

**30 Widmer Street and 309-315 Adelaide Street West -  
Zoning Amendment Application - Request for Direction  
Report**

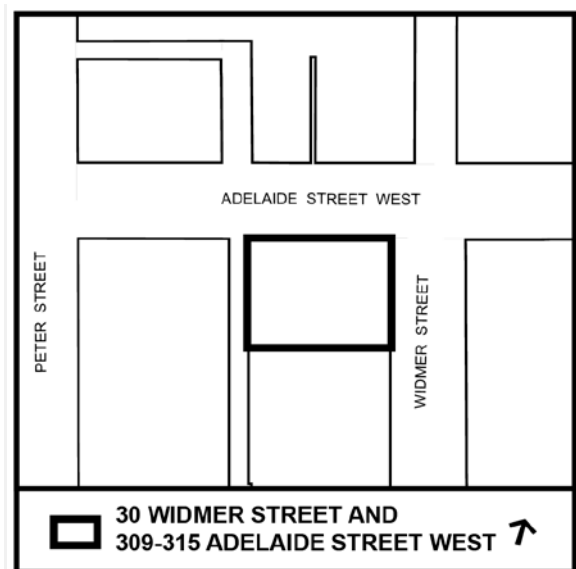
<b>Date:</b>	May 20, 2016
<b>To:</b>	Toronto and East York Community Council
<b>From:</b>	Director, Community Planning, Toronto and East York District
<b>Wards:</b>	Ward 20 – Trinity-Spadina
<b>Reference Number:</b>	14 235297 STE 20 OZ

**SUMMARY**

This application proposes to amend the Zoning By-law to permit the redevelopment of 30 Widmer Street with a 48-storey mixed-use building with residential and retail uses. The project would contain 489 residential units, 500 square metres of non-residential gross floor area comprised of retail, and 151 vehicular parking spaces and 497 bicycle parking spaces. The proposed building height is 153.1 metres (157.9 metres to the top of the mechanical penthouse). The density would be 26.33 times the area of the lot.

The owner of the site at 30 Widmer Street and 309-315 Adelaide Street West has appealed its Zoning By-law Amendment application to the Ontario Municipal Board (OMB) citing Council's failure to make a decision within the time required by the *Planning Act*. A pre-hearing conference has been scheduled for July 5, 2016. A full hearing has not yet been scheduled.

The proposal is not supportable in its current form. The proposed tower and base building represent an overdevelopment of the site and would create an unacceptable form of development. The proposed tower would not conform to Official Plan built form policies and does not satisfactorily



respond to urban design guidelines related to the built form.

The purpose of this report is to seek City Council's direction for the City Solicitor and appropriate City Staff to attend the Ontario Municipal Board hearing in opposition to the applicant's development proposal and appeal.

## **RECOMMENDATIONS**

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

1. City Council authorize the City Solicitor, together with City Planning staff and any other appropriate staff to attend the Ontario Municipal Board hearing to oppose the appeal of the Zoning By-law Amendment application for 30 Widmer Street and 309-315 Adelaide Street West.
2. City Council authorize City staff to continue discussions with the applicant in order to come to an agreement on an appropriate development for 30 Widmer Street and 309-315 Adelaide Street West.
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. City Council authorize the City Solicitor and any other City staff to take such actions as necessary to give effect to the recommendations of this report.

### **Financial Impact**

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

## **ISSUE BACKGROUND**

### **Proposal**

The applicant proposes to construct a 48-storey mixed-use building which would contain 489 residential units as well as 500 square metres of retail space on the ground and second floors. The height of the building to the top of the tower is 153.1 metres (157.9 metres including the mechanical penthouse). A total of 151 vehicular parking spaces would be provided in a 6-level below grade garage and a total of 497 bicycle parking spaces would be provided at-grade and on the second and third floors. The total floor space index of this proposal would be 26.33 times the area of the lot.

The base of the development would be 4-storeys (17 metres). The ground floor would include retail fronting along Adelaide Street West and Widmer Street. The residential lobby would be accessible at the northeast corner of the development. Access to the

underground parking would be from the laneway running north-south and abutting the subject property's west property line with a curb cut off of Adelaide Street West. The loading spaces would also be accessible from the north-south laneway. The ground floor is setback 1.5 metres from the north property line (Adelaide Street West) and 1.2 to 2.8 metres from the east property line (Widmer Street), with the southeast corner being setback 9 metres from the east property line.

The second, third and fourth floors of the base building cantilever over the setbacks provided off the Adelaide Street West and Widmer Street frontages. The second floor includes 334 square metres of retail space, while the majority of the second floor is devoted to bicycle parking. The third floor would consist of bicycle parking. The fourth floor would contain three guest suits and indoor amenity space.

The tower portion of this site would have the following setbacks: 3 metres from the north property line (facing Adelaide Street West); 3 metres from the east property line (facing Widmer Street); 3 metres from the west property line; and 5.5 metres from the south property line. The typical tower floor plate would be 727 square metres.

The breakdown of the proposed 489 residential units is as follows:

<b>Unit Type</b>	<b>Number of Units</b>	<b>Percentage</b>
1-Bedroom	335	69
2-Bedroom	105	21
3-Bedroom	49	10
<b>Total</b>	<b>489</b>	<b>100%</b>

The total amount of proposed indoor and outdoor is 978 square metres and 528 square metres, respectively, for a total of 1,506 square metres. The indoor amenity space would be provided on the fourth and fifth floors. The outdoor amenity space would be provided on the fifth floor.

The proposal would widen the Adelaide Street West sidewalk to 5.4 metres and would widen the Widmer Street sidewalk to a range of 7 to 8.8 metres. Additional relief would be provided at the northeast corner of the site where the main entrance of the building is proposed, and additional relief on the southeast corner of the site. Four trees are proposed along Adelaide Street West and two trees are proposed on Widmer Street.

The proposal includes six below grade levels where a total of 151 vehicular parking spaces are located. Thirty visitor parking spaces are proposed on the first and second levels and 121 residential parking spaces are proposed on the second to sixth levels. A total of 497 bicycle parking spaces are proposed. Forty-nine visitor bicycle parking spaces are proposed on the second floor and 441 residential bicycle parking spaces are proposed on the second and third floors. At grade and located outside, 7 additional bicycle spaces are provided for visitors of the retail.

One Type-G loading space is proposed, accessible from the laneway abutting the west property line.

See Attachment No. 6 for the application data sheet and Attachment Nos. 1-5 for drawings of the proposal.

### **Site and Surrounding Area**

The site is located at the southwest corner of Adelaide Street West and Widmer Street. It is rectangular in shape and has an area of approximately 1,197 square metres. The site has 39.4 metres of frontage on Adelaide Street West and a depth of 30.4 metres along Widmer Street.

The site is currently vacant and fenced off.

Surrounding the site are:

South: A series of 2-storey row houses along the west side of Widmer Street. The majority of the row houses contain a mix of office, retail and residential uses, and are listed in the City of Toronto's Heritage Register. There is currently a zoning amendment application (file no. 16 118450 STE 20 OZ) under review by City Staff for a 56-storey residential condominium tower which would include the heritage row houses at 10-20 Widmer Street. Further south is a public lane beyond which is the 20-storey Hyatt Regency Hotel on the north side of King Street West.

West: A public lane, beyond which is a 10-storey office building known as The Commodore Building, which is designated in the City of Toronto's Heritage Register. Immediately to the south of the Commodore Building is a recently approved, but not yet built, 49-storey mixed use building at 81-87 Peter Street.

North: Adelaide Street West, beyond which is an 8-storey office building on the northwest corner of Adelaide Street West and Widmer Street and a series of 2-storey row houses on the northeast corner. To the west of the office building is a 40-storey mixed use building at the northeast corner of Adelaide Street West and Peter Street. To the north of the office building is a recently approved, but not yet constructed, 41-storey residential building.

East: Widmer Street, beyond which is a 43-storey mixed use building at the southeast corner of Adelaide Street West and Widmer Street. Further east is another 43-storey mixed use building at the southwest corner of Adelaide Street West and John Street.

### **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 Official Plan locates the subject site within the *Downtown and Central Waterfront*, as shown on the Urban Structure Map, Map 2 of the Official Plan. Policies for the Downtown specifically are found under Section 2.2.1 of the Official Plan. The Official Plan states that Downtown will continue to evolve as a healthy and attractive place to live and work through new development. While the Downtown offers opportunities for intensification in employment and residential growth, this growth is not anticipated to be spread uniformly across the whole of Downtown.

Within the *Downtown*, the site is designated *Regeneration Areas* in the Official Plan which is one of the key areas expected to accommodate growth. The *Regeneration Area* designation provides for a broad mix of commercial, residential, light industrial, parks and open space, institutional live/work and utility uses in an urban form to:

- a) revitalize areas of the City that are largely vacant or underused;
- b) create new jobs and homes that use existing physical and social infrastructure and create and sustain employment opportunities;
- c) restore-re-use and retain existing buildings that are economically adaptable for re-use, particularly heritage buildings and structures;
- d) achieve streetscape improvements and the extension of the open space network; and
- e) promote the environmental clean-up and re-use of contaminated lands.

For each *Regeneration Area* a framework for new development will be set out in a Secondary Plan. In this case, the King-Spadina Secondary Plan is the framework used for new development in this *Regeneration Area*.

Built form policies are found under Section 3.1.2 of the Official Plan. The Official Plan states 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. Built form policies are aimed at ensuring that new development fits within and supports its surrounding context. Policies 3.1.2.1 and 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.

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

The subject site is situated within the King-Spadina Secondary Plan found in Chapter 6.16 of the Official Plan. The King-Spadina Secondary Plan emphasizes reinforcement of the characteristics and qualities of the area through special attention to built form and the public realm. The policies of Section 3 - Built Form and in particular the policies of Section 3.6 – General Built Form Principles, specify that:

- buildings are to be located along the front property line to define edges along streets and lower levels are to provide public uses accessed from the street;
- servicing and parking are encouraged to be accessed from lanes rather than streets and minimize pedestrian/vehicular conflicts;
- new buildings will be sited for adequate light, view, privacy and compatibility with the built form context;
- appropriate proportional relationships to streets and open spaces will be provided and wind and shadow impacts will be minimized on streets and open spaces;
- streetscape and open space improvements will be coordinated in new development; and
- high quality open spaces will be provided.

A major objective of this plan is for new development to respect and complement the historic fabric of the area. The particular scale, massing and street relationships of the existing heritage buildings on the block are important features to consider when assessing new development in this part of the King-Spadina East Precinct. Moreover, applicable plan area guidelines articulate that new development should maintain the relationships of buildings to one another along the street and the design of buildings at the street level.

### **Zoning**

This site is zoned Reinvestment Area in the former City of Toronto Zoning By-law 438-86, as amended, which permits a range of uses including commercial, office, retail and residential. The maximum permitted height is 30 metres.

This site is zoned CRE(x74) in the new citywide Zoning By-law 569-2013 which is currently under appeal. This zoning also permits a range of uses including commercial, office, retail and residential and has a maximum permitted height of 30 metres.

### **King-Spadina Secondary Plan Review and King-Spadina East Precinct Built Form Study**

The subject site falls within the East Precinct as identified within the King-Spadina East Precinct Built Form Study. At its meetings on August 25, 2014 and July 7, 8, 9 2015 City Council endorsed the following directions for the King-Spadina East Precinct to be used in reviewing current and future development applications:

- A downward gradation of tower heights from east to west from University Avenue towards Spadina Avenue;
- Limiting heights approaching Queen Street West to prevent shadowing on the north sidewalk after 12:00 (noon) in the spring and fall equinoxes;
- Employing the city-wide Tall Buildings Guidelines to evaluate towers, particularly with regard to tower spacing and tower floor plates;
- Evaluating new development applications in the context of a block plan for the block on which they sit;
- Seeking the inclusion of family-sized units in all new residential development;
- Requiring the inclusion of employment uses in new residential development that replaces existing office uses, resulting in a net gain in employment, consistent with OPA 231;
- Protecting sunlight on Spadina Ave to prevent shadowing that would detract from the pedestrian oriented nature of the street as it exists today, and support the retail function of the Spadina corridor.
- Limiting new shadows on park lands that extend beyond those permitted by the current Zoning By-law.
- Protecting the network of mid-block connections and laneways as a defining feature of the public realm, and expanding these connections to further the pedestrian network.
- Providing appropriate separation distances between side and rear windows in the lower levels of an existing or proposed building to allow for light and privacy.

- Retaining and providing affordable floorspace for cultural employment wherever possible to ensure that the replacement of the physical space for these uses is provided for in new development or in proximity to new development.

On July 7, 8, 9 2015 City Council also adopted the following directions for the King-Spadina East Precinct:

- Request staff to expand the boundary of the King-Spadina East Precinct Built Form Study to include the Spadina Precinct.
- Develop policies that address the need to protect and enhance the cultural industries in King-Spadina including the retention and provision of affordable and sustainable floor space in the Secondary Plan area.

A final staff report on the Built Form Study is expected in the third quarter of 2016.

### **King-Spadina Heritage Conservation District Study**

The King-Spadina area is identified as a potential Heritage Conservation District (HCD) in Map 39 – Site and Area Specific Policy 305 in the Official Plan. On August 16, 2012, City Council authorized the King-Spadina HCD Study, encompassing an area generally bounded by Queen Street West to the north, Bathurst Street to the west, Wellington Street and King Street West to the south, and University Avenue to the east. The subject site is within the boundary of the study area. The study process will result in the preparation of an HCD plan(s) and an HCD by-law to protect the historical and cultural significance of the study area. A final staff report on the HCD is expected in the third quarter of 2016.

Details on the King-Spadina HCD study are available here:

[http://www.toronto.ca/heritage-preservation/heritage\\_districts.htm](http://www.toronto.ca/heritage-preservation/heritage_districts.htm)

### **Heritage**

Though there are no heritage resources on the subject property, the subject property is expected to respond positively to the heritage resources to the west (the Commodore Building) and to the south (the row houses at 10-20 Widmer Street). Section 3.1.5 – Heritage of the Official Plan states that new construction on, or adjacent to, a property on the Heritage Register will be designed to conserve the cultural heritage values, attributes and character of that property and to mitigate visual and physical impact on it (Policy 26).

A Heritage Impact Assessment had been submitted, prepared by ERA Architects Inc., on October 3, 2014. An addendum to that report, dated March 31, 2016, was received by City Planning on April 6, 2016. The Official Plan states that a Heritage Impact Assessment will evaluate the impact of a proposed alteration to a property on the Heritage Register, and/or to properties adjacent to a property on the Heritage Register, to the satisfaction of the City.



## **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>

## **TOcore**

On December 9, 2015, City Council adopted a staff report entitled 'TOcore: Planning Toronto's Downtown – Phase 1 – Summary Report and Phase 2 Directions'. The report outlined the deliverables of TOcore which will be a renewed planning framework through a Downtown Secondary Plan and a series of infrastructure strategies. The work for TOcore began on May 13, 2014 when Toronto and East York Community Council adopted a staff report regarding 'TOcore: Planning Toronto's Downtown', along with a related background document entitled 'Trends and Issues in the Intensification of Downtown'.

TOcore is looking at how Toronto's Downtown should grow, with both a renewed planning framework and the necessary physical and social infrastructure to remain a great place to live, work, learn, play and invest. TOcore is in its second phase, which involves drafting policies, plans and strategies. A report back to Toronto and East York Community Council is targeted by the end of 2016 on the results of the second phase and the next steps on implementation. The TOcore website is [www.toronto.ca/tocore](http://www.toronto.ca/tocore).

## **Site Plan Control**

The subject site and development is subject to Site Plan Control and an application has been submitted (File No. 14 235284 STE 20 SA).

## **Reasons for the Application**

The application proposes a residential building with a total height, including the mechanical penthouse, of 157.9 metres, which exceeds the permitted height by 127.9 metres. A Zoning By-law amendment is therefore required for height and other performance criteria in the in force by-law.

## **Community Consultation**

A community consultation meeting was held on March 24, 2015 and was attended by approximately 63 members of the public. The following issues were raised:

- Unit sizes are too small, particularly for the 2 and 3 bedroom units;
- Concern regarding inadequate setback to the heritage buildings;
- Concern for traffic and congestion;
- Concerns regarding heritage relationships to the west and south;
- Request for more commercial/retail space;

- Create more open space that is accessible to the public;
- The development should encourage less parking; and
- Need more family-oriented amenities like kid's playground or play area.

## **Agency Circulation**

The application was circulated to all appropriate agencies and City divisions. Responses received have been used to assist in evaluating the application and to arrive at the conclusion that the proposed development cannot be supported in its current form.

## **COMMENTS**

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

The Provincial Policy Statement (PPS) 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. Policy 4.7 indicates that the Official Plan is the most important vehicle for implementing the PPS. Further, policy 1.1.3.3 indicates planning authorities shall identify appropriate locations for intensification and redevelopment where this can be accommodated taking into account existing building stock or areas and the availability of suitable existing or planned infrastructure and public service facilities required to accommodate projected needs. In this context, the Official Plan further implements the direction of the PPS to require appropriate built form to fit harmoniously into its existing and planned context. In addition, policy 1.1.3.6 of the PPS states new development taking place in designated growth areas, such as the Downtown, should occur adjacent to the existing built-up area and shall have a compact form, mix of uses and densities that allow for the efficient use of land, infrastructure and public service facilities.

The City's Official Plan, which includes the King-Spadina Secondary Plan, meets the requirements of the PPS. It contains clear, reasonable and attainable policies that protect provincial interests and directs development to suitable areas while taking into account the existing building stock, including numerous heritage buildings, and protects the character of the area consistent with the direction of the PPS. In this context, although the project does represent intensification, it is not consistent with other objectives of the Official Plan and therefore the PPS in that it does not fit harmoniously into its existing and planned context and it represents overdevelopment of the site.

The site is within the urban growth centre of the built-up area boundary as delineated in the Growth Plan for the Greater Golden Horseshoe (GPGGH), where a significant share of population and employment growth is anticipated. In conjunction with the direction for intensification within the urban growth area, Section 2.2.3.6 of the GPGGH directs the City's Official Plan and supporting documents, such as Design Guidelines, to establish policies to identify appropriate scale of development. In this context, the Official Plan, the King-Spadina Secondary Plan, the King-Spadina East Precinct Built

Form Study, the King-Spadina Heritage Conservation District Study, the Tall Buildings Design Guidelines and the Zoning By-law provide direction on the appropriate height and separation distances between buildings within the King-Spadina area. This proposal has not addressed the policy direction of the Official Plan and its supporting documents and therefore challenges the Growth Plan for the Greater Golden Horseshoe in terms of appropriate building scale and the harmonious relationships between buildings.

**Conformity with the Planning Framework for King-Spadina**

The application has been assessed in the context of the planning framework for King-Spadina which includes the Official Plan, the King-Spadina Secondary Plan currently being refined, the on-going King-Spadina East Precinct Built Form Study and King-Spadina Heritage Conservation District study and the Tall Building Design Guidelines. As outlined below, the proposal does not meet the objectives of the King-Spadina planning framework and is not suitable for tall building development.

**Built Form**

The King-Spadina Secondary Plan sets out the desired type and form of physical development that may occur in this area and the resultant built form. Policy 3.6 of the Secondary Plan protects the heritage character of King-Spadina by requiring consideration of matters such as building height, massing, scale, setbacks and stepbacks and by minimizing the wind and shadow impacts on streets, parks and open spaces. Within this framework, there are several concerns with the proposal's built form.

**Density**

The Zoning By-law does not provide density limits for areas zoned Reinvestment Area in Zoning By-law 438-86 and zoned Commercial Residential Employment (CRE) in Zoning Bylaw 569-2013. Rather, the built form is determined by other performance standards such as height, setbacks and stepbacks and compliance with the King-Spadina policy framework. However, density can be a numerical indicator of overdevelopment. The proposed height of 157.9 metres (including mechanical penthouse) and limited setbacks, particularly for the tower, results in a high density of 26.33 times the area of the lot. By comparison, recent approved development applications have had a density less than 20 times the area of the lot. Such developments include:

<b>ADDRESS</b>	<b>DENSITY</b>
21-31 Widmer Street	13.64 times the lot area
40-58 Widmer Street	17.9 times the lot area
295 Adelaide Street West	13.5 times the lot area
260-270 King Street West and 274-322 King Street West	18.1 times the lot area
224 King Street West	20.1 times the lot area
338 Adelaide Street West	23.8 times the lot area

The development proposal approved at 81-87 Peter Street has a density of 26.5 times the lot area on its own; however, that proposal was a joint development with the Commodore Building (317-325 Adelaide Street West) to the north. Combined, the density of 81-87 Peter Street with the Commodore Building is 18.8 times the area of the lot.

It should be noted that despite the significant height of the Mirvish-Gehry proposal of 85 and 95 storeys, the approved density is approximately 18.1 times the area of the lot achieved comprehensively through an Official Plan Amendment that secures heritage and cultural resources and significant amenities.

The proposed density of 26.33 times the area of the lot, which is a symptom of combining height and minimum tower separation distances and the constrained size of the site, represents overdevelopment of the site.

### **Massing**

The subject site is approximately 39.4 metres wide, approximately 30.4 metres deep and has an area of 1,197 square metres. This lot size is not sufficient for the proposed tall building with a 727 square metre floor plate. The proposed tower covers most of the site and offers limited setbacks along the side and rear lot lines, representing an inappropriate response to the constraints of the site.

The Tall Building Design Guidelines ("TBG") requires that the tower portion of proposed tall buildings setback 12.5 metres or more from the side and rear property lines or the centre line of an abutting lane in order to limit adverse impacts on sunlight, sky view, privacy and daylighting. As is the case with the subject site, the TBG acknowledge that some sites are simply too small to accommodate tall building development as it is not possible to provide the required separation distances. Development of tall buildings on such sites results in negative impacts on the quality of the public realm, neighbouring properties, the living and working conditions for building occupants and the overall liveability of the neighbourhood. The TBG recognizes that when a tall building is adjacent to an existing tall building or a potential tall building development site, a cumulative impact of clustered towers occurs and therefore, in addition to a 25 metre tower separation distance, towers should be further shaped, placed and articulated to increase the actual and perceived distances between adjacent buildings.

The TBG advances the vision, objectives and policies of the Official Plan as stated in Section 5.3.2 – Implementing Plans and Strategies for City Building. In this case, the TBG advances the Official Plan policies that:

- new development will be massed to fit harmoniously into its existing and/or planned context, and limit its impact on neighbouring streets, parks, open spaces and properties by providing adequate light and privacy (3.1.2 – Built Form Policy 3);

- taller buildings will be located to ensure adequate access to sky view for the proposed and future use of areas (3.1.2 – Built Form Policy 4); and
- the floor plate size and shape of tall buildings will be designed with appropriate dimensions for the site, locate and orient it on the site and in relationship to the base building and adjacent buildings (3.1.3 – Built Form – Tall Buildings Policy 1).

Moreover, at its meeting on August 25, 2014, City Council adopted the King-Spadina East Precinct Built Form Study Status Report in which City Council endorsed directions in the East Precinct to be used in reviewing current and future development applications. Those directions spoke to, among others, employing the city-wide Tall Building Guidelines to evaluate towers, particularly with regard to tower spacing and tower floor plates.

The proposed tower has a 727 square metre floor plate size which is less than the 750 square metres recommended in the TBG; however, even with a smaller floor plate size the proposed site is unable to meet tower setbacks on the west and south property lines. From the west, the proposed tower has a 5.5 metre setback measured from the centreline of the lane. The adjacent building to the west is the 10-storey office building known as the Commodore Building, a designated heritage building in the Heritage Register, with windows facing east. From the south, the proposed tower has a 5.5 metre setback measured from the property line, which abuts a series of 2-storey row houses that are listed in the Heritage Register. An application for a 56-storey residential condominium tower, which would incorporate these heritage row houses, is under review at the site, municipally known as 8-20 Widmer Street. The tower for this proposed development is setback 10 metres from the north property line. An in-depth analysis of the block is further discussed in the Block Planning section of this report.

The proposed facing distances to the west and to the south would be well below the minimum separation distance of 25 metres as recommended in the TBG. These separation distances would impact the public realm and quality of life for residents as it relates to light, view and privacy and would not achieve a harmonious fit within the existing and planned context. The proposed lack of setbacks impacts the as-of-right development and public realm opportunities of other sites on the block by exporting facing distance constraints to adjacent properties and compromising adjacent property opportunities.

## **Land Use**

The proposed development is located in the *Downtown* and *Regeneration Areas* of the Official Plan and is in an appropriate location for development that supports growth. New development must conform to the City's growth management strategy along with the objectives and policies that support it. The King-Spadina Area is characterized by a mix of uses including residential, entertainment, institutional and office which is anchored by a high concentration of creative and cultural uses. The City's new

Employment policies focus on the need to retain and grow employment in the City while advocating for the replacement of existing office space on any redevelopment site.

One of the major objectives of the King-Spadina Secondary Plan states that "the King-Spadina Area is an important employment area. Accordingly, the retention and promotion of commercial and light industrial uses including media, design and fashion businesses within the area is a priority." While the proposal regenerates an underutilized site as encouraged by the King-Spadina Secondary Plan and the proposed residential uses are permitted in this area of the *Downtown*, there is a lost opportunity to provide a true mix of uses which meet the objectives of the King-Spadina Secondary Plan. The proposal would better conform to the King-Spadina Secondary Plan by providing additional employment uses in addition to the 500 square metres of retail space.

## **Heritage**

Designated and listed heritage buildings are directly west and south of the proposal. Heritage Preservation Services ("HPS") reviewed the initial proposal and supplied comments on January 1, 2015, as set out below. These comments are still relevant to the revised proposal.

### **Commodore Building**

The Commodore Building is a listed heritage building in the City's Heritage Register and is located west of the proposal. The comments from HPS indicated concerns with the glass architectural feature at the building entrance impeding on the view of the Commodore Building, and recommended that the proposal should better attempt to reference the Commodore Building's window/floor divisions to show greater respect for the scale of the Commodore Building.

### **10-20 Widmer Street**

To the south of the proposal are six townhouse buildings that are also designated in the Heritage Register. Comments had been provided to the applicant with respect to improving the relationship, scale and transition of the proposal's four storey base with the two storey townhouse buildings.

The applicant has revised the plans to try to respond to these heritage issues. An addendum to the Heritage Impact Assessment by ERA Architects Inc., dated March 31, 2016 and received by City Planning on April 6, 2016, is currently under review by Heritage Preservation Services. At the time of this writing, the review of the revised proposal with respect to heritage is still underway.

## **Community Services and Facilities**

There has been a significant increase in population for the King Spadina area since 1996 from 945 residents living in the area to 8,645 residents in 2011. In 1996, 79% of residents lived west of Spadina Ave. By 2011, however, just over half of residents lived east of Spadina. The pace of residential development is expected to continue with over 21,500 units going through the application process or completed since the 2011 Census. The majority of these applications are located East of Spadina Avenue, accounting for 65% of

all units. If all the proposed units are built, the population could potentially increase by 31,615. Again, the majority of the new residents would be located east of Spadina Avenue (20,670 people). Overall, the population of King Spadina could increase to a total of 40,260 by 2025 from 8,645 people in the 2011 census.

The increasing population in King-Spadina serves as a statement on the serious need to manage growth to ensure livability. One of the most significant challenges faced by the City in efforts to ensure the livability of the King-Spadina area (and the downtown core generally) is the growing gap between the demands for a range of community services and facilities (CS&F) and the facilities and services which are available. A December 2013 Report by IBI Group (Community Services and Facilities Update – Phase 1) identified a need for additional schools, community centres, libraries, parks, child care facilities and flexible space for a variety of human services agencies in King-Spadina. The scale of development proposals adds to this challenge, as overdevelopment of individual sites adds to the pressure of too many people and too few facilities and services.

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

Engineering and Construction Services staff have reviewed the application. Staff have concerns about the proposed reduction in parking, and have requested revisions to the Site Servicing Assessment and Stormwater Management Implementation Report as well as the Geotechnical Report. Engineering and Construction Services requires further revisions to the consultant studies and plans and compliance with the zoning by-law regarding parking.

### **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. This 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.

At the alternative rate of 0.4 hectares per 300 units specified in Chapter 415, Article III of the Toronto Municipal Code, the parkland dedication requirement is 6,147 square metres or 514% of the site area. However, 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. In total, the parkland dedication requirement is 119 square metres.

If the proposed development were to proceed, the applicant would be required to satisfy the parkland dedication requirement through cash-in-lieu. This is appropriate dedication would not be large enough to be a functional park space. The actual amount of cash-in-lieu to be paid will be determined at the time of issuance of the building permit.

## **Block Planning**

The report from the Director, Toronto and East York District dated August 5, 2014 updating Council on the status of the King-Spadina East Precinct Built Form Study generally encouraged planning in King-Spadina to occur on a block-by-block rather than on a site-by-site basis in order to avoid situations where the first tower application on a block attempts to export facing distance constraints to other properties resulting in too many towers on one block and a poor relationship of new buildings to their context.

Staff have analysed the development potential of this block bounded by Adelaide Street West to the north, Widmer Street to the east, Peter Street to the west, and King Street West to the south. In the case of this block, one tall building has already been approved and is under construction at 81-87 Peter Street, which was a joint development with the Commodore Building at 317-325 Adelaide Street West. The Hyatt Regency Hotel, which covers the south end of the block, could potentially support a tower on its own site should it be redeveloped. It is unlikely that both 30 Widmer Street and 309-315 Adelaide Street West or 8-20 Widmer Street can develop with a significant tower on each of their properties; however, City staff would be open to a joint proposal for these two sites. The last remaining property on the block is 77 Peter Street, a property that has an approximate lot area of 426 square metres, which is not large enough to support a tall building.

There has been one instance in the King-Spadina East Precinct where a number of tower applications were submitted at the same time within a single block. The aforementioned block is west of the subject property and is bounded by Adelaide Street West to the north, Duncan Street to the east, Pearl Street to the south, and John Street to the west. The landowners of the block who had applications submitted and/or an interest in building a tall building on their lot entered into a joint block planning exercise as none of the proposed development sites on the block could meet required tower separation distances within their own property. This block planning exercise resulted in an Official Plan Amendment under Bylaw No. 1175-2015.

In pre-application meetings with the applicant as well as at the pre-application community consultation meeting, staff acknowledged the possibility of a potential block plan exercise on this block, particularly with the subject site's neighbour at 8-20 Widmer Street. The applicant has also expressed a strong interest in entering into a block plan exercise with adjacent neighbours. A block planning exercise cannot work unless landowners are willing to participate in the exercise. It is Staff's understanding that the owners of 8-20 Widmer Street do not wish to joint develop with the owners of 30 Widmer and 309-315 Adelaide Street West Street, and have submitted their own development application for a 56-storey residential condominium tower.



## **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. Should a redevelopment be approved, the applicant will be required to submit a site plan that brings their proposal into compliance with these standards.

## **Section 37**

Section 37 of the Planning Act allows the City to require community benefits in situations where increased density and/or height are permitted. Community benefits are specific capital facilities (or cash contributions for specific capital facilities) and can include: parkland and/or park improvements above and beyond the parkland dedication, public art; streetscape improvements on the public boulevard not abutting the site; Heritage Conservation District studies identified in the Official Plan; and other works detailed in Section 5.1.1.6 of the Official Plan. Section 37 may also be used as may otherwise be agreed upon, subject to the policies contained in Chapter 5 of the Official Plan.

The community benefits must bear a reasonable planning relationship to the proposed development including, at a minimum, an appropriate geographic relationship and may relate to planning issues associated with the development (e.g. local shortage of parkland).

Following the submission of the development application, City staff determined it was not appropriate to discuss Section 37 benefits as the proposed development was not deemed to be 'good planning'.

Should a redevelopment of some form be approved through an Ontario Municipal Board Hearing, staff will be seeking a Section 37 contribution.

## **Conclusion**

Staff have reviewed the development application for 30 Widmer Street and 309-315 Adelaide Street West and have determined that the proposal is not consistent with the Official Plan, including the King-Spadina Secondary Plan, as well as with the intent of Council approved guidelines such as the Tall Building Design Guidelines which support the Official Plan. It is also not consistent with Council endorsed directions of the East Precinct Built Form Study and the Secondary Plan Review.

It is the opinion of City Planning that the subject tall building application constitutes overdevelopment of the site, is not good planning, and is not in the public interest.

## **CONTACT**

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E-mail: gpantaz@toronto.ca

## **SIGNATURE**

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

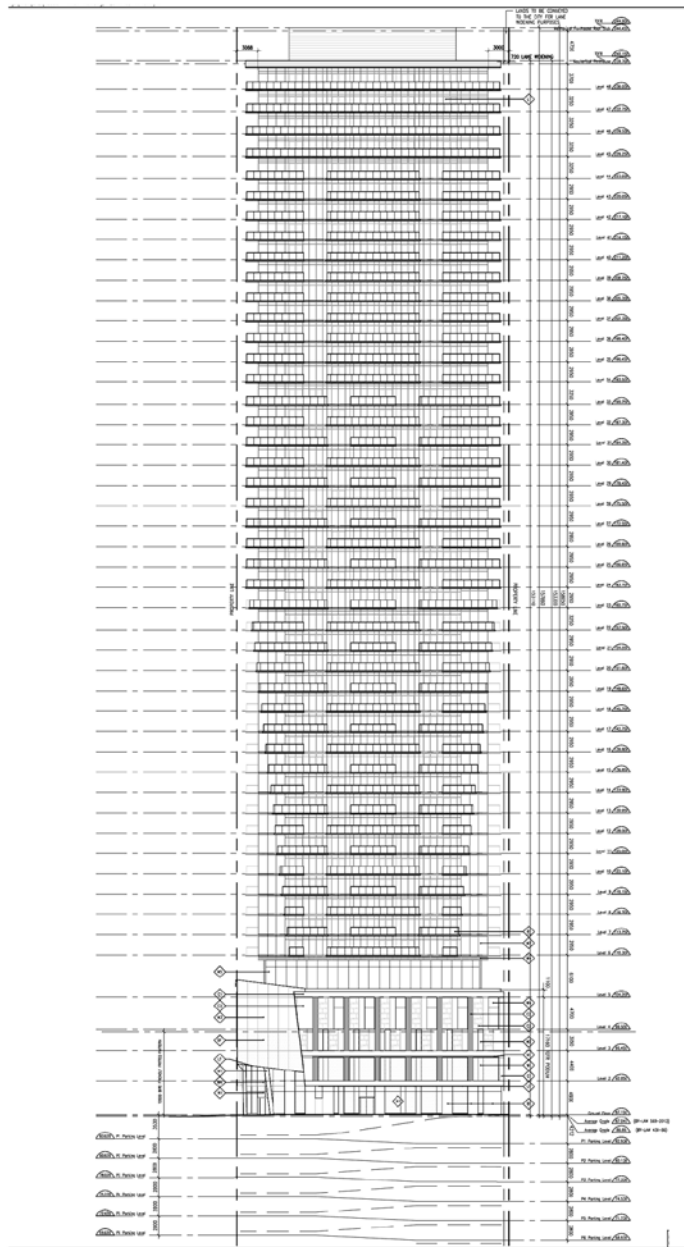
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## **ATTACHMENTS**

Attachment 1: Site Plan  
Attachment 2: North Elevation  
Attachment 3: South Elevation  
Attachment 4: East Elevation  
Attachment 5: West Elevation  
Attachment 6: Application Data Sheet



## Attachment 2: North Elevation



North Elevation

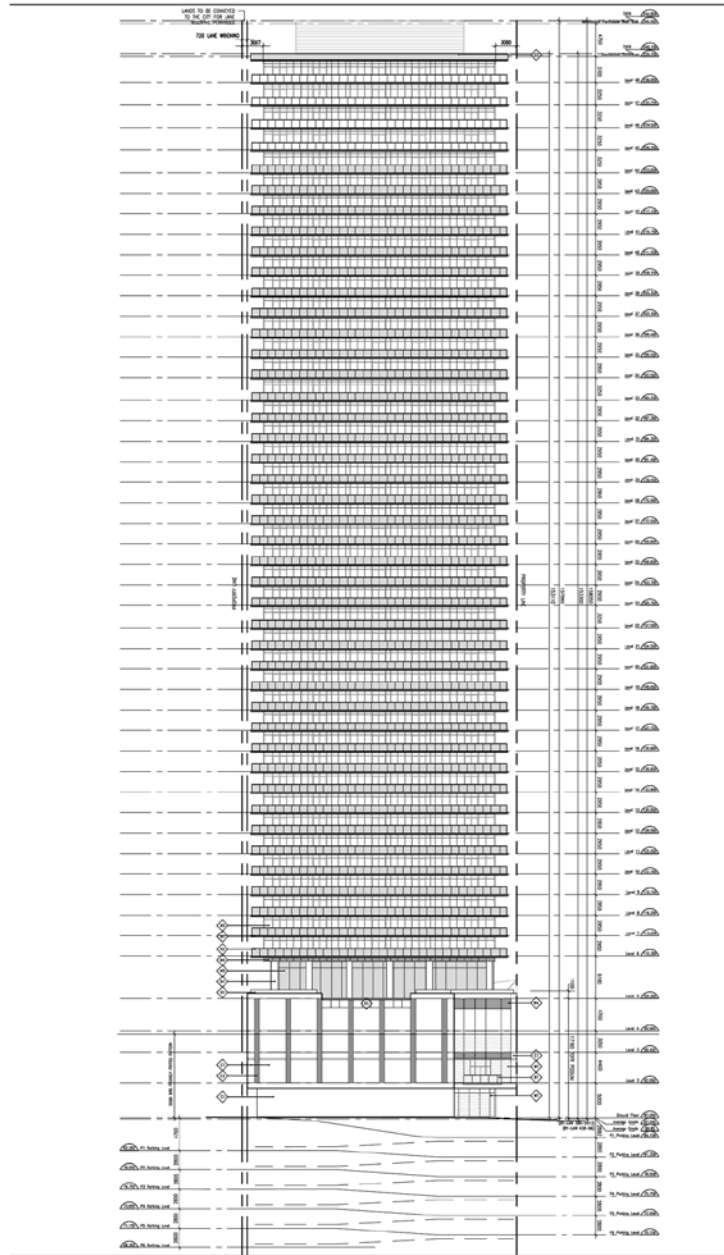
30 Widmer Street and 309-315 Adelaide Street West

Applicant's Submitted Drawing

Not to Scale   
05/02/2016

File # 14 235297 STE 20 OZ

### Attachment 3: South Elevation



South Elevation

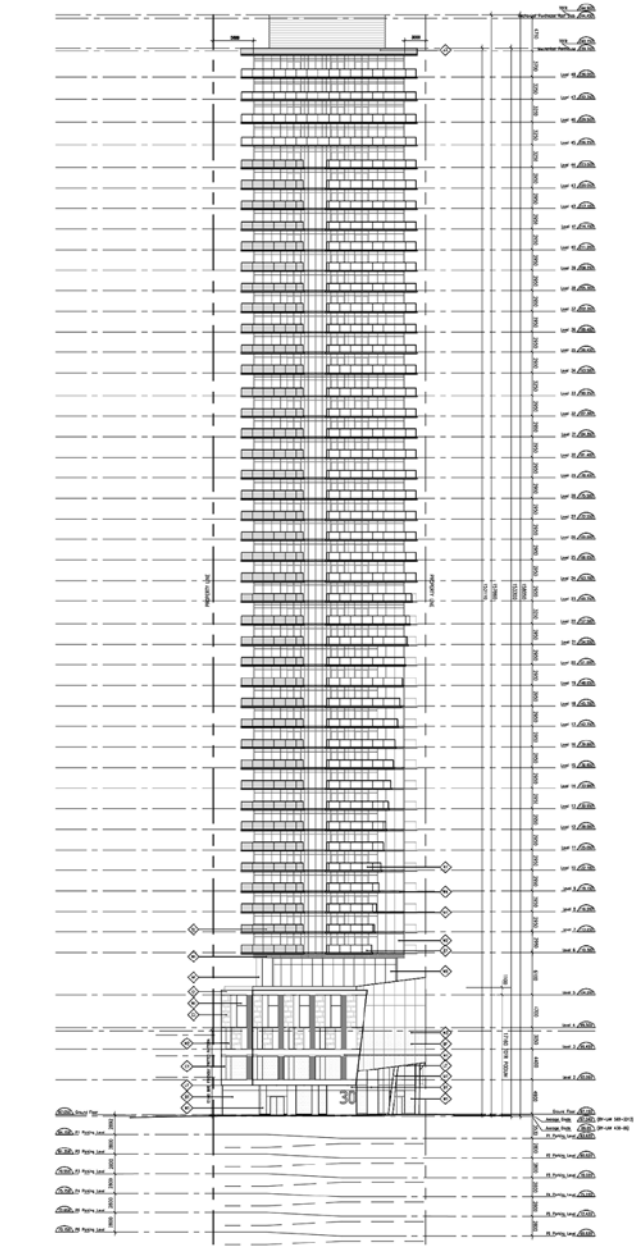
30 Widmer Street and 309-315 Adelaide Street West

Applicant's Submitted Drawing

Not to Scale   
05/02/2016

File # 14 235297 STE 20 OZ

## Attachment 4: East Elevation



East Elevation

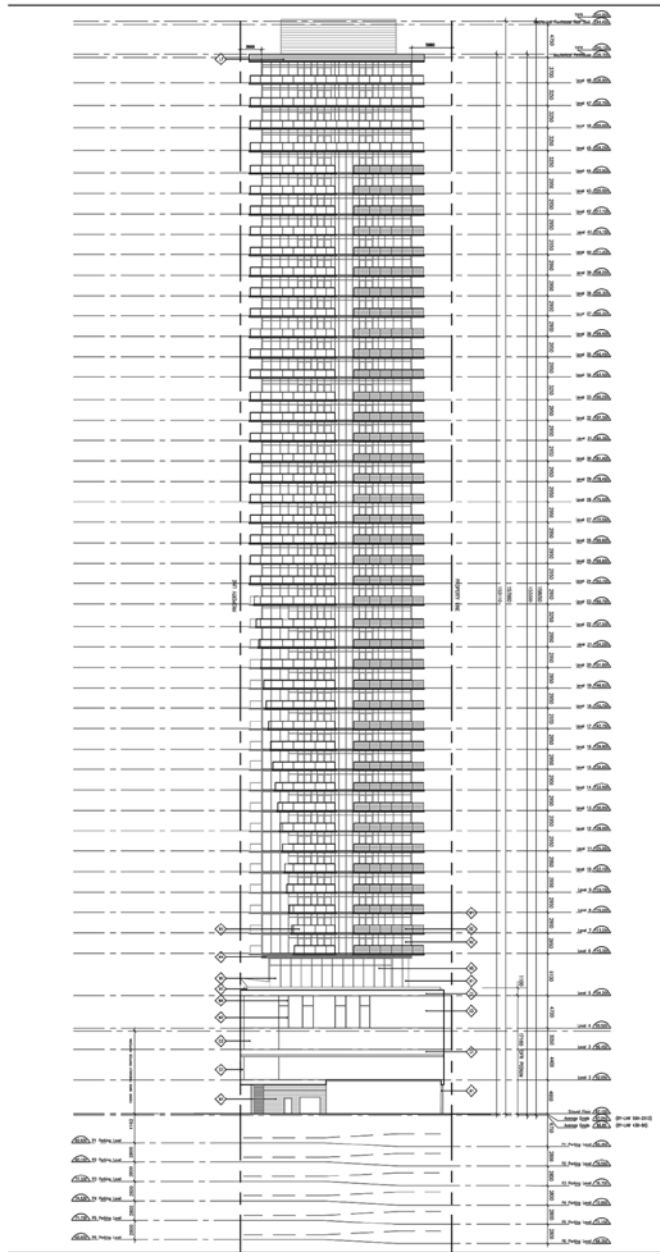
30 Widmer Street and 309-315 Adelaide Street West

Applicant's Submitted Drawing

Not to Scale   
05/02/2016

File # 14 235297 STE 20 OZ

# Attachment 5: West Elevation



West Elevation

30 Widmer Street and 309-315 Adelaide Street West

Applicant's Submitted Drawing

Not to Scale   
05/02/2016

File # 14 235297 STE 20 OZ

## Attachment 6: Application Data Sheet

Application Type	Rezoning	Application Number:	14 235297 STE 20 OZ
Details	Rezoning, Standard	Application Date:	October 9, 2014
Municipal Address:	30 WIDMER ST		
Location Description:	PLAN 84 PT LOTS 25 AND 26 **GRID S2015		
Project Description:	A 48-storey mixed-use building with residential and retail uses. The project is proposed to contain 489 residential units and 500 square metres with 151 vehicular parking spaces and 497 bicycle parking spaces. The proposed building height is 153.1 metres (157.9 metres to the top of the mechanical penthouse). The density would be 26.33 times the area of the lot.		

<b>Applicant:</b>	<b>Agent:</b>	<b>Architect:</b>	<b>Owner:</b>
Plazacorp	McCarthy Tetrault LLP C/O Cynthia MacDougall	Quadrangle Architects	Plazacorp

### PLANNING CONTROLS

Official Plan Designation:	Regeneration Areas	Site Specific Provision:	King-Spadina Secondary Plan
Zoning:	RA	Historical Status:	
Height Limit (m):	30	Site Plan Control Area:	Y

### PROJECT INFORMATION

Site Area (sq. m):	1197	Height:	Storeys:	48
Frontage (m):	30.43		Metres:	157.9 (incls. mech.)
Depth (m):	39.42			
Total Ground Floor Area (sq. m):	580			<b>Total</b>
Total Residential GFA (sq. m):	31,012.9		Parking Spaces:	151
Total Non-Residential GFA (sq. m):	500		Loading Docks	1
Total GFA (sq. m):	35,625			
Lot Coverage Ratio (%):	57			
Floor Space Index:	26.33			

### DWELLING UNITS

Tenure Type:	Condo
Rooms:	0
Bachelor:	0
1 Bedroom:	335
2 Bedroom:	105
3 + Bedroom:	49
Total Units:	489

### FLOOR AREA BREAKDOWN (upon project completion)

		Above Grade	Below Grade
Residential GFA (sq. m):	31,012.9	0	0
Retail GFA (sq. m):	500	0	0
Office GFA (sq. m):	0	0	0
Industrial GFA (sq. m):	0	0	0
Institutional/Other GFA (sq. m):	0	0	0

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