

**23 Spadina Avenue Zoning By-law Amendment
Application and Site Plan Control Application – Request
for Direction Report**

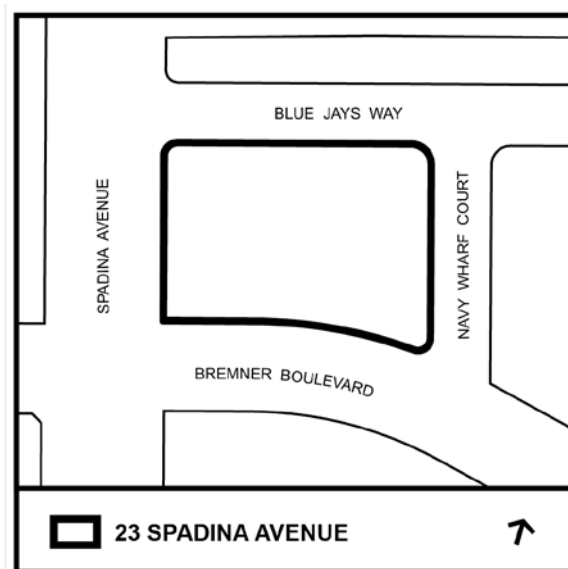
Date:	January 18, 2016
To:	Toronto and East York Community Council
From:	Director, Community Planning, Toronto and East York District
Wards:	Ward 20 – Trinity-Spadina
Reference Number:	14 204219 STE 20 OZ and 14 204227 STE 20 SA

SUMMARY

The applications propose a mixed-use development including retail, office and residential uses in two towers. Tower A is proposed to be 79 storeys high (247.23 metres including mechanicals). Tower B is proposed to be 68 storeys high (215.43 metres including mechanicals). The total gross floor area of the proposed development is approximately 126,277 square metres, representing a density of 21.83 times the lot area. A total of 1,536 dwelling units and 724 parking spaces are also proposed.

The applicant has appealed the applications to the Ontario Municipal Board (OMB) due to Council's failure to make a decision within the prescribed period under the *Planning Act*. A prehearing is scheduled for February 18, 2016. A full hearing has not yet been scheduled by the OMB.

The applicant and City staff have met to discuss the City's concerns with the application and outlined in this report, and staff continue to have constructive discussions with the applicant. The applicant has advised that a revised application will be submitted in the near future which is anticipated to address a number of the City issues. City staff will



continue to meet with the applicant to discuss the City's concerns including any concerns identified on a revised proposal in an effort to reach resolution.

This report seeks Council's direction to oppose the proposed development at the Ontario Municipal Board in its current form. The proposal in its current form represents overdevelopment of the site and does not adequately address the Official Plan, Railway Lands Secondary Plans, Central and West Urban Design Guidelines and the City's Tall Building Design Guidelines. The height and density are not consistent with the existing and planned context and the massing of the proposed building would have unacceptable impacts on the public realm. This report also recommends continuing discussions with the applicant on a revised proposal which addresses the issues set out in this report.

RECOMMENDATIONS

The City Planning Division recommends that:

1. City Council authorize the City Solicitor and appropriate staff to continue discussions with the applicant in an attempt to resolve the issues outlined in this report regarding 23 Spadina Avenue, from the Director of Community Planning, Toronto and East York District, January 18, 2016 and report back to City Council on the details of a settlement, if one is reached, including Section 37 matters;
2. In the event that the outstanding issues contained in this report are not adequately resolved, City Council direct the City Solicitor, together with City Planning staff and other City staff, to attend the Ontario Municipal Board hearing to oppose the Zoning By-law Amendment and Site Plan applications as proposed;
3. City Council authorize the Director, Community Planning, Toronto and East York District, in consultation with the Ward Councillor, to identify the matters, services and facilities pursuant to Section 37 of the *Planning Act* to be secured, in the event the Ontario Municipal Board approves the Zoning By-law amendment application as proposed in whole or in part;
4. In the event that Ontario Municipal Board allows the appeals in whole or in part, City Council authorize the City Solicitor to request that the Ontario Municipal Board withhold its final Order to approve the Zoning By-law amendment and Site Plan applications for the subject lands until such time as:
 - a. the City and the owner have presented to the Ontario Municipal Board a Zoning By-law amendment that implements the decision of the Ontario Municipal Board in form and substance satisfactory to the Director, Community Planning, Toronto and East York District and the City Solicitor;

- b. community benefits and other matters in support of the development as are determined appropriate are secured in a Section 37 Agreement executed by the owner to the satisfaction of the Director Community Planning, Toronto and East York District and the City Solicitor; and
- c. Notice of Approval Conditions has been finalized by the City.

Financial Impact

The recommendations in this report have no financial impact.

DECISION HISTORY

At its meeting of February 18, 2015 Toronto and East York Community Council (TEYCC) considered a Preliminary Report on the Zoning By-law Amendment application. TEYCC directed that staff hold a community consultation meeting with landowners and residents within 120 metres of the site and that the notice area be extended in consultation with the Ward Councillor and that the applicant pay the City for the costs associated with extending the notice area. The Preliminary Report is available on the City's website at:

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2015.TE4.35>

ISSUE BACKGROUND

Proposal

The applications propose a mixed-use development including retail, office and residential uses in two towers. Overall the proposal includes 1,536 dwelling units comprised of 107 (7%) studio, 1,132 (73.7%) one-bedroom, 138 (8.9%) two-bedroom and 159 (10.4%) three-bedroom dwelling units. The total gross floor area (gfa) of the proposed development is approximately 126,277 m², comprised of 120,014 m² of residential gfa, 2,273 m² of retail gfa and 3,990 m² of office gfa. Overall the gross floor area reflects a density of 21.83 times the lot area (Attachments 1, 2, 3, 4 and 5).

The building design includes a 10-storey base building with two towers above. Retail uses are proposed at grade in the base building with office uses on the 2nd level and residential uses above. In addition to a 4-level below grade parking, a 7-level above-grade parking garage is proposed within the east portion of the base building with office and residential uses on the outer edges of the building wrapping the garage.

Tower A is situated in the north-east corner of the site near the intersection of Navy Wharf Court and Blue Jays Way. Tower A is proposed to be 79 storeys high (247.23 metres including mechanicals). Tower A is rectangular in shape with an east to west orientation and a floorplate size of 842 m². Tower B is situated in the south-west corner of the site near the intersection of Spadina Avenue and Bremner Boulevard. Tower B is proposed to be 68 storeys high (215.43 metres including mechanicals). Tower B is rectangular in shape with a north to south orientation and a floorplate size of 842 m². Tower separations range from 22 to 26 metres. Along the lengths of the towers, coloured

aluminum panels are proposed on four exterior corners as potential public art installations.

An underground parking garage with 4 levels and an above-grade parking garage with 7 levels and 724 parking spaces are proposed for residents (596) and commercial uses (115). A total of 1,569 bicycle parking spaces are proposed included 1,382 long-term resident spaces, 154 short-term resident spaces, 19 spaces for office uses and 14 spaces for retail uses.

Access to the site is proposed from two driveways off Blue Jays Way and one from Navy Wharf Court. The Navy Wharf Court access provides access to the loading area and below grade parking garage. The two accesses from Blue Jays Way are located near to one another with the westerly access providing access to a ground level pick-up and drop-off area and the underground parking garage and the easterly access providing access to the above-grade parking in the podium.

Proposed common residential amenity space includes 2,343.1 m² of indoor amenity space situated on the 5th, 7th, 9th, 11th, 66th (Tower B) and 77th (Tower A) levels of the building. Total outdoor amenity space proposed is 2,304 m² on terraces on the 9th and 11th levels of the building. Private balconies are also proposed for the dwelling units. An outdoor dog run and indoor dog spa are included as a part of the amenity spaces. As well, lounges are proposed on the 66th and 77th levels in the towers wrapping around the glass enclosure for the roof-top mechanicals. Public art installations are proposed in these lounge spaces which will be highly visible to the public as rooftop design features of the towers. The application also includes a publicly accessible open space along the north side of Bremner Boulevard at the intersection of Navy Wharf Court.

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

Site and Surrounding Area

The subject site is bounded by Spadina Avenue to the west, Bremner Boulevard to the south, Navy Wharf Court to the east and Blue Jays Way to the north. The site has a total area of 5,784 m² with a 60 metre frontage on Spadina Avenue, a 91 metre frontage on Bremner Boulevard, a 69 metre frontage along Navy Wharf Court, and an 89 metre frontage along Blue Jays Way. The site is currently occupied by a 2-storey building that is used as the Concord Adex presentation centre, as well as a surface parking lot containing 53 parking spaces.

Surrounding uses include:

North: The Northern Linear Park is opposite the site on the north side of Blue Jays Way. Further north is the rail corridor and there are 4 residential towers of 28 to 36 storeys located on the north side of the rail corridor.

- East: There is a 34-storey residential building opposite the site on the east side of Navy Wharf Court. Further east is the public plaza that extends from Navy Wharf Court east to the Rogers Centre. Further to the east, east of Simcoe Street, the south core neighbourhood has been developing in its own policy framework more in character with the Financial District.
- South: There is a mixed-use development in the south-east quadrant of the intersection of Bremner Boulevard and Spadina Avenue that includes an 8-storey mid-rise building along with four taller residential towers ranging from 26 to 50 storeys and 2-storey townhouses. In the southwest quadrant of the intersection of Spadina Avenue and Fort York Boulevard there are two residential buildings of 42 and 49 storeys along with an 8-storey mid-rise building.
- West: There is a 15-storey mixed-use building and a 47-storey residential building opposite the site on the west side of Spadina Avenue. Further west are a series of residential building ranging in height from 36 to 49 storeys.

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 safety. 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 located in the *Downtown* and is designated *Mixed Use Areas* in the Official Plan (Attachment 7).

Downtown Policies

As an area where growth is anticipated and encouraged, the Official Plan provides for new development in the *Downtown* that: builds on the strength of the area as an employment centre, provides for a range of housing opportunities and supports and enhances the speciality retail and entertainment districts. The Official Plan directs

growth to the *Downtown* in order to achieve multiple City objectives. Among other things, it promotes the efficient use of municipal services and infrastructure, concentrates jobs and people in areas well served by transit, promotes mixed use development to increase opportunities for living close to work and to encourage walking and cycling, improves air quality and reduces greenhouse gas emissions by reducing reliance on the private automobile all in keeping with the vision for a more liveable Greater Toronto Area.

This reurbanization strategy recognizes that the level of growth will not be uniform across the *Downtown* given its diversity. The policies of Section 2.2.1 seek to accommodate development that builds on the strength of the *Downtown* as a premier employment centre in the GTA, provides for a full range of housing opportunities for workers and reduces the demand for in-bound commuting, and focuses on the *Financial District* as the prime location for prestige commercial office buildings and landmark buildings that shape the skyline.

Public Realm and Built Form Policies

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

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

To minimize impacts on the property and on surrounding properties, and improve the safety and attractiveness of adjacent streets, Section 3.1.2.2 provides that new development use shared service areas where possible within development blocks, consolidate and minimize the width of driveways and curb cuts across the public sidewalks, and integrate services and utility functions within the buildings where possible. Section 3.1.2.4 of the Plan requires that new development provide amenity to adjacent streets and open spaces to make these areas attractive, interesting comfortable and functional for pedestrians.

Due to the larger civic responsibility and obligations associated with tall buildings, the built form policies of Section 3.1.3 provide additional design direction to ensure that they fit into the existing and planned context and limit local impacts. Policy 3.1.3.2 requires new tall building developments to address key urban design considerations set out in the Plan.

Housing Policies

Section 3.2.1 of the Official Plan includes housing policies that encourage the provision of a full range of housing in terms of form, tenure and affordability to meet the current and future needs of residents.

Mixed Use Areas Policies

A broad range of commercial, residential and institutional uses in single use or mixed-use buildings, as well as parks and open spaces and utilities are permitted within the *Mixed Use Areas* designations. The Official Plan recognizes that *Mixed Use Areas* achieve a number of planning objectives by combining a broad array of uses. The Plan notes that not all *Mixed Use Areas* will experience the same scale or intensity of development.

Section 4.5.2 includes criteria for development in *Mixed Use Areas* to ensure, among other matters, that the location and massing for new buildings achieves transitions between areas of different development intensity and scale, frames the edges of streets and parks with good proportion and maintain sunlight and comfortable wind conditions for pedestrians on adjacent streets, parks and open spaces. Development in *Mixed Use Areas* should also provide attractive, comfortable and safe pedestrian environments; have access to schools, parks and community centres as well as libraries and childcare. It should also take advantage of nearby transit services; provide good site access and circulation as well as an adequate supply of both visitor and resident parking. In addition, service areas should be located to minimize impacts on adjacent streets, and any new multi-unit residential development should provide indoor and outdoor amenity space for residents.

The Official Plan is available on the City's website at:

<http://www1.toronto.ca/wps/portal/contentonly?vgnextoid=03eda07443f36410VgnVCM10000071d60f89RCRD>

Railway Lands Central Secondary Plan

The subject site is located within the Railway Lands Central Secondary Plan area (Attachment 8). Section 5 of the Official Plan provides that Secondary Plans will set the stage for reurbanization in defined areas to stimulate and guide development in keeping with the objectives of the Official Plan. The policies are intended to promote the desired type and form of physical development for an area. The Railway Lands Central Secondary Plan provides a locally-focused policy framework for guiding growth and change in the Secondary Plan area.

The Secondary Plan identifies that the Railway Lands Central will be developed as an integral part of the *Downtown* so that the barrier effects of the road and rail corridors will be minimized and the central City reunited with the Central Waterfront. New development in the Railway Lands Central should have a mix of uses, and a form, character and environmental quality which will ensure that the area is used by people for a wide variety of purposes throughout each day.

Section 3 of the Secondary Plan establishes the principles regarding the structure, form and physical amenity of the Railway Lands Central development and identifies both Spadina Avenue and Bremner Boulevard as important major streets within the Railway Lands. These streets establish essential linkages to the larger City and Central Waterfront and east-west connections through the area. The policies of Section 3.2 of the Secondary Plan provide that buildings will, among other matters, clearly define and give form to the edges of streets, parks and open spaces, contribute to the creation of public streets, parks and open spaces with pleasing proportions and appropriate scale, adequate sunlight and sky views, and comfortable wind conditions, achieve a harmonious relationship with adjacent buildings with respect to building massing and setbacks, scale, texture, architectural detail and rhythm of horizontal and vertical elements and be designed such that their massing and roof profile contribute harmoniously to the city skyline, including stepping down from the central city to the lake.

Development in the Railway Lands Central will contribute to the achievement of an attractive, inviting, comfortable and safe public realm, including generously proportioned public streets, parks and publicly accessible open spaces which meet high standards of urban design and provide good access to sunlight and protection from winds. Map 18-4 of the Secondary Plan delineates the desired system of parks and publicly accessible open spaces to help to integrate the Railway Land Central with the Railway Lands West, Railway Lands East, the Downtown and the Central Waterfront and provide a variety of outdoor active and passive recreational opportunities for workers, residents and visitors. A publicly accessible open space is identified on the subject site extending along the north side of Bremner Boulevard from Spadina Avenue to Navy Wharf Court (Attachment 9).

Section 9 of the Secondary Plan sets out specific requirements for sun/shadow and wind studies in association with site plan applications to assess potential impacts of new development on the Rogers Centre.

Section 10.1 of the Secondary Plan provides that Spadina Avenue is intended as a predominantly commercial/residential street to be developed at relatively high densities. Further the land use and density objectives of the Plan provide that the intersection of Spadina Avenue and Bremner Boulevard become a focus for the Railway Lands Central.

The subject site is designated *Mixed Use Area D* and is within a Special Policy Area in the Secondary Plan (Attachment 10). *Mixed Use Area D* will be regarded as an appropriate location for non-residential and residential development with a strong street related and service use component. The implementation of development of lands within

Special Policy Areas is intended through actions such as a detailed zoning by-law that address matters such as building setbacks and height limits, and Urban Design Guidelines that address location and character of parks and publicly accessible open spaces, built form including typical building conditions and tower placement as well as the location, access to and screening of parking and loading facilities.

The Railway Lands Central Secondary Plan is available on the City's website at: <http://www1.toronto.ca/planning/18-railway-lands-central.pdf>

Zoning

The site is subject to the provisions of the Railway Lands Central Zoning By-law 1994-0806, as amended. The site is zoned Commercial Residential (CR) (Attachment 11). The CR zone permits a wide range of residential and non-residential uses including apartment buildings, retail, service and office uses. The maximum floor area permitted for residential and non-residential uses combined is 46,000 square metres. For residential uses the maximum floor area permitted is 44,160 square metres and the maximum floor area permitted for non-residential uses is 40,900 square metres. One tower is permitted on the site and the maximum building height permitted is 160 metres (Attachment 12). In addition, the By-law requires a minimum building setback of 7.5 metres along Spadina Avenue and a minimum building setback of 2.0 metres along Blue Jays Way. The Zoning by-law permits a maximum tower floorplate of 850 square metres (residential gross floor area).

Toronto Urban Design Guidelines: Railway Lands West and Central

The site is within an area subject to the Railway Lands West and Central Urban Design Guidelines. These guidelines are intended to provide a context for development of the lands into a predominantly residential neighbourhood, along with non-residential and entertainment uses, parks, schools, and other amenities.

The parks and open space objectives of the Guidelines seek to establish a system of high quality useable, linked parks, open spaces and setbacks which provide spatial relief to and appropriate settings for adjacent development. The Guidelines identify the subject site as contributing to the linked system of parks and open spaces along Bremner Boulevard with public parks/open space identified on the north side of Bremner Avenue extending from Spadina Avenue to Navy Wharf Court.

In keeping with the Secondary Plan, the Urban Design Guidelines recognize the importance of the Spadina Avenue and Bremner Boulevard as principle spines for the neighbourhood and the intersection as a significant place. A building of up to 160 metres is identified for the subject site that will provide a landmark for other heights and buildings in the area. The Guidelines provide for taller street wall building heights along Spadina Avenue from 30 to 35 metres. As a major north-south street connecting the City to the Waterfront a building setback of 7.5 metres is identified along Spadina Avenue allowing for generous sidewalks and landscape areas, as well as areas for street related retail and service uses to animate the street.

The Railway Lands West and Central Urban Design Guidelines are available on the City's website at:
http://www1.toronto.ca/city_of_toronto/city_planning/urban_design/files/pdf/29railwaylands_wescen.pdf

City-Wide Tall Building Design Guidelines

In May 2013, Toronto City Council adopted the updated city-wide Tall Building Design Guidelines and directed City Planning staff to use these Guidelines in the evaluation of all new and current tall building development applications. The Guidelines establish a unified set of performance measures for the evaluation of tall building proposals to ensure they fit within their context and minimize their local impacts. The city-wide Guidelines are available at <http://www.toronto.ca/planning/tallbuildingdesign.htm>

Site Plan Control

A Site Plan application (File # 14 204227 STE 20 SA) has been submitted and has been reviewed concurrently with the Zoning By-law amendment application. The Site Plan application has also been appealed to the OMB.

Reasons for Application

A zoning by-law amendment is required as the Zoning By-law permits a maximum of one tower and a maximum building height of 160 metres (165 including mechanicals), and the proposed development includes two towers with proposed heights of 227.73 (247.23 including mechanicals) for Tower A and 197.98 metres (215.43 metres including mechanicals) for Tower B. As well, the Zoning By-law permits a maximum combined gross floor area for residential and non-residential uses of 46,000 square metres and the application proposes a total of 126,276.4 square metres of gross floor area. The Zoning By-law amendment is also required to establish development standards such as parking and loading requirements, building setbacks and required amenity space for the proposed development.

Community Consultation

A community consultation meeting was held on March 24, 2015. Planning staff, the Ward Councillor and approximately 100 members of the public attended the meeting. Main issues raised included the proposed height and density of the development, lack of public open space at the ground level, and the potential wind impacts of the development. The potential for traffic impacts from the development including access to the site, traffic congestion particularly at the intersection of Spadina Avenue and Bremner Boulevard and impacts of loading vehicles on traffic operations in the area were also identified as issues of concern by the public. Participants supported the idea of a dog run in the building but noted that this space should not take away from the overall amenity space for people. Participants noted that the integration of the public art into the buildings was a positive aspect of the proposal.

The Entertainment District Business Improvement Association (BIA) provided comments on the proposal. Main issues raised include: the setback of the base building with a recommendation to increase the setback to at least 7 metres at the Spadina Avenue and Bremner Boulevard corner; the provision of step-backs of no less than 4 metres of the tower from the base building; the provision of a more distinct and prominent design treatment of the base building at the corner of Spadina Avenue and Bremner Boulevard that better highlights the significance of the intersection and frames the view corridor towards the Rogers Centre; and concern with the shadow cast from the building and impacts on the Rogers Centre.

Agency Circulation

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

COMMENTS

The subject site is one of the few remaining sites to be developed within the larger Railway Lands and the last site to be developed in the CityPlace neighbourhood of the Railway Lands West and Central areas, where the applicant has developed a number of residential and mixed use developments over the past 15 years. This area has seen rapid growth over a relatively short period of time with approximately 15,000 people now living within the CityPlace neighbourhood. In addition to residents, the entertainment facilities, such as the Rogers Centre and Metro Convention Centre and other tourist attractions such as the CN Tower and Ripley's Aquarium in close proximity to the site, attract many visitors to the area year round, making this a highly active pedestrian neighbourhood. The development of lands in an established urban setting requires careful consideration of the immediate site context and the broader area. New development must relate, enhance and contribute to its surroundings. The proposal in its current form is not supported by City Planning staff for the reasons outlined below.

Provincial Policy Statement and Provincial Plans

The Provincial Policy Statement (PPS) 2014 contains policies related to managing and directing development. It requires that sufficient land be made available for intensification and redevelopment, that planning authorities identify and promote opportunities for intensification and redevelopment where this can be accommodated taking into account, among other things, the existing building stock and areas, and that they establish and implement minimum targets for intensification and redevelopment within built up areas.

Within this framework, the PPS recognizes that the Official Plan is the most important vehicle for implementing PPS requirements and that comprehensive, integrated and long term planning is best achieved through municipal official plans. The City's Official Plan and Railway Lands Central Secondary Plan meet the requirements of the PPS.

The Official Plan and Railway Lands Central Secondary Plan contain clear, reasonable and attainable policies that protect provincial interest and direct development and intensification to suitable areas. In this area intensification is promoted through

development that respects and reinforces the existing and planned context. The proposal in its current form is not consistent with the way in which the Official Plan and Secondary Plan implement the Provincial Policy Statement.

The Growth Plan for the Greater Golden Horseshoe requires that Official Plans provide a strategy and policies to achieve intensification and to identify the appropriate type and scale of development in intensification areas. The proposal in its current form is not consistent with the way in which the Official Plan and Secondary Plan implement the Growth Plan for the Greater Golden Horseshoe.

Height, Density

The Railway Lands Central Secondary Plan sets out the desired type and form of development for this area. The Railway Lands Central and West Urban Design Guidelines provide a further layer of detail within the context of the Secondary Plan, including establishing appropriate built form objectives such as building heights for this area of the Railway Lands.

The Secondary Plan and Urban Design Guidelines recognize the importance of the intersection of Spadina Avenue and Bremner Boulevard as a focal point for the Railway Land Central area. The Secondary Plan provides that relatively higher densities are intended along Spadina Avenue. The Urban Design Guidelines provide that taller buildings be located along Spadina Avenue and identify the subject site as an appropriate location for a landmark tower, up to 160 metres in height. A maximum building height of 160 metres and permission for one tower on the site is also reflected in the Railway Lands Central Zoning By-law. The Zoning By-law also permits a maximum gross floor area of 46,000 square metres for residential and non-residential uses. This reflects a density of approximately 8 times the area of the site.

The proposed development includes two towers with proposed heights of 227.73 metres (247.23 metres including mechanicals) for Tower A and 197.98 metres (215.43 metres including mechanicals) for Tower B. The overall gross floor area proposed for residential and non-residential uses is 126,276.4 square metres, representing a density of 21.8 times the area of the site.

A number of new residential and mixed-use buildings of varying heights and intensity have been constructed on lands near the site, establishing a context for development within this area of the Railway Lands. Existing developments include the 15-storey mixed use building and 47-storey residential building located in the northwest quadrant of the intersection of Spadina Avenue and Fort York Boulevard. In the southwest quadrant of this intersection there are two residential buildings of 42 and 49 storeys, along with an 8-storey mid-rise building. There are 2-storey townhouses and an 8-storey mid-rise building along with four taller residential towers ranging from 26 to 50 storeys within the southeast quadrant of the intersection of Spadina Avenue and Bremner Boulevard. There is also a 34-storey residential building opposite the site on the east side of Navy Wharf Court. The Northern Linear Park is opposite the site on the north side of Blue Jays Way with 4 residential towers of 28 to 36 storeys further north, on the north

side of the rail corridor. Densities for the developments in this area range from approximately 7 to 11 times the lot areas.

The built form policies of the Official Plan provide that new development should fit harmoniously within its existing and/or planned context, and the *Mixed-Use Areas* policies of the Official Plan, the Railway Lands Central Secondary Plan, and the Railway Lands West and Central Urban Design Guidelines seek to ensure a compatible physical relationship with new development. The City's Tall Building Design Guidelines also support these policies. Tall buildings should respect the scale of the local existing and planned context and display an appropriate transition in height and intensity, especially when adjacent to areas of differing land use, or lower scale built form. The guidelines provide that, in general, appropriate fit and transition is achieved when tall buildings respect and integrate with the height, scale and character of neighbouring buildings, reinforce the broader city structure, provide horizontal separation and transition down to lower-scale buildings and open space, and maintain access to sunlight and sky view for surrounding streets, parks, public or private open spaces and neighbouring properties.

The proposed development significantly exceeds the heights of existing nearby residential and mixed-use buildings. The proposed tower heights of 227.23 metres and 197.98 metres significantly exceed the maximum height of 160 metres planned for this site. As well, the proposed gross floor area exceeds the maximum permitted gross floor area of 46,000 square metres by approximately 80,276 square metres. While the City contemplates increases in building height and massing in many instances on a site specific basis and staff acknowledge the opportunity for significant height on this block, Planning staff are of the opinion that the proposed heights are too high and the density excessive and not consistent with the existing and planned context for this site within the Railway Lands Central area.

Tall Building Design Guidelines

The Tall Building Design 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 Tall Building Design Guidelines recommend building massing be treated in three parts, a base, a tower and a top, each with its own civic role.

Base Building Height

The base building is proposed to be 10 storeys (34.7 metres) high. The base building generally fits appropriately within the context with the 15-storey building opposite the site on the west side of Spadina Avenue, and the 8-storey base building to the south along Bremner Boulevard consistent with the Secondary Plan, Railway Lands West and Central Urban Design Guidelines and the Tall Building Design Guidelines.

Tower Floorplate Size and Tower Separation

The Tall Building Guidelines recommend the use of small floorplate towers, of 750 m² (gross construction floor area) or less, above appropriately scaled base buildings that are separated to allow sunlight and skyview between towers. The Guidelines also identify that for very tall buildings greater than 50 to 60 storeys, increases in tower floorplates

may be needed to accommodate additional servicing and structural requirements. When tall buildings are constructed too close together they result in unacceptable shadowing on surrounding streets, parks, open spaces and properties; diminished sky view for pedestrians; heightened street level wind effects; loss of privacy for residents and limited interior daylighting. To minimize negative impacts, the Guidelines recommend that the towers of tall buildings be separated a minimum distance of 25 metres.

The proposal includes tower floorplates of approximately 842 m² gross construction floor area (750 m² of residential construction floor area) for each tower. Although this is larger than is recommended by Tall Building Design Guidelines, the current area Zoning By-law permits a tower floorplate of up to 850 m² residential construction floor area. The application proposes that the two towers have different orientations on the site. The westerly tower (68 storeys) is oriented in a north to south direction and is situated close to the southwest corner of the site. The easterly tower (79 storeys) has an east to west orientation and is situated close to the northeast corner of the site.

The towers are offset from each other with the closest portion of the towers separated by 22 metres. At the corner of the towers where the building walls are more articulated, separation distance between the towers increases from 25 to 26 metres. Given the proposed heights, Planning staff recommend an increased separation distance between the two towers consistent with the direction given in the Tall Building Design Guidelines.

Tower Placement

The Tall Building Design Guidelines recommend that towers be placed away from streets, parks, open spaces and neighbouring properties to reduce visual and physical impacts of the tower and allow the base building to be the primary defining element for the site and adjacent public realm. A stepback of the tower, including balconies, 3 metres or more from the face of the building along all street, park and open space frontages is recommended in the Tall Building Design Guidelines.

Base building setbacks and tower step backs above the base building vary for each tower along the four street frontages of the site. Base building setbacks and step-backs of the towers above the base-building are summarized in Table 1 and described in more detail below.

Table 1 – Base Building Setback and Tower Stepbacks				
Street	Spadina Ave	Bremner Blvd.	Blue Jays Way	Navy Wharf Court
Base Building Setback (m)*	6.2	0.1 - 9	1 – 3.5	0.6 – 1.5
Tower A Step-back (m)	53 - 56	37.5 – 47.5	0.19 - 3.4	0 - 5.5
Tower B Step-back (m)	6 – 9.5	0.1 – 5.5	22.5 - 27	59.5 - 63

*setback at ground level

Tower A

Tower A (79 storeys) is located near the northeast corner of the site at the intersection of Blue Jays Way and Navy Wharf Court. The base building is proposed to be setback at the ground and 2nd levels approximately 1 metre from Blue Jays Way to the north and 1.5 metres from Navy Wharf Court to the east in this location. At the corner of the building near the intersection portions of the base building are articulated with setbacks ranging from 0.6 to 3.5 metres in this location. At the third level the base building extends toward the property line of Blue Jays Way with a setback for the base building of 0.19 metres along the north face.

Along Blue Jays Way the tower is setback 0.19 metres from the property line, the same as the base building. Along Navy Wharf Court the balconies extend to the property line along the street. Tower A is setback over 50 metres from the west property boundary along Spadina Avenue and 37 to 47 metres from the south property boundary along Bremner Boulevard.

Tower setbacks more consistent with the Tall Building Design Guidelines are needed for Tower A along the Blue Jays Way and Navy Wharf Court frontages to reduce the visual impact of the tower at grade, adequately differentiate the base building from the tower as the defining element for the public realm, and mitigate potential impacts of wind.

Tower B

Tower B (68 storeys) is located in the southwest corner of the site near the intersection of Spadina Avenue and Bremner Boulevard. The base building is setback 6.2 metres from Spadina Avenue to the west, with one projecting element on the 9th level amenity floor that is proposed to be setback 2.3 to 2.5 metres from the Spadina Avenue street line at the north end of the base building. The base building in this location is setback 0.105 to 0.12 metres from Bremner Boulevard to the south.

Along Bremner Boulevard balconies are setback 0.1 metres from Bremner Boulevard the same as the base building. Along Spadina Avenue, the tower is setback 6.2 metres the same as the base building. Tower A is setback over 20 metres from the north property line along Blue Jays Way and approximately 60 metres from the east property line along Navy Wharf Court.

Tower setbacks more consistent with the Tall Building Design Guidelines are needed for Tower B along the Spadina Avenue and Bremner Boulevard frontages to reduce the visual impact of the tower at grade, adequately differentiate the base building from the tower as the defining element for the public realm, and mitigate potential impacts of wind.

Tower Top

The Tall Building Design Guidelines recommend that roof-top mechanicals be integrated into the design and massing of the upper floor of the building. This site is identified in the Secondary Plan as a site that is appropriate for a landmark tower. The application

proposes that the top of each tower be designed with a three storey glass enclosed structure that will contain the roof-top mechanicals with lounges proposed on the lower halves (77th floor for Tower A and 66th floor for Tower B). Public art installations are proposed on the walls surrounding the centrally located mechanical rooms and will be highly visible to the public as rooftop design features of the towers. Staff consider the proposed tower top designs and public art a positive element of the design.

Building Setbacks and Sidewalk Zones

The intensity of existing development in the Railway Lands, along with the Rogers Stadium, CN Tower and other tourist attractions close to the site, results in busy streets surrounding the site and a highly active pedestrian environment. The Tall Building Design Guidelines recommend that along the primary frontages of a tall building site that a sidewalk zone at least 6 metres wide or greater where larger setbacks are established by the existing context or required by the Zoning By-law be secured to provide sufficient space for pedestrians, street furniture, trees and utilities and commercial uses. This also provides spaces for bicycle parking, spill out areas for retail uses such as cafes, public art installation and other valuable street activities and amenities.

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

The application proposes a setback of 6.2 at the ground level along Spadina Avenue. The existing Zoning By-law requires a minimum building setback of 7.5 metres along Spadina Avenue. As outlined in the Railway Lands West and Central Urban Design Guidelines, the 7.5 metre setback is required to achieve important public realm and built form objectives along this major street within the Railway Lands. Planning staff recommends that the ground floor setback be increased to 7.5 metres along Spadina Avenue. This would provide for a sidewalk zone of approximately 9.5 metres which is appropriate on this landmark site, consistent with the Tall Building Design Guidelines and the Railway Lands Urban Design Guidelines.

The application proposes a ground floor building setback of 1 to 3.5 metres along Blue Jays Way. The Zoning By-law requires a minimum building setback of 2 metres along Blue Jays Way. The boulevard along Blue Jays Way is narrow about 3 metres wide and the combined width of the ground floor building setback and boulevard ranges from 4.1 to 5 metres. Staff have discussed with the applicant increasing the ground floor setback along this frontage to achieve a minimum 6.0 metre sidewalk zone consistent with the Tall Building Design Guidelines. The applicant has indicated they will increase the ground floor building setback along this frontage.

The Zoning By-law provides for no minimum building setbacks along Bremner Boulevard except at the south-east corner of the site where the publicly accessible open space is proposed. The building is proposed to be setback 0.1 to 9 metres from the street line and the boulevard along Bremner Boulevard is approximately 7.2 metres wide. This combined with the building setback results in a sidewalk zone at the ground floor of 7.3 to 17 metres between the face of the building and the curb of the street, consistent with the Tall Building Design Guidelines.

The Zoning By-law provides for no minimum building setback along Navy Wharf Court. The building is proposed to be setback from 0.6 to 1.5 metre from the street line and the boulevard along Navy Wharf Court is approximately 4 metres wide. The combined width of the ground floor building setback and boulevard ranges from 4.6 to 5.5 metres. Staff have discussed with the applicant increasing the ground floor setback along this frontage to achieve a minimum 6.0 metre sidewalk zone consistent with the Tall Building Design Guidelines. The applicant has indicated they will increase the ground floor building setback along this frontage.

Dwelling Unit Mix

The Official Plan encourages the provision of a full range of housing in terms of form, tenure and affordability to meet current and future needs of residents. The application proposes 1,536 dwelling units in total, the majority, 1,132 (73.7%) of which are proposed to be one-bedroom units. There are 138 two-bedroom units (8.9%) and 159 three-bedroom units (10.4%) proposed. The remaining 107 units are proposed as studio apartments (7%). A broader range in the mix of dwelling units is needed, to provide more family-sized dwelling units. Staff will continue discussions with the applicant on the mix of dwelling units proposed to increase the number of larger units.

Sun, Shadow and Wind

The public realm, built form and *Mixed Use Areas* policies of the Official Plan seek to limit shadow impacts particularly on *Neighbourhoods* during the spring and fall equinoxes; and require that new buildings be located and massed to frame the edges of streets and parks with good proportion and maintain sunlight and comfortable wind conditions for pedestrians on adjacent streets, parks and open spaces. The Secondary Plan also includes specific requirements related to potential impacts from shadowing and wind on the Rogers Centre. The Plan requires that a sun/shadow study be submitted and that the study establish that between 12:00 noon and 4:00 p.m. locally prevailing time, May 1st to October 1st inclusive, shadows from the proposal will not extend onto the playing field beyond any shadows cast by the stadium itself. The Secondary Plan requires that a wind study be submitted that includes a wind tunnel test. The wind study is to identify any wind impacts and indicate measures that should be incorporated into the development proposal in order to achieve satisfactory pedestrian level and above pedestrian level wind conditions on and the stadium, on the pedestrian zones surrounding the site and on outdoor amenity areas.

Sun/Shadow

Two sun/shadow studies were submitted with the application and these have been reviewed by City staff. The first study is a standard study that assessed the shadow impacts during the equinoxes as per the City's standard requirements. The second study assessed the shadow impacts specifically on the Rogers Centre during the May 1st to October 1st period between 12:00 noon and 4:00 as required in the Secondary Plan.

The first study (standard study) demonstrates that there would be no incremental shadow impact on Clarence Park to the north, or Roundhouse Park to the east at the equinoxes and on June 21st. There would be limited incremental shadow on the Northern Linear Park north of the site. There are no *Neighbourhood* designated lands within the area.

The second study (Rogers Centre) indicates that the shadow cast by the development will not extend onto the playing field beyond between 12:00 and 4:00 p.m from May 1st to October 1st in keeping with the requirements of the Secondary Plan.

Wind Study

Two wind studies were submitted with the application and these have been reviewed by City staff. The first study assessed the wind conditions on the site, 9th level amenity area and surrounding streets. The second study assessed the wind effects on the Rogers Centre using wind tunnel tests are required in the Secondary Plan.

The first study (site and surrounding area) identifies wind impacts from the development. The study indicates that uncomfortable wind conditions are predicted in the winter around the exposed building corners at the northeast, northwest and southeast, even with the proposed canopy in place. The study recommends 4 metre wide canopies or coniferous street trees on Spadina Avenue and Blue Jays Way to mitigate wind. Design changes and/or wind mitigation measures are required to improve wind conditions around the corners of the building.

The wind study also indicates that pedestrian wind criteria will be exceeded on the 9th floor outdoor amenity terrace during the winter months. The study recommends that access to the outdoor space be restricted in the winter. Planning staff have concerns with the impacts of wind predicted for the outdoor amenity terrace. This terrace is the largest of two outdoor amenity terraces proposed and is intended for recreational amenities for residents. The amenity area is 1,551 square metres in size and represents 67 percent of the outdoor amenity space. The second terrace on the 11th floor is proposed as a dog run and would appeal to residents with dogs but not all residents would use this space. The wind consultant has recommended that access be restricted during the winter months effectively removing much of the outdoor amenity space for the residents of the building for long periods during the year. Planning staff request that the amenity area on the 9th level be redesigned or relocated to ensure that wind conditions are appropriate for year round use.

The wind study did not include an assessment of the future wind conditions on the outdoor dog run proposed on the 11th floor. Planning staff require that the wind study be revised to include an assessment of the outdoor dog run including taking into account the size of dogs, to ensure the space is suitable for this type of outdoor use.

The second wind study (Rogers Centre) predicted impacts from the proposed development on wind conditions at the Rogers Centre site. During the summer, one area along the west side of the stadium is expected to show an increase in local wind speeds at the pedestrian level, resulting in a comfort category change from standing to strolling. During the winter, comfort categories were predicted to change in 5 locations. There were 3 improved conditions at the pedestrian level on the south side of the building and at the podium level on the southeast corner of the building. There were 2 areas along the west side of the stadium expected to show increases in local wind speeds at the pedestrian level, resulting in a category change from walking to uncomfortable. Planning staff have concerns with the increased wind speeds predicted along the west side of the Rogers Centre, as this is a main pedestrian connection adjacent to the stadium that includes stairs and the public plaza. Planning staff recommend design changes or wind mitigation measures to improve wind condition on the west side of the Rogers Centre.

Amenity Space

The built form and *Mixed Use Areas* policies of the Official Plan require that every significant multi-unit residential development provide indoor and outdoor recreation space for building residents. The policies also provide that each resident have access to outdoor amenity spaces such as balconies, terraces, courtyard, rooftop gardens and other types of outdoor spaces. The existing Zoning By-law requires a minimum of two square metres per unit each of common outdoor and indoor amenity space for the exclusive use of residents. For the 1,536 dwelling units proposed, 3,072 m² each of indoor and outdoor amenity space is required. The application proposes 2,343.1 m² of indoor amenity space (1.53 m² per unit) a shortfall of 728.9 m². The application proposes 2,304 m² of outdoor amenity space (1.5 m² per unit) a shortfall of 768 m².

Planning staff have concerns with the amount of outdoor amenity space proposed for residents, exclusive of the dog facilities, and the configuration of the indoor amenity space proposed at the top of the towers. As a part of the outdoor amenity space a dog run of 753 m² is proposed on the 11th floor. Although staff support the introduction of a dog run into the development, the overall amenity space for resident use is reduced to approximately 1 m² per unit, which is well below Zoning By-law requirements. Planning staff are concerned that there will be insufficient amenity space to meet the needs of residents. Staff request that the applicant increase the outdoor amenity space available for residents in addition to the dog run proposed.

The indoor amenity space includes the lounges on the 66th floor of Tower B and the 77th floor of Tower A within the glass enclosures that wrap around the mechanical penthouses. The indoor amenity space in these two areas is 535 m² in total. Much of this amenity space is configured as long narrow spaces 1.5 metres wide that wrap around the centrally situated mechanical room. These narrow spaces provide limited opportunity for a functional amenity space. Planning staff recommend that additional indoor amenity space be included in the building to compensate for these less functional indoor areas.

Publicly Accessible Open Space

The Secondary Plan directs that publicly accessible open space on this site be located on the north side of Bremner Boulevard. The application proposes a publicly accessible open space in the south-east corner of the site on the north side of Bremner Boulevard. An outdoor café area is also proposed adjacent to the building in this location where restaurant uses are intended on the ground floor. A publicly accessible open space (POP) at the south-east corner of the site is appropriate as it will be located opposite the existing public square situated at the north-east corner of the intersection west of the Rogers Centre adding to the system of connected parks and open spaces in the Railway Lands, an important public realm objective of the Secondary Plan. Planning staff have requested that the applicant increase the size of the open space at the corner, by reducing the overall size of the outdoor café and designing the café space for seasonal use only. The applicant has indicated that they will redesign the publicly accessible open space to meet City requirements.

Parking

The application proposes a total of 724 parking spaces including 596 spaces for residents, 115 spaces for the retail/commercial uses and 11 spaces for the office uses. Two car-share spaces are also proposed. No dedicated residential visitor parking is proposed. Instead the application proposes that the commercial parking supply provide for the residential visitors and non-residential uses, on a non-exclusive and pooled basis with these spaces also made available to the general public on a paid basis. Under the current Railway Lands Central Zoning By-law 1994-0906, a minimum of 995 parking spaces are required consisting of 892 spaces for residents, 92 spaces for residential visitors, and 11 spaces for office space uses.

A Transportation Considerations Report was submitted with the application that includes a parking analysis. Transportation Services staff have reviewed the report and have advised that the proposed parking analysis does not provide conclusive evidence that the proposed parking supply will accommodate the projected demand. Transportation Services staff also recommend that the number of parking spaces and the size of parking spaces and aisle widths be provided in accordance with the Zoning By-law 569-2013 rather than the Railway Lands Central Zoning By-law as these standards are based on more recent parking demand analysis. Under Zoning By-law 569-2013, a minimum of 1,015 parking spaces would be required for the development.

Planning Staff have concerns with the proposed parking deficiency particularly the lack of dedicated visitor parking spaces. The parking standards of the Railway Land Zoning By-law require less parking on this site than those required by Zoning By-law 569-2013. These lower standards reflect the downtown location of the Railway Lands and the accessible location of this site to transit. Planning Staff are of the opinion that the current standards of the Railway Lands Central Zoning By-law are appropriate for the site and additional parking should be provided in accordance with the current standards. The parking analysis notes the significant growth over the past few years in car share programs within the downtown. Additional car share parking is recommended given the number of dwelling units proposed. Adding car share parking also provides an opportunity to reduce the overall number of parking spaces required under the Zoning By-law.

Site Access

The built form policies of the Official Plan require that new development locate and organize vehicle parking, vehicle access and service areas, and utilities to minimize their impact on the property and surrounding properties, and to improve the safety and attractiveness of adjacent streets, parks and open spaces. These objectives can be achieved by consolidating and minimizing the width of driveways and curb cuts across the public sidewalks and integrating services and utility functions within buildings.

The applications propose vehicular access to the development from two driveways off Blue Jays Way and one access off Navy Wharf Court. The Navy Wharf Court access is proposed to be 7 metres wide and provides access to the loading area and below grade parking garage.

With respect to the proposed accesses from Blue Jays Way, there are inconsistencies on drawings with respect to their widths. A servicing drawing indicates a single combined access of approximately 29 metres while the landscape and site plan drawings indicate two separate accesses near to one another. Widths of the driveway vary between drawings with the westerly access proposed to be either 8 or 12 metres wide. This driveway provides access to the ground level pick-up and drop off area and the underground parking garage. The easterly access is proposed to be either 7.2 or 10.6 metres wide and would provide access to the above-grade parking in the podium.

Planning staff have concerns with the combined width of the two driveways proposed off Blue Jays Way ranging from approximately 15 to 22 metres. The combined driveway width is wider than the paved portion of Blue Jays Way that services the site, and well above the driveway width typically associated with this type of development. The wide curb cuts would negatively impact pedestrians including safety concerns, and reduce opportunities for landscape improvements along Blue Jays Way contrary to the Official Plan public realm policies and City design guidelines. The applicant has advised that the driveway widths will be reduced.

Servicing

Functional Servicing and Storm Water Management Reports were submitted with the application and have been reviewed by Engineering and Construction Services staff. Additional information and revisions are needed to address City requirements with respect to: sanitary sewer service including addressing sanitary sewer capacity; water service; storm water management including addressing storm sewer system capacity and drainage area analysis; the City's Wet Weather Flow Management Guidelines; site grading to ensure storm water is contained and managed on site; the design of sidewalks, curbs and paving to meet City standards, and the submission of a composite utility and landscape plan.

Noise and Vibration

A Noise and Vibration Impact Statement was submitted with the application and this has been reviewed by Metrolinx. Metrolinx staff have advised that revisions are needed to the impact statement including a revised acoustic analysis based on more current noise regulations and to include a vibration analysis.

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 0.43 to 0.78 hectares of local parkland per 1,000 people (based on 2006 census). 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 applicant proposes 1536 units on a 5784 m² site.

All residential units and gross floor area (gfa) above amounts included in the subdivision agreement for the Railway Lands will be subject to the alternative rate of 0.4 hectares per 300 units specified in By-law 1020-2010. For sites that are less than 1 hectare in size, a cap of 10% of the development site is applied to the residential use while the non-residential use is subject to a 2% parkland dedication. The actual amount of cash-in-lieu to be paid will be determined at the time of issuance of the building permit.

The applicant is required to satisfy the parkland dedication requirement through cash-in-lieu for the gfa above that permitted in the existing agreements.

Section 37

Section 37 of the Planning Act empowers the approval authority to authorize increases in height and/or density, over and above that permitted by the Zoning By-law, in exchange

for community benefits. Community benefits are specific capital facilities (or cash contributions for specific capital facilities) and can include child care facilities, public area, parkland and/or parkland improvements above and beyond the parkland dedication, streetscape improvements; and other works detailed in Section 5.1.1.6 of the Official Plan. Since this application was not considered to be good planning, discussions with the applicant about the nature and quantum of the community benefits haven't taken place with the applicant.

This report is recommending that staff continue discussions with the applicant in an attempt to resolve the issues outlined in this report including securing appropriate community benefits in keeping with other Section 37 contributions that have been secured in association with development including other developments undertaken by the applicant within the Railways Lands. In the event that the OMB considers granting additional density and/or height beyond that which is permitted in the Zoning By-law, the City will request that the OMB not approve the zoning by-law without the provision of such community benefits as are appropriate in the opinion of the Chief Planner in consultation with the applicant and the ward councillor.

Conclusions

The zoning by-law amendment and site plan applications propose a mixed-use development including retail, office and residential uses in two towers at 23 Spadina Avenue. Tower A is proposed to be 79 storeys high (247.23 metres including mechanicals). Tower B is proposed to be 68 storey high (215.43 metres including mechanicals). The total gross floor area of the proposed development is approximately 126,277 square metres, representing a density of 21.83 times the lot area.

The applicant has appealed the applications to the Ontario Municipal Board (OMB) due to Council's failure to make a decision within the prescribed period under the *Planning Act*.

Planning staff are of the opinion that the proposal in its current form represents overdevelopment of the site and does not adequately address the Official Plan, Railway Lands Central Secondary Plan Railway Lands Central and West Urban Design Guidelines and the City's Tall Building Design Guidelines. The height and density are not consistent with the existing and planned context and the massing of the proposed building.

The applicant and City staff have met to discuss the City's concerns with the application and outlined in this report, and staff continue to have constructive discussions with the applicant. The applicant has advised that a revised application will be submitted in the near future which is anticipated to address a number of the City issues. City staff will continue to meet with the applicant to discuss the City's concerns including any concerns identified on a revised proposal in an effort to reach resolution. Staff will report back to Council on the details of a settlement, if one is reached, including Section 37 benefits.

CONTACT

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Tel. No. (416) 392-7622
Fax No. (416) 392-1330
E-mail: smcalpin@toronto.ca

SIGNATURE

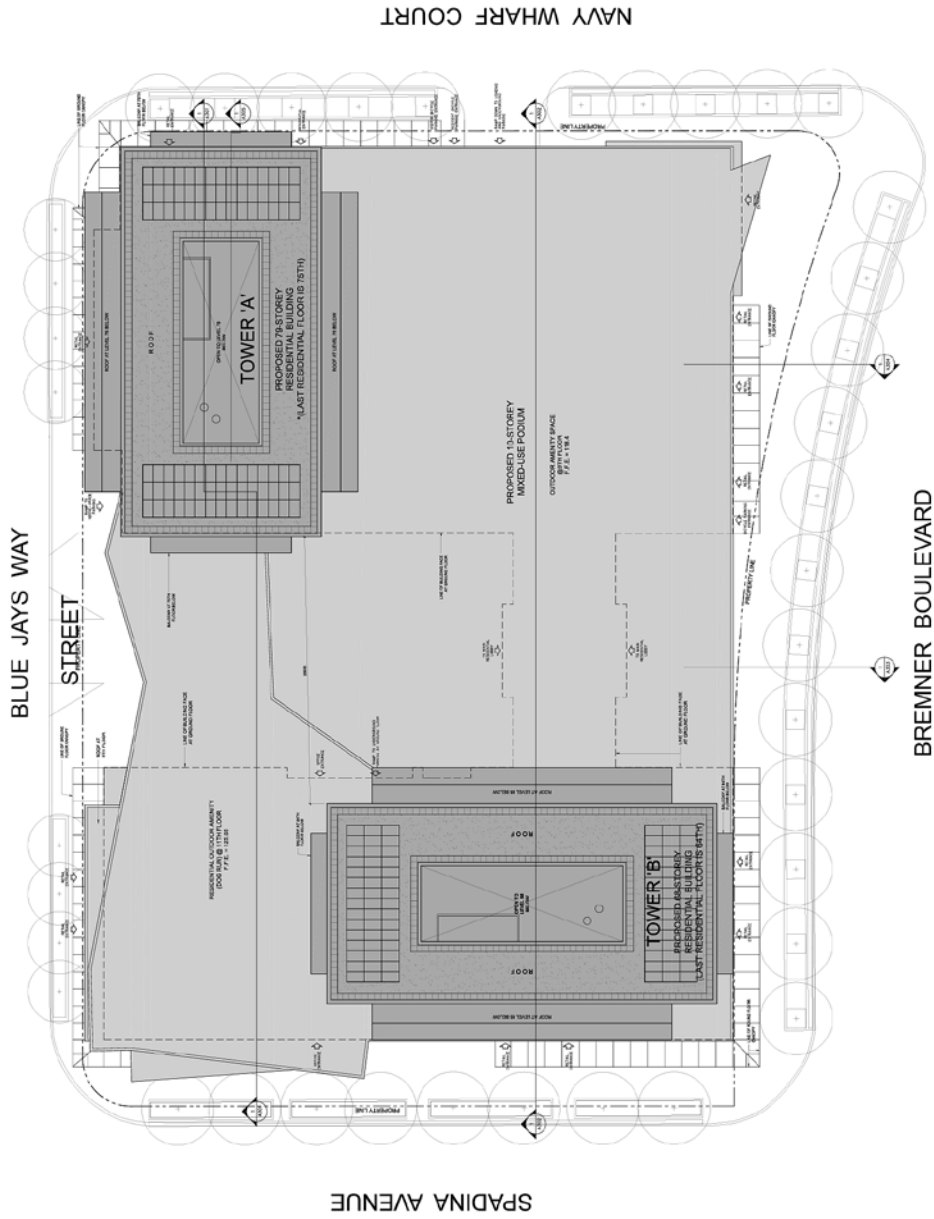
Gregg Lintern, MCIP, RPP
Director, Community Planning
Toronto and East York District

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ATTACHMENTS

- Attachment 1: Site Plan
- Attachment 2: Elevation – North
- Attachment 3: Elevation - West
- Attachment 4: Elevation - South
- Attachment 5: Elevation - East
- Attachment 6: Application Data Sheet
- Attachment 7: Official Plan – Land Use
- Attachment 8: Railway Lands Central Secondary Plan – Urban Structure Plan
- Attachment 9: Railway Lands Central Secondary Plan – Parks and Open Space Plan
- Attachment 10: Railway Lands Central Secondary Plan – Land Use Plan
- Attachment 11: Zoning – Land Use
- Attachment 12: Zoning – Height

Attachment 1: Site Plan



23 Spadina Avenue

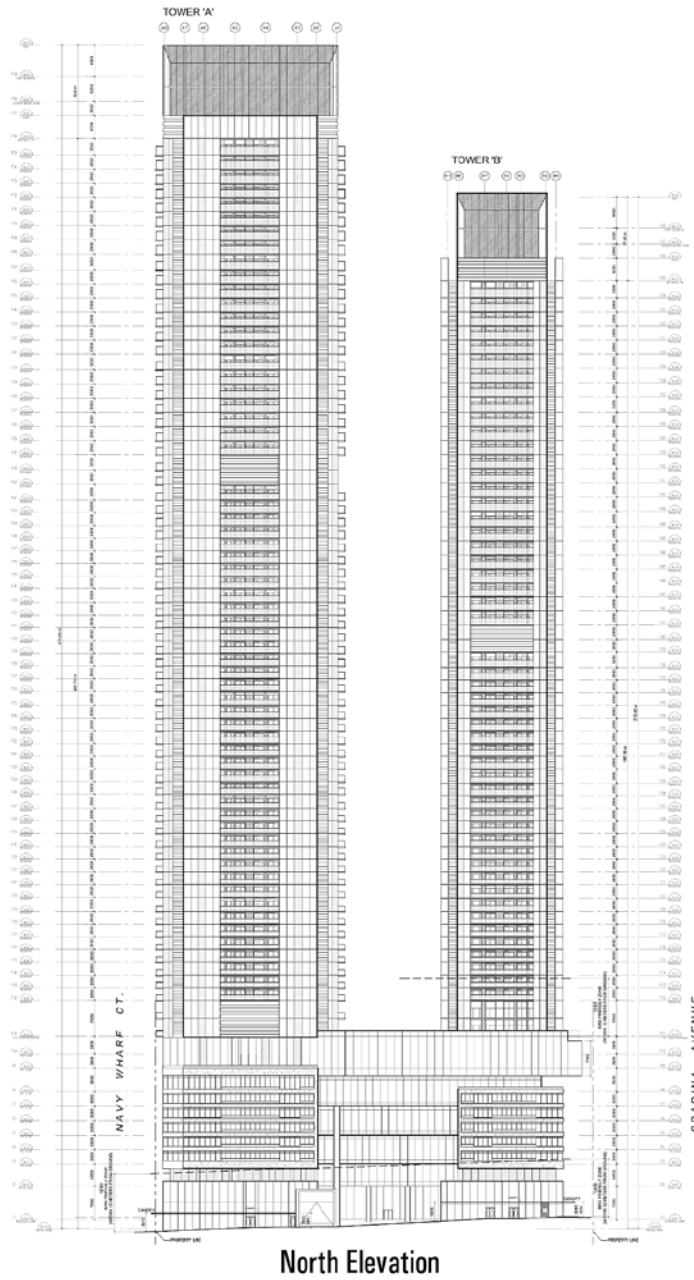
File # 14 204219 STE 20 0Z

Site Plan

Applicant's Submitted Drawing

Not to Scale
12/15/2014

Attachment 2: North Elevation



Elevations

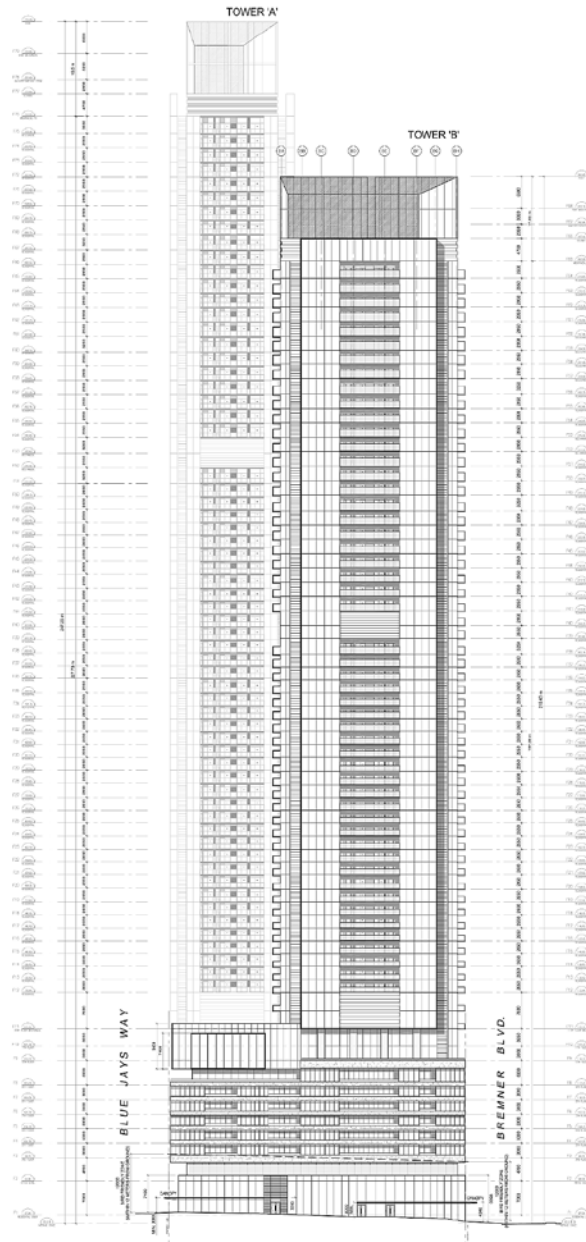
Applicant's Submitted Drawing

Not to Scale
12/15/2014

23 Spadina Avenue

File # 14 204219 STE 20 0Z

Attachment 3: West Elevation



West Elevation

Elevations

Applicant's Submitted Drawing

Not to Scale
12/15/2014

23 Spadina Avenue

File # 14 204219 STE 20 OZ

Attachment 4: South Elevations



Elevations

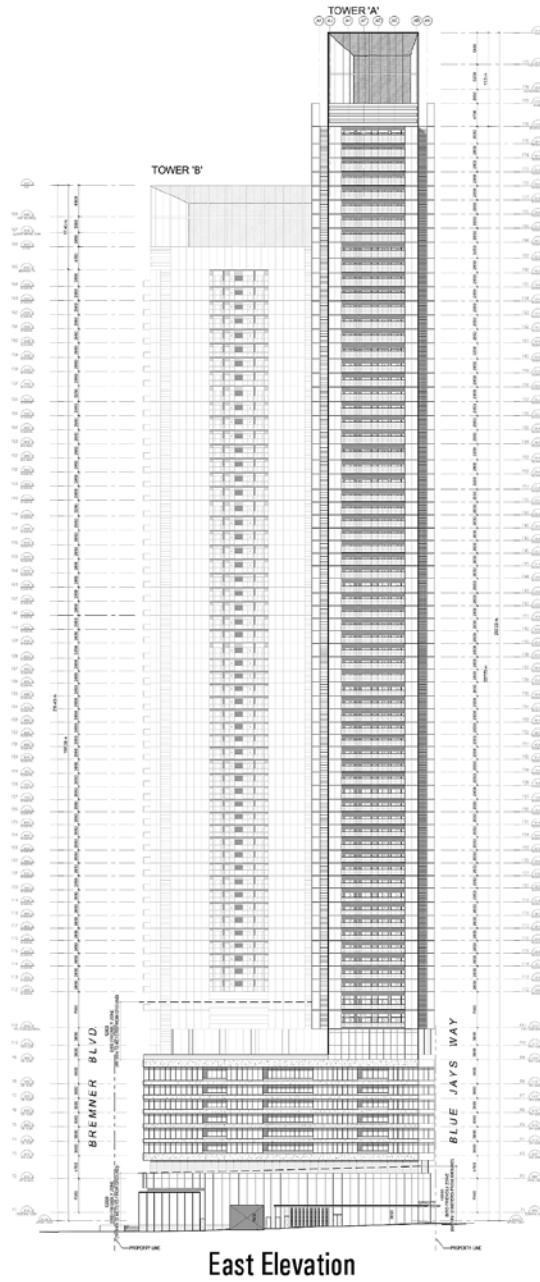
Applicant's Submitted Drawing

Not to Scale
12/15/2014

23 Spadina Avenue

File # 14 204219 STE 20 0Z

Attachment 5: East Elevation



Elevations

Applicant's Submitted Drawing

Not to Scale
12/15/2014

23 Spadina Avenue

File # 14 204219 STE 20 0Z

Attachment 6 – Application Data Sheet

Application Type	Rezoning Site Plan	Application Number:	14 204219 STE 20 OZ 14 204227 STE 20 SA
Details	Standard	Application Date:	August 11, 2014
Municipal Address:	23 Spadina Avenue		
Location Description:	Development Block 22 Plan D970 Lot 14 RP 66R-14977 Part 1**GRID S2017		
Project Description:	Zoning By-law amendment & Site Plan approval to permit a mixed-use development including retail office and residential uses in two towers: 79 and 68 storeys. A total of 1,536 dwelling units are proposed. The gross floor area is 126,277 square metres.		

Applicant:

Aird & Berlis
181 Bay St,
Box 754 Suite 1800
Toronto, ON M5J 2T9

Agent:

Architect:

Page and Steele/IBI
95 St. Clair W.
Suite 200
Toronto, ON M4V 1N6

Owner:

Concord Adex Corporation
22 Spadina Ave.
Toronto, ON M5V 3M3

PLANNING CONTROLS

Official Plan Designation:	Mixed Use Areas	Site Specific Provision:	Railway Lands Central
Zoning:	CR	Historical Status:	
Height Limit (m):	160	Site Plan Control Area:	Y

PROJECT INFORMATION

Site Area (sq. m):	5783.68	Height:	Storeys:	79 & 68
Frontage (m):	56.46		Metres:	247.23 & 215.43
Depth (m):	80			
Total Ground Floor Area (sq. m):	4109.8			Total
Total Residential GFA (sq. m):	120014		Parking Spaces:	724
Total Non-Residential GFA (sq. m):	6263		Loading Docks	4
Total GFA (sq. m):	126277			
Lot Coverage Ratio (%):	71			
Floor Space Index:	21.83			

DWELLING UNITS

FLOOR AREA BREAKDOWN (upon project completion)

			Above Grade	Below Grade
Tenure Type:	Condo			
Rooms:	0	Residential GFA (sq. m):	120014	0
Studio:	107 (7%)	Retail GFA (sq. m):	2273	0
1 Bedroom:	1132 (73.7%)	Office GFA (sq. m):	3990	0
2 Bedroom:	138 (8.9%)	Industrial GFA (sq. m):	0	0
3 + Bedroom:	159 (10.4%)	Institutional/Other GFA (sq. m):	0	0
Total Units:	1536			

CONTACT:

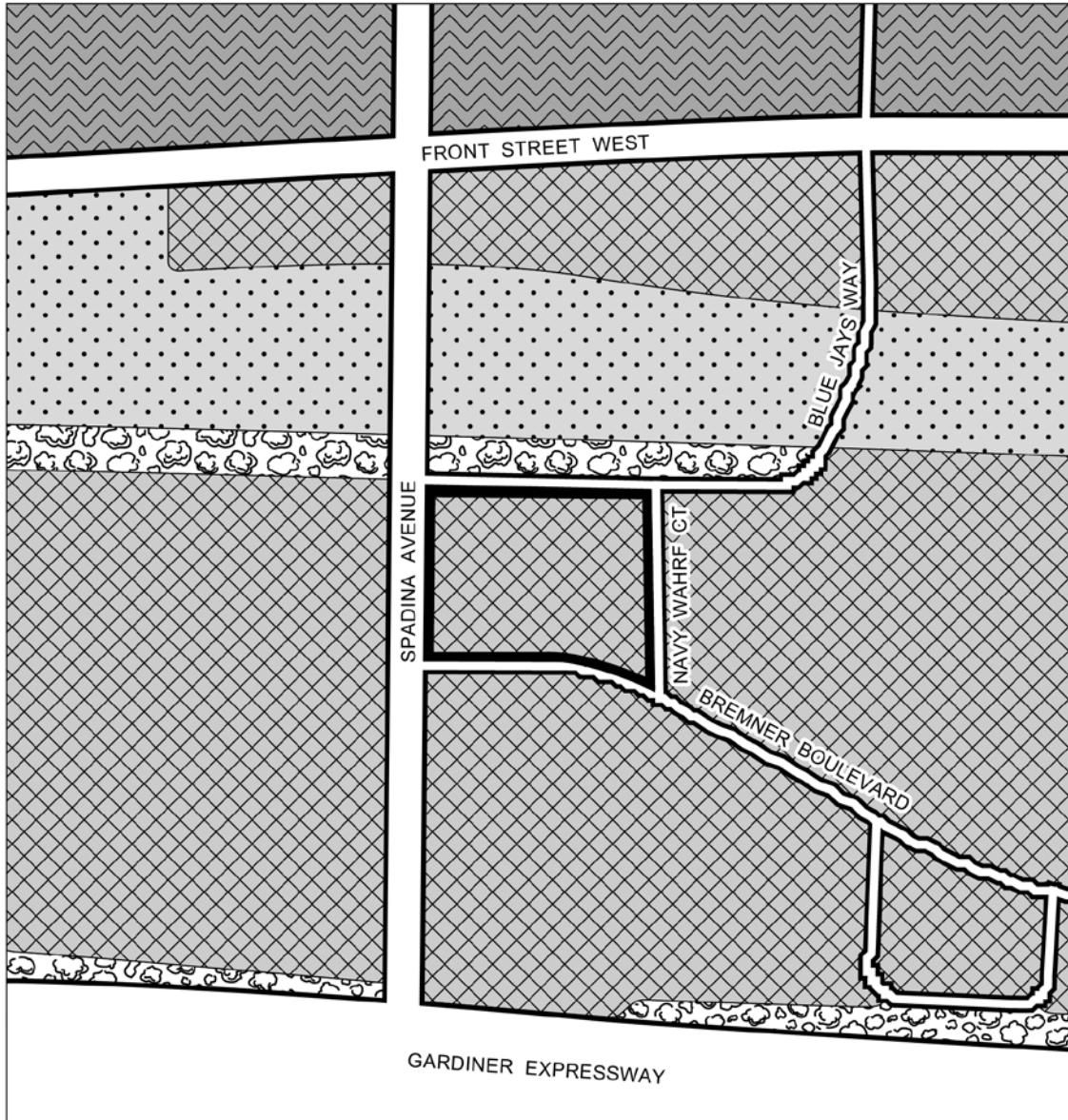
PLANNER NAME:

Sue McAlpine, Senior Planner

TELEPHONE:

(416) 392-7622 Email: smcalpin@toronto.ca







Attachment 7: Official Plan – Land Use



TORONTO City Planning
Extract from Official Plan

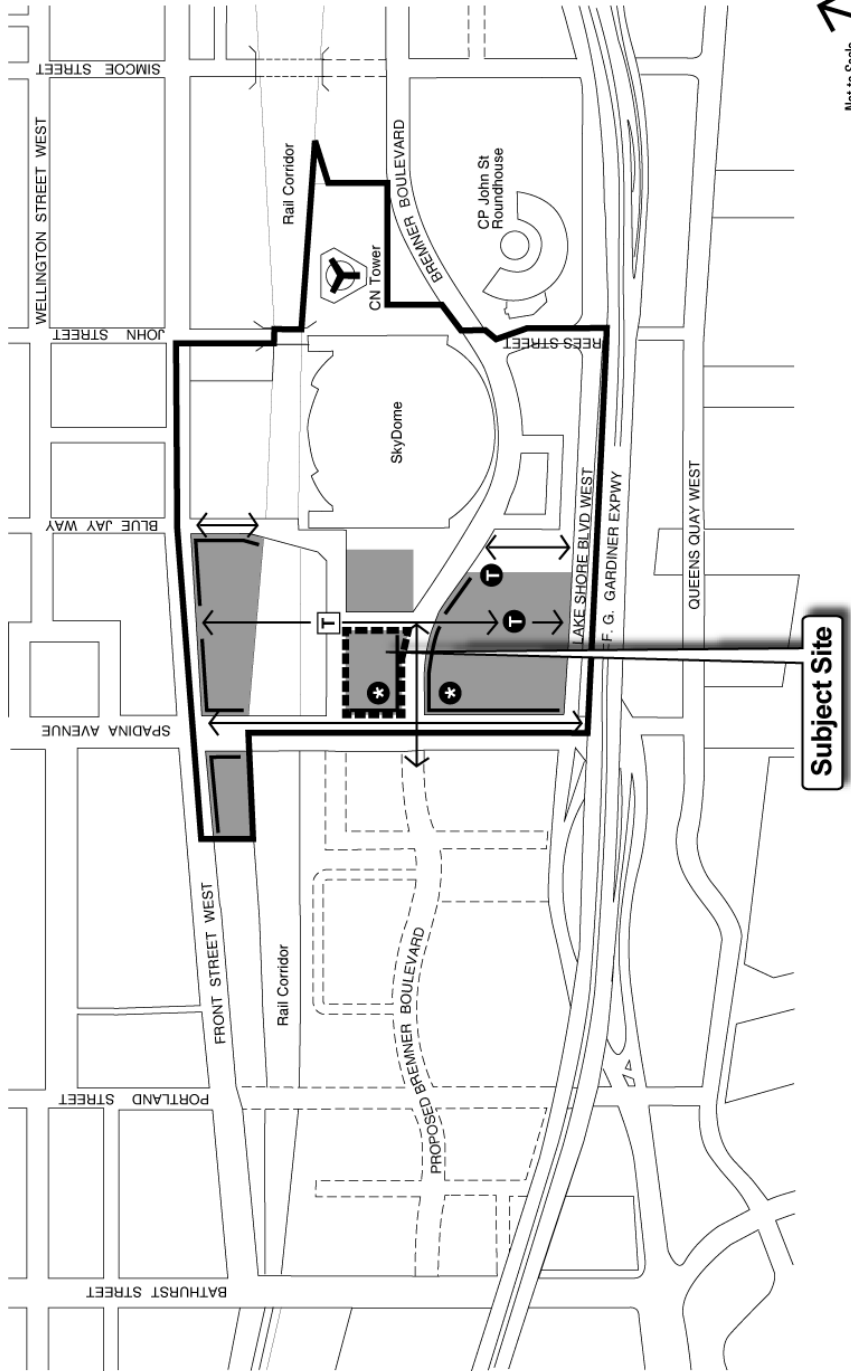
23 Spadina Avenue

File # 14 204219 STE 20 0Z

- | | |
|--|--|
|  Site Location |  Parks & Open Space Areas |
|  Mixed Use Areas |  Parks |
|  Regeneration Areas | |
|  Utility Corridors | |


 Not to Scale
 12/15/2014

Attachment 8: Railway Lands Central Secondary Plan – Urban Structure Plan



Not to Scale

Subject Site

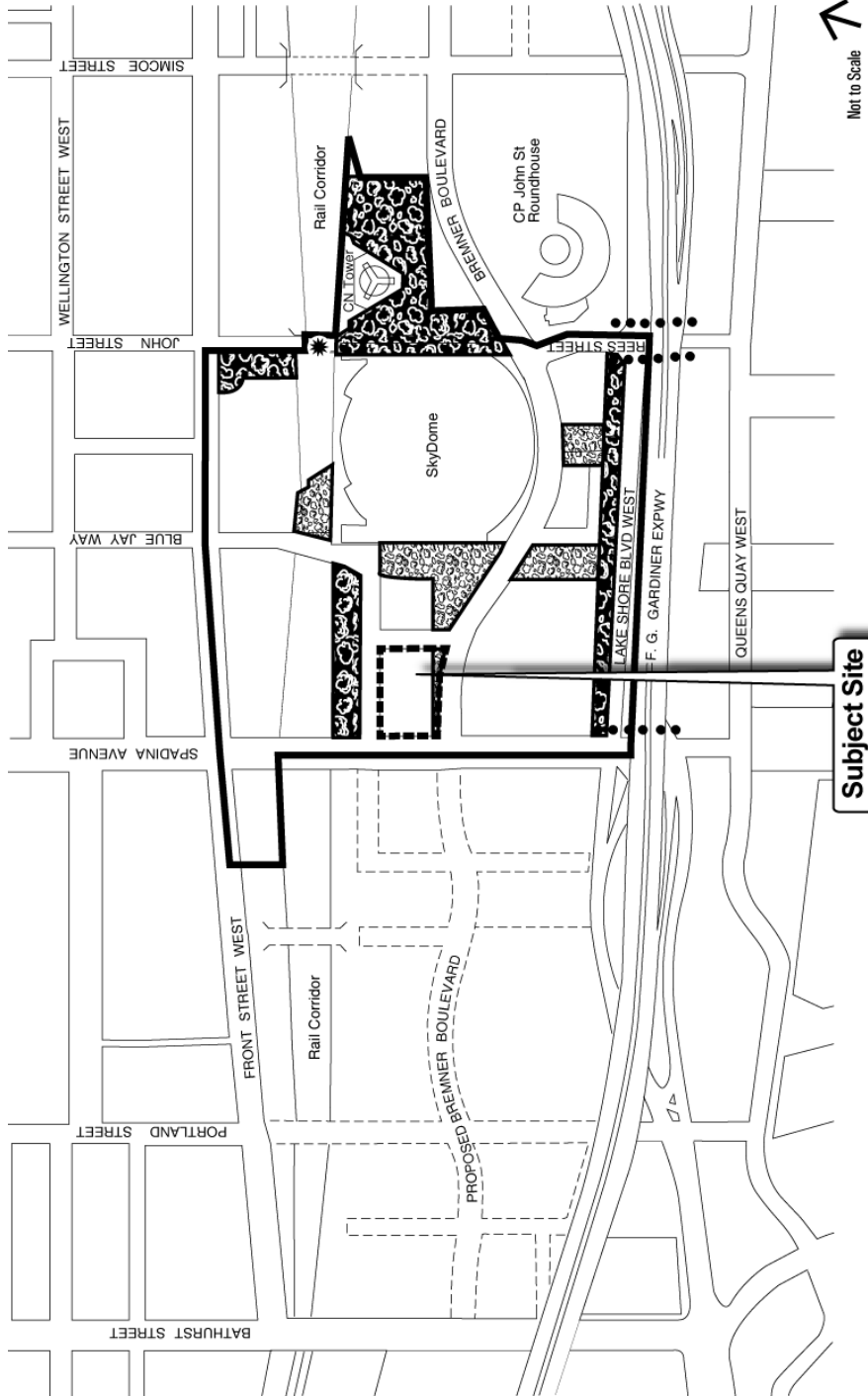
Railway Lands Central Secondary Plan MAP 18-6 Urban Structure Plan



- Secondary Plan Boundary
- Significant Intersection
- Existing View Terminus
- Potential View Terminus
- Significant Street Edge
- Significant City Waterfront Views and Vistas
- Special Policy Lands

June 2006

Attachment 9: Railway Lands Central Secondary Plan Parks and Open Space Plan



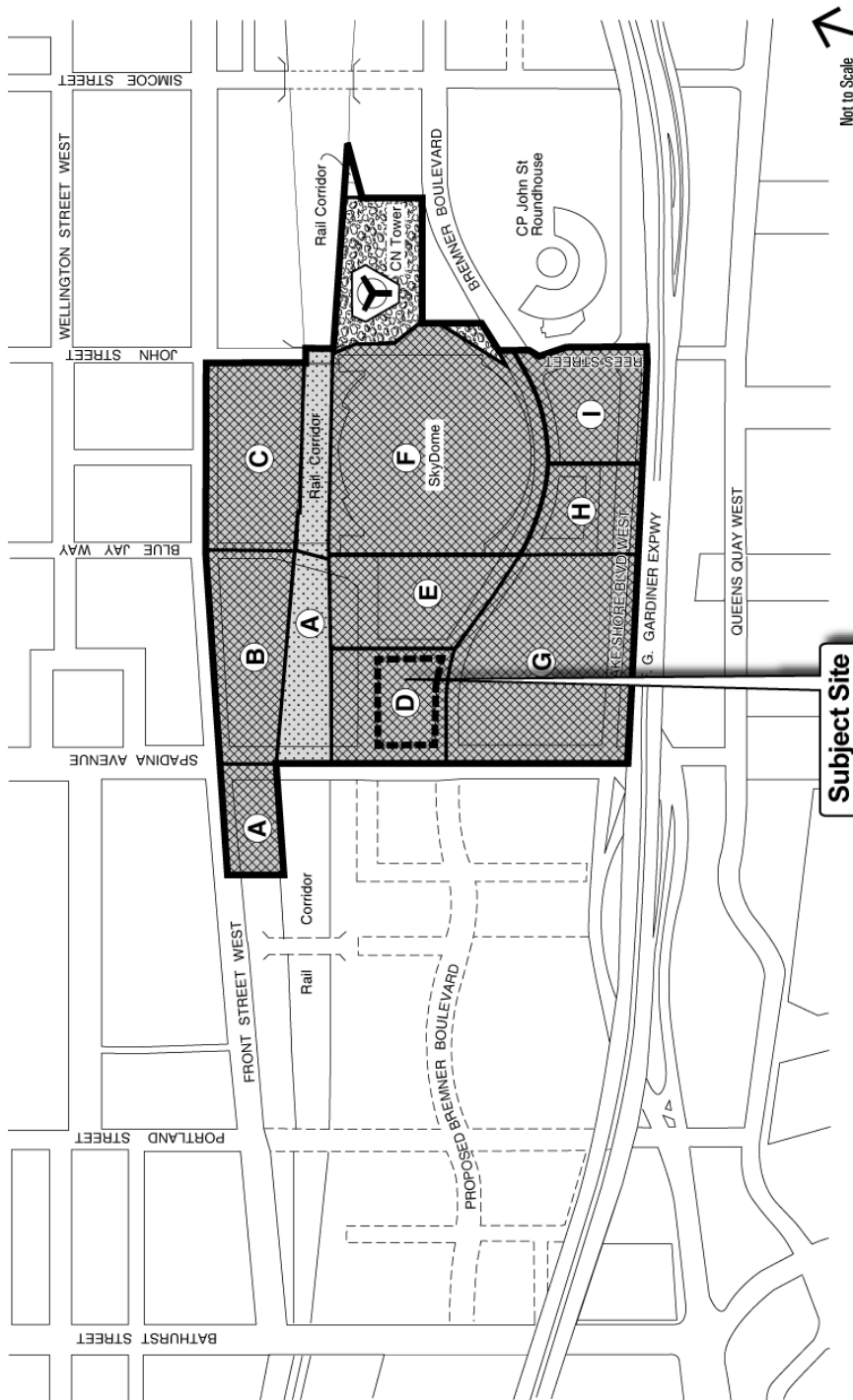
Toronto
City Planning Division

Railway Lands Central Secondary Plan
MAP 18-4 Parks and Open Space Plan

- Secondary Plan Boundary
- Publicly Accessible Open Space
- Lands to be Leased or Conveyed to the City for Park Purposes
- Major Pedestrian Bridge
- Improved at-grade Pedestrian Routes

June 2006

Attachment 10: Railway Lands Central Secondary Plan – Land Use Plan

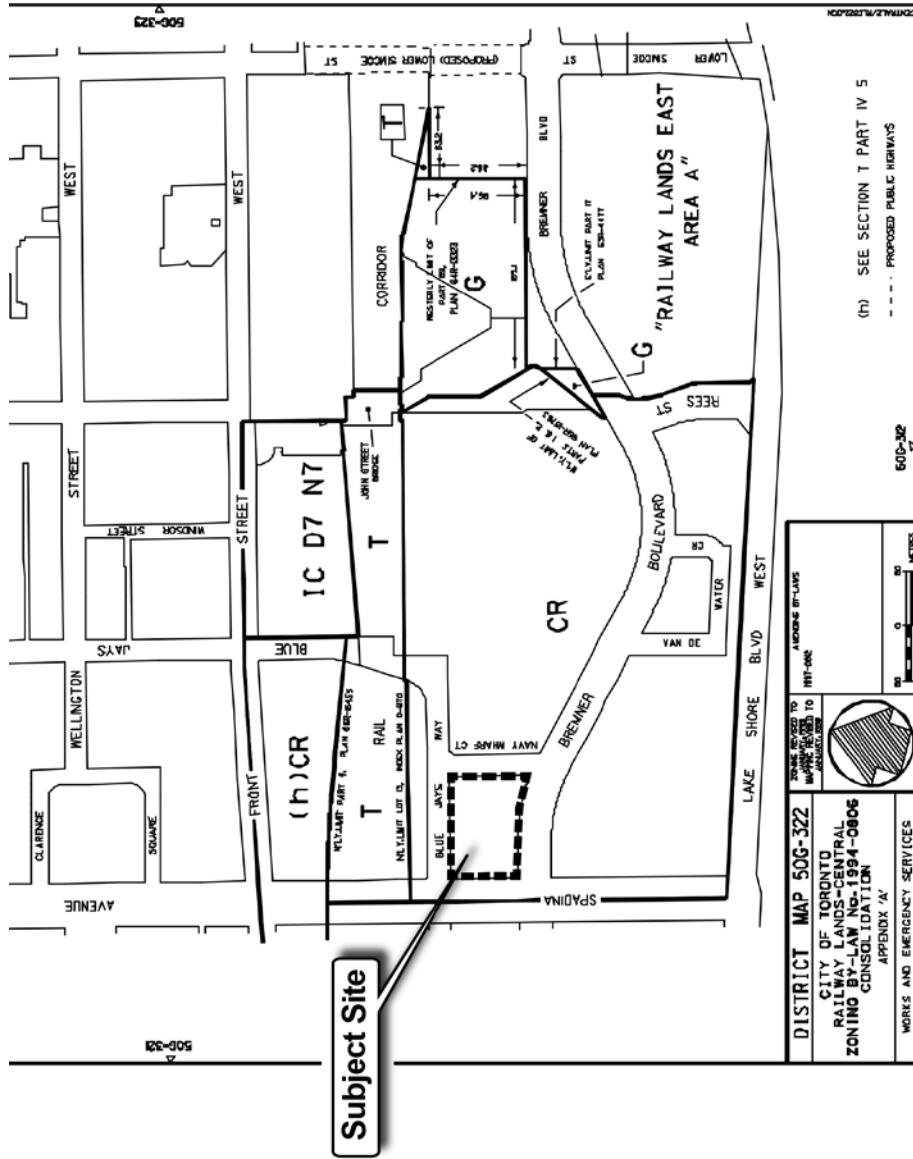


Railway Lands Central Secondary Plan MAP 18-3 Land Use Plan

- Secondary Plan Boundary
- ▨ Mixed Use Areas
- ▨ Utility Corridors
- ▨ Parks and Open Space Areas

June 2006

Attachment 11: Zoning By-law – Land Use



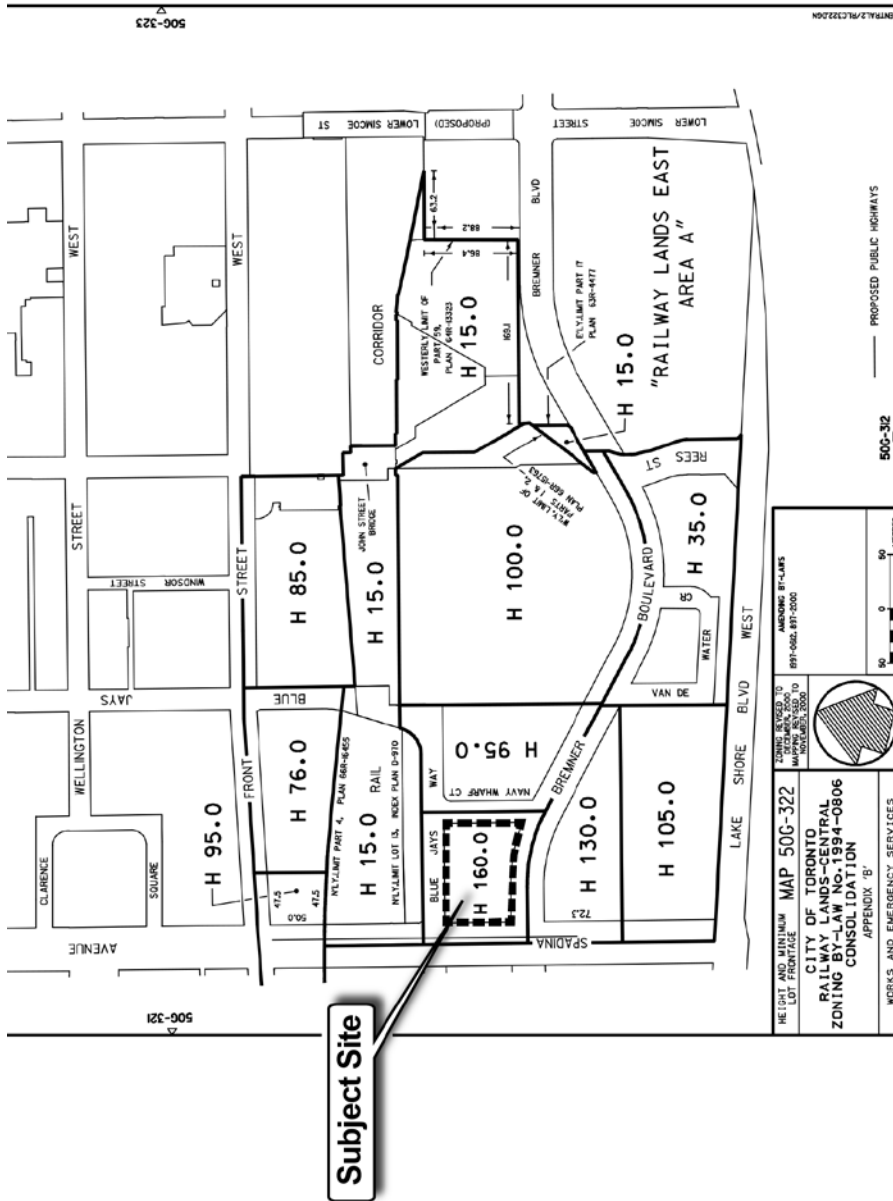
23 Spadina Avenue

Railway Lands - Central
 ZONING BY-LAW No. 1994-0806 Consolidation, Appendix 'A'

File # 14 204219 STE 20 0Z

Not to Scale
 12/02/2015

Attachment 12 – Zoning By-law - Height



23 Spadina Avenue

File # 14 204219 STE 20 0Z

Railway Lands - Central
 ZONING BY-LAW No. 1994-0806 Consolidation, Appendix 'B'

Not to Scale
 12/02/2015