

**523, 525 and 525A Adelaide Street West - Zoning
Amendment - Refusal Report**

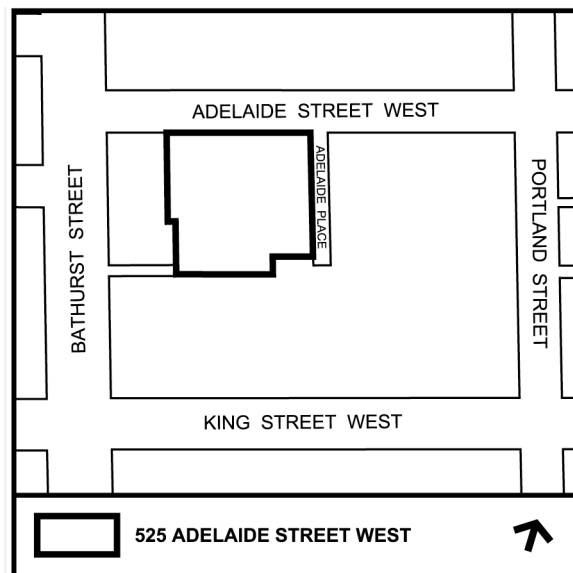
Date:	May 28, 2013
To:	Toronto and East York Community Council
From:	Director, Community Planning, Toronto and East York District
Wards:	Ward 20 – Trinity-Spadina
Reference Number:	12-117029 STE 20 OZ

SUMMARY

The application proposes to amend the former City of Toronto Zoning By-law 438-86 to permit the construction of a mixed-use development of a 21-storey mixed-use building (62.9 metres to the top of the roof and an additional 5.4 metres to the top of the mechanical penthouse for an overall height of 68.4 metres) with retail uses at grade and 454 units above. Included in the proposal are 362 parking spaces in four levels of below-grade parking to serve the project located in a below grade parking facility.

The proposal also includes the provision of lands for a future public park. It is being proposed that the park would be based on a stratified land ownership with the condominium corporation retaining ownership of the underground parking beneath the proposed park. The maintenance of the public park would be the responsibility of the condominium corporation.

The proposed vehicular access is off Adelaide Street West using a private driveway which is proposed to be shared with the proposed development to the west at 103-111 Bathurst Street.



The proposal represents over-development of the property contrary to the planning framework for King-Spadina. Located in the interior of the West Precinct of the King-Spadina Secondary Plan area where buildings are predominantly 35 metres or less in height, the 68 metres proposed is not supportable. The proposed building is also taller than nearby buildings on Bathurst Street, a major arterial street and does not provide appropriate stepping or separation distances to adjacent existing and approved developments. If approved as proposed, the building would detract from the heritage and mid-rise character of the area and set a precedent for additional height where it is not planned and set a negative precedent for the form of future development.

City Planning recommends that Council refuse the zoning by-law amendment application as submitted. City Planning staff are willing to continue discussions on a more modest proposal.

RECOMMENDATIONS

The City Planning Division recommends that:

1. City Council refuse the Zoning By-law Amendment application for 525 Adelaide Street West as proposed for the reasons set out in this report, including:
 - a. the proposal represents an over-development of the property;
 - b. the proposed height, massing and profile are inappropriate for the development of the lands and creates shadows on the north side of King Street West and exports negative impacts in terms of privacy and overlook on adjacent properties;
 - c. the proposal departs from Council's approved planning framework for the area;
 - d. the proposal is inconsistent with the King-Spadina Urban Design Guidelines; and
 - e. the height and massing of the proposal, if approved, has the potential to set a negative precedent for other applications within the West Precinct of the King-Spadina area. Such a precedent could undermine the goals of reinforcing the historic built form and preserving the mid-rise character within the West Precinct of the King-Spadina area.
2. City Council authorize the Chief Planner and the Executive Director, City Planning Division to continue discussions with the applicant in consultation with the Ward Councillor, should the applicant be willing to consider modifications to the proposal and report back to on an amended application if necessary.

3. Should further discussions with the applicant not be successful, City Council authorize the City Solicitor together with City Planning and other appropriate staff to appear before the Ontario Municipal Board in support of City Council's decision to refuse the application, in the event that the application is appealed to the Ontario Municipal Board.
4. City Council authorize the Chief Planner and Executive Director, City Planning consultation with the Ward Councillor, to determine and secure services, facilities or matters pursuant to Section 37 of the *Planning Act*, should the proposal be approved in some form by the Ontario Municipal Board.
5. City Council authorize City Officials to take all necessary actions to give effect to the foregoing recommendations, including executing a Section 37 Agreement to secure matters, services and facilities contemplated in Recommendation No. 3 to the report (May 28, 2013) from the Director, Community Planning, Toronto and East York District.
6. City Council request the Chief Planner and Executive Director, City Planning Division, to report back in the fourth quarter of 2013 on policy direction and amendments to the King-Spadina Secondary Plan to address the issue of mid-block height in the West Precinct of the King-Spadina Secondary Plan as outlined in the report (May 28, 2013) from the Director, Community Planning, Toronto and East York District.

DECISION HISTORY

On March 30, 2010 an application was submitted on the subject site to permit mixed-use residential and commercial buildings. Phase 1 of the proposed development consisted of an 11-story structure and phase 2 proposed a 14-storey structure. Three levels of underground parking were proposed to be provided with a total of 299 parking spaces. The proposal included 434 rental residential suites and 1,050 square metres of commercial space at grade. The application was to proceed based upon an application for minor variances to permit the necessary relief to the Zoning By-law. The minor variance application was never filed and the file was closed upon the submission of the current application by a different applicant.

Planning History for King-Spadina

In 1996, Council of the former City of Toronto approved Part II Official Plan and Zoning By-law amendments for King-Spadina and King-Parliament (the Kings) that introduced a planning framework aimed at encouraging rejuvenation of these historic districts that were instrumental in shaping the City. The Part II Plan for King-Spadina was included as a Secondary Plan in the new City of Toronto Official Plan adopted by Council in 2002. Along with the objectives and policies of the Official Plan, the Secondary Plan seeks to encourage investment in King-Spadina for a broad range of uses in a manner that reinforces its historic built form, pattern of streets, lanes and parks. These objectives

were implemented through the Reinvestment Area (RA) zoning, urban design guidelines and a community improvement plan.

There has been significant investment through new construction and conversions of existing buildings in King-Spadina since the approval of the planning framework in 1996. Along with this investment, a number of issues have arisen related to land use, community services and facilities, quality of life, built form and the public realm.

In 2006 Council enacted amendments to the King-Spadina Secondary Plan and the Zoning By-law and adopted new urban design guidelines for the area (Official Plan Amendment No. 2/By-law 921-2006 and Zoning By-law Amendment 922-2006).

The amendments are currently under appeal to the Ontario Municipal Board by some area owners and developers. A series of pre-hearing conferences have resulted in many appeals being withdrawn or settled. The pre-hearing has been deferred with the consent of all parties. As of the date of the writing of this report, this deferral remains unchanged.

Also in 2006, Council adopted design criteria for the review of tall building proposals that implement the built form policies of the Official Plan and these apply throughout the City including King-Spadina. A community improvement plan has also been approved for King-Spadina. In addition the Entertainment District Business Improvement Association's Master Plan, that includes portions of King-Spadina, provides the BIA's recommended directions for King-Spadina.

Together these initiatives provide a framework for development in King-Spadina. They encompass the vision for King-Spadina as an area where growth is encouraged, while ensuring that its place as an historic district, an important part of the early development of the City, is maintained and reflected in its buildings and along its streets well into the future.

ISSUE BACKGROUND

Proposal

The site is located on the south side of Adelaide Street West just east of Bathurst Street. The applicant proposes to construct a 21-storey mixed-use building comprised of a 7-storey brick base building with a mix of retail, and residential uses and a taller building rising above the base building in a T-shape with a total of 13-storeys extending across the frontage of the property adjacent Adelaide Street. A narrower tower rising to 21-storeys is located in approximately the middle of the lot extends south to the proposed extension of Brown's lane at the south end of the property. This taller 21-storey portion of the building steps back from Adelaide Street at each level. The height of the proposed building is 62.9 metres to the top of the 21-storey portion of the building and 68.4 metres to the top of the mechanical elements. There is an extension of the 7-storey base building at the south end of the property extending to the western edge of the site. Two-storey

townhouse units are proposed for the south end of the development along the proposed extension of Brown's Lane.

The project would include 454 residential units and a total gross floor area of 35,803 square metres. Retail uses (558 square metres) are proposed at grade.

At the south-east corner of the site the applicant has proposed a small (683 square metre) public park to be conveyed to the City by way of a strata conveyance. The strata conveyance would allow the interest in the underground garage proposed below the park to ultimately remain with the condominium corporation. The applicant has proposed that the maintenance of the park remain with the condominium corporation. Public access to the proposed public park would be through Adelaide Place, a public street which forms the eastern boundary of the applicant's property and through an at-grade pedestrian walkway (9.5 metres wide) through the proposed building from Adelaide Street West.

The applicant is also proposing a stratified conveyance of 272 square metres of land at the south end of the site to allow Brown's Lane to be extended to the eastern end of the property. The proposed extension of Brown's Lane would provide only pedestrian access to the south end of the site.

Vehicular access is proposed from the private driveway shared with the adjacent property to the west at 103-111 Bathurst Street. Access would be right-in/right-out given Adelaide Street's one-way eastbound traffic flow. Included in the proposal are 362 parking spaces on four levels of underground parking. Servicing and loading and access to the underground parking would be located on the west side of the site off the shared driveway. The servicing and loading area and the ramp to the underground garage are proposed to be covered by a landscaped outdoor amenity area. Four hundred and sixty one bicycle parking spaces are proposed, with 116 spaces on the ground floor for resident, visitor, retail users and 345 resident bicycle parking spaces on the first floor of the underground parking garage.

The proposed development includes 908 square metres of indoor amenity space and a total of 1,124 square metres of outdoor amenity space. The outdoor amenity space is located on the roof of the first floor above the loading/underground parking garage access and on the 14th floor rooftop terrace. The required amenity space as per Zoning By-law No. 438-86 is 2 square metres per unit for both indoor and outdoor amenity space. The amenity space therefore meets the required indoor amenity space and exceeds the required outdoor amenity space requirement as per By-law No. 438-86. The proposed outdoor amenity space does not include the proposed 668 square metre park. See Attachment 9 – Application Data Sheet.

Changes to the Proposal

Revised plans submitted by the applicant on February 15, 2013 included a number of changes to the proposal as outlined in the plans which accompanied the original proposal in February of 2012. These changes are outlined below:

- The number of storeys was increased from 19 to 21 and the height of the building was increased from 59.1 metres to the top of the 19-storey portion of the building and 64.5 metres to the top of the mechanical elements to 62.9 metres to the top of the 21-storey portion of the building and 68.4 metres to the top of the mechanical elements.
- The stepback above the 7th floor base building has increased from 2 to 4 metres in the original proposal to 4.5 metres, although balconies project 1.5 metres into this stepback.
- The portion of the proposed building at the rear of the property adjacent the proposed Brown's Lane extension which extends westward from the taller part of the building has been reduced in height from 14-storeys to 7-storeys.
- The total gross floor area has been reduced from 36,809 square metres to 35,803 square metres and the density has decreased from a floor space index of approximately 8.5 to approximately 8.2.
- The proposed unit count has increased from 440 residential units to 454 residential units.
- the number of parking spaces has increased from 302 parking spaces to 362 parking spaces. The applicant has indicated that they want the option of using the first floor of the underground garage to provide commercial parking to accommodate visitor parking (27 parking spaces) and excess resident parking (40 parking spaces).
- The width of the pedestrian tunnel to provide access to the proposed public park from Adelaide Street West has been increased from 6.0 metres to 9.0 metres.

Block Plan

The applicant, in cooperation with Context Developments Inc. (which was formerly proposing a development on the adjacent site to the east referred to as 620 King Street West) had submitted a Block Plan proposing a series of at-grade pedestrian connections, public rights-of-ways and open space amenities across these two sites. The key element of the Block Plan for the applicant's site was the strata parkland conveyance which was and remains a part of the proposal for the subject site.

A public meeting was hosted by the local Councillor on December 12, 2012 to discuss the development of the subject site and the adjacent properties at 103-111 Bathurst Street to the West and 620 King Street West to the east. The proposed Block Plan with the amenities proposed as public benefits to be delivered along with the proposed buildings was presented and discussed at that meeting. The development proposal presented at that time for the adjacent property to the east (620 King Street West) was for a building

extending from Adelaide Street through to King Street West with a height of 19-storeys (60 metres) in the middle of the block. The proposed development at 620 King Street West was never submitted and the future of the Block Plan proposal is unclear. The proposed Block Plan was an important part of the public presentations of the applicant's proposal as the amenities described in the block plan were presented as benefits which could justify the substantial increases in height and density proposed for both the subject site and the preliminary development proposal for 620 King Street West.

Site and Surrounding Area

The subject site is located at the south side of Adelaide Street West just east of Bathurst Street. The property is square in shape with approximately 68 metres of frontage on Adelaide Street West and a depth of approximately 67 metres. The site is currently occupied by a one-storey sales office and a surface parking lot.

The site is surrounded by the following uses:

North: The northern edge of the site is defined by Adelaide Street West which has a right-of-way of 20 metres. North-west of the site at the north-east corner of Bathurst Street and Adelaide Street West is the Factory Theatre, a house form building and a four-storey addition designated under the *Ontario Heritage Act*. Evangel Hall, a 7-storey contemporary building which provides transitional housing is located east of the Factory Theatre. Further to the east is a self storage facility and a surface parking lot.

South: The southern edge of the site is defined by a mixed-use development at 650 King Street West which is comprised of connected buildings at 10-storeys and 16-storeys. To the east of this development at 642 King Street West is a 4-storey brick building.

West: The site is bounded by the property at 103-111 Bathurst Street to the west. This site is subject to a development application for a 17-storey mixed-use building (56 metres in height including mechanical elements) with 2 stories of commercial uses (retail and office) and 255 residential units (File No. 11-289519 STE 20 OZ). An existing 3.6 metre driveway is shared by these two properties. The southern boundary of this site is Brown's Lane, which terminates at the eastern edge of this property (the western boundary of the subject site).

East: Adelaide Place, a north-south residential street forms the eastern boundary of the site. On the east side of Adelaide Place are six Victorian townhouse units facing west and several more Victorian townhouses on the south side of Adelaide Street facing north.

Planning Act, Provincial Policy Statement and Provincial Plans

Section 2 of the *Planning Act* sets forth matters of Provincial interest which municipal Councils shall have regard to in making decisions under the *Act*. These include 2(h) the

orderly development of safe and healthy communities; 2(l) the protection of the financial and economic well-being of the Province and its municipalities; and 2(p) the appropriate location of growth and development.

The Provincial Policy Statement 2005 (PPS) provides policy direction on matters of provincial interest related to land use planning and development. The PPS sets the policy foundation for regulating the development and use of land. Its objectives include: building strong communities; wise use and management of resources; and carefully managing land use to accommodate appropriate development to meet the full range of current and future needs, while achieving efficient development patterns. Section 3(5) of the *Planning Act* requires City Council's planning decisions to be consistent with the PPS.

The *Planning Act*, PPS and the City's Official Plan are inter-connected. One of the stated purposes of the *Planning Act* in Section 1.1(f), is to recognize the decision-making authority of municipal councils in planning. Section 4.5 of the PPS provides that the official plan is the most important vehicle for implementation of the PPS. In addition, the PPS provides that comprehensive, integrated and long term planning is best achieved through municipal official plans, that official plans are to identify provincial interests and set out appropriate land use designations and policies, and that official plans shall provide clear, reasonable and attainable policies to protect provincial interests and direct development to suitable areas.

The City's Official Plan is up-to-date, having been approved at the OMB in 2006, and, along with guiding development in the City, it implements the PPS in order to protect Provincial interests. The King-Spadina Secondary Plan is one of 27 secondary plans to the Official Plan. Furthermore, the King-Spadina Secondary Plan area was reviewed in its entirety in 2006, with amendments (By-laws 921-2006 (OPA 2), and accompanying Zoning By-law amendment 922-2006) adopted by Council. The amendments reinforced and strengthened the in-force planning framework.

The Growth Plan for the Greater Golden Horseshoe provides a framework for managing growth in the Greater Golden Horseshoe including: directions for where and how to grow; the provision of infrastructure to support growth; and protecting natural systems and cultivating a culture of conservation. City Council's planning decisions are required by the *Planning Act*, to conform, or not conflict, with the Growth Plan for the Greater Golden Horseshoe.

Official Plan

The Official Plan locates the subject site within the *Downtown*. Chapter Two – Shaping the City identifies that the downtown area offers opportunities for substantial employment and residential growth, but that this growth is not anticipated to be uniform. Rather, it is expected that the physical setting of many areas will remain unchanged and that design guidelines specific to districts of historic or distinct character will be

implemented to ensure new development fits into the context of existing built form, streets, setbacks, heights and relationship to landmark buildings.

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. Section 3.1.2 Built Form provides policies that are aimed at ensuring that new development fits within and supports its surrounding context. Policies 3.1.2.1 to 3.1.2.4 seek to ensure that development is located, organized and massed to fit harmoniously with existing and/or planned context; frames and appropriately defines streets, parks and open spaces at good proportion; and limits impacts of servicing and vehicular access on the property and neighbouring properties. Meeting these objectives requires creating consistent setbacks from the street, massing new buildings to frame adjacent streets and open spaces in a way that respects the existing and/or planned street proportion, creating appropriate transitions in scale to neighbouring existing and/or planned buildings, and limiting shadow impacts on streets, open spaces and parks.

Section 3.1.3 contains specific policies on tall buildings and built form principles to be applied to the location and design of tall buildings. The background text in Section 3.1.3, which provides context for the policies, is clear in stating that tall buildings do not belong everywhere. Tall buildings are generally limited to areas in which they are permitted by a Secondary Plan, an area specific policy, a comprehensive zoning by-law, or site specific zoning. Tall buildings will only be permitted in other areas on the basis of appropriate planning justification consistent with the policies of the Official Plan.

Policy 3.1.3.1 indicates that where a tall building is appropriate, it should have a base at an appropriate scale for the street and that integrates with adjacent buildings, a middle with a floor plate size and shape with appropriate dimensions for the site. Policy 3.1.3.2 requires new tall development to address key urban design considerations, including:

- meeting the built form principles of the Official Plan;
- demonstrating how the proposed building and site design will contribute to and reinforce the overall City structure;
- demonstrating how the proposed building and site design relate to the existing and/or planned context;
- taking into account the relationship of the site to topography and other tall buildings;
- providing high quality, comfortable and usable publicly accessible open space areas; and
- meeting other objectives of the Official Plan.

Section 3.1.5 deals with the City's heritage resources. Policy 3.1.5.1 seeks to conserve significant heritage resources through listing or designating properties, and designating areas with a concentration of heritage resources as Heritage Conservation Districts and adopting conservation and design guidelines to maintain and improve their character. Policy 3.1.5.2 requires that development adjacent to listed or designated heritage buildings respect the scale, character and form of the heritage buildings and landscapes.

The site is designated as a *Regeneration Area*, the boundaries of which correspond with the boundaries of the King-Spadina Secondary Plan Area. The *Regeneration Area* designation permits a wide range of uses, including the proposed residential and commercial uses. Section 4.7.2 of the Official Plan provides development criteria in Regeneration Areas, which is to be guided by a Secondary Plan. The Secondary Plan will provide guidance through urban design guidelines related to each *Regeneration Area's* unique character, greening, community improvement and community services strategies and a heritage strategy identifying important resources, conserving them and ensuring new buildings are compatible with adjacent heritage resources, and environmental and transportation strategies.

King-Spadina Secondary Plan

The subject site is located within the King-Spadina Secondary Plan area. The King-Spadina Secondary Plan (Chapter 6.16 of the Official Plan) provides a framework for reinvestment and development, the fundamental intent of which is to encourage reinvestment for a wide range of uses in the context of a consistent built form that relates to the historic building stock and the pattern of streets, lanes and parks.

In particular the policies of Section 3.6 – General Built Form Principles specify that:

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

- high quality open spaces will be provided.

King-Spadina Secondary Plan Review

OPA No. 2 (By-law 921-2006), which is under appeal to the Ontario Municipal Board, proposed amendments to the King-Spadina Secondary Plan that are intended to further clarify and reinforce the fundamental intent of the Secondary Plan.

New Policy 2.2 notes that the scale and character of the historic buildings and pattern of the public realm will be protected and enhanced. New Policy 3.1 (Urban Structure and Built Form) states that the King-Spadina Area is comprised of the West Precinct, Spadina Avenue Corridor and the East Precinct (see Attachment 8). The policy states that development will complement and reinforce the distinctive qualities of these precincts and corridor.

King-Spadina Urban Design Guidelines

The King-Spadina Urban Design Guidelines (2004) support the implementation of the King-Spadina Secondary Plan.

Tall buildings, where appropriate, must meet the policies of the Official Plan and Urban Design Guidelines, achieve adequate light, privacy and views, and maintain the potential for adjacent sites to develop in a similar manner. New development should reinforce a street wall height that reflects the character and scale of the area, particularly that of heritage buildings on the same block face.

Section 4.3.3 Built Form states that the western part of King-Spadina is developing as a mid-rise neighbourhood, a distinguishing characteristic which differentiates this area from the Spadina Avenue and eastern portions of the Secondary Plan Area.

Section 5 contains built form guidelines that expand on Section 4.0. Section 5.4.1 recognizes that heights transition down to the west. It also notes that heights that are beyond the permitted zoning and are anomalous with the heritage fabric of the area should not be used as precedents for development. Section 5.4.3 deals with angular planes and stepbacks to minimize shadows and ensure adequate sunlight, and strengthen the existing streetwall scale to maintain a comfortable pedestrian experience. Section 5.4.4 addresses light, view and privacy requirements.

The Guidelines point out that accommodations in tall buildings tend to be small, so access to natural light and reasonable views will be particularly important in improving the liveability of these units. Protecting privacy is also important in a high density neighbourhood. Light, view and privacy are described as "quality of life" issues, which must be evaluated based on the existing and potential development.

With regard to separation distances (facing distances) between towers, the Guidelines refer to the standard of 25 metres between towers or a distance of 12.5 metres between

the tower and the property line, as called for in the City's Tall Building Design Guidelines.

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. The city-wide Guidelines are available at <http://www.toronto.ca/planning/tallbuildingdesign.htm>.

The Tall Building Guidelines provide direction on matters related to the scale of buildings, building floor plates and spatial separation. Key criteria in the Guidelines are minimum facing distances of 25 metres between towers in order to achieve appropriate light and privacy, minimum side and rear yard tower setbacks of 12.5 m, and articulation of tower floor plates that are larger than 743 sq. m. to break down the massing of the building.

King-Spadina East Precinct Built Form Study

In April 2008, Council directed staff to undertake a study of the built form in the East Precinct of the King-Spadina Secondary Plan Area (east of Spadina Avenue), in response to the large number of applications for tall buildings, which continued to challenge the planning framework of the East Precinct area. The East Precinct of the King-Spadina Secondary Plan area was identified as a particular challenge in terms of addressing the built form objectives of the Secondary Plan, which do not recognize the development of any part of the King-Spadina Secondary Plan as a tower neighbourhood. Although the work on the East Precinct Built Form Study was delayed due to lack of staff resources, staff have recently re-started this process and public meetings are being scheduled for June to obtain public input as part of the study.

No such study was deemed to be necessary with regard to the West Precinct (lands within the King Spadina Secondary Plan west of Spadina Avenue which includes the subject site) as this area has been successfully developing as a mid-rise neighbourhood and has not been identified as an area appropriate for tall buildings.

Heritage Conservation District Study

The King-Spadina Secondary Plan area contains many listed and designated heritage buildings. At its meeting on August 16, 2012 Toronto City Council directed Heritage Preservation Services staff to undertake Heritage Conservation District studies in five priority areas. One of these areas is the King-Spadina Secondary Plan area. The Request for Proposals for the King-Spadina Heritage Conservation District Study was issued and a team lead by Taylor-Hazell Architects has been chosen to undertake the study. It is anticipated that the initial study will be completed by April of 2014. The development of

a Heritage Conservation District Plan and the designation under Part V of the *Ontario Heritage Act* of one or more identified Heritage Conservation Districts will follow as the second part of the study.

Zoning

The site is zoned Reinvestment Area (RA) by Zoning By-law 438-86, as amended (see Attachment 6). 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 23 metres for this site if a 3 metre stepback at 20 metres is provided. An additional 5 metres is permitted for rooftop mechanical elements.

The Zoning By-law requires a 7.5m setback from the side and rear lot lines for areas over 25 metres from the street lot line.

Site Plan Control

The proposed development is subject to site plan approval. An application for Site Plan Control has been submitted and has been reviewed concurrently with the Rezoning application.

Reasons for Application

The applicant has submitted a Zoning By-law Amendment application to permit a building that exceeds the permitted maximum building height of 23 metres by approximately 40 metres, resulting in a proposed building height of 62.9 metres, (68.4 metres inclusive of the mechanical penthouse). In addition, the proposed building does not comply with other restrictions that are in effect on the lands.

Community Consultation

A Community Consultation meeting was held on June 12, 2012. The meeting was attended by the local Councillor, City Planning staff, the applicant and approximately 30 area residents. The concerns raised by residents with respect to the proposed development were generally related to the following matters:

- Concerns were raised about the height of the proposed building and the potential for similar developments if this project were to be approved.
- Concerns were expressed about the impact of the proposed development (and other nearby developments proposed and approved) on St. Mary's Church. Concerns included the amount of resident and visitor parking and impacts on traffic in the area.

- Questions were raised about the impact of the development on sunlight on Adelaide Street West.
- There was an extensive discussion regarding the appropriateness of having a condominium corporation responsible for the on-going maintenance of a public park.

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

Land Use

The proposed mix of residential and commercial uses is consistent with the land use provisions of the Official Plan and Zoning By-law No. 438-86.

Density, Height, Massing

Overall Height

The proposed height significantly exceeds any Council approval for this area of King-Spadina and is not appropriate.

The West Precinct of the King-Spadina Secondary Plan area is characterized by a predominantly mid-rise neighbourhood with the significant majority of approvals under 35 metres to the top of the main roof. Staff are prepared to consider slightly taller buildings on Bathurst Street or Front Street within the areas zoned with 26 and 30 metre height limits (as opposed to the 23 metre height limit which applies to the subject site), however, the applicant's proposed 21-storey building at 62.9 metres, with the mechanical penthouse adding another 5.5 metres for an overall height of 68.4 metres is well above any approvals granted within the interior of the West Precinct land, and is not supportable.

The proposed building is considerably taller than the proposed building to the west at 103-111 Bathurst Street (11 289519 STE 20 OZ) which at 17-storey has a height of 55.6 metres (with the upper floor mechanical elements incorporated into the top floor along with residential units). This project was the subject of an Ontario Municipal Board (OMB) Hearing on April 23-24, 2013 at which the Board was asked to approve the project as proposed by the applicant as a settlement endorsed by City Council. The Board member at that hearing indicated that he would be issuing an order to approve the project based upon the materials and evidence presented to the Board. This report will therefore regard that project as being approved. Staff had submitted a Request for Directions Report to Council in response to the applicants appeal recommending that the height of that building be limited to 16-storeys at 52.6 metres (a reduction of one storey

or 3.0 metres in height) to match the height of the approved project at 650 King Street West to the south (52.6 metres in height including mechanical elements). The staff recommendation for a height of 16-storey at 52.6 metres for a building in this location was based its adjacency to Bathurst Street, which has a 30 metre right-of-way in this location and can carry a taller building. The relative width of adjacent streets and relative impacts on the public realm and adjacent properties is the reason for the distinction in permitted heights in Zoning By-law No. 438-86 between those properties adjacent Bathurst Street and Front Street (with height limits of 26 metres and 30 metres respectively) and the interior properties (including the subject site) with a height limit of 23 metres.

Staff have consistently worked to limit heights to the 50 metre range, even on Bathurst Street and Front Street. The building at 51 Bathurst Street/550 Wellington Street West (the Thompson Hotel) has a height of 16-storeys (52.0 metres including mechanical elements) on Bathurst Street. The Thompson Hotel was subject to a heritage density bonus under the provisions of the King-Spadina Secondary Plan which allows for additional height to be approved where the conservation, restoration or maintenance of heritage structures is secured.

The approval of incremental increases in height on a project by project basis can undermine the planning framework for the West Precinct of the King-Spadina area, as there is on-going pressure to incrementally increase the permitted heights in the West Precinct. This height-creep is not appropriate in this mid-rise precinct which is also home to a significant collection of mid-rise heritage buildings.

City Planning staff recommend that the height of the proposed building be limited to a height below that of the adjacent and recently approved buildings on Bathurst Street to provide for a transition to the lower prevailing heights within the interior part of the West Precinct.

Tower Setback on Adjacent Laneway (Pedestrian Easement)

The applicants proposed building creates very poor relationships to the adjacent existing 10-storey to 16-storey building south of the subject site, which if constructed as proposed, would result in loss of privacy, sunlight and sky views for residents of both of these buildings.

The applicants proposed building extends to the proposed public pedestrian easement at the south end of the site as described later in this report. At-grade, the screening for the proposed townhouse units facing the laneway extension appear to encroach onto the easement. There is a minimal setback (less than a metre when scaled from the plans) between the easement lands and the balconies for the 7-storey based building at the south end of the site. There is no stepback proposed in this location between the 7-storey base building and the additional 14-storeys which rise above the base building (see Attachment 4 – West Elevation). The applicants submitted floor plans also show

balconies which project beyond the face of the tower above the 7-storey base building. The resulting condition in this area is a 21-storey tower with a minimal setback (scaled from the plans at approximately 1.4 metres not including balcony projections) between the face of the tower and the proposed easement lands. The distance between the face of the proposed 21-storey tower and the mid-point of the easement lands is approximately 3.5 metres. The distance between the face of the proposed tower and the property line to the south is 5.5 metres. These measurements are exclusive of balcony projections.

The 16-storey portion of the building approved as part of that development at 650 King Street West is located immediately south of the adjacent site at 103-111 Bathurst Street while the 9-storey rear portion of the building which fronts on King Street West is directly opposite the 21-storey portion of the applicants proposed building. The 16-storey portion of the building has no setback from Brown's Lane to the north and the 9-storey portion of the building directly south of the 21-storey portion of the building proposed on the subject site has no setback from the applicants property line at grade and has a step back of approximately 3.5 metres for the units above the ground floor for the portion of the building adjacent the subject site. This effectively places the north-facing units for that building immediately south of the applicants proposed pedestrian easement. If the proposed building were constructed as shown in the applicants submitted plans, the distance between the south-facing units in the proposed building and the north-facing units recently constructed at 650 King Street West would be approximately 9.0 metres (less than 30 feet). Again, this excludes balcony projections, which reduces the separation distance to less than 8.5 metres (approximately 28 feet).

The applicant's proposal would result in an inadequate facing distance between the north facing units in the existing building at 650 King Street West and the south facing units on the applicants proposed building. This standard was compromised on the site to the south (650 King Street West) where the building was effectively built on the property line. As such, the approval of the tall portion of the applicants proposed building only 3.5 metres from the mid-point of the proposed pedestrian easement creates an unacceptably small separation distance between the units on either side of the proposed pedestrian easement.

This issue of privacy, quality of life and access to sunlight is a significant issue for condominium residents as highlighted in the recent City-wide consultation with condominium owners.

Viewing the proposed pedestrian easement as a buffer zone between the proposed building and the building to the south in the same manner as a public or private laneway, staff recommend that a tower setback of 10 metres from the centre line of the proposed pedestrian easement would be required as it would allow for a facing distance of approximately 15.5 metres (approximately 50 feet) between south facing units on the subject site and north facing units in the approved development at 650 King Street West.

The recommended 10.0 metre setback reflects the fact that the proposal is a tall building and should meet the separation distance of 12.5 metres from a tower to the lot line as set

out in the City's Design Criteria for the Review of Tall Buildings Proposals. However, staff are willing to accept a separation distance of 10.0 metres in light of the size of the site and other objectives on the site.

The 2006 King-Spadina Urban Design Guidelines noted that in a high density neighbourhood such as the East Precinct of King-Spadina, access to natural light and reasonable views will be particularly important for quality of life. This is particularly true given the small size of many of the units proposed in King-Spadina. South facing units in proposed building will have very limited access to sunlight, privacy or sky views.

The King-Spadina Urban Design Guidelines and the Tall Building Design Guidelines contain provisions related to the importance of protecting privacy in a high density neighbourhood. Light, view and privacy are described as "quality of life" issues, which must be evaluated based on the existing and potential development. Equally important is the skyview, access to light and air that this skyview provides on the street. The proposed substandard tower separation spacing compromises the quality of the public realm on adjacent streets.

Tower Separation Adjacent to Shared Private Driveway

The proposed tower separation to the adjacent (OMB approved) 17-storey development at 103-111 Bathurst Street needs improvement to better address light, view, privacy and quality of life for residents.

The applicants proposed 7-storey base building and the first 6-storeys which rise above that building are built on the property line at the west side of the property facing the private driveway proposed to be shared with the adjacent property to the west at 103-111 Bathurst Street (see Attachment No. 2 – North Elevation). The proposed 5-storey base building at that address is also proposed to be constructed up to the western edge of the proposed 6.0 metre wide driveway. The additional 12-storey tower to be approved on that site will have a setback of 3.3 metres from the proposed private driveway for the first 11-storeys and an additional setback of 3.5 metres for the 12th floor.

The applicants proposal for a 13-storey building with no setback whatsoever separated only by a 6.0 metre driveway facing a 5-storey building with no setback with another 11-storeys with only a 3.5 metre setback results in units facing each other only 6.0 metres (20 feet) apart for 5-storeys and 8.5 metres (28 feet) apart for an additional 8-storeys creates an unacceptably close facing distance with the units approved on the site to the west.

As was noted above, the provision of adequate space between tall buildings is important in providing for quality of life for residents in these buildings. In these circumstances, staff could accept the taller portion of the proposed building (above the 7th Floor) set back 10.0 metres from the centre line of the proposed driveway, resulting in a facing distance of 13.0 metres between the taller portion of the proposed building and the building

approved by the OMB on the adjacent site. Below this proposed tower stepback staff would recommend that no principle windows be permitted facing the proposed private driveway.

Sun, Shadow, Wind

Shadow studies submitted by the applicant showed increased shadows beyond the 23.0 metre as-of-right building which would be cast by the proposed 21-storey (68 metre) building on portions of the property immediately to the west of Bathurst Street (St. Mary's Church and the 9-storey building to the north) and on the 17-storey building approved at 103-111 Bathurst Street) in the morning during the Spring and Fall (March 21st and September 21st) seasons. The mid-day Spring and Fall shadows impact on the properties on the north side of Adelaide Street West and the afternoon and early evening shadows impact on Adelaide Street West to the east of the subject site and properties on the south side of Adelaide Street West.

In the summer (June 21st) incremental shadows cast by the proposed 21-storey building would impact on properties to the east. Shadow impacts to the west would be minimized by the 17-storey building to be approved by the OMB on the adjacent site. The proposed public park would be partially or completely in shadows cast by the proposed building and existing buildings during the afternoons during much of the year.

With regard to potential wind conditions created by the proposed building, the applicant has submitted a pedestrian level wind study which provides an opinion as to future wind conditions, without actually undertaking wind tunnel testing. The report acknowledges that a more detailed wind study will be required to quantify wind conditions and develop wind control solutions. The pedestrian level wind study concluded that the proposed development would not result in inappropriate wind conditions at building entrances or in the proposed public park or outdoor terraces.

The wind study did note that as the proposed building is taller than surrounding buildings, increased wind speeds would be expected along Adelaide Street West and Brown's Lane.

Traffic Impact, Access, Parking

The applicants Traffic Study has provided sufficient information to satisfy Transportation Services staff with regard to the traffic and transportation impacts associated with the proposal.

With regard to site access, the applicant is proposing to use the existing shared right-of-way off Adelaide Street West on the west side of the property to provide driveway access to the site for both passenger and servicing vehicles. Access would be right-in/right-out given Adelaide Streets one-way eastbound traffic flow. The 17-storey mixed-use building on the adjacent site to the west at 103-111 Bathurst Street (to be approved as a settlement at the OMB) also proposes to use this mutual laneway to provide vehicular access to their proposed project. The existing mutual right-of-way has a width of

approximately 3.6 metres. The applicant has proposed to provide a driveway with a width of 6.0 metres to a depth of approximately 38 metres from the Adelaide Street frontage of the property to meet the City's minimum requirement for driveway width.

The owner of the subject site has signed a Shared Driveway Agreement with the owner of the adjacent site at 103-111 Bathurst Street. That agreement provides for the transfer of a portion of the subject site to the owner of the site at 103-111 Bathurst Street to allow for the widening and construction of the driveway in the event that project proceeds to construction prior to the subject site. If the subject site is constructed first, a portion of the adjacent site will be conveyed, allowing for the driveway constructed by the owner of 525 Adelaide Street West. The party which does not receive the conveyance will be granted an access easement over the shared driveway. City staff will review the agreement to ensure that access to the subject site is secured and satisfactory arrangements will be required and secured as approval conditions.

Included in the proposal are 362 parking spaces on four levels of underground parking. Of the 362 spaces proposed, 335 spaces are proposed for residents and 27 spaces are proposed for visitors. The proposed parking exceeds the minimum parking requirement as per By-law 438-86 for 318 parking spaces (291 spaces for residents and 27 spaces for visitors). The plans submitted by the applicant have been revised to show roughed-in conduits for the 44 parking spaces provided in excess of the By-law requirement as is required by the Toronto Green Standard. The proposed parking has been deemed to be acceptable by Transportation Services staff. Planning staff have concerns that an oversupply of parking encourages the use of automobiles for commuting, in contravention of City policy.

Servicing and loading and access to the underground parking would be located on the west side at the site off the shared driveway. The servicing and loading area and the ramp to the underground garage are proposed to be covered by a landscaped outdoor amenity area. One Type G loading space is proposed to be provided. Based upon the information submitted, the proposed loading is acceptable.

Laneway Conveyance/Easement

The proposed laneway easement and the location of the building do not provide adequate pedestrian links at the east end to connect to Adelaide Place. The applicant proposes that a strip of land at the south end of the property be used as an extension of Brown's Lane to provide a pedestrian connection through the site and access to the proposed public park. The proposed laneway extension consist of a strip of land 4.19 metre wide extending eastwards from the existing Brown's Lane approximately 45.5 metres. The applicant had originally proposed that the City be granted a strata conveyance of these lands as the proposed underground parking garage would be extended under the proposed laneway extension. Engineering and Construction Services staff have stated that they would favour an easement over these lands in favour of the City to provide a public pedestrian access as opposed to a conveyance. The revised plans submitted by the applicant recognize the proposed easement as opposed to a conveyance.

There appears to be an existing easement over a portion of the proposed laneway extension. Engineering and Construction Services staff have requested that additional information be provided with respect to the nature of this easement.

Servicing

The servicing report requires further analysis to address City requirements.

The applicants Functional Servicing and Stormwater Management Report (submitted February 15, 2013) has been reviewed by Engineering and Construction Services staff and a number of issues have been identified in a letter provided to the applicants consulting engineers. A detailed site servicing and grading plan are also required to be submitted.

Open Space/Parkland

The proposed open space/parkland needs further consideration to improve visibility and access from public streets and address constraints presented by below-grade parking and shadow from the development much of the year.

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 0.42 to 0.78 hectares of local parkland per 1,000 people. The site is in the second lowest quintile of current provision of parkland. The site is in a parkland priority area, as per City-Wide Parkland Dedication By-law 1020-2010.

The application proposes 454 residential units and 558 m² of non-residential uses on a site with a net area of 4,350 m². At the alternative rate of 0.4 hectares per 300 units specified in By-law 1020-2010, the parkland dedication is 0.605 hectares, or 141% of the site area. However, for sites that are less than 1 hectare in size, a cap of 10% is applied to the residential uses while the non-residential use is subject to a 2% parkland dedication. In total, the parkland dedication is 430 m².

The applicant proposes to satisfy the parkland dedication requirement by providing a 668 m² strata land conveyance on the south-east portion of the development site as a public park. The proposed parkland would be situated above the below grade parking garage for the proposed development and would have street frontage on Adelaide Place.

As Adelaide Place is a dead-end street with no through connections, the proposed public park lacks visibility from a public street. If the open space connections envisioned in the Block Plan advanced in support of the previous development proposal at 620 King Street West to the east of the subject site were realized, Adelaide Place would function as part of a connected open space network and could effectively draw pedestrians to the proposed public park. If the pedestrian connections envisioned in the Block Plan are not developed, the proposed public park will be screened from Adelaide Street by the

applicants proposed 13-storey base building and effectively hidden from public view. In addition, the area will be in shadow for much of the day if the proposed development for 620 King Street West were to proceed at the heights previously proposed.

In accordance with Official Plan requirements, as contained in Section 3.2.3 Policy .8 (a), acceptance of encumbered parkland would require Council approval. If Council were to approve the proposed encumbered parkland dedication, Parks, Forestry and Recreation Division would require specific conditions to be secured in an agreement and any shortfall in the value of the strata land conveyance, from that of the required parkland dedication requirement, would be required to be provided as a cash-in-lieu payment. The conditions proposed by Parks, Forestry and Recreation staff to the acceptance of the stratified public park are included as Attachment 10 to this report.

The conditions include the requirement that the condominium corporation would be responsible for the on-going maintenance of the park as has been proposed by the applicant.

Alternatively, Parks, Forestry and Recreation Division would consider an off-site parkland dedication that is accessible from this development site, subject to conformity with Section 3.2.3 Policy 7 of the Official Plan, and subject to the Department's requirements for parkland conveyance.

If Council is not supportive of the applicant's proposal for an encumbered parkland dedication and the applicant is not able to provide an acceptable off-site parkland dedication then the applicant is required to satisfy the parkland dedication requirement through cash-in-lieu. The actual amount of cash-in-lieu to be paid will be determined at the time of issuance of the building permit.

Tree Preservation

There are two City-owned trees located on the boulevard adjacent Adelaide Place which forms the eastern boundary of the site Street West which have been identified in the applicants Arborist report as being recommended for removal. The applicant will be required to submit an application to remove these trees which are regulated under the City of Toronto Street Tree By-law to the Urban Forestry Services Division. There are no trees regulated by the City's Private Tree By-law on the property. Comments from Urban Forestry staff indicate that the completion of the requirements for the City's Street Tree By-law should be completed prior to a report recommending approval of a Zoning By-law amendment to permit the proposed development.

Streetscape

Transportation Services staff have indicated that more information is required to determine compliance with the City's Vibrant Streets design guidelines. The applicants submitted tree planting details do not appear to provide a minimum 2.1 metre pedestrian clearway on the Adelaide Street frontage. Transportation Services staff have requested

additional details to confirm that the required clearway is provided on the public boulevard or to determine whether a pedestrian easement is required on private property.

With regard to boulevard streetscaping, the applicants ground floor planting plan shows eight street trees planted on the public boulevard adjacent Adelaide Street West.

Heritage Resources

The applicant submitted a Stage 1 Archaeological Resource Assessment of the subject site as part of their application. The report recommended that based upon the background research carried out as part of that work, that further archaeological work, including the excavation of test trenches, was recommended to be completed prior to construction on the site. The additional work was carried out and as a result archaeological resources, including two mid-to-late nineteenth century working class urban housing lots, were discovered. These lots, known as the Lowery-Hannon site after the families which had owned and occupied these properties, were excavated and the findings documented. The resources discovered included well-preserved mid-nineteenth century deposits consisting of a stone foundation wall, private privies and refuse pits and two cellars dating from the 1850's to 1880's and 1881-1930's periods. These remains paint a detailed picture of urban working class life in mid-to late nineteenth century Toronto. A Final Stage-4 Report documenting the resources will be prepared as required by the *Ontario Heritage Act*. The preliminary Stage-4 report recommends that the site be cleared of any further archaeological concern, subject to condition that appropriate authorities be notified in the event that deeply buried archaeological or human remains are encountered during future work on the property.

Heritage Preservation staff recommend that the interpretation of the resources and the history of this site be included in any new development on the site.

Toronto Green Standard

On October 27, 2009 City Council adopted the two-tiered Toronto Green Standard (TGS). 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. Comments have been provided to the applicant based upon their initial submission on October 13, 2011 regarding the changes required to meet the Tier 1 TGS requirements. The applicants' amended submission (received February 15, 2013) is being reviewed for compliance with the TGS.

Section 37

Section 37 of the *Planning Act* allows the City to authorize increased density and/or height in return for the provision of services, facilities or matters. The Official Plan contains provisions authorizing these Section 37 matters, provided the density and/or height increase are consistent with the objectives of the Official Plan regarding building form and physical environment.

Given the proposed increase in height and density, the provision of Section 37 matters in this case would be appropriate. As this matter has been appealed to the OMB, the City Solicitor would need to address Section 37 matters in the event the OMB approved development on this site. This report therefore recommends that the City Solicitor secure such services, facilities or matters pursuant to Section 37 of the *Planning Act*, as may be required by the Chief Planner if a development is approved for the site.

Challenges to the Planning Framework

The proposal for 525 Adelaide Street West suggests that additional height set-back or located mid-block along with the provision of open space or mid-block connections should be considered in the West Precinct of King-Spadina. This suggests that if height is set back and public benefits are provided, that it represents good planning. In order to assess this as an approach to dealing with demands for additional height on larger parcels and to develop an appropriate policy response, Planning staff are recommending that the Chief Planner be requested to conduct a review of the appropriateness of this idea and report back in the fourth quarter of 2013 on the results of this analysis and any recommended changes to the King-Spadina Secondary Plan.

Conclusion

The proposal development is inappropriate for the West Precinct of the King-Spadina neighbourhood. The approval of the proposed development of a 21-storey building with an overall height of 68.4 metres within the interior portion of the West Precinct of the King-Spadina Secondary Plan area would send a clear message to the development industry that the West Precinct can now be treated as a tower neighbourhood. This would have a number of detrimental consequences for this area of the City, which has been redeveloping very successfully as a mid-rise neighbourhood which still reflects many of the original objectives of the King-Spadina Secondary Plan Area. In addition, development of this scale and intensity threatens the heritage, scale and character of the neighbourhood and potentially the effectiveness of any recommendations which will come forward as part of the recently initiated Heritage Conservation District Study.

The following key issues need to be addressed as part of any revised submission:

- The height of the building needs to provide for a discernable transition from the 17-storey building which is being approved by the OMB with a height of 52 metres (including mechanical elements) on the adjacent site at 103-111 Bathurst Street.
- Solutions are required to address the unacceptably small separation distances between the proposed building and existing and approved buildings on adjacent lots.

- The issue of the visibility of the proposed public park requires further discussion. There may be solutions which can increase its visibility and its value as a public asset.
- An acceptable streetscape design is required to address the requirements of the City's Vibrant Street Design Guidelines, including the requirement for a 2.1 metre pedestrian clearway.
- Outstanding site servicing issues identified by Engineering and Construction Services staff must be addressed.

CONTACT

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 E-mail: dnichol2@toronto.ca

SIGNATURE

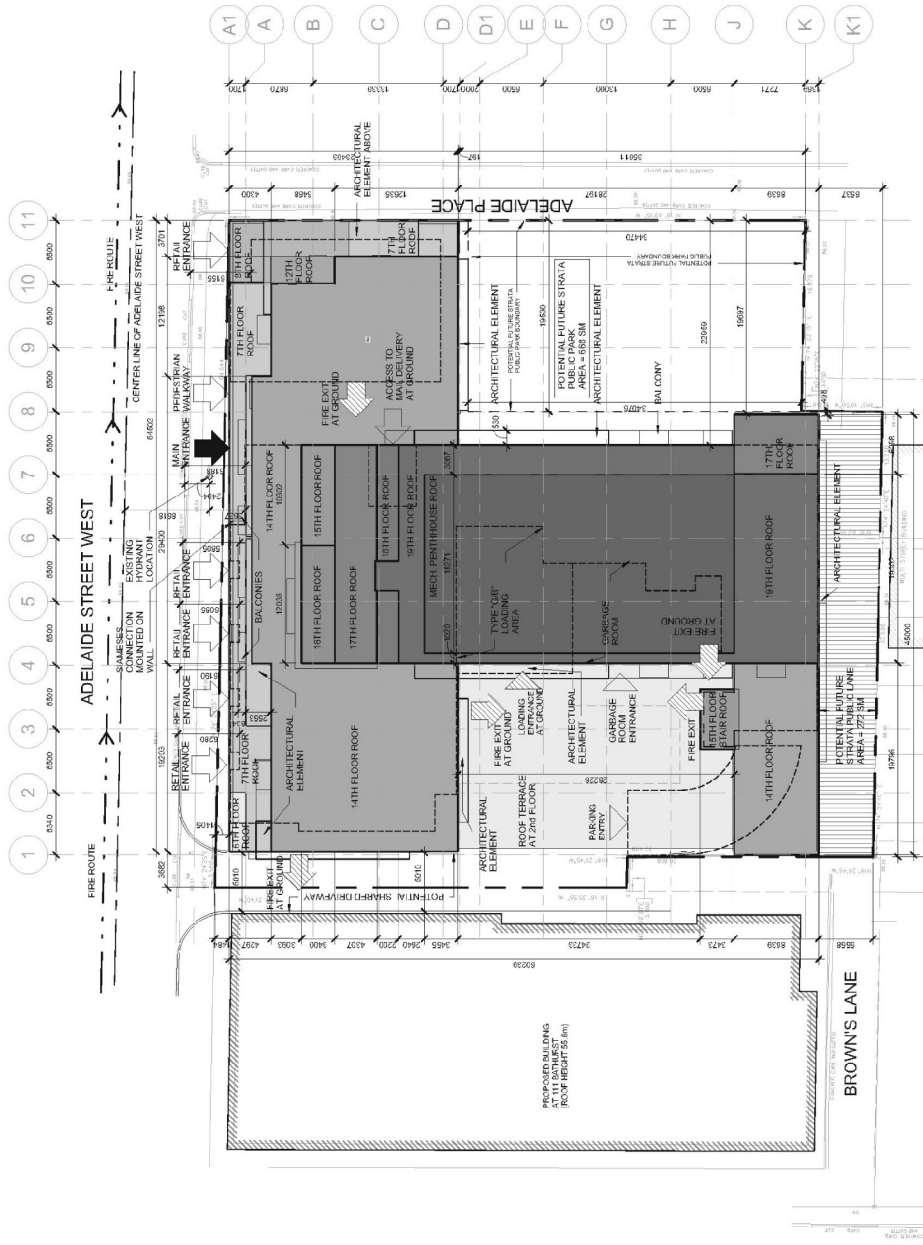
Gregg Lintern, MCIP, RPP
 Director, Community Planning
 Toronto and East York District

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ATTACHMENTS

- Attachment 1: Site Plan
- Attachment 2: North Elevation
- Attachment 3: East Elevation
- Attachment 4: West Elevation
- Attachment 5: South Elevation
- Attachment 6: Zoning
- Attachment 7: King-Spadina Secondary Plan
- Attachment 8: Official Plan Amendment No. 2 (Urban Structures Plan)
- Attachment 9: Application Data Sheet
- Attachment 10: Recommended Conditions of Approval (if an encumbered parkland dedication is approved)

Attachment 1: Site Plan



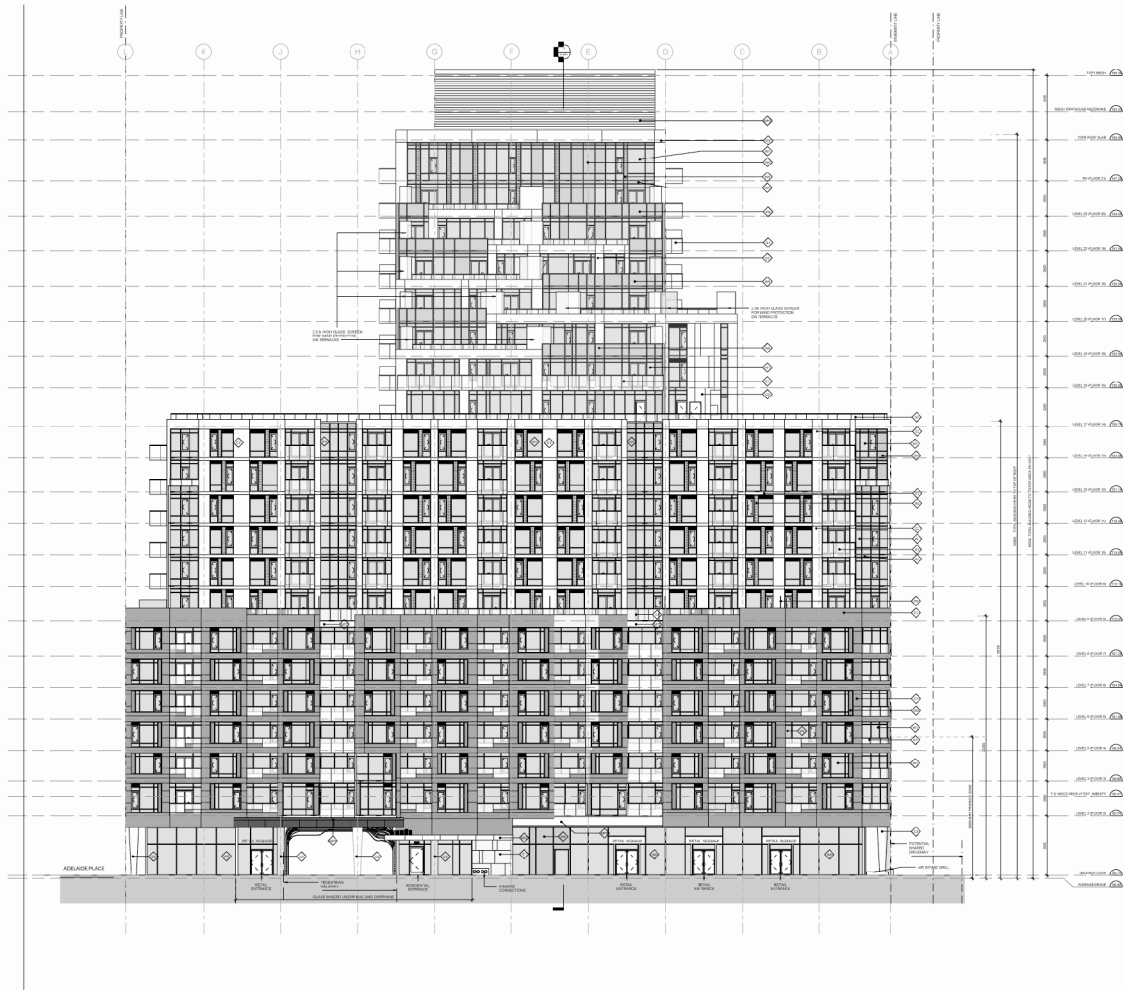
525 Adelaide Street West

Site Plan
 Applicant's Submitted Drawing

File # 12 117029 0Z

Not to Scale
 03/15/2012

Attachment 2: North Elevation



NORTH Elevation

Elevations

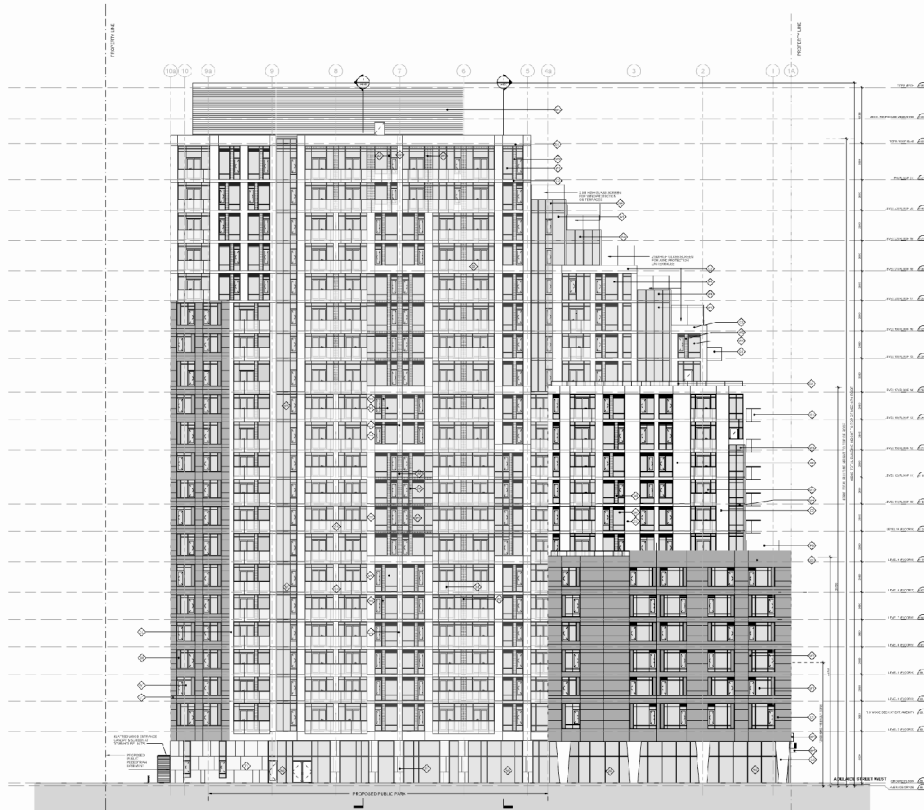
Applicant's Submitted Drawing

Not to Scale
04/23/2013

525 Adelaide Street West

File # 12_117029 02

Attachment 3: East Elevation



EAST Elevation

Elevations

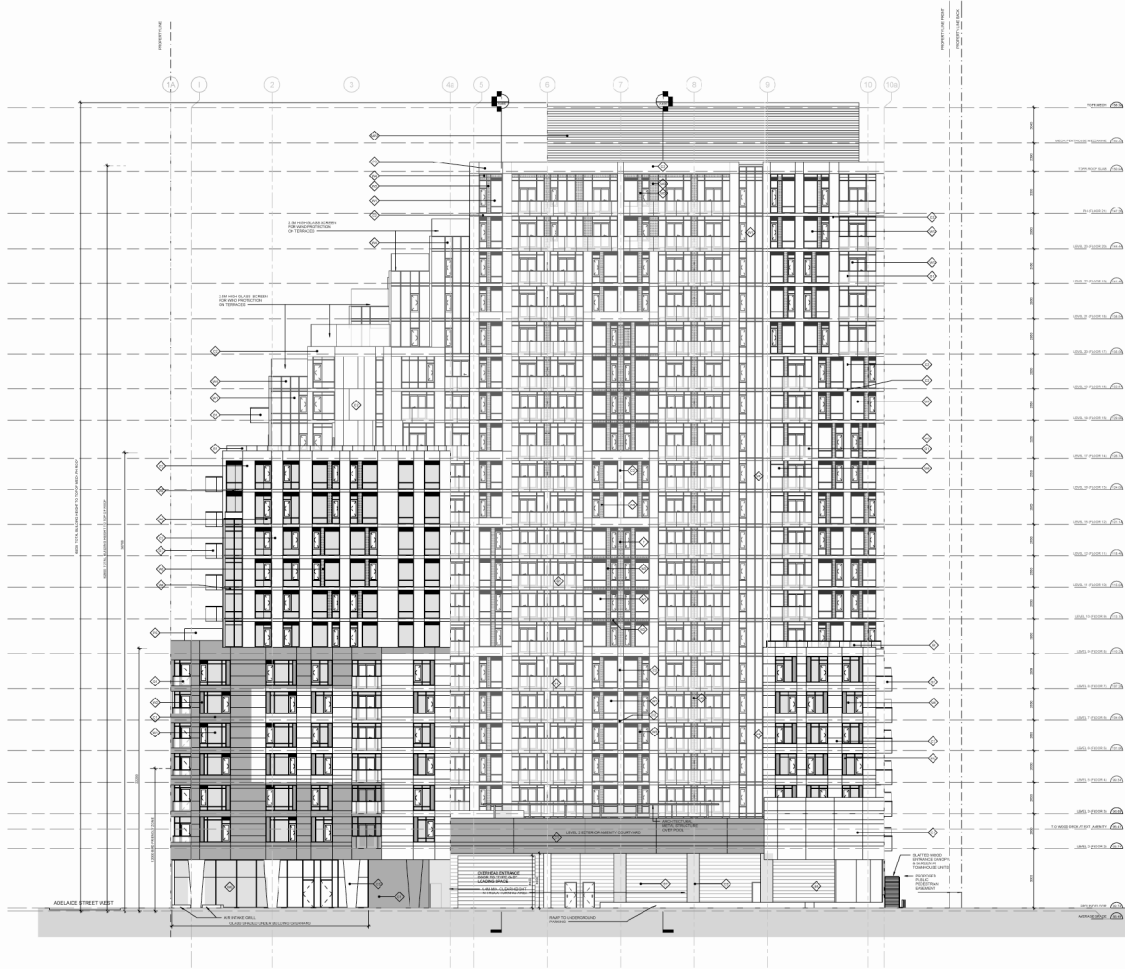
Applicant's Submitted Drawing

Not to Scale
04/23/2013

525 Adelaide Street West

File # 12_117029 OZ

Attachment 4: West Elevation



WEST Elevation

Elevations

Applicant's Submitted Drawing

Not to Scale
04/23/2013

525 Adelaide Street West

File # 12_117029 02

Attachment 5: South Elevation



SOUTH Elevation

Elevations

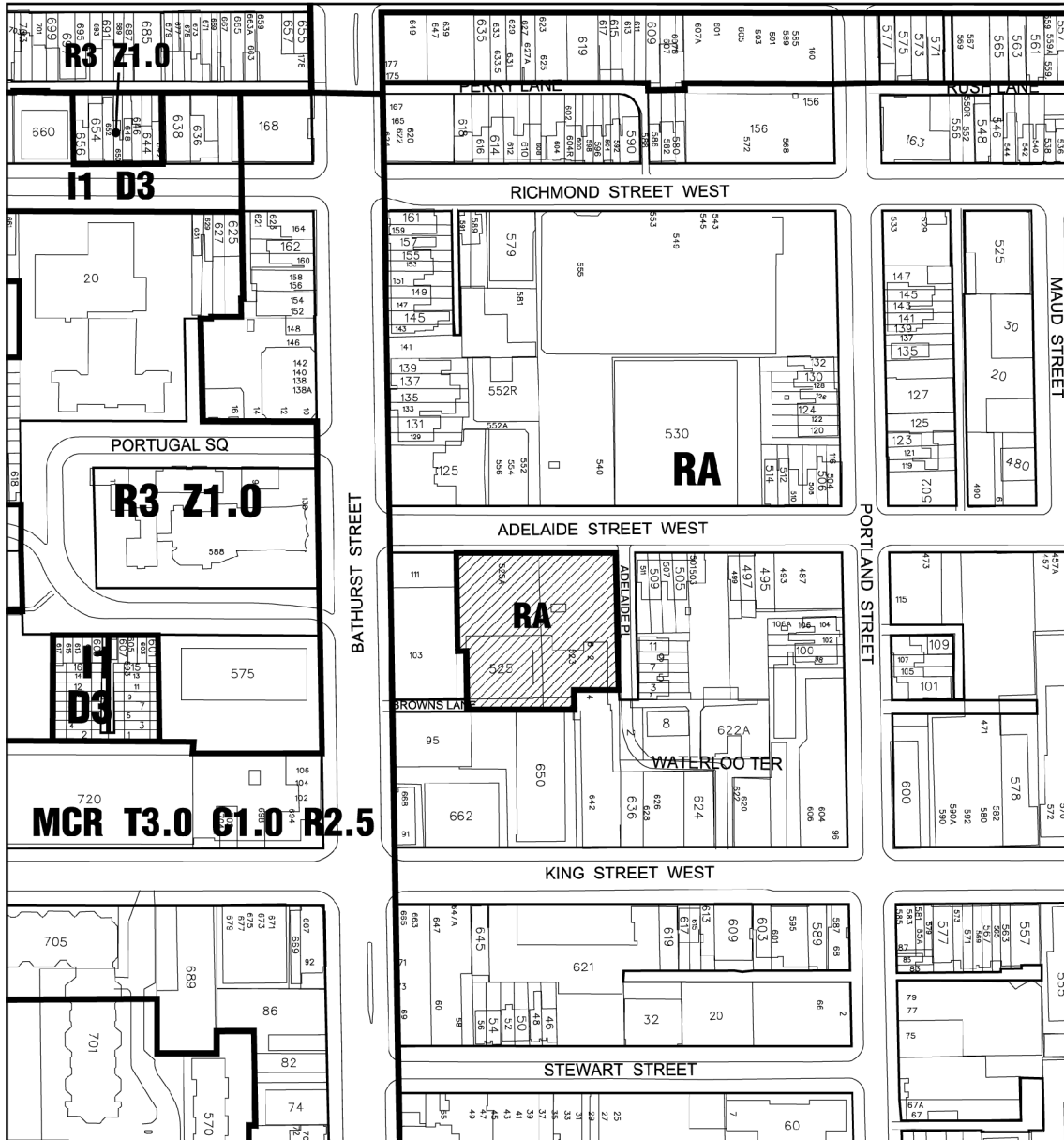
Applicant's Submitted Drawing

Not to Scale
04/23/2013

525 Adelaide Street West

File # 12_117029 02

Attachment 6: Zoning



TORONTO City Planning
Zoning

525 Adelaide Street West

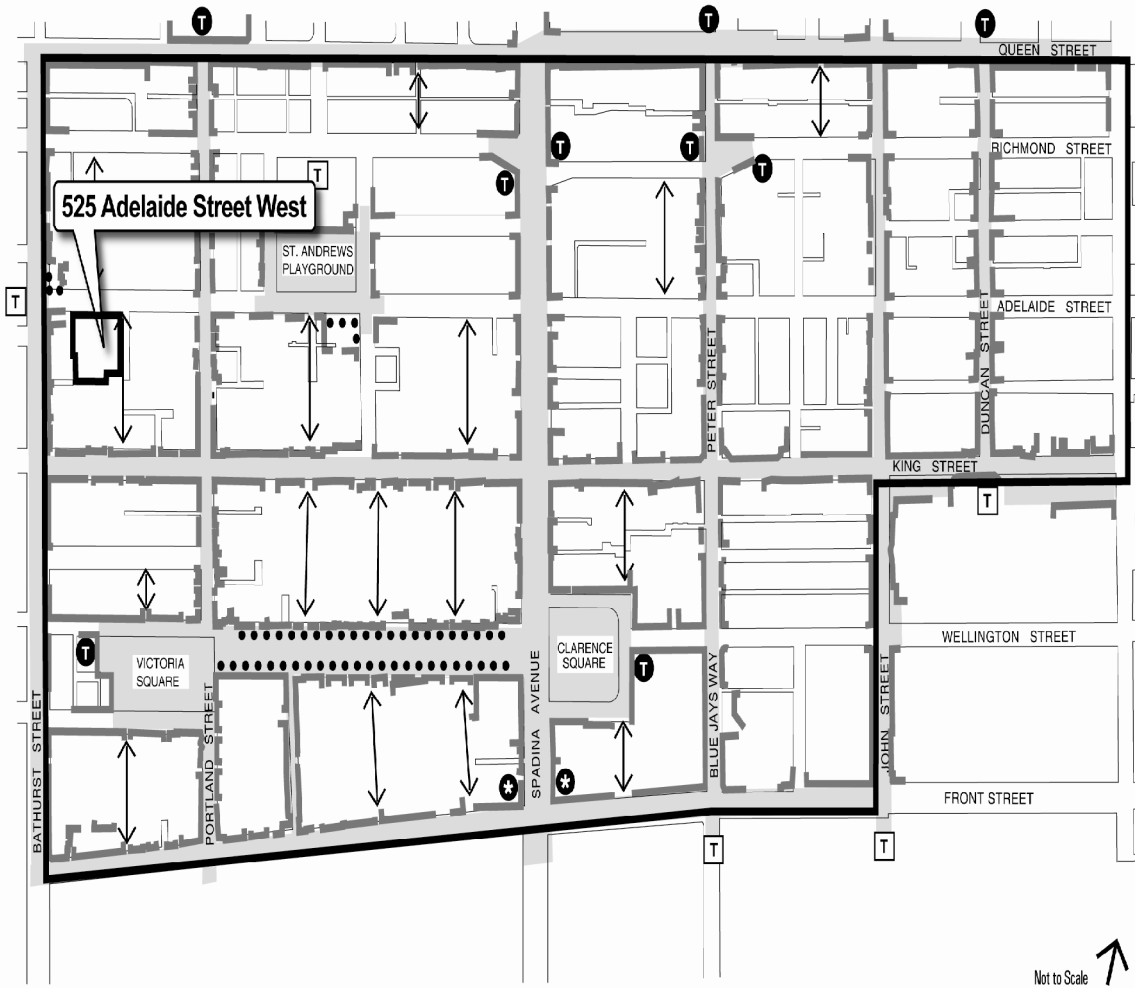
File # 12 117029 0Z

- RA Mixed-Use District
- R3 Residential District
- MCR Mixed-Use District
- I1 Industrial District



Not to Scale
Zoning By-law 438-86 (as amended)
Extracted 03/15/2012

Attachment 7: King-Spadina Secondary Plan



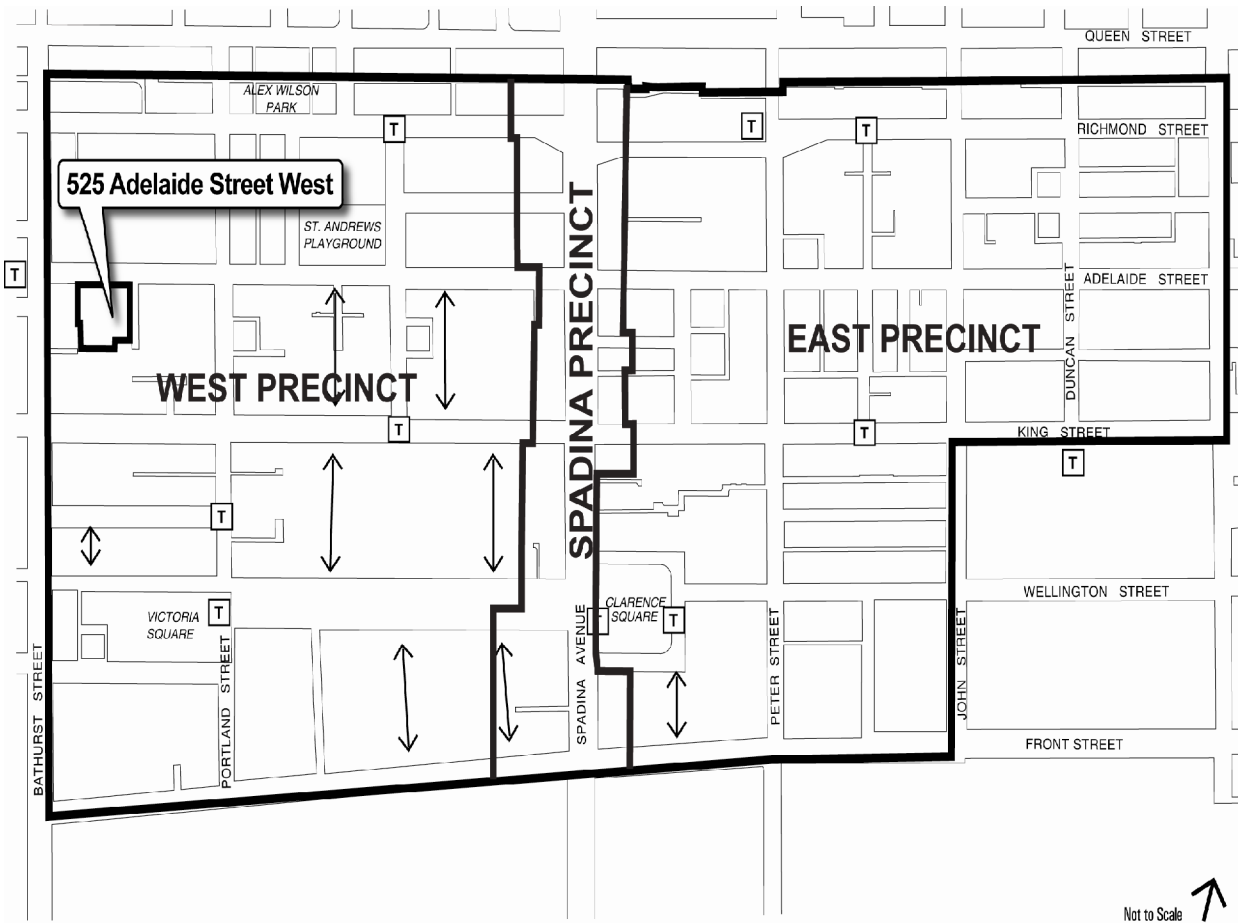
King-Spadina Secondary Plan

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




June 2006

Attachment 8: Official Plan Amendment No. 2 (Urban Structures Plan)



Official Plan Amendment No. 2 for King-Spadina Secondary Plan

MAP 16-1 Urban Structure Plan

-  Secondary Plan Boundary
-  View Terminus
-  Potential Mid-block Connections

July 2006

Attachment 9: Application Data Sheet

Application Type	Rezoning	Application Number:	12 117029 STE 20 OZ
Details	Rezoning, Standard	Application Date:	February 3, 2012
Municipal Address:	525 ADELAIDE ST W		
Location Description:	PLAN D1327 PLAN MILITARY RESERVE BLK A LOT 11 PT LOTS 10 AND 12 RP 66R22994 PARTS 2 AND 4 PT PART 1 **GRID S2014		
Project Description:	Zoning by law and site plan application to construct a new 21-storey mixed-use building with ground floor commercial uses and 454 residential units. Four levels of below grade parking are proposed housing 362 vehicles. The applicant is proposing the creation of a publicly owned park would be accomplished through a stata conveyance and a pedestrian esement as an extension of Brown's lane.		

Applicant:	Agent:	Architect:	Owner:
Mccarthy Tetrault LLP		Quadrangle Architects Limited	Azorim Canada (Adelaide St) Inc

PLANNING CONTROLS

Official Plan Designation:	Regeneration Areas	Site Specific Provision:
Zoning:	RA	Historical Status:
Height Limit (m):		Site Plan Control Area: Y

PROJECT INFORMATION

Site Area (sq. m):	4350	Height:	Storeys:	21	
Frontage (m):	68		Metres:	68.34 (incl. mech.)	
Depth (m):	65				
Total Ground Floor Area (sq. m):	2133				Total
Total Residential GFA (sq. m):	35245		Parking Spaces:	362	
Total Non-Residential GFA (sq. m):	558		Loading Docks	0	
Total GFA (sq. m):	35803				
Lot Coverage Ratio (%):	49				
Floor Space Index:	8.23				

DWELLING UNITS

Tenure Type:	Condo
Rooms:	0
Bachelor:	0
1 Bedroom:	344
2 Bedroom:	64
3 + Bedroom:	46
Total Units:	454

FLOOR AREA BREAKDOWN (upon project completion)

		Above Grade	Below Grade
Residential GFA (sq. m):	35245	0	
Retail GFA (sq. m):	558	0	
Office GFA (sq. m):	0	0	
Industrial GFA (sq. m):	0	0	
Institutional/Other GFA (sq. m):	0	0	

CONTACT:	PLANNER NAME:	Dan Nicholson, Planner
	TELEPHONE:	(416) 397-4077

Attachment 10: Recommended Conditions of Approval (if an encumbered parkland dedication is approved)

Recommended Conditions of Approval (if an encumbered parkland dedication is approved)

1. The Owner would be required to provide the 668m² strata land conveyance, as indicated on the submitted site plan (date stamped by City Planning Feb. 15/13), that would have a minimum soil depth of 1.5m.
2. The Facilities and Real Estate Department would be requested to determine the value of the 668m² strata conveyance and if that value is less than the value of the required parkland land dedication, being 430m² of unencumbered parkland, then the Owner would be required to provide a cash-in-lieu payment for the difference in value prior to the issuance of the above grade building permit for the development.
3. Prior to conveyance of the parkland the Owner is required to enter into an agreement, to the satisfaction of the City Legal Department, that would fully indemnify the City from any future claims for damage to the abutting structures of the development resulting from the strata parkland. The agreement would also require that the Owner or their successors be responsible for the costs to re-instate the park should it be disrupted in order to complete repairs to the below grade parking structure at any time in the future.
4. Prior to the conveyance of the parkland, the Owner agrees to pay for the costs of the parkland dedication and the preparation and registration of all relevant documents. The Owner shall provide, to the satisfaction of the City Solicitor, all legal descriptions and applicable reference plans for the parkland dedication.
5. The land to be conveyed as parkland shall be free and clear, above grade, of all physical obstructions and easements, encumbrances and encroachments, including surface easements and no penetrations are permitted through the strata conveyance lands, unless otherwise approved by the General Manager, Parks, Forestry & Recreation.
6. Prior to conveyance of the parkland, the Owner shall be responsible for an environmental assessment of the Parkland and any associated costs or remediation works required as a result of that assessment. Such assessment or remediation shall ensure that the Parkland will meet all applicable laws, regulations and guidelines respecting sites to be used for public park purposes, including City Council policies respecting soil remediation of sites. A qualified environmental consultant acceptable to the Executive Director of Technical Services shall prepare the environmental assessment. Prior to transferring the Parkland to the

City, the environmental assessment shall be peer reviewed by an environmental consultant retained by the City at the Owner's expense (the "Peer Reviewer"), and the transfer of the Parkland shall be conditional upon the Peer Reviewer concurring with the Owner's environmental consultant that the Parkland meets all applicable laws, regulations and guidelines for public park purposes.

7. The Owner's environmental consultant shall file a Record of Site Condition (RSC) on the Ontario's Environmental Site Registry and submit the Ministry of the Environment's (MOE) Letter of Acknowledgement of Filing of the Record of Site Condition (RSC) confirming that the RSC has been prepared and filed in accordance with O. Reg. 153/04 and that the MOE will not audit the RSC at this time or that the RSC has passed an MOE audit, to the General Manager of Parks, Forestry and Recreation.
8. Prior to conveyance of the parkland, the Owner at their expense, will be responsible for base park construction and installation of the Parkland. The base park improvements include the following:
 - (i) grading (inclusive of topsoil supply and placement, minimum of 150 mm);
 - (ii) sodding, #1 grade nursery;
 - (iii) fencing (where deemed necessary) to the satisfaction of Parks, Forestry and Recreation;
 - (iv) all necessary drainage systems including connections to the municipal services as required; and
 - (v) electrical and water connections, minimum 50mm and backflow shutoff valve and water meter to the street line.

All mechanical elements of the base park construction are to be designed and installed so that they function independently of the underlying property and that operational controls are accessible other than through private property or will be accessible by a service easement that is acceptable to the General Manager of PFR.

All work is to be completed to the satisfaction of the General Manager of Parks, Forestry and Recreation.

9. Prior to conveyance of the parkland, the Owner shall ensure that the grading and drainage for the parkland is compatible with the grades of the adjacent lands to the satisfaction of the General Manager, Parks, Forestry & Recreation and the Executive Director of Technical Services.

10. The design and construction of the Above Base Park Improvements will be to the satisfaction of the General Manager of PFR.
11. If the Owner and the City agree, prior to conveyance of the parkland, the Owner will construct the Above Base Park Improvements. The Owner is required to submit detailed plans for the Above Base Park Improvements and a budget to the satisfaction and approval of the General Manager of PFR.
12. The total cost to complete the Above Base Park Improvements is to be determined and secured as part of the Section 37 benefits.
13. At the time the Base Park and Above Base Park Improvements have been completed, the Owner will provide confirmation from their Landscape Architect certifying all work has been completed and the Owner or their successors would then be responsible for a two year warranty period for the park construction.
14. The Owner is required to convey the completed parkland to the City prior to the registration of any condominium on the development site.
15. The Owner has acknowledged, as part of their application submission, that the condominium corporation would maintain the parkland. This requirement is to be secured as part of the condominium application process.
16. The Owner may be required to enter into a Limiting Distance Agreement with the City in order to comply with the requirements of the Ontario Building Code. Prior to the issuance of any above grade building permits, the owner will be required to provide information to the appropriate staff in Parks, Forestry and Recreation as to whether or not they are subject to a Limiting Distance Agreement. If they require entering into a Limiting Distance Agreement, the City may require compensation for the affected area.