 11 storeys are mechanical and not residential units.

Performance Standard 5A of the Avenues and Mid-Rise Buildings study outlines the angular plane requirements for the rear of buildings on deep lots (51.8 metres deep). The purpose of this Performance Standard is to ensure that appropriate transition occurs to adjacent low-scale residential neighbourhoods and to mitigate against potential shadow, privacy and overlook concerns. The building is required to be set back a minimum of 7.5 metres from west side of the lane within a 45 degree angular plane. The proposed building is consistent with this performance standard.

Staff also considered the area context when evaluating appropriateness. Although, the site is adjacent to lower scale development to the west along Sussex Mews, the general area context includes the existing 25-storey residential apartment building on the north side of the site, a 20-storey mixed-use building at 732-740 Spadina Avenue, and the 8-storey University of Toronto Graduate house at 60 Harbord Street to east of the site. The proposed 11-storey mixed-use development is compatible with the built form and context of the area.

With respect to density, the existing zoning permits an FSI (Floor Space Index) of 2.86 times the area of the lot. The proposed development includes a total density of 4.16 times the area of the lot. Staff is of the opinion that the site can accommodate a development of this size, scale, and form and the proposed density is appropriate.

## **Heritage**

Heritage Preservation Services staff have reviewed the HIA along with architectural drawings submitted with the application. Overall, the applicant has responded positively to staff recommendations to reduce the amount of proposed intensification to the site and to retain as much as green space around the existing tower and conservation of heritage attributes of the existing tower that includes an entry canopy.

The revised proposal includes intensification only at the south side of the property with an 11-storey building with an increased separation distance between the new and existing buildings. Minor alterations are proposed to the existing tower that includes the addition of flat canopies along the ground floor of the west elevation. Staff will continue to work with the applicant through the site plan control process on material selection of the new building and the design of the new canopies with regard to the existing heritage building as well as the landscape plan of the entire development property.

## **Dwelling Unit Mix**

The Official Plan Policy 3.2.1 encourages the provision of a full range of housing in terms of form, tenure and affordability to meet current and future needs of residents. In order to encourage a broader mix of dwelling units and larger units suitable for families Planning Staff requested an increase in the overall amount of 2- and 3-bedroom units and the size of units to ensure that units suitable for larger households were included in the development.

In the revised submission, approximately 133 dwelling units are proposed. The applicant has agreed to provide a minimum of 44% of these units as 2-bedroom units with a minimum of 11% 3-bedroom units, which is consistent with Official Plan objectives and at a level acceptable to staff. Staff will secure a minimum percentage of the units as 2- and 3-bedroom units in the Zoning By-law.

## **Shadow**

The Official Plan requires new development to be massed to fit harmoniously into its existing and/or planned context by adequately limiting any resulting shadowing on neighbouring streets, properties, and open spaces. A sun and shadow study was prepared by the applicant for the spring and fall equinox (March 21<sup>st</sup> and September 21<sup>st</sup>) and review has determined that minimal shadow impacts on properties to the west will be created by the proposed development.

## **Wind**

The applicant plans propose using glass panels, a trellis, and canopy to reduce pedestrian level wind impacts between the existing tower and the new building.

Additional wind mitigation measures are recommended for the outdoor amenity areas and within the area between the two buildings. Staff are satisfied with the results of the wind assessment and recommend that required mitigation measures such as screens and plantings and other measures be secured through the site plan process.

## **Privacy and Overlook**

Staff have reviewed the drawings with respect to potential privacy and overlook concerns. Staff are confident that the proposed building step backs, setbacks, and separation distances described in this report will satisfactorily address privacy and overlook issues.

## **Amenity Space**

Zoning By-law 438-86 requires a minimum of 2 m<sup>2</sup> per unit each of indoor and outdoor amenity space and By-law 569-2013 requires a combined amenity of 4.0 m<sup>2</sup> per unit. The applicant is providing 860 square metres of indoor amenity space (1.84 m<sup>2</sup> per unit) and 1,237 square metres of outdoor amenity space (2.65 m<sup>2</sup> per unit), which is acceptable to Staff. The design and configuration of the amenity space will be secured through the site plan process.

## **Publicly Accessible Open Space (POPS)**

The applicant is proposing a POPS of approximately 725 square metres, and an east-west walkway between the new and existing building that will provide unobstructed pedestrian access through the site. The POPS location will be secured in the zoning by-law amendment and its design determined through the site plan process.

## **Parks**

One of the most positive features of the proposed development includes the provision of a 603 square metre public park within the area previously proposed for the townhouse block at the north end of the site. The future design of the park will be determined in consultation with area residents in coordination with the Ward Councillor and City Planning.

## **Traffic Impact, Access, Parking**

The applicant submitted a traffic impact study which concluded that the proposal will have minimal traffic impacts on area intersections and additional traffic can be accommodated on the adjacent road network.

The site currently contains a 2-level parking structure and an at-grade visitor parking lot. The at-grade parking lot is proposed to be removed and the below grade parking structure will be reconfigured to accommodate the proposed development. Three at-grade vehicular parking spaces will be provided. Zoning By-law 569-2013 requires 310 resident spaces, and By-law 438-86 would require 289 spaces for the existing and proposed buildings. The applicant is proposing a residential parking supply rate of 0.34 spaces per unit, or 159 residential spaces and 37 visitor spaces, which is acceptable to Staff.

Through a parking survey undertaken by the applicant, the proposed parking supply rate is found to exceed the parking demand rates generated by the existing building. In review of the transportation context of the area, data collected on-site, and parking supplies of nearby comparable development, the parking reduction in the tenant parking supply was found to be appropriate and suitable.

## **Bicycle Parking**

The proposed bicycle parking supply meets the requirements of Zoning By-Law 569-2013. 120 Long-term bicycle parking spaces and 14 short-term surface bicycle parking spaces will be provided for the proposed building.

## **Loading and Solid Waste**

A Type G loading space is required for all developments that contains 30 or more residential units. The Type G loading space (4.0 meters wide, 13.0 meters long and 6.1 meters high) will be located within the ground floor along the north elevation of the proposed 11 storey building. A shared Type G/B loading space is proposed to accommodate retail deliveries and garbage collection.

Loading access will be from Sussex Avenue and restricted from Sussex Mews and retail deliveries are proposed to be scheduled in a manner that does not conflict with City garbage collection. Staff require additional information on the drawings to demonstrate loading space dimensions and the access to the loading space before Bills can be adopted by City Council.

## **Servicing**

Staff requested a revised Site Servicing and Grading Plan, Functional Servicing and Storm Management Report and Hydrogeological Site Assessment. Bills related to this development will be held until such time as these plans and reports are accepted to the satisfaction of the Director of Engineering and Construction 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 acquisition priority area, as per Chapter 415, Article III of the Toronto Municipal Code.

The application is for the retention of the existing residential rental building and the construction of one new building which will contain 685 m<sup>2</sup> non-residential gross floor area and 133 residential units consisting of 9,622 m<sup>2</sup> residential gross floor area. Due to the retention of the existing residential building, the park levy will be applied to the full site area of 6,366 m<sup>2</sup>.

At the alternative rate of 0.4 hectares per 300 units specified in Chapter 415, Article III of the Toronto Municipal Code, the parkland dedication requirement is 1,773 m<sup>2</sup> or 30% of the site area. However, for sites that are less than 1 hectare in size, a cap of 10% of the development site is applied to the residential use while the non-residential use is subject to a 2% parkland dedication. In total, the parkland dedication requirement is 603m<sup>2</sup>.

The applicant is required to satisfy the parkland dedication requirement through an on-site dedication. The park is to be located on the north east corner of the site with frontage on both Sussex Avenue and Spadina Avenue.

Given the current rise in dog population in the downtown area, especially within condominium towers, the applicant is expected to provide on-site dog off-leash amenities with proper disposal facilities for the building residents or dog relief stations within the building. This will help to alleviate some of the pressure on the existing neighbourhood parks.

Any structures constructed on the land abutting the park, or openings added to existing structures abutting the park, shall be subject to limiting distance requirements established under the Ontario Building Code Act, 1992. Prior to the issuance of any above grade buildings permits, the owner will be required to provide information to the appropriate staff in Parks, Forestry and Recreation. If the City agrees to enter into a Limiting Distance Agreement, the City will require compensation for the affected area. The requirement for the Limiting Distance Agreement will be secured through the Section 37 Agreement.

This report has been prepared in consultation with Parks, Forestry and Recreation and City Finance staff.

## **Streetscape**

Policy 3.1.2.4 of the Official Plan requires that new development enhance the existing streetscape by massing new development to define the edges of streets, parks and open spaces at good proportion. The Official Plan also requires that attention be given to the streetscape by ensuring that these areas are attractive, comfortable and functional for pedestrians through landscaping and setbacks that create attractive transitions from the public to private realms.

Performance Standard 7A of the Mid-rise guidelines calls for new developments to provide for a minimum 4.8 metre sidewalk width. The 4.8 metre dimensions allows for a curb edge, a 1.83 metre continuous tree trench, a 2.1 metre pedestrian clearway, and additional space adjacent to the building for uses such as cafes and marketing space.

The proposed structure will be set back 4.8 metres from the curb along Spadina Avenue and is sufficient to provide landscaping and a pedestrian walkway.

## **Tree Preservation**

The Arborist Report submitted in support of the application indicates that there are 31 trees within and immediately adjacent to the subject site that qualify for protection under the City's Tree Protection By-law. Of these, 2 City-owned trees will be removed and 4 City-owned trees are proposed to be protected, and 10 privately-owned trees are proposed to be removed.

Applications to remove or injure trees (both City and private) must be submitted to Urban Forestry before City Council adopts the Bills associated with this Zoning By-law Amendment Application.

Parks Forestry and Recreation has requested the installation of new 'large growing native shade' trees at a three to one ratio on the private property and more trees planted on the City road allowance. These landscape and public realm details will be secured through the site plan approval process.

## **Toronto Green Standard**

In 2013 City Council updated the two-tiered Toronto Green Standard (TGS) that was adopted by City Council on October 27, 2009. 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.

## **Tenure**

The tenure for the proposed units is rental housing. From a planning perspective, the proposed development satisfies the Official Plan's objectives with respect to providing and maintaining a full range of housing in terms of form, tenure and affordability.

## **Rental Housing**

The 334 existing rental units will be secured as rental housing for a period of at least 20 years through an agreement with the City. Tenants of the existing rental building will benefit from the provision of renovated and new amenity space within both the existing and new buildings. The existing amenity space in the building has not been used for an extensive period of time and existing tenants do not have access to any indoor amenity space today. Providing indoor and outdoor amenity space beyond what is required for only the new building supports both the ongoing viability of the building as purpose-built rental housing as well as the objective of providing a benefit to existing tenants through improved shared amenity space.

The new indoor amenity space will include a common room available for tenant meetings, reading or study, fitness and exercise room, and a party room with a kitchenette and access to a washroom. Tenants will be consulted on the final designs for the indoor and outdoor amenity space in order to ensure it meets the needs of current and future tenants. Tenants of both the existing and new building will have full and equal access to the amenity space in both buildings.

Staff will work with the owner to finalize Construction Mitigation and Tenant Communication strategies to ensure that construction activity does not unduly impact existing tenants.

The proposal for improvements to the existing rental building and agreement to maintain the tenure as rental housing conforms with Official Plan policy 3.2.1.5.

### **Section 37**

Before introducing the necessary Bills to City Council for enactment, the owner(s) will be required to enter into an Agreement pursuant to Section 37 of the *Planning Act* satisfactory to the City Solicitor and in consultation with the Chief Planner and Executive Director, City Planning Division.

The following matters are proposed to be secured through a Section 37 Agreement:

1. Prior to the issuance of the first above-grade building permit, the owner shall pay a cash contribution of \$800,000.00 to the City to be allocated as follows;
  - i. \$400,000 towards new affordable housing in Ward 20, at the discretion of the Chief Planner and Executive Director, City Planning, in consultation with the Ward Councillor; and
  - ii. \$400,000 towards local streetscape, and/or public realm, and/or neighbourhood greening improvements in the vicinity which may include those identified as part of the Harbord Village Green Plan at the discretion of the Chief Planner and Executive Director, City Planning, in consultation with the Ward Councillor.
2. the payment amounts identified in "1" above shall be indexed upwardly in accordance with the Non-Residential Construction Price Index for Toronto, calculated from the date of execution of the Section 37 Agreement to the date of payment; and
3. in the event the cash contributions referred to in "1" above have not been used for the intended purpose within three (3) 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, City Planning, in consultation with the Ward Councillor, provided that the purpose is identified in the Toronto Official Plan and will benefit the community in the vicinity of the lands.
4. The following matters are recommended to be secured in the Section 37 Agreement as a legal convenience to support development, at the owner's expense, all to the satisfaction of the Chief Planner and Executive Director, City Planning and the City Solicitor;
  - a) the owner shall provide and maintain a publicly accessible pedestrian clearway across private property between Spadina Avenue and Sussex Mews, generally within the area identified as "Pedestrian Walkway Easement for Public Access" as shown on Attachment 7 and 8 of the Zoning By-law amendment, with the specific location, configuration and design to be determined in the context of a site plan approval pursuant to Section 114 of the City of Toronto Act, 2006, as amended and, as applicable, Section 41 of the Planning Act, as amended, and secured in a Site Plan Agreement with the City;

- b) the owner shall provide and maintain to the satisfaction of the Chief Planner and Executive Director, City Planning, a privately owned publicly accessible open space (POPS) for an area having a minimum size of 725 square metres as identified as "Privately Owned Publicly Accessible Open Space" at ground level on Attachment 1 of the Zoning By-law amendment, with the specific location, configuration and design to be determined in the context of a site plan approval pursuant to Section 114 of the City of Toronto Act, 2006, as amended and, as applicable, Section 41 of the Planning Act, as amended, and secured in a Site Plan Agreement with the City;
- c) the owner shall provide and maintain the 334 existing rental housing units at 666 Spadina Avenue as rental housing for the period of at least 20 years, from the date of the Zoning By-law coming into full force and effect, with all associated facilities and building amenity improvements to be secured for the rental housing units, at no extra cost to the existing tenants, and with no applications for demolition or conversion from residential rental use, to the satisfaction of the Chief Planner and Executive Director, City Planning Division and the City Solicitor;
- d) the owner shall provide at least 30% 2-bedroom units and 10% 3-bedroom units within the proposed 11 storey building on the site;
- e) Prior to the issuance of the first building permit, the owner will submit a Construction Management Plan and Mitigation Strategy, to the satisfaction of the Chief Planner and Executive Director, City Planning, the General Manager, Transportation Services, and the Chief Building Official and Executive Director, Toronto Building, in consultation with the Ward Councillor and thereafter in support of the development, will implement the plan during the course of construction. The Construction Management Plan will include, but not be limited to, details regarding size and location of construction staging areas, dates and significant concrete pouring activities, mitigation strategies to reduce the impact on adjacent residents including negative effects of safety lighting, construction vehicle parking locations, refuse storage, site security, site supervisor contact information, and any other matters deemed necessary;
- f) Prior to the issuance of the first building permit, the owner will submit a Tenant Communication Plan to the satisfaction of the Chief Planner and Executive Director, City Planning Division;
- g) Any applications required to remove or injure trees (both City and private) to the satisfaction of the General Manager, Parks, Forestry and Recreation;
- h) prior to site plan approval, the owner shall submit a revised Wind Study for the proposed development and an undertaking to implement any necessary mitigation measures, to the satisfaction of the Chief Planner and Executive Director, City Planning Division;
- i) on-site dog amenities will be provided at the owner's expense with proper disposal facilities for the building residents including dog relief stations, to the satisfaction of the Chief Planner and Executive Director, City Planning Division;

- j) the owner shall construct and maintain the development in accordance with Tier 1 performance measures of the Toronto Green Standard;
- k) the owner shall be financially responsible for all costs associated with the excavation, improvement, removal and/or relocation of any above or below-grade public or private utility resulting from the development of this property to the satisfaction of the Chief Engineer and Executive Director, Engineering and Construction Services;
- l) in support of development, the owner shall pay for and construct any improvements to the existing municipal infrastructure determined to be necessary as set out in a Functional Servicing Report accepted by the Chief Engineer and Executive Director Engineering and Construction Services;
- m) the owner shall construct and maintain the indoor amenity space to be shared by both buildings;
- n) the owner will provide and maintain new and renovated indoor amenity space to the satisfaction of the Chief Planner and Executive Director, City Planning in order to provide for at least the following: a common room with at least one boardroom table; a fitness and exercise room; and a party room that will include a kitchenette, and direct access to a washroom;
- o) the owner shall make available all indoor and outdoor amenity spaces generally as illustrated on the Ground Floor Plan for the proposed 11 storey building and existing building to tenants of both buildings without the need to pre-book or pay a fee, unless specifically required as customary practices for private bookings;
- p) prior to the issuance of the first above-grade building permit for the site, no less than 603 square metres of unencumbered parkland shall be satisfactorily conveyed to the City, located on the north-east corner of the site with frontage on both Spadina Avenue and Sussex Avenue, pursuant to section 42 of the Planning Act. These lands shall meet Parks, Forestry and Recreations environmental requirements and base park conditions, as set out in the Memorandum to Community Planning and City Legal provided by Planning, Design and Development Parks, Forestry and Recreation dated September 27, 2016 as well as have no remaining underground parking garage structure beneath the park, to the satisfaction of the General Manager, Parks Forestry and Recreation; and
- q) the owner shall be required to enter into Limiting Distance Agreements in relation to the new parkland should they be determined to be necessary by the General Manager, Parks, Forestry and Recreation.



## **CONCLUSION**

Staff recommend that the proposed application be approved. The application proposes a 11-storey rental apartment building including at-grade retail uses, a public park, a new POPS, and retain the existing 25-storey rental building. The applicant has made a number of significant revisions to the proposal since the first submission to address City and residents' comments and concerns. The development as revised will add to the diversity, vitality and interest of the neighbourhood. The building has been carefully massed to provide appropriate light, privacy, skyview, transition to *Neighbourhoods*, which includes an appropriate base building on Spadina Avenue. The proposed POPS, site landscaping, and new park will make a significant contribution to and enhance the public realm given the prominent location of this site. The development represents an appropriate form of residential intensification for Spadina Avenue that is sensitive to the broader neighbourhood.

## **CONTACT**

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Fax No (416) 395-1330  
E-mail: pmule@toronto.ca

## **SIGNATURE**

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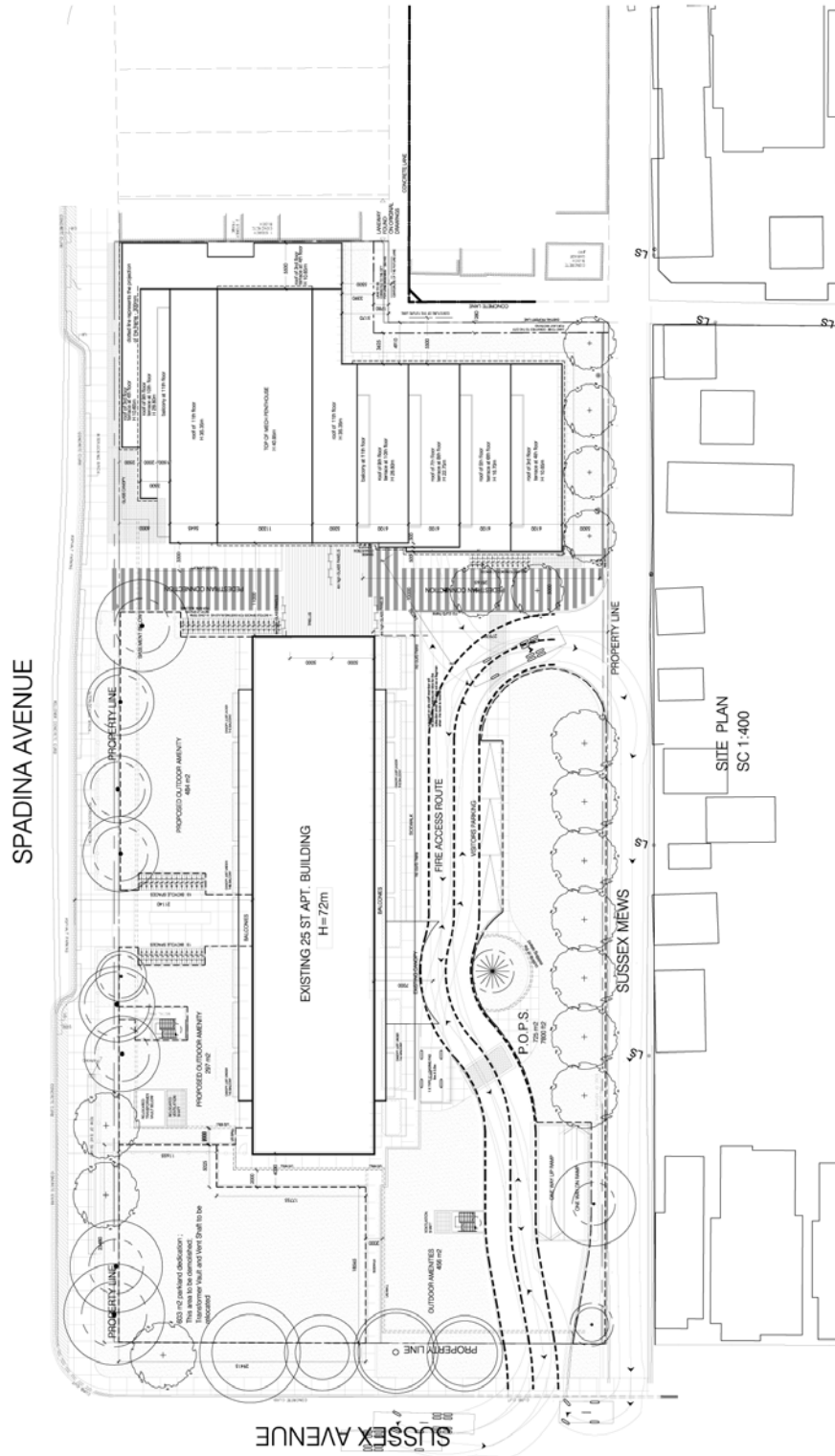
Gregg Lintern, MCIP, RPP  
Director, Community Planning  
Toronto and East York District

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## **ATTACHMENTS**

Attachment 1: Site Plan  
Attachment 2: East Elevation  
Attachment 3: West Elevation  
Attachment 4: North Elevation  
Attachment 5: South Elevation  
Attachment 6: Zoning  
Attachment 7: Official Plan  
Attachment 8: Application Data Sheet  
Attachment 9: Draft Official Plan Amendment  
Attachment 10: Draft Zoning By-law Amendment (438-86)  
Attachment 11: Draft Zoning By-law Amendment (569-2013)

# Attachment 1: Site Plan



666 Spadina Avenue

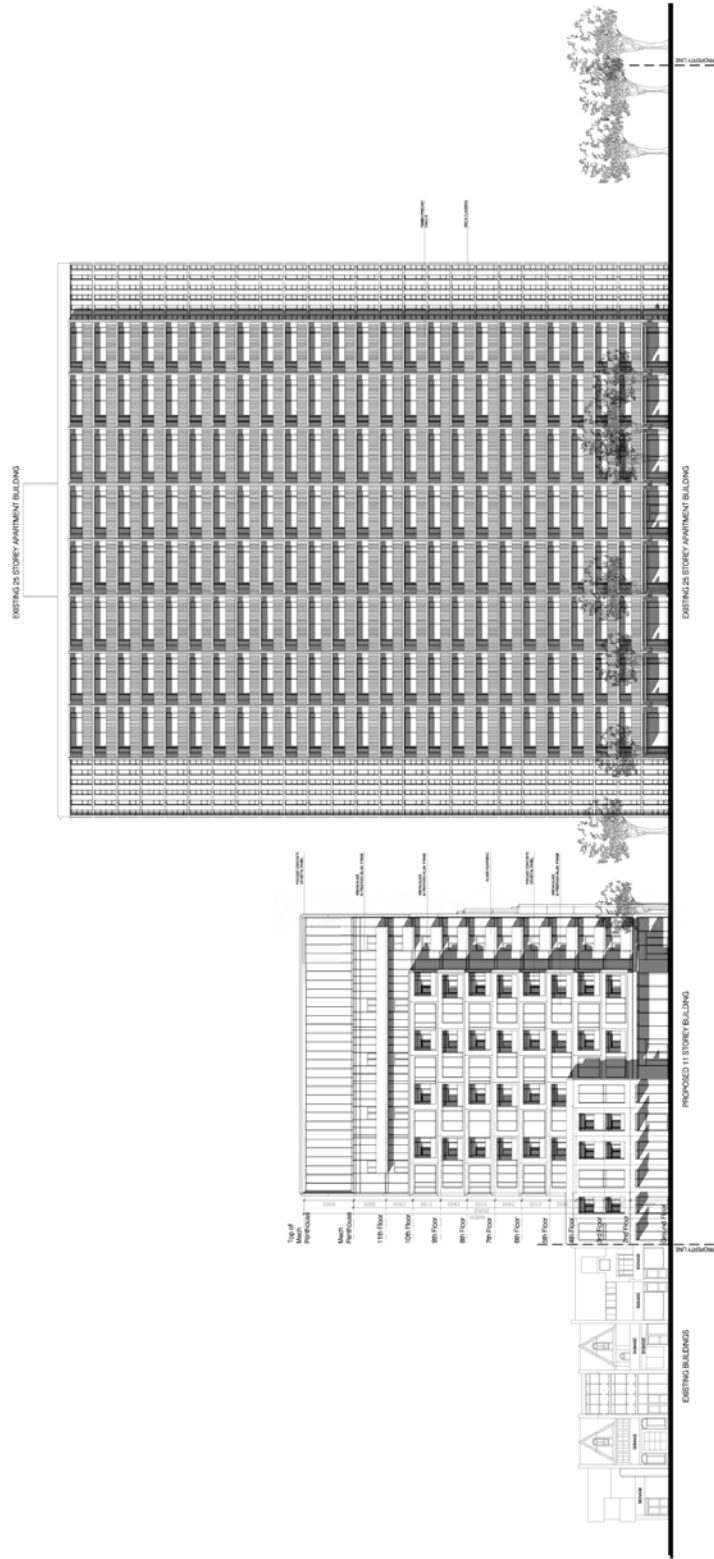
File # 16 198194 STE 20 0Z

Site Plan

Applicant's Submitted Drawing

Not to Scale  
09/29/2017

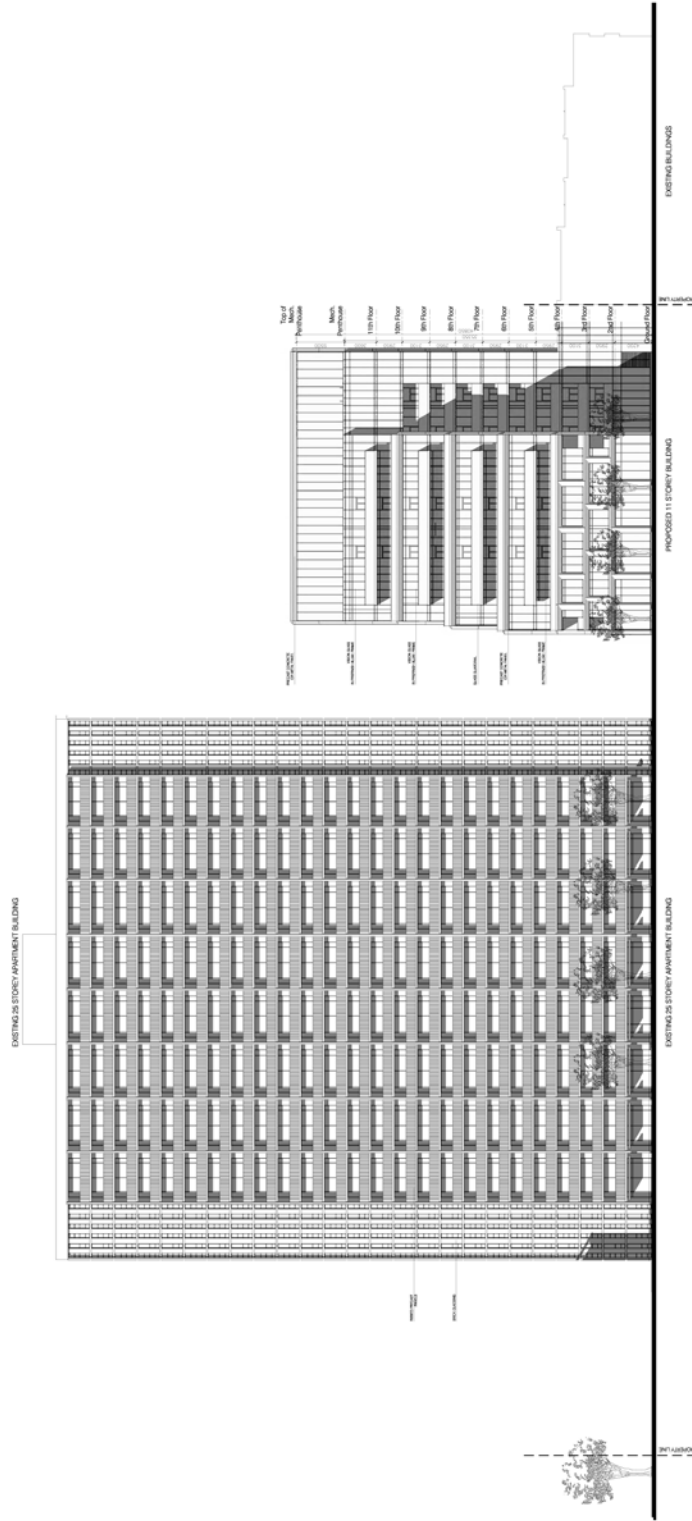
# Attachment 2: East Elevation



**East Elevation**  
 Applicant's Submitted Drawing  
 Not to Scale  
 09/29/2017

**666 Spadina Avenue**  
 File # 16 198194 STE 20 0Z

**Attachment 3: West Elevation**



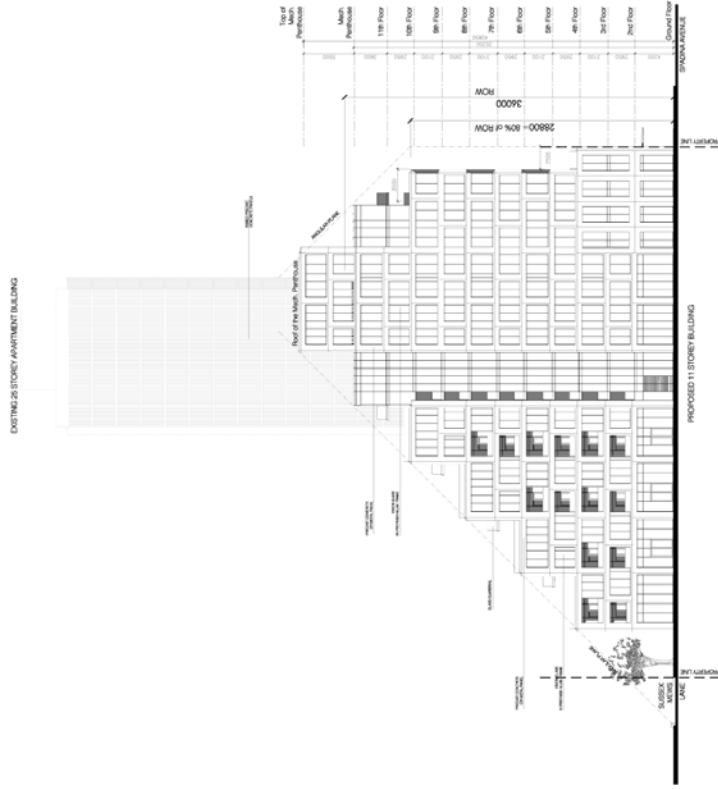
**666 Spadina Avenue**

**File # 16 198194 STE 20 0Z**

**West Elevation**  
**Applicant's Submitted Drawing**

Not to Scale  
09/29/2017

# Attachment 4: North Elevation



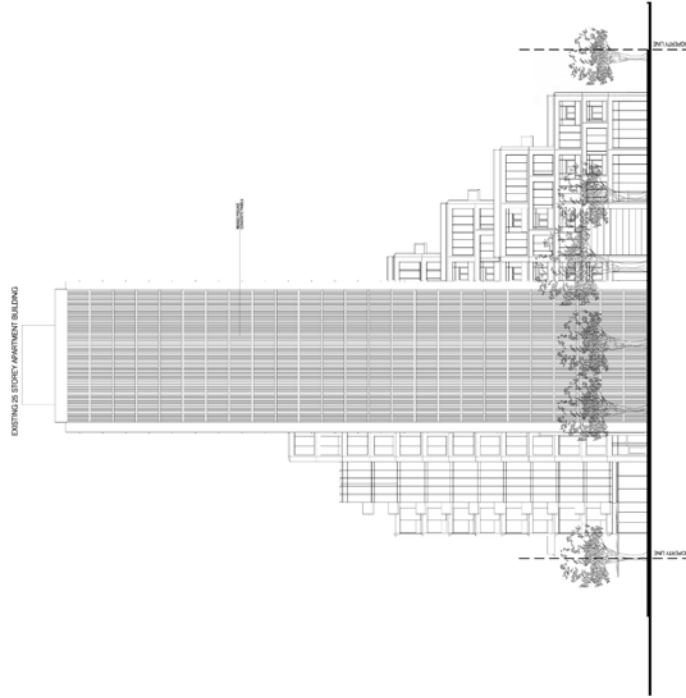
666 Spadina Avenue

File # 16 198194 STE 20 0Z

North Elevation  
 Applicant's Submitted Drawing

Not to Scale  
 09/29/2017

**Attachment 5: South Elevation**



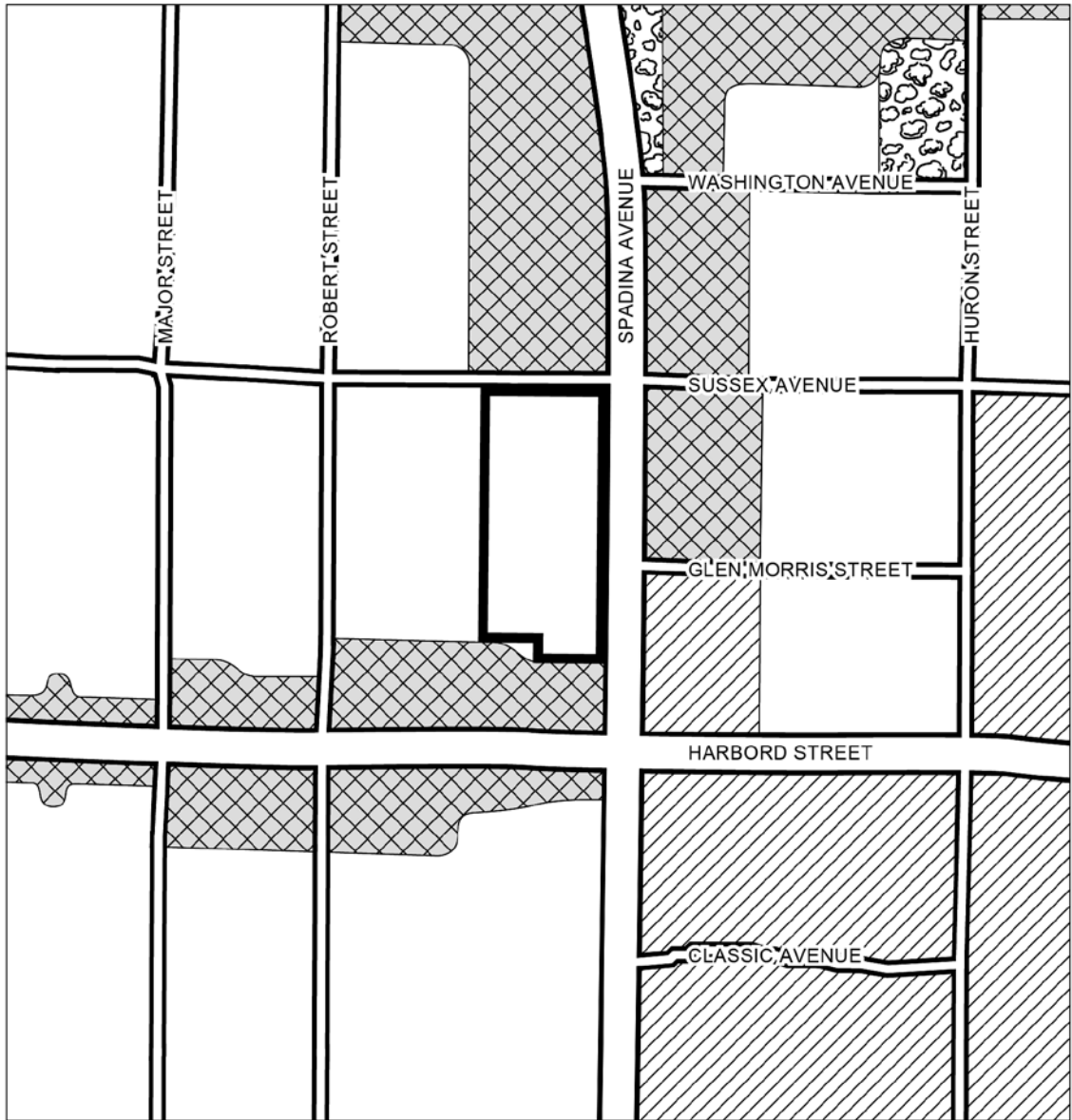
**666 Spadina Avenue**

File # 16 198194 STE 20 0Z

**South Elevation**  
Applicant's Submitted Drawing

Not to Scale  
09/29/2017

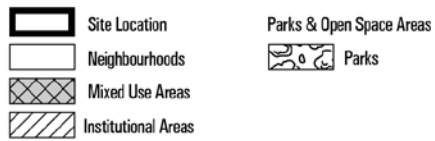
Attachment 6: Official Plan



**Toronto**  
 Extract from Official Plan

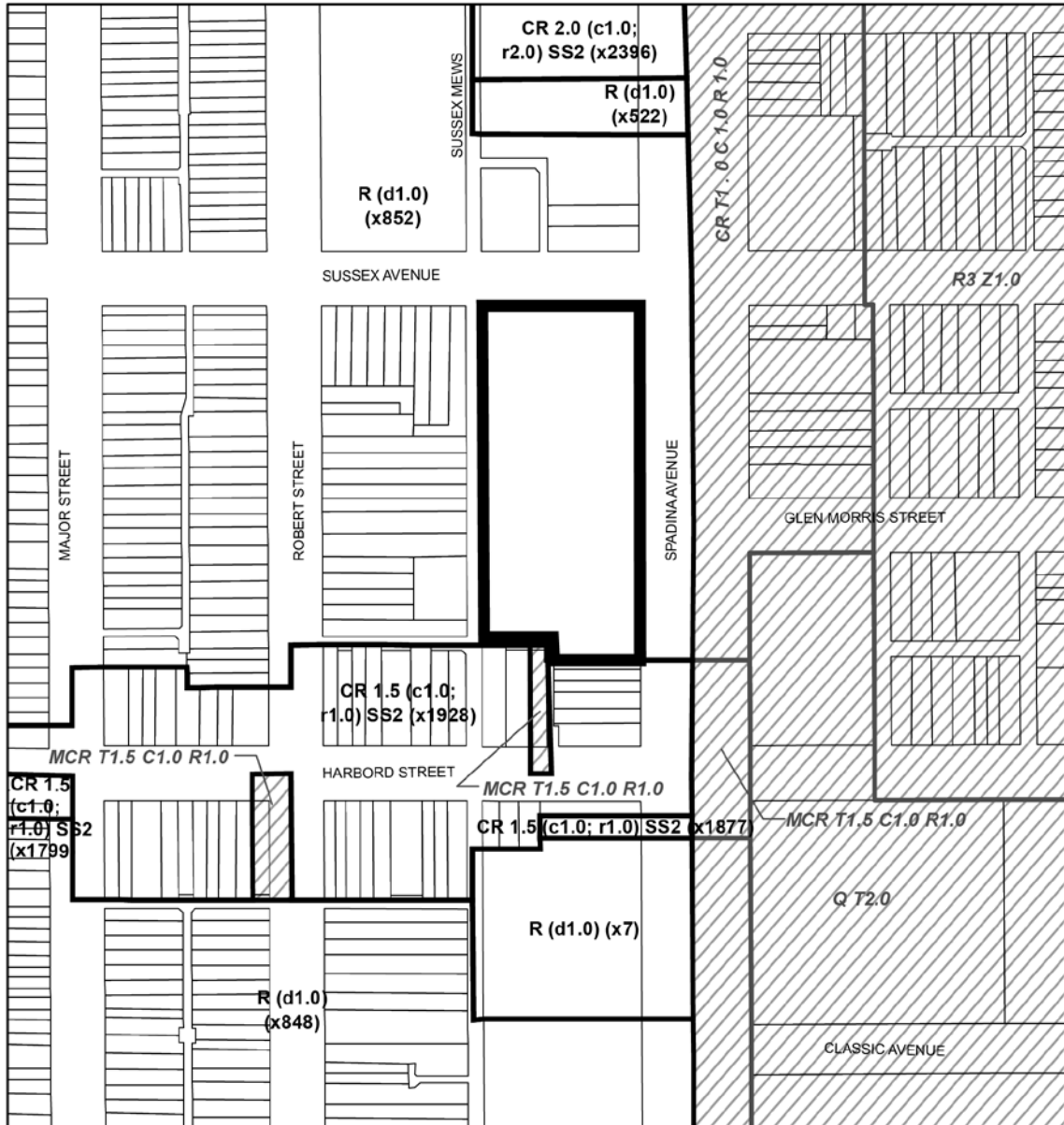
666 Spadina Avenue

File # 16 198194 STE 20 0Z



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 09/20/2017

## Attachment 7: Zoning



**Zoning By-Law No. 569-2013**

**666 Spadina Avenue**

**File # 16 198194 STE 20 OZ**

Location of Application

**R** Residential    **CR** Commercial Residential



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

**R3** Residential District  
**CR** Mixed-Use District  
**MCR** Mixed-Use District  
**Q** Mixed-Use District



Not to Scale  
 Extracted: 09/20/2017



## Attachment 8: Application Data Sheet

Application Type	Official Plan Amendment & Rezoning	Application Number:	16 198194 STE 20 OZ
Details	OPA & Rezoning, Standard	Application Date:	July 28, 2016

Municipal Address: 666 SPADINA AVE

Location Description: PLAN D10 LOT 58 & 59 PLAN D10 LOTS 57 J K & L PLAN D259 LOT 5 PT LOT 4 RP R4624 PART 1 \*\*GRID S2004

Project Description: Official Plan and Zoning By-law Amendment to allow the addition of an 11 storey mixed use building with a total of 133 rental residential apartments on the south side of the property and dedicate a new park at the north end of the site. A publicly accessible privately owned open space will also be secured along the west side of the site. The proposal retains the existing 25 storey apartment building, and parking is proposed within the existing underground parking structure. The site is a heritage property.

<b>Applicant:</b>	<b>Agent:</b>	<b>Architect:</b>	<b>Owner:</b>
WALKER NOTT DRAGICEVIC ASSOC LTD			SPADINA TOWERS INC

### PLANNING CONTROLS

Official Plan Designation:	Neighbourhoods	Site Specific Provision:	
Zoning:	R3 Z1.0	Historical Status:	
Height Limit (m):	12	Site Plan Control Area:	

### PROJECT INFORMATION

Site Area (sq. m):	7386	Height:	Storeys:	11	
Frontage (m):	131		Metres:	35	
Depth (m):	58				
Total Ground Floor Area (sq. m):	1694				<b>Total</b>
Total Residential GFA (sq. m):	29782		Parking Spaces:	196	
Total Non-Residential GFA (sq. m):	685		Loading Docks	2	
Total GFA (sq. m):	30467				
Lot Coverage Ratio (%):	23				
Floor Space Index:	4.1				

### DWELLING UNITS

Tenure Type:	Rental
Rooms:	0
Bachelor:	116
1 Bedroom:	176
2 Bedroom:	161
3 + Bedroom:	14
Total Units:	467

### FLOOR AREA BREAKDOWN (upon project completion)

		Above Grade	Below Grade
Residential GFA (sq. m):	29782	29782	0
Retail GFA (sq. m):	685	685	0
Office GFA (sq. m):	0	0	0
Industrial GFA (sq. m):	0	0	0
Institutional/Other GFA (sq. m):	0	0	0

<b>CONTACT:</b>	<b>PLANNER NAME:</b>	<b>Paul Mulé, Community Planner</b>
	<b>TELEPHONE:</b>	<b>(416) 392-1306</b>

**Attachment 9: Draft Official Plan Amendment**

Authority: Toronto and East York Community Council Item ~ as adopted by City of Toronto Council on ~, 20~

Enacted by Council: ~, 20~

**CITY OF TORONTO**

**Bill No. ~**

**BY-LAW No. ~-20~**

**To adopt Amendment No. 392 to the Official Plan  
for the City of Toronto  
respecting the lands known municipally in the year 2016, as  
666 Spadina Ave**

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 Amendment No.392 to the Official Plan is hereby adopted pursuant to the *Planning Act*, as amended.

ENACTED AND PASSED this ~ day of ~, A.D. 20~.

JOHN TORY,  
Mayor

ULLI S. WATKISS,  
City Clerk

(Corporate Seal)

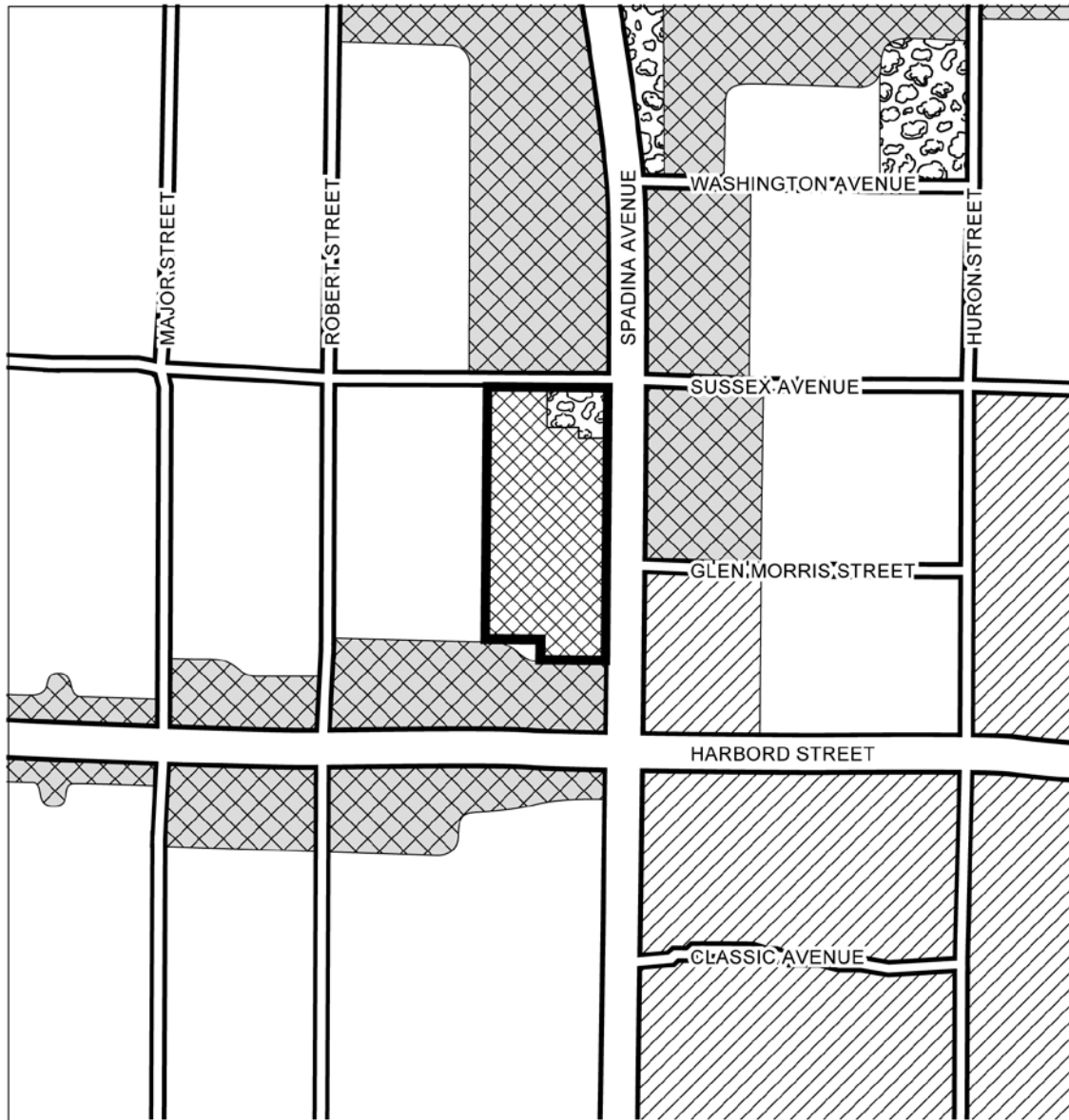
**AMENDMENT NO. ~ TO THE OFFICIAL PLAN**  
**LANDS MUNICIPALLY KNOWN IN THE YEAR 2016 AS**  
**666 Spadina Avenue**

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

1. Maps 17 and 18, Land Use Plan, are amended by re-designating the lands known municipally as 666 Spadina Avenue from *Neighbourhoods* to *Apartment Neighbourhoods* and *Parks*, as shown on the attached Schedule A.

## Schedule A



### Official Plan Amendment #392

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

**666 Spadina Avenue**

File # 16 198194 STE 20 0Z



Not to Scale  
10/02/2017

**Attachment 10: Draft Zoning By-law Amendment (438-86)**

**To be available at the October 17, 2017 Toronto East York  
Community Consultation meeting**

**Attachment 11: Draft Zoning By-law Amendment (569-2013)**

**To be available at the October 17, 2017 Toronto East York  
Community Consultation meeting**