

King-Spadina East Precinct Built Form Study and Public Realm Strategy – Status Update

Date:	August 5, 2014
To:	Toronto and East York Community Council
From:	Director, Community Planning, Toronto and East York District
Wards:	Ward 20 – Trinity Spadina
Reference Number:	09 123346 SPS 00 TM

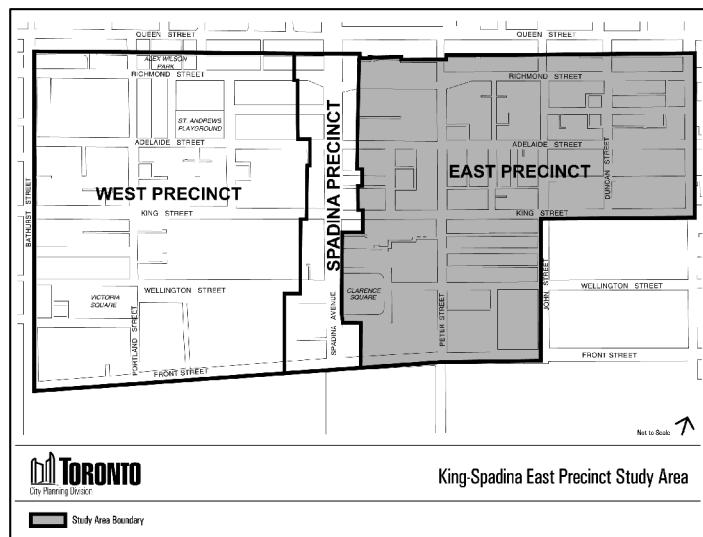
SUMMARY

The purpose of this report is to update City Council on the status of the work on the King Spadina East Precinct Built form Study. It also recommends that City Council endorse the emerging directions of the study to inform staff's review of current and future development applications.

RECOMMENDATIONS

The City Planning Division recommends that:

1. City Council endorse the draft Public Realm Strategy, Attachment 1 to the report (August 5, 2014) and the Built Form Directions as outlined in the report from the Director, Community Planning, Toronto and East York District, and direct staff to apply the draft Public Realm Strategy and Built Form Directions in evaluating current and future development applications and public realm improvements and investment in the area.



2. City Council request the General Manager, Parks, Forestry and Recreation to identify potential new parkland and proceed with on-site parkland dedications, off-site dedications and parkland acquisition in the East Precinct of King-Spadina on a priority basis.
3. City Council endorse the following directions for the King-Spadina East Precinct to be used in reviewing current and future development applications:
 - a. A downward gradation of tower heights from east to west from University Avenue towards Spadina Avenue.
 - b. Limiting heights approaching Queen Street West to prevent shadowing on the north sidewalk after 12:00 (noon) in the spring and fall equinoxes.
 - c. Employing the city-wide Tall Buildings Guidelines to evaluate towers, particularly with regard to tower spacing and tower floor plates.
 - d. Evaluating new development applications in the context of a block plan for the block on which they sit.
 - e. Seeking the inclusion of family-sized units in all new residential development.
 - f. Requiring the inclusion of employment uses in new residential development that replaces existing office uses, resulting in a net gain in employment, consistent with OPA 231.
4. City Council direct the Chief Planner and Executive Director, City Planning to bring forward any required Official Plan and Zoning By-law Amendments arising from the East Precinct Built Form Study to a statutory public meeting under the Planning Act in 2015 after concluding on-going community consultations.

Financial Impact

The recommendations in this report have no financial impact.

DECISION HISTORY

On April 8, 2008 Toronto and East York Community Council directed the then-Acting Chief Planner and Executive Director, City Planning Division to undertake the King-Spadina East Precinct Built Form Study:

- “1. to conduct a built form study for the area bounded by Front Street West, Spadina Avenue, Richmond Street West and Simcoe Street in the King-Spadina Secondary Plan Area, to determine appropriate heights, massing and physical relationships in the context of, but not necessarily limited to the following:
 - a) The public policy goals and objectives of the Official Plan;
 - b) The goals and objectives of the King-Spadina Secondary Plan;
 - c) The emerging “Living Downtown Study” principles;
 - d) The Heritage character of the area including enhancements to the area’s heritage policy framework;

- e) The maintaining and enhancing of employment opportunities in the area; and,
 - f) The impact on pedestrian safety and the public realm.
2. to hold community consultations with area stakeholders, in consultation with the Ward Councillor, to include residents, landowners, resident and business associations and the development industry; and,
 3. to report back to the Toronto and East York Community Council in the third quarter of 2008.”

Staff completed the Study in 2009 and were directed by City Council to undertake further consultation on the study recommendations. Since that time there has been ongoing and increasing pressure for development at heights not contemplated by the study's recommended planning framework, including tall building applications to demolish and/or build on top of heritage buildings. A re-evaluation of the earlier study work in light of development since 2009 was recommended in 2012 with a view to reporting out to City Council in early 2014.

A link to the 2009 report may be found here:

<http://www.toronto.ca/legdocs/mmis/2009/te/bgrd/backgroundfile-21936.pdf>

A re-evaluation of the earlier study work in light of development since 2009 was recommended in 2012. In December of 2013 a status report outlining preliminary findings and potential directions for the study was presented to Council. The report was received for information.

A link to the 2013 status report may be found here:

<http://www.toronto.ca/legdocs/mmis/2013/te/bgrd/backgroundfile-63437.pdf>

ISSUE BACKGROUND

In April 1996 (former) Toronto City Council approved Part II Official Plan and Zoning By-law amendments in King-Spadina and King-Parliament (the “Kings”) to encourage reinvestment and regeneration in these historic manufacturing districts directly east and west of the downtown. The major objective of the King-Spadina Plan was to encourage reinvestment in the area which was suffering a decline. The idea behind the plan was to allow for a broad mix of uses, maintain employment uses and re-purpose existing heritage buildings.

Instead of density limits, maximum building heights and various setback and stepback provisions were used to reinforce the existing scale of buildings and to limit the size of new buildings to reflect the existing character of predominantly low to mid-rise brick and beam buildings. A number of studies and updates have been undertaken in the area over the past decade to refine the plan while maintaining the principles of a dynamic mix of uses and protecting the heritage and character of the area.

There has been ongoing and increasing pressure for development at heights not contemplated by the Plan, including tall building applications to demolish and/or build on top of heritage buildings. The area has evolved into a neighbourhood of interspersed towers, which still contains significant heritage and employment including one of the highest concentrations of the creative industries in Toronto.

People

The King-Spadina East Precinct has undergone massive change in the last ten years and will continue to change dramatically over the next several years. The population of the East Precinct has increased from 230 people in 2001 to 3,610 people in 2011. This is projected to increase to 18,000 people based on submitted and approved development applications and buildings currently under construction. A breakdown of this projection shows that there are currently 2,480 residential units under construction, 3,980 units with building permits and 5,870 units currently under review as part of development applications.

The population of the East Precinct is predominately younger people, with 80% of the population between 20 and 44 years old. As part of the East Precinct Study, it is important to consider how these people will be able to continue living in the area as they age and their families grow. This is reflected in the objective of providing an adequate amount of family-sized units in all new developments.

Jobs

The East Precinct has also experienced significant change with respect to employment. In 2001 there were a total of 15,195 jobs in the East Precinct and this has increased to 21,930 jobs in 2011. Employment is projected to increase to 30,930 jobs based on submitted and approved development applications and buildings currently under construction. A breakdown of this projection shows that there is currently 41,135 square metres of non-residential gross floor area currently under construction, 25,000 square metres with a building permit issued and 161,320 square metres of non-residential gross floor area currently under review as part of development applications.

Office Space

The office market in Toronto is a segmented entity. Over the past decade between 750,000 and 800,000 square feet a year on average has been constructed in Toronto, comprised mostly of Class A space in the Financial District and environs. At the same time an average of 300,000 square feet of office space has been demolished, most of it affordable Class 'C' space that is home to, and the incubator for, cultural industries, information technology and new media, design and other professional firms. Class 'C' space is in high demand and is estimated to have a vacancy rate of less than 3 per cent, well below the City average of 5 per cent. Much of the demolished Class 'C' space has made way for new residential condominium towers. There is a need to maintain a full spectrum of office space in Toronto for a full spectrum of office uses.

Challenges

Since 1996 when the King-Spadina Secondary Plan policies were introduced, the area has experienced significant reinvestment through new construction, conversion of existing buildings, and most recently, development applications for tall buildings which are not in alignment with the general Secondary Plan built form objectives. The emergence of the East Precinct as a tall building neighbourhood with almost two dozen tall buildings being approved to-date with several being constructed and occupied and more than a dozen currently under construction has created numerous challenges for staff, Council and the public.

1. Making Room for Towers

The most immediate challenge and one which continues to concern the City and residents of the area in particular has been the large number of tall buildings without a proactive policy and regulatory framework with which to evaluate them. The fact that this situation has occurred at the same time as a construction boom which has focused on the development of downtown residential condominiums has resulted in numerous aggressive proposals for tall condominium buildings with heights well beyond those anticipated in the established zoning. The lot pattern in King-Spadina has also contributed to the situation, with very few parcels being large enough to accommodate tall buildings in a manner which would meet established guidelines for tower separation distances. The consequences of towers being built too close together is a reduced standard of privacy, sky views and sunlight. These are important considerations in a neighbourhood of tall buildings where such factors can be detrimental to the quality of life for residents of tall buildings and visitors to the area alike.

Staff are proposing a number of policies to create an up-to-date planning framework for managing future growth in the East Precinct, some of which are noted in the final part of this report.

2. Towers and Heritage Preservation

One of the key objectives of the King-Spadina Secondary Plan is the retention and re-use of heritage buildings. The proliferation of towers, particularly those towers which are proposed on relatively small sites, has resulted in a number of applications in the East Precinct in recent years to substantially demolish heritage buildings. If applications for new buildings reflected heights and built forms closer to those heights anticipated in the RA zoning (30 metres for most of the East Precinct – roughly equivalent to a 10-storey residential building) there would be less of an incentive to tear down heritage buildings and presumably an incentive to retain heritage buildings and provide additional height where possible through sympathetic alterations and additions.

Staff have heard at a number of public meetings that one of the challenges associated with preserving heritage buildings, given the demand for towers in the East Precinct, is the practice of the Municipal Property Assessment Corporation of

evaluating heritage properties based on their perceived development potential or 'highest and best use'. Although no review of the impact of property valuation and resulting consequences for heritage property owners has been undertaken, basing property values and therefore property taxes on the perception that heritage properties are potentially suitable for redevelopment (and the associated higher land values) would create an additional burden for the owners of heritage properties. Heritage properties are also generally more costly to maintain. A Heritage Conservation District Study is currently underway, which will look at addressing these issues.

3. Public Realm and Open Space

The move toward taller buildings in the East Precinct has placed an increased importance on the value and functionality of the public realm and open space within the King-Spadina area generally and the East Precinct in particular. As the population of the area grows rapidly, there is a growing deficiency of parks and open spaces to serve the residents and workers in the area.

As buildings continue to be proposed and built at greater heights and on relatively small parcels and with limited opportunities to increase the amount of publicly owned open space, Council and staff have been trying to maximize the value of streets and laneways. Mid-block connections have been planned to create opportunities to move from one street to another and break up large blocks where possible. Several privately-owned, publicly-accessible open spaces (POPS) have also been planned which create small but important spaces for residents and visitors alike. Given the limited amount of parks and open spaces and the desire of downtown residents to see the City's streets as a public amenity (as opposed to simply a means of getting from one place to another) there is a need to create streets which are attractive and function as both open space and pedestrian connections. The draft Public Realm Strategy outlines strategies which staff have been using and specific priorities to achieve public realm objectives in the East Precinct. Staff are also examining opportunities for the acquisition of new parkland in the East Precinct.

4. Community Services and Facilities

As the density in the East Precinct increases due to numerous (predominantly residential) towers, the number of people living in the neighbourhood is also increasing. The demographic make-up of King-Spadina, like much of the downtown, is also shifting as it grows. As a recent Toronto Life article pointed out, neighbourhoods made up of young singles would inevitably lead to young families. This level and rapid rate of population growth in King-Spadina (as discussed later in this report) was not anticipated and the provision of services these residents will demand has not kept pace. The recent debate over the Mirvish-Ghery Proposal at 266-270 and 274-322 King Street West (file No. 12-276890 STE 20 OZ) highlighted concerns over just how many people this relatively small area can accommodate while maintaining a desirable quality of life.

The availability of community services and facilities is being addressed through a community services and facilities study which is looking at the availability of various services and facilities ranging from parks, playgrounds, schools, libraries, community centres and various types of community space as well as child care and support, fitness and recreation programs and a wide range of human services.

5. Water and Sanitary and Storm Sewer Capacity

Increasing densities and populations in the downtown are also placing demands upon the City's hard services such as the water, sanitary sewer and storm sewer systems. The excess capacity in the City's water system which was created by the deindustrialization of the downtown in previous decades is being taken up by residential development which is increasing in both numbers and scale.

The issue of servicing capacity is being studied through the Comprehensive to the Core (Downtown) Study currently under way.

As a result of these above challenges, staff are recommending a series of policy directions to create a framework which can address the type and scale of development appropriate to the East Precinct of the King-Spadina Secondary Plan area.

Community Consultation

A community consultation meeting was held on November 25, 2013 to discuss progress to date on the King-Spadina East Precinct Built Form Study. At this meeting preliminary directions and ideas on the public realm strategy were presented to the public. There was broad consensus at the meeting that public realm improvements are important to maintaining a high quality of life for existing and future residents in the area.

Residents noted that the area had evolved into a true mixed use neighbourhood and noted that they valued the dynamic nature of the area. They reiterated concerns raised at previous meetings related to:

- the need for new community services and facilities and parks to serve the growing population and to provide these services in tandem with growth;
- the need to increase transit capacity and provide more space for bicycles and pedestrians;
- the level of intensification on the neighbourhood, particularly with the number and proximity of towers to each other and what point the neighbourhood reaches capacity; and
- the need to protect the heritage character of the area

POLICY DIRECTION

1. Built Form

The King-Spadina Secondary Plan updates will respond to the above-mentioned challenges in the East Precinct. Policies will need to be provided to address a number of built form challenges, including policies to address the following issues:

- *New tall buildings are often too close together, resulting in loss of privacy, sky views and access to sunlight for residents and visitors. Staff will propose tower facing distances and other performance standards for tall buildings contained in the updated City-wide Tall Building Design Guidelines, adopted by City Council in May 2013, including potentially increasing separation distances depending on proposed heights.*
- *A policy should be established to ensure that heights generally become lower from east to west (University Avenue to Spadina Avenue) with the objective of maintaining a lower height regime for Spadina Avenue and protecting the West Precinct from encroaching heights. Staff have used the concept of a height limit which establishes maximum heights from the 65-storey Shangri La tower on University Avenue (214 metres) to the 21-storey Hudson at the north-east corner of Spadina Avenue and King Street West, as a means of establishing an appropriate height transition across the East Precinct.*
- *Protecting Queen Street West and the Heritage Conservation District which forms the northern boundary of the Secondary Plan area is an important principle. The in-force King-Spadina Secondary Plan actually includes the south side of the Queen Street corridor and HCD in the plan area boundary. A policy will be included in the Secondary Plan to ensure that buildings adjacent to the HCD don't cast shadows on the north side of Queen Street West.*

Future development in the East Precinct will be generally better managed with block planning rather than a site by site basis. It is important to study entire blocks and determine the number and siting of tall buildings rather than reviewing developments only as applications are submitted. This practice leads to a situation where the first tower application on a block may attempt to export facing distance constraints to other properties. Lack of a block plan can result in inadequate facing distances, too many towers on one block and poor relationship of new buildings to their context.

- *Planning on a Block-wide basis is required to ensure that facing distance constraints (minimum tower separation distances) are not exported to other landowners with the resulting too many towers with sub-standard facing distances. Block plans should be prepared with the input of the landowners to ensure that towers are properly planned and sited. Deployment of density both in towers and in mid-rise forms, which are compatible with the heritage warehouse character should be considered in block planning. Sites that are*

too small or not appropriately configured may not be appropriate tall building sites.

2. Parkland and Public Realm

The King-Spadina East Precinct Public Realm Strategy, which is attached to this report, provides an analysis of the existing public realm and provides direction on how the public realm may be expanded in the future to meet the needs of a growing population in the area. The analysis of the existing public realm looks at parks and open spaces, POPS, mid-block connections and streetscape conditions currently existing in the East Precinct. It shows that significant public realm improvements have already been completed in the area but much more needs to be done in order to keep pace with rapid growth.

In addition to analysis of existing conditions, the Public Realm Strategy looks at opportunities for future public realm improvements. These opportunities include:

- expanding, enhancing and improving existing parks and open space;
- creating new parks and open spaces;
- designing POPS in different shapes and forms, including forecourts, plazas and green spaces;
- designing front landscaped areas to complement streetscaping; and
- providing opportunities for better and easier movement.

As part of this analysis, the Public Realm Strategy looks at potential gateway locations and key views and vistas within the East Precinct which can be enhanced and accentuated with various tools such as special landscape treatment, public art and distinct architectural designs. The Strategy also looks at potential mid-block connections as well as streetscape improvements and particularly the John Street Cultural Corridor streetscape improvement initiative. As a result the Strategy aims to create a connected system of space to serve the community which not only creates a more attractive environment but is multi-functional to meet the needs of the community. The draft King-Spadina East Precinct Public Realm Strategy can be found in Attachment 1.

- *Staff recommend that the direction and strategies outlined in the draft Public Realm Strategy be used to guide efforts to improve the public realm and that staff continue to refine the document which will be brought forward in a final form along with Secondary Plan policies and Zoning By-law Amendments for the East Precinct.*

Given the lack of open space in the east Precinct and the significant numbers of people who will live, work and visit this high-density mixed-use community, there is a need to use the public realm (be it sidewalks, privately owned spaces adjacent sidewalks or public and private laneways) to maximum benefit for the public. Various strategies to improve the public realm are outlined in the attached draft King-Spadina East Precinct Public Realm Strategy.

- *As there are limited opportunities to create additional parks or substantial open spaces through the development process as development sites tend to be*

too small to provide on-site parkland dedication, staff propose that the City acquired lands within the East Precinct of King-Spadina for the purposes of creating a public park.

3. Non-Residential Replacement

As per OPA 231, any new development in the East Precinct that includes residential units on a property with at least 1,000 square metres of existing non-residential gross floor area used for offices is required to increase the non-residential gross floor area used for office purposes where the property is located in a *Mixed Use Area* or *Regeneration Area*.

4. Community Services and Facilities

The King-Spadina Secondary Plan includes CS&F policies (Section 7.0) which require regular monitoring of additional CS&F to serve residents and workers.

Planning for a full range of community services and facilities (CS&F) is integral to the building of complete and liveable communities. To ensure that the King Spadina community is serviced by a strong and growing network of community services and facilities, a CS&F Strategy is being undertaken to inform CS&F priorities for the King Spadina East Precinct Built Form Study. CS&F include locally-based, non-profit, publicly accessible facilities such as schools (TDSB, TCDSB), child care centres, community recreation centres (City-run and non-profit facilities), libraries, community agency space and human service agencies.

The study area has a diverse range of service providers delivering a full range of community services and recreation programs for a variety of user groups. Human service and housing and health support services also serve the population. Given the large catchment areas for CS & F which tend to draw people from across the downtown, the CS&F Study covers a broader area than the planning study extending north to Dundas Street West, south to the waterfront, west to Strachan Avenue and east to Yonge Street.

The first phase of the Study focused on a Needs Assessment which was completed in the Fall of 2013. The first phase update can be found here:
http://www1.toronto.ca/City%20Of%20Toronto/City%20Planning/Community%20Planning/Files/pdf/K/KingSpadinaCSFPhase1FINAL_2013-12-20_1.pdf

The second phase will build on the findings of the Needs Assessment and City staff will develop a CS&F Strategy which is targeted for the late 2014.

The Phase 1 work covered five key service sectors – publicly funded schools, child care, library, community recreation and human service agencies and looked at demographics, new development, existing services and service gaps. The service providers and the community were consulted as part of the study.

Based on this assessment, emerging CS&F priorities have been identified, including service and facility priorities for each sector:

- Child Care – Additional child care facilities to provide for a wider range of child care options including: licensed non-profit child care for infants and toddlers, work place child care, organized programs for children and youth (e.g. after school programs), parent resource drop ins and home based child care.
- Library – Additional programming space to run a wide range of programs and/or services for various user groups (e.g. newcomer programs, children's literacy and education, information/electronic literacy education programs)
- Community Recreation –The need for a new satellite recreation facility to address the existing and future growth anticipated in and around the area. In addition, a wide range of recreation program gaps were identified which included: aquatic programs, recreation fitness programs, parent and child programming, youth and seniors recreation programming and drop in spaces and outdoor play spaces (e.g. volleyball, tennis and basketball courts, children's playgrounds).
- Schools – Potential upgrades to existing TDSB schools that are currently aging and unable to address current school curriculum needs.
- Human Services – Additional community agency space for non-profit agencies to deliver expanded and/or new programs and services. Program priorities identified included: arts and cultural space, youth and seniors centres, health services, housing support services, parenting resource centre and community economic development hub.

Findings from the CS&F Strategy will help to inform decisions and set priorities for additional public community facilities to address existing gaps as well as to respond to new growth, including: child care facilities, recreation facility space, library space along with flexible multi-purpose community agency space to accommodate changing program priorities. Such space should be located in areas where growth is occurring as well as being designed to be flexible, accessible, visible, and welcoming.

The Final CS&F Strategy will include an implementation framework to identify new and/or improved public community facilities and associated program priorities, planning principles for the delivery of CS&F, and potential CS&F locations (e.g. base of residential buildings) to accommodate future growth and change.

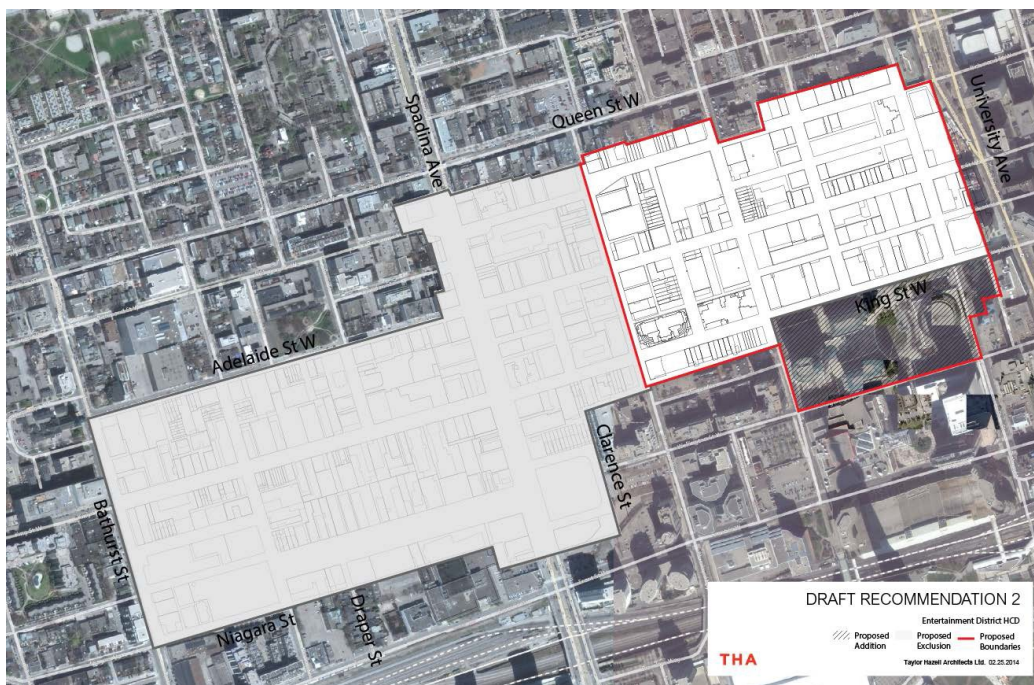
The Phase 1 Report of the Community Services and Facilities (CS&F) Study has been completed and is posted on the study's website. The Final CS&F Study to incorporate the Phase 1 findings along with CS&F priorities will be completed by City Planning in 2014.

- *The service gaps identified in the Phase 1 CS&F Study should be used by staff to identify appropriate community benefits associated with developments proposals in the King-Spadina Secondary Plan Area.*
- *The completed Community Services and Facilities Study should inform decisions and set priorities for additional community facilities to address existing gaps as well as to respond to new growth.*

King-Spadina Heritage Conservation District Study

The first phase of the King-Spadina Heritage Conservation District (HCD) Study is complete and was approved by the Toronto Preservation Board on May 23, 2014. This phase identified the boundaries of two proposed HCD's in King-Spadina. The next phase is the Plan phase. Consultants will be hired to prepare the Plans to be completed in 2015, with designation under the *Ontario Heritage Act* likely by the summer of 2015. The HCD Plans will provide details on the heritage character to be protected and enhanced in King-Spadina along with guidelines for any new development. These final recommendations will be incorporated into the East Precinct study.

The map showing the extent of the HCD study in the East Precinct can be seen below:



The Mirvish-Gehry Proposal

The Mirvish-Gehry proposal at 260-270 and 274-322 King Street West (12 276890 STE 20 OZ) when it was initially submitted in November of 2012 posed a challenge to the planning framework for the East Precinct beyond typical tall building proposals. The project proposed three towers at an unprecedented height (the initial proposal has three towers at 82, 84 and 86-storeys) as well as the complete demolition of four properties designated under Part IV of the *Ontario Heritage Act*.

Through City comments and a working group process, significant changes were made to the project to address heritage conservation, retention of employment and cultural uses and the public realm, among other issues.

On July 8, 2014, City Council adopted an Official Plan Amendment that set the revised proposal in a site specific policy framework. The comprehensive plan for these two

parcels would permit the development of two towers at 82 and 92 storeys (one on each parcel). The policy also delivers the preservation of significant heritage resources on the site, the retention of both the Princess of Wales Theatre and the Royal Alexandra Theatre, provision of space for OCAD University and a new public art gallery space as well as delivering significant public realm improvements. These improvements to the public realm that are being finalized through more detailed discussions and will be added to the Public Realm Strategy for King Spadina in its final form to further define this requirement and contribution to the neighbourhood, with a new focal point at King Street West and Ed Mirvish Way.

Although the scale of the towers at Mirvish Gehry proposal are greater than the existing or emerging context, they are delivered in a master plan for the block at densities very similar to other approvals. The Site Specific policies secure the project as a whole and have been recommended by staff in recognition of the fact that these heights are not recommended or expected to be replicated in the East Precinct of King Spadina.

East Precinct Built Form Study Schedule

The update of the Secondary Plan, Zoning by-law and Urban Design Guidelines will be informed by the ongoing HCD study, when complete. A final report on the East Precinct Built Form Study is anticipated in 2015 in order to align with the recommendations of the King-Spadina Heritage Conservation District Study.

CONTACT

Dan Nicholson, Planner
Tel. No. (416) 397-4077
Fax No. (416) 392-1330
E-mail: dnichol2@toronto.ca

Avery Carr, Planner
Tel. No. 416-392-0423
Fax No. 416-392-1330
E-mail: acarr2@toronto.ca

SIGNATURE

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

(P:\2014\Cluster B\pln\TEYCC\20792182015.doc) - ca

ATTACHMENTS

Attachment 1: Public Realm Strategy