

**497, 505 and 511 Richmond Street West Zoning
Amendment – Final Report**

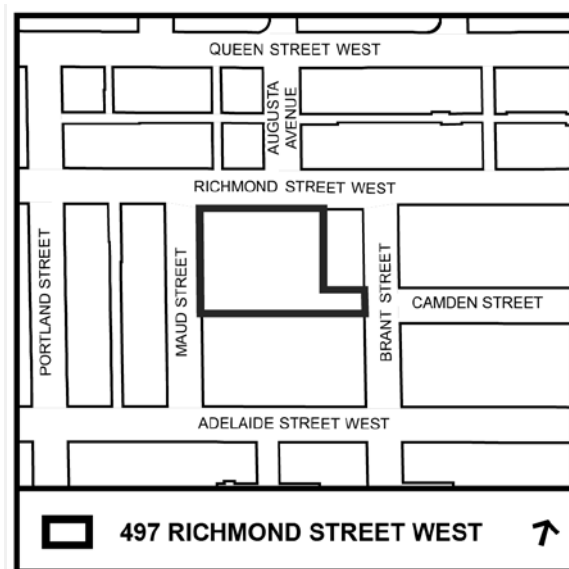
Date:	February 6, 2017
To:	Toronto and East York Community Council
From:	Director, Community Planning, Toronto and East York District
Wards:	Ward 20 – Trinity-Spadina
Reference Number:	16 196378 STE 20 OZ

SUMMARY

This application proposes to construct a 13-storey mixed-use building with a retail food hall at grade, a YMCA on the second and third floors, and residential above. The 13-storey building has a height of 47.5 metres (53.5 metres, including mechanical penthouse). This site was sold to the applicant by Build Toronto. The proposed development would include 288 residential units and four levels of underground parking which would include 175 vehicular parking spaces.

City Staff have reviewed this application against applicable policies and guidelines and find the application conforms to the Official Plan. The applicant has made modifications to address the comments from City Staff, including a reduction in the size of the proposed mechanical penthouse.

This report reviews and recommends approval of the Zoning By-law Amendment application subject to some minor revisions to the provision of outdoor amenity space and the number of 3-bedroom units in accordance with the requirements as set out in this report and also subject to a number of requirements as detailed in the recommendations.



RECOMMENDATIONS

The City Planning Division recommends that:

1. City Council amend Zoning By-law 438-86, for the lands at 497, 505 and 511 Richmond Street West substantially in accordance with the draft Zoning By-law Amendment to be available at the February 22, 2017 Toronto and East York Community Council meeting.
2. City Council amend City of Toronto Zoning By-law 569-2013 for the lands at 497, 505 and 511 Richmond Street West substantially in accordance with the draft Zoning By-law Amendment to be available at the February 22, 2017 Toronto and East York Community Council meeting.
3. City Council authorize the City Solicitor to make such stylistic and technical changes to the draft Zoning By-law Amendments as may be required.
4. City Council authorize the City to enter into amending agreements in relation to any existing real property documents governing the permitted uses within the strata located above 47.5 metres, so as to also allow for outdoor amenity space within that strata, provided that the total area for all permitted uses does not exceed a footprint of 850 square meters, such agreements to be on such terms and conditions as may be approved by the Chief Corporate Officer and in a form satisfactory to the City Solicitor.
5. Before introducing the necessary Bills to City Council for enactment, City Council require the owner(s) to:
 - a. Provide a revised hydrogeology assessment, geotechnical report and associated municipal servicing plans to the satisfaction of the Executive Director, Engineering and Construction Services.
 - b. Provide a revised functional servicing and stormwater management report to the satisfaction of the Executive Director, Engineering and Construction Services.
 - c. Make satisfactory arrangements with the Executive Director, Engineering and Construction Services for the construction of any improvements to the municipal infrastructure, should it be determined that upgrades are required to the infrastructure to support this development, in accordance with the functional servicing report accepted by the Executive Director, Engineering and Construction Services.

- d. Provide revised drawings indicating that all access driveways to be used by the collection vehicle will be level (+/-8%), have a minimum vertical clearance of 4.4 metres throughout, a minimum width of 4.5 metres throughout, and be 6 metres wide at point of ingress and egress, to the satisfaction of the Executive Director, Engineering and Construction Services.
- e. Provide revised drawings demonstrating at a minimum of 1.3 square metres per unit of outdoor amenity space within the boundaries of the applicant's site, such provision to be potentially addressed by securing such additional real property rights as are needed to locate the amenity space within the strata located above an elevation of 47.5 metres, and provided that the footprint of all uses located above that elevation does not exceed 850 square metres, or by locating such outdoor amenity space elsewhere on the site. This is to be completed to the satisfaction of the Chief Planner and Executive Director, City Planning Division.
- f. The Community Access Agreement be executed between the YMCA and the City for the proposed YMCA facility, to the satisfaction City Solicitor in consultation with the General Manager Parks, Forestry and Recreation.
- g. Amend the existing Heritage Easement Agreement for the property at 497, 505 and 511 Richmond Street West in accordance with the plans and drawings dated December 5, 2016, prepared by Diamond Schmitt Architects Inc., date-stamped received by the City Planning Division January 3, 2017, and on file with the Senior Manager, Heritage Preservation Services, and subject to and in accordance with the Conservation Plan required in Recommendation 1.b.2 in the report of January 20, 2017 from the Chief Planner and Executive Director, City Planning Division, all to the satisfaction of the Senior Manager, Heritage Preservation Services including registration of such amending agreement to the satisfaction of the City Solicitor;
- h. Provide a Conservation Plan, prepared by a qualified heritage consultant that is consistent with the conservation strategy set out in the Heritage Impact Assessment for 497, 505 and 511 Richmond Street West prepared by ERA Architects Inc., issued July 20, 2016 and revised January 20, 2016, to the satisfaction of the Senior Manager, Heritage Preservation Services;
- i. Retain a consultant archaeologist, licensed by the Ministry of Culture, Tourism and Sport, under the provisions of the Ontario Heritage Act (R.S.O 1990 as amended) to carry out a Stage 2 archaeological resources assessment of the subject property in accordance with the Stage 1 assessment report (Figure 2), June 27, 2016 and follow through on recommendations to mitigate, through preservation or resource removal and documentation, adverse impacts to any significant archaeological resources found

The assessment is to be completed in accordance with the 2011 Standards and Guidelines for Consulting Archaeologists, Ministry of Culture, Tourism and Sport. This is to be to the satisfaction of the Senior Manager, Heritage Preservation Services. Should the archaeological assessment process continue beyond a Stage 2 assessment, any recommendations for Stage 3-4 mitigation must be reviewed and approved by Heritage Preservation Services prior to commencement of site mitigation;

- j. Submit a copy of the relevant assessment report(s) to the Heritage Preservation Services Unit in both hard copy format and as an Acrobat PDF file on compact disk. This is to be completed to the satisfaction of the Senior Manager, Heritage Preservation Services;
 - k. Ensure no demolition, construction, grading or other soil disturbances shall take place on the subject property prior to the City's Planning Division (Heritage Preservation Services Unit) and the Ministry of Tourism, Culture and Sport (Heritage Operations Unit) confirming in writing that all archaeological licensing and technical review requirements have been satisfied. This is to be completed to the satisfaction of the Senior Manager, Heritage Preservation Services.
6. Before introducing the necessary Bills to City Council for enactment, require the owner(s) to enter into an Agreement pursuant to Section 37 of the *Planning Act* satisfactory to the City Solicitor and in consultation with the Chief Planner and Executive Director, City Planning Division to secure the following:
- a. The matters set out in Recommendations 1 c. 1-3., 1 d. 1-7, and 1 e. 1 & 2 of the Report of the Chief Planner and Executive Director, City Planning Division to the Toronto Preservation Board and Toronto and East York Community Council dated January 20, 2017 "Alterations to Designated Heritage Property and Authority to Amend a Heritage Easement Agreement - 497, 505 and 511 Richmond Street West";
 - b. The construction and maintenance at the owner's expense and no cost to the City, of a pedestrian walkway through the courtyard at the east entry of the Waterworks Building within the area generally as identified as Area A on Attachment 7 and having a minimum width of 2.1 metres for use by the City and the general public for the life of the development on terms set out in the Section 37 Agreement, including requirements for, commencing at occupancy, insurance and indemnification of the City, all to the satisfaction of the Chief Planner and Executive Director, City Planning. The details and location of the pedestrian walkway will be determined in the context of site plan approval;
 - c. Construction and maintenance, at the owner's expense and no cost to the City, of an interior pedestrian walkway through the building from Richmond Street

West to St. Andrew's Playground together with provision for use by the City and the general public 7 days a week between the hours of 7 a.m. and 11 p.m., or as otherwise agreed, for the life of the development on terms set out in the Section 37 Agreement and, commencing at occupancy, insurance and indemnification of the City, to the satisfaction of the Chief Planner and Executive Director, City Planning Division. This walkway may be closed for special events or other occasions as set out in the Section 37 agreement. The details and location of the pedestrian walkway will be determined in the context of site plan approval;

- d. The owner shall be financially responsible for all costs associated with the excavation, improvement, removal and/or relocation of any above or below-grade public or private utility resulting from the development of this property to the satisfaction of the Executive Director, Engineering and Construction Services;
- e. Prior to final site plan approval, the owner shall incorporate significant archaeological resources and findings into the proposed development through either in-situ preservation and interpretation where feasible, or commemorate and interpret the resources through exhibition development on site including, but not limited to, commemorative plaquing. This is to be completed to the satisfaction of the Senior Manager, Heritage Preservation Services; and
- f. Prior to the issuance of the first building permit, the owner will submit a Construction Management Plan, to the satisfaction of the Chief Planner and Executive Director, City Planning Division, the General Manager of Transportation Services, and the Chief Building Official, in consultation with the Ward Councillor and thereafter in support of the development, will implement the plan during the course of construction. The Construction Management Plan will include, but not be limited to, details regarding size and location of construction staging areas, dates and significant concrete pouring activities, measures to ensure safety lighting does not negatively impact adjacent residences, construction vehicle parking locations, refuse storage, site security, site supervisor contact information, and any other matters deemed necessary;
- g. Prior to site plan approval, the owner shall submit a Wind Study for the proposed development and an undertaking to implement any necessary mitigation measures, to the satisfaction of the Chief Planner and Executive Director, City Planning division;
- h. The owner shall, at its own expense, be responsible for winter maintenance of park walkways associated with the use of doors opening onto the park at the south side of the building;

- i. The owner shall ensure that the doors fronting onto St. Andrew's Playground are only open 7 days a week for the hours of 7 a.m. to 11 p.m., or as otherwise agreed, on terms set out in the Section 37 Agreement all to the satisfaction of the Chief Planner and Executive Director, City Planning Division in consultation with the General Manager, Parks, Forestry and Recreation;
- j. A maximum of four doors are permitted to exit into St. Andrew's Playground and no door swings into St. Andrew's Playground will be permitted. The proposed design of the doors will be to the satisfaction of the Chief Planner and Executive Director, City Planning Division in consultation with the General Manager, Parks, Forestry and Recreation;
- k. The inclusion of special design features to be built into the park edge along the south face of the building, will be at the owners expense, to accommodate the doors and concentrated pedestrian traffic resulting from their use to the satisfaction of the General Manager, Parks, Forestry and Recreation;
- l. Payment of an annual fee to the City by the owner in the amount of \$10,000 (indexed) for additional park maintenance costs resulting from the spill out and intensification of use generated by the proposed food hall, including but not limited to extra garbage pick-up and wear and tear on the park materials to the satisfaction of the General Manager, Parks, Forestry and Recreation;
- m. Prior to the issuance of any above grade buildings permits, the owner will be required to provide information to the appropriate staff in Parks, Forestry and Recreation regarding the limiting distance requirements established under the Ontario Building Code Act, 1992. If the City agrees to enter into a Limiting Distance Agreement, the City will require compensation for the affected area;
- n. The owner shall be required to obtain an environmental assessment report, prepared by a qualified engineer, at the end of the permitted occupation of the parking lot on the west side of St. Andrew's Playground to verify that the parklands continue to meet the applicable laws, regulations and guidelines respecting sites to be used for public park purposes. The owner will be required to provide an RSC upon expiry of the lease agreement. The owner will be responsible for paying all costs associated with the City retaining a third-party peer reviewer for the environmental addendum. These matters are to be to the satisfaction of the General Manager, Parks, Forestry and Recreation; and
- o. Provision of on-site dog amenities at the owner's expense with proper disposal facilities for the building residents or dog relief stations, to the satisfaction of the Chief Planner and Executive Director, City Planning Division.

Financial Impact

The recommendations in this report have no financial impact.

DECISION HISTORY

At its meeting of June 6, 7, and 8, 2012, City Council stated its intention to designate the property at 497 Richmond Street West (including 505 and 511 Richmond Street West with the Waterworks Building and St. Andrew's Playground) under Part IV, Section 29 of the Ontario Heritage Act. City Council also granted authority for the execution of a Heritage Easement Agreement for the property.

A link to the City Council decision and report from the Acting Director, Policy and Research, City Planning Division can be found here:

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2012.TE16.8>

At its meeting of July 16, 17, 18 and 19, 2013, City Council recommended a stratified portion of the property at 497 Richmond Street West up to 47.5 metres in height be transferred to Build Toronto subject to a number of terms and conditions. City Council also recommended that the City enter into a lease agreement for 60 Brant Street with Eva's Initiatives for Homeless Youth (Eva's Phoenix).

A link to the City Council decision and report from the Chief Corporate Officer can be found here:

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2013.GM23.9>

At its meeting on September 30, October 1 and October 2, 2015, City Council supported in principle a YMCA as an appropriate use in the potential redevelopment of 505 Richmond Street West and outlined the funding arrangement and requirement for a Community Use Agreement.

A link to the City Council decision and reports from the General Manager, Parks, Forestry and Recreation and the City Solicitor can be found below:

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2015.EX8.15>

At its meeting on February 3 and 4, 2016, City Council recommended the transfer of additional property rights at 497 Richmond Street West to Build Toronto. This included entering into an Option agreement with Build Toronto for additional strata for the mechanical penthouse and fire exit stairs and permitting a cantilever over the adjacent property at 60 Brant Street, which is connected to the subject site.

A link to the City Council decision and reports from the Chief Corporate Officer can be found below:

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2016.GM9.3>

At its meeting on July 12, 13, 14, and 15, 2016, City Council recommended securing affordable ownership housing at 505 Richmond Street West. A link to the City Council decision and report from the Director, Affordable Housing Office can be found below: <http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2016.EX16.31>

At its meeting on July 12, 13, 14, and 15, 2016, City Council approved the provision of capital and construction loan guarantees on behalf of the YMCA to Infrastructure Ontario to fund the construction of the YMCA at 505 Richmond Street West. City Council also authorized payment of the City's share of this project. The City was authorized to enter into a Community Use Agreement with the YMCA for the project. The Chief Planner and Executive Director, City Planning, was directed to prioritize this Project as a community benefit for future development applications.

A link to the City Council decision and the report from the Deputy City Manager, Cluster A, Deputy City Manager, Cluster B, and the Deputy City Manager and Chief Financial Officer can be found below: <http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2016.EX16.14>

At its meeting on September 7, 2016, Toronto and East York Community Council adopted the recommendations in the report from the Director, Community Planning, Toronto and East York District (dated August 10, 2016) entitled "497, 505, and 511 Richmond Street – Zoning Amendment Application – Preliminary Report".

A link to the Community Council direction and report from the Director, Community Planning, Toronto and East York District is provided below: <http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2016.TE18.39>

At its meeting on January 26, 2017, Toronto Preservation Board recommended alterations to the heritage designated building and authority to amend a Heritage Easement Agreement at 497, 505, and 511 Richmond Street West. This report will be considered in parallel to this report at Toronto and East York Community Council and City Council.

A link to the Toronto Preservation Board decision and report from the Chief Planner and Executive Director, City Planning Division is provided below: <http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2017.PB20.1>

ISSUE BACKGROUND

Proposal

Original Submission – July, 2016

The applicant's original submission proposed the construction of a 13-storey mixed use building with a height of 47.5 metres (55.5 meters, including mechanical penthouse). Stepbacks were proposed above the third floor on all elevations of the building, with the exception of the east elevation between the third and tenth floors where the proposed

development cantilevered up to 3 metres over the adjacent City-owned property at 60 Brant Street.

The proposed development incorporates the existing Waterworks Building which is designated under Part IV of the Ontario Heritage Act. The proposal includes retail at grade in the form of a food hall, a YMCA on the second and third floors and residential above. Details of the proposed gross floor area breakdown are provided in Table 1 – Comparison of Original and Revised Submission. Pedestrian access to the retail was proposed from Richmond Street West, Maud Street, and on the south façade fronting St. Andrew's Playground. Access to the YMCA and residential lobby was proposed from Richmond Street West.

A total of 299 units were proposed including 189 one-bedroom units and 110 two-bedroom units, with no three-bedroom units proposed. Fifteen of the proposed units would be affordable ownership units that would be administered by Toronto Artscape. The provision of these affordable housing units is being funded by the City, Build Toronto, and the provincial and federal governments.

The proposed development would provide four levels of underground parking including 184 parking spaces comprised of 114 resident parking spaces and 70 parking spaces to be shared by residential visitors, retail, and the YMCA. Access to the underground parking garage was proposed via Maud Street.

Two loading spaces were proposed including one combined Type G/B space and one Type B space. Access to the loading was to be available from Maud Street, adjacent to the proposed garage access ramp.

A total of 365 bicycle parking spaces were proposed, including 294 long-term bicycle parking spaces located on the P1 and P2 levels and 71 short-term spaces located at the ground level.

A total of 379 square metres of indoor amenity space (1.27 square metres per unit) and 763 square metres of outdoor amenity space (2.55 square metres per unit) were proposed for the development. Indoor amenity space was proposed to be located on the fourth floor with a connection to outdoor amenity space located on the fourth floor. Outdoor amenity space was also proposed to be located on the roof of the building (which the applicant does not have rights to use).

A 193 square metre east entry courtyard was proposed on the southeast corner of the development.

Revised Submission – December, 2016

The following table details the changes to the original submission that were part of the revised submission filed with the City on December 28, 2016:

Table 1 – Comparison of Original and Revised Submission

	First Submission (July, 2016)	Second Submission (December, 2016)
Height	47.5 metres (55.5 metres, including mechanical penthouse)	47.5 metres (53.5 metres, including mechanical penthouse)
Mechanical penthouse footprint	Approximately 820 square metres	Approximately 650 square metres
Total Gross Floor Area <i>Residential</i> <i>Non-Residential (includes YMCA and retail)</i>	31,528 square metres <i>23,528 square metres</i> <i>8,000 square meters</i>	31,602 square meters <i>23,088 square metres</i> <i>8,515 square metres</i>
FSI	6.11	6.09
Doors opening onto St. Andrew's Playground	8	4
Total Units <i>1-bedroom</i> <i>2-bedroom</i> <i>3-bedroom</i>	299 189 (63%) 110 (37%) 0 (0%)	288 131 (46%) 156 (54%) 1 (0.3%)
Total Parking <i>Resident</i> <i>Residential Visitor, Retail, YMCA</i> <i>Car Share</i>	184 <i>114</i> <i>70</i> <i>0</i>	175 <i>103</i> <i>70</i> <i>2</i>
Loading	1 Type G/B 1 Type B	1 Type G 1 Type B
Total Bicycle Parking <i>Long-Term</i> <i>Short-Term</i>	365 <i>294</i> <i>71</i>	360 <i>278</i> <i>58</i>
Amenity Space <i>Indoor</i> <i>Outdoor</i>	<i>379 square metres (1.27 square metres per unit)</i> <i>763 square metres (2.55 square metres per unit)</i> <i>*note: only 207 square metres of this outdoor amenity space (0.69 square metres per unit) is on lands the applicant has rights to use.</i>	<i>386 square metres (1.34 square metres per unit)</i> <i>493 square metres (1.71 square metres per unit)</i> <i>*note: only 212 square metres of this outdoor amenity space (0.74 square metres per unit) is on lands the applicant has rights to use.</i>
East Entry Courtyard	193 square metres	189 square metres

Site and Surrounding Area

The subject site is bounded by Richmond Street West to the north, Brant Street to the east, Maud Street to the west, and St. Andrew's Playground to the south. The site is

currently occupied by the heritage designated Waterworks Building. The Brant Street frontage is shared with 60 Brant Street (also part of the Waterworks Building), which is owned by the City of Toronto and occupied by Eva's Phoenix, a youth shelter. The total site area is approximately 5,147 square metres.

The following uses surround the site:

North: Immediately north of the subject site is Richmond Street West, 3-storey row houses, a 6-storey mid-rise building at 500 Richmond Street West, and a 1-storey commercial building at 520 Richmond Street West that is subject to a Zoning By-law amendment application for a 13-storey mixed-use building.

South: St. Andrew's Playground, a park that is a designated heritage site and is identified as an Area of Special Identity in the King-Spadina Secondary Plan, is located immediately south of the subject site. Further south, across Adelaide Street West, are a 10-storey residential building at 461 Adelaide Street West, 2- to 3-storey rowhouses, a 2-storey commercial building and a private school located in the former Brant Street Public School building.

East: Immediately to the east of the subject site is 60 Brant, which is a separate parcel that comprises a portion of the Waterworks Building. Further east are a 10-storey mixed-use building at 477 Richmond Street West and an 8-storey residential building at 50 Camden Street. Southeast of the subject site are a vacant site at 49-51 Camden Street where a Zoning By-law amendment for a hotel development was recently approved at a height of 45 metres (including mechanical penthouse), and an 11-storey residential development at 426-444 Adelaide Street West.

West: To the west of the subject site are an 8-storey residential building at 525 Richmond Street West, a surface parking lot, and a 5-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 reviewed the proposed development for consistency with the PPS and for conformity with the Growth Plan for the Greater Golden Horseshoe.

Official Plan

The proposed development is part of the *Downtown* and is designated *Regeneration Areas* in the 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*. Chapter Two - Shaping the City identifies that the *Downtown* offers opportunities for substantial employment and residential growth, but that this growth is not anticipated to be uniform. 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. The quality of the *Downtown* will be improved by:

- a) developing programs and activities to maintain and upgrade public amenities and infrastructure;
- b) recognizing the high maintenance needs of streets, open spaces and City services in this heavy demand area;
- c) enhancing existing parks and acquiring new parkland where feasible; and
- d) preserving and strengthening the range and quality of the social, health, community services and local institutions located Downtown.

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 indicates that development will be located, organized and massed to fit harmoniously with the existing and/or planned context. Development will limit its impacts on neighbouring properties and the public realm by respecting street proportions, creating appropriate transitions in scale, providing for adequate light and privacy, limiting impacts of servicing and vehicular access on the property and neighbouring properties; and limiting shadow and wind impacts.

This section of the Plan also contains specific policies on tall buildings and built form principles to be applied to the location and design of tall buildings, including locating buildings parallel to the street, with clearly visible entrances and ground floor uses with views to the street; locating and organizing parking and servicing to minimize impacts; providing an appropriate scale for adjacent streets; minimizing shadowing, loss of sky view and wind impacts; and fitting within the local context.

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". Policy 3.1.5.27 requires that "Where it is supported by the cultural heritage values and attributes of a property on the Heritage Register, the conservation of whole or substantial portions of buildings, structures, and landscapes on those properties is desirable and encouraged. The retention of facades alone is discouraged".

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. 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.
- 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, 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;
- new buildings adjacent to parks or open spaces will be located and organized to define and face into the parks or open space, to animate the edges and to increase surveillance opportunities;
- the lower levels of new buildings associated with the pedestrian realm will be site and organized:
 - to enhance the public nature of streets, open spaces and pedestrian routes;
 - provide public uses which are directly accessible from grade level;
 - encourage, where possible, servicing and vehicular parking to be accessed from rear lanes rather than streets
 - encourage the design and location of servicing and vehicular parking as to minimize pedestrian/vehicular conflicts
- new buildings will be sited for 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, building 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
- high quality open spaces will be provided.

The proposed development is located adjacent to 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 shadowing impacts on the streets, parks, and open space.

The subject site is designated as an "Existing View Terminus" in Map 16-1. The Secondary Plan indicates that sites that terminate views will be given prominent treatment.

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 the second quarter of 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 has been reviewed against the emerging policies of the King-Spadina Secondary Plan review.

King-Spadina Heritage Conservation District

In 2012, the King-Spadina area was prioritized for study as a potential Heritage Conservation District. The study examined whether the area qualified for designation under Part V of the Ontario Heritage Act, which would result in the preparation of an HCD plan and designation by-law.

The study determined that the area had cultural heritage value and should be protected through designation. The project proceeded to the plan preparation phase in May 2014, after being endorsed by the Toronto Preservation Board.

In October 2016, the project team released a draft version of the HCD plan for public comment. The boundaries of the proposed HCD extend from Richmond Street West to the north, Simcoe Street to the east, sections of Wellington Street West, King Street West and Pearl Street to the south, and Bathurst Street to the west. The Subject Property is located in the "St. Andrew character sub-area". A copy of the draft HCD plan can be found here:

https://hcdtoronto.files.wordpress.com/2016/10/161025_ks-hcd-plan-draft1.pdf

At its December 11, 12 and 13th, 2016 meeting, City Council passed By-law 1186-2016 to prohibit the demolition or removal of any buildings or structures on properties

identified as potentially contributing to the proposed King-Spadina Heritage Conservation District Study Area for a period of one year. The provisions in the By-law do not affect the proposed development. A copy of the accompanying staff report can be found here:

<http://www.toronto.ca/legdocs/mmis/2016/mm/bgrd/backgroundfile-99282.pdf>

Further details on the King-Spadina HCD study are available at:

http://www.toronto.ca/heritagepreservation/heritage_districts.htm

Zoning

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

Under former City of Toronto Zoning By-law 438-86, the site is zoned RA with a maximum permitted height of 23 metres. The Reinvestment Area (RA) zone permits a variety of residential and non-residential uses.

The subject site is zoned CRE(x76) with a maximum height permitted of 23 metres under the new City-wide Zoning By-law 569-2013. The Commercial Residential Employment (CRE) zone permits a variety of residential and non-residential uses.

Site Plan Control

This site and applications are subject to Site Plan Control. An application for Site Plan Control has been submitted and is currently under review.

TOcore

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.

City Council adopted the TOcore Proposals Report on December 15, 2016, which provides proposed policy directions that will inform the development of a draft Downtown Secondary Plan. The report also provides updates on the Phase 2 public consultations, population growth projections for the Downtown and the status of infrastructure strategies underway that will support the implementation of a new Downtown Secondary Plan.

The Proposals Report presents the Vision for the Downtown Secondary Plan, the five Guiding Principles and 128 draft Policy Directions. The draft Policy Directions will be the subject of the next round of public and stakeholder consultations to inform the

development of the plan. The consultation will begin in January 2017 and will continue through the first quarter of 2017.

On October 5-7, 2016, City Council adopted Official Plan Amendment (OPA) 352 – Downtown Tall Building Setback Area. The implementing by-law (no. 1105-2016) was enacted on November 9, 2016. 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, policies establish the reasoning for tower setbacks, recognize that not all sites can accommodate tall buildings and addresses base building heights.

Heritage Conservation

The subject site is currently occupied by the Waterworks Building and an historic park known as St. Andrew's playground. Together, the park and the waterworks building are designated under Part IV of the Ontario Heritage Act.

The Waterworks Building was constructed in 1932 and has design value as an art deco style public works complex. The building is proposed to be incorporated into the existing development.

St. Andrews Playground is located on site directly south of the Waterworks Building. It is a public space with a 166-year history, beginning in 1850, when it was part of the St Andrews market. St Andrews Playground has been in continual use as a public park since the 1880's and has been known by its current name since 1909 when it was designated as Toronto's first supervised playground for children. The designating By-law for the property establishes the centrality of the park to the property's contextual value.

The Subject site is adjacent to a listed property known municipally as 20 Brant Street, occupied by the Brant Street School, constructed in 1927.

The applicant has submitted a Heritage Impact Assessment, which was reviewed by Heritage Preservation Staff.

The recommendations in a report recommending alterations to the heritage designated building and authority to amend a Heritage Easement Agreement at 497, 505, and 511 Richmond Street West were adopted by Toronto Preservation Board at its meeting of January 26, 2017. This report will be considered in parallel to this report at Toronto and East York Community Council and City Council.

Tree Preservation

The applicant has submitted an Arborist Report in support of this application. This document proposes the removal of 5 City-owned trees and 1 parkland trees, all of which will require permits for removal. This document was reviewed by Urban Forestry. The

owner will be required to obtain the 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 amendments to the former City of Toronto Zoning By-law 438-86 and the new City-wide Zoning By-law 569-2013. Both Zoning By-laws 438-86 and 569-2013 permit a maximum height of 23 metres to the top of the roof with an additional 5.0 metres permitted for mechanical penthouse, while the proposed development contemplates a height of 47.5 metres to the top of the roof (53.5 metres to the top of the mechanical penthouse). In addition, the proposed building does not comply with other Zoning By-law standards in effect on the lands including the proposed quantity of parking and loading spaces.

Community Consultation

A public open house was held by the applicant in conjunction with the Councillor's office on September 10, 2016. Planning Staff had a table at the open house for residents to ask questions about the proposed development. Approximately 10 of the open house attendees visited the Planning Staff table to make comments and/or ask questions. The comments made to Planning Staff included that members of the public were supportive of the proposed YMCA and food hall, however there were concerns about the proposed height being too tall for the context and the proposed mechanical penthouse being too tall and too bulky.

A Community Consultation Meeting was held by Planning Staff on October 26, 2016 at Metro Hall. This meeting was attended by 46 people. Comments and concerns raised at the community consultation meeting to Planning Staff included:

- Appreciation for the proposed heritage conservation of the Waterworks Building;
- Desire for the introduction of the proposed food hall;
- Positive feedback associated with the inclusion of the YMCA;
- Concern that the proposed development would shadow the rooftop amenity space at 500 Richmond Street West;
- The proposed height is too tall and out of context;
- The proposed mechanical penthouse is too tall and too bulky; and
- Concern about the choice of materials used (notably the black façade) and that the proposed development appeared "too heavy" atop of the Waterworks Building

Feedback was also provided to Staff on this application via emails and telephone calls from area residents. Comments and concerns were generally consistent with the feedback provided at the Community Consultation Meeting.

Comments from the Community Consultation meeting along with other public comments received helped inform the review of the application and have been addressed as follows:

Table 2 – Response to Community Comments

Community Comment	Response
Appreciation for the proposed heritage conservation of the Waterworks Building	Staff also appreciate the proposed heritage conservation of the Waterworks Building.
Desire for the introduction of the proposed food hall	Staff also consider the proposed food hall to be an appropriate use for the ground floor of the proposed development.
Positive feedback associated with the inclusion of the YMCA	Staff consider the introduction of a YMCA in King-Spadina as part of this project to be an important contribution to this neighbourhood and as such have worked to expedite the review of this application.
Concern that the proposed development would shadow the rooftop outdoor amenity space at 500 Richmond Street West.	The applicant has provided shadow studies demonstrating that the proposed development will not shadow the rooftop outdoor amenity space at 500 Richmond Street West.
The proposed height is too tall and out of context	Staff have worked with the applicant to reduce the overall height of the building. The proposed height is acceptable in this instance due to the unique elements of the subject site and the proposed development as detailed in the "Height and Massing" section of this report.
The proposed mechanical penthouse is too tall and too bulky	Staff have worked with the applicant to reduce the size and visual impact of the proposed mechanical penthouse.
Concern about the choice of materials used (notably the black façade) and that the proposed development appeared "too heavy" atop of the Waterworks Building	This is a concern shared by Staff, however it is a matter that will be resolved through the Site Plan Control. Staff will work with the applicant to refine the choice in materials through the Site Plan Control application process.

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 formulate appropriate By-law standards.

COMMENTS

Provincial Policy Statement and Provincial Plans

The 2014 PPS promotes new development through intensification in keeping with municipal Official Plans, where such intensification recognizes the development's local context and has a well-designed built form. It also contemplates accommodating a range and mix of uses, including a mix of residential, employment, institutional, recreation, parks and open space, and other uses to meet long-term needs. This application provides a built form that fits within its local context and is consistent with the 2014 PPS.

The Growth Plan for the Greater Golden Horseshoe designates the site within the urban growth centre. The Growth Plan recognizes urban growth centres as areas for development to accommodate intensification, to provide for a range of housing options and to provide for the appropriate transition of built form to adjacent areas.

This application accommodates intensification and provides an acceptable transition of built form to adjacent areas. As such, this application does not conflict with the Growth Plan for the Greater Golden Horseshoe.

Land Use

The proposed development is located in the *Downtown* in an area designated *Regeneration Areas* in the Official Plan. The proposal is for a mixed use building containing a retail food hall at grade, a YMCA on the second and third floors, and residential above. The proposed uses are permitted by the Zoning By-law. *Regeneration Areas* are intended to provide a broad mix of commercial, residential, light industrial, parks and open space, institutional, live/work and utility uses in an urban form. The framework for development in *Regeneration Areas* is set out in the associated Secondary Plan, which in this instance is the King-Spadina Secondary Plan.

Objectives in the King-Spadina Secondary Plan include providing a mixture of compatible land uses and the provision of commercial activity, including the retail service industry, to ensure the necessary services for the new residents and businesses in the area.

The proposed land use is appropriate for the site and consistent with the *Downtown* and *Regeneration Areas* policies in the Official Plan and the policies in the King-Spadina Secondary Plan.

Community Services and Facilities

The proposed development includes a YMCA, which would contribute a community facility to an area under-served by community services and facilities. The population of

King-Spadina has grown from an estimated 8,600 in 2011 to 19,000 in 2016. Due to this rapid influx of population, the neighbourhood is under-serviced by community services and facilities. The addition of the YMCA would enhance the provision of community services and facilities to the community and aid in addressing the deficit of community services and facilities to serve the growing population in King-Spadina.

The construction of this YMCA is being funded by the YMCA and the City of Toronto. As such, it is a partnership development and not a community benefit pursuant to Section 37 provided by the applicant. The agreement to include a YMCA and accommodate it in the development by the applicant does help to address Community Services and Facilities priorities in the area. The provision of a community centre will be secured in the draft zoning by-law. Additional matters related to the YMCA may be secured in a supplementary report to Toronto and East York Community Council at its meeting of February 22, 2017.

Affordable Housing

The proposed development includes 15 affordable ownership homes for lower-income artists. The sale of these homes will be administered by Toronto Artscape. Artscape will also ensure the homes are sold from one eligible artist's household to the next over time, while keeping the resale prices at affordable levels. Security for this affordable housing plan is provided by way of agreements between the developer, Build Toronto, Artscape and the City and mortgage charges against title. Further details regarding the affordable housing arrangements are available in the July 2016 Council Report *Securing Affordable Ownership Housing at 505 Richmond Street West*. The affordable ownership units are funded by the City, Build Toronto, and the provincial and federal governments.

Provision of Family-Sized Units

The proposed development includes 288 residential units. The proposed unit breakdown is 131 1-bedroom units (45.5%), 156 2-bedroom units (54.2%), and 1 3-bedroom unit (0.3%). Staff generally seek to secure a minimum 10% of all units as 3-bedroom units consistent with Official Plan objectives to create a diversity of unit types and accommodate families. Staff do not support the proportion of 3-bedroom units proposed as part of this development, and seek to secure at minimum 10% 3-bedroom units as part of this development. The site-specific zoning by-law proposed by Staff includes a provision that a minimum 10% of all units provided are 3-bedroom units. It is noted that the proposal does include a number of large 2-bedroom units which could be redesigned and secured as 3-bedroom units without a change in unit counts.

The provision of large, family-sized units is particularly appropriate in this building due to its inclusion of a YMCA and adjacency to St. Andrew's Playground. The City's work on its "Growing Up" study has emphasized the need to accommodate the growing demand for family housing in vertical communities.

Heritage Conservation

The applicant proposes to conserve the majority of the Waterworks Building's exterior elevations in situ. The development retains the north elevation, most of the west

elevation, the south elevation, and the portion of the east elevation that is included in the development site. The development also retains significant character-defining spaces inside the complex. One of these spaces is the double height interior volume historically used for workshops and a warehouse. It spans the full breadth of the site and overlooks St. Andrew's Playground. The applicant proposes to adaptively reuse it as a market hall, while retaining key attributes such as the metal trusses, brick piers and skylights. The conservation of these interior attributes supports a continued understanding of the complex's original functions.

The development also conserves the open air courtyard at the heart of the complex in a slightly reconfigured form. The original route into the courtyard from Richmond Street West is on axis with Augusta Avenue and will become a gateway to the market hall. This new entrance will draw attention to an attribute of the complex, which is its setting at the foot of Augusta Avenue.

The new 13-storey building has varied step backs from the conserved elevations of the heritage building. The building is generously stepped back 15.9 metres from the rear elevation of the workshops and warehouse, with lesser step backs from the north and west elevations. HPS staff are prepared to accept the reduced step back from the north (Richmond Street) elevation of the Waterworks Building, acknowledging the limitations imposed by the programmatic requirements of the YMCA and the significant heritage conservation that is otherwise being achieved on the property.

Significant window restoration is proposed, including the thirteen windows facing St. Andrew's Playground and all of the windows on the north elevation that were replaced with unsympathetic aluminum units. New entrances to the ground floor retail units, condominium and YMCA on the north façade have been designed to respect the horizontal proportions and rhythm of openings across the façade. New entrances to the market hall at the east and west ends of the building correspond to other horizontal façade elements and will not interfere with the second floor window arrangement or stone banding below.

The contemporary design and colour palette of the new building is distinguishable from the Waterworks Building (although Staff will continue to comment on this through the site plan approval process), while the windows and balconies reference the horizontal proportions of the historic building. The project maintains the majority of the building exterior on all four elevations, as well as a significant volume along the south elevation that is unobstructed by the new building. Conservation of the open-air interior courtyard, cited as an important attribute of the complex, maintains an important feature of the original design and massing scheme.

Height and Massing

The applicant proposes a development with a height of 47.5 metres to the top of the roof (53.5 metres, including mechanical penthouse).

At its meeting of July 16, 17, 18 and 19, 2013, City Council recommended a stratified portion of the property at 497 Richmond Street West up to 47.5 metres in height be transferred to Build Toronto subject to a number of terms and conditions. At its meeting on February 3 and 4, 2016, City Council recommended the transfer of additional property rights at 497 Richmond Street West to Build Toronto. This included entering into an Option agreement with Build Toronto for additional strata for the mechanical penthouse and fire exit stairs up to a height of 55.5 metres and permitting a cantilever over the adjacent property at 60 Brant Street, which is connected to the subject site.

The applicant is proposing a 13-storey building at a height of 47.5 metres to the top of the roof (53.5 metres, including mechanical penthouse). This is taller than what is generally supported in the West Precinct of King-Spadina, where Staff generally consider a maximum height of 40 metres (approximately 11-12 storeys) to be appropriate. The proposed building exceeds the height that would generally be expected in the West Precinct of King-Spadina, however this increased height is acceptable to Staff in this instance due to many of the unique elements of the subject site and the proposed development. The proposed development has significantly higher floor to ceiling heights for the first three storeys than what would generally be expected in a development due to the presence of the YMCA and the retention of the heritage-designated Waterworks Building. The first floor has a floor to ceiling height of approximately 6.3 meters, while the second floor has a floor to ceiling height of approximately 4.2 metres, and the third floor has a floor to ceiling height of approximately 5.8 metres. Generally heights of approximately 4.5 metres for the ground floor and 3 metres for the second and third floors would be expected for a residential building with retail at grade, as such the proposed development is approximately 6 meters taller than if it was a standard residential building with retail at grade.

The additional height is also justified in this instance due to the extensive heritage conservation of the Waterworks Building. Policy 4.2 in the King-Spadina Secondary Plan states that "The height of buildings or structures on a lot containing one or more heritage buildings, may be increased above the height limit otherwise specified in the Zoning By-law if the historic conservation restoration and maintenance of such heritage buildings as secured through a satisfactory agreement between the owner and the City pursuant to Section 37 of the Planning Act". The extensive heritage conservation of the Waterworks Building has been considered in evaluating the additional height in this instance.

Proposed stepbacks vary above the third floor, however are at approximately 3.4 meters (excluding balconies) on the west elevation, approximately 2.3 metres on the north elevation, and approximately 12.5 meters on the south elevation. The building is proposed to cantilever approximately 3 metres over the adjacent property at 60 Brant Street on the east elevation. This cantilever and its proposed extent was already approved by City Council as part of the property sale. Reduced stepbacks are proposed below the third storey in order to accommodate the programming requirements of the YMCA. These reduced stepbacks are acceptable to Staff in this instance as they are necessary to accommodate the YMCA.

Relationship to St. Andrew's Playground

The proposed development is located immediately north of St. Andrew's Playground. The applicant has proposed 4 doors, opening inwards, which would front onto St. Andrew's Playground and connect the proposed food hall to the park. Parks, Forestry and Recreation Staff continue to have concerns about the provision of four doors opening onto St. Andrew's Playground. Planning Staff are recommending acceptance of these 4 doors, due to the opportunity to create a stronger physical and functional relationship between the heritage designated Waterworks Building and the park, subject to the following conditions:

- The owner shall, at its own expense, be responsible for winter maintenance of park walkways associated with the use of doors opening onto the park at the south side of the building;
- The owner shall ensure that the doors fronting onto St. Andrew's Playground are only open 7 days a week for the hours of 7 a.m. to 11 p.m., or as otherwise agreed, on terms set out in the Section 37 Agreement all to the satisfaction of the Chief Planner and Executive Director, City Planning Division in consultation with the General Manager, Parks, Forestry and Recreation;
- A maximum of four doors are permitted to exit into St. Andrew's Playground and no door swings into St. Andrew's Playground will be permitted. The proposed design of the doors will be to the satisfaction of the Chief Planner and Executive Director, City Planning Division in consultation with the General Manager, Parks, Forestry and Recreation;
- The inclusion of special design features to be built into the park edge along the south face of the building, at the owners expense, to accommodate the doors and concentrated pedestrian traffic resulting from their use to the satisfaction of the General Manager, Parks, Forestry and Recreation;
- Payment of an annual fee to the City by the owner in the amount of \$10,000 (indexed) for additional park maintenance costs resulting from the spill out and intensification of use generated by the proposed food hall, including but not limited to extra garbage pick-up and wear and tear on the park materials to the satisfaction of the General Manager, Parks, Forestry and Recreation; and
- Prior to the issuance of any above grade buildings permits, the Owner will be required to provide information to the appropriate staff in Parks, Forestry and Recreation. If the City agrees to enter into a Limiting Distance Agreement, the City will require compensation for the affected area.

These conditions will be secured in the Section 37 agreement.

Sun, Shadow, Wind

The proposed development is located adjacent to St. Andrew's Playground. In the King-Spadina Secondary Plan, St. Andrew's Playground 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 Plan requires buildings adjacent to the park to be designed to minimize the wind and shadowing impacts on the streets, parks, and open space.

The proposed development does not add any new shadow to St. Andrew's Playground between 9:18 am and 6:18 pm on March 21 or September 21, due to its location north of the park. The proposed development also does not add any new shadow to the outdoor amenity space located on the roof of the existing development at 500 Richmond Street West. Shadow is added to the north side of Richmond Street West, however it is anticipated that the as-of-right heights would also shadow the north sidewalk. The proposed shadow impact is acceptable to Staff.

The wind conditions proposed to be created by the new development as detailed in the document submitted by the applicant *RWDI Report: Pedestrian Wind Consultation Wind Tunnel Tests* were of concern to Planning Staff. During the winter months certain probe locations were only considered to be comfortable for walking or were considered to be uncomfortable. In response to this concern, the applicant provided an updated letter of opinion, *RWDI Letter of Opinion – Revised Design* dated January 30, 2017, which indicates that wind mitigation measures will be implemented to ensure satisfactory wind conditions. A full Wind Study will be required to be conducted and necessary wind mitigation measures will be secured through the Site Plan Approval process and the Section 37 Agreement to ensure that appropriate wind mitigation measures are implemented, where necessary, for this project.

Indoor and Outdoor Amenity Space

The applicant is proposing 386 square meters of indoor amenity space (1.34 square meters per unit) and 493 square metres of outdoor amenity space (1.71 square metres per unit). The proposed indoor amenity space is to be located on the fourth floor through a multi-purpose room and a fitness studio opening onto outdoor amenity space. Outdoor amenity space is proposed to be located on the fourth floor (212 square metres) and on the top of the roof (281 square metres).

Staff find the proposed deficiency in the provision of indoor amenity space below the 2.0 square metres per unit required in the Zoning By-law to be acceptable in this instance due to the presence of the YMCA on the site.

The outdoor amenity space that the applicant is proposing on the roof encroaches into City property as the strata transfer extends up to a height of 47.5 meters, with the exception of limited projections for the mechanical penthouse and fire exit stairs. The air rights over 47.5 metres continue to be owned by the City with an option to acquire space for a mechanical penthouse and fire exits. That option does not contemplate outdoor

amenity space. The provision of the outdoor amenity space in this location is an encroachment into City property.

Current outdoor amenity space proposed by the applicant within the boundaries of their existing property is only at a ratio of 0.74 square metres per unit. This is below what Staff would consider to be sufficient for the provision of outdoor amenity space. Through discussions with the applicant, Staff and the applicant have negotiated that outdoor amenity space will be provided at a minimum rate of 1.3 square metres per unit. This reduced rate is acceptable in this instance due to the presence of the YMCA in the building. This rate of 1.3 square metres per unit will be secured in the draft zoning by-law. The location of the outdoor amenity space will be secured as part of the Site Plan Control application.

City Council endorsed a transfer of additional strata rights above the 47.5 metre height limit for projections for mechanical penthouse and fire exit stairs for a maximum height of 55.5 metres and a maximum footprint of 850 square metres. While the applicant originally proposed a mechanical penthouse and fire exit stairs with an approximate footprint of 850 square metres, in response to feedback from the community and Planning Staff, the applicant has reduced the footprint of the mechanical penthouse and fire exit stairs below the 850 square metres that City Council endorsed. While Planning Staff previously did not support any additional projections on the roof beyond the mechanical penthouse and fire exit stairs, Planning Staff would not object to the provision of outdoor amenity space on the roof if, when combined with the mechanical penthouse and fire exit stairs, it did not exceed the 850 square metre footprint that City Council approved for the use of a mechanical penthouse and fire exit stairs. This is because the visual impact of outdoor amenity space is less significant than a mechanical penthouse and fire exit stairs with that same footprint.

The applicant would be required to acquire the necessary property rights and approvals to use this space for outdoor amenity purposes, as it is now only permitted to be used for a mechanical penthouse and fire exit stairs. This would require negotiations with Real Estate Services. Should the applicant not be able to acquire the necessary property rights and approvals to use this space for outdoor amenity space, the applicant would be required to provide all outdoor amenity space within their existing strata title. This matter will need to be resolved prior to the Bills being enacted by City Council.

Vehicular Parking

The proposed development would include four levels of underground parking including 175 parking spaces comprised of 103 resident parking spaces, 70 parking spaces to be shared by residential visitors, retail, and the YMCA, and 2 car share spaces. Staff consider the proposed quantity of parking spaces to be adequate for the number of units and amount of non-residential space proposed. The proposed quantity of vehicular parking will be secured in the draft zoning by-law.

Loading

The applicant is proposing one Type G and one Type B loading space, accessible from Maud Street. Staff consider the proposed loading space rate to be acceptable. The provision of these loading spaces will be secured in the draft zoning by-law.

Bicycle Parking

The applicant is proposing 360 bicycle parking spaces including 278 long-term bicycle parking spaces (260 residential; 18 non-residential) and 58 short-term bicycle parking spaces (29 residential; 29 non-residential). Long-term bicycle parking is proposed to be located on the P1 to P4 levels and short-term bicycle parking is proposed to be located on the G and P1 levels. Bicycle parking will be secured in the draft zoning by-law in accordance with Tier 1 of the Toronto Green Standard Checklist.

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 1.57 to 2.99 hectares of local parkland per 1,000 people. The site is in the second highest quintile of current provision of parkland. The site is in a parkland acquisition priority area, as per Chapter 415, Article III of the Toronto Municipal Code.

The application is for the repurposing of the heritage building with 3,922.7 square metres of retail gross floor area and 4,077.6 square metres of institutional gross floor area as well as the construction of a residential tower containing 299 residential units and 23,528 square metres of residential gross floor area.

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 3,987 square metres or 103% 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 399 square metres.

The applicant is required to satisfy the parkland dedication requirement through cash-in-lieu. This is appropriate as the footprint of the heritage building restricts the addition of any parkland. The site is also directly adjacent to St. Andrew's Playground, which contains a playground and off-leash dog area.

The actual amount of cash-in-lieu to be paid will be determined at the time of issuance of the building permit.

Given the current rise in dog population in the downtown area, especially within condominium towers, the applicant is expected to provide on-site dog amenities with proper disposal facilities for the building residents or dog relief stations within the

building. This will help to alleviate some of the pressure on the existing neighbourhood parks. This will be secured as a requirement in the Section 37 agreement.

Any structures constructed on the land abutting the park, or openings added to existing structures abutting the park, shall be subject to limiting distance requirements established under the Ontario Building Code Act, 1992. Prior to the issuance of any above grade buildings permits, the owner will be required to provide information to the appropriate staff in Parks, Forestry and Recreation. If the City agrees to enter into a Limiting Distance Agreement, the City will require compensation for the affected area. The requirement for the Limiting Distance Agreement will be secured through the Section 37 Agreement.

Toronto Green Standard

In 2013 City Council updated the two-tiered Toronto Green Standard (TGS) that was adopted by City Council on October 27, 2009. 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 site specific zoning by-law will secure performance standards for the provision of bicycle parking. Other applicable TGS performance measures will be secured through the Site Plan approval process.

Implementation

Before the bills are able to be adopted by City Council, the following matters must be satisfied in order to implement the development:

- Heritage Easement Agreement and Conservation Plan - The applicant is required to amend the existing Heritage Easement Agreement and provide a Conservation Plan in order to secure the heritage conservation of the Waterworks Building.
- Archaeological requirements - Several archaeological requirements must also be satisfied in order to determine the extent of the archaeological resources on the site and allow for any modifications necessary due to the presence of such resources.
- Hydrogeology and stormwater management - Revisions to the hydrogeology assessment and the servicing and stormwater management report are required to address comments from Engineering and Construction Services based on the materials that have been provided. This is required prior to bills in the event that any modifications to the development are required to address any hydrogeology or servicing and stormwater management issues.

- Upgrades to municipal infrastructure - If any construction of or improvements to municipal infrastructure are required in order to support this development, satisfactory arrangements will need to be made for these upgrades.
- Access driveways for collection vehicles - Revised drawings are also required prior to bills demonstrating that the access driveways with the appropriate dimensions for collection vehicles are able to be incorporated into the development. This allows the opportunity for any modifications to the building, in the event modifications are necessary to accommodate collection vehicles.
- Community Use Agreement - The YMCA and the City are in the process of entering into a Community Use Agreement, as outlined in Appendix B of the report "Business Terms and Request for a Capital Loan Guarantee for a YMCA Centre at 505 Richmond Street West" (June 14, 2016). City Council adopted the recommendations of this report, including authorizing the City to enter into a Community Use Agreement with the YMCA for this project at its meeting of July 12, 13, 14, and 15, 2016. This is required in order to ensure the City's access to the proposed YMCA.
- Community Services and Facilities - Additional matters may be secured in a supplementary report to Toronto and East York Community Council at its meeting of February 22, 2017 in relation to the proposed YMCA.

Section 37

Before introducing the necessary Bills to City Council for enactment, the owner(s) will be required to enter into an Agreement pursuant to Section 37 of the *Planning Act* satisfactory to the City Solicitor and in consultation with the Chief Planner and Executive Director, City Planning Division. The following matters are proposed to be secured through a Section 37 Agreement:

- a. The matters set out in Recommendations 1 c. 1-3., 1 d. 1-7, and 1 e. 1 & 2 of the Report of the Chief Planner and Executive Director, City Planning Division to the Toronto Preservation Board and Toronto and East York Community Council dated January 20, 2017 "Alterations to Designated Heritage Property and Authority to Amend a Heritage Easement Agreement - 497, 505 and 511 Richmond Street West";
- b. The construction and maintenance at the owner's expense and no cost to the City, of a pedestrian walkway through the courtyard at the east entry of the Waterworks Building within the area generally as identified as Area A on Attachment 7 and having a minimum width of 2.1 metres for use by the City and the general public for the life of the development on terms set out in the Section 37 Agreement, including requirements for, commencing at occupancy, insurance and indemnification of the City, all to the satisfaction

of the Chief Planner and Executive Director, City Planning. The details and location of the pedestrian walkway will be determined in the context of site plan approval;

- c. Construction and maintenance, at the owner's expense and no cost to the City, of an interior pedestrian walkway through the building from Richmond Street West to St. Andrew's Playground together with provision for use by the City and the general public 7 days a week between the hours of 7 a.m. and 11 p.m., or as otherwise agreed, for the life of the development on terms set out in the Section 37 Agreement and, commencing at occupancy, insurance and indemnification of the City, to the satisfaction of the Chief Planner and Executive Director, City Planning Division. This walkway may be closed for special events or other occasions as set out in the Section 37 agreement. The details and location of the pedestrian walkway will be determined in the context of site plan approval;
- d. The owner shall be financially responsible for all costs associated with the excavation, improvement, removal and/or relocation of any above or below-grade public or private utility resulting from the development of this property to the satisfaction of the Executive Director, Engineering and Construction Services;
- e. Prior to final site plan approval, the owner shall incorporate significant archaeological resources and findings into the proposed development through either in-situ preservation and interpretation where feasible, or commemorate and interpret the resources through exhibition development on site including, but not limited to, commemorative plaquing. This is to be completed to the satisfaction of the Senior Manager, Heritage Preservation Services; and
- f. Prior to the issuance of the first building permit, the owner will submit a Construction Management Plan, to the satisfaction of the Chief Planner and Executive Director, City Planning Division, the General Manager of Transportation Services, and the Chief Building Official, in consultation with the Ward Councillor and thereafter in support of the development, will implement the plan during the course of construction. The Construction Management Plan will include, but not be limited to, details regarding size and location of construction staging areas, dates and significant concrete pouring activities, measures to ensure safety lighting does not negatively impact adjacent residences, construction vehicle parking locations, refuse storage, site security, site supervisor contact information, and any other matters deemed necessary;

- g. Prior to site plan approval, the owner shall submit a Wind Study for the proposed development and an undertaking to implement any necessary mitigation measures, to the satisfaction of the Chief Planner and Executive Director, City Planning division;
- h. The owner shall, at its own expense, be responsible for winter maintenance of park walkways associated with the use of doors opening onto the park at the south side of the building;
- i. The owner shall ensure that the doors fronting onto St. Andrew's Playground are only open 7 days a week for the hours of 7 a.m. to 11 p.m., or as otherwise agreed, on terms set out in the Section 37 Agreement all to the satisfaction of the Chief Planner and Executive Director, City Planning Division in consultation with the General Manager, Parks, Forestry and Recreation;
- j. A maximum of four doors are permitted to exit into St. Andrew's Playground and no door swings into St. Andrew's Playground will be permitted. The proposed design of the doors will be to the satisfaction of the Chief Planner and Executive Director, City Planning Division in consultation with the General Manager, Parks, Forestry and Recreation;
- k. The inclusion of special design features to be built into the park edge along the south face of the building, will be at the owners expense, to accommodate the doors and concentrated pedestrian traffic resulting from their use to the satisfaction of the General Manager, Parks, Forestry and Recreation;
- l. Payment of an annual fee to the City by the owner in the amount of \$10,000 (indexed) for additional park maintenance costs resulting from the spill out and intensification of use generated by the proposed food hall, including but not limited to extra garbage pick-up and wear and tear on the park materials to the satisfaction of the General Manager, Parks, Forestry and Recreation;
- m. Prior to the issuance of any above grade buildings permits, the owner will be required to provide information to the appropriate staff in Parks, Forestry and Recreation regarding the limiting distance requirements established under the Ontario Building Code Act, 1992. If the City agrees to enter into a Limiting Distance Agreement, the City will require compensation for the affected area;
- n. The owner shall be required to obtain an environmental assessment report, prepared by a qualified engineer, at the end of the permitted occupation of the parking lot on the west side of St. Andrew's Playground to verify that the parklands continue to meet the applicable laws, regulations and guidelines respecting sites to be used for public park purposes. The owner will be required to provide an RSC upon expiry of the lease agreement. The owner will be responsible for paying all costs associated with the City retaining a

third-party peer reviewer for the environmental addendum. These matters are to be to the satisfaction of the General Manager, Parks, Forestry and Recreation; and

- o. Provision of on-site dog amenities at the owner's expense with proper disposal facilities for the building residents or dog relief stations, to the satisfaction of the Chief Planner and Executive Director, City Planning Division.

Conclusion

Staff recommend that the proposed application be approved, subject to an increase in outdoor amenity space and an increase in the provision of 3-bedroom units. The proposal, once revised, is consistent with the *Regeneration Areas* policies in the Official Plan and the King-Spadina Secondary Plan. The proposed heritage conservation is acceptable and the introduction of the YMCA will help to address the significant deficit in community services and facilities provided in King-Spadina.

CONTACT

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Tel. No. 416-392-7618
E-mail: lynda.macdonald@toronto.ca

SIGNATURE

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

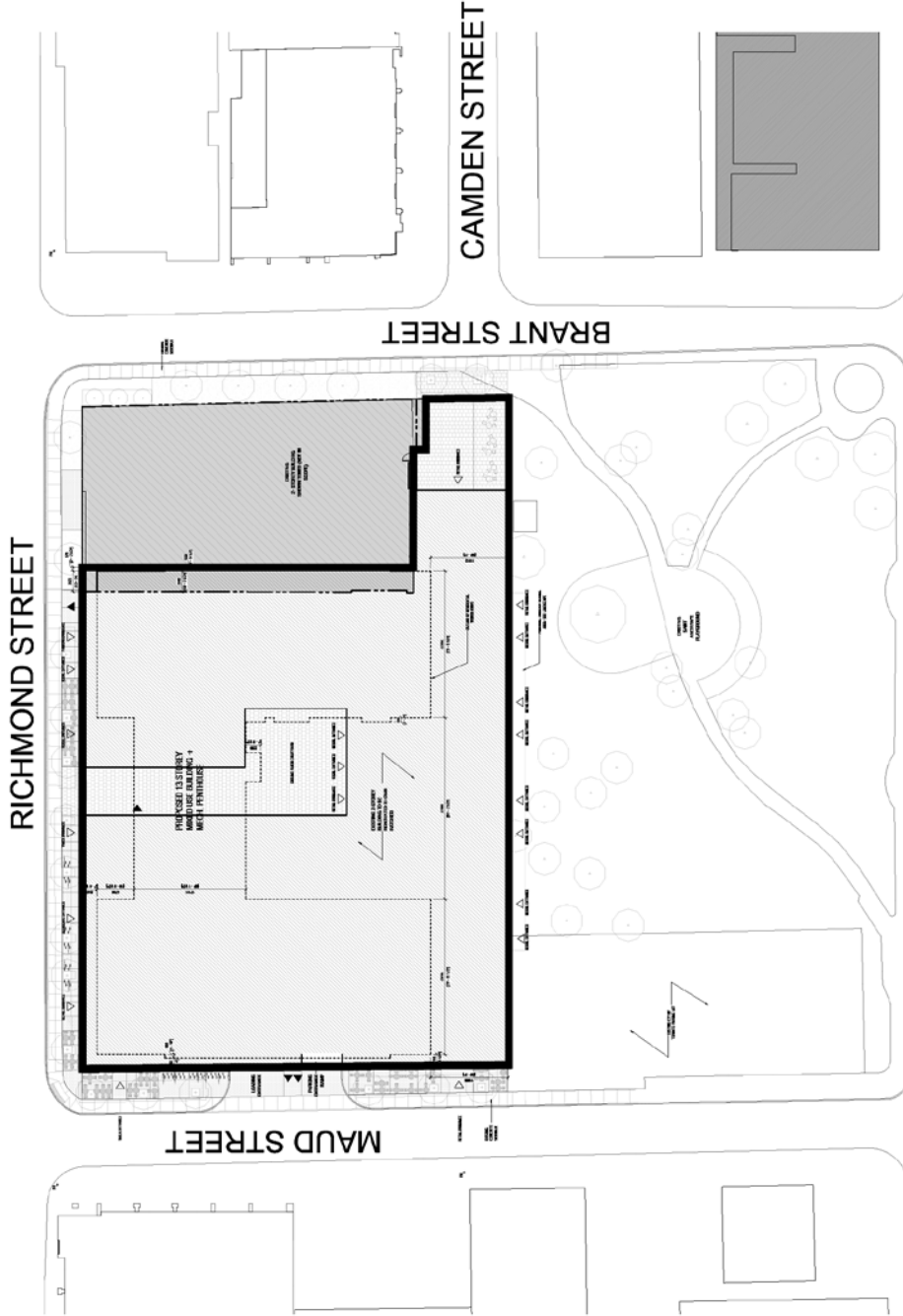
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ATTACHMENTS

Attachment 1: Site Plan
Attachment 2: North Elevation
Attachment 3: South Elevation
Attachment 4: East Elevation
Attachment 5: West Elevation
Attachment 6: Zoning
Attachment 7: Entry Courtyard
Attachment 8: Application Data Sheet

Attachment 9: Draft Zoning By-law Amendment to 438-86
Attachment 10: Draft Zoning By-law Amendment to 569-2013

Attachment 1: Site Plan



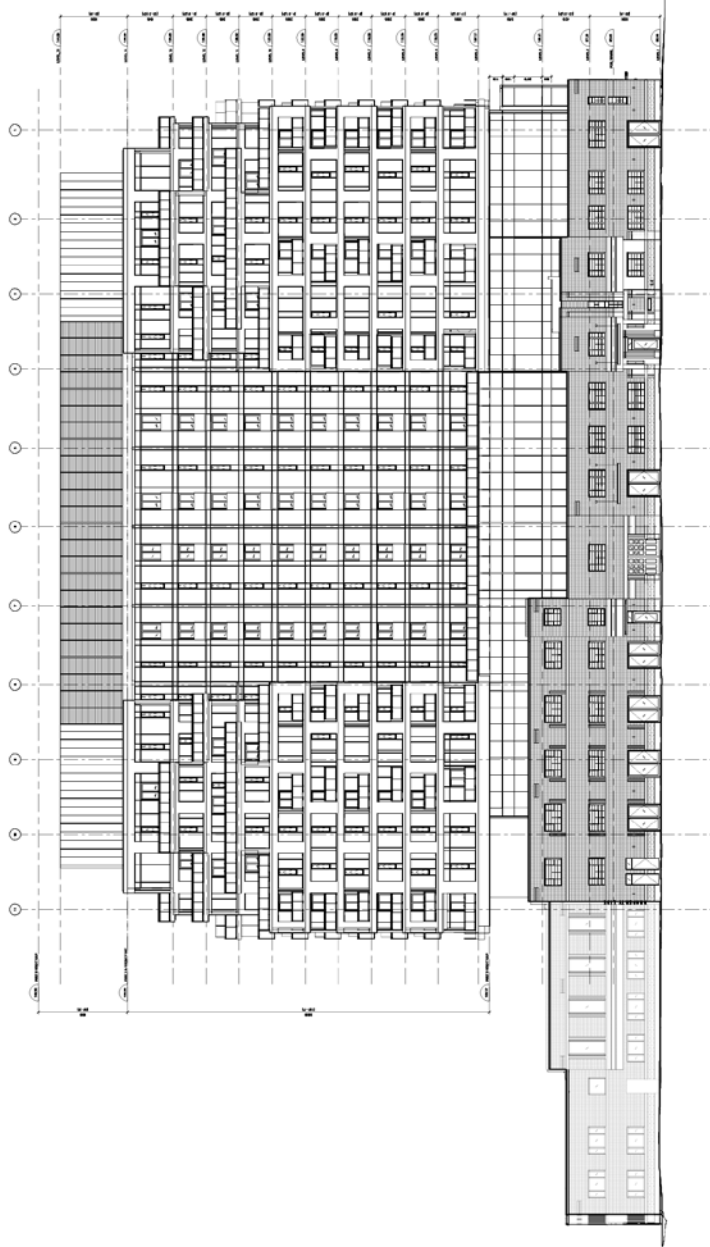
497 Richmond Street West

Site Plan
Applicant's Submitted Drawing

File # 16 196378 STE 20 0Z

Not to Scale
02/03/2017

Attachment 2: North Elevation



North Elevation

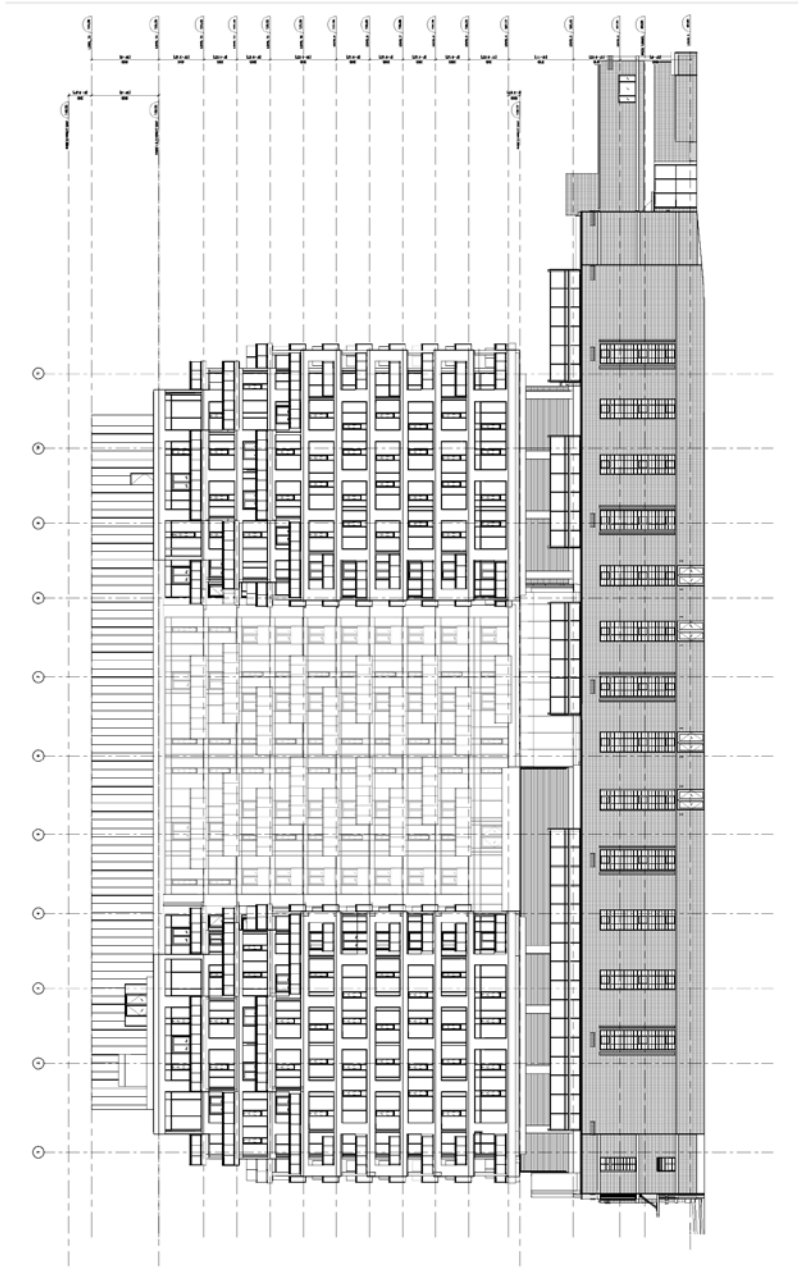
Applicant's Submitted Drawing

Not to Scale
01/31/2017

497 Richmond Street West

File # 16 196378 STE 20 0Z

Attachment 3: South Elevation



South Elevation

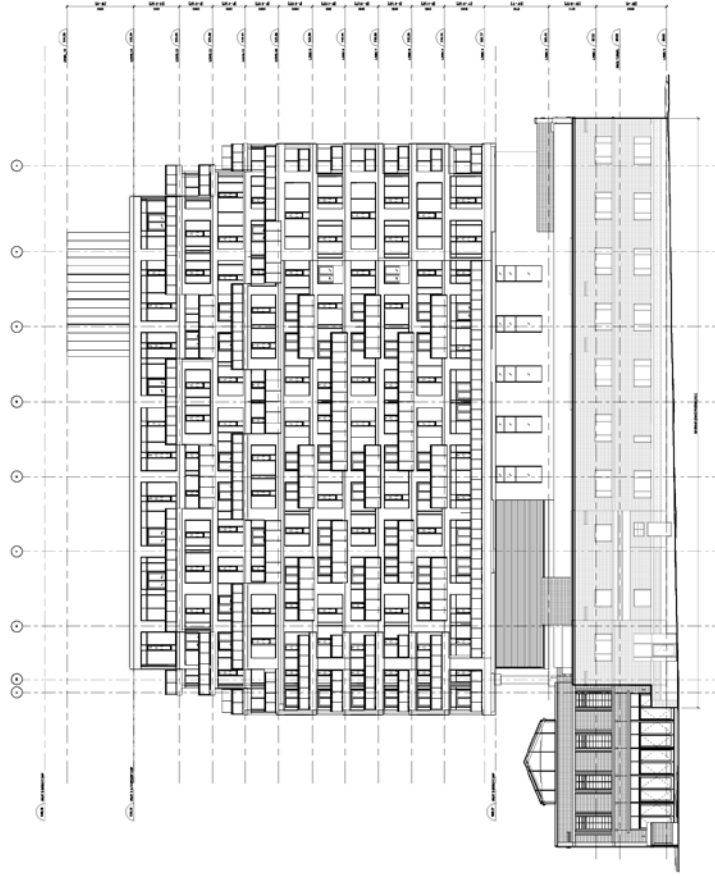
Applicant's Submitted Drawing

Not to Scale
01/31/2017

497 Richmond Street West

File # 16 196378 STE 20 0Z

Attachment 4: East Elevation



East Elevation

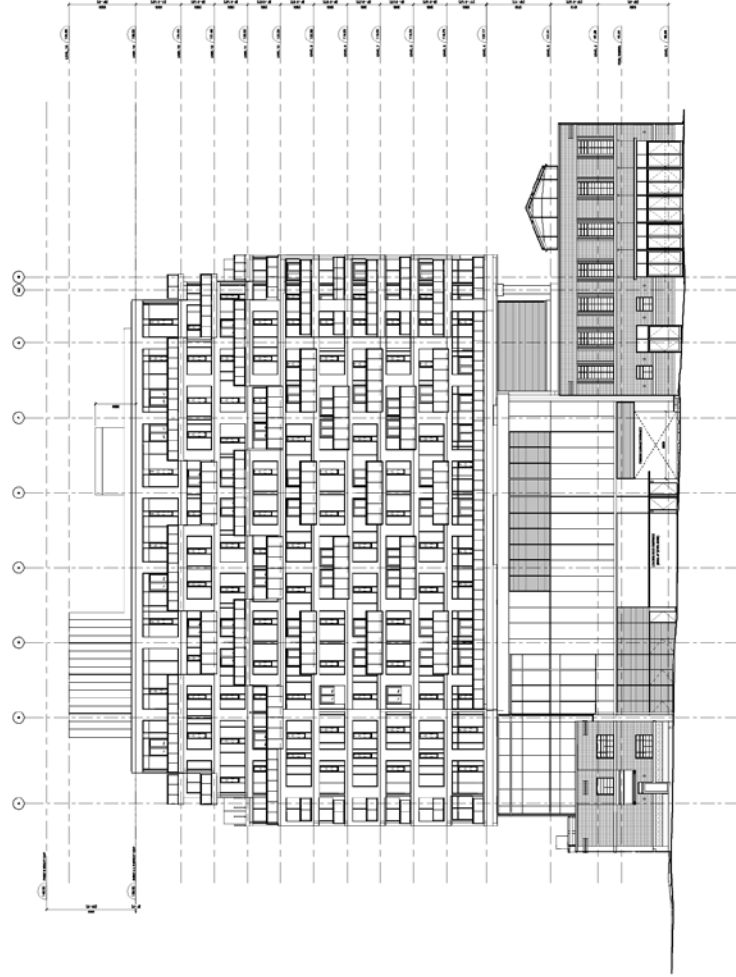
Applicant's Submitted Drawing

Not to Scale
01/31/2017

497 Richmond Street West

File # 16 196378 STE 20 0Z

Attachment 5: West Elevation



West Elevation

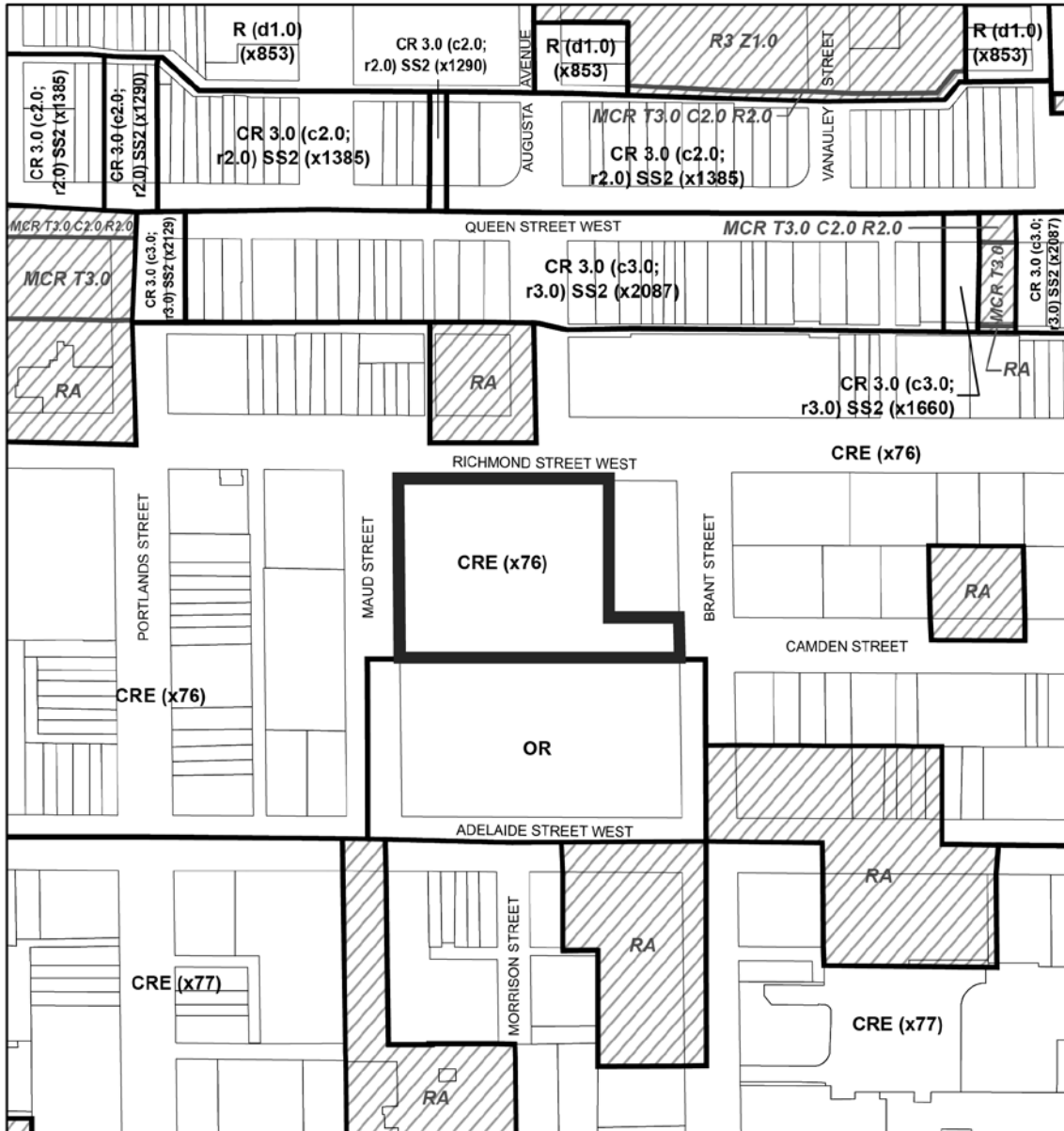
Applicant's Submitted Drawing

Not to Scale
01/31/2017

497 Richmond Street West

File # 16 196378 STE 20 0Z

Attachment 6: Zoning



Zoning By-Law No. 569-2013

497 Richmond Street West

File # 16 196378 STE 20 02

Location of Application

See Former City of Toronto By-Law No. 438-86

R Residential
CR Commercial Residential

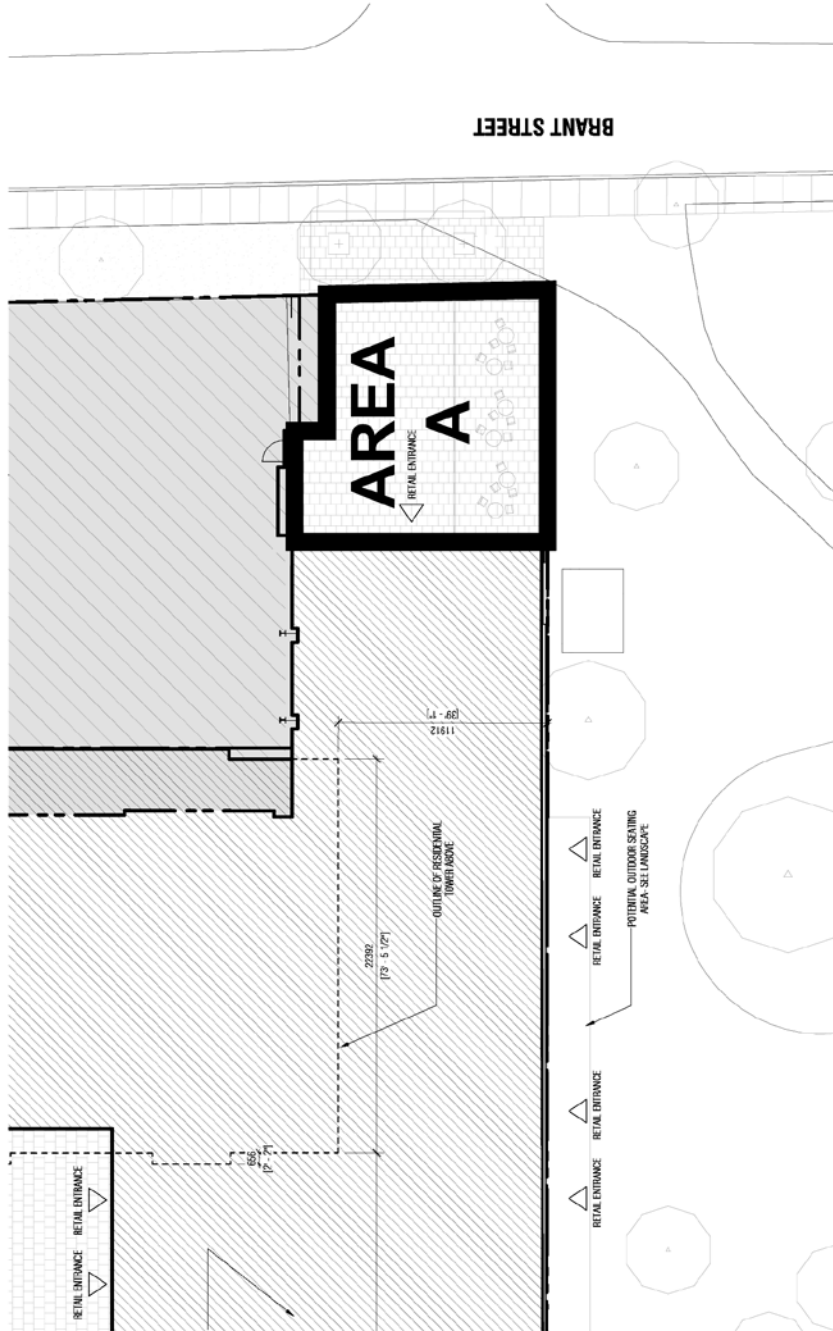
CRE Commercial Residential Employment
OR Open Space Recreation

R3 Residential District
CR Mixed-Use District
MCR Mixed-Use District
RA Mixed-Use District



Not to Scale
Extracted: 01/31/2017

Attachment 7: Entry Courtyard



Entry Courtyard

Applicant's Submitted Drawing

Not to Scale
02/09/2017

497 Richmond Street West

File # 16 196378 STE 20 0Z

Attachment 8: Application Data Sheet

Application Type	Rezoning	Application Number:	16 196378 STE 20 OZ
Details	Rezoning, Standard	Application Date:	July 25, 2016

Municipal Address: 497 RICHMOND ST W

Location Description: **GRID S2012

Project Description: Proposal for Rezoning related to a 13 storey mixed use building with retail and a food hall at grade, a YMCA on the second and third storeys, and residential above. The project is to include 284 market-rate residential units and 15 affordable units.

Applicant:	Agent:	Architect:	Owner:
MOD DEVELOPMENTS		DIAMOND SCHMITT ARCHITECTS	BUILD TORONTO HOLDINGS (RICHMOND) INC

PLANNING CONTROLS

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

PROJECT INFORMATION

Site Area (sq. m):	5174	Height:	Storeys:	13
Frontage (m):	73.5		Metres:	41.5
Depth (m):	65.16			
Total Ground Floor Area (sq. m):	3733.3			Total
Total Residential GFA (sq. m):	23087.7		Parking Spaces:	175
Total Non-Residential GFA (sq. m):	8514.7		Loading Docks	2
Total GFA (sq. m):	31602.4			
Lot Coverage Ratio (%):	72.1			
Floor Space Index:	6.1			

DWELLING UNITS

Tenure Type:	Condo
Rooms:	0
Bachelor:	0
1 Bedroom:	131
2 Bedroom:	156
3 + Bedroom:	1
Total Units:	288

FLOOR AREA BREAKDOWN (upon project completion)

	Above Grade	Below Grade
Residential GFA (sq. m):	23087.7	0
Retail GFA (sq. m):	3887.6	0
Office GFA (sq. m):	0	0
Industrial GFA (sq. m):	0	0
Institutional/Other GFA (sq. m):	4627.1	0

CONTACT:	PLANNER NAME:	Michelle Knieriem, Planner
	TELEPHONE:	416-338-2073

Attachment 9: Draft Zoning By-law Amendment to 438-86

To be available at the February 22, 2017 meeting of Toronto and East York Community Council

Attachment 10: Draft Zoning By-law Amendment to 569-2013

To be available at the February 22, 2017 meeting of Toronto and East York Community Council