

147 Spadina Avenue – Zoning Amendment Application – Preliminary Report

Date: December 6, 2021

To: Toronto and East York Community Council

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

Ward 10 - Spadina-Fort York

Planning Application Number: 21 208078 STE 10 OZ

Listed Heritage Buildings on Site: Yes

Current Use on Site: A 2-storey building with frontage on Spadina Avenue and Richmond Street West containing multiple commercial tenants.

SUMMARY

This report provides information and identifies a preliminary set of issues regarding the application to construct a 25-storey mixed-use building.

Staff are currently reviewing the application. It has been circulated to all appropriate agencies and City divisions for comment. City Planning staff will proceed to schedule a Community Consultation Meeting for the application in consultation with the Ward Councillor.

RECOMMENDATIONS

The City Planning Division recommends that:

1. Staff schedule a community consultation meeting for the application located at 147 Spadina Avenue together with the Ward Councillor.
2. Notice for the community consultation meeting be given to landowners and residents within 120 metres of the application site, and to additional residents, institutions and owners to be determined in consultation with the Ward Councillor, with any additional mailing costs to be borne by the applicant.

FINANCIAL IMPACT

The City Planning Division confirms that there are no financial implications resulting from the recommendations included in this report in the current budget year or in future years.

THE APPLICATION

Complete Application Submission Date:

September 20, 2021

Description

The application proposes to construct a 25-storey, 79.8 metre tall (85.8 meters including the mechanical penthouse) mixed-use building with ground floor commercial uses and 223 residential units above. The existing building on the site, listed heritage, is proposed to be demolished. The proposed Gross Floor Area (GFA) is 19,849 square metres of which 19,415 square metres would be residential and 434 square meters commercial. This would result in a floor space index (FSI) of 18.36. The residential mix proposed includes 11 (5%) bachelor, 111 (50%) 1-bedroom, 68 (30%) 2-bedroom and 33 (14%) 3-bedroom units.

A total of 26 vehicular parking spaces and 248 bicycle parking spaces are proposed within a 3 level underground parking garage. Vehicular access to the garage is proposed to be provided from an existing garage entrance of the adjacent site to the east (District Lofts). An existing knock out panel would be removed connecting the underground garages of the two properties. A single Type-G loading space is proposed to be accessed directly from Richmond Street West.

See Attachments 2 and 3 of this report, for a three dimensional representation of the project in context.

Detailed project information is found on the City's Application Information Centre at: www.toronto.ca/147SpadinaAve

Reason for the Application

The Zoning By-law Amendment at 147 Spadina Avenue proposes to amend Zoning By-law 569-2013 to vary performance standards including: building height; building setbacks; amenity space requirements; loading space requirements; vehicular and bicycle parking space requirements. Additional amendments to the Zoning By-law may be identified as part of the application review.

Site Plan Control

The development is subject to Site Plan Control. A Site Plan Control application has been submitted (file No 21- 236578 STE 10 SA).

Provincial Policy Statement and Provincial Plans

Any decision of Council related to this application is required to be consistent with the Provincial Policy Statement (2020) (the "PPS"), and to conform with applicable Provincial Plans which, in the case of the City of Toronto, include: A Place to Grow: Growth Plan for the Greater Golden Horseshoe (2020). The PPS and all Provincial Plans may be found on the Ministry of Municipal Affairs and Housing website.

Growth Plan for the Greater Golden Horseshoe (2020)

A Place to Grow: Growth Plan for the Greater Golden Horseshoe (2020) (the "Growth Plan (2020)") came into effect on August 28, 2020. This new plan replaces the previous Growth Plan for the Greater Golden Horseshoe, 2019. The Growth Plan (2020) 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 (2020) establishes policies that require implementation through a Municipal Comprehensive Review (MCR), which is a requirement pursuant to Section 26 of the Planning Act.

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, and better connected 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 (2020), builds upon the policy foundation provided by the PPS and provides more specific land use planning policies to address issues facing the GGH region. The policies of the Growth Plan (2020) 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 (2020). Comments, submissions or advice affecting a planning matter that are provided by Council shall also conform with the Growth Plan (2020).

Major Transit Station Areas

The Growth Plan (2020) as amended 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 (2020) requires that, at the time of the next municipal comprehensive review (MCR), the City update its Official Plan to delineate MTSA boundaries and demonstrate how the MTSAs are planned for the prescribed densities.

The site is located approximately 750 metres from the Osgoode Subway Station. As well, the site is within an 800 metre radius of a number of planned transit stations including the Queen-Spadina and King-Bathurst stations on the Ontario Line and the Spadina-Front GO station.

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 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 site is located in the Downtown and Central Waterfront on Map 2 of the Official Plan and designated Regeneration Areas on Land Use Plan Map 18, as shown on Attachment 5.

The application is also located within the King-Spadina Secondary Plan.

The Downtown Plan

City Council adopted OPA 406 on May 22, 2018. OPA 406 included amendments to the Downtown section and Map 6 of the Official Plan and brought forward a new Secondary Plan for the entire Downtown area. The Ministry of Municipal Affairs and Housing approved OPA 406 with modifications on June 5, 2019.

The Downtown Plan directs that growth is encouraged within the Downtown, in particular on lands designated Mixed Use Areas 1, Mixed Use Areas 2, Mixed Use Areas 3, Regeneration Areas and Institutional Areas. The highest density of development within the Downtown shall be directed to Mixed Use Areas in close proximity to existing or planned transit stations. However, not all areas will experience the same amount of intensification.

The site is designated Mixed Use Areas - Main Street, shown on Map 41-3-C of the Downtown Plan. Development in Mixed Use Areas 3 includes mid-rise buildings with some low-rise and tall buildings permitted based on compatibility. Maximum building heights of mid-rise development are generally informed by the width of the right-of-way. Mixed Use Areas 3 provides for a diverse range of uses, including retail, service, office, institutional and residential. Further, the Complete Communities Policies of the Downtown Plan require that new buildings fit within their existing and planned context, conserve heritage attributes and improve the public realm.

The Downtown Plan identifies Spadina Avenue as a Great Street, Priority Retail Street and Priority Cycling Route. The site is also within the King-Spadina Cultural Precinct and the Downtown Film Precinct. The Downtown Plan can be found here: <https://www.toronto.ca/legdocs/mmis/2019/cc/bgrd/backgroundfile-135953.pdf>

King-Spadina Secondary Plan (1996)

The site is situated within the Spadina Precinct of the King-Spadina Secondary Plan found in Chapter 6.16 of the Official Plan. The King-Spadina Secondary Plan requires new development to reinforce the characteristics of the area through built form, heritage conservation and public realm improvements.

The policies of the King-Spadina Secondary Plan emphasize that new buildings will be sited for adequate light, view, privacy and compatibility with the built form context. The policies direct that 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. Heritage plays a key role in establishing the character of the Secondary Plan area.

King-Spadina Secondary Plan (2020) - OPA 486

At its meeting on January 29, 2020, City Council adopted a Final Report and Official Plan Amendment 486 (OPA 486) outlining updates to the King-Spadina Secondary Plan. The City Council Decision can be found here: <http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2020.TE12.4>

King-Spadina is one of the fastest growing areas in the downtown and has a strong heritage character. Updates were made to the King-Spadina Secondary Plan to recognize this growth and the evolution of the area from predominantly non-residential uses to an area with a mix of uses. The updated plan recognizes that while the area will continue to grow and change, it must do so in a way that positively contributes to liveability, is better supported by hard infrastructure and community infrastructure, and more carefully responds to the built form and heritage character of the area. OPA 486 has been appealed to the Ontario Land Tribunal (OLT) and is not yet in force.

As noted above, the subject site is located within the Spadina Precinct of King Spadina. Policy 6.15 in OPA 486 directs that development in the Spadina Precinct will be mid-rise in scale.

Consistent with the Downtown Plan, the site is identified as Mixed Use Areas 3 on Map 16-2 and is also located within Transition Zone C (Map 16-4) which requires that development minimize shadow on the sidewalk on the west side of Spadina Avenue.

Official Plan Amendment 352 – Downtown Tall Building Setback Area

On October 5-7, 2016, City Council adopted Official Plan Amendment (OPA) 352 – Downtown Tall Building Setback Area. This OPA is under appeal at the OLT. All remaining appeals, however have been geographically scoped, and exclude the subject property which was not subject to appeal. Moreover, in March 2021, the LPAT heard and verbally allowed a motion for modification and partial approval of OPA 352. The policies of OPA 352, as modified, are applicable in the review of this application. 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 (also under appeal), which provide the detailed performance standards for portions of buildings above 24 metres in height.

Official Plan Amendment 479 and 480 – Public Realm and Built Form Official Plan Policies

On September 11, 2020, the Ministry of Municipal Affairs and Housing approved OPA 479 and OPA 480. OPA 479 (Public Realm) and OPA 480 (Built Form) were adopted as part of the Five-Year Official Plan Review. The OPAs replace Sections 3.1.1, 3.1.2 and 3.1.3 of the Official Plan with new and revised policies for the public realm, built form and built form types, which respond to Council's direction to amend the urban design policies of the Official Plan.

The Official Plan Amendment can be found here:

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2019.PH11.4>

King-Spadina Heritage Conservation District

The site is within the King-Spadina Heritage Conservation District (HCD) Plan area. The HCD Plan was adopted at the October 2, 2017, City Council meeting, recommending the designation of the King-Spadina HCD Plan under Part V of the Ontario Heritage Act. The HCD Plan is currently under appeal at the LPAT. The City Council decision can be found here: <http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2017.TE26.14>

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

The property at 147 Spadina Avenue was listed on the City's Heritage Register in December 2017 and is also identified as a contributing property in the King-Spadina HCD Plan.

The King-Spadina Heritage Conservation District Plan can be found here:
<https://www.toronto.ca/legdocs/mmis/2019/cc/bgrd/backgroundfile-139243.pdf>

Zoning By-laws

The site is zoned CRE (Commercial Residential Employment) in Zoning By-law 569-2013. This zone permits a range of residential, commercial, institutional and light industrial uses. The maximum height permitted is 39 metres. The CRE zoning category does not include maximum density provisions but rather, the building envelope is established through the performance standards, including height, angular plane, 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/>

Design Guidelines

The following design guidelines will be used in the evaluation of this application:

- Tall Building Design Guidelines;
- King-Spadina Urban Design Guidelines (2004 and 2006);
- King-Spadina Public Realm Plan;
- Growing Up: Planning for Children in New Vertical Communities;
- Pet Friendly Design Guidelines;
- Retail Design Manual;
- Design Guidelines for Privately Owned Publicly-Accessible Space;
- Best Practices for Bird-Friendly Glass;
- Best Practices for Effective Lighting; and
- Toronto Accessibility Design Guidelines

The City's Design Guidelines may be found here:
<https://www.toronto.ca/city-government/planning-development/official-plan-guidelines/design-guidelines/>

COMMENTS

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 continue to evaluate the application's consistency with the PPS and conformity with the Growth Plan (2020) as amended.

Official Plan Conformity

Staff will continue to evaluate the application to determine its conformity to the Official Plan, the King-Spadina Secondary Plan and the King-Spadina Secondary Plan update (2020) and the Downtown Plan.

Built Form, Planned and Built Context

Staff have assessed the application and have identified that building height and separation distances from properties to the north and the east are key issues of concern along with the following:

- Building Height;
- Base building height;
- Building setbacks and stepbacks,
- Tower floor plate size;
- Compliance with OPA 352 and the Tall Buildings Guidelines;
- Adequacy of the proposed public realm, including sidewalk width;
- Pedestrian-level wind conditions along nearby streets, surrounding properties, open spaces and on the outdoor amenity space level;
- Shadow impacts on the public realm, including the north sidewalk of Queen Street West and the west side walk of Spadina Avenue;
- Deficiency of indoor and outdoor amenity;
- Provision of affordable housing;
- Proposed site access and
- Provision and location of the loading space

Heritage Impact & Conservation

A Heritage Impact Assessment was submitted with the application and is under review. This application will be evaluated to determine if the proposed demolition of the heritage resource at 147 Spadina Avenue is consistent with applicable provincial and municipal policies.

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).

An Arborist Report has been submitted with the application, confirming that 4 street trees are proposed to be removed and replaced with 5 new trees along Spadina Avenue.

Community Services and Facilities

Community Services and Facilities (CS&F) are an essential part of vibrant, strong and complete communities. CS&F are the lands, buildings and structures used for the provision of programs and services provided or subsidized by the City or other public agencies, boards and commissions. They include recreation, libraries, childcare, schools, public health, human services, cultural services and employment services, etc. The timely provision of community services and facilities is as important to the livability of the City's neighbourhoods as "hard" services like sewer, water, roads and transit. The City's Official Plan establishes and recognizes that the provision of and investment in community services and facilities supports healthy, safe, liveable, and accessible communities. Providing for a full range of community services and facilities in areas experiencing major or incremental growth, is a responsibility shared by the City, public agencies and the development community.

Staff will evaluate the impact of the proposed development and local development activity on community services and facilities, including assessment of existing capacity to support proposed future population.

Section 37

The Official Plan provides for the use of Section 37 of the Planning Act to pass by-laws for increases in height and/or 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.

Further discussion with the Ward Councillor, City staff, residents, and the applicant will be required to determine the extent and nature of Section 37 community benefits should the application be approved in some form.

Infrastructure/Servicing Capacity

The applicant has submitted the following studies and reports which are being reviewed by Engineering and Construction Services staff: a Functional Servicing & Stormwater Management Report, Geotechnical Report, Transportation Impact Study and a Hydrogeological report. Staff will continue to review the application to determine if there is sufficient infrastructure capacity (roads, transit, water, sewage, hydro, community services and facilities, etc.) to accommodate the proposed development. Staff will also be determining if the potential cumulative impact of all proposed applications in the area of this application.

Toronto Green Standard (Climate Mitigation and Resilience)

Climate change mitigation and resilience are key concerns of the City. On October 2, 2019, City Council declared a Climate Emergency and set a new goal to achieve net zero greenhouse gas emissions by 2050 or sooner. In 2021, an updated TransformTO Net Zero Strategy will be presented to Council, outlining the necessary climate action to

reach net zero GHG emissions community-wide. In June 2019, the Resilience Strategy was published, which set out that new development should be resilient to a changing climate.

The Toronto Green Standard (the "TGS") sets out the key sustainable performance measures new developments are required to meet to address climate mitigation and resilience. The TGS is a critical component of the City's efforts to achieve zero emissions buildings by 2030, to meet 2050 citywide greenhouse gas reduction targets, and to build a more resilient city. The TGS also supports other City-wide strategies related to environmental sustainability, including TransformTO, the Resilience Strategy, Ravine Strategy and Biodiversity Strategy.

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 TGS. Tier 1 performance measures are secured on site plan drawings and through a site plan agreement or registered plan of subdivision. Tiers 2+ are voluntary higher levels of performance with financial incentives (post-construction development charge refunds) intended to facilitate the foregoing objectives.

Applications must use the documentation required for the version of the TGS in effect at the time of the initial site plan application. TGS Version 3.0 applies to new applications submitted on or after May 1, 2018. TGS Version 4.0 will apply to all new applications submitted on or after May 1, 2022. Visit <https://www.toronto.ca/city-government/planning-development/official-plan-guidelines/toronto-green-standard/>.

Other Matters

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

Next Steps

City Planning staff will host a Community Consultation Meeting.

City staff will work with the applicant to resolve the preliminary issues discussed in this report and any additional issues that may be identified by staff and the public. City Planning staff will report back at the appropriate time in the review of the application. If a Final Report is prepared, the report will proceed to the Toronto and East York

Community Council meeting which will serve as the Statutory Public Meeting as required by the Planning Act, before being considered by City Council for a decision.

CONTACT

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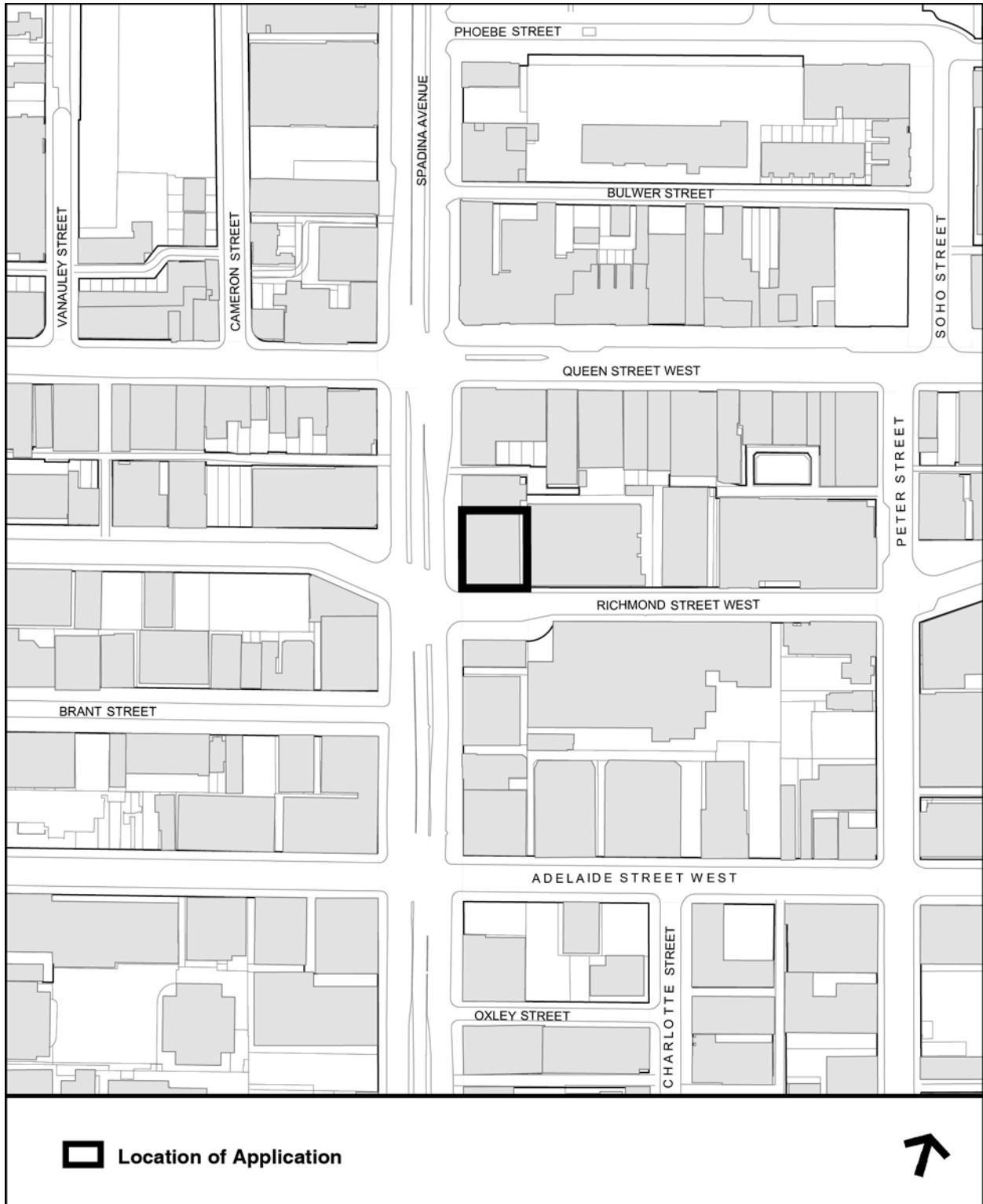
SIGNATURE

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

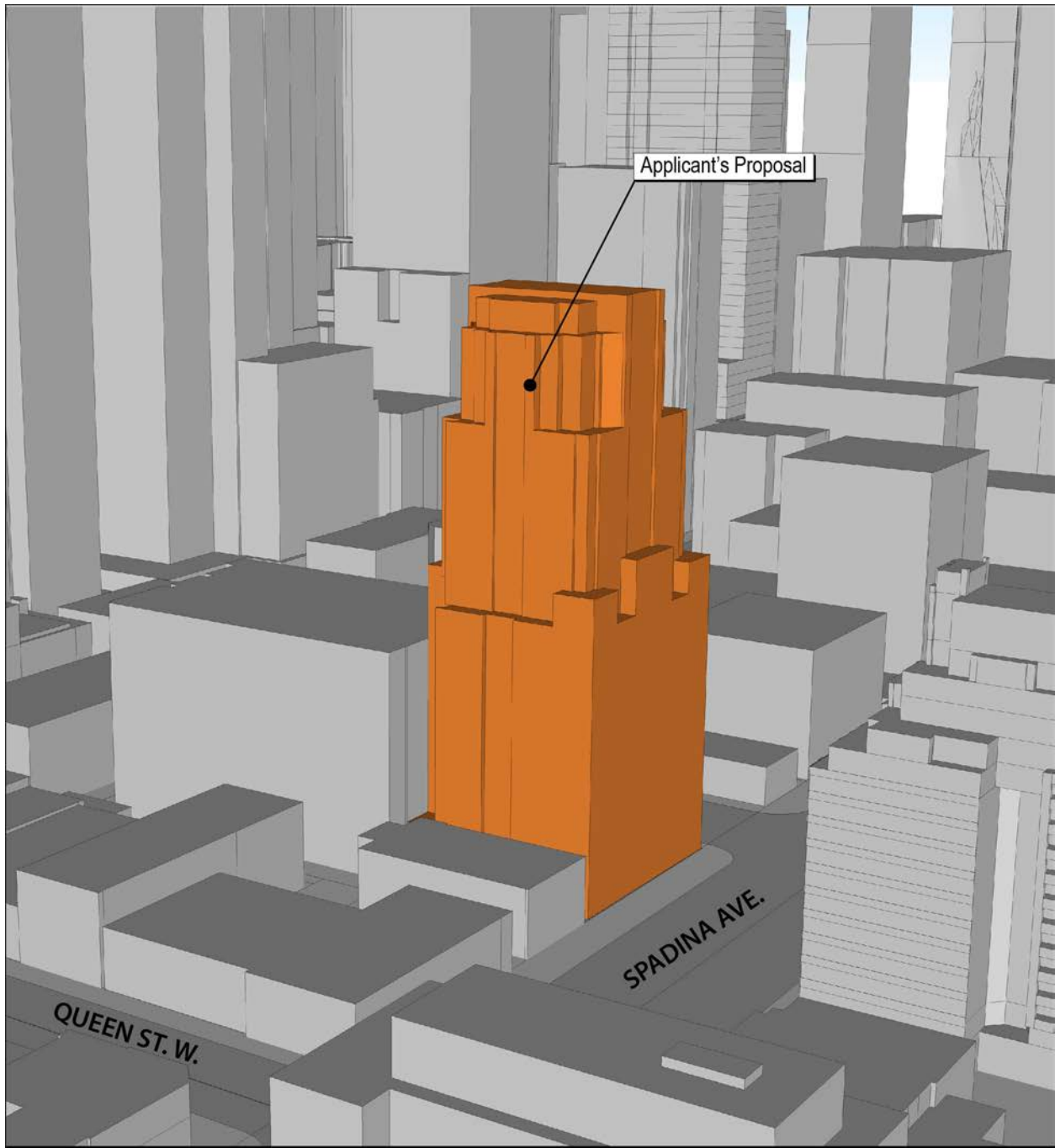
ATTACHMENTS

Attachment 1: Location Map
Attachment 2: 3D Model of Proposal in Context - Looking Southeast
Attachment 3: 3D Model of Proposal in Context - Looking Northwest
Attachment 4: Site Plan
Attachment 5: Official Plan Map
Attachment 6: Zoning By-law
Attachment 7: Application Data Sheet

Attachment 1: Location Map



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

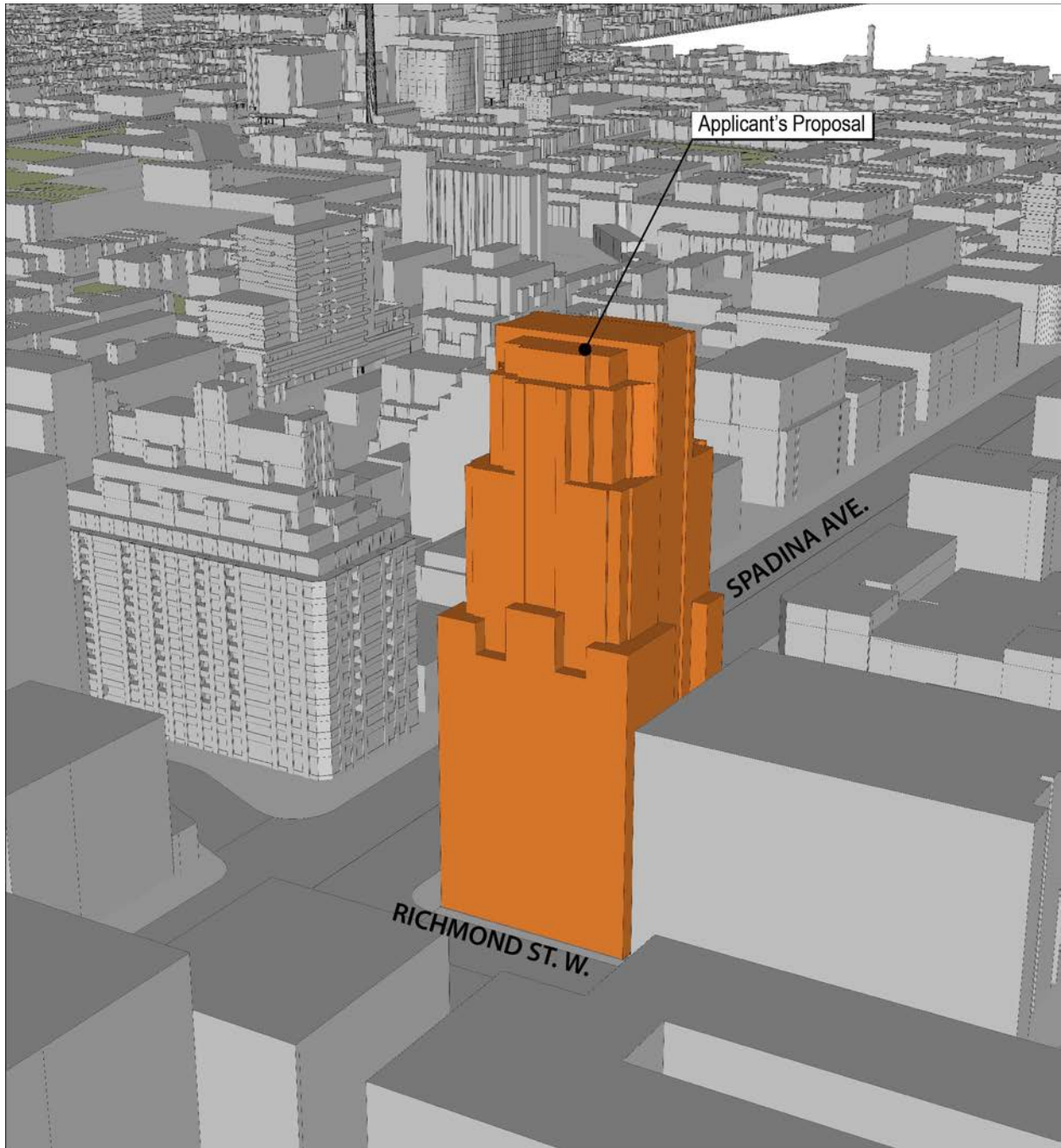


View of Applicant's Proposal Looking Southeast



12/09/2021

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

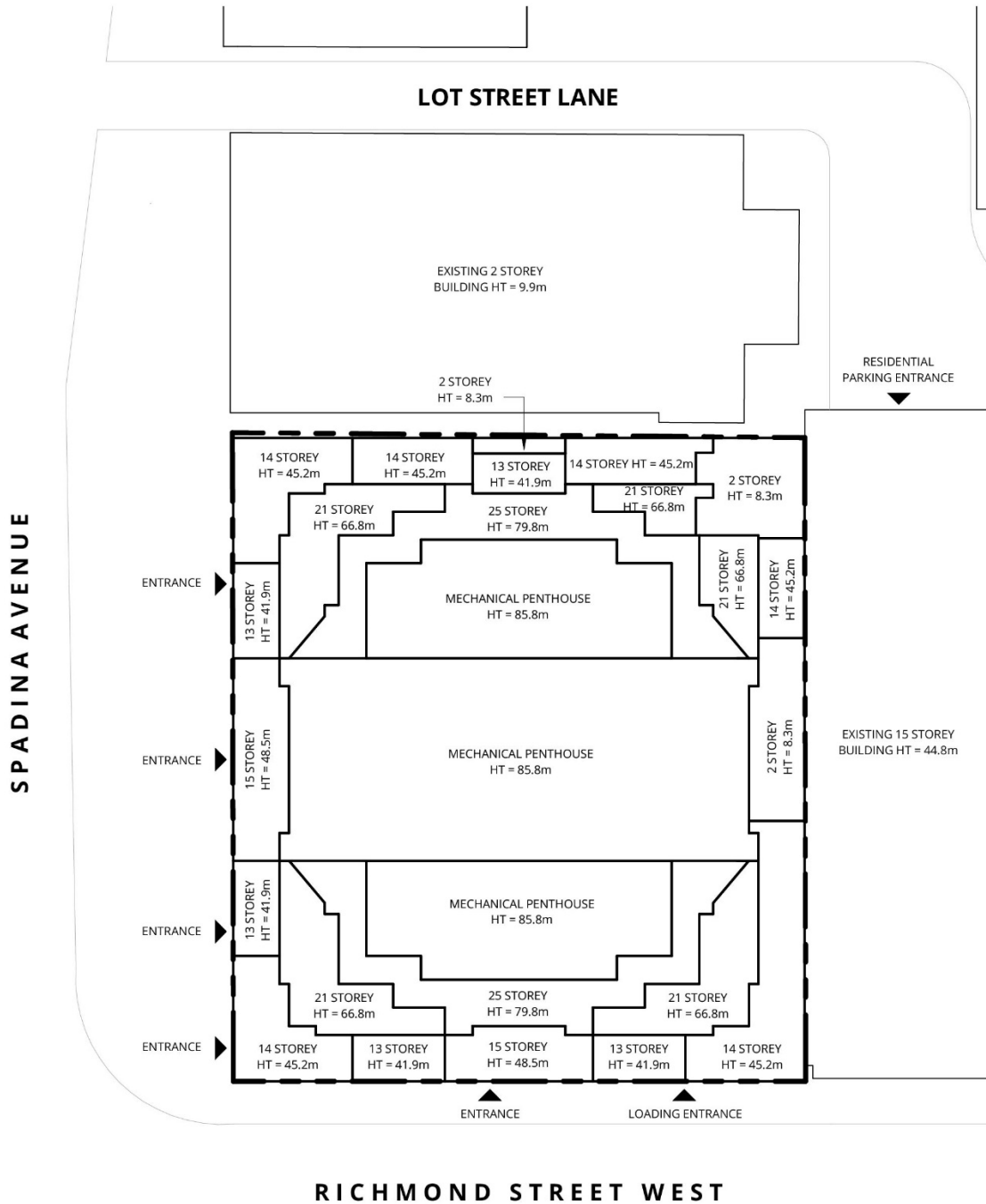


View of Applicant's Proposal Looking Northwest



12/09/2021

Attachment 4: Site Plan



Site Plan



Attachment 5: Official Plan Map



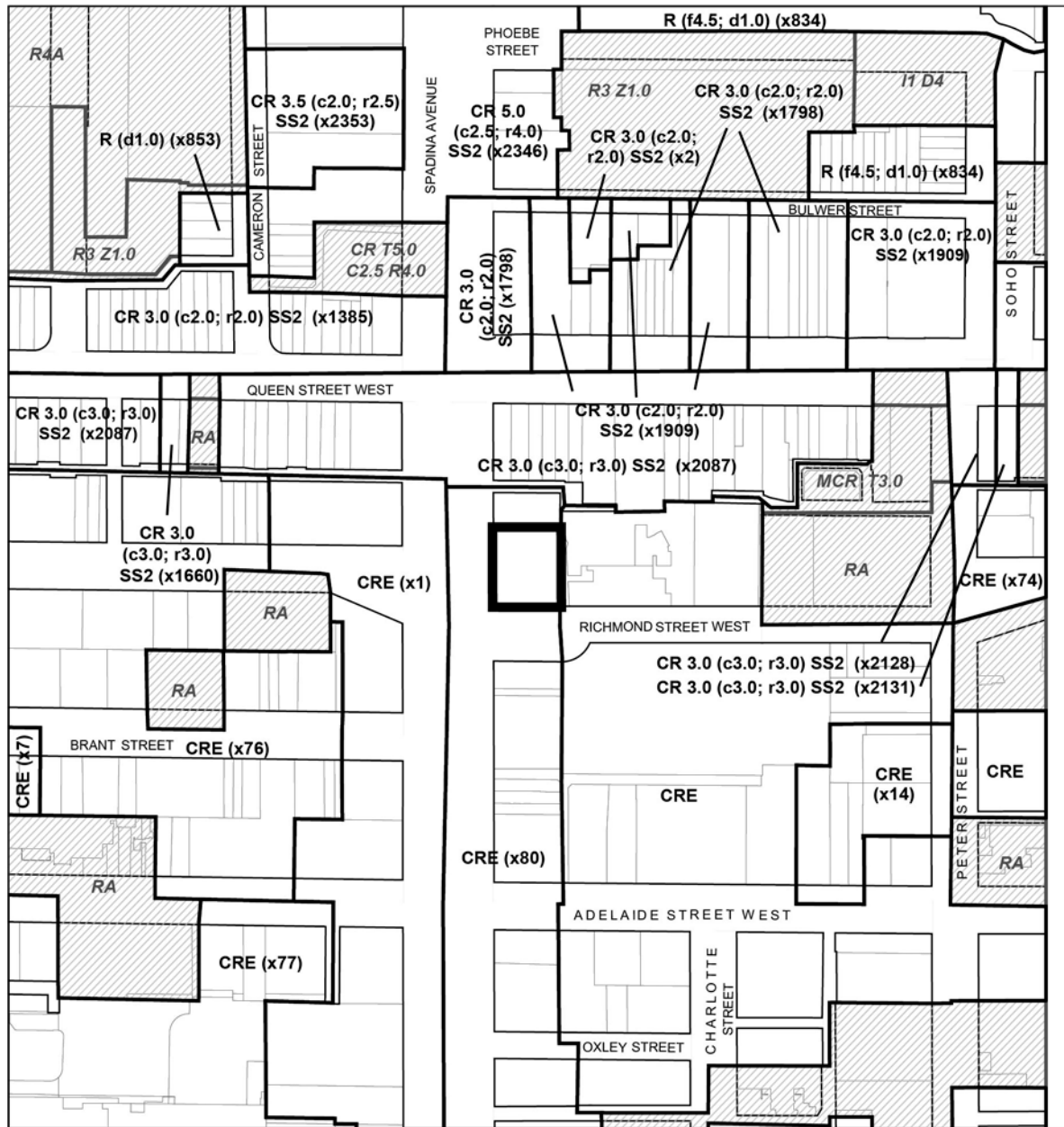
Official Plan Land Use Map #18

147 Spadina Avenue
File # 21 208078 STE 10 OZ



Not to Scale
Extracted: 09/08/2021

Attachment 6: Zoning By-law





Zoning By-law 569-2013

147 Spadina Avenue

File # 21 208078 STE 10 0Z

-  Location of Application
- R** Residential
- CR** Commercial Residential
- CRE** Commercial Residential Employment
- OR** Open Space Recreation

-  See Former City of Toronto By-law No. 438-86
- R4A** Residential District
- RA** Mixed-Use District
- I1** Industrial District


 Not to Scale
 Extracted: 09/08/2021

Attachment 7: Application Data Sheet

Municipal Address: 147 SPADINA AVE Date Received: September 3, 2021

Application Number: 21 208078 STE 10 OZ

Application Type: OPA / Rezoning, Rezoning

Project Description: Proposed Zoning Amendment application to redevelop the site with a 25-storey mixed-use building with a height of 79.8 metres (85.8 including the mechanical penthouse). The proposed Gross Floor Area is 19,849 square metres of which 19,415 square metres would be residential and 434 square meters commercial.

Applicant	Agent	Architect	Owner
HM RB (147 Spadina) LP	Bousfields Inc.	Audax Architecture Inc.	HM RB (147 Spadina) LP

EXISTING PLANNING CONTROLS

Official Plan Designation: Regeneration Areas Site Specific Provision: King Spadina

Zoning: CRE (x80); RA Heritage Designation: Y

Height Limit (m): 39 Site Plan Control Area: Y

PROJECT INFORMATION

Site Area (sq m): 1,081 Frontage (m): 35 Depth (m): 31

Building Data	Existing	Retained	Proposed	Total
Ground Floor Area (sq m):			993	993
Residential GFA (sq m):			19,415	19,415
Non-Residential GFA (sq m):			434	434
Total GFA (sq m):			19,849	19,849
Height - Storeys:	2		25	25
Height - Metres:			80	80

Lot Coverage Ratio (%): 91.89 Floor Space Index: 18.36

Floor Area Breakdown	Above Grade (sq m)	Below Grade (sq m)
Residential GFA:	19,205	210

Retail GFA: 434
 Office GFA:
 Industrial GFA:
 Institutional/Other GFA:

Residential Units by Tenure	Existing	Retained	Proposed	Total
Rental:				
Freehold:				
Condominium:			223	223
Other:				
Total Units:			223	223

Total Residential Units by Size

	Rooms	Bachelor	1 Bedroom	2 Bedroom	3+ Bedroom
Retained:					
Proposed:		11	111	68	33
Total Units:		11	111	68	33

Parking and Loading

Parking Spaces: 26 Bicycle Parking Spaces: 248 Loading Docks: 1

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