

328 - 340 Adelaide St W – Rezoning Application - Preliminary Report

Date:	November 4, 2010
To:	Toronto and East York Community Council
From:	Director, Community Planning, Toronto and East York District
Wards:	Ward 20 – Trinity-Spadina [or All]
Reference Number:	10 239523 STE 20 OZ

SUMMARY

This application was made on or after January 1, 2007 and is subject to the new provisions of the Planning Act and the City of Toronto Act, 2006.

This application proposes to demolish the existing buildings at 328-340 Adelaide St West, and to construct a new 40 storey mixed use building containing 330 residential units and 118 parking spaces within 5 levels of below-grade parking. Retail at grade, and commercial office space on the second and third floors are also proposed.

This report provides preliminary information on the above-noted application and seeks Community Council's directions on further processing of the application and on the community consultation process.

Planning staff circulated the application to other City departments for review and comment. With City Council's direction, staff will host a community consultation meeting in early 2011. Staff targets a Final Report in the third quarter of 2011. This target date assumes the applicant will provide all required information in a timely manner.



RECOMMENDATIONS

The City Planning Division recommends that:

1. Staff be directed to schedule a community consultation meeting for the lands at 328 – 340 Adelaide Street West, together with the Ward Councillor.
2. Notice for the community consultation meeting be given to landowners and residents within 120 metres of the site.
3. Notice for the public meeting under the Planning Act be given according to the regulations under the Planning Act.

Financial Impact

The recommendations in this report have no financial impact.

DECISION HISTORY

King-Spadina Built Form Review

In 2005, the King-Spadina Secondary Plan review was initiated by Council to evaluate development issues in King-Spadina related to entertainment uses, community facilities, public realm and built form. In September 2006 Council enacted amendments to the secondary plan and Zoning By-law for the area. The amendments were appealed to the Ontario Municipal Board (OMB) and many of these appeals have since been withdrawn or resolved. A further prehearing on the outstanding appeals has not yet been scheduled by the OMB

King-Spadina East Precinct Built Form Study

In April 2008, Council directed staff to undertake a further study of the built form in the East Precinct of the King-Spadina Secondary Plan Area in response to the large number of applications that continued to challenge the planning framework of the area. The study recognizes areas within the East Precinct, which have been identified as Second Tier height areas that can accommodate more height than currently permitted as-of-right. Additional height is subject to meeting the criteria for development as set out in the King-Spadina Secondary Plan, the 2006 King-Spadina Urban Design Guidelines, the City's Tall Building Guidelines, and providing an appropriate Section 37 contribution. Any proposal seeking a Second Tier height beyond the current zoning permission of 30 m plus 5 m for mechanical will be required to undergo a rezoning process.

This framework for considering development applications within the East Precinct was considered by City Council at its meeting of September 30, October 1, 2009 and has been applied to the review of development applications subsequent to Council consideration.

Pre-Application Consultation

Pre-application consultation meetings were held with the applicant to discuss complete application submission requirements. In these meetings, staff raised issues with respect to minimum building facing distances and setbacks, the number of residential, commercial, and visitor parking spaces, and height.

ISSUE BACKGROUND

Proposal

The proposed development is a 40-storey mixed-use building that fronts both Adelaide Street West and Peter Street and consists of an 11 storey podium, with a 29-storey tower on top. The tower including the mechanical penthouse will rise to a height of 130 metres (426 feet). The floorplate of the tower is approximately 686 square metres (7,384 square feet).

The base of the building will be set back 1.5 metres from Adelaide Street West. Floors 4 to 11 will cantilever out from the lower floors by 2.03 metres and 0.75 metres, along the north and east edges of the building, respectively. The tower will be set back from the edge of the podium by 3.0 metres along both the Adelaide Street West and Peter Street facades.

The total residential floor area is 25,720 square metres (276,856 square feet). The ground floor will consist of 266 square metres (2,863 square feet) of retail floor area. The second and third floor will have a total of 1,549 square metres (16,673 square feet) of commercial office floor area. A total of 363 square metres (3,907 sq ft) of indoor amenity space is proposed. The resulting floor space index is 23.84 times the area of the lot.

The total number of proposed residential units in the development is 330. A total of 100 residential, and 18 combined office/visitor parking spaces, as well as, 94 bicycle parking spaces are proposed.

Site and Surrounding Area

The site is on the north-east corner of Adelaide Street West and Peter Street. The site is 1155 square metres in area, rectangular in shape, and has a frontage of about 40 metres on Adelaide Street West and a depth of about 28 metres. The site is bounded by a 7.6 metres wide public lane (Drummond Place) to the east and a 4.13 metre wide public lane to the north. There are two buildings on the site: a one-storey wood frame building on the westerly portion of the site that is currently being used as a restaurant; and a two-storey brick building that was previously a nightclub and now sits vacant.

Surrounding uses include:

North: A 9-storey commercial office building is located on the north side of the public lane at 111 Peter Street. The ground floor of the building along Peter Street includes retail space, vehicular access for loading, and pedestrian access into the commercial office.

Further north of the site, at the south-east corner of Peter Street and Richmond Street West, there are two existing buildings: a 3-storey warehouse commercial building at 117 Peter Street and a 2 to 3-storey wedge-shaped commercial building at 287 Richmond St W. There is currently an application proposing a 36-storey mixed use building containing retail and office uses in a 4 storey podium occupying the majority of the site and 32-storey residential tower above, with an overall height of 124 metres, including mechanical elements. The proposal includes approximately 446 residential units.

East: There is a 6-storey office building on the east side of Drummond Place, fronting onto Adelaide Street West. Further east is an 8-storey brick commercial building. East of Widmer Street, there are five, 3 storey Victorian row houses that face Adelaide Street West. These have been converted to retail and commercial uses. These row houses were identified through the East Precinct Built Form and Master Plan studies as important properties that contribute to the heritage character of King-Spadina. East of these there is a proposed 37-storey mixed use building at 288A, 290 and 294 Adelaide Street West. A Final Refusal Report dated May 31, 2010 report was before Toronto and East York Commuunity Council on August 18, 2010, however it was deferred.

West: On the northwest corner of Adelaide Street West and Peter Street is a 3-storey Victorian house, with a listed status in the City's Inventory of Heritage Properties. The ground floor is currently being used for retail purposes, while the upper storeys contain residential units. To the north of this site, is a 2-storey building which is used as a nightclub.

South: On the southeast corner of Adelaide Street West and Peter Street, is a 10-storey former warehouse building that is currently used for commercial office purposes. The building is also listed in the City's Inventory of Heritage Properties. To the south of this site are a private parking lot, 2 3-storey brick buildings, and the 16-storey Hilton Garden Inn.

Provincial Policy Statement and Provincial Plans

The Provincial Policy Statement (PPS) provides policy direction on matters of provincial interest related to land use planning and development. The PPS sets the policy foundation for regulating the development and use of land. The key objectives include: building strong communities; wise use and management of resources; and, protecting public health and safety. City Council's planning decisions are required to be consistent with the PPS.

The Growth Plan for the Greater Golden Horseshoe provides a framework for managing growth in the Greater Golden Horseshoe including: directions for where and how to grow; the provision of infrastructure to support growth; and protecting natural systems and cultivating a culture of conservation. City Council's planning decisions are required to conform, or not conflict, with the Growth Plan for the Greater Golden Horseshoe.

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

Official Plan

The site is located in the *Downtown* and in the King-Spadina Secondary Plan Area. The site is designated *Regeneration Area* in the Official Plan (Attachment 12).

The Official Plan locates the subject site within the *Downtown*. The Official Plan identifies that the downtown area offers opportunities for substantial employment and residential growth, but that this growth is not anticipated to 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, streets, setbacks, heights and relationship to landmark buildings (Chapter Two – Shaping the City).

The Official Plan also identifies that most of the City's future development will be infill and redevelopment and, as such, will need to fit in, respect and improve the character of the surrounding area (Chapter Three – Building a Successful City). Development will be located, organized and massed to fit harmoniously with its existing and/or planned context. Development will limit its impacts on neighbouring properties and the public realm by respecting street proportions, creating appropriate transitions in scale, providing for adequate light and privacy, and limiting shadow and wind impacts. This section of the Plan also contains specific policies on tall buildings and built form principles to be applied to the location and design of tall buildings, including locating buildings parallel to the street, with clearly visible entrances and ground floor uses with views to the street; locating and organizing parking and servicing to minimize impacts; providing an appropriate scale for adjacent streets; minimizing shadowing, loss of sky view and wind impacts; contribution to the skyline character; and fit within the local context.

The site is designated *Regeneration Area* in the Official Plan, which permits a broad mix of commercial, residential, light industrial, parks and open space, institutional, live/work and utility uses, in order to promote reinvestment and revitalization.

King-Spadina Secondary Plan

The subject site is located within the King-Spadina Secondary Plan area. The King-Spadina Secondary Plan (Chapter 6.16 of the Official Plan) provides a framework for reinvestment and development, the fundamental intent of which is to encourage reinvestment for a wide range of uses in the context of a consistent built form that relates to the historic building stock and the pattern of streets, lanes and parks.

In particular the policies of Section 3 – Urban Structure and Built Form specify that new buildings will achieve a compatible relationship with their built form context through consideration of such matters of building height, massing, scale, setbacks, stepbacks, roof line and profile and architectural character and expression. The policies encourage buildings to be located along the street edge with lower levels providing public uses accessed from the street; encourage servicing and parking to be accessed from rear lanes; site new buildings for adequate light, view and privacy; encourage compatibility with the

built form context; provide appropriate proportional relationships to streets and open spaces; and minimize wind and shadow impacts on streets and open spaces.

By-law 921-2006, which is under appeal to the Ontario Municipal Board, proposes amendments to the King-Spadina Secondary Plan that are intended to further clarify and reinforce the fundamental intent of the Plan, re-emphasizing that new development should respond to the unique physical character of the area.

King-Spadina Urban Design Guidelines

The King-Spadina Urban Design Guidelines (2004) support the implementation of the King-Spadina Secondary Plan with detailed guidelines for areas of special identity and special streets. The site is located on Peter Street, identified as a special street. The guidelines seek to ensure that new development respects the massing, height, setback, orientation and character of the industrial buildings prevalent on the street. Building articulation and fenestration should be based on the articulation of the historic building facades. Peter Street is also subject to a 3 hour sunlight standard at mid-day between March and September.

Updated King-Spadina Urban Design Guidelines were endorsed by City Council in September 2006. The updated Guidelines encourage buildings with podiums that relate to nearby historic buildings, and evaluate tall buildings in terms of massing and height and impacts on light, view, privacy, sunlight access and wind conditions, as well as ensuring that the potential for other sites appropriate for tall buildings to develop in a similar manner is maintained. As well, stepbacks between 3 and 9m are encouraged for tall portions of buildings so as to not overwhelm the street wall. The updated guidelines do not identify the subject site as a terminus location.

The Urban Design Guidelines also state that tall buildings are to be assessed in accordance with the City's Tall Building Design Guidelines, including guidelines for tower separation, floor plate and sky view and shadow impacts.

City of Toronto Tall Building Guidelines

The Tall Building Guidelines provide direction on matters related to the scale of buildings, building floor plates and spatial separation. Key criteria in the Guidelines are minimum facing distances of 25 metres between towers in order to achieve appropriate light and privacy, minimum side and rear yard tower setbacks of 12.5 m, and articulation of tower floor plates that are larger than 743 sq. m. to break down the massing of the building.

King-Spadina East Precinct Built Form Study

The findings of the King-Spadina East Precinct Built Form Study include the principle that heights decrease generally from east to west (University Avenue to Spadina Avenue), and from south to north (Front Street to Queen Street). Within this general height trend are areas of localized conditions. The subject site is within the Warehouse District as identified by the Built Form Study. Preservation of existing heritage and

heritage character buildings within the Warehouse District, and preservation of the warehouse scale, are fundamental goals of all King-Spadina planning policies and studies. The Warehouse District is not a Second Tier height area, and is not considered appropriate for development beyond the as-of-right height of 30 m plus 5 m mechanical.

Additional considerations for this particular site include shadow impacts on Queen Street West, which has been identified as a sunlight street subject to angular plane provisions in Section 12(2)260 of Zoning By-law 438-86; and effects of the proposed height on the perception of a coherent heritage scale in both the Warehouse District and the Queen West Heritage Conservation District.

Zoning

The new City of Toronto Zoning By-law 2010 was adopted by City Council at its meeting on August 25-26, 2010. While the new Zoning By-law has been appealed, staff have been instructed to review all development proposals against both the new By-law and the previous By-law.

Zoning By-law 2010-1106

The site is zoned CRE (x74) with a maximum height of 30 metres. The purpose of the CRE (Commercial Residential Employment) Zone is to provide a range of retail, service commercial, office, residential and limited industrial uses in single use buildings and mixed use buildings.

Exception 74 (x74) indicates that certain site-specific zoning by-laws will prevail on individual sites within the exception area. The site is not subject to any prevailing site specific Zoning By-laws.

Zoning By-law 438-86

The site is zoned Reinvestment Area (RA) by Zoning By-law 438-86, as amended. The RA zoning permits a range of uses and a maximum building height of 30 metres for this site. An additional 5 metres is permitted for rooftop mechanical elements. The Zoning By-law also contains a number of requirements related to building setbacks from the side and rear lot lines. Section 12(2)246 of the Zoning By-law requires a 3-metre setback above 20 metres on all street frontages.

By-law 922-2006, implementing the zoning by-law amendments arising from the 2006 King-Spadina Secondary Plan review, added provisions that included requirements for windows of dwelling units to maintain a separation of 15 m, and 7.5 m to a lot line that is not a public street. By-law 922-2006 is under appeal to the Ontario Municipal Board.

The Zoning By-law parking standards for King-Spadina are those applied to the downtown generally, which requires less parking than many other areas of the City acknowledging the high level of transit service in this area. For residential parking, the Zoning By-law establishes the required parking based on the size of the apartment unit: smaller units require less parking than larger units. Bachelor, 1 and 2 bedroom apartments require less than one parking space per unit, and apartments over 3 bedrooms

require more than one parking space per unit. For commercial parking minimum and maximum standards apply. Visitor and bicycle parking are also required by the By-law.

Site Plan Control

This proposal is subject to Site Plan Control. An application has not yet been submitted.

Reasons for the Application

The applicant has submitted a Zoning By-law Amendment application to permit a building that diverges from the built form policies of the King-Spadina Secondary Plan and 30 metre height limit permitted for the site as set out in Zoning By-law 438-86, as amended. The proposed height of 130 metres exceeds the permitted height by approximately 100 metres.

Additional areas of non-compliance with the Zoning By-law may be identified through further review of the application.

COMMENTS

Application Submission

The following reports/studies were submitted with the application:

- Planning rationale
- Sun/Shadow study
- Traffic Impact Study
- Servicing and Storm Water Management Report
- Tree Declaration
- Green Development Standard Checklist

The initial application submission was determined to be incomplete, and the following outstanding material was submitted on October 13, 2010:

- Parking and Loading Study

A Notification of Complete Application was subsequently issued on October 15, 2010.

Toronto Green Standard

The Toronto Green Standard (TGS) is a tool to implement the broader environmental policies of the Official Plan. Several of the natural environment policies of the Official Plan encourage green development. These policies are geared to reduce the negative impacts of development on the natural environment through practices such as improved stormwater management, water and energy efficiency, and waste reduction and recycling. These policies also promote development that enhances the natural environment and support green industry.

The TGS Checklist has been submitted by the applicant and is currently under review by City staff for compliance with the Tier 1 performance measures.

Issues to be Resolved

Issues to be addressed include, but are not necessarily limited to:

1. Conformity with the existing Urban Structure and Built Form policies of the King-Spadina Secondary Plan;
2. Compliance with the Tall Building Design guidelines;
3. Height and massing relationships with the immediate area and with abutting properties;
4. Traffic, site servicing, and impacts on the pedestrian realm;
5. Amount of vehicular and bicycle parking spaces for residents, office tenants and visitors;
6. Impacts on the future development of the King-Spadina area.
7. Additional areas of non-compliance with the Zoning By-law may be identified through further review of the application.
8. Identification and securing of community benefits under Section 37 of the Planning Act should the proposed development, or some version thereof advance, will be assessed, in accordance with Sections 5.1 and 7.2 of the King-Spadina Secondary Plan.

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

CONTACT

Sipo Maphangoh, Planner
Tel. No. 416-338-5747
Fax No. 416-392-1330
E-mail: smaphan@toronto.ca

SIGNATURE

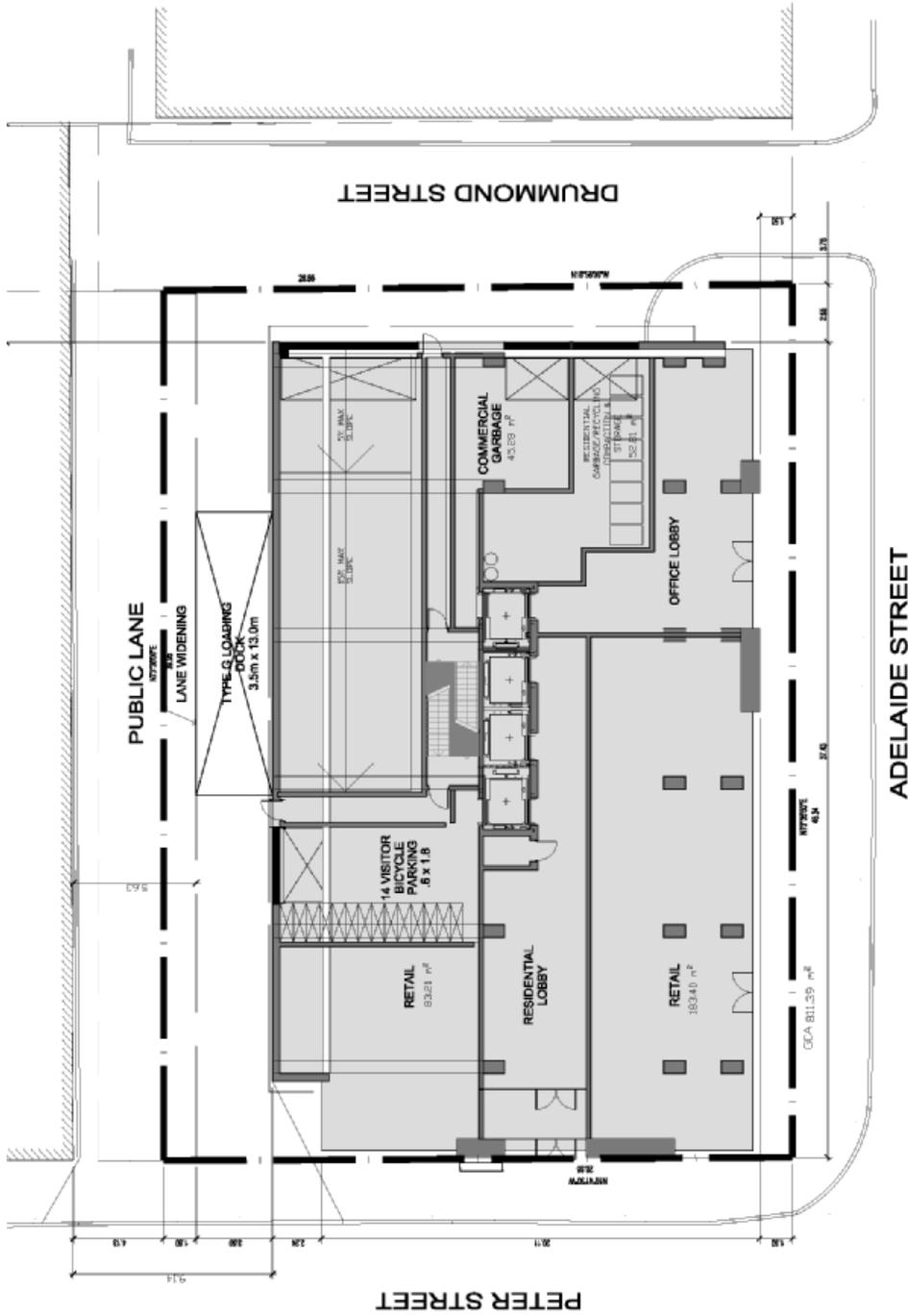
Raymond David, Director
Community Planning, Toronto and East York District

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ATTACHMENTS

Attachment 1: Site Plan
Attachment 2: Elevations
Attachment 3: Zoning
Attachment 4: Application Data Sheet

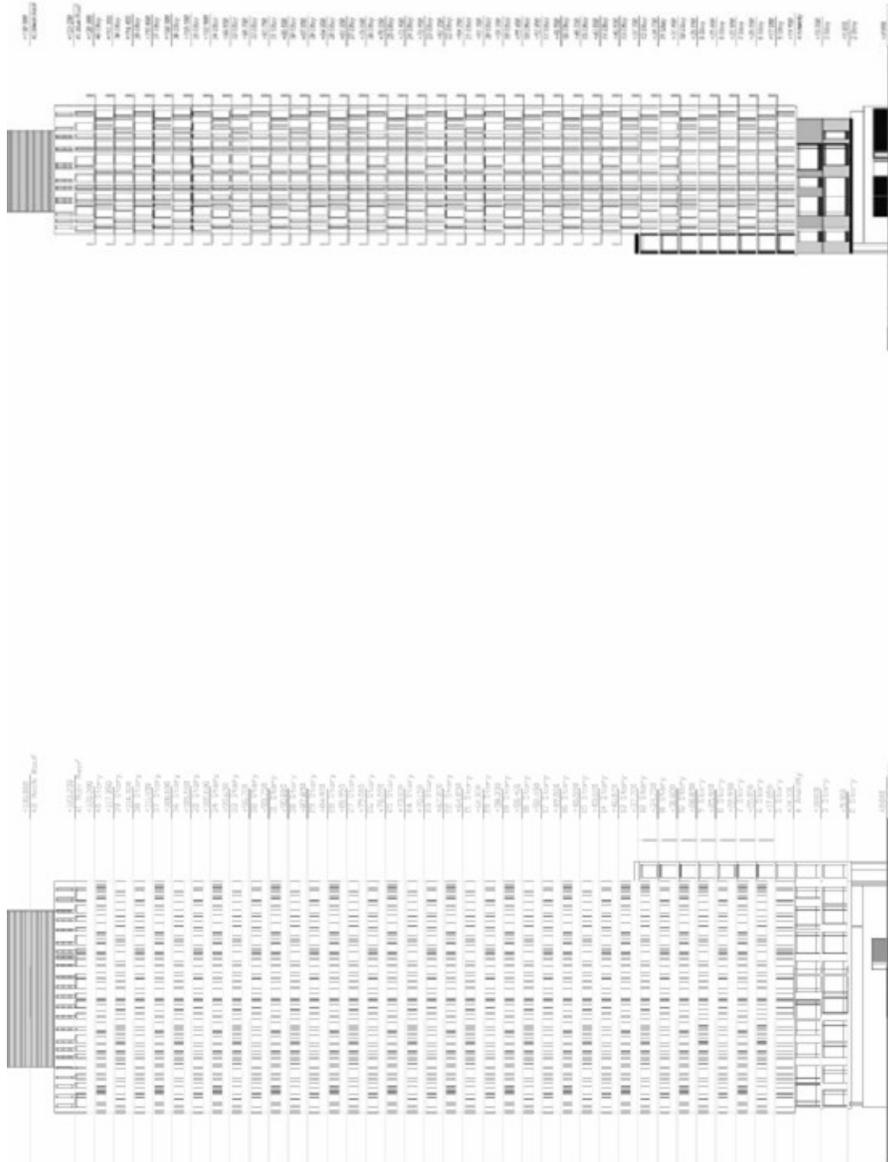
Attachment 1: Site Plan



Site Plan
Applicant's Submitted Drawing
 Not to Scale
 10/28/2010

328-340 Adelaide Street West
 File # 10-239523 SA

Attachment 2: Elevations



North Elevation

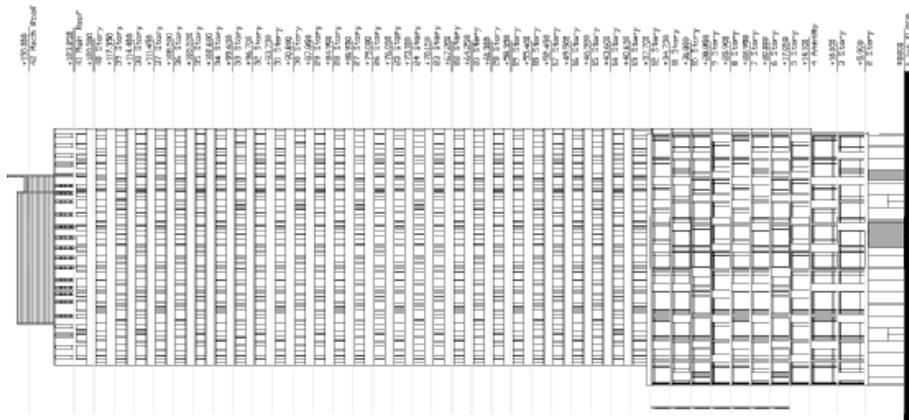
East Elevation

Elevation Plans
328-340 Adelaide Street West

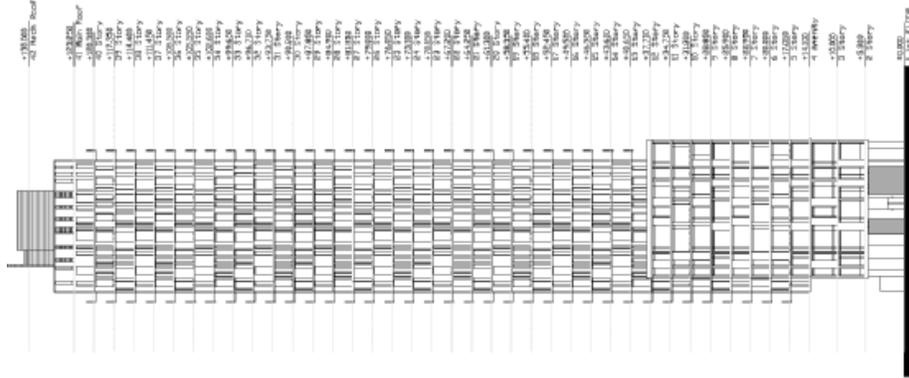
Applicant's Submitted Drawing

Not to Scale
10/28/2010

File # 10-239523 SA



South Elevation



West Elevation

Elevation Plans

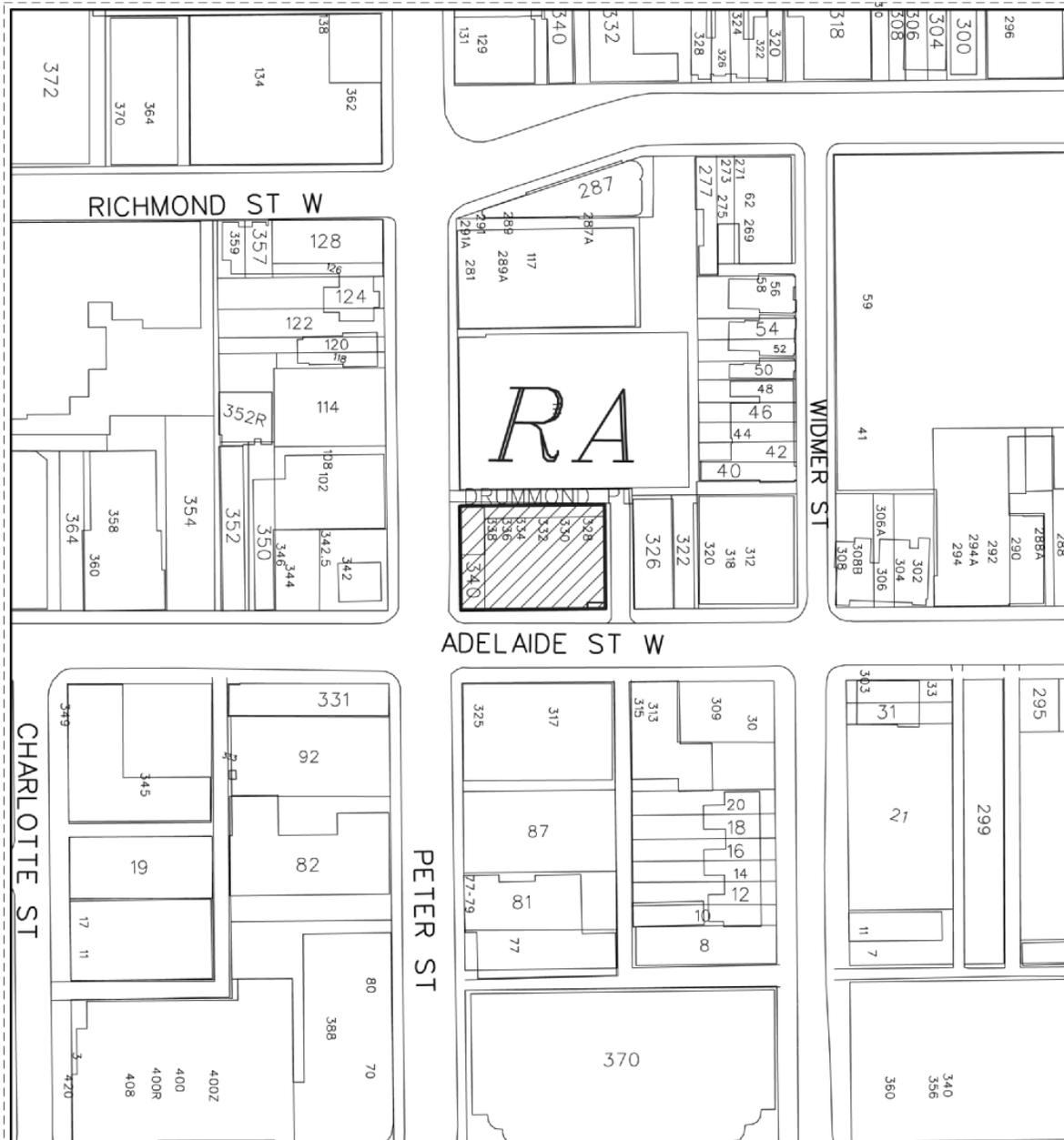
Applicant's Submitted Drawing

Not to Scale
10/28/2010

328-340 Adelaide Street West

File # 10-239523 SA

Attachment 3: Zoning

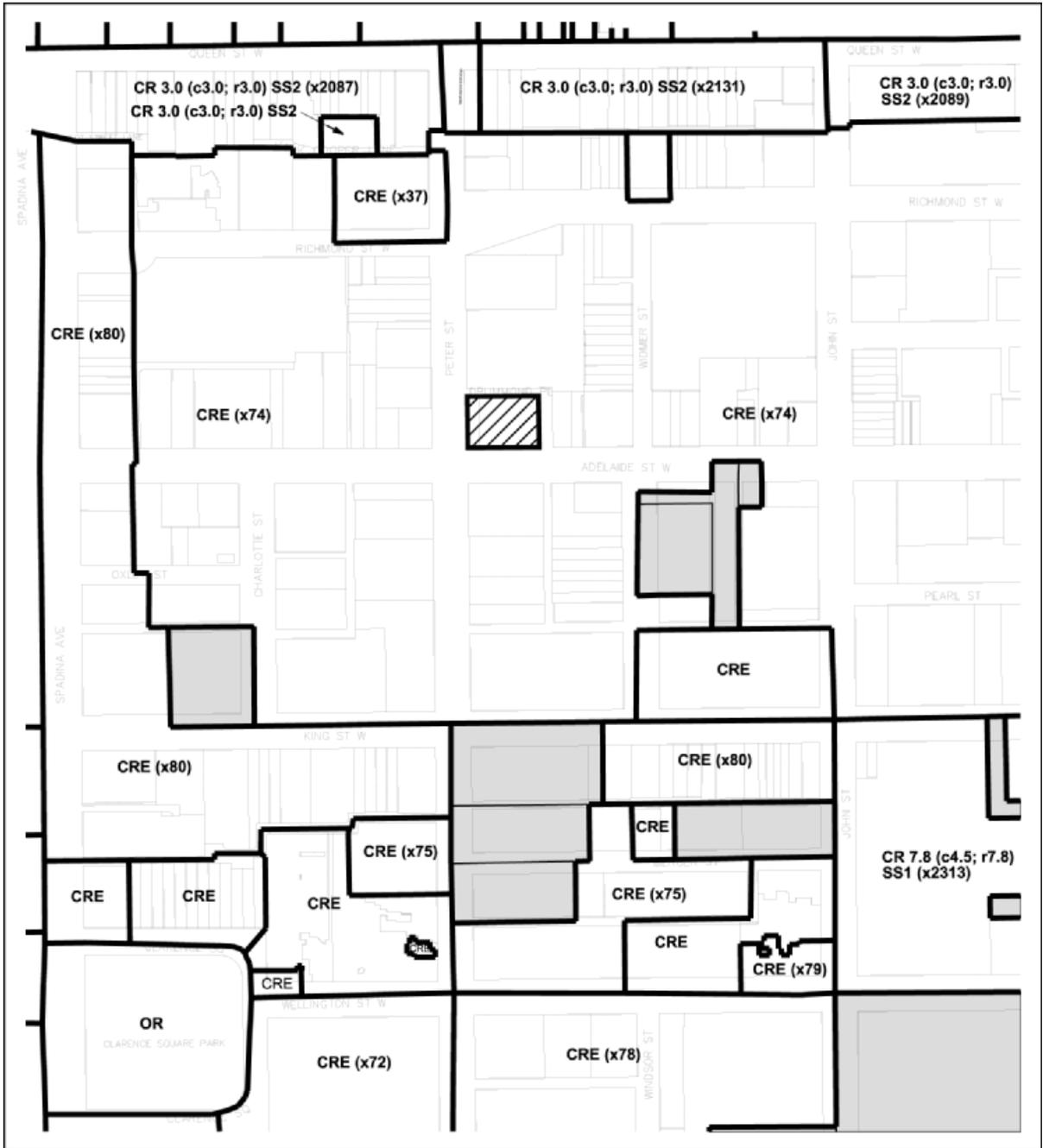


328-340 Adelaide St. West
File # 10_239523

RA Reinvestment Area District



Not to Scale
Zoning By-law 438-86 as amended
Extracted 10/27/2010



Toronto City Planning
Zoning

328-340 Adelaide Street West
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- Not Part of By-Law 1156-2010
- OR** Open Space Recreation
- CR** Commercial Residential
- CRE** Commercial Residential Employment

City of Toronto By-Law 1156-2010
 Not to Scale
 11/15/10



Attachment 4: Application Data Sheet

APPLICATION DATA SHEET

Application Type	Rezoning	Application Number:	10 239523 STE 20 OZ
Details	Rezoning, Standard	Application Date:	August 13, 2010

Municipal Address: 328 ADELAIDE ST W
 Location Description: PLAN M159 PT LOT 14 **GRID S2013
 Project Description: Rezoning application for new 40 storey mixed use building with retail at grade, and commercial office space at the second and third floors. Proposed are 330 residential units with a total of 118 parking spaces contained within 5 levels of below grade parking.

Applicant:	Agent:	Architect:	Owner:
SHERMAN BROWN DRYER KAROL		architectsAlliance	2122116 ONTARIO INC

PLANNING CONTROLS

Official Plan Designation:	Regeneration Areas	Site Specific Provision:	n/a
Zoning:	RA	Historical Status:	n/a
Height Limit (m):	30	Site Plan Control Area:	yes

PROJECT INFORMATION

Site Area (sq. m):	1155	Height:	Storeys:	40
Frontage (m):	40.09		Metres:	130
Depth (m):	28.86			
Total Ground Floor Area (sq. m):	811			Total
Total Residential GFA (sq. m):	25720		Parking Spaces:	118
Total Non-Residential GFA (sq. m):	1815		Loading Docks	1
Total GFA (sq. m):	27535			
Lot Coverage Ratio (%):	70.2			
Floor Space Index:	23.84			

DWELLING UNITS

FLOOR AREA BREAKDOWN (upon project completion)

			Above Grade	Below Grade
Tenure Type:	Condo			
Rooms:	0	Residential GFA (sq. m):	25720	0
Bachelor:	0	Retail GFA (sq. m):	266	0
1 Bedroom:	184	Office GFA (sq. m):	1549	0
2 Bedroom:	146	Industrial GFA (sq. m):	0	0
3 + Bedroom:	0	Institutional/Other GFA (sq. m):	0	0
Total Units:	330			

CONTACT: PLANNER NAME: Sipo Maphangoh, Planner
TELEPHONE: (416) 338-5747