

**283 Adelaide St W - Zoning Amendment Application - Request for Direction**

<b>Date:</b>	July 2, 2015
<b>To:</b>	City Council
<b>From:</b>	City Solicitor
<b>Wards:</b>	Ward 20 – Trinity-Spadina
<b>Reference Number:</b>	12 107447 STE 20 OZ

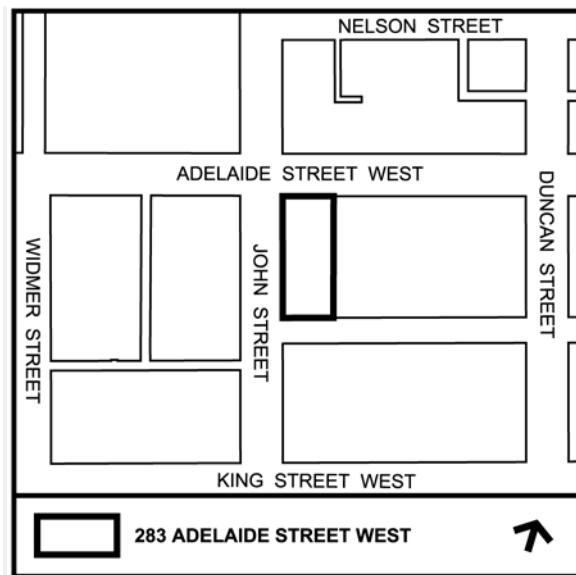
**SUMMARY**

This report has been prepared in consultation with City Planning.

The owner of 283 Adelaide Street West has appealed its applications to amend Zoning By-law 438-86 and Site Plan Control to the Ontario Municipal Board (OMB) due to City Council's failure to make a decision within the time allotted by the Planning Act. A pre-hearing conference was held on May 4, 2015 and a further pre-hearing is scheduled for September 8, 2015. A hearing is scheduled for December 7 to December 11, 2015.

The applications appealed to the OMB propose a 48-storey (158 metres including the mechanical penthouse) mixed-use building at 283 Adelaide Street West. The proposed development consists of retail uses at grade, 372 residential units above, and 112 parking spaces in five levels of below-grade parking.

Staff is opposed to the applications in their current form. However, discussions are continuing with the applicant and other landowners on the block to determine if a comprehensive "block plan" can resolve the concerns of staff and lead to a potential settlement.



Should these discussions result in a potential settlement of the appeals that would secure a block plan, staff is requesting direction from City Council to initiate an amendment to the Official Plan to create a site and area specific policy for the block bounded by John Street to the west, Adelaide Street West to the north, Pearl Street to the south, and Duncan Street to the east. The proposed policy would set out parameters governing the future of the block including the maximum number of towers on the block, minimum separation distances between towers, maximum tower floorplates, maximum densities for each site as well as for the entire block, and consideration of heritage resources and the public realm.

## **RECOMMENDATIONS**

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The City Solicitor recommends that:

1. City Council request the Director of Community Planning, Toronto and East York District bring a Direction Report on the Zoning By-law Amendment application for 283 Adelaide Street West (File: 12 107447 STE 20 OZ) to Toronto and East York Community Council in the fall of 2015.
2. City Council request the Director of Community Planning, Toronto and East York District to initiate an amendment to the Official Plan to create a site and area specific policy for the block bounded by John Street to the west, Adelaide Street West to the north, Pearl Street to the south, and Duncan Street to the east, which addresses the maximum number of towers permitted on the block, minimum separation distances between towers, maximum tower floorplates, heritage resources and the public realm, should a settlement be reached.
3. Staff be directed to schedule a community consultation meeting for the proposed Official Plan Amendment with the Ward Councillor.
4. Notice for the community consultation meeting be given to landowners and residents within 120 metres of the site.
5. Notice for the public meeting under the Planning Act be given according to the regulations under the Planning Act.

### **Financial Impact**

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

### **DECISION HISTORY**

Applications for a Zoning By-law Amendment and Site Plan Control were submitted on January 7, 2012 and October 11, 2013 respectively for the lands at 283 Adelaide Street West. A preliminary staff report was issued on April 13, 2012 and a community consultation meeting was held on May 23, 2012. The preliminary staff report can be found here: <http://www.toronto.ca/legdocs/mmis/2012/te/bgrd/backgroundfile-46586.pdf>

The preliminary report raised several issues with the application, including compliance with the City of Toronto Tall Building Design Guidelines. The most significant issue with the application was the proposed tower setback of 0.6 metres from the east property line, whereas the Tall Building Guidelines recommends a minimum setback of 12.5 metres from side property lines. Several meetings were held with City staff and the applicant to address these concerns but no resolution was reached.

On January 9, 2015 the City Clerk's Office received notification that the applicant filed an appeal of the Zoning By-law Amendment and Site Plan Control applications to the OMB, citing Council's failure to make a decision on the applications within the prescribed timelines of the Planning Act. A pre-hearing was held on May 4, 2015, with a further pre-hearing scheduled for September 8, 2015 and a full hearing scheduled for December 7 to December 11, 2015. Following the appeal to the OMB, Planning staff is continuing discussions with the applicant and other landowners on the block to explore potential settlement options.

## **COMMENTS**

The proposed block plan is only being considered by staff in the context of a potential settlement of the appeal of the zoning amendment application for 283 Adelaide Street West. The most significant concern that Planning staff has with the application for 283 Adelaide Street West is the proposed tower setback of 0.6 metres from the east property line. The proposed block plan would help ease the concerns of staff by setting out the location of towers on the block, and thus preventing the addition of other towers on the block which don't achieve adequate tower separation distance.

The proposed site and area specific policy would ensure minimum separation distances between towers on the block. This will help mitigate any negative impacts from development on privacy and daylighting for residents of the new buildings, while also preserving an appropriate amount of sky view for pedestrians in the area. The policy would also set out a maximum tower floorplate size for any towers constructed on the block to limit the total coverage of the block by towers.

The proposed block plan is only being considered in the context of a settlement and is specific to these circumstances and context. This scale of development is not intended to be the basis for a planning approach on other blocks in the King-Spadina East Precinct. As part of the King-Spadina East Precinct Built Form Study, Planning staff is looking at the ability of other blocks to accommodate towers. The study will likely show that other blocks aren't capable of accommodating the density and scale that is being proposed on this block through the proposed block plan, given the ongoing directions set out thus far in the most recent staff report in 2015:

<http://www.toronto.ca/legdocs/mmis/2015/te/bgrd/backgroundfile-81026.pdf>

The proposed block plan ensures a comprehensive approach to the overall development of the block and also reinforces policies of the Official Plan, including "Built Form", and the objectives of the City-wide Tall Building Design Guidelines and the emerging directions of the King-Spadina East Precinct Built Form Study.

## **CONTACT**

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## **SIGNATURE**

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Anna Kinastowski, City Solicitor