

182-184 Spadina Avenue – Zoning By-law Amendment Application – Preliminary Report

Date: October 3, 2019

To: Toronto and East York Community Council

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

Ward: Ward 10 - Spadina-Fort York

Planning Application Number: 19 199402 STE 10 OZ

Notice of Complete Application Issued: September 4, 2019

Anticipated Community Council Meeting Date: November 5, 2019

Current Use on Site: Surface parking lot

SUMMARY

This report provides information and identifies a preliminary set of issues regarding the application located at 182-184 Spadina Avenue to re-develop the existing parking lot with a 15 and a 17-storey tower on a shared three-storey base building. Staff are currently reviewing the application. It has been circulated to all appropriate agencies and City divisions for comment. Together with the Ward Councillor, staff have scheduled a community consultation meeting for the application on November 14, 2019.

RECOMMENDATIONS

The City Planning Division recommends that:

1. A community consultation meeting for the application at 625 Runnymede Road is scheduled in consultation with the Ward Councillor, to be held at City Hall in Committee Room 2 on November 14, 2019.
2. At the request of, and in consultation with the Local Councillor, the area boundary for the notice for the community consultation meeting was expanded beyond the statutory 120 metres from the application site to include additional residents, institutions and owners with additional mailing costs to be borne by the applicant.

FINANCIAL IMPACT

The recommendations in this report have no financial impact.

DECISION HISTORY

There are no previous applications on this site.

ISSUE BACKGROUND

Application Description

This application proposes to amend the Zoning By-law for the property at 182-184 Spadina Avenue to permit the re-development of the site with a hotel building comprised of a three-storey base building and two tower elements above, one fronting Spadina Avenue (referred to as "S-Tower") and the other fronting Cameron Street (referred to as "C-Tower"). The S-Tower is proposed to have a height of 15 storeys, or 44.1 metres (49.4 metres including the mechanical penthouse) and the C-Tower would have a height of 17 storeys, or 49.4 metres (53 metres including the mechanical penthouse). At the ground floor, the S-Tower is proposed to be located at the Spadina Avenue property line. Above this, a 1.8 metre stepback is proposed at the second storey which would be increased to 2.4 metres for the remainder of the building, starting at the third storey. Similarly, the C-Tower is proposed to be located on the Cameron Street property line at grade and then a 2.4 metre stepback is proposed, starting at the second storey.

Along the south and north sides, the development would be located on the side property lines, creating party wall conditions with the adjacent properties. One exception to this is a section of the C-Tower which would be setback 5.5 metres from the south side property line for the portion of the tower immediately adjacent to existing north-facing windows within the building to the south. A separation distance of 15.7 metres is proposed on site between the S-Tower and the C-Tower.

The development proposes a gross floor area of approximately 11,275 square metres, resulting in a density of 9.9 times the area of the lot. Parking (30 spaces), bicycle parking (12 spaces) and loading (two Type-B spaces) are proposed to be located within three, below-grade levels, accessed via Cameron Street. The first two floors would contain a restaurant and lounge area and a total of 264 guest rooms are proposed within the remainder of the building. The main pedestrian entrance is proposed to be off of Spadina Avenue with a secondary entrance off of Cameron Street.

Detailed project information is found on the City's Application Information Centre at: <https://www.toronto.ca/city-government/planning-development/application-information-centre/>

See Attachments 1-4 of this report for a three dimensional representation of the project in context, a location map and a proposed site plan.

Provincial Policy Statement and Provincial Plans

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"), and to conform with applicable Provincial Plans which, in the case of the City of Toronto, includes the Growth Plan for the Greater Golden Horseshoe (2019). The PPS and all Provincial Plans 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 a planning matter that are provided by Council shall also conform with the Growth Plan.

The Growth Plan (2019) contains policies pertaining to population and employment densities that should be planned for in major transit station areas ("MTSAs") along priority transit corridors or subway lines. MTSAs are generally defined as the area within an approximately 500 to 800 metre radius of a transit station, representing about a 10-minute walk. The Growth Plan requires that, at the time of the next MCR, the City update its Official Plan to delineate MTSA boundaries and demonstrate how the MTSAs achieve appropriate densities. At the time of the MCR, municipalities can make a request to the Province for alternative targets to those set out in the Growth Plan. Major Transit Station Area boundaries will not be delineated until such time as the City initiates and completes an MCR in conformity with the Growth Plan 2019.

Toronto Official Plan Policies and Planning Studies

The City of Toronto Official Plan is a comprehensive policy document that guides development in the City, providing direction for managing the size, location, and built form compatibility of different land uses and the provision of municipal services and facilities. Authority for the Official Plan derives from The Planning Act of Ontario. The Provincial Policy Statement (PPS) recognizes the Official Plan as the most important document for its implementation. Toronto Official Plan policies related to building complete communities, including heritage preservation and environmental stewardship, may be applicable to any application. Toronto Official Plan policies may be found here: <https://www.toronto.ca/city-government/planning-development/official-plan-guidelines/official-plan/>

The application is located within the Downtown and Central Waterfront as shown on Map 2 of the Official Plan and is designated Mixed Use Areas on Land Use Plan Map 18 (see Attachment 5).

The Downtown Plan

City Council adopted OPA 406 on July 27, 2018. OPA 406 included amendments to the Downtown section of the Official Plan and Map 6 of the Official Plan and brought forward a new Secondary Plan for the entire Downtown area. On August 9, 2018 the City's application under Section 26 of the Planning Act was sent to the Minister of Municipal Affairs and Housing (MMAH) for approval. The Ministry issued its decision regarding OPA 406 on June 5, 2019.

This site is located on Map 41-3-C Mixed Use Areas 3 - Main Street of the Downtown Plan, which, as outlined in Policy 6.3.1, directs that along Spadina Avenue development will generally be of a mid-rise scale, with maximum heights informed by the width of the right-of-way. The site is also located on Map 41-5 Priority Retail Streets and Map 41-7 Great Streets.

Zoning By-laws

The site is zoned Commercial Residential (CR) (x2353) in By-law 569-2013 and is also subject to Development Standards Set 2 (SS2). This zoning category permits a wide range of commercial and residential uses, including the proposed hotel and restaurant uses. The current zoning permits a maximum height of 28 metres, maximum floor space index of two-times the area of the lot and requires a series of setbacks and stepbacks.

The City's Zoning By-law 569-2013 may be found here: <https://www.toronto.ca/city-government/planning-development/zoning-by-law-preliminary-zoning-reviews/zoning-by-law-569-2013-2/>

The site is also subject to City of Toronto Zoning By-law 438-86 and is zoned Mixed Use Districts (MCR) which is substantially the same with regards to use, density and height.

Design Guidelines

The following design guidelines will be used in the evaluation of this application, which may be found here: <https://www.toronto.ca/city-government/planning-development/official-plan-guidelines/design-guidelines/>

- Mid-Rise Building Design Guidelines, which may be found here: <https://www.toronto.ca/city-government/planning-development/official-plan-guidelines/design-guidelines/>
- City-Wide Tall Building Design Guidelines, which may be found here: <https://www.toronto.ca/legdocs/mmis/2013/pg/bgrd/backgroundfile-57177.pdf>.

Site Plan Control

The property is subject to Site Plan Control. A Site Plan Control application has not been submitted at this time.

COMMENTS

Reasons for the Application

While the proposed commercial (hotel and restaurant) land uses are permitted under existing zoning provisions, amendments to City of Toronto Zoning By-law 569-2013 and the former City of Toronto Zoning By-law 438-86 are required to establish appropriate performance standards to regulate the built form on the site, such as site layout, setbacks, height and density.

ISSUES TO BE RESOLVED

The application has been circulated to City divisions and public agencies for comment. At this stage in the review, the following preliminary issues have been identified:

Provincial Policies and Plans Consistency/Conformity

Staff will evaluate this planning application for consistency with the PPS (2014) and conformity with the Growth Plan (2019). Given the explicit link between Provincial Policy and the Official Plan, consistency with the PPS and conformity with the Growth Plan will be largely determined by conformity with the Official Plan.

Section 2 of the Planning Act requires municipalities to have regard for matters of provincial interest, including the conservation of features of significant architectural, cultural, historical, archeological or scientific interest, the adequate provision of employment opportunities, 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 PPS (2014) provides policy direction province-wide on land use planning and development to promote strong communities, a strong economy, and a clean and healthy environment.

The Growth Plan (2019) establishes minimum density targets within strategic growth 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.

The application will be reviewed for consistency with the PPS and conformity with the Growth Plan (2019).

Official Plan Conformity

Staff will evaluate this planning application to determine its conformity with the Official Plan, including the Downtown Plan.

Built Form, Planned and Built Context

The suitability of the proposed built form will be evaluated based on the planning framework for the area including Provincial policies and plans, Official Plan policies including the Downtown Plan, the Zoning By-law and the Mid-Rise Design Guidelines. The subject site is located within the Kensington-Chinatown neighbourhood generally bounded by College Street to the north, University Avenue to the east, Queen Street West to the south and Bathurst Street to the west. The built form character along Spadina Avenue, north and south of the subject site, is largely comprised of low to mid-

rise buildings on deep lots, interspersed with some two-to-three storey main street-type commercial buildings. The adjacent property to the immediate south contains a six-storey commercial building and south of this is a recent approval for a 12-storey mixed-use building. The property to the immediate north of the subject site contains a 10-storey residential building.

On a preliminary basis, the following issues have been identified:

- Appropriateness of the proposed height;
- Whether the application is contextually appropriate and fits with the existing and planned context;
- Appropriateness of the siting, height, massing and scale of the proposal;
- The relationships to adjacent properties, including setbacks, stepbacks and the resulting separation distance between properties and buildings;
- Proposed separation distance between the S-Tower and C-Tower;
- The impact of the proposal on the public realm, including wind and shadow impacts;
- The adequacy of the proposed retail along the Spadina Avenue frontage in conformance with the Downtown Plan; and
- The adequacy of the proposed bike parking supply and location.

Public Realm and Streetscape

Staff will evaluate the proposed streetscape with the aim to enhance and expand the public realm in conformity with the Great Streets policies of the Downtown Plan for the Spadina Avenue frontage. Staff will also look at the suitability of the proposed pedestrian realm and the relationship of the building to the street; the proposed width of the sidewalk, including the pedestrian clearway; street tree planting; the placement of street furniture and paving treatment; and the layout and design of the proposed retail.

Tree Preservation

The application is subject to the provisions of the City of Toronto Municipal Code, Chapter 813 Articles II (Street Trees By-law) and III (Private Tree By-law). The applicant has submitted an Arborist Report which outlines that the existing four street trees are proposed to be preserved and the five private trees, which are too small to be protected under the Private Tree By-law, are proposed to be removed. The application has been circulated to Urban Forestry for review and comment.

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 0.43 to 0.79 hectares of local parkland per 1,000 people. The site is in the second lowest 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.

In accordance with Chapter 415, Article III of the Toronto Municipal Code, the applicant would be required to satisfy the parkland dedication requirement through cash-in-lieu. The non-residential nature of this proposal would be subject to a 2% parkland dedication.

Section 37 Community Benefits

The Official Plan provides for the use of Section 37 of the Planning Act to pass by-laws for increases in height and density not otherwise permitted by the Zoning By-law in return for the provision by the applicant of community benefits in the form of capital facilities. It is standard to secure community benefits in a Section 37 Agreement which is then registered on title should this proposed development proceed to approval.

Infrastructure/Service Capacity

The applicant has submitted a Site Servicing and Stormwater Management Brief and a Transportation Impact Assessment with the application and these have been reviewed in detail by Engineering and Construction Services to ensure that there is sufficient infrastructure capacity to accommodate the proposed development.

Key issues raised include:

- The requirement for the applicant to provide revised truck manoeuvring diagrams as the truck turning movements appear to conflict with the location of the proposed loading spaces;
- Further information is required outlining the dimensions of the proposed vehicular parking stackers;
- The proposed landscape plan must be revised to show a minimum pedestrian clearway of 2.5 metres on Spadina Avenue; and
- Additional data related to water main and sanitary sewer capacity 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 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 Application is being reviewed by Staff for compliance with Tier 1 performance standards. Staff will encourage the applicant to pursue Tier 2 performance measures.

Other Matters

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

CONTACT

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SIGNATURE

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Toronto and East York District

ATTACHMENTS

City of Toronto Drawings

Attachment 1: 3D Model of Proposal in Context - Northwest View

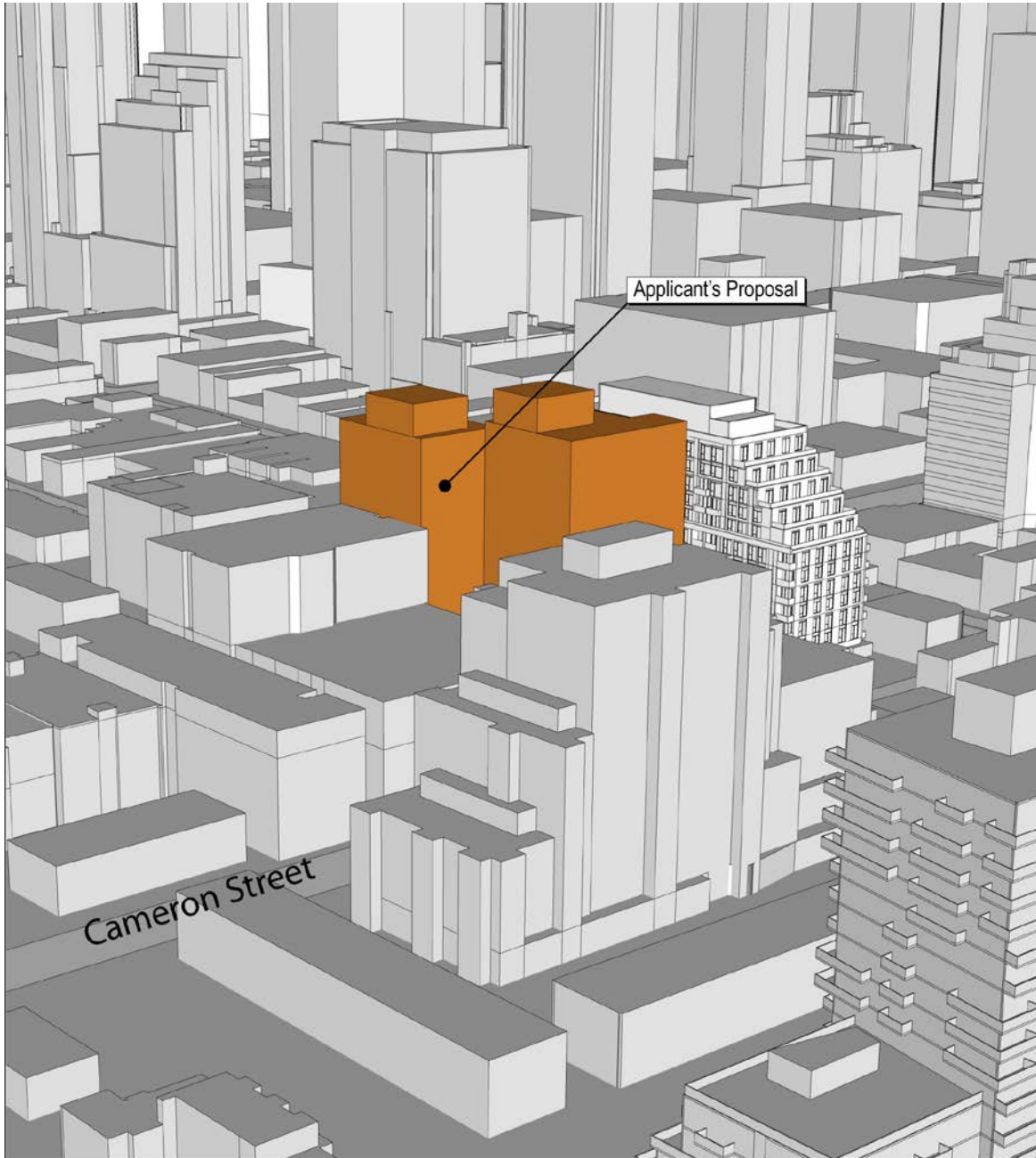
Attachment 2: 3D Model of Proposal in Context - Southeast View

Attachment 3: Location Map

Attachment 4: Site Plan

Attachment 5: Official Plan Map

Attachment 1: 3D Model of Proposal in Context - Northwest View

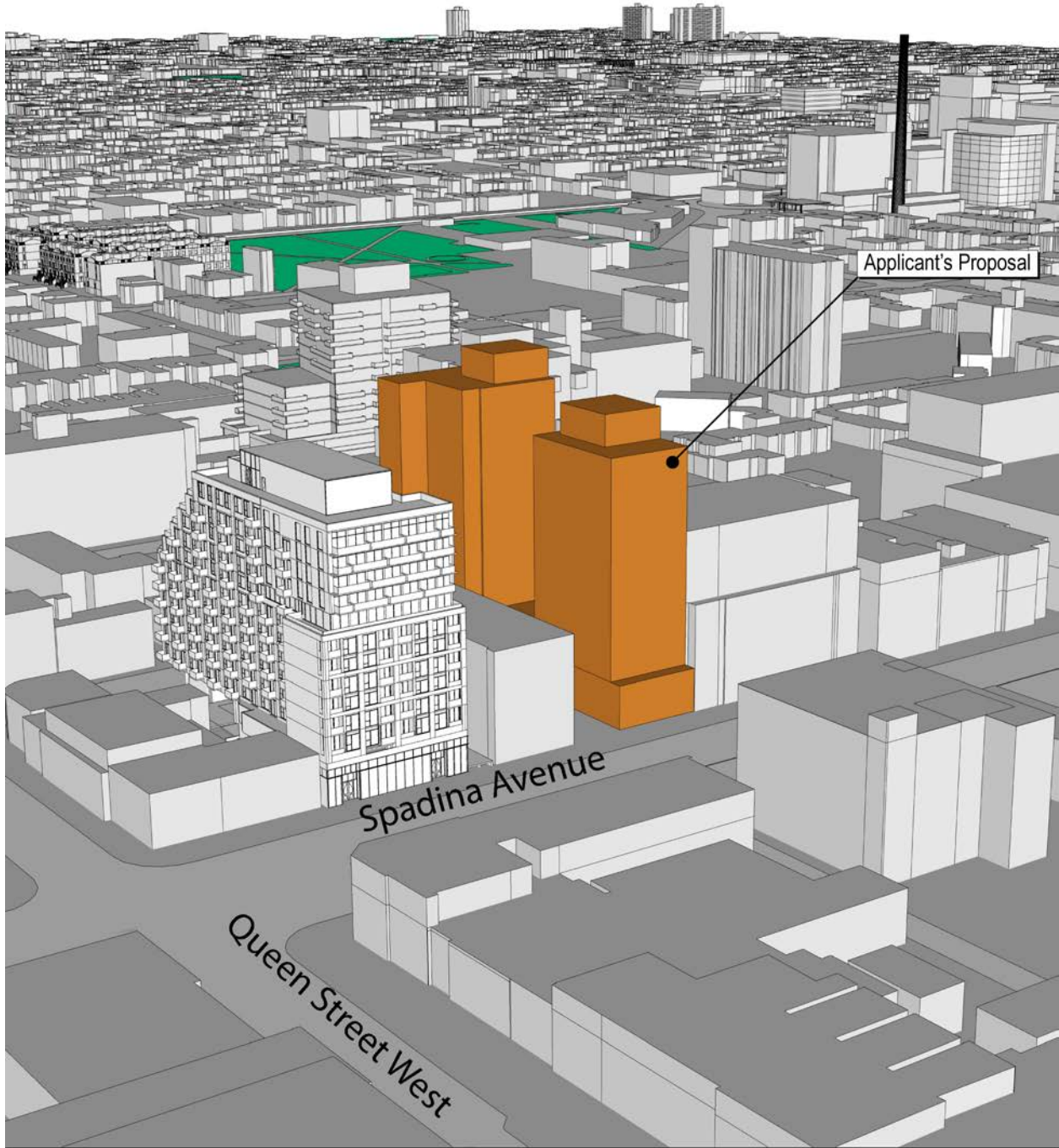


View of Applicant's Proposal Looking Northwest



10/03/2019

Attachment 2: 3D Model of Proposal in Context - Southeast View

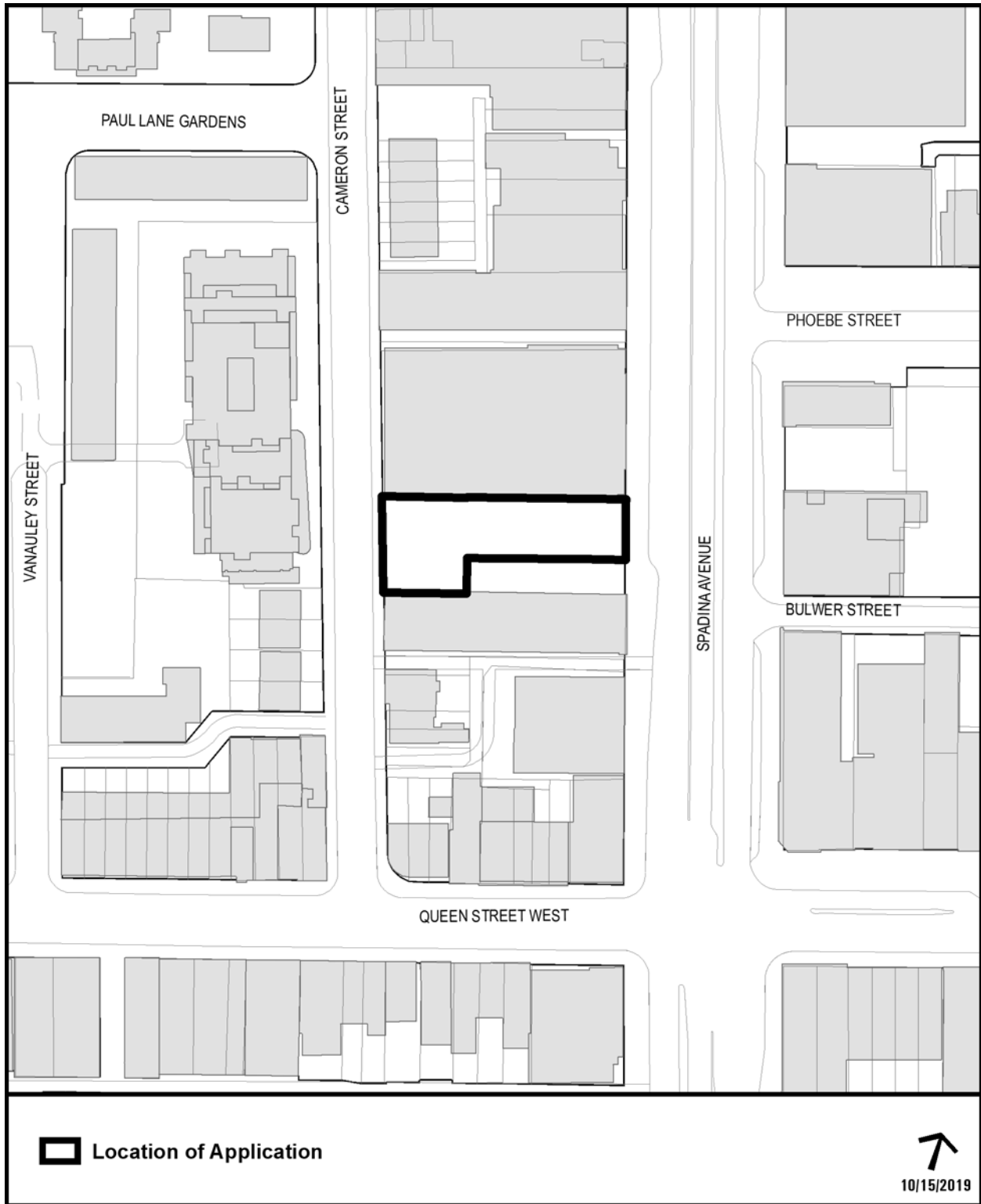


View of Applicant's Proposal Looking Southeast

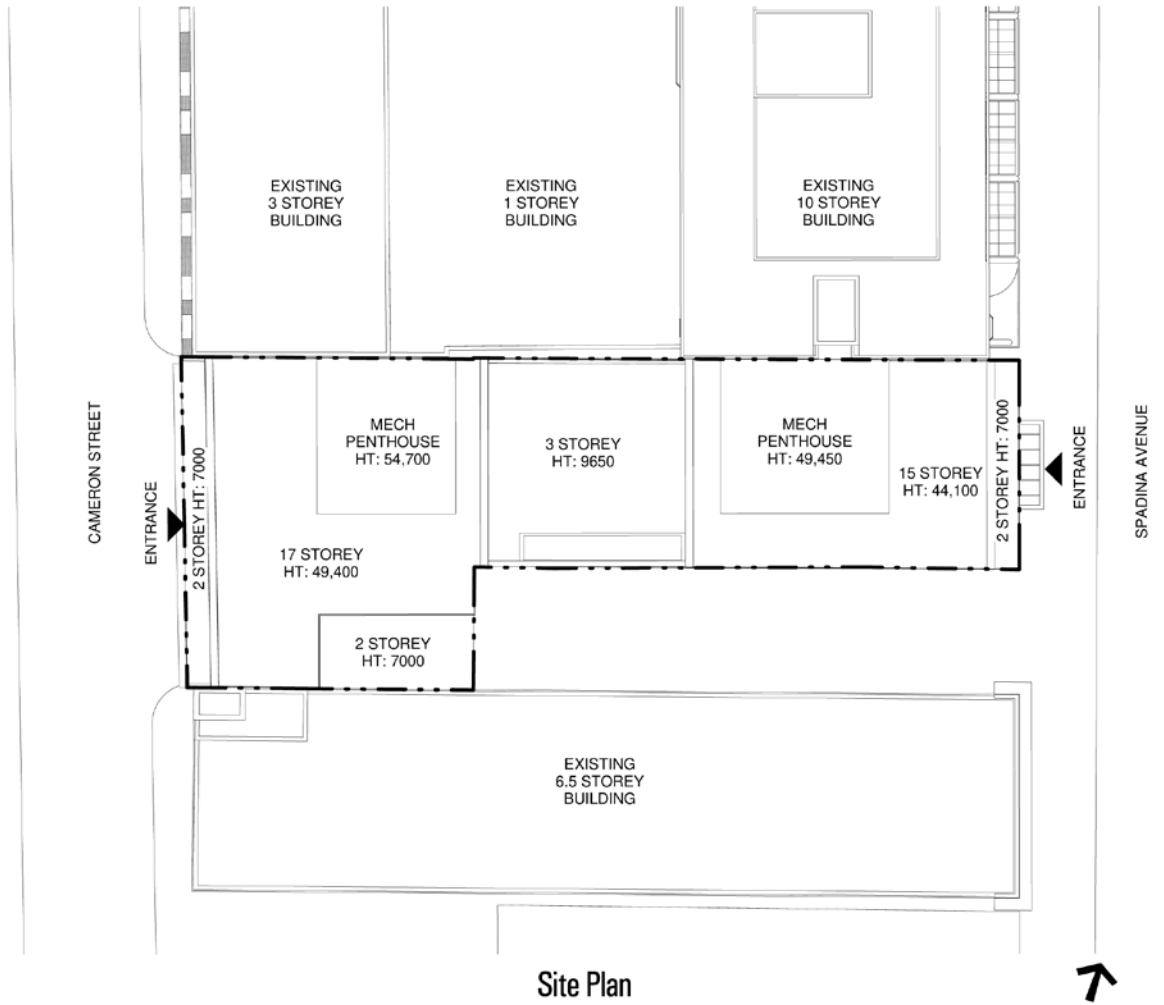


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Attachment 3: Location Map

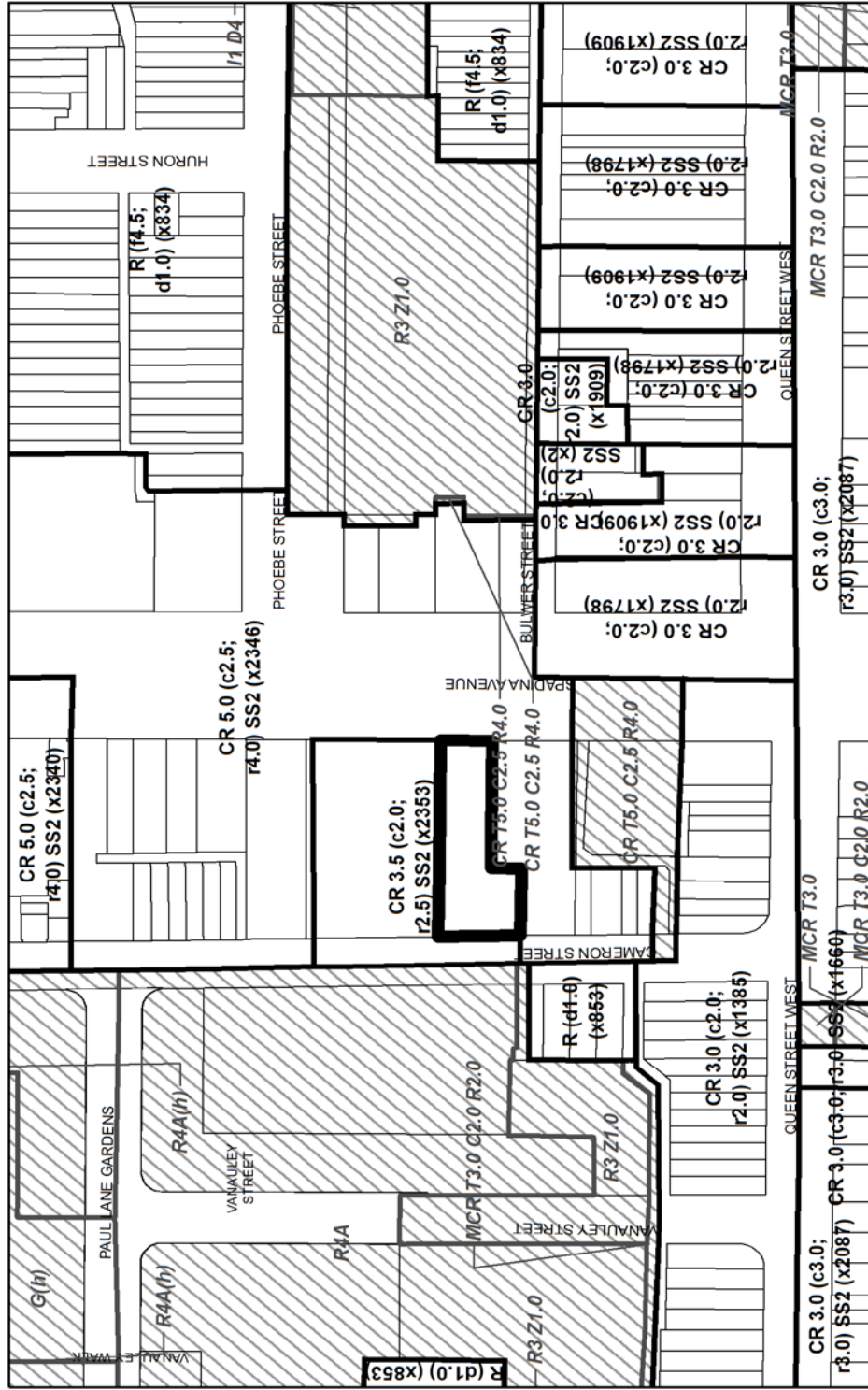


Attachment 4: Site Plan





Site Plan

Attachment 5: Zoning Map



Toronto
 Zoning By-law 569-2013
 182-184 Spadina Avenue
 File # 19 199402 STE 10 0Z

-  Location of Application
-  See Former City of Toronto By-law No. 438-86
- R Residential
- R4A Residential
- CR Commercial Residential
- MCR Mixed-Use District
- I1 Industrial District
- G Parks District

Not to Scale
 Extracted: 10/03/2019