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# STAFF REPORT ACTION REQUIRED

502 Adelaide Street West & 119-123 Portland Street -Zoning Amendment Application - Preliminary Report

Date:	October 25, 2016
То:	Toronto and East York Community Council
From:	Director, Community Planning, Toronto and East York District
Wards:	Ward 20 – Trinity-Spadina
Reference Number:	16 228717 STE 20 OZ

#### SUMMARY

This application proposes to develop at 12-storey, plus one mezzanine level, (47.3 metres, including mechanical penthouse) mixed-use building with retail at grade and residential above at 502 Adelaide Street West and 119-123 Portland Street. Four levels of underground parking containing 68 vehicular parking spaces are also proposed.

This report provides preliminary information on the above-noted application and seeks Community Council's directions on further processing of the application and on the community consultation process. Next steps include the applicant's submission of a

complete application and the scheduling of a community consultation meeting. A final report is targeted for the third quarter of 2017. The target date of the final report assumes that the applicant will provide all required information in a timely manner and that the applicant will address the issues identified in this report and any additional issues that arise through the review process.



#### RECOMMENDATIONS

#### The City Planning Division recommends that:

- 1. Staff be directed to schedule a community consultation meeting for the lands at 502 Adelaide Street West and 119-123 Portland Street together with the Ward Councillor.
- 2. Notice for the community consultation meeting be given to landowners and residents within 120 metres of the site.
- 3. Notice for the public meeting under the Planning Act be given according to the regulations of the Planning Act.

#### **Financial Impact**

The recommendations in this report have no financial impact.

#### **DECISION HISTORY**

There have been no previous Planning Act applications on the subject site.

#### **Pre-Application Consultation**

Pre-application consultation meetings were held with the applicant on May 4, 2016 and June 15, 2016 to discuss complete application submission requirements and for Planning Staff to provide preliminary feedback on the proposal. Proposals were presented at both meetings for 13-storey buildings. The proposed height was similar to what is proposed in the application submitted, however the proposed stepping in the application submitted has been reduced for portions of the building above the 8<sup>th</sup> storey from what was presented to Staff at the June 15, 2016 meeting. Preliminary concerns identified by Staff at the pre-application meetings included:

- The proposed stepbacks and height;
- Potential heritage considerations;
- Need for further review of the proposed loading and parking provision and configuration by Engineering and Construction Services Staff at the time of submission; and
- Provision of 3-bedroom units.

#### **ISSUE BACKGROUND**

#### Proposal

The applicant proposes to develop a 12-storey plus 1 mezzanine storey (47.3 metres, including mechanical penthouse) mixed-use building with retail at grade and residential above. The existing buildings on site would be demolished. The total gross floor area proposed for the development is 8,491 square metres, comprised of 8,114 square metres of residential gross floor area and 377 square metres of non-residential gross floor area.

The proposed floor space index is 9.15 times the area of the lot. The building is proposed to encompass almost the entirety of the lot, with stepping proposed on the west elevation beginning on the  $6^{th}$  floor, on the south elevation beginning at the  $10^{th}$  floor, and on the north and east elevations beginning on the  $11^{th}$  floor.

The proposed residential gross floor area is comprised of 37 residential units. The proposed residential units are broken down as follows: 9 1-bedroom units (24.5%), 24 2-bedroom units (64.9%), and 4 3-bedroom units (10.8%). The proposed units range in size from 106 square metres (1,146 square feet) to 452 square metres (4,864 square feet). A total of 135 square metres of indoor amenity space is proposed (3.6 square metres/unit) and 12 square metres of outdoor amenity space is proposed (0.32 square metres/unit). The indoor and outdoor amenity spaces are proposed to be connected and both are proposed to be located on the second floor. Access to the residential portion of the development is proposed to be located on Portland Street.

The applicant is proposing sidewalk widths of approximately 3.5 metres on Adelaide Street West and 5 meters on Portland Street. The applicant is not proposing to setback the development on site to expand the public realm, as the development extends to the south and west property lines at grade.

The proposed non-residential gross floor area is proposed to be located in a retail space on the first floor. Access to the retail space is proposed from both Adelaide Street West and Portland Street.

Four levels of underground parking are proposed, containing 68 vehicular parking spaces. Vehicular parking is proposed to be accessed from the public lane on the eastern frontage of the property. A total of 49 bicycle parking spaces are proposed for the development, including 45 long-term bicycle parking spaces and 4 short-term bicycle parking spaces. No loading spaces are proposed.

#### Site and Surrounding Area

The subject site is located on the northeast corner of Adelaide Street West and Portland Street. The subject site is rectangular in shape with a frontage of approximately 28.8 metres on Adelaide Street West and 31.7 metres on Portland Street. The subject site is currently occupied by a 1-storey commercial building at 502 Adelaide Street West and three 2-storey row houses at 119-123 Portland Street. None of the buildings on site have been identified as heritage resources.

The following surround the subject site:

North: A 4.5-storey commercial building is located immediately north of the subject site at 127 Portland Street. Further north are 2-3 storey row houses and a 9-storey mixed-use building with retail at grade and residential above at 533 Richmond Street West. Northwest of the subject site is 543 Richmond Street West, a site subject to a zoning by-law amendment application for a 15-storey tower which is

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currently under appeal to the Ontario Municipal Board. A 12-storey commercial building at 555 Richmond Street West is also located northwest of the subject site.

- South: Immediately south of the subject site is Adelaide Street. On the southeast corner of Adelaide Street West and Portland Street is a surface parking lot. Further south are a mixture of 2 to 5-storey commercial and residential buildings. A 12-storey building is located southeast of the subject site at 461 Adelaide Street West. A 3-storey commercial building is located southwest of the subject site at the southwest corner of Adelaide Street West and Portland Street.
- East: A public lane is located immediately east of the subject site. Further east is a 3.5 storey commercial building at 490 Adelaide Street West and a 4-storey commercial building at 480 Adelaide Street West. Further east is a City park, St. Andrew's Playground, which is a designated heritage site and an Area of Special Identity in the King-Spadina Secondary Plan. North of St. Andrew's Playground is an application for a 13-storey building at 497 Richmond Street West, which is proposed to include a YMCA and conservation of the heritage-designated Waterworks Building.
- West: Portland Street is located immediately west of the subject site. On the opposite side of Portland Street are a mixture of commercial and residential uses in 2-storey house-form buildings. Further west, at 530 Adelaide Street West, is a 4-storey commercial 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. 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, by the *Planning Act*, 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, by the *Planning Act*, to conform, or not conflict, as the case may be, with the Growth Plan for the Greater Golden Horseshoe.

Staff will review the proposed development for consistency with the PPS and for conformity with the Growth Plan for the Greater Golden Horseshoe.

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#### **Official Plan**

The City of Toronto Official Plan Map 2-Urban Structure identifies that the subject site is located in the *Downtown and Central Waterfront*. Section 2.2.1 of the Official Plan identifies that the *Downtown* will continue to evolve as a healthy and attractive place to live and work, as new development that supports the reurbanization strategy and the goals for *Downtown*, is attracted to the area. While the Official Plan identifies that the downtown area offers opportunities for substantial employment and residential growth, it also identifies 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.

In Section 3.1.1 – Public Realm of the Official Plan, it is identified that great cities not only have great buildings, but that the buildings work together to create great streets, plazas, parks and public places. Policies in Section 3.1.1 require that new development enhances the quality of the public realm. Policies also identify that City streets are significant public open spaces and that new and existing City streets will incorporate a Complete Streets approach and be designed to perform their diverse role. Also included in the policies is the requirement that sidewalks and boulevards will be designed to provide safe, attractive, interesting, and comfortable spaces for pedestrians.

The Built Form policies in Section 3.1.2 of the Official Plan emphasize the importance of ensuring that new development fits within its existing and/or planned context. New buildings are required to provide appropriate massing that will fit harmoniously into its existing and/or planned context and limit its impact on neighbouring streets, parks, open, spaces and properties. New development is required to be massed to define the edges of streets, parks, and opens paces in good proportion, with taller buildings located to ensure adequate access to sky view for the proposed and future uses in the area.

Section 3.1.5 of the Plan addresses the conservation of heritage resources and includes policies that state that Heritage Impact Assessments 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. Policy 3.1.5.26 identifies 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 impacts on it".

The site is designated as a Regeneration Area, which are intended to provide for a broad mix of commercial, residential, light industrial, parks and open space, institutional, live/work and utility uses in an urban form. As outlined in Section 4.7 – Regeneration Areas, this designation is intended to revitalize areas and provides for a broad mix of commercial, residential, light industrial, parks and open space, institutional, live/work and utility uses. The framework for new development in these areas is set out in a Secondary Plan, which for this property is the King-Spadina Secondary Plan.

This proposal was reviewed against the policies described above as well as the policies of the Official Plan as a whole.

#### 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 Secondary Plan emphasizes the reinforcement of the characteristics and qualities of the area through special attention to built form and the public realm. The King-Spadina Urban Design Guidelines (2006) will also be referenced in reviewing this application.

Major objectives of the King-Spadina Secondary Plan are as follows:

- New investment is to be attracted to the King-Spadina Area;
- The King-Spadina Area will provide for a mixture of compatible land uses with the flexibility to evolve as the neighbourhood matures;
- 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;
- Commercial activity, including the retail service industry, which supports the changing demands of the King-Spadina Area will be provided for, to ensure the necessary services for the new residents and businesses of the area; and
- Heritage buildings and other important buildings within the King-Spadina Area, will be retained, restored, and re-used.

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, and Section 4 Heritage, specify, among other matters, that:

- the lower levels of new buildings will be sited and organized to enhance the public nature of streets, open spaces and pedestrian routes;
- servicing and parking are encouraged to be accessed from lanes rather than streets;
- new development will be designed to minimize pedestrian/vehicular conflicts;
- new buildings will be sited and massed to provide adequate light, view, privacy and compatibility with the built form context;

- new buildings will achieve a compatible relationship with their built form context through consideration of such matters as height, massing, scale, setbacks, stepbacks, roof line and profile and architectural character and expression;
- appropriate proportional relationships to streets and open spaces will be achieved 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
- retain, conserve, rehabilitate, re-use and restore heritage buildings.

A primary objective of the plan is to use the historic fabric of the area to assess new development. The particular scale, massing and street relationships of the existing heritage buildings should form the basis for new development in this part of the King-Spadina Secondary Plan area. The applicable plan area guidelines articulate that new development should maintain and reinforce the existing building heights of the area in conjunction with the relationships of buildings to one another along the street and the design of buildings at the street level.

Portland Street is identified in the King-Spadina Secondary Plan as a Significant Street. The Secondary Plan identifies that the quality and character of Significant Streets will be enhanced through zoning, design guidelines, and streetscape improvement programs.

The proposed development is located southwest of St. Andrew's Playground. St. Andrew's Playground is identified as an Area of Special Identity and is identified as "an important park within part of the King-Spadina Area". New development is to respect the integrity and potential for increased use of the park. The King-Spadina Secondary Plan requires buildings adjacent to parks to be designed to minimize the wind and shadow impacts on streets, parks, and open spaces.

The proposed development was reviewed against the policies of the King-Spadina Secondary Plan.

#### King-Spadina Secondary Plan Review

King Spadina is one of the highest growth areas in the downtown and it has a strongly influential heritage character. The in-force King-Spadina Secondary Plan emphasizes reinforcement of the area's existing characteristics and qualities through special attention to built form, heritage areas of identity, and the public realm. The Secondary Plan is currently under review and a final report on the whole Secondary Plan area is anticipated in early 2017. An estimated 50,000 people will live in King Spadina and the area will accommodate space for an estimated 50,000 jobs. The review recognizes that the Secondary Plan area has evolved from an area of employment (non-residential uses) into an area with a range of uses including residential. The updated Secondary Plan will recognize that while the area will continue to grow and change, it must do so in a way

that positively contributes to liveability, is better supported by hard infrastructure and community infrastructure, and more carefully responds to the strong heritage and character of the area.

The proposed development will be reviewed against the emerging policies of the King-Spadina Secondary Plan review.

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

The King-Spadina Secondary Plan area contains many listed and designated heritage buildings. At its meeting on August 16, 2013 Toronto City Council directed Heritage Preservation Services staff to undertake Heritage Conservation District (HCD) studies in five priority areas. One of these areas is the King-Spadina Secondary Plan area. A team led by Taylor-Hazell Architects developed the study, and was subsequently retained to complete the plan.

The first phase of the study involved the identification of potential heritage conservation districts. In May 2014, the Toronto Preservation Board endorsed and HCD Study for King-Spadina, along with City staff recommendations to proceed with two HCD plans for King-Spadina, divided along Peter Street. Through the development of policies for the districts and the community consultation process, the project team has determined that a single HCD for the entire district is more appropriate due to its consistent architectural character and development history.

The project team is currently preparing draft policies and guidelines for the HCD, in order to seek feedback and input from the community.

Heritage Preservation Services staff will present the final version of the Plan and a recommendation for designation under Part V of the *Ontario Heritage Act* in the third quarter of 2016. Details on the King-Spadina HCD study and progress to date on the plan are available at:

http://www.toronto.ca/heritage-preservation/heritage\_districts.htm

The subject site is adjacent to properties that have been identified as Recommended Contributing Properties in the King-Spadina HCD.

#### Zoning

The site is subject to former City of Toronto Zoning By-law 438-86. The site is also included in the new City-wide Zoning By-law 569-2013, which was enacted by City Council on May 9, 2013. By-law 569-2013 is subject to appeals at the Ontario Municipal Board and therefore is not in-force.

The subject site is zoned RA under former City of Toronto Zoning By-law 438-86 and CRE(x76) under the new City-wide Zoning By-law 569-2013. The height limit under both Zoning By-laws is 23 metres, with the requirement for a 3 metre stepback at 20 metres from a lot line that abuts a street. An additional 5 metres is permitted for rooftop

mechanical elements. A 7.5 metre setback is required from the side lot line and from the rear lot line (measured to the centreline of the public lane). Both Zoning By-laws permit a variety of residential and non-residential uses.

#### **TOcore: Planning Toronto's Downtown**

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. Reports to Toronto and East York Community Council are targeted by the end 2016 on the results of the second phase and the next steps of implementation.

#### Official Plan Amendment 352 – Updating Tall Building Setbacks Downtown

On October 6, 2016, City Council approved Official Plan Amendment 352 – Downtown Tall Building Setback Area. The purpose of OPA 352 is to establish the policy context for tall building setbacks and separation distances between tower portions of a tall building in the Downtown which would be implemented through an area specific Zoning By-law. The intent is that these policies would ensure that future growth positively contributes to the liveability, sustainability and health of Toronto's Downtown. More specifically, the policies establish the reasoning for tower setbacks, recognizing that not all sites can accommodate tall buildings and addresses base building heights. Coupled with OPA 352 is an area specific Zoning By-law with performance standards for tall buildings to provide setbacks for the portion of the building that is at or above 24 metres.

# Site Plan Control

The application is subject to site plan control. A Site Plan Control application has not been submitted for the subject site.

#### **Tree Preservation**

The "Tree Inventory and Preservation Plan Report" prepared by NAK Design Strategies and submitted as part of the application and identifies that there are 4 trees on or within six metres of the subject site. The development proposes the removal of all 4 of these trees. This document is being reviewed by Urban Forestry. The owner will be required to obtain necessary permits and submit a satisfactory replanting plan prior to the removal of any protected trees.

#### **Reasons for the Application**

The application has been submitted as the applicant requires an amendment to both the former City of Toronto Zoning By-law 438-86 and the new City-wide Zoning By-law 569-2013. Both Zoning By-law 438-86 and Zoning By-law 569-2013 permit a maximum height of 23.0 metres with an additional 5.0 metres permitted for the mechanical penthouse. The proposed development exceeds the permitted height permitted in the Zoning By-law by approximately 20 metres, proposing a height of 43.1 metres (47.3 metres including mechanical penthouse). In addition, the proposed building does not comply with other Zoning By-law standards in effect on the lands including building setbacks and the proposed quantity of loading.

### COMMENTS

#### **Application Submission**

The following reports/studies were submitted with the application:

- Architectural Drawings
- Landscape Drawings
- Tree Preservation Plan
- Arborist Report
- Topographical Survey
- Planning and Urban Design Rationale
- Sun Shadow Study
- Transportation Impact Statement
- Functional Servicing Report
- Pedestrian Level Winds Opinion Letter
- Noise and Vibration Feasibility Study
- Geotechnical Study
- Toronto Green Standards Checklist
- Stage 1 Archaeological Assessment
- Heritage Impact Assessment
- Digital 3D model

A notice of complete application was issued on October 25, 2016.

#### **Issues to be Resolved**

Several preliminary issues have been identified through the review of this application. Overall, the proposal raises concern about overdevelopment, given the insufficient sidewalk width on Adelaide Street West, the lack of appropriate stepbacks, and a proposed height that is not appropriate for the context. The issues identified below are among the issues that will be considered through the review of this application:

- The proposed development will be reviewed for consistency with the Provincial Policy Statement and conformity to the Growth Plan for the Greater Golden Horseshoe.
- The proposed development will be reviewed for consistency with Official Plan and Secondary Plan policies; including emerging policies from the TOCore initiative and the King-Spadina Secondary Plan update.
- The proposed development will be reviewed to determine whether the proposed height, density, and massing are suitable for the subject site, including the proposed setbacks and stepbacks.
- The shadow impacts associated with the proposed development will be evaluated, including the proposed shadow impact on St. Andrew's Playground.
- The Heritage Impact Statement will be evaluated to determine if the proposed development sufficiently addresses heritage concerns associated with the site.
- The suitability of the proposed pedestrian realm and the relationship of the building at grade will be evaluated. This will include analysis of whether the proposed sidewalk widths are sufficient.
- The appropriateness of the proposed tree protection and tree removal will be evaluated.
- The proposed outdoor amenity space will be reviewed to determine if the proposed amount to be provided is acceptable and if the location and wind conditions of the proposed space are appropriate.
- The wind conditions that would be generated by the proposed development will be reviewed to ensure no adverse wind conditions are created by the proposed development that are not sufficiently mitigated.
- The proposed vehicular parking supply and access will be evaluated to determine if they are suitable.
- The proposed development does not include any loading spaces. Staff will review to determine if it is acceptable to not provide any loading spaces as part of this development.
- The adequacy of the supply and location of the proposed bicycle parking spaces will be reviewed.

- The capacity of existing servicing to accommodate the proposed development will be evaluated.
- The proposed development will be reviewed to ensure compliance with the Tier 1 performance measures of the Toronto Green Standards.

Additional issues may be identified through the review of the application, agency comments and the community consultation process.

#### CONTACT

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#### SIGNATURE

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

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#### ATTACHMENTS

Attachment 1: Site Plan/Subdivision Plan

- Attachment 2: North Elevation
- Attachment 3: South Elevation
- Attachment 4: East Elevation
- Attachment 5: West Elevation
- Attachment 6: Zoning
- Attachment 7: Application Data Sheet



#### Attachment 1: Site Plan





# North Elevation

502 Adelaide Street West

Applicant's Submitted Drawing

Not to Scale 7

#### **Attachment 3: South Elevation**



# South Elevation Applicant's Submitted Drawing

# 502 Adelaide Street West

#### **Attachment 4: East Elevation**



East Elevation Applicant's Submitted Drawing

### 502 Adelaide Street West



West Elevation Applicant's Submitted Drawing Not to Scale

# 502 Adelaide Street West

#### **Attachment 6: Zoning**



Attachment 7: Application Data Sheet									
Application Type	Rezoning		Application		16 228717 STE 20 OZ				
Details	Rezoning, Standard		Application Date:		Septen	September 26, 2016			
Municipal Address:	502 ADELA	IDF ST W							
Location Description:		OTS 15 & 16 **GRID S2012							
Project Description:		blication for a 12 storey mixed-use building with commercial uses							
riojeet Description.	at grade and residential units above.								
Applicant:	Agent:	Agent:		Architect: Ow		mer:			
SWEENY&CO	SWEENY&	WEENY&CO		SWEENY &CO PO		ORTLAND ADELAIDE			
ARCHITECTS	ARCHITEC	ARCHITECTS		ARCHITECTS DE		EVELOPMENTS INC			
PLANNING CONTROLS									
Official Plan Designation:	n Areas	Site Specific Provision:							
Zoning: CRE (x76)			Historical Status:		3:	Ν			
Height Limit (m): 23			Site Plan						
PROJECT INFORMATION									
Site Area (sq. m):		928	Height:	Storey	vs: 12				
Frontage (m):		29.3	meight.	Metre	,				
Depth (m):		31.7		wiette	5. 17				
Total Ground Floor Area	885				Tot	al			
Total Residential GFA (s	8114								
Total Non-Residential G	377	Loading Docks 0							
Total GFA (sq. m):	8491			0					
Lot Coverage Ratio (%):	95.4								
Floor Space Index:	9.15								
DWELLING UNITS FLOOR AREA BREAKDOWN (upon project completion)									
Tenure Type:	Condo				Abov	e e	Below		
JI					Grad		Grade		
Rooms: 0		Residential GFA (sq. m):			8114		0		
Bachelor: 0		Retail GFA (sq. m):			377		0		
1 Bedroom: 9		Office GFA (sq. m):			0		0		
2 Bedroom: 24		Industrial GFA (sq. m):			0		0		
3 + Bedroom: 4		Institutional/Other GFA (sq. m):			n): 0		0		
Total Units:	37								
CONTACT: PLANNER NAME: TELEPHONE:		Michelle Knieriem, Planner (416) 338-2073							