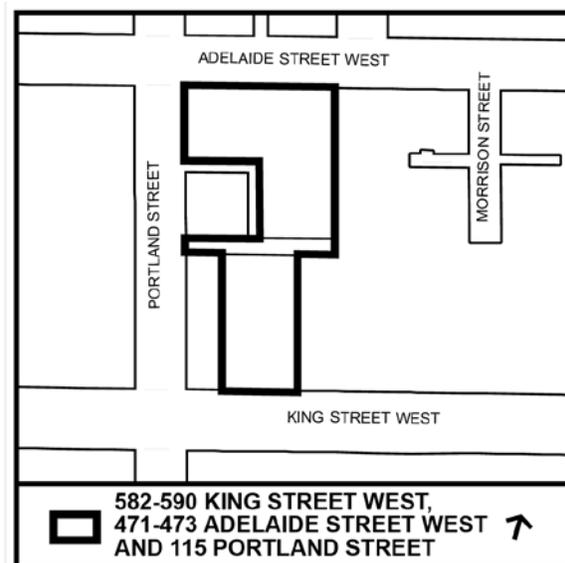


**582-590 King Street West, 471-473 Adelaide Street West and 115 Portland Street - Request for Direction Report**

<b>Date:</b>	May 18, 2018
<b>To:</b>	Toronto and East York Community Council
<b>From:</b>	Acting Director, Community Planning, Toronto and East York District
<b>Wards:</b>	Ward 20 – Trinity-Spadina
<b>Reference Number:</b>	17 215103 STE 20 OZ

**SUMMARY**

This application proposes to redevelop the site at 582-590 King Street West, 471-475 Adelaide Street West and 115 Portland Street with a mixed-use development containing retail uses at grade and office uses above. A six-storey building is proposed to front King Street West (at 582-590 King Street West) and will be connected to a 12-storey building located at 471-473 Adelaide Street West and 115 Portland Street. The property at 582-590 King Street West currently contains a four-storey building fronting King Street West connected to a four-storey building at 473 Adelaide Street West. The property at 471 Adelaide Street West contains a one-storey building and 115 Portland Street is occupied by a surface parking lot. The properties at 582-590 King Street West and 473 Adelaide Street West are listed on the City's Heritage Register. The property at 471 Adelaide Street West is identified as a contributing building in the King-Spadina Heritage Conservation District Plan (HCD). The application proposes to retain the heritage buildings at 582-590 King Street West and at 473 Adelaide Street West with additions above, and to demolish the heritage building at 471 Adelaide Street West.



The proposed development is not consistent with the Provincial Policy Statement (2014) (PPS) and does not conform with the Growth Plan for the Greater Golden Horseshoe (2017) (Growth Plan) as it relates to heritage conservation and overall built form.

The proposal also does not adequately address policies contained in the City's Official Plan, the King-Spadina Secondary Plan, the King-Spadina Secondary Plan review, the King-Spadina HCD Plan, the King-Spadina Urban Design Guidelines (2006), and, in its current form, does not conserve the heritage character and attributes of the heritage buildings at 582-590 King Street West, 471 Adelaide Street West and 473 Adelaide Street West. It also results in a height, form and massing that is not consistent with the King Spadina Built Form principles.

The purpose of this report is to seek Council's direction for the City Solicitor and other appropriate City Staff to attend a hearing at the Local Planning Appeal Tribunal (LPAT) (formerly the Ontario Municipal Board), in opposition to the applicant's current development proposal and appeal.

## **RECOMMENDATIONS**

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### **The City Planning Division recommends that:**

1. City Council direct the City Solicitor and City Staff, as appropriate, to attend the hearing at the Local Planning Appeal Tribunal and to oppose the Zoning By-law Amendment application for 582-590 King Street West, 471-473 Adelaide Street West and 115 Portland Street in its present form for the following reasons:
  - a. the proposal is inconsistent with the PPS (2014) as it does not promote a well-designed built form which appropriately conserves the built heritage resources that help define the character of the surrounding area;
  - b. the proposal fails to conform with the Growth Plan for the Greater Golden Horseshoe (2017) as it does not appropriately conserve the built heritage resources on the site and does not result in a high quality built form which fosters a sense of place;
  - c. the proposal does not conform to the Official Plan and the King Spadina Secondary Plan as it does not appropriately address heritage conservation policies and the King Spadina Built Form policies; and,
  - d. the proposal does not address the Council-approved King Spadina Heritage Conservation District Plan and the King Spadina Urban Design Guidelines because it does not conserve the on-site heritage properties and the Heritage Conservation District in general, and results in built form and massing inconsistent with the Design Guidelines and the District Plan.

2. City Council authorize the City Solicitor and City Planning staff to continue discussions with the applicant on a revised proposal which addresses the issues set out in this report (May 18, 2018) from the Acting Director, Community Planning, Toronto and East York District, including:
  - a. conserving the heritage properties at 582-590 King Street West, 471 Adelaide Street West and 473 Adelaide Street West, consistent with the Official Plan, the King-Spadina Secondary Plan and King Spadina Heritage Conservation District Plan;
  - b. reducing the proposed height and massing and increasing building setbacks to avoid overdevelopment of the site and to limit the negative impacts on the heritage properties;
  - c. Improving compliance with provincial policy, including the *Planning Act*, PPS (2014) and Growth Plan (2017);
  - d. improving compliance with Council's approved planning framework for the area including the King-Spadina Urban Design Guidelines (2006); and
  - e. improving compliance with emerging policies reflected in the King Spadina Secondary Plan review.
  
3. In the event that the Local Planning Appeal Tribunal (LPAT) allows the appeal in whole or in part, City Council direct the City Solicitor to request the LPAT to withhold the issuance of any Order on the Zoning By-law Amendment appeal for the subject lands until such time as:
  - a. The owner has provided draft by-laws to the LPAT in a form and with content satisfactory to the Acting Director, Community Planning Toronto and East York District and the City Solicitor;
  - b. The properties at 582-590 King Street West, 471 Adelaide Street West and 473 Adelaide Street West are designated under Part IV, Section 29 of the Ontario Heritage Act;
  - c. The owner has entered into a Heritage Easement Agreement with the City for the properties at 582-590 King Street West and 471-473 Adelaide Street West to the satisfaction of the Senior Manager, Heritage Preservation Services, including execution and registration of such agreement to the satisfaction of the City solicitor.
  - d. The owner has provided a Conservation Plan prepared by a qualified heritage consultant for the properties at 582-590 King Street West and 471-473 Adelaide Street West to the satisfaction of the Senior Manager, Heritage Preservation Services;

- e. The owner has addressed the outstanding items in relation to servicing, site access, loading, pedestrian clearway easement and lane widening, outlined in the memorandum from Engineering and Construction Services, dated December 21, 2017; and,
  - f. Community benefits and other matters of the development as are determined appropriate are secured in a Section 37 Agreement executed by the owner and registered on title to the satisfaction of the Acting Director, Community Planning, Toronto and East York District and the City Solicitor.
4. City Council authorize the City Solicitor and other City staff to take such necessary steps, as required, to implement the foregoing.

### **Financial Impact**

There are no financial implications resulting from the adoption of this report.

## **DECISION HISTORY**

### **Committee of Adjustment**

In 2002, the Committee of Adjustment approved application No. A555/01TO for variances to permit a two-storey addition over the existing buildings at 582-590 King Street West and 473 Adelaide Street West, and also a six-storey addition over the existing building at 471 Adelaide Street West. The requested variances were for overall building depth, and on-site parking and loading provisions.

### **Heritage**

The property at 582-590 King Street West, which includes the building at 473 Adelaide Street West, is listed on the City's Heritage Register, adopted by City Council on May 17, 18 and 19, 2005.

On October 2, 2017 Toronto City Council adopted recommendations to designate the King-Spadina Heritage Conservation District under Part V of the Ontario Heritage Act and adopted the King-Spadina HCD Plan.

### **Pre-Application Meeting**

Pre-application meetings were held with the applicant on May 13, 2015, and also on February 1, 2016, followed by a pre-application community consultation meeting on June 27, 2016. The original built form shown to staff at the 2015 meeting was quite similar to that which was eventually submitted with the Zoning Amendment application in terms of height at 51 metres (56 metres including the mechanical penthouse), building setbacks and stepbacks and heritage preservation. The main difference was a curved roof over the King Street portion of the addition, which, based on comments from staff, was replaced with a traditional flat roof for the submission.

In response to the original concept, staff provided written comments dated June 17, 2015, indicating concerns related to, among other matters, height, stepbacks and heritage conservation. Mainly, it was noted that the stepbacks of the additions were not sufficient to appropriately conserve the scale, form and massing of the heritage buildings. It was also noted that, while, in some instances additional height can be contemplated for non-residential buildings as these have greater floor to ceiling height requirements, the proposed height when coupled with minimal upper storey stepbacks, resulted in a built form and massing that was inappropriate for the King Spadina West Precinct. It was also noted that the depth of the site, which spans the block from King Street West to Adelaide Street West, provides ample opportunity to provide adequate stepbacks which not only properly correspond to the proposed height, but also conserve the heritage buildings below. Finally, a requirement for a Publicly Accessible Open Space (POPS) at the northwest corner of the site was also identified.

### **Application Submission and Community Consultation**

The current application was submitted on August 11, 2017, and deemed complete on September 6, 2017. A Preliminary Report on the application was adopted by the Toronto and East York Community Council on November 14, 2017, authorizing staff to conduct a community consultation meeting with an expanded notification area. A community consultation meeting took place on March 6, 2018, with approximately 40 members of the community in attendance. Some of the key comments identified at that meeting included concerns with traffic, loading and vehicular site access, sun/shadow impacts on the Fashion House and 10 Morrison condominium buildings to the east, heritage conservation in relation to overall mass and building materials and general over-development of the surrounding neighbourhood. There was also some support for the proposed office use.

### **LPAT Appeal**

The proposal was appealed to the LPAT (Ontario Municipal Board at the time of the appeal) on December 12, 2017, for failure by the City to issue a decision within the time, 120 days, prescribed by the Planning Act. The appeal was made exactly 120 days after the application was submitted.

## **ISSUE BACKGROUND**

### **Proposal**

The proposal is to redevelop the site with a six-storey plus mechanical floor building at 582-590 King Street West and a 12-storey building at 471-473 Adelaide Street West and 115 Portland Street. The existing four-storey heritage buildings at 582-590 King Street West and 473 Adelaide Street West will be retained while the one-storey heritage building at 471 Adelaide Street West will be demolished to accommodate the proposal. The proposal will be constructed as an addition above the retained heritage buildings, thereby resulting in a two-storey plus mechanical floor addition over the King Street building and an eight-storey addition over the Adelaide Street Building. The total building height along the King Street frontage will be 26 metres and the height along the Adelaide Street West and Portland Street frontages will be 51 metres (56 metres

including the mechanical penthouse). A series of setbacks and stepbacks are proposed as described below:

*King Street West:*

The existing heritage building is generally located on the King Street West lot line. The proposed addition will be stepped back between 6.5 metres and 7.0 metres from the front wall of the existing building, but the sixth and seventh floor will cantilever over the fifth floor below, resulting in a stepback of 3.9 to 4.5 metres. Additionally, the east and west corners of the addition will be notched-out and will stepback approximately 11 metres from the King Street façade and 3.9 metres and 5.7 metres from the east and west facades respectively. Beyond these notch-out areas, the east and west façades will be located on their respective property lines creating party wall conditions with adjacent properties.

*Adelaide Street West and Portland Street:*

The heritage building at 473 Adelaide Street West to be retained is located on the street property line, whereas, the new portions of the proposal replacing the heritage building at 471 Adelaide Street West and the surface parking lot at the northeast corner of Adelaide Street West and Portland Street propose a ground-floor setback of just over three metres from the Adelaide Street West and Portland Street property lines. Above this, this setback will be eliminated and the building will cantilever over the ground floor towards the Adelaide Street West and Portland Street property lines up to the fifth floor. One exception to this is a small portion of the centre of the proposed building immediately adjacent to the retained heritage building (473 Adelaide Street West) which will setback 3.1 metres from Adelaide Street for the first five storeys creating an interior glass atrium. This atrium will serve as the main commercial lobby and will make visible a portion of the side (west) façade of the heritage building.

At the sixth storey, the proposal steps back just over 3.0 metres from Adelaide Street West and Portland Street, and this stepback is reduced to 1.5 metres for the remainder of the building (floors 7-12). Above this, the mechanical penthouse will stepback just over nine metres from Adelaide Street West and Portland Street.

*Parking, Loading and Site Access*

The proposal contains 122 vehicular parking spaces located in a below-grade parking garage accessed via a new driveway off of Portland Street, immediately south of the existing lane. A total of 75 long-term and 28 short-term bicycle parking spaces will be located at grade. Loading spaces, located at grade in the northeast corner of the building, are proposed to be accessed via an existing lane off of Portland Street, with an exit into Adelaide Street West. The proposal also includes two existing loading spaces located within the public lane just north of King Street West.

Please refer to the applicant's submitted architectural drawings found in Attachments 1-6 for more information. Additional project data is available on the Application Data Sheet found as Attachment 8.

## Site and Surrounding Area

The irregular, a 'T'-shaped site has approximately 47 metres of frontage on King Street West, 62 metres on Adelaide Street West and 31 metres along Portland Street, with a total area of just over 5,000 square metres.

The site contains a four-storey heritage building at 582-590 King Street West which is connected to a four-storey heritage building located at 473 Adelaide Street West by a bridge structure that spans a public lane below. A one-storey heritage building at 471 Adelaide Street West is located at the eastern limit of the site. The northwest corner of the site is occupied by a surface parking lot, at 115 Portland Street, and also contains two public lanes, the first of which runs east-west just north of King Street West with access onto Portland Street. The second lane is L-shaped and runs east from Portland Street and then south to connect with the east-west lane mentioned above.

The following uses are found surrounding the site:

**South:** On the south side of King Street, east of Portland Street, are a series of two and three-storey commercial buildings with a five-storey commercial buildings located mid-block at 545 King Street West. West of Portland Street, south side of King Street, also contains a series of one and two-storey commercial buildings. Farther west is a 15-storey residential building, approved by the Ontario Municipal Board, located at 621 King Street West.

**East:** Fronting King Street – Immediately adjacent to the site to the east, on the north side of King Street West, is a two-and-a-half storey heritage building at 580 King Street West and east of this is a recently completed 12-storey residential building which incorporates a heritage building at 560 King Street West. This "C"-shaped building, known as Fashion House, fills the depth of the block and also has frontage on Adelaide Street West, abutting the subject site on the east side. Farther east is a site subject to a development proposal for a 12-storey mixed-use building containing office and residential uses (Application No. 18-125163 STE 20 OZ).

Fronting Adelaide Street – as noted above, just east of the site is a 12-storey residential building (Fashion House) followed by a 10-storey residential building. Farther east is a two-storey row house followed by four, two-storey row houses at 445-451 Adelaide Street West which are subject to a development proposal for an 11-storey office building (Application No. 17-209531 STE 20 OZ), currently under appeal before the LPAT. All five row house are listed on the City's heritage Register.

West: Fronting King Street – immediately west of the site, at the northeast corner of King Street West and Portland Street, is a four-storey heritage building at 600 King Street West.

Fronting Portland Street – on the east side of the street, between King Street West and Adelaide Street West, are four, two-storey house form buildings which are not included as part of the development proposal. Two of these buildings are listed on the City's Heritage Register.

On the west side of the street, at the northwest corner of King Street West and Portland Street, is another four-storey heritage building which has been incorporated into a recently approved mixed commercial-residential development that also has frontage on King Street West (for a 12-storey commercial building) and on Adelaide Street West (for a 16-storey residential building). Farther north along the west side of Portland Street are a number of two-storey house form buildings and a listed heritage building at the corner of Portland and Adelaide Streets.

North: Directly across the street from the site, at the northeast corner of Adelaide and Portland Streets, is a development proposal currently under review for a 12-storey mixed-use building (Application No. 16-228717 STE 20 OZ). East of this is a three-storey listed heritage building followed by a surface parking lot and a four-storey residential building. St. Andrew's Playground is located on the east side of Maud Street.

On the north side of Adelaide Street West, west of Portland Street, are a number of two-storey house form buildings, most of which are listed on the City's Heritage Register.

There are a number of heritage properties adjacent to the site including:

- 600 King Street West
- 578-580 King Street West
- 487 Adelaide Street West
- 490 Adelaide Street West
- 504-506 Adelaide Street West
- 98 & 102 Portland Street
- 105-107 Portland Street

## **Provincial Policy Statement and Provincial Plans**

Section 2 of the *Planning Act* sets out matters of provincial interest, which City Council shall have regard to in carrying out its responsibilities. The matters include:

- (d) the conservation of features of significant architectural, cultural, historical, archeological or scientific interest;
- (f) the adequate provision and efficient use of communication, transportation, sewage and water services and waste management systems;
- (r) the promotion of a built form that,
  - (i) is well designed;
  - (ii) encourages a sense of place;
  - (iii) provides for public spaces that are of high quality, safe, accessible, attractive, and vibrant

Provincial Policy Statements and geographically specific Provincial Plans, along with municipal Official Plans, provide a policy framework for planning and development in the Province. This framework is implemented through a range of land use controls such as zoning by-laws, plans of subdivision and site plans.

The Provincial Policy Statement (2014) (the "PPS") provides policy direction province-wide on land use planning and development to promote strong communities, a strong economy, and a clean and healthy environment. It includes policies on key issues that affect communities, such as:

- The efficient and wise use and management of land and infrastructure over the long term in order to minimize impacts on air, water and other resources;
- Protection of the natural and built environment;
- Building strong, sustainable and resilient communities that enhance health and social well-being by ensuring opportunities exist locally for employment;
- Residential development promoting a mix of housing; recreation, parks and open space; and transportation choices that increase the use of active transportation and transit; and
- Encouraging a sense of place in communities, by promoting well-designed built form and by conserving features that help define local character.

The provincial policy-led planning system recognizes and addresses the complex inter-relationships among environmental, economic and social factors in land use planning. The PPS supports a comprehensive, integrated and long-term approach to planning, and recognizes linkages among policy areas.

The PPS is issued under Section 3 of the *Planning Act* and all decisions of Council in respect of the exercise of any authority that affects a planning matter shall be consistent with the PPS. Comments, submissions or advice affecting a planning matter that are provided by Council shall also be consistent with the PPS.

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

The Growth Plan for the Greater Golden Horseshoe (2017) (the "Growth Plan") provides a strategic framework for managing growth and environmental protection in the Greater Golden Horseshoe region, of which the City forms an integral part, including:

- Establishing 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;
- Directing municipalities to engage in an integrated approach to infrastructure planning and investment optimization as part of the land use planning process;
- Building complete communities with a diverse range of housing options, public service facilities, recreation and green space that better connect transit to where people live and work;
- Retaining viable employment lands and encouraging municipalities to develop employment strategies to attract and retain jobs;
- Minimizing the negative impacts of climate change by undertaking stormwater management planning that assesses the impacts of extreme weather events and incorporates green infrastructure; 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 builds upon the policy foundation provided by the PPS and provides more specific land use planning policies to address issues facing the GGH region. The policies of the Growth Plan take precedence over the policies of the PPS to the extent of any conflict, except where the relevant legislation provides otherwise.

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 PPS and Growth Plan are more than an individual set of policies but are intended to be read in their entirety and relevant policies are to be applied to each situation. The policies of the Plans represent minimum standards. Council may go beyond these minimum standards to address matters of local importance, unless doing so would conflict with any policies of the Plans.

All decisions of Council in respect of the exercise of any authority that affects a planning matter shall be consistent with the PPS and shall conform with Provincial Plans. All comments, submissions or advice affecting a planning matter that are provided by Council shall also be consistent with the PPS and conform with Provincial Plans.

Policy 5.1 of the Growth Plan states that where a municipality must decide on a planning matter before its official plan has been amended to conform with this Plan, or before other applicable planning instruments have been updated accordingly, it must still consider the impact of its decision as it relates to the policies of the Growth Plan which require comprehensive municipal implementation.

Staff have reviewed the proposed development for consistency with the PPS (2014) and for conformity with the Growth Plan (2017). The outcome of staff analysis and review are summarized in the Comments section of the Report.

### **Toronto Official Plan and Urban Design Guidelines**

This application has been reviewed against the policies of the City of Toronto Official Plan, the King Spadina Secondary Plan (2006) and the King-Spadina Secondary Plan review, the King Spadina Urban Design Guidelines, the King Spadina Heritage Conservation District Study, the City-Wide Tall Buildings Design Guidelines and subsequent Official Plan Amendment 352 (Updating Tall Building Setbacks Downtown) and TO Core: Planning Toronto's Downtown as follows:

#### Chapter 2 - Shaping the City

In Section 2.2, Structuring Growth in the City: Integrating Land Use and Transportation, the Official Plan states that future growth within Toronto will be steered to areas which are well served by transportation choices and which have a number of properties with redevelopment potential. Areas that can best accommodate growth in the City and that are well served by transit are shown on Map 2 of the Official Plan. Map 2, Urban Structure, identifies the site as *Downtown*. Section 2.2.1 of the Official Plan identifies that the *Downtown* offers opportunities for substantial growth, but it is not anticipated that this growth will be uniform. Rather, it is expected that the physical setting of many areas will remain unchanged and that design guidelines specific to districts of historic or

distinct character will be implemented to ensure new development fits into the context of existing built form, setbacks, heights, and relationship to historic and landmark buildings.

### Chapter 3 - Building a Successful City

In Section 3.1.2, Built Form, the Official Plan states that architects and developers have a civic responsibility to create buildings that not only meet the needs of their clients, tenants and customers, but also the needs of the people who live and work in the area. New development in Toronto will be located and organized to fit with its existing and/or planned context. It will do this by generally locating buildings parallel to the street or along the edge of a park or open space, have a consistent front yard setback, acknowledge the prominence of corner sites, locate entrances so they are clearly visible and provide ground floor uses that have views into and access from the street. New development will also locate and organize vehicle parking and vehicular access to minimize their impacts on the public realm. Furthermore, new development will create appropriate transitions in scale to neighbouring existing and/or planned buildings, limit shadowing on streets, properties and open spaces, and minimize any additional shadowing and uncomfortable wind conditions on neighbouring parks as necessary to preserve their utility.

In addition to the policies identified above, new development will also be massed to define the edge of streets, parks and open spaces to ensure adequate access to sky views for the proposed and future uses. New development will provide public amenity, and enhance the public realm through improvements to adjacent boulevards and sidewalks through tree plantings.

Section 3.1.5, Heritage Conservation, contains policies related to the conservation of Toronto's cultural heritage, significant buildings, properties, districts, landscapes and archeological sites. On May 12, 2015, the former Ontario Municipal Board approved Official Plan Amendment 199 to provide further policy direction on development adjacent to heritage properties. In particular, Policy 3.1.5.4 states that heritage resources on the City's Heritage Register will be conserved and maintained. Additionally, Policy 3.1.5.26 states that, when new construction on, or adjacent to, a property on the Heritage Register does occur, it will be designed to conserve the cultural heritage values, attributes and character of that property and will mitigate visual and physical impact on it. Further, Policy 3.1.5.27 discourages the retention of façades 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 (HCD) to ensure the integrity of the district's heritage values, attributes and character are conserved in accordance with the HCD Plans.

### Chapter 4 – Land Use Designations

The site is designated *Regeneration Areas* on Map 18 of the Official Plan. *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 and office uses. The Official Plan contains policies related to

*Regeneration Areas* encouraging the restoration, re-use and retention of existing buildings that are for adaptable for re-use so as to encourage a broad mix of commercial, residential, light industrial and live-work uses, thereby revitalizing the areas of the City that are vacant or underused. Section 4.7.2 of the Official Plan provides development criteria in *Regeneration Areas*, to be guided by a Secondary Plan, which, in this case, is the King Spadina Secondary Plan.

The City of Toronto Official Plan can be found here: <https://www.toronto.ca/city-government/planning-development/official-plan-guidelines/official-plan/>.

### **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 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;
- The streetscape and open space improvements will be coordinated in new development; and,
- High quality open spaces will be provided.

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 agreement.

A major objective of the King Spadina Secondary Plan is to use the historic fabric of the area as the context within which to assess new development. Additionally, achieving a mixture of compatible land uses, and retaining and promoting commercial and light industrial uses is another major objective of the plan.

The King Spadina Secondary Plan can be found here: <https://www.toronto.ca/city-government/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", however, at its meeting on July 7, 2015, City Council expanded the boundary to also include the Spadina Precinct. At its meetings on August 25, 2014 and July 7, 2015 City Council endorsed a number of directions for the King-Spadina East Precinct to be used in reviewing current and future development applications including a downward gradation of tower heights from east to west from University Avenue towards Spadina Avenue, employing the city-wide Tall Buildings Guidelines to evaluate towers, particularly with regard to tower spacing and tower floor plates, and protecting the

network of mid-block connections and laneways as a defining feature of the public realm, and expanding these connections to further the pedestrian network.

The geographic boundaries of the study were further expanded to include the West Precinct, thereby including the entire King-Spadina Secondary Plan Area by Toronto and East York Community Council at its September 6, 2017 meeting, through their consideration of the Draft Policy Directions Report. Draft policy direction includes:

- Proposed land use redesignation from *Regeneration Areas* to *Mixed Use Areas*;
- Public realm strategy;
- Urban design guidelines;
- Built form policies; and,
- Provision of infrastructure.

The Community Council decision and staff report, which provides a detailed background of the decision history of studies within this Secondary Plan area can be found here: <http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2017.TE26.60>.

King Spadina is one of the highest growth areas in the City of Toronto. The King-Spadina Secondary Plan Review recognizes that this area has evolved from an area of employment (non-residential uses) into an area with a range of uses including residential. The updated Secondary Plan will recognize that while the area will continue to grow and change, it must do so in a way that positively contributes to liveability, is better supported by hard infrastructure and community infrastructure, and more carefully responds to the strong heritage and character of the area.

Staff anticipate that the Draft King Spadina Official Plan policies will be posted on the City Planning web site in 2018. A Final Report outlining the proposed Secondary Plan Amendments will be considered at a public meeting of the Toronto and East York Community Council under the *Planning Act*, after a consultation period to allow for public input on the draft policies.

### **TOcore: Planning Downtown**

At its May 1, 2018 meeting, Planning and Growth Management (PGM) Committee held a Special Public Meeting pursuant to Section 26 of the *Planning Act* and adopted a staff report entitled 'TOcore: Downtown Plan Official Plan Amendment', as amended, that recommended adoption of the Downtown Plan Official Plan Amendment (OPA). The recommended OPA includes amendments to Section 2.2.1 and Map 6 of the Official Plan, as well as a new Downtown Plan. Future amendments to existing Secondary Plans and Site and Area Specific Policies located within the Downtown area are recommended to be implemented once the OPA comes into force and effect. The Committee's recommendations have been submitted for City Council consideration at its May 23-25, 2018 meeting and can be found here:

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2018.PG29.4>.

The Committee also directed staff to meet as appropriate with deputants and report directly to City Council with any further recommendations.

This recommended OPA – in conjunction with the associated infrastructure strategies that address water, energy, mobility, parks and public realm and community services and facilities that were also adopted as separate items at the same Committee meeting – is the result of a three-year study called TOcore: Planning Downtown. The TOcore study 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. After a decade of unprecedented growth and development that has transformed Downtown into one of Canada's most desirable places to live and work, an updated planning framework is required to ensure that growth and the timely provision of infrastructure is addressed so that Downtown remains liveable and economically competitive. The Downtown Plan serves as a blueprint for future growth and infrastructure in the heart of Toronto over the next 25 years. It provides detailed direction on the appropriate scale and location of future growth. It also links this growth with infrastructure provision to ensure the creation of 'Complete Communities', addressing the requirements under the Provincial Policy Statement (2014) and the Growth Plan for the Greater Golden Horseshoe, 2017 (the "Growth Plan").

As part of the City of Toronto's Five Year Official Plan Review under Section 26 of the *Planning Act*, the Downtown Plan Official Plan Amendment (OPA) is a component of the work program to bring the Official Plan into conformity with the Growth Plan. The OPA is consistent with the Provincial Policy Statement (2014), conforms to the Growth Plan and has regard to matters of provincial interest under Section 2 of the Planning Act. It will be submitted to the Minister of Municipal Affairs for approval pursuant to Section 26 of the *Planning Act*.

On October 5-7, 2016, City Council adopted Official Plan Amendment (OPA) 352 – Downtown Tall Building Setback Area (currently under appeal). 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.

At its meeting on October 2-4, 2017, City Council considered the Proposed Downtown Plan and directed Staff to undertake stakeholder and public consultation on that document and its proposed policies, leading to the Downtown Plan Official Plan Amendment. At that meeting, Council directed Staff to consider the policies contained with the Proposed Downtown Plan in the review of all development applications within the Downtown going forward. This direction was reiterated by PGM Committee at its May 1, 2018

meeting, with a recommendation that City Council direct the Chief Planner and Executive Director, City Planning to use the Downtown Plan policies to inform evaluation of current and future development applications in the Downtown Plan area while the OPA is under consideration by the Minister of Municipal Affairs.

Further background information can be found at [www.toronto.ca/tocore](http://www.toronto.ca/tocore).

### **King Spadina Urban Design Guidelines (2006)**

Urban Design guidelines, in conjunction with the Official 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. Guidelines are crucial planning tools that assist in testing the appropriateness of development applications in the policy context. They are intended to assist in the implementation of the Official Plan policies for built form, and serve as a unified set of directions for the evaluation of development applications.

The Official Plan (Section 5.3.2: Implementation Plans and Strategies for City-Building, Policy 1) states that Guidelines will be adopted to advance the vision, objectives and policies of the Plan. Urban Design Guidelines, specifically, are intended "to provide a more detailed framework for built form and public improvements in growth areas."

The King-Spadina Urban Design Guidelines support the implementation of the King-Spadina Secondary Plan. These Guidelines state that new development should be compatible with existing heritage buildings in terms of massing, height, setbacks, stepbacks and materials. New development, within the context of existing adjacent buildings, should define and contribute to a high quality public realm. Development should reinforce the character and scale of the existing street wall in the immediate surrounding area. In addition, the scale of the building brought to the sidewalk should respond proportionally to the width of the right-of-way.

Section 4.3.3 Built Form of the Guidelines recognizes that new development in the West Precinct has a distinguishing character of uniform height, scale and massing, producing an effect of a maturing mid-rise neighbourhood, which is different from Spadina Avenue and the East Precinct.

Section 5 contains the built form guidelines that expand on Section 4. Section 5.2.1 emphasizes that the street wall should be designed to ensure pedestrian comfort and adequate light penetration. This can be achieved through a 1:1 ratio of building height relative to street width. New development should reinforce the continuity of the street wall of a particular street using existing building heights and setbacks as the basis for the design of the street frontage.

Further, Section 5.4.1 Building Heights affirms that the West Precinct is characterized by a homogenous form of low to mid-rise warehouse, office and mixed-use building patterns. The Guidelines state that applications displaying portions of buildings above the height limit set out in the Zoning By-law will be required to demonstrate no undue impacts on light, view, privacy and sunlight access on nearby properties.

Section 5.4.3 Angular Planes and Stepbacks stipulates that where buildings are permitted to be higher than the street wall height, a stepback will be required that is large enough to ensure that the higher portion does not overwhelm and detract from the consistency of the street wall from the perspective of the pedestrian experience. This section also considers that, even in situations where a particular development meets angular plane requirements and does not cause significant wind or shadow impacts, the height may still not necessarily be acceptable within its context.

Section 5.4.4 Light, View and Privacy states that taller building elements (i.e. above the as-of-right height permissions) should be evaluated on their ability to achieve optimum proximity, light, view and privacy conditions, as well as on their impact on other properties on the same block with similar potentials.

### **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>

## **Zoning**

Former City of Toronto By-law 438-86 designates the site RA "Reinvestment Area" which permits a range of uses including residential, commercial, office and retail. As part of the RA zoning controls, density standards were replaced by built form objectives expressed through height limits and setbacks. The maximum height permitted is 23 metres plus an additional five metres for the mechanical penthouse above this. A three-metre stepback is required above a height of 20 metres.

The site is also subject to Zoning By-law 569-2013 and is designated CRE (x77) (Commercial Residential Employment) which is substantially the same with regards to use, density and height as the former City By-law.

## **Site Plan Control**

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

## **Reasons for the Application**

Zoning By-law 569-2016 permits a height limit of 23 meters which the proposal would exceed by 28 metres which would result in a building height of 51 metres (56 including the mechanical penthouse). Other areas of non-compliance include, but are not limited to, reduced building setbacks and number of type of loading spaces.

## **Agency Circulation**

The application together with the applicable reports noted above, have been circulated to all appropriate agencies and City divisions. Responses received have been used to assist in evaluating the application.

## **COMMENTS**

### **Provincial Policy Statement and Provincial Plans**

Section 2 of the *Planning Act* requires municipalities to have regard for matters of provincial interest, including, as noted in Section 2(d) the conservation of features of significant architectural, cultural, historical, archaeological or scientific interest and in 2(r), the promotion of a built form that is well-designed and encourages a sense of place. In its current form, the proposed development does not have regard for these policies of the *Planning Act*.

The proposal has been reviewed and evaluated against the PPS (2014) and the Growth Plan (2017). The proposal has also been reviewed and evaluated against Policy 5.1 of the Growth Plan as described in the Issue Background section of this report.

Policy documents including the PPS, the Growth Plan and City's Official Plan must be read in their entirety and relevant policies must be applied to each situation. To this end, staff have determined that, while the proposal is consistent with some aspects of the PPS and the Growth Plan, particularly those related to the provision of employment opportunities, it is not consistent with other policies related built form and heritage conservation, as is discussed below.

The PPS encourages intensification and efficient development and requires that sufficient land be made available for intensification and redevelopment, however, it recognizes that local context is important and that well-designed built form contributes toward long-term economic prosperity. Policy 1.7.1. d states that long-term economic prosperity shall be supported by encouraging a sense of place, by promoting well-designed built form and cultural planning, and by conserving features that help define character, including built heritage resources.

Additionally, Policies 1.1.1 (g) and 1.1.3.2 (a) state that one of the factors to be considered in developing healthy, liveable and safe communities is ensuring that the necessary infrastructure, including public service facilities, are available to service the needs of residents. Policy 1.5.1 references the provision and the equitable distribution of public parks and open spaces in promoting healthy, active communities. The West Precinct of King-Spadina is challenged by numerous proposals for buildings which depart from the existing typology of mid-rise buildings. The growth of this part of the City is outpacing the City's ability to provide the necessary community services and facilities (parks and open spaces, daycare facilities and a range of community services), including the lack of appropriate sites to accommodate these facilities.

Policy 4.7 indicates that the Official Plan is the most important vehicle for implementing the PPS. Further, Policy 1.1.3.3 indicates planning authorities shall identify appropriate locations for intensification and redevelopment. In this context, the Official Plan further implements the direction of the PPS to require appropriate built form to fit harmoniously into its existing and planned context.

The Official Plan, which includes the King-Spadina Secondary Plan, contains clear, reasonable and attainable policies that protect provincial interests and direct development to suitable areas while taking into account the existing building stock, including numerous heritage buildings, and protects the character of the area, consistent with the direction of the PPS. In this context, although the proposal does represent intensification, it is not consistent with other objectives of the Official Plan and to that extent not consistent with the PPS, in that it does not fit harmoniously into its existing and planned context, and it represents overdevelopment of the site.

The Growth Plan builds on the policy foundation established by the PPS and provides more specific land use policies related to managing growth and providing environmental protection for the Greater Golden Horseshoe. Section 2.2.1 provides policies for managing growth and setting minimum density targets and Section 1.2.1. Guiding Principles, speaks to achieving complete communities, making efficient use of land and

transit and providing economic opportunities. Section 1.2.1 also speaks to conserving and promoting cultural heritage resources to support the social, economic and cultural well-being of communities. Furthermore, Section 4.2.7 indicates that cultural heritage resources will be conserved in order to foster a sense of place and benefit communities.

The Growth Plan for the Greater Golden Horseshoe identifies the Downtown as an Urban Growth Centre (UGC), which is a regional focal point for accommodating population and employment growth in complete communities that are well designed to meet people's needs for daily living throughout an entire lifetime. The Growth Plan builds on Section 2(r) of the *Planning Act*, which recognizes the promotion of 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 to be a provincial interest that municipalities and the LPAT shall have regard for in making their decisions. The Growth Plan policies also build on PPS Policy 1.7.1(d), which states that long term economic prosperity will be supported by encouraging a sense of place by promoting well-designed built form.

Policy 2.2.2.4 of the Growth Plan directs municipalities to develop a strategy to achieve minimum intensification targets which will identify the appropriate type and scale of development as well as transition of built form towards adjacent areas. Policy 5.2.5.6 states that, in planning to achieve the minimum intensification and density targets of the Plan, municipalities will develop and implement urban design and Official Plan policies, including other supporting documents, which direct the development of a high quality public realm and compact built form.

The King-Spadina area is located in the Downtown UGC, which is on track to achieve or exceed the UGC density target of 400 jobs and residents per hectare by 2031. The target is the average for the entire Downtown UGC area, and it is not for any one particular area within Downtown. The increased density that would result from the proposed development is not required to meet the minimum growth figures set out in the Growth Plan for the Greater Golden Horseshoe. Furthermore, Section 3.2.6 of the Growth Plan states the need to coordinate community infrastructure and growth. The amount of growth being accommodated in the West Precinct of the King-Spadina Secondary Plan area currently is challenging the ability of the City to provide a range of community services and facilities for residents and workers of this community and to ensure a high quality of life.

In this context, the Official Plan, the King-Spadina Secondary Plan, the King-Spadina Secondary Plan review, the King-Spadina HCD Study, the King-Spadina Urban Design Guidelines (2006), the Tall Buildings Design Guidelines, OPA 352 and Zoning By-laws 1106-2016 and 1107-2016 provide direction on the appropriate scale, massing, height and separation distances between buildings within the King-Spadina area. This proposal, in its current form, has not addressed the policy direction of the Official Plan and its supporting documents, and therefore challenges the conformity test with the Growth Plan.

## **Conformity with the Planning Framework for King-Spadina**

The application has been assessed in the context of the planning framework for King-Spadina, which includes the Official Plan, the King-Spadina Secondary Plan, the ongoing King-Spadina Secondary Plan Review, King-Spadina HCD Plan and the Tall Building Design Guidelines. The proposal does not meet the objectives of the King-Spadina planning framework as it does not conserve the heritage values, attributes and character of the heritage properties on the site and the of King-Spadina HCD in general as it does not provide sufficient setbacks and setbacks of new development from the heritage building elevations and proposes the demolition of the heritage building at 471 Adelaide Street West.

As well, the insufficient setbacks proposed for the taller elements of the proposal not only result in inadequate heritage conservation, but also does not promote well-designed built form which takes into account the local context as it results in a form, scale and massing that is inappropriate for the King Spadina West Precinct.

## **Heritage Impact and Conservation Strategy**

As noted, the site contains three heritage buildings located at 582-590 King Street West, 471 Adelaide Street West and 473 Adelaide Street West. The building at 471 Adelaide Street West is proposed to be demolished and, while the other two buildings will be retained, the proposed interface between the proposal and the existing buildings does not result in appropriate conservation of the buildings.

Along the King Street elevation, the proposed addition will be stepped back between 6.5 metres and 7.0 metres from the front wall of the existing building, however, the sixth and seventh floor will cantilever over the fifth floor below, resulting in a setback of 3.9 to 4.5 metres. Along the Adelaide Street façade, the proposal steps back 3.2 metres from the heritage building, however, this setback is reduced to 1.5 metres starting at the 7<sup>th</sup> storey.

The absence of sufficient setbacks has been assessed in the context of the planning framework for King-Spadina, which includes the Official Plan, the King-Spadina Secondary Plan, the ongoing King-Spadina Secondary Plan Review, King-Spadina HCD Plan and the Tall Building Design Guidelines. The proposal does not meet the objectives of the King-Spadina planning framework as it does not conserve heritage values, attributes and character of the heritage properties on the site and of the King-Spadina HCD in general.

In addition to the demolition of the heritage building at 471 Adelaide Street West, the application does not provide sufficient setbacks and setbacks for the new additions from the heritage building elevations at 582-590 King Street West and 473 Adelaide Street West. This would have a negative impact on the buildings' heritage character, attributes and value as four-storey commercial buildings in the King-Spadina HCD. This is not consistent with policies found in Section 3.1.5.26 of the Official Plan requiring that new construction on a property on the Heritage Register will be designed to conserve the cultural heritage values, attributes and character of that property and to mitigate visual

and physical impact on it. Further, Policy 6.2.1 of the King-Spadina HCD plan requires that contributing properties be conserved in a manner that ensures long-term conservation of the District's cultural heritage value, heritage attributes, and the integrity of the contributing property.

Additionally, Policies in 6.11 of the King-Spadina HCD Plan require that additions to contributing properties conserve the primary structure's three dimensional integrity as seen from the public realm, that additions to contributing commercial detached properties stepback from all elevations of the primary structure, that cantilevered portions of additions to contributing properties shall not be permitted above any required stepback or setback, that additions to the side elevations of contributing properties maintain the visibility of fenestrated side elevations from the public realm and that additions to contributing commercial detached properties will only be permitted when the proposed addition conserves the whole building.

The demolition of the heritage building at 471 Adelaide Street West would result in the permanent loss of this heritage resource and is contrary to Section 2.6 of the Provincial Policy Statement, 4.2.7.1 of the Growth Plan for the Greater Golden Horseshoe, Official Plan, King-Spadina Secondary Plan, and the King-Spadina Heritage Conservation District Plan.

While the base building portion of the new building at the corner of Adelaide Street West and Portland Street generally responds to the height of the heritage building at 473 Adelaide Street West, the absence of a meaningful and visible stepback of the taller portion provides an incompatible relationship with both the adjacent heritage building and the heritage character of the district in general. The massing policies in 7.6 of the King-Spadina HCD Plan and the Policy 3.1.5.26 of the Official Plan apply in this case.

### **Height and Massing**

In addition to insufficient heritage conservation, from a built form perspective, the proposed development does not adequately address the King Spadina built form policies found in Section 3.6 of the Secondary Plan. Along Adelaide Street West and Portland Street, it results in a streetwall that is too tall for the West Precinct as it does not establish an appropriate base building height with sufficient stepbacks above for taller elements. Additionally, the proposed height of 51.5 meters (56.5 metres including the mechanical penthouse) is substantially taller than the 45 metre maximum, including mechanical elements, recognized by the King Spadina Secondary Plan review. The proposed height does not respond to the heritage context and represents overdevelopment of the site. Official Plan policies regarding built form require that new development "fit harmoniously into its existing and/or planned context." The proposed development fails to comply with these policies in the Official Plan.

As well, the tower portion of the development has a floor plate of over 2,000 square metres resulting in a boxy, dominant massing that does not achieve a compatible relationship with the King Spadina built form context.

## **Sun, Shadow and Wind**

The Pedestrian Wind Comfort Assessment submitted with the application shows no adverse impacts created by the proposed development. Some wind mitigation measures are proposed for the outdoor rooftop amenity area located above floor 12.

The submitted Shadow Study shows significant new shadow on St. Andrew's Playground between 10:18 am and 2:18 PM on December 21<sup>st</sup>. This does it conform with Official Plan Built Form Policy 3.1.2, particularly Policy 3f), requiring new development to be massed in a manner that minimizes any additional shadowing on neighbouring parks. Furthermore, it also does not address Policy 9.1.3 of the Council-adopted King Spadina Heritage Conservation District Plan requiring that new development limit new net shadows on St. Andrew's Playground.

## **Traffic Impact, Access, Parking and Loading**

The proposal includes loading access via the L-shaped lane off of Portland Street with an exit onto Adelaide Street at the eastern-most limit of the site. Immediately adjacent to the loading access lane, the application proposes a 10.9 metre-wide private driveway access for cars. This driveway, when combined with the width of the existing lane, results in a curb cut width of approximately 15 metres which is unacceptable, and is not consistent with Official Plan Built Form Policy 3.1.2.2, requiring that vehicular access be sited in a location which minimizes impact on the property and consolidates with existing access points, including public lanes, so as to limit curb cuts across public sidewalks. To this end, Transportation Services staff recommend that the access scheme be revised to utilize the existing public lane, thereby eliminating the need for the private driveway.

A total of two Type B and Two Type C loading spaces are required to accommodate the proposal, however, four Type B and one Type C spaces are proposed. Two of the Type B loading spaces are proposed within the east-west public lane which is not permitted. The proposal must be revised to show the correct number and type of loading spaces, all accommodated on appropriate locations on private property.

A total of 122 vehicular parking spaces are proposed which satisfies the minimum parking requirements (88 spaces) for Downtown and Central Waterfront Policy Area 1 in By-law 569-2013 and does not exceed the maximum permitted (201 spaces).

## **Lane Widening**

The King Spadina Secondary Plan contains Urban Structure Policy 3.1 requiring that the existing network of public lanes be used and enhanced in accommodating new development. In this instance, Engineering and Construction Services staff have identified a lane widening requirement of 0.87 metres for the full extent of the L-shaped lane which runs east of Portland Street and turns south toward King Street. While the required conservation of the heritage buildings on site will actually prohibit the widening of the north-south section of this lane, widening of the east-west section is still required but is not currently shown on the proposed plans. Further, a 1.5 metre by 1.5 metre daylight triangle to be conveyed to the City is required for the intersection of the L-

shaped lane and the lane running east-west, east of Portland Street and north of King Street West. This daylight triangle is also currently not shown on the proposed plans.

Additionally, the east-west lane north of King Street West is shown as private lands on the proposal, however, Transportation Services staff have confirmed that this lane is included on the City of Toronto Official Record of Highways as a public lane. The width of this lane meets City of Toronto standards and therefore lane widening is not required.

### **Streetscape**

Due to the narrow width of the public boulevard at the southeast corner of Adelaide Street West and Portland Street, a 5 metre corner rounding pedestrian clearway conveyance is required to satisfy Official Plan policies related to the creation of a pedestrian-friendly urban environment, including additional width for pedestrians at intersections. This corner rounding is not currently shown on the proposed plans. Additionally, as per the City of Toronto Vibrant Streets Design Guidelines, it is recommended that the pedestrian clearway along Portland Street, currently shown at 2.75 metres, be increased to 3.0 metres.

### **Servicing**

Engineering and Construction Services staff require a revised Functional Servicing Report and completed intake checklists for the Hydrological Review Summary and Functional Servicing Report Groundwater Summary. The applicant was advised of these required revisions in a memorandum from Engineering and Construction Services dated December 21, 2017. To date these revised reports have not been received.

### **Open Space and Parkland**

The Official Plan contains policies to ensure that Toronto's systems of parks and open spaces are maintained, enhanced and expanded. The site is in the highest quintile of current provision of parkland, and, 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.

### **Privately-Owned Publicly Accessible Open Space (POPS)**

Provision of a Privately-owned publicly accessible open space (POPS) located at the northwest corner of the site is recommended by staff, but not currently proposed by the applicant. A POPS in this location would contribute a positive element to the proposal and would be consistent with the King Spadina Secondary Plan review which contemplates the addition of POPS spaces on sites currently occupied by surface parking lots, such as the one at the southeast corner of Adelaide Street West and Portland Street. Further, this is the same location where a requirement for a pedestrian corner rounding has been identified and, therefore, the required corner rounding can further enhance the POPS. While the corner rounding must be conveyed to the City at a nominal cost, the POPS will remain privately owned. It is staff's recommendation that a POPS be secured

in the Section 37 Agreement and its final design be secured through the Site Plan Control approval process.

### **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 or Registered Plan of Subdivision.

Should the By-law Amendment application be approved in some manner, the Owner shall construct and maintain the development in accordance with Tier 1 performance measures of the Toronto Green Standard, as adopted by Toronto City Council at its meeting held on October 26 and 27, 2009, through the adoption of item PG32.3 of the Planning and Growth Committee, as further amended by City Council from time to time.

### **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*. City Planning staff recommend that the City Solicitor be directed to request the LPAT, in the event it determines to allow the appeals in whole or in part, to withhold any Order that may approve the development until such time as the City and the applicant have presented draft by-laws to the LPAT in a form acceptable to the Acting Director, Toronto and East York District and the City Solicitor. This includes providing for the appropriate Section 37 benefits to be determined and incorporated into any zoning by-law amendment and a satisfactory Section 37 agreement has been entered into as between the City and the owner, and registered on title, all to the satisfaction of the Acting Director, Toronto and East York District and the City Solicitor.

### **Conclusion**

The proposal has been reviewed against the policies of the *Planning Act*, the PPS (2014), the Growth Plan (2017) and the Toronto Official Plan. Staff are of the opinion that the proposal is not consistent with the PPS (2014) and conflicts with the Growth Plan (2017). Further, the proposal is not in keeping with the intent of the Toronto Official Plan, particularly as it relates to heritage conservation policies found in Section 3.1.5 and the built form policies found in the King Spadina Secondary Plan. The proposal does not adequately conserve the existing heritage properties and results in a built form and massing that does not achieve a compatible relationship with the King Spadina built form context.

The proposal does not represent good planning and is not in the public interest and, therefore, staff recommend that the City Solicitor, together with City Planning and other appropriate staff, be directed to attend the LPAT hearing in opposition to the appeal. Staff also recommend that City Council authorize the City Solicitor and City Planning staff to continue discussions with the applicant on a revised proposal which addresses the issues as set out in this report.

## **CONTACT**

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Tel. No. 416-392-7216  
E-mail: Joanna.Kimont@toronto.ca

## **SIGNATURE**

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

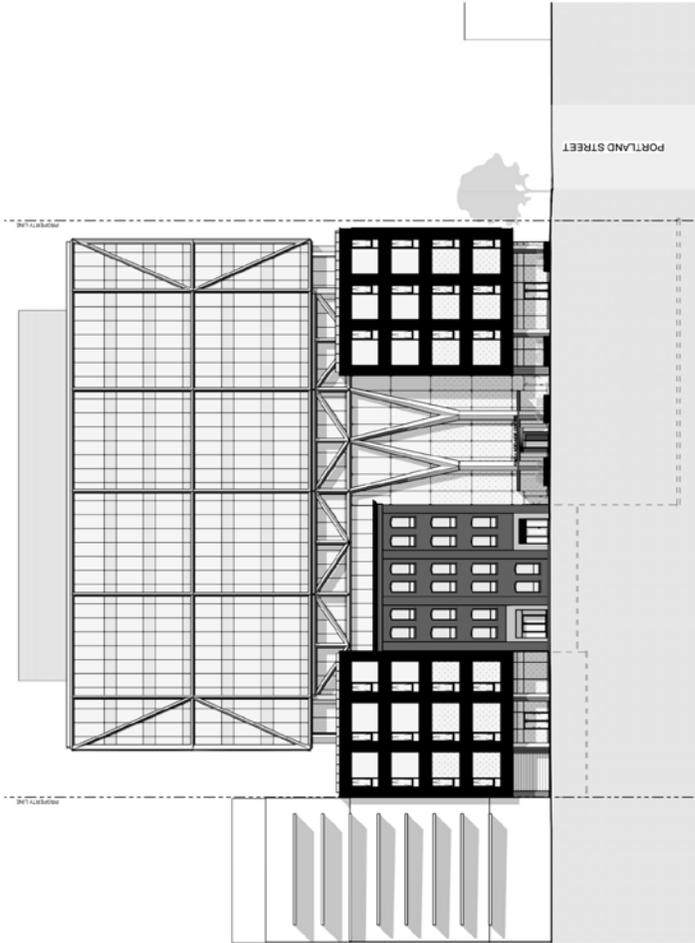
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## **ATTACHMENTS**

Attachment 1: Applicant's General Layout Plan  
Attachment 2: Applicant's North Elevation –  
Attachment 3: Applicant's South Elevation  
Attachment 4: Applicant's South Elevation (as seen from laneway)  
Attachment 5: Applicant's West Elevation  
Attachment 6: Applicant's East Elevation  
Attachment 7: Zoning By-law Map  
Attachment 8: Application Data Sheet



**Attachment 2: North Elevation**



**North Elevation**

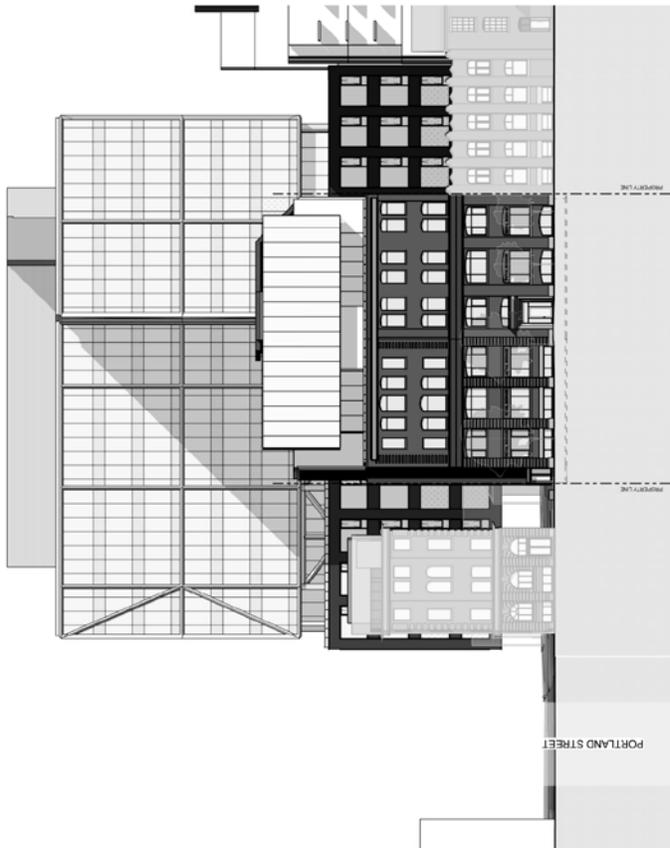
Applicant's Submitted Drawing

Not to Scale  
05/17/2018

**582-590 King Street West, 471-473 Adelaide Street West  
and 115 Portland Street**

File # 17 215103 STE 20 02

**Attachment 3: South Elevation**



**South Elevation**

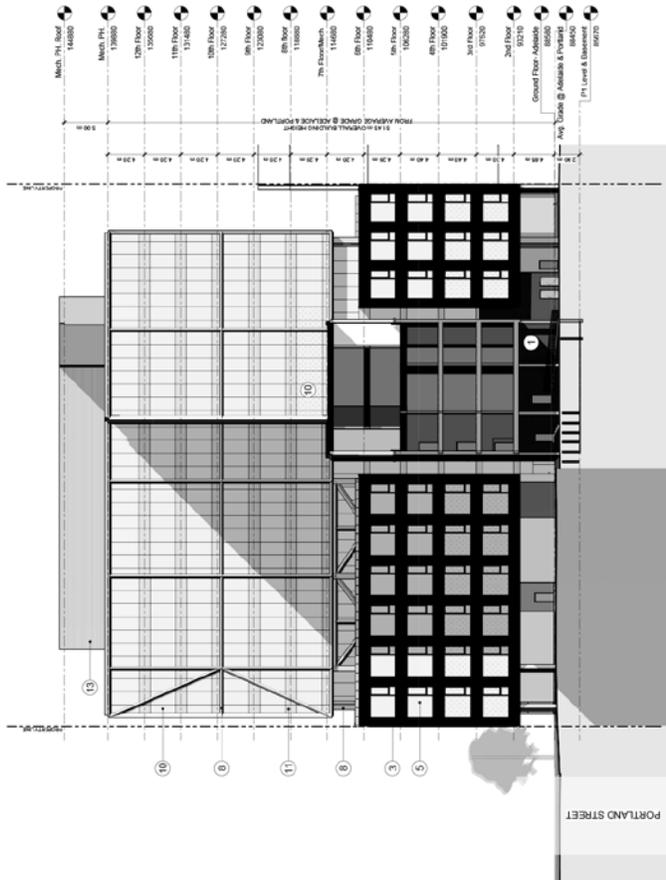
Applicant's Submitted Drawing

Not to Scale  
05/17/2018

**582-590 King Street West, 471-473 Adelaide Street West  
and 115 Portland Street**

File # 17 215103 STE 20 0Z

**Attachment 4: South Elevation (seen from laneway)**



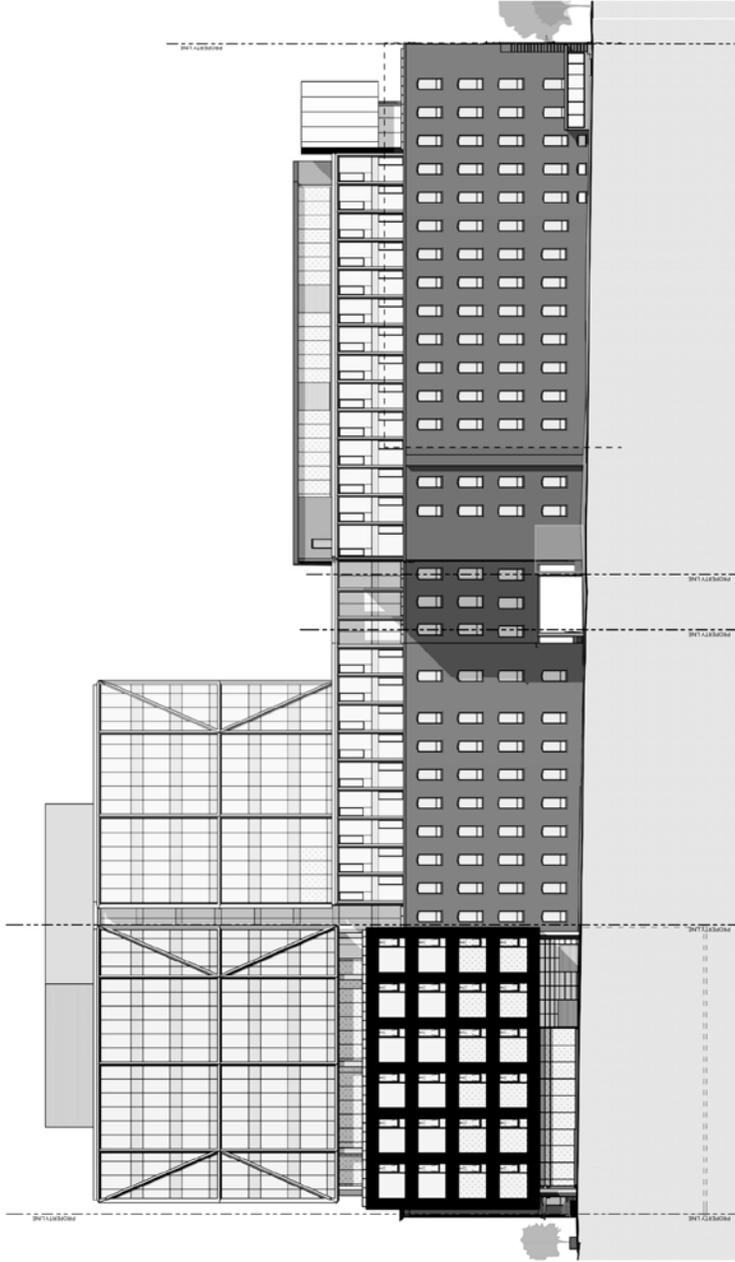
**South Elevation @ Laneway**  
**582-590 King Street West, 471-473 Adelaide Street West**  
**and 115 Portland Street**

Applicant's Submitted Drawing

Not to Scale  
 10/18/2017

File # 17 215103 STE 20 02

**Attachment 5: West Elevation**



**West Elevation**

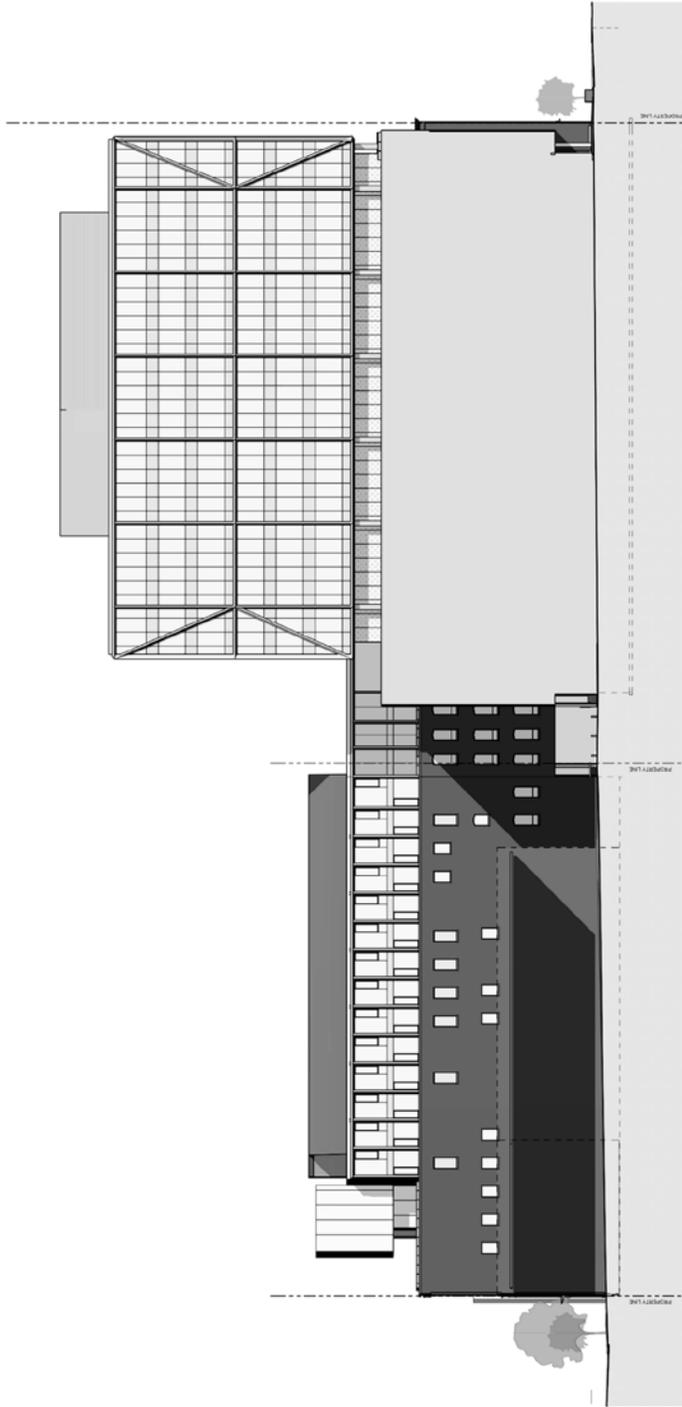
Applicant's Submitted Drawing

Not to Scale  
05/17/2018

**582-590 King Street West, 471-473 Adelaide Street West  
and 115 Portland Street**

File # 17 215103 STE 20 0Z

**Attachment 6: East Elevation**



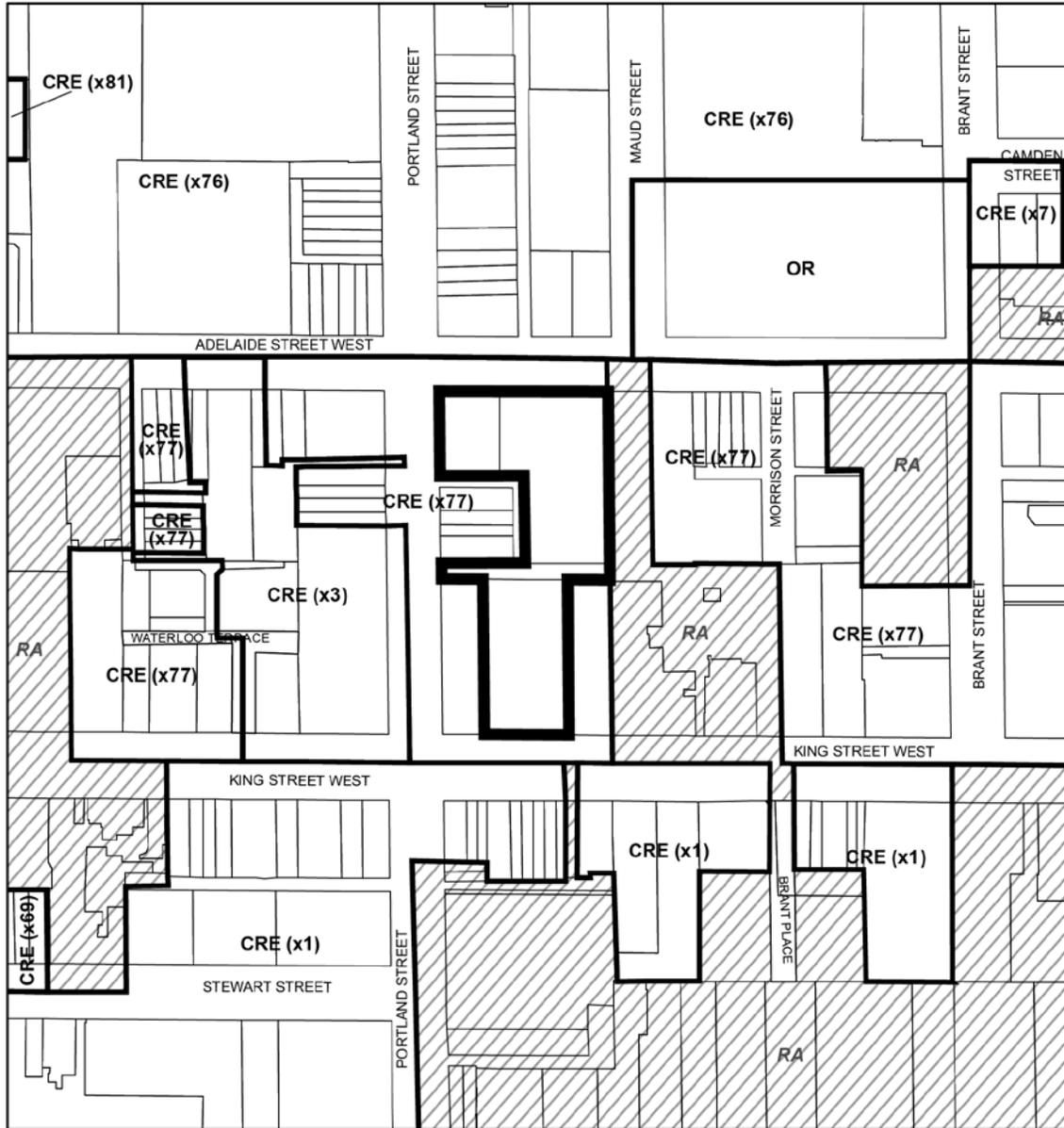
**East Elevation**  
Applicant's Submitted Drawing

**582-590 King Street West, 471-473 Adelaide Street West  
and 115 Portland Street**

Not to Scale  
05/17/2018

File # 17 215103 STE 20 0Z

## Attachment 7: Zoning By-law Map



**582-590 King Street West, 471-473 Adelaide Street West  
and 115 Portland Street**

**Zoning By-Law No. 569-2013**

File # 17 215103 STE 20 OZ

Location of Application

CRE Commercial Residential Employment

OR Open Space Recreation



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

RA Mixed-Use District



Not to Scale  
Extracted: 10/18/2017

## Attachment 8: Application Data Sheet

Application Type	Rezoning	Application Number:	17 215103 STE 20 OZ
Details	Rezoning, Standard	Application Date:	August 11, 2017

Municipal Address: 582-590 KING ST W, 471-473 ADELAIDE ST W, 115 PORTLAND ST

Location Description: PLAN 1086 LOTS 2,3,5 PLAN D108 LOT 4 \*\*GRID S2014

Project Description: This zoning amendment application proposes to retain the existing heritage buildings located at 582-590 King Street West and 473 Adelaide Street West and to construct a two-storey addition to the King Street building and an eight-storey addition to the Adelaide Street building. The King Street building will have a total height of 26.25 meters and the Adelaide Street building will have a height of 51.45 metres. The proposed use is office and will include 23, 960 square metres of new gross floor area. Three loading spaces and four levels of underground parking will be provided.

<b>Applicant:</b>	<b>Agent:</b>	<b>Architect:</b>	<b>Owner:</b>
KFA ARCHITECTS AND PLANNERS	KFA ARCHITECTS AND PLANNERS	KFA ARCHITECTS AND PLANNERS	738489 ONTARIO LIMITED

### PLANNING CONTROLS

Official Plan Designation:	Regeneration Areas	Site Specific Provision:	
Zoning:	CRE (x77)	Historical Status:	Y
Height Limit (m):	23	Site Plan Control Area:	

### PROJECT INFORMATION

Site Area (sq. m):	5073.26	Height:	Storeys:	12
Frontage (m):	29.4		Metres:	51.45
Depth (m):	126			
Total Ground Floor Area (sq. m):	3223			<b>Total</b>
Total Residential GFA (sq. m):	0		Parking Spaces:	122
Total Non-Residential GFA (sq. m):	36964		Loading Docks	5
Total GFA (sq. m):	36964			
Lot Coverage Ratio (%):	63			
Floor Space Index:	7.3			

### DWELLING UNITS

### FLOOR AREA BREAKDOWN (upon project completion)

		Above Grade	Below Grade
Tenure Type:			
Rooms:	0	Residential GFA (sq. m):	0
Bachelor:	0	Retail GFA (sq. m):	3335
1 Bedroom:	0	Office GFA (sq. m):	33629
2 Bedroom:	0	Industrial GFA (sq. m):	0
3 + Bedroom:	0	Institutional/Other GFA (sq. m):	0
Total Units:	0		

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