

96 Spadina Avenue and 379, 383, 385 and 391 Adelaide Street West - Zoning Amendment Application - Preliminary Report

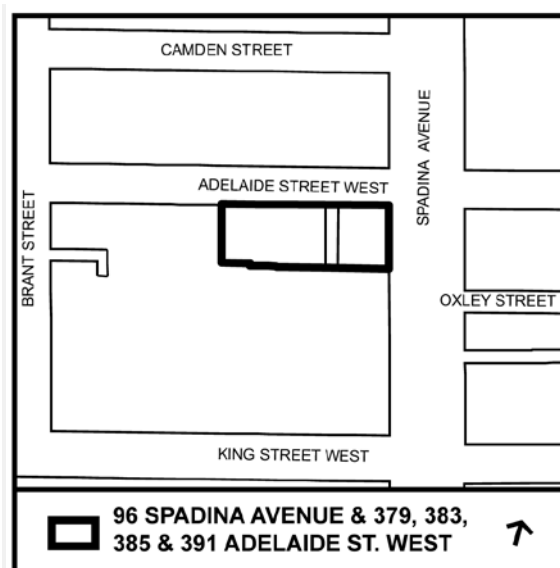
Date:	April 16, 2018
To:	Toronto and East York Community Council
From:	Acting Director, Community Planning, Toronto and East York District
Wards:	Ward 20 – Trinity-Spadina
Reference Number:	17 275276 STE 20 OZ

SUMMARY

This application proposes to amend the former City of Toronto Zoning By-law 438-86 and comprehensive Zoning By-law 569-2013 to permit the development of a 16-storey (plus mechanical penthouse) non-residential building with 23,482 square metres of office space and 166 square metres of retail. A total of 106 bicycle parking spaces are proposed, with no vehicular parking spaces proposed. The proposal incorporates the existing heritage buildings at 96 Spadina Avenue and 379 Adelaide Street West, and seeks to demolish the heritage building at 383 Adelaide Street West.

This report provides preliminary information on the above-noted application and seeks Community Council's directions on further processing of the application. A community consultation meeting is scheduled for April 30, 2018.

City staff will work with the applicant to address the issues identified in this report in order to seek to achieve an acceptable form of development.



A Final Report is targeted for the first quarter of 2019 if the applicant provides all requested materials in a timely manner.

RECOMMENDATIONS

The City Planning Division recommends that:

1. The report (April 16, 2018) from the Acting Director, Community Planning, Toronto and East York District be received for information.

Financial Impact

The recommendations in this report have no financial impact.

DECISION HISTORY

Pre-Application Consultation

Pre-application consultation meetings were held with the applicant on March 1, 2017 and October 31, 2017, to provide preliminary feedback and discuss complete application submission requirements. The drawings presented at the meetings are similar to those formally submitted on December 13, 2017.

ISSUE BACKGROUND

Proposal

The application proposes the development of a 16-storey commercial building, with 23,482 square metres of office space over floors 2-16 and 166 square metres of retail use at-grade. The overall height of the building would be 77.5 metres, inclusive of mechanical penthouse (71.6 metres to the roof of the 16th floor), and the proposed floor space index is 7.3 times the lot area.

An existing City-owned public lane is included in the proposed development site. The proposal is dependent upon the acquisition of the lane and the applicant has requested the proposed closure and sale of the lane. Whether the applicant's request for the closure and sale of the lane will be authorized by the City has not yet been determined.

The proposal includes the demolition of one listed heritage property at 383 Adelaide Street West and the retention of two listed heritage properties at 96-104 Spadina Avenue and 379 Adelaide Street West with a structural mast proposed within the existing City-owned public lane between 97 Spadina Avenue and 379 Adelaide Street West. The structural mast would suspend 11 additional floors (plus the mechanical penthouse) over the 8½-storey and 5½-storey heritage buildings being retained resulting in a 16-storey building. On the western side of the site the proposed building would have a recessed atrium entrance and a 5-storey podium

Staff Report for Action – Preliminary Report - 96 Spadina Avenue and 379, 383, 385 and 391 Adelaide St W

building fronting onto Adelaide Street West that would then rise up to 10 and 14-storeys as the building steps further from the eastern lot line.

The main entrance to the building, located immediately next to 379 Adelaide Street West, would be setback 3 metres from the north lot line with the remainder of the proposed new frontage onto Adelaide Street West setback approximately 1 metre from this lot line. To the south the proposed building would be setback between 3.4 and 5.3 metres at grade.

To the west the proposed building would have a setback of 6.1 metres, which would be wholly comprised of a widened laneway.

The proposed building would incorporate an irregular floor plate from the 8th floor up, with a greater stepback to Adelaide Street West where the support mast would be located and the stepback reducing to the east and west. The step back measures between 3 and 5 metres. To the south the proposed building would be setback between 0.7 and 4.8 metres at the 8th floor level and above.

To the east, where the building fronts onto Spadina Avenue, the proposed building would have a stepback of 9 metres from the existing heritage base building. At the 11th floor level the proposed building would cantilever out over the heritage building with a resultant step back of 3.7 metres from the base building, before stepping back farther at the 15th floor to provide a step back of 8.5 metres.

The following table provides details of the heritage buildings at the site and if they are proposed to be retained or demolished.

Building Address	Heritage Status	Retained or Demolished
96-104 Spadina Avenue and 373-375 Adelaide Street West	Listed on Heritage Register	Retained
379, 379A and 379C Adelaide Street West	Listed on Heritage Register	Retained
383 Adelaide Street West	Listed on Heritage Register	Demolished

The proposed vehicular access to the site would be from an existing private laneway at the western end of the site, between 391 and 399 Adelaide Street West. The private laneway would be increased in width from 3 metres to 6.1 metres, providing vehicular access to the property, and vehicular and pedestrian access to the existing parking and laneway network to the southwest of the site. Two Type B loading spaces would be provided at grade within the building envelope and one Type C loading space would be provided at grade within an open area to the rear of the site. The proposal does not include any parking spaces. A total of 106 bicycle parking spaces (57-short term and 49-long term) are proposed.

Staff Report for Action – Preliminary Report - 96 Spadina Avenue and 379, 383, 385 and 391 Adelaide St W

Attachments 1-6 provide the application's site plan, elevations and statistics.

Site and Surrounding Area

The site is located at the southwest corner of Spadina Avenue and Adelaide Street West, and is almost rectangular in footprint. The site frontage onto Spadina Avenue measures approximately 34 metres, while the frontage onto Adelaide Street West measures approximately 95 metres. The property has an area of approximately 3,212 square metres (0.32 hectares). The site is currently occupied by four buildings between 1 and 8-storeys in height. The site also includes a north-south City-owned public lane, which the applicant is seeking to acquire from the City.

The eastern most building (96-104 Spadina Avenue and 373-375 Adelaide Street West) is an 8 ½-storey grey and black painted building that has frontages onto both Spadina Avenue and Adelaide Street West, with a private laneway located to the south of the building and a City-owned public lane running along the west side of the building. The building currently incorporates a retail store at sub-grade level and office space above. The property is a listed heritage building and is identified as a contributing property in the King-Spadina Heritage Conservation District Plan.

The central building on the site (379, 379A and 379C Adelaide Street West) is a 5 ½-storey red brick building with the City-owned public lane to the east of the building and private laneways to the west and south. The building currently incorporates a retail store at sub-grade and grade levels, and office space above. The property is a listed heritage building and is identified as a contributing property in the King-Spadina Heritage Conservation District Plan.

The 2-storey building on the western side of the site (383-385 Adelaide Street West) is a listed heritage building that is identified as a contributing property in the King-Spadina Heritage Conservation District Plan. A private laneway runs along the eastern and southern sides of the property. The building currently incorporates a retail and commercial uses. Adjoining the 2-storey heritage building is a 1-storey commercial building (387-391 Adelaide Street West), with a private laneway running along the western side of the building.

North: Adelaide Street West is located immediately north of the site and has a right-of-way width of 20 metres. The development to the north of the site is generally mid-rise in character with heights between 6 and 12-storeys. Immediately opposite the site across Adelaide Street West is the Tower Building (110 Spadina Avenue), which is a 12-storey heritage listed building with a brick façade and a capped masonry penthouse structure.

This building is recognized by the King Spadina HCD Plan as a landmark building, which acts as a portal landmark at the centre of the 'Garment District' and defines the character of the sub-area.

East: Spadina Avenue is located immediately to the east of the site and has a right-of-way width of 36 metres, inclusive of a central streetcar line. On the eastern side of Spadina Avenue directly opposite the site is a two storey building and surface car parking. Further to the north and south of the surface parking and to the east of Spadina Avenue the buildings rise in height with a built and emerging built form of generally mid-rise and tall buildings in mixed use.

South: Immediately to the south of the site is a 5-storey listed heritage building separated from the site by a private laneway, which has grade level retail and commercial above. The buildings to the southwest of the site, which form part of the same block, are generally mid-rise to tall in height, are both historic and contemporary in design and include a mix of commercial and residential uses surrounding a central courtyard. The block incorporates a complex network of laneways for both pedestrians and vehicles and includes both privately owned and City-owned public lanes.

Farther to the south are generally low and mid-rise buildings fronting onto King Street West and Wellington Street West. This area is subject to a high number of development applications for tall buildings.

West: The existing development immediately to the west of the site comprises a 10-storey and a 9-storey building in residential and commercial use respectively. Farther west the buildings are varied in age and character but are generally low to mid-rise in height. St. Andrew's Playground is located just west of the site on the north side of Adelaide Street West.

Planning Act, Provincial Policy Statement and Provincial Plans

Section 2 of the *Planning Act* sets out matters of provincial interest, which City Council shall have regard to in carrying out its responsibilities. The matters include: the orderly development of safe and healthy communities; the adequate provision and efficient use of communication, transportation, sewage and water services and waste management systems; the conservation of features of significant architectural, cultural, historical and archaeological or scientific interest; the appropriate location of growth and development; and the promotion of a built form that is well designed, encourages a sense of place and 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 order 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; and
- Encouraging a sense of place, by promoting well-designed built form and cultural planning, and by conserving features that help define character, including built heritage resources and cultural heritage landscapes.
- Significant built heritage resources and significant cultural heritage landscapes shall be conserved.

The City of Toronto uses the PPS to guide its Official Plan and to inform decisions on other 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 PPS.

The PPS recognizes and acknowledges the Official Plan as an important document for implementing the policies within the PPS. Policy 4.7 of the PPS states that "The official plan is the most important vehicle for implementation of this Provincial Policy Statement. Comprehensive, integrated and long-term planning is best achieved through official plans."

The Growth Plan for the Greater Golden Horseshoe (2017) 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
- Cultural heritage resources will be conserved in order to foster a sense of place and benefit communities, particularly in strategic growth areas.

Like other provincial plans, the Growth Plan for the Greater Golden Horseshoe (2017) builds upon the policy foundation provided by the PPS and provides more specific land use planning policies to address issues facing the GGH 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.

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

Official Plan

The site is located in the *Downtown* as identified in the City's Urban Structure map. The site is designated *Regeneration Areas* in the Official Plan, and is part of the King-Spadina Secondary Plan Area.

Chapter Two – Shaping the City

Policies for the *Downtown* are contained in Section 2.2.1, and identify that the *Downtown* will continue to evolve as a healthy and attractive place to live and work as new development that supports the urbanization strategy and the goals for *Downtown* is attracted to the area.

Sites located within the *Downtown* offer opportunities for substantial employment and residential growth. The Official Plan directs growth to the *Downtown* in order to achieve multiple City objectives. Among other things, it promotes the efficient use of municipal services and infrastructure, concentrates jobs and people in areas well served by transit, promotes mixed use development to increase opportunities for

Staff Report for Action – Preliminary Report - 96 Spadina Avenue and 379, 383, 385 and 391 Adelaide St W

living close to work and to encourage walking and cycling. This reurbanization strategy recognizes that the level of growth will not be uniform across the *Downtown* given its diversity.

Chapter Three – Building a Successful City

The Public Realm policies of the Official Plan are contained in Section 3.1.1. These policies recognize that City streets are significant public open spaces that connect people and places and support the development of sustainable, economically vibrant and complete communities. These policies address how City streets will incorporate a Complete Streets approach. Sidewalk and boulevard design to achieve safe, attractive and interesting and comfortable spaces for pedestrians by providing well designed and co-ordinated tree planting and landscaping, among other things, and by locating and designing utilities within streets, within buildings or underground in a manner that will minimize negative impacts on the natural, pedestrian and visual environment and enable the planning and growth of trees to maturity.

The Built Form policies of the Official Plan are contained in Section 3.1.2. These policies relate to the form of the new development, and recognize that for the most part, future development will be built on infill and redevelopment sites and will need to fit in, respecting and improving the character of the surrounding area. Among other things, these policies stipulate that new development will:

- Be located and organized to fit with its existing and/or planned context;
- Development will frame and support adjacent streets, parks and open spaces to improve the safety, pedestrian interest and casual views to these spaces;
- Locate and organize vehicle parking, vehicular access, service areas and utilities to minimize their impact on the property and on surrounding properties and to improve the safety and attractiveness of adjacent streets, parks and open spaces; and
- Be massed and its exterior face be designed to fit harmoniously into its existing and/or planned context, and will limit its impact on neighbouring streets, parks, open spaces and properties.

Heritage Conservation

On May 12, 2015, the Ontario Municipal Board 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. The heritage policies contained in Section 3.1.5 of the Official Plan provide the policy framework for heritage conservation.

Staff Report for Action – Preliminary Report - 96 Spadina Avenue and 379, 383, 385 and 391 Adelaide St W

In particular, Policy 3.1.5.4 states that heritage resources on the City's Heritage Register will be conserved and further, Policy 3.1.5.6 encourages the adaptive re-use of heritage properties. Additionally, Policy 3.1.5.26 states that, when new construction on, or adjacent to, a property on the Heritage Register does occur, it will be designed to conserve the cultural heritage values, attributes and character of that property and will mitigate visual and physical impact on it. Further, Policy 3.1.5.27 discourages the retention of facades alone and encourages conservation of whole or substantial portions of buildings. Finally, 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

The Official Plan designates the site as *Regeneration Areas* within the *Downtown*. *Regeneration Areas* are one of the key areas of the City expected to accommodate growth and in order to facilitate this, the designation permits a wide range of uses, including the proposed commercial uses. The Official Plan contains policies related to *Regeneration Areas* encouraging the restoration, re-use and retention of existing buildings that are adaptable for re-use so as to encourage a broad mix of commercial, residential, light industrial and live-work uses, thereby revitalizing areas of the City that are vacant or underused. Section 4.7.2 of the Official Plan provides development criteria in Regeneration Areas, to be guided by a Secondary Plan, which, in this case, is the King Spadina Secondary Plan.

Chapter Five - Implementation

Chapter Five provides guidance to understand and interpret the Official Plan. In particular, Section 5.6, Policy 1 indicates that the Official Plan should be read as a whole to understand its comprehensive and integrative intent as a policy framework. Additionally, Section 1.5, How to Read this Plan, in Chapter One indicates that the Official Plan is a comprehensive and cohesive whole.

The proposal is being evaluated against the policies described above as well as the policies of the Official Plan as a whole.

Official Plan Amendment 231

Official Plan Amendment No. 231 (OPA 231), adopted by City Council on December 18, 2013, received approval from 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:

"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.

King-Spadina Secondary Plan

The site is situated in the Spadina Avenue Corridor and the West Precinct of the King-Spadina Secondary Plan Area found in Chapter 6.16 of the Official Plan. The Secondary Plan emphasizes the reinforcement of the characteristics and qualities of the area through special attention to built form and the public realm.

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

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

The King-Spadina Secondary Plan emphasizes reinforcement of the characteristics and qualities of the area through special attention to built form and the public realm. The policies of Section 3, Built Form and in particular the policies of Section 3.6 – General Built Form Principles and Section 4 Heritage, specify that:

Staff Report for Action – Preliminary Report - 96 Spadina Avenue and 379, 383, 385 and 391 Adelaide St W

- new buildings will locate along front property lines in such a way that they define and form edges along streets, parks, public squares and mid-block pedestrian routes;
- new buildings adjacent to parks or open spaces will be located and organized to define and face into the parks or open spaces, to animate the edges and to increase surveillance opportunities;
- the lower levels of new buildings will be sited and organized to enhance the public nature of streets, open spaces and pedestrian routes, and provide public uses accessible from grade;
- 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, 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; and
- streetscape and open space improvements will be coordinated in new development.

Section 4 Heritage policies require the City to seek retention, conservation, rehabilitation, re-use and restoration of heritage buildings. A primary objective of this Secondary Plan is to use the historic fabric of the area to assess new development.

The King-Spadina Secondary Plan identifies St. Andrew's Playground, located to the west of the site, as an Area of Special Identify where new development will respect the integrity and the potential for increased use of the park.

The lane system in King-Spadina is identified as important to the character of the area and the following policy is included with reference to this:

Staff Report for Action – Preliminary Report - 96 Spadina Avenue and 379, 383, 385 and 391 Adelaide St W

The existing lane system in King-Spadina will be improved and, where appropriate, the introduction of new public lanes to serve development will be encouraged.

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 re-designation 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

Staff Report for Action – Preliminary Report - 96 Spadina Avenue and 379, 383, 385 and 391 Adelaide St W

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 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 were endorsed by Council at its meeting on September 25-28, 2006. The King-Spadina Urban Design Guidelines (2006), 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.

The King-Spadina Urban Design Guidelines support the implementation of the King-Spadina Secondary Plan. 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 and historic buildings in the immediately surrounding area, 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.

The Urban Design Guide identifies three precincts and corridors within the King-Spadina area with the application site located within both the Spadina Avenue Corridor and West Precinct.

Section 4.2.3 Built Form states that in the Spadina Avenue Corridor special attention should be paid to the transition of development from that fronting Spadina Avenue to the adjacent precincts, with an on-site transition provided.

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.

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 stepbacks 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.

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 Heritage Conservation District Plan

At its meeting of October 2, 2012, Toronto City Council directed Heritage Preservation Services (HPS) staff to undertake a Heritage Conservation District (HCD) study of the King-Spadina area. A team led by Taylor-Hazell Architects undertook the study and was subsequently retained to prepare the Plan. The first phase of the HCD Study was concluded in the spring of 2014 and recommended that the area merited designation under Part V of the Ontario Heritage Act as an HCD on the basis of its historical, associative, physical, contextual, and social and community values.

In the fall of 2014 HPS initiated the second (HCD Plan) phase of the study, which resulted in the development of the statements of objectives, statements of cultural heritage value, boundaries, policies and guidelines, and community and stakeholder consultation.

The HCD 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 at the October 2-4, 2017 meeting of City Council, thereby designating the King-Spadina Heritage Conservation District Plan under Part V of the *Ontario Heritage Act*. The final report and decision of City Council 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 properties at 96-104 Spadina Avenue and 373-385 Adelaide Street West are listed heritage buildings and are identified as contributing heritage properties in the King-Spadina HCD Plan. Contributing properties are to be conserved in a manner

Staff Report for Action – Preliminary Report - 96 Spadina Avenue and 379, 383, 385 and 391 Adelaide St W

that ensures the long term conservation of the District's cultural heritage value, heritage attributes and the integrity of the contributing property.

Policy 9.2.1 of the HCD Plan identifies the Spadina Avenue Commercial Properties Streetwall, which includes 96-104 Spadina Avenue, as a view which expresses the districts cultural heritage value. New development to properties should be undertaken to be complementary to and not obstruct these views.

The HCD Plan in Section 9.3 identifies the network of laneways within the King-Spadina area as a heritage attribute that reflects the historic circulation routes as well as the historic land use of adjacent contributing properties. Policy 9.3.1 of the HCD Plan states that the network of laneways shall be conserved, extended and enhanced. While Policy 9.3.2 states that laneways owned by the City shall be conserved , maintaining their location, alignment, connection to adjacent laneways and views from the public realm.

Tall Building Design Guidelines

In May 2013, City Council adopted the updated city-wide Tall Building Design Guidelines and directed City Planning staff to use them in the evaluation of tall building development applications. The Guidelines establish a unified set of performance measures for tall buildings to ensure they fit within their context and minimize their local impacts.

Policy 1 in the Official Plan's Section 5.3.2, Implementation Plans and Strategies for City-Building, states 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 Tall Building Design Guidelines serve this policy intent, helping to implement Chapter 3, The Built Environment, and other policies within the Official Plan related to the design and development of tall buildings in Toronto.

Official Plan Amendment 352 – Updating Tall Building Setbacks Downtown

On October 5-7, 2016, City Council adopted Official Plan Amendment (OPA) 352 – Downtown Tall Building Setback Area. The purpose of OPA 352 is to establish the policy context for tall building setbacks and separation distances between tower portions of tall buildings Downtown. At the same meeting, City Council adopted area-specific Zoning By-laws 1106-2016 and 1107-2016, which provide the detailed performance standards for portions of buildings above 24 metres in height. While OPA 352 and the by-laws are under appeal, these amendments represent Council's position with respect to proposals seeking to introduce a tall building into the urban context.

Staff Report for Action – Preliminary Report - 96 Spadina Avenue and 379, 383, 385 and 391 Adelaide St W

TOcore

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 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.

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 City Planning 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 within 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.

Map 11 of TOcore proposes to designate the western portion of the site as *Mixed Use Areas 2- Transitional* and the eastern portion of the site as *Mixed Use Area 3- Main Street*. With regard to *Mixed Use Areas 2* proposed Policy 6.26 of TOcore details that the scale and massing of buildings will respect and reinforce the existing physical character of the neighbourhood, including the prevailing heights, massing,

Staff Report for Action – Preliminary Report - 96 Spadina Avenue and 379, 383, 385 and 391 Adelaide St W

scale, density and building type. Proposed Policy 6.28 of TOcore details that development will be in the form of low-rise and mid-rise buildings within *Mixed Use Areas 3*.

The recommended Downtown Plan and supporting materials can be found at www.toronto.ca/tocore

The site is also located within the *Cultural Precinct*, where proposed Policy 12.4 identifies that the adaptive re-use of properties on the Heritage Register as *cultural spaces* will be encouraged. Proposed policies in section 12.5 encourage uses that encourage the cultural and creative industries and provides facilities for such uses, while also encouraging buildings that support the spatial requirement of cultural industries and allow for flexible use of the spaces. The participation of the arts and design community in local public realm improvements is also encouraged.

The site is also sited within the *Downtown Film Precinct*, where the proposed policies within section 12.14 encourage the provision of physical infrastructure to support the film industry, built-in infrastructures to reduce the need for generators and areas for temporary film trailer parking, pick-p/drop-off areas, accessible loading zones and motor coach parking zones.

Section 10 of TOcore seeks to enhance community services and facilities to support a diverse range of programs and services to support communities, contribute to quality of life and act as neighbour focal points where people gather, socialize and access services. Community Services and Facilities are essential to fostering *complete communities*. Proposed Policy 10.7 details that development will include a child care centre where it can be accommodated on the site.

Zoning

The site is zoned Reinvestment Area (RA) by Zoning By-law 438-86, as amended. The RA Zone permits a range of residential uses, as well as commercial, institutional and limited industrial uses. As part of the RA zoning controls, density standards were replaced with built form objectives expressed through height limits and setbacks. The Zoning By-law permits a maximum building height of 23 metres for the part of the site to the west of the City-owned public lane and a maximum building height of 39 metres for the part of the site to the east of the City-owned public lane. An additional 5 metres is permitted for rooftop mechanical elements. The Zoning By-law requires a 7.5 metre setback from the side and rear lot lines for areas over 25 metres from the street lot line.

The site is also subject to City-wide comprehensive Zoning By-law 569-2013 (see Attachment 7). The By-law was passed by City Council on May 5, 2013, and is subject to numerous appeals and is not yet in force. By-law 569-2013 zones the property as Commercial Residential Employment (CRE). The CRE zone includes the

same performance standards as the RA zone in By-law 438-86, including the overall height limits.

Site Plan Control

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

Tree Preservation

There are 4 City street trees adjacent to the site along the Adelaide Street West frontage. The submitted Arborist Report and Tree Preservation Plan by The Tree Specialists Inc., dated November 29, 2017, recommends the removal of one of the City street trees where this would be located directly in front of the proposed main entrance to the building. Urban Forestry staff have reviewed the Arborist Report and note that replacement trees will be required within the road allowance.

Public Laneway and Access

The proposal requires the conveyance of a City-owned public lane connecting Spadina Avenue to a private laneway to the south. The City-owned public lane would include structural support columns of the proposed addition above the heritage buildings, resulting in a covered area providing a pedestrian route and cycle parking. An application has been submitted to the City for the purchase of this laneway.

A centrally located north-south private laneway between 381 and 383 Spadina Avenue would be incorporated within the footprint of the proposed building, while a widened north-south private laneway would be provided at the western end of the site to provide access to the servicing area of the proposed development.

Reasons for the Application

The applicant has submitted a Zoning By-law Amendment application to permit a building that exceeds the permitted maximum building height of 39 metres (located on the eastern part of the site) by approximately 38.5 metres, resulting in a proposed building height of 77.5 metres (inclusive of the mechanical penthouse). In addition, the proposed building does not comply with other performance standards that apply to the lands.

COMMENTS

Application Submission

The following reports/studies were submitted with the application:

- Planning Rationale
- Architectural Plans, Elevations and Sections
- Survey Plan

Staff Report for Action – Preliminary Report - 96 Spadina Avenue and 379, 383, 385 and 391 Adelaide St W

- Civil and Utilities Plan
- Transportation Impact Study
- Heritage Impact Statement
- Green Development Checklist
- Geotechnical Investigation
- Hydrogeological Investigation
- Noise Impact Study
- Pedestrian Level Wind Study
- Functional Servicing and Storm Water Management Report
- Phase One Environmental Site Assessment
- Arborist/Tree Preservation Report
- Landscape Plan
- Archaeological Assessment – Stage 1
- Sun/Shadow Study
- Energy Strategy Report
- Draft Zoning By-laws
- Public Consultation Plan

A Notification of Complete Application was issued on March 28, 2018, with the application deemed complete on March 8th, 2018.

Issues to be Resolved

The issues identified through the initial review of this application, are identified below and are among the issues that will be considered through the review of this application:

- Whether the proposed development has regard for matters of provincial interest as identified in the *Planning Act*.
- Consistency with the Provincial Policy Statement (2014) and conformity to the Growth Plan for the Greater Golden Horseshoe (2017).
- Conformity with Official Plan policies, including emerging policies from the TOcore initiative and the King-Spadina Secondary Plan Review.
- Whether the proposed height, massing and density are suitable for the site.
- Compliance with the City-wide Tall Buildings Guidelines and OPA 352 tower separation requirements.
- Whether the proposal conserves the cultural heritage value and attributes of the on-site properties, the adjacent heritage properties and the King-Spadina Heritage Conservation District.

Staff Report for Action – Preliminary Report - 96 Spadina Avenue and 379, 383, 385 and 391 Adelaide St W

- Whether the lack of parking provision is acceptable.
- Adequacy of community services and facilities and parks to serve the proposed development.
- Shadow impacts created by the proposal on the surrounding area.
- Wind conditions and proposed wind mitigation measures.
- Adequacy of proposed loading spaces to service the proposed development and whether the laneway access to these spaces is appropriate.
- Capacity of existing servicing to accommodate the proposed development.
- Compliance with the Toronto Green Standards Tier 1 performance measures.
- Identification and securing of public benefits pursuant of Section 37 of the *Planning Act* should the proposal be recommended for approval.
- Whether the applicant's requested acquisition of the City-owned public lane will be authorised by City Council.

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

CONTACT

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 Tel. No. (416) 338-2073
 E-mail: nathaniel.baker@toronto.ca

SIGNATURE

Lynda H. Macdonald
 Acting Director, Community Planning
 Toronto and East York District

(P:\2018\Cluster B\pln\TEYCC\10515952005.doc) – lm

ATTACHMENTS

Attachment 1: Site Plan

Attachment 2: North Elevation

Attachment 3: East Elevation

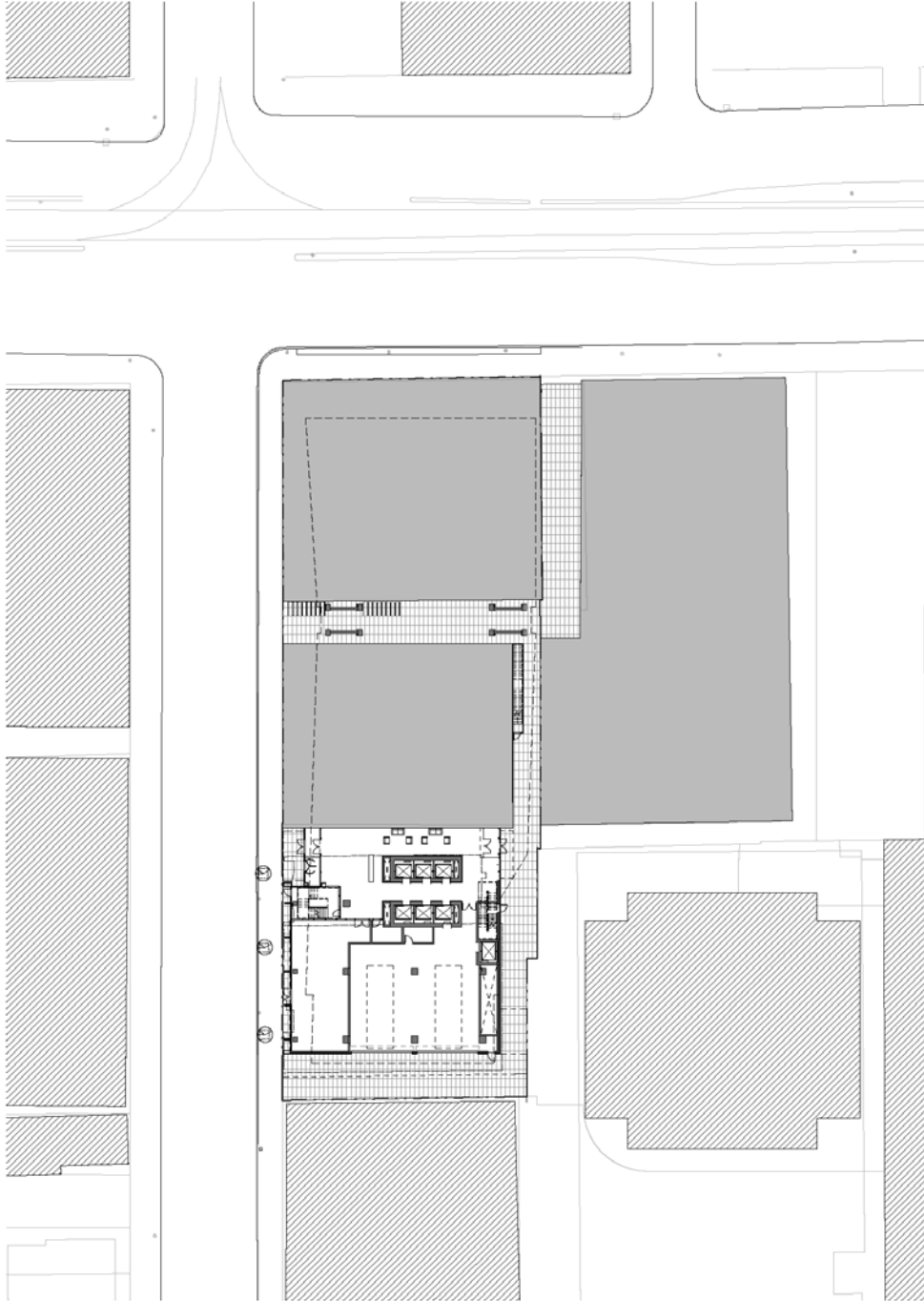
Attachment 4: South Elevation

Attachment 5: West Elevation

Attachment 6: Application Data Sheet

Attachment 7: Zoning

Attachment 1: Site Plan



96 Spadina Avenue & 379, 383, 385, 391 Adelaide Street West

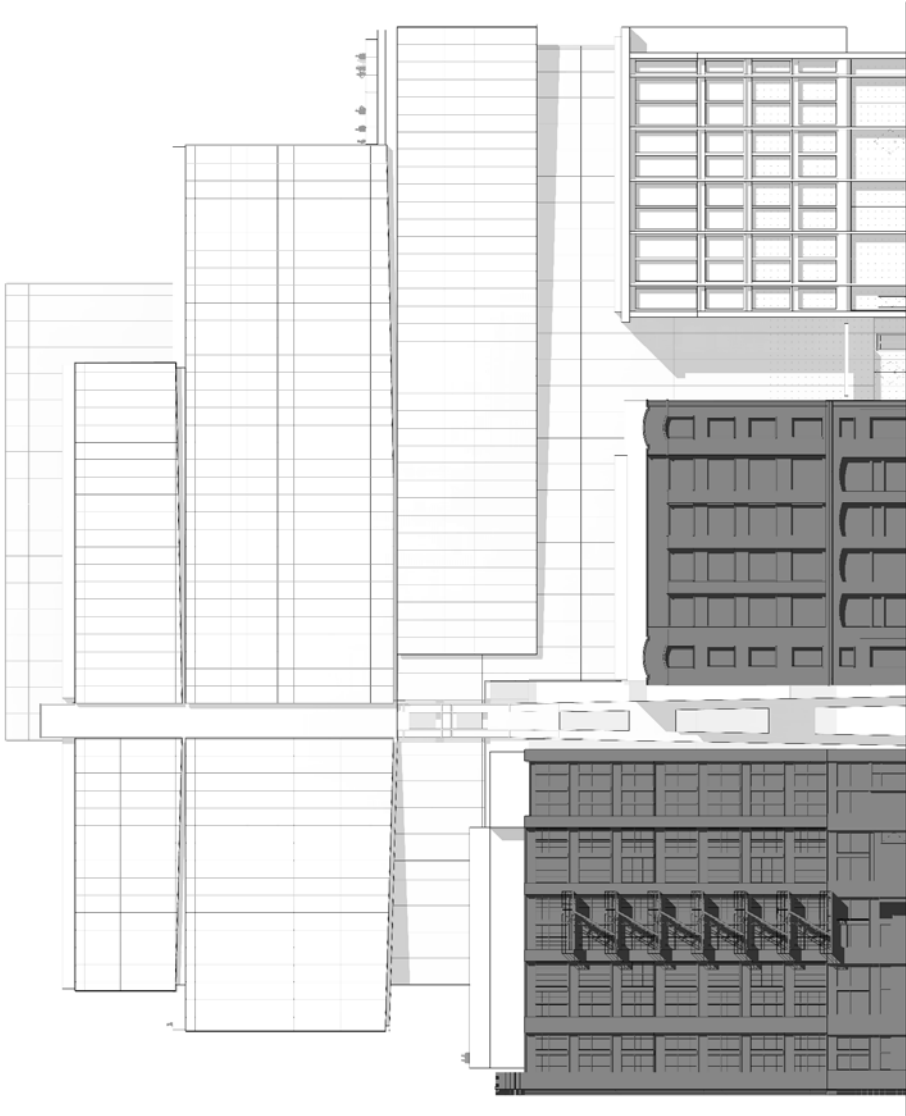
Site Plan

Applicant's Submitted Drawing

Not to Scale
04/04/2018

File # 17 275276 STE 20 0Z

Attachment 2: North Elevation



North Elevation

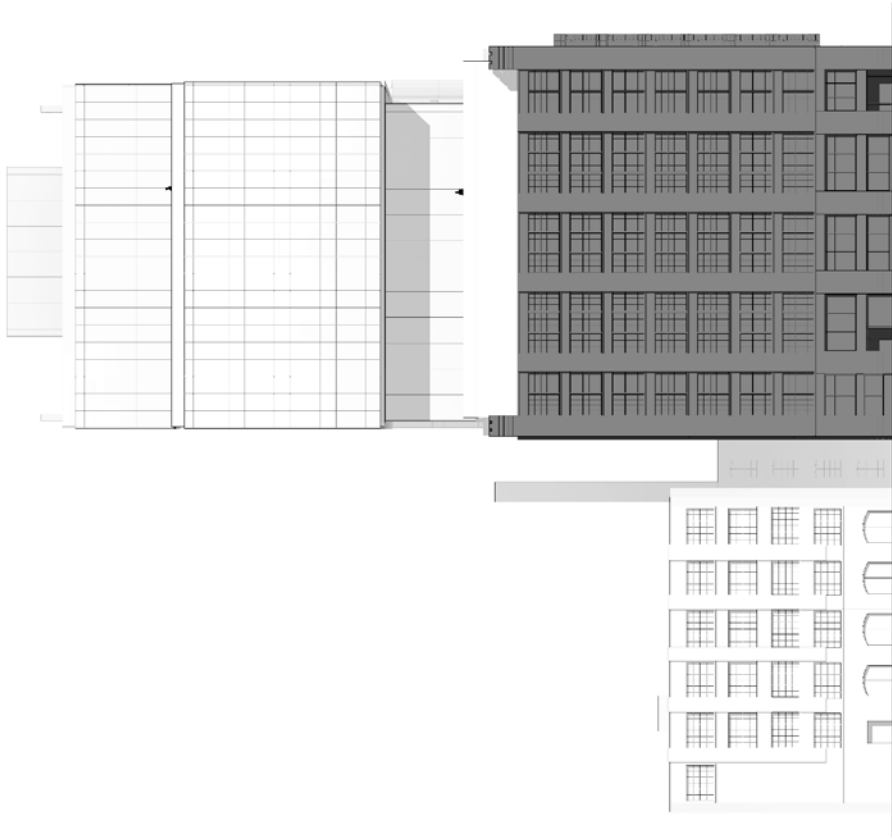
Applicant's Submitted Drawing

Not to Scale
04/04/2018

96 Spadina Avenue & 379, 383, 385, 391 Adelaide Street West

File # 17 275276 STE 20 0Z

Attachment 3: East Elevation



East Elevation

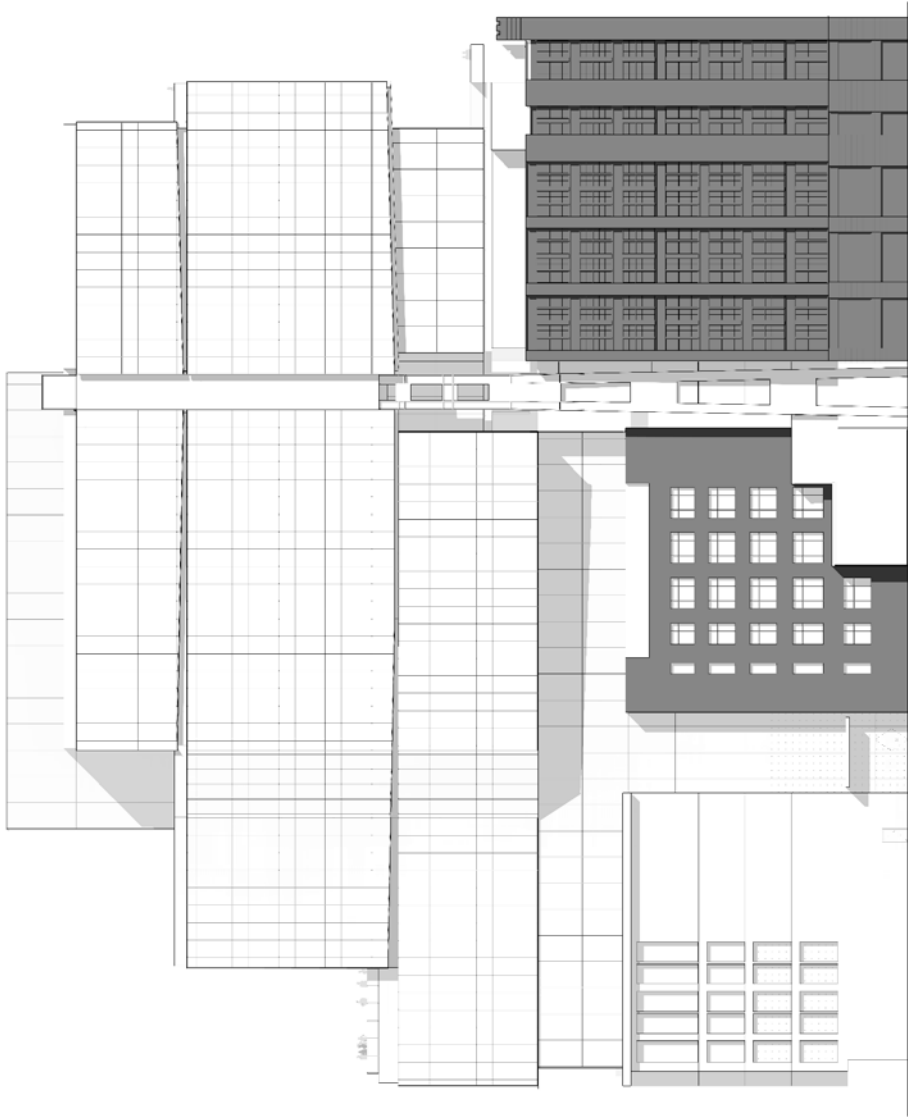
Applicant's Submitted Drawing

Not to Scale
04/04/2018

96 Spadina Avenue & 379, 383, 385, 391 Adelaide Street West

File # 17 275276 STE 20.0Z

Attachment 4: South Elevation



South Elevation

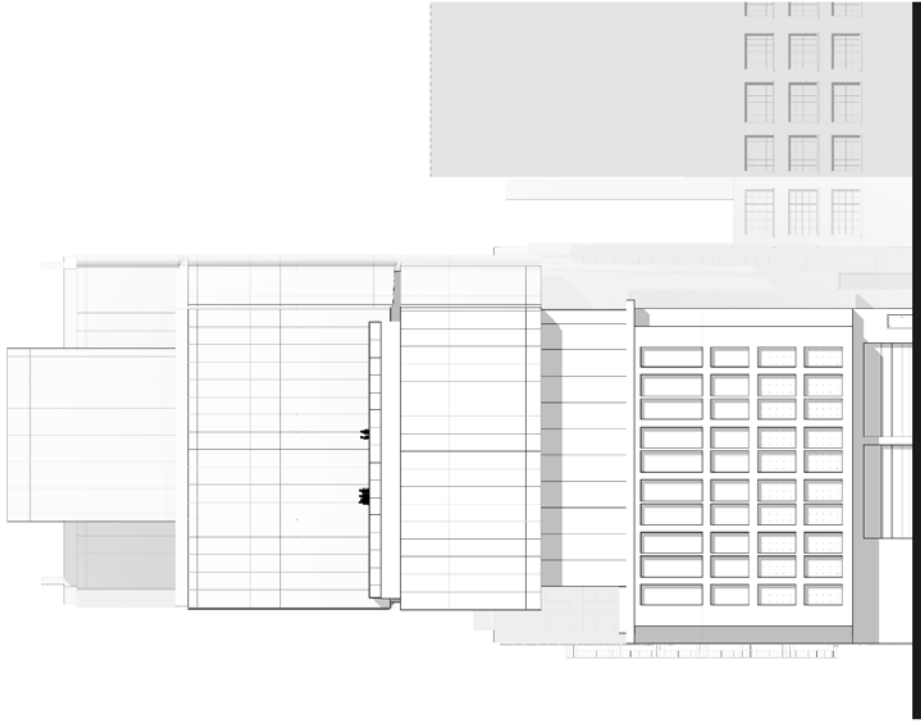
Applicant's Submitted Drawing

Not to Scale
04/04/2018

96 Spadina Avenue & 379, 383, 385, 391 Adelaide Street West

File # 17 275276 STE 20 0Z

Attachment 5: West Elevation



West Elevation

Applicant's Submitted Drawing

Not to Scale
04/04/2018

96 Spadina Avenue & 379, 383, 385, 391 Adelaide Street West

File # 17 275276 STE 20 0Z

Attachment 6: Application Data Sheet

Application Type	Rezoning	Application Number:	17 275276 STE 20 OZ
Details	Rezoning, Standard	Application Date:	December 13, 2017

Municipal Address: 96 SPADINA AVE
 Location Description: MILITARY RES SEC E PT LOT 1 RP 66R27714 PART 9 **GRID S2014
 Project Description: Zoning By-law Amendment application to facilitate the construction of a 16-storey (plus mechanical penthouse) non-residential building with retail uses at ground and commercial uses above.

Applicant:	Agent:	Architect:	Owner:
SWEENY & CO ARCHITECTS INC		SWEENY & CO ARCHITECTS INC	96 SPADINA AVE INC.

PLANNING CONTROLS

Official Plan Designation:	Regeneration Areas	Site Specific Provision:	
Zoning:	CRE (x1)	Historical Status:	Y
Height Limit (m):		Site Plan Control Area:	Y

PROJECT INFORMATION

Site Area (sq. m):	3212.2	Height:	Storeys:	17
Frontage (m):	34.09		Metres:	77.5
Depth (m):	95.31			
Total Ground Floor Area (sq. m):	1831			Total
Total Residential GFA (sq. m):	0		Parking Spaces:	0
Total Non-Residential GFA (sq. m):	35609		Loading Docks	3
Total GFA (sq. m):	35609			
Lot Coverage Ratio (%):	57			
Floor Space Index:	11.1			

DWELLING UNITS

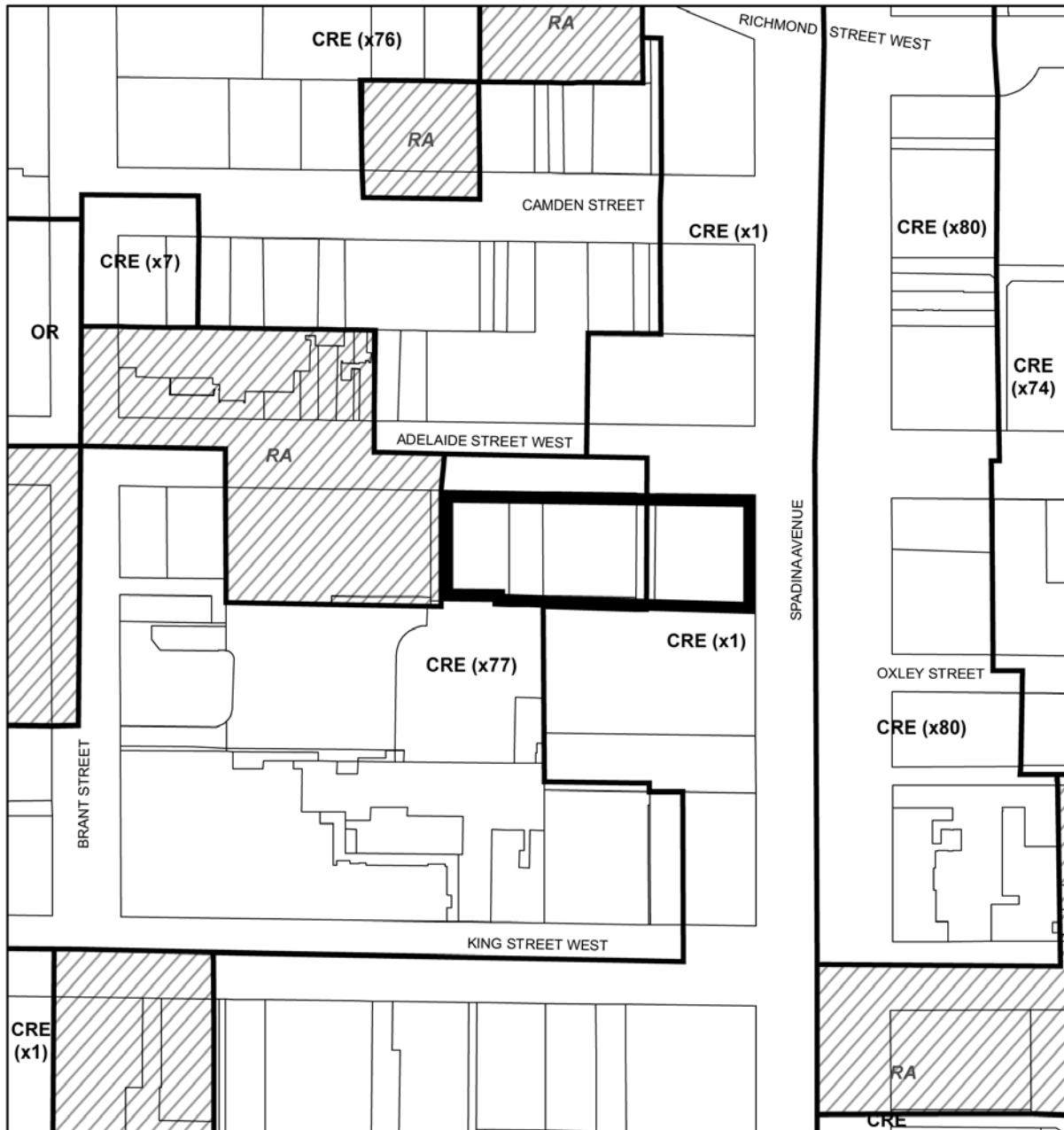
FLOOR AREA BREAKDOWN (upon project completion)

			Above Grade	Below Grade
Tenure Type:				
Rooms:	0	Residential GFA (sq. m):	0	0
Bachelor:	0	Retail GFA (sq. m):	0	0
1 Bedroom:	0	Office GFA (sq. m):	0	0
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: Nathaniel Baker, Planner
TELEPHONE: (416) 338-2073

Staff Report for Action – Preliminary Report - 96 Spadina Avenue and 379, 383, 385 and 391 Adelaide St W

Attachment 7: Zoning



TORONTO 96 Spadina Avenue & 379, 383, 385 and 391 Adelaide Street West
Zoning By-law No. 569-2013 File # 17 275276 STE 20 0Z

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

 Not to Scale
 Extracted: 03/27/2018

Staff Report for Action – Preliminary Report - 96 Spadina Avenue and 379, 383, 385 and 391 Adelaide St W