

**57 Spadina Avenue – Zoning Amendment Application –
Final Report**

Date:	July 21, 2014
To:	Toronto and East York Community Council
From:	Director, Community Planning, Toronto and East York District
Wards:	Ward 20 – Trinity-Spadina
Reference Number:	13 169365 STE 20 OZ

SUMMARY

This report recommends approval of a 36-storey mixed use building, containing 313 residential units, 1,726 square metres of retail space, and 3,246 square metres of commercial office space at 57 Spadina Avenue. The development provides for 191 vehicular parking spaces within a 5-level underground garage, and 352 bicycle parking spaces on the ground floor, 5th and 6th storeys of the building. The existing 2-storey brick building is proposed to be demolished.

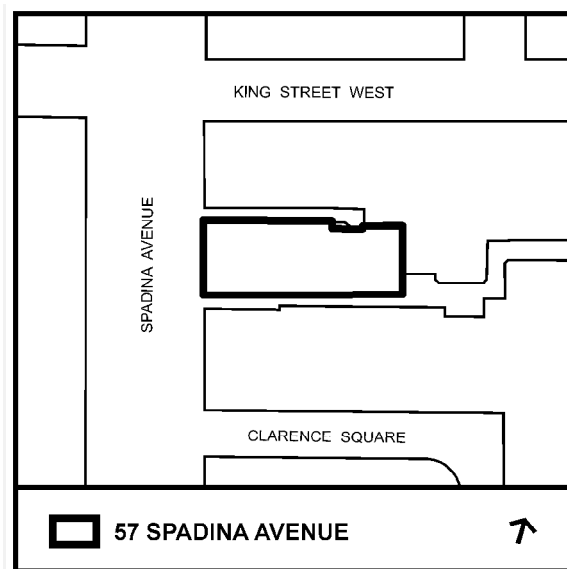
The proposal increases the existing commercial office gross floor area on the site, and provides an additional 1,744 square metres of commercial office space within the King-Spadina area.

This report reviews and recommends approval to the application to amend the Zoning By-law.

RECOMMENDATIONS

The City Planning Division recommends that:

1. City Council amend Zoning By-law 436-86, as amended, for the lands at 57 Spadina Avenue substantially in accordance with the draft Zoning



By-law Amendment to be made available prior to the August 12, 2014, Toronto and East York Community Council.

2. City Council amend City of Toronto Zoning By-law 569-2013 for the lands at 57 Spadina Avenue substantially in accordance with the draft Zoning By-law Amendment to be made available prior to the Toronto and East York Community Council.
3. City Council authorize the City Solicitor to make such stylistic and technical changes to the draft Zoning By-law Amendments as may be required.
4. Before introducing the necessary bills to City Council for enactment, City Council require the owner to submit a revised Functional Servicing Report demonstrating sufficient capacity to accommodate the demand for this development, to the satisfaction of the Executive Director, Engineering and Construction Services.
5. Before introducing the necessary bills to City Council for enactment, City Council require the owner to enter into a secured Agreement with the City to ensure the provision of all necessary improvements to the existing municipal infrastructure in connection with the revised Functional Servicing Report, to the satisfaction of the Executive Director of Engineering and Construction Services, should it be determined that improvements to such infrastructure are required to support this development.
6. Before introducing the necessary bills to City Council for enactment, City Council require the owner to enter into an Agreement pursuant to Section 37 of the *Planning Act* as follows:
 - a. The owner shall provide community benefits having a total value of two million dollars (\$2,000,000) recommended to be secured in the Section 37 Agreement are identified below, and indexed upwardly in accordance with the Statistics Canada Non-residential Construction Price Index for Toronto, calculated from the date of approval of the bills to the date the payment is made:
 - i. Prior to the issuance of the first above-grade building permit, a cash contribution of \$200,000 towards the City's Capital Revolving Fund for Affordable Housing for the purpose of maintaining and constructing affordable rental housing units in Ward 20, to the satisfaction of the Chief Planner and Executive Director, City Planning Division, in consultation with the Ward Councillor; and
 - ii. Prior to the issuance of the first above-grade building permit, a cash contribution of \$1,800,000 towards community services and facilities and public realm improvements in Ward 20, to the satisfaction of the Chief Planner and Executive Director, City Planning Division, in consultation with the Ward Councillor. No more than \$500,000 may

be allocated towards the improvement of the City-owned laneway on the south side of the property between Spadina Avenue to the east limit of the rear of the property at 393 King Street West, excluding the lane widening to be conveyed to the City.

- b. In the event the cash contributions referred to in Recommendation 6 a. i. and ii. above has not been used for the intended purpose within three (3) years of this By-law coming into full force and effect, the cash contribution may be redirected for another purpose, at the discretion of the Chief Planner and Executive Director of City Planning, in consultation with the local Councillor, provided that the purpose is identified in the Toronto Official Plan and will benefit the community in the vicinity of the lands.
- c. The following matters are also recommended to be secured in the Section 37 Agreement as a legal convenience to support development:
 - i. The owner shall submit a Pedestrian Wind Study, and implement the mitigation measures listed in the Study through the Site Plan Approval process to ensure wind velocity is within acceptable levels, to the satisfaction of the Chief Planner and Executive Director, City Planning Division;
 - ii. The owner shall provide 10% family sized dwelling units in the development. A minimum of 8% of the units in the development shall be constructed as 3 bedroom units with a minimum unit area of 79 square metres, in compliance with the Ontario Building Code. A minimum of 2% of the units in the development may be constructed as 2 bedroom units that are convertible to 3 bedroom units through renovation or through knock out panels between units, in compliance with the Ontario Building Code;
 - iii. The owner shall construct the streetscape fronting on Spadina Avenue, in accordance with the Streetscape Manual or to the satisfaction of the Chief Planner and Executive Director, City Planning; and
 - iv. Prior to the issuance of the first building permit, the owner shall submit a Construction Management Plan, to the satisfaction of the Chief Planner and Executive Director, City Planning Division, the General Manager of Transportation Services, and the Chief Building Official, in consultation with the Ward Councillor and thereafter in support of the development, shall implement the plan during the course of construction. The Construction Management Plan will include, but not limited to, details regarding size and location of construction staging areas, dates and significant concrete pouring activities, measures to ensure safety lighting does not negatively impact adjacent residences, construction vehicle parking locations,

refuse storage, site security, site supervisor contact information, and any other matters deemed necessary.

Financial Impact

The recommendations in this report have no financial impact.

DECISION HISTORY

On September 10, 2013, the Toronto and East York Community Council considered the Preliminary Report for the subject application. Direction was given to City staff to hold a community meeting. The Preliminary Report can be accessed at:

<http://www.toronto.ca/legdocs/mmis/2013/te/bgrd/backgroundfile-60676.pdf>

ISSUE BACKGROUND

Original Proposal

The original application proposed a 36-storey tower (120.2 metres including the mechanical penthouse), with an 8 to 12-storey (41.2 metres) base building. The tower had stepbacks of 8.2 metres above the 12th storey and 7 metres above the 21st storey on the Spadina Avenue frontage, and stepbacks of 11.2 metres above the 8th storey and 4 metres above the 18th storey at the rear of the site. The approximate floor plate size of the tower was 762 square metres after the 12th storey, and 650 square metres after the 21st storey.

The development proposed a total 370 dwelling units consisting of: 265 (71.6%) one bedroom units; 85 (23%) two bedroom units; and 20 (5.4%) three bedroom units. The development had a gross floor area (GFA) of 30,053 square metres, of which 26,866 square metres was residential, and 1,815 square metres was retail commercial. The development has a density of 17.5 times the lot area.

Indoor amenity space of 790 square metres was proposed on the 6th and 9th storey, and outdoor amenity space of 324 square metres was proposed on the 9th storey of the building.

Pedestrian access to the residential lobby was located on the City-owned south laneway, and access to the retail space was located on Spadina Avenue. Vehicular access was proposed from the south laneway, which led to a 5-level underground parking garage that accommodated 156 residential and 22 visitor parking spaces. A Type 'B' and a Type 'G' loading spaces were proposed off the south laneway to service the building. Bicycle parking spaces were proposed on the ground, 3rd and 4th storey to accommodate 296 resident and 84 visitor spaces.

Revised Proposal

On May 30, 2014, City Planning staff received a revised application that addressed some of the comments raised by the review process. The revised proposal contemplated an increased overall height from 120.3 to 123.3 metres, despite concerns raised with the

height of the original proposal. However, improvements to the revised proposal included:

- the addition of commercial office use on the 2nd to 5th storeys, with a GFA of 3,246 square metres;
- a reduction of 57 residential units to 313, resulting in a reduced residential GFA of 24,390 square metres;
- an increase of three bedroom units to 8% of the total dwelling unit count;
- reconfiguration of the location for bicycle parking spaces, locker rooms, and the residential amenity space areas within the northern portion of the base building to reduce sunlight and privacy issues for occupants of this development and future development to the north;
- consolidation of the indoor residential amenity space areas into two consecutive storeys;
- the addition of 10 residential and 3 visitor vehicular parking spaces; and
- providing for 13 commercial visitor bicycle parking spaces, and 11 employee bicycle parking spaces.

Current Proposal

Since the submission of the revised proposal, the applicant has agreed to further address City staff concerns for an appropriate built form, including: overall height, massing, and separation distance. Noted improvements to the proposal's built form include:

- reducing the overall height of the building, including the mechanical penthouse to 120 metres;
- increasing the setbacks on the Spadina Avenue frontage by 2 metres after the 12th and 21st storeys;
- increasing the overall setback from the north property line by 2 metres after the 12th storey, resulting in an overall separation distance of 10 metres from the centre line of the abutting City-owned laneway to the north; and
- eliminating certain balcony projections along the north building face to further improve the building interface of this development and future development to the north.

Details of the various iterations of the proposal are outlined in the table below:

	Original Proposal Dated May 15, 2013	Revised Proposal Dated May 30, 2014	Current Proposal Date July 15, 2014
Site Area (sq.m.)	1,722	1,722	1,722
Tower Floor Plate (sq.m.)	762 (after 12 th storey) 650 (after 21 st storey)	762 (after 12 th storey) 650 (after 21 st storey)	750 (after 12 th floor) 650 (after 21 st floor)
Floor Space Index	17.5	16.6	16.5
Building Height (including mechanical penthouse) (m)	120.2	123.3	120.0
Base Building Setbacks (m)			
- Spadina Avenue	1.7	1.7	1.7
- East Property Line	0	0	0
- North Property Line	3.7	3.7	3.7
- South Property Line	1.8	1.8	1.8
Tower Stepbacks Along Spadina Avenue (m)	8.2 after 12 th floor 15.2 after 21 st floor	8.2 after 12 th floor 15.2 after 21 st floor	9.2 after 12 th floor 17.2 after the 21 st floor
Tower Stepbacks Along East Property Line (m)	11.2 after 8 th floor 15.2 after 18 th floor	11.8 after 8 th floor 15.8 after 18 th floor	11.5 after 8 th floor
Tower Stepback along North Property Line (m)	2.2 after 12 th floor	4.2 (average) after 12 th floor	4.2 (average) after 12 th floor
Breakdown of Use GFA (sq.m.)			
- Residential	26,866	24,390	23,514
- Retail	1,815	1,726	1,726
- Office	0	3,246	3,246
- Total	28,681	28,717	28,486
Breakdown of Res. Units			
- 1 Bedroom	265	220	22
- 2 Bedroom	85	69	67
- 3 Bedroom	20	24	24
- Total	370	313	313
Amenity Space (sq.m.)			
- Indoor	740	649	659
- Outdoor	324	288	288
- Total	1,064	937	947
No. of Vehicular Parking Spaces			
- Resident	156	166	166
- Visitor	22	25	25
- Total	178	191	191
No. of Bicycle Parking Spaces			
- Residential Occupant	296	265	265
- Residential Visitor	84	63	63
- Retail (and Visitor)	0	10	10
- Office (and Visitor)	0	14	14
- Total	380	352	352

Site and Surrounding Area

The site is bordered immediately by a City-owned laneway to the north, 393 King Street West to the east, a City-owned laneway to the south, and Spadina Avenue to the west. The site is generally flat, with a frontage of 25.46 metres and a depth of 68.22 metres. The current building on the site was constructed in 1905 and is occupied by the "Winners" retail store on the first floor, and offices on the second floor. Previously, the building was used as a printing plant.

The surrounding uses are as follows:

- South: On the south side of the south laneway is a Petro Canada gas station; and a row of 12 historic 3-storey row houses consisting of a mixture of residential and commercial uses known as Clarence Terrace Row Houses, which are listed on the City of Toronto Inventory of Heritage Properties. Further south is Clarence Square, and Clarence Square Park.
- East: 393 King Street West - a 12-storey residential condominium tower with a 3-storey base; and the continuation of the south laneway with an east-west orientation. Further east is 318 Wellington Street West - the Soho Metropolitan Hotel and Residences, a 16-storey residential/hotel building; 381-391 King Street West - various commercial buildings; and 371-379 King Street West - the M5V condominium, a 34-storey residential condominium tower with an 8-storey base.
- North: 401-415 King Street West – a 1-storey LCBO store and a 4 to 6-storey retail/office building that is currently subject to a Zoning By-law Amendment application (file no: 10 197695 STE 20 OZ) to permit a mixed-use development. The 4 to 6-storey building at 401-409 King Street West is listed on the City of Toronto Inventory of Heritage Properties. Further north is King Street West.
- West: On the west side of Spadina Avenue is 425-455 King Street West - a 7-storey commercial office building; 58-64 Spadina Avenue – two converted 3-storey retail/office buildings; 40-46 Spadina Avenue - a 5-storey office building; and a Shell Canada gas station.

Provincial Policy Statement and Provincial Plans

The Provincial Policy Statement (PPS), 2014 provides policy direction on matters of provincial interest related to land use planning and development. These policies support the goal of enhancing the quality of life for all Ontarians. Key policy objectives include: building strong healthy communities; wise use and management of resources and protecting public health and healthy communities. The PPS recognizes that local context and character is important. Policies are outcome-oriented, and some policies provide flexibility in their implementation provided that provincial interests are upheld. City Council's planning decisions are required to be consistent with the PPS.

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

Official Plan

The site is identified within the *Downtown and Central Waterfront* area in Map 2 – Urban Structure of the Official Plan. The *Downtown* is a growth area and will continue to evolve as a healthy and attractive place to live and work. The site is designated *Regeneration Area* in Map 18 – Land Use Plan of the Official Plan. *Regeneration Areas* are unique areas of the City where a mixture of uses are encouraged, where strategies and a framework for development shall be “tailor-made” based on the specific policies of a Secondary Plan.

This application was reviewed against all the policies of the Official Plan. The Official Plan is available at:

http://www1.toronto.ca/static_files/CityPlanning/PDF/chapters1_5_dec2010.pdf

King-Spadina Secondary Plan

The site is within the boundary of the King-Spadina Secondary Plan. The main objective of the Secondary Plan is to encourage reinvestment in the area for a mixture of uses that reinforces the historical built form and public realm of the area. The subject site fronts on Spadina Avenue, identified as a Significant Street, and is in proximity to Clarence Square Park, identified as an Area of Special Identity in the Secondary Plan.

Section 3 – "Urban Structure and Built Form" of the Secondary Plan indicates new buildings will achieve a compatible relationship with their built form context through consideration of such matters as building height, massing, scale, setbacks, stepbacks, roof line and profile and architectural character and expression. Further, buildings adjacent to streets and parks, which this proposal is adjacent to, shall be massed to provide appropriate proportional relationships and be designed to minimize wind and shadowing impacts on the streets, parks and open spaces.

Section 4 – "Heritage" of the Secondary Plan indicates development adjacent to heritage buildings should achieve a compatible relationship with heritage buildings in their context through such matters as building height, massing, scale, setbacks, stepbacks, roof line and profile and architectural character and expression.

This application was reviewed against all policies of the King-Spadina Secondary Plan. The Secondary Plan is available at:

http://www1.toronto.ca/static_files/CityPlanning/PDF/16_king_spadina_june2006.pdf

King-Spadina Urban Design Guidelines

The King-Spadina Urban Design Guidelines correspond to the King-Spadina Secondary Plan. As identified above, Clarence Square is identified as an Area of Special Identity, and Spadina Avenue is identified as a Significant Street. This proposal was reviewed against the criteria of the Guidelines, in particular the proposal's massing and articulation towards Clarence Square, and the building's streetwall on Spadina Avenue. The King-Spadina Urban Design Guidelines are available at:

http://www1.toronto.ca/city_of_toronto/city_planning/urban_design/files/pdf/15kingspadina.pdf

King-Spadina East Precinct Built Form Study

The site is within the study area of the King-Spadina East Precinct Built Form Study, a City-initiated study to review the existing planning framework and to develop updated policies on the appropriate built form and public realm requirements for the area generally bounded by Front Street, Richmond Street West, Simcoe Street and Spadina Avenue. The results of the study will be implemented as part of an updated King-Spadina Secondary Plan, King-Spadina Urban Design Guidelines, and Zoning By-law provisions. Details on the King-Spadina East Precinct Built Form Study are available at: <http://www1.toronto.ca/wps/portal/contentonly?vgnextoid=10a50621f3161410VgnVCM10000071d60f89RCRD>

King-Spadina 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 (HCD) studies in five priority areas. One of these areas is the King-Spadina Secondary Plan area. The Request for Proposals for the King-Spadina HCD Study was issued and a team lead by Taylor-Hazell Architects has been chosen to undertake the study. The property at 57 Spadina Avenue is located within the King-Spadina HCD study area.

The first phase of the study involves the identification of potential heritage conservation districts. The interim recommendations of the HCD Study were released at a public meeting held on March 18, 2014. The draft study findings were presented at the May 23, 2014 meeting of the Toronto Preservation Board. The development of a HCD Plan and the designation under Part V of the *Ontario Heritage Act* of one or more identified HCDs will follow as the second part of the study.

The study process will result in the preparation of an HCD plan(s) and an HCD by-law to protect the historical and cultural significance of the study area. Details on the King-Spadina HCD study is available at:

http://www.toronto.ca/heritage-preservation/heritage_districts.htm

Spadina Avenue Built Form Study

On February, 14, 2012, the Toronto and East York Community Council requested City Planning staff to review the policy context for the lands fronting on Spadina Avenue

generally from Front Street West to Bloor Street West. In response to Community Council's direction, City Planning staff are undertaking the Spadina Avenue Built Form Study, which will identify ways to refine the planning framework in the area and set a clear vision for future development and the public realm that builds upon the character of Spadina Avenue. The vision will be defined in new planning documents which may include Official Plan Amendments, Zoning By-law changes, design guidelines, and heritage designations. A Preliminary Report is to be considered at the August 12th, 2014 Toronto and East York Community Council meeting.

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>.

Policy 1 in Section 5.3.2 – “Implementation Plans and Strategies for City-Building” of the Official Plan states 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 3.1 – “The Built Environment” and other policies within the Plan related to the design and development of tall buildings in Toronto.

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 metres.

Zoning

The site is zoned RA “Reinvestment Area” with a height limit of 18 metres under Zoning By-law 438-86, with a restrictive exception. The RA designation permits a mixture of uses including residential, retail, office and manufacturing uses. The restrictive exception permits a base building height limit with an associated angular plane.

On May 9, 2013, City Council enacted city-wide Zoning By-law 569-2013. *Planning Act* applications submitted after May 9, 2013 are subject to the new Zoning By-law. The site is zoned CRE (x80) “Commercial Residential Employment” with a height limit of 18 metres under Zoning By-law 569-2013 (refer to Attachment 3 – Zoning Map). The CRE zone permits a range of uses similar to the former designation under Zoning By-law 438-86. The (x80) provision indicates site specific exceptions that are carried over from Zoning By-law 438-86.

Site Plan Control

The application is subject to Site Plan Control. An application for Site Plan Control has not been submitted to date.

Reasons for Application

The proposal requires an amendment to the Zoning By-law for: an increase in overall height and base building height; encroachment of building mass outside of the angular plane; reduction in setback distances from the north and south laneways; reduction in outdoor residential amenity space areas; reduction of vehicular parking spaces; and other development standards that requires site specific zoning provisions.

Community Consultation

On November 4, 2013, a community consultation meeting was held at Metro Hall. City Planning staff, the applicant, the Ward Councillor, and approximately 40 members of the public attended. Concerns raised on the proposal include: impact on views for residents at 393 King Street West; overall height; shadow impacts to the properties northwest and north of the site; and noise and traffic impacts on the City-owned south laneway.

City of Toronto Design Review Panel

The application was before the Design Review Panel on December 10, 2013. The Panel voted for refinement of the proposal, and encouraged the applicant to collaborate with the applicants at 401-415 King Street West, along with City staff in moving both projects forward. The Panel was generally supportive of the proposal's design, articulation and the building's programming, but posed concerns on the height and bulk of the base building, and the reduced separation distances between this proposal and the proposal at 401-415 King Street West. The Panel asked the applicant to consider the following items:

- centralize the servicing between this proposal and the proposal at 401-415 King Street West onto the north laneway;
- provide visitor retail bicycle parking; and
- provide a greater separation distance between this proposal and the proposal at 401-415 King Street West.

Agency Circulation

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

COMMENTS

Provincial Policy Statement and Provincial Plans

The 2014 PPS promotes new development through intensification, where such intensification recognizes the development's local context, and has a well-designed built form. This application provides a built form that fits within its local context and is consistent with the PPS 2014.

The Growth Plan for the Greater Golden Horseshoe designates the site within the urban growth centre. The Growth Plan recognizes urban growth centres as areas for development to accommodate intensification, to provide for a range of housing options, and to provide for appropriate transition of built form to adjacent areas. This application accommodates intensification and provides an acceptable transition of built form to adjacent areas. As such, this application does not conflict with the Growth Plan for the Greater Golden Horseshoe.

Land Use

The proposed residential, commercial retail, and commercial office uses are consistent with the permissions for the *Regeneration Area* designation of the Official Plan.

On July 9, 2014, the Ministry of Municipal Affairs and Housing issued its decision, with modifications, on City Council adopted Official Plan Amendment 231 (OPA 231) - the City's Official Plan/Municipal Comprehensive Review on employment land policies. OPA 231 amends Section 3.5.1 of the Official Plan by adding Policy 9, which requires residential redevelopment on *Downtown* sites containing a minimum of 1,000 square metres of office space be maintained and increased. This proposal increases the existing commercial office GFA from 1,502 square metres to 3,246 square metres, and is consistent with the policy direction of OPA 231. The City Council adopted OPA 231 is available at:

<http://www.toronto.ca/legdocs/mmis/2013/pg/bgrd/backgroundfile-63574.pdf>

Height

The existing planning policy framework was analysed in respect to the proposal's height. The Official Plan recognizes the *Regeneration Areas* of *Downtown* is encouraged for residential intensification. The Official Plan and the King-Spadina Secondary Plan require new development be located and organized to fit within its existing and/or planned context, and that it achieves a compatible relationship with their built form context. The proposal's overall height is generally consistent with the emerging building heights within the King-Spadina East Precinct.

The proposal's overall height of 120 metres, including the mechanical penthouse exceeds the current height permission of 18 metres of the Zoning By-law. Although the overall height of the proposal significantly exceeds the standards of the Zoning By-law, it is not a significant departure from the existing building heights within the King-Spadina East Precinct area that have been approved and constructed in the last 10 years.

Further, the proposal's height will not conflict with the preferred height datum analysis in the King-Spadina East Precinct Built Form Study. A tapering of building heights is anticipated from the east to west towards Spadina Avenue from University Avenue. This proposal's height of 120 metres continues the gradual tapering of height to Spadina Avenue. Careful consideration was given to the placement of the proposal's penthouse to ensure it falls within the height datum of the East Precinct Built Form Study. Further, the overall height of the building is mitigated by stepbacks on the 12th and 21st storeys along the Spadina Avenue frontage to provide for a transition of built form towards the lower building heights across Spadina Avenue to the west.

Built Form and Massing

The existing planning policy framework was analysed in respect of the proposal's built form and massing. The King-Spadina Secondary Plan identifies Spadina Avenue as a Significant Street, where new development is to maintain the avenue's warehouse character. The proposed stepbacks of 9.2 metres after the 12th storey along the Spadina Avenue frontage maintain an acceptable relationship with the streetwall on this section of Spadina Avenue.

The King-Spadina Secondary Plan also requires new development to be sited and massed to provide adequate light, view and privacy for neighbouring properties. The stepback of 17.2 metres after the 21st storey of the proposal mirrors the overall height of the building at 456 King Street West (the Hudson Building), north of the subject site across King Street West. This condition provides access to sky view for pedestrians on Spadina Avenue, and maintains sunlight along this corridor. A stepback of 11.5 metres after the 8th storey at the rear of the site provides for adequate natural light to pass through between this proposal and the building at 393 King Street West to the east. The east facing wall of 393 King Street West is blank. This proposal's stepback offers sufficient privacy for the occupants with a southwest facing view at 393 King Street West.

The massing achieved for this building result in a tower floor plate size of approximately 750 square metres from the 13th to 21st storey, and 650 from the 22nd storey to the 36th storey. The floor plate sizes meet the Tall Building Guidelines' objective in limiting the size to 750 square metres or less in order to maintain adequate sunlight onto the public realm, access to sky view, and views between buildings through sites.

Separation Distance

The separation distance between this proposal and the proposal to the north at 401- 415 King Street West posed a concern throughout the review of this application. Both City Planning staff and the Design Review Panel suggested the two applicants work together to resolve the interface issues that would result if two towers were to be approved.

Section 3.2.3 – 'Separation Distances' of the Tall Building Guidelines recommends a minimum separation distance between towers of 25 metres, with each tower to have a stepback of 12.5 metres from the property line or centre line of the abutting lane. The current proposal will now achieve a stepback of 10 metres on the majority of the north facing wall to the centre line of the abutting north laneway, after the 12th storey. The 10

metre setback, in conjunction with a potential 10 metre setback of the development to the north, will result in a minimum separation distance of 20 metres. This condition will not meet the Tall Buildings Guidelines. City Planning staff finds this particular condition acceptable in this instance. To minimise future interface issues, balcony projections on the section of the building wall that do not meet the 10 metre setback will be limited to juliet balconies, secured in the draft By-law.

The setback of the base building of 5 metres to the centre line of the north laneway is acceptable in this instance as a minimal number of residential dwelling units with windows facing north are proposed. City Planning staff worked with the applicant to reconfigure the programming of the base building to ensure non-residential uses, and auxiliary residential uses such as storage rooms, and bicycle parking spaces are located along the northern portion of the base building. The exact configuration of the programming within the base building will be secured through the Site Plan Approval process.

Development Proposal at 401 – 415 King Street West

City Planning staff were cognizant of the potential impacts this proposal will pose to the massing permissions for the development proposal to the north of the site, involving the properties at 401 to 415 King Street West. The massing of the tower, floor plate size and the separation distances were achieved on the subject site to ensure the massing options for the proposal to the north were not compromised, provided other planning objectives are achieved.

Heritage

The site is to the rear of the Clarence Terrace Row Houses to the south, a series of 3-storey row houses built in 1879-80 that are listed in the City of Toronto's Inventory of Heritage Properties. A Heritage Impact Assessment was submitted in support of the application. The report indicated the proposed setbacks of the proposal, in conjunction with the different articulation of materials allows for a visual transition from the scale of the proposal to the scale of the historic row houses. Further, a separation distance of 21 metres will be achieved between the proposal's south facing wall and the historical row houses. This proposal meets the intent of the policy to ensure that development adjacent to heritage listed buildings respect their character, form and scale, and achieves a compatible relationship through setbacks, profile, and architectural character and use of materials. Further, this proposal meets the intent of section 1.6 – 'Heritage Properties and Heritage Conservation Districts' of the Tall Building Guidelines in locating and designing tall buildings to complement adjacent heritage properties.

Sun, Shadow, Wind

A revised Shadow Study was submitted in support of the application, and is satisfactory to City Planning staff. The study indicates the development will not cast shadows onto Clarence Square Park to the south. This proposal conforms to the policy direction of the Official Plan in ensuring that new development is massed to protect sunlight on parks and open spaces, and meets the intent of section 1.4 – 'Sunlight and Sky View' of the Tall Building Guidelines in limiting shadow sensitive open space areas.

The Pedestrian Wind Letter and addendum submitted in support of the application indicates the setbacks proposed on the east and west of the building will help mitigate wind impacts for pedestrians on the ground level, and recommends a canopy be constructed along Spadina Avenue to further deflect wind for pedestrians entering the commercial retail area. The Letter also recommends landscaping and parapets be in place for the 9th storey outdoor amenity area to mitigate wind impacts. This proposal conforms to the policy direction of the Official Plan in ensuring that new development is massed to limit uncomfortable wind conditions, and meets the intent of section 4.3 – 'Pedestrian Level Wind Effects' of the Tall Building Guidelines in minimizing adverse wind conditions on pedestrians in principle. A detailed Pedestrian Wind Study will be required as a legal convenience in the Section 37 agreement, with the implementation of any mitigation measures to be secured through the future Site Plan Approval process.

Residential Amenity Space

Zoning By-law standards require 2.0 square metres per unit for each of indoor and outdoor amenity space. This standard results in 626 square metres each for indoor and outdoor amenity space for the proposed 313 dwelling units.

The proposed indoor amenity space of 649 square metres, or 2.1 square metres per dwelling unit, exceeds the minimum standard of the Zoning By-law. The proposed outdoor amenity space of 288 square metres, or 0.9 square metres per dwelling unit, does not meet the minimum standard of the Zoning By-law. City Planning staff finds this configuration acceptable in this instance as the outdoor amenity space area is contiguous to the indoor amenity space area on the 9th storey, consolidated into usable amenity spaces. The draft site specific Zoning By-law will secure the minimum area of both the indoor and outdoor amenity space. Through the Site Plan Approval process, the programming and design of the outdoor amenity area will be secured.

Traffic Impact and Vehicular Access

A revised Transportation Impact report was submitted in support of the application. The resulting traffic impact, and proposed loading spaces are acceptable to Development Engineering staff.

Vehicular Parking

This proposal provides for a total of 191 vehicular parking spaces, consisting of: 166 residential parking spaces; and 25 parking spaces to be shared between residential visitors and non-residential users. The parking analysis submitted as part of the revised Transportation Impact report was reviewed by City staff.

The proposed 166 residential parking spaces is deficient by 22 spaces and is not acceptable to City staff. City staff is recommending the parking rates identified in By-law 438-86 be secured in the draft by-law for this development.

The proposal to provide for 25 shared vehicular parking spaces to serve both residential visitors and the non-residential uses is not acceptable to City Planning staff. City Planning staff is recommending parking spaces be secured for visitors' exclusive use based on the parking occupancy rate identified in By-law 569-2014. The delineation of the spaces is to be secured in the draft by-law, and through the future Site Plan approval process.

Bicycle Parking

The proposal will provide for 265 residential, 63 residential visitor, 13 commercial visitor, and 11 employee bicycle parking spaces. The location of some visitor parking is proposed on the ground floor, and the remaining bicycle parking spaces are proposed on the 5th and 6th storeys of the base building. The number of the bicycle parking spaces meets the provisions of the Toronto Green Standard.

Servicing

A revised Functional Servicing Report and addendum were submitted in support of the application. Development Engineering staff reviewed the report and identified insufficient information has been provided to ensure the existing sanitary drainage capacity in the area can support the proposed development.

Prior to the bills being introduced to City Council for enactment, the applicant is required to submit an updated Functional Servicing Report that sufficiently addresses the concerns raised by staff. Any capital infrastructure required to accommodate this development based on the results of the updated Functional Servicing Report will be paid for by the applicant, to be secured as a legal convenience in the Section 37 Agreement.

City-owned Laneways

The site abuts City-owned laneways to the north and south. Both laneways are currently substandard laneways with a right-of-way of less than 6 metres in width. A 1.3 metre wide strip of land abutting the south laneway, and a 1.17 metre wide strip of land abutting the north laneway shall be conveyed to the City. These conveyances will be secured through the future Site Plan Approval process.

The proposal includes balcony projections beginning on the 6th storey that will encroach onto the 1.3 metre wide conveyance for the south laneway. City staff do not support the encroachment of balconies onto public right-of-ways. As such, the balcony projections of 1.8 metres beyond the south facing building wall will not be permitted in the draft By-law.

Streetscape

The proposal provides for a public boulevard width of 6 metres that tapers to 5 metres at the northern property line on Spadina Avenue, an increase of 1.7 metre over existing achieved by setting the base building back. A minimum 2.1 metre pedestrian clearway will be provided. Other streetscaping standards such as: pavers; street trees; and bicycle furniture, are to be secured as a legal convenience in the Section 37 agreement, and through the future Site Plan Approval process.

A cash contribution of up to \$500,000 for improvements to the south laneway abutting the site, extending to the east limit of the rear of the property at 393 King Street West above City streetscaping standards will be secured as part of the Section 37 benefits.

Open Space/Parkland

The Official Plan contains policies to ensure that Toronto's system of parks and open spaces are maintained, enhanced and expanded. Map 8B of the Toronto Official Plan shows local parkland provisions across the City. The lands which are the subject of this application are in an area with 0.42 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 the City Wide Parkland Dedication By-law 1020-2010.

The application proposes 313 residential units and 4,972 square metres of non-residential uses on a site with a net area of 1,722 square metres. At the alternative rate of 0.4 hectares per 300 units specified in By-law 1020-2010, the parkland dedication requirement is 0.417 hectares or 242.35% of the site area. However, for sites that are less than 1 hectare in size, a cap of 10% is applied to the residential use while the non-residential use is subject to a 2% parkland dedication. In total, the parkland dedication requirement is 149 square metres.

The applicant is required to satisfy the parkland dedication requirement through cash-in-lieu. This is appropriate as there is no location for an on-site parkland dedication that would be of a useable size and the site would be fully encumbered below grade.

The actual amount of cash-in-lieu to be paid will be determined at the time of issuance of the building permit.

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. The site specific zoning by-law will secure performance measures for various Tier 1 development features, including: enclosed recycling and organic waste storage areas; minimum recycling room area; minimum bicycle parking rates; and occupant bicycling parking all located within the building.

Other applicable TGS performance measures will be secured through the Site Plan Approval process, including: shower facilities for the commercial use; the protection of existing street trees and planting of new trees; and pedestrian lighting around the development.

Section 37

The applicant has agreed to provide community benefits for the local community in consultation with City Planning staff and the Ward Councillor, to be secured in a Section 37 Agreement under the *Planning Act*. The benefits to be secured are as follows:

1. Prior to the issuance of the first above-grade building permit, a cash contribution of \$200,000 towards the City's Capital Revolving Fund for Affordable Housing for the purpose of maintaining and constructing affordable rental housing units in Ward 20, to the satisfaction of the Chief Planner and Executive Director, City Planning Division, in consultation with the Ward Councillor; and
2. Prior to the issuance of the first above-grade building permit, a cash contribution of \$1,800,000 towards community services and facilities and public realm improvements in Ward 20, to the satisfaction of the Chief Planner and Executive Director, City Planning Division, in consultation with the Ward Councillor. No more than \$500,000 may be allocated towards the improvement of the City-owned laneway on the south side of the property between Spadina Avenue to the east limit of the rear of the property at 393 King Street West, excluding the lane widening to be conveyed to the City.

In the event the cash contributions referred to above has not been used for the intended purpose within 3 years of the site specific By-law coming into full force and effect, the cash contribution may be redirected for another purpose, at the discretion of the Chief Planner and Executive Director of City Planning, in consultation with the local Councillor, provided that the purpose is identified in the Toronto Official Plan and will benefit the community in the vicinity of the lands.

The following matters are also recommended to be secured in the Section 37 Agreement as a legal convenience to support the development:

1. Submit a Pedestrian Wind Study, and implement the mitigation measures listed in the Study to ensure wind velocity is within acceptable levels, to the satisfaction of the Chief Planner and Executive Director, City Planning Division;
2. The owner shall provide 10% family sized dwelling units in the development. A minimum of 8% of the units in the development shall be constructed as 3 bedroom units with a minimum unit area of 79 square metres, in compliance with the Ontario Building Code. A minimum of 2% of the units in the development may be constructed as 2 bedroom units that are convertible to 3 bedroom units through renovation or through knock out panels between units, in compliance with the Ontario Building Code;
3. The owner shall construct the streetscape fronting on Spadina Avenue, in accordance with the Streetscape Manual or to the satisfaction of the Chief Planner and Executive Director, City Planning; and
4. Prior to the issuance of the first building permit, the owner shall submit a Construction Management Plan, to the satisfaction of the Chief Planner and Executive Director, City Planning Division, the General Manager of Transportation Services, and the Chief Building Official, in consultation with the Ward Councillor and thereafter in support of the development, shall implement the plan during the course of construction. The Construction Management Plan will include, but not limited to, details regarding size and location of construction staging areas, dates and significant concrete pouring activities, measures to ensure safety lighting does not negatively impact adjacent residences, construction vehicle parking locations, refuse storage, site security, site supervisor contact information, and any other matters deemed necessary.

Tenure

The proposed tenure for the residential component of the development is condominium ownership.

Conclusion

This proposal provides an acceptable redevelopment within the King-Spadina area. The proposal increases the existing gross floor area of commercial office use, while providing for residential and commercial retail uses. The built form of the proposal is consistent with the emerging built form of the King-Spadina area, in particular the East Precinct, and provides an adequate transition to the west across Spadina Avenue.

The Section 37 provisions being secured will assist in supporting affordable housing in the local area, and contribute towards much needed community space and public realm improvements within the King-Spadina area.

CONTACT

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E-mail: htang2@toronto.ca

SIGNATURE

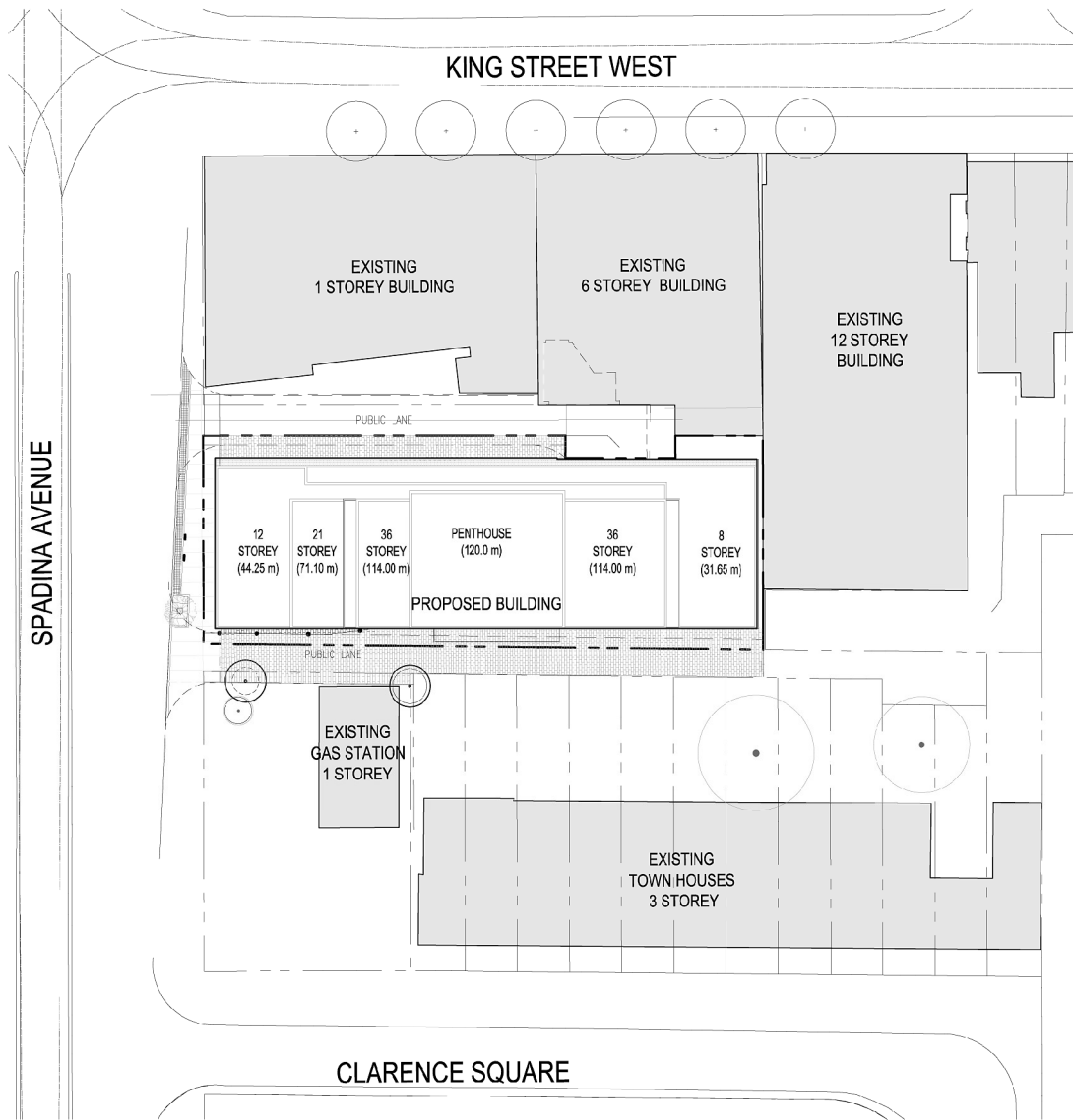
Gregg Lintern, MCIP, RPP
Director, Community Planning
Toronto and East York District

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ATTACHMENTS

Attachment 1: Site Plan
Attachment 2a-d: Elevations
Attachment 3: Zoning
Attachment 4: Application Data Sheet
Attachment 5: Draft Zoning By-law Amendment to By-law 436-86
Attachment 6: Draft Zoning By-law Amendment to By-law 569-2013

Attachment 1: Site Plan



Site Plan

57 Spadina Avenue

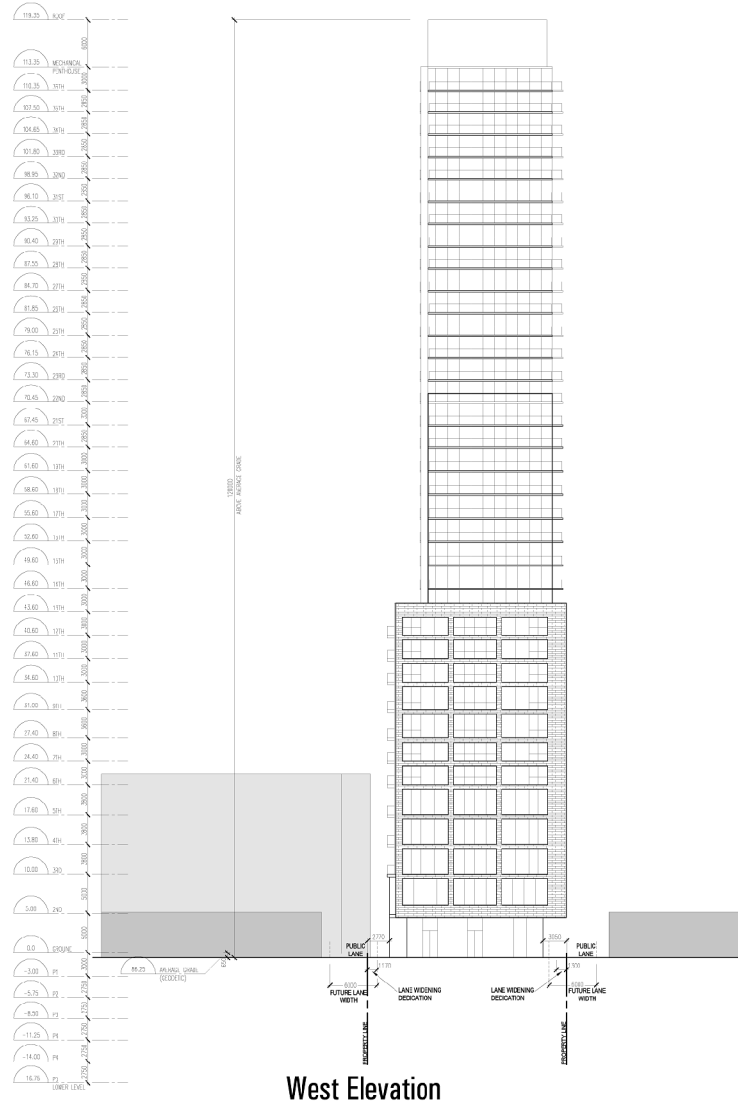
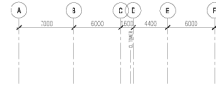
Applicant's Submitted Drawing

Not to Scale
07/22/2014



File # 13 169365 0Z

Attachment 2a: West Elevation



Elevations

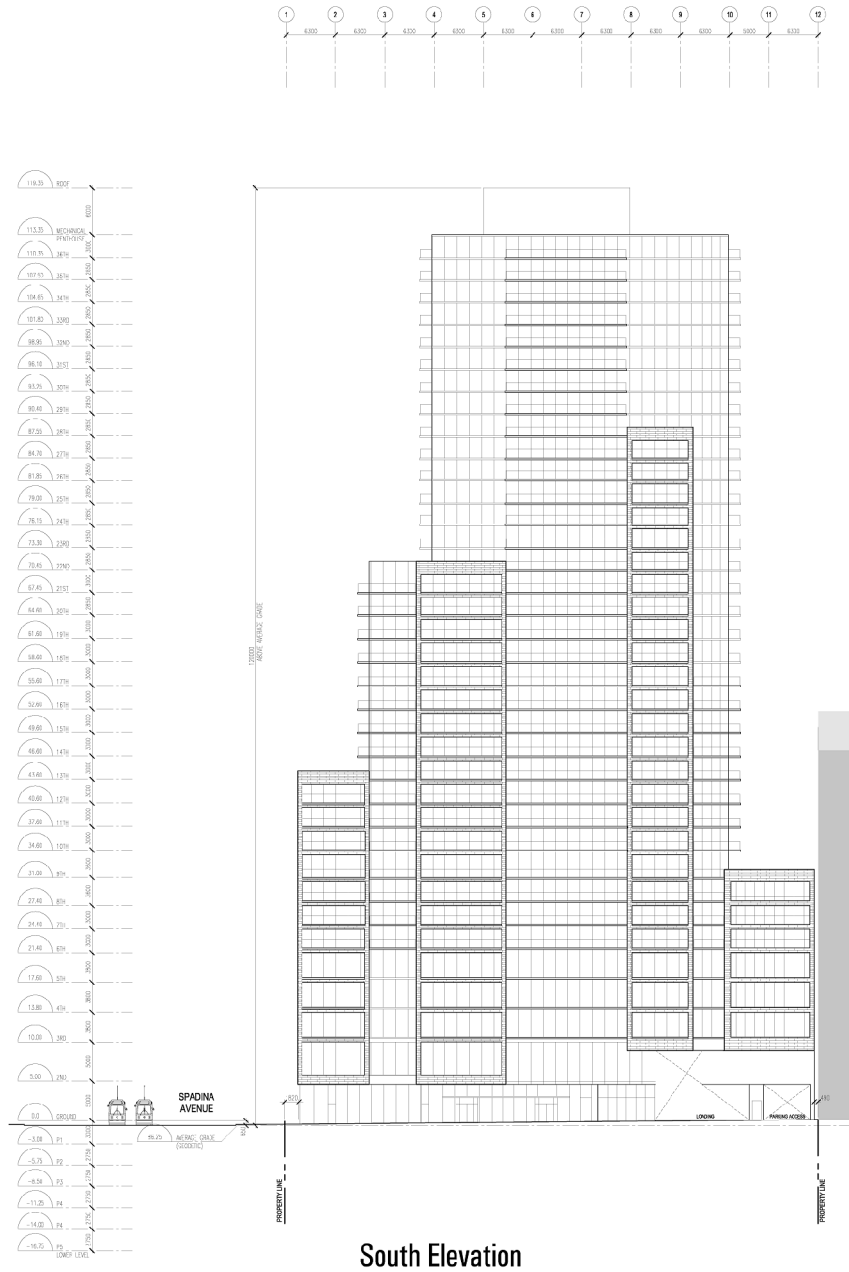
Applicant's Submitted Drawing

Not to Scale
07/22/2014

57 Spadina Avenue

File # 13 169365 0Z

Attachment 2b: South Elevation



South Elevation

Elevations

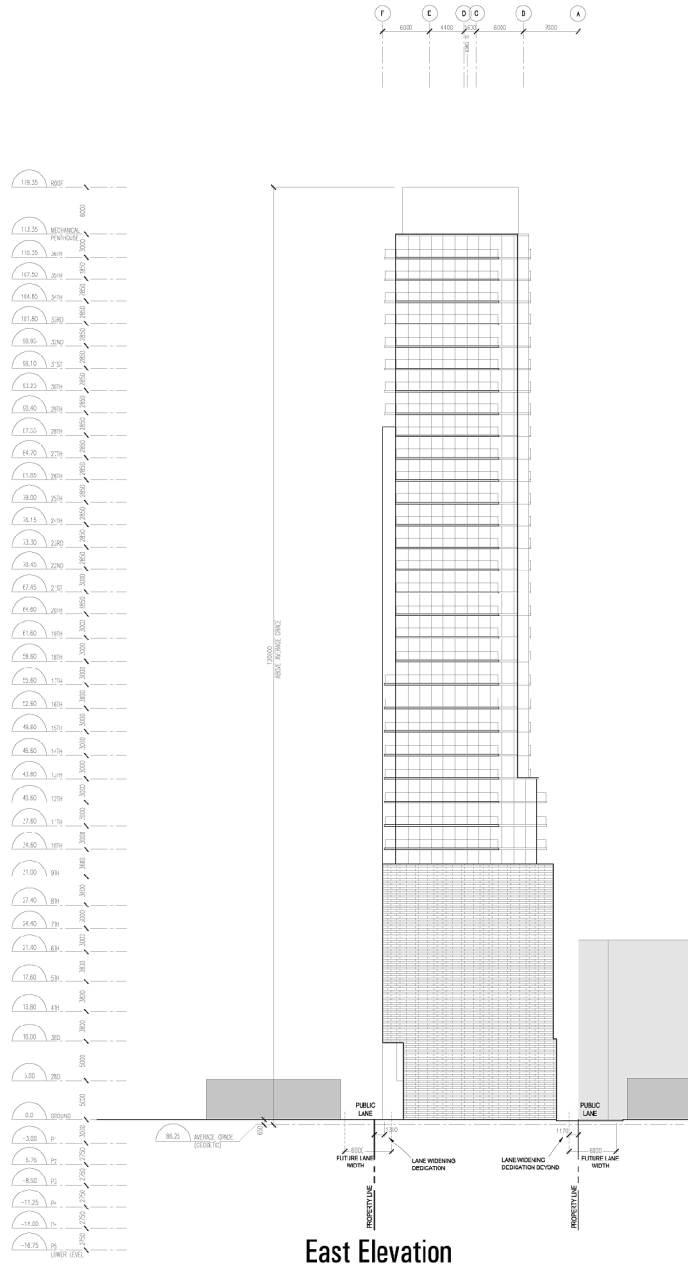
Applicant's Submitted Drawing

Not to Scale
07/22/2014

57 Spadina Avenue

File # 13 169365 02

Attachment 2c: East Elevation



Elevations

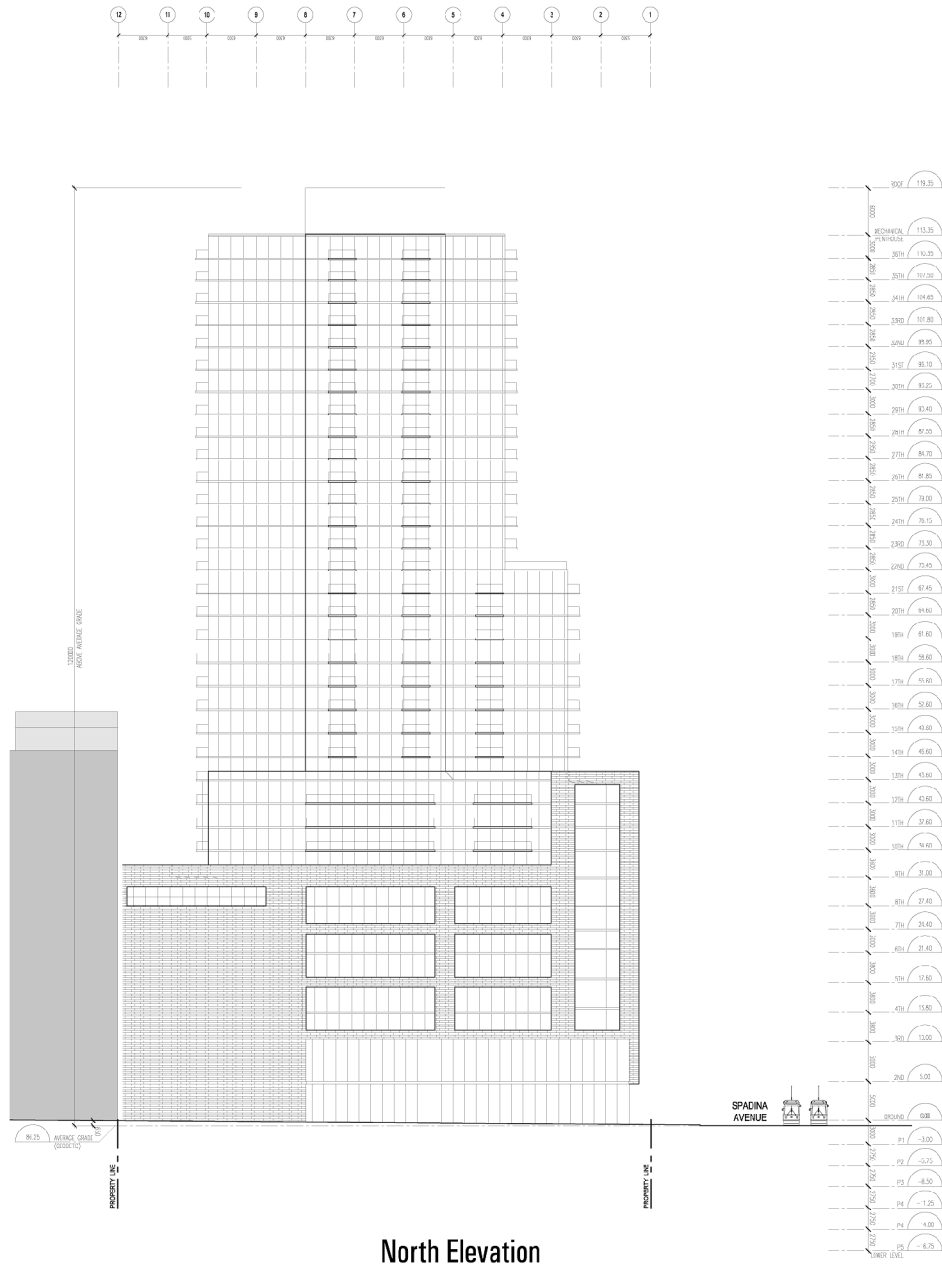
Applicant's Submitted Drawing

Not to Scale
07/22/2014

57 Spadina Avenue

File # 13 169365 0Z

Attachment 2d: North Elevation



Elevations

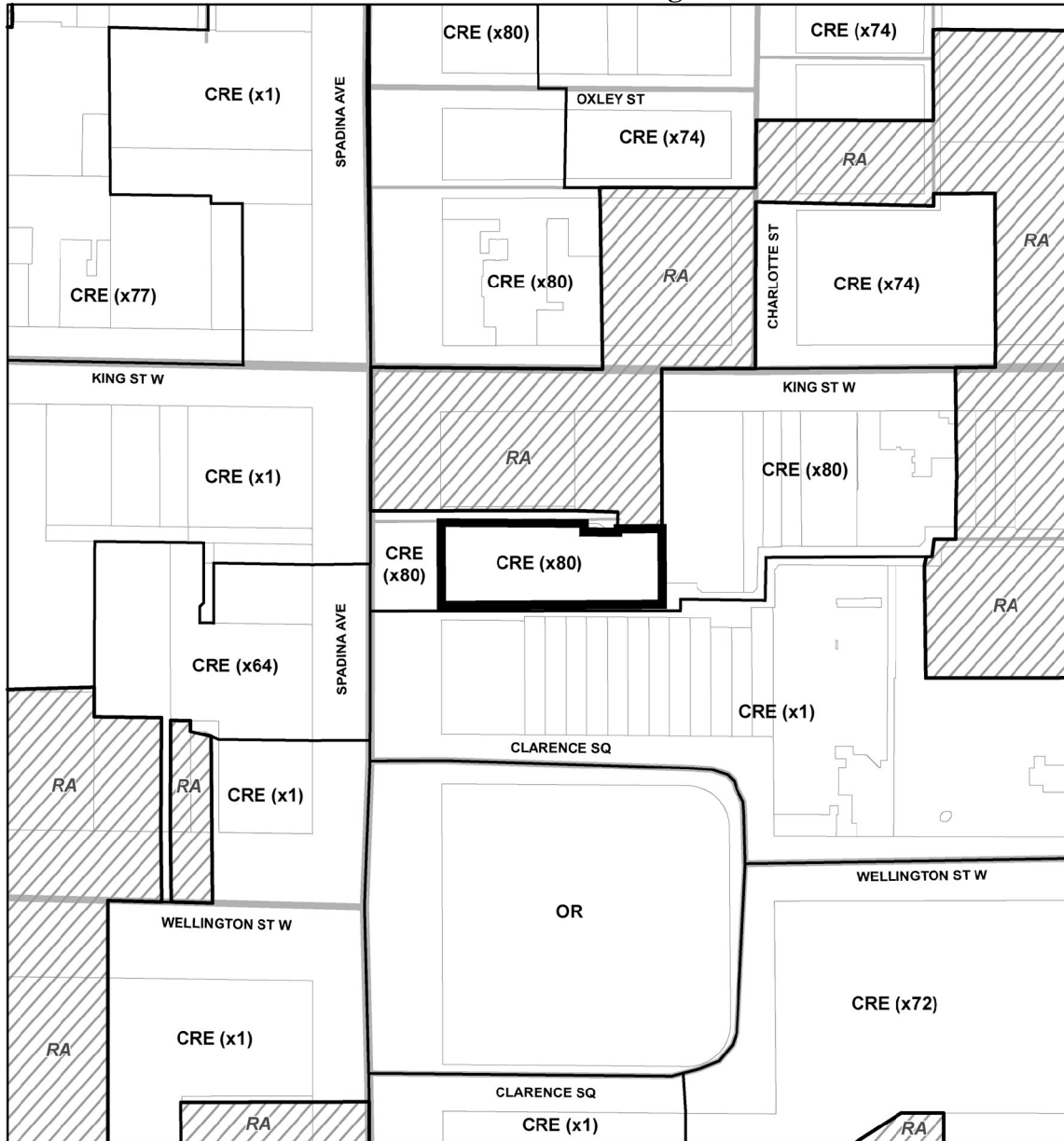
Applicant's Submitted Drawing

Not to Scale
07/22/2014

57 Spadina Avenue

File # 13 169365 0Z

Attachment 3: Zoning



Toronto City Planning
Zoning By-law 569-2013

57 Spadina Avenue
 File # 13 169365 STE 20 02

- Location of Application
- See Former City of Toronto Bylaw No. 438-86
- CRE** Commercial Residential Employment
- OR** Open Space Recreation
- RA** Mixed-Use District

Not to Scale
 Extracted 07/05/2013

Attachment 4: Application Data Sheet

Application Type	Rezoning	Application Number:	13 169365 STE 20 OZ
Details	Rezoning, Standard	Application Date:	May 15, 2013
Municipal Address:	57 SPADINA AVENUE		
Location Description:	PLAN D253 LOT 12 PT LOTS 9 TO 11 **GRID S2015		
Project Description:	A revised proposal to permit a 36-storey (120 m) mixed use building, with 1,726 sq.m. of retail area, 3,246 sq.m. of office area, and 24,390 sq.m. of residential area, consisting of 313 residential units. A 5-level below grade parking garage is to accommodate 191 automobile parking spaces. 352 bicycle parking spaces are proposed on the ground and 6 th storey.		

Applicant:	Agent:	Architect:	Owner:
DIAMOND CORP. 22 St. Clair Ave. E., Ste. 1010 Toronto, ON M4T 2S3		DIAMOND SCHMITT ARCHITECTS 384 Adelaide St. W., Ste. 300 Toronto, ON M5V 1R7	57 SPADINA AVENUE INC. 22 St. Clair Ave. E., Ste. 1010 Toronto, ON M4T 2S3

PLANNING CONTROLS

Official Plan Designation:	Regeneration Areas	Site Specific Provision:	No
Zoning:	RA under By-law 438-86 CRE under By-law 569-2013	Historical Status:	No
Height Limit (m):	18	Site Plan Control Area:	Yes

PROJECT INFORMATION

Site Area (sq. m):	1,722	Height:	Storeys:	36
Frontage (m):	25.46		Metres:	123.25 (inc. mech.)
Depth (m):	68.22			
Total Ground Floor Area (sq. m):	850			Total
Total Residential GFA (sq. m):	24,390		Vehicular Parking Spaces:	191
Total Non-Residential GFA (sq. m):	4,972		Loading Docks	2
Total GFA (sq. m):	28,717		Bicycle Parking Spaces:	352
Lot Coverage Ratio (%):	80			
Floor Space Index:	16.6			

DWELLING UNITS

Tenure Type:	Condo
Rooms:	0 (0%)
Bachelor:	0 (0%)
1 Bedroom:	220 (70.3%)
2 Bedroom:	69 (22.0%)
3 + Bedroom:	24 (7.7%)
Total Units:	313 (100%)

FLOOR AREA BREAKDOWN (upon project completion)

		Above Grade	Below Grade
Residential GFA (sq. m):	24,390	24,390	0
Retail GFA (sq. m):	1,726	1,726	0
Office GFA (sq. m):	3,246	3,246	0
Industrial GFA (sq. m):	0	0	0
Institutional/Other GFA (sq. m):	0	0	0

CONTACT:	PLANNER NAME:	Henry Tang, Planner
	TELEPHONE:	(416) 392-7572
	E-MAIL:	htang2@toronto.ca

Attachment 5: Draft Zoning By-law Amendment to By-law 438-86

To be distributed to the Toronto and East York Community Council Meeting

Attachment 6: Draft Zoning By-law Amendment to By-law 569-2013

To be distributed to the Toronto and East York Community Council Meeting