

**452 – 458 Richmond Street West - Zoning Amendment  
Application - Request for Direction Report**

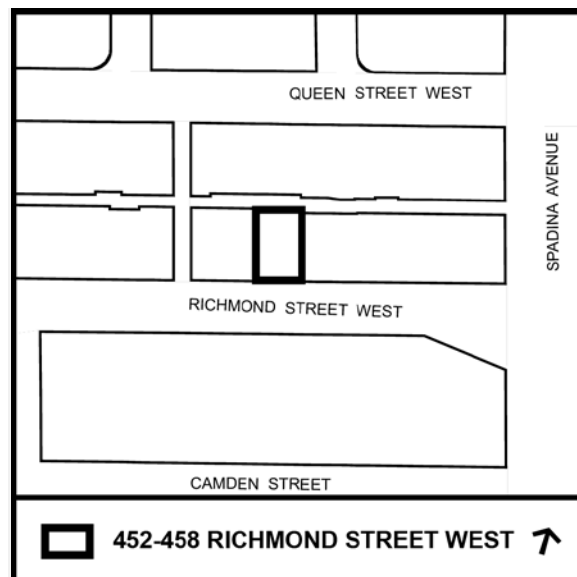
<b>Date:</b>	May 25, 2016
<b>To:</b>	Toronto and East York Community Council
<b>From:</b>	Director, Community Planning, Toronto and East York District
<b>Wards:</b>	Ward 20 – Trinity-Spadina
<b>Reference Number:</b>	15-223802 STE 20 OZ

**SUMMARY**

This application proposes an 18-storey building (61.1 metres including mechanical), on the lands known as 452 – 458 Richmond Street West, containing commercial uses on the ground and basement levels, and 135 residential units above. A total of four parking spaces, located on the ground floor, are proposed. Bicycle parking will be provided below-grade.

The applicant has appealed the application to the Ontario Municipal Board (OMB) due to Council's failure to make a decision on their request for a Zoning By-law Amendment. The OMB has set a four day hearing commencing on July 19, 2016.

The application proposes the demolition of a three-storey commercial building and construction of an eighteen-storey mixed-use building. The proposed height of the building, inadequate stepbacks, density, and deficiencies in amenity and parking are not supportable. The proposal is not in keeping with the surrounding context and built form of the West Precinct, and the applicable planning framework in the King-Spadina Secondary Plan area. The height of the building constitutes over-development of a constrained property, in an area of predominantly low to mid-rise buildings with maximum heights of 35 to 40 metres. Approval of this application would not only support a building which is



substantially different from the existing context and Zoning By-law permissions, but would also set a negative precedent for future development that will undermine the City's vision for this area. The proposed parking allocation of 4 spaces is well below the 63 parking spaces required in former City of Toronto Zoning By-law 438-86, as amended and the 63 parking spaces required in City-Wide Zoning By-law 569-2013, and does not meet the intent of the Official Plan to provide adequate parking on site.

This report reviews the application to amend the Zoning By-law, and recommends that City Council direct the City Solicitor and City Staff, as appropriate, attend the Ontario Municipal Board to oppose the application in its present form.

## **RECOMMENDATIONS**

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### **The City Planning Division recommends that:**

1. City Council direct the City Solicitor and City Planning Staff, as appropriate, to attend the Ontario Municipal Board hearing, and to oppose the Zoning By-law Amendment application for 452 – 458 Richmond Street West in its present form for the reasons set out in the report from the Director Community Planning, Toronto and East York District (May 25, 2016).
2. City Council authorize City Planning Staff to continue discussions with the applicant on a revised proposal which addresses the issues set out in the report from the Director Community Planning, Toronto and East York District (May 25, 2016), including:
  - a. reducing the proposed height and massing to avoid overdeveloping the site and to limit negative impacts on adjacent properties;
  - b. improving compliance with Council's approved planning framework for the area including the King-Spadina Urban Design Guidelines;
  - c. increasing the amenity space and parking spaces; and
  - d. improving vehicular access.
3. City Council authorize the Chief Planner and Executive Director, City Planning Division, in consultation with the Ward Councillor, to secure services, facilities or matters pursuant to Section 37 of the *Planning Act* as may be required by the Chief Planner, should the proposal be approved in some form by the Ontario Municipal Board.
4. City Council direct City Planning Staff, in the event that the Ontario Municipal Board allows the appeal in whole or in part, to request that the Board withhold any order to approve a Zoning By-law Amendment for the subject lands until such time as a Site Plan Agreement has been entered into between the City and the owner, and any pre-conditions to Site Plan Approval are fulfilled including addressing parking spaces and access, and loading and servicing issues as outlined in the memo from the Manager, Development Engineering, Toronto and East York District dated November 10, 2015.

## **Financial Impact**

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

## **DECISION HISTORY**

### **Planning History for King-Spadina**

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

There has been significant investment through new construction and conversions of existing buildings in King-Spadina since the approval of the planning framework in 1996. Along with this investment, a number of issues have arisen related to the level of intensification, land use conflicts presented by entertainment facilities, the high volume of residential development, and deficiencies in community services and facilities, parks, and the public realm.

Over the last decade, development in the East Precinct (Simcoe Street to Spadina Avenue) and West Precinct (Spadina Avenue to Bathurst Street) of King Spadina has evolved differently. The East Precinct, which is closer to downtown's Financial District, has become a neighbourhood of high density towers. The West Precinct, which still includes many low-rise and house form buildings, has maintained a significantly lower scale, with most recent new developments in the form of mid-rise buildings. The application for 452-458 Richmond Street West is in the West Precinct.

## **ISSUE BACKGROUND**

### **Proposal**

The site is located on the north side of Richmond Street, west of Spadina Avenue. The application proposes an 18-storey mixed-use building with retail at grade and 17 floors of residential above. The retail will comprise 429 square metres of space on the ground and basement levels, with 135 residential units comprising 7,668 square metres. The overall proposed height is 61.1 metres to the top of the mechanical penthouse.

Vehicular access for loading, garbage, and parking is proposed via the north-abutting, rear public laneway, known as Graffiti Alley. There are 3 resident parking spaces and 1 car share space proposed at grade at the rear of the building. The proposal includes 125 bicycle spaces for residents, and 14 bicycle spaces for visitors.

Indoor amenity space is proposed at 193 square metres, and outdoor amenity space is proposed at 33 square metres.

The applicant is proposing to demolish the existing three-storey building to allow for the development of the 18-storey mixed-use building to occur.

City Planning received a revised Zoning By-law Amendment application on May 16, 2016, accompanied by the first submission of an associated Site Plan Control application. The revisions have incorporated a Type G Loading space, which has not yet been reviewed by Engineering and Construction Services. There have also been minor revisions to the amount of indoor amenity space provided in the plans, and the access to the visitor bicycle parking area.

## **Site and Surrounding Area**

The subject site is located on the north side of Richmond Street West, west of Spadina Avenue. The property is rectangular in shape, with approximately 18 metres of frontage, and a depth slightly over 30 metres for a total lot area of approximately 556 square metres. The following uses surround the site:

- North: The northern edge of the property abuts a public lane known as Graffiti Alley, providing access to the rear of the buildings fronting onto the north side of Richmond Street West, and the rear of buildings fronting onto the south side of Queen Street West. The properties to the north, fronting onto Queen Street West, are predominantly 3-storey buildings, and form part of the Queen Street West Heritage Conservation District.
- South: A small commercial parking garage directly across from the subject site, and a 3-storey mixed use building slightly west on the south side of Richmond Street.
- East: A small parking garage, followed by a 16-storey mixed use building along the north side of Richmond Street West benefitting from frontage along the west side of Spadina Avenue.
- West: A 7-storey commercial building, a set of 3-storey row houses, and a 6-storey residential building, along the north side of Richmond Street West. West of the subject site, along the south side of Richmond Street West, are a 3-storey commercial building, followed by another small commercial parking lot, a 2-storey commercial building, and a 9-storey mixed use building.

## **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. Policies are outcome-oriented, and some policies provide flexibility in their implementation, provided that provincial interests are upheld. The PPS recognizes that local context and character is important, and that the Official Plan is the most important vehicle for implementing the PPS. Recently updated, the housing policies of the PPS require municipalities to provide for an appropriate range and mix of housing, including affordable housing, to meet the

needs of current and future residents. 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; protecting natural systems and cultivating a culture of conservation; and planning for a range and mix of housing. City Council's planning decisions are required to conform, or not conflict, with the Growth Plan for the Greater Golden Horseshoe.

## **Official Plan**

Toronto's Official Plan locates the subject site within the *Downtown*. In Chapter Two – Shaping the City the downtown is identified as an area offering opportunities for substantial employment and residential growth, but that this growth is not anticipated to be uniform. Rather, it is expected that the physical setting of many areas will remain unchanged and that design guidelines specific to districts of historic or distinct character will be implemented to ensure new development fits into the context of existing built form, streets, setbacks, heights and relationship to landmark buildings.

Chapter Three – Building a Successful City identifies that most of the City's future development will be infill and redevelopment and, as such, will need to fit in, respect and improve the character of the surrounding area. Section 3.1.2 Built Form provides policies that are aimed at ensuring that new development fits within and supports its surrounding context. Policies 3.1.2.1 to 3.1.2.4 seek to ensure that development is located, organized and massed to fit harmoniously with existing and/or planned context; frames and appropriately defines streets, parks and open spaces at good proportion; and limits impacts of servicing and vehicular access on the property and neighbouring properties. Meeting these objectives requires creating consistent setbacks from the street, massing new buildings to frame adjacent streets and open spaces in a way that respects the existing and /or planned street proportion, creating appropriate transitions in scale to neighbouring existing and/or planned buildings, and limiting shadow impacts on streets, open spaces and parks.

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

## **King-Spadina Secondary Plan**

The subject site is located within the King-Spadina Secondary Plan area (see Attachment 5). The King-Spadina Secondary Plan (Chapter 6.16 of the Official Plan) provides a framework for reinvestment and development. The fundamental intent of which is to encourage reinvestment

for a wide range of uses in the context of a consistent built form that relates to the historic building stock and the pattern of streets, lanes and parks.

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

- New buildings will locate along the front property line in such a way that they define and form edges along the streets, parks, public squares, and mid-block pedestrian routes.
- Lower levels of new buildings associated with the pedestrian realm will be sited and organized such that they enhance the public nature of streets, open space and pedestrian routes, provide public uses which are directly accessible from grade level, encourage servicing and vehicular parking to be accessed from rear lanes, and encourage the design and location of servicing and vehicular parking so as to minimize pedestrian/vehicular conflicts.
- New buildings will be sited and massed to provide adequate light, view, and privacy for neighbouring properties.
- New buildings will achieve a compatible relationship with the built form context through height, massing, scale, setbacks, stepbacks, roof line and profile, and architectural character and expression.
- Buildings adjacent to streets, parks or open spaces will be massed to provide appropriate proportional relationships and will be designed to minimize wind and shadowing impacts on the street, parks or open spaces.
- New developments will provide comprehensive, high quality, co-ordinated streetscape, and open space improvements to promote greening, landscape enhancement, access, orientation, and confidence of personal safety within King-Spadina.

### **King-Spadina Secondary Plan Review**

City Staff are currently undertaking a review of the built form and policy framework in the East Precinct of King-Spadina. Although the review focuses on the East Precinct, it acknowledges that it has evolved, and will continue to have a different character than the West Precinct. The review will set clear policy direction in the area to guide built form matters including building height, the emergence of towers in East King-Spadina, and measures that will assist with the growth management concerns raised by area residents.

City Planning has also begun a Heritage Conservation District Study in King-Spadina. Phase 1 of the Study is now complete and recommended boundaries for the HCD were reported out to Council. This site is not within those boundaries.

### **King-Spadina Urban Design Guidelines**

Urban Design guidelines, in conjunction with the Official Plan policies, work together to achieve optimal building siting and design that enhances the public realm, while respecting and

reinforcing the surrounding built environment and context. Guidelines are crucial planning tools that assist in testing the appropriateness of development applications in the policy context. The Guidelines are intended to assist in the implementation of the Official Plan policies for built form, and serve as a unified set of guidelines for the evaluation of development applications. The Official Plan (Section 5.3.2: Implementation Plans and Strategies for City- Building, Policy 1) states that Guidelines will be adopted to advance the vision, objectives and policies of the Plan. Urban Design Guidelines, specifically, are intended "to provide a more detailed framework for built form and public improvements in growth areas." The King-Spadina Urban Design Guidelines (2004) support the implementation of the King-Spadina Secondary Plan.

Section 2.5 of the King-Spadina Secondary Plan contains the overall guidelines. New development should be compatible with existing heritage buildings in terms of massing, height, setbacks, stepbacks, and materials. New development, within the context of existing adjacent buildings, should define and contribute to a high quality public realm. Development should reinforce the character and scale of the existing street wall in the immediate surrounding area. In addition, the scale of the building brought to the sidewalk should respond proportionally to the width of the right-of-way.

The Public Realm section of the guidelines identifies that development should contribute to an improved and enhanced public realm consistent with the streetscape improvement strategy of the King-Spadina Community Improvement Plan.

Section 4.3.3 Built Form, recognizes that new development in the West Precinct has a distinguishing character of uniform height, scale and massing, producing an effect of a maturing mid-rise neighbourhood, which is different from Spadina Avenue and the East Precinct.

Section 4.4 details the Street Hierarchy, noting that Secondary Streets such as Richmond Street do not support transit but contribute significantly to the quality of the public realm, and comprise the largest area of streetscape development, thus making them walkable and accessible.

Section 5.2.1 emphasizes that the street wall should be designed to ensure pedestrian comfort and adequate light penetration. This can be achieved through a 1:1 ratio of building height relative to street width. New development should reinforce the continuity of the street wall of a particular street using existing building heights and setbacks as the basis for the design of the street frontage.

Section 5.4.1 Building Heights, affirms that the West Precinct is characterized by a homogenous form of low to mid-rise warehouse, office, and mixed-use building patterns. In 2006, when the Guidelines were adopted, the existing and new buildings were within the height regime contemplated by the Zoning By-law. Since then, new construction in the West Precinct generally has been in the range of 35 to 40 metres.

The guidelines state that applications displaying portions of buildings above the height limit set out in the Zoning By-law will be required to demonstrate no undue impacts on light, view, privacy, and sunlight access on nearby properties.

Section 5.4.3 Angular Planes and Stepbacks stipulates that where buildings are permitted to be higher than the street wall height, a setback will be required that is large enough to ensure that the higher portion does not overwhelm and detract from the consistency of the street wall from the perspective of the pedestrian experience. This section also considers that even though a proposal may meet angular plane requirements, and may be without significant wind or shadow impacts, it may not mean it is acceptable in the context.

Section 5.4.4 Light, View and Privacy states that tall building elements (i.e. above the as-of-right height permissions) should be evaluated on their ability to achieve optimum proximity, light, view, and privacy conditions, as well as on their impact on other properties on the same block with similar potentials.

## **Zoning**

The site is zoned Reinvestment Area (RA) in both former City of Toronto Zoning By-law 438-86, as amended (see Attachment 3), and City-Wide Zoning By-law 569-2013 (see Attachment 4). The maximum permitted height is 23 metres, with a maximum permitted height at the street line (i.e. street wall height) of 20 metres. The Zoning By-law requires that where building heights exceed 20 metres, the building shall be located within a 44 degree angular plane measured from 20 metres above the street line.

The above noted Zoning By-law provisions are intended to create a building envelope that will allow for buildings to reinforce the historic built form, and meet the objectives outlined in the King-Spadina Secondary Plan. As part of efforts to address the policies in the King-Spadina Secondary Plan, City Planning Staff have consistently worked to keep height limits in the King-Spadina Secondary Plan area located west of Spadina Avenue in the 30-35 metre range. The exceptions are for properties with frontages on Bathurst Street and Spadina Avenue, or those developments which include the conservation, restoration and maintenance of one or more heritage buildings. In cases where additional height is supported, Planning Staff have recommended that it be stepped back from the street frontages, and side lot lines at the upper levels.

## **Site Plan Control**

An application for Site Plan Control was received by City Planning on May 16, 2016 accompanying a revised Zoning By-law Amendment application.

## **Reasons for Application**

The application proposes a building that exceeds the permitted maximum building height of 23 metres by 38.1 metres to its highest point. Other areas of non-compliance include, but are not limited to, reduced building setbacks and stepbacks, maximum building height at the street line, required indoor and outdoor residential amenity space, and number of residential and visitor parking spaces.

## **Ontario Municipal Board Appeal**

On February 18, 2016, the City Clerk's Office received notification that the applicant filed an appeal of the Zoning By-law Amendment application to the Ontario Municipal Board, citing



Council's failure to make a decision on the application within the prescribed timelines of the *Planning Act*. The OMB has set a four day hearing commencing on July 19, 2016.

### **Community Consultation**

The local Councillor held a pre-application community meeting on September 9, 2015. The members of the public raised concerns regarding, but not limited to, building height, street wall height, lack of family-sized units, loading and access, impact of vehicular access on the bike lane system along Richmond Street West, impact on light, view, and privacy on adjacent buildings, and building massing. Another public consultation meeting is anticipated to be scheduled prior to the OMB hearing date.

### **Agency Circulation**

The application was circulated to all appropriate agencies and City divisions. Responses received have been used to assist in evaluating the application. City Planning Staff forwarded circulation responses to the applicant, who has not responded to Staff's recommended revisions.

## **COMMENTS**

### **Provincial Policy Statement and Provincial Plans**

The application proposes intensification within a built-up urban area near higher-order transportation. However, the proposal does not respect the level of intensification set out in the Official Plan and Secondary Plan for the area. Policy 4.7 of the PPS emphasizes that the Official Plan is the most important vehicle for implementing the PPS. Comprehensive, integrated and long-term planning is best achieved through municipal official plans, which shall identify provincial interests and set out appropriate land use designations and policies.

The built form policies of the Official Plan and the King-Spadina Secondary Plan place great emphasis on ensuring that new buildings achieve a compatible relationship with their built form context through consideration of such matters as building height, massing, scale, setbacks, roof line and profile, architectural character and expression. Intensification is appropriate in this part of the City. However, the development, as proposed, is not appropriate as it does not meet the Official Plan policies to adequately site and mass the new building to provide adequate setbacks and stepbacks. The narrow site cannot accommodate a building of 18 storeys, and also address the applicable policies, such as offering sufficient light, view, and privacy for neighbouring properties and to the public realm.

The Growth Plan for the Greater Golden Horseshoe identifies the *Downtown* as an Urban Growth Area, where intensification should be directed. Policy 2.2.3.6 requires Official Plans to provide a strategy and policies to achieve intensification targets identified in the Growth Plan. Policy 2.2.3.6(g) requires the Official Plan to identify the appropriate type and scale of development in intensification areas. Policy 2.2.3.7(f) requires intensification areas to be planned to achieve an appropriate transition of built form to adjacent areas.

Although the application proposes to intensify the land use, the amount and manner of intensification proposed is considered to be overdevelopment of a small site, and does not adequately address the existing policy framework of the Official Plan.

## **Land Use**

The proposed mix of residential and commercial uses is consistent with the land use provisions of the Official Plan, Secondary Plan and Zoning By-law.

## **Height and Massing**

The proposed development is located on a small, mid-block site (18.5 metres wide by 30.2 metres deep) on Richmond Street West, in the interior of the West Precinct of the King-Spadina Area. The policies contained in the Official Plan, King-Spadina Secondary Plan, King-Spadina Urban Design Guidelines, and the applicable provisions of the City's Zoning By-law suggest that a building on this site should be low to mid-rise in height. These policies and guidelines seek to maintain the existing warehouse character of the area that is predominantly low to mid-rise buildings that are generally uniform in height, scale and massing. New buildings in the King-Spadina West Precinct are predominantly 35 metres in height or less (including the mechanical penthouse), with the taller portions of buildings having substantial setbacks from the street.

The applicant's Planning Consultant prepared a Planning Rationale in support of the application. Included in the rationale, are references to the Tall Buildings Guidelines, such as floor plate size, tower placement, tower separation, tower top, and pedestrian-level wind effects of tall buildings. The proposal neither meets the tall buildings guidelines nor is the site of an adequate size or in a context area where a tall building is supportable.

## **Height**

The proposed building is approximately 56.9 metres in height, with the mechanical and elevator adding an additional 4.2 metres, for a total height of 61.1 metres.

The proposed height of 61.1 metres is not in keeping with the existing built form context of the historic buildings in the West Precinct of the King-Spadina Area, or the overall height of existing and approved buildings in the area. The Planning Consultant provided a list of buildings with heights in the King-Spadina Area in their submitted Planning Rationale. However, the list included buildings that are either in different contexts, and/or have frontages along other higher order streets with wider right-of ways, and/or that have been stepped and articulated in a manner to mitigate canyon-like street walls. Other examples of taller buildings highlighted in the Planning Rationale have yet to achieve approvals, are currently being reviewed, and, therefore, should not be highlighted for comparison.

The proposed building sits at the east end of the West Precinct, surrounded by low-scale buildings on a standard 20 metre right-of-way. Although City Planning Staff appreciate that a mid-rise building in the order of 10 storeys, with appropriate setbacks, could be accommodated on this site, the proposal for 18 storeys in height is out of scale with the street, and would set a negative precedent leading to a canyon effect. This continued creeping of heights within the neighbourhood, as each new project attempts to be taller than the previous one, sets a negative

precedent for the neighbourhood, and erodes the intent of the King-Spadina Secondary Plan. The proposal, at a height of 56.9 metres, represents overdevelopment of the site, and does not provide appropriate stepping or separation distances to adjacent existing and future developments.

The proposed building presents a street wall straight up to 56.9 metres (Level 11) rather than a stepping at 20 metres (6 storeys) required by the King-Spadina Secondary Plan to maintain a lower streetwall scale. Again this erodes the character and historic scale of the street.

### **Massing**

The proposed development has the following setbacks:

a) South side - Richmond Street West: 0 metres.

The King-Spadina Urban Design Guidelines emphasizes that new buildings should be uniform in height, scale and massing, and contribute to the West Precinct's mid-rise neighbourhood character. The Zoning By-law requires that the building be setback 3 metres above 20 metres along Richmond Street. The purpose of this setback for new buildings is to maintain and reinforce a consistent street wall along the street edge. The street wall height should respect and reinforce the heights of the historic warehouse buildings in the King-Spadina area. Street wall heights are determined by using existing building heights and setbacks as the basis of the design of the street frontage. Between Spadina Avenue to the east and Brant Street to the west along Richmond Street West, newer developments are much lower than the height proposed in this application to amend the Zoning By-law. These newer developments are located at 438 Richmond Street West, which has a base height of 10 storeys that is supported by its frontage on Spadina Avenue, and 477 Richmond Street West, which exhibits a base height of 9 storeys. The proposed building's street wall height should be 20 metres to reflect the adjacent existing street wall of the property located directly to the east, and the right-of-way width of Richmond Street West.

The subject site has approximately 18.5 metres of frontage on Richmond Street West. If the proposed building is permitted to have a street wall of 56.9 metres (Level 18), it could lead to other properties on the street being redeveloped in a similar manner, resulting in a continuous street wall height of just below 60 metres along this portion of Richmond Street West. City Planning Staff do not recommend this form of development as it is not in keeping with the street character, will set a precedent for future development, and will negatively impact the pedestrian environment.

b) East and west sides: 0 metres.

The proposed building will be built to the edge of the property line on both the east and west sides. Zero setbacks on the side property lines are permitted up to a height of 20 metres, above which a setback of 5.5 metres is required in the Zoning By-law on either side. A "canyon-style" built form is not anticipated by the guidelines in the area. The purpose of this setback is to ensure sufficient facing distances between the proposed building and the adjacent sites, the protection of sky views, and the articulation of the side walls to prevent large blank walls.

To the west of the site is an existing 7-storey mixed-use building, located at 460 - 470 Richmond Street West, and to the immediate east is a small surface parking lot. The City must act proactively and consider the long-term effects of decisions, and appreciate and consider the possibility that the adjacent properties may become future redevelopment sites. The issue of separation will negatively impact the ability to provide appropriate separation distances between buildings to allow for light on and sky view from public sidewalks.

The King-Spadina Urban Design Guidelines contain provisions related to the importance of protecting privacy in a high density neighbourhood. Light, view, and privacy are considered to be "quality of life" issues, which must be evaluated based on the existing and potential development.

- c) North side from property line after proposed land conveyance for lane widening purposes is established: 1.17 metres at grade, 1.87 metres from Level 2 through until Level 16, 7.5 metres at Level 17, 9.97 at Level 18, and 13.54 metres at Level 19, which is the mechanical penthouse. All north facing residential units proposed have north facing windows and balconies.

Located just north of Graffiti Alley are the rear yards of mixed-use buildings fronting onto Queen Street West. The properties have south facing windows. The properties located at 467 and 469 Queen Street West, in particular also have south facing, rear yard balconies. City Planning Staff are concerned that a sufficient setback along the north side will not be provided to mitigate any potential privacy and overlook issues between the existing residential units to the north, and the proposed residential units facing north. This substandard separation distance could be further intensified should the properties to the north, fronting onto Queen Street West, be redeveloped in a manner that both optimizes the as-of-right height of 16 metres, and extends the buildings closer to their south property lines.

## **Unit Breakdown**

The application proposes 135 residential units, of which 95 are bachelor units, 37 are 1-bedroom units, and 3 are 2-bedroom units. There are no 3-bedroom units proposed. City Planning Staff would prefer a greater variety of units, as opposed to the current studio and 1-bedroom dominating 98 percent of the unit type. The Official Plan contains policies to ensure a diversity of housing types is available in the City to accommodate a greater degree of social and economic diversity among the downtown population. To achieve this end, at least 10 percent of all development within the King-Spadina area in the form of 3-bedroom units is commonly sought.

## **Shadow and Wind**

### **Shadow**

Shadow studies submitted by the applicant show a minimal increase in shadow impact to the north side of Queen Street West from approximately 9:00 am until 11:00 am in June, similar to the shadow impact resulting from the existing mixed-use building to the east, located at the corner of Richmond Street West and Spadina Avenue. The studies reveal that there will be no increased shadow impact to the south side Queen Street West resulting from the proposal since the south side of Queen Street West is already shadowed for most of the day by the existing mixed-use buildings along the south side of Queen Street West.

### **Wind**

The applicant submitted a Wind Assessment from Gradient Wind Engineering Incorporated, dated July 20, 2015. The opinion concluded that the proposed development may moderately increase or decrease wind conditions, but the comfort levels of the majority of pedestrian areas will not be negatively affected. The wind study submitted by Gradient Wind Engineering Incorporated is an opinion letter and unacceptable. A computer desktop wind analyses is required for the rezoning application, which was not included in the recent resubmission.

### **Traffic Impact, Parking, and Access**

The applicant's Transportation Consultant prepared a Traffic Impact Study indicating that the provision of 4 parking spaces would only have a minimal impact on the auto trip generation. However, Transportation Services does not concur with the conclusion that auto trip generation is expected to be minimal as a result of the limited proposed parking supply, and recommend the applicant conduct an existing, future, and total traffic conditions analysis of the study area to determine the impacts of the development proposal. The deficiency in parking supply, and the anticipated resulting demand for off-site parking by both residents and visitors, is unacceptable.

City-wide Zoning By-law 569-2013 requires 48 resident parking spaces, 13 visitor parking spaces, and 2 accessible parking spaces. City of Toronto Zoning By-law, 438-86, as amended requires 52 resident parking spaces, and 8 visitor parking spaces. The application proposes 3 resident parking spaces, and 1 auto share parking space. No visitor parking spaces or accessible parking spaces are proposed. As noted above, this proposed parking supply deficiency is unacceptable, and will lead to a greater demand for parking off site.

The application proposes vehicular access via the north-abutting public laneway known as Graffiti Alley, and proposes to widen the laneway from an existing width of 3.66 metres to 6.0 metres. To achieve this lane widening, the application proposes a 1.17 metre land conveyance to the City, meeting the lane widening requirements of the Official Plan. This is acceptable.

## **Servicing**

A Type G loading space is required on-site for the shared use of the residential and non-residential uses of the project. This original proposal did not include a Type G loading space on-site, and was, therefore, inconsistent with the Zoning By-law, and considered unacceptable by Development Engineering Staff. The revised plans indicate a Type G loading space has been added. The adequacy of this loading space is being reviewed by Engineering and Construction Services, and has not yet been determined.

## **Streetscape**

The building is proposed in a location on Richmond Street West that has a large pedestrian right-of-way of approximately 6.3 metres. The application proposes the planting of two new street trees. There are no other streetscape enhancements proposed. Urban Forestry encourage planting a third tree within the right-of-way.

## **Toronto Green Standard**

On October 27, 2009 City Council adopted the two-tiered Toronto Green Standard (TGS). The TGS is a set of performance measures for green development. Tier 1 is required for new development. Tier 2 is a voluntary, higher level of performance with financial incentives. Achieving the Toronto Green Standard will improve air and water quality, reduce green house gas emissions, and enhance the natural environment.

The applicant is required to meet Tier 1 of the TGS. The application proposes 4 of the 49 parking spaces required in the TGS. The development does, however, propose 125 long-term residential bicycle parking spaces, which exceeds the 122 space requirement of the TGS, and meets the required 14 visitor bicycle parking spaces.

Should the Zoning By-law Amendment application be approved in some form, the recently submitted Site Plan Control application will be further reviewed for compliance with the Toronto Green Standards.

## **CONCLUSION**

The proposal departs from the City's planning framework, including the King-Spadina Urban Design Guidelines, as it proposes an incompatible built form at 56.9 metres in height in an existing area of low to mid-rise buildings, with most recent development approvals being in the range of 35 to 40 metres in height. The proposal represents overdevelopment of a small, mid-block site as it lacks adequate setbacks/stepbacks, which will create negative impacts on the public realm, including diminished privacy and overlook on adjacent properties. The height and massing of the proposal will have a wider impact in the West Precinct that will result in a negative precedent that could undermine the preservation of the area's historic built form character. The proposal introduces a building typology, in a substandard manner, on a small site where a mid-rise building is anticipated, and provides unacceptable amenity space, parking, and loading.

City Planning Staff are prepared to consider a more modest development on the site that is respectful of the existing and planned context, including the heritage character of the area and the existing uniform scale and massing. The recently submitted revised plans do not address City Planning's concerns. Redevelopment projects that complement the heritage character of the area and the existing scale of the heritage street wall are supported by the King-Spadina Secondary Plan and King-Spadina Urban Design Guidelines. The proposed height and massing overwhelm the streetscape, and are detrimental to the character of this portion of the King-Spadina area. City Planning Staff are not in support of the application in its present form as it does not represent good planning.

## **CONTACT**

Kirk Hatcher, Planner  
Tel. No. (416) 392-0481  
E-mail: khatche@toronto.ca

## **SIGNATURE**

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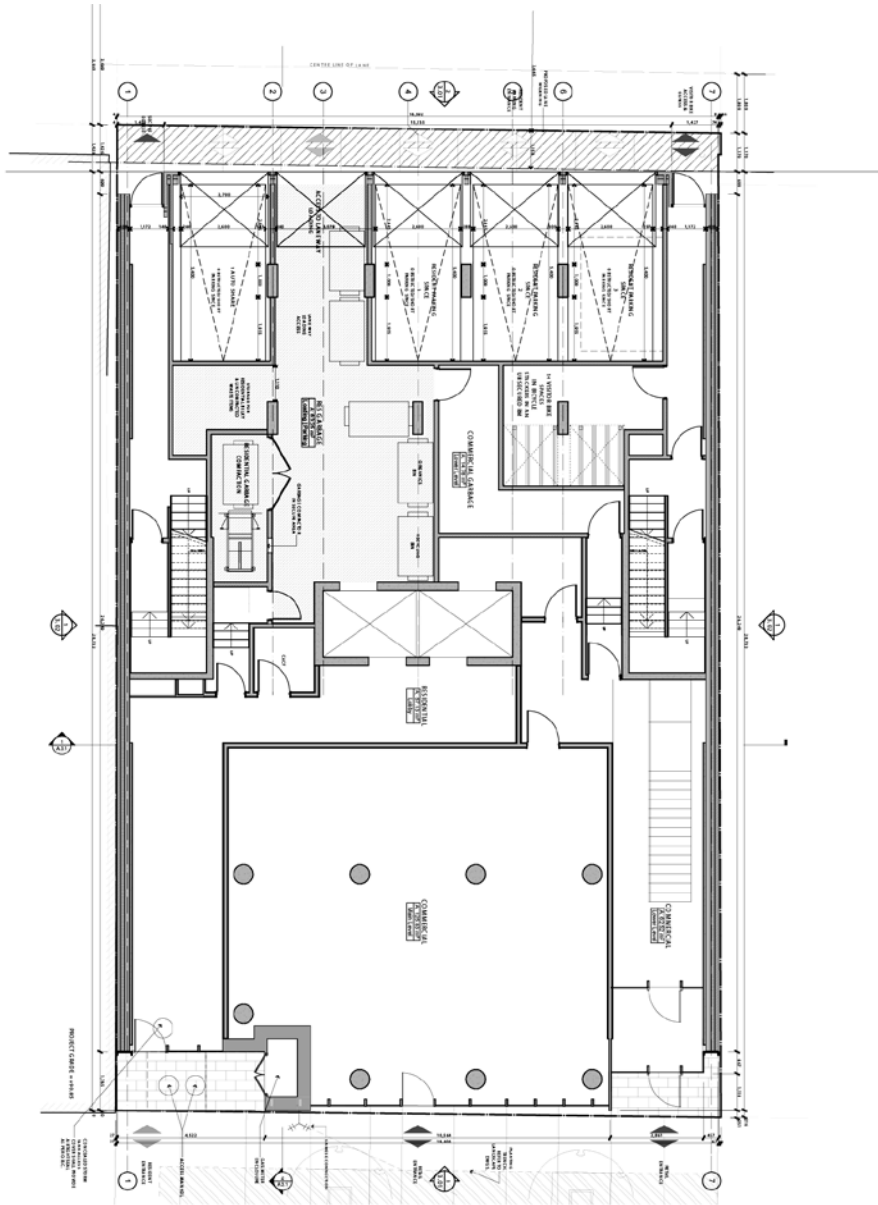
Gregg Lintern, MCIP, RPP  
Director Community Planning  
Toronto and East York District

(P:\2016\Cluster B\pln\TEYCC\6265961077.doc) - vc

## **ATTACHMENTS**

Attachment 1: Site Plan  
Attachment 2: Elevations  
Attachment 3: City of Toronto Zoning By-law 438-86  
Attachment 4: City-Wide Zoning By-law 569-2013  
Attachment 5: Application Data Sheet

# Attachment 1: Site Plan




RICHMOND STREET WEST

Ground Floor Plan

452-458 Richmond Street West

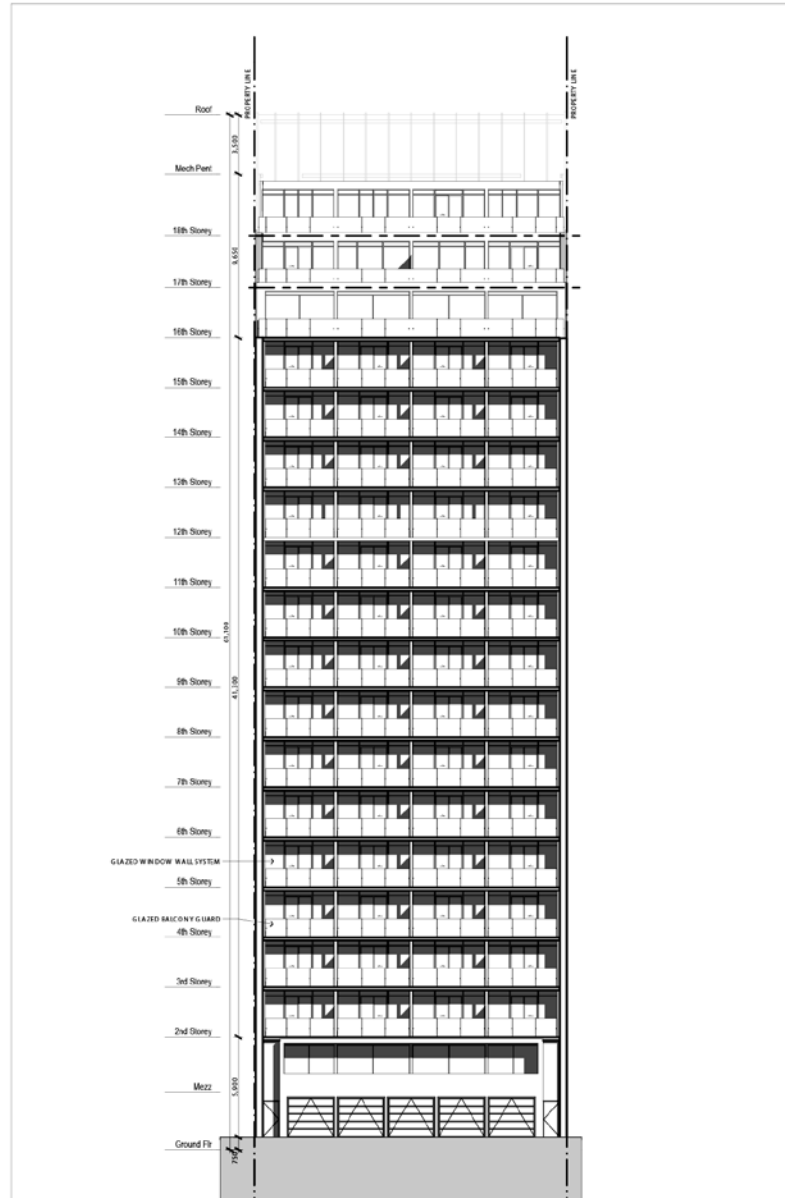
Applicant's Submitted Drawing

Not to Scale   
09/30/2015

File # 15\_223803 STE 20 OZ



## Attachment 2: Elevations




**North Elevation**  
 SCALE: 1:150

**North Elevation**

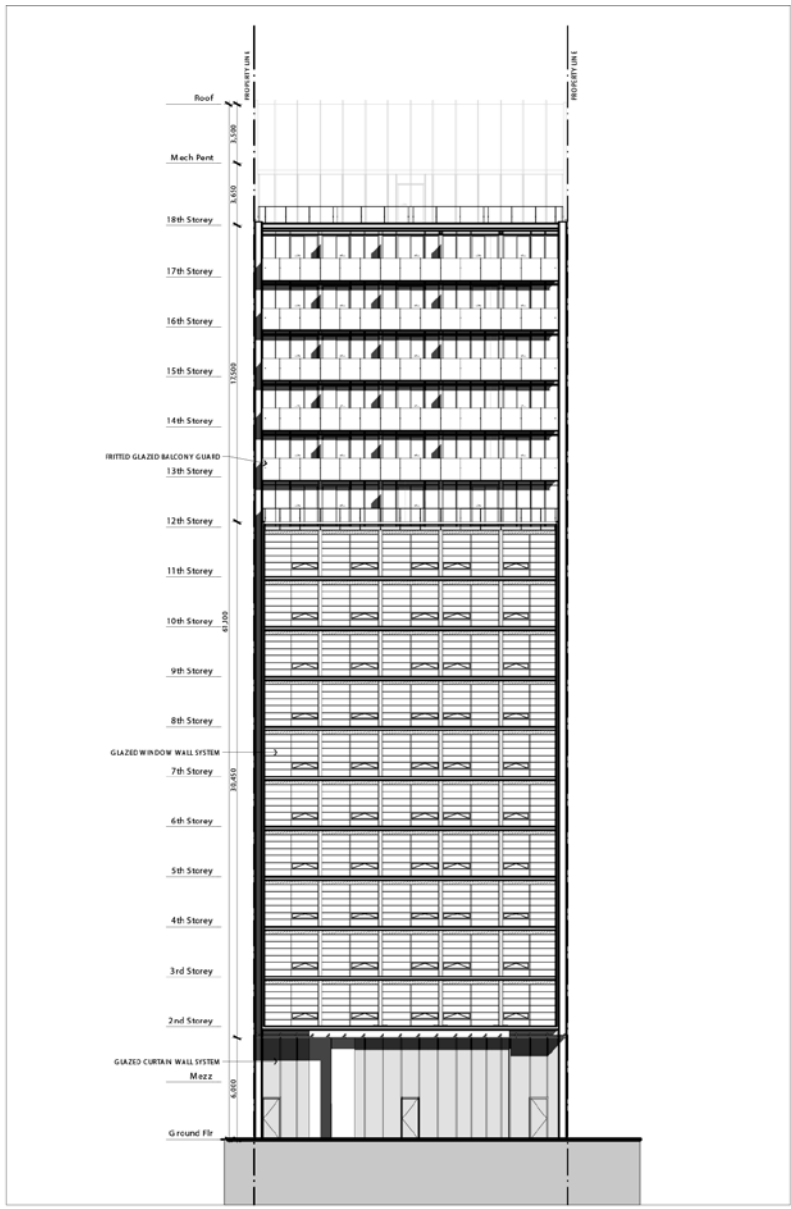
**North Elevation**

**452-458 Richmond Street West**

Applicant's Submitted Drawing

Not to Scale  
09/30/2015

File # 15\_223803 STE 20 OZ



1  
3.01 South Elevation  
SCALE: 1:150

South Elevation

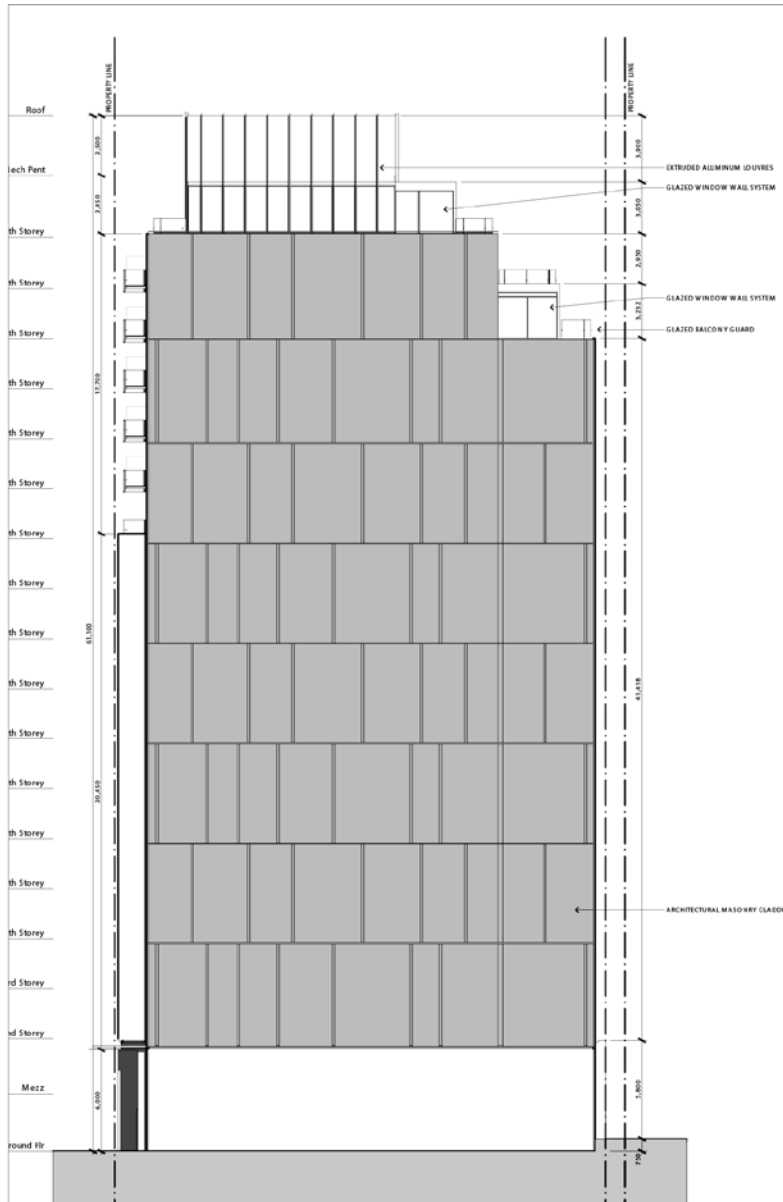
**South Elevation**

**452-458 Richmond Street West**

Applicant's Submitted Drawing

Not to Scale  
09/30/2015

File # 15\_223803 STE 20 OZ



2 East Elevation  
SCALE: 1:100

East Elevation

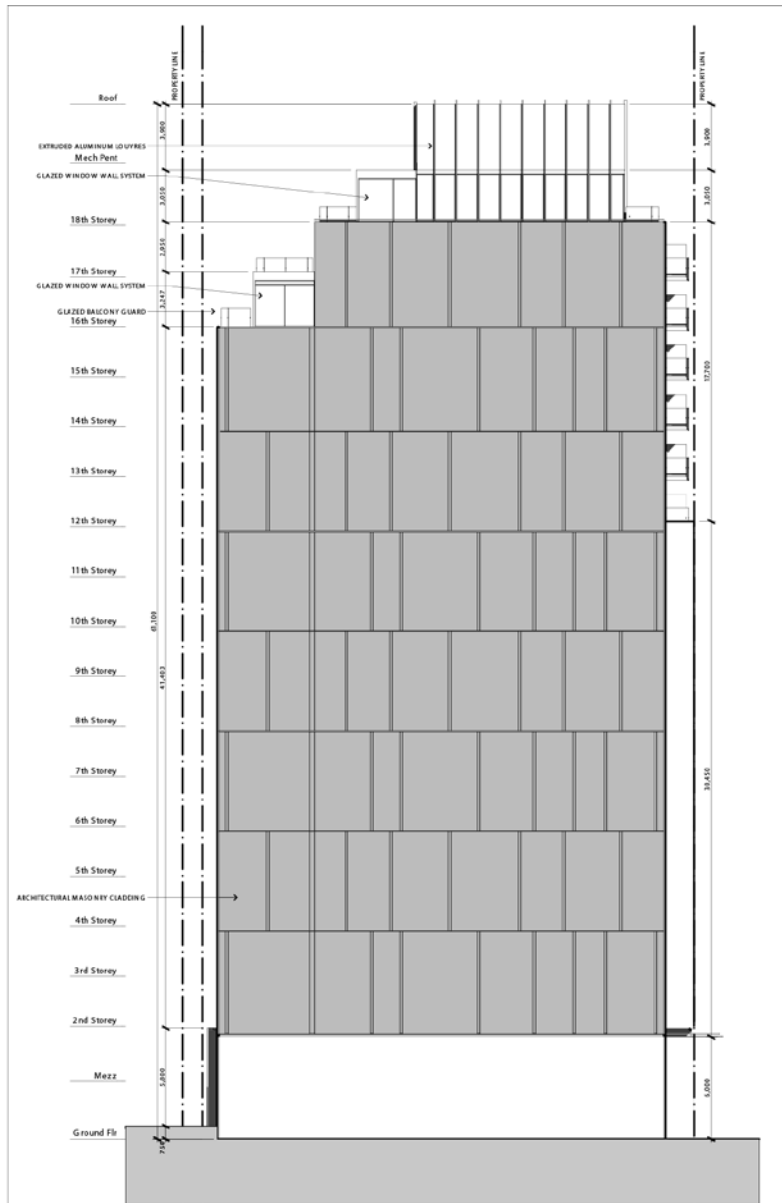
East Elevation

452-458 Richmond Street West

Applicant's Submitted Drawing

Not to Scale  
09/30/2015

File # 15\_223803 STE 20 0Z



1  
3.02 West Elevation  
SCALE: 1:150

West Elevation

## West Elevation

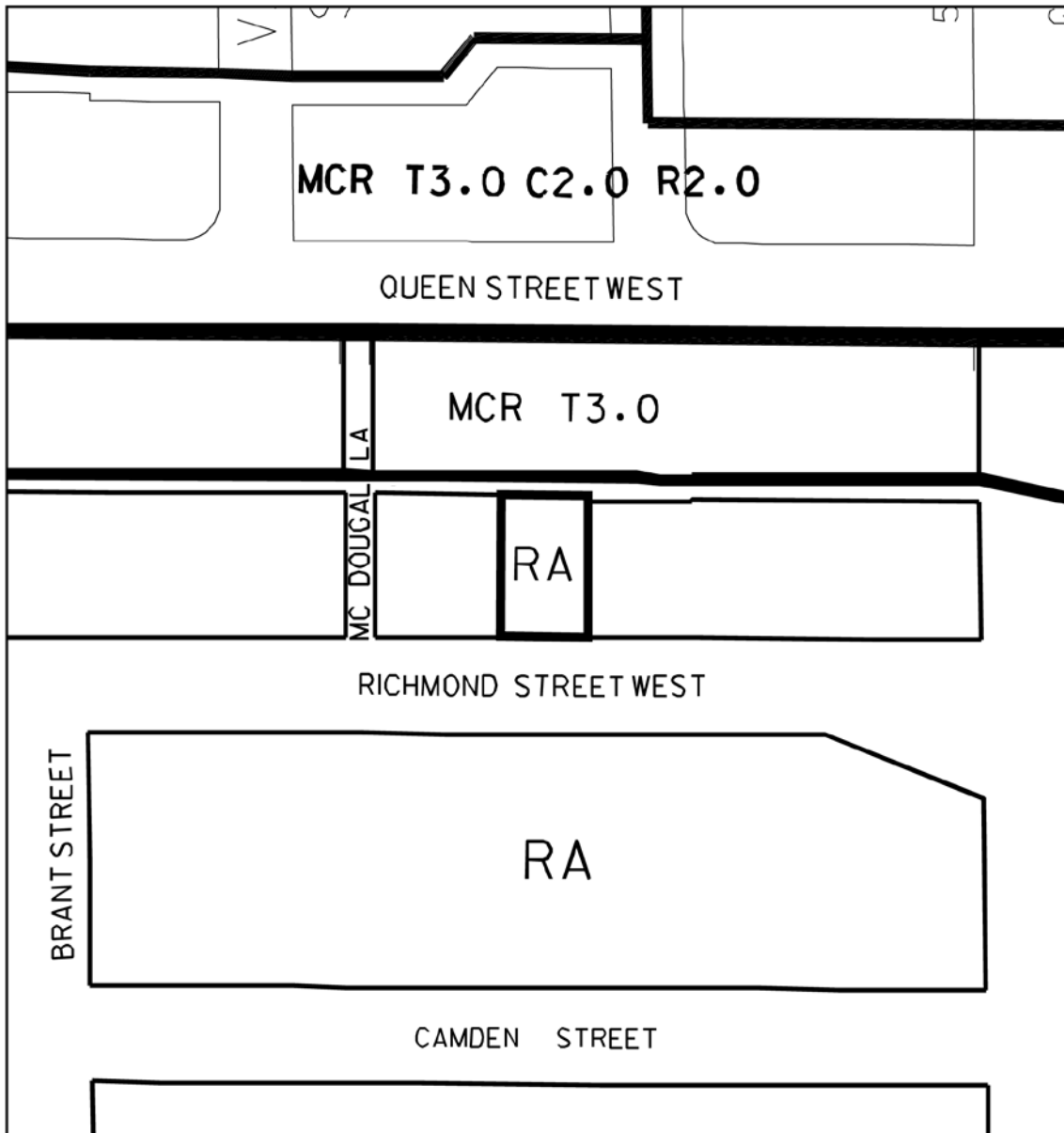
452-458 Richmond Street West

Applicant's Submitted Drawing

Not to Scale  
09/30/2015

File # 15\_223803 STE 20 02

Attachment 3: City of Toronto Zoning By-law 438-86




452-458 Richmond Street West

Zoning By-law 438-86

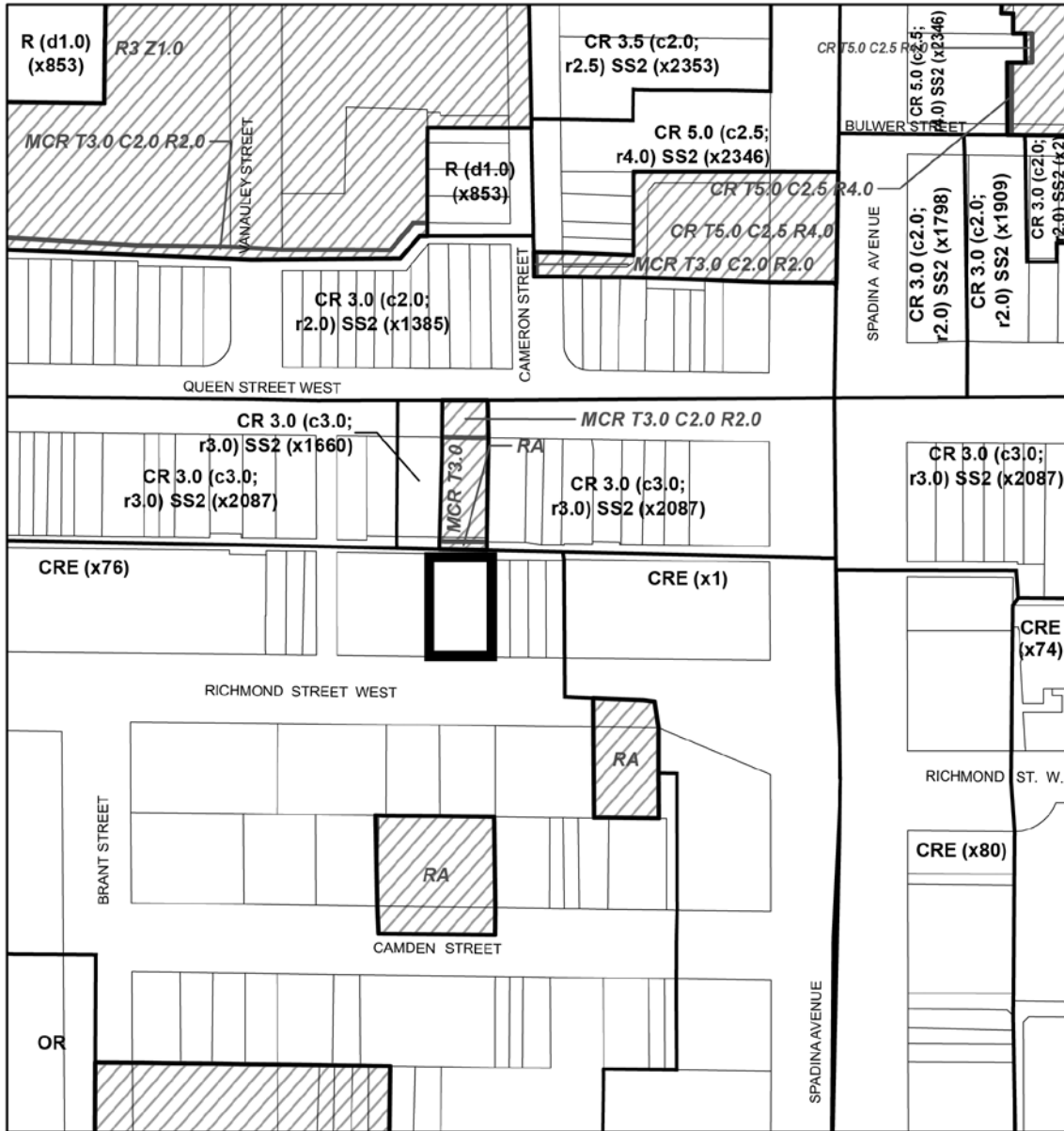
File # 15 223802 STE 20 CD

 Location of Application

MCR Mixed-Use District  
RA Residential District

  
Not to Scale  
Extracted: 04/13/2016

## Attachment 4: City-Wide Zoning By-law 569-2013



**Zoning By-Law No. 569-2013**

**452-458 Richmond Street West**

**File # 15\_223802 STE 20 02**

- Location of Application
- R** Residential
- CR** Commercial Residential
- CRE** Commercial Residential Employment
- OR** Open Space Recreation

- See Former City of Toronto By-Law No. 438-86
- R3** Residential District
- CR** Mixed-Use District
- MCR** Mixed-Use District
- RA** Mixed-Use District



Not to Scale  
Extracted: 09/30/2015

**Attachment 5: Application Data Sheet**

Application Type      Rezoning      Application Number:      15 223802 STE 20 OZ  
 Details      Rezoning, Standard      Application Date:      September 16, 2015  
 Municipal Address:      452 RICHMOND ST W  
 Location Description:      PLAN D89 LOTS 9 & 10 \*\*GRID S2012  
 Project Description:      Zoning Amendment application to redevelop the site currently occupied by a three-storey commercial/warehouse building with an 18-storey mixed-use building containing a total of 429 square metres of retail/commercial space on the ground and basement levels and 135 residential units above. A total of four parking spaces located on the ground floor are proposed. Bicycle parking will be provided below-grade.

<b>Applicant:</b>	<b>Agent:</b>	<b>Architect:</b>	<b>Owner:</b>
Kim Kovar	Kim Kovar	Architects Alliance	L Richmond Corp

**PLANNING CONTROLS**

Official Plan Designation:	Regeneration Areas	Site Specific Provision:	King-Spadina Secondary Plan
Zoning:	CRE (x76)	Historical Status:	
Height Limit (m):	23	Site Plan Control Area:	

**PROJECT INFORMATION**

Site Area (sq. m):	556	Height:	Storeys:	18
Frontage (m):	18.4		Metres:	61.1
Depth (m):	30.1			
Total Ground Floor Area (sq. m):	517			<b>Total</b>
Total Residential GFA (sq. m):	7668		Parking Spaces:	4
Total Non-Residential GFA (sq. m):	429		Loading Docks	1
Total GFA (sq. m):	8097			
Lot Coverage Ratio (%):	93			
Floor Space Index:	14.6			

**DWELLING UNITS**

**FLOOR AREA BREAKDOWN (upon project completion)**

Tenure Type:	Condo		Above Grade	Below Grade
Rooms:	0	Residential GFA (sq. m):	7668	0
Bachelor:	95	Retail GFA (sq. m):	429	0
1 Bedroom:	37	Office GFA (sq. m):	0	0
2 Bedroom:	3	Industrial GFA (sq. m):	0	0
3 + Bedroom:	0	Institutional/Other GFA (sq. m):	0	0
Total Units:	135			

**CONTACT: PLANNER NAME: Kirk Hatcher, Planner**  
**TELEPHONE: (416) 392-0481**