



REPORT FOR ACTION

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

Date: September 23, 2019

To: Toronto and East York Community Council

From: Director, Community Planning, Toronto and East York District

Wards: Ward 10 - Spadina-Fort York

Planning Application Number: 17 275276 STE 20 OZ

SUMMARY

This zoning amendment application proposes a 16-storey building with 80 square metres of retail/commercial space on the ground level and 33,946 square metres of office space above the existing buildings at 96 Spadina Avenue and 379, 383, 385 and 391 Adelaide Street West. The proposal also includes the full retention of the heritage buildings at 96 Spadina Avenue and 379 Adelaide Street West and partial retention of the building at 383 Adelaide Street West. A total of three loading spaces and 98 bicycle parking spaces are proposed on site. No vehicle parking spaces are proposed.

The proposed development is consistent with the Provincial Policy Statement (2014) and conforms with the Growth Plan for the Greater Golden Horseshoe (2019). The proposal represents an appropriate redevelopment of the site, significant heritage conservation, and a built form and public realm that is compatible with the surrounding context.

This report reviews and recommends approval of the Zoning By-law Amendment Application.

RECOMMENDATIONS

The City Planning Division recommends that:

1. City Council amend Zoning By-law 438-86, for the lands at 96 Spadina Avenue and 379, 383, 385 and 391 Adelaide Street West substantially in accordance with the draft Zoning By-law Amendment attached as Attachment No. 6 to the report (September 23, 2019) from the Director, Community Planning, Toronto and East York.
2. City Council amend City of Toronto Zoning By-law 569-2013 for the lands at 96 Spadina Avenue and 379, 383, 385 and 391 Adelaide Street West substantially in accordance with the draft Zoning By-law Amendment attached as Attachment No. 7 to the report (September 23, 2019) from the Director, Community Planning, Toronto and East York.
3. City Council authorizes the City Solicitor to make such stylistic and technical changes to the draft Zoning By-law Amendments as may be required.
4. City Council approve the alterations to the heritage properties at 96 Spadina Avenue and 379 and 383 Adelaide Street West in accordance with Section 33 of the Ontario Heritage Act, to allow for alterations to the heritage properties on the lands known municipally as 96 Spadina Avenue and 379 and 383 Adelaide Street West, with such alterations substantially in accordance with plans and drawings prepared by Sweeney and Company Architects, dated July 18, 2019, and on file with the Senior Manager, Heritage Planning and the Heritage Impact Assessment (HIA), dated December 5, 2017 with the HIA Addendum, dated August 16, 2019, prepared by ERA Architects Inc., and on file with the Senior Manager, Heritage Planning, all subject to and in accordance with a Conservation Plan satisfactory to the Senior Manager, Heritage Planning, and subject to the following additional conditions:
 - a. That the related site specific Zoning By-law Amendment giving rise to the proposed alterations has been enacted by City Council and has come into full force and effect in a form and with content acceptable to City Council, as determined by the Chief Planner and Executive Director, City Planning, in consultation with the Senior Manager, Heritage Planning.
 - b. That prior to the introduction of the bills for such Zoning By-law Amendments by City Council, the owner shall:

1. Enter into a Heritage Easement Agreement with the City for the properties at 96 Spadina Avenue and 379 and 383 Adelaide Street West substantially in accordance with plans and drawings prepared by Sweeney and Company Architects, dated July 18, 2019, and on file with the Senior Manager, Heritage Planning and the Heritage Impact Assessment (HIA), dated December 5, 2017 with the HIA Addendum, dated August 16, 2019, prepared by ERA Architects Inc., subject to and in accordance with the approved Conservation Plan required in Recommendation 4.b.2, all to the satisfaction of the Senior Manager, Heritage Planning including execution of such agreement to the satisfaction of the City Solicitor;

2. Provide a detailed Conservation Plan prepared by a qualified heritage consultant that is substantially in accordance with the conservation strategy set out in the Heritage Impact Assessment and HIA Addendum for 96 Spadina Avenue and 379 and 383 Adelaide Street West, prepared by ERA Architects Inc., dated December 5, 2017 and August 16, 2019 respectively, all to the satisfaction of the Senior Manager, Heritage Planning;

3. Enter into and register on the properties at 96 Spadina Avenue and 379 and 383 Adelaide Street West one or more agreements with the City pursuant to Section 37 of the Planning Act, all to the satisfaction of the City Solicitor and the Senior Manager, Heritage Planning, with such facilities, services and matters to be set forth in the related site specific Zoning By-law Amendment giving rise to the proposed alterations, including amongst other matters, securing the final project specifications, preparation and thereafter the implementation of a Heritage Lighting Plan, a Signage Plan, an Interpretation Plan and requiring a letter of credit to secure all work included in the approved Conservation Plan and approved Interpretation Plan, including provision for upwards indexing, all to the satisfaction of the Senior Manager, Heritage Planning;

4. Withdraw their appeal(s) of the King-Spadina Heritage Conservation District Plan, and if not an appellant, but rather a party to such appeals, the owner shall withdraw as a party and not seek any party or participant status on the appeals.

c. That prior to final Site Plan Approval, for the development contemplated for 96 Spadina Avenue and 379 and 383 Adelaide Street West, the owner shall:

1. Provide final site plan drawings substantially in accordance with the approved Conservation Plan required in Recommendation 4.b.2 above to the satisfaction of the Senior Manager, Heritage Planning;

2. Have obtained final approval for the necessary Zoning By-law Amendments required for the subject property, such Amendments to have come into full force and effect;

3. Provide a Heritage Lighting Plan that describes how the exterior of the heritage properties will be sensitively illuminated to enhance their heritage character to the satisfaction of the Senior Manager, Heritage Planning and thereafter shall implement such Plan to the satisfaction of the Senior Manager, Heritage Preservation Services;

4. Provide an Interpretation Plan for the subject properties, to the satisfaction of the Senior Manager, Heritage Planning and thereafter shall implement such Plan to the satisfaction of the Senior Manager, Heritage Planning;

5. Provide a detailed Landscape Plan for the subject property satisfactory to the Senior Manager, Heritage Planning.

d. That prior to the issuance of any permit for all or any part of the properties at 96 Spadina Avenue and 379 and 383 Adelaide Street West, including a heritage permit or a building permit, but excluding permits for repairs and maintenance and usual and minor works for the existing heritage building as are acceptable to the Senior Manager, Heritage Planning, the owner shall:

1. Have obtained final approval for the necessary Zoning By-law Amendments required for the subject property, such Amendments to have come into full force and effect;

2. Provide building permit drawings, including notes and specifications for the conservation and protective measures keyed to the approved Conservation Plan required in Recommendation 4.b.2 above, including a description of materials and finishes, to be prepared by the project architect and a qualified heritage consultant to the satisfaction of the Senior Manager, Heritage Planning;

3. Provide a Letter of Credit, including provision for upwards indexing, in a form and amount and from a bank satisfactory to the Senior Manager, Heritage Planning to secure all work included in the approved Conservation Plan, and approved Interpretation Plan;

4. Provide full documentation of the existing heritage properties at 96 Spadina Avenue and 379 and 383 Adelaide Street West, including photographs and digital records, maps, floorplans, elevations, measured

drawings, and copies of all existing interior floor plans and original drawings as may be available, to the satisfaction of the Senior Manager, Heritage Planning.

e. That prior to the release of the Letter of Credit required in Recommendation 4.d.3 above, City Planning Division, the owner shall:

1. Provide a letter of substantial completion prepared and signed by a qualified heritage consultant confirming that the required conservation work and the required interpretive work has been completed in accordance with the Conservation Plan and Interpretation Plan and that an appropriate standard of conservation has been maintained, all to the satisfaction of the Senior Manager, Heritage Planning;

2. Provide replacement Heritage Easement Agreement photographs to the satisfaction of the Senior Manager, Heritage Planning.

5. Before introducing the necessary Bills to City Council for enactment, the owner shall enter into a Limiting Distance Agreement between the landowners of 82 Spadina Avenue and the City, to be registered on title to the 82 Spadina Avenue property, that would prevent the erection of a building above the existing height of the building, for the first northern-most 11 metres of the 82 Spadina Avenue lot, to the satisfaction of the Chief Planner, Executive Director, City Planning and the City Solicitor.

6. Prior to the issuance of any above grade building permits, the owner shall submit landscape plans to the satisfaction of the Chief Planner and Executive Director, City Planning, and the Supervisor, Tree Protection & Plan Review, Urban Forestry.

7. Before introducing the necessary Bills to City Council for enactment, require the owner to enter into an Agreement pursuant to Section 37 of the Planning Act as follows:

- a. Prior to the issuance of the first above-grade building permit, the owner shall make a cash contribution of \$80,000 towards the provision of new rental housing units as part of the Alexandra Park and Atkinson Housing Co-operative Revitalization, to be directed to the Capital Revolving Fund for Affordable Housing, to the satisfaction of the Chief Planner and Executive Director, City Planning Division, in consultation with the Ward Councillor.

- b. Prior to the issuance of the first above-grade building permit, the owner shall make a cash contribution of \$80,000 towards the Toronto Community Housing revolving capital fund for repairs to Toronto Community Housing properties in Ward 10, to the satisfaction of the Chief Planner and Executive Director, City Planning Division, in consultation with the Ward Councillor.

c. Prior to the issuance of the first above-grade building permit, the owner shall make a cash contribution of \$320,000 towards community services and facilities within the boundaries of Ward 10, to the satisfaction of the Chief Planner and Executive Director, City Planning Division, in consultation with the Ward Councillor.

d. Prior to the issuance of the first above-grade building permit, the owner shall make a cash contribution of \$320,000 towards streetscape and/or public realm improvements in the area bounded by Queen Street West, Spadina Avenue, Front Street West, and Bathurst Street, to the satisfaction of the Chief Planner and Executive Director, City Planning Division, in consultation with the Ward Councillor.

e. All cash contributions referred to in Recommendation 7.a-d shall be indexed upwardly in accordance with the Statistics Canada Construction Price Index for Toronto, calculated from the date of registration of the Section 37 Agreement to the date the payment is made.

f. In the event the cash contributions referred to in Recommendation 7.a-d have not been used for the intended purposes within three (3) years of the By-laws coming into full force and effect, the cash contribution may be redirected for another purpose, at the discretion of the Chief Planner and Executive Director, City Planning Division, in consultation with the Ward Councillor, provided that the purpose is identified in the Toronto Official Plan and will benefit the community in Ward 10.

g. Submission, and thereafter implementation, of a construction management plan by the owner of 96 Spadina Avenue and 379, 383, 385 and 391 Adelaide Street West to address such matters as wind, noise, dust and street closures during construction. Such plan to be to the satisfaction of the Chief Planner and Executive Director, City Planning Division, in consultation with the ward Councillor and shall be completed prior to final Site Plan Approval.

h. Prior to final Site Plan Approval, the owner shall convey, in perpetuity, public access surface easements to the City over the proposed laneways and midblock connections on the site to the satisfaction of the Chief Planner, Executive Director, City Planning and the City Solicitor.

8. Before introducing the necessary Bills to City Council for enactment, the owner is required to submit a revised Hydrogeological Report satisfactory to the Chief Engineer & Executive Director, Engineering & Construction Services, in consultation with the General Manager, Toronto Water.

9. Before introducing the necessary Bills to City Council for enactment, the City shall have closed up the City-owned public lane located West of Spadina Avenue and South of Adelaide Street West, between 96 Spadina Avenue and 379 Adelaide Street West, and the owner shall have purchased the closed up lane from the City.

FINANCIAL IMPACT

The recommendations in this report have no financial impact.

PROPOSAL

The application proposes the development of a 16-storey commercial building, with a total of 33,946 square metres of office space over floors 2-16 and 80 square metres of retail use at ground level. The overall height of the building would be 62.6 metres to the top of the roof, or 69.6 metres inclusive of mechanical penthouse and rooftop amenity space.

An existing City-owned public lane is included in the proposed development site. The proposal includes the full retention of two heritage properties at 96 Spadina Avenue (9-storeys) and 379 Adelaide Street West (6-storeys) and partial retention of the building at 383 Adelaide Street West (1-storey). A structural mast is proposed within the existing City-owned public lane between 96 Spadina Avenue and 379 Adelaide Street West. The structural mast would suspend the proposed additions ranging from 7-15 floors over the heritage buildings, resulting in a 16-storey building overall. The proposal is dependent upon the acquisition of the lane and the applicant has requested the proposed closure and sale of the lane. The applicant's request for the closure and sale of the lane has not yet been authorized by the City, but will be assessed should this Zoning By-law Amendment application be approved.

On the north side, fronting Adelaide Street West, the proposed building would retain the existing ground level setbacks of the heritage buildings. On floors 2-8, the proposed building would provide a five metre stepback above a majority of the width of the heritage building fronting Adelaide Street West. On the 10th floor, the five metre stepback is reduced to three metres, measured from the face of the heritage buildings, and is maintained up to the 15th floor.

On the east side, fronting Spadina Avenue, the proposed building would retain the existing ground level setback of the heritage building. On the ninth floor the proposed building would provide a seven metre stepback from the face of the heritage. This stepback would be reduced to six metres on the 10th floor, and would be maintained up to the 15th floor.

On the south side, facing the adjacent property at 82 Spadina Avenue, the building would maintain the existing ground floor setbacks up to the sixth floor. On the seventh floor, the building utilizes an irregular floor plate, with setbacks from the property line ranging from 0.6 to 4.9 metres, which are maintained up to the 15th floor.

On the west side, facing the adjacent property at 399 Adelaide Street West, the ground floor of the proposed building would be setback six metres from the adjacent property. The proposed building would then project over the ground floor setback resulting in a setback of 3.7 metres from the property line. The setback from the property line would increase to 14.5 metres on the eighth floor. At the ninth floor the proposed building would project out over the eighth floor, resulting in a setback from the property line of 12.5 metres up to the 15th floor.

The 16th floor of the proposed building would not include office space. It would be comprised of indoor and outdoor office amenity space and the mechanical penthouse. The floor plate of the 16th floor would be much smaller than those of the rest of the building, and would be set back 5.6 metres from the Adelaide Street West property line, 29.5 metres from the Spadina Avenue property line, 8.5 metres from the south side property line, and 17.7 metres from the west property line.

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 metres, providing service vehicle access to the property, and pedestrian access to the existing laneway network to the southwest of the site. Two Type B loading spaces would be provided on the ground level within the building envelope and one Type C loading space would be provided on the ground level within an open area to the rear (south) of the site. The proposal does not include any parking spaces. A total of 98 bicycle parking spaces (50-short term and 48-long term) are proposed on the ground floor level and first below grade level of the new building elements.

See Attachments 1 and 8-14 of this report for application data, site plan, elevations and 3D renderings of the proposed development.

Reasons for Application

Amendments to both the former City of Toronto Zoning By-law No. 438-86 and the City Wide Zoning By-law No. 569-2013 are required to implement the proposed performance standards for the development, including height, and setbacks and stepbacks. The height limit in the zoning by-laws is 39 metres along Spadina Avenue and 23 metres along Adelaide Street West, exclusive of the mechanical penthouse, while the proposal is requesting 62.6 metres, exclusive of the mechanical penthouse and amenity space. Additional deviations from the zoning by-laws related to parking and loading, amongst other matters, are also required.

APPLICATION BACKGROUND

A pre-application consultation meeting was held with the applicant on March 1, 2017 to provide preliminary feedback and discuss the complete application submission requirements. The application was submitted on December 13, 2017 and deemed complete on March 8, 2018.

A Preliminary Report on the application was adopted by Toronto and East York Community Council on May 2, 2018 authorizing staff to conduct a community consultation meeting with an expanded notification area. Community consultation is summarized in the Comments section of this Report. The report can be accessed at the following link: <https://www.toronto.ca/legdocs/mmis/2018/te/bgrd/backgroundfile-114370.pdf>.

Application Submission Requirements

The following reports/studies were submitted in support of the application:

- Planning Rationale
- Architectural Plans, Elevations and Sections
- Survey Plan
- Civil and Utilities Plan
- Transportation Impact Study
- Heritage Impact Statement
- Toronto Green Standard Checklist and Statistics Template
- 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.

Agency Circulation Outcomes

The application, together with the applicable reports noted above, has been circulated to all appropriate agencies and City divisions. Responses received have been used to assist in evaluating the application and to formulate appropriate Zoning By-law standards.

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. Its frontage on Spadina Avenue measures approximately 34 metres, while the frontage on Adelaide Street West is approximately 95 metres. The property has an area of approximately 3,212 square metres and is currently occupied by four buildings between 1 and 9-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 a 9-storey grey and black painted building that has frontages on 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. It is a listed heritage building on the City's Heritage Register 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 6-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. This building is listed on the Heritage Register 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 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 built form 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.

East: Spadina Avenue is located immediately to the east of the site and has a right-of-way width of 40 metres. 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 an existing and planned built form of primarily mid-rise and tall mixed-use buildings.

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 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.

West: The existing development immediately to the west of the site comprises a 10-storey and a 9-storey building with residential and commercial uses 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 further west of the site on the north side of Adelaide Street West.

POLICY CONSIDERATIONS

Provincial Policy Statement

Land use planning in the Province of Ontario is a policy led system. Any decision of Council related to this application is required to be consistent with the Provincial Policy Statement (2014) (the "PPS"). The PPS may be found on the Ministry of Municipal Affairs and Housing website.

A Place to Grow: Growth Plan for the Greater Golden Horseshoe (2019)

A Place to Grow: Growth Plan for the Greater Golden Horseshoe (2019) (the "Growth Plan (2019)") came into effect on May 16, 2019. This new plan replaces the previous Growth Plan for the Greater Golden Horseshoe, 2017. The Growth Plan (2019) continues to provide a strategic framework for managing growth and environmental protection in the Greater Golden Horseshoe region, of which the City forms an integral part. The Growth Plan, 2019 establishes policies that require implementation through a Municipal Comprehensive Review (MCR), which is a requirement pursuant to Section

26 of the Planning Act that comprehensively applies the policies and schedules of the Growth Plan (2019), including the establishment of minimum density targets for and the delineation of strategic growth areas, the conversion of provincially significant employment zones, and others.

Policies not expressly linked to a MCR can be applied as part of the review process for development applications, in advance of the next MCR. These policies include:

- Directing municipalities to make more efficient use of land, resources and infrastructure to reduce sprawl, contribute to environmental sustainability and provide for a more compact built form and a vibrant public realm;
- Directing municipalities to engage in an integrated approach to infrastructure planning and investment optimization as part of the land use planning process;
- Achieving complete communities with access to a diverse range of housing options, protected employment zones, public service facilities, recreation and green space that better connect transit to where people live and work;
- Retaining viable lands designated as employment areas and ensuring redevelopment of lands outside of employment areas retain space for jobs to be accommodated on site;
- Minimizing the negative impacts of climate change by undertaking stormwater management planning that assesses the impacts of extreme weather events and incorporates green infrastructure; and
- Recognizing the importance of watershed planning for the protection of the quality and quantity of water and hydrologic features and areas.

The Growth Plan (2019) 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 (2019) take precedence over the policies of the PPS to the extent of any conflict, except where the relevant legislation provides otherwise.

In accordance with Section 3 of the *Planning Act* all decisions of Council in respect of the exercise of any authority that affects a planning matter shall conform with the Growth Plan. Comments, submissions or advice affecting planning matters that are provided by Council shall also conform with the Growth Plan.

Toronto Official Plan

The site is situated in the *Downtown and Central Waterfront* and is designated *Regeneration Areas* on Map 18 in the Official Plan. (see Attachment 3).

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 living close to work and to encourage walking and cycling. This reorganization 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. Sidewalks and boulevards are to be designed to achieve safe, attractive and interesting and comfortable spaces for pedestrians by providing well designed and co-ordinated tree planting and landscaping, and by locating and designing utilities to minimize negative impacts on the public realm, and enable the growth of mature trees.

The Built Form policies of the Official Plan are contained in Section 3.1.2. These policies relate to the form of new development, and recognize that for the most part, new buildings 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;
- 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 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 for 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.

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. 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. Section 4.7.2 of the Official Plan provides development criteria in Regeneration Areas, to be informed 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.

Section 37 of the Planning Act allows the City to grant increased density and/or height in exchange for community benefits. Section 5.1.1.6 of the Official Plan details that community benefits are specific capital facilities (or cash contributions for specific capital facilities) and can include: parkland and/or park improvements above and beyond the parkland dedication; public art; streetscape improvements on the public boulevard not abutting the site. 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 proposal has been evaluated against the policies described above as well as the policies of the Official Plan as a whole.

King-Spadina Secondary Plan (2006)

The site is situated within the West Precinct of the King-Spadina Secondary Plan area found in Chapter 6.16 of the Official Plan. The King-Spadina Secondary Plan emphasizes reinforcement of the characteristics and qualities of the area through special attention to built form, heritage and the public realm. The major objectives of the Plan include the policy that heritage buildings and other important buildings within the King-Spadina area, including the West Precinct, will be retained, restored and re-used. The policies of Section 3 – Built Form and in particular the policies of Section 3.6 – General Built Form Principles specify that:

- Buildings are to be located along the front property line to define edges along streets and lower levels are to provide public uses accessed from the street;
- Servicing and parking are encouraged to be accessed from lanes rather than streets to minimize pedestrian/vehicular conflicts;
- New buildings will be sited for adequate light, view and privacy and compatibility with the built form context;
- New buildings will achieve a compatible relationship with their built form context through consideration of such matters as building height, massing, scale, setbacks, stepbacks, roof line and profile, and architectural character and expression;

- Appropriate proportional relationships to streets and open spaces will be provided, and wind and shadow impacts will be maintained on streets and open spaces; and
- The streetscape and open space improvements will be coordinated in new development.

Additionally, the policies of Section 4 – Heritage, specify that:

- Heritage buildings in the King Spadina area are essential elements of physical character. In this regard, the City will seek the retention, conservation, rehabilitation, re-use and restoration of heritage buildings by means of one or more appropriate legal agreements.

The King Spadina Secondary Plan can be found here:

<https://www.toronto.ca/citygovernment/planning-development/official-plan-guidelines/official-plan/>.

King Spadina Secondary Plan Review

The King-Spadina Secondary Plan Review began as the "King-Spadina East Precinct Built Form Study" in 2005. At its meeting on July 7, 2015, however, City Council expanded the study boundary to also include the Spadina Precinct.

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. 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 facilities, and more carefully responds to the strong heritage and character of the area.

A community consultation meeting was held on December 4, 2018 to present the draft Secondary Plan policies which now include applicable elements of the Downtown Official Plan Amendment 406. The complete draft Secondary Plan as well as the presentation boards can be viewed at: <https://www.toronto.ca/city-government/planningdevelopment/planning-studies-initiatives/king-spadina-secondary-plan-review/>

A Final Report outlining the draft Secondary Plan and the King Spadina Public Realm Strategy will be considered at a public meeting of the Toronto and East York Community Council under the Planning Act, in the fourth quarter of 2019 or the first quarter of 2020.

King-Spadina Urban Design Guidelines

Policy 5.3.2.1 of the Official Plan states that guidelines will be adopted to advance the vision, objectives and policies of the Plan. Urban Design Guidelines are specifically 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, 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 Guidelines 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 West Precinct 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 street wall 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.

The Downtown Plan

Official Plan Amendment 406 (the Downtown Plan) is now in-force and effect. OPA 406 includes amendments to Section 2.2.1 and Map 6 of the Official Plan, as well as a new Downtown Plan. It applies to all applications deemed complete after June 5, 2019. The Plan – in conjunction with the associated infrastructure strategies that address water, energy, mobility, parks and public realm, and community services and facilities – provides a comprehensive and integrated policy framework to shape growth in Toronto's fast-growing Downtown over the next 25 years. It provides the City with a blueprint to align growth management with the provision of infrastructure, sustain liveability, achieve complete communities and ensure there is space for the economy to grow. The Plan area is generally 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 to the east.

Maps 41-3-B and 41-3-C of the Downtown Plan designates the western portion of the site as *Mixed Use Areas 2- Intermediate* and the eastern portion of the site as *Mixed Use Area 3- Main Street*. With regard to *Mixed Use Areas 2*, Policy 6.26 of the Downtown Plan details that the scale and massing of buildings will be compatible with the existing physical character of the neighbourhood, including the prevailing heights, massing, scale, density and building type. Policy 6.28 of the Downtown Plan details that development will be in the form of mid-rise buildings, with some low-rise and tall buildings permitted based on compatibility within *Mixed Use Areas 3*.

The site is also located within the Cultural Precinct, where Policy 12.4 identifies that the adaptive re-use of properties on the Heritage Register as cultural spaces will be encouraged. Policies in section 12.5 encourage uses that encourage the cultural and creative industries and provide 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 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-up/drop-off areas, accessible loading zones and motor coach parking zones.

Map 41-5 of the Downtown Plan designates Spadina Avenue as a *Priority Retail Street*. Policy 6.39 states that *Priority Retail Streets* will maintain and enhance Downtown's retail vitality, serve local needs and destination shoppers.

Map 41-7 of the Downtown Plan also designates Spadina Avenue as a *Great Street*. Policy 7.1.7 states that *Great Streets* will be prioritized for public realm improvements due to their location, scale and historic role in the city, existing civic significance and their potential contribution to the public realm network.

Section 10 of the Downtown Plan 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.

The in-force Downtown Plan can be found here:

<https://www.toronto.ca/legdocs/mmis/2019/cc/bgrd/backgroundfile-135953.pdf>

OPA 352 – Downtown Tall Building Setback Area

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. OPA 325 is under appeal and not yet in force.

City-Wide Tall Building Design Guidelines

City Council has adopted city-wide Tall Building Design Guidelines and directed City Planning staff to use these Guidelines in the evaluation of tall building development applications. The Guidelines establish a unified set of performance measures for the evaluation of tall building proposals to ensure they fit within their context and minimize their local impacts. The link to the guidelines is here:

<https://www.toronto.ca/legdocs/mmis/2013/pg/bgrd/backgroundfile-57177.pdf>.

King-Spadina Heritage Conservation District Plan

At its meeting of October 2, 2012, Toronto City Council directed Heritage Planning 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 King-Spadina HCD is under appeal and not yet in force. 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 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 district's 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.

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 site is also subject to City-wide comprehensive Zoning By-law 569-2013 (see Attachment 4). 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.

Community Consultation

City Planning held a joint community consultation meeting on April 20, 2018 at Metro Hall for the subject application and the application at 540-544 King Street West/1-9 Morrison Street. The local Councillor, the applicant and approximately thirty members of the public attended the meeting.

The concerns raised by residents with respect to the proposed development were generally related to the following matters:

- Excessive height and shadow impact;
- Transition and impact on the adjacent residential building to the south-west;
- Retention of the heritage buildings on the properties;
- Need for a construction management agreement to address concerns regarding the impacts of the construction of the project; and
- Opportunities to improve the streetscaping along Adelaide Street West.

These issues have been considered in the review of the application.

Site Plan Control

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

COMMENTS

Provincial Policy Statement and Provincial Plans

The proposal has been reviewed and evaluated against the PPS (2014) and the Growth Plan (2019). The proposal has also been reviewed and evaluated against Policy 5.1 of the Growth Plan as described in the Policy Considerations section of the Report.

Staff have determined that the proposal is consistent with the PPS and conforms with the Growth Plan as follows:

Policy 1.3 requires provision to be made for an appropriate mix and range of employment opportunities to provide a diversified economic base. This policy also encourages compact, mixed-use development which incorporates compatible employment uses to support liveable and resilient communities. Policy 1.6.7.4 promotes a land use pattern, density and mix of uses that minimizes the length and number of vehicle trips and supports current and future use of transit and active transportation

PPS policy 2.6.1 directs that "Significant built heritage resources and significant cultural heritage landscapes shall be conserved." Properties included on the City's Inventory of Heritage Properties are considered to be significant in this context. In the PPS, conserved is defined as "the identification, protection, use and/or management of built heritage resources in a manner that ensures their cultural heritage value or interest is retained under the Ontario Heritage Act."

The proposed development complies with the above policies and other relevant policies of the PPS by: making efficient use of the existing infrastructure; conserving significant built heritage resources, and by being located in proximity to streetcar routes on Spadina Avenue and King Street West.

The proposed development also meets the policies of the Growth Plan. The Growth Plan promotes increasing intensification of the existing built-up area with a focus on areas of the City such as major transit station areas. The site is well served by higher order transit, as Spadina Avenue, King Street West to the south and Queen Street to the north are all served by streetcar lines.

The proposed development will provide additional long-term employment opportunities in the King-Spadina Secondary Plan area and contribute to the mixed-use nature of this rapidly growing part of downtown Toronto.

Land Use

The proposed development would allow for the retention of three buildings on the site, which include 12,127 square metres of retail and office space. The proposed development would result in the addition of 21,819 square metres of office space. The proposed uses comply with the policies of the Official Plan for development in the *Downtown and Central Waterfront*, within the King-Spadina Secondary Plan and with the provisions of the RA Zoning which is in place for the property.

Additional office development in the King-Spadina Secondary Plan area will have a positive impact by adding employment uses in a neighbourhood which has seen a significant amount of residential growth, but relatively little additional gross floor area added for employment uses. Employment uses are critical to ensuring that the King-Spadina area continues to be able to function as a mixed-use community where residents can both live and work.

Heritage Resources & Conservation Strategy

The buildings to be retained on the site, including three listed heritage buildings at 96 Spadina Avenue, 379 Adelaide Street West and 383 Adelaide Street West have heritage value and it is recommended that they be designated under the *Ontario Heritage Act* concurrently with the approval of the site-specific Zoning By-law required to approve this project.

Heritage Planning staff will be presenting a report at the September 23, 2019 meeting of the Toronto Preservation Board recommending that City Council designate the above noted properties in conjunction with the application to amend the Zoning By-law, which is the subject of this report. The Heritage Planning report recommends that the buildings at 96 Spadina Avenue, 379 Adelaide Street West and 383 Adelaide Street West be retained, conserved, designated under Part IV, Section 29 of the *Ontario Heritage Act* and be subject to a Heritage Easement Agreement.

The conservation strategy proposes to fully retain and rehabilitate the two listed commercial buildings at 96 Spadina Avenue and 379 Adelaide Street West. The smaller listed building at 383 Adelaide Street West, initially proposed to be demolished, is now proposed to be partially retained and rehabilitated. Its street facing façade will be retained in situ and a substantive portion of the east return wall will be disassembled and rebuilt in its original location following construction. A small part of the west return wall will also be rebuilt and in this way it will be perceived as a discrete, yet integrated, part of the proposed new development. Further, the conservation strategy proposes rehabilitation and restoration of the 383 Adelaide Street building to its period of significance (time of construction) based on archival information. The applicant has also agreed to have a heritage easement agreement registered on title for the

aforementioned heritage buildings. Heritage Planning staff are satisfied with the proposed retention and rehabilitation of the heritage buildings.

Built Form and Massing

In the Downtown Plan the site is partially designated *Mixed Use Areas 3 - Main Street* closer to Spadina, and *Mixed Use Areas 2 - Intermediate* further west. Buildings within *Mixed Use Areas 3* are generally to be low-rise and mid-rise in height, whereas buildings within *Mixed Use Areas 2* are permitted to be taller and are expected to respect and reinforce the existing and planned context of the neighbourhood. The proposed height of 62.6 metres, exclusive of the mechanical penthouse and amenity space, has been considered within the existing context and with other built form considerations, including the value of the proposed office use, and the retention of the heritage buildings.

The existing context includes two residential buildings north of the site at 431 and 438 Richmond Street West with heights of approximately 60 metres. Office space developments, which are valued within the King-Spadina area, require higher floor to ceiling heights than residential buildings. As a result, a purpose built office building would generally be taller than a residential building with the same number of storeys. Furthermore, the heritage conservation strategy, including stepbacks of five metres above the majority of the heritage buildings along Adelaide Street West, and six metres along Spadina Avenue, will mitigate the built form impacts of the tall buildings, such as shadow, skyview, and wind impacts, while also establishing an appropriate relationship with the heritage buildings. Additionally, the 16th floor, which includes the mechanical penthouse and the indoor amenity space, is stepped back far enough from the edge of the 15th floor building that it would be imperceptible from street levels along Spadina Avenue and only slightly visible along portions of Adelaide Street West from most vantage points. Given the existing context, the value attributed to the proposed office use, and the proposed stepbacks, City Planning staff are satisfied with the proposed height.

On the south side above the heritage buildings, the proposed building would provide a separation distance of a minimum of 11 metres from the adjacent 11-storey residential building at 23 Brant Street. The separation distance from the adjacent 3½-storey building at 80-82 Spadina Avenue would range from 3.6 metres to 5 metres. However, the applicant owns the property at 80-82 Spadina Avenue, and has agreed to enter into a Limiting Distance Agreement with the City that would prevent the erection of a building that would have a separation distance of less than 11 metres from the proposed building. The proposed 11 metre separation distance above the heritage buildings respects and reinforces the existing and planned context of buildings along Spadina Avenue, and is therefore appropriate.

On the west side, the majority of the proposed building would be setback 12.5 metres from the property line. A greater separation distance from the property line is proposed along the west side to transition to the lower buildings to the west. The 12.5 metre separation distance that is proposed conforms with OPA 352 regarding the tall building separation distance policies. City Planning staff are satisfied with the west side separation distance and overall massing of the proposal.

The current proposal incorporates a number of changes from the original proposal submitted in December, 2017. The revisions include reducing the height from the initially proposed 77.5 metres; retention of the heritage building at 383 Adelaide street West, greater stepbacks above the heritage buildings, particularly along Spadina Avenue, and reducing the footprint of the 16th floor mechanical penthouse and amenity space to make it less visible from street level. Staff are of the opinion that the revisions have addressed the City's built form concerns.

Open Space/Parkland

The Official Plan contains policies to ensure that Toronto's system of parks and open spaces are maintained, enhanced and expanded. Map 8B of the Toronto Official Plan shows local parkland provisions across the City. The lands which are the subject of this application are in an area with 3.00 + hectares of local parkland per 1,000 people. The site is in the highest quintile of current provision of parkland. The site is in a parkland acquisition priority area, as per Chapter 415, Article III of the Toronto Municipal Code.

The application is for a Zoning By-law amendment to facilitate the development of a 16-storey non-residential building with 21,819 square metres of additional non-residential gross floor area.

In accordance with Chapter 415, Article III of the Toronto Municipal Code, the applicant is required to satisfy the parkland dedication requirement through cash-in-lieu. The non-residential nature of this proposal is subject to a 2% parkland dedication. Payment will be required prior to the issuance of the first above grade building permit.

Streetscape and Tree Preservation

Due to the retention of the heritage buildings, the proposed distance from the curb to the building face would be approximately 4.2 metres along Spadina Avenue and 3.3 metres along Adelaide Street West. Despite the limited curb to building face distance, the applicant has expressed a desire to work with City Planning and Urban Forestry staff during the site plan application process on a streetscape plan that incorporates a minimum 2.1 metre pedestrian clearway, consistent with the *Accessibility for Ontarians with Disabilities Act* and the City's Vibrant Street Guidelines, and a sufficient amount of trees along Spadina Avenue and Adelaide Street West. As such, recommendation 6 of this report recommends that prior to the issuance of any above grade building permits,

the owner submits landscape plans to the satisfaction of the Chief Planner and Executive Director, City Planning, and the Supervisor, Tree Protection & Plan Review, Urban Forestry.

Laneways and Mid-block Connections

The existing system of pedestrian mid-block connections will be maintained. The City owned laneway that is proposed to be acquired by the applicant, as part of a separate process, is proposed to be utilized to construct the structural mast that would support the proposed building, while also being maintained as a pedestrian mid-block connection. The pedestrian mid-block connection at the rear of the building will be fully retained, while the westerly laneway is proposed to be widened and enhanced to provide vehicular access to the loading area. An internal pedestrian connection from the heritage building at 383 Adelaide Street leading to the rear lane is also proposed, but would only be accessible by the public during standard work hours. Easement agreements securing the public's access to the proposed system of mid-block connections will be secured through the site plan application process.

Traffic Impact, Access, Parking

Access and egress to the proposed two Type B and one Type C loading spaces is provided via a private lane at the west end of the property accessed from Adelaide Street West. The larger Type B loading spaces are enclosed within the building, while the Type C loading space is located at the southwest corner and is separated from the adjacent property by a retaining wall. Additional screening for the Type C loading space will be secured through the Site Plan Approval Process.

Transportation Services staff have reviewed the applicant's original Transportation Impact Study (dated December 2017) and the Transportation Impact Study Update (dated December 2018) and find the traffic impacts of the proposal acceptable. The proposed loading supply and turning movements to access the loading space are also satisfactory.

As a result of the retention of the three heritage buildings, it is not possible to provide any parking on the site. The applicant's Transportation Impact Study justifies the lack of vehicular parking supply based on the local area's low existing vehicular mode split, the site's proximity to public transit infrastructure and extensive cycling network in the area, and the availability of public parking facilities in the vicinity of the subject site. As part of the proposal, the owner will be required to maintain a minimum of 83 parking spaces off-site within 300 metres of the subject site and within a public parking facility. Transportation Services staff find the Transportation Impact Study, proposed lack of vehicular parking on the site, and the amount of off-site parking spaces acceptable.

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 applicant has proposed to provide 98 bicycle parking spaces along with five shower and change facilities, which exceed the zoning by-law requirements for spaces and showers. Twelve bike parking spaces will be located on the ground level at the rear of the building, and the rest of the bike parking, and all of the shower and change facilities, will be located on the below-grade level of the new building elements. The shower and change facilities and the proposed bicycle parking are satisfactory to the City and will be secured as a performance standards within the Zoning By-law Amendment.

Servicing

Engineering and Construction Services staff reviewed the Functional Servicing Report and Hydrogeological Report submitted with the application. Staff were satisfied with the Functional Servicing Report. However, revisions to the Hydrogeological Report are required to be provided prior to final acceptance by staff. Staff recommend that revised Hydrogeological Report be submitted to the satisfaction of the Executive Director of Engineering and Construction Services, prior to introducing the necessary Bills to City Council.

Archaeological Assessment

An archaeological resource assessment was submitted as part of the application. The assessment concluded that there is no potential for the presence of significant archaeological resources that may be impacted by site preparation or construction activities by the proposed development. City Planning staff agree with the conclusion of the Stage 1 Archaeological Assessment that no further archaeological investigation is required.

Toronto Green Standard

Council has adopted the four-tier Toronto Green Standard (TGS). The TGS is a set of performance measures for green development. Applications for Zoning By-law Amendments, Draft Plans of Subdivision and Site Plan Control are required to meet and demonstrate compliance with Tier 1 of the Toronto Green Standard. Tiers 2, 3 and 4 are voluntary, higher levels of performance with financial incentives. Tier 1 performance measures are secured on site plan drawings and through a Site Plan Agreement.

The applicant is required to meet Tier 1 of the TGS. The site specific Zoning By-law will secure performance measures for the following Tier 1 development features: cycling

infrastructure and bird friendly design. Other applicable TGS performance measures will be secured through the Site Plan Approval process.

Section 37

The Official Plan contains policies pertaining to the provision of community benefits in exchange for increases in height and/or density pursuant to Section 37 of the Planning Act. While the proposed development exceeds the height limits of the existing Zoning By-law, the application is consistent with the objectives and policies of the Official Plan, and thus constitutes good planning.

The community benefits recommended to be secured in the Section 37 Agreement are as follows:

- a. Prior to the issuance of the first above-grade building permit, a cash contribution of \$80,000 towards the provision of new rental housing units as part of the Alexandra Park and Atkinson Housing Co-operative Revitalization, to be directed to the Capital Revolving Fund for Affordable Housing, to the satisfaction of the Chief Planner and Executive Director, City Planning Division, in consultation with the Ward Councillor.
- b. Prior to the issuance of the first above-grade building permit, a cash contribution of \$80,000 towards the Toronto Community Housing revolving capital fund for repairs to Toronto Community Housing properties in Ward 10, to the satisfaction of the Chief Planner and Executive Director, City Planning Division, in consultation with the Ward Councillor.
- c. Prior to the issuance of the first above-grade building permit, a cash contribution of \$320,000 towards community services and facilities within the boundaries of Ward 10, to the satisfaction of the Chief Planner and Executive Director, City Planning Division, in consultation with the Ward Councillor.
- d. Prior to the issuance of the first above-grade building permit, a cash contribution of \$320,000 towards streetscape and/or public realm improvements in the area bounded by Queen Street West, Spadina Avenue, Front Street West, and Bathurst Street, to the satisfaction of the Chief Planner and Executive Director, City Planning Division, in consultation with the Ward Councillor;

All cash contributions shall be indexed upwardly in accordance with the Statistics Canada Construction Price Index for Toronto, calculated from the date of registration of the Section 37 Agreement to the date the payment is made.

As a legal convenience, it is also recommended that the submission, and thereafter implementation, of a construction management plan and the public access surface

easements for the laneway network, be secured through the Section 37 Agreement. Such plan and easements to be to the satisfaction of the Chief Planner and Executive Director City Planning Division in consultation with the local Councillor and shall be completed prior to Site Plan Approval.

Conclusion

Staff recommend that this proposal for a 16-storey office building with retail on the ground level at 96 Spadina Avenue and 379, 383, 385 and 391 Adelaide Street West be approved. The proposed development is an appropriate intensification of the site. The proposal conforms with Official Plan goals of revitalizing Regeneration Areas of the City and will make a significant addition to employment space in this part of the downtown. The applicant has made a number of amendments to the massing of the building in response to comments from City staff. The retention and designation of the buildings at 96 Spadina Avenue, 379 and 383 Adelaide Street West will contribute to the vibrancy of the proposed building and make an ongoing contribution to the character of the Spadina Avenue and Adelaide Street West streetscapes.

CONTACT

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SIGNATURE

Lynda H Macdonald, MCIP, RPP, OALA, FCCLA
Director, Community Planning
Toronto and East York District

ATTACHMENTS

City of Toronto Data/Drawings

- Attachment 1: Application Data Sheet
- Attachment 2: Location Map
- Attachment 3: Official Plan Land Use Map
- Attachment 4: Existing Zoning By-law Map
- Attachment 5: Draft Zoning By-law Amendment 438-86
- Attachment 6: Draft Zoning By-law Amendment 569-2013
- Attachment 7: Site Plan

Attachment 8: North Elevation

Attachment 9: East Elevation

Attachment 10: South Elevation

Attachment 11: West Elevation

Attachment 12: 3D Model of Proposal in Context Looking Northwest

Attachment 13: 3D Model of Proposal in Context Looking Southeast

Attachment 1: Application Data Sheet

Municipal Address: 96 SPADINA AVE Date Received: December 13, 2017

Application Number: 17 275276 STE 20 OZ

Application Type: OPA / Rezoning, Rezoning

Project Description: Zoning By-law Amendment application to permit the construction of a 16-storey non-residential building with retail uses on the ground level and commercial uses above. The heritage buildings are proposed to be retained.

Applicant	Agent	Architect	Owner
SWEENEY & CO ARCHITECTS INC	URBAN STRATEGIES	SWEENEY & CO ARCHITECTS INC	96 SPADINA AVE INC.

EXISTING PLANNING CONTROLS

Official Plan Designation:	Regeneration Areas	Site Specific Provision:	N/A
Zoning:	CRE (x1)	Heritage Designation:	Yes
Height Limit (m):	39 and 23 metres	Site Plan Control Area:	Yes

PROJECT INFORMATION

Site Area (sq m): 3,212 Frontage (m): 34 Depth (m): 95

Building Data	Existing	Retained	Proposed	Total
Ground Floor Area (sq m):	1,404	1,404	427	1,831
Residential GFA (sq m):				
Non-Residential GFA (sq m):	12,127	12,127	21,819	33,946
Total GFA (sq m):	12,127	12,127	21,819	33,946
Height - Storeys:	9, 6, 1	9, 6, 1	16	16
Height - Metres:	35, 24, 10 metres	35, 24, 10 metres	64	64

Lot Coverage Ratio (%) 57 Floor Space Index: 10.57

Floor Area Breakdown	Above Grade (sq m)	Below Grade (sq m)
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Residential GFA:

Retail GFA:	80
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Office GFA:	33,867
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Industrial GFA:

Institutional/Other GFA:

Residential Units by Tenure	Existing	Retained	Proposed	Total
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Rental:

Freehold:

Condominium:

Other:

Total Units:

Total Residential Units by Size

	Rooms	Bachelor	1 Bedroom	2 Bedroom	3+ Bedroom
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Retained:

Proposed:

Total Units:

Parking and Loading

Parking Spaces:	0	Bicycle Parking Spaces:	98	Loading Docks:	3
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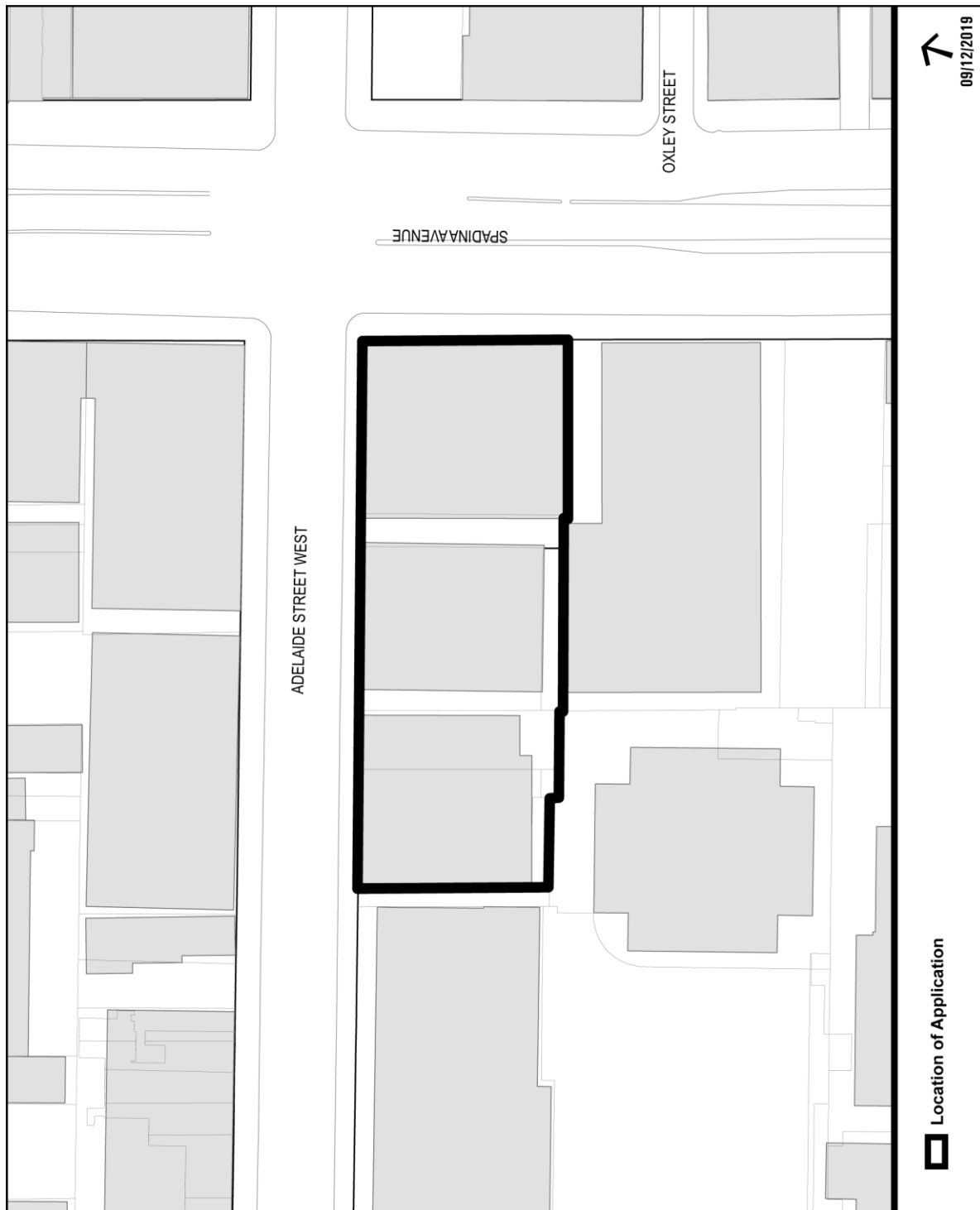
CONTACT:

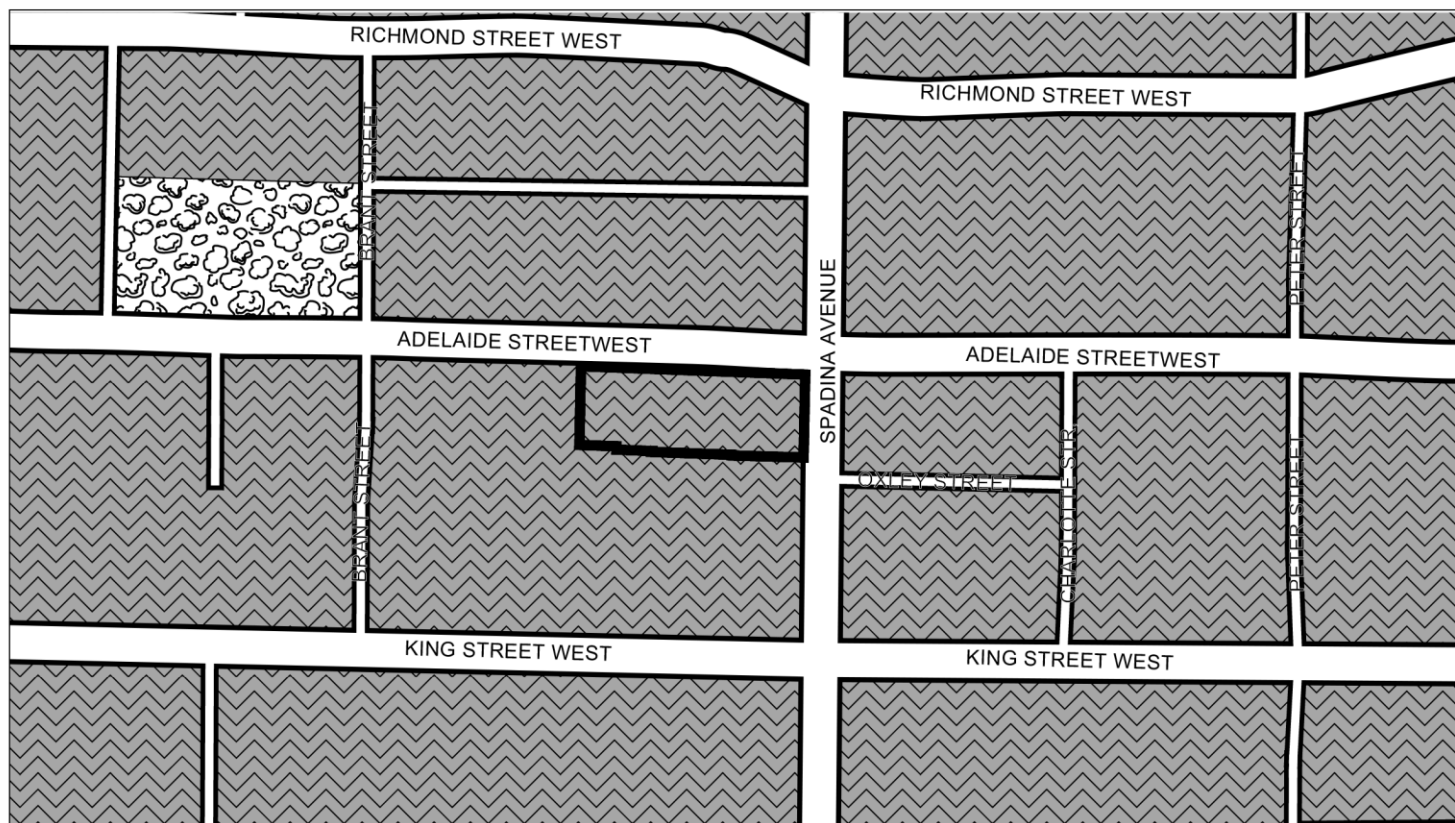
Mladen Kukic, Planner

416-392-9434

Mladen.Kukic@toronto.ca

Attachment 2: Location Map





Official Plan Land Use Map #18

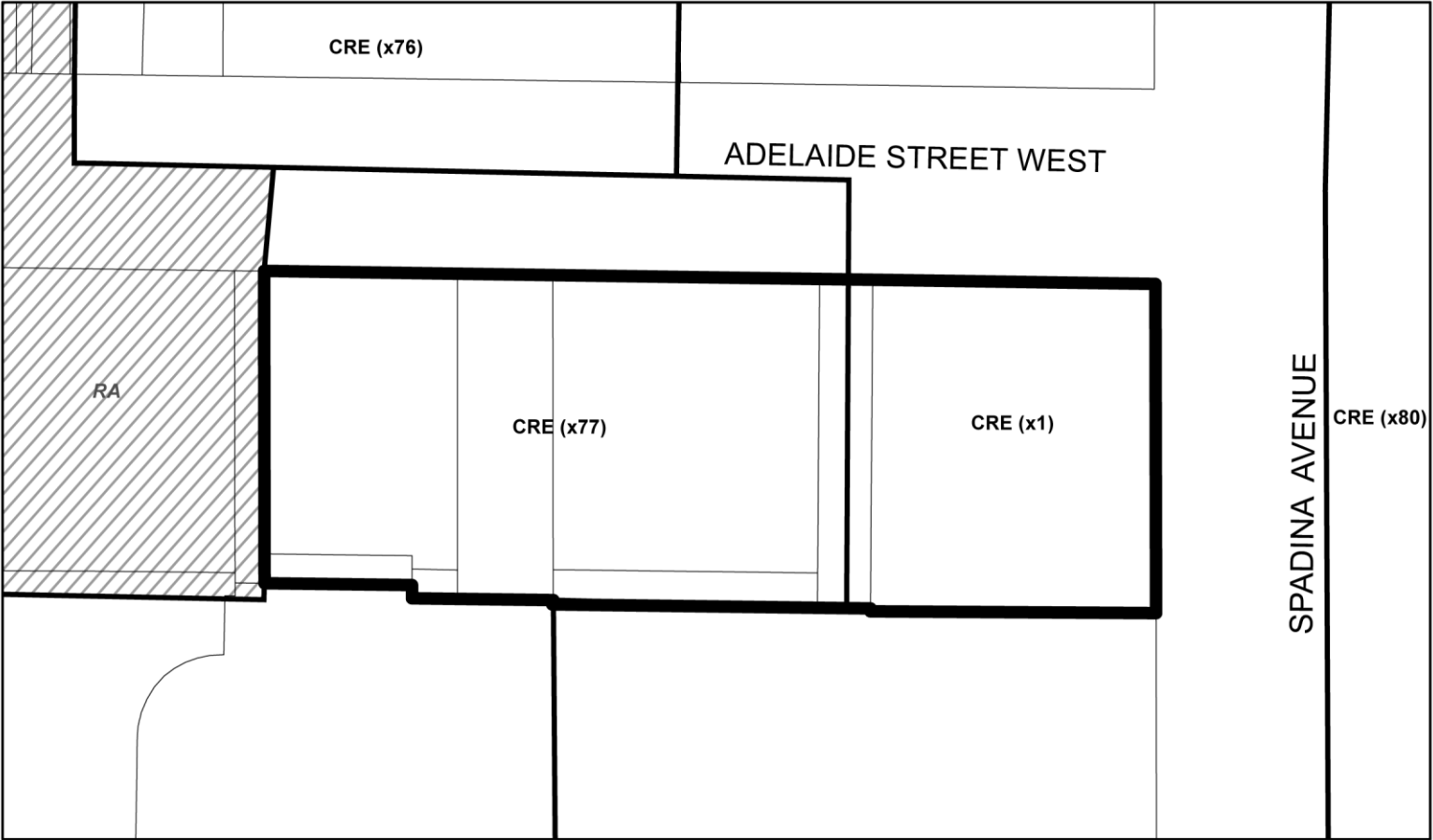
Note: This map was extracted from the July 2015 Land Use Plan. For current information refer to the February 2019 data.

96 Spadina Avenue

File # 17 275276 STE 20 02



Not to Scale
08/26/2019



Zoning By-law 569-2013

96 Spadina Avenue and 379- 391 Adelaide Street West

File # 17 275276 STE 20 02



Location of Application

CRE Commercial Residential Employment



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

RA Mixed-Use District



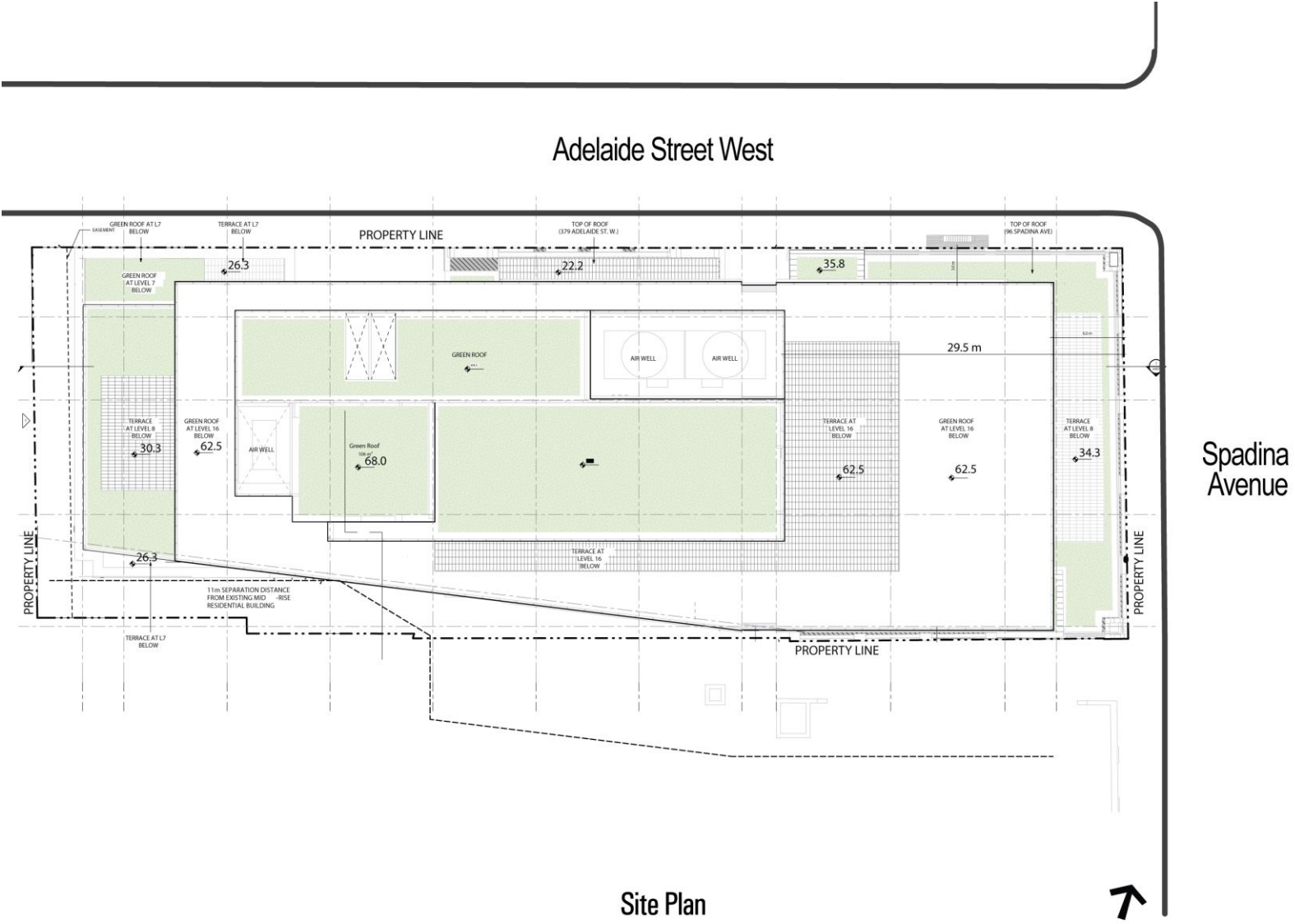
Not to Scale
Extracted: 08/26/2019

Attachment 5: Draft Zoning By-law Amendment 438-86

Draft Zoning By-law Amendment will be made available prior to October 10, 2019
Toronto and East York Community Council.

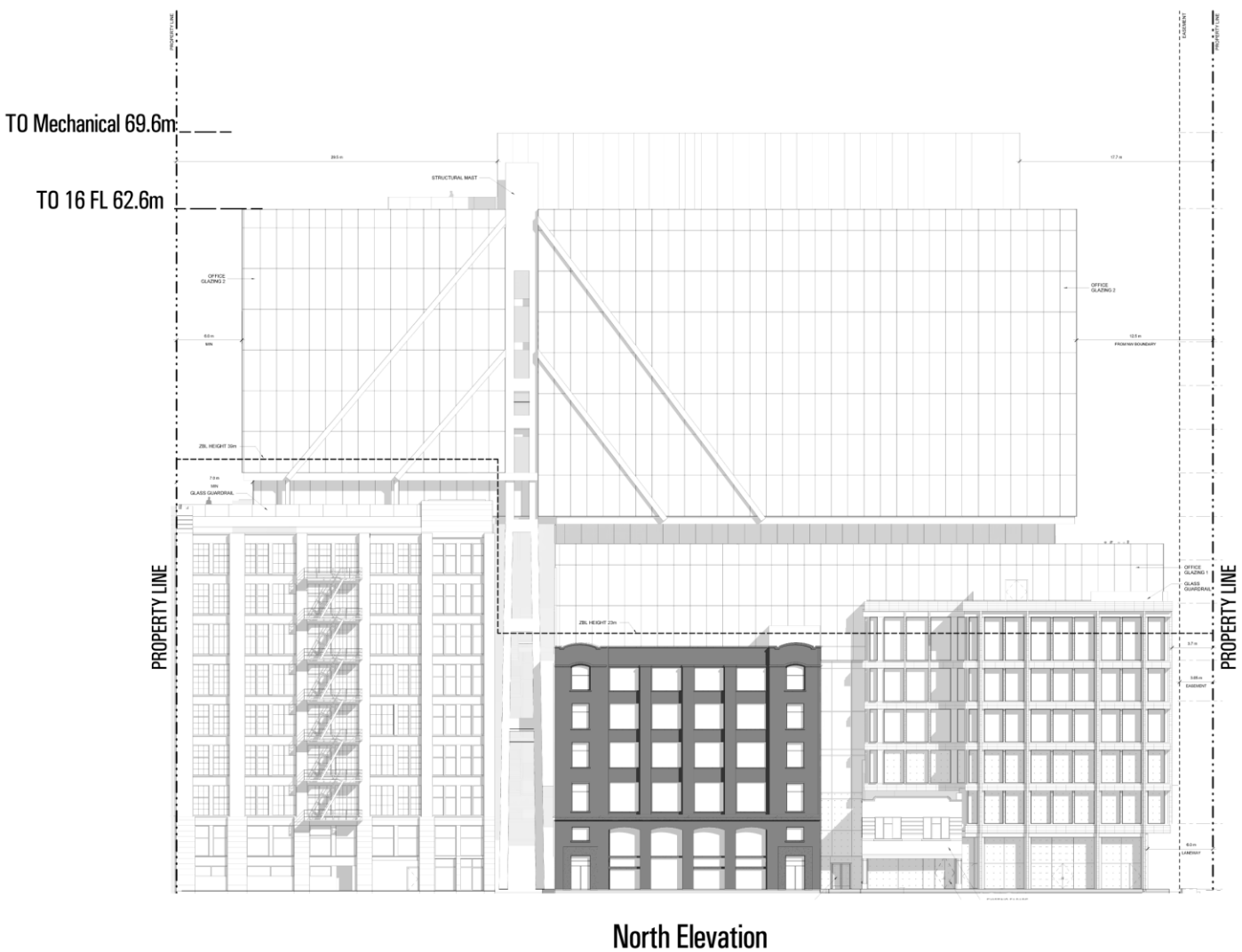
Attachment 6: Draft Zoning By-law Amendment 569-2013

**Draft Zoning By-law Amendment will be made available prior to October 10, 2019
Toronto and East York Community Council.**

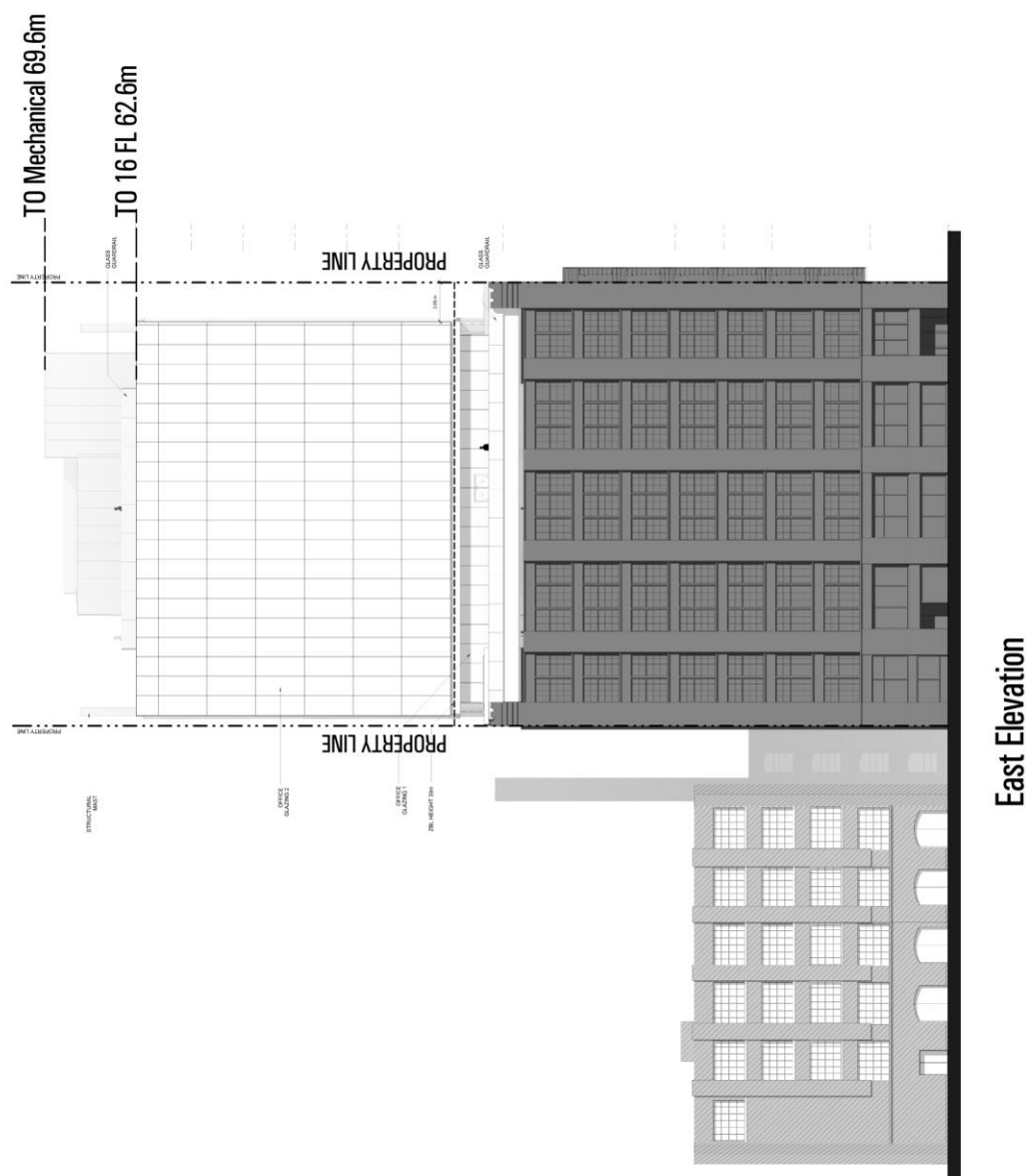


Site Plan

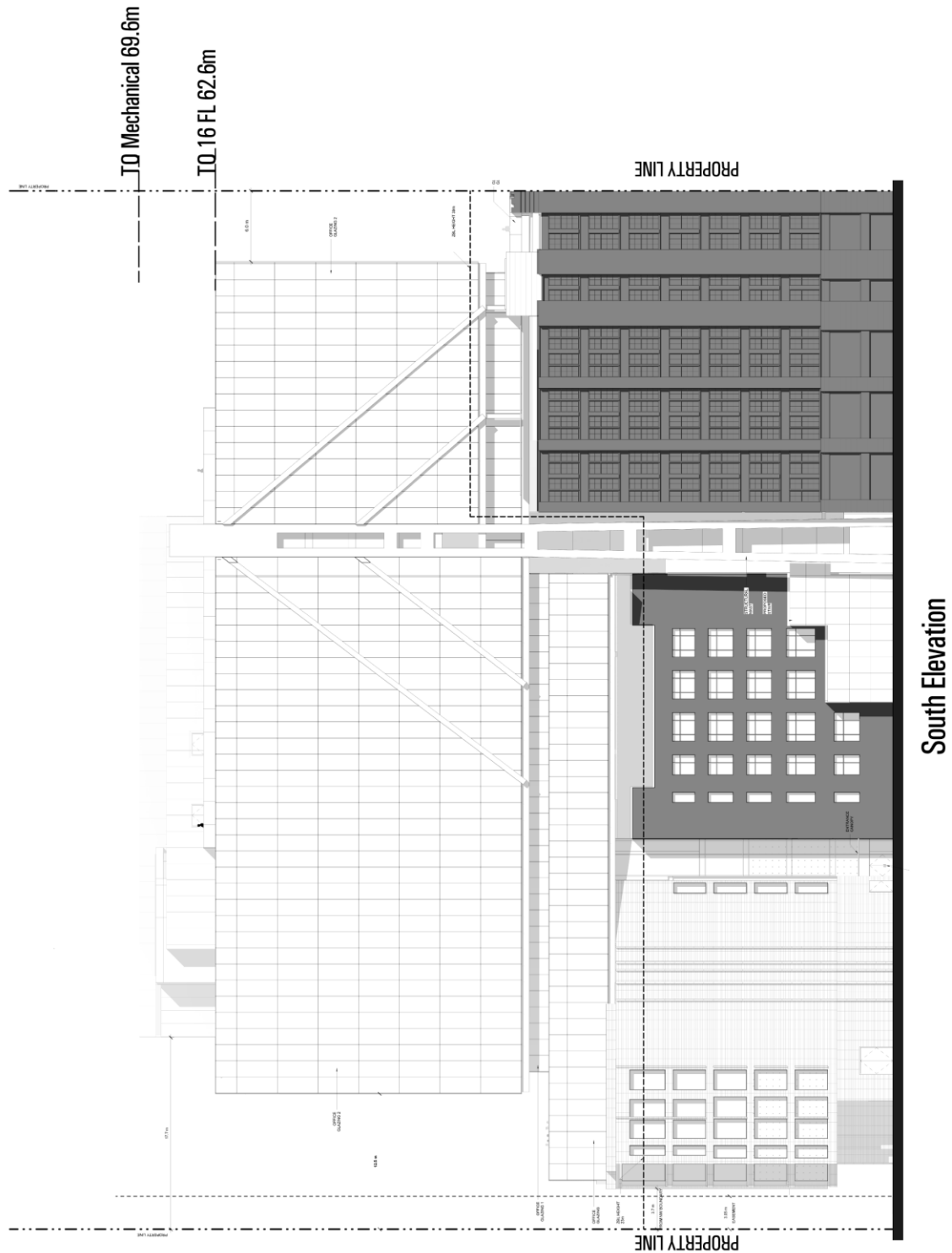
Attachment 8: North Elevation



Final Report - 96 Spadina Avenue and 379, 383, 385 and 391 Adelaide Street West

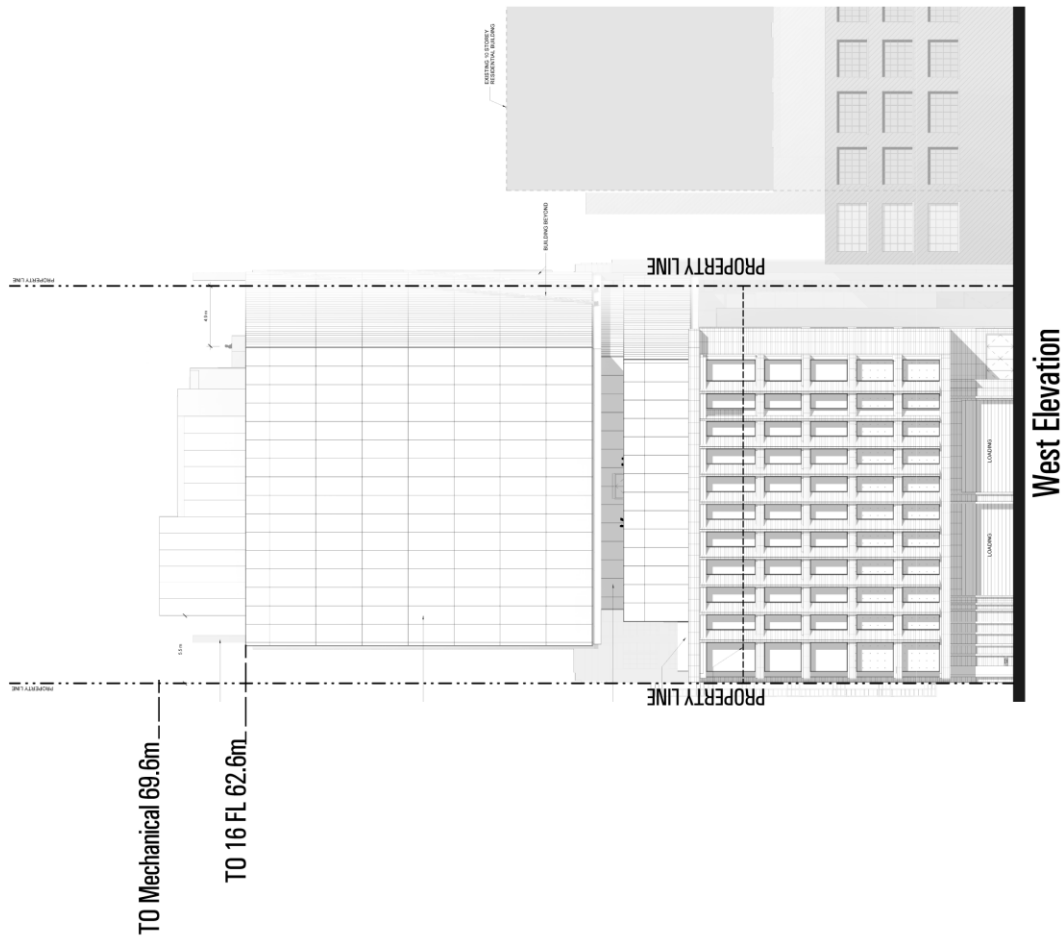


Attachment 10: South Elevation

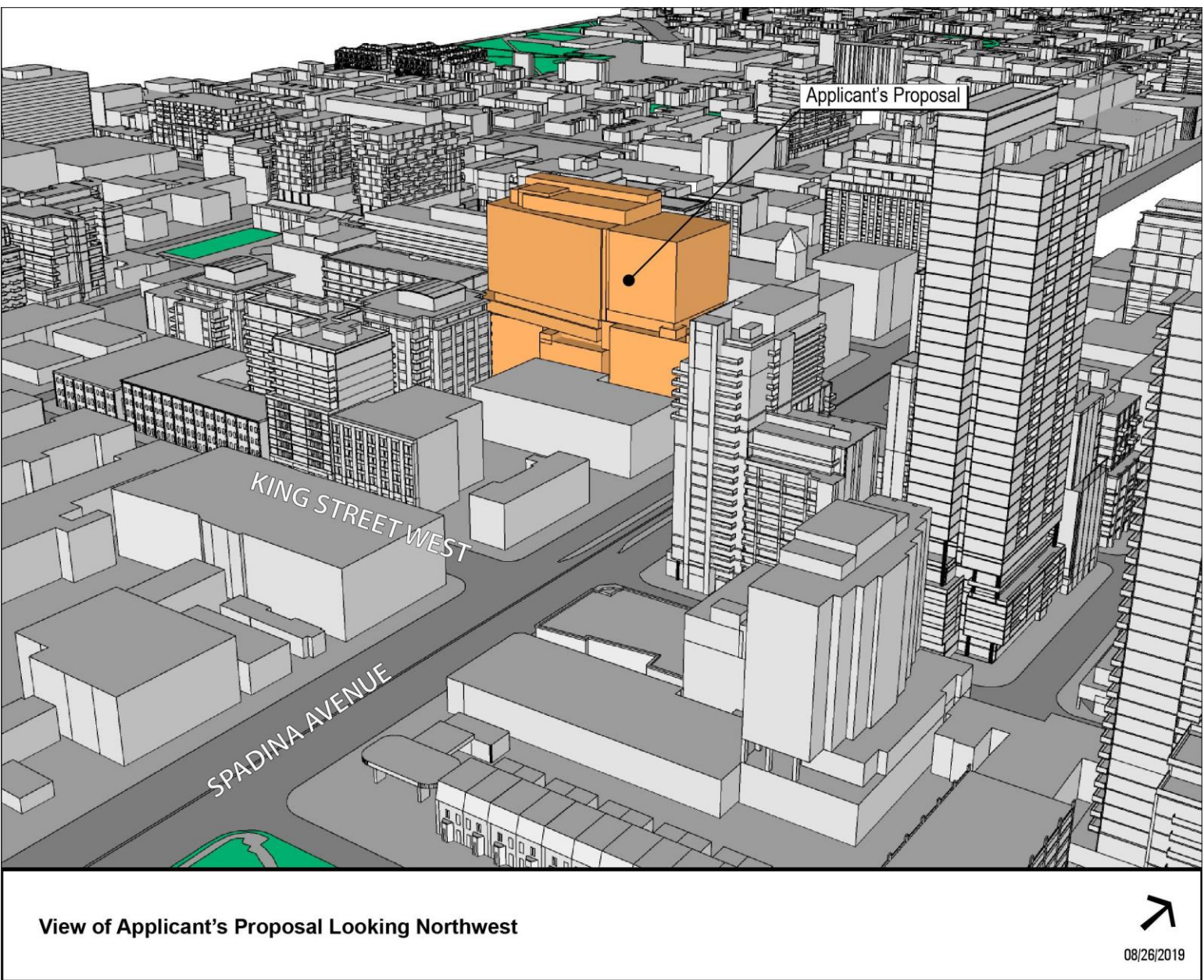


South Elevation

Attachment 11: West Elevation



Attachment 12: 3D Model of Proposal in Context Looking Northwest



Attachment 13: 3D Model of Proposal in Context Looking Southeast

