

**122, 124, 126 and 128 Peter Street and 357 and 359  
Richmond Street West - Zoning By-law Amendment  
Application - Request for Direction Report**

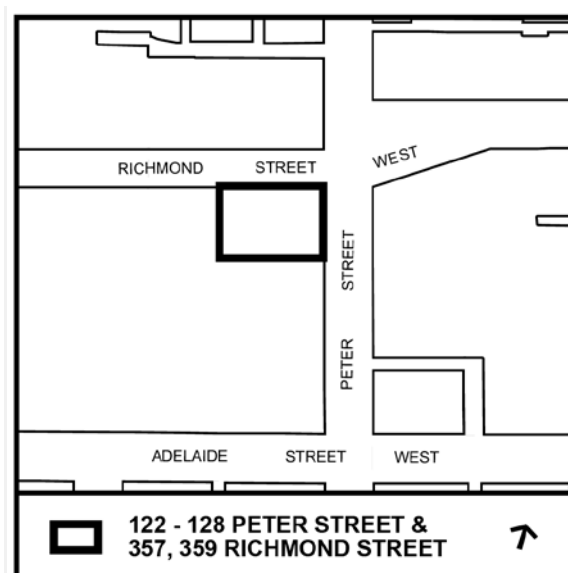
<b>Date:</b>	January 15, 2018
<b>To:</b>	Toronto and East York Community Council
<b>From:</b>	Acting Director, Community Planning, Toronto and East York District
<b>Wards:</b>	Ward 20 – Trinity-Spadina
<b>Reference Number:</b>	15 255425 STE 20 OZ

**SUMMARY**

On October 31, 2016, the applicant appealed its rezoning application for a 46-storey (138.2 metre) mixed-use building with 435 residential units and a density of 21.0 times the area of the lot to the Ontario Municipal Board (OMB) due to Council's failure to make a decision within the prescribed period under the *Planning Act*. Prehearing conferences were held on May 23, 2017 and November 1, 2017. A mediation meeting has been scheduled by the OMB for February 12 and 13, 2018. No hearing dates have been set.

On October 13, 2017, the applicant submitted a with prejudice settlement offer proposing a 38-storey mixed-use building 117 metres high (excluding mechanical penthouse) with 246 dwelling units and 300 square metres of retail space. The total gross floor area of the proposed development is 18,863 square metres representing a density of 13.3 times the area of the site.

The site includes two heritage buildings (semi-detached house form buildings) at 357 and 359 Richmond Street West and 122 and 124 Peter Street. The revised



application proposes to demolish the building at 357 and 359 Richmond Street West, and dismantle and reconstruct the building at 122 and 124 Peter Street and incorporate it into the development.

This report seeks Council's direction to oppose the proposed development at the Ontario Municipal Board in its current form. The revised application represents an improvement in the height, density and number of dwelling units in the development, as well as increased building setbacks. However, the application continues to propose the demolition of historically significant buildings. City Planning staff continue to seek greater conservation of the heritage resources on the site as per the Provincial Policy Statement, the Growth Plan for the Greater Golden Horseshoe, the Official Plan and the King-Spadina Secondary Plan. As well, increased building setbacks are needed to address a required road widening along Richmond Street West, to provide for wider sidewalk zones along Richmond Street West and Peter Street, and to meet City requirements with respect to tower setbacks. The proposal in its current form does not fit harmoniously within its existing and/or planned context contrary to the Official Plan. The applicant has expressed a continued willingness to work with staff and this report recommends continuing discussions to arrive at a revised proposal that addresses the issues set out in this report.

## **RECOMMENDATIONS**

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

1. City Council authorize the City Solicitor and appropriate staff to attend the Ontario Municipal Board mediation, and to oppose the Zoning By-law Amendment application for 122, 124, 126 and 128 Peter Street and 357 and 359 Richmond Street West in its current form for the reasons set out in the report (January 15, 2018) from the Acting Director, Community Planning, Toronto and East York District.
2. City Council authorize the City Solicitor and City Planning staff to continue discussions with the applicant on a revised proposal which addresses the issues set out in this report, including:
  - a. the conservation of the heritage buildings at 357 and 359 Richmond Street West and 122 and 124 Peter Street;
  - b. increased ground floor building setbacks along Richmond Street West and Peter Street;
  - c. increased tower setbacks from the west and south property lines;

- d. revisions to the design of the proposal to provide for balconies and/or terraces for a greater proportion of the residential units and that the indoor and outdoor amenity spaces be designed to serve a range of users including children; and
  - e. revisions to the range in the mix of dwelling units to introduce a greater proportion of two-bedroom units suitable for families with children.
3. City Council authorize the Acting Director, Community Planning, Toronto and East York District, in consultation with the Ward Councillor, to identify the matters, services and facilities pursuant to Section 37 of the *Planning Act* to be secured, in the event the Ontario Municipal Board approves the Zoning By-law amendment application as proposed in whole or in part including contributions in relation to achieving a public open space/park on the block bounded by Spadina Avenue, Peter Street, Adelaide Street West and Richmond Street West, and other public realm improvements within this block as outlined in the King-Spadina East Precinct Public Realm Strategy.
  4. In the event that the Ontario Municipal Board allows the appeal in whole or in part, City Council authorize the City Solicitor to request the Ontario Municipal Board to withhold the issuance of its final Order until:
    - a. the final form of the Zoning By-law amendments are to the satisfaction of the City Solicitor and the Acting Director, Community Planning, Toronto and East York District;
    - b. the owner has entered into Heritage Easement Agreements with the City for the properties at 357 and 359 Richmond Street West and 122 and 124 Peter Street to the satisfaction of the Senior Manager, Heritage Preservation Services including execution and registration of such agreements to the satisfaction of the City Solicitor;
    - c. the owner has provided a Conservation Plan prepared by a qualified heritage consultant for the properties at 357 and 359 Richmond Street West and 122 and 124 Peter Street to the satisfaction of the Senior Manager, Heritage Preservation Services;
    - d. the owner addresses the outstanding items in relation to servicing and the road widening required along Richmond Street West outlined in the memorandum from Engineering and Construction Services dated December 5, 2017, to the satisfaction of the Chief Engineer and

Executive Director, Engineering and Construction Services and the General Manager, Transportation Services; and

- e. community benefits and other matters in support of the development as are determined appropriate are secured in a Section 37 Agreement executed by the owner and registered on title to the satisfaction of the Acting Director Community Planning, Toronto and East York District and the City Solicitor.

### **Financial Impact**

There are no financial implications resulting from the adoption of this report.

### **DECISION HISTORY**

At its meeting of April 5, 2016, Toronto and East York Community Council (TEYCC) considered a Preliminary Report on the Zoning By-law Amendment application. TEYCC directed that staff hold a community consultation meeting with landowners and residents within 120 metres of the site and that the notice area be extended in consultation with the Ward Councillor and that the applicant pay the City for the costs associated with extending the notice area.

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

<https://www.toronto.ca/legdocs/mmis/2016/te/bgrd/backgroundfile-91230.pdf>

At its meeting of January 31, 2017, City Council considered an Intention to Designate for the properties at 122 and 124 Peter Street and 357 and 359 Richmond Street West under Part IV, Section 29 of *Ontario Heritage Act* Report, and stated it intent to designate the properties. The designations have been appealed and are currently pending review by the Conservation Review Board.

The Intention to Designate Report is available on the City's website at:

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2017.TE21.9>

### **ISSUE BACKGROUND**

#### **Proposal**

The proposed development has been revised since the October 2016 appeal of the application by the applicant to the Ontario Municipal Board. A 'With Prejudice' settlement proposal was submitted by the applicant in October 2017. Main revisions include:

- the addition of the heritage property at 359 Richmond Street West to the site and proposed demolition of the heritage building;

- the proposed dismantling and reconstruction of the heritage building at 122 and 124 Peter Street and incorporating the building into the development in the same location;
- a reduction in the height of the building by 8 storeys (21.2 metres);
- a reduction in the number of dwelling units from 435 to 246;
- a reduction in the overall gross floor area and density from 21.0 to 13.3 times the area of the site; and
- increased base building and tower setbacks.

A summary of the initial and revised proposals is in Table 1 below.

The revised submission proposes a 38-storey (117 metres) mixed-use building with 246 dwelling units and 300 square metres of commercial/retail space (see Attachments 1, 2, 3, 4 and 5). The proposed mix of dwelling units includes 195 (79%) one-bedroom, 12 (5%) two-bedroom, and 39 (16%) three-bedroom units. An overall gross floor area (gfa) of 18,863 square metres is proposed representing a density of 13.3 times the site area.

There are two heritage buildings on the site, both 19<sup>th</sup> century semi-detached house form buildings. The application proposes the integration of the existing heritage building at 122 and 124 Peter Street into the development. This heritage building is proposed to be dismantled and reconstructed with the new development in the same location. The existing heritage building at 357 and 359 Richmond Street West is proposed to be demolished.

The building design proposes a base building generally 6 storeys (18 metres) high with lower elements of 2 to 3 storeys (8 metres) along the east and south sides of the building near the existing heritage building at 122 and 124 Peter Street. The base building is proposed to be setback at the ground level 1.8 metres along the Peter Street and Richmond Street West frontages and 4.5 metres along the west property line. No setback of the base building is proposed along the south property line. The tower is proposed to step back 3 metres from the base building along the Peter Street and Richmond Street West frontages of the site and is proposed to be setback 10 metres from both the west and south property lines. The proposed tower floorplate is 505 square metres.

Four levels of underground parking with 73 parking spaces are proposed for residents. Parking is not proposed for residential visitors or for the retail/commercial uses. A total of 286 bicycle parking spaces are proposed, including 258 long term resident spaces and 28 short term resident spaces. Access to loading and parking is proposed from a 6.0 metre wide driveway off Richmond Street West situated approximately 15 metres from

the west property boundary. Access to the parking spaces within the below grade garage is proposed via two vehicle elevators accessed at the ground level within the building.

Proposed common residential amenity space includes 480 square metres within the building on the 4<sup>th</sup>, 5<sup>th</sup> and 6<sup>th</sup> levels and 500 square metres of outdoor space on the 6<sup>th</sup> level. Most of the dwelling units are not proposed to have private balconies or terraces. Only three dwelling units on the building's third floor are proposed to have private terraces.

Additional site and development statistics are included in the application data sheet as Attachment 6.

<b>Table 1 - Initial and Revised Proposal 122, 124, 126 and 128 Peter Street and 357 and 359 Richmond Street West</b>		
	<b>Initial Submission (November 2015)</b>	<b>Revised Submission (October 2017)</b>
<b>Site Area</b>	1,303 m <sup>2</sup>	1,423 m <sup>2</sup>
<b>Height (Storeys)</b>	138.2 m (46 storeys)	117 (38 storeys)
<b>Tower Floorplate</b>	620 m <sup>2</sup>	505 m <sup>2</sup>
<b>Dwelling Units</b>	435	246
<b>Residential Gross Floor Area</b>	27,223 m <sup>2</sup>	18,563 m <sup>2</sup>
<b>Retail Gross Floor Area</b>	174 m <sup>2</sup>	300 m <sup>2</sup>
<b>Total Gross Floor Area</b>	27,397 m <sup>2</sup>	18,863 m <sup>2</sup>
<b>Density – Floor Space Index</b>	21 x lot area	13.3 x lot area
<b>Indoor Amenity Space</b>	753 m <sup>2</sup>	480 m <sup>2</sup>
<b>Outdoor Amenity Space</b>	408 m <sup>2</sup>	500 m <sup>2</sup>
<b>Parking Spaces</b>	92	73
<b>Bicycle Parking Spaces</b>	496	286

### **Site and Surrounding Area**

The site is located at the southwest corner of Richmond Street West and Peter Street. The site has a total area of 1,423 square metres with a frontage of approximately 45.6 metres on Richmond Street West and 31 metres on Peter Street. The site is currently occupied by five, 1 to 3-storey buildings previously used for commercial and residential purposes with surface parking behind.

There are two pairs of semi-detached house form buildings on the site: one at 122 and 124 Peter Street, and the other at 357 and 359 Richmond Street West. These buildings are listed on the City's Heritage Register, and in January 2017 City Council stated its intent to designate both pairs of the semi-detached buildings under Part IV of the *Ontario Heritage Act*. The site is also situated within the King-Spadina Heritage Conservation District Plan (HCD) that was adopted by City Council on October 2, 2017. Both

properties are identified as contributing heritage properties in the King-Spadina HCD Plan.

The site is surrounded by the following uses:

- North: Opposite the site on the north side of Richmond Street West is a recently constructed 17-storey office building with retail uses on the ground floor. Further north is a public lane and the commercial buildings along Queen Street West within the Queen Street West Heritage Conservation District.
- South: There is a semi-detached house form building adjacent to the south at 118 and 120 Peter Street used for commercial purposes. Further south is a surface parking lot. A zoning by-law amendment application proposing a 47-storey mixed-use building was recently approved by Council on a portion of the lands to the south at 102-118 Peter Street and 350-354 Adelaide Street West (File # 16 183537 STE 20 OZ). The proposed development includes the conservation of the heritage attributes of the existing heritage buildings on the site at 118 Peter Street and 350 and 352 Adelaide Street West. The property (342 Peter Street) at the northwest corner of Peter and Adelaide Street West is listed on the City's Heritage Register and the 7-storey Templar Hotel is adjacent to the west fronting on Adelaide Street West. A private laneway extends from Spadina Avenue to the interior of the block and terminates just south of the site.
- West: Adjacent to the west of the site is 401 Richmond, a large converted series of 4 to 5-storey industrial buildings that occupies the majority of the block along the south side of Richmond Street West between Spadina Avenue and Peter Street. The 401 Richmond building is designated under Part IV of the *Ontario Heritage Act*. The building has been transformed into a multi-use arts and culture hub housing over 140 tenants, and is an important destination in King-Spadina.
- East: A recently constructed 36-storey mixed-use building is opposite the site at the southeast corner of Peter Street and Richmond Street West. Further south along the east side of Peter Street is a 9-storey office building and a recently constructed 40-storey mixed use building. There is a three storey City-owned building at the northeast corner of Richmond Street West and Peter Street.

## **Planning Act, Provincial Policy Statement and Provincial Plans**

Section 2 of the *Planning Act* sets out matters Council shall have regard to in making decisions under the *Planning Act*. This includes 2(d), the conservation of features of significant historical interest.

The Provincial Policy Statement (PPS) (2014) 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 Provincial Policy Statement. Policy 4.7 further states that the Official Plan is the most important vehicle for implementing the PPS.

Policy 2.6.1 of the PPS directs that "significant built heritage resources and significant cultural heritage landscapes shall be conserved." Properties included on the City's Heritage Register are considered to be significant in this context. "Conserved" is defined in the PPS as "the identification, protection, use and/or management of built heritage resources in a manner that ensures their cultural heritage value or interest is retained under the Ontario Heritage Act."

The Growth Plan for the Greater Golden Horseshoe (2017) 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.

Policy 4.2.7.1 of the Growth Plan states that cultural heritage resources, which includes built heritage resources, will be conserved in order to foster a sense of place and benefit communities.

Like other provincial plans, the Growth Plan for the Greater Golden Horseshoe (2017) builds upon the policy foundation provided by the Provincial Policy Statement (2014) and provides more specific land use planning policies to address issues facing the Greater Golden Horseshoe 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 site is located in the Downtown and Central Waterfront and in the King-Spadina Secondary Plan Area. The site is designated *Regeneration Areas* in the Official Plan (Attachment 7).

### ***Downtown and Central Waterfront Policies***

As an area where growth is anticipated and encouraged, the Official Plan provides for new development in the *Downtown* that: builds on the strength of the area as an

employment centre, provides for a range of housing opportunities, and supports and enhances the speciality retail and entertainment districts.

The Official Plan directs growth to the *Downtown* in order to achieve multiple City objectives. Among other matters, it promotes the efficient use of municipal services and infrastructure, concentrates jobs and people in areas well served by transit, promotes mixed use development to increase opportunities for living close to work and to encourage walking and cycling, improves air quality and reduces greenhouse gas emissions by reducing reliance on the private automobile all in keeping with the vision for a more liveable Greater Toronto Area. This reurbanization strategy recognizes that the level of growth will not be uniform across the *Downtown* given its diversity.

### **Public Realm and Built Form Policies**

The public realm policies of Section 3.1.1 of the Official Plan recognize the essential role of our streets, open spaces, parks and other key shared public assets in creating a great City. These policies aim to ensure that a high level of quality is achieved in architecture, landscape architecture and urban design in public works and private developments to ensure that the public realm is functional, beautiful, comfortable, safe and accessible.

The Official Plan recognizes that most of the City's future development will be infill and as such will need to fit in, respect and improve the character of the surrounding area. As a result, the built form policies of Section 3.1.2.2 seek to ensure that new development is located, organized and massed to fit harmoniously with the existing and/or planned context, and will limit its impacts on neighbouring streets, parks, open spaces and properties. Among other things this harmony is achieved by: massing new buildings to frame adjacent streets in a way that respects the existing and/or planned street proportion, creating appropriate transitions in scale to neighbouring or existing planned buildings, providing for adequate light and privacy and adequately limiting any resulting shadowing of, and uncomfortable wind conditions, on neighbouring streets and properties.

Due to the larger civic responsibility and obligations associated with tall buildings, the built form policies of Section 3.1 provide additional design direction to ensure that they fit into the existing and planned context and limit local impacts. Policy 3.1.3.2 requires new tall building developments to address key urban design considerations set out in the Official Plan.

### **Heritage Conservation Policies**

Section 3.1.5 of the Official Plan addresses the identification and evaluation of properties of cultural heritage value or interest. It also provides for conservation of heritage resources and includes policies that state that Heritage Impact Assessments will evaluate

the impact of a proposed alteration to a property on the Heritage Register, and/or to properties adjacent to a property on the Heritage Register, to the satisfaction of the City.

Policy 3.1.5.5 states that proposed alterations, development, and/or public works on or adjacent to, a property on the Heritage Register will ensure that the integrity of the heritage property's cultural heritage value and attributes will be retained, prior to work commencing on the property and to the satisfaction of the City. Policy 3.1.5.26 states that new construction on or adjacent to, a property on the Heritage Register will be designed to conserve the cultural heritage values, attributes and character of that property and to mitigate visual and physical impact on it. Policy 3.1.5.32 - 33 deals specifically with development within *Heritage Conservation Districts* to ensure the integrity of the district's heritage values, attributes and character are conserved in accordance with HCD plans.

### ***Regeneration Areas Policies***

A broad mix of commercial, residential, light industrial, parks and open space, institutional, live/work and utility uses are permitted within *Regeneration Areas* to promote reinvestment and revitalization. The framework for new development within *Regeneration Areas* is set out in a Secondary Plan intended to promote the desired type and form of physical development for an area.

The policies of Section 4.7.1 provide for the restoration, re-use and retention of existing buildings that are economically adaptable for re-use, particularly heritage buildings and structures in *Regeneration Areas*. Section 4.7.2 sets out the intent of Secondary Plans for *Regeneration Areas* and provides that they will guide the revitalization of the area through, among other matters:

- urban design guidelines related to the unique character of the area;
- strategies to promote greening and community improvements; and
- a heritage strategy identifying important heritage resources, conserving them and ensure new buildings are compatible with adjacent heritage resources.

The Official Plan is available on the City's website at:  
<https://www.toronto.ca/city-government/planning-development/official-plan-guidelines/official-plan/chapters-1-5/>

### **King-Spadina Secondary Plan**

The proposed development is subject to the King-Spadina Secondary Plan as set out in Chapter 6.16 of the Official Plan (see Attachment 8 for Urban Structure Plan). The major objectives of the Secondary Plan are:

- Attracting new investment to the area;
- Providing for a mixture of compatible land uses with the flexibility to evolve as the neighbourhood matures;
- Identifying that this is an important employment area and as such prioritizing the retention and promotion of commercial and light industrial uses including media, design and fashion businesses;
- Providing for commercial activities which support the changing demands of the area and to ensure the necessary services for the new residents and businesses of the area; and
- Retaining, restoring and re-using heritage and other important buildings.

The King-Spadina Secondary Plan emphasizes reinforcement of the characteristics and qualities of the area through special attention to built form, public realm and heritage. The policies of Section 3 Built Form and in particular the policies of Section 3.6 – General Built Form Principles and Section 4 Heritage, specify that:

- the lower levels of new buildings will be sited and organized to enhance the public nature of streets, open spaces, and pedestrian routes;
- servicing and parking are encouraged to be accessed from lanes rather than streets;
- new development will be designed to minimize pedestrian/vehicular conflicts;
- new buildings will be sited for adequate light, view, 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 as height, massing, scale, setbacks, stepbacks, roof line and profile and architectural character and expression;
- appropriate proportional relationships to streets and open spaces will be achieved 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
- retention, conservation, rehabilitation, re-use and restoration of heritage buildings.

The King-Spadina Secondary Plan is available on the City's website at:  
<https://www.toronto.ca/wp-content/uploads/2017/11/97ec-cp-official-plan-SP-16-KingSpadina.pdf>

## **King-Spadina Secondary Plan Review**

King Spadina is one of the highest growth areas in the downtown and it has a strongly influential heritage character. An estimated 50,000 people will live in King Spadina and the area will accommodate space for an estimated 50,000 jobs. The King-Spadina Secondary Plan is under review, recognizing that the Secondary Plan area has evolved from an area of employment (non-residential uses) into an area with a range of uses including residential. It is expected that the updated Secondary Plan will recognize that while the area will continue to grow and change, it must do so in a way that positively contributes to liveability, is better supported by hard infrastructure and community infrastructure, retains a strong employment base, and more carefully responds to the strong heritage and character of the area.

At its meetings on August 25, 2014 and July 7, 2015, City Council endorsed a number of directions for the King-Spadina East Precinct to be used in reviewing current and future development applications including 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 p.m. 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, and 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. At its meeting on July 7, 2015, City Council also expanded the boundary of the King-Spadina East Precinct Built Form Study to include the Spadina Precinct.

At its meeting of September 6, 2017, Toronto and East York Community Council (TEYCC) considered a Draft Policy Directions Report. TEYCC also expanded the boundary further to include the West Precinct and directed that the study be revised from the "King-Spadina East Precinct Built Form Study" to the "King-Spadina Secondary Plan Update" to better reflect the directions staff have received from Council to review matters beyond built form. Draft policy directions considered by TEYCC include:

- Proposed land use redesignation from *Regeneration Areas* to *Mixed Use Areas*;
- Public Realm Strategy;
- Urban Design Guidelines;
- Parkland acquisition prioritization;

- Built Form policies;
- Identification of Areas of Special Identity; and
- Provisions for infrastructure.

The Community Council decision and staff report are available on the City's website at: <http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2017.TE26.60>

The block bounded by Spadina Avenue, Peter Street, Adelaide Street West and Richmond Street West (SPAR block) has been identified as an area of special identify. The site is situated within the SPAR block. Policies to enhance the public realm and strengthen the role of the block as a cultural hub are proposed and were presented at a Community Meeting on the Secondary Plan review on October 11, 2017. These policies seek to ensure that:

- new development on the block will contribute to a public open space in the middle of the block;
- pedestrian connections within the block will be enhanced; and
- the role of the block as a cultural hub is protected.

Draft King-Spadina Official Plan policies are anticipated to be posted on the City Planning website in the first quarter of 2018. The Final Report will be considered at a public meeting of the Toronto and East York Community Council under the *Planning Act* after a consultation period to allow public input on the draft policies.

### **King-Spadina Heritage Conservation District Study**

At its meeting of October 2, 2012, City Council directed Heritage Preservation Services (HPS) staff to undertake a Heritage Conservation District (HCD) study of the King-Spadina area. A team led by Taylor-Hazell Architects undertook the study, and was subsequently retained to prepare the Plan.

The first phase of the HCD Study was concluded in the spring of 2014 and recommended that the area merited designation under Part V of the *Ontario Heritage Act* as an HCD on the basis of its historical, associative, physical, contextual, and social and community values. In the fall of 2014 Heritage Preservation Services initiated the second phase of the study, which resulted in the development of statements of objectives, statements of cultural heritage values, boundaries, policies and guidelines, and community and stakeholder consultation.

The King-Spadina Heritage Conservation District Plan was endorsed by the Toronto Preservation Board on June 22, 2017, and adopted by TEYCC on September 6, 2017.

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The HCD Plan was adopted by City Council on October 2, 2017, designating the King-Spadina HCD Plan under Part V of the *Ontario Heritage Act*.

The Designation Report and Council decision are available on the City's website at: <http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2017.TE26.14>

The overall objective of the King-Spadina HCD Plan is the protection, conservation and management of its heritage attributes including contributing properties so that the District's cultural heritage value is protected in the long-term.

Council has stated its intent to designate the properties at 122 and 124 Peter Street and 357 and 359 Richmond Street West under Part IV of the *Ontario Heritage Act*, and these properties are also identified as contributing heritage properties in the King-Spadina HCD Plan. The HCD Plan includes a number of policies applicable to these properties in relation to, among other matters, demolition, conservation, building design in relation to massing, setbacks, materiality and the relationship to adjacent heritage properties. The HCD Plan requires that contributing properties be conserved and maintained to ensure the conservation of the District's cultural heritage value and integrity.

### **King-Spadina Urban Design Guidelines**

The King-Spadina Urban Design Guidelines (dated August 2006) were endorsed by Council at its meeting on September 25, 26, 27 and 28, 2006. The King-Spadina Urban Design Guidelines, in conjunction with the Official Plan and King-Spadina Secondary Plan policies, work together to achieve optimal building siting and design that enhances the public realm, while respecting and reinforcing the surrounding built environment and context.

The King-Spadina Urban Design Guidelines support the implementation of the King-Spadina Secondary Plan. The Guidelines state that new development should be compatible with existing heritage buildings in terms of massing, height, setbacks, stepbacks and materials. New development, within the context of existing adjacent buildings, should define and contribute to a high quality public realm. Development should reinforce the character and scale of the existing street wall in the immediate surrounding area. In addition, the scale of the building brought to the sidewalk should respond proportionally to the width of the right-of-way.

Section 4, East Precinct recognizes heritage resources as one of the distinguishing elements of the East Precinct. Section 4.1.1., Heritage, identifies the Adelaide Richmond-John heritage area and notes that this area has a rich inventory of heritage resources, including historic residential buildings. Section 4.2.1, Public Realm, recommends that the public realm should be enhanced where possible along Richmond Street West and Adelaide Street West to include the provision for street tree planting, pedestrian lighting and public art.

## **King-Spadina East Precinct Public Realm Strategy**

The King-Spadina East Precinct Public Realm Strategy identifies opportunities for public realm enhancements within the larger block bounded by Spadina Avenue, Peter Street, Adelaide Street West and Richmond Street West (SPAR block). The surface parking lot in the centre of the block is identified as a possible future opportunity for an open space or park within the block. As well the existing north to south and east to west laneways that extend through the block are noted as areas for future enhancements to create pedestrian connections through the block and to a centrally located open space.

## **Zoning**

The site is zoned Reinvestment Area (RA) by Zoning By-law 438-86, as amended (Attachment 9). 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 with built form objectives expressed through height limits and setbacks. The Zoning By-law permits a maximum building height of 30 metres for this site if a 3 metre setback at 20 metres is provided. An additional 5 metres is permitted for rooftop mechanical elements.

The site is also subject to the new City-wide comprehensive Zoning By-law 569-2013. The By-law was passed by City Council on May 5, 2013, and is subject to numerous appeals and is not yet in force. By-law 569-2013 zones the site as CRE (x74) (Commercial Residential Employment) with a maximum height of 30 metres. The CRE Zone permits a range of retail, service commercial, office, residential and limited industrial uses in single use buildings and mixed use buildings. Exception 74 (x74) indicates that certain site-specific zoning by-laws will prevail on individual sites within the exception area. The site is not subject to any prevailing site-specific zoning.

## **Site Plan Control**

The proposed development is subject to Site Plan Control. A Site Plan Control application has not been submitted.

## **City-Wide Tall Building Design Guidelines**

In May 2013, Toronto City Council adopted the updated city-wide Tall Building Design Guidelines and directed City Planning staff to use these Guidelines in the evaluation of all new and current tall building development applications. The Guidelines establish a unified set of performance measures for the evaluation of tall building proposals to ensure that they fit within their context and minimize their local impacts.

Policy 1 in the Official Plan's Section 5.3.2, Implementation Plans and Strategies for City-Building, states that Guidelines will be adopted to advance the vision, objectives, and policies of the Plan. Urban Design guidelines specifically are intended "to provide a more detailed framework for built form and public improvements in growth areas." The Tall Building Design Guidelines serve this policy intent, helping to implement Chapter



3., The Built Environment, and other policies within the Official Plan related to the design and development of tall buildings in Toronto.

The Tall Building Design Guidelines include guidelines to address the conservation and integration of heritage buildings into tall building development and address new developments within their historic context. Section 1.6(a) provides: "Conserve and integrate heritage properties into tall building developments in a manner that is consistent with accepted principles of good heritage conservation". Section 1.6 (c) provides: "design new base buildings to respect the urban grain, scale, setbacks, proportions, visual relationships, topography and materials of the historic context".

The City-wide Tall Building Design Guidelines are available on the City's website at: <http://www.toronto.ca/planning/tallbuildingdesign.htm>

## **TOcore**

TOcore: Planning Downtown is an inter-divisional initiative, led by City Planning, which is updating the planning framework for Downtown and developing a series of five infrastructure related strategies to implement the plan. TOcore is a response to the rapid intensification of Downtown that is placing pressure on physical and social infrastructure assets and occurring in a pattern and at an intensity that threatens to jeopardize the quality of life in the city centre and the economic role that the Downtown plays for the entire city.

TOcore's purpose is to ensure growth positively contributes to Toronto's Downtown as a great place to live, work, learn, play and invest by determining: a) how future growth will be accommodated and shaped, and b) what physical and social infrastructure will be needed, where it will go and how it will be secured. The 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 the east.

Building on Downtown's existing planning framework and drawing on best practices within City Planning Division, the Downtown Plan is being developed to serve as a blueprint for future growth and infrastructure in the heart of Toronto over the next 25 years. It will provide detailed direction on the appropriate scale and location of future growth. It will also link this growth with infrastructure provision to ensure the creation of 'Complete Communities', addressing the requirements under the Provincial Policy Statement (2014) and the Growth Plan for the Greater Golden Horseshoe (2017). A series of infrastructure strategies for transportation, parks and public realm, community services and facilities, water and energy are in development as part of this review.

At its meeting on October 2-4, 2017, City Council considered the Proposed Downtown Plan and directed Staff to undertake stakeholder and public consultation on that document and its proposed policies, leading to a recommendations report and an amendment to Toronto's Official Plan in the second quarter of 2018. Additionally, Council directed

Staff to consider the policies contained with the Proposed Downtown Plan in the review of all development applications within the Downtown going forward:

6. City Council request City Planning staff to consider the Proposed Downtown Plan policies, in Attachment 1 to the report (August 18, 2017) from the Chief Planner and Executive Director, City Planning, 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.

More information on Council direction pertaining to TOcore can be found on the City's website at: <http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2017.PG22.1>.

### **Growing Up: Planning for Children in New Vertical Communities**

In July 2017, Toronto City Council adopted the Growing-Up Draft Urban Design Guidelines, and directed City Planning staff to apply the "Growing Up Guidelines" in the evaluation of new and under review multi-unit residential development proposals. The objective of the Growing Up Draft Urban Design Guidelines is that developments deliver tangible outcomes to increase liveability for larger households, including families with children at the neighbourhood, building and unit scale. The Growing-Up Draft Urban Design Guidelines were considered in the review of this proposal.

The Council decision and draft guidelines are available on the City's website at: <http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2017.PG21.3>

### **Official Plan Amendment 352 – Updating Tall Building Setbacks Downtown**

On October 6, 2016, City Council adopted Official Plan Amendment 352 – Downtown Tall Building Setback Area. The purpose of OPA 352 is to establish the policy context for tall building setbacks and separation distances between tower portions of a tall building in the Downtown. At the same meeting, City Council adopted area specific Zoning By-laws 1106-2016 and 1107-2016 which provide the detailed performance standards for portions of buildings above 24 metre in height. While OPA 352 and the by-laws are under appeal, these amendments represent Council's position with respect to proposals seeking to introduce a tall building into the urban context.

### **Official Plan Amendment 231 – Office Replacement Policies**

Official Plan Amendment No. 231 (OPA 231), adopted by City Council December 18, 2013, received approval by the Minister of Municipal Affairs and Housing on July 9, 2014 and is in large part under appeal before the Ontario Municipal Board. As an outcome of the Official Plan and Municipal Comprehensive Reviews, OPA 231 contains new economic policies and designations to stimulate office growth in the *Downtown*, *Central Waterfront* and *Centres* and all other *Mixed Use Areas*, *Regeneration Areas* and

*Employment Areas*, and also contains new policies with respect to office replacement in transit-rich areas. In particular, Policy 3.5.1(9) requires the provision of office space on any site containing 1,000 square metres or more of office space, where residential development is proposed. Policy 3.5.1 (9) is currently under appeal.

The existing building at 359 Richmond Street West is currently occupied with some office uses with an overall floor area of approximately 170 square metres, which is less than the office replacement requirements of the OPA 232. The application proposes 300 square metres of retail/commercial floor space in the development.

### **Reasons for the Application**

A Zoning By-law Amendment is required as the existing zoning permits a maximum building height of 30 metres and the proposed building would have a height of 117 metres (excluding mechanical penthouses). A Zoning By-law Amendment is also required to establish development standards such as parking and loading requirements, building setbacks and required amenity space for the proposed development.

### **Community Consultation**

A community consultation meeting was held on November 1, 2016. City Planning staff, the Ward Councillor and approximately 50 people attended the meeting. Main issues raised included: proposed height and density; concerns about impacts on adjacent heritage properties; concern about the proposed demolition of properties which contribute to the Heritage Conservation District; desire for the development to contribute to the open space enhancements on the block in conjunction with other development proposals and landowners on the block; concern about existing transit and municipal servicing capacity; and a desire for the development to fit in with other developments on the block.

### **Agency Circulation**

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

### **COMMENTS**

The revised October 2017 submission includes a number of changes since the initial November 2015 submission. There has been a reduction in proposed building height from 138.2 to 117 metres. As well the density has been reduced from 21 to 13.3 times the area of the lot and the number of dwelling units has been reduced from 435 to 246.

The revised submission represents positive changes and begins to address staff concerns. However, there continue to be outstanding issues with the proposal, including the lack of conservation of heritage resources and building and tower setbacks. The application now includes the heritage property at 359 Richmond Street West as part of the development site, however, proposes to demolish both this portion of the building as well as the

adjoining semi-detached unit at 357 Richmond Street West. Although the revised proposal incorporates the historically significant semi-detached building at 122 and 124 Peter Street, the building is proposed to be dismantled and reconstructed. The proposed base building and tower setbacks have been increased from the initial submission, and staff will continue to work on achieving additional setbacks in some areas to address City requirements in relation to sidewalk zones, tower setbacks and a road widening along Richmond Street West.

Although the proposal in its current form is not supported by City Planning staff, staff will continue to work with the applicant to address the outstanding issues outlined below.

### **Planning Act, Provincial Policy Statement and Provincial Plans**

Section 2 of the *Planning Act* requires municipalities to have regard to matters of provincial interest, including as noted in Section 2(d), the conservation of features of significant architectural, cultural, historical, archaeological or scientific interest. In its current form, the proposed development does not have regard for relevant matters of provincial interest in Section 2(d) of the *Planning Act* as the proposal includes the demolition of existing heritage buildings.

The Provincial Policy Statement (PPS) 2014 contains policies related to managing and directing development. It requires that sufficient land be made available for intensification and redevelopment, that planning authorities identify and promote opportunities for intensification and redevelopment where this can be accommodated taking into account, among other things, the existing building stock and areas, and that they establish and implement minimum targets for intensification and redevelopment within built up areas. Within this framework, the PPS recognizes that the Official Plan is the most important vehicle for implementing PPS requirements and that comprehensive, integrated and long term planning is best achieved through municipal official plans. Policy 2.6.1 requires that significant built heritage resources be conserved.

The City's Official Plan and King-Spadina Secondary Plan meet the requirements of the PPS and contain policies that protect provincial interest and direct development and intensification to suitable areas. In this area intensification is promoted through development that respects and reinforces the existing and planned context, and provides that heritage resources will be conserved.

The proposal in its current form is not consistent with the PPS as it removes heritage resources and does not provide appropriate setbacks that respect and reinforce the existing and planned context within this area.

The Growth Plan for the Greater Golden Horseshoe requires that Official Plans provide a strategy and policies to achieve intensification, and to identify the appropriate type and scale of development in intensification areas. Policy 4.2.7(1) states that cultural heritage resources including building heritage resources will be conserved in order to foster a

sense of place and benefit communities. The proposal in its current form is not consistent with the Growth Plan for the Greater Golden Horseshoe in terms of its conservation of existing heritage resources.

## **Land Use**

The proposed residential and retail uses are permitted uses within the *Regeneration Areas* designation and zoning for the site.

## **Heritage Resources**

City Council has stated its intention to designate the properties at 357 and 359 Richmond Street West and 122 and 124 Peter Street under Part IV, Section 29 of the *Ontario Heritage Act*. The properties include two 19<sup>th</sup> century semi-detached house form buildings which were determined to be worthy of designation under all three categories under this Section of the Act including: design, associative value and contextual value. These designations have been appealed and are currently pending review by the Conservation Review Board. The buildings are also identified as contributing heritage properties in the King-Spadina Heritage Conservation District (HCD) Plan that was adopted by Council in October of 2017.

The site is also adjacent to other listed, designated, and/or properties identified as contributing in the King-Spadina HCD Plan. The following properties adjacent to the site are designated under Part IV of the *Ontario Heritage Act*:

- 401 Richmond Street West, west of the subject property, extending westward along Richmond Street West; and
- 118 Peter Street, south of the subject property.

The following properties are identified in the King Spadina HCD Plan as contributing properties:

- 364 Richmond Street West, situated on the north side of Richmond Street West, north of the subject property;
- 372 Richmond Street West, situated on the north side of Richmond Street West, north of the subject property; and
- 134 Peter Street, situated at the northwest corner of Richmond Street West and Peter Street opposite the site.

The applicant submitted a Heritage Impact Assessment (HIA) and a HIA addendum and these have been reviewed by Heritage Preservation Services staff.

As outlined in the King-Spadina HCD Plan's Statement of Cultural Heritage Value:

"The King-Spadina Heritage Conservation District contains a concentration of late 19<sup>th</sup> and early to mid-20<sup>th</sup> century residential and commercial buildings, as well as three public parks and a distinctive network of laneways."

"The District's residential properties contribute to its historic value, which relate to the District's period of residential development that followed the arrival of the railways to Toronto's waterfront in the 1850s. These residential properties are representative of the first wave of development within the District west of Peter Street following the dissolution of the Military Reserve."

The applicant's heritage consultant maintains that the properties at 357 and 359 Richmond Street West do not meet the criteria necessary for designation. These properties have been researched and evaluated by Heritage Preservation Services staff using the provincial criteria for designation. As the properties are subject to an Intention to Designate under the *Ontario Heritage Act* the building should be retained and conserved as part of the development. The proposed demolition of the structure does not conserve the cultural heritage values, attributes and character of these properties nor will it comply with guidelines as set out by the King-Spadina HCD Plan.

The applicant's HIA maintains that the properties at 122-124 Peter Street must be dismantled and reconstructed in order to conserve the building. The rationale is based upon the current proposal which extends the parking garage below the existing heritage properties. Should excavation for this purpose not occur beneath the heritage structure, it would provide greater opportunity to conserve the structure without impactful demolition. This analysis has not been provided within the HIA or its addendum.

Dismantling and reconstructing a heritage structure is considered to be equivalent to a demolition. Such an approach does not conserve the cultural heritage values, attributes and character of the properties, nor does it comply with policies set out by the King-Spadina HCD Plan. Moreover, the Standards and Guidelines for the Conservation of Historic Places in Canada do not include "reconstruction" as an appropriate conservation treatment.

The base building design and its relationship to on-site and adjacent heritage properties will be further evaluated as the issue of appropriate on-site conservation is resolved.

The proposed development as revised in October 2017, and the conclusions provided by the applicant's HIA and its addendum do not conform to the City's Official Plan Heritage policies. The proposal does not appropriately conserve the heritage properties included in the development site. The proposal is also inconsistent with the heritage policies in the Provincial Policy Statement and it does not conform to the heritage policies of the Growth Plan. The proposal is consistent with the Council-approved policy direction moving forward for the neighbourhood found in the Council approved King-Spadina HCD Plan. Staff will continue discussion with the applicant on revisions to the proposal

that conserve the heritage resources on the site and ensure that the proposed design respects adjacent heritage resources.

### **Density and Height**

The original submission proposed a 46-storey building 138.2 metres high. The overall gross floor area proposed in the initial submission was 27,397 square metres representing a density of 21.0 times the area of the site. City Planning staff considered the height and density of the initial proposal inconsistent with the King-Spadina planning framework for the site. The revised submission includes a 38-storey building, 117 metres high and the gross floor area has been reduced to 18,863 square metres representing a density of 13.3 times the site area.

The built form policies of the Official Plan provide that new development should fit harmoniously within its existing and/or planned context and limit its impact on neighbourhood streets, parks, open spaces and properties. The King-Spadina Secondary Plan Review provides for a downward graduation of tower heights from University Avenue to Spadina Avenue. They also provide direction that building heights should be limited to prevent shadowing on the north sidewalk along Queen Street West after 12:00 p.m (noon) in the spring and fall equinoxes.

There are a number of existing or approved developments within the East Precinct close to the site, with building heights ranging between 145 to 157 metres; among these, 87 Peter Street (156 metres) and 355 King Street West (155.8 metres) on the east side of Peter Street/Blue Jays Way and 388 King Street West (146.8 metres) and 56 Blue Jays Way (146.5 metres) on the west side of Peter Street/Blue Jays Way. As well, Council has recently approved a zoning amendment application for a 47-storey (146.8 metres) within the SPAR block to the south of the site at 112-118 Peter Street and 350-354 Adelaide Street West.

The proposed building height of 117 metres is consistent with the heights of existing and planned buildings within this area and generally respects the established pattern of heights stepping down from east to west over the Precinct. Staff consider the proposed building height consistent with the policies of the Official Plan and Secondary Plan.

Overall City Planning staff consider the proposed revisions in the height and density appropriate for this site within the King-Spadina East Precinct. However, Planning staff continue to have concerns with the proposed tower setbacks from the south and west property lines and ground floor building setbacks and sidewalk zones. These issues are discussed in more detail below.

### **Tower Setback from the West and South Property Boundaries**

Official Plan Amendment (OPA) 352 and the associated Zoning By-law amendments provide for a minimum tower setback of 12.5 metres from property lines other than streets. The Tall Building Design Guidelines also support this setback. Towers

constructed too close to property lines on one site may restrict adjacent sites from developing in a similar manner. To avoid this, a minimum tower setback of 12.5 metres to side or rear property lines should be provided. The application proposes a tower setback of 10 metres from the west and south property lines. Increased tower setbacks from the west and south property lines are needed to address the requirements of the Official Plan, OPA 352 and the Tall Building Design Guidelines.

## **Ground Floor Building Setbacks and Sidewalk Zones**

The public realm policies of the Official Plan recognize that streets and sidewalks are vital parts of the public realm and that in many instances the width of sidewalks were designed before tall buildings were contemplated and are frequently too narrow. The King-Spadina Urban Design Guidelines recommend that new development contribute to an improved and enhanced public realm. Tall Building Design Guidelines recommend, along the primary frontages of a tall building site, a sidewalk zone at least 6 metres wide, or greater where larger setbacks are established by the existing context or required by the Zoning By-law, be secured to provide sufficient space for pedestrians, street furniture, trees and utilities. This also provides space for bicycle parking, spill out areas for retail uses such as cafes, public art installations, and other valuable street activities and amenities.

New development offers the opportunity to improve sidewalk amenity by providing an edge zone, a generous furnishing and planting zone, a continuous, universally accessible pedestrian clearway, and an appropriate frontage or marketing zone depending on the uses at grade. The Guidelines identify that this sidewalk zone may be entirely public or a combination of public and private property. In order to achieve an appropriate sidewalk width, the base of a tall building may need to be set back further from the property line than the distance prescribed in the Zoning By-law.

The application proposes a ground floor building setback of 1.8 metres along both Peter Street and Richmond Street West resulting in an overall sidewalk zone of 4.8 metres along these street frontages. Increased ground floor building setbacks are needed to provide for an overall sidewalk zone of 6 metres along both Peter Street and Richmond Street West in areas of the proposed new development to provide additional space for public realm improvements consistent with the Official Plan, King-Spadina Urban Design Guidelines and Tall Building Design Guidelines. In the areas adjacent to the existing heritage buildings the sidewalk zones would be narrower, 4.8 metres along Peter Street and approximately 4 metres along Richmond Street West.

## **King-Spadina Public Realm Strategy**

The King-Spadina East Precinct Public Realm Strategy identifies opportunities for public realm enhancements within the larger block bounded by Spadina Avenue, Peter Street, , Adelaide Street West, and Richmond Street West (SPAR block). The surface parking lot on the adjacent site to the west at 401 Richmond Street West is identified as a possible future opportunity for an open space or park centrally located within the block. As well



the existing north to south and east to west laneways that extend through the block are noted as areas for future enhancements to create pedestrian connections through the block and to a centrally located open space.

The SPAR block has also been identified in the King-Spadina Secondary Plan review as an area of special identity due to the existing heritage resources, the cultural centre at 401 Richmond Street West, and the opportunity for public realm improvements in the centre of the block. There are limited opportunities for new open space or parkland within the King-Spadina Secondary Plan area, and an opportunity has been presented to facilitate a public open space within the centre of the SPAR block as envisioned in the King-Spadina Public Realm Strategy.

City Planning staff have been working with property owners on the block including 401 Richmond Street West, 360 Adelaide Street West and the applicant for the proposed development to the south of the subject site at 112-118 Peter Street and 350-354 Adelaide Street West to explore options on how to achieve a central public open space or park on the block, and enhanced pedestrian connections as envisioned in the Public Realm Strategy and the Secondary Plan review.

Main issues identified include addressing parking and loading requirements for the 401 Richmond Street West and 360 Adelaide Street West properties that currently utilize the central surface parking area and driveways for loading and parking functions for these buildings. A new pedestrian connection and POPS is proposed in association with the development approved on the site to the south. In addition, Section 37 contributions have also been secured in association with the development on the site to the south for public realm improvements on the block, and discussions are ongoing in relation to providing for parking within this new development for the 401 Richmond Street West property.

Planning for a central open space/park on the SPAR block will require further consultation with owners on the block to ensure that connections through the block can be optimized and the space can be designed for maximum size and function to serve both adjacent neighbours and the community as a whole. The space will not only provide opportunities to support the cultural uses that already exist on the block but can be expanded by achieving more open space on adjacent properties.

The current development site is situated adjacent to the east of 401 Richmond Street West property, and north of the development approved by Council at 112-118 Peter Street and 350-354 Adelaide Street West. City Planning staff consider it appropriate to begin discussions with the applicant on how development on the site could contribute to achieving the public realm objectives for the block.

### **Dwelling Unit Mix**

The Official Plan encourages the provision of a full range of housing in terms of form, tenure and affordability to meet current and future needs of residents. The application

proposes 246 dwelling units in total, the majority 195 (79%) of which are proposed to be one-bedroom units. There are 12 two-bedroom units (5%) and 39 (16%) three-bedroom units proposed. While there are an adequate number of three-bedroom units proposed, additional two-bedroom units are recommended to provide for a broader range in the mix of dwelling units, particularly more family-sized units. City Planning staff will continue discussions with the applicant on the mix of dwelling units proposed to increase the number of two-bedroom units.

### **Amenity Space**

The built form policies of the Official Plan provide that every significant multi-unit residential development provide indoor and outdoor recreation space for building residents. The former City of Toronto Zoning By-law 438-86 requires that this be comprised of a minimum of 2 m<sup>2</sup> each of indoor and outdoor amenity space. Zoning By-law 569-1013 requires a minimum of 2 m<sup>2</sup> of indoor amenity space per unit and permits a minimum of 40 m<sup>2</sup> of outdoor amenity space.

The application proposes 480 m<sup>2</sup> of indoor amenity space (1.95 m<sup>2</sup> per unit) and 500 m<sup>2</sup> of outdoor amenity space (2.03 m<sup>2</sup> per unit). These are generally consistent with current Zoning-By-law requirements.

City Planning staff are satisfied that the amount of proposed indoor and outdoor amenity space will meet the needs of residents within the building consistent with objectives of the Official Plan. However, staff are recommending that the future design of the amenity spaces incorporate both indoor and outdoor areas for younger children, as well as providing facilities for dogs.

### **Balconies**

The built form policies of the Official Plan also provide for private balconies and terraces in multi-unit residential developments. The Growing Up Guidelines recommend that balconies or terraces be provided with new development to provide opportunities for access to fresh air, for socializing, to extend the living space, and provide a place for children to play.

The application does not propose private balconies or terraces for the majority of the dwelling units. Only three dwelling units are currently proposed to have private terraces. City Planning staff recommend that the building design be revised to include a higher proportion of dwelling units with private balconies or terraces, consistent with Built Form policies of the Official Plan and the Growing Up Guidelines.

### **Shadow Impacts**

The King-Spadina Secondary Plan Review provides direction that building heights should be limited to prevent shadowing on the north sidewalk along Queen Street West after 12:00 p.m in the spring and fall equinoxes. The Queen Street West HCD guidelines

also seek to limit shadow impacts on the north sidewalk of Queen Street West from development outside of the HCD to ensure that the character of the street as an important commercial and pedestrian street is maintained. The applicant has submitted a Shadow Study and this has been reviewed by staff. The Shadow Study indicates that the shadow cast by the building will extend north of Queen Street West in the morning hours but will have moved off of the north sidewalk by 12:00 p.m. (noon). Staff consider the shadow impacts from the proposed building acceptable.

## **Wind Study**

A Qualitative Pedestrian Wind Assessment has been submitted for the revised proposal and this has been reviewed by staff. The assessment indicates that the proposed building massing will result in wind comfort at all grade-level pedestrian sensitive locations such as sidewalks, laneways and building entrances. The Assessment found that wind mitigation will be required on the 6<sup>th</sup> floor outdoor amenity area, and recommends that canopies and vertical wind barriers be provided in this area. If approved, these wind mitigation measures will be secured in the Section 37 agreement.

## **Servicing**

A Functional Servicing Report was submitted with the application and has been reviewed by Engineering and Construction Services staff. Additional information and revisions are needed to address City requirements with respect to: groundwater discharge, water service and sanitary sewer service connections and hydrant flow tests in relation to fire protection.

## **Transportation Considerations**

An Urban Transportation Report and Update were submitted with the application and these have been reviewed by Transportation Services staff. Outstanding issues are discussed below.

### **Richmond Street West Road Widening**

A road widening of 2.38 metres is required along the north limit of the site abutting Richmond Street West. A 5.0 metre corner rounding clearway easement is also required at the intersection of Peter Street and Richmond Street West. The current proposal has not incorporated the required road widening or corner rounding and these will impact the design of the proposed development. Increased setbacks of the building will be required from Richmond Street West as widened and from the area of the corner rounding as the building is not permitted to encroach within these areas.

### **Vehicle Parking**

The application proposes 73 parking spaces (0.3 spaces per dwelling unit) for residents. No parking spaces are proposed for visitors or for the retail/commercial uses. Access to the parking spaces within the 4-level below grade garage is proposed via two car elevators situated at the ground level. Transportation Services staff have advised that the

proposed parking rate of 0.3 spaces per dwelling unit is acceptable and would meet the demand of the proposed development. As well, Transportation Services staff concur with the findings of the parking assessment that additional parking for visitors and retail/commercial uses is not required given the context of the site and parking demand.

Transportation Services staff have requested additional information in relation to the car elevators to ensure that a full range of vehicles, normally anticipated in a residential development, can be accommodated in the elevators. As well, information with respect to vehicle queuing is required to ensure that queued vehicles waiting for the car elevators, can be accommodated on the site and do not queue onto Richmond Street West.

### **Open Space and 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 3.00 + hectares of local parkland per 1,000 people. The site is in the highest 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.

In accordance with Chapter 415, Article III of the Toronto Municipal Code, the applicant is required to satisfy the parkland dedication requirement through cash-in-lieu. The non-residential nature of this proposal is subject to a 2% parkland dedication, while the residential nature is 10%.

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

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.

### **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.

The application is proposing to meet Tier 1 of the TGS.

## **Section 37**

Section 37 of the *Planning Act* empowers the approval authority to authorize increases in height and/or density, over and above that permitted by the Zoning By-law, in exchange for community benefits. Community benefits are specific capital facilities (or cash contributions for specific capital facilities) and can include child care facilities, public area, parkland and/or parkland improvements above and beyond the parkland dedication, streetscape improvements; and other works detailed in Section 5.1.1.6 of the Official Plan. Since this application was not considered to be good planning, discussions with the applicant about the nature and quantum of the community benefits have not taken place to date.

This report is recommending that staff continue discussions with the applicant in an attempt to resolve the issues outlined in this report including securing appropriate Section 37 community benefits. In the event that the OMB considers granting additional height beyond that which is permitted in the Zoning By-law, the City will request that the OMB not approve the zoning by-law amendment without the provision of such community benefits as are appropriate in the opinion of the Acting Chief Planner in consultation with the applicant and the Ward Councillor.

## **Conclusions**

In October 2016, the applicant appealed its application for a 46-storey (138.2) mixed use buildings with 435 residential units and a density of 21.0 times the area of the lot due to Council's failure to make a decision within the prescribed period under the *Planning Act*. On October 13, 2017, the applicant submitted a with prejudice settlement offer proposing a 38-storey mixed-use building 117 metres high with 246 dwelling units and a density of 13.3 times the area of the site.

The site includes two heritage buildings at 357 and 359 Richmond Street West and 122 and 124 Peter Street. The revised application proposes to demolish the building at 357 and 359 Richmond Street West, and dismantle and reconstruct the building at 122 and 124 Peter Street and incorporate it into the development.

The revised submission represents positive changes in relation to proposed height, density and number of dwelling units in the development, as well as increased building setbacks. However, there continue to be outstanding issues with the proposal, including the lack of conservation of heritage resources and building and tower setbacks.

City Planning staff are of the opinion that the proposal in its current form does not adequately address the Provincial Policy Statement, the Growth Plan for the Greater Golden Horseshoe, the Official Plan, King-Spadina Secondary Plan, King-Spadina Urban Design Guidelines and the City's Tall Building Design Guidelines. The applicant has expressed a continued willingness to work with staff and this report recommends

continuing discussions to arrive at a revised proposal that addresses the issues set out in this report.

## **CONTACT**

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Tel. No. (416) 392-7622  
E-mail: susan.mcalpine@toronto.ca

## **SIGNATURE**

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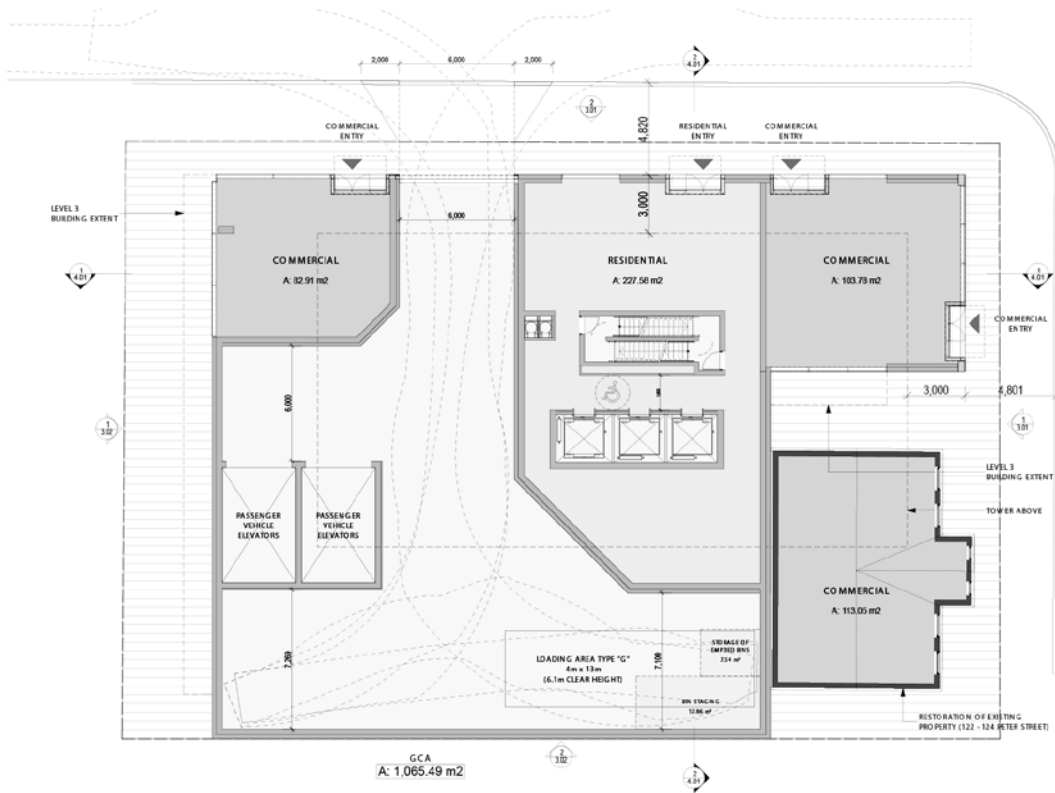
Lynda H. Macdonald  
Acting Director, Community Planning  
Toronto and East York District

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## **ATTACHMENTS**

- Attachment 1: Site Plan**
- Attachment 2: West Elevation**
- Attachment 3: South Elevation**
- Attachment 4: North Elevation**
- Attachment 5: East Elevation**
- Attachment 6: Application Data Sheet**
- Attachment 7: Official Plan – Land Use Designations**
- Attachment 8: King-Spadina Secondary Plan**
- Attachment 9: Existing Zoning**

# Attachment 1: Site Plan



## Site Plan

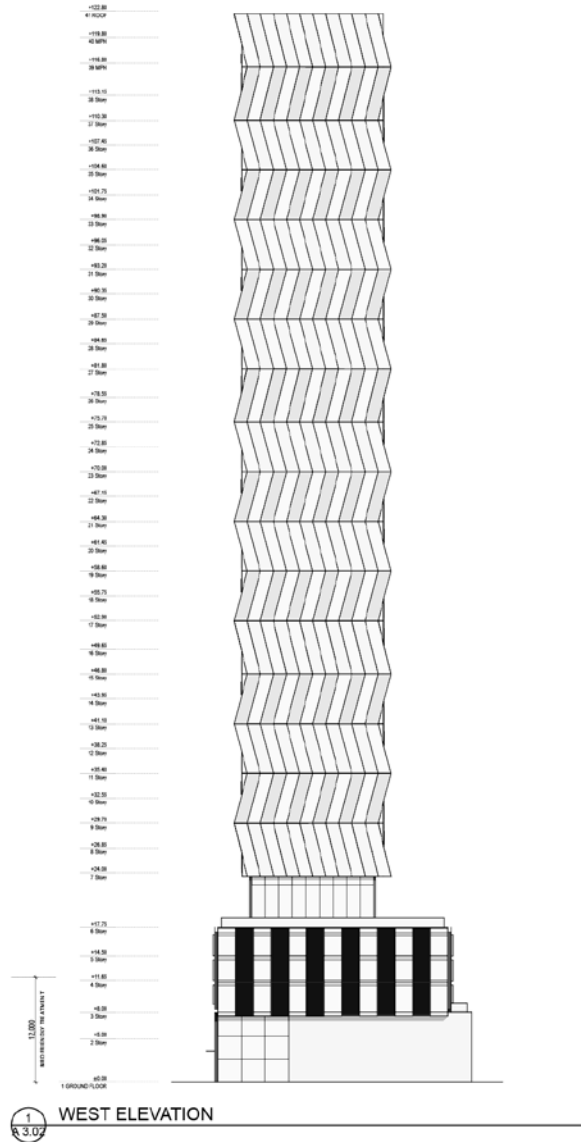
122-128 Peter Street and 357, 359 Richmond Street West

Applicant's Submitted Drawing

Not to Scale   
01/09/2018

File # 15 255425 STE 20 0Z

## Attachment 2: West Elevation




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### West Elevations 122-128 Peter Street and 357, 359 Richmond Street West

Applicant's Submitted Drawing

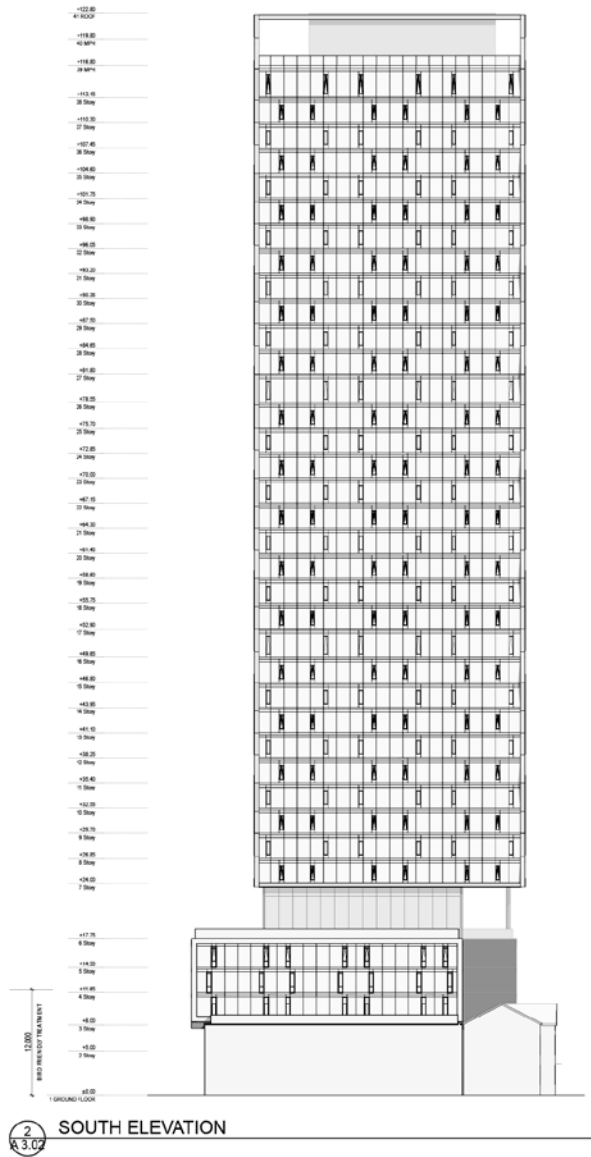
Not to Scale  
01/09/2018

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### Attachment 3: South Elevation

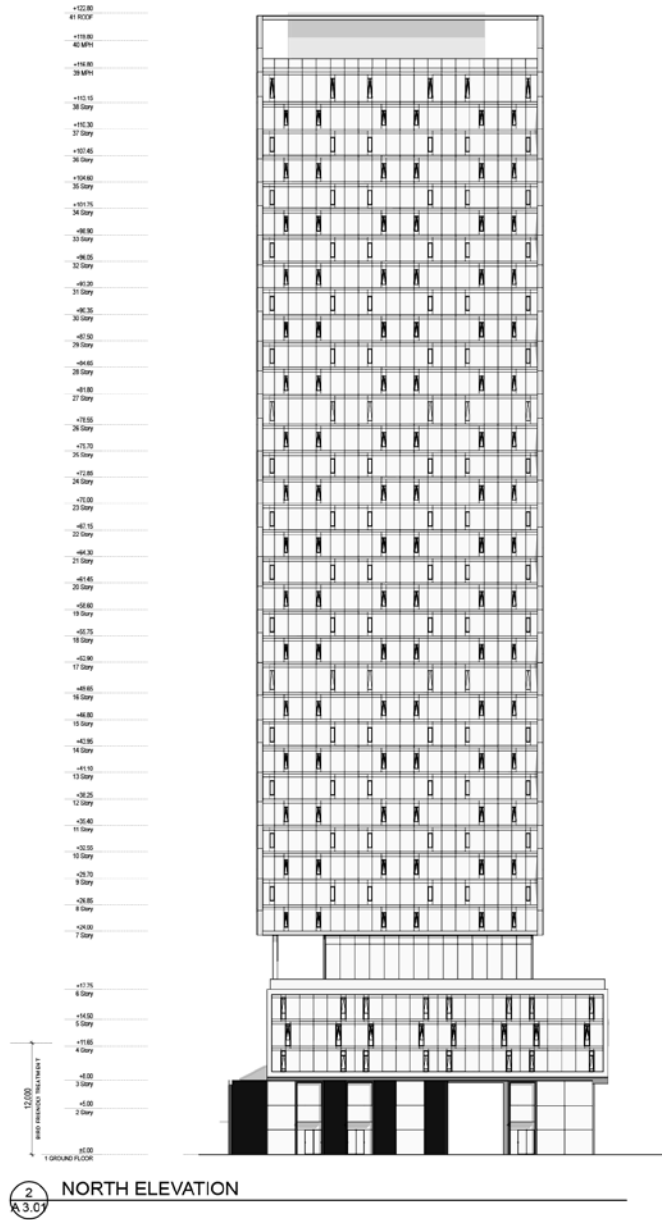


**South Elevations 122-128 Peter Street and 357, 359 Richmond Street West**  
 Applicant's Submitted Drawing

Not to Scale  
 01/09/2018

File # 15 255425 STE 20 OZ

## Attachment 4: North Elevation



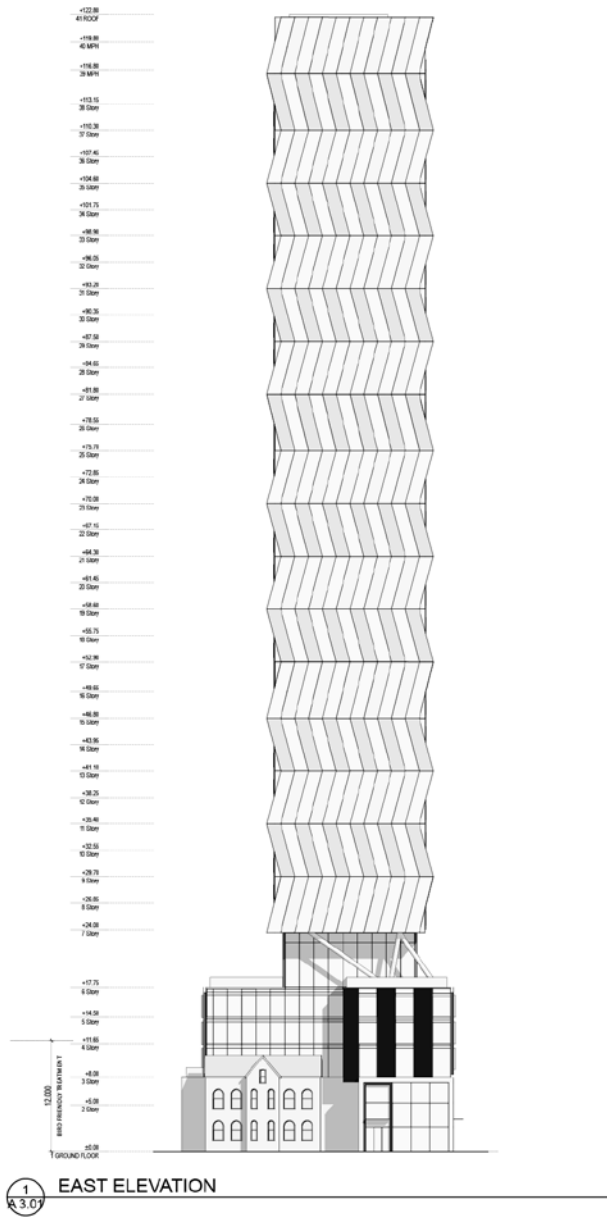
### North Elevations 122-128 Peter Street and 357, 359 Richmond Street West

Applicant's Submitted Drawing

Not to Scale  
01/09/2018

File # 15 255425 STE 20 0Z

## Attachment 5: East Elevation



**East Elevations**

**122-128 Peter Street and 357, 359 Richmond Street West**

Applicant's Submitted Drawing

Not to Scale  
01/09/2018

File # 15 255425 STE 20 0Z

## Attachment 6: Application Data Sheet

Application Type	Rezoning	Application Number:	15 255425 STE 20 OZ
Details	Rezoning, Standard	Application Date:	November 23, 2015
Municipal Address:	122, 124, 126 and 128 Peter Street and 357 and 359 Richmond Street West		
Location Description:	PLAN 1B PT LOT 6 **GRID S2013		
Project Description:	Proposed 38- storey (117) mixed-use building with 256 residential units and 300 m <sup>2</sup> of commercial/retail space. The total gross floor area proposed 18,863 m <sup>2</sup> representing a density of 13.3 times the area of the lot. 72 vehicle parking spaces and 286 bicycle parking spaces are proposed.		

<b>Applicant:</b>	<b>Agent:</b>	<b>Architect:</b>	<b>Owner:</b>
Hunter & Associates Ltd 555 Richmond St. W. Suite 405 PO Box 702 Toronto, ON M5V 3B1		Architects Alliance 205-317 Adelaide St. W. Toronto, ON M5V 1P9	Fortress Carlyle Peter St. Inc. 476 Richmond St. W. Suite 200 Toronto, ON M5V 1Y2

### 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):	1,423	Height:	Storeys:	38
Frontage (m):	45.6		Metres:	117
Depth (m):	31.0			
Total Ground Floor Area (sq. m):	1,065.49			<b>Total</b>
Total Residential GFA (sq. m):	18,563		Parking Spaces:	73
Total Non-Residential GFA (sq. m):	300		Loading Docks	1
Total GFA (sq. m):	18,863			
Lot Coverage Ratio (%):	74.8			
Floor Space Index:	13.3			

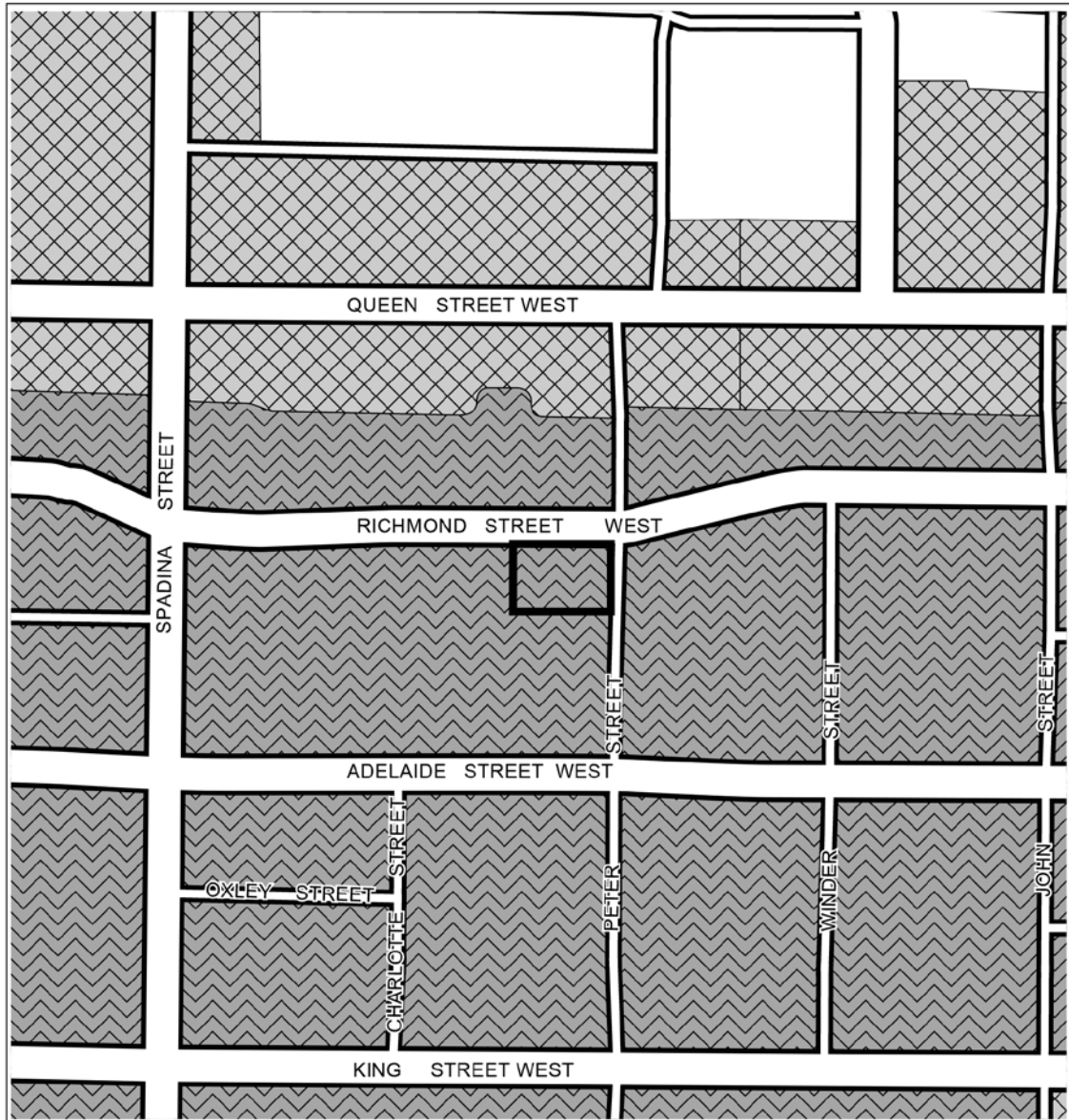
### DWELLING UNITS

### FLOOR AREA BREAKDOWN (upon project completion)

Tenure Type:	Condominium		Above Grade	Below Grade
Rooms:	0	Residential GFA (sq. m):	18,563	0
Bachelor:	0	Retail GFA (sq. m):	300	0
1 Bedroom:	195 (79%)	Office GFA (sq. m):	0	0
2 Bedroom:	12 (5%)	Industrial GFA (sq. m):	0	0
3 + Bedroom:	39 (16%)	Institutional/Other GFA (sq. m):	0	0
Total Units:	246			

**CONTACT: PLANNER NAME: Sue McAlpine, Senior Planner**  
**TELEPHONE: (416) 392-7622 EMAIL : susan.mcalpine@toronto.ca**

**Attachment 7: Official Plan – Land Use Designations**



**Toronto** City Planning  
**Official Plan**

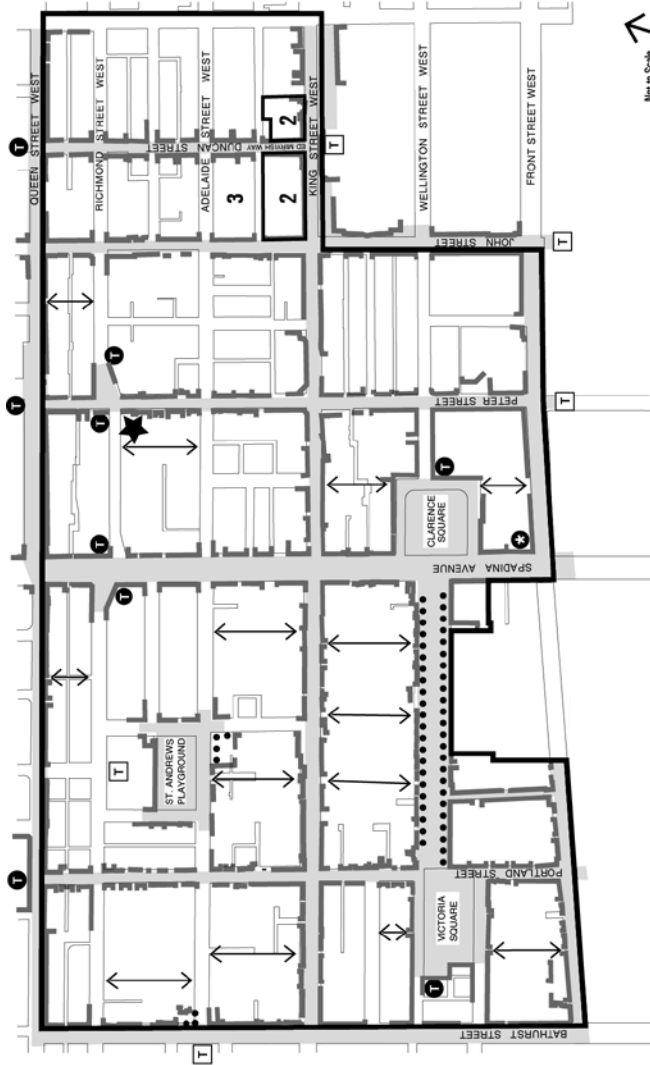
122-128 Peter Street and 357,359 Richmond Street West

File # 15 255425 STE 20 02

-  Site Location
-  Neighbourhoods
-  Mixed Use Areas
-  Regeneration Areas

↑  
 Not to Scale  
 01/08/2018

# Attachment 8: King-Spadina Secondary Plan



Not to Scale

## King-Spadina Secondary Plan MAP 16-1 Urban Structure Plan



- Secondary Plan Boundary
- Potential Gateway
- Potential View Terminus
- Existing View Terminus
- Existing and Potential Building Edge
- Potential Mid-block Connections
- Significant Street & Open Space
- Landscape Edge
- Site and Area Specific Policy Area 2
- Site and Area Specific Policy Area 3

October 2015

## King-Spadina Secondary Plan Map 16-1

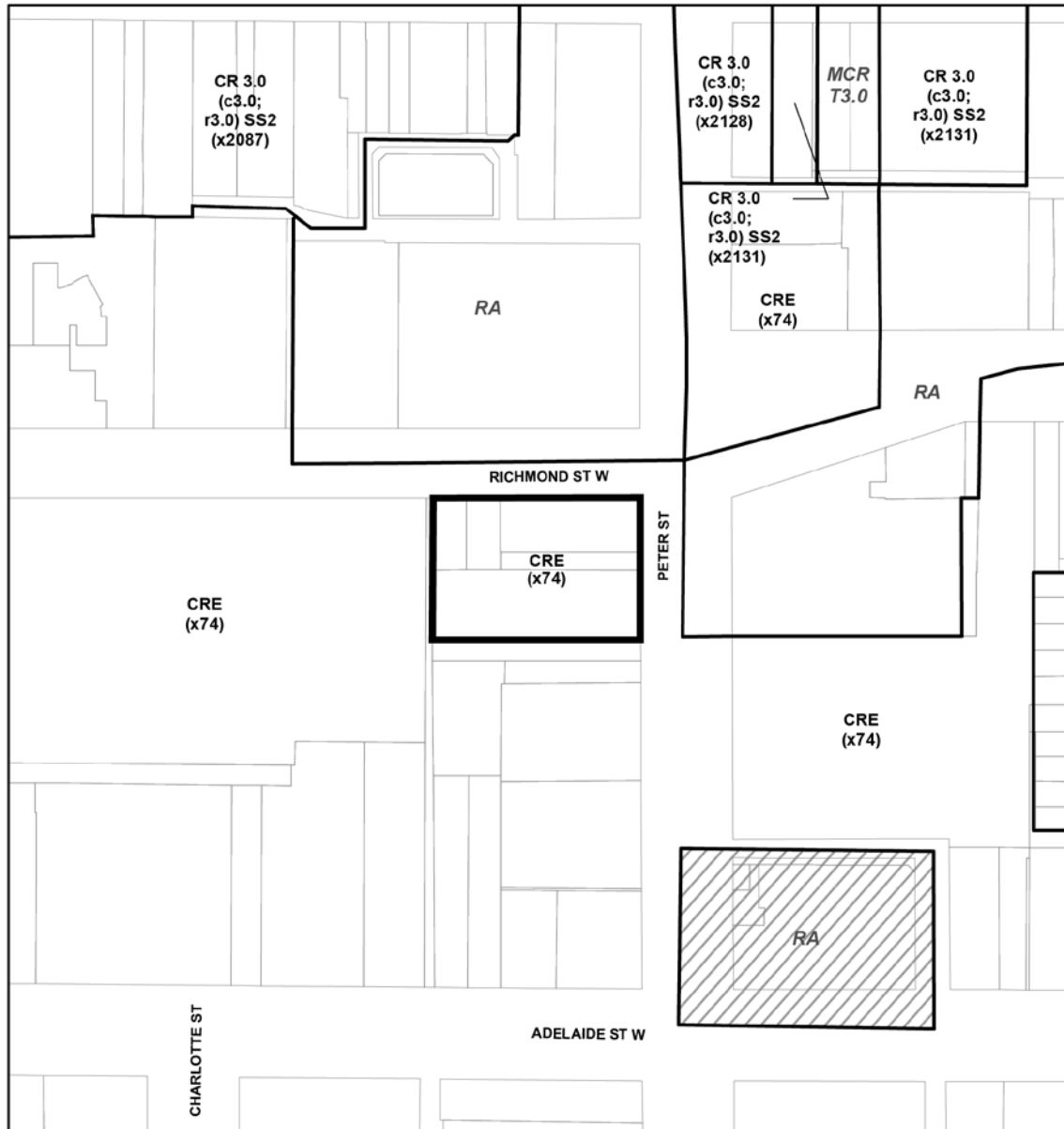
### 122-128 Peter Street and 357, 359 Richmond Street West

Not to Scale  
01/12/2018

★ Subject Site - 122,128 Peter Street and 357,359 Richmond Street West

File # 15 255425 STE 20 0Z

## Attachment 9: Existing Zoning



**122-128 Peter Street and 357,359 Richmond Street West**

**Zoning By-law 569-2013**

File # 15 255425 STE 20 02

- Location of Application
- CR** Commercial Residential
- CRE** Commercial Residential Employment

- See Former City of Toronto Bylaw No. 438-86
- RA** Mixed-Use District

Not to Scale  
 Extracted: 01/09/2018