

482 - 488 Wellington Street West - Zoning Amendment Application - Request for Direction Report

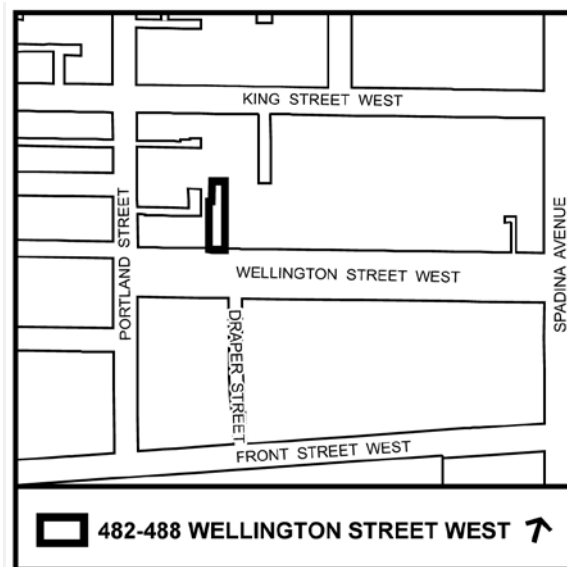
Date:	March 7, 2018
To:	Toronto and East York Community Council
From:	Acting Director, Community Planning, Toronto and East York District
Wards:	Ward 20 – Trinity-Spadina
Reference Number:	16 270154 STE 20 OZ

SUMMARY

This application proposes a 16-storey building that would incorporate the front façades and 10 metres behind the façades of the existing listed heritage buildings on the site, with approximately 272 square metres of retail and service commercial uses on the ground floor and 18,226 square metres of office space, at 482-488 Wellington Street West.

The owner of the site at 482-488 Wellington Street West has appealed its Zoning By-law Amendment application to the Ontario Municipal Board (OMB) citing Council's failure to make a decision within the time allotted by the *Planning Act*. A pre-hearing conference has been scheduled for May 8, 2018. To date, a hearing has not been scheduled.

The proposed development represents an overdevelopment of the site, both in terms of built form and density and as an unacceptable form of development. The proposal does not conform with the Official Plan, including but not limited to its built form policies or the applicable Secondary Plan. Further, the proposal does not satisfactorily respond to built form urban design guidelines. Issues specifically raised by the proposal include:



- The proposal does not respond appropriately to the built form context of Wellington Street West and unlike recent development, would set a negative precedent.
- The proposed built form of a tower at a height of 72.4 metres (including the mechanical penthouse) is not consistent with the mid-rise built form of the West Precinct of the King-Spadina Secondary Plan area.
- The proposed side yard and rear yard setbacks are not acceptable for a tower proposal.
- The proposal does not appropriately address a number of performance requirements set out in the general Zoning By-laws, such as parking and loading requirements.

This report seeks Council direction to oppose the application at the OMB.

RECOMMENDATIONS

The City Planning Division recommends that:

1. City Council direct the City Solicitor and City staff, as appropriate, to attend the Ontario Municipal Board Hearing, and to oppose the Zoning By-law Amendment application for 482-488 Wellington Street West in its present form for reasons set out in the report (March 7, 2018) from the Acting Director, Community Planning, Toronto and East York District.
2. City Council authorize City Planning staff to continue discussions with the applicant on a revised proposal which addresses the issues set out in this report, including:
 - a) conserving the heritage property at 482-488 Wellington Street West consistent with the Official Plan and King Spadine Heritage Conservation District Plan;
 - b) reducing the proposed height and massing and increasing building setbacks to avoid overdevelopment of the site and to limit the negative impacts on adjacent properties;
 - c) improving compliance with Council's approved planning framework for the area including the King-Spadina Urban Design Guidelines (2006); and
 - d) improving compliance with emerging policies reflected in the King Spadina Secondary Plan review.

3. City Council authorize the Acting Chief Planner and Executive Director, City Planning Division, in consultation with the Ward Councillor, to secure services, facilities or matters pursuant to Section 37 of the *Planning Act*, should the proposal be approved in some form by the Ontario Municipal Board.
4. In the event that the Ontario Municipal Board allows the appeal in whole or in part, City Council authorize the City Solicitor to request the Ontario Municipal Board to withhold the issuance of any Order(s) until:
 - a) the final form of the Zoning By-law amendments are to the satisfaction of the Acting Director, Community Planning, Toronto East York District and the City Solicitor;
 - b) the owner has entered into a Heritage Easement Agreement with the City for the property at 482-488 Wellington Street West to the satisfaction of the Senior Manager, Heritage Preservation Services including execution and registration of such agreement to the satisfaction of the City Solicitor;
 - c) the owner has provided a Conservation Plan prepared by a qualified heritage consultant for the property at 482-488 Wellington Street West to the satisfaction of the Senior Manager, Heritage Preservation Services;
 - d) the owner has addressed the outstanding items in relation to servicing outlined in the memorandum from Engineering and Construction Services dated February 28, 2017; and
 - e) community benefits and other matters in support of the development as are determined appropriate are secured in a Section 37 Agreement executed by the owner and registered on title to the satisfaction of the Acting Director Community Planning, Toronto and East York District and the City Solicitor.
5. City Council authorize the City Solicitor and other City staff to take such necessary steps, as required, to implement the foregoing.

DECISION HISTORY

On October 18, 2016 and November 15, 2016, pre-application meetings were held with the applicant to discuss complete application submission requirements, and to identify preliminary issues with the proposal. Staff identified a number of issues including the appropriateness of the proposed built form for the site, the treatment of the listed heritage buildings, the proposed building height massing and consistency with the character of the surrounding area and policies of the King-Spadina Secondary Plan and the Official Plan.

ISSUE BACKGROUND

Proposal

This application proposes a 16-storey building with approximately 272 square metres of retail and service commercial uses on the ground floor and 18,226 square metres of office space. Outdoor amenity space is proposed on the roof of the existing heritage buildings where the new building would step back from the street facing Wellington Street West. The overall height of the building would be approximately 72.4 metres, including the mechanical penthouse. The proposal includes the integration of the front façades and 10 metres behind the façades of the existing listed heritage buildings on the site. All existing building fabric beyond the retained 10 metre portion would be demolished and replaced with the new building.

The existing listed heritage, five-to six-storey, brick warehouse buildings would remain in their current location, with a zero metre setback from the south (Wellington Street West) lot line. The new building would be set back from the south lot line by approximately 10 metres above the fifth storey of the retained heritage buildings.

The existing and proposed building would be set back zero metres from the east lot line for the first six storeys of the building. The building would be set back 1.7 metres from the east lot line above the sixth storey. The entire east façade would include windows in both the existing and proposed buildings.

The existing and proposed buildings would have an irregular setback from the west lot line due to a combination of the proposed building design and the shape of the site, which narrows slightly along the west lot line from south to north. A minimum setback at grade of three metres from the west lot line to the building is proposed. This would gradually increase to six metres in the middle of the site beyond the 10 metre deep retained portion of the existing heritage building before decreasing to three metres toward the northern portion of the site. The third to fifth storeys include a generally uniform setback from the west lot line of three metres. Above the fifth storey at the southern (wider) portion of the property, a six metre setback is proposed from the west lot line with a three metre setback proposed at the northern (narrower) portion of the property. The west façade is proposed to include windows above the third storey.

The proposed setback to the proposed building from the north lot line would range from approximately 0.4 metres to two metres. The entire building would be set back a minimum of 1.9 metres from the north lot line above the sixth storey. The north façade is proposed to include windows above the third storey.

Vehicular access would be provided from Wellington Street West along the west side of the building via a minimum three metre wide driveway. Vehicle parking and loading spaces would be located in the central and rear portion of the ground floor of the building. The proposed development includes one Type B loading space and 31 vehicle parking spaces located on the ground floor in three-level parking stackers that would be accessed from the driveway. Three hundred and four bicycle parking spaces are proposed

at the rear of the first and second storeys of the building that would be accessed from the driveway.

For additional details, see Attachment 1: Site Plan, Attachments 2-5: Elevations and Attachment 6: Application Data Sheet.

Site and Surrounding Area

The site is located west of Spadina Avenue on the north side of Wellington Street West. The rectangular-shaped site has an area of approximately 1,793 square metres with frontage on Wellington Street West of approximately 28 metres and a depth of approximately 67 metres.

The site currently contains two five- to six-storey brick warehouse buildings connected by a newer addition currently used as an office building with a ground floor restaurant. Both buildings are listed on the City of Toronto Heritage Register.

Surrounding uses include:

North: The area north of the site has a predominantly mid-rise character. Most buildings are less than 35 metres in height, with significant setbacks to the taller portions of these buildings from the street. The area includes many three-to six-storey brick and beam former warehouse buildings converted to office uses as well as newer, predominantly residential buildings. The lands to the north at 489-539 King Street West are the subject of an application for residential, office and restaurant/retail uses in a single building form of varying heights framing a publicly accessible courtyard. The form of the building rises and falls, and includes five building 'peaks', of which the tallest are 16 storeys (File No. 16 159483 STE 20 OZ). The lands at 489-499 King Street West were approved for a 12-storey office building with retail uses at grade with significant stepbacks (a maximum height of 53.3 metres including the mechanical penthouse) (File No. 12 203376 STE 20 OZ). A number of properties to the north of the site are either listed on the City of Toronto Heritage Register or designated under Part IV of the *Ontario Heritage Act*.

East: A two-storey office building located immediately east of the site at 470-474 Wellington Street West is the subject of an application for a 15-storey office building with retail space on the ground floor (a height of 72.6 metres, including the mechanical penthouse) (File No. 16 261191 STE 20 OZ). Farther east along the north side of the street is a mix of predominantly older industrial buildings two to six storeys in height, which have been converted to residential and office uses, with some commercial uses at grade. The site containing a three-storey semi-detached houseform building at 422-424 Wellington Street West is subject of an application for a 19-storey mixed use building (File No. 16 213925 STE 20 OZ). A relatively new 12-storey residential building is east of that site and a gas station is at the northwest corner of Wellington Street West and Spadina Avenue. North of the gas

station is an approved development for 11-storey and 19-storey residential buildings with ground floor commercial uses at 46-62 Spadina Avenue (File No. 05 109350 STE 20 OZ). Several properties to the east of the site are either listed on the City of Toronto Heritage Register or designated under Part IV of the *Ontario Heritage Act*.

South: Wellington Street West is located immediately south of the subject site. The street has a right-of-way width of 45 metres. At the southeast corner of Draper Street and Wellington Street West is a two-storey brick office building. The southwest corner of Draper Street and Wellington Street West is subject of an application for a 16-storey building, which would include retail and residential uses (File No. 16 114472 STE 20 OZ). South of these properties is the Draper Street Heritage Conservation District, a series of one-and-a-half to two-and-a-half storey brick homes, which date back to the late 19th century, designated under Part V of the *Ontario Heritage Act*. The 7.7 acre parcel (former Globe and Mail site) east of Draper Street has been approved to be comprehensively redeveloped as a mixed-use development with seven buildings containing residential, office and retail uses. The buildings approved to front Wellington Street West are one 13-storey building, which steps back from the street at the west end of the site (with a maximum height of 55.3 metres including mechanical elements) and two 15-storey buildings, which step back from the street (both a maximum height of 61 metres including mechanical elements) that are adjacent to a five-storey listed heritage warehouse building containing office uses at the southwest corner of Wellington Street West and Spadina Avenue (File No. 14 116571 STE 20 OZ). West of Draper Street is a mix of low-scale commercial industrial buildings, Victoria Memorial Park, several blocks of three-storey townhouses, nine- and 13-storey residential buildings and a mixed-use building now under construction with heights up to 19 storeys at the corner of Front Street West and Bathurst Street (a maximum height of 63 metres including mechanical elements) (File No. 11 230641 STE 20 OZ).

West: A relatively new 10-storey residential building is located immediately west of the site at 500 Wellington Street West. Farther west of the site on the north side of the street is a mix of buildings including a three-storey office building that is subject of an application for a 15-storey office building with retail uses at grade (with a maximum height of 68.8 metres including mechanical penthouse) (File No. 16 270147 STE 20 OZ), a recently constructed 11-storey residential building and a three-storey houseform building currently used as a restaurant that is listed on the Toronto Heritage Register. Just west of Portland Street are 10- and 12-storey residential buildings.

Provincial Policy Statement, Provincial Plans and Planning Act

Under the *Planning Act*, Section 2 sets out matters of Provincial interest that shall be had regard to. These include:

- (d) the conservation of features of significant architectural, cultural, historical, archaeological or scientific interest;
- (f) the adequate provision and efficient use of communication, transportation, sewage and water services and waste management systems;
- (r) the promotion of built form that,
 - (i) is well designed;
 - (ii) encourages a sense of place;
 - (iii) provides for public spaces that are of high quality, safe, accessible, attractive, and vibrant.

The Provincial Policy Statement, 2014 (the "PPS") provides policy direction province-wide on land use planning and development to promote strong communities, a strong economy, and a clean and healthy environment. It includes policies on key issues that affect communities, such as:

- The efficient and wise use and management of land and infrastructure over the long term in to minimize impacts on air, water and other resources;
- Protection of the natural and built environment;
- Building strong, sustainable and resilient communities that enhance health and social well-being by ensuring opportunities exist locally for employment;
- Residential development promoting a mix of housing; recreation, parks and open space; and transportation choices that increase the use of active transportation and transit;
- Encouraging a sense of place in communities, by promoting well-designed built form and by conserving features that help define local character; and
- Ensuring the conservation of significant built heritage resources and significant cultural heritage landscapes.

The City of Toronto uses the PPS to guide its Official Plan and to inform decisions on planning and development matters. The PPS is issued under Section 3 of the *Planning Act* and all decisions of Council affecting land use planning matters "shall be consistent with" the Provincial Policy Statement. Policy 4.7 further states that the Official Plan is the most important vehicle for implementing the PPS.

The Growth Plan for the Greater Golden Horseshoe, 2017 (the "Growth Plan") provides a strategic framework for managing growth in the Greater Golden Horseshoe region including:

- Setting minimum density targets within settlement areas and related policies directing municipalities to make more efficient use of land, resources and infrastructure to reduce sprawl, cultivate a culture of conservation and promote compact built form and better-designed communities with high quality built form and an attractive and vibrant public realm established through site design and urban design standards;
- Directing municipalities to engage in an integrated approach to infrastructure planning and investment optimization as part of the land use planning process;
- Building complete communities with a diverse range of housing options, public service facilities, recreation and green space that better connect transit to where people live and work;
- Retaining viable employment lands and encouraging municipalities to develop employment strategies to attract and retain jobs;
- Minimizing the negative impacts of climate change by undertaking stormwater management planning that assesses the impacts of extreme weather events and incorporates green infrastructure;
- Recognizing the importance of watershed planning for the protection of the quality and quantity of water and hydrologic features and areas; and
- Conserving irreplaceable cultural heritage resources.

Like other provincial plans, the Growth Plan builds upon the policy foundation provided by the PPS and provides more specific land use planning policies to address issues facing the Greater Golden Horseshoe region.

The policies of the Growth Plan take precedence over the policies of the PPS to the extent of any conflict, except where the relevant legislation provides otherwise. All decisions by Council affecting land use planning matters are required by the *Planning Act*, to conform, or not conflict, as the case may be, with the Growth Plan.

Official Plan

Chapter Two – Shaping the City

The Official Plan locates the site within the *Downtown*. Chapter Two – Shaping the City, identifies that the downtown area offers opportunities for substantial employment and residential growth, but that this growth is not anticipated to be uniform. Rather, it is expected that the physical setting of many areas will remain unchanged and that policies and 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. Section 2.2.1.5 states that the architectural and cultural heritage of Downtown will be preserved by designating buildings, districts and open spaces with heritage significance and by working with owners to maintain and restore historic buildings. Section 2.2.1.6 states that Design Guidelines specific to districts of historic or distinct character will be developed and applied to ensure new development respects the context of such districts in terms of the development's fit with existing streets, setbacks, heights and relationship to landmark buildings.

Section 2.2.1.1 notes that *Downtown* has a specific target for job growth, with a minimum combined gross density target of 400 jobs and residents per hectare. This figure is taken from the Growth Plan for the Greater Golden Horseshoe.

Chapter Three – Building a Successful City

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

Section 3.1.3 Built Form – Tall Buildings provides policies related to the development of tall buildings. Policy 3.1.3 states that tall buildings come with larger civic responsibilities than buildings of a smaller scale. This policy states that proposals for tall buildings should clearly demonstrate how they relate to the existing and planned context, take into account their relationship with the topography and other tall buildings and how they meet other objectives of the Official Plan. This policy also states that when poorly located and designed tall buildings can physically and visually overwhelm adjacent streets, parks and neighbourhoods. They can block sunlight, views of the sky and create uncomfortable wind conditions.

On May 12, 2015, the OMB approved Official Plan Amendment 199 to the City's Official Plan Heritage policies. These policies provide direction on the conservation of heritage properties included on the City's Heritage Register, and provide policy direction on development adjacent to heritage properties. Policy 3.1.5.5 states that proposed alterations, development, and/or public works on or adjacent to, a property on the Heritage Register will ensure that the integrity of the heritage property's cultural heritage value and attributes will be retained, prior to work commencing on the property and to the satisfaction of the City. Where a Heritage Impact Assessment is required in Schedule 3 of the Official Plan, it will describe and assess the potential impacts and mitigation strategies for the proposed alteration, development or public work. Policy 3.1.5.26 states that new construction on or adjacent to, a property on the Heritage Register will be designed to conserve the cultural heritage values, attributes and character of that property and to mitigate visual and physical impact on it. Policies 3.1.5.32 – 33 deal specifically with development within Heritage Conservation Districts to ensure the integrity of the district's heritage values, attributes and character are conserved in accordance with HCD plans.

Chapter Four – Land Use Designations

Within the *Downtown*, the site is designated *Regeneration Area* in the Official Plan which is one of the key areas expected to accommodate growth. The *Regeneration Area* designation permits a wide range of uses, including the proposed commercial uses. In order to achieve a broad mix of commercial, residential, light industrial and live/work uses, the Official Plan contains policies related to *Regeneration Areas* encouraging the restoration, re-use and retention of existing buildings that are economically adaptable for re-use as well as the revitalization of areas of the City that are vacant or underused.

See Attachment 7: Official Plan for additional details.

Official Plan Amendment 231

Official Plan Amendment No. 231 (OPA 231), adopted by City Council on December 18, 2013, received approval by the Minister of Municipal Affairs and Housing on July 9, 2014, and is in large part under appeal before the Ontario Municipal Board. As an outcome of the Official Plan and Municipal Comprehensive Reviews, OPA 231 contains new economic policies and designations to stimulate office growth in the *Downtown*, *Central Waterfront* and *Centres*, and all other *Mixed Use Areas*, *Regeneration Areas* and *Employment Areas* and also contains new policies with respect to office replacement in transit-rich areas. In particular, Policy 3.5.1(2a), currently in force and effect, requires:

2. "A multi-faceted approach to economic development in Toronto will be pursued that:
 - (a) Stimulates transit-oriented office growth in the *Downtown* and the *Central Waterfront*, the *Centres* and within walking distance of existing and approved and funded subway, light rapid transit and GO stations in other *Mixed Use Areas*, *Regeneration Areas* and *Employment Areas*".

Additionally Policy 3.5.1(6) requires that new office development will be promoted in *Mixed Use Areas* and *Regeneration Areas* in the *Downtown, Central Waterfront* and *Centres*, and all other *Mixed Use Areas, Regeneration Areas* and *Employment Areas* within 500 metres of an existing or approved and funded subway, light rapid transit or GO station. Policy 3.5.1 (9) requires an increase in office space on any site containing 1,000 square metres or more of office space, where residential development is proposed.

King-Spadina Secondary Plan

Section 2 – Major Objectives

The proposed development is subject to 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 in the area; and
- Heritage buildings and other important buildings within the King-Spadina Area, will be retained, restored and re-used.

Section 3 – Urban Structure and Built Form

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:

- 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 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 height, massing, scale, setbacks, stepbacks, roof line and profile and architectural character and expression;
- Buildings adjacent to streets, parks or open spaces will be massed to provide appropriate proportional relationships and will be designed to minimize the wind and shadowing impacts on the streets, parks or open spaces;
- New development will provide comprehensive, high quality, coordinated streetscape and open space improvements to promote greening, landscape enhancement, access, orientation and confidence in personal safety; and
- New developments will include high quality open spaces for the use of residents, visitors and area workers.

Section 3.3 of the Secondary Plan refers to Areas of Special Identity. Section 3.3 (b) refers to that part of Wellington Street West between Clarence Square on the east side of Spadina Avenue and Victoria Memorial Square west of Portland Street and the need to protect the character of the north side of the street and its value as a template for future development on the south side of the street.

The portion of Wellington Street West between Clarence Square and Victoria Square maintains important characteristics that reflect the historic role of the area. The historic industrial buildings with large setbacks should be maintained and reused and act as a model for any redevelopment of the south side of the street.

Section 4 – Heritage

Heritage buildings in the King-Spadina Area are essential elements of the physical character. In this regard:

- The City shall seek the retention, conservation, rehabilitation, re-use and restoration of heritage buildings by means of one or more legal agreements.
- New buildings should achieve a compatible relationship with the heritage buildings in their context through consideration of such matters as, but not limited to, building height, massing, scale, setbacks, stepbacks, roofline and profile and architectural character and expression.

For additional details, see Attachment 8: King-Spadina Secondary Plan – Urban Structure Plan and Attachment 9: King-Spadina Secondary Plan – Areas of Special Identity.

King-Spadina Secondary Plan Review (2006)

OPA No. 2 (By-law 921-2006), which is under appeal to the Ontario Municipal Board, proposed amendments to the King-Spadina Secondary Plan that are intended to further clarify and reinforce the fundamental intent of the Secondary Plan.

New Policy 2.2 notes that the scale and character of the historic buildings and pattern of the public realm will be protected and enhanced.

New Policy 3.1 (Urban Structure and Built Form) states that the King-Spadina Area is comprised of the West Precinct, Spadina Avenue Corridor and the East Precinct (see Attachment 9 – King-Spadina Secondary Plan Review – Urban Structures Plan). The policy states that development will complement and reinforce the distinctive qualities of these precincts and corridor.

See Attachment 10: King-Spadina Secondary Plan Review – Precinct Plan for additional details.

King-Spadina Urban Design Guidelines

Policy 5.3.2.1 of the Official Plan outlines that guidelines will be adopted to advance the vision, objectives and policies of the Plan. Urban Design Guidelines specifically are intended to provide a more detailed framework for built form and public improvements in growth areas. The King-Spadina Urban Design Guidelines (2006) were endorsed by Council at its meeting on September 25-28, 2006. The King-Spadina Urban Design Guidelines, in conjunction with the Official Plan and King-Spadina Secondary Plan policies, work together to achieve optimal building siting and design that enhances the public realm, while respecting and reinforcing the surrounding built environment and context.

Section 2.5 contains the overall Guidelines. Heritage guidelines seek to ensure that new development is compatible with adjacent heritage buildings in terms of massing, height, setbacks, stepbacks and materials, and should relate to key elements such as cornices, rooflines, and setbacks from the property line. New development should reinforce the character and scale of the existing street wall, the base of the building should respond proportionally to the width of the street, and development should reinforce the existing streetscape and building rhythm at the street. Tall buildings, where appropriate, must conform with the policies of the Official Plan and Urban Design Guidelines, achieve adequate light, privacy and views, and maintain the potential for adjacent sites to develop in a similar manner. New development should reinforce a street wall height that reflects the character and scale of the area, particularly that of heritage buildings on the same block face.

Section 4.3.1 Heritage, notes that the historic form of development on Wellington Street West, including Clarence Square and Victoria Memorial Square, reflect the previous residential and more recent commercial history of this street. The commercial heritage buildings are noted as being late nineteenth and early twentieth century buildings mostly between five and seven storeys in height.

Section 4.3.3 Built Form states that the western part of King-Spadina is developing as a mid-rise neighbourhood, a distinguishing characteristic which differentiates this area from the Spadina and eastern portions of the Secondary Plan Area. It is also noted that the north side of Wellington Street West is characterized by street wall buildings set along the edges of the right-of-way, broken up by a series of openings between buildings to provide light to windows on the long side walls and access for servicing at the rear of the buildings. The policy states that the redevelopment of existing buildings and new developments should incorporate landscaped areas between the buildings and between the buildings and the public sidewalk.

Section 5 contains built form guidelines that expand on Section 4.0. Section 5.4.1 recognizes that heights transition down to the west. Section 5.4.3 deals with angular planes and setbacks to minimize shadows and ensure adequate sunlight, and strengthen the existing streetwall scale to maintain a comfortable pedestrian experience. Section 5.4.4 addresses light, view and privacy requirements.

The Guidelines point out that accommodations in tall buildings tend to be small, so access to natural light and reasonable views will be particularly important in improving the livability of these units. Protecting privacy is also important in a high density neighbourhood. Light, view and privacy are described as "quality of life" or "livability" issues, which must be evaluated based on the existing and potential development.

With regard to separation distances (facing distances) between towers, the Guidelines refer to the minimum standard of 25 metres between towers or a distance of 12.5 metres between the tower and the property line, as called for in the City's Tall Building Guidelines.

King-Spadina Secondary Plan Review

The King-Spadina Secondary Plan Review began as the "King-Spadina East Precinct Built Form Study". The first expansion to the Study area was made by City Council at its meeting on July 7, 2015, where the boundary was expanded to also include the Spadina Precinct. At its meetings on August 25, 2014 and July 7, 2015 City Council endorsed a number of directions for the King-Spadina East Precinct to be used in reviewing current and future development applications including a downward gradation of tower heights from east to west from University Avenue towards Spadina Avenue, employing the city-wide Tall Buildings Guidelines to evaluate towers, particularly with regard to tower spacing and tower floor plates and protecting the network of mid-block connections and laneways as a defining feature of the public realm, and expanding these connections to further the pedestrian network.

The geographic boundaries of the study were further expanded to include the West Precinct, thereby including the entire King-Spadina Secondary Plan Area by Toronto and East York Community Council at its September 6, 2017 meeting, through their consideration of the Draft Policy Directions Report. Draft policy direction includes:

- Proposed land use redesignation from *Regeneration Areas* to *Mixed Use Areas*;
- Public Realm Strategy;
- Urban Design Guidelines;
- Parkland acquisition prioritization;
- Built Form policies;
- Identification of Areas of Special Identity; and,
- Provisions for Infrastructure.

The Community Council decision and staff report, which provides a detailed background of the decision history of studies within this Secondary Plan area can be found here: <http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2017.TE26.60>.

King Spadina is one of the highest growth areas in the City of Toronto. The King-Spadina Secondary Plan Review recognizes that this 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.

Staff anticipate that the Draft King Spadina Official Plan policies will be posted on the City Planning web site in 2018. A Final Report outlining the proposed Secondary Plan Amendments will be considered at a public meeting of the Toronto and East York Community Council under the *Planning Act*, after a consultation period to allow for public input on the draft policies.

King-Spadina Heritage Conservation District Plan

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, including King-Spadina. A team led by Taylor-Hazell Architects developed the study, and was subsequently retained to prepare the Plan.

The first phase of the study involved the identification of the area's cultural heritage value, and the determination of potential HCD boundaries. In May 2014, the Toronto Preservation Board endorsed the 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 two HCDs and the community consultation process, the project team and City staff determined that a single HCD for the entire district would be more appropriate. The HCD boundary roughly aligns to that of

the King-Spadina Secondary Plan, between Simcoe and Bathurst Streets, and Richmond and Front/Wellington/King Street West. The subject site is within the boundaries of the HCD.

The final version of the HCD Plan was released for public comment in June 2017. The Plan was endorsed by the Toronto Preservation Board on June 22, 2017, followed by the September 6, 2017 Toronto and East York Community Council and was adopted by City Council at its October 2, 3, and 4, 2017 meeting.

The final report and City Council's decision are available at: <http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2017.TE26.14>

The overall objective of the King-Spadina HCD Plan is the protection, conservation and management of its heritage attributes including contributing properties so that the District's cultural heritage value is protected in the long-term.

The King-Spadina HCD Plan is currently under appeal.

TOcore: Planning Downtown

TOcore: Planning Downtown is an inter-divisional study, led by City Planning, which is updating the planning framework for Downtown and developing a series of infrastructure strategies to support implementation. TOcore is a response to the rapid intensification of Downtown that is placing pressure on physical and social infrastructure assets and that is occurring in a pattern and at an intensity that threatens to jeopardize the quality of life in the city centre and the economic role that the Downtown plays for the entire city.

TOcore's purpose is to ensure growth positively contributes to Toronto's Downtown as a great place to live, work, learn, play and invest by determining: a) how future growth will be accommodated and shaped, and b) what physical and social infrastructure will be needed, where it will go and how it will be secured. The study area is bounded by Lake Ontario to the south, Bathurst Street to the west, the mid-town rail corridor and Rosedale Valley Road to the north and the Don River the east.

Building on Downtown's existing planning framework and drawing on best practices within the City Planning Division, the Downtown Plan is being developed to serve as a blueprint for future growth and infrastructure in the heart of Toronto over the next 25 years. It will provide detailed direction on the appropriate scale and location of future growth. It will also link this growth with infrastructure provision to ensure the creation of Complete Communities, addressing the requirements under the Provincial Policy Statement (2014) and the Growth Plan for the Greater Golden Horseshoe (2017). A series of infrastructure strategies for transportation, parks and public realm, community services and facilities, water and energy are in development as part of this review.

At its meeting on October 2-4, 2017, City Council considered the Proposed Downtown Plan and directed staff to undertake stakeholder and public consultation on that document and its proposed policies, leading to a recommendations report and an amendment to Toronto's Official Plan in the second quarter of 2018. Additionally, Council directed

Staff to consider the policies contained with the Proposed Downtown Plan in the review of all development applications within the Downtown going forward:

6. City Council request City Planning staff to consider the Proposed Downtown Plan policies, in Attachment 1 to the report (August 18, 2017) from the Chief Planner and Executive Director, City Planning, during the evaluation of current and future development applications in the Downtown Plan area and continue to refine the policies in consultation with stakeholders and the community.

More information on Council direction pertaining to TOcore can be found at <http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2017.PG22.1>. Further background information can be found at www.toronto.ca/tocore.

Official Plan Amendment 352 – Updating Tall Building Setbacks Downtown

On October 5, 2016, City Council adopted Official Plan Amendment (OPA) 352 – Downtown Tall Building Setback Area as part of the TOcore: Planning Toronto's Downtown work.

By-law 1105-2016 implements OPA 352 and was enacted on November 9, 2016. The OPA creates Site and Area Specific Policy 517 which identifies the geographic area to which this site and area specific policy applies and sets out detailed policies for Tall Buildings including among other things, the objectives that tall building development will have, and the components that will form the basis of performance standards in the zoning by-law to achieve these policies.

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 and recognize that not all sites can accommodate tall buildings and address base building heights.

Area-specific Zoning By-laws 1106-2016 and 1107-2016 were adopted at the same time as OPA 352, and establish detailed performance standards for portions of buildings above 24 metres in height.

City Council's decision document, OPA 352, amending zoning by-laws and the Final Report can be found here:

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2016.TE18.7>

Both OPA 352 and the implementing by-law are currently under appeal.

The Redevelopment of the Globe and Mail site (The Well)

On February 12, 2014 an application was filed to permit the redevelopment of the former Globe and Mail lands comprising 7.7 acres west of Spadina Avenue, north of Front Street West, east of Draper Street and south of Wellington Street West. The applicants (a partnership group which initially included Diamond Corp., Allied Properties REIT and Riocan REIT) had been in discussions with City staff for several months before the application was filed. The proposal was for an innovative mixed-use development with seven mixed-use buildings, the tallest being a 34-storey office tower at the northwest corner of Spadina Avenue and Front Street West. The three proposed buildings on Front Street West stepped down in height to Draper Street to the west and have heights of 40-storeys, 34-storeys and 19-storeys. The proposed buildings fronting on Wellington Street West also step down in height from Spadina Avenue to Draper Street and were proposed at 17-storeys, 16-storeys and 14-storeys. All seven building on the site include at least two uses, with the three building along Front Street West to the west of the proposed tower housing all three uses. The proposal would see the balance of the site used as open space with pedestrian connections and linear parks adjacent Wellington Street and Draper Street along with a new off-site parkland dedication. All parking and loading were proposed to be underground.

Staff were supportive of the proposal for heights and density on the site substantially above existing permissions because of a number of factors which made this site and the proposed redevelopment distinct from other area sites:

- the size of the site;
- its location adjacent the rail corridor which forms the southern boundary of the Secondary Plan area;
- the opportunity to transition heights and density from two main streets, Front Street and Spadina Avenue, toward the lower scale neighbourhood to the north and west;
- the mixed-use nature of the proposal, which includes a substantial proportion of office uses;
- a new open space network that includes an east-west pedestrian spine and an extended north-south plaza connecting Wellington Street West to Front Street; and
- significant off site public realm improvements to Front Street West and Wellington Street West and a new off-site park.

Notwithstanding the merits of the proposal and the matters noted above which allow staff to evaluate the proposal as being distinct from other sites in the West Precinct of King-Spadina, staff recommended that the applicant file an Official Plan amendment

application to allow staff to create a policy framework to acknowledge that this site is distinct and to allow for the project to be evaluated in an appropriate manner.

City staff worked with the applicant and local stakeholders over the next several months and at the June 16, 2016 meeting of Toronto and East York Community Council, staff presented a final report and a draft Official Plan Amendment (Official Plan Amendment No. 317) which created a site and area specific policy (Site and Area Specific Policy No. 495) for the former Globe and Mail lands. The Official Plan amendment also removed these lands from the King-Spadina Secondary Plan area, recognizing that the proposed development was distinct (again, for the reasons noted above) from the balance of lands within the West Precinct of the King-Spadina Secondary Plan. The OPA was approved by City Council on July 9, 2015 (By-law No. 803-2015). No appeals were filed and the OPA is in force.

The final report on the Official Plan Amendment can be seen at the link below:

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2015.TE7.7>

The OPA created a policy framework which specifically defined the characteristics of the development and the public benefits which it would deliver, including:

- the total density would be capped at a floor-space index of 9.5;
- a minimum of 65,000 square metres of office space would be provided;
- there will be a mix of on-site and off-site parkland dedication;
- substantial public realm improvements, particularly on Wellington Street West;
- transition in built form will be achieved on the site;
- the development will comply with Council-approved Design Guidelines; and
- S.37 improvements to include: Publicly Accessible Private Open Space to be secured under the City's POPS Program; underground connections to a potential future transit station; on-site community services, streetscape improvements, public art and contributions to affordable housing.

The staff report, which accompanied the OPA, noted that notwithstanding that the site was being removed from the King-Spadina Secondary Plan area, many aspects of the development were consistent with the King-Spadina Secondary Plan. This includes the care taken to design the Wellington Street buildings on the site to reflect some of the characteristics of the north side of Wellington Street (streetwall heights, narrow frontages and a variety of materials).

City Staff and the applicant continued to work on the plans for the site and on January 31, 2017, Council adopted the staff report recommending the approval of the site-specific Zoning By-laws to permit the redevelopment (Zoning By-law Nos. 124-2017 and 125-2017). A third-party appeal to the Ontario Municipal Board was subsequently dismissed, and the By-laws are in force.

The final report and Zoning By-laws can be viewed at the link below:
<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2016.TE20.7>

Notwithstanding that Site and Area Specific Policy No. 495 set an upset limit on the floor space index of the project at 9.5, the more detailed plans submitted in support of the Zoning By-law reflected a more refined version of the proposal resulting in a reduction of the proposed gross floor area. The site-specific Zoning By-laws approved for the site would limit the density of the site to a floor space index of approximately 9.1.

Site Plan Control

The proposed development is subject to Site Plan Control. An application for Site Plan Approval has not been submitted.

Zoning

The site is zoned Reinvestment Area (RA) in former City of Toronto Zoning By-law No. 438-86. This zoning category permits a range of residential, commercial, institutional and limited industrial uses. The current zoning permits a maximum building height of 23 metres for this site if a three metre stepback at 20 metres is provided. An additional five metres is permitted for rooftop mechanical elements. A minimum 7.5 metre setback from both the side and rear lot lines for areas located farther than 25 metres from the street lot line is required.

The site is excluded from City of Toronto Zoning By-law 569-2013. As part of the subject application, the property is proposed to be brought into City of Toronto Zoning By-law 569-2013.

See Attachment 11: Zoning for additional details.

Community Consultation

A community consultation meeting for the proposal was held on May 3, 2017, and the following issues were raised:

- The rear yard setback is too small, particularly given the massing of the proposed development to the north at 485-539 King Street West.
- The proposed rear yard setback would not provide adequate sunlight for the middle of the block and would negatively impact on views and privacy.
- The proposed driveway is too small to service a development of this size.

- The proposal is depending upon a very minimal amount of heritage conservation to obtain approval for a tall building.
- Keeping the façade of the heritage buildings is not adequate conservation.
- The proposed building is too tall and does not fit within the neighbourhood.
- The proposed height, setbacks, setbacks and design do not fit.
- The scale and density do not fit within the neighbourhood.
- Loss of heritage buildings is resulting in a loss of space for creative industries.
- Like the fact that it is an office proposal but would like to see space for creative industries.
- The proposal may set a precedent which could destroy the fabric of the neighbourhood.
- What would a building with a reduced west side-yard setback look like?
- The proposal is out of place and looks like over-development.
- Want to see "whole building" preservation.
- Concern about Municipal Property Assessment Corporation (MPAC) assessment; if these applications are approved, the result could be a major tax increase.
- Has the City considered selling/buying air rights over heritage buildings as a means of reducing the taxes on heritage properties?

These comments have been considered in City Planning staff's recommendation to oppose the application at the Ontario Municipal Board. The applicant has not formally submitted any changes to the proposal since the application was filed on December 22, 2016. City staff have met with the applicant prior to and subsequent to the filing of the appeal to the Ontario Municipal Board on October 31, 2017, to discuss possible changes to the proposed building.

Reasons for the Application

At an overall height of 72.4 metres, the proposal exceeds the maximum 28 metre height, including mechanical penthouse, permitted by the in-force Zoning By-law by approximately 45 metres. The proposal does not meet minimum standards for side and rear yard setbacks. In addition, there are deficiencies with other performance standards within the Zoning By-law, including required parking and loading standards.

Agency Circulation

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

COMMENTS

Provincial Policy Statement, Provincial Plans and Planning Act

The scale and massing of the built form challenges the notion that intensification needs to be sustainable, to be well designed, encourage a sense of place and provide for public spaces that are of high quality, vibrant and attractive. The provision of Sections 2 (r) of the *Planning Act* address the challenges of accommodating development in a manner which adds to livability in a high density neighbourhood.

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

Policies 1.1.1 (g) and 1.1.3.2 (a) state that one of the factors to be considered in developing healthy, liveable and safe communities is ensuring that the necessary infrastructure, including public service facilities, are available to service the needs of residents. Policy 1.5.1 references the provision and the equitable distribution of public parks and open spaces in promoting healthy, active communities. The West Precinct of King-Spadina is challenged by numerous proposals for buildings which challenge the existing typology of mid-rise buildings. The growth of this part of the City is outpacing the City's ability to provide the necessary community services and facilities (parks and open spaces, daycare facilities and a range of community services), including the lack of appropriate sites to accommodate these facilities.

Policy 4.7 indicates that the Official Plan is the most important vehicle for implementing the PPS. Further, policy 1.1.3.3 indicates planning authorities shall identify appropriate locations for intensification and redevelopment. In this context, the Official Plan further implements the direction of the PPS to require appropriate built form to fit harmoniously into its existing and planned context.

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

The Downtown Toronto Urban Growth Centre is identified in the Growth Plan. The site is within the Urban Growth Centre (UGC), which is on track to achieve or exceed the UGC density target of 400 jobs and residents per hectare by 2031. The target is the average for the entire Downtown UGC area, and it is not for any one particular area within Downtown. The increased density that that would result from the proposed development is not required to meet the minimum growth figures set out in the Growth Plan for the Greater Golden Horseshoe.

In this context, the Official Plan, the King-Spadina Secondary Plan, the King-Spadina Secondary Plan review, the King-Spadina Heritage Conservation District Study, the King-Spadina Urban Design Guidelines (2006), the Tall Buildings Design Guidelines, OPA 352 and Zoning By-laws 1106-2016 and 1107-2016 provide direction on the appropriate scale, massing height and separation distances between buildings within the King-Spadina area. This proposal has not addressed the policy direction of the Official Plan and its supporting documents and therefore challenges the conformity test with the Growth Plan for the Greater Golden Horseshoe.

Section 3.2.6 of the Growth Plan states the need to coordinate community infrastructure and growth. The amount of growth being accommodated in the West Precinct of the King-Spadina Secondary Plan area currently is challenging the ability of the City to provide a range of community services and facilities for residents and workers of this community and to ensure a high quality of life.

Conformity with the Planning Framework for King-Spadina

The application has been assessed in the context of the planning framework for King-Spadina which includes the Official Plan, the King-Spadina Secondary Plan, the on-going King-Spadina Secondary Plan Review, King-Spadina Heritage Conservation District study and the Tall Building Design Guidelines. As outlined below, the proposal does not meet the objectives of the King-Spadina planning framework. The proposed building fails to adequately reflect the built form context of the adjacent properties or the policy framework of the King-Spadina neighbourhood.

Land Use

The proposed development is located in the *Downtown* and *Regeneration Areas* of the Official Plan and is in an appropriate location for development. The proposed retail and office uses are permitted in this area of the *Downtown*, and provide a mix of uses which are encouraged in *Regeneration Areas*. The proposed development would provide more non-residential gross floor area for office uses to help to maintain a balance between live and work opportunities in an area which has seen a significant amount of predominantly residential growth. The proposed office use is supported by staff.

Heritage

Built Heritage and Cultural Landscapes

A Heritage Impact Assessment (HIA) prepared by ERA Architects and dated December 21, 2016 was submitted in support of the application. Heritage Preservation Services staff have reviewed this report. Based upon the proposed 10 metre step back from the heritage facade to the tower and retention of the proposed setback sidewall condition, HPS staff are of the opinion that the proposed development will adequately conserve the cultural heritage values, attributes and character of the listed detached five-storey warehouse buildings at 482 and 488 Wellington Street West. Comments have been provided to the applicant regarding measures necessary to reduce the visual impact on the buildings.

Density, Height, Massing, Setbacks and Separation Distances

Density

The proposed density of the site at a floor space index (fsi) of 10.3 is greater than the density of approximately 9.1 recently approved on the Globe and Mail site to the south. That project, as described in this report, was able to accommodate significant density by massing the taller buildings toward the less sensitive frontages of Front Street West and Spadina Avenue. At 7.7 acres, this large site is able to provide sufficient separation distances between buildings, and to provide for heights to transition down to Wellington Street and the more sensitive interior portions of the West Precinct. In contrast, the subject site at 0.44 acres is a small infill site, and the proposed density of 10.3 is an indicator of overdevelopment and is, contrary to the Secondary Plan as noted below, an indication that the proposed building is not creating a "compatible relationship with its built form context".

Building Height

The heights of the proposed building at 16-storeys and 72.4 metres (including the mechanical penthouse) is well in excess of any development approval in the West Precinct of the King-Spadina Secondary Plan area. The proposed height does not respond to the heritage context and represents overdevelopment of the site. The City's Official Plan polices regarding built form require that new development "fit harmoniously into its existing and/or planned context", (Section 3.1.2.3). The proposed development fails to comply with these policies in the Official Plan.

The King-Spadina Secondary Plan includes the following policy:

New buildings will achieve a compatible relationship with their built form context through consideration of such matters as height, massing, scale, setbacks, setbacks, roof line and profile and architectural character and expression;

The West Precinct of King-Spadina has evolved successfully as a neighbourhood which incorporates new buildings, many with a contemporary designs and materials, along with many heritage buildings which have been adaptively re-used for both commercial and residential purposes. The north side of Wellington Street in particular is a good example of how newer buildings have successfully been integrated into a neighbourhood with a

number of heritage buildings by limiting their height to a mid-rise scale (10-12-storeys at generally less than 40 metres in height). The proposed building, at 16-storeys and 72.4 metres in height, is a significant departure from the numerous buildings constructed in the West Precinct of the King-Spadina Secondary Plan area since the initial revitalization efforts of the "Two-Kings" exercise in 1996. The height is neither appropriate nor supportable.

Massing

The proposed building is effectively a tower form building, as opposed to the mid-rise form of buildings typically seen and encouraged for infill sites in the West Precinct of King-Spadina. The buildings typically proposed and approved in the West Precinct incorporate step backs to reflect a street wall height with the taller portions of the buildings set back from the street. The proposed building would represent a departure from the successful model of mid-rise buildings which have characterized this area and help achieve a "compatible relationship with" the area's historically lower-scale built form.

Side Yard Setbacks and Tower Separation Distances

The proposed building incorporates a minimal east side yard setback of approximately 0 to 1.7 metres and a minimum west side yard setback of approximately three metres. These setbacks are not sufficient for a tall building. The east and west setbacks, if increased to a minimum of 5.5 metres, might be acceptable for a mid-rise building at a height of up to 40 metres and 10-12-storeys, but they are not appropriate for a 16-storey office building at 72.4 metres in height. A tall tower form building would be required to provide a tower separation distance based upon the City's Tall Building Guidelines of a minimum 12.5 metres from the lot line to achieve an overall 25 metre separation distance. This is intended to be a minimum standard to limit the impacts of loss of access to sunlight, views and privacy, and reduce impacts on the public realm.

The proposed rear yard setback of 0.4 metres for the first six floors and 1.9 metres above, would create a very poor rear yard condition for the adjacent site to the north. The property at 489-539 King Street West is subject to a development application (File No. 16 159483 STE 20 OZ) which proposes to retain the heritage building at 495 King Street West. That application has also been appealed to the Ontario Municipal Board and staff are continuing to work with the applicant on a number of outstanding matters, including the rear yard setback. The rear yard setback area for the proposed development is intended to add this area to the existing network of animated open spaces between buildings which characterize this part of the West Precinct. A previous application for an office building on a portion of this site (489-499 King Street West) was approved by Council with a 5.5 metre rear yard setback (File No. 12 203376 STE 20 OZ). Again, the intent was to animate the rear yard as a publicly accessible open space.

The proposal for a 0.4 metre setback to the north property line of the subject site

would have a negative impact on the application to the north and would make no contribution to the public realm in a neighbourhood where publicly accessible open space is at a premium. As noted in comments provided to the applicant, the application should include a minimum rear yard setback of 5.5 metres for the height of the base building and 7.5 metres above the base building and make an effort to work with adjacent land owners to add some publicly accessible open space as part of the proposal.

Sun and Shadow

The applicant submitted shadow studies for the period from 9:18 AM-6:18 PM for June 21st and September 21st / March 21st. These studies show that the proposed building would not shadow the north side of King Street West during the most sensitive time for shadows in the street, which is the early afternoon (11:00 AM - 4:00 PM) during the shoulder seasons (September 21st and March 21st). However, the depth of the lot (67 metres) and the proposal to build almost to the north property line, results in a very long building which maximizes the resulting shadows on the neighbourhood.

Open Space / Parkland / Streetscape

Parkland Dedication

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 a parkland priority area, as per Chapter 415, Article III of the Toronto Municipal Code.

The applicant's submission is for a 16-storey office building retaining the existing heritage building façade with 272 square metres of retail space and 18,226 square metres of office space above.

All non-residential use is subject to a 2% parkland dedication. In total the parkland dedication is 36 square metres. The applicant is requested to satisfy the parkland dedication requirement through the acquisition on an off-site parkland dedication. Official Plan policy 3.2.3.7 references the use of off-site parkland dedication where on-site dedication is deemed not feasible. The applicant is requested to work with other development applicants within 500 metres of their site to consolidate multiple off-site dedication requirements which could result in the conveyance of one suitable parkland site. The size and location of the parkland would be subject to the approval of the General Manager, Parks, Forestry and Recreation.

Streetscape

The applicant's submitted arborist report noted six trees on the City boulevard on Wellington Street West. All of these trees are recommended to be retained. Urban Forestry staff have noted that a composite utility plan is required to determine an appropriate and feasible landscape treatment for the public boulevard adjacent the site. Wellington Street West is an important street and has great potential due to the width of the street and the streetscape improvements to be undertaken on the south side of the street as part of the proposed development of the Globe and Mail site ("The Well"). The appropriate streetscape treatment for Wellington Street West will be reviewed in greater detail through the submission of a Site Plan Approval application.

Community Services and Facilities

There has been a significant increase in population for the King-Spadina area since 1996 from 945 residents living in the area to 8,645 residents in 2011. In 1996, 79% of residents lived west of Spadina Avenue. By 2011, however, over half of residents lived east of Spadina. The pace of residential development is expected to continue with over 21,500 units going through the application process or completed since the 2011 Census. The majority of these applications are located east of Spadina Avenue, accounting for 65% of all units. If all the proposed units are built, the population could potentially increase by 31,615. Again, the majority of the new residents would be located east of Spadina Avenue (20,670 people). Overall, the population of King-Spadina could increase to a total of 50,000 by 2025 from 8,645 people in the 2011 census.

The increasing population in King-Spadina serves as a statement on the serious need to manage growth to ensure livability. One of the most significant challenges faced by the City in efforts to ensure the livability of the King-Spadina area, and the downtown core generally, is the growing gap between the demands for a range of community services and facilities (CS&F) and the facilities and services which are available.

An office development such as the one proposed for the subject site will meet a need to balance the mix of live and work uses within King-Spadina, but will also add to the demands on public facilities such as parks and open spaces and for services such as child care.

Traffic Impact, Parking and Loading

Traffic Impact

The applicant's traffic consultant has provided, through the submitted Transportation Impact Study (dated December 19, 2016), an assessment of the traffic impacts associated with the proposed development and determined that they are acceptable. Transportation Services staff have agreed with the consultant's conclusion.

Parking Supply

The proposed parking supply consists of 31 parking spaces within a three level mechanical parking stacker with access from Wellington Street West. Transportation Services staff have determined that the required parking supply as per By-law 569-2013 would be 63 spaces. Transportation Services staff have concluded that insufficient justification has been provided to support the proposed reduction in the parking supply. Staff have requested that the applicant submit a parking demand study based on parking demand surveys to support the proposed parking supply.

Transportation Services staff have also requested that additional information regarding the technical details of the proposed parking stacker system be submitted. Turning movement diagrams will also be required to be submitted showing exit/entry manoeuvring to/from the parking system. Additional constraints to the operation of the system may be identified, including additional room required under the zoning By-law for protective railings. Information will also be required regarding the operation of the stacking system.

The use of parking stackers is a function of the size of the site and symptomatic of overdevelopment. The applicant may be able to secure off-site parking in the area, particularly with the redevelopment of the Globe and Mail site on the south side of Wellington Street West opposite the subject site. That site will include a substantial amount of commercial parking.

Loading

The proposed development would provide one Type B loading space located within the building and accessed from the north-south driveway off Wellington Street West. By-laws 438-86 and 569-2013 require two Type B and one Type C loading space to be provided. The applicant's traffic consultant has noted constraints on the site make it difficult to meet the requirements of the Zoning By-laws for loading facilities, another indication that the site is too small for this development. Transportation Services staff have requested that the applicant's transportation consultant provide information related to the type and volume of loading activity anticipated for the proposed building.

The applicant's transportation consultant has proposed that some minor loading activities could be carried out on the Wellington Street boulevard. Community Planning staff do not support the use of the City boulevard for loading purposes. Wellington Street West between Clarence Square and Victoria Memorial Square is a uniquely wide boulevard with great potential to serve as a park-like setting to connect these two historic parks. This vision will be partially realized through the streetscape improvements associated with the redevelopment of the Globe and Mail site (the Well). The potential for streetscape improvements on the north side of Wellington Street West should not be compromised through the use of commercial loading zones on this boulevard.

Bicycle Parking

The Official Plan contains policies which encourage reduced automobile dependency as well as promoting alternative modes of transportation. The policies contained within the Plan attempt to increase the opportunities for better walking and cycling conditions for residents of the City. The application proposes that a total of 282 bicycle parking spaces, including 80 short-term spaces and 202 long-term spaces. The required bicycle parking supply is 95 bicycle parking spaces, including 58 short-term space and 37 long-term spaces. The proposed bicycle parking supply is acceptable.

Based on the proposed bicycle parking supply, a maximum reduction of 12 vehicle parking spaces can be applied, resulting in a minimum vehicular parking supply of 51 spaces as per By-law 569-2013.

Servicing

Engineering and Construction Servicing staff require that the applicant submit a revised Functional Servicing and Stormwater Management Report to address outstanding requirements. These comments were outlined in a letter dated February 28, 2017 forwarded to the applicant's consulting engineer. Toronto Water staff will provide comments on the applicant's submitted Geohydrology Report.

Section 37

Section 37 of the *Planning Act* allows the City to require community benefits in situations where increased density and/or height are permitted. Community benefits are specific capital facilities (or cash contributions for specific capital facilities) and can include: affordable housing; parkland and/or park improvements above and beyond the required s. 42 *Planning Act* parkland dedication; public art; streetscape improvements on the public boulevard not abutting the site; and other works detailed in Section 5.1.1.6 of the Official Plan. Section 37 may also be used as may otherwise be agreed upon, subject to the policies contained in Chapter 5 of the Official Plan. The community benefits must bear a reasonable planning relationship to the proposed development including, at a minimum, an appropriate geographic relationship and may relate to planning issues associated with the development (e.g. local shortage of parkland). No discussions were advanced as the project review had not resulted in an agreement on the proposal.

City Planning staff recommend that the City Solicitor be directed to request the Ontario Municipal Board, in the event it determines to allow the appeals in whole or in part, to withhold any order that may approve the development until such time as the City and the owner have presented draft by-laws to the Board in a form acceptable to the Acting Director, Community Planning, Toronto East York District and the City Solicitor, including providing for the appropriate Section 37 benefits to be determined and incorporated into any zoning by-law amendment and a satisfactory Section 37 agreement has been entered into as between the City and the owner and registered on title, all to the satisfaction of the Acting Director, Community Planning, Toronto East York District and the City Solicitor.

Conclusion

Staff have reviewed the application for 482-488 Wellington Street West and determined that the proposal does not have regard to relevant matters of provincial interest set forth in section 2 of the *Planning Act*, and is not consistent with the policies of the Provincial Policy Statement or the Growth Plan for the Greater Golden Horseshoe. The proposal does not conform with the Official Plan, including the King-Spadina Secondary Plan, as well as with the intent of Council-approved guidelines such as the Tall Building Design Guidelines and the King-Spadina Urban Design Guidelines (2006), which assist in implementing the Official Plan. It is also not consistent with Council-endorsed directions of the King-Spadina Secondary Plan Review

It is the opinion of City Planning staff that the proposed development application constitutes overdevelopment of the site, is not good planning, and is not in the public interest. It is recommended that the City Solicitor together with City Planning and other appropriate staff be directed to attend at the Ontario Municipal Board hearing in opposition to the appeal.

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SIGNATURE

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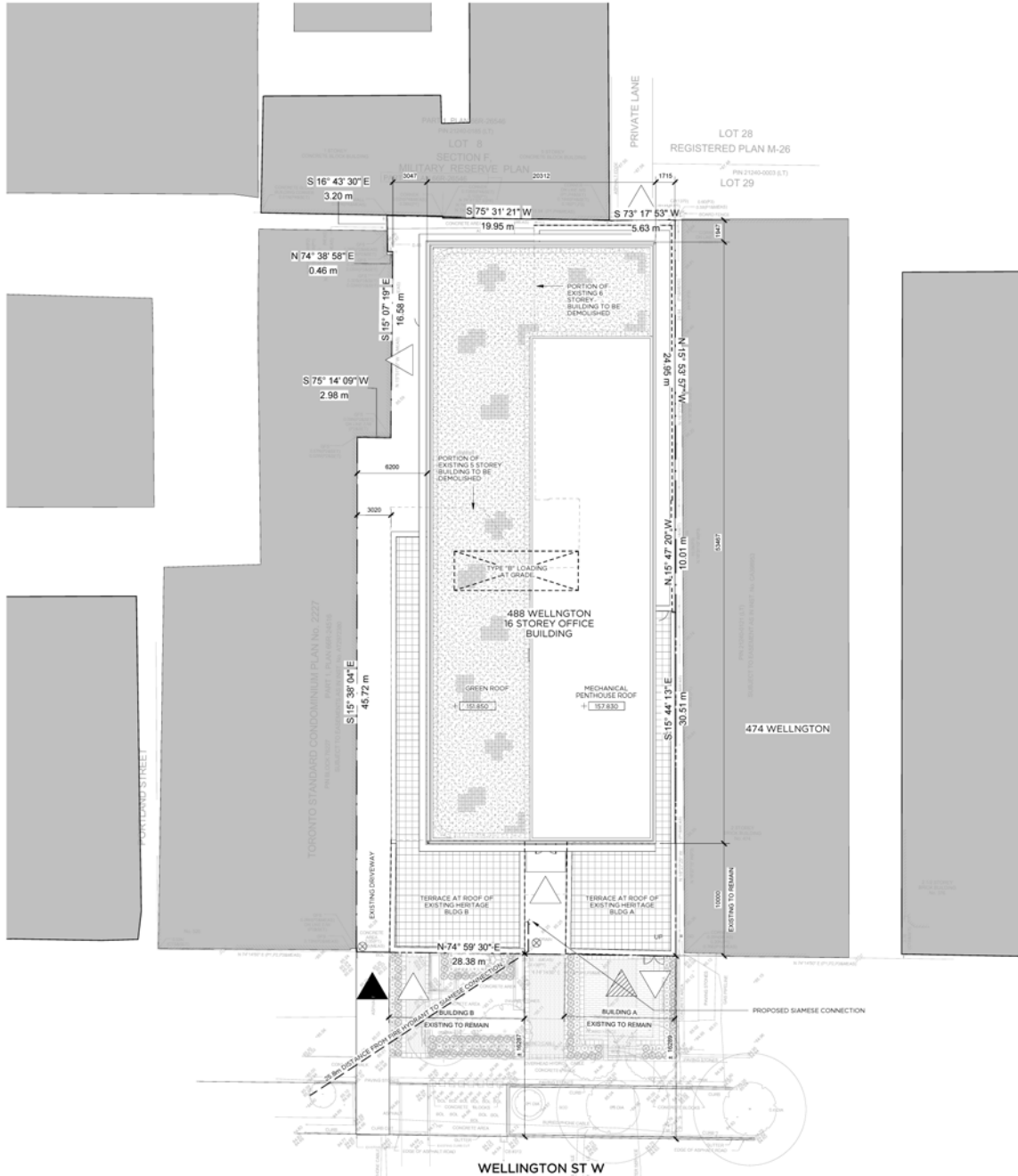
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ATTACHMENTS

Attachment 1: Site Plan
Attachment 2: South Elevation
Attachment 3: East Elevation
Attachment 4: North Elevation
Attachment 5: West Elevation

- Attachment 6 Application Data Sheet
- Attachment 7: Official Plan
- Attachment 8: King-Spadina Secondary Plan – Urban Structure Plan
- Attachment 9: King-Spadina Secondary Plan – Areas of Special Identity
- Attachment 10: King-Spadina Secondary Plan Review – Precinct Plan
- Attachment 11: Zoning Map

Attachment 1: Site Plan



Site Plan

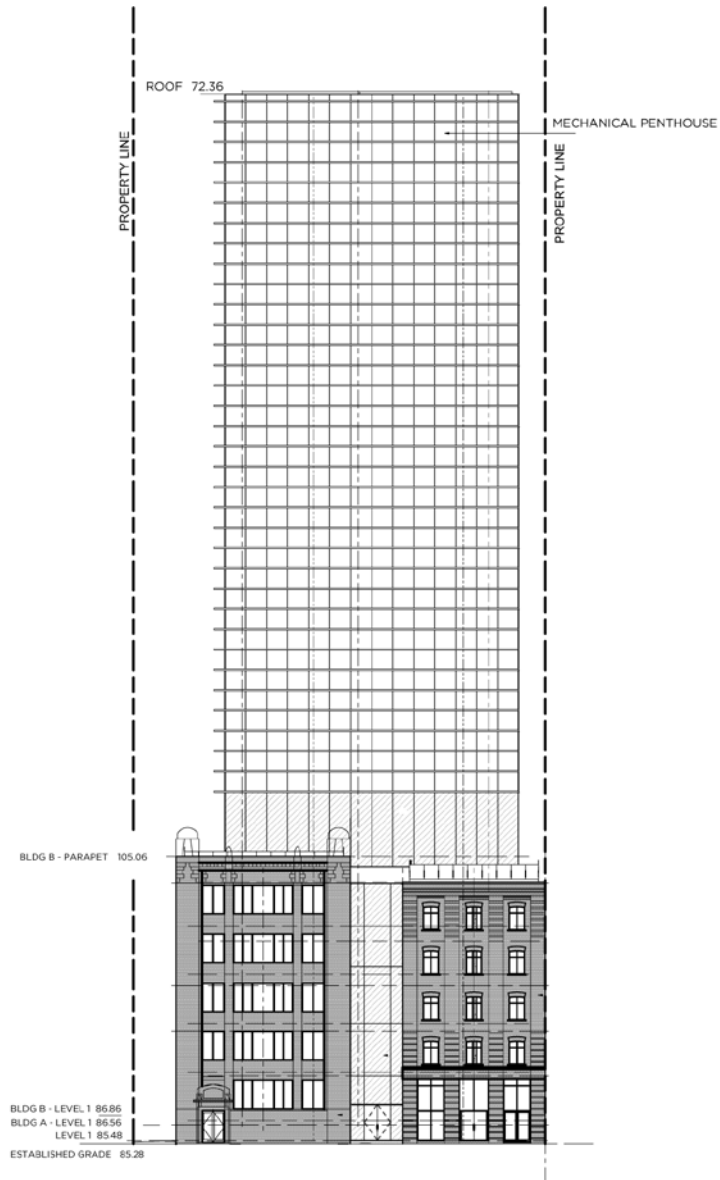
482-488 Wellington Street West

Applicant's Submitted Drawing

Not to Scale 

File # 16 270154 STE 20 02

Attachment 2: South Elevation



South Elevation

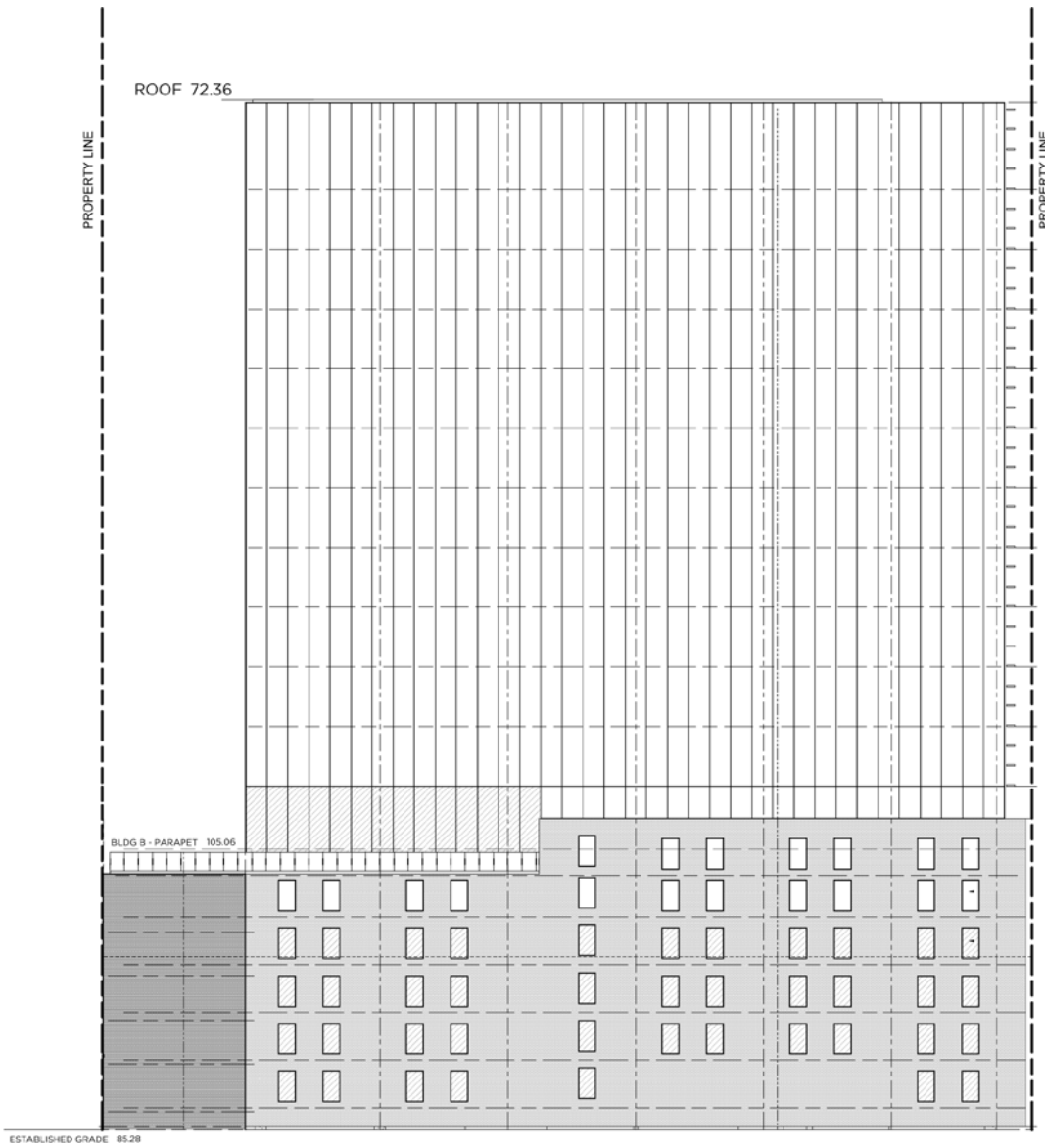
Applicant's Submitted Drawing

Not to Scale
02/26/2018

482- 488 Wellington Street West

File # 16 270154 STE 20 0Z

Attachment 3: East Elevation



East Elevation

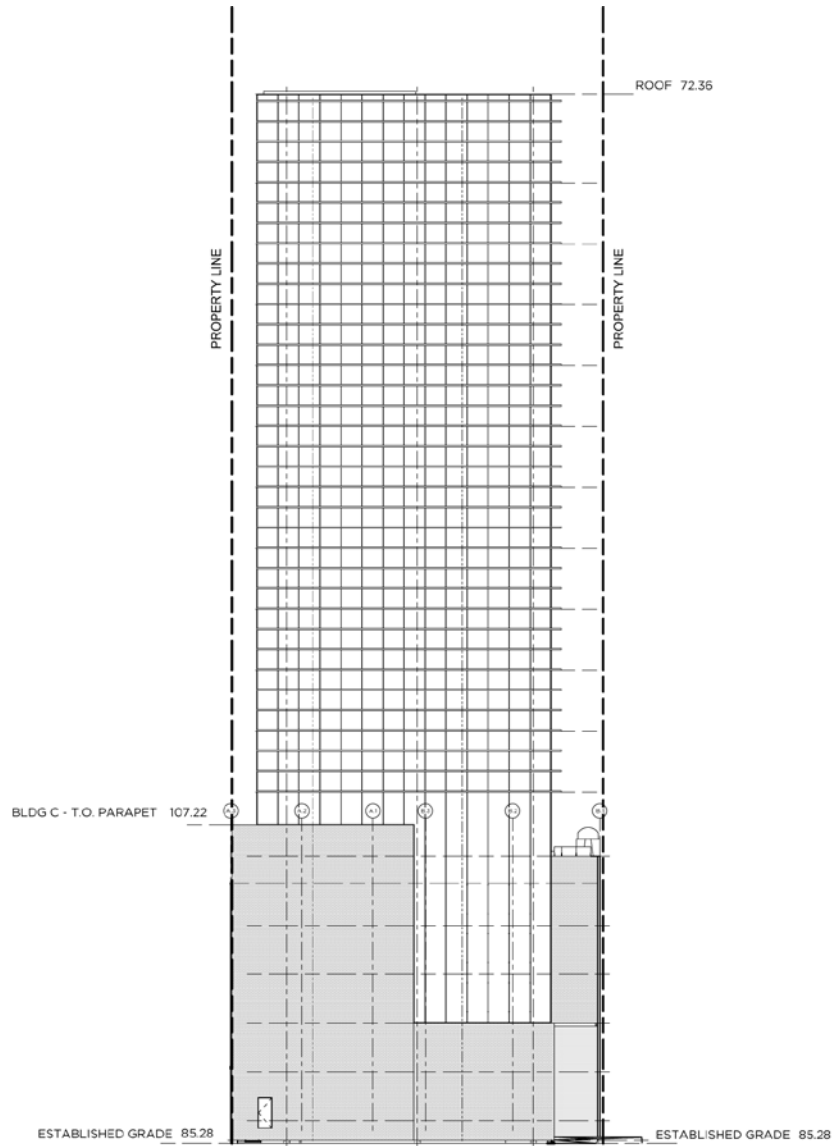
482- 488 Wellington Street West

Applicant's Submitted Drawing

Not to Scale
02/28/2018

File # 16 270154 STE 20 0Z

Attachment 4: North Elevation



North Elevation

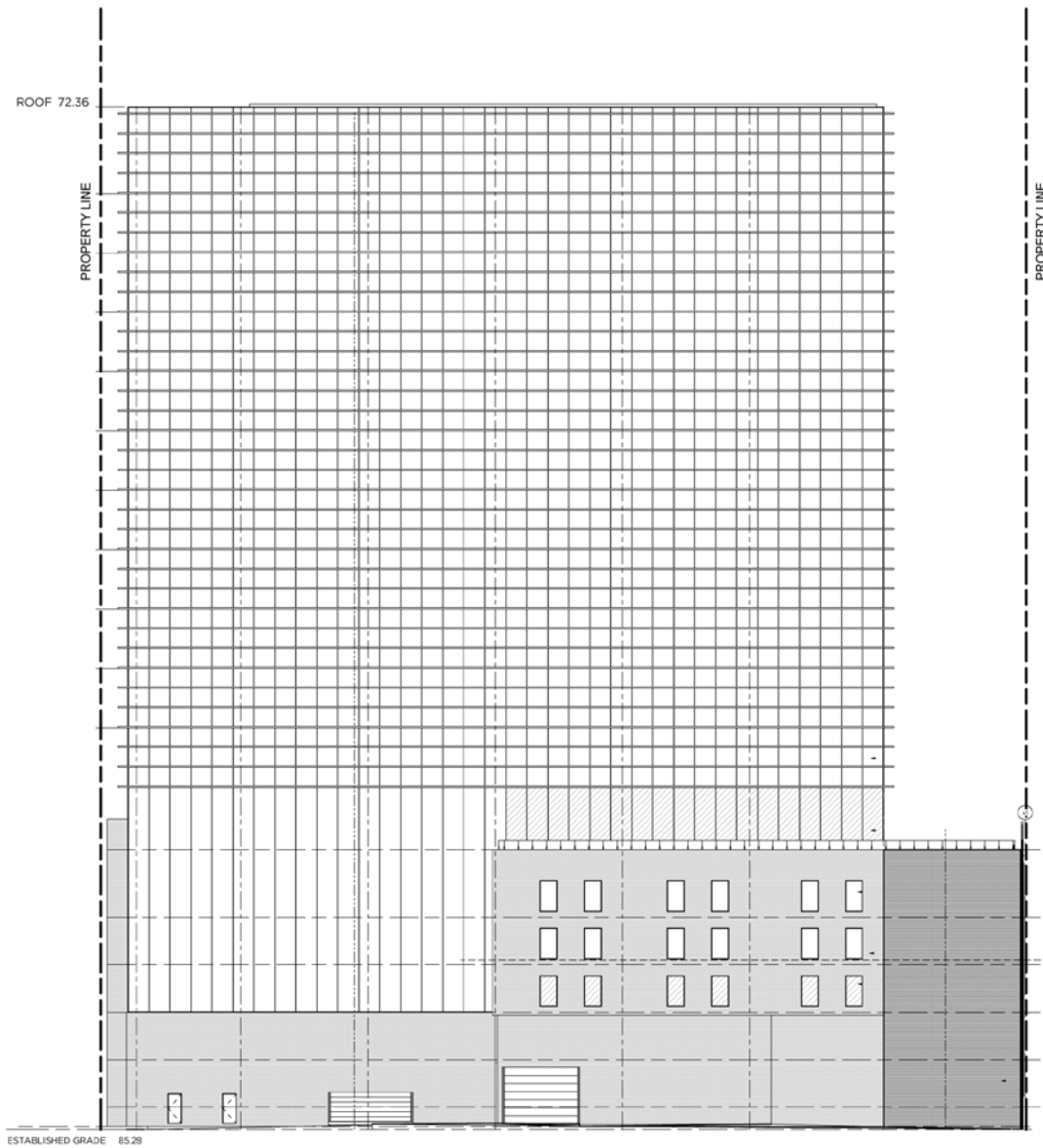
482- 488 Wellington Street West

Applicant's Submitted Drawing

Not to Scale
02/28/2018

File # 16 270154 STE 20 OZ

Attachment 5: West Elevation



West Elevation

482- 488 Wellington Street West

Applicant's Submitted Drawing

Not to Scale
02/28/2018

File # 16 270154 STE 20 OZ

Attachment 6: Application Data Sheet

Application Type	Rezoning	Application Number:	16 270154 STE 20 OZ
Details	Rezoning, Standard	Application Date:	December 22, 2016

Municipal Address: 482-488 WELLINGTON ST W
 Location Description: PLAN D45 PT LOT 13 **GRID S2014

Project Description: The proposed Zoning by-law amendment would permit a 16-storey office building with approximately 18,498 square metres of office space and 31 parking spaces provided at grade within a stacked parking mechanism accessed via a laneway to the west of the building. The front facade of the heritage building will be maintained as well as 10 metres behind the facade for the first five storeys.

Applicant:	Agent:	Architect:	Owner:
DAVID MCKAY		RAW ARCHITECTS	DOUBLEDOWN HOLDINGS INC

PLANNING CONTROLS

Official Plan Designation:	Regeneration Areas	Site Specific Provision:	
Zoning:	RA	Historical Status:	Yes
Height Limit (m):	23	Site Plan Control Area:	Yes

PROJECT INFORMATION

Site Area (sq. m):	1793	Height:	Storeys:	16
Frontage (m):	28.38		Metres:	72.4
Depth (m):	65.37			
Total Ground Floor Area (sq. m):	1407			Total
Total Residential GFA (sq. m):	0		Parking Spaces:	31
Total Non-Residential GFA (sq. m):	18498		Loading Docks	1
Total GFA (sq. m):	18498			
Lot Coverage Ratio (%):	78			
Floor Space Index:	10.32			

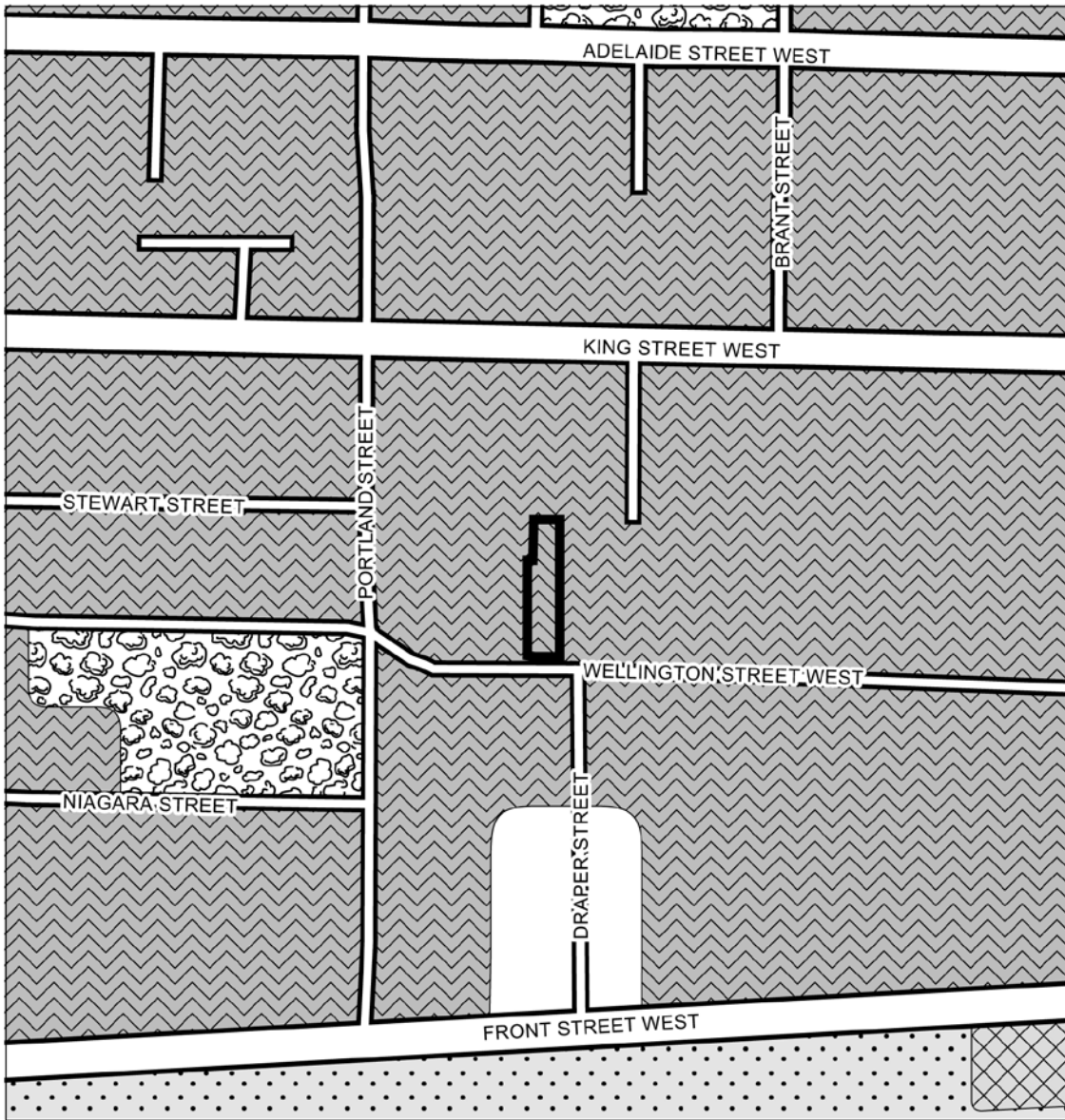
DWELLING UNITS

FLOOR AREA BREAKDOWN (upon project completion)

			Above Grade	Below Grade
Tenure Type:				
Rooms:	0	Residential GFA (sq. m):	0	0
Bachelor:	0	Retail GFA (sq. m):	272	0
1 Bedroom:	0	Office GFA (sq. m):	17868	358
2 Bedroom:	0	Industrial GFA (sq. m):	0	0
3 + Bedroom:	0	Institutional/Other GFA (sq. m):	0	0
Total Units:	0			

CONTACT: PLANNER NAME: Dan Nicholson, Senior Planner
TELEPHONE: (416) 397-4077

Attachment 7: Official Plan



TORONTO
 Extract from Official Plan

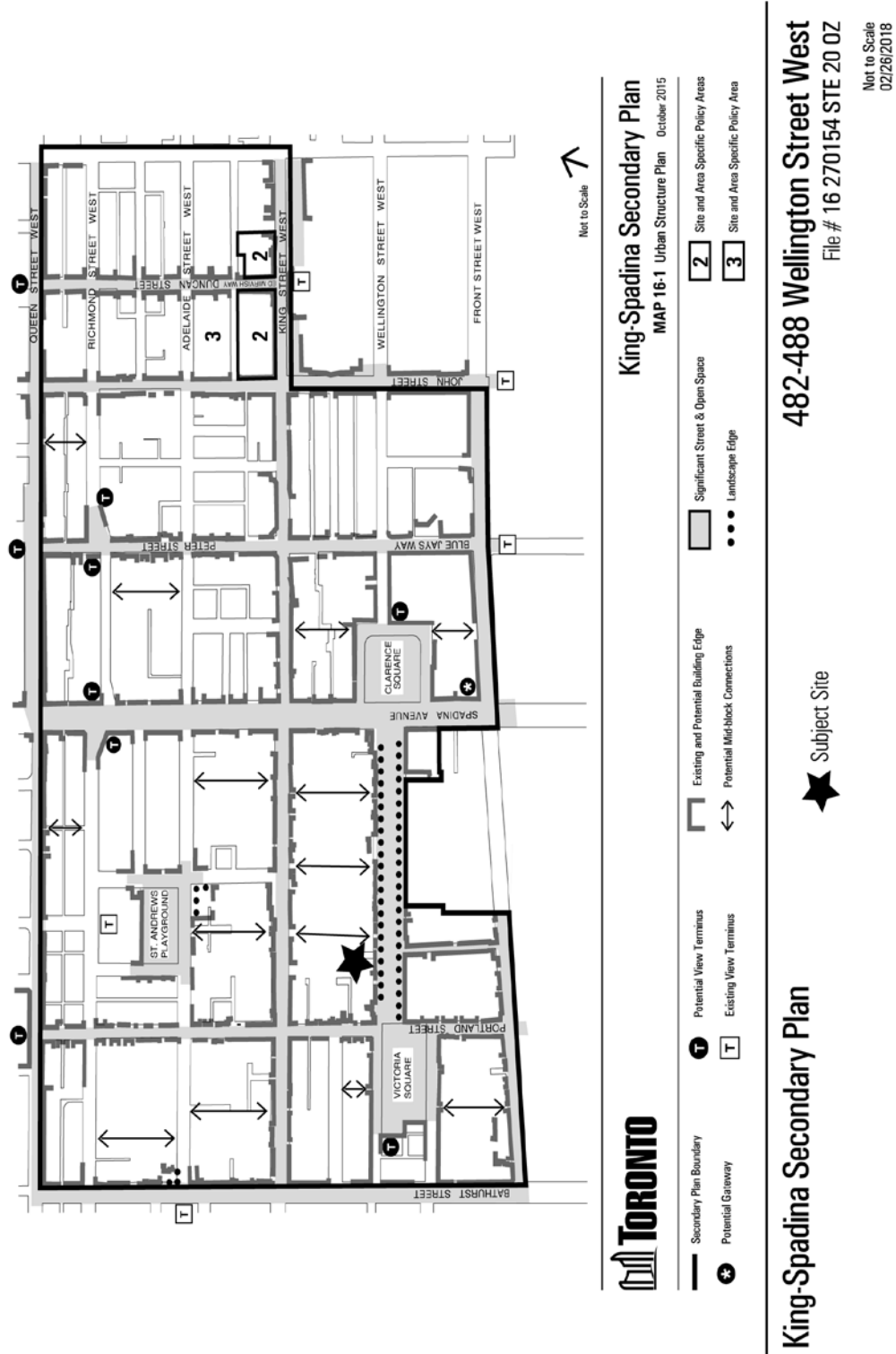
482-488 Wellington Street West

File # 16 270154 STE 20 0Z

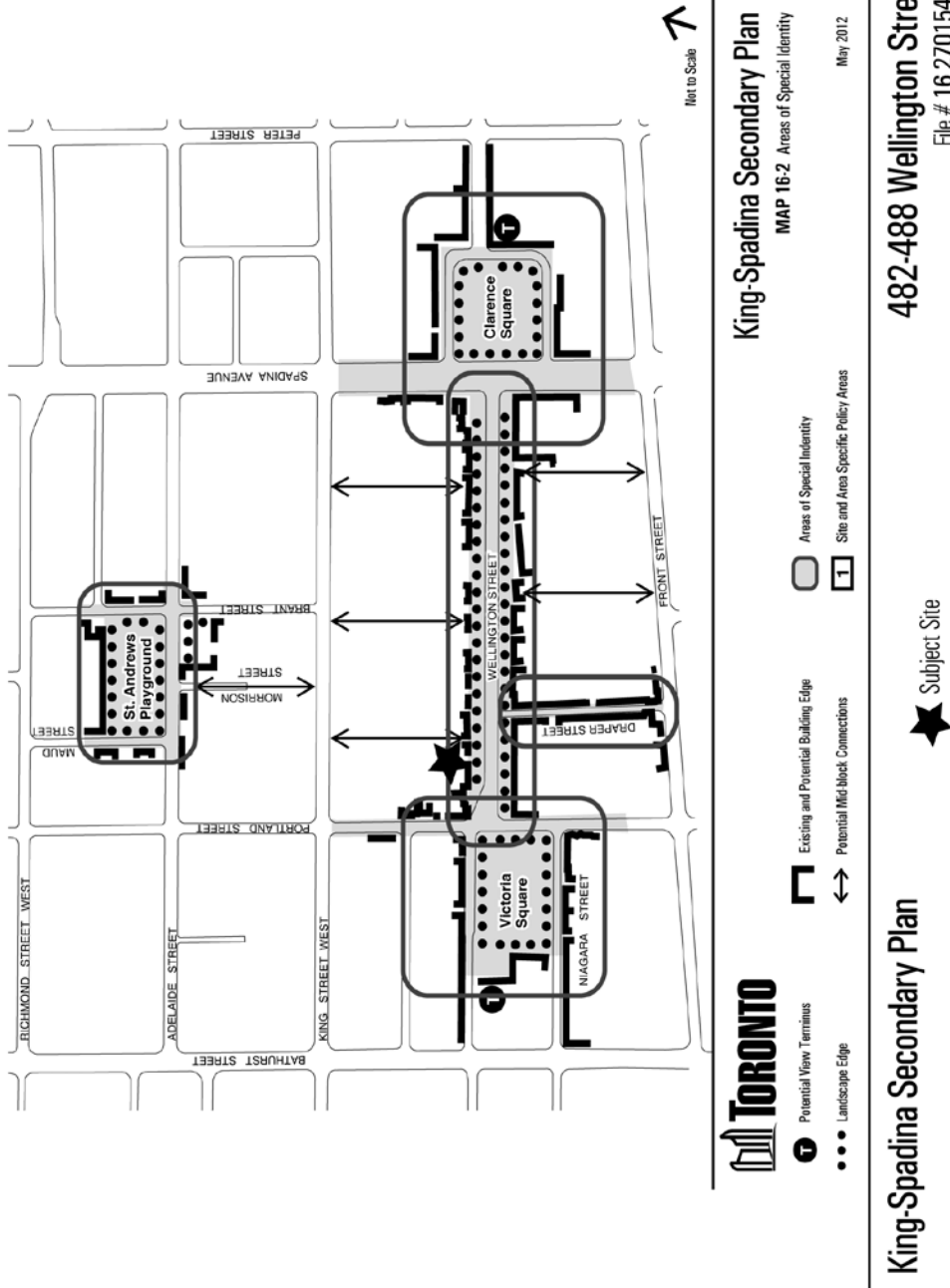
- | | | |
|-----------------|--------------------------|--------------------|
| Site Location | Parks & Open Space Areas | Regeneration Areas |
| Neighbourhoods | Parks | Utility Corridors |
| Mixed Use Areas | | |

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 Not to Scale
 02/26/2018

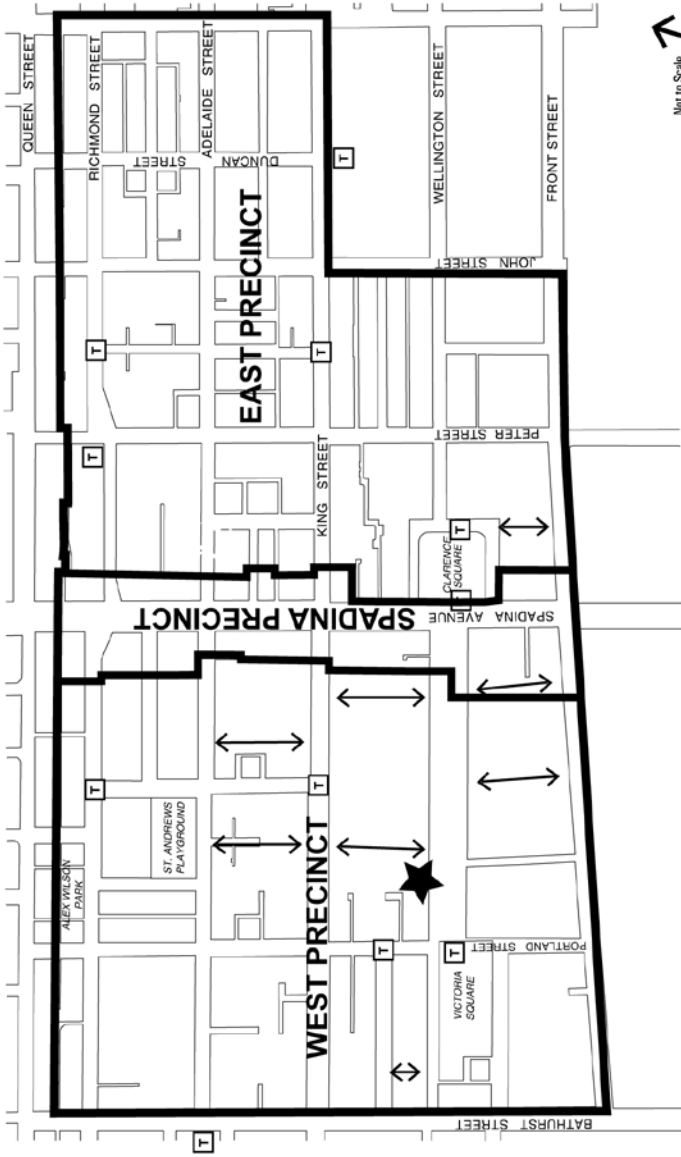
Attachment 8: King-Spadina Secondary Plan – Urban Structure Plan



Attachment 9: King-Spadina Secondary Plan – Areas of Special Identity



Attachment 10: King-Spadina Secondary Plan Review – Precinct Plan



Not to Scale



Official Plan Amendment No. 2 for King-Spadina Secondary Plan
MAP 16-1 Urban Structure Plan

- Secondary Plan Boundary
- T View Terminus
- ↔ Potential Mid-block Connections

July 2006

Official Plan Amendment No.2
for King-Spadina Secondary Plan

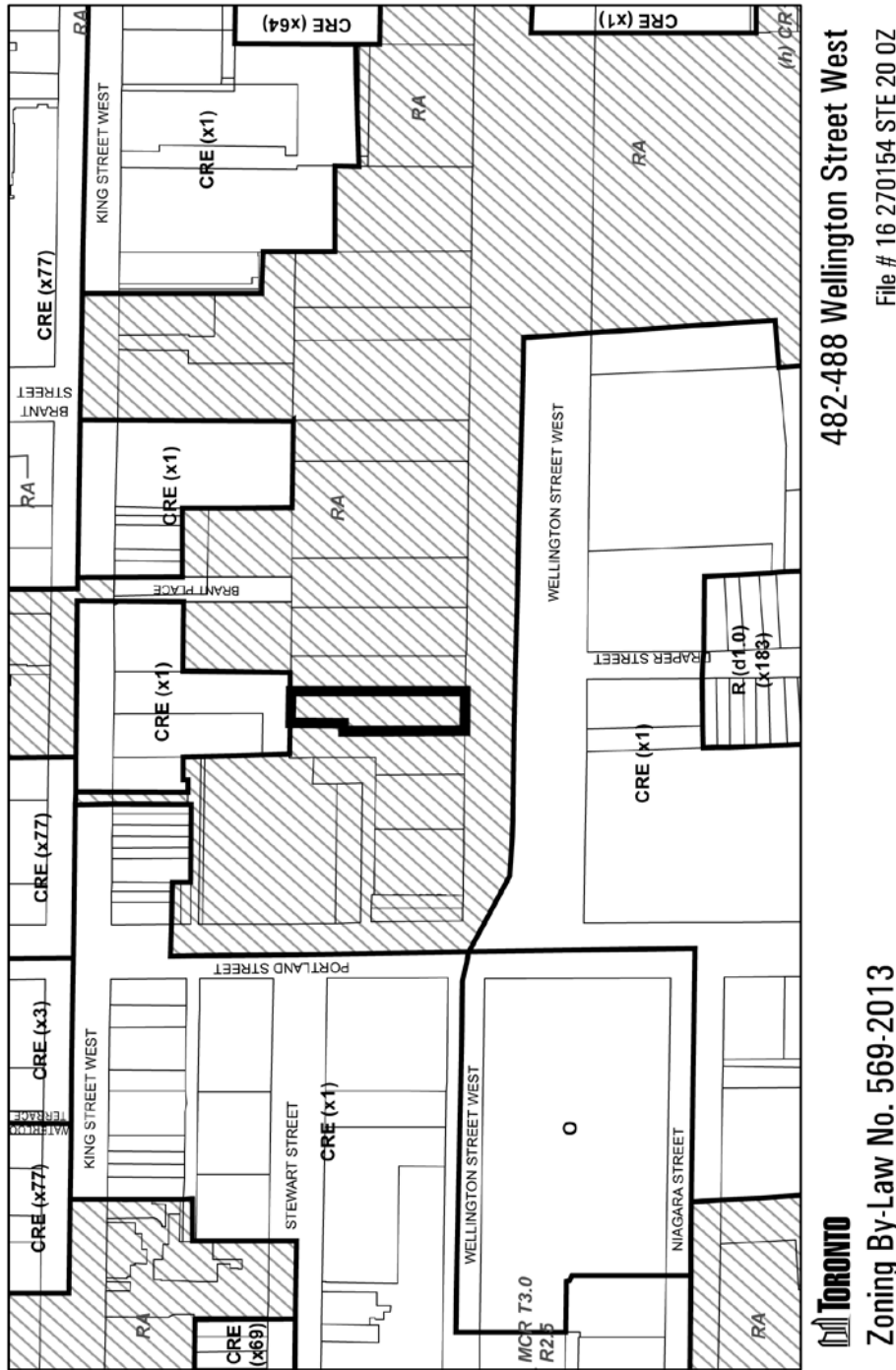


Subject Site

482-488 Wellington Street West
File # 16 270154 STE 20 02

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03/06/2018

Attachment 11: Zoning Map



Toronto
Zoning By-Law No. 569-2013
482-488 Wellington Street West
File # 16 270154 STE 20 0Z

- Location of Application
- R Residential
- CRE Commercial Residential Employment
- Open Space
- RA Mixed-Use District
- See Former City of Toronto By-Law No. 438-86

Net to Scale
 Extracted: 02/28/2018