DATE: March 23, 2018

TO: Chair and Members of the Committee of Adjustment
   Toronto and East York District
   c/o Anita MacLeod, Manager & Deputy Secretary-Treasurer
   Toronto and East York

FROM: Acting Director, Community Planning, Toronto and East York District

WARD: Ward 20, Trinity-Spadina

REFERENCE: File No.: A1081/17TEY
            Address: 324 Richmond Street West
            Applicant: Petaluma Building Corp.
            Agent: Andrew Feranik
            Application to be heard: March 28, 2018

RECOMMENDATION

City Planning Staff, respectfully recommend that the Committee refuse:

1) Variance #1 to Site-Specific Zoning By-law 1041-2014, requesting an increase in
   the permitted height, as prescribed on Map 2 of the By-law;

2) Variance #2 to Site-Specific Zoning By-law 1041-2014, requesting a 3 metre
   projection of the windscreen at storey 26;

3) Variance #4 to Site-Specific Zoning By-law 1041-2014, requesting an increase in
   the combined gross floor area of the building; and

4) Variance #5 to Site-Specific Zoning By-law 1041-2014, requesting an increase in
   the residential gross floor area of the building.

Should the Committee of Adjustment approve the remaining variances, Staff recommend
that the Committee impose the following conditions:

1) That the applicant be required to provide a minimum of 23 bicycle parking spaces,
   in excess of the minimum required by the Zoning By-laws and in accordance with
   the requirements of 'Chapter 230.5 General Regulations Applying to All Bicycle
   Parking Spaces' of Zoning By-law 569-2013; and
2) The owner shall enter into a Section 45(9) agreement to be registered on title prior to the issuance of the first below grade building permit, excluding any permits for excavation and/or shoring. The agreement shall ensure that the owner pay to the City of Toronto the sum of $46,000 towards active transportation projects within the King-Spadina area, as may be determined by the Chief Planner and Executive Director, City Planning Division, in consultation with the Ward Councillor. The $46,000 contribution shall be indexed upwardly in accordance with the Statistics Canada Non-Residential Construction Price Index for Toronto for the period from the date of the Committee of Adjustment decision to the date of payment to the City.

APPLICATION

The application proposes to alter the redevelopment plan approved under Site-Specific by-law 1041-2014 for a 25-storey mixed-use building by adding two additional storeys and decreasing the number of resident parking spaces.

COMMENTS

The subject site is located on the north side of Richmond Street West, south of Queen Street West and east of Spadina Avenue. Regeneration Areas are unique areas of the City and are open to a wide array of uses to help attract investment, re-use building, encourage new construction and bring life to the streets. The Official Plan contains policies to guide the development of Regeneration Areas, including transportation policies that encourage transit, walking and cycling in preference to private automobile use. This application is also subject to the King-Spadina Secondary Plan.

The site is zoned Reinvestment Area (RA) under Zoning By-law 438-86, which was amended in 2014 to include site specific requirements related to the development of the site through By-laws 1041-2014. The zoning permits a range of residential and commercial uses and includes requirements for the minimum number of vehicle and bicycle parking requirements, among other provisions, to secure the proposed development.

City Planning Staff do not support the additional two storeys. The approved Zoning for the site was the result of a comprehensive review of the project and public consultation. Fundamental to that review was the sculpting of the tower to avoid shadowing onto the north sidewalk of Queen Street West past noon. As a compromise, City Staff agreed to some additional shadowing up to 1 pm. The applicant approached City Planning Staff on a number of occasions requesting additional height after the rezoning was approved, and were consistently told that Planning would not be able to such a request.

The current proposal seeks to alter the approved 25-storey building by adding two additional storeys. As part of the application, the applicant submitted a shadow study, which indicates that the two-storey addition would create a shadow along the north side of the Queen Street West sidewalk at past 1 pm. during the spring and fall equinoxes. As

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such, Staff are of the opinion that this addition, and its impact on Queen Street West, are contrary to the intent of the Site Specific Zoning By-law, as well as the King-Spadina Secondary Plan, which provides principles that minimize shadow impacts, ensure adequate sunlight, and sky views to maintain a comfortable pedestrian experience.

The limiting of shadows on the north sidewalk of Queen Street West has been a component of the review of all development applications. With the exception of two applications approved by City Council without staff support, all applications in the King-Spadina Area that lie immediately to the south of Queen Street West, including the subject site, have agreed to work with Staff in limiting the shadowing impact on Queen Street West, arguably the most important retail main street in Toronto.

The subject application also proposes a net reduction in 23 vehicle parking spaces from the minimum amount of spaces, as prescribed in Site-Specific Zoning By-law 1041-2014. If the variances related to the two-storey addition were to be approved, the variance related to the decrease in vehicle parking would increase to 63 spaces. Staff do not object to the variance related to vehicle parking spaces, however, City Planning staff note that the removal of required vehicle parking spaces from this development site places additional strain on the capacity of the local area's non-vehicle transportation capacity and infrastructure. In order to contribute to the continued improvement of the capacity and infrastructure, City Planning Staff recommend that the Committee require the applicant to provide an additional 23 bicycle parking spaces on-site, as well as an indexed financial contribution of $46,000 to the City, for active transportation projects within the King-Spadina area.

The variances related to the two-storey addition do not meet the intent of the Official Plan or Zoning by-law, is contrary the long term interests of the City in protecting the quality of Queen Street West, and does not represent good planning. Should the Committee of Adjustment choose to approve the rest of the variances, Staff recommend that the Committee impose the above noted conditions.

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SIGNATURE

[Signature]

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